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ARCHITECTURAL REVIEW BOARD

MEETING MINUTES

MARCH 30, 2016

AGENDA

**1. Architectural Review Board – Demolition Criteria Amendment
16-018ADM Administrative Request**

The Chair, David Rinaldi, called the meeting to order at 6:32 p.m. and led the Pledge of Allegiance. Other Board members present were: Jane Fox, Thomas Munhall, Everett Musser, and Shannon Stenberg. City representatives were: Jennifer Rauch, Stephen Smith, Jr., JM Rayburn, and Laurie Wright.

Administrative Business

Motion and Vote

Ms. Munhall moved, Ms. Stenberg seconded, to accept the documents into the record. The vote was as follows: Ms. Fox, yes; Mr. Musser, yes; Mr. Rinaldi, yes; Ms. Stenberg, yes; and Mr. Munhall, yes. (Approved 5 – 0)

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. Architectural Review Board – Demolition Criteria Amendment
16-018ADM Administrative Request**

The Chair, David Rinaldi, said the following application is an administrative request for amendments to Zoning Code Sections 153.176 - Demolition and 153.177 - Economic Hardship or Unusual and Compelling Circumstances of the Dublin Code of Ordinances. He said this is a request for review and discussion of a proposed Code Amendment.

Jennifer Rauch explained the intent of the meeting was to be very informal and allow the members to discuss the demolition sections of the Zoning Code. She said Staff has discussed how they could make the Code clearer and more concise but they desired feedback from the Board first. She noted how the sections for demolition criteria and economic hardship were intertwined and need to be clarified. She said Staff reviews those requests as either/or decisions but the Code could be interpreted in different ways. She said she provided the Code Sections to be reviewed as well as the history of this ordinance. She said the Code was last revised in 2010. She said this could be a small fix that addresses this section or a more comprehensive review, as schedules allow. She said a historic preservation consultant has been hired to also look at all historic properties to determine whether they are contributing or non-contributing historic resources, and the results of this review could be incorporated in the Code revisions.

Stephen Smith, Jr., said the one caveat to all that is obviously any changes to the Code would require City Council's approval. He said it is not a preconceived notion that City Council will be ready to adopt whatever recommendations are brought forward.

Richard Taylor, 48 S. High Street, Ste. B, Dublin, said the Historic Dublin Foundation is represented this evening. He stated the foundation came to be in 2015 during the public discussions over the future of the historic Thompson house on Brand Road. He said they saw there were no mechanisms in place to identify at-risk properties and to help stabilize them before they were too far gone to repair. He said they hoped to prevent that home's fate from befalling other historic properties in Dublin because when historic buildings are gone, they are gone forever. He stated one of the charges of the Historic Dublin Foundation is to advocate for the preservation and enhancement of the Historic District and that is why they are in attendance this evening.

Mr. Taylor said demolition by any means is the most serious and permanent change that can be made in any historic district. He said we have already lost too many significant structures in Dublin and it is time we make demolition of significant properties extremely hard to do. As the foundation considered the demolition section of the Code, they decided to suggest that the Code did not have to be modified but rather the demolition section could be re-written starting from scratch to ensure it was written properly. He noted a wealth of information about mechanisms for preventing historic demolition is available including the National Trust Historic Preservations *Protecting Potential Landmarks through Demolition Review*. He said unlike Dublin's Zoning Code, in many cities a separate process exists for the review of demolition requests. He said the Zoning Code for Dublin considers demolition much as it considers any other application in the Historic District.

Mr. Taylor reported many cities have much more robust requirements regarding demolition by neglect including significant penalties for violations. He said some of the cities require their City Council to sign off on any demolition that has been approved by a historic preservation committee or commission. He said there are several levels of historic demolition ordinances including demolition review, demolition delay, and interim protection. He said these separate processes are common in cities that respect and protect their historic heritage. He said demolition review is the strongest, preventing demolition of any property, regardless of the significance. Over a certain age for a specific amount of time, he said to allow for the determination of historic and/or architectural merit. He said demolition delay codifies the length of time to stay demolition during which time the preservation commission is tasked with exploring alternatives. He said interim protection simply disallows demolition during a pending designation of a structure as protected. He indicated Zoning Code §153.176 contains a somewhat watered down version of a demolition delay ordinance because it does not require a waiting period. He said that Dublin would be much better served if the process for demolition was more akin to a full-fledged demolition review. He suggested Dublin could be a leader in preserving historic assets by establishing the strongest and best guidelines for protecting the Historic District. He reiterated completely re-writing the Code for the demolition processes is a good place to start.

