

ARCHITECTURAL REVIEW BOARD

MEETING MINUTES

AUGUST 4, 2015

AGENDA

**1. 5051 Brand Road
15-055ARB**

Demolition (Disapproved)

David Rinaldi called the meeting to order at 6:30 p.m. Other Board members present were: Jane Fox, Thomas Munhall, and Everett Musser. City representatives were: Steve Smith, Jennifer Readler, Steve Langworthy, Jennifer Rauch, Jeff Tyler, Donna Goss, Tammy Noble, Velma Cohen, and Laurie Wright.

Motion and Vote

Ms. Fox moved, Mr. Rinaldi seconded, to accept the documents into the record. The vote was as follows: Mr. Munhall, yes; Mr. Musser, yes; Ms. Fox, yes; and Mr. Rinaldi, yes. (Approved 4 – 0)

Motion and Vote

Ms. Fox moved, Mr. Rinaldi seconded, to accept the June 24, 2015, meeting minutes as presented. The vote was as follows: Mr. Musser, yes; Mr. Munhall, abstain; Mr. Rinaldi, yes; and Ms. Fox, yes. (Approved 3 – 1)

The Chair briefly explained the rules and procedures of the Architectural Review Board [the minutes reflect the order of the published agenda.] He swore in anyone planning to address the Board on this application.

**1. 5051 Brand Road
15-055ARB**

Demolition

The Chair said this is a request for demolition of a historic single-family structure located outside of the Historic District on the south side of Brand Road between Coffman Road and Wellington Reserve Court. He said this is a request for review and approval of a demolition request under the provisions of Code Sections 153.173 and 153.176 and the *Historic Dublin Design Guidelines*.

Jennifer Rauch presented the 5-acre site containing a single-family structure located about 250 feet from the road and a detached barn located behind the house. She noted the site has significant topography as the house and the barn are located at a higher elevation with a grade change of ± 30 feet sloping north to south. She added the property contains several stands of trees and a creek that runs along the southern boundary. She said the site is zoned R-1, Restricted Suburban Residential District, and is surrounded by a number of single-family subdivisions and development of the City as well as Washington Township. She noted the site is located outside of the Historic District but is identified within the Zoning Code on Appendix G, which requires review and approval of any modifications, demolition, or new construction, by the Architectural Review Board. She reported there are 11 other properties listed on Appendix G within the City.

Ms. Rauch said the house was built in 1880 by J.C. Thompson and is owned by the Herron family trust. She explained the applicant made this request for a demolition as they are considering purchasing this property to build a new single-family home.

Ms. Rauch said that information about the National Register and Ohio Historic Inventory is located in the packets, which addresses the historic significance of this property. She described the home as a single-family, two-story home built in 1880 with Italianate architecture. She said Staff review and analysis was based on the information provided by the National Register and Ohio Historic Inventory as well as a narrative, engineering reports, and cost estimates provided by the applicant. She reported Staff conducted a site visit of the interior and exterior of the property with the applicant's representative and took into consideration public correspondence received with respect to this property.

Ms. Rauch said the applicant's request for demolition would have to meet two of the four following criteria (Zoning Code §153.176) in order to be approved:

1. The structure contains no features of architectural and historic significance to the character of the area in which it is located.

Ms. Rauch said the first criteria was not met, because of the historical significance of the property and the fact there are very few structures in the City with similar design features. She indicated this is important to the community as historic properties remind us of our past. She stated while the structure is outside of the Historic District, these types of historic structures are scarce, increasing the level of importance of preservation, and an opportunity to maintain a part of the cultural and architectural history of the City.

2. There is no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.

Ms. Rauch said the second criteria was not met. She reiterated the applicant provided very detailed information about the current state of the property that a number of restoration issues need to be addressed. She noted the current assessment states the house could be repaired, albeit there would be significant costs to the applicant. She reported the structural engineer states the cost of repair outweighs the historic significance of the structure, but Staff found this information insufficient to demonstrate that demolition is the only option. She indicated the site and the structure have been deemed historic and the significance is important enough to ensure historic preservation practices and principles are to be followed. She emphasized the loss of this structure would be irreversible and every effort should be made to preserve it, despite the economic impact.

