



Rochester Hills Minutes

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Historic Districts Commission

Chairperson Brian R. Dunphy, Vice Chairperson Maria-Teresa L. Cozzolino
Members: John Dziurman, Nicole Franey, Micheal Kilpatrick, Melissa Luginski,
Paul Miller, Dr. Richard Stamps, Jason Thompson

Thursday, October 8, 2009

7:00 PM

1000 Rochester Hills Drive

MINUTES of a **REGULAR ROCHESTER HILLS HISTORIC DISTRICTS COMMISSION MEETING** held at the Rochester Hills Municipal Building, 1000 Rochester Hills Drive, Rochester Hills, Oakland County, Michigan.

1. CALL TO ORDER

Chairperson Dunphy called the meeting to order at 7:00 PM.

2. ROLL CALL

Present 8 - Maria-Teresa Cozzolino, John Dziurman, Paul Miller, Richard Stamps, Micheal Kilpatrick, Brian Dunphy, Nicole Franey and Melissa Luginski

Absent 1 - Jason Thompson

Also Present: Derek Delacourt, Deputy Director, Planning & Development Department

Judy A. Bialk, Recording Secretary

Chairperson Dunphy stated for the record that Mr. Thompson provided prior notice he was unable to attend this meeting and was excused.

3. DETERMINATION OF A QUORUM

Chairperson Dunphy announced a quorum was present.

4. STATEMENT OF STANDARDS

Chairperson Dunphy read the following Statement of Standards for the record.

"All decisions made by the Historic Districts Commission follow the guidelines of the Secretary of the Interior's Standards for Rehabilitation, MCL Section 399.205, and City Code Section 118-164."

5. APPROVAL OF MINUTES

5A. 2009-0413 Minutes of the August 20, 2009 Special Meeting

Chairperson Dunphy asked for any comments or corrections to the August 20, 2009

Special Meeting Minutes. Upon hearing none, he called for a motion to approve.

A motion was made by Cozzolino, seconded by Stamps, that the Minutes be Approved as Presented. The motion CARRIED by the following vote:

Aye 8 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Franey and Luginski

Absent 1 - Thompson

RESOLVED that the Minutes of the August 20, 2009 Regular Historic Districts Commission Meeting be approved as presented.

5B. 2009-0414 Minutes of the September 10, 2009 Regular Meeting

Chairperson Dunphy asked for any comments or corrections to the September 10, 2009 Regular Meeting Minutes. Upon hearing none, he called for a motion to approve.

A motion was made by Cozzolino, seconded by Stamps, that the Minutes be Approved as Presented. The motion CARRIED by the following vote:

Aye 8 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Franey and Luginski

Absent 1 - Thompson

RESOLVED that the Minutes of the September 10, 2009 Regular Historic Districts Commission Meeting be approved as presented.

6. ANNOUNCEMENTS/COMMUNICATIONS

Chairperson Dunphy called for any announcements or communications. No announcements or communications were presented.

7. PUBLIC COMMENT (Non-Agenda Items)

Chairperson Dunphy asked if there were any public comments. He advised the audience members in attendance that if they wished to speak on any non-Agenda items, they should complete a speaker's card and turn it in to the recording secretary. There were no public comments.

Chairperson Dunphy stated that if any member of the audience wished to speak on an Agenda item, they should also complete a speaker's card and provide it to the recording secretary.

8. UNFINISHED BUSINESS

- 8A. 2009-0335 1046 E. Tienken Road**
Applicant: Matthew Vincent
Sidwell: 15-01-352-023
District: Stoney Creek

- Request: - Certificate of Appropriateness
- Paint Colors; Front Interior Replacement Doors
- Certificate of Appropriateness
- New Driveway

Chairperson Dunphy stated for the record that this Item had been pulled from the September 10, 2009 Agenda at the request of the applicant. He called for a brief update from Staff.

Mr. Delacourt stated that Mr. Vincent was present at the August 20, 2009 meeting and presented a series of renovation items that were approved by the Commission at that meeting. The Commission had also identified some items and requested Mr. Vincent return with additional information regarding the paint colors for the siding, gutters, windows and shutters, as well as revisions to the interior doors. He noted details regarding those items had been included in the packet.

