



Rochester Hills

Minutes

Historic Districts Commission

1000 Rochester Hills Dr
Rochester Hills, MI
48309
(248) 656-4600
Home Page:
www.rochesterhills.org

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

Thursday, April 13, 2017

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 8 - Julie Granthen, Kelly Lyons, Susan McKinnon, Steve Reina, Richard Stamps, Tom Stephens, Jason Thompson and Charles Tischler

Absent 1 - Darlene Janulis

Also Present: Kristine Kidorf, Kidorf Preservation Consulting
Sara Roediger, Director, Planning & Economic Development
Scott Cope, Director, Building
Kelly Winters, Deputy Director, Building
Bob White, Supervisor, Building Services
Sandi DiSipio, Recording Secretary

Vice-Chairperson Thompson welcomed the new Planning Director, Ms. Roediger, and new Commissioners, Ms. McKinnon and Mr. Stephens.

APPROVAL OF MINUTES

[2017-0182](#) November 10, 2016 Regular Meeting Minutes

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

Aye 8 - Granthen, Lyons, McKinnon, Reina, Stamps, Stephens, Thompson and Tischler

Absent 1 - Janulis

COMMUNICATIONS

No communications were brought forward.

PUBLIC COMMENT for Items not on the Agenda

No public comment was heard.

OLD BUSINESS

2006-0105

FILE NO. HDC#99-011

Request: Discussion regarding property

Location: 1841 Crooks Rd.

Parcel: 15-20-428-003

Owner: Fred & Kathryn Dunn

Vice-Chairperson Thompson invited representatives for the property to come to the presenter's table, and asked Ms. Kidorf if she'd like to say anything.

Ms. Kidorf explained there is no staff report because this is a request for an informal discussion by the property owners. She suggested the Board let the owners proceed with the discussion.

Ms. Kay Dunn, the property owner, indicated the Commission received her letter stating how she feels about her property. She said she did not know it was on the historical list when they purchased it 17 years ago. Things have changed in 17 years, and she needs some direction on what to do because it will be difficult and costly to fix the home to historic standards, and she loves the barn. She doesn't know what to do at this point. She and her husband love the property, but does not feel the house is worth saving due to the cost. She would like to maybe tear the house down and build a new one. She just doesn't know what to do. Ms. Dunn introduced her daughter, Ms. Jill Rubin, who was also seated at the table. Ms. Dunn gave a brief history of the house. The owners were going to remodel the house, and believes the City came to them and said they couldn't just remodel the house, they needed approval from the HDC. They went to meetings and hired an architect who did a lot of work with historic properties. When they first purchased the house, they wanted a larger home because Ms. Dunn had five children. They brought the plans to the HDC for approval, but they turned it down the first time because they didn't like the design. The plans were revised and brought back to the HDC a second time, but they still didn't like it. The third time a new house was designed with a breezeway to the old house, which Ms. Dunn didn't care for. The HDC approved these plans. She decided she didn't want two houses and decided to let the house sit. She spent many years taking her dog there for walks. She is retired and her husband is getting ready to retire, and must decide what to do with this property.

Dr. Stamps stated his heart goes out to the homeowner because of the dilemma she is in. He feels it's wrong that real estate agents can sell a property and not notify the prospective buyers that it is in a historic district. This house has been listed as historic since 1978. This information should have also shown up on the title search. Dr. Stamps indicated the Commission is also in a dilemma because the members don't just say what they want, but are bound by historic guidelines. He expressed that he feels the owners pain and dilemma, wishes the real estate agent was up-front, that the owner was not misled by their architect pursuing something that was not in their best interest, and in the end, has caused this piece of the City's history to be in the condition it is today. The

property is such a treasure, recognizing that this style of house, barn and outbuildings, reflected farm life as it was in Avon Township. This house is one of the only surviving examples of what the Township was in the past.

Mr. Reina asked if the applicant has any photos of what the property looked like 17 years ago, to which Ms. Dunn replied yes and can provide them to the members. Mr. Reina asked if the applicant could share what she bought the property for, if she has an idea of what the current value of the property is, the difference in the value of the property with and without the structure, and how these figures were derived. If the applicant prefers not to disclose, this information could be provided to staff.

Ms. Rubin explained she was a realtor and disclosing historical property is not necessary, but is looking into suing the title company for the situation. The owner purchased the house for \$175,000 and the vacant property for \$70,000. She listed the property 14 years ago for \$550,000 and there was tremendous interest, but the instant she indicated it was historic, potential buyers changed their mind. If it was off the historic list, she's sure the property would be worth at least \$700,000 today. Ms. Dunn clarified she doesn't want to sell the property, because she loves it.

