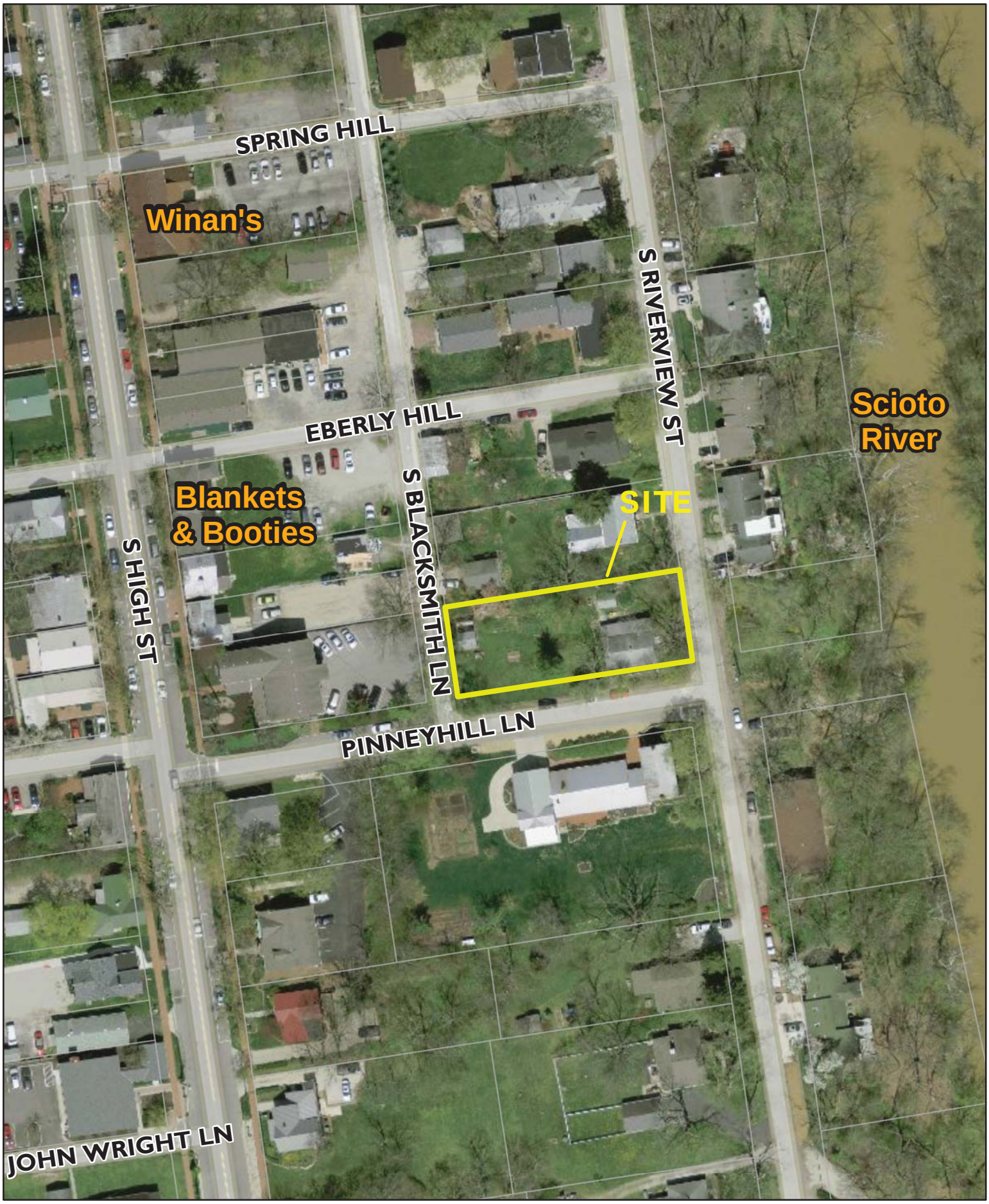

City of Dublin

13-113 ARB-MPR
Minor Project Review - Home Construction
97 South Riverview Street

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Land Use and Long Range Planning
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ADMINISTRATIVE REVIEW TEAM

RECORD OF DETERMINATION

DECEMBER 5, 2013

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

5. **13-113MPR-ARB – BSC Historic Residential – Schmitt Residence – 97 S. Riverview Street**
   This is a request for a Minor Project Review for the construction of a new single-family dwelling located at the northwest corner of the intersection with South Riverview Street and Pinney Hill. This is a request for review and approval of a Minor Project in accordance with Zoning Code Sections 153.063(B) and 153.170.
   Property Owner: Kurt Schmitt, property owner.
   Applicant: John Behal, Behal Sampson Dietz Architects.
   Planning Contact: Jennifer M. Rauch, AICP, Planner II at (614) 410-4600 or jrauch@dublin.oh.us
   Deadline: Thursday, December 5, 2013 – target Administrative Review Team recommendation to the Architectural Review Board.