3. Deterioration has progressed to the point where it is not economically feasible to restore the structure and such neglect has not been willful.

Ms. Rauch said the third criteria was not met. She indicated Planning and Building Standards agree the structure has suffered from deterioration and neglect but are not convinced the information provided demonstrates the deterioration has progressed to a point where it is not feasible to restore the structure. She stated maintenance and efforts to protect the structures have seemingly gone unaddressed over the past few years as it was vacant, contributing to the deterioration. She indicated if the application for demolition is not approved, every effort should be made to maintain and preserve the structures remaining to alleviate further damage.

4. The location of the structure impedes the orderly development, substantially interferes with the purposes of the District, or detracts from the historical character of its immediate vicinity; OR, 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 or the District.

Ms. Rauch said the fourth criteria was not met. She reiterated the applicant's narrative states the new structure would fit more appropriately within the surrounding residential subdivisions. She stated a new

structure would fit, but the intent assumes first the existing structure has no value to the community and a new development would be better than the existing. She concluded this is not the findings of Staff.

In summary, Ms. Rauch said the recommendation to the Board is that all criteria are not met and recommended disapproval of the demolition. She indicated an alternative recommendation was highlighted to impose a one-year waiting period to find an alternative to demolition, should the Board find that demolition is appropriate.

Jess Kittrel, 8888 Cruden Bay Court, said the goal was not simply to remove a historic home but to find a way for the property as a whole to be maintained and honored throughout the future. She said her and her husband have been residents of Muirfield Village for nine years and specifically chose Dublin as a place to raise their four children. She said they opened their first restaurant, 101 Beer Kitchen in Dublin, hoping to spend many years here both professionally and personally. She indicated she has a love for antiques and they are showcased in their restaurant. She noted the chalkboards are circa 1910 from an old schoolhouse, and the card filing cabinet and post office box in the front entryway were finds from her time spent antiquing. She said her husband Thad grew up in a historically restored home in Eden, IN. She said they were married at a different historically restored home of which she presented a wedding portrait of herself on the staircase. She said they share a love of the beauty of old and historical items and quality craftsmanship. She emphasized they are not Real Estate investors, developers, nor people looking to tear down a perfectly good historical home; they are a family searching for that perfect place to put their stake in the ground.

Ms. Kittrel said the home and the barn have, through no fault of theirs, deteriorated to a point beyond which it is reasonably feasibly to restore. She said there are foundation issues, significant structural issues with the entire west and north framing of the home at a minimum due to significant water intrusion, mold, and termite damage. She said the entire home requires replacement of all siding, and reframing is likely to be needed once the walls are peeled back and the full extent of the water damage is revealed.

Ms. Kittrel said they are only in contract to purchase the home and are unable to do that. She said reframing the roof structure and shingles will also be necessary and the porch and rear addition need to be removed and built over proper foundations. She said any restoration at this point would amount to nearly a replica house and not an example of a historic property. She said ultimately, the question tonight is what the reasonable cost is to require a private property owner to spend in restoration for the benefit of the City in the interest of preservation verses the historical value of this property. She addressed the specific areas of the Code:

Criteria #1 – Ms. Kittrel said clearly the house has historical significance of which amounts to the age of the home, style characteristics, and as the historic register states, the idea that the original owner, JC Thompson, was supposedly the first master mason of the masonic lodge, which was located in Worthington, OH. Italianate architecture is not called out as indicative to the Dublin area unlike stone walls and stone farmhouses. She said the house exhibits characteristics of an Italianate style home, but it lacks window symmetry, the corbels do not wrap the entire house - just the front façade, and mission or craftsman style windows are at the rear of the home, which otherwise lacks windows at all. She presented some examples of true Italianate architecture. She said the home by its age is valuable but this does not exceed any cost. She pointed out that there is only one sentence referring to this home verses the numerous times stone walls are mentioned for this area in the historic register. She said the Dublin Road project pulled down part of the walls because they were too costly to preserve. She stated after analysis with an inspector and contractor with over 1 million square feet of historical restoration experience, they believe there is minimal historic value remaining. She said they are now concerned with keeping the 5-acre parcel in tact with a single-family home, made of quality materials that will stand the test of time and this is the wish of the surrounding neighbors as well. She provided exterior and interior views of the home and noted the damage. She said the land

is beautiful and presented some photos of the Indian Fork Creek that runs on the border of the property, fruit and nut trees, and wildlife.