Amy Krumb, 7511 Riverside Drive, said she is a representative of the Historic Dublin Foundation but she wears many hats. She explained one of her professions is as an attorney; she has experience reviewing and interpreting code; and she is a historic preservationist, meeting the federal guidelines for Historian and Architectural Historian.

Ms. Krumb said dealing with demolition of historic structures is something she does on a fairly regular basis. She said there is a lot of information and code available and an excellent place to start is the local cities, even the City of Columbus for historic districts. She said from a broader stance, information under the National Historic Preservation Act and the National Historic Trust are available including all the guidelines.

Ms. Krumb suggested doing away with the demolition criteria. She said there should be three things: either economic hardship; the unforeseen circumstances; or the proof that the historic resource is not historic. She said the current Code cannot handle the process for proving/disproving the historic aspect. She said demolition criteria needs to be defined and what historic resources must follow this criteria. She said "historic site" and "historic district" definitions in the Code each use the word "historic" in the

definition. Ms. Kramb said the federal government considers "structures" to be not used for shelter and yet in the Zoning Code it is used to define buildings. She said houses, buildings, structures, bridges, statues, fences, and sites (quarries) all need to be protected and need to be defined in the National Register Guidelines. She said to begin with the word "historic" needs to be defined. She said the federal government considers anything over 50 years old to be considered historic. She indicated it is a constantly changing number and we need to move away from thinking that just the original core buildings built between 1840 and 1880 are historic. She said resources built in 1900 and 1910 are 100 years old and they could be considered extremely historic and significant to our City. She said the current demolition Code states that the criteria generally applies to properties that the City defines within its Historic District and what is listed on Appendix G, which consists of 12 properties. She interpreted that to mean we are not protecting the other properties in our City that are listed on the National Register.

Ms. Kramb said the City has hired consultants to update our Historic Register, which is a good place to start to identify the other properties not in the Historic District or on Appendix G. She suggested that if anyone wants to tear down anything in Dublin, 50 years old at a minimum, they have the burden to prove it is not historic. She said criteria for providing that proof is available to all and she uses it on a daily basis. She explained she is called upon all the time to determine if a resource is historic or not and provides a written argument of her opinion to the Historic Preservation Office as she is qualified to do so. She said they either agree or disagree.

Ms. Kramb said the federal government is not going to prevent someone from a demolition but the question is how to mitigate it. She said there are requirements such as waiting periods, contacting interested parties, and documenting the building before it is demolished. She said she writes books that are sitting in the public library that reference what used to sit on the corner of SR 161 and High Street for example and a picture and complete history are provided. She also writes pamphlets for walking tours for local historical societies. She said developers have to follow and pay for these requirements as part of the demolition process. She said the federal historic preservation law states if any federal dollars are used to demolish something, then you have to prove if it is historic or not.

Mr. Munhall asked if that applies to a private demolition request. Ms. Kramb said it does not matter. She added we can take that concept and apply the ideas to our own City. She said we have to minimize harm of demolition, find alternatives to avoid it, and find a buyer to fix it up. She suggested writing in the Code a consulting party coordination requirement that parties be contacted and we list those. She clarified that what she does on a daily basis is related to federal law and funds, not anything private. However, she said she went through the process for a developer that was requesting demolition in German Village and they have a very broad ability to say no. As an example, she said they disapproved demolition because it was historically important to them because it had been sitting in that location since 1930, and it has been viewed every day, engrained into the character of their city even though it was not built between 1840 and 1890 in the German style of architecture.