DETERMINATION: Recommendation of approval to the Architectural Review Board of this application for Minor Project Review with one condition:

1. That the applicant revise the site plan to meet lot coverage requirements of 50 percent, as required by Code.

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

STAFF CERTIFICATION

_____
Steve Langworthy
Director of Land Use and
Long Range Planning

1. **13-113MPR-ARB – BSC Historic Residential – Schmitt Residence – 97 South Riverview Street**

Jennifer Rauch said this is a request for a Minor Project Review for the construction of a new single-family dwelling at the northwest corner of the intersection of South Riverview Street and Pinney Hill. She said this case was introduced two weeks ago and the applicant has made revisions based on the ART's comments. She said the Architectural Review Board approved the demolition of the existing home on the property and the applicant has returned to the Administrative Review Team with a proposal to construct a new house. Ms. Rauch said this is a request for review and approval of a Minor Project in accordance with Zoning Code Sections 153.063(B) and 153.170.

Ms. Rauch said Todd Parker, one of the City's architectural consultants, has reviewed this case and his recommendations were provided to the ART members and to the applicant. She explained during the Administrative Review Team's case review it was identified the driveway needed to be located three feet from the side yard setback along the northern property line. She said the applicant has modified the plans to meet this requirement. She said the applicant is maintaining a lot coverage of 52 percent, which Planning is requesting be reduced to 50 percent to meet the Code requirement. She said the applicant has incorporated the addition of a greenhouse on the roof deck along with a generator into the plan submission. She said the applicant has also reflected the tree removal on the plans. Ms. Rauch said the proposed recommendation is approval with the one condition to reduce the lot coverage.

John Behal, Behal Sampson Dietz Architects, said the request was possible; however, the additional two percent lot coverage should not create that much of an impact and should be considered for approval. He said Pinney Hill has a much wider right-of-way than South Riverview Street, making the lot coverage much less if the additional right-of-way was taken into consideration. He said in the context of the neighborhood, which is fairly densely spaced, he has achieved a very "green" view like those properties to the south.

Mr. Behal asked the Administrative Review Team to consider the reason for this request because much of the paved area is behind the building, which contributes to lot coverage that is not visible from Pinney Hill and South Riverview. He said ironically, if they reoriented the garage so that it faces Pinney Hill, it would solve the lot coverage issue but it would not be as attractive, aesthetically. He said that permeable surfaces are allowed to be considered in other Bridge Street District zoning districts, but are not taken into consideration here. Mr. Behal said if the semi-permeable pavers are taken into account, they would be under the lot coverage requirement.

Fred Hahn confirmed the large green area within the right-of-way along Pinney Hill could not be counted as part of the overall lot size.

Barb Cox confirmed the patio was included in the lot coverage calculation.

Steve Langworthy asked if an Administrative Departure or Waiver was necessary to approve the increased lot coverage. Ms. Rauch said it does not need either, since the Neighborhood District standards of the Zoning Code permit the ARB to approve increases to lot coverage.

Mr. Langworthy asked each ART member for their comments.

Jeff Tyler said he thought the applicant's request for increased lot coverage is reasonable.

Ms. Cox expressed concern about grading near the lot line and wanted to ensure the applicant was aware of how the site will be graded for the house and not disturb drainage on the adjacent site.

Mr. Behal said they had two methods: raise the northeast corner of the driveway to let it drain to the southwest, or put a drain in the driveway that ties into the drainage system.

Ms. Cox requested detailed plans with the building permit set that adequately address these concerns and agreed the lot coverage should be decreased to meet Code.

Mr. Langworthy asked for any remaining comments and asked if anyone had any strong feelings about the proposed condition.

Mr. Hahn said the condition should remain and allow ARB to make the determination next Wednesday based on the rationale provided by the applicant.

Kurt Schmitt expressed his concern with the potential weight that the ART's recommendation would carry with the ARB and asked the ART to reconsider the lot coverage requirement.

Ms. Rauch said the two percent lot coverage equates to approximately 300-square feet.

Mr. Tyler said he was not opposed to the lot coverage based on how the proposed design and site layout. He agreed the impervious areas would be hidden well and preferred the layout of the garage as oriented away from Pinney Hill.

