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[10252021 Agenda Summary.pdf](#)
[Terry Stephens' Resignation.pdf](#)
[10252021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Vice President Bowyer stated she has worked with Terry Stephens on the Green Space Advisory Board and that she has done a wonderful job gathering history on the properties for future generations. She added Ms. Stephens has been a huge advocate for Green Space and will be truly missed.

A motion was made by Bowyer, seconded by Morita, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Resolved, that the Rochester Hills City Council hereby accepts the resignation of Terry Stephens as a Citizen Representative on the Green Space Advisory Board effective October 15, 2021.

UNFINISHED BUSINESS



2021-0145 Request that Council delists the locally designated historic district located at 1021 Harding Ave., Paul Miller, Applicant

Attachments: [10252021 Agenda Summary.pdf](#)
[Minutes CC 072621.pdf](#)
[Engineering Report 101921.pdf](#)
[Filipek Harding Letter.pdf](#)
[072621 Agenda Summary.pdf](#)
[Letter to Delist.pdf](#)
[Letter Connolly.pdf](#)
[Draft Minutes CC 051021.pdf](#)
[051021 Agenda Summary.pdf](#)
[Adopted Final Report 1021 Harding.pdf](#)
[Engineering Report.pdf](#)
[Memo Kapelanski 041521.pdf](#)
[Email Connolly 042921.pdf](#)
[Minutes HDSC 011421.pdf](#)
[Minutes HDSC 021121.pdf](#)
[Minutes PC 031621.pdf](#)
[Minutes HDSC 042221.pdf](#)
[051021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, stated this item was presented to Council in July and postponed to allow the applicant time to provide more information to Council regarding his request to delist. She explained that the applicant is requesting to delist his property because he believes the building is not able to be restored to its historic integrity. She added the Historic Districts Study Committee (HDSC) and the Historic Districts Commission (HDC) both recommended the property remain a historic designation. She pointed out there is now a new owner of this property and they want to continue the request to delist. She added the new owner had the property evaluated, and the engineer stated in his report that this property is not feasible to restore as historic. She introduced **Nancy and Bud Filipek**, the new property owners that were present to answer any questions.

President Deel questioned if the new property owners have already purchased this property; and if there was any contingency in the purchase agreement if Council did not grant the request to delist this property. He inquired what the new owners plan to do with this property if it is not delisted.

Ms. Filipek responded she has already purchased the property and that they were already fully committed prior to knowing this property was listed as historic. She answered she is not sure what she will do if Council does not grant the request, she mentioned possibly going to the HDSC and requesting that they review the property again to see the declining state of the home.

Vice President Bowyer stated she is really sorry that the new owners purchased this property without knowing what was going on with the property. She added she has a hard time delisting this property because there is a lot of history on this property and she would not want to see it get subdivided into three separate lots. She pointed out that it backs up to a large Green Space and would be a perfect Green Space property. She mentioned the last potential buyer wanted to restore the building as historic and she thought that was a great plan.

Mr. Filipek responded stating this property is not a good Green Space property because there is debris everywhere, adding the structure itself cannot be rebuilt. He stated there are many features on the structure that currently are not historic, and they believed that Council would be happy that someone decided to clean this property up, as it is going to be very costly. He mentioned they were told to get out of the building during the walkthrough with the engineer because it was not safe to be in the building. He questioned that if the building falls down would they be able to come back to Council with the same request to delist. He further questioned whether the property can be split into separate parcels.

Vice President Bowyer stated there is a precedence to maintain and just because someone took on this property not knowing it was historic does not mean it should be delisted. She responded that if the structure falls down the property is still designated as historic and would have to be rebuilt as historic per the HDC's approval.

Ms. Roediger addressed the parcel split stating regardless if the site is in a Historic District the property is zoned for single family residential development. She noted this parcel is able to be split per the zoning and all lots would have to remain historic if Council does not approve the delisting request.

Mr. Filipek stated there is a distinctive trail that runs from a nearby subdivision to this property and children often walk the trail. He added during their initial walk through they found drug paraphernalia inside the house and the inspector said that this is common in abandoned homes. He mentioned they are worried kids will find these items and injure themselves; therefore, they would like to take the home down because it is very dangerous.