Mr. Reina commented the homeowner indicated she talked with someone about structural changes, and asked if any improvements have been made in the last 17 years.

Ms. Dunn replied when they first bought the property, they restored the foundation and raised/fixed the barn as it was leaning.

Dr. Stamps said he attended the O'Neill Pottery estate sale and walked through the house. And then the photos and report completed by the Building Department a few years ago noted the inside has been totally gutted. He asked for a time line of what has happened since Ms. O'Neill sold the property.

Ms. Dunn commented O'Neill sold the property to the Roots who lived there for a while. When she purchased the property, the inside of the house was all open and not livable. Mr. Dunn had also noticed that some of the joists had been cut and an apartment was constructed in the top part of the house.

Vice-Chair Thompson clarified that the purview of this Commission does not go into the inside of a house. The Board has no authority or jurisdiction of the inside, just responsibility for the exterior of the home.

Ms. Roediger stated staff has some photos of the property. The Building Department was on the property recently and took photos of the exterior of the house. A slide presentation was prepared and paper copies of the slides were provided to the members tonight.

Ms. Lyons asked that Ms. Kidorf remind everyone exactly what the Board's review rights are and how far their jurisdiction goes, e.g., street view, additions in the rear, etc.

Ms. Kidorf pointed out the Commission has to review any changes to the exterior of the entire property, so any addition to the house or barn, or any new structures on the property would have to be reviewed and approved by the Commission. The Commission would use the Secretary of Interior Standards to determine whether or not any proposed addition or new construction on the property would meet the Standards. Any additions or new construction would have to be compatible with the massing, size and scale of the house and/or barn, and not destroy any historic features of the property. If the owner is making a case that some of the interior changes are jeopardizing the structural integrity of the property, then the Commission can ask for evidence of that and photos of those interior conditions if the applicant/owner is using that for their justification.

Dr. Stamps noted that was his purpose in asking what the condition of the interior is. The Commission protects the exterior view for public education and enjoyment, but if the interior of the building has been so compromised that there is no way it can be rebuilt, that is important information. He asked the Building Department to comment on the slide presentation.

Mr. Kelly Winters, Deputy Director, Building Department, introduced himself and said he was in the house approximately 10 years ago, and believes he was the last person from Building to be inside the home. He was able to find some of the photos he took at that time, and has no reason to believe that anything has improved since then. Mr. Winters then summarized the photos taken by Bob White of the Building Department a few days ago, pointing out severe deterioration along the roofline, peeling paint, deterioration of the front porch, roof structure and overhangs in bad shape, in the rear - a fireplace or chimney no longer there, places where the structure is open to the weather, decaying rafters in the roof, tree overgrowth, mold, rotting siding open to critters, crumbling foundation, rotted wood, etc.

Mr. Reina asked if any of the photos show the foundation work the owner completed 14 years ago or the condition of the house 17 years ago when the owner purchased it.

There are no photos of foundation repair, but Mr. Winters added it's possible there was some foundation work done in a limited area, and if so, it's starting to deteriorate quickly. There were no photographs from 17 or 14 years ago.

Ms. Kidorf remarked she found a few photos in the file from 2002 and projected them to the screen.

Dr. Stamps observed the house was in pretty good shape back then and wants to know what happened between then and now, and who was responsible for it.

Mr. Reina commented the photo in 2002 shows a relatively intact chimney, and the photo taken recently shows the chimney is missing.

Mr. Thompson noted the applicant came to the Board looking for some direction on what to do with the property, and asked Ms. Dunn what she wants to do with property. It's hard to give direction when the Commission is not sure what the

homeowner wants to do.

Ms. Dunn would like to tear the house down because it is not safe, sits right on the road and will cost a lot of money to fix it.

Ms. Kidorf summarized the four options outlined in her memo of March 27, 2017. Option #1 - the homeowner could apply to the HDC for a Certificate of Appropriateness to rehabilitate the house in accordance with The Secretary of Interior Standards for Rehabilitation, which could potentially include an addition if needed. The rehabilitation should include exterior work to ensure the building is weather tight including roof repair/replacement, siding repair/replacement, window or door repair/replacement, porch repair, foundation repairs and trimming back overgrown landscaping. Option #2 is to apply to the HDC for a Certificate of Appropriateness or Notice to Proceed to demolish the house. The Commission denied such an application in 2010, but they can apply again. Option #3 would be to petition City Council for de-designation of the property. That request would probably take at least a year to process, and would be up to City Council as to whether or not they want to refer it to the Historic Districts Study Committee. The Study Committee would go through the normal process and make a recommendation back to City Council. The fourth option would be to sell the property to someone who would be willing to rehabilitate the house.

