

IX. Adjournment Question and comments regarding this agenda or the Kalamazoo Historic District Commission should be directed to the Historic Preservation Coordinator at 337-8804.

*** Footnote #1 - RETROACTIVE REVIEWS**

In fairness to other applicants who have submitted their projects for review before undertaking work as required by Chapter 16 of the city of Kalamazoo Code of Ordinance, and to preserve the integrity of the historic district standards for decision-making, the case will be heard as if it had not been constructed, and the review will be based upon the project's merits in relationship to Historic District Standards and Guidelines. Hardship of the applicant's own making by proceeding without the necessary approvals will not be a factor in the review and decision.

Footnote #2 - A note on quorum and Historic District Commission decisions:

City of Kalamazoo Code of Ordinance – Chapter 16 – Historic District Commission – section 19 states: “A majority of the members of the Commission shall constitute a quorum. A majority of the members is required to take action on all matters not of an administrative nature, but a majority of a quorum may deal with administrative matters.” All applicants should be aware that the minimum of four of the commissioners must vote for a motion for a decision to be made in all actions. Applicants may choose to postpone their review to the next regularly scheduled meeting of the commission before the commission begins their deliberations if fewer than seven commissioners are present. The postponement form is available from the coordinator and must be filled out and signed before the applicant leaves the meeting.

GUIDELINES FOR PUBLIC PARTICIPATION AT HISTORIC DISTRICT COMMISSION MEETINGS

Welcome to the Kalamazoo Historic District Commission meeting, and thank you for your participation in Kalamazoo local government. The Historic District Commission recognizes that citizens who make the effort to attend a Commission meeting often feel passionately about an issue. The following guidelines are not meant to discourage individual expression; rather, they exist to facilitate the orderly conduct of business and to ensure that all citizens who wish to address the Historic District Commission are able to do so in an atmosphere of civility and respect.

1. Out of respect for business being conducted during the meeting, please turn off all cell phones and pagers prior to the start of the meeting.
2. Citizens have opportunities to address the Historic District Commission at the following times during a meeting:
 - a. Address Non-agenda items at the beginning of the meeting. If you wish to speak about a specific review, please wait until that review comes to the commission.
 - b. Consideration of Regular Agenda items. Citizens are permitted to speak to the Commission on project reviews after the applicant has made their presentation and prior to the Historic District Commission discussion. The Chair will call for comments from the public.



Department of Planning and Community Development
Kalamazoo Historic District Commission

Development Center - 445 West Michigan
Kalamazoo, Michigan 49007
Telephone (269) 337-8804
FAX (269) 337-8513
ferraros@kalamazoo.org

APPLICATION FOR PROJECT REVIEW

(PLEASE PRINT CLEARLY - See instructions on reverse side)

Property Address: 410 W Dutton
Applicant: Willis Ventures One
Mailing Add: 491 W South St
City State & Zip: Kalamazoo MI
Phone: 269-492-1040
Fax: 269-492-1042
Email: CW.ttenbach@wvplc.com

Historic District: South St-Vine
Owner: Willis Ventures One
Mailing add: same
City, State Zip: same
Phone: same
Fax: same
Email: same

Proposed Work: Use additional sheets to describe work if necessary
1) Removal + replacement of side wing walls - front
step area = replicating + adding grip rail
2) Tuck point + Fix Fireplace Chimney Brick - exterior
on roof =

This property has at least one working smoke detector for each dwelling unit.
(Owner or applicant's initials) (Required) * see back

Applicant's Signature: [Signature] - For Willis Ventures One Date: 10/12/10
Owner's Signature: [Signature] Date: 10/12/10
(if different)

Application Checklist:
(Incomplete applications will be held until the next review meeting.)
 Drawings 11x17 or smaller.
 Measurements of existing building work location
 Measurements of addition/change
 Materials list
 Site plan including north arrow
 Other

-For Historic Preservation Coordinator's Use Only-

Case Number: IHA 10-0311 Date Received*: 10/12/10
Complete application 10/12/10

REFERRED TO:

COMMISSION
Meeting Date: 10/19/10
COMMENTS: _____

ADMINISTRATIVE
Staff Review Date: ___/___/___
COMMENTS _____

Approve in Concept Date: ___/___/___
Letter mailed ___/___/___

COA issued ___/___/___

FINAL ACTION

Approve Site Visit Approve w/Conditions Deny Postpone Withdrawn
ACTION DATE ___/___/___

Certificate of Appropriateness Issued ___/___/___
Notice of Denial with appeals information ___/___/___
Notice to Proceed ___/___/___ Comments _____

Historic Preservation Coordinator _____ Date _____

Ben Engvers
760-3553

IHA 10-0311

DICK O'DAY MASONRY — 342-2614

2826 CIMARRON KALAMAZOO, MI 49004

DATE 9-21-10

Chris
Willis & Willis Law Firm
Kalamazoo

HDC
10/19/10

ESTIMATE

Brick Repair - 410 Dutton

- ① - Remove Sidewalk & both sides of Front steps.
- Rebuild sidewalk - New bricks - Cement cap.
- ② - Replace all mortar joints on chimney above roof line - New mortar

labor & material

\$1,500.00

Richard O'Day
998-7360

\$1500
Both wings
& chimney

6

IHA 10-0311 HDC

October 19, 2010



410 West Dutton – Sept. 29, 2010 ^^ SW corner house **IHA 10-0311**
Typical damage – spalling, west/left wing wall



ITEM A



Steps and wingwalls
Typical damage – east/right wing wall – re-pointed with concrete





THE CITY OF



Kalamazoo

APPLICATION FOR PROJECT REVIEW

(PLEASE PRINT CLEARLY - See instructions on reverse side)

Property Address: 161 E. Michigan Ave.

Historic District: Haymarket

Applicant: The Wine Loft

Owner: Treystar

Mailing Add. 3250 W. Centre Ave. #B

Mailing add 7950 Moorsbridge Rd.

City State & Zip: Portage MI 49024

City, State Zip Portage MI 49024

Phone: 269-323-1300 ext. 216

Phone: 269-488-1714

Fax: 269-323-1331

Fax: 269-323-8705

Email jhenderson@venturefoodsinc.com

Email EWRIGHT@treystar.com

Proposed Work: Use additional sheets to describe work if necessary
Remove and replace existing vinyl signage on the lower window panes with a new design and placement the upper window panes. Also the addition of artistic vinyl graphics that would not included in the total square footage of signage. This is needed due to the addition of the patio which blocks the existing signage and also to update the look of The Wine Loft. The new graphics are designed to represent the interior design of the building on the windows with circles similar to those on the interior drapery. The vinyl used will be black and white for the logos and metallic gold and silver for the circles. Please see attached drawings of the proposed new layout.

YES- This property has at least one working smoke detector for each dwelling unit.

(Owner or applicant's initials) (Required) * see back

Application Checklist:
(Incomplete applications will be held until the next review meeting.)

- Drawings 11x17 or smaller.
- Measurements of existing building work location
- Measurements of addition/change
- Materials list
- Site plan including north arrow
- Other

Applicant's Signature: [Signature]

Date: 10/11/2010

Owner's Signature: [Signature]

Date: 10/11/2010

(if different)

-For Historic Preservation Coordinator's Use Only-

Case Number: IHA 10-0312

Date Received*: 10/11/2010

Complete application 10/11/2010

REFERRED TO:

COMMISSION

Meeting Date: 10/19/2010

COMMENTS: _____

ADMINISTRATIVE

Staff Review Date: / /

COMMENTS _____

Approve in Concept Date: / /

COA issued / /

Letter mailed / /

FINAL ACTION

Approve Site Visit Approve w/Conditions Deny Postpone Withdrawn

ACTION DATE / /

Certificate of Appropriateness Issued / /

Notice of Denial with appeals information / /

Notice to Proceed / / Comments _____

Historic Preservation Coordinator _____ Date _____

HDC 10-19-10

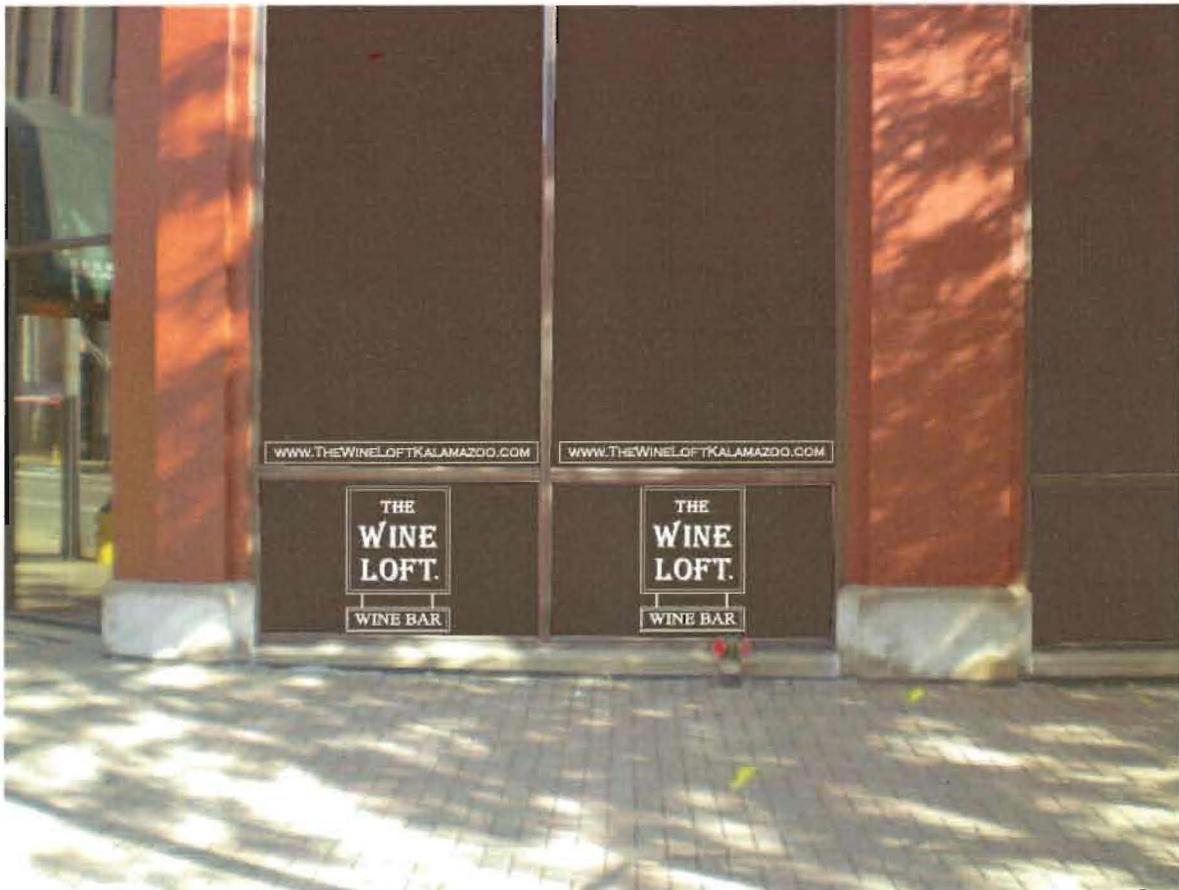
IHA 10-0312

Current window vinyl signage →



existing signs

Option B for windows



IHA 10-0312
10-19-10 HDC

32'

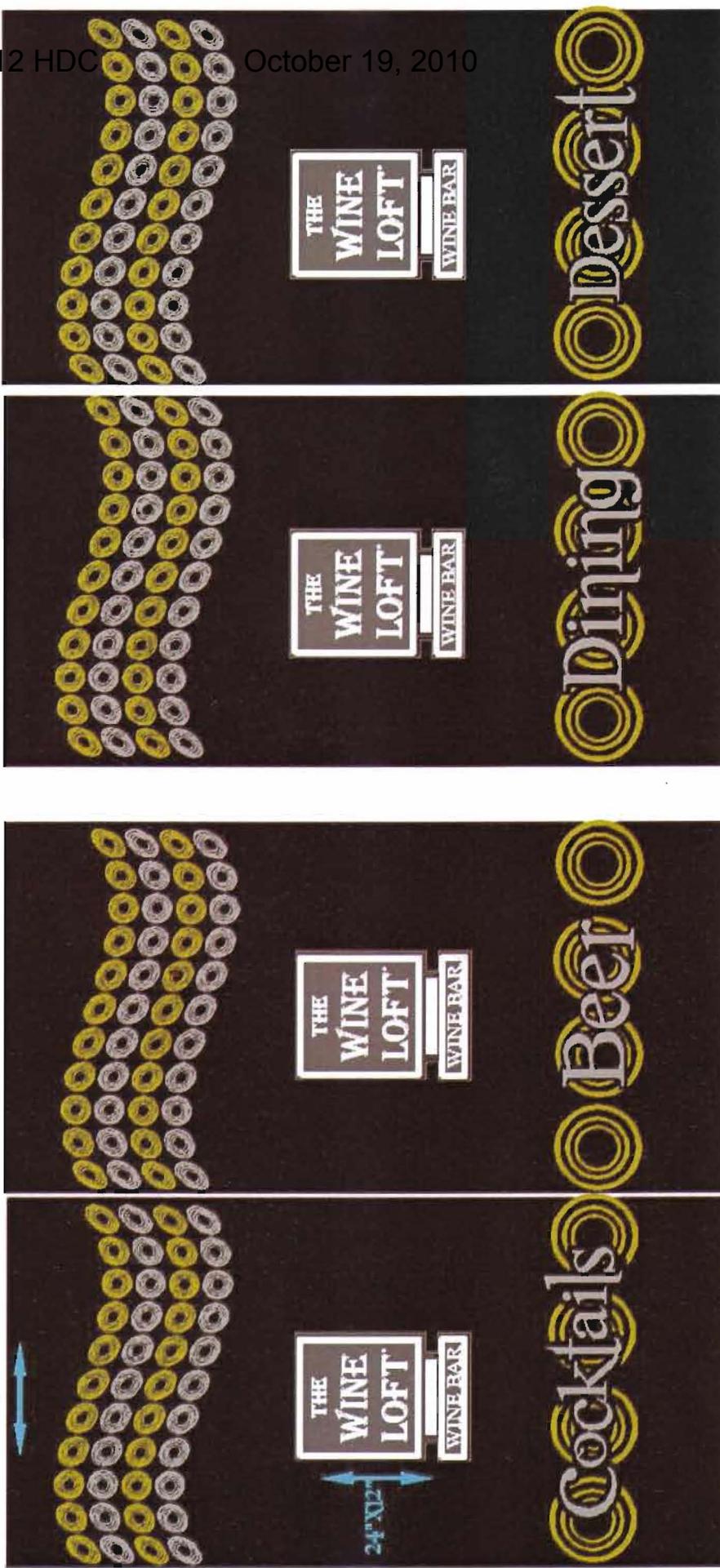
64"

24"

24"X12"

125"

12"



Building Dimension: Width @ Total - 32' width on Window Face area.
Materials Used: Vinyl (see attached samples)

IHA 10-0312 HDC



Southwest corner of building showing front façade. October 19, 2010

The WINE LOFT banner sign is the only sign on the front of the building that shows because of the sidewalk café.

There is a large graphic painted sign at the rear of the building facing the parking lot.



ITEM B

161 East Michigan – October 13, 2010



The sidewalk café covers 90% of the existing signage on the windows.



4 of 4



APPLICATION FOR PROJECT REVIEW

(See instructions on reverse side)

Property Address: 512 VILLAGE Historic District: VINE
Applicant: Rich Munda Owner:
Mailing Add: 832 S WestWedge Mailing add
City State & Zip: KZOO 49008 City, State Zip: SAME
Phone: 269 388 8883 Phone:
Fax: Fax:
Email: Email:

Proposed Work: DEMOLITION
Use additional sheets to describe work if necessary

Applicant's Signature: [Signature] Date: Sept 30 2010
Owner's Signature: [Signature] Date: Sept 30 2010
(if different)

-For Historic Preservation Coordinator's Use Only-

Case Number: IHA 10-0306 Date Received: 9-30-10

REFERRED TO:

COMMISSION Meeting Date: 10-19-2010
Comments:

ADMINISTRATIVE Staff Review Date:
COMMENTS

Suggested Action: [] Approve [] Site Visit
[] Approve w/Conditions [] Deny

COA issued

FINAL ACTION

[] Approve [] Site Visit [] Approve w/Conditions ACTION DATE
[] Deny [] Postpone [] Withdrawn

Certificate of Appropriateness Issued
Notice of Denial with appeals information
Notice to Proceed

Historic Preservation Coordinator Date



March 29, 2000

Before the fire that destroyed the house to the right/east

Garage where fire started is visible down the driveway.

