

MEETING DATE: 2-04-21

BOARD OF ZONING APPEALS

**Z21-01
133 N. Court Street**



CITY of MEDINA

Board of Zoning Appeals

February 4, 2021 Special Meeting

Case No: Z21-01

Applicant: Dr. Loren Raymond (Twin Pines LLC)

Subject: Appeal of November 12, 2021 Historic Preservation decision on case H20-06 (Request for demolition of 133 N. Court St.)

Zoning: C-2, Central Business

Submitted by: Jonathan Mendel, Community Development Director
Gregory A. Huber, Law Director

Under Section 145.07(f) of Chapter 145 of the Codified Ordinances of the City of Medina Ohio, the Board of Zoning Appeals is charged with hearing appeals of decisions by the Historic Preservation Board.

On November 12, 2020, the Historic Preservation Board denied the request by the applicant to demolish the existing building at 133 N. Court Street.

As the appellate board for the Historic Preservation Board decision, the Board of Zoning Appeals is responsible for reviewing the record for case H20-06 and applicable regulatory codes.

Attached:

- Case H20-06: HPB staff packet – October 8, 2020
- October 8, 2020 HPB meeting minutes for Case H20-06
- November 12, 2020 HPB meeting minutes for Case H20-06
- November 13, 2020 Historic Preservation Board Decision Resolution for Case H20-06
- Applicable Chapter 145 of the Codified Ordinances of the City of Medina Ohio for Case H20-06

Case H20-06: HPB
staff packet – October
8, 2020


MEETING DATE: 10/8/20

**HISTORIC PRESERVATION
BOARD**

**Case No. H20-06
133 N. Court St.**



CITY of MEDINA
Historic Preservation Board
October 8, 2020 Meeting

Case No: H20-06
Address: 133 N. Court Street
Applicant: Twin Pines, LLC
Subject: Certificate of Appropriateness – Complete building demolition
Zoning: C-2 Central Business District
Submitted by: Jonathan Mendel, Community Development Director 

Site Location and Context:

The property is located on the west side of 100 block of N. Court Street. The subject building was constructed between 1902 and 1911 as a single dwelling residence.

Project Introduction:

The subject property is a converted house that has been commercially used for decades. At one time, this property was the location of the Waite and Sons Funeral Home. At some point in the first half of the 20th century, a two story garage addition was attached to the west side of the original portion of the building, which was demolished by the current owner in 2018.

Now the current owner (who acquired the property in 2017) believes the condition of the remaining primary building is poor, not suitable for occupancy and not economically feasible for rehabilitation.

The applicant requests complete demolition of the existing building without a specific imminent redevelopment plan. The applicant intends to retain ownership of the land while they determine whether to develop it with a new building consistent with the Historic District and state building code or combine it with adjacent properties (not currently under the applicant's control) for a larger redevelopment project.

Please find attached to this report:

1. Site aerial
2. Applicant's project narrative, existing conditions site plan, building condition report and existing conditions photographs received July 28, 2020 and September 14, 2020

City of Medina Historic District Design Guidelines

Section 145.07(c): Demolition.

With respect to demolition, it is the interest of the Board that Landmark Buildings and buildings within Historic Districts be preserved and renovated for economically productive uses.

The Board encourages the saving and adaptive re-use of buildings significant to the character of the Historic Districts and the history of the City. Consistent with this intent, the Board also realizes the Historic District is not a static environment, but an ever changing and developing entity. Applications for demolition shall be reviewed based on the overall impact the demolition will have on adjacent Historic Landmarks, Historic Districts, and the community.

In reviewing an application, the Board will also consider the impact of the proposed use of the site on the Historic District. Demolition of existing buildings which are not a significant loss to the Historic District to allow for the construction of new development which enhances the Historic District may be acceptable.

The applicant has provided the necessary data for this request as outlined in Appendix A, Chapter II, Section D of Chapter 145 of the City of Medina Codified Ordinances.

Historic Landmark Designation Status

The subject building and property are not part of Medina's National Historic Landmark District or a National Historic Landmark, but is simply part of the local Historic District as legislated under Chapter 145 of the City of Medina Codified Ordinances.

City Department Comments

Building Department. Attached are comments from Dan Gladish, Chief Building Official regarding the subject property's existing conditions in relation to consistency and/or compliance with the Ohio Building Code.

General Discussion

The property has been a visible part of the streetscape for the 100 block of N. Court for more than 100 years and in that time has changed ownership, use and exterior materials.

Given the objective investigation of the building in relation to the Ohio Building Code by Chief Building Official Dan Gladish, the building has extensive substandard conditions that constitute sanitary deficiency and/or violation of the minimum building standards.

Next Step:

If a motion to approve a Certificate of Appropriateness for the demolition of 133 N. Court Street is made, the following condition is recommended:

1. Subject to review and approval of a demolition permit from the Medina Building Department.



1132 North Elmwood Ave.
P.O. Box 708
Medina, Ohio 44258-0708
Phone: 330-725-8861
Fax: 330-722-9045
www.medinaoh.org

September 28, 2020

Re: 133 North Court Street

As the Chief Building Official for the City of Medina, I was asked to help evaluate the overall conditions of the house at 133 North Court St.

On September 23, 2020 – I met with Dan Kendall (an authorized representative of owner) and walked through the interior of the house and also around the exterior.