Criteria #2 – Ms. Kittrel emphasized there is no reasonable economic use for the structure as it exists or might be restored and there is no feasible and prudent alternative to demolition. She said the home is inhabitable in its current condition. She reported that William Let, Millet Construction, confirmed the home is in poor condition (\$225 per square foot for the 2,695-square-foot home, not including upgrades). She reported the realtor appraised the home at \$335,000 and restoration cost would be over \$600,000; this cannot be substantiated. She said there are no homes with just 2,700 square feet, 3 bedrooms, and 1 bathroom that would be worth over \$1 million in Dublin, OH, regardless of the amount of land unless the land was split and developed, which is against the wishes of all those involved. She said this ARB condition does not state that the property can or cannot be restored at any cost but a reasonable economic use. She said spending \$1 million to gain a home worth only \$500,000 is not a reasonable use of economic resources. She indicated there have been multiple people who have determined this is not economically feasible over the past 10 years and during that time the condition has only worsened. She reiterated the property is owned by the trust and they have not found it economically feasible to correct the serious structural problems; they do not have the funds to undertake such an open-ended project. She restated that the house has been vacant for several years. She said any other parcel in this area of this size would be valued at \$400,000 but questioned what the Herron's could sell this property for if this demolition request is denied. She indicated using this property for a revenue generating amenity (museum, hotel, etc.) is unrealistic for several reasons as the property is long and narrow in the middle of a residential neighborhood where no other businesses exist and the property does not have enough attributes to make it a tourist attraction.

Criteria #3 – Ms. Kittrel indicated deterioration has progressed to the point it is not economically feasible to restore the structure; such neglect has not been willful. She reiterated all the damage that has been identified, presented more interior pictures, and referred to the various inspection reports.

Criteria #4 – Ms. Kittrel questioned the definition of this district for property and said having one single-family residence on five acres fits better into the surrounding area than if a developer parceled off the property to build 5 – 10 homes if or when the house fell down. She indicated her family has spent a lot of time with the surrounding neighbors who have all been very supportive of her Dublin family buying the property as opposed to a Real Estate investor or developer. She pointed out the dilapidated barn within 75 feet of the adjacent swing set and where the west side of the barn fell down in a storm last year.

Ms. Kittrel concluded her request to demolish the house before plan approval and requested immediate demolition due to the declining condition and safety hazards the house and barn pose to them or any neighborhood kids that currently play near the property. She said the property is not going to be in better condition as time passes and the conditions today would not change the outcome of whether or not the demolition order is approved this evening. She described a farmhouse style home they are considering to build on this property as well as features that are in the existing home that can be salvaged and incorporated into the new home.

Ms. Kittrel said they and the Herrons would agree to selling the home to the City for \$1 should the City wish to move the house from the property (possibly into the historic district or City property) and restore it. Ms. Kittrel confirmed they are in contract with the contingency of demolition.

Jane Fox asked if the property had been publically for sale. Ms. Kittrel said her understanding was when Mrs. Herron died three years ago, the family was in negotiation with a buyer but the plan fell through.

The Chair invited public comment.

Tom Holton, 5957 Roundstone Place, Dublin, OH, indicated the inspection reports state the comments are based solely on a visual observation, knowledge and experience and the consultant did not do a thorough structural inspection. He said the City stated firmly in the Community Plan that protecting historic resources outside is a value to the community and that is why the City has inventoried properties, including this one. He said if properties are allowed to deteriorate to the point to be demolished, where is the City's history and where would the homes be that Ms. Kittrel talked about that she loves so much, got married in, and wants to move her family. He asked where we should draw the line as a City. He said it is going to cost money, just as Ms. Kittrel stated. She also said the cost is not justified and he asked to whom is it not justified. He said we have to look back to what value this would bring to the community. He said the City replaces stone walls to contribute to our quality of life in Dublin. He noted this property was featured in the 2002 Community Plan and it warrants some degree of protection.

