

# **BOARD OF ZONING APPEALS**

**Case No. Z22-05**

**Appeal of the Denial of H20-16**

**Building Demolition at 133 North Court Street**

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**A.**

**Memo from the City of Medina  
Community Development Director -  
Andrew Dutton**



**CITY OF MEDINA**  
*Community Development Department*  
132 North Elmwood Ave., Medina, OH 44256  
Phone: 330-722-9023 Fax: 330-764-4385

## **MEMORANDUM**

**DATE:** February 17, 2022

**TO:** City of Medina Board of Zoning Appeals

**FROM:** Andrew Dutton, Community Development Director

**SUBJECT:** Application Z22-05, Appeal of an HPB Decision to Deny a Building Demolition at  
133 North Court Street

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### **Initial Historic Preservation Board Review**

Application H20-06 to demolish the building at 133 North Court Street was submitted to the City of Medina Historic Preservation Board (HPB) for review in late 2020. The HPB considered the application on October 8, 2020 and November 12, 2020. A motion to approve the demolition of the building at 133 North Court Street was made on November 12, 2020. The motion failed with one vote in favor and four votes against approval and the application was denied.

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### **Historic Preservation Board Appeals**

Per Section 145.06(f) of the City of Medina Codified Ordinances (*Italics* added for clarification):

- (f) Appeals. Any applicant aggrieved by the enforcement of these Rules, Procedures and Design Guidelines and the provisions of this chapter or by a final decision of the (*Historic Preservation*) Board may appeal to the Board of Zoning Appeals within fourteen (14) days of notification in writing of the decision of the Planning Director or Historic Preservation Board.

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### **Initial Appeal to the Board of Zoning Appeals**

On November 25, 2020, an application was submitted to appeal the HPB's denial of H20-06. On March 4, 2021, the BZA held a meeting to review appeal Z21-01 and voted unanimously to remand the application back to the HPB to make written findings as to the following:

- (a) Specifically whether the subject property has some historic significance to the City of Medina;
- (b) Whether the reasonable estimated minimum cost to repair the existing structure to a safe and useable condition within the C-2 zoning code permitted uses outweighs the fair market value of the property; and
- (c) Whether there is an economically viable use of the property without regard to future use of the property, if demolition is approved.

### **Historic Preservation Board Review after Remand**

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The HPB again considered the application on November 10, 2021 and January 13, 2022. A motion to deny the demolition application and adopt conclusions of fact was made on January 13, 2022. The motion passed unanimously four to zero with Mrs. Stahl abstaining. The motion was therefore denied and the Conclusions of Fact were adopted.

### **Second Appeal to the Board of Zoning Appeals**

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On January 19, 2022, an application was submitted to appeal the HPB's denial of H20-06. A special meeting on February 24, 2022 has been scheduled in order for the Board of Zoning Appeals to review the appeal application.

### **Documents Provided for Review**

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The following information has been provided for the Board's review of the subject appeal:

- The appeal submitted by the applicant
- Final Decisions and Conclusions of Fact adopted by the HPB on January 13, 2022
- Transcript of the HPB's review of H20-06 on January 13, 2022
- Memorandum of Costs summarizing items presented at the November 10, 2021 HPB Meeting
- Transcript of the HPB's review of H20-06 on November 10, 2021
- Additional items submitted for H20-06
- The meeting packet provided for H20-06

**B.**  
**Appeal Application Z22-05**  
**Submitted 1/19/22**



# BOARDS & COMMISSIONS APPLICATION

132 North Elmwood Avenue  
Phone: 330-722-9023  
Fax: 330-722-9045  
[www.medinaoh.org](http://www.medinaoh.org)

Application Number Z22-05

GENERAL	Date of Application <u>1/19/2022</u> Property Location <u>133 North Court St.</u> Description of Project <u>Demolition of Structure</u>    
CONTACT INFORMATION	<b>Applicant</b> Name <u>Loren Raymond/Twin Pines LLC</u> Address <u>4322 South Cleve-Mass Rd.</u> City <u>Norton</u> State <u>OH</u> Zip <u>44203</u> Phone <u>(330) 322-5893</u> Email <u>lramn93679@aol.com</u>  <b>Property Owner</b> Name <u>Twin Pines LLC</u> Address <u>4322 South Cleve-Mass Rd</u> City <u>Norton</u> State <u>OH</u> Zip <u>44203</u> Phone <u>(330) 322-5893</u> Email _____
APPLICATION TYPE	<b>Planning Commission</b> Site Plan <input type="checkbox"/> Conditional Zoning Certificate <input type="checkbox"/> Code or Map Amendment <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plat <input type="checkbox"/> Conditional Sign (EMC/Shopping Ctr) <input type="checkbox"/> Cert. of Appr. (TCOV) <input type="checkbox"/> Other <input type="checkbox"/> <b>Historic Preservation Board</b> Certificate of Appropriateness <input type="checkbox"/> Conditional Sign <input type="checkbox"/> <b>Board of Zoning Appeals</b> Variance <input type="checkbox"/> Appeal <input checked="" type="checkbox"/>
APPLICANT SIGNATURE	<p>By signing this application, I hereby certify that: (1) The information contained in this application is true and accurate to the best of my knowledge, (2) I am authorized to make this application as the property owner of record or I have been authorized to make this application by the property owner of record, (3) I assume sole responsibility for correspondence regarding this application, and (4) I am aware that all application requirements must be submitted prior to the formal acceptance of my application.</p> <p>Signature <u>J. H. J. W. Shuly</u> Date <u>1-8-22</u></p>
OFFICIAL USE	Meeting Date <u>2/24/22</u> Fee (See Fee Sheet) \$ <u>-</u> Meeting Outcome _____ Check Box when Fee Paid <input type="checkbox"/> Zoning District <u>C-2</u>

Frank J. Witschey  
Jeffrey T. Witschey  
David L. Firestine



Witschey  
Witschey &  
Firestine Co., LPA  
Committed • Candid • Innovative Counsel

Betsy L.B. Hartschuh  
Karan A. Moss  
David V. DiFiore  
Jay E. Krasovec

January 19, 2022

Email: [fjw@witscheylaw.com](mailto:fjw@witscheylaw.com)

Andrew Dutton  
Community Development Director  
135 N. Elmwood Ave.  
Medina, OH 44256

**Subject: 133 N. Court Street, Medina, OH**

Dear Mr. Dutton,

Enclosed is a notice and two copies of a notice of appeal of Twin Pines LLC and its owner, Dr. Loren Raymond related to the Historic Preservation Board's denial of the application for a Certificate of Appropriateness for demolition of the existing building on the subject lot. Can you please file this with the clerk's office and deliver to both the Historic Preservation Board and the Board of Zoning Appeals.

Thank you.

**WITSCHNEY WITSCHNEY & FIRESTINE CO., LPA**

*Frank J. Witschey*  
Frank J. Witschey, Esq.  
Enclosures

*P.C. Todd Hunt, Esq.*  
*Greg Huker, Esq.*

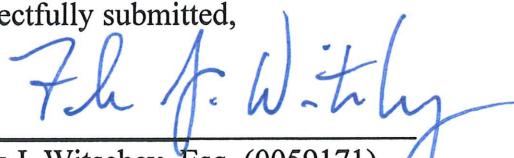
cli. twinpinesllc.ltr-dutton

CITY OF MEDINA  
BOARD OF ZONING APPEALS

IN THE MATTER OF: ) Appeal Case No.  
 )  
TWIN PINES, LLC AND )  
LOREN RAYMOND APPLICATION )  
FOR DEMOLITION OF )  
BUILDING AT 133 NORTH COURT )  
STREET, MEDINA, OH )  
 )  
 ) TWIN PINES LLC NOTICE OF  
 ) APPEAL OF DECISION OF HISTORIC  
 ) PRESERVATION BOARD  
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Now comes Twin Pines LLC and its member, Loren Raymond (Applicants), by and through their attorney, Frank J. Witschey and does hereby appeal the decision of the Medina Historic Preservation Board denying Certificate of Appropriateness for the demolition of the building at 133 North Court Street Medina, Ohio on grounds that it presented evidence supporting an approval of the request pursuant to the Guidelines for development in the City's Historic District. A copy of the decision received by applicant on January 14, 2022 is attached.

Respectfully submitted,



Frank J. Witschey, Esq. (0059171)  
Witschey Witschey & Firestone Co., LPA  
405 Rothrock Road, Suite 103  
Akron, Ohio 44321  
Phone: 330-665-5117  
Fax: 330-665-7615  
E-mail: [fjw@witscheylaw.com](mailto:fjw@witscheylaw.com)  
ATTORNEY FOR APPLICANT



**CITY OF MEDINA**  
**Community Development Department**  
132 N. Elmwood Ave. Medina, OH 44256  
Phone: 330-722-9056 Fax: 330-764-4385

January 14, 2022

Dr. Loren Raymond, DMD  
4322 South Cleveland-Massillon Road  
Norton, OH 44203

Dear Dr. Raymond,

At the January 13, 2022 meeting of the Historic Preservation Board, a motion was made to deny application H20-06, Dr. Loren Raymond requesting Certificate of Appropriateness approval for the demolition of a structure at 133 North Court Street in the City of Medina Historic District, and adopt Conclusions of Fact.

The motion received the necessary votes and the ***application was denied and the Conclusions of Fact were adopted.*** The adopted Conclusions of Fact have been included with this letter.

Per Section 145.06 of the City of Medina Codified Ordinances - Rules and Procedures of the Historic Preservation Board (emphasis added):

Section 145.06(d)(3)(D.) - The Board shall discuss the proposed project as it meets the criteria outlined in the Guidelines and is specifically appropriate for the subject building or structure and the City of Medina. The Board shall either approve or disapprove the project unless the Applicant requests a time extension in order to modify the application. If the application is approved, a Certificate of Appropriateness will be issued. ***If the application is denied, the Applicant may modify the documents and re-submit, may appeal the decision (see below), or may wait one year to resubmit an unmodified request for further consideration.***

Section 145.06(f) - Appeals. Any Applicant aggrieved by the enforcement of these Rules, Procedures and Design Guidelines may appeal to the Board of Zoning Appeals within fourteen days of notification in writing of the decision of the Planning Director or Historic Preservation Board.

Please feel free to contact me at (330) 722-9023 or adutton@medinaoh.org if you have any questions or need any further information.

Sincerely,

Andrew Dutton  
Community Development Director

**C.**

**Historic Preservation Board Review**

**of H20-06 on 1/13/22**

**Final Decision and Conclusions of Fact**

**City of Medina**

**Historic Preservation Board**

**Case No. H20-06**

**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 Historic Preservation Board (the “Board”) of the City of Medina, Ohio (“City”), makes the following conclusions of fact in the above-referenced case now pending before it on remand of the case from the City’s Board of Zoning Appeals.

