

CITY OF HUNTINGTON WOODS
REGULAR MEETING OF THE HISTORIC DISTRICT COMMISSION
DRAFT MINUTES

October 6, 2022

7:30 p.m.

In Person Meeting – Huntington Woods Commission Room

Commissioner Chris Vogelheim called the Meeting to order at 7:34 p.m

PRESENT: Steve Behrmann, Jeffrey Abt, Chris Vogelheim, Mark Fink, Robert Lebow, Michal Burshtein

ABSENT: Jeff Jenks

City Staff Present: Zoning Administrator, Hank Berry.

APPROVAL OF MINUTES:

No minutes to be approved at this meeting. However, Chris Vogelheim stated that there is has been turnover with the minutes taker, and in reference to the missing content from the August meeting - there are a couple of options. Either as a committee we come up with the content that we believe is missing and send it to Hank so it can be included, or we can accept the meeting minutes as they are.

Berry: We are struggling to find a minutes taker. I suggest that if you want that content added, and that is fine, then you would need to add what you believe is missing and all agree upon it. We would have to defer approval until the next meeting. As we will have to do for the September meeting, as we still do not have a minutes taker.

Vogelheim: I guess I am going to be looking for a motion for approval based on the conversation that was had.

Jeffrey Abt motioned to approve the August 24th meeting minutes as with the amendment of spelling Michal's name correctly. **Michal Burshtein** seconded the motion.

Aye: Fink, Burshtein, Abt, Vogelheim, Lebow, Behrmann.

Nay: None.

The motion passes.

Steve Behrmann motioned to defer the approval of the September meeting minutes until the Regular Meeting of the Historic District Commission in November. **Jeffrey Abt** seconded the motion.

Aye: Fink, Burshtein, Abt, Vogelheim, Lebow, Behrmann.

Nay: None.

Jeffrey Abt motioned to approve the August 6th, 2022 minutes as supplemented by the video recording of the meeting. **Mark Fink** seconded the motion.

Aye: Fink, Burshtein, Abt, Vogelheim, Lebow, Behrmann.

Nay: None.

AGENDA ITEMS:

Matter of a Review for an addition to the Burns/Zacharias residence at 26405 Hendrie Blvd.

Marty Zacharias, 26405 Hendrie Blvd: Explained the PowerPoint presentation of what is wanted for the house. The first slide is an artist rendering of what the proposed house will look like, should these plans get approved.

M. Zacharias: Last time we were here, we were asking for something similar, but this time we are asking to make the addition that is already there, five feet wider and adding more windows. We previously were going to do vinyl siding because that was what was already there, but this time we are proposing to use brick and trimming to match the characteristics of other houses in the neighborhood.

The second slide shows the proposal and what materials will be used. The proposal listed is: Add five feet to the existing structure and add more windows. All trim and paneling will be painted Benjamin Moore Decorator White to match the existing house trim color. The siding will be brick that matches the house from the ground up to the windows (Belden Brick Medium Range Vertical 2 ¼ X 8 X 3 5/8). There will be wainscotting on the sides of the windows and door using 5' wide board with 2/3 raised panel molding. The columns will be 6x6 wood columns wrapped in cedar trim boards. The trim will use cedar trim boards and profiles will match the existing house. The new structure maintains the historic character and design of the house. The windows and doors are the same brand, style and proportions as the rest of the door walls and windows on the house. The new roofline is more consistent with the design of the house than the previous roofline. All materials being used are compatible with the surrounding area and it ties in seamlessly to the rest of the house.

The next slide showed a picture of the rear of the house at time of purchase in 2016. The slide after that showed the rear of the house in 2019 after the rear addition was completed and new windows were installed. The next one showed the house in its current condition. The applicant states they want to extend the addition done in 2019 by 5 more feet.

M. Zacharias then showed drawings of what the proposal would look like.

Berry: I am going to leave the PowerPoint up in case anyone would like to refer back to it.

Vogelheim: Do you have anything to add, Hank?