After a through walk through of the interior/exterior my findings are:

1. The HVAC Mechanical Systems – The systems are a mix of outdated equipment. The original heating system was a steam boiler with large cast iron radiators. At some point the boiler was converted to a hot water boiler with some new hot water base board fin tube heating elements and re-used all the existing cast iron steam radiators as hot water radiators. Steam radiators are not designed to be used for hot water. The two existing chimneys that were used as the venting system for both the steam boiler and hot water tank do not have liners, are not being used and are falling in on themselves. The current boiler flue exhaust is ducted through the sidewall of the basement about 20 feet away. This boiler was not design for a sidewall venting. It should be connected to a close chimney.
The boiler piping is covered likely with asbestos insulation. There are numerous sections that are exposed and falling off the pipes
Parts of the house are cooled by an air handler located in the basement with oversized and poorly maintained ductwork system.
2. The Plumbing System – Sanitary drain piping is a mix of improperly piped cast iron, galvanized, ABS and PVC pipe materials. The water piping is also a mix of galvanized, copper and plastic piping materials. The water heater is literally rusted away and has not been used for many years. It dates back to the 1960's. The chimney for the water heater does not have a liner and is falling in on itself.
3. The Electrical System – is a mix of original knob and tube wiring, old non-metallic cable that does not contain a grounding conductor and more recent non-metallic cable. The wiring system throughout the house is substandard and a possible safety hazard with wires running exposed, up chimneys and hanging everywhere. The three electrical panels are outdated, not properly wired with the main panel is an outdated Federal Pacific panel. Federal Pacific is known for its years of defects and failures and no longer in business. Most mortgage lenders and insurance companies required the panels to be replaced before lending or insuring. A large percentage of the receptacle outlets are the original two wire type (no ground wire). There are also several original old style knob and tube rotary light switches that are still being used.
4. Insulation – due to the age of this house there is little to no insulation in the walls and ceilings.

5. Windows – There are a number of the windows that are original double hung type that are loose, rotted and falling apart with large amount of leakage.
6. Interior Walls and Ceilings – There are several areas of large cracks and large section of ceilings that have fallen off of the framing. This is possibly due to foundation problems and roof leakage.
7. Interior Framing – At some point there was a fire. This fire damaged several floor joists, beams and sub-flooring visible in the basement. The charring of these items are sever, beyond the point of use. These items should have been replaced after the fire.
8. Foundations and other Masonry Items – There are several areas of the basement foundation walls that are crumbling and cracking with areas of sever foundation settlement. This damage is possibly caused by water drainage, infiltration along with winter freeze and thaws of water leakage into the walls and foundations.
9. Exterior - The front porch shifting to one side and is also pulling away from the house. This is possibly due to water infiltration causing damage to the porch footer and foundation. The front porch and concrete columns are a safety concern and will need to be addressed before tenant occupancy.
10. Exterior Foundation Walls – On the front, rear and south side of the house there are several foundation wall cracks visible above ground. This is possibly due to foundation settlement cause by water damage.
11. House – Siding, windows and rear porch are in need of repairs or replacement. This is possibly due to lack of maintenance and age of the materials.
12. Accessibility – Per the Ohio Building Code any change of use of this structure would require an accessible entrance, accessible toilet rooms and accessibility to the primary use areas. This would include access by both the public and employees. An accessible entrance would be a challenge due to the height of the first floor above exterior grade. The front porch is about 52" above grade, the rear porch is about 40". If a ramp were to be used, the building codes would require the front porch to have a minimum 52 foot long ramp with a mid-level landing while the back porch would require a minimum 40 foot ramp with a mid-level landing. The existing toilet rooms would need to be enlarged and completely renovated to meet the minimum accessibility standards. Accessible access to the second and third floors would require an elevator. The first floor ceiling height is 10 feet.

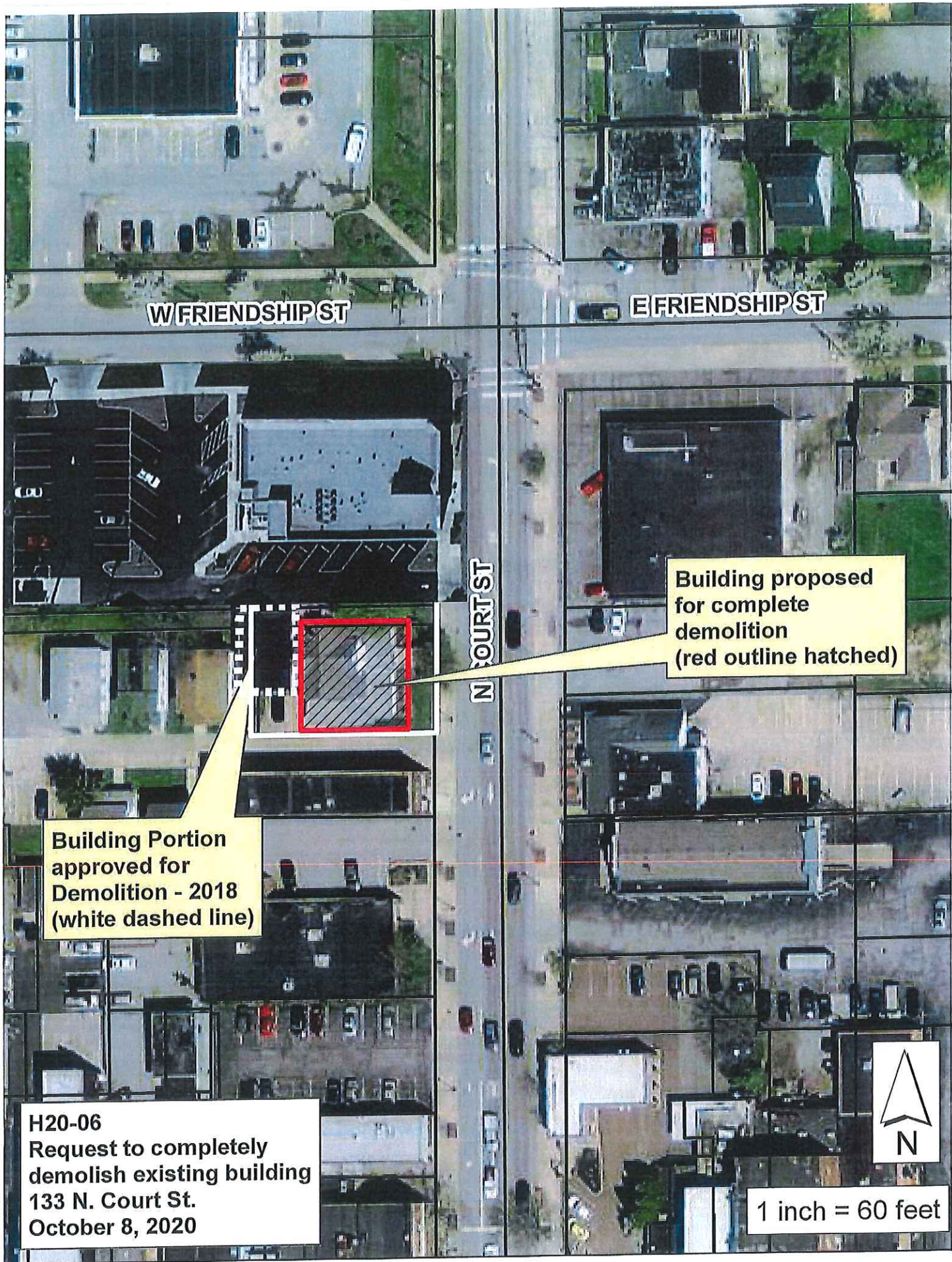
Conclusion:

As the Certified Building Official for the City of Medina, it is my professional position that the existing building's structure and mechanical systems (HVAC, plumbing and electrical) are predominantly substandard, potentially hazardous and per the intent of the Building Codes constitute a health, safety and sanitary deficiency and/or violation of the minimum building standards.

Sincerely,



Dan Gladish
Chief Building Official
City of Medina



W FRIENDSHIP ST

E FRIENDSHIP ST

N COURT ST

Building proposed for complete demolition (red outline hatched)

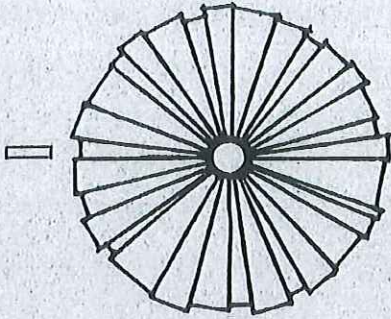
Building Portion approved for Demolition - 2018 (white dashed line)

H20-06
Request to completely demolish existing building
133 N. Court St.
October 8, 2020



1 inch = 60 feet

10) ECEW 100
JUL 28 2020



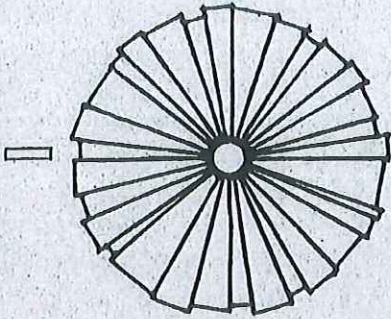
LOREN A. RAYMOND D.M.D.

**4322 SOUTH CLEVELAND-MASSILLON ROAD
NORTON, OHIO 44203 - PHONE 825-4549**

July 28th 2020

Reason For Demolition-

1. Desire to build a new structure on the site.
2. Cost of rehabilitation is prohibitive.
3. Building has outlived its function at this site.
4. Concern about squatters moving in.
5. Short Term- Remove house & grass the property.
6. Longer Term- Purchase houses behind and construct retail stores with apartments above.
7. No site plans since type of project is not determined,
8. Cost of demo & restoration – app \$15,000.



LOREN A. RAYMOND D.M.D.

**4322 SOUTH CLEVELAND-MASSILLON ROAD
NORTON, OHIO 44203 - PHONE 825-4549**

September 10, 2020

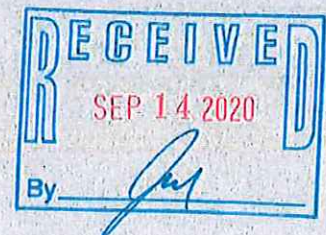
Jonathan,

I am requesting a review for the demolition of 133 N. Court St. For the following reasons:

1. See enclosed letter from MPG Architects which covers the structural defects in the building.
2. The condition of the building does not justify the expense of rehabilitation.
3. There is no, or little, commercial value in this type of structure.
4. No alternatives to demolition were considered due to previous items.
5. The applicant is the owner of the property which was purchased for approx. \$215,000 in 2017. Value following demolition will be somewhat less.
6. No offers have been received for the property since it is not for sale.

Sincerely,

Loren A. Raymond



D & D BUILDERS, LLC
799 Fowler Ave.
Akron, OH 44319
(330)608-3343

September 14, 2020

Dr. Loren Raymond
Cleveland-Massillon Road
Norton, Ohio 44203

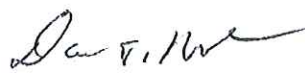
The following is an estimate for the cost of repairs and restoration for the building at 133 N. Court Street, Medina, Ohio owned by Dr. Loren Raymond.