After the hearing of all evidence and arguments of the interested parties in this matter – i.e., the Applicant, Twin Pines LLC, and the City of Medina administration-- at a quasi-judicial administrative hearing held at a public meeting of the Board on November 10, 2021 (the “Hearing”), and considering the standards set forth in the City of Medina Codified Ordinance Section 145.07 with respect to “Demolition Criteria”, the Board disapproves the application to demolish the house on the Property.

The Board has also considered the issues remanded to it by the City’s Board of Zoning Appeals that are:

- “(a) specifically whether the subject property has some historic significance to the City of Medina
- (b) whether the reasonable estimated minimum cost to repair the existing structure to a safe and useable condition within the C-2 zoning code permitted uses outweighs the fair market value of the property
- (c) whether there is an economically viable use of the property without regard to future use of the property, if demolition is [not] approved.”

The Board’s conclusions of fact supporting its decision and responding to the foregoing issues are:

1. The Property has been owned in fee simple by Twin Pines LLC (the “Applicant”) since 2017 and it has applied for demolition of the house on the subject Property.

2. The purchase price of the Property in 2017 was \$215,000 and according to the Medina County Auditor's records, the house has approximately 3,218 square feet of floor area over three (3) floors: 1<sup>st</sup> floor = 1,720 square feet; 2<sup>nd</sup> floor = 1,110 square feet; and 3<sup>rd</sup> floor = 388 square feet.

3. The Applicant was represented at the Hearing by its principal, Loren A. Raymond, and its attorney, Frank J. Witschey.

4. The City of Medina administration was represented by the City's Law Director, Gregory A. Huber.

5. The Property is located in the "C-2 Commercial District" as described in the City of Medina Planning and Zoning Code and Zoning Districts Map, wherein the following uses are permitted and conditionally permitted:

#### **1135.03 PRINCIPALLY PERMITTED USES.**

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
• Attached single family dwellings within a mixed use building excluding the first floor in the defined public square area	• Club, Lodge or Fraternal Organization	• Bar or Tavern
• Multi-Family dwellings within a mixed use building excluding the first floor in the defined public square area	• Passenger Transportation Agency and Terminal	• Commercial Entertainment
		• Commercial Recreation
		• Convenience Retail
		• Mixed Use Building - Residential Excluded from Ground Level Floor
		• Off-Street Parking Lot, Garage or Deck
		• Office - Professional, Medical and Administrative
		• Other Similar Uses as Determined by the Planning Commission
		• Personal and Professional Services
		• Restaurant
		• Retail

### **1135.05 CONDITIONALLY PERMITTED USES.**

<b>Residential</b>	<b>Public/Semi-Public</b>	<b>Commercial</b>
• Bed and Breakfast Inn <sup>11,14</sup>	• Conservation Use	• Child Day Care Center and Nursery <sup>2,5,9,11,14</sup>
• First Floor Dwelling Units in Public Square Area <sup>35</sup>	• Educational Institution for Higher Education	• Conference Center, Banquet Facility, or Meeting Hall
	• Publicly Owned or Operated Governmental Facility <sup>3,7,8,11</sup>	• Hospital <sup>1,2,3,5,7,9,11,14</sup>
	• Public Utility <sup>1,10,11</sup>	• Hotel or Motel
	• Religious Place of Worship <sup>1,3,7,11,12,14</sup>	• Motor Vehicle Filling Station with or without Convenience Retail <sup>5,7,17,29,31</sup>
	• Urban Garden	• Motor Vehicle, Truck, Trailer and Farm Implements Repair, Service and Storage (Excluding Body Work, Painting and Engine Work)
		• Motor Vehicle Truck, Trailer and Farm Implement Sales, Rental or Leasing - New or Used
		• Outdoor Dining
		• Personal and Professional Services with Drive-Thru
		• Research and Development Laboratory and Processing with No External Hazardous, Noxious or Offensive Conditions
		• Restaurant with Drive-Thru or Drive In

6. The Property is located within the Historic District as established by Medina City Council.

7. The house which is the subject of the demolition application was built in 1909 by a prominent and well-known citizen of the City of Medina, Abner Bishop, who was a horse-drawn carriage builder in Medina County in the late 1800's – one of whose carriages was on display at

the 1893 Chicago World Fair. Mr. Bishop died in 1914. Mr. Bishop was of such prominence that two (2) streets in the City were named after him – Bishop Court and Bishop Street.

8. Although the house is not Victorian and not necessarily Craftsman in architectural style or any other textbook example of one type of architecture, it has a truly unique and evolutionary architectural style of its own. There are few, if any, other homes in the area that have a similar style to them. The house's proximity to Public Square is also a significant historical feature. Few personal residences were built this close to the Square and even fewer have survived over time. For these reasons, the house has historical significance to the character of the Historic District

9. The Property became the first funeral home location for the long-time City of Medina business known as the Waite & Son Funeral Home that has been in business for 108 years but for several years has been in another location in Medina. The Waite family lived on the upper floors using the first floor for its business – an early work-live environment.

10. The Property was used for a number of years as commercial office space and storage. According to the testimony of the real estate broker witness, Michael Marquard, the house has approximately 1,300 to 1,400 square feet of leasable commercial space on the first floor and one half of the second floor square footage could be used for storage. However, there is a total of 2,830 square feet of floor area on those two (2) floors. There was a previous office use of the second floor, in addition to the first floor office use. There is also 388 square feet of floor space on the 3<sup>rd</sup> floor which was used as a residential rental in the past.

11. The Property has been vacant since shortly after its purchase by the Applicant in 2017.

12. The Hearing testimony from two witnesses as to the cost to make the Property useable for commercial office purposes was between approximately \$288,700 and 344,400.

13. Real estate broker Michael Marquard testified at the Hearing that the rental rate for a commercial office use would be between \$8.00 and \$10.00 per square foot of useable space. The Applicant provided no evidence of the current rental value of the 3<sup>rd</sup> floor area.

14. The owner previous to the Applicant's acquisition of the Property in 2017 failed to maintain and repair the Property to any reasonable standards for habitation, including but not limited to having no hot water, needed electrical repairs, limited heating, and limited restroom facilities. Since the Property's acquisition in 2017, the Applicant has only done the bare minimum to secure the exterior of the Property from leaks and to repair the boiler – actions that have not rendered the house amenable to any use.

15. The Applicant is proposing to demolish the house and to construct a new 2-story commercial retail building with an architectural style compatible with the historic neighborhood.

16. City Codified Ordinance Section 145.02, Purpose, states:

Council, being mindful of the proud history of this community and of the importance of beauty in the everyday lives of Medina residents, hereby declares as a matter of public policy that the preservation, restoration, rehabilitation and overall aesthetic improvement of this community are matters of public necessity involving the health, safety, welfare, and prosperity of the people. The purpose of this chapter is to:

- (a) Promote the use and preservation of historic buildings, structures and sites which reflect the cultural, social, economic or architectural heritage of this Municipality for the education and general welfare of the residents of the Municipality;
- (b) Consider and take cognizance of the development of adjacent, contiguous and neighboring buildings and properties for the purpose of achieving safe, harmonious and integrated development of related properties;
- (c) Protect and enhance the attractiveness of the area as it relates to residents, tourists and visitors, serving as a support and stimulant to business, and thereby strengthen the economy for the Municipality and its residents;
- (d) Strive to achieve compatibility of any and all new construction with any and all modifications of existing structures with the historic architectural character of the Municipality;
- (e) Preserve and enhance civic pride of the residents in the beauty of the Municipality and in the notable accomplishments of the past.

17. City Codified Ordinance 145.07 provides in pertinent part:

#### **145.07 DESIGN GUIDELINES/DEMOLITION CRITERIA.**

Preface. The purpose of this chapter and of *The City of Medina Guidelines for Historic Properties and Districts* is to preserve the architectural history and integrity of existing buildings or structures and to ensure the procedures and materials used are compatible with the existing building or structure and help to ensure its preservation into the future. These Guidelines are meant to give architects and Owners design direction consistent with Chapter 145 of the Codified Ordinances of the City of Medina. In principle, the Board adopts the United States of America, Secretary of the Interior's Standards for Rehabilitation.

(a) Preservation/rehabilitation/renovation. With respect to preservation/rehabilitation/renovation generally it is the interest of the Board that buildings within the Historic District be preserved, thus maintaining the character of the Historic District. Consistent with the U.S. Secretary of the Interior, Standards for the Treatment of Historic Properties, the intent of these Guidelines is to preserve and restore the features which establish a building's architectural character while making alterations and renovations necessary for the efficient and contemporary use of the building. The rehabilitation process assumes that some alterations may be necessary to meet the needs of the building Owner and the health, safety, and welfare of the building occupants. Such alterations should be done so as not to destroy the materials and features which help to define a building's historic, cultural and/or architectural character. The historic

materials, features and/or craftsmanship are important in defining the building character and should be retained, protected, and repaired when possible.

When the preservation of architectural features is not possible, alterations should be done in a manner respectful of the existing character, but done in a manner that is representative of architectural design and construction of contemporary times.

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(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.

18. The Applicant did not present evidence that the several permitted and conditionally-permitted zoning uses of the Property in Paragraph 5 above were pursued or that consideration of a zoning variance was given to convert the home to a compatible use in that neighborhood – e.g., a single-family home use.

19. If demolition of the Property was to be approved, consideration was given by this Board to a new building at this site as proposed by the Applicant which is similar in character to the new building next to the site that was erected at the corner of W. Friendship Street and N. Court Street by the Applicant. However, the building on that corner did not replace anything that was historic or which had historic significance. That is not the circumstance related to the subject Property. The small homes in the alley behind the subject property influence the character of the subject Property and enhance the significance of this Property to the character of the neighborhood and of the Historic District.

20. The Board's responses to the three (3) issues remanded to the Board by the BZA are as follows:

(a) Specifically whether the subject property has some historic significance to the City of Medina.

Response: Yes, see the conclusions of fact above.related to this issue above.

(b) Whether the reasonable estimated minimum cost to repair the existing structure to a safe and useable condition within the C-2 zoning code permitted uses outweighs the fair market value of the property.

Response: Although the evidence presented at the Hearing may lead to the conclusion that the cost may outweigh the fair market value ("FMV") of the Property, as the conclusions of fact above state, not all permitted and conditional zoning uses were considered. Additionally, there was no professional appraisal presented as to the current FMV of the Property. The only estimate of FMV for this Property was given by a real estate broker testifying on behalf of the Applicant, Michael Marquad, who was asked "to give a value off my head" and he stated \$175,000, in spite of the \$215,000 purchase price in 2017. No current market analysis was done. No reasonable conclusion as to this issue can be made from the evidence presented.

