

**BIRMINGHAM HISTORIC DISTRICT COMMISSION
MINUTES OF JUNE 20, 2018**

Municipal Building Commission Room
151 Martin, Birmingham, Michigan

Minutes of the regular meeting of the Historic District Commission (“HDC”) held Wednesday, June 20, 2018. Chairman John Henke called the meeting to order at 7 p.m.

Present: Chairman John Henke; Adam Charles, Michael Willoughby;
Alternate Board Members Kevin Filthaut, Dulce Fuller

Absent: Board Members Doug Burle, Vice-Chairman Keith Deyer, Thomas Trapnell, Natalia Dukas; Student representatives Grace Donati, Ava Wells

Administration: Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

06-18-18

**APPROVAL OF MINUTES
HDC Minutes of May 16, 2018**

Mr. Bill Finnicum, Finnicum Brownlee Architects, and the project architect for 607 S. Bates, said he and his client think there are two discrepancies in the motion pertaining to their project. The first is that it said the windows would be repainted when in fact, they will be repaired. The sentence continues: “. remove the siding in order to install Tyvec, and at that time make an assessment of the siding that was removed and give us a count if more than 50% is removed.”

He noted they have removed enough siding to complete a long wall on the porch and some of the return. Beyond that they do not have enough. The reason is the siding is coming off in small pieces. There cannot be a final assessment made until all of the siding is down. Chairman Henke said if 50% or more is not usable, Mr. Baka can make the decision or send it back to this board.

**Therefore, Mr. Willoughby motioned:
and it was seconded by Mr. Charles that the board approves of the project as submitted for 607 Bates, The Major Jones House, with the exception that the applicant will repair/repaint the windows, remove the siding in order to install Tyvec, and at that time make an assessment of the siding that was removed and give us a count if more than 50% is removed. Administrative approval can be issued if that is the case.**

There were no comments from the public on that motion at 7:10 p.m.

Motion carried, 5-0.

VOICE VOTE

Yeas: Willoughby, Filthaut, Charles, Fuller, Henke

Nays: None

Absent: Burle, Deyer, Trapnell, Dukas

Motion by Mr. Willoughby

Seconded by Mr. Charles to approve the HDC Minutes of May 16, 2018 as presented and given the comments.

Motion carried, 5-0.

VOICE VOTE

Yeas: Willoughby, Charles, Filthaut, Fuller, Henke

Nays: None

Absent: Burle, Deyer, Trapnell, Dukas

The Chairman cautioned the petitioners that four affirmative votes are needed to pass a motion. Since only five of the seven board members were in attendance, they could postpone their hearing to the next meeting when a more complete board might be present. All agreed to go forward this evening.

06-19-18

HISTORIC DESIGN REVIEW

539 S. Bates

United Presbyterian Parsonage

Bates St. Historic District

Zoning: R-3, Single-Family Residential

Proposal: The applicant was approved by the HDC to construct an addition and a two-story garage on a contributing historic house in the Bates Street Historic District on October 19, 2016. After being approved by the HDC it was discovered that the high-tension power lines at the north end of the property required an easement that would not permit the addition to be constructed as approved. Accordingly, the applicant was granted administrative approval by the City Manager to relocate the addition in a fashion that provided enough room for the easement. The addition is currently under construction. The applicant is now requesting permission to make additional changes to the historic portion of the home.

Background: The Victorian style, wood frame house was constructed c. 1890, and was used as the parsonage of the United Presbyterian Church. A 222 sq. ft. two-story rear addition was added to the house in 1988, without approval from the HDDRC. In 1995, the former owners of the house applied to the HDDRC for vinyl siding on the north and south sides, and scalloped shingles on the front gable. The application was denied because the work did not meet the Secretary of the Interior Standards. At that time, it was discovered that an existing rear addition already had illegal vinyl siding on it. A small one-story screened aluminum patio addition was attached to the north elevation at some point between 1995 and 2004 without approval from the HDDRC.

Design: The applicant proposes to relocate three windows from their original positions in the historic resource in order to provide more natural light in the first floor by relocating them slightly west of the original positions. On the south wall of the great room, the applicant proposes to shift a previously eliminated 3 ft. x 6 ft window 12 ft. west to pair with a like window that was previously approved. A small window that was originally located in a powder room under the staircase is proposed to shift west 8 ft. into the new foyer. On the north elevation, they propose to shift a 3 ft. x 6 ft. window 8 ft. west to pair with a like window that was previously approved. A more direct access to the front porch is desired because the driveway is now located farther from the existing stairs than in the original November 2016 approval. The new steps and rail are proposed to match the existing in detail and color.