Rich Taylor, 48 S. High Street, Dublin, OH, said he is a 23-year resident of Dublin, an architect, and a former member of the ARB, PZC, and Historic Dublin Business Association. He reported in the last 30 years he has worked on projects in the Historic District and has a deep appreciation for preserving our history but personal property rights as well. He said he has been involved in the demolition of several homes to make way for new construction. He indicated he understands the desires of both the seller and the buyer. He said ownership of architecturally or historically significant buildings is partly vested in the whole community and their responsibility to preserve them. He said when significant buildings are lost, they are lost forever along with the connection to the past. He indicated that as Americans we have not always appreciated our own history. Mr. Taylor said few homes are ever beyond complete repair. He said many restorations are stripped to the studs regardless of their condition and most need new foundations, roofs, siding, and windows, plumbing, heating, and electrical. He said this is what this house needs, which is not unique for a historic home and certainly not a reason to demolish it.

Mr. Taylor indicated it is irrelevant to try and compare the cost of restoring this home to the cost of building new since it is impossible to put a value on our own history but it is worth commenting on the rough estimate given of \$225 per square foot to preserve. He said if the only criteria used to evaluate a historic home is comparing cost to new construction homes, then no historic building would ever be restored. He added historic preservation is an investment in our culture and Dublin community clearly prefers an architecturally abundant city; one where new buildings and old buildings coexist and where old and new neighborhoods bump up against each other. He indicated we all appreciate the charm and character of the original buildings in Historic Dublin even as we insert new homes and buildings into the gaps of our historic village center. He believes our community has a moral responsibility to protect our architectural heritage. He said advancing the appreciation of Dublin's history is one of the reasons the Architectural Review Board is formed with the very specific responsibility to prevent the deterioration for the review district of historic sites. He said this is clearly a historic site and the ARB is required by Code to prevent its destruction. He said we are in this debate tonight because as a community we have not been proactive in preserving our significant homes and asked the City government to identify and secure these pieces of Dublin history before they are lost forever, starting with this house.

Mr. Taylor said because this house does not suit the needs of the current potential owners, he asked that it be left for another, someone that will find a way to give it new life for the benefit and enjoyment of the whole community. He said the home has lasted 135 years; a few more years waiting for the right buyer will not hurt.

Dave Jenkins, 5071 Brand Road, said he resides on the west side of the Herron property. He reported in 2009, he was asked by the owner to put on a new roof, scraped and painted the exterior, installed or straightened windows, removed the front half of the house because of termite damage, and re-did the gutters and soffits, etc. He indicated that is going to need to happen every five years to a house like this unless you completely strip it down and add new siding. He said the place is an absolute disaster with mold and termite damage, and the house sags about four inches in one corner. He said if you try to jack up the house you will do more damage trying to straighten it out. He said it was a great house but it is

beyond repair. He confirmed the barn is falling down. He said as the next door neighbor, he is affected by this more than anyone else in this room and we all want a nice single-family home here and not one that is falling down.

Mr. Jenkins said he does not know who the Board is going to find to restore this house. He said everyone wants to preserve this, and he agrees with that, but he has been here since 1958 and he has seen a lot of farmhouses knocked down in that time and they were a lot nicer than this house. He said if this were a developer, Dublin would bend over backwards for them. He said the Kittrels have presented their case very professionally, they were prepared, and he asked the Board to let them tear it down because it is not worth saving. He said he liked the idea of the City purchasing the house and moving it to Historic Dublin. He said he is concerned that if the right buyer cannot be found to restore it, then it just sits there and deteriorates further as we lose these potential buyers in the process.