Ms. Roediger explained that they could not demolish the home because it is historic and would need the HDC's approval; however, they can clean up the rubbish around the property and in the home in order to keep it safe.

Mr. Hetrick inquired about the conclusion of the engineering report stating that the structure is not habitable. He added that even though the house was given the designation by the HDC, Council can still delist the property if there is a hardship. He mentioned he believes the previous owner had a hardship and that he would be in favor of delisting if the new owners were going to clean up this site and make it livable and safe again.

Mr. Filipek responded stating the report did state the structure is not livable, adding there is no safe way to go into the structure to take out the flooring that is collapsing.

Ms. Morita noted that this is a health, safety and welfare issue based on the engineering report, regardless of how it got to this point. She mentioned that the house is not repairable and is a hazard to the City, and she would be in favor of delisting this property.

Mr. Blair thanked the Filipek's for purchasing this property, and added that this particular property came with additional responsibilities because it is historic. He mentioned that there is no doubt that the home is a complete loss, noting that if

the home was removed and the site was split into three parcels the owners could build three historic homes on this property without delisting it. He added he does not support delisting the property, but rather encouraged the Filipek's to build the homes as historic.

Mr. Walker explained that at the July meeting, Council left specific instructions for the owner at that time to provide an engineering assessment of the stability of the structure on the property, the cost and ability to repair the structure, and documentation explaining a financial hardship. He added only one of those three items has been presented to Council tonight, which makes it difficult to make a decision without all the requested information. He also inquired about the intent of this property if it is delisted, stating the investment is much larger than the cost of building three homes on three separate lots. He added he would like to keep the nature preserved on this property and would not be in favor of delisting at this time.

Vice President Bowyer added she does not want to see this property delisted; however, the Filipek's can work with the HDSC on options of removing the structure.

Ms. Morita responded stating it takes the HDSC a long time to make decisions and this structure is a hazard and needs immediate action to get demolished.

Vice President Bowyer stated there was another historic property that had a home that needed to be removed and Council did not override the HDSC's recommendation to delist the property. She added she does not want to set the precedence of delisting historic properties.

Ms. Mungioli mentioned she agrees with the concept of not delisting, but would like Council to give direction to the HDSC to expedite a review of this site and give permission to remove the structure that is falling apart, and then come back with plans on how to address the vacant land.

Ms. Roediger clarified that she understands how long it takes the HDSC to go through the delisting process because it has to go through the State and that process normally takes six months to a year. She noted an individual property owner can request removal of the structure from HDC and they meet monthly and can turn that request around quickly.

Mr. Staran noted any application made to demolish the structure would not involve the HDSC, rather the HDC that meets regularly and are bound by the City's ordinance and state law to act within 60 days of a completed application submitted.

Mr. Hetrick added he agrees with Ms. Mungioli to expedite the process of removing the structure.

Mr. Filipek explained he braced up the structure the best he could to prevent anyone from getting injured, noting the seller still has 30 days to remove his items from the structure.

Mayor Barnett stated the reason why Council originally did not vote to delist this property is because the previous owner requested that it remain historic. He questioned that if this property remains historic and the Filipek's cannot build homes on three separate lots that will produce a return on their investment, will they be able to make this project work. He noted that it would be a financial loss for the Filipek's. He explained if Council delists this property and the Filipek's sell the land, anyone who purchases this property can then build what they want without preserving the historic designation.

President Deel added that the home was not insured when it was damaged and reiterated that the City had worked with the previous owner to try to preserve the property. He stated that twice a potential buyer came before Council expressing interest in purchasing the property and maintaining its historic nature. He stressed that it became very difficult to believe there was an economic hardship when there was a potential buyer. He stated the best way to determine the value of a property is what a person is willing to pay for the property, and there was a willing person who wanted to purchase and restore the property as historic.

The motion failed due to lack of second.

NEW BUSINESS

ANY OTHER BUSINESS

NEXT MEETING DATE

- Regular Meeting - Monday, November 15, 2021 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Morita and seconded by Munglioli to adjourn the meeting at 9:44 p.m.

RYAN DEEL, President
Rochester Hills City Council

LEANNE SCOTT, MMC, Clerk
City of Rochester Hills

AMBER BEAUCHAMP
Administrative Coordinator
City Clerk's Office

Approved as presented at the February 7, 2022 Regular City Council Meeting.