512 Village – November 29, 2005 – just after the new paint job was completed.





Historic Preservation Coordinator
KALAMAZOO HISTORIC DISTRICT COMMISSION

APPLICATION FOR PROJECT REVIEW
STAFF COMMENTS

Property address 512 Village
Applicant Rich Munda
Owner Rich Munda

CASE # IHA 10-0306
Year built: 1906
Owned since _09/30_/_2010

Received September 30, 2010

Meeting date: October 19, 2010

Previous reviews 1997/front steps; 2001/roof; 2004/demolish garage (denied); 2004/roof

Historic District South St.-Vine Area Stuart Area Haymarket Rose Place

Zoning CN -1 (Neighborhood Commercial)

1. The proposed use of the vacated lot as an improved parking lot complies with the Zoning Code.
2. Site Plan Review would be required for the final plan for the parking lot.

Additional Permits required – Demolition (possibly – moving)

Rental History: The property was a certified rental, compliant with the housing code, until it was removed from rental registration on August 4, 2008.

Applicable Criteria

Topic	Page (KHDC Standards & Guidelines)	Description of Work
Demolition	53	Demolition

Secretary of the Interior Standards for Rehabilitation:
 Not applicable – demolition is not rehabilitation.

Staff Comments

RESIDENTIAL Demolition - Demolition of a building is an irrevocable step, but may be necessary for new buildings and projects.

Under PA 169 and the City of Kalamazoo Code of Ordinance, a proposed demolition must meet one of the four criteria below to be approved by the Historic District Commission:

1. 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 the structure's occupants.

There is some minor deterioration visible on the exterior, mostly peeling paint. On the interior there is mold growing in the basement. As with most houses of this age, the paint on the exterior and interior probably contains lead.

(Chapter 16) (d) When reviewing plans, the Historic District Commission shall consider: 1)The Secretary of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings"; (2) Local design guidelines; (3) The historical or architectural value and significance of the structure resource and its relationship to the historical value of the surrounding area; (4) The relationship of the exterior architectural features of such structure resource to the rest of the structure resource and to the surrounding area; and (5) The general compatibility of exterior design, arrangement, texture and materials proposed to be used; (6) Any other factor, including aesthetic, which it deems to be pertinent.

- (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 the necessary planning and zoning approvals, financing and environmental clearances.

The owner would like to expand the parking lot for Martini's restaurant on the adjacent property at 832 South Westnedge, relieving the street parking congestion for the historic residences along Village Street. Martini's restaurant has substantially benefited the Vine neighborhood and the historic district by attracting a constant stream of customers into the area.

- (c) Retaining the resource will cause undue financial hardship to the owner when a government 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.

The current owner (Rich Munda) is not willing to sell the house to a new owner on-site, and has not yet offered the house to be moved.

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

Commission discussion.

DISCUSSION:

- This house is the last remaining non-commercial structure between the commercial parking lot and South Westnedge. The other house at 508 Village was lost in a fire on August 21, 2001. In 1999, the commission denied approval to demolish an unused garage behind 508 Village and vagrants started a fire in the garage which damaged 512 Village and destroyed 508 Village.
- The house could be "deconstructed" with salvage going to old house owners, possibly as part of a "Silent Auction" fundraiser for a non-profit and then deconstructed by a crew as training.
- Consideration could be given to moving the house to another lot.

COMMISSION ACTIONS (Options):

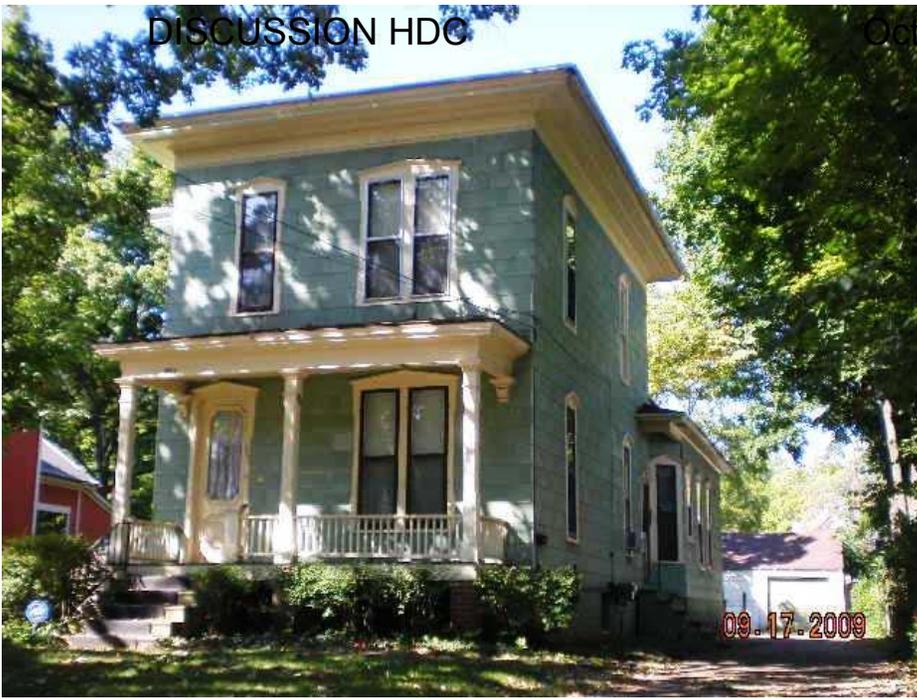
1. Approval in concept: Owner must put together a more complete plan including demolition and/or deconstruction details and site plan for the parking lot.
2. The commission could postpone while the owner explores other alternatives, such as moving the house.
3. The commission could deny, based on Secretary of the Interior Standards 1,2,4,5 & 6.

(Chapter 16) (d) When reviewing plans, the Historic District Commission shall consider: 1)The Secretary of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings"; (2) Local design guidelines; (3) The historical or architectural value and significance of the structure resource and its relationship to the historical value of the surrounding area; (4) The relationship of the exterior architectural features of such structure resource to the rest of the structure resource and to the surrounding area; and (5) The general compatibility of exterior design, arrangement, texture and materials proposed to be used; (6) Any other factor, including aesthetic, which it deems to be pertinent.

DISCUSSION HDC

October 19, 2010

ITEM D



1. 501 Elm ^^^ September 17, 2009
2. September 17, 2010 vv

3. September 16, 2010 ^^^ Southwest corner
4. October 6, 2010 (tarps in place since Sept 17)



**City of Kalamazoo
HISTORIC DISTRICT COMMISSION
Minutes
September 21, 2010
DRAFT**

Second Floor, City Hall
City Commission Chambers
241 W. South St. Kalamazoo, MI 49007

Members Present: Jay Bonsignore, Chair; Bob Cinabro; Linda DeYoung; Nelson Nave; James Tribu

Members Excused: Erin Seaverson; Chris Roussi

City Staff: Jeff Chamberlain, Director of Community Planning & Development; John Kneas, Assistant City Attorney; Sharon Ferraro, Historic Preservation Coordinator; Amy Thomas, Recording Secretary

Guests: Barb Miller, City Commissioner; Matthew Baldwin-Wilson, Stuart Area Restoration Association

I. CALL TO ORDER

Mr. Bonsignore called the meeting to order at 5:05 p.m.

II. APPROVAL OF ABSENCES

Mr. Roussi and Ms. Seaverson advised that they would not be attending the September 21st HDC meeting.

Mr. Cinabro, supported by Mr. Nave, moved approval of the absences of Mr. Roussi and Ms. Seaverson from the September 21, 2010 Historic District Commission meeting. With a voice vote, the motion carried unanimously.

III. APPROVAL OF AGENDA

Ms. Ferraro requested that 817 Vine Place be withdrawn from the agenda.

Mr. Cinabro, supported by Mr. Nave, moved approval of the September 21, 2010 Historic District Commission agenda as amended. With a voice vote, the motion carried unanimously.

