

Chairperson Kilpatrick noted the applicant had received approval for his renovation plans. He stated he would like to echo the previous comments regarding the applicant's presentation, noting it was an impressive presentation, and wished the applicant the best of luck with his renovation project. Mr. Kowal thanked the Board for granting his request.

9. DISCUSSION ITEMS

- 9A. Sidwell: 15-33-200-013
Address: 1081 W. Auburn Road
Applicant: Leon LaBrecque

Chairperson Kilpatrick stated this item was a discussion item with respect to the premises located at 1081 W. Auburn Road. He explained the applicant was coming before the Board to request some guidance or suggestions regarding what the Board may or may not approve.

Leon LaBrecque, 1660 N. Livernois, stated he was former Commission Member, and was very excited about a project he hoped to complete regarding the Albert and Delia Terry House, 1081 W. Auburn Road. He indicated the house was one of the oldest houses in Oakland County, built in 1839 in the Greek Revival style, on one and one-half acres.

Mr. LaBrecque stated he was a tax attorney and financial advisor, with about twelve employees, with offices currently located in Troy, Michigan. He indicated he had been looking for a historic structure for quite some time, and felt 1081 W. Auburn would make an ideal professional office building. He indicated he would like some input from the Commission regarding what he needed to do in order to turn the house into an office building while preserving its historic character, and basically keeping it in its intact state. He felt it would be a benefit for the public to have access to such a building, and he felt it would make a superb office building for his type of business.

Mr. LaBrecque stated he would like to obtain a special use permit from the City for such a use, noting he did not think it should be rezoned. He indicated he felt a special use, such as the one granted to the Avon Prairie House, due to the home's historical significance, was the best option. He stated he had researched Albert Terry, noting the Terry family went back to one of the original Mayflower families. He requested input from the Board on whether they felt he could proceed with such a project.

Mr. Delacourt stated Mr. LaBrecque understood the rezoning process and was very familiar with that process. He indicated it was his understanding that Mr. LaBrecque intended to submit for a rezoning of the property, and pointed out some of the Commissioners had been through the process with 71 N. Livernois (Avon Prairie House). He explained the owners of 71 N. Livernois had requested a rezoning for that property, and were ultimately granted a use variance. He noted the process outlined in the City's Ordinance, which requires denial of a rezoning prior to requesting a use variance from the Zoning Board of Appeals (ZBA).

Mr. Delacourt stated the subject property mirrored the 71 N. Livernois property in some respects, although in other respects it did not. He stated the Planning Commission would be very interested in the HDC's opinion regarding the applicant's proposed use, noting the property was

currently a residential use, and historically had been a residential use. He noted the applicant was proposing a very controlled, restricted office use. He indicated he and Mr. LaBrecque felt it was appropriate for the HDC to discuss the residential use versus the potential office use of the property, prior to it being presented to the Planning Commission for consideration.

Chairperson Kilpatrick stated he did not have problems with either a residential or office use provided the integrity of the outside of the building was maintained. He noted the 71 N. Livernois house and part of the garage were currently being used for an office. He indicated some modifications had to be made with respect to parking for that building. He stated given the likelihood that the subject house would be preserved was a win/win situation. He noted Auburn Road had become a fairly busy road at this point in time, and he did not have any objection to an office use versus a residential use.

Mr. LaBrecque pointed out a commercial use, such as a restaurant, would not make as much sense. He indicated his proposed office use was a quiet use, the public would have access to the house and would be able to enjoy the property, and it would maintain its historical integrity and be given the respect it deserves. He noted it was a valuable architectural piece.

Mr. Dunphy stated he had no objection to an office use for this property, noting the location was in a very heavy traffic area, which made it less than desirable from a residential standpoint. He noted the applicant could change the inside however he wanted, as long as the outside remained intact. He asked if the applicant intended to put any type of addition on the structure as part of the project.

Mr. LaBrecque stated he had retained the architectural firm of Willoughby & Associates, who were currently doing some historical work in Detroit. He stated at this time it was not his intent to add an addition, noting he would rather leave the building alone. He pointed out it would be a question of whether the architects could allocate enough offices to make the project work. He noted there was room for an additional building off to the side, and there was the potential of purchasing some property from the adjacent Church. He explained it was not his current intent to add on to the house, although he might attach the existing carriage house to the house in order to convert it to an office, while keeping the external structure as it currently is. He noted the little pump house on the property was currently a sauna.

