

**BIRMINGHAM HISTORIC DISTRICT COMMISSION**  
**MINUTES OF OCTOBER 18, 2017**  
Municipal Building Commission Room  
151 Martin, Birmingham, Michigan

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Minutes of the regular meeting of the Historic District Commission (“HDC”) held Wednesday, October 18, 2017. Chairman John Henke called the meeting to order at 7 p.m.

**Present:** Chairman John Henke; Board Members Doug Burley, Thomas Trapnell, Michael Willoughby; Alternate Board Member

**Absent:** Board Members Keith Deyer, Natalia Dukas; Alternate Board Members Adam Charles, Dulce Fuller; Student Representatives Josh Chapnick, Griffin Pfaff

**Administration:** Matthew Baka, Sr. Planner  
Carole Salutes, Recording Secretary

**10-48-17**

**APPROVAL OF MINUTES**  
**HDC Minutes of September 13, 2017**

**Motion by Mr. Willoughby**  
**Seconded by Mr. Trapnell to approve the HDC Minutes of September 13, 2017 as presented.**

**Motion carried, 4-0.**

**VOICE VOTE**

Yeas: Willoughby, Trapnell, Burley, Henke

Nays: None

Absent: Deyer, Dukas

The Chairman noted that only four of six board members were present this evening and four affirmative votes are needed to pass a motion. He offered the applicant the opportunity to adjourn their hearing to the next HDC meeting when a more full board might be present. The applicant wished to go forward.

**10-49-17**

**HISTORIC DESIGN REVIEW**  
**460 W. Maple Rd.**  
**Chatfield-Campbell House**

Zoning: R-6 Multiple-Family Residential

History: Mr. Baka noted the Chatfield-Campbell House is significant because it is one of the oldest remaining houses in Birmingham. The original house was constructed in 1865, and in 1885, part of the roof was raised to add the second story. In 1928, a brick addition designed by Wallace Frost, and constructed by Scott Hersey, was added to the rear of the house. The notoriety of Wallace Frost added to the significant history of the house. Members of the same family lived in the house from 1887 to 2007. The house was purchased by Eric Charles Designs in 2009 for use as an interior design studio.

The building received Historic Design Review approval at the October 7, 2009, the November 17, 2010, July 20, 2011, and February 6, 2013 HDC meetings. The applicant was granted a variance by the Board of Zoning Appeals ("BZA") in 2009 and renewed in 2010 to permit an office use for the structure.

Proposal: On September 13, 2017 the HDC held a special meeting to review revisions to the approved plan that include fencing, two gates, and landscaping. The proposal also included the location of a new AC unit on the east side of the garage. Due to a conflict of interest for one of the commissioners, the AC unit was not reviewed at that time. Accordingly, they are now returning to the HDC for review of the AC unit.

HDC comments from the meeting of September 13, 2017: Mr. Willoughby announced this commission's purpose is to keep the integrity of historic structures in their community intact. So, in his opinion, the further the AC unit is away from the building, the better. Given the fact it is behind a transformer it will not be seen and that seems like the smartest place to put it. Therefore, he encouraged the members of the BZA to grant the variance.

Mr. Eric Jirgens, the property owner, explained they had previously received variances for two AC units that sit on the west side of the main residence. This unit would service the barn only. Chairman Henke said he has no issues with the placement of this unit. All the HDC can do is build a record to send forward to the BZA for them to deal with.

Mr. Willoughby indicated he does a lot of work with Mr. Seboldt's company and they do not do landscaping. Therefore he does not see that Mr. Charles would have a conflict of interest with the landscape. Mr. Charles said he is comfortable with that.

Mr. Michael Dul, Landscape Architect, passed out a colored diagram to the commission members and went on to describe his extensive proposal. They are even planting on the adjacent property with the owner's permission, and they are very happy to cooperate with the planting. They are trying to make this

condensed site very elegant and fitting. The garden will be maintained in a low key manner as a showpiece for the design studio. The proposed lantern in the front yard is pretty much a duplicate of the historic fixture, as is the panel sign that will hang from the post. They hope to place the utilities all in one area. Along the right-of-way low-grow sumac will be planted which is durable and has great fall color.

