

DEMOLITION

In a historic district, demolition is a grave matter. Once razed, a historic structure is lost forever. Often a razed building will represent a loss not only of the structure itself, but it will change the rhythm of the streetscape. Demolition will be considered as a last resort, after all other reasonable options have been exhausted.

Most frequently, demolition will be requested because of fire damage to a structure. A fire-damaged structure must be reviewed or inspected by the coordinator, preferably with the assistance of other city staff, such as a building inspector. The owner or applicant is welcome to invite their own contractor or structural inspector to the site visit. The coordinator's report will be considered as part of the application. When the damaged structure presents a public hazard, every effort will be made to expedite a resolution, within the limitations of insurance claims and city ordinance. It is also recommended that the owner inform the appropriate neighborhood association of any non-garage proposed demolition.

Sometimes garages become so deteriorated that they fail under a snow load, or are in danger of collapse. Each demolition of a garage will be reviewed by the commission on its own merits. If demolition is approved, the cement pad may be retained, but any supporting foundation must be razed to the level of the pad or reduced to grade.

If demolition is approved a "Notice to Proceed" will be sent to the applicant. This is necessary before the required demolition permit can be issued.

Financial Hardship

When a structure is damaged by fire enough to need substantial repair, the owner may claim financial hardship. The commission is bound by state law to consider financial hardship under the conditions set forth below. Public Act 169 of the State of Michigan, which regulates the establishment of historic districts within the state, states in 399.205 5 and 6:

- (5) If an application is for work that will adversely effect the exterior of the resource the commission considers valuable to the local unit, state, or nation, and the commission determines that the alteration or loss of that resource will adversely effect the public purpose of the local unit, state or nation, the commission shall attempt to establish with the owner of the resource an economically feasible plan for the preservation of the resource.
- (6) Work within a historic district shall be permitted through the issuance of a notice to proceed by the commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:
 - (a) The resource constitutes a hazard to the safety of the public or the structure's occupants.

- (b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all the necessary planning and zoning approvals, financing and environmental clearances.
- (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.
- (d) Retaining the resource is not in the best interest of the majority of the community.