Mr. Munhall said there is nothing proactive Dublin can do currently. He understands that if the Code is changed, attorneys will be involved to ensure it is defensible all the way through. He said he anticipates that the more broad we make our Code the easier it will be for the attorneys to pull it apart.

Ms. Kramb agreed it is a fine line. She admits her job is very subjective and she can write an argument one way or the other. She said we need to decide what is important in our city, what resources we want to save, and how to keep that fluid. She asked if we are considering everything 50 years and older then it is a moving timeline. She said next year, something built in 1966 could be considered historic. She said mid-century homes may not be considered historic on their own but as a whole an argument could be made. She cited the original core of Muirfield around the golf course and the golf course itself could be considered a historic district in the near future. She said that area is a very important part of Dublin's history. She said as time goes on, things that were not previously thought of as old, will be. She stated she has lived in Dublin her whole life and a lot of the buildings she saw growing up are now gone.

Everett Musser indicated as a Board member, trying to make recommendations to City Council for what should be changed in the Code or in the historic criteria for demolition, is very overwhelming to him. He asked Ms. Krumb, because she his knowledgeable in this area, if she would have any way to help the ARB to jump start this process with draft recommendations so they are not floundering back and forth.

Ms. Krumb restated the information is available and the Planning and Legal Staff will be very helpful. The National Historic Preservation Act and the National Register criteria clearly layout how to define what is historic. She explained there are two parts: 1) the resource could be historic because of the architecture or because of a person that resided there, or a general theme such as agriculture or mining (like our quarries); and 2) the resource has to have enough integrity left to portray why it was historically significant. She said the analysis exists, which we can incorporate, and requiring people to look at a resource before it is demolished, is an excellent start.

Mr. Musser asked if it is inappropriate for the ARB to ask Ms. Krumb for help to get started. Ms. Krumb said she could help access some of this information if the City does not already have it, but the City staff is equipped to handle this amendment. She said the City also hired a historic preservation consultant who could help. Ms. Rauch concurred.

Jane Fox said the last thing the ARB wants to see is a demolition request because once it is received, they have to deal with it all. She said she wants to prevent this from happening in the first place by considering all the causes for demolition requests. Through her research she said she found that good Code Enforcement and required maintenance of these structures, the owner cannot come and argue about demolition by neglect because the Code states it needs to be water tight, weather-proof, and have a stable foundation. She said if we are approached and the owner states a resource is falling apart and cannot be put back together when Code Enforcement had been a partner in helping the City with prevention, then the owner cannot argue their point because they were supposed to be maintaining the property in the first place.

Mr. Musser asked how the City can ask that a structure be maintained if the owner cannot afford it.

Ms. Fox answered through Code Enforcement monitoring properties that are on our radar because we have done inventory and categorized and prioritized which properties are significant/contributory, and maybe historic groups could contribute monetarily, the City could incentivize with tax credits, or a revolving fund could be set up to assist in this situation.

Mr. Munhall said Dublin does this already with Code Enforcement; liens can be placed on a property.

Mr. Smith said he had spent a decade in Mayor's Court as a prosecutor and he has overseen a number of these cases. He said the problem is we have the ability as a city to render a property safe but we do not have the ability to render a property "nice". For example, he said if there is a building that has broken windows or is no longer secure and the door is open, we can fix it by putting plywood over it to render it safe while not improving the property in any way, shape, or form. He said the City has a very aggressive Code Enforcement staff. He said a lot of people may know a property is in bad shape but if Code Enforcement does not receive a complaint, being private property, and without an administrative search warrant, there would need to be some type of probable cause to enter the property.

Shannon Stenberg inquired about the demolition delay.

David Rinaldi said the City of Columbus requires that everything over two-stories tall in the central district be inspected every five years because a cornice fell in the mid 80's and injured a City Council member. He asked if we can institute a similar process within the Historic District that requires an exterior cursory inspection, perhaps provided by Code Enforcement. He suggested that might be easier than making property owners pay for inspections. He said if our goal is to preserve these properties then they should

be inspected on a regular basis to make sure they are water-tight, are not falling down, and there are no holes that would allow for vermin to enter, etc. He asked if there was some way we could build that mechanism in the Code.