Mr. Behal asked the ART to consider the green space provided along South Riverview Street. He reiterated that the paved area is located in a confined space. Mr. Behal said the green space provides relief and is consistent with the look of this neighborhood. He said they are being penalized when they could have proposed a less well-designed house.

Mr. Hahn said this objective standard should be upheld by the ART and the ARB should weigh in on the specific details and how it relates to the District.

Mr. Langworthy said the ART has a more objective role, while the ARB can make more subjective determinations based on appropriate considerations.

Ms. Cox contends the lot coverage requirement should be adhered to but would give some credit for the paver patio. She explained the ART needs to be consistent and the ARB should make the determination whether it is appropriate to deviate from the Code. She agreed with the condition as written.

Mr. Langworthy agreed the condition should be maintained to meet the 50 percent lot coverage requirement but could see a compromise on the permeable pavers. He said the applicant should be allowed to present the argument to the ARB.

Mr. Langworthy confirmed that the Administrative Review Team recommends approval of the request to the Architectural Review Board with one condition:

1. The applicant revise the site plan to meet lot coverage requirements of 50 percent, as required by Code.

Mr. Goodwin concluded that the time extension for a determination on this proposal resulting from the resubmitted plans puts the target determination date at December 5, 2013.

3. 13-113MPR-ARB – BSC Historic Residential – Schmitt Residence – 97 South Riverview Street

Jennifer Rauch said this is a request for a Minor Project Review for the construction of a new single-family dwelling at the northwest corner of the intersection with South Riverview Street and Pinney Hill. She said this case was introduced last week by Rachel Ray. She said the Architectural Review Board had approved the demolition of the existing home on the property prior to approval of a new building permit because of the condition of the house. The applicant has returned to the Administrative Review Team with a proposal to construct a new house. Ms. Rauch said this is a request for review and approval of a Minor Project in accordance with Zoning Code Sections 153.063(B) and 153.170.

Ms. Rauch said the residence is oriented with the principal entrance on Pinney Hill, an outdoor area is located within the South Riverview Street frontage, and the garage entrance is along Blacksmith Lane. She said it currently meets most of the standards for the BSC Historic Residential District with the exception of the 52 percent lot coverage when the Code requirement is 50 percent. Ms. Rauch said the other exception is the driveway along the northern property line, which is only about 1.5 feet from the property line and needs to meet the three-foot setback requirement.

Ms. Rauch said the flat roof portion of the proposed building had been modified since the initial submittal as part of the demolition request but Planning still has concerns with the size of the flat area.

Steve Langworthy asked about the material palette.

Ms. Rauch said the roof material was a combination of standing seam with asphalt shingles on the main part of the house. She said cementitious siding will be used as well as limestone on windows and sills. She said the natural stone selected is beige and the standing seam is gray.

Kurt Schmitt, property owner, said he had met with an arborist to discuss the site as two of the trees on the lot, which are landmark trees, appear to have never been trimmed properly. He said the top of one of the trees is all broken as well as the tree located on the back lot line, which would also be a concern for the adjoining property owner. Mr. Schmitt said the rest of the landmark trees are fine and are not proposed to be removed.

Ms. Rauch said the damaged trees can be removed and that they do not need to be replaced; however, the change will need to be reflected on the plans.

Mr. Schmitt believed he had addressed the Administrative Review Team's concerns about the flat roof and asked if he would be able to add an 8-foot by 8-foot greenhouse in that area that she could access from the second story of the garage. He said it would not be visible from the Pinney Hill or North Riverview street frontages. He said that the lot coverage is an issue on this small lot.

Fred Hahn asked about Planning's concern with the flat roof.

Ms. Rauch said there is no requirement that prohibit a flat roof but Planning is more concerned about the amount of flat roof area. She added that the City's architectural consultant, as well as the ARB, had previously expressed concerns with the amount of flat roof area.

Mr. Langworthy asked about the rail color.

Mr. Schmitt said it will be white.

Mr. Langworthy asked Mr. Schmitt if he had anything to add to Ms. Rauch's overview of the proposal.

Mr. Schmitt asked about the possibility of installing a generator and possible condenser unit on the site and requested an opinion on the best location. He suggested that if a greenhouse was erected on the roof, the generator could be placed between the greenhouse and the adjacent gable to the south. Mr. Schmitt said his other option is to place them on the north wall of the home.

Ms. Rauch asked the ART of their thoughts on the greenhouse and the flat roof area.

Mr. Schmitt said the flat roof deck is really serving as a connector to the garage since there is no basement for storage.

Mr. Hahn said the flat roof area and greenhouse do not concern him.