From the Building Department's awareness of the property and inspections, Dr. Stamps asked if the homeowner chose Option #4, is the house rehab able?

In Mr. Winters' opinion, it is not. It is so far gone. He has pictures of the interior in 2007 or 2008. Apparently there were substantial structural modifications made to the inside that were improper. Mr. Dunn had admitted to staff that he removed most of this out because he wanted to put it back the way it should be, but it never got put back. There are foundation issues, structural issues (walls, roofs, ceilings, floors, window openings), there is no HVAC, plumbing, electric or mechanical on the inside. There is no insulation, drywall or trim. The structural members are in such bad shape, that even 10 years ago when Mr. Winters was inside, they were starting to affect the exterior, and is hasn't improved since then.

Mr. Reina is prepared to make a motion.

Vice-Chairperson Thompson indicated there is not an application to make a motion on - the issue tonight is only for discussion. The applicant would have to submit an application with a specific request and return to the Commission for a decision.

Mr. Reina asked to state his motion.

MOTION by Reina, seconded by Stamps, **Moved**, that given the information received, the Board indicate to the homeowner that the Commission is prepared to receive an application for a Certificate of Appropriateness to demolish the subject property. The homeowner would then have to make the formal request.

Discussion on the Motion:

Mr. Tischer asked if the house is demolished, does this automatically de-list the property.

Ms. Kidorf explained that if the Commission gives approval either through a Certificate of Appropriateness or a Notice to Proceed to demolish the house, the entire property would still remain a local historic district, so any new construction to be built there would still need to be reviewed and approved by the Commission, as well as any changes to the barn or other changes to the property. She then commented that the Commission doesn't need to pass a motion to accept an application, anyone can apply at any time. And it's not just the application that needs to be submitted, there is a list of things included in her March 27th memo that would need to be submitted with the application for the Commission's consideration.

Ms. Lyons indicated the Board also likes to see the homeowner's due diligence to reasonably demonstrate that it is or is not beyond repair - what the costs of repairing would be. To submit this information within a week would be a rush job. She feels it would be very hard to do due diligence in a week to get realistic information about what the expectations would be to be able to restore the exterior of the building and get the foundation in a condition that it could be occupied and safe, and meet City codes.

Mr. Reina wants everyone to know that the motion he made is with the heaviest of hearts. These properties are jewels, and this would be a heartbreaking event because the Board would be talking about the destruction of one of these jewels. But it would be a decision that would be in accordance with an express answer from City staff to an express and plain question. He feels the motion is appropriate because it provides the homeowner with a sense that the Commission would be willing to receive the application, and would equip them with the knowledge that from the Commission's perspective, they would be 100% interested in good faith answers to all the questions and material requested by City staff as part of the application. He stands behind the motion and the other sentiments.

Ms. Lyons commented that just because a motion is presented to accept the application, she cautioned the homeowner with the fact that the estimates may come back in a reasonable amount.

Ms. Rubin indicated she had her builder look at the house. He said some of the structure upstairs is savable, but basically the entire bottom floor has to be completely redone. He said it will be upwards of \$700,000 - \$800,000 to restore the house to historical standards. She has two old homes and tried to restore one, but it's outrageously expensive.

Dr. Stamps suggested putting a for sale sign on the property between now and when the homeowner returns, to see what the going rate market is and how much the property was worth.

Ms. Rubin said because this property is on the historic list, it would probably go for only \$300,000 - \$350,000. No one wants to touch this property; it's unfortunate, but true.

Dr. Stamps indicated that nationwide, houses in historic districts have a higher value than those that are not in a historic district. The fact that this property is only worth half of the going rate is because of its condition, not because it's in a historic district. He would be interested in finding out what its worth.

Mr. Tischer asked if the homeowner's ultimate goal is to have the property delisted.

Ms. Dunn said it probably is the goal because of the financial end. She would love to put it back the way it was, and feels she could live there, but it will be too expensive.

Vote on the Motion:

Ayes: Lyons, McKinnon, Reina, Stamps

Nays: Granthen, Stephens, Thompson, Tischer

MOTION FAILED.

Vice-Chairperson Thompson assured the homeowner that just because the motion failed, it doesn't mean that she can't submit the application.