Berry: Basically, we're looking at the culmination of several requests and different drawings. I'm particularly appreciative of the last drawing, which is up there now, which actually shows how they're making it. We did not get scaled drawings, so this is all we have.

Zacharias: I did drop off one drawing for you.

Berry: We require more. He's going to have to come in to permit, so anything that needs to be picked up construction wise, can be picked up by the building department when he comes in to do that. So, if you're approving the form of the project, and the materials used on the project, and the dimensions used on the project, that any code issues would be picked up by our building official. Nothing goes forward from Historic unless I sign off on it.

Lebow: Can we see the 2016 and 2019 images again please?

Abt: Can I ask a question as a point of order? Was the addition original to the house?

Zacharias: I don't know.

Abt: What do the blueprints say?

Zacharias: They were not available. There are what appear to have been windows at some point inside that area there. That leads me to believe that they put this addition on at some point in time.

Abt: The reason I ask is because of the columns. There's a deliberate attempt at the columns.

Zacharias: The front of the house has a round shape, and we were going back and forth about the columns, but my wife would really like to not have columns in the backyard.

Lebow: I am leaning the same way that Jeff is. The area on the left originally was most likely an open air porch, and those certainly appear to be original Doric columns, that we would have seen on the front of the house which matched the original palladium window that was on the second floor. Architecturally that goes hand in hand. Did this project come before the HDC, well for the renovation of the back of the house?

Zacharias: Yes.

Abt: But the columns are gone?

Berry: The columns are gone, correct.

Vogelheim: Hank, before we move on was there anything else you wanted to talk about?

Berry: No, I do not.

Fink: I do not have any questions.

Burshtein: I don't.

Abt: With regard to the windows that you're specking for the interior side, what was the reference point for the division of the windows?

Zacharias: Can we go back to show the original windows in 2016?

Abt: So, which pattern were you following when you specked out the windows?

Zacharias: The ones on top. (He motioned to the image on the PowerPoint).

Abt: It was a little unclear when I was looking at the artist rendering, is this going to be open? (motioned to the PowerPoint again).

Zacharias: No, that won't be open. In the plans, it is called to be paneled. It will be paneled like the rest of the house.

Abt: That's it for me.

Lebow: I just want to clarify a few things. In your proposal, you're introducing a new window style here (motioned to the artist rendering)?

Zacharias: No, it's the same style as the rest of the house.

Lebow: Those are double hung windows, right?

Zacharias: Some are, some are casements. Most of the windows in the house are double hung, we do have some casements. The only *new* window we're proposing is an awning for the side of the house where nobody really sees.

Berry: For clarification, in the artist rendering, the windows we are looking at here are casements?

Zacharias: Yes.

Lebow: And this door (pointing to the door wall on the addition) is going to be what?

Zacharias: It is going to be a door wall but it will have the grills to match the other doors.

Lebow: The new roofline is more consistent with the design of the house than the previous. It does not match the roofline of the house.

Zacharias: In what regards?

Lebow: Slope or -

Zacharias: Oh the pitch? The back of the house does not share the same pitch or match the pitch of the back of the house on the first floor.

Lebow: Okay, that's it.

Behrmann: what is there now, you're going to extend out further, and you're going to be putting brick skirting on it, does that require reconstruction of what's there now for proper brick work?

Zacharias: What's there now, we're going to have to pour a new slab. That's why the builder is going to have to come out. It was weird, when they had a patio - that patio had a footing.

Berry: That's going to be more towards the construction side of things, Steve.

Behrmann: I just wonder if something's going to change visually than what we see right now because of where that's -

Berry: He's still going to have to have a brick ledge so what he's going to have to do is he's going to have to trench and/or pour and/or substantiate that an existing brick ledge exists, but he will do that with the building department.

Behrmann: So will this be removed, what's there right now?

Zacharias: No, there's a brick ledge on that section right there.

Behrmann: What is on the other side that we can't really see in the photo? How much of a step in is there?

Zacharias: A foot, maybe. 1.9 feet.