Mr. Delacourt stated there was discussion by the Commission at both the August 20th meeting and the September 10th Historic Districts Commission (HDC) meetings about taking the taper off the porch columns, which was shown on Mr. Vincent's revised plans. He stated Mr. Vincent had included details regarding the front doors based on the Commission's comments.

Mr. Delacourt stated Staff had included a potential motion in the packet that supplemented the approval granted at the August 20, 2009 meeting, relating to just the items mentioned above.

Mr. Delacourt stated there was considerable discussion at the August 20th meeting regarding the proposed driveway for the property. Subsequently, the applicant had some survey work done and met with Staff from the Planning and Building Departments. Contact was also made with the Road Commission for Oakland County. He explained the applicant now proposed to move the driveway to the west side of the home and would close the existing curb cut on the east side of the home. He pointed out there was a very narrow strip of property on the east side of the house, and the proposed driveway seemed to work better from a grade standpoint and from the homeowner's standpoint. He noted revised plans had been included in the packet.

Mr. Delacourt stated because there was considerable discussion about the driveway, Staff had provided a separate potential motion for the Commission's consideration and discussion regarding the proposed driveway. He noted the applicant would present his additional information.

Matthew Vincent, 5595 Orion Road, Oakland Township, owner of 1046 E. Tienken Road, was present. He stated there would be two interior front doors, one facing east and one facing Tienken Road. After researching Greek Revival homes, he found that primarily the most common door for that era was a four-panel door. He noted a two-panel door was also somewhat common but not as prevalent as the

four-panel, which is what he is going to have made, if approved. He stated they would be solid wood doors with solid wood jams.

Mr. Vincent stated his research regarding Greek Revival homes indicated that most homes from that era commonly used white paint to mimic the marble Greek columns. He speculated that was probably why most Greek Revival homes were white and why he chose to keep the home white. He proposed to use Behr Ultra White paint, noting no color swatches were available for that color. White would be used for the trim, the windows, the siding, and basically everything except the shutters.

Mr. Vincent stated the color for the shutters would be Behr Mountain Spruce, which is a green stain, and passed around color brochures for the Commission's review.

Mr. Vincent stated he would straighten out the front columns, which were currently tapered.

Mr. Dziurman asked if the applicant was using the solid color or the semi-transparent shown on the color brochure. Mr. Vincent stated it was a solid stain, noting he wanted to keep some of the wood grain, although the stain was not transparent.

Mr. Vincent stated in his research, he had found that columns were either round or square, so he would straighten out the existing columns. Mr. Dziurman asked if they would be square. Mr. Vincent responded "yes, they would go from tapered to square".

Mr. Vincent referred to the brick pavers, noting he would use a standard red brick with a cobblestone border for a sidewalk from the front of the house connecting to the driveway. He noted he would not put in brick pavers on the east side of the home, as originally proposed, as that driveway would not be used and the side door would be removed. He stated he would try to find used brick from the era of the house, rather than buying new brick.

Mr. Vincent explained his survey showed about 18.8 feet from the west side of the house to the property line, while the east side where the driveway currently existed had just a little over 12-feet to the property line. While measuring the actual existing driveway, he found it was on the property line and if he put down gravel or built a retaining wall, it would be on the adjacent neighbor's lot. It made more sense to move the driveway to the west side where there was 19-feet of room. Also, based on the shape of the house, it was easier to make the turn in the back and provided more parking space. He stated the land on that side of the house was more even and level and would not require such a severe retaining wall as would be required on the other side of the home. He stated out of practicality, he chose to move the driveway to the west side of the home.

Mr. Dziurman asked if the existing driveway would be kept as a parking area. Mr. Vincent stated his plans showed that, but explained there was a septic field in the back he did not want to drive over. He intended to fill that curb in and grow grass on that side, noting there would just be one driveway on the west side.

Mr. Dziurman was not sure that many curb cuts would be allowed, and clarified the existing would not be used and a new curb cut put in. Mr. Vincent agreed he was moving the driveway. He noted his plans did not show that, but noted his final plans would reflect the removal of the existing driveway.