Kevin Walters, 6289 Roundstone, said he works for a computer technology company and listens to customers explain what is wrong with their environment and then try to find the solution; many times the solution is found before uncovering what the goals are. He said as we discuss "how to administer something", there are policy and administration decisions but fundamentally we have to figure out what the goal is. He said if Council ultimately decides to change the Code, then it comes upon Staff to figure out how to fund that. He agreed the current Code should not be modified, but rather totally re-written and restated the information is already available to accomplish that. He said inventorying properties should be the first step to understand what exists.

Ms. Fox said one of the goals should be prevention. She said once the properties are inventoried and determined which are the most contributory and which ones are most at risk then solutions can be explored to help either by offering an incentive, getting preservation societies involved, or have a fundraiser that maybe the Dublin Foundation might be interested in partnering in so there can be a revolving fund. She said if we can prevent the destruction of resources then maybe we would not see the demolition requests.

Ms. Fox said there are several little bungalow houses on North Riverview Street that were approved for demolition. She said one could say they are being neglected; one could say an investor bought those with the idea that he would make money on it as Bridge Street is developed. She said she understood under historic preservation that no city requires any private entity the ability to make money. She said we would not have to say a property owner can make more money by having a restaurant there. She said maybe an owner could make just as much money because of the way residential properties are selling in Historic Dublin now, valued three or four times what they were a few years back. She said if it was left as a residence, there is a lot of money to be made there, too. She stated we have to define economic hardship. She suggested the applicant should not be anyone but the owner of the property claiming economic hardship.

Mr. Rinaldi said before we throw out the existing Code, we should decide who has to prove economic hardship as an applicant might not be the property owner. He asked who would be at fault for intentional neglect. He said the applicant considering purchasing property is not at fault as they are just coming on the scene.

Mr. Smith said under the current Code, when it comes to any case that can come before any board, commission, or council of the City, the property owner is required to sign the application but is not necessarily the person standing before the boards or commission. He said with the PZC, often it is the developer that may have an option on the property. He said we do allow a representative to stand in place of the owner but the owner has to give permission by signing the application.

Mr. Rinaldi cited a case where the intended property owners were claiming economic hardship because it would cost so much to repair and add on rather than demolish and rebuild.

Mr. Munhall said the ARB is not a court of law where evidence would be dismissed if it did not directly apply. He said he would like to see written in the Code what the Board's rights are and how much the Board or Staff can ask of the applicant.

Mr. Smith said when an application is submitted, the City has the right to impose certain requirements on the applicant. He suggested considering a city resource or folks that the City hires that could provide independent assessments for the City. He said this would require the consent of the applicant when it is private property but that could be tied to the application process. He said this would have to be clearly

written into the Code. He said this would work as long as the applicants are agreeable; we cannot state the ARB has the right to insist upon an inspection.

Mr. Munhall said he wanted the ARB to have the ability to request an inspection since it is not required. Mr. Smith said there is nothing stopping us from asking.

Mr. Taylor said this begins with us understanding as a community, as a city, and as representatives on the Board, that we have a certain amount of ownership for all of these properties, due to the historic nature. He stated putting the burden of proof on the owner and making the requirements very strict is not unusual or uncalled for. He noted when he was on the PZC, they rezoned 1,100 acres whether the people wanted to or not. He said there are two different kinds of demolition, one is intentional or unintentional neglect and the other is the real estate concept of higher and better use. He said if we take ownership as a community, then we should find a way to help the owner take care of the property. He indicated the real estate concept of higher and better use scares him more. He said someone buys a building and does or does not let it deteriorate but in the end they could bring in an expert like Ms. Krumb who said she could write an opinion either way and pay her a lot of money to say it is not historic.

Mr. Taylor said a case was lost because of a weak Code and the applicant won because they brought in experts and the City does not require them to produce spreadsheets or back up their estimation of cost claims.

