

## 21-159ARB-MPR – FAIRY GARDEN

### Summary

Site modifications for an open space (fairy garden) associated with an existing commercial building on a 0.15-acre site.

### Site Location

The site is east of N. High Street, ±175 feet north of the intersection with Bridge Street.

### Zoning

Historic District, Historic Core

### Property Owner

25 NORTH CO LTD

### Applicant/Representative

Enas Lanham, Dublin Toy Emporium

### Applicable Land Use Regulations

Zoning Code Section 153.176 and the Historic Design Guidelines

### Case Manager

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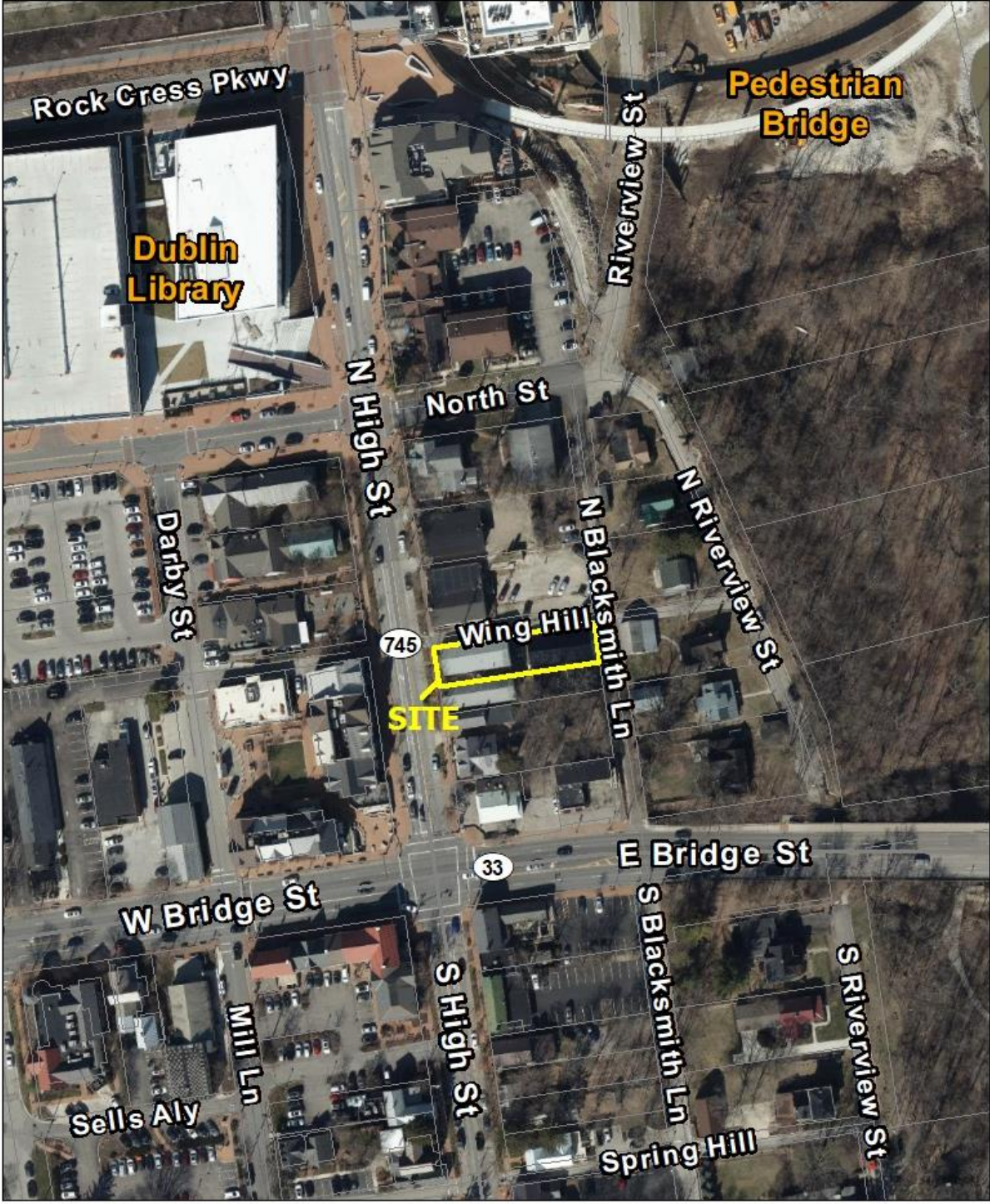
### Next Steps



Subsequent to Minor Project approval, the applicant may begin construction.