There was a request from the audience to make a comment. Vice-Chair Thompson invited the resident to the podium.

Ms. Diane Moore, 2195 Bretton Dr., Rochester Hills, MI, came forward and stated she has lived next to the subject property for over 30 years and has seen a lot. The property was very beautiful, had nice gardens, but the owner never did anything to the property. They removed the fireplace and gutted the inside. Nothing has ever been repaired on the house; it's been totally neglected. The only time someone was there was when Mr. Dunn cut the grass. She would love to see the house restored as it's part of history. She thought Mr. Dunn previously was a member of the Commission.

The Vice-Chairperson clarified that Mr. Dunn never served on the HDC.

Mr. Glenn Moore, 2195 Bretton Dr., Rochester Hills, MI, then came forward and said he's seen the house since 1989. When it was purchased in 2000 by the current owners, it was a perfect house. In 2005, the owners tried to modify the house but it was not approved because it was in a historic district. Since then, the owners have been doing "demolition by neglect" - Ordinance #118-33. The Commission has two alternatives - either the court rehabs the property or have the owner rehab it. If the Board approves a demolition, he would like a new house to have the same specs as the existing house. He has been told the land itself would be worth more than a million dollars.

This issue was discussed.

ANY OTHER BUSINESS

1385 Washington Demolition

Mr. Scott Cope, Director of Building, came forward to summarize the

unfortunate accident that happened at this address. The Building Department made a mistake and allowed a permit for demolition of the property at 1385 Washington Road. When he realized what had happened, the house was already demolished. It was a 1967 house that was supposed to go before the Historic Districts Commission for review prior to any demolition. He took responsibility for the action and feels terrible about what happened. To prevent this from happening again, staff installed a system in their software that will not allow permits to be issued now for any of the designated historic properties, including the properties listed on the potential list. The permits can't be issued without approval from the HDC. Mr. Cope apologized for this happening. He is working with Ms. Roediger to enhance the historic preservation properties and make them more aware to the people who own them and potential buyers. In talking with the owners of 1385 Washington, Mr. Cope indicated they were not aware their home was an historic property. He told the property owners they would have to come before the HDC to receive approval for the plans of their new home. Mr. Cope is also working with the City Attorney and Ms. Roediger to correct discrepancies between the map and the list of addresses of designated properties contained in the ordinance. Once the map is clarified, it will be put on the Building and Planning Department's counter and the City's website. Vice-Chair Thompson thanked Mr. Cope for coming forward. It's regrettable that this has happened, but Mr. Thompson is glad to hear that staff and the City has been proactive to make sure this doesn't happen again. There has got to be something we could put in place to flag historic properties. Ms. Roediger thought staff could maybe work with Treasury or Assessing Departments, and when people call to inquire about taxes or file a property transfer document, that staff be more up-front at that point rather than later. Perhaps a subcommittee could be formed to develop some options. Ms. Kidorf offered that this issue is a state-wide problem.

Earl Borden Award

Mr. Thompson said the members need to make any nominations tonight if the awards are to be presented next month. He asked for any potential nominations reminding the Commission it is not required to present the award every year. Hearing no nominations, discussion was closed.

Election of Officers

Vice-Chairperson Thompson opened the floor for nominations. Mr. Reina nominated Dr. Stamps for Chairperson. Dr. Stamps indicated his time frame is not good for this year, and declined the nomination. Dr. Stamps nominated Mr. Thompson for Chairperson, Ms. Granthen for Vice-Chairperson and Mr. Tischer for Secretary. No other nominations were heard. All three candidates accepted the nomination.

MOTION by Stamps, seconded by Lyons, to elect Mr. Thompson as Chairperson, Ms. Granthen as Vice-Chairperson and Mr. Tischer as Secretary to serve as officers through the end of 2017.

Ayes: All Nays: None

MOTION CARRIED.

Ms. Kidorf mentioned that the Michigan Historic Preservation Network's annual conference will take place May 17-20 in Petosky.

Ms. Granthen commented that the City of Rochester is celebrating their bicentennial this year. The Commission could send a congratulatory proclamation to Rochester -- Ms. Granthen agreed to draft the proclamation and send it to the Commission for comments.

No other business was brought forward for discussion.

NEXT MEETING DATE

The next Regular Meeting is scheduled for May 11, 2017.

ADJOURNMENT

Hearing no further business, the Vice-Chairperson adjourned the Regular Meeting at 8:18 p.m.

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

Sandi DiSipio, Recording Secretary