Mr. Langworthy asked Mr. Schmitt to consider the maintenance of a flat roof.

Mr. Schmitt said it has to be done right. He said the greenhouse floor will have giant pavers.

Mr. Langworthy asked each ART member if they had any additional questions or concerns.

Mr. Hahn asked about the maneuverability space for the garage in relation to the property line.

Mr. Schmitt said it would cost less to build a rear-facing garage, but it would then be directly across from other neighbor and no longer as aesthetically pleasing.

Ms. Rauch said the driveway width needs to be less than 26 feet at the curb line and 20 feet at the right-of-way. She asked about the improvements along Pinney Hill.

Mr. Schmitt said they plan on tan pea gravel for the area in front of the home's main entrance.

Barb Cox said she completed a preliminary review of the home as Engineering would look at it when it comes in for a building permit and a lot more dimensions and detail will be necessary for the driveway and overall grading to make sure it does not drain towards the adjacent property.

Mr. Schmitt explained that it is complicated, given the existing stone wall on the back property line.

Ms. Cox recommended grading the driveway off the side street. She said it needs to have a slope that does not exceed 8 percent. She reiterated the need for elevation details for the first floor, basement floor slab, top of block, and garage floor. Ms. Cox said in order for the review for building permits to go smoothly, the sanitary sewer lateral location needs to be identified as well as the location and size of the water service tap.

Mr. Langworthy asked if there were any remaining concerns.

Mr. Hahn stated that the City would like the tag from the dead landmark tree when it is removed.

Ms. Rauch said an architectural consultant is reviewing this proposal and the target Administrative Review Team determination is December 5, 2013.

INTRODUCTIONS

NONE

ADMINISTRATIVE

Mr. Langworthy asked if there were any further items of discussion. [There were none.]
The meeting was adjourned.

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ARCHITECTURAL REVIEW BOARD

BOARD ORDER

SEPTEMBER 25, 2013

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

1. BSC Historic Residential District – Request for Demolition

97 South Riverview Street

13-096ARB

Proposal:	Demolition of an existing single-family house and accessory structures 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:	Review and approval of demolition under the provisions of Zoning Code Section 153.176 and the *Historic Dublin Design Guidelines.*
Applicant:	Kurt Schmitt; represented by Ross Sanford, Lincoln Construction.
Planning Contact:	Rachel S. Ray, AICP, Planner II
Contact Information:	(614) 410-4656, rray@dublin.oh.us

MOTION: David Rinaldi moved, Thomas Munhall seconded to approve this request for demolition, having effectively demonstrated three of the four required standards for demolition.

VOTE: 5 – 0.

RESULT: This request for demolition was approved.

RECORDED VOTES:

Robert Schisler	Yes
Bob Dyas	Yes
David Rinaldi	Yes
Neil Mathias	Yes
Thomas Munhall	Yes

STAFF CERTIFICATION

Rachel S. Ray, AICP
Planner II

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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

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

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ARCHITECTURAL REVIEW BOARD

MEETING MINUTES

SEPTEMBER 25, 2013

AGENDA

1. **BSC Historic Residential District – Request for Demolition**
   13-096ARB **97 South Riverview Street**
   (Approved 5 -0.)

2. **Bridge Street District – Code Modification**
   13-095ADM **Administrative Request**

Robert Schisler called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Board members present were Bob Dyas, Neil Mathias, Thomas Munhall and David Rinaldi. City representatives were Jennifer Rauch, Rachel Ray, and Libby Farley.

Motion and Vote
Mr. Schisler moved, Mr. Rinaldi seconded, to accept the documents into the record. The vote was as follows: Mr. Munhall, yes; Mr. Mathias, yes; Mr. Dyas, yes; Mr. Rinaldi, yes; and Mr. Schisler, yes. (Approved 5 – 0.)

Motion and Vote
Mr. Dyas moved, Mr. Rinaldi seconded, to accept the July 24, 2013 and August 28, 2013 meeting minutes as presented. The vote was as follows: Mr. Munhall, yes; Mr. Mathias, yes; Mr. Schisler, yes; Mr. Rinaldi, yes; and Mr. Dyas, yes. (Approved 5 – 0.)

Communications
Ms. Rauch asked the Board Members to inform her if they had any issues with the new email. Ms. Ray said she sent out an email to save the date for October 9, 2013 regarding a field trip for all the Boards and Commissions to visit mixed-use projects in Upper Arlington and Grandview. She said the event starts at 4 p.m. with more details to follow. Ms. Rauch said information on the President's Cup was emailed to everyone and if you have any questions be contact Anne Clarke in the Clerk's Office.