To include the following:

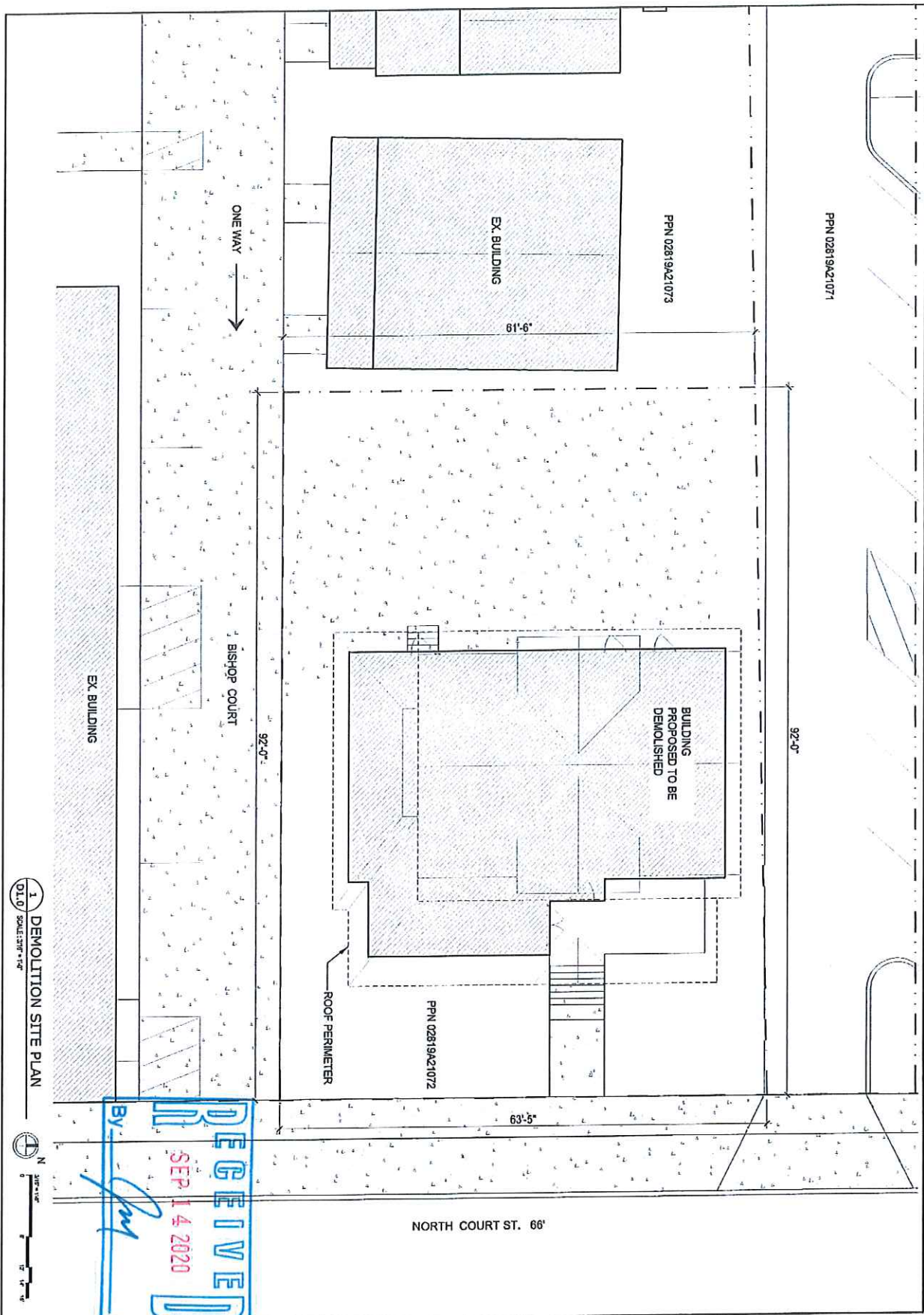
Foundation repairs
Demo and hauling
Re-plumb entire building
Re-wire
New HVAC system
New windows
New exterior doors
Make handicap accessible
Siding
Site work and parking
Rough and finish carpentry
All materials rough and finish
Porch renovations
Flooring
Paint and stain
Plans and permits
General contracting
Total - \$287,400.00

All renovations will meet the historical requirements set forth by the City of Medina Historic District.

Thank you,


Daniel T. Kendel





1
D1.0
SCALE: 3/8" = 1'-0"



RECEIVED
SEP 14 2020
BY: [Signature]

D1.0
1 OF 1

DEMOLITION SITE PLAN
PROJECT #: 21420 DATE: SEPTEMBER 4, 2020
FORMER FUNERAL HOME
133 NORTH COURT
MEDINA, OHIO 44256

MPG
MANN • PARSONS • GRAY
ARCHITECTS
phone 330.666.5770
fax 330.666.8812
3660 Embassy Parkway
Fairlawn, OH 44333
mpg-architects.com

PRELIMINARY
NOTE: THIS DRAWING IS NOT FOR CONSTRUCTION
REVISIONS

September 3, 2020

Jonathan Mendel
Community Development Director
The City of Medina
132 North Elmwood Ave.
Medina, OH 44256



Dear Jonathan:

Our client, Dr. Raymond, has requested us to review the structural and architectural integrity of the former Waite Funeral Home building at 133 North Court Street.