Mr. Charles inquired about what will be done to keep the pleached Linden trees from infringing into the very constricted alleyway. Mr. Dul said they are a canopy street tree and will be a great ceiling for the alley. He didn't think there would be a problem.

It was noted that the fencing material color will need to be submitted for administrative approval.

**Motion by Mr. Willoughby  
Seconded by Mr. Trapnell to approve the landscape plan for 460 W. Maple Rd. in its entirety as submitted.**

There were no comments from the public on the motion.

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Willoughby, Trapnell, Charles, Henke

Nays: None

Absent: Deyer, Weisberg, Dukas

This evening the applicant is seeking approval for the installation of a ground mounted AC unit 0 ft. from the east lot line. However, the Zoning Ordinance requires a 3 ft. side setback for any structure. ***If approved in concept by the HDC, the applicant will be required to obtain a variance from the BZA to allow the installation of the AC unit within the required side open space.***

Mr. Willoughby recalled his statement from last month that from a historic perspective the further the air conditioning system gets away from the historic building the better. The fact that it is stuck behind a transformer and a dumpster is even better yet.

**Motion by Mr. Willoughby  
Seconded by Mr. Burley to approve the location of the AC unit right where they have it and recommend to the BZA that they grant the variance for 460 W. Maple Rd.**

There were no comments from the public on the motion at 7:12 p.m.

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Willoughby, Burley, Henke, Trapnell

Nays: None

Absent: Deyer, Dukas

**10-50-17**

**MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

**A. Staff Reports**

-- Administrative Approvals

- 142 S. Old Woodward Ave. - Production and installation of PVC lettering, gold paint on doorway entrance hangover, front, east facing. Sign to read "ROCOCO."

-- Violation Notices (none)

-- Demolition Applications

- 1544 Holland
- 1239 Holland
- 2351 Yorkshire
- 574 Westchester Way
- 893 Hazel
- 2216 Manchester

**B. Communications**

-- Commissioners' Comments

Chairman Henke said he was at the BZA hearing with respect to 539 S. Bates, a historic house on the east side of Bates, the first house south of Brown. Due to DTE issues with respect to setbacks, the City Commission directed City Manager Joe Valentine and Building Official Bruce Johnson to administratively approve a re-do of the plan that completely moved the house. HDC input was not requested, nor was it noted.

Chairman Henke expressed his concern about the BZA meeting and the need to correct the record that was placed before them that the HDC had approved the changes.

Chairman Henke indicated he is disappointed and dismayed that the changes to 539 S. Bates were approved without any input from the HDC. The explanation he was given was that this was a unique situation that did not involve HDC input.

The variance request was for a 9 ft. variance to the south side of the structure as a practical difficulty. The entire addition would be moved 7.5 ft. to the south.

Chairman Henke stated that the BZA has asked this board for input on other items. However, on this they not want him to speak just to correct the record. He said that the BZA believed there is an Attorney General opinion that says he cannot speak. However, that Attorney General opinion is that he cannot act as an advocate on behalf of a petitioner before them. It does not say that he cannot correct the record, which is what he intended to do. Building Official Johnson attempted to correct the record and did a decent job, but did not get the entire record of what the HDC had done.

Neither HDC minutes nor the write-ups from the Planning Division recommendations were submitted to the BZA for the variance hearing.

Again, Chairman Henke said he is dismayed and disappointed that the HDC is asked as appointees to do a job to protect historic resources and then in what is deemed a unique situation; they are told it doesn't matter. He was extremely disappointed that Board of Zoning Appeals had no deference to this board.

**10-51-17**

## **ADJOURNMENT**

No further business being evident, the commissioners motioned to adjourn the meeting at 7:17 p.m.

Matthew Baka  
Sr. Planner