Behrmann: I do have to say that it is in the back of the house and I do feel that it meets the guidelines for additions. What we see now is far better than what we've seen in the past. I do have a question about - because it looks very unusual - in the rendering, we see the floor of the porch having a step down to it. Is that what you're going to see when you look at it?

Zacharias: No, when it's all done, we're going to put a patio in the back. The porch will be flush with the rest of the patio.

Behrmann: What's the status of the tree that's in the yard right now?

Zacharias: I wasn't planning on anything.

Behrmann: I think that it meets the guidelines, you can't see it from the front of the house, or the street.

Vogelheim: I don't have anything to add to the conversation. I think everybody's already covered my points. Hank, as there is nobody here on the public side - I will open and close the meeting to public participation.

Behrmann: I think we are seeing less than we would usually like to see here in terms of numbers, and drawings and things like that. I think if we were to vote for this in an affirmative fashion, there needs to be some layers of administrative approvals allowed, that kind of fill in the gaps.

Vogelheim: There is a list of details at the beginning of the packet. Hopefully the slide with those is consistent, I'd like to get that into the packet. And then, there was a trim detail at the end of that presentation, I'd like to get that in the packet as well. Having all of those details included in the packet, would give me the comfort between the written descriptions and the details in the powerpoint - then I think we're getting to where we want to be, and then if there's any other clarifications we could add them.

Lebow: On what's called the left side elevation, these panels are called wainscotting panels four inch ply strips with frame panel mold and something painted white?

Zacharias: That panel molding is defined where the windows are defined. I put the panel mold part number from Boliard's lumber.

Lebow: What is it?

Vogelheim: I think it's just a flat panel.

Zacharias: It's a flat panel molding.

Lebow: My next question is, who are Mary and Erin Burns and why is this their proposal?

Zacharias: Mary is probably a typo since my name is Marty and my fiance is named Erin.

Lebow: Oh okay, so that's you. Got it.

Abt: I think all things being equal, if you're agreeable to this, and I wouldn't make it a requirement of a motion but seeing the photo of the sweet little porch that was there and then filled in with those door columns and the idea of carrying what was on the front to the back - if you could find a way to do it, I think it would add a lot to the look of that addition and carry the feel of the front of the house to the back. I don't think I'd make it a requirement but I think if you kind of cared about the idea of the historic nature of the house and the look of the house, it is something that you could do to make a gesture in that direction. That would help consolidate the other aesthetic moves that you're making.

Burshtein: I have to disagree, sorry. I think if it's a new addition, it should look like something else and you don't need to mimic what was there before.

Steve Behrmann motioned to approve the plan as it meets standards 1, 2, 3, and 9, with the fascia treatment to the eaves being consistent with the addition of 2019, that any changes to obtain building permits that vary from the plans as presented be administratively approved by the historic district liaison, as the zoning administrator. **Michal Burshtein** seconded the motion.

Ayes: Steve Behrmann, Jeffrey Abt, Chris Vogelheim, Mark Fink, Michal Burshtein

Nays: Robert Lebow

Absent: Jeff Jenks

The motion passed.

Berry: For the record Mr. Zacharias, you're going to need to revise your drawings to include what they were talking about with the pine lines, and the fascia lines. You will need to submit two complete sets of drawings to the building department

at which point we will be able to process that for you, along with your building permit application.

OTHER BUSINESS:

A. Administrative Approvals

Vogelheim: Hank has provided us with some proposed language for administrative approval so everybody should have the existing one dated 2/22/05 with the minor revision in 2017. On the memo is dated 10/5 is the recommended changes. The first thing I would like to see is if there are any changes or modifications to those changes and if we're in some form of agreement we might propose making a motion to approve those or we might have to table it and talk about it some more next time.

Berry: I would just like to point out in the administrative approvals in the proposed, item 14 is changed because it's actually removed because we went through and saw that item 12 in the new proposal encompasses everything that is mentioned in item 14 in the old.

Lebow: The word like has to either be excruciatingly painfully defined as what does like mean, or eliminated.

Berry: What number are you on?