It has been determined after on-site review of the building that deterioration and damage to the structure are unrepairable or extremely cost prohibitive to restore. There are multiple areas of concern and distress that we evaluated to reach this conclusion. Major areas of concern are as follows:

- The front porch structure is pulling away from the building. This is evident due to large cracks throughout the porch structure that continue through the foundation on the north side of the porch. This can also be observed by a noticeable kink in the south porch column where the post meets the masonry pedestal.
- Water infiltration has occurred throughout multiple locations in the building as noted by collapsing ceiling plaster in the second floor bathroom. Other leaks and stains exist throughout the upper floors.
- Deterioration of the foundation walls has been observed in the basement.
- Electrical wiring is haphazard and not up to current building codes.
- The building previously survived a fire, leaving first floor joists charred. While members appear to remain structurally sound with light use, we have concerns regarding the floor live load capacity.

There are other areas of concern outside the scope of structural and architectural integrity. Over time renovations have been made that have diminished the building's architectural significance:

- Multiple windows have been replaced with units that do not replicate the original design.
- Some areas have had windows completely removed or replaced with smaller units, including on the façade facing North Court Street.
- Historic windows that remain are in very poor condition.
- Contemporary siding and aluminum wrap has been added to the majority of the building and is in very poor condition.
- There are some interior doors that are in good condition and could be salvageable for reuse.

Due to the age of the building there are many accessibility, health, and life safety concerns:

- The building does not have an accessible entrance. An exterior ramp would need to be added to provide such accommodations.

- The existing restrooms are not compliant to accessibility standards. Renovation would entail absorbing much more square footage to meet today's code requirements for accessible restrooms and would require overhauling a majority of the existing plumbing.
- Most recently the building has been classified as a "Business" use group on all floors. This building cannot be converted back to a mixed-use structure with upper living units due to the lack of necessary fire separation. The building would also require the addition of a suppression system for this type of adaption.
- Stairs do not comply with current building standards. There is not an accessible route to upper floors.
- We have not performed an environmental assessment and therefore do not have evidence whether or not asbestos or lead paint is present.
- The boiler for the building's heating system is in need of replacement. Additional mechanical systems have been added to serve some areas of the building. All areas do not have fresh or make-up air. Currently fresh air is provided by drafty windows and the loose overall building envelope.

Due to these concerns, it is our recommendation that the building be demolished as being requested by the owner. The site presents an opportunity for future development that, with the City of Medina's robust historic district zoning codes, would be harmonious with the historic character of the city. Any new structure would meet today's energy codes and be designed to meet all current life safety standards. Redevelopment of the parcel would also allow a more efficient use of land by utilizing a zero-setback as permitted and encouraged in the historic district.

If you have any questions please do not hesitate to contact me.

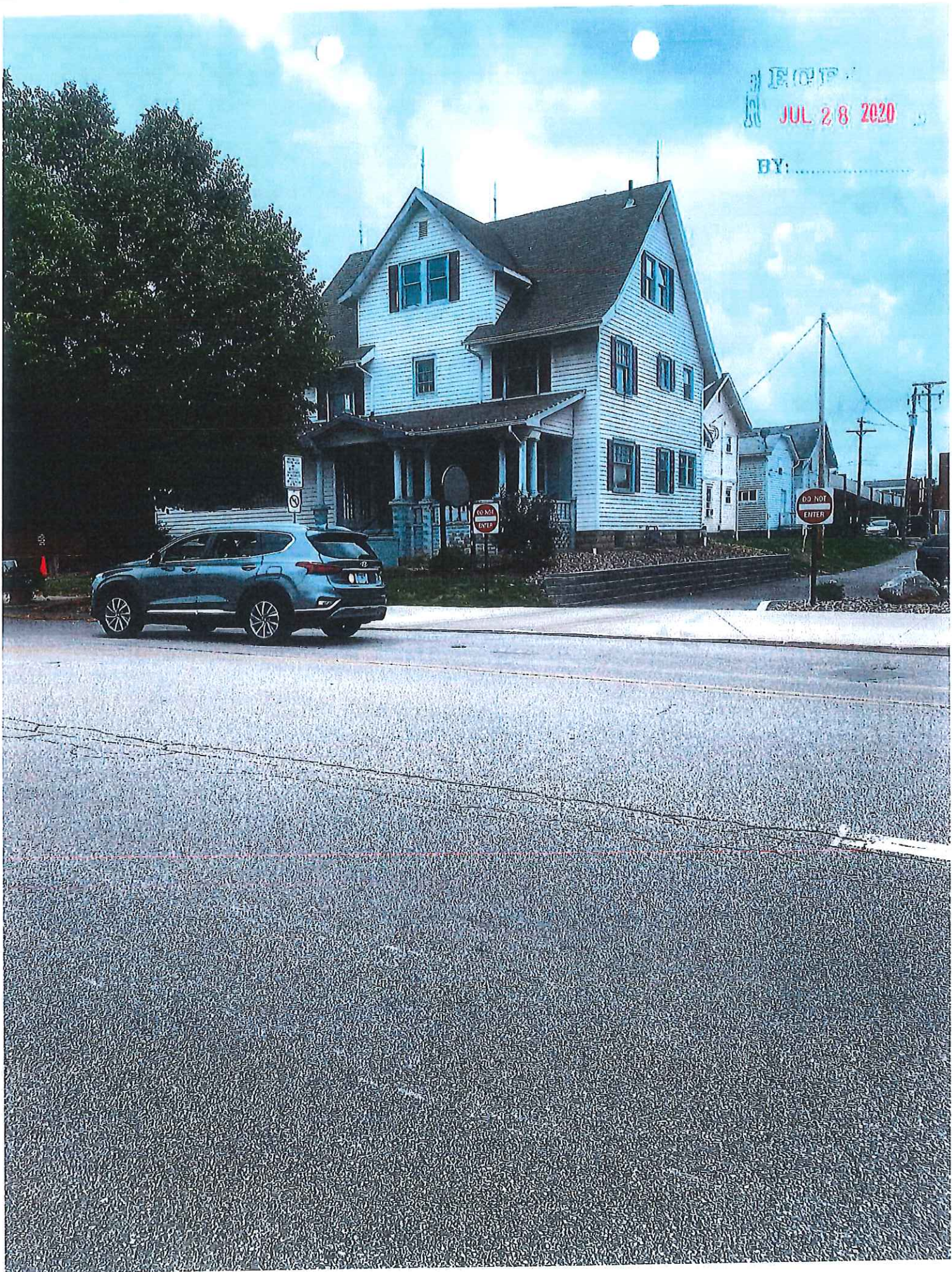
Very truly yours,



Ian Jones
Project Architect

REC'D
JUL 28 2020

BY:



RECEIVED
JUL 28 2020

BY:

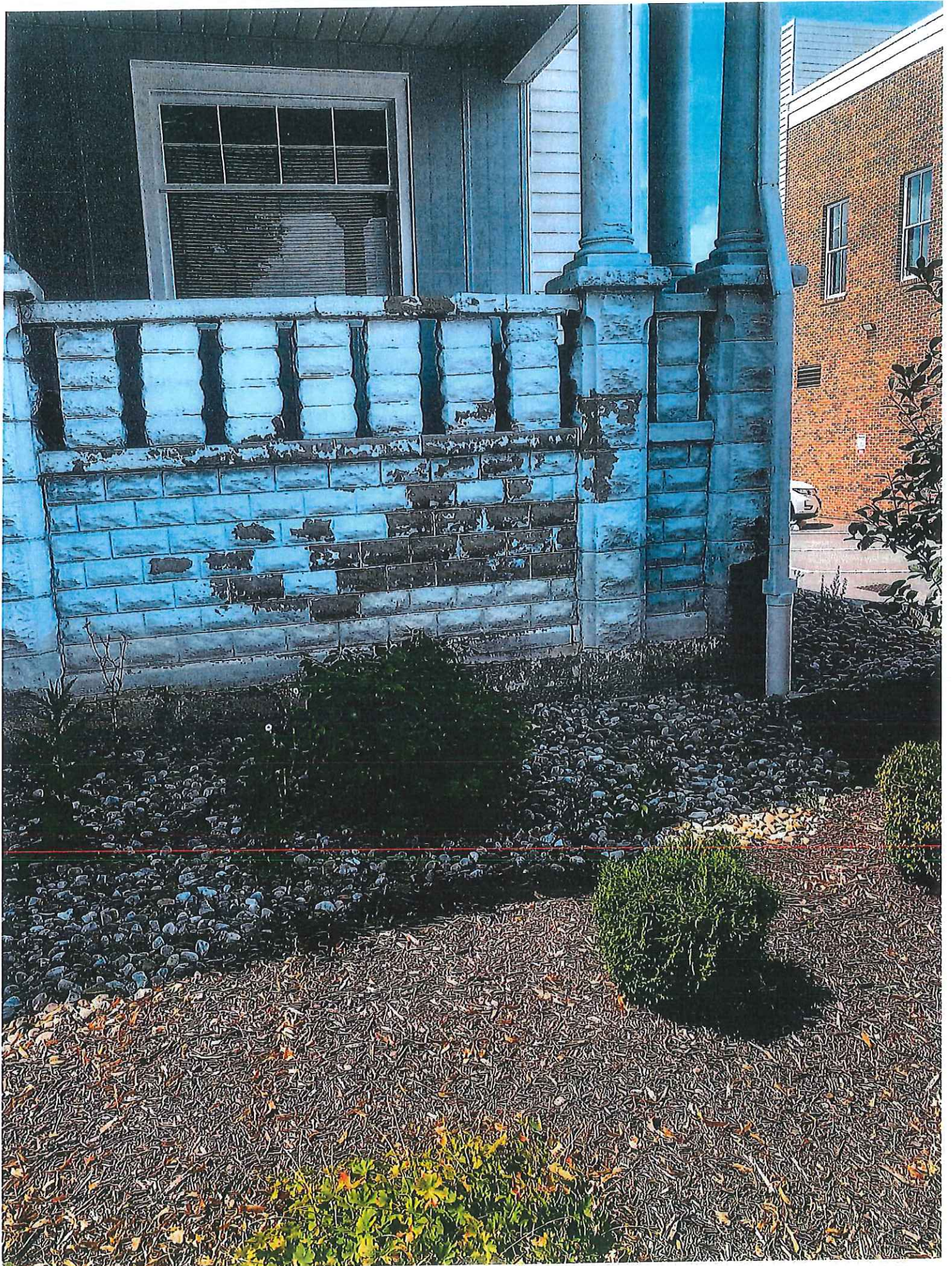


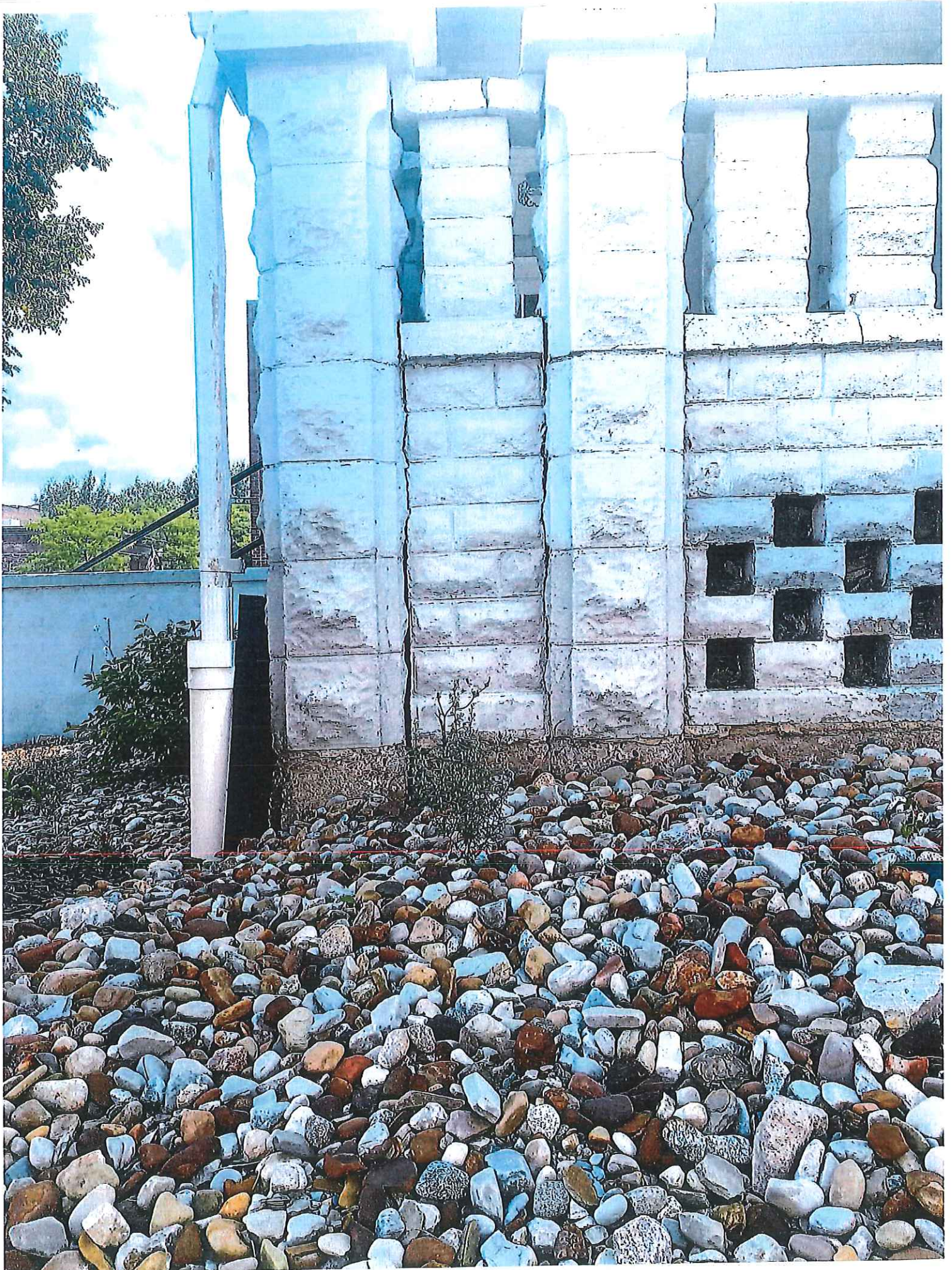