IV. PUBLIC COMMENT ON NON-AGENDA ITEMS

None

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V. DISCLAIMER

Ms. Ferraro read the disclaimer into the record.

VI. OLD BUSINESS

A. 527 & 531 Eleanor (Presentation from Jeff Chamberlain)

Mr. Chamberlain attended the HDC meeting in August to present the proposed settlement between the City of Kalamazoo and the Roman Catholic Diocese. Answers to the questions presented at the last meeting were provided in the HDC packets and Mr. Chamberlain was present to provide clarification. The questions were as follows: 1. Why not go to court regarding this matter? 2. What are the next steps? 3. What is the requested action by the HDC?

Mr. Chamberlain advised that Assistant City Attorney John Kneas has been working on the settlement regarding 527-531 Eleanor Street. This matter has been on the HDC agenda twice, it went to the State Historic Review Board twice, and was also on the Planning Commission agenda and the Dangerous Buildings Board agenda. The city's anti-bligh team has also been involved.

The proposed settlement attempts to do the following: 1. Honor the integrity of the Stuart Neighborhood; 2. Keep two homes on Eleanor Street without creating a vacant lot; 3. Renovate the homes to historic standards; 4. Reoccupy these long vacant homes; 5. Provides a resolution without further delay and without litigation. A summary of the settlement was provided in the packet.

The proposed settlement will allow the Roman Catholic Diocese to renovate 527 Eleanor St. and demolish 531 Eleanor St. There is a house a block away at 249 Cooley Street outside of the historic district that is slated for demolition. The current owners of the event center site, Downtown Tomorrow will donate the house on Cooley St. to the Roman Catholic Diocese, and that house will be moved to the vacant lot at 531 Eleanor Street. The City of Kalamazoo will contribute up to \$45,000 in federal HOME funds and up to \$15,000 in federal Community Development Block grant funds, which will be used for the moving costs and demolition. The Roman Catholic Diocese would contribute up to \$30,000 additional funds toward these expenses.

The existing house at 527 Eleanor would remain in place and would be used by the church for their activities. The house to be moved from 249 Cooley to 531 Eleanor would be used for affordable housing. The work being done as part of the move and the subsequent rehabilitation would not come before the HDC but would be reviewed by the Historic Preservation Coordinator. Any future work after the rehabilitation is complete would be subject to review by the HDC as usual.

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One question that came up at the last meeting was, why not litigate? Mr. Chamberlain advised that there is not a large body of case law related to RLUIPA (Religious Land Use and Institutionalized Persons Act). Some cities have won RLUIPA cases, and others have lost.

Attorney Robinson advised at last month's meeting that the settlement will help the city retain local control over this matter because city staff has crafted the settlement. If the case were to wind up in court, a federal judge would determine the settlement.

The following questions were raised at the last HDC meeting:

1. Who approves the proposed settlement, the HDC or the City Commission?

Mr. Chamberlain advised that since there is pending litigation in this matter, the City Commission would approve the settlement.

2. What are the possible scenarios if the settlement is approved or if it is not approved?

Mr. Chamberlain stated that if a settlement is approved by the City Commission then City Manager Ken Collard would sign the agreement since the Bishop has already signed the settlement agreement. Next the City of Kalamazoo and the Roman Catholic Diocese would begin to execute contracts fulfilling the settlement. Because HUD dollars are involved, there would be specific language related to those funds regulating how work is done and limits on income for people who would live in the house. There would also be a purchase and sales agreement between the Roman Catholic Diocese and Downtown Tomorrow, Inc. Finally, the actual demolition, house move and construction would need to be coordinated and approved.

If a settlement is not reached, the attorneys for the church would proceed with the federal lawsuit based on the RLUIPA. In the meantime, the properties would remain as is. The city would not proceed with further enforcement action and the church would not take any further action regarding the properties while the court case was pending. It is likely that the court case would take longer than a year to resolve.

A question was raised at the last meeting with regard to what authority the HDC and the Historic Preservation Coordinator would have. The demolition, moving and rehabilitation would be reviewed by the Historic Preservation Coordinator. If changes are requested by the church in the future, those changes would be subject to review by the HDC.

At this point, city staff is asking the HDC to endorse the proposed settlement. City staff will be responsible for moving this matter on to the City Commission level. A recommended motion was included in the HDC packets; it is up to the HDC as to whether they would like to use it or not.

Mr. Cinabro expressed appreciation for the report and clarification. It is clear that the HDC would have jurisdiction over future issues involving these properties. The settlement states that details regarding the move and the immediate rehabilitation will be approved through the Historic Preservation Coordinator and not the HDC. However, it is

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unclear as to what would happen if the Historic Preservation Coordinator disapproves some of the work proposed. Mr. Chamberlain advised that the process would proceed as with any other appeal. It would begin with an administrative review and the project would stop while possible solutions are being discussed. City staff relies heavily on Ms. Ferraro's expertise. She would work with the property owner to help them understand her decision. For instance, if the Coordinator says no to a request for installation of a steel security door on the front of the house, the project would stall. Mr. Cinabro inquired if the project would stop until it proceeds through the appeals process. Mr. Chamberlain responded in the affirmative and advised that the church is aware of this provision. They are aware that they cannot renovate the buildings without building permits.

Mr. Bonsignore inquired as to the appeals process if the Coordinator says no to an application. Attorney Kneas advised that if the matter cannot be worked out internally, it would be appealed through the HDC. Mr. Bonsignore advised that the agreement does not state that the appeals process will be through the HDC. Attorney Kneas advised that in terms of the last provision, the standards of the historic district must be met.

Mr. Bonsignore commented that there is a seven year record of the church fighting the standards that the HDC is trying to uphold. If the church disagrees with the Coordinator's review, the next process is an appeal to the HDC? Attorney Kneas advised that the appeal process is implied, the church has to meet the standards. Mr. Bonsignore commented that for seven years the Roman Catholic Diocese has objected. One of the points of the settlement is to eliminate the HDC from the process. Attorney Kneas advised that the goals of the settlement are to state that the HDC doesn't have to approve the demolition, to avoid the RLUIPA litigation, and to keep two historic structures in the Stuart historic district.

Mr. Cinabro referred to the language in paragraph 9B of the proposed settlement which states that plans for exterior modification shall first be presented to the city's Historic Preservation Coordinator prior to work commencing. It does say in the previous sentence that the demolition shall proceed without approval from the HDC. This appears to be a timing issue. The church must first approach the Historic Preservation Coordinator. If the Coordinator says no, then the second step is an appeal through the HDC. Attorney Kneas advised that he would agree with that statement. Ms. Ferraro advised that for an administrative approval outside the bounds of this agreement, the ordinance states that a property owner can appeal the decision of the Coordinator through the HDC. The process of moving from the coordinator's decision to the HDC is already in the ordinance.

Mr. Bonsignore inquired as to why the city feels that it is important to take the HDC out of the process. Attorney Kneas advised that it is part of the negotiated settlement, which is an attempt to end seven years of discussions. The church has to meet the standards. The primary issue is the demolition. The Cooley house is of the similar historic character as other nearby houses.

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Mr. Bonsignore questioned why the HDC would be taken out of the process regarding the demolition when that is not done for anyone else in the city. Attorney Kneas advised that he didn't have all of the answers regarding the details of the settlement. A settlement is a compromise of positions; various scenarios were discussed. Moving the Cooley house to the vacant lot appeared to be the best compromise because that property will be rehabilitated and reused. There is not a plethora of court cases to indicate which party would be likely to prevail in a lawsuit or how long the case would last.

Ms. Ferraro commented that the HDC and the Coordinator only deal with exterior issues. The houses at 527 Eleanor and 249 Cooley are in good shape – both were certified rental properties until they were vacated. Issues regarding exterior repairs and details of moving the Cooley house will need to be dealt with, but it is unlikely that the church will need to construct an addition in the back, etc. Many of the changes that are likely to be made, such as repairing or adding new steps or changing a railing, would be dealt with as an administrative review by the Coordinator rather than being reviewed by the HDC even if these houses were not part of a settlement agreement. It does not appear that there will be major issues that would need HDC review.

