

PONTIAC CITY HISTORIC DISTRICT

TUESDAY – FEBRUARY 11, 2020 - 6:00 P.M.

LION'S DEN – 1st FLOOR

47450 WOODWARD AVENUE – PONTIAC, MICHIGAN

AGENDA

1. CALL TO ORDER:
2. ROLL CALL:
3. COMMUNICATIONS:
4. MINUTES FOR REVIEW: January 14, 2020 Minutes
5. HISTORIC DISTRICT REVIEW:

5.1. HDC 20-06

Address	658 N Perry
Parcel Number	64-14-21-377-006
Applicant	Rodriguez Perry
Historic District	GM Modern Housing
Proposed Application	Roof Single Replacement

5.1. HDC 20-07

Address	654 N Perry
Parcel Number	64-14-21-377-007
Applicant	Rodriguez Perry
Historic District	GM Modern Housing Roof
Proposed Application	Single Replacement

6. UNFINISHED BUSINESS:
7. NEW BUSINESS:
8. PUBLIC COMMENTS:

1 PONTIAC CITY HISTORIC DISTRICT
2 TUESDAY, JANUARY 14, 2020, 6:00 P.M.
3 LION'S DEN, 1ST FLOOR
4 47450 WOODWARD AVENUE, PONTIAC, MICHIGAN
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7

8 BOARD MEMBERS PRESENT: Chair Rick David
9 Comm. David Karazim
10

11 Comm. Linda Porter
12

13 FROM THE CITY: Donovan Smith, City Planner
14
15
16

17 ALSO PRESENT:
18 Terry Coulter
19
20

21 TRANSCRIPT PROVIDED BY:
22 STORM REPORTING (810) 441-0898
23 Mona Storm, Certified Shorthand Reporter # 4460
24
25

1 Pontiac, Michigan

2 Tuesday, January 14, 2020

3 6:06 p.m.

4 CHAIR DAVID: Okay. I would call the meeting
5 to order for January 14th.

6 Donovan, roll call, please.

7 MR. SMITH: All right.

8 Robert Karazim?

9 COMM. KARAZIM: Some days.

10 MR. SMITH: What about today?

11 COMM. KARAZIM: Yeah, yeah.

12 MR. SMITH: Okay. Rick David?

13 CHAIR DAVID: Here.

14 MR. SMITH: Linda Porter.

15 COMM. PORTER: I am here.

16 MR. SMITH: Kathie Henk, she's excused today.

17 MR. KARAZIM: She just called in.

18 MR. SMITH: And Ken Burch?

19 All right. Roll call.

20 CHAIR DAVID: Communications; anything you
21 wanted to do here on this one?

22 MR. SMITH: Yes. So last month, in December,
23 2019, City Council did vote to approve the Historic
24 District Ordinance for Preservation. So everyone has a
25 copy of that.

1 CHAIR DAVID: Okay.

2 MR. SMITH: That is the new Bible.

3 COMM. PORTER: The new Bible. Okay

4 MR. SMITH: That is the new Bible.

5 MR. KARAZIM: We've seen these changes,

6 right?

7 We've discussed them.

8 MR. SMITH: Yes. We went through this

9 several times. This is me just giving you the nice,

10 final draft. So that's done.

11 CHAIR DAVID: That's great.

12 MR. SMITH: Yeah.

13 CHAIR DAVID: Congratulations. So, again,

14 when the people came from the State, they gave us some

15 suggestions. You, as well, had come there.

16 MR. SMITH: Yes.

17 CHAIR DAVID: And now it's done. So this is

18 our -- beyond -- it's just -- it's just our

19 responsibility --

20 MR. SMITH: Yes.

21 CHAIR DAVID: -- our way we execute our work?

22 MR. SMITH: Yes.

23 CHAIR DAVID: Yeah.

24 MR. SMITH: So I did speak with Michigan

25 State Preservation Network yesterday.

1

2

CHAIR DAVID: Yeah.

3

4

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6

MR. SMITH: Mallory Bower, if you'll remember that it was Mallory and Ethan -- not Ethan -- Ellen Thackery, those were the two that came to present to us.

7

CHAIR DAVID: Okay. Sure.

8

9

MR. SMITH: So I spoke with them yesterday. I let them know this was done.

10

CHAIR DAVID: Yeah.

11

12

13

14

MR. SMITH: They're really excited about that. So the next things that we will seek to accomplish, aside from the day-to-day things we want to do, it's called the local government certification.

15

CHAIR DAVID: Okay.

16

17

18

MR. SMITH: And it ties into the historic preservation. You can't go for that certification if this isn't updated.

19

20

CHAIR DAVID: Yeah. And we've been seeking that, Robert, for a long time.

21

22

MR. KARAZIM: Yeah, yeah. There's money available.

23

24

25

MR. SMITH: There is money available. So I told them in February I was going to start putting that on my radar and figuring out how he needs to pursue

1 that.

2 CHAIR DAVID: Do you think it's a big job to
3 do?

4 MR. SMITH: I do not know.

5 MR. KARAZIM: No.

6 MR. SMITH: I haven't --

7 MR. KARAZIM: The only thing we're missing is
8 an architect. I think we have to have a local
9 architect.

10 MR. SMITH: We may. Okay. For the -- for
11 this body?

12 CHAIR DAVID: Yeah.

13 MR. SMITH: For that local government --

14 CHAIR DAVID: Yeah.

15 MR. SMITH: -- certification? Okay.

16 MR. KARAZIM: I think that's the only thing
17 that we're missing.

18 CHAIR DAVID: You -- I mean, you've started
19 that.

20 MR. KARAZIM: I haven't been licensed in
21 years.

22 MR. SMITH: A seal; that's what you need.

23 CHAIR DAVID: What now?

24 MR. SMITH: A seal.

25 MR. KARAZIM: A seal.

1 MR. SMITH: An architect seal.

2 COMM. KARAZIM: Current, up-to-date liability
3 policy --

4 CHAIR DAVID: A paint-by-numbers kind of guy;
5 is that what it is?

6 COMM. KARAZIM: Yeah. Okay.

7 CHAIR DAVID: So -- well, we'll try.

8 MR. SMITH: So those are the communications.
9 So we'll look to bring those -- I'll bring you more
10 information --

11 CHAIR DAVID: Okay. And that's going to --

12 MR. SMITH: -- next month and there will be a
13 different spot for it.

14 CHAIR DAVID: The issue is we don't have any
15 architects living in Pontiac.

16 MR. KARAZIM: I don't know. If it's
17 "living", there's been a couple; we just haven't been
18 able to find them.

19 MR. SMITH: Yeah, we haven't just identified
20 them. We will probably have to put a call out. We
21 have to --

22 CHAIR DAVID: There's a guy on our street.

23 MR. KARAZIM: Yeah, real short guy.

24 CHAIR DAVID: Duane. I want to say
25 Mark Thomas and then he has a partner named Duane.

1 COMM. PORTER: Oh, Füsselein.

2 CHAIR DAVID: Yeah. And I don't know if he
3 does -- but he does architect's --

4 COMM. PORTER: He doesn't live in Pontiac.

5 CHAIR DAVID: No, he doesn't. But he has
6 property. He's an owner of some property.

7 MR. SMITH: Close enough.

8 COMM. PORTER: Yeah.

9 MR. SMITH: So what we could do is we could
10 formally just put a call out saying that -- advertising
11 the open, vacant seat.

12 MR. KARAZIM: If I remember right, we had
13 everything else done. We have a website. We have --
14 we're recording the minutes. I think we've got
15 everything done. I think we're just missing one
16 piece --

17 MR. SMITH: Okay.

18 MR. KARAZIM: -- that I remember. It's been
19 years.

20 CHAIR DAVID: So we'll do that. Another
21 communication that I shared, Katalee James is -- I saw
22 her the other day. And she was of the mind that we
23 need to be more proactive at City Council meetings to
24 educate the Council members and the community about --
25 about our work and the importance of the districts,

1 that -- some of the districts -- many of the districts
2 you know.

3 For example, District 1, Franklin Boulevard
4 is in that one. I don't know. But she thought that,
5 once a month, we could do --

6 MR. KARAZIM: Five minutes.

7 CHAIR DAVID: Whatever they have us do.

8 MR. KARAZIM: I think it's down to three
9 minutes.

10 CHAIR DAVID: Three minutes. And we could
11 rotate, maybe.

12 MR. KARAZIM: Yeah.

13 MR. SMITH: If you would like -- if you would
14 like to do it in February or March, if you let me know,
15 we can schedule a date now and we can --

16 MR. KARAZIM: Are you trying to schedule
17 something for six months?

18 MR. SMITH: Okay. Well, you want to do
19 February or March? That's the question I'm asking you.

20 CHAIR DAVID: Are you suggesting that we just
21 do the normal public comments or to have a regular
22 presentation?

23 MR. SMITH: I think we can do a presentation.

24 CHAIR DAVID: Okay. Yeah.

25 MR. SMITH: So what I would think, if we

1 choose March --

2 CHAIR DAVID: Yeah?

3 MR. SMITH: -- February we'll carve out some
4 meeting time to go over what that will be.

5 CHAIR DAVID: Yeah.

6 MR. SMITH: I'll make something in the
7 interim.

8 CHAIR DAVID: Yeah.

9 MR. SMITH: So that will be a kind of fine
10 tuning to get on the same page in February. So, in
11 March, we can go and do that presentation.

12 CHAIR DAVID: I think that would be helpful.
13 You know, I don't think the City Council members know
14 enough about historic districts and their respective
15 areas.

16 COMM. KARAZIM: Just remember, at City
17 Council, more than five minutes, you're wasting your
18 breath. More than three minutes, you're wasting your
19 breath. And not to pick on them, no, it's just that
20 their environment changes so fast out there.

21 CHAIR DAVID: Yeah.

22 MR. KARAZIM: They're going to get to the
23 hardcore bulletin knives end of the --

24 CHAIR DAVID: Yeah. Well, make your
25 suggestions.

1 MR. SMITH: Okay.

2 CHAIR DAVID: And I'd like to be able to, you
3 know --

4 MR. SMITH: And it may be City Council -- I
5 mean, it's probably a good idea to present to City
6 Council. But that may not be the best forum to get
7 that information out. Maybe you do want to do
8 something more personal in those historic districts.

9 CHAIR DAVID: Yeah.

10 MR. SMITH: That may be something where you
11 get --

12 CHAIR DAVID: Yeah. We did a presentation
13 once in District 2. Robert did a presentation.

14 MR. SMITH: And instead of doing a
15 presentation at Council, you go to Council and say
16 we're holding this presentation on this date in this
17 district, at X and Y location.