Mr. Taylor said on the one side we need to identify the properties that are a potential problem and keep an eye on those while preparing to help the owners if they cannot help themselves. On the other side, he said we need to have the 'teeth in the law' so that when someone comes in and says that building is not historical and want to tear it down to build a condominium building there, we can make the case or have the proper criteria to evaluate that problem.

Ms. Fox said the National Historic Preservation Trust provides information on how to assess economic hardships and they have a whole list of questions that we can ask of someone that wants to demolish historic property along with a list of questions as to what the Board should be considering as the Board asks these questions about demolition.

Tom Holton, 5957 Roundstone Place, said he represents the Dublin Historical Society. He said in the last three weeks he has worked at understanding properties in the Historic District. He said the property across from the Village Tavern may be the oldest building in Dublin by one account. He said the log cabin may go back to about 1797, built by a Governor of Virginia or a representative of the Governor during the time the surveying was done for the Virginia military district. He said the building has been reconfigured once or twice since then. He noted the Historic District primarily from Bridge Street south to Short Street, is in its third generation of buildings with the exception of two buildings. He said to understand things like demolition or neglect we need to understand what we are facing every time an application is submitted for a building in that area: foundations, frame, etc. He said the building he noted was really a squared-off log cabin that has been covered over once or twice, doors moved, windows redone, and everything changed but by peeling off the renovations, the original structure is visible. He reported the account stated the building was actually raised and a stone foundation was put under it and in one case a paved concrete foundation was put under it. He said he is trying to obtain the key from one of the co-owners so he can go inside to see if this really is the case. Upon talking to the other owners about the foundations of those buildings in that area, he said many of them are dry-laid stone without any mortar at all. He said that is a maintenance problem. He said maintenance problems can be the result of absentee owners like when water seeps in whenever it rains and there is nothing the tenants can do about it. He said the 100-year plus old buildings are second generation frame buildings and most are showing their wear. He said most were built on one form and then added onto, which creates real maintenance problems because the integrity of the joint is not going to be very good. The economics of buying a historic home includes deciding if fixing it up in a way that keeps it historic is affordable or whether is it just fixed by today's

standards. He said Planning provides a very thorough background of buildings in context with its neighbors and that helps the Board understand where it is in context of history and of adjacent buildings and of its presence today and place in time.

Mr. Musser asked about the status of the inventory of historic properties to be conducted. Ms. Rauch said a consultant has been hired and Staff has kicked-off that project. She anticipated the timeline for completion to be late summer, early fall. She said there are a number of tasks within the Historic and Cultural Assessment contract but reviewing and identifying the properties would be the first step.

Ms. Fox said it is important for the ARB to understand what Staff is doing during that process. Ms. Rauch said the project focus is a cultural and historic assessment of city resources, not just buildings.

Ms. Rauch presented a list of goals or topics to investigate based on the conversation of the Board up to this point. She reviewed the following list:

- Interim solution versus long term overhaul
- Update historic resources – identify contributing versus noncontributing, incorporate more comprehensive list in the Code, update Appendix G
- Preventative measures – property maintenance, identify most at risk properties, routine inspections, prevention of further deterioration, etc.
- Clearly identify responsibility/burden of proof – identify what the applicant needs to provide for review
- Investigate complete overhaul of the Code
- Identify review requirements – third party review, understand request, detailed estimate, alternatives, applicant provide materials/funding for future development, site visit – coordinated effort
- Investigate monetary resources
- Investigate comparable regulations
- Define historic and how that applies city wide
- Identify legal impacts/issues
- Economic hardship applicability
- Appeals process amendment
- Coordination with historic and cultural assessment
- Training opportunities

The members asked how “historic” is defined. Mr. Rinaldi agreed Muirfield could be considered an historic area in the not too distant future and questioned pulling demolition out of the ARB’s purview as demolitions could be more city wide.

Ms. Stenberg asked if the Board should consider what is in the application and what is defined for the applicant to present to the Board. She suggested considering more standard requirements written into the application.