Mr. Schisler explained the rules and procedures of the Architectural Review Board. He swore in those wishing to speak in regards to an application on the agenda tonight.

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

Rachel Ray presented this request for a Board Order for demolition for a single-family residence located at 97 South Riverview Street. She described the site and the existing historic structure. She explained that the property is listed on the Ohio Historic Inventory (OHI) through a City-sponsored initiative in March of 2003, although it is not listed on the National Register of Historical Places. She noted that, while the OHI provides brief descriptions of the location and the architectural, cultural, or historic significance of a building or site, inclusion on the OHI does not include any form of protection for historic

resources, nor does it list any kind of restrictions for property owners as to what they can and cannot do to the property.

Ms. Ray reported that the OHI listing states that the existing structure was constructed as a single-family home sometime between 1850 and 1880, and features a gable roof, one-over-one windows and an enclosed front porch. She pointed out that a small frame outbuilding with a chimney is located on the north side of the home, with a newer shed located to the rear of the property nearer to Blacksmith Lane. She presented photos of the existing structure and noted the original portions of the building, as well as the newer addition.

Ms. Ray explained that the review standards for demolition listed in Zoning Code Section 153.176 provide two options for an applicant to request a Board Order for demolition. She said that an applicant may either demonstrate an economic hardship or the presence of an unusual or compelling circumstance; or, the applicant may demonstrate compliance with at least two of the four listed conditions in that Code section. She noted that the applicant has provided documentation to address both options in the event that the Board finds that one or both have been met, and that is how Planning's analysis has been presented in the Planning Report.

Ms. Ray stated that the first condition is whether an economic hardship is present with the property, or if there are any other unusual or compelling circumstances with the respect to the request. She pointed out that a series of conditions are listed in the Code to identify what might constitute a hardship or an unusual circumstance, and this includes an inability to sell the property, a lack of a reasonable alternative use for the property, or the potential to result in a substantial economic burden on the property owner. She said that it was Planning's analysis that this criterion has not been met. She explained that the property was recently sold (to the applicant), and although the applicant has provided information that suggests that rehabilitation would be fairly substantial, insufficient documentation has been provided in Planning's analysis to indicate that a substantial economic burden is present for the applicant. Ms. Ray stated that, since the first criterion has not been met, that requires that at least two of the four conditions in second set of criteria must be demonstrated for approval for a Board Order for demolition.

Ms. Ray stated that the first condition is a finding that the structure contains no features of architectural or historical significance to the character of the area in which it is located. She said that the applicant's statement in response to this condition asserts that, although the original structure was constructed sometime between 1850 and 1880's, the newer additions have diluted the original historic significance of the structure and are inconsistent with the historic architectural character or style of the area, and further, the home was not considered for the National Register of Historic Places.

Ms. Ray reported that the City enlisted the services of an architectural consultant, named Todd Parker, to assist the City's review of this proposal. She stated that in general, the consultant agrees with the applicant's assessment of the proposal that there is limited architectural or historic significance associated with the existing structure. She concluded that, with respect to this first condition, it is Planning's analysis is that this one has been met.

Ms. Ray stated that the second condition requires a finding that there is no reasonable economic use for the structure as it exists or as it might be restored and that there is no feasible or prudent alternative to demolition. She explained that in the application materials, the Applicant states that significant costs would be necessary to bring the existing building into compliance with modern building codes as well as the cost associated with upgrades to modern conveniences. She said that, although significant expense may be necessary to bring the residence into a more habitable, livable condition at this time, it is reasonable to expect that the existing structure could be used as a residence in the future – unlike a shed or garage or barn or other similar type of historic structure. She said that it is Planning's analysis that this second condition has not been met.

Ms. Ray commented that the third condition requires the finding that deterioration has progressed to the point where it is not economically feasible to restore the structure, and that such neglect has not been willful. She noted that the applicant had also enlisted the services of a structural engineer to conduct a structural assessment of the property to document its current conditions and to identify what rehabilitations would be necessary to improve the home to a livable condition. She explained that among the consultant's findings, it indicates that a new roof would be necessary, with significant modifications to the foundation, flooring, and a number of other improvements. She summarized that it is the applicant's and their consultant's opinion that renovating the existing home would not be a viable option and Planning agrees with the finding that this condition has been met.