(c) Whether there is an economically viable use of the property without regard to future use of the property, if demolition is [not] approved.

Response: Again, there appear to be economically viable uses of the Property under the zoning code that were not analyzed from an economic standpoint but the evidence presented was not conclusive and does not support demolition of the Property.

21. For all of the foregoing reasons, the Board denies the application to demolish the Property .

APPROVED BY:

Motion of the City of Medina Historic Preservation Board on January 13, 2022.

Confirmed:

  
Leslie Traves,  
Chair of the Historic Preservation Board

**D.**

**Historic Preservation Board Review  
of H20-06 on 1/13/22  
Memorandum of Costs**

Memorandum of Costs 133 North Court Street

TO: City of Medina Historic Preservation Board

From: Applicant, Twin Pines, LLC and Dr. Loren Raymond

Subject: Demolition Application for 133 North Court Street

On behalf of my clients, Twin Pines, LLC and its owner, Dr. Loren Raymond, I am submitting this memorandum as a summary of the costs associated mentioned at the previous hearing which concern renovating the property for rental use and to assist the Board in rendering its decision.

- Base number: ~\$288,000 (Either Dan Kendal or Kevin Robinette number)
- Adjustment for inflation that has occurred since original estimate (both Dan and Kevin described that their number didn't account for recent inflation and changes in construction costs. Dan estimated this at 20% of his estimate, or \$57,600.)
- Architectural fees of 6-8% - this should be based on the current number ( $\$288,000 + \$57,600 = 345,600 * 6-8\% = \$20,736 - \$27,648$ ).
- Lease build-out – no way to know for sure \$5,000-\$50,000. Depending on complexity of lease improvements, separate architectural fees may be applicable. Kevin Robinette's number may have accounted for a small amount of this already.
- Range of Total =  $\$371,336 - \$423,248$ .
- Price paid for property ~\$215,000
- Additional Costs to be accounted for:: Real Estate Taxes, electricity, gas, water, sanitary
- 1400 leasable square feet at high end of Marquard estimate of \$8 to \$10 per square feet equals  $1400 \times \$10$  or \$14,000 in revenue per year less real estate taxes, utilities, insurance would consume all revenue.
- The investment of \$586,336 to \$638,248 will receive a negative return.

**E.**

**Historic Preservation Board Review  
of H20-06 on 1/13/22  
Meeting Transcript**

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4 CITY OF MEDINA HISTORIC PRESERVATION BOARD

5 CASE H20-06

6 133 NORTH COURT STREET

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10 Transcript of Proceedings held on Thursday,  
11 the 13th day of January, 2022, before the  
12 City of Medina Historic Preservation Board,  
13 commencing at approximately 5:00 p.m., as taken by  
14 Makenzie J. Sabo, RPR, Notary Public within and for  
15 the State of Ohio, and held in Medina City Hall,  
16 132 North Elmwood Avenue, Medina, Ohio 44256.

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MEDINA COURT REPORTERS, INC.  
REGISTERED PROFESSIONAL REPORTERS  
209 North Broadway Street  
Medina, Ohio 44256  
(330) 723-2482  
MCRMedina@msn.com

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1 APPEARANCES:

2       Leslie Traves, Chairwoman,  
3       Elizabeth Biggens-Ramer, Member,  
4       Rebekah Knaggs, Member,  
5       Paul Wood, Member,  
6       Patty Stahl, Member.

7  
8       City of Medina Planning and Community  
9       Development Department,  
10      Andrew Dutton, Community Development Director,  
11      Sarah Tome, Administrative Assistant.

12  
13      Gregory A. Huber, City of Medina Law Director,  
14      on behalf of the City of Medina.

15  
16      Walter Haverfield, Attorneys at Law,  
17      by R. Todd Hunt, Esq.  
18      on behalf of the City of Medina Historic  
19      Preservation Board.

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## PROCEEDINGS

CHAIRWOMAN: Good afternoon.

We are here today for the January 13th  
Historic Preservation Board meeting. I would  
like to call the meeting to order.

We do have six cases tonight. The first one that we're going to start with is old business and it's H20-06.

We will be going into an executive session shortly after we get started here, so just so you're aware of that.

We do need to -- we will -- and then after we come back from the executive session, we will have the applicants state their name and address for the record and they will be given an opportunity to explain their case, and then it will be open also for the general public to also make comments, but that would be the cases that are all new business.

So, Andrew, we do have some meeting minutes that we need to approve. We can go ahead and do that.

I'm going to ask the Board, did you all

1 have a chance to look at the minutes?

2 (Board members nodding affirmatively.)

3 CHAIRWOMAN: Do I have a  
4 motion to approve the minutes?

5 MS. KNAGGS: I'll motion to  
6 approve the last meeting minutes.

7 MS. BIGGENS-RAMER: Second.

8 CHAIRWOMAN: You want to call  
9 the roll?

10 MS. TOME: Biggens-Ramer?

11 MS. BIGGENS-RAMER: Yes.

12 MS. TOME: Knaggs?

13 MS. KNAGGS: Yes.

14 MS. TOME: Stahl?

15 MS. STAHL: Yes.

16 MS. TOME: Traves?

17 CHAIRWOMAN: Yes.

18 MS. TOME: Wood?

19 MR. WOOD: Yes.

20 CHAIRWOMAN: Andrew, do you  
21 have any announcements or anything you wanted  
22 to add at this time?

23 MR. DUTTON: Not anything  
24 that's not on the agenda other than to  
25 introduce to the Board our new administrative

1                   assistant - Sarah Tome. She'll be taking over  
2                   for Sandy.

3                   CHAIRWOMAN:                   Welcome, Sarah.

4                   MR. DUTTON:                   So she's getting  
5                   familiar with the boards, and she'll be here  
6                   next month and hopefully thereafter.

7                   CHAIRWOMAN:                   Great. Thank  
8                   you.

9                   All right. So we're going to go ahead  
10                  and go into an executive session right now  
11                  for that Case H20-06, and we'll be back  
12                  shortly.

13                  MR. WOOD:                   I think we need  
14                  to make a motion.

15                  So I move for the Board to go into  
16                  executive session to obtain legal advice from  
17                  the attorney assigned to the Board regarding  
18                  hearing procedural matters and to deliberate  
19                  over a quasi-judicial matter.

20                  MS. BIGGENS-RAMER:    I'll second.

21                  CHAIRWOMAN:               Go ahead and do a  
22                  roll call.

23                  MS. TOME:                   Biggens-Ramer?

24                  MS. BIGGENS-RAMER:    Yes.

25                  MS. TOME:                   Knaggs?

1 MS. KNAGGS: Yes.

2 MS. TOME: Stahl?

3 MS. STAHL: Yes.

4 MS. TOME: Traves?

5 CHAIRWOMAN: Yes.

6 MS. TOME: Wood?

7 MR. WOOD: Yes.

8 CHAIRWOMAN: Thank you.

9 (Whereupon, at 5:06 p.m., the Board  
10 and Attorney Hunt entered executive session  
11 until 5:14 p.m., at which time the further  
12 following proceedings were had and placed upon  
13 the record.)

14 CHAIRWOMAN: Okay. So we're  
15 going to go ahead and get Patty sworn in before  
16 we proceed with that case. Patty Stahl is  
17 renewing her membership on the Historic  
18 Preservation Board, so this is for the oath of  
19 office for the Historic Preservation Board for  
20 the State of Ohio and the County of Medina and  
21 the City of Medina.

22 So I'm going to go ahead and read it and  
23 then you can read it and sign it. Okay?

24 "Being duly sworn, I, Patty Stahl, swear  
25 that I will support the Constitution of the

1                   United States, the Constitution of the State  
2                   of Ohio, the ordinances of the City of Medina,  
3                   and the rules and regulations of the  
4                   Historic Preservation Board and faithfully  
5                   discharge the duties devolving upon me as a  
6                   member of the Historic Preservation Board of  
7                   the City of Medina, Medina -- or the County of  
8                   Medina, the City of Medina."

9                   MS. STAHL:                   Do I read it as  
10                  well?

11                  CHAIRWOMAN:                  Yeah.

12                  MS. STAHL:                   Do I raise my  
13                  hand?

14                  CHAIRWOMAN:                  Yes.

15                  MS. STAHL:                   Okay, let's make  
16                  this official.

17                  "Being duly sworn, I, Patty Stahl, swear  
18                  that I will support the Constitution of the  
19                  United States, the Constitution of the State  
20                  of Ohio, the ordinances of the City of Medina,  
21                  and the rules and regulations of the  
22                  Historic Preservation Board and faithfully  
23                  discharge the duties devolving upon me as a  
24                  member of the Historic Preservation Board of  
25                  the City of Medina, County of Medina, State of

1                   Ohio."

2                   CHAIRWOMAN:                   Thank you. Go  
3                   ahead and sign that, and then I'll sign it  
4                   and we'll pass it on to Andrew for his  
5                   records.

6                   That being said, Patty isn't able to vote  
7                   on this case because she wasn't here for some  
8                   of the prior meetings.

9                   So for the H20-06, do I have a decision by  
10                  the Board?

11                  MS. KNAGGS:                   I move to deny  
12                  the application for the demolition of the  
13                  structure at 133 North Court Street and to  
14                  adopt conclusions of facts as drafted by the  
15                  Board's attorney.

16                  CHAIRWOMAN:                   Do I have a  
17                  second?

18                  MR. WOOD:                     I second.

19                  CHAIRWOMAN:                   Can you call the  
20                  roll, please?

21                  MS. TOME:                     Biggens-Ramer?

22                  MS. BIGGENS-RAMER:           Yes.

23                  MS. TOME:                     Knaggs?

24                  MS. KNAGGS:                   Yes.

25                  MS. TOME:                     Traves?

1 CHAIRWOMAN: Yes.  
2 MS. TOME: Wood?  
3 MR. WOOD: Yes.  
4 MS. TOME: Motion passes.  
5 (Case concluded.)  
6 - - -  
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1 STATE OF OHIO )  
2 COUNTY OF MEDINA. )

3 | CERTIFICATE

I, Makenzie J. Sabo, RPR, Notary Public within  
and for the State of Ohio, hereby certify that the  
above and foregoing is a true and correct  
transcription of my stenographic notes as taken by  
me on the 13th day of January, 2022.

I further certify that this is a full and complete transcription of the above-entitled cause.

11           IN WITNESS WHEREOF, I have hereunto set my hand  
12       and affixed my seal of office at Medina, Ohio this  
13       17th day of January, 2022.