Lebow: Number 1, 4, 6, wherever the word like is used. Because we can say, we want to replace this 12 inch light fixture with a 13 inch light fixture, and it's just like the old one. It's just like the old one, but one inch larger. At what point does the light become unlike? Is it 14 inches? 15 inches?

Berry: Your concern is does like become subjective at some point?

Lebow: It is subjective. Like either needs to be eliminated or defined as identical.

Abt: Going by conversations that we've had about window materials and other things in the past - I wonder when we've considered substitutions, it's because the

material is visually identical. I'm wondering if maybe we could use that word because it's the distinction between the same which means replacing a cedar plank with a cedar plank to saying replace a cedar plank with something that is visually identical to a cedar plank but is not cedar. I'm wondering if that would satisfy it because we don't deal with structural issues, we deal with visual similarity. I wonder if that would work for you, if that would be a way of getting around it. I understand what you're saying in terms of its looseness in its meaning. I'm wondering if saying visually identical would work in practice for you.

Berry: Here's the only issue that comes up with that is, that you can say that you make a wood grain vinyl panel and from the street it may look the same as a hardy plank panel which may look the same as or similar to a wood panel but now I have three different materials all radically different that qualify as look the same. If it is your intent to allow that then you should say that. If it's your intent to say it's wood, or original, materials to the extent possible - it should be wood or the original materials. If it's not going to be, the question becomes does it really matter what it is because you're taking the wood out of the equation, or the original. It's like stucco half timber. If you get a stucco that's like those boards that used to fall apart all of the time and then you have a timber that's like a plastic. You don't have anywhere near what the original quality, style and design was. You may want to say "in kind replacement" like if it's wood for wood, that may be something different. Similar and like to me are the same word. Like Robert said, is 12 ½ inches a problem? No. But where does it become a problem? Unless you have a quantifying standard for that, that would be it. If you want to determine, or come up with a definition for like, or if like is troublesome, - my suggestion is let's write a definition for like. Let's get rid of the word, let's write a definition that everybody is comfortable with or they can get behind. Everybody is going to interpret like differently.

Vogelheim: The whole notion of administrative approvals is predicated on the belief that the person who is granting that administrative approval has some semblance of professionalism or understanding to be able to do these approvals. It's about job qualifications. Who is making the judgment on that?

Berry: In the city, when that comes in the people that would be making the judgment, or possibly in my absence, Chris Wilson.

Lebow: I would say that, if there are issues, such as there are three people that could be making that decision, that it's yet more important to strongly define these terms because each one could have a different interpretation.

Berry: That's up to you.

Behrmann: It kind of goes along with what Chris was saying, only it goes a little further. I have a degree of trust in the discretion of our administration as I see it right now. I think the purpose of this is to simplify things by not defining everything so rigorously but allowing somebody that we trust to use their expertise and their discretion to have some framework and some latitude to be able to not feel that everything is so black and white. If that were the case, we would not even be needed as a commission. We sit here and we make discretionary decisions because everything is not black and white and you have to put your trust in somebody. I think for what we're seeing laid out here, coupled with the fact that it specifically gives Hank, or whoever the administrator is, specific authority to bring it to the commission if they're at all uncomfortable with making a decision. I think that what Hank has demonstrated in the years and years that I have seen him occupy that chair, is nothing but good judgment, good discretion, very knowledgeable, and somebody that I would trust. If he says that somebody else is trustworthy, then I would take his word for it. I cannot dictate or micromanage every aspect of his job nor do I want to. That's my take on it.

Fink: I have to agree with what Steve is saying. You cannot completely eliminate all subjectivity here. There's always got to be room for discretion to a degree. That's why I made the proposal that I did. I said substantially identical because it's a term that's well known in law. Substantial is an understood term. It allows for some subjectivity, some discretion, but it's well understood that there's limits to that discretion.

Lebow: I think that's very good. I think it's far stronger than like, and it certainly puts forth the thought of the commission that you have to match closely. It sounds very good.

Berry: So do we want to change "like" to "substantially like", or what?

Fink: I would say substantially the same, or substantially identical.