18 CHAIR DAVID: Yeah.

19 MR. SMITH: Which may -- you're not trying to
20 preach to the Council in that --

21 CHAIR DAVID: Yeah.

22 MR. SMITH: -- sense.

23 CHAIR DAVID: Okay. We'll work it through.

24 Okay?

25 MR. SMITH: Okay.

1 CHAIR DAVID: Any other communication stuff?

2 MR. SMITH: No. But --

3 CHAIR DAVID: Okay.

4 MR. SMITH: -- we do have to decide -- so I
5 do not have a review for 209 Cherokee, correct?

6 MR. COULTER: What did you say?

7 MR. SMITH: 209 Cherokee?

8 MR. COULTER: Yeah. What?

9 MR. SMITH: Is yours?

10 MR. COULTER: Yeah.

11 MR. SMITH: So we need to either formally
12 vote to add him to the agenda. But we would have to
13 talk through it. We don't have the review for it. Or
14 we can discuss it and formally bring it next month.

15 MR. KARAZIM: Is the paperwork done?

16 MR. COULTER: Yeah, I turned that in right
17 after Christmas.

18 MR. SMITH: So I got it on the 2nd. So we
19 can discuss it and formally bring it next meeting when
20 we have everything ready for it. Because I don't
21 have --

22 MR. KARAZIM: I think we should -- while he's
23 sitting here, let's -- I motion to add it to the
24 agenda, 209 Cherokee.

25 MR. SMITH: Uh-huh. HDC 20-01.

1 CHAIR DAVID: Okay. Is there support of
2 that?

3 COMM. PORTER: I'll support it.

4 CHAIR DAVID: All in favor?

5 COMMISSIONERS: Aye.

6 CHAIR DAVID: Opposed?

7 Accepted. Okay. So do you want to go
8 through the existing one first and then the other ones
9 or, since he's here, do you want to do that first?

10 MR. SMITH: Let's approve the minutes.

11 CHAIR DAVID: Minutes. Okay. I'm sorry.

12 MR. SMITH: Yeah. And then we can --

13 CHAIR DAVID: So the minutes were forwarded
14 from December in the e-mail. I would look for a -- I
15 would entertain a motion to accept the minutes as
16 offered.

17 MR. KARAZIM: Motion.

18 CHAIR DAVID: Is there support for that
19 motion?

20 COMM. PORTER: I wasn't at the December
21 meeting.

22 CHAIR DAVID: Oh, yes, I would support that.

23 COMM. PORTER: I'll support the second.

24 CHAIR DAVID: Okay. All in favor -- all in
25 favor, please --

1 COMMISSIONERS: Aye.

2 CHAIR DAVID: Opposed, "nay".

3 Okay. We've accepted it.

4 You got it?

5 MR. COULTER: I've got a picture of it.

6 That's the way it is now. That's the way it was with
7 the two doors.

8 MR. SMITH: All right.

9 CHAIR DAVID: Okay. So, verbally -- so how
10 do you want to do this, Donovan; do you want him to
11 make a presentation?

12 MR. SMITH: So we added 5.2.

13 CHAIR DAVID: Yeah.

14 MR. SMITH: So we are going to rearrange the
15 agenda and do 5.2, HDC 20-01, 209 Cherokee, and then
16 we're going to finish with 5.1, HDC 19-42.

17 CHAIR DAVID: So did you have a chance to
18 look at his application?

19 MR. SMITH: I know what he wants to do.

20 CHAIR DAVID: Just say that and then, if you
21 would amplify on what he's saying.

22 MR. COULTER: Sure.

23 MR. SMITH: So the application we have is for
24 replacing two windows in the right side of the -- on
25 the right side of the front of the home. They were

1 existing, looks like two windows. Those windows were
2 removed and replaced with windows. So the applicant
3 today is asking that the windows remain and that we
4 approve -- grant a Certificate of Appropriateness for
5 that.

6 Or, since we have updated our ordinance, it
7 would be a Notice to Proceed, seeing as the work was
8 already done. So it wouldn't be "appropriate", it
9 would be Notice to Proceed. So that is what they're
10 requesting.

11 COMM. PORTER: Well --

12 CHAIR DAVID: Can you share --

13 MR. COULTER: Sure.

14 CHAIR DAVID: -- a little bit more?

15 MR. COULTER: See, this is the way the house
16 was when I bought it. It's got the front door and it's
17 got two double doors alongside it.

18 CHAIR DAVID: Yeah.

19 MR. COULTER: And they were 50 years old. So
20 I pulled them out and I put two windows in there. And
21 that's the way it is now. Yeah. And, if you want the
22 doors back in, I don't have a problem with that.

23 CHAIR DAVID: Is this a contributing home?

24 MR. SMITH: I do not exactly know. Like I
25 said, I haven't been able to do the study on that home.

1 CHAIR DAVID: It looks -- when was this house
2 built?

3 MR. COULTER: '31.

4 CHAIR DAVID: Oh. '31?

5 MR. COULTER: Yeah.

6 CHAIR DAVID: 1931?

7 MR. COULTER: Uh-huh.

8 CHAIR DAVID: Oh. It looks much younger.

9 MR. COULTER: Yeah.

10 CHAIR DAVID: It looks like a kid.

11 MR. COULTER: And the windows were replaced
12 originally in it in 2007.

13 MR. KARAZIM: So what kind of windows are in
14 it now, are they aluminum?

15 MR. COULTER: Vinyl.

16 MR. KARAZIM: Vinyl.

17 MR. COULTER: And then they were all there
18 except for those two there. I yanked those two doors
19 out and put two windows in. That's the way it looks
20 now.

21 MR. SMITH: Were those the only windows that
22 were changed?

23 MR. COULTER: Yes.

24 MR. SMITH: No other windows in the house
25 were changed?

1 MR. COULTER: No. Those were wood. Those
2 were the only wood doors left in the house. Like I
3 say, if you can't live with the windows, I'll put this
4 door in so we get the same look. It's up to you; I
5 don't really care one way or the other.

6 MR. SMITH: What's the material of the door
7 that you're proposing?

8 MR. COULTER: It's metal. It will look
9 identical to the way the other one did.

10 CHAIR DAVID: Robert, any thoughts on this
11 topic?

12 MR. KARAZIM: Well, if you did it to any side
13 of the house, we wouldn't care.

14 MR. COULTER: Yeah.

15 MR. KARAZIM: It's the front of the house.

16 MR. COULTER: Yeah. No, I can -- I can
17 replace those windows with that door.

18 MR. KARAZIM: You've got to replace it with
19 what was there.

20 MR. COULTER: And it will look identical.

21 MR. KARAZIM: Yeah, I know. But, if it was
22 wood before, you have to go back to wood.

23 MR. COULTER: I've got wood ones in the
24 garage. I can put them in.

25 MR. KARAZIM: I guess on this side do we care

1 if he covered them up?

2 MR. SMITH: If he covered up the doors?

3 MR. KARAZIM: Yeah.

4 MR. SMITH: What, and put vinyl on the
5 outside of it, siding?

6 MR. KARAZIM: It's already -- you already did
7 it.

8 MR. COULTER: I did it in August.

9 MR. KARAZIM: The -- well, it's aluminum,
10 isn't it?

11 MR. COULTER: Yeah.

12 MR. SMITH: Let me ask this question: If he
13 came to us before with the request, how would we --
14 what would be your perspective on it, if someone wants
15 to take the wood doors out and put in aluminum -- vinyl
16 windows?

17 COMM. PORTER: Do we have any pictures of the
18 original home?

19 MR. COULTER: Yeah, right here.

20 COMM. PORTER: No, the original back when it
21 was built.

22 MR. COULTER: Oh, I -- no, I don't.

23 MR. SMITH: No. I just have the picture --
24 this is the only other picture I have.

25 COMM. KARAZIM: Do you know why those doors

1 were there; was it to a balcony or something or did
2 they go inside?

3 MR. COULTER: Yeah, they went outside. I
4 don't really know why it was. It's almost like a TV
5 room there.

6 MR. SMITH: Is there a wrap-around porch or
7 anything?

8 MR. COULTER: No, it's just a room. As a
9 matter of fact, in here, they call it a fourth bedroom.
10 So I don't --

11 MR. SMITH: Because I also don't -- that
12 looks like regular siding. Is that vinyl siding all
13 the way around?

14 MR. COULTER: Aluminum.

15 MR. KARAZIM: Aluminum.

16 MR. SMITH: Oh. I wonder if that's --

17 COMM. PORTER: There's a couple other homes
18 in Seminole Hills with doors like that.

19 CHAIR DAVID: Yeah. Yeah, I know. Yeah.

20 COMM. PORTER: Yeah, I remember seeing them
21 on other homes.

22 MR. SMITH: I don't think we would have
23 approved it if --

24 MR. KARAZIM: We wouldn't have.

25 MR. SMITH: -- if this came first.

1 MR. KARAZIM: But, you know there's a whole
2 bunch of things here with aluminum siding and windows
3 already replaced.

4 MR. COULTER: Well, I'll do whatever you
5 want. If you want the wood doors back in it, I'll put
6 them back in it.

7 MR. SMITH: If they were to request to
8 upgrade wood doors to aluminum?

9 MR. KARAZIM: We would say no.

10 MR. SMITH: You would say no.

11 MR. KARAZIM: If we were to upgrade it to
12 steel or vinyl, we would say no. The front of the
13 house is the front of the house.

14 MR. SMITH: I would think, to be consistent,
15 we would ask that it goes back to wood doors.

16 MR. KARAZIM: What do we do about the siding?

17 MR. SMITH: Restore it.

18 MR. COULTER: Yeah, we'll just put it the way
19 it was. Because the jamb's still in there. We never
20 pulled the jamb out of the house. The windows sit
21 inside it.

22 MR. SMITH: They're in the existing?

23 MR. SMITH: Yeah. So it's not going to be a
24 major thing to do.

25 MR. SMITH: So I would think that, in any

1 other case, if we were -- someone wants to make a
2 rehab, we'll have them go back to the most recent
3 historical prints we have of it. So, in this case, I
4 would argue that we would do the same and ask that it
5 goes back to what it was historically, which would be
6 the wood doors and the aluminum siding.