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Makenzie J. Sabo, RPR  
Notary Public within and for  
the State of Ohio.  
My commission expires 09/19/23.

**F.**

**Historic Preservation Board Review of  
H20-06 on 11/10/21  
Additional Items**



phone 330.666.5770  
fax 330.666.8812

3660 Embassy Parkway  
Fairlawn, OH 44333

[mpg-architects.com](http://mpg-architects.com)

November 9, 2021

Andrew Dutton  
Community Development Director  
The City of Medina  
132 North Elmwood Ave.  
Medina, OH 44256

Mr. Dutton,

Mann Parsons Gray Architects has evaluated the 133 N. Court property in regard to its historic merits. To do so objectively, our office applied criteria established by the National Park Service for nominating properties to the National Register of Historic Places.

The National Register has multiple criteria for establishing significance. Of those criteria, "Criterion B: Person", and "Criterion C: Design / Construction" are most applicable to this property.

**Criterion B: Person**

This criterion establishes significance due to its association with a specific person. There are guidelines for establishing this significance including these excerpts:

- "Length of association is an important factor."
- "The Criterion is generally restricted to those properties that illustrate (rather than commemorate) a person's important achievements."
- "The best representatives usually are properties associated with the person's adult or productive life."

Per 2020 meetings with the Historic Preservation Board, significance was suggested due to the prominence of Abner Bishop, the owner of the property who was a local carriage builder, and whom built the home in the first decade of the 20<sup>th</sup> century (estimated 1909). This individual's association with the building would not be considered significant due to multiple factors:

- Length of association was limited to approximately 5 years from the time the owner built the home to the time he died (1909-1914). His wife had passed away in 1911.
- The property does not illustrate the person's important achievements as it is not the location the carriages were built or designed.
- The property is not associated with the owner's productive life as it was built at a time the owner had already established himself as a successful carriage builder, having originally moved to Medina and beginning his business in 1872, decades before the construction of the home.

#### Criterion C: Design / Construction

This criterion establishes significance due to design or construction. To be eligible the property must meet at least one of the following:

- Embody distinctive characteristics of a type, period, or method of construction.
- Represent the work of a master.
- Possess high artistic value.
- Represent a significant and distinguishable entity whose components may lack individual distinction.

This property struggles to fall under any of these categories based on our evaluation:

- While this home could most closely be identified with the Late Victorian period, it is lacking many of the features Late Victorian homes typically have, such as a round corner tower, a dramatic asymmetrical façade, extensive ornate decorative trim, etc. At the time of construction, the popularity of Late Victorian style homes was waning in favor of more modest craftsman style homes. The home has little relevance to the craftsman style other than the lack of ornate details. Our conclusion due to the time period is that it includes some elements of both styles, but lacks features that would strongly distinguish it as one or the other. Because of these factors, this home does not embody a distinctive type, period, or method of construction, and does not represent a significant and distinguishable entity whose components may lack individual distinction.
- Most homes of this period utilized factory-built components that made it easier to build larger, more complex structures. This was largely due to the railroad network allowing these products to be transported for a more reasonable cost. Therefore, this home would not be considered a work of a master or of high artistic value.

While the building is not applicable in either of the criteria above, thus falling short of even being considered for the National Register, it also does not meet the requirements for "Integrity", which is the next step in consideration after establishing significance. Per the National Register, "Integrity is the ability of a property to convey its significance."

There are seven aspects of Integrity, with which I've provided a short evaluation of the property:

1. Location: Maintained.
2. Design: Partially preserved (original materials damaged or missing, original window openings removed or moved. Porch infilled on south side of east façade.)
3. Setting: Not maintained. As Kevin C. Robinette, AIA, noted in the report commissioned by the City of Medina, "It is also a residential structure within an area that has evolved into a commercial district with multi-level storefronts."
4. Materials: Partially preserved, see "Design".
5. Workmanship: Not applicable due to the manufactured nature of homes in this period.
6. Feeling: This category is subjective on whether the building expresses "the historic sense of a particular period of time." Because of modifications by past owners (different window openings, siding, porch infill), this structure in a minimal sense conveys a historic sense of a particular period of time. Per Kevin C. Robinette's report, "It has a presence that could contribute to the fabric of an historic district", which conveys there is some level of historic sense, though a much later date than the historic square itself.
7. Association: This property does not convey any sense of an event or activity that occurred there.

Of these seven aspects of Integrity outlined by National Register, only one category, "Location", is fully maintained for this structure to convey significance. Per the evaluation of the criteria earlier, no eligible significance was established in the first place. This evaluation of Integrity demonstrates hurdles for eligibility beyond just establishing significance.

In our evaluation we also compared this property to the National Register of Historic Places 1975 Nomination Form for the Medina Public Square Historic District. This form was most focused on properties built between 1870 and 1900 and created a boundary of significance roughly encompassing the square. The 133 N. Court property was excluded from this boundary. The Nomination Form states, "The boundaries are determined by the fact that they enclose the coherent assemblage of architecture described in the statement of significance, and the nature and condition of the architecture changes radically immediately beyond these boundaries."

The 1975 Nomination Form further validates our findings by describing the architecture outside of the boundary as changing "radically" and "immediately". Therefore, not only is this building not significant as an individual structure, as we have concluded, but it was also not considered as a worthy contribution to the establishment of the Medina Square Historic District when the boundary defined the assemblage of architecture.

After reviewing this property in an objective manner as established by the National Register of Historic Places, we have come to the conclusion that this property lacks historical significance that would make it eligible for the National Register of Historic Places. Our findings are reinforced by Kevin C. Robinette's evaluation commissioned by the City of Medina, which states: "as a stand-alone structure its historic significance is very limited," and further confirmed by the original National Register of Historic Places 1975 Nomination Form for the Medina Public Square Historic District.

Please let me know if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ian Jones".

Ian Jones, RA  
Director

June 19, 1975

Office of the Mayor  
City Hall  
Medina, Ohio 44256

Dear Sir:

I am pleased to inform you that the Medina Public Square Historic District, Medina, has been entered in the National Register of Historic Places by the National Park Service, United States Department of the Interior.

The nomination was made in connection with a state plan to identify and document prehistoric and historic places in Ohio which qualify for National Register status under provisions of the National Historic Preservation Act of 1966. All nominations are approved by the Ohio Historic Site Preservation Advisory Board.

Enclosed is a brochure explaining the purposes and goals of the National Register of Historic Places.

Sincerely,



Thomas H. Smith  
Director, Ohio Historical Society  
State Historic Preservation Officer

TS/eml  
enclosure

X.c: Eric Johannessen, Western Reserve Historical Society

**Ohio Historic Preservation Office**  
**Ohio Historical Center 1-71 & 17th Avenue Columbus, Ohio 43211 (614) 466-8727**

THE OHIO HISTORICAL SOCIETY

*Ohio Historic  
Preservation Office*

National Register of Historic Places File Checklist

The following materials are contained in this file of the National Register form for:

Name: McGuffey School

County: McDowell

Original National Register of Historic Places nomination form

Multiple Property Nomination form

Photographs

Photographs (copies)

USGS maps

USGS maps (copies)

Sketch map(s)/figure(s)/exhibit(s)

Correspondence

Other \_\_\_\_\_  
\_\_\_\_\_



## 17 DESCRIPTION

CONDITION	EXCERPT FROM		DETERIORATED	RUINS	UNEXCAVED
	Excellent	Fair			
	X Altered	Unaltered		Moved	Original Site

## DESCRIBE THE DISTRICT AND ITS SPECIAL HISTORICAL AND ARCHITECTURAL APPEARANCE

This district includes the open Public Square of a county seat, approximately 300 by 330 feet, and the buildings facing it on all four sides, plus portions of the streets adjoining the square for 100 to 275 feet. The great majority of the structures are in the High Victorian Italianate and Second Empire styles.

The south and west sides of the square are the most nearly intact as built largely in the 1870s. They consist of six and eleven brick commercial store fronts respectively. The group on the west have a nearly uniform cornice line. Most have segmental-arched windows and bracketed cornices. The store in the center of the block was built around 1900, and has a distinctive name sign in leaded glass. At the north end of the block the original structure was built in 1822. Its north elevation has the original stepped gable. A late nineteenth century cornice and two bay windows were added on the west facade.

The six buildings on the south side of the square are much more individual. A fire station with a bell tower and incipient Eastlake ornamental detail stands out in bright red and white after a recent restoration. West of it are a Second Empire and another Eastlake facade with highly projecting pediments. The largest Victorian block on the square stands on the west corner. It is three stories high with ten bays. The cornice line is broken by a semi-circular pediment. This form has been repeated, together with a pent roof, at the ground floor level in a recent rehabilitation, but they are not original. On the east corner is a gasoline station. It was recently reconstructed in a design ostensibly imitating a Second Empire coachhouse. The steep mansard roof even has ironwork cresting, and the lampposts have large white "Victorian" globes. The south and west sides of the driveway are framed by concave-convex brick screen walls, echoing the facade of the old theater directly opposite (described below).

The east side of the square contains three major buildings. On the north corner stands the Medina County Courthouse. It is a Second Empire structure, with two projecting wings with prominent quoins, a two-story recessed portico, and a mansard roof and central clock tower. These features were built in 1872 around a Greek Revival core of 1841, and the facade of the recessed porch is the old facade of the earlier building. The courthouse is already listed and fully described in the National Register.

On the south corner of the east side is a large brick Second Empire house. The main square block has three bays facing the square; plus a two-bay wing on the north with a small Italianate stoop. The windows are round-arched on the first story and segmental on the second. A small porch makes the corner transition to an east wing facing south, where a drive-in bank window has been added. The building was beautifully planned for its corner site, and has been

(continued)

Ferm 10-370  
July 1969

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM

(Continuation Sheet)

STATE	Ohio
COUNTY	Medina
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

7. DESCRIPTION Medina Public Square Architectural District

handsomely adapted and restored as the bank office.

In the center of the east side is a large two-story brick office building in the Neo-Classical Revival style, built in 1968. It has a four-column Tuscan portico with four bays on either side. It is set back from the building line of the other structures, and harmonizes well enough with the older buildings.

The north side of the square has only two significant older buildings plus some minor unobtrusive non-conforming ones. The Savings Deposit Bank is a modest but distinguished Romanesque design. The three-bay ground floor facade is constructed of sandstone, the upper story of brick with its arched windows in recessed panels and a simple balustrade cornice. On the east corner a former movie theater, which has been converted into a bank has a yellow brick facade with a raised roof line, an irregular gable and a broken convex profile suggesting an eclectic Spanish idiom. The west half of the facade has iron balconies complementing the style.