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JUL 28 2020

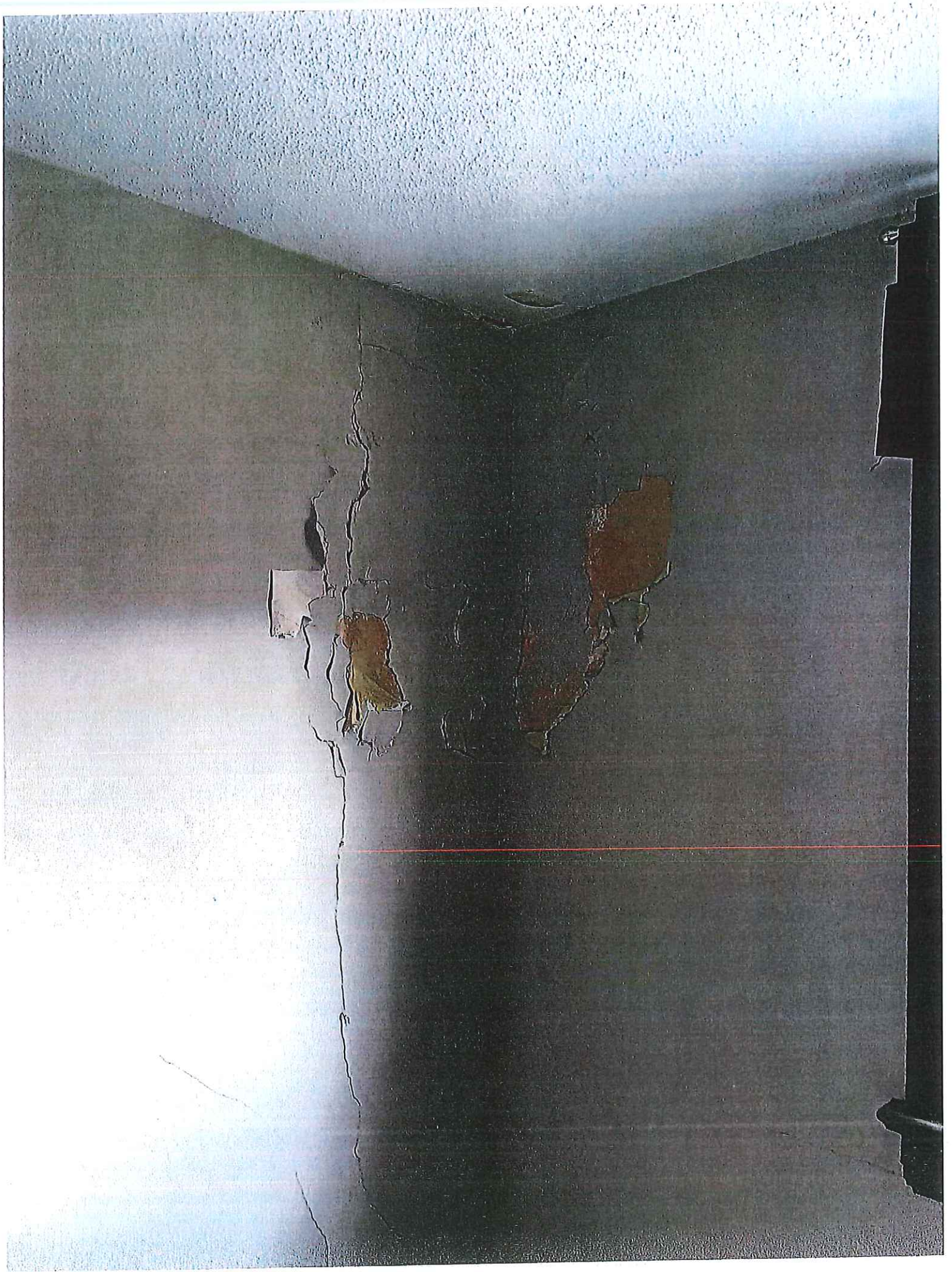
BY:



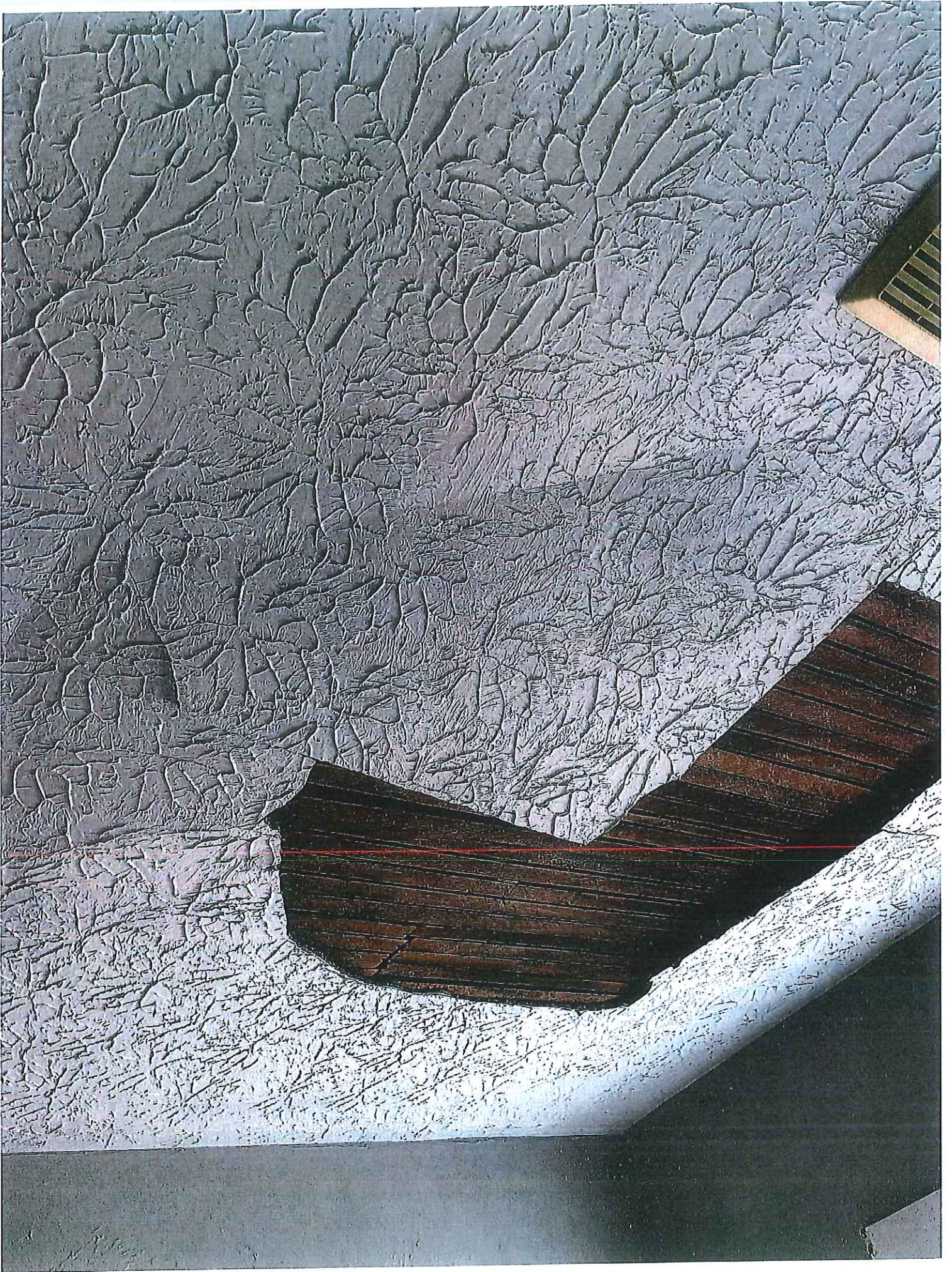
















Handwritten tag with the letters "IDE" and some illegible text.

Small white label on the left wall with the word "TABLE" printed on it.

Small label on the front of the black metal cabinet.