The National Park service, in its analysis of the rehabilitation guidelines, states the following is not recommended;

“Changing the number, location, size or glazing pattern of windows, through cutting new openings, blocking-in windows, and installing replacement sash that do not fit the historic window opening.”

In addition, the front porch of this home is arguably the most defining characteristic of the building. The addition of the second set of stairs off the side of the porch changes the character of the porch and alters the appearance of the home. The desire for additional light inside the home and more convenient access to the front door stated in the letter from the applicant is understandable on a certain level. However, the stewardship of historically designated structures by its nature requires that property owners place the preservation of the historic characteristics above convenience. **The addition of new window openings and additional stairs to the front porch would change the character of the home and therefore cannot be recommended for approval by the staff.**

Further, The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, standard number 9 states "new additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be

differentiated from the old and shall be compatible with the massing, scale, and architectural features to protect the historic integrity of the property and its environment."

Mr. Michael Horowitz, the property owner, was present with his wife, Barbara. Mr. Horowitz came forward to provide background. He explained that after their plans were approved and construction started, DTE instructed the City to issue a stop work order on the house because of the location of overhead wires on the south side of the house.

After months of discussion with the utility and the City, a new plan was developed that received approval. They moved quickly to begin construction again before the cold weather set in. However, in their hurry a few things got missed and they are brought to the board's attention tonight.

Without relocating the three windows the house will be dark and inappropriate for them. The circumstances were not created by them; but they fell victim to them.

Chairman Henke emphasized that this board did not approve the last plan. Movement of the addition 9 ft. to the south was not a decision that this board made. It was a decision made by the City Attorney and the City Manager which he personally was adamantly against, both as a resident and as chairman of the HDC.

Mr. Finnicum presented a comparison of what was approved and what they are requesting. He offered to alter the grade as a compromise to get three porch steps instead of four so that a handrail is not needed. In that case they would be losing half of the end rail and not the entire end rail. Moving on to the windows, he explained they are taking two windows that were existing and relocating them forward to the west in the great room, and they are moving a third window forward to the entry just to get light.

He went on to say that changing the number, location, size, and glazing pattern of a window is not recommended, but it is not prohibited. They have increased the number of windows from what was approved, but reducing it from what was there. The size, proportions, and glazing pattern are the same. So the only things really changing are the locations. They feel that the windows, being the same size and proportion, will have little to no impact on the surroundings.

The stairs have an impact on the porch which they agree with and that is why they are willing to change them. The feature that will be lost is half of the railing. Other than that, it is just siding. The two changes share the same aesthetics as the entire house. He hoped the board would see its way clear to grant these requests.

Ms. Fuller, stated there were four windows before on either elevation and two of them on either side have been subsumed by the addition. Therefore, the windows for all practical purposes are already gone. She said if they want to retain the character of the original house which had four windows on each elevation, she doesn't have an objection.

Chairman Henke maintained that adding windows does not help the original portion of the house. Ms. Fuller replied that aesthetically it would look more like the original historic design of the house.

Ms. Jane Synnestvedt, who lives next door, said her front porch faces the south side of the subject house. Older homes by nature are darker and that is what you get when you by a historic home. She was trying to understand where the windows are placed and how they may impede her privacy when she sits on her front porch. Birmingham is beautiful but she asked the board to be very careful when they make decisions affecting historic properties. so as not to alter their historic nature.

Mr. Willoughby found it interesting that moving the windows or the addition of the stairway makes sense and looks better. But he is torn with the idea of being too loose with ignoring the historic elements of the house. He would feel better if there was some proof that the windows where they were or the porch the way it is really wasn't the original historic house.

Mr. Horowitz stressed that he and his wife did not know apparently what they were getting and they did not create the situation. They were under tremendous pressure and timing and missed the windows and porch. He thinks the windows do look more like the original house. Both walls seem blank without them and the room is dark. They need consideration as people because they have to live in the house.

The chairman noted that the original historic house is about 1,100 sq. ft. and the addition is about 2,800 sq. ft. plus the screened porch; three times the size.

Mr. Filthaut said it is hard for him to understand why they should allow the porch to change just for convenience.

Mr. Finnicum asked to come back to a future meeting

**Motion by Mr. Willoughby
Seconded by Mr. Adams to adjourn the Historic Design Review for 539 S.
Bates, United Presbyterian Parsonage.**

VOICE VOTE

Yeas: Willoughby, Adams, Filthaut, Fuller, Henke

Nays: None

Absent: Burle, Deyer, Trapnell, Dukas

Motion carried, 5-0.