Ms. Cozzolino noted the applicant had indicated he had twelve (12) employees and asked if he had plans to grow in the future. Mr. LaBrecque stated his firm was a growing business, and indicated he might attempt to purchase adjacent property to construct a newer building similar in nature to the Terry House.

Ms. Cozzolino asked the applicant what plans he had for parking. Mr. LaBrecque stated the property sat on one and one-half acres and had about 200' to 250' on Auburn Road. He explained there was about 150' adjacent to the property on the east side of the house.

Ms. Cozzolino asked if the applicant had plans for parking in the front. Mr. LaBrecque stated he did not and explained that parking would be on the side. He described the lot by the use of an aerial photograph, pointing out the 210' along Auburn Road, with the house occupying about the

middle of the front portion of the parcel, and pointed out the area adjacent to the house that could be used for parking. He noted a fence on the property and explained the fence was not a historic fence and stated he had documents from 1940 that did not reflect the fence. He indicated the fence line could be moved back to allow for parking in that area.

Ms. Cozzolino asked if there were many old trees in that area. Mr. LaBrecque stated the owners prior to the current owner, were arborists and the site had a tremendous selection of trees in the back of the parcel. He pointed out a greenbelt section in the back and along the side by the church property. He noted there was a lovely garden area that would make for a nice walking area. He stated the parcel had a tremendous variety of species on it.

Mr. Delacourt asked the square footage of the house. Mr. LaBrecque stated the house appeared to have a footprint of about 2,000 square feet, noting there was a first floor, second floor and a walkout basement.

Chairperson Kilpatrick asked if it was the applicant's intention was to modify some of the treed areas. Mr. LaBrecque pointed out an area of scrub trees that were in the right-of-way that would be removed. He also noted some trees would have to be removed to provide for parking. He stated he did not intend to do anything with the trees in the back of the parcel. Mr. LaBrecque stated there was an adjacent residential parcel of property that he might enter into negotiations to purchase, but had not made that decision at this time. He stated presently he had a current signed offer on the 1081 W. Auburn parcel.

Ms. Sieffert asked what was on the adjacent residential parcel, noting it looked like a garage from the aerial view. Mr. LaBrecque stated it was a 1960's ranch residence.

Ms. Sieffert asked if that home was currently vacant. Mr. LaBrecque stated it was occupied, although the parcel was an unusual shaped parcel with 50' frontage on Auburn Road, and a 187' driveway.

Ms. Sieffert clarified the applicant had not purchased the property at this time. Mr. LaBrecque stated he had a signed offer on 1081 W. Auburn, but had not made any sort of offer on the adjacent residential parcel.

Ms. Sieffert asked if the HDC was the first Commission the applicant had appeared before. Mr. LaBrecque stated that was correct as he wanted to get the HDC's opinion regarding his project first.

Ms. Sieffert stated the HDC did not normally make a decision until they had seen blueprints. Mr. Delacourt stated the applicant had come before the HDC strictly for discussion purposes regarding the use. He explained if the applicant's project went forward it would stay a District, and even if the property were rezoned or a use variance were granted, the HDC would still be responsible for reviewing any site plans and would be involved in the use variance process that would make the final determination on the site plan.

Ms. Sieffert asked if the applicant's use variance would be business or a Planned Unit Development (PUD).

Mr. Delacourt stated the applicant's project would not be a PUD. He explained the applicant's proposal was similar to the process used for 71 N. Livernois, which was a very specific use. He stated the applicant did not feel a rezoning would be appropriate because it would allow a wide range of uses for the property. He indicated it was his understanding that the applicant would propose to the Planning Commission that the parcel should not be rezoned, but a very detailed specific use allowed with very detailed rules put in place. He stated due to the way the City's Ordinance was structured, a use variance could not be requested until a rezoning request had been denied. He stated the applicant would have to go through the process first, and based on his former experience as a commission member and his understanding of the sensitivity of the property, the applicant felt that the use should be discussed with the HDC first prior to pursuing any other options.

Ms. Sieffert stated this property was a very important piece of property for the City as the applicant had noted. Mr. LaBrecque stated he would be afraid a developer would come in, purchase the corner, rezone the whole thing, knock down the structure and put in another strip mall.