### Zoning Map



# 1. Context Map



 <p>City of Dublin</p>	<p>21-159MPR Minor Project Review Dublin Toy Emporium 28 North High Street</p>	<p>0 55 110 Feet</p> 
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## 2. Overview

### Background

This is a proposal for landscape modifications for an existing, unimproved, open space located between 24 and 28 N. High Street and associated with the Dublin Toy Emporium, which operates at 28 N. High Street.

The site contains a one-story building that was originally built in 1960 but underwent renovations in 2001. The building has a front-gable roof with asphalt shingles. The structure is concrete block construction with a brick façade. The front door is centrally located on the west façade with a window on either side.

There is an open area south of the building, which is proposed to be a fairy garden. The space is defined by the concrete block walls of 24 and 28 N. High Street. Today, the space is occupied with gravel and other debris.

A paved parking area is located to the east (rear) of the building accessible from Wing Hill, and a large detached accessory structure, constructed of concrete block, is farther to the east, accessible from N. Blacksmith Lane.

### Case History

In July of 2021, the ARB heard an informal request for this garden. Discussion centered on concerns about the use of artificial plants for other than the gnome groupings, the safety of the finials on the hairpin fencing, and the potential for a lot coverage waiver. The owner of the property now has an artist to paint a mural on the walls in lieu of the artificial ivy, and she is now pursuing formal approval for the project. A lot coverage waiver is also being requested to meet all regulatory criteria; however, the actual lot coverage will not change with this application.

### Site Characteristics

#### *Natural Features*

The site contains a significant grade change from west to east. The site is developed and contains no other significant natural features.

#### *Historic and Cultural Facilities*

The site is located within the Historic District and is recommended contributing to the local district due to the location, design, setting, materials, workmanship, feeling, and association.

#### *Surrounding Land Use and Development Character*

North: HD-HC: Historic Core (Commercial)

East: HD-HR: Historic Residential (Single-Family Residence)

South: HD-HC: Historic Core (Commercial)

West: HD-HC: Historic Core (Commercial)

#### *Road, Pedestrian and Bike Network*

The site has frontage on N. High Street ( $\pm 40$  feet). Sidewalks are located on the east and west sides of N. High Street. The site has approximately 165 feet of frontage along Wing Hill and 40 feet of frontage along N. Blacksmith Lane.

## **Code and Guidelines**

### *Historic District – Historic Core District*

The Historic District Zoning Code establishes development regulations for the properties located within Historic Dublin and outlying properties identified on Appendix G. Commercial landscaping falls under the purview of the ARB.

The property is zoned HD-HC, Historic District - Historic Core. The intent of the Historic Core District, as outlined in the HD Code, is to “focus on ensuring sensitive infill development and providing an improved environment for walking while accommodating vehicles.” Within HD-HC maximum lot coverage, inclusive of masonry landscape elements, is limited to 85-percent. Current lot coverage is calculated to be 91-percent.

### *Waiver Review*

Waiver Review of items related to the MPR approval may be considered at this time. Approval of a Waiver grants a deviation from Code, provided that the Code criteria listed in 153.176(L) are met. A lot coverage Waiver is sought with this application.

### *Historic Design Guidelines*

The *Historic Design Guidelines* supplement the Code and provide site design recommendations. The Guidelines recommend that the open space areas throughout the District are preserved, plant materials provide year round color, and building foundations are softened with plantings.

## **Proposal**

The proposal is to utilize an existing, graveled, and unused open space within Historic Dublin as a fairy garden to complement the adjacent toy store as well as the ‘Irish Fairy Door Trail’ promoted by Visit Dublin (formerly the Convention and Visitors Bureau).

The area, located south of the building at 28 N. High Street, is approximately 275 square feet in size and defined by the concrete block walls of the surrounding structures. A glass block window is located on the north and east walls of the courtyard.

The proposed improvements include a concrete paver path (stepping stone mold) that provides access from the sidewalk into the space. The path terminates in a bulb at the center of the courtyard, which is anchored by a circular, wrought-iron bench (Ally Darling, rustic brown) surrounding a small tree. Mulch is proposed as the primary ground cover for the remainder of the courtyard. A three-foot tall wrought iron fence with hairpin and finial detail (A Rustic Garden, unfinished) provides separation between the sidewalk and the fairy garden. The walls are proposed to be painted with a mural, showing trees in bloom and birds. The space is accented with festoon lighting, wood stumps, river rocks, planters, succulents, and fairy houses.