The most significant group of related structures stands on the street running south from the southwest corner of the square (S. Court Street). On the west side there are nine two-story Italianate store fronts, all but one with segmental arched windows and bracketed cornices (the other has a projecting bay window). Some windows have dropped hood moldings. Three of the ground floor fronts have cast-iron columns. As the street slopes slightly, the cornices and window levels are stepped up as they approach the square.

On the east side of S. Court Street, there are a three-story typical Italianate commercial front, then a long two-story building with two bay windows, and finally a relatively imposing three-story (two plus mansard) former hotel building. The six-bay facade has a central pavilion in the mansard roof. Its arched entranceway is in the third bay from the south. The building has recently been cleaned and painted.

On the street to the west of the northwest corner (W. Liberty St.) are additional Italianate store fronts. The large handsome corner building still has a twentieth century ground-story veneer, but plans for the restoration of the nineteenth century facade are in preparation. The building to the west has a mock "Western-style" colonnade over the sidewalk in an attempt to complement the nineteenth century environment.

On the northwest corner opposite the courthouse is a High Victorian Gothic church. It is basically an L-shaped structure, with gables containing Gothic windows facing each street and embracing a corner tower. The square tower has chamfered corners above the eaves line where it changes to an octagon, topped by a steep octagonal roof. There is a modern educational building attached to the north side of

## STRUCTURENS

SIGNIFICANCE				
Check One or More as Appropriate				
<input type="checkbox"/> Pre-Columbian	<input type="checkbox"/> 16th Century	<input type="checkbox"/> 18th Century	<input checked="" type="checkbox"/> 19th Century	<input type="checkbox"/> 20th Century
<input type="checkbox"/> 15th Century	<input type="checkbox"/> 17th Century			
<b>YEAR OF SIGNIFICANCE (If Applicable and Known)</b> 1822-1907				
AREAS OF SIGNIFICANCE (Check One or More as Appropriate)				
<input checked="" type="checkbox"/> Aboriginal	<input type="checkbox"/> Education	<input type="checkbox"/> Political	<input checked="" type="checkbox"/> Urban Planning	
<input type="checkbox"/> Prehistoric	<input type="checkbox"/> Engineering	<input type="checkbox"/> Religion Phil.	<input type="checkbox"/> Other (Specify) _____	
<input type="checkbox"/> Historic	<input type="checkbox"/> Industry	<input type="checkbox"/> Insanity		
<input type="checkbox"/> Agriculture	<input type="checkbox"/> Invention	<input type="checkbox"/> Science		
<input checked="" type="checkbox"/> Architecture	<input type="checkbox"/> Landscape	<input type="checkbox"/> Sculpture		
<input type="checkbox"/> Art	<input type="checkbox"/> Architecture	<input type="checkbox"/> Social Human.		
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<input type="checkbox"/> Communications	<input type="checkbox"/> Military	<input type="checkbox"/> Theater		
<input type="checkbox"/> Conservation	<input type="checkbox"/> Music	<input type="checkbox"/> Transportation		

## STATEMENT OF SIGNIFICANCE

The streets surrounding the Public Square in Medina offer one of the most complete collections of late nineteenth century or "Victorian" architecture in the region. Built almost entirely between 1870 and 1900, the district possesses an unusual continuity of style and unity of scale. Its present excellent condition is due to a concerted private rehabilitation program over the past six years.

Medina was laid out in 1818 as the county seat. It was first called Mecca, but seven years later renamed Medina because there was another Mecca in Trumbull County. It is thought that the reason for choosing the names of the birthplace and the burial place of Mohammed was to indicate a place of pilgrimage.

The first permanent courthouse building was erected in 1821-1822 on the southwest corner of Court and Liberty Streets, although it may not have been completed until 1826. Part of this building remains (later known as the Hobart Block), although thoroughly altered.

A second courthouse was built in 1841 on the southeast corner of Liberty and Broadway, and the present Second Empire courthouse was constructed in 1872 around that building. The Courthouse is listed in the National Register of Historic Places.

Little else remains in the district which dates from before the Great Fire of April 14, 1870. In local history this was later compared to the Chicago fire of the next year, in terms of the amount of damage caused in proportion to the size of the town. Forty or forty-five buildings were destroyed, including commercial blocks, a hotel, many and various stores, barns and stables. The property loss was estimated at \$200,000.

Immediately after the fire, the citizens formed the Medina Building Association. It was modeled after a similar attempt in Chardon (Geauga County) to finance the communal effort to rebuild after its fire of 1868. In this case, private enterprise proved able to do the job, and the association was soon dissolved.

By July 15 plans were announced to rebuild the Phoenix Block, which had burned once before in 1848, on the southwest corner of the square. Various blocks were also planned to complete the west

(continued)

NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM

STATE	Ohio
COUNTY	Summit
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Continuation Sheet)

(Number of entries)

Medina Public Square Architectural District

## 2. LOCATION

The district boundary begins at the northeast corner of the property of the United Church of Christ Congregational;

Proceed south along the property line, across Liberty Street, continuing along the center line of the driveway forty feet to the east of the Medina County Courthouse;

Continue south along the east property line of the First Federal Savings and Loan Association, across Washington Street and along the east property line of the Franklin Sylvester Library to the center line of the driveway on the south side of the property at 214 S. Broadway;

West across S. Broadway, continuing along the south boundary of the property at 209 S. Broadway, then north, west and south along the center line of the public alley, to the south boundary line of the property at 250 S. Court Street;

West along the property line, across S. Court Street, continuing along the south property line at 241 S. Court;

North along the property lines of the buildings at 241 to 201 S. Court Street, across W. Washington, and continuing along the center line of the public alley on the west of the buildings on the west side of the Square;

North across W. Liberty Street, along the center line of the alley on the east side of the First Baptist Church of Medina to a point 100 feet north of W. Liberty;

East on a line parallel to Liberty Street, across N. Court Street, and continuing on a line 150 feet north of Liberty and parallel to it, then across Broadway, along the north property line of the United Church of Christ Congregational to the point of beginning.

The district boundaries are very irregular because of the varying depths of the buildings facing the Square and its adjacent streets. The boundaries are determined by the fact that they enclose the coherent assemblage of architecture described in the statement of significance, and the nature and condition of the architecture changes radically immediately beyond these boundaries.

NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM

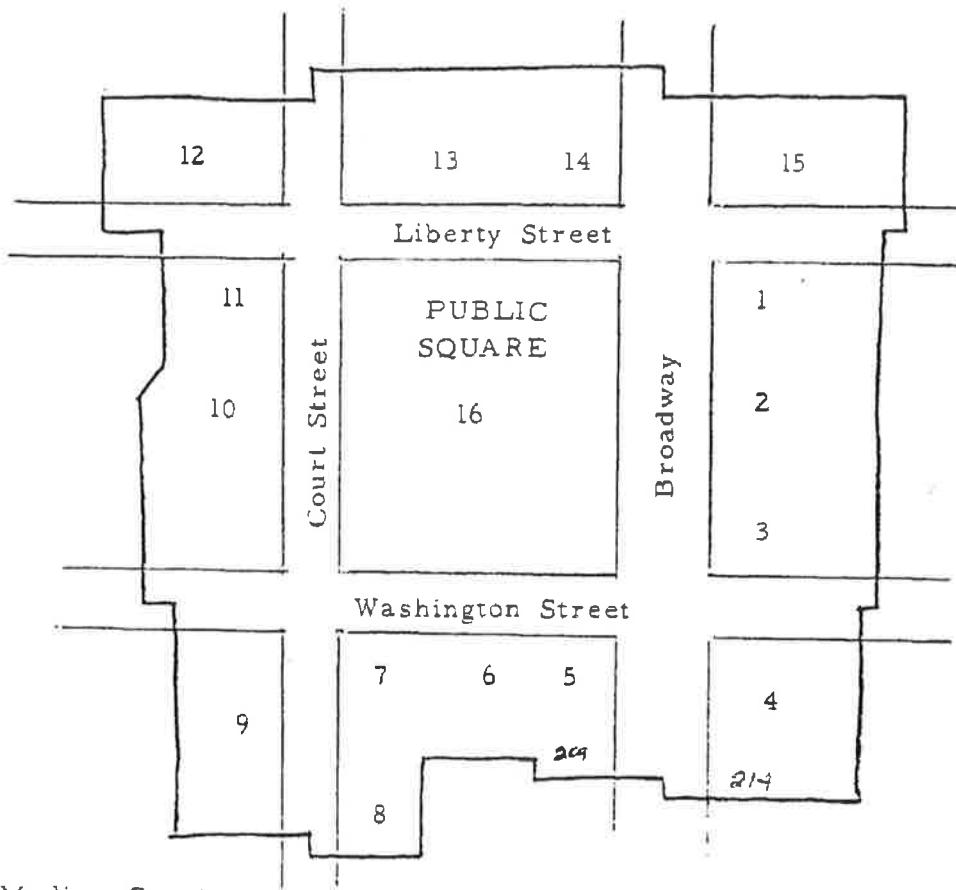
(Continuation Sheet)