Ms. Ray explained that the fourth condition is a two part condition, and requires a finding that either the location of the structure impedes orderly development, substantially interferes with the purposes of the District, or detracts from the historical character of the immediate vicinity, *or* that the proposed construction to replace the demolition significantly improves the overall quality of the Architectural Review District without diminishing the historic value of the vicinity. She stated that, while the existing building may lack historical and architectural significance, it is contemporary with other existing structures and does contribute the character and scale of the Historic District. She stated, however, that the applicant has provided a conceptual site plan and architectural elevations to show a proposed alternative that will in their opinion also contribute to the purposes of the District and respect the scale and character of the neighborhood. She presented the conceptual rendering of the elevations and the proposed site plan. She noted that, if the demolition were to be approved, the proposed single-family residence would come back before the Architectural Review Board for review under the applicable development standards. She stated that Planning has found that this fourth condition has been met.

Ms. Ray pointed out that the City had received one comment from the adjacent property owner to the north, who indicated that he is generally supportive of the overall application. She also reported that the Administrative Review Team (ART) reviewed this proposal at their meeting last Thursday, and although the ART is not officially a recommending body with respect to requests for demolition, Planning did want to obtain their feedback on the proposal. She stated that the ART recommended approval of the demolition; however they recommended that the original conditions that were attached to the proposal be eliminated. She explained that Planning had originally recommended that the demolition wait until another plan had been approved by the Architectural Review Board before the home was demolished; however, there was some concern with the structural integrity of the building and unnecessarily waiting to demolish the structure. Ms. Ray concluded that Planning recommended approval of the request for demolition of the residence located at 97 South Riverview Street, finding that at least two of the four of the second set of criteria conditions have been met.

Mr. Dyas asked about the lack of a condition related to requiring the applicant to receive approval for an alternative structure before the existing structure is demolished. He noted that the last request for demolition that the ARB had reviewed for the homes on North Riverview Street, that there was a condition that an alternative plan be approved and receives building permits before the homes were demolished.

Ms. Ray said he was correct, and noted that Planning had originally recommended a similar condition; however, upon further discussion with the applicant and the Administrative Review Team, there were serious concerns about leaving the home vacated until building permits for a new home are secured. She explained that there are currently residents in the home, although they are moving out very soon, and there is concern with leaving the home vacant in its current structural condition over the winter. She explained that the applicant planned to move forward with plans for the new residence very soon, which would be required to receive approval from the Architectural Review Board before building permitting.

Mr. Dyas confirmed that the ARB was just voting on the demolition and not the new single-family residence as well.

Mr. Schisler asked for clarification regarding the letter submitted by the adjacent resident, since in the letter, it states that the existing structure *is* on the National Register, although Planning indicated that it was only on the OHI.

Ms. Ray said that Planning had researched the historic significance of the property, and were unable to find any indication that the home was on the National Register. She reiterated that Planning had initiated the effort to place all of the qualifying homes on South Riverview Street on the Ohio Historic Inventory in 2003 to cover all of the homes that were not also listed on the National Register.

Mr. Schisler asked if the applicant was required to compile a complete record or photo journal of the structure before it is demolished.

Ms. Rauch stated that the OHI is just an inventory that serves to document historic buildings that are not on the National Register, and there are no additional requirements for preserving or documenting structures before they are demolished.

Mr. Mathias asked if there was a requirement for how the lot will be maintained after the home is demolished until such time that plans are approved and they begin construction on a new residence.

Ms. Ray said the City has property maintenance regulations requiring that the site is secure, that grass is mowed and if the home is not demolished immediately, that the exterior does not deteriorate further.

Mr. Mathias asked if the property owner would be required to put down grass seed if they proceed with the demolition. He was concerned with how the lot might appear for a few weeks or months before construction were to begin.

Mr. Ray said there is no requirement other than the property maintenance code. She noted that the applicant may be able to comment on their timeline for construction and for maintaining the property during the interim.

Kurt Schmitt (4885 Bay Hill Drive, Powell, OH) said he had serious concerns with leaving the existing structure vacant over the winter. He said that he believed that if the Chief Building Official were to walk through the home, he would condemn it immediately. He described the sagging roof, and the potential that it would cave in during a heavy snow fall. He explained that was the basis for his request that the Board allow the home to be demolished soon after it is vacated. He said that the property would be maintained and would comply with erosion controls and other requirements in the meantime. He said it was his intent to return before the ARB at their November meeting, and then commence construction as soon as he has a building permit which could be as soon as February or March.

Mr. Schmitt explained that he owns the building next to the Westin Hotel downtown, and he put that particular building on the National Register in 1982. He said that he will be receiving an award from the Ohio Historical Society for his work with historic buildings. He said that his request to demolish a historic structure is not something he takes lightly, since he understands the importance of historic buildings and what it takes to maintain them. He reiterated the building's poor condition, and that there is nothing significant about it other than its age. He said that he and his wife plan to live in a new home there, and his son and daughter-in-law live in the property to the south. He said that they really like the area and are excited to have the opportunity to work with John Behal, of Behal Sampson Dietz on the plan.
Mr. Rinaldi asked what the applicant plans to do with the foundation.