## **3. Criteria Analysis**

### **Waiver Review**

Requirement: Table 153.173A: Historic Zoning Districts – General Development Standards.

Request: To allow 91% lot coverage on 28 N. High Street, where 85% is the maximum permitted. The request is reviewed against Section 153.176(L)(5):

- 1) *The need for the Waiver is caused by unique site conditions, the use of or conditions on the property, or surrounding properties, or other circumstance outside the control of the owner/lessee, including easements and rights-of-way;*

Criteria Met: The addition of the path does not increase the impervious area, because the site is already graveled. However, the site is already over the maximum allowed lot coverage of 85-percent. The granting of the Waiver request will formally address this issue.

- 2) *The Waiver, if approved, will not negatively impact the historic context of the immediately surrounding area or the district as a whole;*

Criteria Met: The existing space has gravel and blank walls. The proposed improvements will create a more lively space and add year-round interest to the area.

- 3) *The Waiver, if approved, will generally meet the spirit and intent of the Community Plan, requirements in Code 153.170 through 153.178;*

Criteria Met: The Historic Design Guidelines state that open spaces should be preserved. This request will create a lively, active space out of a currently-unused open space between buildings.

- 4) *The Waiver is not being requested solely to reduce cost or as a matter of general convenience;*

Criteria Met: Cost to enhance this space is being undertaken by the store owner and the artist, and a substantial amount of effort and resources have been expended in order to achieve this goal.

- 5) *The Waiver, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other similar development features than without the Waiver;*

Criteria Met: This request will enhance an unused space, as well as the overall pedestrian experience along N. High Street.

- 6) *The requested Waiver is better addressed with the Waiver rather than an amendment to the requirements of this Chapter;*

Criteria Met: The lot as it exists today is currently over the maximum lot coverage percentage. While no additional impervious surface will result with this project, this Waiver brings the property into compliance with the Code.

- 7) *The Waiver does not have the effect of authorizing any use that is not otherwise permitted in the applicable zoning district;*

Criteria Met: No use changes are requested.

- 8) *In the event of Waivers from numeric or dimensional standards, the Waiver does not exceed 20%;*

Criteria Met: The requested Waiver is approximately 6%.

- 9) *In the event of Waivers from determinations of contributing or noncontributing status, the provisions of Section 153.175(J)(c) (sic) shall apply.*  
Criteria Met.

### **Minor Project Review Analysis [§153.176(I)]**

- 1) *The Minor Project shall be consistent with the Community Plan, applicable Zoning Code requirements, Historic Design Guidelines, and adopted plans, policies, and regulations;*  
Criteria Met. The proposal is consistent with the Community Plan, and all adopted plans, policies, and regulations.
- 2) *In cases where a MP is proposed within or as part of an approved PDP or FDP, the MP shall be consistent with such approved PDP or FDP.*  
Not Applicable.
- 3) *The Minor Project shall be consistent with the record established by the required reviewing body, the associated Staff Report, and the Director's recommendation.*  
Criteria Met. The proposal meets all codes and guidelines, and is consistent with the record established by the ARB by creating a vibrant open space feature in the HD.
- 4) *The proposed land uses meet all applicable requirements and use specific standards of 153.172 Uses.*  
Not Applicable. The land uses will not change with this request.
- 5) *The proposed development is consistent with the Historic Design Guidelines.*  
Criteria Met. The proposed fairy garden will activate a currently-vacant space and provide interest along the street. The garden will provide year-round interest and also soften the look of the surrounding building walls.
- 6) *The proposed Minor Project is consistent with surrounding historic context, character, and scale of the immediately surrounding area and the district as a whole.*  
Criteria Met. The proposal responds appropriately to the surrounding context and is sensitive to the original character of the historic structure.
- 7) *The proposed buildings are appropriately sited and conform to the requirements of 153.173 Site Development Standards and the Historic Design Guidelines.*  
Not Applicable.
- 8) *The proposed site improvements, landscaping, screening, signs, and buffering shall meet all applicable requirements of the Code and respond to the standards of the Historic Design Guidelines.*  
Criteria Met. The landscaping will be a positive addition to the streetscape and provide another opportunity for interactive use and enjoyment along N. High Street.

#### 4. Recommendation

Staff recommends **approval** of the **Waiver** with no conditions.

1) *Table 153.173A: Historic Zoning Districts – General Development Standards.*

Request: To allow 91% lot coverage on 28 N. High Street, where 85% is the maximum permitted.

Staff recommends **approval** of the **Minor Project Review** with no conditions.