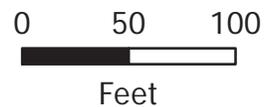
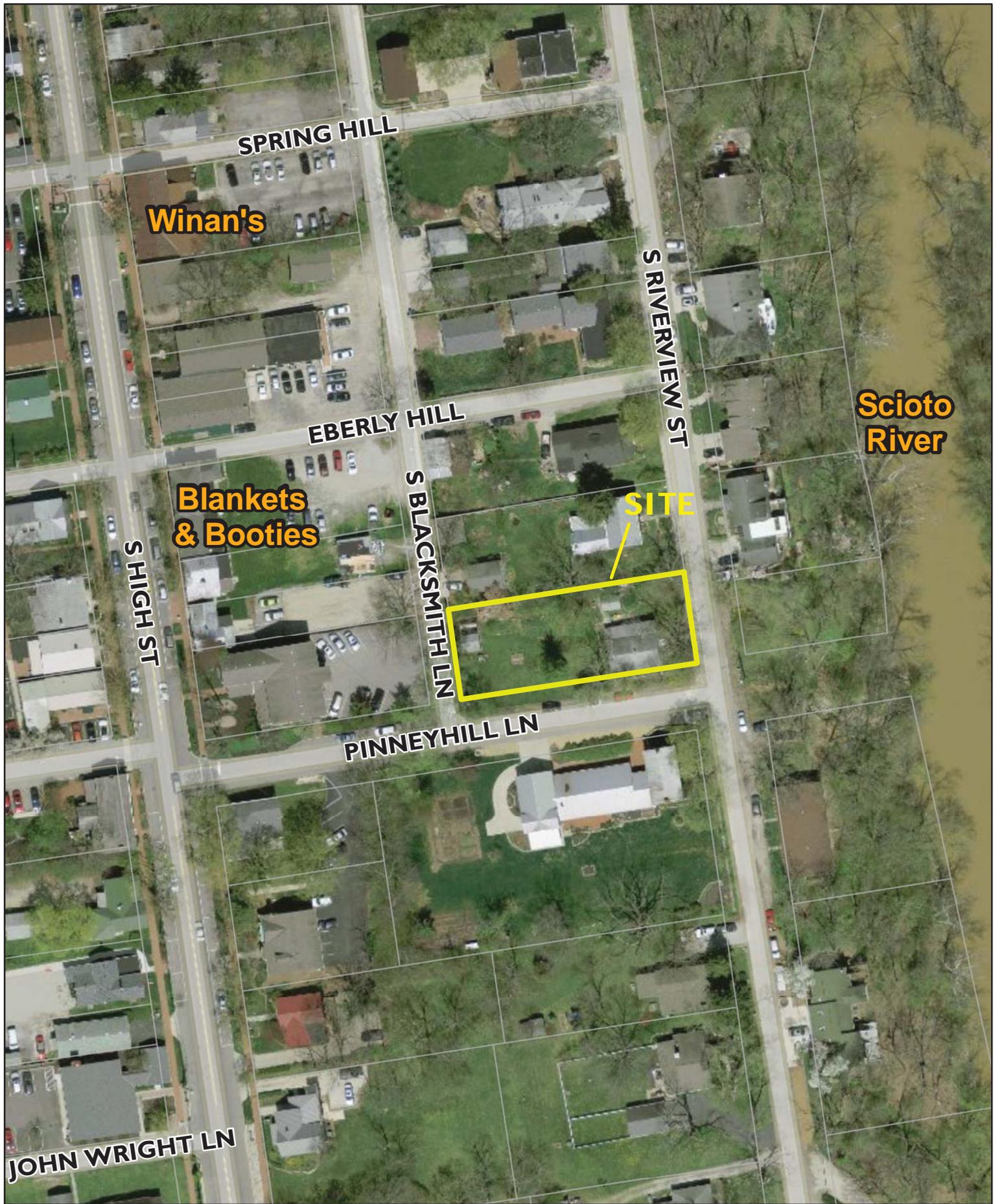


13-096ARB  
 Demolition  
 97 South Riverview Street





13-096ARB  
Demolition  
97 South Riverview Street

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# Comment from Adjacent Property Owners

David Hahm *September 15, 2013 at 10:55 pm* [Reply](#)