Ms. Sieffert stated that would not happen because anyone developing the property would have to come before the HDC. She asked whether the corner lot was part of the soccer field owned by the church. Mr. LaBrecque stated the corner lot was currently vacant land, and noted the soccer field was further over. He noted it was the corner with the Burr Oak Tree on it and was part of the church property.

Chairperson Kilpatrick clarified if the HDC objected to the applicant's proposal, then he would not make an offer on the property. Mr. LaBrecque stated he felt his plan was the most consistent with what the HDC would agree with, but wanted to be sure before he moved forward. He stated if he received a favorable response from the HDC, then he would proceed and come back with a full plan, noting he wanted to keep the historic nature of the property, did not want to add to it, and wanted to keep the property "as is".

Ms. Sieffert stated she was disturbed by the applicant's request. She pointed out 71 N. Livernois was a problem property for the City because there was almost no other option except to tear it down. She noted it turned out quite handsomely, but it was a long, complicated process. She stated the subject property was a bit more useable and it was conceivable it could continue to be used as a residence, regardless of how busy that area was. She stated in theory she did not have a problem with an office use, but stated that did not mean the applicant's company would always be the office in that location. She indicated she would like to know how Commissioner Dziurman would look at the project. She stated she was uneasy about the project without seeing more details and blueprints.

Mr. LaBrecque stated the basic question was whether it made sense to have a piece of property like the subject property become an office under the restrictions of a special use variance.

Ms. Sieffert asked what the restrictions would be. Mr. Delacourt explained the applicant first had to request a rezoning. If the rezoning was denied, the applicant had the right to ask for a use variance. He stated there were very specific standards that would have to be met before a use variance would be granted. He believed the City had only granted two (2) use variances in its history, one of which was to the Avon Prairie House. He clarified if a use variance were granted, there was no limitation as to how specific the ZBA could be. He stated the ZBA could request the HDC to work with the applicant on the site plan and have it approved by the HDC prior to the ZBA granting the variance. He stated a use variance would not remove the fact the property was a Historic District and would still require Certificates of Appropriateness from the HDC, but would also need revised use variances to do anything different, creating an additional level of review and approval.

Mr. Dunphy stated he did not see anything in the Ordinance or in the Secretary of Interior's Standards that would preclude a structure that had been built as a residence from being used as something else. He noted that was what adaptive reuse was about. He stated the HDC would want to maintain control of the process, which would happen when the Certificate of Appropriateness needed to be issued. He stated the Commission was not being asked to "green light" the whole process at this point, but rather feel comfortable that the applicant's request fell within the guidelines of the Ordinance and the Secretary of Interior's Standards. He stated if the project moved forward, it would have to come back for a Certificate of Appropriateness.

Mr. Delacourt stated the Historic Districts aspect, as far as use, was one of a litany of issues the applicant would have overcome before the use was changed. He noted the applicant was aware that the City's Master Land Use Plan had this property called out as single family residential, and the existing zoning on the property was single family residential. He stated the applicant would have to address the land use and Master Plan issues outside of the Historic District issue of use with the Planning Commission, City Council and potentially the ZBA, if the applicant chose to go that route.

Mr. Delacourt stated if the applicant went before the Planning Commission regarding use, the Planning Commission would want to know how the HDC felt about the use because the property was a Historic District. He stated the applicant had anticipated that question which is why he was before the HDC for this discussion. He stated the Planning Commission would receive a copy the Minutes from this meeting.

Mr. Castile stated he thought the applicant's proposal was a great idea, noting the applicant wanted to maintain the property. He stated the only issue he would have was that the parking be kept away from the building. He noted an acre and a half would not go that far by the time parking was put in and perhaps a circular drive.

Mr. LaBrecque stated he thought it was a good use of the property because the public would get to use the property more than if it were a residence. He pointed out the commercial uses on Auburn, and indicated eventually something would go in on the corner.

Chairperson Kilpatrick stated his son plays soccer near there and when he drives past the property two to three times week, the property sticks out. He felt it would be great if it were

preserved because it was such a beautiful building. He expressed concerned that perhaps twenty years from now, an owner might not be willing to put in the time and effort to maintain the structure, and would not find a buyer that was willing to put the care necessary into the structure, and a developer could come along or the property could end up in a demolition by neglect status.