Mr. Vincent stated that he would remove the door on the east side of the house and would create a window in that area. He explained there was no point having a door going to the neighbor's yard. He noted the window would be installed about a foot over from where the existing door was located.

Mr. Dziurman stated he was not at the prior meeting the applicant attended, and thanked the applicant for taking on this project. He explained it had been one of the Commission's goals for many years to have this home taken care, and it looked like the applicant would do a nice job. He referred to the August meeting minutes and discussion about a brick porch, and asked if that was being done, noting that would not be historically correct.

Mr. Vincent explained that was going to be a step down from the door that was being removed on the side of the house. Mr. Dziurman stated he was referring to the actual porch. Mr. Vincent stated there was no brick porch. Basically, he was opening up the front porch, and removing the cheap glass that was currently there. He noted what Mr. Dziurman may have seen was the brick walkway leading to the porch. Mr. Dziurman agreed that made more sense.

Mr. Miller stated he was very pleased with everything he had heard and was impressed the applicant was willing to change the columns. He thought the driveway made sense because there was more room and flexibility on the west side of the home. He asked if the shutters would be wood. Mr. Vincent replied they would be solid wood.

Mr. Miller stated he had some experience with wood shutters and explained he had found that once the finish was not so pristine, the shutters had a tendency to weather and got into the glue joints. He highly recommended a solid stain because it lasted longer than the transparent. He suggested when installing the shutters, they be made easy to take down because they would require maintenance.

Mr. Miller asked about the door that was being moved. He referred to the interior first floor plan and asked if the door was being installed on the west side of the house. Mr. Vincent explained he was removing a door on the east side of the house. He pointed out the location of the existing driveway, and stated he would remove the door and replace it with a window next to it.

Mr. Miller asked if a door would be installed on the other side of the house. Mr. Vincent stated there was a door there currently.

Ms. Luginski stated the Commission had given the applicant a lot of suggestions at the August meeting, and she was very impressed with what the applicant came back with. She thought he would make the house an asset to the historic neighborhood.

Dr. Stamps added his thanks and appreciation for taking a special resource and saving it and making it great. He asked if the alley came back to the applicant's property. Mr. Vincent stated it did. Dr. Stamps asked if the driveway could be extended back to allow the applicant to use or access the alley. Mr. Vincent stated he had considered that, but it would require some tree removal, and there was a big slope making it hard to maneuver. He agreed it would be nice due to the fact Tienken Road was such a busy road, and he might try to open it up at some point, but would not use it year round.

Mr. Miller asked about the thickness of the panels in the wood doors, noting the panels were thin on a typical interior door. Mr. Vincent explained it was an exterior door and he was having them custom made. Mr. Miller stated he had similar doors and the panel was quite thin, and did not do much in the wintertime. A wood storm door was almost a requirement, even with the best weather-stripping and sealing. Mr. Vincent acknowledged he might have to eventually look into a storm door.

Chairperson Dunphy added his personal appreciation to the applicant for a job well done. He commented it was apparent there was an immense sense of relief on the part of the Commission that the building would get the attention it deserved, and they were looking forward to seeing the project completed because it would be a credit to the entire Historic District. He called for any other discussion. Upon hearing none, he asked if the Commission was ready to move a motion.

Mr. Miller moved the motion in the packet, which was seconded by Dr. Stamps. Chairperson Dunphy called for discussion on the motion on the floor.

Mr. Dziurman asked about the color of the shingles as he did not see them mentioned in the motion. Mr. Vincent explained the shingles were approved at the August meeting and were basically the exact asphalt shingles currently on the roof. Mr. Dziurman asked if they were the green color. Mr. Vincent stated they were auburn or a brownish-red color.

Mr. Dziurman asked if the shingles should be included in the motion, which was the reason he brought them up. Chairperson Dunphy stated they were part of the approval at the August meeting.

Chairperson Dunphy called for any additional discussion on the motion on the floor. Upon hearing none, he called for a roll call vote.