7 MR. KARAZIM: Well, yeah, there's a couple
8 issues there.

9 How far are the doors off the ground, more
10 than seven -- more or less than 17 inches?

11 MR. COULTER: Two steps.

12 MR. KARAZIM: Are the steps there?

13 MR. COULTER: No, no.

14 MR. KARAZIM: So you got a code issue there.
15 Open the door and fall and break your neck.

16 MR. COULTER: Well, I --

17 COMM. KARAZIM: No, no, don't offer any --
18 don't --

19 MR. COULTER: Okay. Okay.

20 COMM. KARAZIM: Just relax.

21 MR. SMITH: Let us work through it.

22 MR. KARAZIM: Shhhh.

23 MR. COULTER: Okay.

24 MR. KARAZIM: So --

25 MR. SMITH: So a door with no steps.

1 MR. KARAZIM: Yeah. So, technically, there's
2 supposed to be like some sort of a railing or a guard
3 that goes over it so that -- you know like they do on
4 balconies on the second floor?

5 MR. SMITH: Do you know how many inches off
6 the ground it is?

7 MR. KARAZIM: Two steps, which would be 16
8 inches.

9 COMM. PORTER: Those steps can be different
10 depths.

11 MR. SMITH: I think the requirement kicks in
12 at 30 inches.

13 MR. KARAZIM: 17.

14 MR. SMITH: 17 inches. So he could
15 potentially put in two steps and be up to code.

16 COMM. KARAZIM: Yeah.

17 COMM. PORTER: It doesn't look like it's that
18 high off the ground.

19 MR. SMITH: It doesn't. It looks like --

20 COMM. PORTER: It looks like it's, you know,
21 8 inches max.

22 CHAIR DAVID: What we're trying to do is
23 there's some rules we do all across the country because
24 the Department of Interior have these rules. And we're
25 trying to make the rules fit with the -- so we're

1 trying to follow the rules.

2 MR. COULTER: Oh, okay.

3 CHAIR DAVID: And so...

4 MR. SMITH: Do you feel comfortable --

5 MR. KARAZIM: We can't say "yes" to do
6 something that's illegal or wrong --

7 MR. COULTER: Right. Oh, yeah, yeah.

8 COMM. KARAZIM: -- more or less. So we have
9 to work this out and try to figure out which --

10 MR. SMITH: So it would be, from the Building
11 Department's perspective, because it was existing,
12 technically, the steps not being there is okay prior to
13 the work being done. Now that the work was done, we
14 have to do additional work to bring that area to code.
15 They would ask that the steps be installed.

16 MR. KARAZIM: Or wrought iron.

17 COMM. PORTER: Is there any way that we can
18 find an original picture?

19 MR. KARAZIM: Yeah.

20 MR. SMITH: If I had the time to do some
21 research, I potentially could, yes.

22 MR. KARAZIM: What do you guys want to do?
23 We should tell him to put the wood doors back in.

24 CHAIR DAVID: That sounds easy. Or sell the
25 house.

1 MR. KARAZIM: Fifty bucks cash.

2 MR. SMITH: I can give a recommendation.

3 COMM. KARAZIM: Yeah.

4 MR. SMITH: The recommendation of the
5 Planning Division would be to restore the wood door in
6 the existing frame and to install steps leading up to
7 the door.

8 MR. COULTER: Okay. That's fine.

9 CHAIR DAVID: Did you follow that okay?

10 MR. SMITH: I follow aluminum vinyl --
11 aluminum siding would be permitted --

12 MR. KARAZIM: Repair.

13 MR. SMITH: Repair.

14 CHAIR DAVID: Okay. So we have a -- the
15 shape of a motion. I would entertain --

16 MR. KARAZIM: Porter, do you have a motion?

17 MR. SMITH: If you could, we could massage
18 the language or, if you're okay with the language, we
19 could approve the motion as presented. And, when I get
20 the minutes, I will pull the language out of the
21 minutes and apply it to the Application or we could
22 massage the language. It's up to you.

23 COMM. KARAZIM: No, that's all right.

24 COMM. PORTER: Massage the language?

25 MR. KARAZIM: In other words, we want very

1 specific words.

2 COMM. PORTER: Okay.

3 MR. KARAZIM: Say, "I motion."

4 COMM. PORTER: No, I don't motion. I "move"
5 is the correct term. You don't make a motion, you
6 move.

7 Okay. I move that Mr. Coulter at
8 209 Cherokee return -- replace the doors that were
9 taken out and return to them to the original, the
10 wooden doors.

11 MR. SMITH: Yes.

12 COMM. PORTER: Original wooden doors, restore
13 the original wooden doors.

14 CHAIR DAVID: And?

15 COMM. PORTER: And to add two steps from
16 them.

17 CHAIR DAVID: Okay. So that's been moved.

18 MR. SMITH: And --

19 CHAIR DAVID: Is there another "and"?

20 MR. SMITH: The repair of the aluminum
21 siding.

22 COMM. PORTER: Oh. And repair the aluminum
23 siding.

24 MR. SMITH: Yeah.

25 CHAIR DAVID: We have that motion on the

1 floor. Is there support for that motion?

2 COMM. KARAZIM: Support.

3 CHAIR DAVID: Okay. Any further discussion?

4 All in favor, say "aye".

5 COMMISSIONERS: Aye.

6 CHAIR DAVID: And, if you have a problem, so
7 note, say "nay".

8 Any abstentions?

9 It's been accepted as presented.

10 MR. SMITH: Thank you.

11 CHAIR DAVID: So --

12 MR. SMITH: Okay.

13 CHAIR DAVID: -- was that painful --

14 MR. COULTER: No.

15 CHAIR DAVID: -- or not painful at all?

16 MR. COULTER: No. No problem whatsoever, to
17 be honest.

18 MR. SMITH: I'll have this language available
19 tomorrow.

20 MR. COULTER: Sure.

21 MR. SMITH: If you want to pull the permits,
22 I'll have that --

23 MR. COULTER: Do you want me to give you one
24 day so you can put it in, so you're not rushed?

25 MR. SMITH: Do you want to come in on

1 Thursday?

2 MR. COULTER: Yeah, that's fine.

3 CHAIR DAVID: Are you living in the house?

4 MR. COULTER: No. My son's going to.

5 CHAIR DAVID: Oh, your son is. So you just
6 bought the house?

7 MR. COULTER: Yeah, I bought it back in
8 August.

9 MR. KARAZIM: Congratulations.

10 COMM. PORTER: Yeah, congratulations.

11 Measure from the bottom of where the wood doors are to
12 the ground level and see how many inches that is.

13 MR. COULTER: Okay.

14 COMM. PORTER: I'm curious.

15 MR. COULTER: Okay, no problem. Thank you.
16 Nice meeting everybody.

17 CHAIR DAVID: No problem.

18 MR. COULTER: Yep. See you.

19 MR. SMITH: Okay.

20 CHAIR DAVID: All righty. We're ready for
21 the next review. So we'll do what we normally do, turn
22 it to Donovan for --

23 MR. SMITH: Yes.

24 CHAIR DAVID: -- his presentation.

25 MR. SMITH: So 5.1, HDC 19-42 is for 63

1 Miami. We briefly discussed it in our previous meeting
2 but it wasn't formally placed on the agenda. So there
3 are pictures in your packets and I have a few here.

4 MR. KARAZIM: This is that garage?

5 MR. SMITH: This is the garage. So currently
6 the house is -- the house and the garage were
7 condemned. The homeowner is working with the Hearing
8 Officer and they have been going back and forth with
9 the Hearing Officer for what would -- they meet
10 quarterly, so six meetings, so about a year and a half.

11 They've been working through the house. And
12 the garage is -- right now, it's open to trespass. You
13 see in the pictures it's open. They have not been able
14 to close it. So their safety concern is that, if
15 someone were to enter it, it could collapse.

16 MR. KARAZIM: The door or the garage?

17 MR. SMITH: The roof of the garage, it is
18 caving in. So what the Applicant is trying to do and
19 what her struggle has been is she wants to repair it
20 but she has been having issues, she says, with
21 identifying contractors who would be willing to piece
22 it together to repair it.

23 So, ultimately, she's asking to demolish it.
24 If we do grant -- allow her to demolish it, we are
25 asking that -- she also does want to rebuild it almost

1 exactly the way it is currently, in terms of its
2 materials, its size, the roof, the pitch of the roof.

3 MR. KARAZIM: Is it stucco? This looks like
4 stucco.

5 MR. SMITH: It does look like stucco.

6 MR. KARAZIM: Cement.

7 MR. SMITH: Yeah.

8 CHAIR DAVID: This house has been vacant for
9 years, hasn't it?

10 MR. SMITH: I believe so.

11 CHAIR DAVID: I've driven by it. But the
12 house is -- there's a Hearing Officer but the house is
13 going to be condemned.

14 MR. SMITH: Yeah.

15 CHAIR DAVID: So why would you do the garage
16 when the house is still up in the air?

17 MR. SMITH: So they are -- through this
18 process with the Hearing Officer, they're allowing him
19 to do the work to keep what she's got. One of the
20 things she's trying to budget for is keeping the garage
21 or demoing the garage and budgeting for the house.

22 CHAIR DAVID: So you're saying it's likely
23 that they will keep the house?

24 MR. SMITH: Yes. What they're trying to
25 determine is, is this a garage that needs to be --

1 CHAIR DAVID: Yeah. They don't live in that
2 house?

3 MR. SMITH: I don't believe they live in that
4 house, no.

5 MR. KARAZIM: Miami is over off of Perry,
6 right?

7 CHAIR DAVID: No.

8 COMM. PORTER: No, it's off Huron.

9 CHAIR DAVID: It's off of Huron. Very nice.
10 That's a very nice street, very nice street.

11 COMM. PORTER: Does it come off Cherokee?

12 CHAIR DAVID: And this house, it's such an
13 eyesore for years. And the neighbors have complained
14 to me off and on for a long time. It's covered by --
15 have you driven by it? It's covered by --

16 MR. SMITH: All sorts of foliage.

17 COMM. PORTER: They didn't take care of that
18 foliage?

19 MR. SMITH: Some of it. I know there was
20 some on the garage. So I was paying more attention to
21 the garage.

22 COMM. PORTER: Yeah.

23 MR. SMITH: They got most of it.

24 COMM. PORTER: Yeah, yeah. Now, it says
25 "Oliver Dudley" on here.

1 MR. SMITH: So Oliver Dudley is -- he owns
2 the home. But he is up there in age. So Jann Hodge,
3 she's the one who's kind of helping him get the house
4 back to a living status. But he's --

5 COMM. PORTER: What's her name?

6 MR. SMITH: Jann Hoge.

7 MR. KARAZIM: It's on the report.

8 MR. SMITH: J-A-N-N, H-O-G-E.

9 MR. KARAZIM: It's like on the first line,
10 second line.

11 COMM. PORTER: Oh, okay.

12 MR. KARAZIM: So let me just run through this
13 real quick. You got a house that's really, really bad,
14 terrible.

15 MR. SMITH: Yeah.

16 COMM. KARAZIM: Nobody's fixing it up,
17 they're just piecing it together to keep people off
18 their back. Do I have that correct?