Mr. Nave commented that this has become more than a political fight and it is important to consider the city's position. Mr. Bonsignore indicated that the HDC's position was not taken into consideration during the settlement negotiations. Ms. Ferraro commented that she thought the city did defend the HDC; Attorney Kneas argued for the HDC at both appeals. If the settlement is approved, the historic district will have two sound houses and the character of the district will be maintained. This is a solution in support of the HDC.

Ms. Ferraro advised that due to the legal issues between the city and the church, the HDC was not consulted during the process. Ms. Ferraro attended several of the meetings between the city and the church representatives, and she has provided verbal reports to the HDC regarding the possible move of the Cooley St. house. She was unable to find a reference in the minutes but she recalled the HDC saying they would like to see more details. Ms. Ferraro commented that the proposed settlement is a reasonable solution to the situation. The church has maintained the house and made sure it is closed to casual entry. Attorney Kneas stated that city staff deferred to Ms. Ferraro's input during the negotiation process.

Mr. Chamberlain advised that one reason the process took so long is that the city held firm that they would not recommend demolition and a vacant lot on Eleanor Street. That is why the attorneys have been involved and litigation was threatened. The intention is to preserve the integrity of the Stuart Area Historic District.

Mr. Bonsignore inquired as to what would happen if the \$30,000 runs out. Mr. Chamberlain stated that estimates have been provided with regard to the demolition, the house move and the renovation. It was determined that \$90,000 would be a reasonable cost for the whole project. Ms. Ferraro advised that a substantial part of the high

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rehabilitation costs that were quoted at previous HDC meetings pertained to the damaged house at 531 Eleanor.

Public Comment

Sharon Carlson, 430 Elm Street, advised that she is the Chairperson for the Stuart Area Restoration Association. She served on the study committee to add this section of the neighborhood into the historic district. She served on the HDC from 1988 to 1993. Ms. Carlson commented that most of the actions being recommended are commendable. She was in favor of moving a house that is in good shape and has similar character into the historic district. The ultimate outcome of what will be achieved is commendable.

Ms. Carlson expressed serious concerns about bypassing Historic District Commission review while the house is being moved. This sets a precedent that could create problems in the future. Other property owners may delay action to see if they can work out a special deal with the city. Ms. Carlson advised that she has respect for Ms. Ferraro, and that the comments she made were not regarding Ms. Ferraro's judgment.

Ms. Carlson attended the September 14th meeting of the Stuart Area Restoration Association. At that meeting, a motion was passed unanimously stating that projects requiring HDC review should be reviewed by the HDC. Ms. Carlson read into the record a letter from Lynn Houghton, former HDC Chair. In the letter, Ms. Houghton expressed concern about the proposed settlement agreement. She also expressed concern that allowing the move to take place without HDC review would set a dangerous precedent. She concluded the letter by commented that actions taken by the HDC will impact the community for years to come.

Mr. Nave, supported by Mr. Cinabro, moved to endorse the proposed settlement agreement between the Roman Catholic Diocese and the City of Kalamazoo regarding 527 Eleanor and 531 Eleanor in the Stuart Historic District. With a roll call vote, the motion carried by a majority vote. Mr. Bonsignore provided the only dissenting vote.

Mr. Bonsignore advised that he did not have an issue with moving the house, he is objecting to the fact that the HDC will not be involved with the move.

Mr. Cinabro stated that he is Roman Catholic. He commented that there is a lot of emotion surrounding this situation, but he has no ownership over this issue. He has studied the time lines regarding the properties. There seems to be a sentiment that the church has been flaunting the process or that they are trying to get away with something. The diocese came to the HDC for review of this matter. There are property owners who ignore HDC review completely and then wind up in front of the HDC for retroactive approval. That is not what happened in this instance. The church approached the HDC twice for approval and then appealed the decision twice. They did not have a reckless egregious disregard for the process. The church is not just getting a windfall, they have spent money and paid lawyers, and they have had to negotiate a settlement. The mark of

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a good settlement is that neither party is totally satisfied; this is a compromise. There is a sense of frustration from both parties. It appears that both parties have done the best they could. The settlement is not perfect. It is a compromise of a dispute and that is what settlements are about. One of the main concerns pertained to the possible creation of a vacant lot in the historic district, but the settlement makes sure that will not be an issue. Mr. Cinabro advised that he would be voting in favor of the motion.

Mr. Nave provided the following disclosure: He is a historical consultant working for another architect who is working for the city. The job he is involved with pertains to restoration of the windows in City Hall. He did not feel that his involvement with this project would be a conflict of interest in this matter.

B. 131 South Prairie (Case #: IHA 10-0130)

Robert DeHaan, contractor, was present to discuss the application. The application requests removal of the existing two car garage, construction and reorientation of a 2.5 car garage to complement the house. 1. One additional door on the front. Change from a 36" wide door to a twin 64" door. 2. Two angles windows in the upper gable ends – for natural light in the upper storage area and for aesthetic reasons for the neighbors to the west. 3. Change style of overhead garage doors. Model #5100 carriage door with upper windows is #1 choice. Model #2298 recessed panels with windows is #2 choice.

Mr. DeHaan advised that the HDC approved the project; the applicant is requesting changes. They would like to change the front door from one 36" hinged door to two 32" doors. They would also like to have two angled windows in the gable ends of the garage for storage. They are not trying to match the house but would like to have the windows for aesthetic reasons.

The applicants would like to change the original recessed, paneled doors to model #2298 metal doors with windows and recessed panels. The other doors the applicants were requesting were too expensive. The doors will be similar in appearance to the original wood doors.

Conversation followed with regard to the configuration of the garage windows. Mr. DeHaan advised that the proposed doors will have four, small windows in the middle. The window configuration is different. Mr. Nave inquired as to the details of the elevation that had been approved. Ms. Ferraro stated that she didn't bring that information. The only changes are the doors. The plans state that the doors are 54" wide; the written information states that the doors are 64" wide. Mr. DeHaan confirmed that the applicants would like to install two, 32" doors for a total of 64".

Mr. Nave inquired as to the construction of the muntins in the door. Mr. DeHaan advised that there are removable wood muntins on the inside only. They match the ones on the house, which were done before the house was in the historic district. Mr. Nave commented that the triangle windows are not compatible with the rest of the district. He recommended putting in small windows similar to what is there and at a typical height.

Historic District Commission Minutes

September 21, 2010

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Mr. DeHaan advised that there are angled windows in the gables of the house. They don't match exactly and those windows do not have muntins. Ms. Ferraro confirmed that information and advised that she didn't have a picture showing those details.

Mr. Nave mentioned that there is trim around the pair of windows but not the triangle windows. There appears to be brick mold below that area. He inquired as to the trim around the doors. Mr. DeHaan advised that there will be a 3½" board around the door, but not around the triangle windows. The windows are clad; the trim details could be added. He was advised that they should not match the original details. Ms. Ferraro noted that the trim around the triangle windows in the house is fairly small; it is not as wide as the trim around the rest of the windows.

Mr. Nave inquired if there was brick mold trim around the pair of double windows. Mr. DeHaan advised that there is 3½" trim around those windows.

Mr. Nave, supported by Ms. DeYoung, moved to accept the application for 131 South Prairie with the addition of 3½" trim around the triangle windows to match the house, and a model #2298 garage door. With a roll call vote, the motion carried unanimously.

Mr. DeHaan confirmed that the double doors will match the side entry door.

D. 1010 S. Park (Case #: IHA 10-0281)

Mike Fleckenstein, owner, was present to discuss the application. The application requests that the enclosed rear porch be opened up, and that rails and posts similar to the front porch be added. There will be no steps in this location.

Mr. Fleckenstein advised that the original application was submitted by Nate Christensen regarding the back porch. Mr. Fleckenstein would like to remove the non-historic siding and other horizontal siding. The siding is in bad condition and is covering the doorway. He would like to disassemble the door, make a framing system and then re-hang the door. He would also like to match the original posts and handrails on the front of the house. There are currently no footings and he would like to create those, leave the porch roof as is and replace the decking. The deck will probably be rebuilt and the rim joists will be capped so the structure won't rot. He would like to use an aluminum material with a drip edge to prevent water from running down the rim joists.

Mr. Nave inquired about the configuration of the steps. Mr. Fleckenstein advised that he didn't want the steps in that location because they would interfere with the rear entry door to the left. This is probably not an original entrance.