A motion was made by Miller, seconded by Stamps, that this matter be Approved. The motion CARRIED by the following vote:

Aye 8 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Franey and Luginiski

Absent 1 - Thompson

RESOLVED in the matter of HDC File No. 94-001, regarding the request for a Certificate of Appropriateness for supplemental renovations in connection with the Certificate of Appropriateness issued August 20, 2009 for the existing house located at 1046 E. Tienken Road, the Historic Districts Commission **APPROVES** an additional Certificate of Appropriateness with the following Findings and Conditions:

Findings:

1. The supplemental plans for the renovation of the existing house appear to be compatible with the existing resource.
2. The subject site is a contributing resource within the Stoney Creek Historic District located in the City of Rochester Hills.
3. The architectural features, design, arrangement, texture and materials proposed in the supplemental plans are consistent with those of the Stoney Creek Historic District, and do not appear to have a negative impact on the resource.
4. The proposed supplemental renovations are consistent with the following requirements of the Secretary of the Interior's Standards for Rehabilitation:
 - A. Number 1, which states: "A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment". The Applicant is maintaining the historic purpose of the resource.
 - B. Number 2, which states: "The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided". The Applicant is retaining the historic character of the property and is restoring the front porch back to its original look.

C. Number 3, which states: "Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall no be undertaken". The Applicant is not adding any features or architectural elements that would create a false sense of historical development.

D. Number 5, which states: "Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved". The Applicant has not proposed any renovation or repair work that detracts or changes the craftsmanship of this resource.

E. Number 6, which states: "Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence". The Applicant is repairing as much as possible, and where that cannot be accomplished, is replacing with like materials.

Conditions:

1. All supplemental improvements shall be consistent with plans and materials presented to the City dated October 2, 2009.
2. Prior to any construction, the applicant shall submit for and receive all required Building Permits from the City's Building Department.
3. New interior 4-panel wood doors will be installed on front porch entranceways to the interior the house (porch to house entranceways) stained with Minwax Gunstock 231.
4. The exterior of the house will be painted Behr Ultra White, including any repaired fascia, replaced wood lap siding, and installed gutters. Deteriorated lap siding will be replaced with 3/8"x8"-16"LP smart lap siding.
5. Wood 17" wide louvered shutters will be installed on the north and west elevations of the home. The shutters will be stained Behr Mountain Spruce (DP-322).
6. The existing metal door on the east side of the house will be removed, and replaced with the existing window adjacent to that doorway.
7. The taper on the existing front porch columns will be straightened out to more accurately represent square columns found on a Greek Revival style home.

2009-0335

Chairperson Dunphy noted the motion had carried, and asked if the Commission was ready to consider a motion regarding the proposed driveway.

Mr. Miller moved the motion in the packet, seconded by Ms. Luginski. Chairperson Dunphy called for discussion on the proposed motion on the floor.

Mr. Dziurman suggested a condition be included about the removal of the existing driveway.

Chairperson Dunphy agreed particularly as it was indicated on the current set of plans that the second driveway would remain. Mr. Delacourt agreed.

Chairperson Dunphy clarified that a condition #5 would be added and asked for some proposed wording.

Mr. Dziurman suggested the following:

The applicant agrees to abandon the existing driveway and to grass it over to completely remove all previous appearance of the driveway.

Ms. Luginski asked if that included the actual curb itself. Mr. Delacourt explained that the County's Right-of-Way Permit would require closing that curb cut permanently.

Mr. Miller pointed out that when Tienken Road was improved, the curbs would be torn up and replaced. He questioned requiring the applicant to install replacement curb, to then have it torn it at a later date, noting it would have to be built according to road design standards. Mr. Delacourt suggested the condition indicate the curb cut be closed and represented as such on the revised plans. He stated Staff would work with the Road Commission for Oakland County to determine when they planned to do work on Tienken Road. He explained it would be handled by the County's permit for opening the new driveway, and the County may require closing the existing curb cut. The County might allow some flexibility depending on their schedule, as long as there were no safety concerns.

Mr. Dziurman suggested the condition include wording that the applicant would work with the Road Commission for Oakland County as to the timing for curb cut removal. He thought that would give the applicant some leeway.