19 MR. SMITH: No. I believe they are going
20 through the process to pull the permits to bring the
21 house back to code.

22 MR. KARAZIM: So there is a budget?

23 MR. SMITH: Yes, there is a budget. And this
24 is what they're trying to determine, if you end this
25 budget, it's to demo and rebuild or is it to rehab.

1 But -- and she's having difficulties finding someone
2 who can rehab it. So she's asking to demo it and
3 rebuild it.

4 CHAIR DAVID: And your recommendation is to?

5 MR. SMITH: If we do allow her to demo it,
6 she has to rebuild it in the same manner that it is
7 constructed in.

8 MR. KARAZIM: No matter what condition this
9 garage is in, it will be cheaper to fix it than it
10 would be to demo it and rebuild it.

11 MR. SMITH: That's what I told her.

12 COMM. KARAZIM: So is she just trying to get
13 out of the pressure? I don't understand what's
14 happening here. I mean, I understand the words are
15 very clear. But there's something's wrong here in this
16 whole conversation.

17 MR. SMITH: Okay.

18 MR. KARAZIM: I have -- when I was your
19 height, I made a living out of doing this, fixing these
20 garages; that's what I did. My specialty was old,
21 historic properties and homes and garages and stuff
22 like that.

23 MR. SMITH: Right. So --

24 COMM. KARAZIM: I've never seen one that
25 can't be fixed for half of what a new one would cost.

1 MR. SMITH: We're on the same page. So I can
2 ask her -- we can table it now and have her come next
3 month and she --

4 COMM. KARAZIM: Tell her I want to come out
5 and see her garage.

6 MR. SMITH: Okay.

7 COMM. KARAZIM: I'll go out and look at it.

8 MR. SMITH: Okay.

9 MR. KARAZIM: I could probably find somebody
10 to fix it, if there's a budget.

11 MR. SMITH: She has Board of Appeals --
12 Hearing Officer tomorrow. So, if you want, I can have
13 her get in contact with you tomorrow and maybe you guys
14 can coordinate a time to meet.

15 MR. KARAZIM: Yeah, whatever.

16 MR. SMITH: And --

17 COMM. KARAZIM: The problem --

18 MR. SMITH: -- actually, do you have in your
19 packet -- is this in your packet?

20 MR. KARAZIM: No.

21 MR. SMITH: Okay. I'll give you -- this has
22 information on it. So I'll give you a copy of it.

23 MR. KARAZIM: I know it's a fine line of what
24 I can and cannot say and what I can and cannot do.

25 CHAIR DAVID: Do we need to hear from the

1 Hearing Officer at all on this issue?

2 MR. SMITH: It may help. I understand that
3 process but that process also happens outside of my
4 department. So it may be beneficial or --

5 MR. KARAZIM: There's got to be a way to
6 shore this garage until spring. Because right now you
7 can't do anything to it -- well, you can stop it from
8 caving in but --

9 MR. SMITH: Yeah. And Dan Kolbe is another
10 good resource who I spoke to about it. How I manage
11 and assist this Board, he manages and assists the
12 Hearing Officer Board. I could invite him. His
13 perspective was the biggest concern is the garage is
14 open and open for entry and, if someone were to enter,
15 it would collapse. If they were to close the garage,
16 that would alleviate that concern.

17 MR. KARAZIM: Okay.

18 MR. SMITH: That's their primary concern.

19 MR. KARAZIM: I think that -- this is my
20 appeal to the Board. I'd like to put my two cents in
21 here. Because this is what I do and I do it very, very
22 well. And I would like to put my two cents in there
23 and see -- and personally evaluate the situation and
24 see if I can come up with a plan of attack. Because
25 I'd really like to see this garage not torn down for

1 obvious reasons.

2 CHAIR DAVID: I'd like to be able to look at
3 the house, too. If they would allow us to see you
4 house, I'd like to get a sense of the whole thing. As
5 I say, I drive by, neighbors have always complained,
6 "Why is this existing in our neighborhood for years,
7 for ten years?"

8 MR. SMITH: So how about this: Let's table
9 it until next month.

10 COMM. KARAZIM: Okay.

11 MR. SMITH: And I will schedule the Board to
12 go to the property. If you want to attend, you can
13 attend but I'll --

14 CHAIR DAVID: So I would entertain a motion
15 to table it -- table it until next month.

16 MR. KARAZIM: It's you, Porter. Today is
17 Porter motion day.

18 COMM. PORTER: Okay. I move to table the
19 property at 63 Miami to our next month.

20 MR. SMITH: HDC 19-42.

21 COMM. PORTER: Oh, okay. Add the number in
22 there.

23 CHAIR DAVID: Is there support for that
24 motion?

25 MR. KARAZIM: Support.

1 CHAIR DAVID: Okay. Any further discussion?

2 All in favor?

3 COMMISSIONERS: Aye.

4 CHAIR DAVID: Opposed, "nay".

5 Okay. Accepted as offered.

6 MR. SMITH: Okay.

7 CHAIR DAVID: Okay. Anything else here,
8 Donovan?

9 So I will follow up with both an e-mail, I
10 will -- do you want a copy?

11 Do you want a copy of her information?

12 MR. KARAZIM: No, I want you to just set it
13 up. I want this all above table. I don't want to go
14 over there and have somebody say, "Well --" I don't
15 want to play that game.

16 MR. SMITH: So I will set it up, I will
17 schedule it and I will notify the Board.

18 MR. KARAZIM: As soon as possible.

19 MR. SMITH: As soon as possible.

20 MR. KARAZIM: Here, let's talk about this
21 just for a second.

22 CHAIR DAVID: Talk about this particular
23 case?

24 MR. KARAZIM: Yeah. Just hang on one quick
25 second.

1 MR. SMITH: Uh-huh.

2 CHAIR DAVID: Okay.

3 MR. KARAZIM: Okay. Tomorrow is 34, then
4 it's 27, 23, 36 Saturday, then it goes down to 11. So
5 Saturday would be the best day to go out there and
6 review it for 15 minutes. It would be the warmest day.
7 It would be a no snow day.

8 MR. SMITH: The day when it's eleven degrees?

9 MR. KARAZIM: No, the day after that, it's
10 eleven degrees.

11 MR. SMITH: Oh.

12 COMM. KARAZIM: And it's eleven degrees all
13 the way for another week.

14 MR. SMITH: Okay. I see.

15 MR. KARAZIM: So the warmest date between now
16 and the next week is Saturday.

17 COMM. PORTER: So are you proposing we all go
18 out?

19 MR. KARAZIM: If you want to go.

20 CHAIR DAVID: Yeah.

21 COMM. KARAZIM: I'm proposing that we
22 tentatively set a date for Saturday and see what he can
23 work on.

24 MR. SMITH: How about Friday?

25 MR. KARAZIM: Friday is 23 degrees.

1 MR. SMITH: Yeah.

2 MR. KARAZIM: That's what I said, it's
3 terrible until -- until Saturday.

4 MR. SMITH: Okay. All right. I'll see what
5 I can do.

6 COMM. KARAZIM: I'll go out there and look
7 any day; it doesn't matter to me but everybody else
8 wants to go.

9 CHAIR DAVID: And I can do it any day as
10 well.

11 MR. SMITH: Okay. I know Friday is a --

12 CHAIR DAVID: Have you been by the home?

13 MR. SMITH: I've driven past it.

14 CHAIR DAVID: I'd like to -- is she in the
15 area?

16 MR. SMITH: I believe so.

17 MR. KARAZIM: Does somebody live there?

18 MR. SMITH: I don't think so.

19 CHAIR DAVID: Nobody's in this house if it's
20 the same house I'm thinking of.

21 MR. SMITH: I'm not sure where Oliver Dudley
22 lives but I don't believe he lives in this house.

23 MR. KARAZIM: 63 Miami.

24 CHAIR DAVID: I'm going to drive by it
25 tomorrow. Okay. So any time you can schedule it --

1 MR. SMITH: Okay.

2 CHAIR DAVID: -- that's what you're hearing.

3 There's not any -- Linda, are you fairly
4 flexible this week?

5 COMM. PORTER: It depends.

6 CHAIR DAVID: Yeah. Okay.

7 COMM. PORTER: It depends.

8 CHAIR DAVID: Okay. Yeah, yeah.

9 COMM. PORTER: Saturday I have a --

10 (Off the record discussion.)

11 MR. SMITH: So that will conclude our
12 business for 5.1 and 5.2.

13 CHAIR DAVID: Yes.

14 MR. KARAZIM: Yes. Did we vote on the
15 motion?

16 CHAIR DAVID: Did we vote on the motion?
17 Okay. Is there anything else, unfinished
18 business?

19 MR. SMITH: I have no unfinished business.

20 CHAIR DAVID: And new business?

21 Okay. Anything else in the hopper?

22 MR. SMITH: I have nothing else.

23 MR. KARAZIM: All right. Motion to adjourn.

24 CHAIR DAVID: Okay. Well, thank you all.

25 And, this meeting, we have a motion to adjourn.

1 MR. KARAZIM: Motion to adjourn.

2 COMM. PORTER: I move to adjourn.

3 CHAIR DAVID: Is there support?

4 MR. KARAZIM: Second.

5 CHAIR DAVID: All in favor?

6 COMMISSIONERS: Aye.

7 CHAIR DAVID: No, "nay".

8 We are adjourned.

9 (Meeting was concluded at 6:41 p.m.)

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C E R T I F I C A T E

I, Mona Storm, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the meeting at the time and place hereinbefore set forth. I do further certify that the foregoing transcript, consisting of (40) pages, is a true and correct transcript of my said stenographic notes.

Date

Mona Storm
CSR-4460

CITY OF PONTIAC ORDINANCE NO. 2358

AN ORDINANCE TO AMEND CHAPTER 74 ARTICLE III PRESERVATION OF HISTORIC BUILDINGS ORDINANCE TO INCLUDE LANGUAGE AND HISTORIC DISTRICT COMMISSION POWERS THAT ARE IN ACCORDANCE TO THE MICHIGAN ZONING ENABLING ACT 110 OF 2006 AND TO REPEAL SECTIONS 74-51 THROUGH 74-62.