Mr. Schmitt said they do not know yet. He explained that there are temporary shores all over the basement because it is collapsing, and he is not sure what will be salvageable. He said that if he can, they would like to salvage part of the basement.

Mr. Rinaldi said he was more concerned with whether the basement would be temporarily filled until construction begins.

Mr. Schmitt said he is in the construction business and is familiar with what would need to happen to secure the site from a safety standpoint. He said his aim is to be a good neighbor and not to neglect the property during the interim.

Mr. Schisler asked whether the trees on the property would also be demolished.

Ms. Ray said some of the smaller trees on the property would likely be demolished, either with the home or as part of the future plans for the site, which would be evaluated as part of the future proposal for a new single-family residence on the lot. She said that the larger trees are located along Pinney Hill and South Riverview, which the plans currently show as being preserved.

Mr. Schmitt said that they laid the house out around the trees.

Mr. Schisler referred to the flat roof shown on the conceptual plans for the new single-family residence. He said it was a fairly significant "connector," and was concerned with that portion of the building.

Mr. Schmitt said he and his architect had already begun to take another look at it, and agreed that flat roofs are not ideal. He stated that, with respect to the architectural character of the proposed home, they do not want a "McMansion." He said they were proposing a 3,400-square-foot or so home, and their plan was to break up the mass of the overall structure so it is not overwhelming. He said that because a basement is not feasible in this area, given the shallow depth to the bedrock, many homes in this area have sheds and barns for additional storage. He said the proposed garage was still a work in progress, but it was intended to look like a barn like other homes in the area. He said that their intent with the proposed home was to fit in with the scale of the rest of the neighborhood.

Mr. Mathias asked Mr. Schmitt if he had considered incorporating any portion of the existing structure into the design for the new home.

Mr. Schmitt said if any portion, it would be the basement. He stated that it has exposed limestone, but the beams are in poor condition.

Motion and Vote
Mr. Rinaldi made a motion for approval and Mr. Munhall seconded. The vote was as follows: Mr. Mathias, yes; Mr. Dyas, yes; Mr. Schisler, yes; Mr. Munhall, yes; and Mr. Rinaldi, yes. (Approved 5 - 0.)

2. Bridge Street District – Code Modification
13-095ADM **Administrative Request**

Ms. Rauch said there will be no formal presentation on this topic, but an informal discussion. She said Planning wanted to offer the opportunity to review the Bridge Street District Code and discuss any issues or concerns of the Board Members about the regulations. She provided some background about why we are reviewing Code at this time and stated the Code permits the review bodies the opportunity to evaluate the Code after an established timeframe to ensure the regulations meet the intent of the District. Ms. Rauch said the packet included three memos sent to City Council regarding the Bridge Street District, the review and make-up of the Administrative Review Team (ART), the history of projects reviewed and approved under the Bridge Street District and a schedule for review timeframes by the various Boards and Commissions.

Ms. Rauch stated the Planning and Zoning Commission are currently reviewing the Code with the District review and approval process, which they will discuss over the next several meetings. She said based on

Mr. Phillabaum said that all improvements in West Innovation District must be reviewed by an architectural consultant, but this would not extend the application review beyond 28 days.

Mr. Phillabaum asked if the existing landscape on the west side of the building where the addition is proposed includes protected trees.

Ms. Umbarger said she did not believe so, but said that she would verify the size and condition of the trees in that area. She noted that many trees and vegetation would be added throughout the site as part of the campus development for the medical school.

Ms. Umbarger noted that water lines are currently being installed and are in the development process, in accordance with the previously approved Development Plan.

Steve Langworthy confirmed that there were no further questions regarding this application at this time. He stated that this application would be reviewed by the ART at their next meeting on September 26, 2013.

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 19th 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.

Case Review
None

Administrative
Mr. Langworthy asked if there were any further items of discussion. There were none.
The meeting was adjourned.

City of Dublin

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ADMINISTRATIVE REVIEW TEAM

MEETING MINUTES

SEPTEMBER 12, 2013

ART Members: Gary Gunderman, Planning Manager; Alan Perkins, Fire Marshal; Ray Harpham, Commercial Plans Examiner; Barb Cox, Engineering Manager; Laura Ball, Landscape Architect; and Colleen Gilger, Economic Development Manager.
Other Staff: Jennifer Rauch, Planner II; Dan Phillabaum, Senior Planner; Jordan Fromm, Planning Assistant; and Flora Rogers, Administrative Assistant.
Applicants: Ross Sanford, Lincoln Construction; John Behal, Behal Architect.