Donna O'Connor, 5065 Winchell Court, said her and her husband bought their home five years ago, which backs up to the rear portion of this property. She recalled when the Herron's had a potential buyer but could not afford to restore the home unless they could sell off some parcels and offered that to the neighbors on Winchell Court but that fell through. She said she grew up in Hudson, OH and understands historic areas. She said if the demolition is denied to this house, she urged the Board and the City to come up with a plan for the property. She said her family came in on the tail end of that Wellington Reserve controversy on Brand Road, but heard about the clear cut of trees over 100 years old. She questioned why the City would approve that and not this demolition to keep a five-acre parcel intact. She hears everyone wanting to preserve and restore this home but does not see anyone too eager to do that until Jess and Thad came along. She said she supports this couple and their proposal. She said the house is deteriorating and her boys are not allowed near the barn because it could fall at any time and they are worried about what will happen to this property along with the other adjacent neighbors on Winchell Court.

Kevin Walter, 6289 Ross Bend, said he spent six years as a Planning and Zoning Commissioner but tonight he represents the Friends of Dublin and as a candidate for Dublin City Council. He said the applicant has asked what is reasonable for a homeowner to spend on restoration. He reminded the Board that the applicant is under no obligation to buy this house. He said the home itself is listed on the National Register of historic places as of 1979. He noted that history is filled with dates and places but it is also full of people/characters that shape their surroundings. He indicated the home is not historical in it of itself but rather historical because of its characters. Instead of focusing on technical elements, he told the story of the Thompson family that built the house as acquired by the Revolutionary Land Grant. He asked that the Board honor Joseph's wishes by keeping the property in good repair in recognition of one of Dublin's founding fathers.

Lynn Holder, former owner of Lynn Holder's Sawmill, said he has had a business here for years and would like to see this property preserved in some way or like to see it as a park.

Kevin Keller, 5025 Brand Road, said when he came here tonight he wanted to see it preserved but after seeing the pictures, he would rather see the Kittrels have it, be allowed to demolish the home to build a viable home for their family, and preserve the five acres. He reported he sees the house every day and nobody mows the lawn every week, it is more like every three weeks. He said the Herron's are struggling to maintain the property. He indicated he has walked the private property twice when he had permission; the barn is a hazard – they heard that west side fall down. He said the house is lovely to drive by and look at but upon closer inspection, the more you can see everything is out of whack. He said when he lived in Connecticut and did construction he saw old homes that were restored that took tremendous amounts of money and effort. He noted in a lot of cases, you no longer had the original home, it was just a representation. He personally recommends the house be torn down, a new house built, and the five acres preserved as a single-family residence. He said it is selfish on his part because he lives next door but he has seen what happens to older homes when they sit unattended, which is not pretty and

certainly not something that represents Dublin. He added to see an old home deteriorate like that is a shame.

David Hodge, Smith and Hale, 37 W. Broad Street, Suite 460, Columbus, OH 43215, said he is legal counsel to the applicant. He said his interpretation of the Zoning Code differs slightly to that of the Staff Report. He read the Code "If an applicant demonstrates economic hardship alone, the Board may approve demolition." "If an applicant demonstrates unusual and compelling circumstances, the Board may approve demolition." The Staff Report stipulates that "If an applicant meets two of the four criteria, the Board may approve demolition." He said after considering all the information in the packet, he believes his client meets two of the four criteria citing first, criteria #2. He explained that per the Franklin County Auditor's report, the property is valued at \$305,100. He said the Kittrel's offer is \$425,000. He said the information in the packet states it will take \$606,000 just to get started. He said when looking at an addition and other things the Kittrel family would like to do to make the home habitable, it is not economically feasible to do it. He cited criteria #3 as the other criteria met because deterioration has progressed to the point where it is not economically feasible to restore the structure and such neglect has not been willful. He said there are residents that remember Ms. Herron and can attest that she loved her home and was proud of it. She did the best she could, living there to the age of 93. He said the property has fallen to disrepair and cannot be reasonably restored. He said the contractor, architect, and structural engineer are all present and would encourage them to each state their professional opinion that the property is not salvageable.

Mr. Hodge said comments made citing opposition were meaningful and appropriate and does not disagree except for their conclusion. He reiterated the City has a responsibility and urged the community to be proactive and Ms. Kittrel had agreed to have the City move it. He said if it truly is a home worth preserving, it ought to be the community's responsibility and to not saddle the preservation on the Herron's who cannot maintain it as it is. He said that economic burden should not be placed on the Kittrels, either. He commended Ms. Kittrel on the preparation of her presentation.