Vogelheim: I appreciate that because I was worried that if we get so specific on the word, you don't have administrative approval. I go back to the point that Steve and Mark had said, that I do trust the city is going to put qualified people in to make those decisions and I want to make sure that the whole point of this is for the citizens and also doing right by the commission and the historic district. I think if we modified where we take "like" out and do a replacement with "substantially identical" that still gives you the ability to apply some of your masterful judgment and allows us to have an administrative process.

Behrmann: I feel that if there are items that Hank feels constrained on - because I think substantially identical even strengthens because identical is enough, and now you're even adding more of a qualification to it. My concern is that there are projects that might otherwise come to us because Hank didn't feel comfortable making the approval but the applicants are deterred from doing anything which they might have otherwise gotten either way, administratively or through us, because of the bureaucratic and administrative nightmare of coming before this commission. I feel that a little more discretion needs to be given and a little more trust be put in the administrator because I think that things that should happen, will not happen because after sitting on this commission and rendering our interactions with the applicants and our approvals/non-approvals, I would not want to come before this commission. I think it adds a layer of difficulty to people's lives, expense to their lives, delay to their lives, and I think that giving Hank a little more discretion and having a little more faith in him, will be a benefit to the property owners and the city. If Hank is not comfortable, which I trust him, he would bring it here. I think we are still constraining him too much.

Berry: For a point of clarification, for projects that I do not feel comfortable with come here, period. Projects like it's a shingle for shingle replacement and it's because there's a hole in the roof - they're getting a new roof, and that's administrative. There have been many instances over the years where I have not been comfortable with something and I brought it to the commission. I have no hesitation bringing it to the HDC because that is where it should go.

Jeffrey Abt motioned to approve the draft administrative approvals submitted on October 5th, 2022 to the HDC with the amendment of changing the word "like" to "substantially identical" --

Lebow: Is this to approve all of it? Or just the one part because I have another comment. Driveway and walkway replacement provided that routing and materials are not changing. That's great - what about size? Someone can say "my routing is identical, the materials are identical, I'm just going to make it wider."

Berry: So it would say "Driveway and walkway replacement provided that routing, size, and materials are not changing." I can incorporate substantially identical into that as well.

Fink: How would that relate to the question where you have a narrow walkway which is not up to code from a safety standpoint, they want to widen it out to a 36 inch walkway?

Berry: Now we go to the code where there's existing buildings and the building official has the authority to waive certain historic requirements. If you say it has to be a two foot wide step and that doesn't meet code and it's clearly a safety issue, he's not going to allow that. He's going to allow it to be poured at whatever legitimate width is for that, so there's no hazard for that. Once I'm done with all of the historic stuff, it still has to clear Dwayne (building official).

Jeffrey Abt motioned to amend his previous motion of approval of the draft administrative approvals submitted on October 5th, 2022 to the HDC with the amendment of changing the word "like" to "substantially identical" and to include

size on item 3 so that it reads routing, materials and size are substantially identical.
Robert Lebow seconded the motion.

The meeting was then opened to public participation. Seeing none, the meeting was then closed to public participation.

Berry: I just want to let you know that because we are catching up on all of these things that the next thing that I would like to bring back before the HDC is the bylaws for review. Every once in a while it is a great idea to do that to see what's changed, what still applies, to see what's changing in the ordinance that it may make us have to update our bylaws. You can expect in your November packet, the bylaws to come up. You'll be furnished with a current copy, a copy with suggestions from staff based on the fact that something has happened since 2004 when they were created.

Ayes: Steve Behrmann, Jeffrey Abt, Chris Vogelheim, Mark Fink, Michal Burshtein, Robert Lebow

Nays: None

Absent: Jeff Jenks

The motion passed.

ADJOURNMENT:

Moved by Mark Fink and seconded by Jeffrey Abt to adjourn the meeting of the Historic District Commission

Ayes: Robert Lebow, Michael Burshtein, Jeffrey Abt, Chris Vogelheim, Mark Fink
 Steve Behrmann

Nays: None

Absent: Jeff Jenks

The Motion Carried, meeting adjourned at 8:53 pm.

Submitted
Lucas Rice - Recorder