STATE	Ohio
COUNTY	Medina
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

2. Location

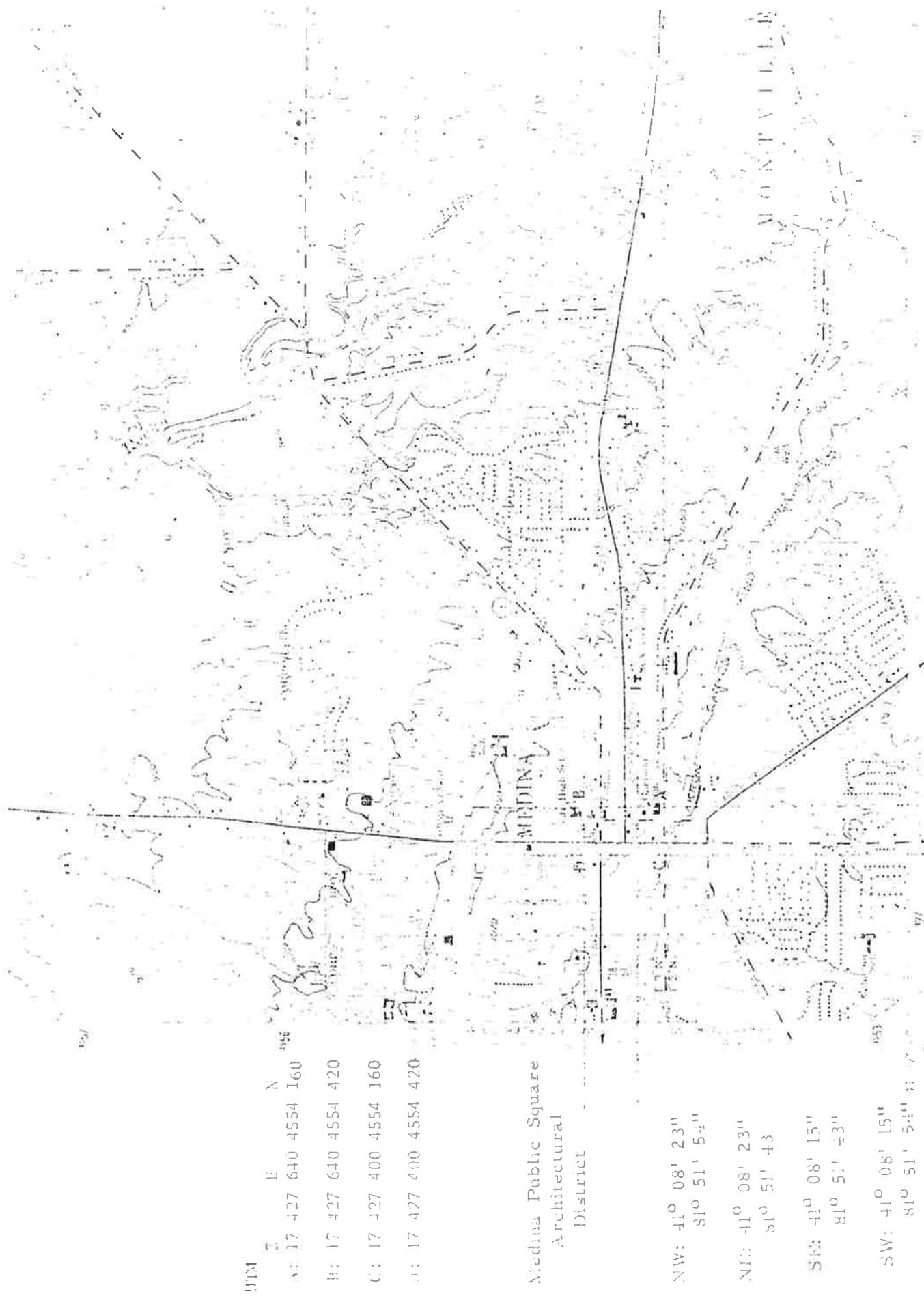
MEDINA PUBLIC SQUARE ARCHITECTURAL DISTRICT



1. Medina County Courthouse
2. Courthouse Annex
3. First Federal Savings & Loan
4. Sylvester Library
5. Gasoline station
6. Fire station
7. Phoenix Block
8. old Brenner Hotel
9. S. Court St. stores
10. Commercial blocks
11. First Courthouse
12. W. Liberty stores
13. Savings Deposit Bank
14. Movie-OHIO Bank
15. United Church of Christ
16. Bandstand replica

Scale: 1" = 200'

Approx. 14.5 Acres



An aerial photograph of the town of Medina, Ohio, showing the layout of streets and buildings. The map includes a grid system with labels like NW, NE, SW, and SE. Specific locations marked include Medina Public Square Architectural District, the Medina County Courthouse, and the Medina City Hall. A large, irregularly shaped area in the center is labeled "Reserve".

An aerial photograph of the town of Medina, Ohio, showing the layout of streets and buildings. The map includes a grid system with labels like NW, NE, SW, and SE. Specific locations marked include Medina Public Square Architectural District, the Medina County Courthouse, and the Medina City Hall. A large, irregularly shaped area in the center is labeled "Reserve".

Letter to NPS  
July 1968

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY - NOMINATION FORM

(Continuation Sheet)

Ohio	Medina	FOR NPS USE ONLY
ENTRY NUMBER	DATE	

*Number all entries*

7. DESCRIPTION (2)  
the building on N. Broadway.

On the southeast corner opposite the gasoline station and the renovated house-bank stands a public library building in the Neo-Classical Revival style (1904-1907). Typical in form of many small town libraries built at the turn of the century, it was in fact patterned after other libraries built by Andrew Carnegie. The pediment is supported by two columns standing in a shallow recessed porch on the west facade. A harmonizing brick addition was added to the east in the 1950s.

8. SIGNIFICANCE

side of the square. There is no doubt that an added stimulus to rebuilding was the completion of the Cleveland to Medina section of the Lake Shore and Tuscarawas Valley Railroad in 1871. By 1880 the west and south sides of the square were complete, with the exception of the Gazette Block of 1895. Also in 1880-1881 the Victorian Gothic Congregational Church was built, replacing its first building of 1833. The congregation met in the Phoenix Hall during the construction period.

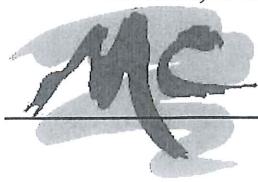
In 1881 a historian commented on the effects of the rebuilding: "So far as adding to the beauty of the town, the great fire, like that of Chicago, was beneficial inasmuch as it was the means of building up with a much better class of buildings than generally found in a place the size of Medina. These fine buildings . . . give to Medina an elegant appearance seldom found in a town of 1,500 inhabitants."

The Romanesque bank on the north side of the square was built in 1892. The library was donated by Franklin Sylvester in 1904. The Medina County Courthouse annex to the south of the 1872 building was built in 1968.

Since 1968 a remarkable community preservation and restoration project, directed by a Community Design Committee, has brought about the rehabilitation of the majority of the buildings in the district. Cleaning and renewal of old facades, a sign ordinance, and consistent treatment of street lighting have contributed to this. The gasoline station at the corner of Washington and Broadway has been rebuilt in an attempt to conform. A High Victorian bandstand gazebo, a replica of an existing one in Belleville, Ohio, is being constructed (1974) in the center of the square.

Whether the community project has always been guided by consistent restoration principles or not, it has succeeded in preserving the essential architectural elements of one of the most complete late nineteenth century town districts in northeastern Ohio.

403. East Washington St.  
Medina, OH 44256



M. C. Real Estate

Greg Huber  
Law Director, City of Medina

Dear Greg,

As per your request I have reviewed the property of 133 N. Court Street, Medina OH owned by Twin Pines, LLC. In review of that property I found that the main floor square footage rental rates would be in the asking range of \$8-\$10 per square foot. The second and third floor would be used for storage at a rate of 50% of main floor rate.

Also enclosed, with permission of a colleague, Troy Gerspacher of the Gerspacher Group, is his email letter and brochure.

I hope this satisfies your request. If you have any questions do not hesitate to contact me.

Sincerely,

Michael Marquard  
Broker/Owner  
M.C. Real Estate

---

M.C. Real Estate

403 East Washington Street, Medina, OH 44256 330.723.9911 Fax: 330.723.9912

**Greg Huber**

---

**From:** Michael Marquard <michael@mcrealestateohio.com>  
**Sent:** Friday, October 29, 2021 8:07 AM  
**To:** ghuber@gambit.net  
**Subject:** 133 North Court

Dear Greg

After review of the property the main floor of the said property would have approximately 1300 -1400 square feet of rentable space. Of course that would depend on the layout of common entry and rest room size.

Thank You.

Michael Marquard  
M C Real Estate  
The Marquard Company Inc.  
Direct Line 330-441-4927





**Mike Kovack**  
Medina County Auditor

[Tax Bill](#)[Aerial Imagery](#)[Tax Map](#)[Transfers](#)[Tax Distribution](#) [Print This Page](#)

### Parcel Information

<b>Parcel Number</b>	028-19A-21-072
<b>Owner Name</b>	TWIN PINES LLC
<b>Location</b>	133 N COURT ST 028 - Medina City (Medina City SD)
<b>Property Class</b>	447 Property Class Codes
<b>Acreage</b>	0.133100
<b>Legal Description</b>	LOT 143 N E PT LOT 140 S E COR .000A
<b>Tax Mailing Address</b>	TWIN PINES LLC 4322 S CLEVELAND MASSILLON RD NORTON, OH 44203 USA

Value	Taxable Value		
<b>Land Value</b>	120,750	<b>Taxable Land Value</b>	42,260
<b>CAUV Value</b>	0	<b>Taxable CAUV Value</b>	0
<b>Building Value</b>	58,620	<b>Taxable Building Value</b>	20,520
<b>Total Value</b>	179,370	<b>Taxable Total Value</b>	62,780

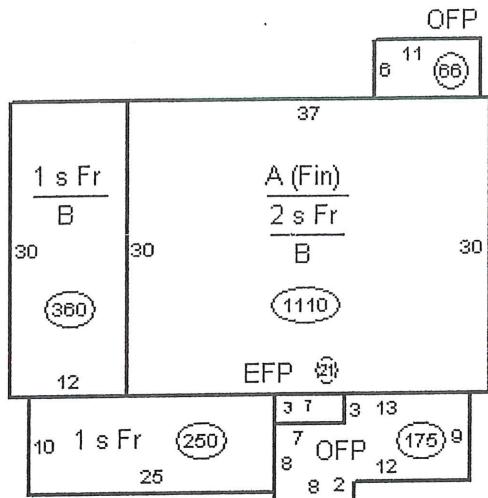
**Dwelling Information**

<b>Card Number</b>	001
<b>Year Built</b>	1900
<b>Story Height</b>	2.00
<b>Extension Walls</b>	Siding-Wide
<b>Fireplace Openings</b>	0
<b>Heating</b>	Central Warm Air
<b>Central Air</b>	Yes
<b>Full Baths</b>	1
<b>Half Baths</b>	2
<b>Bedrooms</b>	3

**Dwelling Information**

<b>Attic</b>	Full Finished
<b>Attic Area</b>	388
<b>Second Floor Area</b>	1110
<b>Upper Floor Area</b>	0
<b>First Floor Area</b>	1720
<b>Basement</b>	Pt Basement
<b>Basement Area</b>	1470
<b>Enclosed Frame Porch Area</b>	21
<b>Open Frame Porch Area</b>	175
<b>Open Frame Porch Area</b>	66

## Dwelling Sketch - Card Number 001



Sketch Codes Key



Michael Marquard <michael@mcrealestateohio.com>

## 133 N Court Street

Troy Gerspacher <Troy@gerspachergroup.com>  
To: michael@mcrealestateohio.com <michael@mcrealestateohio.com>  
Cc: Morgan Faunce <morgan@gerspachergroup.com>

Mon, Oct 18, 10:27 AM

Michael,

Attached is the old marketing. Morgan would know a lot more about the difficulty in leasing but I believe these ask rates were in line within that 8-10/sf...but functionality was a major issue and I don't believe we were ever able to put a tenant in there.