Ms. Fox said in the economic hardship part there is a good list of things that applicants can include. She said a group of investors submitting an application is going to be different than one applicant. She said when an individual is represented by a group of developers, the owner may have economic hardship but the developers do not. She said sometimes we are listening to two different sides and she believes it is the owner that should present himself and not the person considering buying the property to redevelop it and that was a conflict that they have had to deal with. She said she felt like she needed to ask the owner a lot of questions but the buyers were pushing to buy the property and the ARB was not protecting anything.

Mr. Munhall agreed the Board should have questioned the owner more but the buyer cannot be kept from speaking on their behalf. He said the vast majority of information presented had nothing to do with anything that the ARB should have ever listened to. He said for the future, he would like to look at the purview of the ARB and clearly state the ARB's limits when information is presented that has nothing to do with the determination of the case.

Mr. Rinaldi said that is already the Chair's responsibility. He indicated he could have limited the public comment to a certain length of time but when it is an emotional case he did not feel that was necessary when people were being very respectful.

Mr. Walter said economic hardship as defined for each party is important. He said an owner may not be concerned if a house gets demolished or not, they just want to sell the property. He said he was not convinced that the intended buyer would have economic hardship. He said the current appeals process allows the BZA an extreme amount of power to come up with their own review with no review by Council. He said this could potentially put the City in a position the City might not want to be in. He said the City might not want to litigate as they have the responsibility of the City's budget but the BZA's decision might force the City to litigate.

Mr. Rinaldi restated there should be a review/inspection process required with historic properties so a property that may be declining could be saved before it deteriorates to the point of a demolition request. He suggested that if property inspections are spaced out (at least on the exterior) every five years, it may not be too much of a burden on our Code Enforcement officers or perhaps we have more stringent requirements that could require the property owner to provide regular inspections.

Mr. Munhall said he likes the idea of the private sector doing more.

Ms. Stenberg asked if it is possible to consider the tax codes for these historic properties to possibly create an escrow account or some type of fund of a set amount for historic buildings that owners can tap into to do maintenance or upgrades.

Ms. Fox predicted that older people living in historic homes might not have the funds to maintain or upgrade the properties and would be encouraged to sell but if a fund was available to them, they might be able to stay and we might be able to preserve more historic properties and the character of the properties versus new money that might come in. She said when the ARB said properties on N. Riverview could be demolished, then others let their properties go because they knew they could be demolished.

Mr. Munhall clarified that there is a time limit by which a property owner can tear down property.

Ms. Fox said if the owner is granted a demolition but does not do it within that period and then sells it to someone else, the property would be in worse condition for the second owner. She said there is nothing in the Code that states the City wants to see what the owner plans on putting up in place of a structure that is being demolished and how they would fund it. She said there are multiple holes in the Code.

Mr. Munhall questioned when the ARB permits something in the past, if it is setting a precedent.

Ms. Fox suggested the Code be more complete, comprehensive, and goal oriented to preservation. Mr. Rinaldi agreed the Code requirements should be more stringent, clearer with less ambiguity.

Ms. Rauch asked if anything needed to be added to the list she created as ultimately a timeline will need to be defined for the consultant work and feedback will be needed on how to proceed.

Mr. Rinaldi asked if there were any short-term options to tightening up the Code because an overhaul will take significant time. He asked if some definitions could be presented that the Board currently has for

any applications that may come forward in the near future to make the ARB's job easier. Mr. Smith answered affirmatively.

Mr. Munhall said the Board, Staff, Legal, and the community is better prepared now for any future demolition requests having gone through what they have experienced already in the recent past. He predicts there will be a lot less conjecture and more concrete questions for future reviews.

Mr. Rinaldi suggested tightening what we have is a good interim step and requiring detailed written information to back claims and requesting detailed estimates will go a long way.

Ms. Fox said the applicant needs to prove economic hardship and the City should have the ability to hire an outside objective expert to check it out.

Ms. Stenberg referred to Mr. Munhall's comment about this Board being better prepared now for future applications. She asked if resources and training could be available for future Board members. Ms. Rauch agreed additional training could be provided.

Ms. Fox asked if there can be a better partnership with a preservation officer or Code Enforcement.