I would like to clarify this submission and support it. I live next door to the property at 83 S. Riverview St. I did the research for and assisted in the preparation of the original submission to the National Register in 1979. I was then President of the Dublin Historical Society and Chair of the Architectural Review Board. The core of the building at 63 S. Riverview was built in 1835. It was a two-room 1 ½ story structure, which is now in the middle and visible only from the gable ends. The North and south sides are covered over with newer construction. The 1850-80 date in the application refers, as far as I can tell, to the lean-to built on the north side, not the original. The original house was one of the first generation homes built on Riverview Street and in that respect historically significant. It was included in the original 1979 application to the National Register as a supporting building (i.e., not identified with complete history) for a Multiple Resource Area (MRA), the first in the country. An MRA was chosen so as to be able to include "structures" other than buildings, namely, the stone fences. That category has been discontinued in favor of the Multiple Property Submission (MPS). I know that the featured buildings of the MRA are now listed independently on the National Register. I do not know where the additional structures are recorded. But as far as I remember this house was not explicitly excluded as a late (i.e. 20th century) intrusion and therefore can be regarded as part of the National Register. I am pretty sure the owner could have bought a plaque for it. That being said, I can say I know the building well and am convinced it cannot be salvaged or restored. One might consider taking it back to its 1835 two-room core, but that structure itself is unsound. I think it has deteriorated so severely that restoration is not feasible. There is a lot of rot and powder post beetle damage in the structural elements and roof rafters. I am afraid this is one that cannot be saved and made usable. I would support the proposal to demolish and replace with an architecturally compatible new structure. I would, however, urge that care be taken not to damage our stone fence on the south boundary of our property, dividing 97 from 83 South High. That is a historically significant element of the area and needs to be carefully protected from further damage.

Via: <http://dublinohiousa.gov/arb/13-096/#comments>



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## ADMINISTRATIVE REVIEW TEAM

### RECORD OF DETERMINATION

SEPTEMBER 19, 2013

The Administrative Review Team made the following determination at this meeting:

**2. BSC Historic Residential District – Demolition Request      97 South Riverview Street  
13-096      Board Order Request for Demolition**

**Proposal:** This is a request for approval of the demolition of an existing residential structure located on the west side of South Riverview Street north of the intersection with Pinney Hill to permit the construction of a new single-family residence.

**Request:** Approval of demolition under the provisions of the Dublin Zoning Code related to the Architectural Review Board, §153.173 and §153.176-177.

**Applicant:** Kurt Schmitt, 97 South Riverview LLC; represented by Ross Sanford, Lincoln Construction.

**Planning Contact:** Rachel S. Ray, AICP, Planner II

**Contact Information:** (614) 410-4656, rray@dublin.oh.us

**DETERMINATION:** Recommendation of approval to the Architectural Review Board of the request for Board Order for Demolition, having effectively demonstrated three of the four standards for Demolition as required by Code.

**RESULT:** This application was forwarded to the Architectural Review Board with a recommendation for approval.

#### STAFF CERTIFICATION

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Steve Langworthy  
Director of Land Use and Long Range Planning  
Administrative Review Team Chair

## Determinations

### 2. **13-096ARB – BSC Historic Residential District – Request for Demolition – 97 South Riverview Street**

Rachel Ray said this is a request for approval of the demolition of an existing residential structure located on the west side of South Riverview Street north of the intersection with Pinney Hill to permit the construction of a new single-family residence. Ms. Ray said this is a request for demolition under the provisions of Zoning Code Section 153.176 and the *Historic Dublin Design Guidelines*.

Ms. Ray clarified that the Administrative Review Team serves in an advisory capacity to the Architectural Review Board with respect to requests for demolition, since recommendations on these types of applications are not within their listed responsibilities.

Ms. Ray noted that an architectural consultant, Todd Parker, reviewed this proposal with respect to the conditions for demolition, and his report is included as an attachment to the ART Report.

Ms. Ray summarized the review criteria for requests for demolition. She said that at least one of two criteria must be met to permit the demolition of a structure in Historic Dublin. She said that the first criterion requires that an economic hardship or unusual and compelling circumstance to must be demonstrated. She said that based on Planning's analysis of the materials that the applicant submitted, the first criterion has not been met.

Ms. Ray said that, since the first criterion has not been met, Zoning Code Section 153.176 outlines four conditions for the demolition of a structure within the Architectural Review District, and for a demolition to be approved, the ARB must determine that at least two of the four conditions are met.

Ms. Ray stated that it was Planning's determination that the first, third, and fourth conditions had been satisfied. She reported that Mr. Parker agrees with the applicant's analysis of the first condition, finding that there is little historic or architectural significance of the existing structure since the original historic structure had been added onto over time, and had not been maintained well. She explained that the fourth condition is related to whether the existing structure will impede the orderly development of the District in accordance with approved plans for the area, or if the proposed construction to replace the demolition significantly improves the overall quality of the Architectural Review District. Ms. Ray stated that Planning and the architectural consultant believe that this condition has been satisfied, since the proposed single-family home could contribute to the advancement of the Community Plan and the Bridge Street District objectives, provided the project is designed in keeping with the applicable development standards and the *Historic Dublin Design Guidelines*. She stated that, although the proposed single-family home is not before the Administrative Review Team or the Architectural Review Board at this time, preliminary comments on the proposed site plan and architecture have been provided for the purposes of the applicant's submittal should the demolition request be approved.