Troy Gerspacher, CCIM, SIOR

Real Estate Broker & President

5164 Normandy Park Dr., Suite 285  
Medina, Ohio 44256  
Office: 330-722-5002 | Fax: 330-723-6330

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133 North Court Street Brochure.pdf

133 NORTH COURT STREET • MEDINA OH

FOR LEASE

SINGLE OFFICE SPACES



#### PROPERTY INFORMATION

Zoned: ..... C-2 Central Business  
Year Built/Renovated: ..... 1900/2000  
Air Conditioned: ..... Central  
Heat: ..... Gas FHA, Hot Water Boiler  
Ceiling Clear: ..... 8' to 9'  
Parking Spaces: ..... 12  
Voltage: ..... 110/120  
Ampere: ..... 200, Single Phase  
Signage: ..... Street

#### Available Space

First Floor Office: ..... 224 SF  
First Floor Office: ..... 252 SF  
Second Floor Rear Storage: ..... 1,120 SF  
Third Floor Storage: ..... 615 SF  
Cold Storage: ..... 1,120 SF  
Nearest Interchange: ..... I-71 at SR-18  
Distance: ..... 4 Miles

Contact: Morgan Faunce or Randy Arehart  
[Morgan@GerspacherGroup.com](mailto:Morgan@GerspacherGroup.com)  
[Randy@GerspacherGroup.com](mailto>Randy@GerspacherGroup.com)  
330.722.5002

Commercial & Industrial  
**GERSPACHER**  
Since 1919 REAL ESTATE GROUP

[GerspacherGroup.com](http://GerspacherGroup.com)

133 NORTH COURT STREET • MEDINA OH

FOR LEASE  
SINGLE OFFICE SPACES



**LEASE INFORMATION**

**First Floor Single Office**  
**\$225/MO**

**First Floor Double Office**  
**\$275/MO**

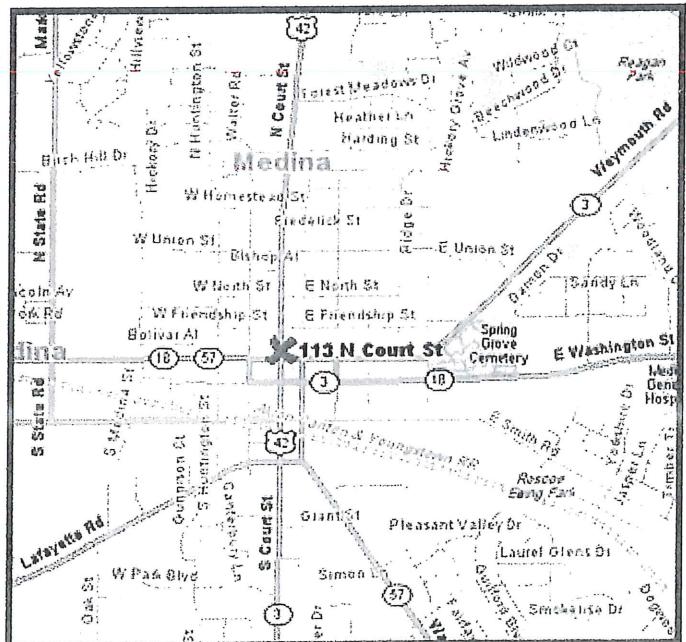
**Second Floor Storage**  
**\$200/MO**

**Third Floor Storage**  
**\$175/MO**

**Cold Storage**  
**\$200/MO**

- Century home in downtown Medina only  $\frac{1}{2}$  block north of Public Square on North Court Street (US-42)
- Single office spaces on the first can be leased together or separately
- Storage space on the second and third floors as well as additional cold storage in the garage
- Easy walking distance to city and county courthouses and administration buildings, restaurants, and shops
- Signage at the street
- Not handicapped accessible
- On-site parking

The information contained herein is from sources deemed reliable but no warranty or representation is made to the accuracy thereof.







**MPG**  
MANN • PARSONS • GRAY  
ARCHITECTS


330.666.5770  
3660 Embassy Parkway  
Fairlawn, OH 44333  
[www.mpg-architects.com](http://www.mpg-architects.com)

133 N COURT STREET  
DATE: JANUARY 22, 2021  
PROJECT NO. 21420

PROJECT INFORMATION

SHEET NAME  
NORTHEAST  
PERSPECTIVE

SHEET NO.  
SK04



1/16" = 1'-0"

The logo consists of the letters 'MPG' in a large, bold, stylized font. The 'M' and 'P' are dark red, while the 'G' is black with a red curved cutout on its right side. Below the letters, the words 'MANN • PARSONS • GRAY' are written in a smaller, dark gray sans-serif font. A horizontal line separates this from the word 'ARCHITECTS' which is written in a larger, bold, dark gray sans-serif font.

330.666.5770  
3660 Embassy Parkway  
Fairlawn, OH 44333  
[www.mpg-architects.com](http://www.mpg-architects.com)

133 N COURT STREET  
DATE: JANUARY 22, 2021  
PROJECT NO. 21420

## — PROJECT INFORMATION

SHEET NAME —

## SITE PLAN

SHEET NO.

SK01

**G.**

**Historic Preservation Board Review of**

**H20-06 on 11/10/21**

**Meeting Transcript**

1  
2  
3  
4 CITY OF MEDINA HISTORIC PRESERVATION BOARD

5 SPECIAL MEETING

6 CASE H20-06

7 133 NORTH COURT STREET

8 - - -

9  
10  
11 Transcript of Proceedings held on Thursday,  
12 the 10th day of November, 2021, before the  
13 City of Medina Historic Preservation Board,  
14 commencing at approximately 7:30 p.m., as taken by  
15 Makenzie J. Sabo, RPR, Notary Public within and for  
16 the State of Ohio, and held in Medina City Hall,  
17 132 North Elmwood Avenue, Medina, Ohio 44256.

18

19 - - -

20 *Lynne Jones 11/13/2022*  
21 *Chair HPB*22 MEDINA COURT REPORTERS, INC.  
23 REGISTERED PROFESSIONAL REPORTERS  
24 209 North Broadway Street  
Medina, Ohio 44256  
(330) 723-2482  
MCRMedina@msn.com

## I N D E X

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22		
23	NOTE: Exhibits B and C were premarked by	
24	Attorney Huber and retained by the Board	
	at the conclusion of the hearing.	

1 APPEARANCES:

2       Leslie Traves, Chairwoman,  
3       Elizabeth Biggens-Ramer, Member,  
3       Rebekah Knaggs, Member,  
4       Paul Wood, Member.

5       City of Medina Planning and Community  
6       Development Department,  
6       Andrew Dutton, Community Development Director.

7       Gregory A. Huber, City of Medina Law Director,  
8       on behalf of the City of Medina.

9       Walter Haverfield, Attorneys at Law,  
10      by R. Todd Hunt, Esq.  
11      on behalf of the City of Medina Historic  
11      Preservation Board.

12      Witschey, Witschey & Firestine Co., LPA,  
13      by Frank J. Witschey, Esq.  
13      on behalf of the Applicant.

14  
15  
16            - - -  
17  
18  
19  
20  
21  
22  
23  
24  
25

## 1 PROCEEDINGS

2 - - -

3 CHAIRWOMAN: Good evening,  
4 everyone. We have a special session this  
5 evening for Case Number H20-06 for 133 North  
6 Court Street, the demolition application.

7 I move for the Board to go into executive  
8 session to obtain legal advice from our  
9 attorney assigned to the Board regarding  
10 hearing procedural matters.

11 Do I have a second?

12 MS. BIGGENS-RAMER: I'll second.

13 MR. DUTTON: Biggens-Ramer?

14 MS. BIGGENS-RAMER: Yes.

15 MR. DUTTON: Knaggs?

16 MS. KNAGGS: Yes.

17 MR. DUTTON: Traves?

18 CHAIRWOMAN: Yes.

19 MR. DUTTON: Wood?

20 MR. WOOD: Yes.

21 (Whereupon, at 7:33 p.m., the Board  
22 and Attorney Hunt entered executive session  
23 until 7:50 p.m., at which time the further  
24 following proceedings were had and placed upon  
25 the record.)

1 CHAIRWOMAN: Okay. Good  
2 evening. We'd like to resume the meeting of  
3 the Historic Preservation Board for  
4 Case H20-06, 133 North Court. I'm going to  
5 read the demolition guidelines for the  
6 Historic Preservation Board.

7 "With respect to demolition, it is in the  
8 interest of the Board that landmark buildings,  
9 buildings with historic -- within the  
10 Historic District be preserved and renovated  
11 for economically productive uses. The Board  
12 encourages the saving and adaptive reuse of  
13 buildings significant to the character of the  
14 Historic District and the history of the city.  
15 Consistent with this intent, the Board also  
16 realizes that the Historic District is not a  
17 static environment, but an ever-changing and  
18 developing entity. Applications for demolition  
19 shall be reviewed based on the overall impact  
20 the demolition will have on adjacent historic  
21 landmarks, historic districts, and the  
22 community. In reviewing an application,  
23 the Board will also consider the impact of  
24 the proposed use of the site on the  
25 Historic District. Demolition of existing

1 buildings which are not a significant loss to  
2 the Historic District to allow for the  
3 construction of new development which enhances  
4 the Historic District may be acceptable."

5 MR. HUNT: Just to introduce  
6 myself, my name is Todd Hunt. I am an attorney  
7 who's been engaged by the City to advise the  
8 Board this evening in this case. I was also  
9 engaged to advise the Board of Zoning Appeals  
10 on an appeal of this case quite some time ago  
11 where it was remanded back to the Historic  
12 Preservation Board, and I'd just like to say  
13 that obviously what had just been read by the  
14 Chair is the important standards for this case.  
15 So that everybody knows that, that is the  
16 demolition criteria that they will judge this  
17 case upon.

18                   And there was a resolution that came out of  
19                   the Board of Zoning Appeals on this case back  
20                   in early 2021, earlier this year, and there  
21                   were three things that the Board of Zoning  
22                   Appeals asked that this Board look at and make  
23                   written findings on, one of which is  
24                   specifically whether the subject property has  
25                   some historic significance to the City of

1 Medina, and that was meant to comport with the  
2 language that was just written with respect to  
3 the code provision of 145.07 of the codified  
4 ordinances.

5 The second thing was whether the reasonable  
6 estimated minimum cost to repair the existing  
7 structure to a safe and useable condition  
8 within the C-2 zoning code permitted uses  
9 outweighs the fair market value of the  
10 property.

11 And the third thing is whether there's an  
12 economically viable use of the property without  
13 regard to the future use of the property, and  
14 there was a word left out here, if demolition  
15 is not approved.

16 So all of that, I believe, fits within  
17 145.07 of the codified ordinances, and the  
18 board's mission tonight is that, of course,  
19 there's a balancing in these criteria between  
20 the property rights of the owner and the  
21 significant interest the City has in preserving  
22 and enhancing its Historic District.