Mr. Nave mentioned that the HDC has approved Trex decking for back porches. Ms. Fleckenstein advised that he was agreeable with using the Trex decking, but that he had planned on using cedar. Ms. Ferraro suggested using Cypress for longevity.

Historic District Commission Minutes

September 21, 2010

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Mr. Fleckenstein stated that the columns will have to be rebuilt. Mr. Nave advised that the columns appear to be almost 6" in diameter. He suggested using columns that are similar in size rather than replacing them with thinner columns. The Heritage Company may have something similar.

Mr. Bonsignore inquired as to what the railing would look like. Mr. Fleckenstein advised that the side porch railings are similar to the front porch railings. He wants to make the rear porch railings similar to the original railings.

Mr. Nave mentioned that the side porch columns appear to be flush. Mr. Fleckenstein advised that they are not original. Ms. Ferraro confirmed that nothing on the side porch is original but the steps and the remaining parts of the front rail.

Ms. Ferraro suggested that Mr. Fleckenstein consider putting square, concrete blocks under the corners of the porch, similar to what is under the front porch. She stated that Statler carries square concrete blocks that would be appropriate.

Mr. Nave, supported by Mr. Cinabro, moved to accept on west-facing rear porch, a guardrail to match the front porch. The columns are to be supported to match the front columns. The flooring and supports are to match historic district standards. The columns under the porch are to be 6" x 6". The existing roof and the wooden door are to remain. The trim should match the original trim or the adjacent trim. With a roll call vote, the motion carried unanimously.

E. 529 Elm (Case #: IHA 10-0282)

Mr. and Mrs. Barner, owners, and Chris Anderson, contractor, were present to discuss the application. The application requests replacement of the existing wooden clapboard siding with cement board.

Ms. Barner advised that she would like to install cement board siding to save on painting costs. She has returned to work so that she can afford to make the repairs. She is hoping for a product with longevity so that she and her husband will not have to paint. The cement board comes with a 20-year guarantee. There have been problems with paint not sticking on the wooden clapboard siding and there are issues with lead paint on the house. The cost of paint is going up and it only lasts five or six years. There is a house on Westnedge hill that was built in 1880 that has cement board siding, it is difficult to tell the difference from a distance.

Mr. Nave inquired if there is sheathing under the siding. Mr. Barner advised that there are 3/4" boards underneath. Mr. Anderson stated that he would like to use house wrap to stop the infiltration of cold air. There is blown in insulation but it is sporadic. Ms. Ferraro commented that the plugs from the insulation are visible on the north side of the house. She suggested using pre-primed, pre-painted cedar clapboard siding instead of cement fiber. Mr. Anderson advised that he had not considered that option. He

Historic District Commission Minutes

September 21, 2010

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suggested the cement board siding to the applicants to provide the longevity they are requesting.

Mr. Anderson expressed concern that the applicants would have to deal with lead remediation if they chose a different option. Ms. Ferraro stated that the lead remediation would have to be dealt with even if the cement board were used. Mr. Tribu advised that the lead rules are not that complicated. It would be necessary to have someone who is trained under the EPA Renovation, Repair and Painting regulations.

Mr. Bonsignore inquired as to the exposure on the siding. Mr. Anderson advised that the exposure would be 4" to match the existing siding. It will be pre-painted with two coats of paint. He inquired as to what the HDC will allow regarding the trim boards. The soffit and fascia will remain and it will be painted. The siding will be removed and re-caulked. Mr. Nave commented that the thickness might be different and that should be taken into consideration if it is to remain in place. Mr. Anderson advised that he would look into the Cedar siding, but it will be expensive.

Ms. Ferraro advised that heat stripping could remove the paint from the siding. She inquired if just the beveled siding would be replaced; Mr. Anderson responded in the affirmative. He stated that the paint is falling off in sheets and the wood is exposed. The applicants are looking for a product that will have longevity.

Ms. Ferraro stated that the house has cellulose insulation but no vapor barrier. The insulation is releasing moisture in the summer and that has caused the paint to come off. She was not sure if the fiber board would be resistant to the moisture. Mr. Bonsignore advised that the fiber board will also soak up water. Based on standard #6, it would not be advisable to replace the original material since it does not appear to be damaged. He referred to a house on West Main Street where the siding had split and fallen off. This house does not have that damage. Mr. Nave advised that paint with a vapor barrier could be applied to the interior walls and that would keep the water vapor in the house.

Discussion followed with regard to the texture of the proposed siding. Mr. Anderson advised that it is available in smooth or wood grain. He was advised that the siding should be smooth.

Ms. Barner stated that she has never claimed any tax credits from the state.

Mr. Nave inquired if the front porch ceiling would be removed and replaced. Mr. Anderson stated that the bead board is bowing to the point of falling off. He is not sure what is underneath for support. He would like to replace it with the same type of tongue and groove material. Mr. Nave suggested loosening one of the boards at the end and the rest of the material might come apart more easily.

Ms. Ferraro inquired if the work would be done this fall or next spring. Mr. Anderson stated that he hoped to start the work this fall and do a section at a time. The applicants need direction and would like to be in harmony with the HDC.

Historic District Commission Minutes

September 21, 2010

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Mr. Tribu commented that he had no issue with the product, but it should not be used to replace deteriorated material but it could be used on an addition. There would still be a problem because of the insulation. He inquired if there was only one estimate. Mr. Anderson responded in the affirmative and stated that the estimate for the painting was \$15,000. Ms. Ferraro advised that the law prohibits sanding of lead paint, which was specified in that bid.

Mr. Tribu questioned if the \$20,000 estimate for the siding included the window trim. Ms. Ferraro stated that the siding could be stripped and painted or replaced with Cedar siding and it would be eligible for the historic tax credit. Ms. Barner advised that she was not interested in the filing for the tax credit because of the fees involved. Ms. Ferraro stated that there would be less than \$1,000 in fees involved, and the applicant would get about \$5,000 back. The stripping and painting may cost less if the applicants take the tax credit. Ms. Ferraro advised that the process is not that difficult and that she had helped other people through the process.

Mr. Tribu commented that if the paint job is done properly, it should last over 10 years.

Mr. Nave, supported by Mr. Cinabro, moved approval of the installation of pre-painted, flat cement siding to replace the existing siding at 529 Elm Street. The trim and the front porch ceiling are to match the original. With a roll call vote, the motion failed with a two to three vote.

Ayes: Nave, Cinabro

Nays: DeYoung, Tribu, Bonsignore

Mr. Bonsignore advised that he would be voting no because it is the job of the HDC to preserve historic material. He stated that his house doesn't peel like that; there are solutions to this problem. Mr. Nave offered to provide written information on how to make the paint last.

Mr. Bonsignore expressed concern that the total cost for siding will be more than the \$19,500 that was estimated. Mr. Anderson advised that the estimate for the siding was for a 6" exposure, not a 4" exposure. He inquired if the paint color could be addressed at this point. Ms. Ferraro advised that the paint color is for the owner to decide.

Mr. Tribu, supported by Ms. DeYoung, moved to deny the application to replace the siding at 529 Elm Street based on Secretary of the Interior's Standards and Guidelines #6. With a roll call vote, the motion failed with a two to three vote.

Ayes: DeYoung, Tribu, Bonsignore

Nays: Nave, Cinabro

Mr. Cinabro, supported by Ms. DeYoung, moved to postpone the decision regarding replacement of the siding at 529 Elm Street to await further information from the

applicants regarding estimates. With a roll call vote, the motion carried unanimously.

F. 105 East Michigan (Case #: IHA 10-0283)

Joe Agostenelli, representative from DTI/Mavcon, was present to discuss the application. The application requests: 105 E. Michigan (Bldg. #1) – rehabilitate the existing grouped windows in existing openings rather than restoring original (1883) window configuration of separate windows. 127 East Michigan (Bldg. #4) – retain and restore bay window on second floor, east bay.

Ms. Ferraro advised that the second floor bay window in building #4 will remain. In building #1, the current window configuration will be retained and the windows will be rehabbed. The rear windows can be one over one rather than multiple lights as originally proposed.

Mr. Nave, supported by Mr. Cinabro, moved to accept the application for 105 E. Michigan as submitted. With a roll call vote, the motion carried unanimously.