Ms. Ray said that since three of the four required conditions, have been met, approval is

recommended with one condition:

That demolition will not occur until:

- (a) City approval of a proposed design for the new single-family residence; and
- (b) Building permits issued.

Steve Langworthy asked the ART if there were any questions or comments with respect to this request.

Dave Marshall suggested that a note be placed in the City's electronic building permitting system for this property to make sure the Building Department does not approve the demolition until the conditions are met.

Steve Langworthy noted that condition (a) states that demolition will not occur until "City approval of a proposed design for the new single-family residence." Mr. Langworthy asked if the "City" in this case should be the Architectural Review Board.

Ms. Ray agreed that "Architectural Review Board" would be more appropriate wording.

Kurt Schmitt, property owner, stated that he is planning to submit application materials in order to be eligible for the November 19<sup>th</sup> ARB meeting should the request for demolition be approved. He said that he is concerned with the condition that demolition not occur until building permits are issued, since the structure is so unsafe. He said that although the home is currently occupied, the tenants are in the process of moving out, and he is concerned that he will not be able to get building permits approved until next spring, and a vacant home under snow fall in its current structural condition could be very dangerous.

Mr. Langworthy asked the ART if it might be appropriate to eliminate the conditions, given the safety concerns.

Ms. Ray said that it was Planning's analysis with respect to condition 4 of Zoning Code Section 153.176 that the ability for this condition to be met depends on the "replacement structure"; thus, allowing demolition before the ARB approval could prevent this criterion from being met.

Mr. Langworthy suggested that the fourth condition may not be necessary if the ART believes that the first and third criteria conditions are able to be met and if the ARB agrees, since only two of the four conditions are necessary to be met for the purposes of the demolition request. He said that he thought the fourth condition could still be met, even without the conditions of approval.

Mr. Schmitt clarified that the previous resident has been permitted to continue to live in the building, but has until the first week of October to vacate the premises. He believes the resident has already left the home. Mr. Schmitt believes that if the Building Standards department had taken a walk through, it would have been condemned due to its current condition.

Fred Hahn said that if the house is as unsafe as it sounds, based on the structural analysis, the concern for public health and safety is a greater concern.

Mr. Langworthy reiterated that the ART is an advisory body for the purposes of this request for demolition, and that the condition may be amended or eliminated. He believes that it appears the applicant has met at least two of the four criteria conditions under Code Section 153.176, and that eliminating the conditions would allow the demolition to move forward sooner if necessary should the ARB approve the request.

Ms. Ray confirmed that the Administrative Review Team's recommendation would then be approval with no conditions.

Mr. Langworthy asked if the Administrative Review Team members had any further questions or comments regarding this proposal. [There were none.] He confirmed the Administrative Review Team's recommendation of approval of this application.

DRAFT



**ARCHITECTURAL REVIEW BOARD  
BOARD ORDER**

**MAY 31, 2000**

CITY OF DUBLIN

**Division of Planning**  
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Dublin, Ohio 43016-1236

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The Architectural Review Board took the following action at this meeting:

- 2. **Architectural Review Board 00-050ARB – Smith Fence – 97 South Riverview Street**  
**Location:** 0.25 acres located on the northwest corner of South Riverview Street and East Pinney Hill.  
**Existing Zoning:** R-4, Suburban Residential District.  
**Request:** Installation of a wood enclosure.  
**Proposed Use:** Existing single-family residence.  
**Applicant:** Rosalea M. Smith, 97 South Riverview Street, P.O. Box 51, Dublin, Ohio 43017.  
**Staff Contact:** Carson Combs, Planner.

**Motion:** To approve this application with two conditions:

- 1) That the enclosure be painted to match the existing shed or be finished with an opaque natural stain finish; and
- 2) That all objects mentioned in the staff report be removed from the site and the adjacent riverfront property or be stored within the enclosure within 30 days, subject to staff approval.

\*Rosalea Smith agreed to the conditions.

**VOTE:** 5-0

**RESULT:** The application was approved.

**RECORDED VOTES:**

Janet Axene	Yes
Allan Staub	Yes
G. Lynn McCurdy	Yes
Richard Termeer	Yes
David Larson	Yes

**STAFF CERTIFICATION**

Carson Combs  
Planner