The Chairman wanted to see the 2012 plans when this request comes back.

06-20-18

**HISTORIC DESIGN REVIEW
225 E. Maple Rd.
Social Kitchen
Downtown Birmingham Historic District**

Ms. Ecker advised the applicant is proposing to replace the existing retractable awnings covering the rooftop dining area with a new unenclosed rooftop canopy with wood pergola, retractable canvas panels (overhead only), new lighting, fans, and a fire suppression system. Other work proposed is the re-cladding of the existing canopy over the exit stairs leading to the via, relocation of service doors, new wall finishes on the rooftop, and new planters. Finally, the applicant is proposing to paint the existing building a new color.

This is a bistro so it falls under a Special Land Use Permit ("SLUP"). It has already gone to the Planning Board for Final Site Plan and Design Review as well as a SLUP discussion. It comes to this board for comments and recommendations and then it will go to the City Commission who have the final say because it is a SLUP

Design Review: The applicant is proposing to paint the entire exterior of the existing building in Benjamin Moore Historical Collection "Chrome Green", and is proposing to replace the existing awning on the exterior stair in the via with a new fabric awning in ivory to match the existing canopy. In addition, the applicant is also proposing numerous improvements to the rooftop dining area. The applicant is proposing to relocate the existing service access door leading to the roof, and is proposing to install a new unenclosed canopy with a walnut finish pergola structure with rigid clear polycarbonate panels fastened over the wood structure, and a retractable fabric "ceiling" beneath the canopy. The canvas panels proposed are ivory, and are proposed to hang from the canopy on a cable system.

As noted above, new pedant lighting is proposed to hang from the canopy, and LED strip lighting is proposed along both the east and west edges of the canopy structure. New fans are also proposed to be mounted to the existing building along the western edge of the canopy. In accordance with the request of the Fire Dept., the applicant will also be installing a fire suppression system under the rooftop canopy structure. New lattice trim is proposed to be affixed to the exterior walls of the building on the rooftop, and to the north and south ends of the

canopy structure, to be painted in Benjamin Moore Historical Collection "Fairview Taupe." New furniture is also proposed for the rooftop dining area, as well as floor lighting and planters adjacent to each of the columns located along the eastern edge of the canopy, and a new stepped planter is proposed on the southwest corner of the roof to house bamboo plantings in lieu of the existing Bradford Pear trees. The new dining tables are proposed to be a mix of wood and marble, and several types of seating are proposed. Both wicker and metal settees are proposed for the rooftop, as well as leather club chairs and metal bar stools with fabric cushions. The applicant has submitted material samples for the proposed design changes for review.

Signage: No changes to the signage are proposed at this time.

Mr. Roman Bonislowski, Ron & Roman Architecture, explained for the Chairman that there will be no enclosure on the rooftop structure. Chairman Henke noted that the greenery was never maintained in the past. Mr. Bonislowski suggested asking the owner for a bond this time to sustain the greenery. He went on to note that at the Planning Board meeting Mr. Boyle made the observation that the owner is willing to spend a nice amount of money to improve the City; but what is the City doing to improve the via.

Board members thought the improvements are great.

Motion by Mr. Charles

Seconded by Ms. Fuller to approve the Historic Design Review for 225 E. Maple Rd., Social Kitchen.

Motion carried, 5-0.

VOICE VOTE

Yeas: Charles, Fuller, Filthaut, Henke, Willoughby

Nays: None

Absent: Burle, Deyer, Trapnell, Dukas

06-21-18

STUDY SESSION

Selection of HDC/DRB member to serve on the Master Plan Selection Committee

Chairman Henke said he would be more than happy to volunteer.

Everyone was in favor.

06-22-18

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

A. Staff Reports

- Administrative Approvals (none)

- Demolition Applications
 - 863 S. Bates
 - 1313 Lakeside
 - 385 Fairfax
 - 1975 Cole
 - 861 Coolidge
 - 1420 Yosemite
 - 735 Shirley
 - 1427 Fairfax
 - 1465 Fairfax
 - 1461 Birmingham Place
 - 1964 Bowers
 - 1912 Washington
 - 420 E. Frank
 - 544 Catalpa
 - 540 Argyle
 - 1080 Pilgrim

B. Communications

- Commissioners' Comments (none)

06-23-18

ADJOURNMENT

No further business being evident, the Chairman motioned to adjourn the meeting at 8:10 p.m.

Jana Ecker
Planning Director