Ms. Ferraro advised that the State Historic Preservation Office and the tax credit reviewers suggested these changes.

Mr. Nave inquired if the wood windows on the second and third floor would be rehabbed. Mr. Agostenelli stated that new windows will be installed in the existing openings. Ms. Ferraro advised that only one of the original windows remains on that façade. Mr. Agostenelli advised that the store front has been simplified; it will be restored to look like it did around 1910. He had a picture showing the façade from the 1950's, which had a similar look to the 1910 facade.

VI. APPROVAL OF MINUTES (August 17, 2010)

Ms. DeYoung referred to page 2, paragraph 2, which should state that the railing will be removed and stored for a future owner to use.

Mr. Nave, supported by Mr. Cinabro, moved approval of the August 17, 2010 HDC minutes as amended. With a voice vote, the motion carried unanimously.

IX. OTHER BUSINESS

Ms. Ferraro advised that the owners of 802 S. Park hired the engineer, Tom Nehil to look at the balcony. He tested the wood that was anchored inside the wall and determined that it would bear the load of repairing the balcony to match the existing structure. The owners are planning to repair the balcony to match the original in every detail. Ms. Ferraro will be meeting with the owners to discuss the details of the repair.

Mr. Nave referred to the list of violations. Ms. Ferraro advised that the violations shown in gray indicate that the owners have taken steps to remedy the violations. Ms. Ferraro hasn't had an opportunity to inspect the work yet.

Mr. Nave inquired about the violations at 530 South Street, which is no longer on the list of violations. Ms. Ferraro advised that she hasn't had time to address that situation. The owners of that property need to either follow through on what the HDC requested, or come to the HDC with a new proposal. Mr. Tribu inquired if the owners of that property receive a monthly \$70 bill for the violations. Ms. Ferraro advised that they have not been receiving bills but that process may start again.

Mr. Bonsignore advised that he is considering resigning over the 531 Eleanor issue. Bypassing the HDC is a serious insult to the commission and sets a bad precedent for the City of Kalamazoo. He expressed concern with regard to the potential problems this may cause the city and the Historic Preservation Coordinator in the future. The HDC exists to provide a buffer for the city. Residents of the Stuart Area Restoration Association are upset because the settlement will remove a property in the historic district from HDC review. It appears that the property owner doesn't have any regard for historic standards. The HDC was eliminated from the review process for the owners' convenience. If they supported the HDC they could have negotiated and kept the HDC in the loop.

Ms. Ferraro advised that she will provide updates on the process as the situation progresses. Mr. Bonsignore expressed concern that if Ms. Ferraro says no to a request from the property owners, they will continue to have their lawyers fight the decisions. The process has been thrown out at this point and that will likely cause the city problems in the future.

IX. ADJOURNMENT

Mr. Cinabro, supported by Mr. Tribu, moved to adjourn the September 21, 2010 HDC meeting. With a voice vote, the motion carried unanimously.

The meeting adjourned at 7:05 p.m.

Submitted by: _____
Recording Secretary

Dated: _____

Reviewed by: _____
Historic Preservation Coordinator

Dated: _____

Approved by: _____
HDC Chair

Dated: _____

RECEIVED

MAR 26 2008

THE CITY OF



Kalamazoo City Clerk
BOARD AND COMMISSION APPLICATION

1. On which Board or Commission would you like to serve?

Kalamazoo Historic Preservation Commission

2. Name: Peter B. Carroll
(First) (Middle) (Last)

3. Home Address: 141 Prospect St. Kalamazoo, MI 49006
(Street Address) (City) (Zip) (Code)

4. City Resident: Yes No 5. Neighborhood: West Main Hill

6. Home Phone: (269) 344-7804 7. E-mail Address: oldhomerehab@mac.com

8. Occupation: Business owner 9. Employer: Old Home Rehab, Inc
225 Parsons St. Kalamazoo, MI 49007
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: (269) 806-8551 11. Home/Business Fax: _____

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? e-mail / business phone.

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.
Attachment.

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes No . If yes, please explain.

15. References (Non-Family)

Name: John Thingstad, President Phone: (269) 345-3311.
Address: Park Trades Center 326 W. Kalamazoo, MI 49007

Name: Phil Cara Phone: (269) 349 8486
Address: Columbia Building, 9th floor, Kalamazoo

16. Peter Carroll 3/18/08
(Signature of Applicant) (Date)

OPTIONAL INFORMATION

The following Affirmative Action and Equal Opportunity information is requested to help determine whether application information for City Boards and Commissions is reaching all segments of the community. Provision of the following information is optional, and you will not be penalized if you do not complete this section. Please check as appropriate.

GENDER	RACE OR ETHNIC BACKGROUND	AGE
<input type="checkbox"/> Female	<input type="checkbox"/> Black or African-American	<input type="checkbox"/> 16-21 years
<input checked="" type="checkbox"/> Male	<input type="checkbox"/> American Indian or Alaskan Native	<input type="checkbox"/> 22-34 years
	<input type="checkbox"/> Asian	<input type="checkbox"/> 35-44 years
<input type="checkbox"/> DISABLED	<input type="checkbox"/> Pacific Islander	<input checked="" type="checkbox"/> 45-54 years
<input type="checkbox"/> Yes	<input type="checkbox"/> Hispanic or Latino	<input type="checkbox"/> 54-64 years
<input checked="" type="checkbox"/> No	<input type="checkbox"/> White	<input type="checkbox"/> 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? From a current Board member.

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes No If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8791. E-mail : borlings@kalamazoo.org

For office use only:

Date Received in Clerk's Office:	<u>3/26/08</u>
Date Distributed:	<u>4/2/08</u>
Distributed to:	<u>S. Ferraro & C. Wright</u>
Disposition:	_____

Board And Commission Application Supplement

Peter B. Carroll
141 Prospect St.
Kalamazoo, MI 49006

Education

Bachelors of Science in Business Administration, Bowling Green Sate University, 1985
Registered Nurse, Mercy Hospital School of Nursing, 1980

Work Experience

Currently the President and Managing Partner of Old Home Rehab, Inc. This company was established in Kalamazoo in 2007 to fill a need to help owner of older & historic properties repair and maintain windows and doors. In this capacity I have had the opportunity to work on many historic structures in Kalamazoo and SW Michigan. From this I was asked to submit this application from current board members.

1990 – 2007 I managed a business unit for Pfizer, Inc. with annual sale exceeding 300 mil. It was in this capacity, which I was relocated from Farmington, MI to Kalamazoo in 2005. My family now resides in Historic West Main Hill Area, of which I supported.

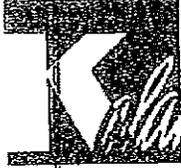
1980-1990 I assumed various nursing and nurse management positions in critical care. Both in Toledo, OH, were I was born and Seattle, WA.

The majority of community experience has been through raising 3 children and a victim of a volunteer zealot of a wife. My children were leaders in school and captains of their swim teams so volunteer opportunity abounded. I have been affiliated with The Boy Scouts of America for 8 years, acting as a Den Leader and Assistant Scout Master. I learned to funnel the energy & enthusiasm of teenage boys into healthy endeavors. In Boy Scouts I was a member of many planning and parent committees.

My home in Kalamazoo is the third old home I have renovated and stewarded. I believe in practical preservation, which I define as preparing the past for the future. Some qualities I believe I offer to The City of Kalamazoo and the Historic Preservation Board are decision-making and goal orientation, ability to work well in groups, and business acumen.

Thank you for the opportunity to apply for a position and potentially serve the community I now call home.

THE CITY OF



BOARD AND COMMISSION APPLICATION

RECEIVED

JAN 15 2008

Kalamazoo City Clerk

1. On which Board or Commission would you like to serve?

Kalamazoo Historic District Commission

2. Name: Richard C. Emig
(First) (Middle) (Last)

3. Home Address: 2100 Winchell Ave. Kalamazoo 49008
(Street Address) (City) (Zip Code)

4. City Resident: Yes No 5. Neighborhood: Winchell

6. Home Phone: 345-1559 7. E-mail Address: richardcemig@aol.com

8. Occupation: Jeweler/Landlord 9. Employer: Self / W. M. Spaman & South Street Properties & Bldgs.
813 West South St. Kalamazoo 49007 MI
(Employer's Street Address) (City) (State) (Zip Code)

10. Business Phone No: 345-1689 11. Home/Business Fax: 345-1559

12. How would you prefer to receive communications from the city (fax, e-mail, home/business phone, etc.)? Business phone

13. Please indicate any information (experience, education, community activities, organizations, etc) which you think should be considered for your appointment to a Board or Commission. Use additional paper and include a resume if you wish.
See enclosed letter

14. Are there any reasons you may have a conflict of interest if you were appointed to a Board or Commission listed above? Yes No If yes, please explain.