THE CITY OF PONTIAC ORDAINS:

Article III. Preservation of Historic Buildings

74-63 PURPOSE AND INTENT

Historic preservation is hereby declared to be a public purpose and the Historic District Commission of the City of Pontiac may hereby regulate the construction, addition, alteration, repair, moving, excavation, and demolition of resources in historic districts within the City limits. The purpose of this Ordinance is to:

1. Safeguard the heritage of the City of Pontiac by preserving districts which reflect elements of its history, architecture, archaeology, engineering, or culture.
2. Stabilize and improve property values in each district and surrounding areas.
3. Foster civic beauty.
4. Strengthen the local economy.
5. Promote the use of historic districts for the education, pleasure, and welfare of the citizens of the City of Pontiac and of the State of Michigan.

The City of Pontiac may by Ordinance establish one or more historic districts. The historic district(s) shall be administered by the Historic District Commission and pursuant to this Ordinance.

74-64 DEFINITIONS

1. **"Alteration"** means work that changes the detail of a resource but does not change its basic size or shape.
2. **"Certificate of Appropriateness"** means the written approval of a permit application for work that is appropriate and does not adversely affect a resource.
3. **"Commission"** means the Historic District Commission of the City of Pontiac.
4. **"Demolition"** means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect.

5. **"Demolition by Neglect"** means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.
6. **"Denial"** means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.
7. **"Fire Alarm System"** means a system designed to detect and annunciate the presence of fire or by-products of fire. Fire alarm system includes smoke alarms.
8. **"Historic District"** means an area, or group of areas, not necessarily having contiguous boundaries, that contains one resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.
9. **"Historic Preservation"** means the identification, evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.
10. **"Historic Resource"** means a publicly or privately owned building, structure, site, object, feature or open space that is significant in the history, architecture, archaeology, engineering, or culture of the city of Pontiac, state of Michigan, or the United States.
11. **"Notice to Proceed"** means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under Section 399.205(6) of Public Act 169 of 1970, as amended.
11. **"Open Space"** means undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or buffer between other resources.
12. **"Ordinary Maintenance"** means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for the purposes of this Ordinance.
13. **"Proposed Historic District"** means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee or a standing committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.
14. **"Repair"** means to restore a decayed or damaged resource to good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for the purposes of this Ordinance.
15. **"Resource"** means one or more publicly or privately owned historic or non-historic buildings, structures, sites, objects, features, or open spaces located within a historic district.

16. **"Smoke Alarm"** means a single-station or multiple-station alarm responsive to smoke and not connected to a system. As used in this subdivision, "single-station alarm" means an assembly incorporating a detector, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. "Multiple-station alarm" means 2 or more single-station alarms that are capable of interconnection such that actuation of 1 alarm causes all integrated separate audible alarms to operate.
17. **"Work"** means construction, addition, alteration, repair, moving, excavation, or demolition.

74-65 THE HISTORIC DISTRICT COMMISSION

- a) City Council may establish by ordinance a commission to be called a Historic District Commission. The Commission may be established at any time, but not later than the time the first historic district is established. Each member of the Commission shall reside within the city limits. The Commission shall consist of seven (7) members. Members shall be appointed by the Mayor. A majority of the members shall have a clearly demonstrated interest in or knowledge of historic preservation. Members shall be appointed for a term of three (3) years, except the initial appointments of three (3) members for a term of two (2) years and two (2) members for a term of one year. Subsequent appointments shall be for three-year terms. Members shall be eligible for reappointment. In the event of a vacancy on the Commission, interim appointments shall be made by the City Council within sixty (60) calendar days to complete the unexpired term of such position. Two (2) members shall be appointed from a list submitted by duly organized local historic preservation organizations. If such a person is available for appointment, one member shall be an architect who has two years of architectural experience or who is duly registered in the State of Michigan. The commission shall have no less than three members who are property owners within the historic districts. Any member who has three unexcused absences during the course of one year will be considered to have resigned from the Commission and the Mayor may make an interim appointment to complete the unexpired term of such position. A member may be removed from the Commission by the Mayor for misfeasance, malfeasance, or nonfeasance in the office after having the opportunity to be heard before the City Council, and upon an affirmative vote of majority of the seated Council.
- b) The Mayor may prescribe powers and duties of the Commission, in addition to those prescribed in this Ordinance, that foster historic preservation activities, projects, and programs in the local unit.
- c) Coordination between the county historic commission and the city historic commission shall be maintained. The overall historical preservation plan of the city shall be submitted to the county historic commission for review, and county plans submitted to the city's historic district commission. Day-to-day activities of legal commissions concerning alteration and restoration decisions need not be submitted to the county but only those plans which have other than strictly local significance.
- d) To the extent any Historic District Commission(s) were created under prior legislation authorizing such creation, they shall remain in full force and effect and be governed and have the authorities established herein.

74-66 ACCEPTANCE OF GIFTS OR GRANTS

The City Council may accept state or federal grants for historic preservation purposes; may participate in state and federal programs that benefit historic preservation, and may accept public or private gifts for historic preservation purposes. The City Council may appoint the Historic District Commission to accept and administer grants, gifts, and program responsibilities.

74-67 ESTABLISHING ADDITIONAL, MODIFYING, OR ELIMINATING HISTORIC DISTRICTS

1. The City Council may at any time establish by ordinance additional historic districts, including proposed districts previously considered and rejected, may modify boundaries of an existing historic district, or may eliminate an existing historic district. Before establishing, modifying, or eliminating a historic district, a historic district study committee appointed by the City Council shall follow the procedures as stated in Section 399.203 (1-3) of Public Act 169 of 1970, as amended. To conduct these activities, the City Council may retain the initial committee, establish a standing committee, or establish a committee to consider only specific proposed districts and then be dissolved. The committee shall consider any previously written committee reports pertinent to the proposed action.
2. In considering elimination of a historic district, a committee shall follow the procedures set forth in Section 399.203 (1-3) of Public Act 169 of 1970, as amended for the issuance of a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing one or more of the following:
 - a. The historic district has lost those physical characteristics that enabled the establishment of the district.
 - b. The historic district was not significant in the way previously defined.
 - c. The historic district was established pursuant to defective procedures.

74-68 HISTORIC DISTRICT STUDY COMMITTEE AND THE STUDY COMMITTEE REPORT

Before establishing a historic district(s), the Mayor shall appoint a Historic District Study Committee. A majority of the persons appointed to the Study Committee shall have a clearly demonstrated interest in or knowledge of historic preservation. The Study Committee shall contain representation of at least one member appointed from one or more duly organized local historic preservation organizations. The Study Committee shall do all of the following:

- A. Conduct a photographic inventory of resources within each proposed historic district following procedures established by the State Historic Preservation Office of the Michigan Historical Center.
- B. Conduct basic research of each proposed historic district and historic resources located within that district.
- C. Determine the total number of historic and non-historic resources within a

proposed historic district and the percentage of historic resources of that total. In evaluating the significance of historic resources, the Committee shall be guided by the selection criteria for evaluation issued by the United States Secretary of the Interior for inclusion of resources in the National Register of Historic Places, as set forth in 36 CFR part 60, and criteria established or approved by the State Historic Preservation Office of the Michigan Historical Center.

- D. Prepare a preliminary Historic District Study Committee report that addresses at a minimum all of the following:
1. The charge of the Committee.
 2. The composition of Committee membership.
 3. The historic district(s) studied.
 4. The boundaries of each proposed historic district in writing and on maps.
 5. The history of each proposed historic district.
 6. The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.
 7. Transmit copies of the preliminary report for review and recommendations to the local planning body, the State Historic Preservation Office of the Michigan Historical Center, the Michigan Historical Commission, and the State Historic Preservation Review Board.
 8. Make copies of the preliminary report available to the public pursuant to Section 399.203 (4) of Public Act 169 of 1970, as amended.
- E. Not less than sixty (60) calendar days after the transmittal of the preliminary report, the Historic District Study Committee shall hold a public hearing in compliance with Public Act 267 of 1976, as amended. Public notice of the time, date and place of the hearing shall be given in the manner required by Public Act 267. Written notice shall be mailed by first class mail not less than fourteen (14) calendar days prior to the hearing to the owners of properties within the proposed historic district, as listed on the most current tax rolls. The report shall be made available to the public in compliance with Public Act 442 of 1976, as amended.
- F. After the date of the public hearing, the Committee and the City Council have not more than one year, unless otherwise authorized by the City Council, to take the following actions:
1. The Committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the local planning body to the City Council as to the establishment of a Historic District(s). If the recommendation is to establish a Historic District(s), the final report shall include a draft of the proposed ordinance(s).
 2. After receiving a final report that recommends the establishment of a Historic District(s), the City Council, at its discretion, may introduce and pass or reject an ordinance(s). If the City Council passes an ordinance(s) establishing one or more Historic Districts, the City shall file a copy of the ordinance(s), including a legal description of the property or properties located within the Historic District(s) with the Register of Deeds. The City Council shall not

pass an ordinance establishing a contiguous historic district less than 60 days after a majority of the property owners within the proposed historic district, as listed on the tax rolls of the local unit, have approved the establishment of the historic district pursuant to a written petition.

- G. A writing prepared, owned, used, in the possession of, or retained by a committee in the performance of an official function of the Historic District Commission should be made available to the public in compliance with Public Act 442 of 1976, as amended.

74-69 HISTORIC DISTRICT COMMISSION MEETINGS, RECORDKEEPING & RULES OF PROCEDURE

1. The Historic District Commission shall meet at monthly or more frequently at the call of the Commission.
2. The business that the Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, as amended. Public notice of the date, time, and place of the meeting shall be given in the manner required by Public Act 267. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the Commission.
3. At least four (4) members of the Historic District Commission shall constitute a quorum for the transaction of business, The passage of any resolution, motion, or other action by the commission shall be a majority vote.
4. The Commission shall keep a record of its resolutions, proceedings and actions. A writing prepared, owned, used, in the possession of, or retained by the Commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information, Public Act 442 of 1976, as amended.
5. The commission shall adopt its own rules of procedure and shall adopt design review standards and guidelines to carry out its duties under this act.

74-70 DELEGATION OF MINOR CLASSES OF WORK

The commission may delegate the issuance of Certificates of Appropriateness for specified minor classes of work to its staff, or to another delegated authority. The Commission shall provide to its delegated authority specific written standards for issuing Certificates of Appropriateness under this subsection. The Commission shall review the Certificates of Appropriateness issued by the delegate on at least a quarterly basis to determine whether or not the delegated responsibilities should be continued.