Jane Fox said this case is a tough one and a landmark case for the City because we do not have that many historic properties left to preserve and we are undergoing a lot of changes. She emphasized the ARB is charged with historic preservation of properties. She expressed her sympathy for the economic hardship but as these properties in our country age, this question will become greater and greater. She said the ARB is also charged with protecting and maintaining these properties. She said this home is historically significant; it does matter that it stays if possible, but she can also see the other side of it as she can see the economic hardship of it. She said it is interesting to note that the Herron's tried to maintain it. She said the Auditor's website, that reviews properties every three years, the last time reviewed it as in good condition. She questioned what happened in the last three years. She indicated that if the City truly wanted to preserve this property, they need to spend a little money to decide whether or not these reports received from Engineering, are objective reports; we need to absolutely know that there is no feasible way to save the property. She indicated it has not been publically offered for sale so she questions whether there is someone out there that has greater funds available to preserve it. She emphasized, this Board is charged with preserving historical significant properties. She believes we need more time to determine whether or not there are no other options.

David Rinaldi said the decision tonight is to vote on this application. He said the facts are in front of us, four criteria, and we are to decide if they meet two of the four criteria.

Tom Munhall said he restored his historic house on Dublin Road, which was in worse shape than this home. He said he does not see the economic hardship.

Ed Musser said he has experience restoring a home. He said the estimate is just that, an estimate. He said if someone came in as Ms. Fox suggested, they would have to start tearing out interior walls, roof,

and they would find things that nobody can see. He asked about the condition of the other 11 historic homes.

Ms. Rauch said there are a total of 12 properties and does not know the status of all of them.

Mr. Musser said he visited the property that is located at 5381, around the corner, as a young couple was restoring it. He said there is a big difference between that home and this as it was a very sound brick structure and was easy to restore. He said they did a lot of the work themselves and it was a labor of love. He believes we should listen to the neighbors as they are the ones that pay the taxes and their property taxes will be affected.

Ms. Kittrel said that Bill Lett was present to address concerns with the amount of money to restore the property and where his estimate came from.

Bill Lett said he lives in Muncie, IN and does a lot of commercial construction plus restoration but has done a lot of historical restoration. He explained his minimum quote was based on experience. He said the building will need to be supported from the start or it will fall down; moving the house will bring it down. He indicated with restoration construction they consider the bones of a structure. Mr. Lett said Ms. Kittrel's example of a house was his house of Greek Revival architecture that was built in 1848. He said he lives in a historical house and just sold a historical house in Eden, IN. He said he restores a lot of houses. He said he could probably count on one hand the number of times he recommended demolition. He said he did a lot of historic restoration in Colorado and has lots of photos of work he has completed in historical areas through the years. He reported he has been on historical boards, too. He said when a structure sits on 5 or 10 acres, the property is part of history.

Mr. Rinaldi thanked everyone for their comments. He asked to bring this discussion back to the criteria they had been discussing. He said he cannot agree more with Staff as the house does contain historic features, which makes it significant. He said we can argue the cost of renovation but what may or not be feasible for this applicant may be for another. He brought up historic cars as an example. He said a historic car can be expensive and if you do not have the money to restore it to make it worth your while, you do not buy it but that is not to say that there is not a buyer out there, willing to invest. He said whether or not this house has deteriorated willfully or not, a lot has not been done to prevent it. He said this applicant has not contributed to that but little or nothing has been done to prevent water problems. He asked if there was anyone else that wanted to speak to the four criteria. [Hearing none.] He called for a motion to approve the demolition.

Motion and Vote

Mr. Musser moved, Mr. Rinaldi seconded, to approve the demolition. The vote was as follows: Mr. Munhall, no; Ms. Fox, no; Mr. Rinaldi, no; and Mr. Musser, yes. (Approved 1 – 3).

Communications

Ms. Rauch said there were no communications.

Mr. Rinaldi adjourned the meeting at 8:06 p.m.

As approved by the Architectural Review Board on August 26, 2015.