Chairperson Dunphy called for any further discussion on the proposed motion on the floor. He clarified that an additional Condition #5 would be included that read:

The applicant agrees to abandon the existing driveway and to grass it over to completely remove all previous appearance of the driveway. The applicant will fill in the curb cut working with the Road Commission for Oakland County on the timing of that work.

Upon hearing no further discussion, Chairperson Dunphy called for a roll call vote.

A motion was made by Miller, seconded by Luginski, that this matter be Approved. The motion CARRIED by the following vote:

Aye 8 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Franey and Luginski

Absent 1 - Thompson

RESOLVED in the matter of HDC File No. 94-001, regarding the request for a Certificate of Appropriateness for the installation of a driveway for the house located at 1046 E. Tienken Road, that the Historic Districts Commission **APPROVES** a Certificate of Appropriateness with the following Findings and Conditions:

Findings:

1. The subject site is a contributing resource within the Stoney Creek Historic District located in the City of Rochester Hills.
2. The use of the driveway is consistent with the Stoney Creek Historic District and will have a positive impact on the resource.
3. The proposed improvement is consistent with the requirements of the Secretary of the Interior's Standards Numbers 9 and 10.

Conditions:

1. The driveway shall be constructed with 1/2-inch recycled crushed asphalt.
2. Prior to applying the recycled crushed asphalt drive, the applicant shall submit for and receive all required permits from the City of Rochester Hills and the Road Commission for Oakland County.
3. The driveway will be installed on the west side of the existing resource (house), and will include a parking area for two vehicles at the rear of the property, along with a paved turn-around section to allow easier egress from the property to Tienken Road.
4. The recycled crushed asphalt drive will be approximately 12-feet wide by about 100-feet deep, running south from Tienken Road, and will be consistent with the proper installation of a base and necessary drainage.
5. The applicant agrees to abandon the existing driveway and grass it over to completely remove all previous appearance of that driveway. The applicant will fill in the curb cut working with the Road Commission for Oakland County on the timing of that work.

2009-0335

Chairperson Dunphy stated for the record that the motion had carried. He wished

the applicant all the best on his project, noting the Commission looked forward to seeing the result. Mr. Vincent thanked the Commission for their time and consideration.

This matter was Discussed

9. NEW BUSINESS

- 9A. 2009-0415 1021 Harding Avenue (HDC File #09-003)
Applicant: Paul Miller
Sidwell: 15-15-327-002
District: Non-Contiguous
Request: Certificate of Appropriateness
- Installation of Fence

Chairperson Dunphy read the request for the record.

Mr. Paul Miller stated he is the property owner and removed himself from the Commission, noting he would not take part in the Commission's discussion or vote on this request. He then took a seat at the presenter's table.

Chairperson Dunphy called for a brief summary from Staff.

Mr. Delacourt stated Mr. Miller wanted to include a farm fence on his property. His information was provided to Staff on August 9, 2009, and was included in the packet with a Memorandum and a potential motion in case the Commission was comfortable acting on the request at this meeting. He noted Staff was not able to conduct a full review on the request. Mr. Miller had requested the opportunity to discuss the matter with the Commission before moving forward with his request.

Mr. Miller stated he was requesting a Certificate of Appropriateness to install a farm fence. He explained his property was a little over two acres in size, with very little fenced-in pasture remaining. Based on discussions with the City regarding the height of the grass per the Weed Ordinance, and rather than having to mow 100 feet back as per the Ordinance, it was his preference to let his sheep eat the grass. He stated the property had been fenced in previously, and noted before the road was paved, remnants of the old farm fence existed. Particularly, a wood corner post was removed during the construction of the road. Also, at that point a number of big trees were removed from the property along with the two large brick pillars that were on either side of the property. He noted a brick pillar remained along the east side of the house yard, which was hard to see because it was up on the hill and was covered in vines and other vegetation.

Mr. Miller stated a hedge ran north and south along the edge of the house property, and he wanted to run the fence from the northeast corner of the lot to the brick pillar, which would be about 150 feet.