Gary Gunderman called the meeting to order.

Mr. Gunderman asked if there were any amendments to the September 5, 2013 meeting minutes. [There were none.] The minutes were accepted into the record as presented.

Introductions

None

Determinations

None

Case Review

1. **13-096ARB – BSC Historic Residential District – Request for Demolition – 97 South Riverview Street**

Dan Phillabaum said he was filling in for Rachel Ray during her absence. He said this is a request for review and recommendation of approval to the Architectural Review Board for 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. He said this is a request for demolition under the provisions of Zoning Code Section 153.176 and the *Historic Dublin Design Guidelines*.

Mr. Phillabaum said that Thursday, September 19 is the target Administrative Review Team determination for this proposal to the Architectural Review Board (September 25, 2013 ARB Meeting).

Mr. Phillabaum said Code Section 153.176 outlines 4 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. He then read the conditions to the group. He said the applicant has provided documentation to address each of the four conditions.

John Behal, architect said that the structure had been altered many times and poorly maintained. He said the deterioration of the house has affected the value to both the structure and the neighboring homes. He said the existing structure is not in keeping with the other

historic homes along this street and the proposed house is in keeping with the cottage style at a one and a half story structure with a barn connected with a low connector between the two buildings. He said the proposal provides more value to the neighboring historic homes.

Ross Sanford said the new owner is very involved with historic buildings and owns several within Columbus which he has restored throughout the years. He said the applicant does not consider tearing down an historic structure lightly. He said the only historic value for this structure is its location; the workmanship of the original structure has been lost and covered. He said that the woman they purchased this house from was born in and ultimately died in the house and thought that she might have been close to 90 years old. He said currently they are renting the house to her spouse. Mr. Sanford said this house is one of the worst conditioned structures they have purchased.

Mr. Phillabaum noted that the ART had engaged the services of an architectural consultant to provide an impartial analysis of the proposal as it relates to conditions for demolition one—whether there were features of architectural significance, and four—if the proposed construction significantly improves the overall quality of the District without diminishing the historic value of the vicinity.

Mr. Behal said they are working with the placement of the proposed house and barn to save as many of the existing trees as possible and thought that only one spruce tree would have to be removed, the remaining trees are located within the right-of-way. He said they also own the parcel across South Riverview and intend to maintain this area as green space along to provide some relief between the homes along the east side of the street.

Mr. Sanford thought that one of the existing trees has been tagged as a landmark tree. He said the new structure will be placed behind the existing trees and the maturity of the existing trees will make it feel as though the proposed home has always been there.

Mr. Phillabaum said that Barb Cox has provided comments on the proposed construction that will have to be addressed pending approval of the demolition. He said the applicant would need to have the existing utilities capped and provide erosion control during construction for the public storm sewer.

Ms. Cox said that the existing water and sewer connections are along South Riverview Street.

Mr. Sanford said the existing structure currently receives water from a well and that there is a propane tank on the property and wasn't sure if there was gas lines to the property.

Ms. Cox said that engineering staff is not opposed to the pull off area being provided along Pinney Hill, but wanted the applicant to be aware that the pull off area would be open to the public and could not be considered a private parking area. She said that there are no sidewalks required and asked that the applicant consider the drainage toward the river and grade accordingly not to impact the adjacent properties.

Ms. Cox said they would need to build up the garage floor to avoid water draining into it from Blacksmith Lane and noted that the 7 foot drainage swale could impact the existing trees on the property.

Mr. Phillabaum noted that the maximum lot coverage permitted was 50 percent and the proposal was at 49.5 percent, plus an additional 7 percent of semi-permeable pavers. He said this was a detail that they would have to evaluate more closely pending approval of the demolition, if there is any ability to exceed the 50 percent maximum with semi-pervious material. He questioned if more of the driveway might be constructed of pavers to bring the lot coverage down.

Ms. Cox clarified that any driveway material would have to be within ODOT material specifications.

Mr. Gunderman confirmed that there were no further questions or comments regarding the application.

Mr. Phillabaum said that the comments from the architectural consultant would be received by Monday, September 16; and that they could be forwarded to the applicant. He said any outstanding issues can be conditioned as part of the approval.

Administrative

Mr. Gunderman asked if there were any further items of discussion. There were none.
The meeting was adjourned.