74-71 ORDINARY MAINTENANCE

Nothing in this Ordinance shall be construed to prevent ordinary maintenance or repair of a resource within a historic district or to prevent work on any resource under a permit issued by the inspector of buildings or other duly delegated authority before the Ordinance was enacted.

74-72 REVIEW BY THE COMMISSION

The Commission shall review and act upon only exterior features of a resource and shall not review and act upon interior arrangements unless specifically authorized to do so by the City Council or unless interior work will cause visible change to the exterior of the resource. The Commission shall not disapprove an application due to considerations not prescribed in subsection 399.205 (3) of Public Act 169 of 1970, as amended.

- a) The historic district commission shall approve or disapprove the plans submitted under this article and, if approved, shall issue a certificate of approval which is to be signed by the chairman and the relevant plans, if any, shall be stamped by the commission signifying its approval thereof, and such certificate and plans shall be transmitted to the building and safety engineering division and/or the planning commission if applicable.
- (b) No work shall begin until the certificate of approval is filed, but in the case of rejection, the certificate is binding on the building and safety engineering division or other duly delegated authority and no permit shall be issued in such case. If the historic district commission disapproves the application, it shall state its reasons for doing so and shall transmit a record of such action, together with the reasons therefor, in writing to the building and safety engineering division and the applicant. The commission may advise the applicant in a transmittal of the changes in the proposed plans which are necessary to obtain commission approval. The applicant may make modifications to any plans disapproved and shall have the right to resubmit his application thereafter for commission approval.
- (c) After the certificate of approval has been issued and the building permit, if any, granted to the applicant, the designated building inspector shall from time to time inspect the construction, alteration, repair, moving or demolition approved by such certificate and shall take action as is necessary to force compliance with the plans as approved.
- (d) The failure of the historic district commission to act within 30 days after the date a properly completed application has been filed with the planning and community renewal division, unless an extension is agreed upon mutually by the applicant and the commission, shall be deemed to constitute approval.

74-73 DESIGN REVIEW STANDARDS AND GUIDELINES

- 1. In reviewing plans, the Commission shall follow the U.S. Secretary of Interior's *Standards for Rehabilitation* and guidelines for rehabilitating historic buildings as set forth in 36 C.F.R. part 67. Design review standards and guidelines that address special design characteristics of historic districts administered by the Commission may be followed if they are equivalent in guidance to the Secretary of Interior's *Standards* and guidelines and are established or approved by the State Historic Preservation Office of the Michigan Historical Center.
- 2. In reviewing plans, the Commission shall also consider all of the following:
 - A. The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.
 - B. The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.
 - C. The general compatibility of the design, arrangement, texture, and materials proposed to be used.

- D. Other factors, such as aesthetic value, that the commission finds relevant.
- E. Whether the applicant has certified in the application that the property where the work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

74-74 PERMIT APPLICATIONS FOR CONSTRUCTION, REPAIR, MOVING, DEMOLITION AFFECTING EXTERIOR APPEARANCE OF HISTORIC SITES, STRUCTURES, OR OBJECTS LOCATED WITHIN HISTORICS DISTRICTS

A permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district. The person, individual, partnership, firm, corporation, organization, institution, or agency of government proposing to do that work shall file an application for a permit with the inspector of buildings. Upon receipt of a complete application, the inspector of buildings shall immediately refer the application, along with all required supporting materials that make the application complete to the commission. A permit shall not be issued and proposed work shall not proceed until the Commission has acted on the application by issuing a Certificate of Appropriateness or a Notice to Proceed as prescribed in this Ordinance. A commission shall not issue a certificate of appropriateness unless the applicant certifies in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

- 3. The Commission shall file Certificates of Appropriateness, Notices to Proceed, and Denials of applications for permits with the inspector of buildings. A permit shall not be issued until the Commission has acted as prescribed by this Ordinance.
- 4. If an application is for work that will adversely affect the exterior of a resource the Commission considers valuable to the City of Pontiac, the state of Michigan, or the nation, and the Commission determines that the alteration or loss of that resource will adversely affect the public purpose of the city, state, or nation, the Commission shall attempt to establish with the owner of the resource an economically feasible plan for the preservation of the resource.
- 5. The failure of the Commission to act on an application within sixty (60) calendar days after the date a complete application is filed with the Commission, unless an extension is agreed upon in writing by the applicant and the Commission, shall be considered to constitute approval.
- 6. The Commission may charge a reasonable fee to process a permit application.

74-75 DENIALS

If a permit application is denied, the decision shall be binding on the inspector or other authority. A Denial shall be accompanied by a written explanation by the Commission of the reasons for denial and, if appropriate, a notice that an application may be re-submitted for Commission review when the suggested changes have been made. The Denial shall also include the notification of the applicant's right to appeal to the State Historic Preservation Review Board and to the circuit court.

74-76 NOTICE TO PROCEED

Work within a historic district shall be permitted through the issuance of a Notice to Proceed by the Commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the Commission to be necessary to substantially improve or correct any of the following conditions:

- A. The resource constitutes a hazard to the safety of the public or to the structure's occupants.
- B. The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.
- C. Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.
- D. Retaining the resource is not in the interest of the majority of the community.

74-77 APPEAL OF A COMMISSION DECISION

1. An applicant aggrieved by a decision of the Commission concerning a permit application may file an appeal with the State Historic Preservation Review Board. The appeal shall be filed within sixty (60) calendar days after the decision is furnished to the applicant. The appellant may submit all or part of the appellant's evidence and arguments in written form. The State Historic Preservation Review Board shall consider an appeal at its first regularly scheduled meeting after receiving the appeal. A permit applicant aggrieved by the decision of the State Historic Preservation Review Board may appeal the decision to the circuit court having jurisdiction over the historic district commission whose decision was appealed to the State Historic Preservation Review Board.
2. Any citizen or duly organized historic preservation organization in the City of Pontiac, as well as resource property owners, jointly or severally aggrieved by a decision of the historic district commission may appeal the decision to the circuit court, except that a permit applicant aggrieved by a decision rendered under this Ordinance may not appeal to the court without first exhausting the right to appeal to the State Historic Preservation Review Board.

74-78 WORK WITHOUT A PERMIT

When work has been done upon a resource without a permit, and the Commission finds that the work does not qualify for a Certificate of Appropriateness, the Commission may require an owner to restore the resource to the condition that the resource was in before the inappropriate work or to modify the work so that it qualifies for a Certificate of Appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the Commission may seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a Certificate of Appropriateness. If the owner does not comply or cannot comply with the order of the court, the Commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a Certificate of Appropriateness in accordance with the court's order. The costs of the work done shall be charged to the owner, and may be levied by the City of Pontiac as a special assessment against the property. When acting pursuant to an order of the circuit court, the Commission or its agents may enter a property for purposes of this section.

74-79 DEMOLITION BY NEGLECT

Upon a finding by the Commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with Demolition by Neglect, the Commission may do either of the following:

1. Require the owner of the resource to repair all conditions contributing to demolition by neglect.
2. If the owner does not make repairs within a reasonable time, the Commission or its agents may enter the property and make such repairs as necessary to prevent Demolition by Neglect. The costs of the work shall be charged to the owner, and may be levied by the City of Pontiac as a special assessment against the property. The Commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

74-80 REVIEW OF WORK IN PROPOSED DISTRICTS

Upon receipt of substantial evidence showing the presence of historic, architectural, archaeological, engineering, or cultural significance of a proposed historic district, the City Council may, at its discretion, adopt a resolution requiring that all applications for permits within the proposed historic district be referred to the Historic District Commission as prescribed in Section 12 of the Ordinance. The Historic District Commission shall review permit applications with the same powers that would apply if the proposed historic district was an established historic district. The review may continue in the proposed historic district for not more than one year, or until such time as the City Council approves or rejects the establishment of the historic district by ordinance, whichever occurs first.

74-81 EMERGENCY MORATORIUM

If the City Council determines that pending work will cause irreparable harm to resources located within an established or proposed historic district, the City Council may by resolution declare an emergency moratorium on all such work for a period not to exceed six (6) months. The City Council may extend the emergency moratorium for an additional period not to exceed six (6) months, upon finding that the threat of irreparable harm to resources is still present. Any pending permit application concerning a resource subject to an emergency moratorium may be summarily denied.

74-82 PENALTIES FOR VIOLATIONS

1. A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this act is responsible for a civil violation and may be fined not more than \$5,000.00.
2. A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this act may be ordered by the court to pay the costs to restore or replicate a resource unlawfully constructed, added to, altered, repaired, moved, excavated or demolished.

74-83 ACQUISITION OF HISTORIC RESOURCES

If all efforts by the Commission to preserve a resource fail, or if it is determined by the City Council that public ownership is most suitable, the City Council, if considered to be the public interest, may acquire the resource using public funds, public or private gifts, grants or proceeds from the issuance of revenue bonds. The acquisition shall be based upon the recommendation of the Commission. The Commission is responsible for maintaining publicly owned resources using its own funds, if not specifically designated for other purposes, or public funds committed for that use by the City Council. Upon recommendation of the Commission, the City may sell resources acquired under this section with protective easements included in the property transfer documents, if appropriate.

74-84 HISTORIC DISTRICT BOUNDARY

The historic district commission shall designate certain properties located within historic districts as historic sites after due consideration of such property's:

- (a) Quality of significance in American, state and/or city history, architecture, archaeology, engineering and culture;
- (b) Integrity of location, design, setting, materials, workmanship, feeling and association;
- (c) Relationship to events that have made a significant contribution to the broad patterns of our history;
- (d) Association with the lives of persons significant in our past;
- (e) Distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; and
- (f) Potential for restoration.

The following described properties are hereby designated as historic districts:

(1) Franklin Boulevard Historic District: Lots 12 through 19 and lots 22 through 61 of Assessor's Plat No. 41; lots 32 through 42, the north 117.92 feet of lot 43, lot 44 exc. the south 48 feet, and lots 57 through 64 of Assessor's Plat No. 112; lots 25 through 31 and lots 37 through 40 of Assessor's Plat No. 115; lots 1 through 20 of Assessor's Plat No. 129; lots 1 through 5, the north 125 feet of lot 6, lot 7 exc. the south 55 feet, lot 8 exc. the east 10 feet of the south 55 feet, lots 9 and 10 exc. the south 45 feet, and lots 11 through 48 of Forest Lawn Addition; and lots 1 through 8 of Johnson Addition; City of Pontiac, Oakland County, Michigan, as recorded in the Oakland County Records.