He noted a watermain easement ran along his side of the road, and a fire hydrant was located in that area. He would not run the fence along the front property line, but would keep it back from the road which would help keep the sheep and other animals away from the road.

Mr. Miller stated there was an existing old fence he would be repairing and replacing with like materials that ran along the east side of the property. He considered that work to be routine maintenance and was not requesting the Commission's approval for that work.

Mr. Miller stated he had considered the use of large wood posts because he thought that might be more acceptable to the Commission. He had since decided not to use them because when the roadwork was done, the grade was changed to a less inclined grade; however, the fill material used was chunks of curb and asphalt. He noted the difficulty he would encounter getting through that fill material, making it nearly impossible to install fencing in that area. He stated he would be installing the fencing by hand, and it could take some time to get one wood post installed and properly secured. He discussed the installation and use of metal T-posts, which he preferred to use.

Chairperson Dunphy called for questions or discussion from the Commissioners.

Mr. Dziurman asked if the existing fence was made out of wood fence posts. Mr. Miller stated the existing fence was all metal and he would be using the exact same material. He stated he had some wood corner posts in the rear of the property currently used to contain the sheep. In the early 1970s he used cedar wood posts on the corners, but those rotted out and were replaced with fence posts made out of used telephone poles.

Mr. Dziurman asked if the fence would be attached to the brick pillar. Mr. Miller responded no, but the fence would come very close to it. He explained he used the pillar to measure the length of the fence, which would be approximately 150 feet.

Mr. Dziurman referred to the connection to the east where the north/south fence was located, and asked if there was a wood post at that corner. Mr. Miller stated no, it was removed during the watermain installation. He explained the watermain along his property was fairly close to the road. The adjacent strip of property between his house that was originally designed for ingress/egress for a potential residential project, contained a large tap or spur to allow for that proposed development. That installation included the removal of some of his fence.

Mr. Dziurman assumed there was a fence along the front of the property at one time. Mr. Miller stated there was a fence, but it was pretty much just remnants at the time the road was paved.

Mr. Dziurman asked if there were any other fences in the neighborhood that were similar or what type of fencing had been used in the neighborhood. Mr. Miller stated most of the lots in the neighborhood were large and open. He described a house west of his with a wood fence and there were houses with chain-link fences.

Mr. Dziurman asked if there was similar farm property in the neighborhood. Mr. Miller responded he was the only farm on his street.

Mr. Dziurman inquired about the color of the fencing material. Mr. Miller stated it would be galvanized, grey steel. Mr. Dziurman asked if the posts would be green. Mr. Miller said the posts would most likely be green with white at the top, as that was the standard he had seen.

Mr. Dziurman asked about the height of the fence. Mr. Miller stated approximately 48-inches. He noted he had provided a copy of a catalog example of the fence materials.

Chairperson Dunphy asked how far in from the roadway the fence would be. Mr. Miller stated he was not exactly sure of the exact angle, noting he would like to include as much as possible while staying out of the road right-of-way and staying away from the fire hydrant. He indicated he would check with the Fire Department to find out how much clearance area they wanted. He stated he had seen a number of examples of fences with a box cut around fire hydrants, but he suspected the Fire Department would not be happy with that, and it would include four extra corners that were difficult to install. He supplied a ball park figure of about 35-feet. He noted that his property description started from the middle of the road as it was a metes and bounds parcel.

Ms. Luginski asked about the difference between the x's and the -'s used in the applicant's drawing. Mr. Miller explained the x's depicted the location of the proposed new fence. He referred to the 2002 survey sheets and noted the property had been known as the Eureka Fruit Farm and produced more than 24 different types of berries, which were sold directly to the consumers. He still had a lot of berries and various fruit trees which created a problem with the deer. He found when he mowed the grass shorter, more deer fed on the property. Recently, he had been planting fruit trees in the fenced-in garden area to keep them away from the deer.

Chairperson Dunphy called for any other discussion from the Commissioners. Upon hearing none, he asked if the Commission was prepared to make a motion.

Mr. Miller asked for a point of clarification. He asked if with an item such as garden fencing, that tended to be temporary and moved around, whether the Commission preferred homeowners request approval for any alterations.