15. References (Non-Family)

Name: Mr. Tom Huff Phone: 226-6336
Address: 336 S Burdick St.

Name: Mr. Dan Woltersom Phone: 385-8188
Address: 116 West South St.

16. Richard C. Emig
(Signature of Applicant) (Date)

Resubmit on 9/24/09 -continued on second page-

OPTIONAL INFORMATION

The following Affirmative Action and Equal Opportunity information is requested to help determine whether application information for City Boards and Commissions is reaching all segments of the community. Provision of the following information is optional, and you will not be penalized if you do not complete this section. Please check as appropriate.

GENDER	RACE OR ETHNIC BACKGROUND	AGE
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<input checked="" type="checkbox"/> Male	<input type="checkbox"/> American Indian or Alaskan Native	<input type="checkbox"/> 22-34 years
	<input type="checkbox"/> Asian	<input type="checkbox"/> 35-44 years
DISABLED	<input type="checkbox"/> Pacific Islander	<input checked="" type="checkbox"/> 45-54 years
<input type="checkbox"/> Yes	<input type="checkbox"/> Hispanic or Latino	<input type="checkbox"/> 54-64 years
<input checked="" type="checkbox"/> No	<input type="checkbox"/> White <input checked="" type="checkbox"/>	<input type="checkbox"/> 64+ years

Please return your application to:

City Clerk's Office
241 W. South Street
Kalamazoo, MI 49007

Fax: (269) 337-8494

How did you learn about the Board and Commission position? Sharon Ferraro

Are you currently serving as an appointee to any other City of Kalamazoo Board/Commission?

Yes No If yes, which Board/Commission?

Thank you for your interest in serving the City of Kalamazoo.

For further information, call the Clerk's Office at (269) 337-8791. E-mail : borlings@kalamazoocty.org

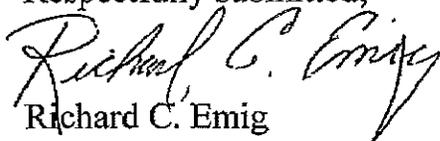
For office use only:

Date Received in Clerk's Office:	<u>9/24/09</u>
Date Distributed:	<u>9/28/09</u>
Distributed to:	<u>S. Ferraro & J. Bonagione</u>
Disposition:	_____

Dear Historic District Commissioners;

I completed Historic District Commissioner training this year. In addition, I have personally owned, renovated and/or maintained seven different historic properties on South Street. I just purchased two more on South Street this year. I've been working on historic South Street for the past one & half years speaking with my neighbors on the issues they deal with, in the historic district. I avidly read historic publications and have attended several historic building expos and conferences over the past two decades in an effort to continue expanding my knowledge base. I have served on numerous business and industry related boards during my thirty three years as a local business owner and I believe that these years of experience and service would be an asset to the Kalamazoo Historic District Commission.

Respectfully submitted;


Richard C. Emig

Historic District Commission
FYI – Report From The Coordinator
October 19th, 2010

YEAR TO DATE COA's

2010 - 312

2009 - 428

YEAR TO DATE - New Violations

2010 – 16

2009 - 5

PROJECTS:

Coordinator: Michigan Historic preservation Network has received a grant to train Historic District Commissions throughout the state of Michigan. I have completed my instruction to become a trainer and will probably be training the Muskegon, Allegan and Saugatuck Historic District Commissions between now and the end of winter.

Study Committee: The Oakland Drive Neighborhood Association has asked for a presentation on historic districts. I will be speaking to them on Wednesday October 27th at 7:30 pm in the library at the Winchell Elementary School. If any of you are available, you are welcome to attend.

Violations: See attached report

TAX CREDITS: A minor change in the Michigan Historic Preservation Income Tax Credit refund procedures may make it easier to encourage owners to use the credit.

Previous: Owner applies for credit worth 25% of the cost of the work. After the work has been reviewed and approved, the Michigan Department of the Treasury is notified that the tax payer qualifies for the credit. The credit applies to any income taxes due until the credit is used up OR ten years – whichever comes first.

New: Owner applies for credit worth 25% of the cost of the work. After the work has been reviewed and approved, the Michigan Department of the Treasury is notified that the tax payer qualifies for the credit. The tax payer has a choice between using up the credit year by year as previously OR the tax payer may opt for a refund of 90% of the value of the credit during the first year the credit is applied.

Example:

\$9,000 roof + paint the exterior for \$7,000 = \$16,000 expenditure = \$4,000 credit

The owner can apply the credit until it is used up OR request a lump sum refund of \$3600 (90%)

RAILS ON STRUCTURES IN THE HISTORIC DISTRICT

Building code rail height requirements

1. 1st floor, height of deck less than 30" above grade – **no rail required**
2. 1st floor, height of deck more than 30" above grade – Rental housing porch serves 1-2 units - **36" rail required**
3. 1st floor, height of deck more than 30" above grade – Rental housing porch serves 3+ units - **42" rail required**
4. 1st floor, height of deck more than 30" above grade – Owner occupied single family detached – **36" rail required**
5. 2nd floor – **36"- 42" rail required**
 - o **36" single family**
 - o **42" – 3 or more unit residential and commercial COMMON areas**

Historic District Applications:

HISTORIC PORCH

- REPAIR - Damaged or missing parts of existing historic rail replaced – NO CHANGE to existing rail height would be required.
- RAIL REPLACEMENT of existing historic rail – rails must be rebuilt to code height.
 - o Mitigation/planning:
 - Examine rails and determine if wholesale replacement is necessary. If only parts need to be replaced, then the work becomes a REPAIR and the height may be unchanged.
 - Regrade soil near deck into a planting bed that decreases the height from grade to the porch deck to less than 30", must extend out six feet from edges of deck
 - Porch rails may be reconstructed at original height with additional horizontal bar(s) above the upper rail to bring the entire assembly up to code height.
- PORCH RECONSTRUCTION – either a missing deck, columns and rail system, supported by documentary evidence (photos, paint shadows, twin houses) or an entire missing porch – rails must be rebuilt to code height (36" to 42" see Items 2-4 above) .
 - Mitigation/planning:
 - HDC review and approval for design
 - Re-grade soil near porch into a planting bed that decreases the height from grade to the porch deck to less than 30", must extend out six feet from edges of deck
 - Porch rails may be reconstructed at original height with additional horizontal bar(s) above the upper rail to bring the entire assembly up to code height.
 - Possible variance from Construction Board of Appeals. The CBA rarely approves variations from the building code – so this would be an unlikely remedy.

- DECKS ON FIRST FLOOR - new (open, no roof) on side or rear - rails must be built to code height (36")
 - Mitigation/planning:
 - HDC review and approval for design
 - Build deck so floor is less than 30" above grade – possibly a step down from house door.
 - Re-grade soil near deck into a planting bed that decreases the height from grade to the porch deck to less than 30", must extend out six feet from edges of deck
- DECKS/BALCONIES ON SECOND FLOOR – existing and new (open or roofed) - rails must be built to code height (36" - 42")
 - Mitigation/planning:
 - HDC review and approval for design
 - Porch rails may be reconstructed at original height with additional horizontal bar(s) above the upper rail or below the lower rail to bring the entire assembly up to code height.

This is the current disclaimer for the rail height waiver I grant for existing, sound historic rails more than 24" tall:

IMPORTANT NOTE: *This waiver only addresses the requirements of the Housing Code (Chapter 17) and the Historic District Ordinance (Chapter 16) of the City of Kalamazoo Code of Ordinances. It is the owner's responsibility to consult their insurance agent or attorney to determine if the lowered guardrail height or wider infill spacing exposes their property to any additional liability. If the owner decides to install a taller, code compliant rail, the design must be approved by the Historic District Commission or the historic preservation coordinator before work begins.*