

**City of Medina**

**Board of Zoning Appeals**

**Case No. Z22-05**

**Appellant-Applicant: Twin Pines LLC**

**Re: Application for Demolition of House at 133 North Court Street (the “Property”)**

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**Final Decision and Conclusions of Fact**

The Board of Zoning Appeals (the “Board”) of the City of Medina, Ohio (“City”), makes the following conclusions of fact in support of its final decision in the above-referenced case now pending before it on appeal from the final decision of the City of Medina Historic Preservation Board (the “HPB”) in HPB Case No. H20-06.

After reviewing the record of the proceedings and all of the evidence before the HPB which led to its denials of a Certificate of Appropriateness for demolition of the building at 133 North Court Street, Medina, Ohio dated November 12, 2020 and on January 13, 2022, and hearing the arguments of the interested parties in this matter – i.e., the Applicant, Twin Pines LLC, and the City of Medina administration-- at an appeal hearing held at a public meeting of the Board on March 3, 2022 (the “Hearing”), and considering the standards set forth in the City of Medina Codified Ordinance Section 145.07 with respect to “Demolition Criteria” that were in the City Code at the time of the application for the subject demolition, the Board overturned the HPB’s denial of the application to demolish the house on the Property, thereby authorizing the issuance to the Appellant-Applicant of a Certificate of Appropriateness to proceed with said demolition.<sup>1</sup>

The Board’s conclusions of fact supporting its decision to grant the Appellant-Applicant’s appeal and to authorize the issuance of a Certificate of Appropriateness to demolish the building at 133 North Court Street are as follows:

1. The existing house on the Property, built in 1909, has some degree of historic significance to the City of Medina in that it was built by and lived in for approximately five years by a fairly prominent maker of horse-drawn carriages in the late 1800’s, Abner Bishop, who also had streets in the City named after him.

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<sup>1</sup> After the Application in this case was filed, by Ordinance No.179-21 adopted on December 13, 2021, the City Council amended Codified Ordinance Chapter 145, “Historic Preservation Board”, which included the “Demolition Criteria” of Section 145.07, effective January 12, 2022. The provisions of Section 145.07, in existence prior to its amendment of January 12, 2022, are the criteria by which this Application was properly reviewed.

2. The demolition of the subject house will have some negative impact on the Historic District within which it is located but the demolition will not have an overall negative impact on the Historic District or the community as a whole.

3. The evidence in the record demonstrates that the minimum necessary to renovate the existing house to a safe condition for a productive use outweighs the value of the Property as a whole and there will not be an economically-viable, productive use of the Property if the renovations are made based on the acquisition cost of the Property, the cost of those renovations, the legally-permitted uses of the Property under the City Zoning Code's permitted and conditional uses, and the lack of a positive return on the investment in the Property after the renovations.

4. The impact of the demolition on the Historic District and the Appellant-Applicant's proposed use of the site after demolition, when weighed against each other, does not constitute a significant loss to the Historic District and allows for the construction of a new development which will not detract from and may likely enhance the Historic District.

For all of the foregoing reasons, the Board grants this appeal and authorizes the issuance of a Certificate of Appropriateness to demolish the house on the Property.

APPROVED BY:

Motion of the City of Medina Board of Zoning Appeals on March \_\_\_\_, 2022.

Confirmed: \_\_\_\_\_

Bert Humpal,  
Chair of the Board of Zoning Appeals