He also asked about the guidelines for constructing a dog house or a tree house on a designated parcel, noting it was not clear in the information provided by the City.

Mr. Dziurman stated it came down to common sense. He explained a property owner could construct a playhouse that was very small like a shed or it could be very elaborate. The same held true with a tree house. He stated if the structure overwhelmed the property or made a big statement on the property, he thought it should come before the Commission. If it was minor, the Commission would probably not even know about it and it would be okay. He thought it was common sense.

Mr. Miller stated he was curious because of the outhouse that was installed at the old schoolhouse in the Village. He agreed some small structures might not be obvious. He pointed out the fact it was not visible from the road did not mean it should not be approved by the Commission. He summarized that as long as it was of a temporary nature and was not large and massive, then it should not be an issue. He commented his daughter would like a tree house, and he had built a vermin-proof garden shed which was converted to a chicken coop. He stated he would be building a chicken coop at some point, but it would not be the large style typical of old farmsteads. His would be a small wood structure that could be moved, less than 10 x 6 in size.

Mr. Dziurman stated he had just provided his opinion on Mr. Miller's questions. Some of the other Commissioners noted they agreed with Mr. Dziurman's assessment.

Ms. Cozzolino stated she was prepared to make the motion provided in the packet. She noted there had been some discussion about the corner posts and whether they should be wood or metal, and stated if the Commission wanted to add a condition about that, she would agree. Mr. Kilpatrick seconded the motion.

Chairperson Dunphy called for any discussion on the proposed motion on the floor. Upon hearing none, he called for a roll call vote.

A motion was made by Cozzolino, seconded by Kilpatrick, that this matter be Approved. The motion CARRIED by the following vote:

Aye 7 - Cozzolino, Dziurman, Stamps, Kilpatrick, Dunphy, Franey and Luginski

Abstain 1 - Miller

Absent 1 - Thompson

RESOLVED in the matter of File No. HDC 09-003, that the Historic Districts Commission **ISSUES** a Certificate of Appropriateness for 1021 Harding Avenue, which is a non-contiguous Historic District. The work consists of the installation of protective fencing along the front perimeter of the parcel to keep livestock contained on the property. This Certificate of Appropriateness is issued with the following Findings and Conditions:

Findings:

1. The subject parcel is a non-contiguous Historic District located at 1021 Harding Avenue, Sidwell Number 15-15-327-002.
2. The proposed fence installation appears to be compatible with the District.
3. The proposed work consists of the installation of a protective fence along the front property line of the site. The applicant is installing the fence to contain livestock on the property.
4. The proposed fence will consist of T-posts and woven wire field fencing.
5. The proposed fence installation will not detract from the rural appearance/streetscape of the property.
6. The work, as proposed, meets "The Secretary of the Interior's Standards for Rehabilitation" Standard Numbers 1, 9 and 10.

Conditions:

1. The work shall be consistent with the plans dated received by the Planning Department October 2, 2009.
2. The applicant shall obtain any permit required by the City's Building Department.
3. The fence shall be removed from the property if no longer necessary.

2009-0415

Chairperson Dunphy stated for the record that the motion had carried, and thanked Mr. Miller for his contribution to preserving a working farm on his property.

Upon the conclusion of his request, Mr. Miller returned to the dais as a Commissioner to participate in the remainder of the meeting.

This matter was Discussed

10. ANY OTHER BUSINESS

Chairperson Dunphy called for any other business, noting the next meeting was scheduled for November 12, 2009.

2009-0411 1585 S. Rochester Road
- HDC Update

Dr. Stamps stated that 1585 S. Rochester Road had been scheduled for a recent City Council meeting, and asked what had happened at that Council meeting.

Chairperson Dunphy stated that was the property north of Bordine's that the Commission had approved an application that was part of a Planned Unit Development (PUD) that involved relocating the house to another part of the property. Nothing has happened with those plans, and the Commission had subsequently issued demolition by neglect findings. The applicant went directly to City Council with a request to delist the Historic District. City Council referred the matter to the Historic Districts Study Committee with a requirement that a report be submitted to Council within 180 days. He stated there was some public comment from a former Commissioner providing background information about the Commission's role in the process. Council discussed the need to revisit the entire PUD if something changed in relation to the historic structure because the PUD contained a requirement that the structure would be moved and rehabilitated in connection with the Commission's approval of the application.