Mr. Smith said the only powers Code Enforcement has is to make buildings safe. He said if there is a broken window, it will be covered up with a piece of plywood, if walls are falling down there is a process to condemn the building to prevent access from anyone and demolition may be sought. He said two properties have been condemned in Dublin in the past 5 to 10 years.

Mr. Holton inquired about a property where the City has made it safe but the owner is not taking care of the building and it is in decline.

Mr. Smith said "safe" is used very broadly. He said gutters falling off or paint peeling that could be lead paint are also safety concerns. He said the City is never going to make a building "pretty"; if a door is damaged, it is not replaced with another door, plywood is placed over the opening with locks attached. He said penalties can be used to compel compliance. He said \$150 is the penalty for a misdemeanor but Code violations are separate violations and the penalty is imposed for every day non-compliance exists. He said a minimum of five complaints are filed at a time so \$750 is the lowest standard. He said an offender can be given credit for their fine if they can show they are using that money to put it back into the property by bringing in receipts. He said the responsibility of Code Enforcement and prosecution from the Mayor's Court is to fix the problem.

Mr. Holton said the common denominator is when a building is vacant, deteriorating, and made safe to a minimum standard. He said the Historic Dublin Foundation would like to find a way to get properties improved and either sold or rehabilitated.

Mr. Smith said the hardest cases that Code Enforcement deals with are the vacant properties and the absent-owner properties including the bank-owned properties. He reported he has attended Code Enforcement seminars with cities across the country struggling with the bank-owned properties because the bank will not put a dime into the properties.

Mr. Munhall asked how the foundation would function and how the property improvement measures would get paid for.

Mr. Walters said the foundation's approach would be to develop a human or capital resource bank for property owners to take advantage of. He said they hoped to start with some grant funding to begin an education campaign so they can build a private donor base that cares like the Dublin Arts Foundation that cares about Historic Dublin. He said the monies might be distributed through grants, low-interest loans,

or tax policy abatements. He said they are considering an agreement with the Dublin Foundation to process monies on their behalf, filing the appropriate paperwork to incorporate as a 503C to then accept donations and the like. He said there is a mechanism for charitable giving and this falls in that. He said they want owners to know there is a resource out there. He said people should know the pertinent information in the Code before learning for the first time during submission of an application. He indicated that Mr. Taylor, as an architect, could work with the owner to devise a plan that works for the owner but maintains the historical integrity.

Mr. Munhall said in the beginning it will be the burden of the Historic Dublin Foundation to show they can do this. He said more help for private owners would be phenomenal.

Mr. Walter said one of the challenges is to act as a counter balance to the development creep that is happening in the district today and to show economic viability of what exists there today. He stressed we do not have time to waste.

Ms. Fox asked that once properties are defined as historic, if the City can require that they be maintained in good repair.

Mr. Smith said the ICC Property Maintenance Code requires that properties be maintained in good repair but our Code Enforcement is complaint-driven so the City is dealing with true safety hazards. He said when there is an infiltration of water that goes beyond aesthetics it needs to be fixed to properly maintain the building.

Mr. Munhall said the mechanism for that is not the ARB; it should be brought to Council. He said it would be a matter of a lessee coming to the City with an issue that cannot be resolved with the owner.

Mr. Smith said the City has arbitrated those cases between a lessee and a landlord and he pursues anyone who has touched it, which makes folks make improvements; he has the ability to cite anyone that has control over the property. He said Code Enforcement tries to find resources to help people; their goal is not to punish but rather to fix the problem.

Mr. Taylor asked if the Historic Dublin Foundation can be listed as an interested party and be copied on everything dealing with this issue. Ms. Rauch agreed.

The Chair asked if there was anyone from the public that wanted to comment on this application. [There were none.]

Communications

Jennifer Rauch said City Council is having a work session on April 18th to discuss Bridge Street updates including: on-street parking; the park master plan and the library; the development review and approval process; and an overview of the West Side Planning. She said the ARB is invited to attend to hear the discussion.

The Chair asked if there was any further questions or concerns. [Hearing none.]

The Chair adjourned the meeting at 8:14 pm.

As approved by the Architectural Review Board on April 27, 2016.