Ms. Sieffert stated she would prefer to table any decision by the HDC until Dr. Stamps and Mr. Dziurman could provide their input. She noted the subject property was not in disrepair and had been very well maintained so there was not a problem with demolition by neglect or any other problems seen in other residential units that had been proposed to be used otherwise. She stated she would like to hear what the ZBA had to say before the HDC said anything.

Chairperson Kilpatrick stated there was no action required of the HDC as this was a discussion matter. Mr. LaBrecque stated he was not asking for any type of motion, but wanted to be on the record as having told the HDC what he was proposing and getting the HDC's concerns. He stated if he felt the entire HDC would say the property had to stay residential, they would save him additional time and energy. He stated if the HDC felt it was a great idea, made sense, was good for the public, and was within the historical guidelines, then he could go forward to the Planning Commission. He noted it was a long and tedious process, and he was deliberately taking a route trying to preserve the property. He agreed it was beautiful, well-kept property, but noted Auburn Road was a busy road, and eventually the property could be surrounded by commercial property.

Ms. Sieffert stated the applicant's proposal was the first to make the property non-residential. She felt when that started, it might happen to other residential properties, regardless of whether they were historic or old, and she would hesitate personally to vote in favor of that.

Chairperson Kilpatrick clarified this item was a discussion item and there would no need to vote on any matter.

Ms. Cozzolino stated she supported the proposed project, noting the fact the house was located on Auburn Road and it was just a matter of time before a developer could come along and want to tear it down to build a strip mall. She noted the applicant's background and the fact he really wanted to keep the integrity of the structure made her very comfortable with the idea.

Mr. Thompson stated he had no objection to what he has seen or heard at this point, noting the project would have to get further down the road to see specifics.

Mr. LaBrecque stated he had only come before the HDC to hear what he just heard. He stated it appeared to him that the HDC did not feel it was a terrible idea, and he could come back to a future meeting with some plans and an architect to define the project better.

Chairperson Kilpatrick stated the applicant had heard some of the concerns expressed by the Commissioners, and noted two (2) Commissioners were not present who might have a different opinion, but the applicant had received an idea about what the Commissioners present thought about the proposed project.

Mr. LaBrecque stated he felt the indication from the Commission indicated his plan was sound and he could proceed forward.

Chairperson Kilpatrick stated from his point of view, either an office or residential would not persuade him either way. Mr. LaBrecque stated it was really a remarkable piece of property.

Chairperson Kilpatrick noted the applicant still had many Boards and Commissions to appear before. He asked if the applicant had any other questions or if the Commissioners had any other comments. No additional questions or comments were offered.

Mr. LaBrecque thanked the Commission for its time and input. Chairperson Kilpatrick thanked the applicant for coming before the Commission to present his idea and to request the Commission's opinion.

9B. Sidwell: 15-33-426-020
Address: 3610 S. Livernois
Applicant: Eric Langer

Chairperson Kilpatrick stated Mr. Langer had requested to appear before the Commission to discuss 3610 S. Livernois. He clarified the applicant had not purchased the property as of this time, but was considering purchasing the property. Mr. Langer indicated that was correct. Chairperson Kilpatrick asked the applicant for a brief summary of his proposal regarding the property.

Eric Langer, 5504 Pine Aires Drive, Sterling Heights, Michigan, stated he was thinking about purchasing the home at 3610 S. Livernois. He stated he was a general contractor and had worked on numerous historical homes in the Boston-Edison Historical District, Indian Village, and Mt. Clemens. He stated it would be his intention to preserve as much of the historical and structural integrity as possible. He noted from the street, the view of the home was of a picture postcard perfect home. He stated information from the survey sheet indicated the home was probably built in 1875 and was a carpenter-built Gothic Revival style home.

Mr. Langer stated the back of the home was another story. He indicated he had tried to obtain information from the City, noting the home had been added onto a couple of different times, including a second story dormer. He noted the roofline from the back was a "hodge podge" of additions and indicated there was a flat roof in one area. He stated he had looked at the house three (3) times and it had some serious structural issues. He indicated the structural issues pertained not only to the original structure of the house which was 130 years old, but stated the additions were in worse condition than the original structure. He felt the additions took away from the house on the back.

Mr. Langer stated he would like to receive the Commission's thoughts regarding the historical significance of some of the additions. He indicated he would like to remove some of the roofs, and add some pitches to take away the mess it currently was.