(2) Fairgrove Avenue Historic District: Oakland County Agricultural Society's Addition, lots 3 through 11, north 95 feet of lot 12, lots 13 through 31, east 45 feet of lot 32, the easterly 47.4 feet of lot 99 and lots 100 through 102; Assessor's Plat No. 26, lot 9; Assessor's Plat No. 27, lot 12.

(3) Modern Housing Corporation Addition Historic District: Modern Housing Corporation Addition, lots 130 through 414, 613, 618 through 622, 624 through 634, and 638 through 645.

(4) Seminole Hills Historic District: Seminole Hills Subdivision, lots 21 through 35, and 37 through 556; Crofoot's Western Addition, block 4, lots 1, 2, 3, 6, 7, 10, 11, 14, 15 and 18; and Roberts Subdivision, lots 1 through 36.

- (5) Pontiac Commercial Historic District: Original plat, lots 1 through 5, 17 through 22 excluding the north 10.5 feet of lot 22, the north 30 feet of lot 28, lots 36 through 69, the north 30 feet of lot 77, lots 79 through 95, 118, 119 and 131 through 141; Assessor's Plat No. 28, lots 14, 21, and 22; Assessor's Plat No. 46, lots 1, 2, 3, 48, 49 and 50, excluding the southerly 12 feet of said lots 48 and 49; Assessor's Plat No. 112, lots 11 through 19; Assessor's Plat No. 113, lots 1 through 8 and 26 through 30; Assessor's Plat No. 119, lots 79 and 80; and Huron Addition, lots 1 through 5.
- (6) Horatio N. Howard House Historic District: Stockwell and Tregent's Addition, block 1, east 170 feet of lot 13, exc. south 44 feet.
- (7) Wisner House Historic District: Assessor's Plat No. 4, lot 7 exc. beginning at the northeast corner of lot 249, Assessor's Plat No. 140, City of Pontiac, Michigan, thence south 45 degrees 11 minutes 10 seconds east 181.55 feet; thence north 43 degrees 56 minutes 40 seconds east along the northerly line of lot 246, Assessor's Plat No. 140, 20 feet; thence north 45 degrees 11 minutes 10 seconds west 91.7 feet; thence north 28 degrees 39 minutes 10 seconds west 52.5 feet; thence north 35 degrees 21 minutes 10 seconds west 41 feet to the point of curve to the left, having a radius of 23.23 feet a central angle of 100 degrees 30 minutes 50 seconds, thence around the arc of curve a distance of 40.75 feet to the point of tangency of such curve; thence south 44 degrees 08 minutes west 47.95 feet; thence north 88 degrees 20 minutes east along the northerly line of lot 249, Assessor's Plat No. 140, 40.05 feet to the point of beginning, also exc. a strip of land lying northeasterly of a line 60 feet southwesterly of and parallel to the centerline of Oakland Avenue as now established for Oakland Avenue widening.
- (8) St. Vincent DePaul Church Complex Historic District: Assessor's Plat No. 134, lot 50 and the north 220 feet of lot 51.
- (9) First United Methodist Church Historic District: Assessor's Plat No. 130, lots 16, 17, 18 and also all that part of vacated Judson Street lying adjacent.
- (10) Central School Historic District: Assessor's Plat No. 142, lot 3, exc. that part lying westerly of the easterly line of Perimeter Road as now laid out.
- (11) Cook Nelson, American Legion Post No. 20 Historic District: Assessor's Plat No. 136, lots 3 through 9.

(12) Oakhill Cemetery Historic District: Assessor's Plat No. 19, lots 1 and 2, exc. that part lying south of the north line of permanent right-of-way of Pontiac Clinton Drain No. 2; Assessor's Plat No. 20, lot 15; and Assessor's Plat No. 145, lots 2, 3, and 4.

(13) Eastern Michigan Asylum Historic District: Those parts of the south half of Section 19 and the north half of Section 30, Township 3 North, Range 10 East, City of Pontiac, Oakland County, Michigan, more particularly described as follows:

Commencing at the southwest corner of said Section 19; thence south 89 degrees 15 minutes 33 seconds east 500.00 feet to the point of beginning; thence south 0 degrees 13 minutes 24 seconds east, 1200.00 feet; thence south 89 degrees 15 minutes 33 seconds east 1350.00 feet; thence south 0 degrees 13 minutes 24 seconds east 500.00 feet; thence south 89 degrees 15 minutes 33 seconds east 1600.00 feet; thence north 23 degrees 13 minutes 36 seconds east 924.20 feet; thence north 43 degrees 47 minutes 15 seconds west 2100.00 feet; thence north 47 degrees 53 minutes 39 seconds east 1000.00 feet to a point on the southwesterly right-of-way line of the Grand Trunk Western Railroad, said point lying northwesterly along said railroad right-of-way line 3700.00 feet from the point of intersection of said railroad right-of-way line with northerly right-of-way line of Johnson Avenue (99 feet wide); thence north 43 degrees 47 minutes 15 seconds west 1022.11 feet along said railroad right-of-way line; along a curve to the right, radius equal to 973.14 feet, arc distance 211.98 feet, long chord bearing south 21 degrees 46 minutes 23 seconds east 210.77 feet; thence north 79 degrees 46 minutes 59 seconds west 1531.00 feet; thence south 0 degrees 00 minutes 14 seconds east 754.13 feet; thence north 86 degrees 45 minutes 45 seconds west 564.40 feet; thence south 0 degrees 08 minutes 40 seconds east 595.43 feet; thence south 19 degrees 40 minutes 35 seconds 148.12 feet; thence south 53 degrees 48 minutes 53 seconds east 235.87 feet; thence south 0 degrees 19 minutes 40 seconds east 515.69 feet; thence north 89 degrees 15 minutes 33 seconds west 55.42 feet to the point of beginning.

LOCAL HISTORIC DISTRICTS ACT (EXCERPT)
Act 169 of 1970

399.205 Permit required; completed application; certificate of appropriateness or notice to proceed; issuance; permit fee; appeal to review board and circuit court; plan review standards, guidelines, and considerations; scope of review; preservation plan; approval; conditions; public meeting; availability of writings to public; rules of procedure; approval of minor work; finding of demolition by neglect; restoration or modification of work done without permit.

Sec. 5. (1) A permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district or, if required under subsection (4), work affecting the interior arrangements of a resource is performed within a historic district. The person, individual, partnership, firm, corporation, organization, institution, or agency of government proposing to do that work shall file an application for a permit with the inspector of buildings, the commission, or other duly delegated authority. If the inspector of buildings or other authority receives the application, the application shall be immediately referred together with all required supporting materials that make the application complete to the commission. A permit shall not be issued and proposed work shall not proceed until the commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed as prescribed in this act. A commission shall not issue a certificate of appropriateness unless the applicant certifies in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531. A local unit may charge a reasonable fee to process a permit application.

(2) An applicant aggrieved by a decision of a commission concerning a permit application may file an appeal with the state historic preservation review board within the department. The appeal shall be filed within 60 days after the decision is furnished to the applicant. The appellant may submit all or part of the appellant's evidence and arguments in written form. The review board shall consider an appeal at its first regularly scheduled meeting after receiving the appeal, but may not charge a fee for considering an appeal. The review board may affirm, modify, or set aside a commission's decision and may order a commission to issue a certificate of appropriateness or a notice to proceed. A permit applicant aggrieved by the decision of the state historic preservation review board may appeal the decision to the circuit court having jurisdiction over the historic district commission whose decision was appealed to the state historic preservation review board.

(3) In reviewing plans, the commission shall follow the United States secretary of the interior's standards for rehabilitation and guidelines for rehabilitating historic buildings, as set forth in 36 C.F.R. part 67. Design review standards and guidelines that address special design characteristics of historic districts administered by the commission may be followed if they are equivalent in guidance to the secretary of interior's standards and guidelines and are established or approved by the department. The commission shall also consider all of the following:

(a) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.

(b) The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.

(c) The general compatibility of the design, arrangement, texture, and materials proposed to be used.

(d) Other factors, such as aesthetic value, that the commission finds relevant.

(e) Whether the applicant has certified in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

(4) The commission shall review and act upon only exterior features of a resource and, except for noting compliance with the requirement to install a fire alarm system or a smoke alarm, shall not review and act upon interior arrangements unless specifically authorized to do so by the local legislative body or unless interior work will cause visible change to the exterior of the resource. The commission shall not disapprove an application due to considerations not prescribed in subsection (3).

(5) If an application is for work that will adversely affect the exterior of a resource the commission considers valuable to the local unit, state, or nation, and the commission determines that the alteration or loss of that resource will adversely affect the public purpose of the local unit, state, or nation, the commission shall

attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.

(6) Work within a historic district shall be permitted through the issuance of a notice to proceed by the commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:

(a) The resource constitutes a hazard to the safety of the public or to the structure's occupants.

(b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.

(c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.

(d) Retaining the resource is not in the interest of the majority of the community.

(7) The business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the commission.

(8) The commission shall keep a record of its resolutions, proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(9) The commission shall adopt its own rules of procedure and shall adopt design review standards and guidelines for resource treatment to carry out its duties under this act.

(10) The commission may delegate the issuance of certificates of appropriateness for specified minor classes of work to its staff, to the inspector of buildings, or to another delegated authority. The commission shall provide to the delegated authority specific written standards for issuing certificates of appropriateness under this subsection. On at least a quarterly basis, the commission shall review the certificates of appropriateness, if any, issued for work by its staff, the inspector, or another authority to determine whether or not the delegated responsibilities should be continued.

(11) Upon a finding by a commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the commission may do either of the following:

(a) Require the owner of the resource to repair all conditions contributing to demolition by neglect.

(b) If the owner does not make repairs within a reasonable time, the commission or its agents may enter the property and make such repairs as are necessary to prevent demolition by neglect. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. The commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

(12) When work has been done upon a resource without a permit, and the commission finds that the work does not qualify for a certificate of appropriateness, the commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the commission may seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the court, the commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the court's order. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. When acting pursuant to an order of the circuit court, a commission or its agents may enter a property for purposes of this section.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1980, Act 125, Imd. Eff. May 21, 1980;—Am. 1986, Act 230, Imd. Eff. Oct. 1, 1986;—Am. 1992, Act 96, Imd. Eff. June 18, 1992;—Am. 2001, Act 67, Imd. Eff. July 24, 2001;—Am. 2004, Act 67, Imd. Eff. Apr. 20, 2004.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see Rendered Monday, February 10, 2020

E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.



