

Commission Letter # 160-10
Commission Meeting: 5/17/2010

RE: Stauch House Historic District Ordinance – Second Reading

May 13, 2010

The Honorable Mayor
and
Members of City Commission

The Historic District Study Committee has finished its work concerning the potential historic designation of the Stauch House at 4620 Elmhurst Avenue, Royal Oak, Michigan. The House is currently owned by the Michaela and Lynn Roby. As required by state statute and local ordinance, the proposal has been reviewed and approved by the State, the Royal Oak Historic District Study Committee has completed public hearings, and the owners have been officially notified of the proposed historic district ordinance.

If the Commission approves of this designation, the following resolution would be appropriate:


WHEREAS, the Royal Oak Historic District Study Committee has completed its study of the proposed Stauch House Historic District; and

WHEREAS, the Study Committee has determined that buildings within the proposed historic district merit preservation and restoration; and

WHEREAS, based on a thorough review of the Study Committee's report, public comments and statements of interested parties, the Royal Oak City Commission determines that the property described above is eligible for local historic designation under the guidelines established by City of Royal Oak Code of Ordinances § 82-1, *and sequence*, the Historic District Study Committee Ordinance:

THEREFORE, BE IT RESOLVED, that the Stauch House Historic District Ordinance be approved on second reading.

Respectfully submitted,



David W. Gillam
City Attorney



Mark O. Liss
Assistant City Attorney

cc: Donald E. Johnson, City Manager
Melanie Halas, City Clerk

ORDINANCE NO. 2010-_____

AN ORDINANCE TO CREATE THE STAUCH HOUSE HISTORIC DISTRICT UNDER THE GUIDELINES ESTABLISHED BY THE CITY OF ROYAL OAK CODE OF ORDINANCES, § 82-1 *AND SEQUENCE*, THE HISTORIC DISTRICT STUDY COMMITTEE ORDINANCE.

THE CITY OF ROYAL OAK ORDAINS:

Section 1. TITLE. This ordinance shall also be known as the “Stauch House Historic District Ordinance.”

Section 2. PURPOSE. The purpose of this ordinance is to provide for the preservation and/or rehabilitation of the buildings and property at the historic sites of the former Stauch House at 4620 Elmhurst Avenue, in the City of Royal Oak, Michigan, also known more specifically as:

T1N, R11E, Sec 5 Norwood Estates Sub N 8.50 ft of Lot 118 & 99 ft of Lot 119.

Section 3. ELIGIBILITY. The Royal Oak City Commission determines that the properties described above are eligible for local historic designation under the guidelines established by City of Royal Oak Code of Ordinances § 82-1, *and sequence*, the Historic District Study Committee Ordinance.

Section 4. DESIGNATION. The Royal Oak City Commission hereby designates the properties described in Section 2 as historic districts pursuant to City of Royal Oak Code of Ordinances § 82-1, *and sequence*, the Historic District Study Committee Ordinance.

Section 5. CERTIFICATE OF APPROPRIATENESS. The owner or owners of the property or portions of the property described in Section 2 are required to apply for and obtain a certificate of appropriateness before commencing any work in the historic site. When considering an application, the Historic District Commission will be guided by the standards for rehabilitation set forth by the United States Secretary of the Interior at 26 CFR part 67 and the City of Royal Oak Code of Ordinances § 82-13, *and sequence*.

Section 6. SEVERABILITY. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 7. SAVINGS. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time of this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 8. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 9. EFFECTIVE DATE. This ordinance takes effect ten (10) days after its final passage.