Mr. Dziurman asked if the owner had any comments based on the discussion about the PUD. Chairperson Dunphy did not recall any comments. Mr. Delacourt stated that the property owner understood that if the property was delisted he would also have to receive a modified or amended PUD from City Council.

Mr. Dziurman stated he did not think he had to tell the Commission his story about the property owner again. Chairperson Dunphy thought the Commission knew how Mr. Dziurman felt. Mr. Dziurman commented the property owner had a history.

Dr. Stamps asked when the 120 day time limit began. Mr. Delacourt stated the 180 days began with the date of the City Council meeting. Chairperson Dunphy agreed that was his understanding.

Dr. Stamps asked when the Study Committee would receive the official request from City Council to move forward and asked if Council would tell the Study Committee what they wanted the Committee to do.

Mr. Delacourt stated Council did that at their meeting. He noted the matter was originally intended to be on the Study Committee's October 8, 2009 Meeting Agenda; however, several Study Committee members wanted to meet at the Stiles School Building and the October 8th meeting was cancelled. The matter will be scheduled for the November Study Committee meeting.

Mr. Delacourt stated that the applicant requested, as did City Council, that the City's preservation consultant be involved in the review. The information has been forwarded to Ms. Kidorf and she was asked to start preparing the Preliminary

Report, which is the process that had been followed with all the Study Committee reports done over the past several years. He hoped to have a Preliminary Report available for the next Study Committee meeting.

Mr. Dziurman asked if the applicant recommended or asked for the consultant to do the report, who was paying for it. Mr. Delacourt stated City Council was fine with the existing budget being used. Mr. Dziurman stated that did not seem right to him.

Chairperson Dunphy added it was his understanding of Council's discussion that if the Study Committee could not complete the report in 180 days, they could come back to Council and request an extension. Mr. Delacourt agreed that was correct.

Mr. Miller asked whether the matter would come before the Commission before returning to City Council. Mr. Delacourt stated he would provide a copy of the report as information to the Commission. He explained the Study Committee process was a separate process and there was no formal review of a Study Committee report by the Commission. There is no formal role for the Commission in this process.

Mr. Miller clarified that was because a delisting had been requested. If a permit for demolition had been requested, the matter would have come before the Commission. Mr. Delacourt responded that was correct.

This matter was Discussed

Chairperson Dunphy called for any other business.

2006-0105 1841 Crooks Road
- Update

Ms. Luginski inquired about the status of 1841 Crooks Road. Mr. Delacourt stated that subsequent to the Commission's denial of the property owner's request to demolish the house, the demolition by neglect was forwarded to the City Attorney with a request to seek permission or whatever means necessary to allow the City to enter the property and correct the items listed in the Building Department review and per the standards for mothballing.

Ms. Luginski asked if the Commission would receive a status update at the next meeting. Mr. Delacourt stated they would. Mr. Miller asked if any further discussions had been held with the property owner since the denial of the demolition request. Mr. Delacourt stated he had some discussions with Mr. Dunn since then which seemed to lead in different directions. At this point Staff asked the City Attorney to take it over and act on that request. He noted that the Commission had given Mr. Dunn all the flexibility to move forward, and stated Mr. Dunn had indicated he planned to conform to all the items listed in the Building Department review to secure the property. He was not aware whether Mr. Dunn intended to appeal to the State Historic Preservation Office, noting the appeal

process information had been provided to Mr. Dunn.

This matter was Discussed

Chairperson Dunphy called for any other business. No other business was

11. ADJOURNMENT

Upon motion duly made and seconded, Chairperson Dunphy adjourned the meeting at 8:35 PM.

Brian Dunphy, Chairperson
City of Rochester Hills
Historic Districts Commission

Judy A. Bialk, Recording Secretary

{ Approved as _____ at the _____, 2009 Regular Historic Districts Commission Meeting. }

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