CITY OF PONTIAC
Department of Building Safety & Planning

Mayor Deirdre Waterman

CITY OF PONTIAC
HISTORIC DISTRICT COMMISSION
ROOF REPLACEMENT GUIDELINES

The Pontiac Historic District Commission hears many requests to replace character-defining historic original roofs. Per the Secretary of the Interior's Standards for Rehabilitation and the City of Pontiac's Historic District Commission Historic Review Requirements, roof replacements that destroy original roofing materials are not permitted because of the impacts upon historic features of the structure. The original material that is affected the most are the City's historic slate roofs; however other original roofing materials (wooden shakes, ceramic tiles, etc) may also be protected.

ROOF REPLACEMENT REVIEW CRITERIA

In applying the City's review standards, proposed roof replacements must meet the following City Historic Review Criteria:

- 74-55 (b)(1) "historical or architectural value and significance of the structure...to the surrounding area" will be impacted by the new roof that replace original roofing materials with non-historic materials (often asphalt shingles) that do not match appearance, and this change of roofing materials throughout the district will impact the district's overall appearance;
- 74-55 (b)(2) "relationship of the exterior architectural features" will be impacted by the new roof as the inappropriate materials will significantly affect the overall visual character of the structure;
- 74-55 (b)(3) "general compatibility of exterior design" will be negatively affected by the proposed work as it will impact the original exterior design of the home. Roofing materials are often a key overall design feature of the building and roofing material selection is often a key part of the architect's or designer's building design process;
- 74-55 (b)(5) "avoid, where possible, the removal or alteration of any historic building materials" – the proposed replacement of historic roofing materials will destroy these historic building materials;
- 74-55 (b)(7) "where reasonably possible, will repair rather than replace deteriorated architectural features and where replacement is necessary, whether such replacement is similar in composition and texture...and reasonably accurate duplication of the architectural feature" requires repair over replacement and replacement materials must match composition, texture and detail of original where replacement of roofing with new materials that are not similar does not meet this criteria; and
- 74-55 (b) (11) "alteration will be done in such a manner as to not impair the essential form and integrity of the structure" - proposed new roofing will impact the overall essential form of the structure by changing an important character defining feature, its roof.

For the Historic District Commission to approve roof replacements of historic roofs, the applicant must provide evidence that the roof cannot be repaired. Applicant must provide samples of replacement materials, if appropriate. This requirement will allow the Commission to ensure compliance with review criteria #5 and #7.

ROOF REPLACEMENT TREATMENT REQUIREMENTS FOR HISTORIC ROOFS

The Historic District Commission will authorize the approval of roof repair/replacement under the following conditions, in order of desirability:

- 1) Repair of Existing Roof
- 2) Replace with Like (original is damaged beyond repair)
 - a. Use of the same materials
 - b. Matching existing configuration – an example, slate that is laid in a specific pattern
- 3) When damaged beyond repair, replacement with synthetic shingles or other materials that closely mimic the appearance of original materials in color, thickness, surface finish, sheen, etc.

NON-HISTORIC ROOF TREATMENTS

For structures that no longer have their original historic roofing materials, the Historic District Commission authorizes the replacement of “like with like” materials. For example, a non-historic asphalt roof may be replaced with a new asphalt roof.

If the original roof has already been replaced during a previous renovation, the Historic District Commission’s staff planner is authorized to administratively approve the application and provide a Certificate of Appropriateness for roof replacement.

The applicant is encouraged at a minimum to identify what roofing material was originally used on the house and to select a replacement material that mimics the original appearance of the roof, including the use of synthetic slate shingles.



CITY OF PONTIAC
Department of Building Safety & Planning
PLANNING DIVISION

Mayor Deirdre Waterman

FEBRUARY 10, 2020

TO: HISTORIC DISTRICT COMMISSION

FROM: DONOVAN SMITH, CITY PLANNER
PLANNING DIVISION

SUBJECT: HDC 20-07 HISTORIC DISTRICT COMMISSION
654 N. PERRY, PONTIAC, MI 48342
GM MODERN HOUSING HISTORIC DISTRICT

Please be advised that the City of Pontiac Planning Division has conducted a technical review on Historic District Application (HDC 20-07), for shingle roof replacement for the home location at 654 N Perry. The applicant's proposal before the Historic District Commissions is for the replacement of historic roof materials, identified as Slate. On January 28, 2020, Pontiac Code Enforcement ticketed the active contractors working on the home exterior, for working and replacing roof materials without acquiring the required and necessary permitting. The proposed work for Slate replacement has been completed, and replaced with a 3 dimensional asphalt shingle. In the Historic District, Slate Roof Shingles are historically contributing and are not permitted for removal unless it is determined that repair of materials creates a potential hardship.

Per the Guidelines for Roof Replacement in the Historic Districts, as follows:

For the Historic District Commission to approve roof replacements of historic roofs, the applicant must provide evidence that the roof cannot be repaired. Applicant must provide samples of replacement materials, if appropriate. This requirement will allow the Commission to ensure compliance with review criteria #5 and #7 of the Roof Replacement Guidelines.

The Historic District Commission will authorize the approval of roof repair/replacement under the following conditions, in order of desirability:

- 1) Repair of Existing Roof
- 2) Replace with Like (original is damaged beyond repair) a. Use of the same materials
 - i) Matching existing configuration – an example, slate that is laid in a specific pattern
- 3) When damaged beyond repair, replacement with synthetic shingles or other materials that closely mimic the appearance of original materials in color, thickness, and surface finish, sheen, etc.

Based on the technical review of the Historic District Preservation Ordinance, Historic District Guidelines, and Zoning Ordinance, the proposed work was completed without permit approval from the Historic District Commission and the Building Department. The recommendation of the Planning Division is to deny (HDC 20-07), and to issue a Notice to Proceed when the applicant provides the Historic District Commission with a roof shingle material that complies with the Roof Replacement Guidelines (3), similar in appearance, pattern, or synthetic shingle.



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CITY OF PONTIAC
Department of Building Safety & Planning
PLANNING DIVISION

Mayor Deirdre Waterman

FEBRUARY 10, 2020

TO: HISTORIC DISTRICT COMMISSION

FROM: DONOVAN SMITH, CITY PLANNER
PLANNING DIVISION

SUBJECT: HDC 20-06 HISTORIC DISTRICT COMMISSION
658 N. PERRY, PONTIAC, MI 48342
GM MODERN HOUSING HISTORIC DISTRICT

Please be advised that the City of Pontiac Planning Division has conducted a technical review on Historic District Application (HDC 20-06), for shingle roof replacement for the home location at 658 N Perry. The applicant's proposal before the Historic District Commissions is for the replacement of historic roof materials, identified as Slate. On January 28, 2020, Pontiac Code Enforcement ticketed the active contractors working on the home exterior, for working and replacing roof materials without acquiring the required and necessary permitting. The proposed work for Slate replacement has been completed, and replaced with a 3 dimensional asphalt shingle. In the Historic District, Slate Roof Shingles are historically contributing and are not permitted for removal unless it is determined that repair of materials creates a potential hardship.

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- 3) When damaged beyond repair, replacement with synthetic shingles or other materials that closely mimic the appearance of original materials in color, thickness, and surface finish, sheen, etc.

Based on the technical review of the Historic District Preservation Ordinance, Historic District Guidelines, and Zoning Ordinance, the proposed work was completed without permit approval from the Historic District Commission and the Building Department. The recommendation of the Planning Division is to deny (HDC 20-06), and to issue a Notice to Proceed when the applicant provides the Historic District Commission with a roof shingle material that complies with the Roof Replacement Guidelines (3), similar in appearance, pattern, or synthetic shingle.









CITY OF PONTIAC
Department of Building Safety & Planning
PLANNING DIVISION

Mayor Deirdre Waterman

FEBRUARY 10, 2020

TO: HISTORIC DISTRICT COMMISSION

FROM: DONOVAN SMITH, CITY PLANNER
PLANNING DIVISION

SUBJECT: HDC 20-06 HISTORIC DISTRICT COMMISSION
658 N. PERRY, PONTIAC, MI 48342
GM MODERN HOUSING HISTORIC DISTRICT

Please be advised that the City of Pontiac Planning Division has conducted a technical review on Historic District Application (HDC 20-06), for shingle roof replacement for the home location at 658 N Perry. The applicant's proposal before the Historic District Commissions is for the replacement of historic roof materials, identified as Slate. On January 28, 2020, Pontiac Code Enforcement ticketed the active contractors working on the home exterior, for working and replacing roof materials without acquiring the required and necessary permitting. The proposed work for Slate replacement has been completed, and replaced with a 3 dimensional asphalt shingle. In the Historic District, Slate Roof Shingles are historically contributing and are not permitted for removal unless it is determined that repair of materials creates a potential hardship.

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Based on the technical review of the Historic District Preservation Ordinance, Historic District Guidelines, and Zoning Ordinance, the proposed work was completed without permit approval from the Historic District Commission and the Building Department. The recommendation of the Planning Division is to deny (HDC 20-06), and to issue a Notice to Proceed when the applicant provides the Historic District Commission with a roof shingle material that complies with the Roof Replacement Guidelines (3), similar in appearance, pattern, or synthetic shingle.









CITY OF PONTIAC
Department of Building Safety & Planning
PLANNING DIVISION

Mayor Deirdre Waterman

FEBRUARY 10, 2020

TO: HISTORIC DISTRICT COMMISSION

FROM: DONOVAN SMITH, CITY PLANNER
PLANNING DIVISION

SUBJECT: HDC 20-07 HISTORIC DISTRICT COMMISSION
654 N. PERRY, PONTIAC, MI 48342
GM MODERN HOUSING HISTORIC DISTRICT

Please be advised that the City of Pontiac Planning Division has conducted a technical review on Historic District Application (HDC 20-07), for shingle roof replacement for the home location at 654 N Perry. The applicant's proposal before the Historic District Commissions is for the replacement of historic roof materials, identified as Slate. On January 28, 2020, Pontiac Code Enforcement ticketed the active contractors working on the home exterior, for working and replacing roof materials without acquiring the required and necessary permitting. The proposed work for Slate replacement has been completed, and replaced with a 3 dimensional asphalt shingle. In the Historic District, Slate Roof Shingles are historically contributing and are not permitted for removal unless it is determined that repair of materials creates a potential hardship.

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For the Historic District Commission to approve roof replacements of historic roofs, the applicant must provide evidence that the roof cannot be repaired. Applicant must provide samples of replacement materials, if appropriate. This requirement will allow the Commission to ensure compliance with review criteria #5 and #7 of the Roof Replacement Guidelines.

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