23 So with that said --

24 CHAIRWOMAN: So we would like  
25 to ask the Applicant and anyone else that would

1                   be speaking to the Board to stand up for an  
2                   oath of truthfulness to all witnesses for the  
3                   court reporter.

4                   (Whereupon, Andrew Dutton and all  
5                   members in attendance were then placed under  
6                   oath by the Notary.)

7                   MR. HUNT:                   It would also be  
8                   important, when you're up to testify, to give  
9                   your full name and address for the court  
10                  reporter.

11                  CHAIRWOMAN:                 So at this time,  
12                  we would ask the Applicant to please present  
13                  his case.

14                  MR. WITSCHHEY:               Thank you. My  
15                  name is Frank Witschey, and I'm an attorney in  
16                  Akron, Ohio, and I represent Twin Pines, which  
17                  is a limited liability company that is the  
18                  owner of the property and an Applicant along  
19                  with Loren Raymond -- Dr. Loren Raymond, who is  
20                  the owner of Twin Pines.

21                  And what I thought -- I have some -- we  
22                  have some witnesses that we would like to  
23                  present this evening, and I would just kind of  
24                  briefly go through what it is we're going to  
25                  present and kind of outline some important

1           points that we would like for you to listen  
2           to -- or listen for in the testimony.

3           So the first witness that we will call --  
4           you should have had a report that was written  
5           by him. There's already a report, I believe,  
6           in the record from previous hearings, but  
7           Mr. Ian Jones from MPG has updated -- provided  
8           an updated report, and in that he will talk  
9           about that first resolution that came from the  
10          Board of Zoning Appeals, and that was whether  
11          there was some historic significance to the  
12          property.

13          And the one thing that I wanted to do at  
14          the outset, and Mr. Hunt alluded to, that it is  
15          this demolition section that we're to look at,  
16          but that particular language, "some historic  
17          significance," the word "some" I don't see in  
18          the statute, and I think the important language  
19          that would really help, and that we want to  
20          hone in on, is in this last sentence where  
21          it says, "Demolition of existing buildings  
22          which are not a significant loss to the  
23          Historic District to allow for the  
24          construction of new development which enhances  
25          the Historic District may be acceptable."

1                   So we will have -- Mr. Jones will testify  
2                   about whether the demolition of this building  
3                   would be any kind of a significant loss to the  
4                   Historic District that the property is in or is  
5                   adjacent to.

6                   We will also hear testimony this evening  
7                   from Dan Kendel. Dan Kendel reviewed the  
8                   building, inspected the building. He is a  
9                   construction contractor and he has provided an  
10                  estimate. He did so at previous hearings and  
11                  has some updated information that we'll  
12                  present.

13                  And then finally Michael Marquard will  
14                  testify, and those -- his testimony as well as  
15                  Mr. Kendel's testimony will concentrate on the  
16                  dollar cost to get this property -- if it is to  
17                  be usable in its present state, what would need  
18                  to be done from a construction standpoint, from  
19                  a cost standpoint to get it up and functional  
20                  to be able to be used, and is it worth -- is  
21                  there economic viability to this property if  
22                  it's not demolished.

23                  And so with that, I'll ask Ian to go ahead  
24                  and give his presentation, and then I might  
25                  have some questions for him as follow-up as

1                   well as anyone else that might want to ask him  
2                   questions.

3                   Ian? Thank you.

4                   MR. HUBER:                   Frank, before we  
5                   get started, would it be possible to put into  
6                   the record who the owner is, when the property  
7                   was purchased, and what the purchase price was.

8                   MR. WITSCHEY:               Yeah. And I  
9                   think -- as I recall, I believe that there was  
10                  evidence presented. I believe it was two  
11                  hundred and fifteen thousand dollars on the  
12                  purchase price.

13                  MR. HUBER:                   Two hundred and  
14                  fifty?

15                  MR. WITSCHEY:               Fifteen.

16                  MR. HUBER:                   Two hundred and  
17                  fifteen?

18                  MR. WITSCHEY:               Yes.

19                  MR. HUBER:                   And Dr. Raymond  
20                  is the landowner. Is that correct?

21                  MR. WITSCHEY:               Right now, the  
22                  property -- and I'm not sure whether when he  
23                  acquired the property, it was acquired in his  
24                  individual name, but I know that he eventually  
25                  transferred it into Twin Pines. So it was

1           either acquired initially by Twin Pines or was  
2           later transferred to Twin Pines.

3                            MR. HUBER:                   And when was  
4                            that?

5                            MR. WITSCHEY:               2017.

6                            MR. HUBER:                   And I apologize  
7                            for interrupting you.

8                            MR. WITSCHEY:               No problem.

9                            MR. JONES:                   Hi, my name is  
10                          Ian Jones. I am from Mann Parsons Gray  
11                          Architects. Our address is 3660 Embassy  
12                          Parkway in Fairlawn.

13                          So in regards to Item A for the written  
14                          findings, I thought, you know, it would make  
15                          sense to try to look at this building in an  
16                          objective manner on determining its historical  
17                          significance, so the place that that led me to  
18                          was the National Register of Historic Places  
19                          which has criterion for how to establish  
20                          whether something has significance or not, and  
21                          there's a few criterion that I thought, you  
22                          know, most fit this property and that were  
23                          discussed to a point in previous meetings.

24                          The first criterion was person and whether  
25                          there's somebody historically relevant to the

1           city or, you know, had some type of career or  
2           life that was kind of valuable to the history  
3           of the city, and what was discussed in previous  
4           meetings was someone named Abner Bishop.

5           Now, the National Register has a few, you  
6           know, qualitative points that it uses to  
7           establish whether that significance is true or  
8           whether, you know, this is kind of a tertiary  
9           property to that person's life, and so the  
10          length of association is an important factor,  
11          so how long that important person lived at the  
12          building or worked at the building, properties  
13          that illustrate that person's important  
14          achievements or properties that were, you know,  
15          maybe their home during that productive life,  
16          and what we learned was Abner Bishop built this  
17          building five years prior to his death, so the  
18          building was built in 1909, and he died in  
19          1914.

20          And 1909 is an estimate, so I don't have a  
21          confirmed date of 1909, but that's, I think,  
22          what the Board previously established so, you  
23          know, that length of association is very  
24          narrow.

25          His historical significance to the city was

1           that he was a carriage builder that rose to  
2           prominence in the 1870s, had some patents under  
3           his name, and displayed his carriages at the  
4           Chicago World Fair. That productive period of  
5           his life predates his time in this home which  
6           was -- you know, kind of seems, as far as his  
7           life was concerned, kind of almost like a  
8           retirement period of his life, a period where  
9           he was no longer active in carriage building.

10           And lastly, you know, it wasn't the  
11           property where he built the carriages. That  
12           was a church that he converted to build his  
13           carriages.

14           So in those three regards, you know, no  
15           significance in terms of how it's rated  
16           objectively by the National Register is  
17           established for this building in that regard.

18           Likewise, there's a separate criterion  
19           about the design and construction of the home  
20           and whether that in itself has significance,  
21           and the period that this home was built was a  
22           period when the late Victorian style was waning  
23           in popularity while the Craftsman style was  
24           beginning to gain popularity, and this home was  
25           built in a time where it doesn't really embody,

1           you know, the signature features of either of  
2           those typologies, so it doesn't have the ornate  
3           details of a Victorian or the asymmetrical kind  
4           of corner turret or, you know, some of those  
5           signature features that even other homes in  
6           Medina have.

7           And it doesn't have the kind of signature  
8           Craftsman elements that are -- you know, to a  
9           point, they're often in smaller scale or  
10          they're kind of -- they are more symmetrical,  
11          and some of these features, you know, just  
12          aren't present in this home.

13          And secondly, this home was also built in a  
14          period where railroad -- that came to Medina, I  
15          think, in the 1870s. It brought building  
16          components that were pre-manufactured from  
17          other places. So this isn't really a home that  
18          was built by a Craftsman per se, but most  
19          likely a home that was built from components  
20          that were brought in from somewhere else and  
21          assembled, more like homes today almost.

22          So those two criteria really are an  
23          objective way to establish significance in  
24          evaluating the building, and that way really  
25          didn't return those results as far as

1                   establishing significance for the  
2                   National Register.

3                   Even if it was to establish significance,  
4                   the next question that the National Register  
5                   would ask is, does the building have integrity?  
6                   So does the building kind of display that  
7                   significance that it once had still to this  
8                   day? And I think -- you know, we all know the  
9                   building doesn't look quite like it did when it  
10                  was originally built as far as the type of  
11                  siding, the size of the windows which have been  
12                  changed, the addition to the porch, kind of  
13                  closing in the porch, and masking what details  
14                  might remain. So in terms of integrity, even  
15                  if it were to meet the criteria for  
16                  significance, that integrity is also missing.  
17                  And so that was one method to kind of determine  
18                  if this established significance.

19                  A second thing that we looked into was  
20                  the actual original establishment of the  
21                  Historic District for the Medina Square, and so  
22                  that was submitted to the National Register in  
23                  1975, and when it was created, a boundary had  
24                  to be established for the assemblage of  
25                  architecture that kind of embodied the

1           significant characteristics of the Square in  
2           that kind of 1870 to 1900 period. This  
3           building and property was left out of that  
4           boundary, and the report notes specifically  
5           that the architecture outside of that boundary  
6           changes erratically and immediately.

7           Now, that would be language that applies to  
8           kind of every building outside of that  
9           boundary, but I think, you know, when we  
10          consider whether or not this building was  
11          significant to them at that time, I think, you  
12          know, the conclusion would have been -- would  
13          be no. And I would think if it was kind of  
14          integral to the Square and that assemblage of  
15          architecture, it would have been included in  
16          that boundary.

17          Otherwise, you know, I've also reviewed the  
18          report that the architect commissioned by the  
19          City - Kevin Robinette - drafted and shared  
20          with the City and, I think, you know, some  
21          excerpts of that are important and kind of  
22          establish similar thoughts that we had in that  
23          it is a residential structure within an area  
24          that has evolved into a commercial district  
25          with multilevel storefronts and, also, that as

1                   a standalone structure, its historic  
2                   significance is very limited.

3                   So, you know, we thought some of that  
4                   report kind of affirmed what we considered to  
5                   be the case, and then, you know, looking at the  
6                   National Register from 1975 and looking at the  
7                   kind of criterion it must meet today, we've  
8                   come to the conclusion that this is not  
9                   significant and not a significant loss to the  
10                  City of Medina and not significant to the  
11                  history of the town.

12                  MR. WITSCHEY:                 If I could ask a  
13                  follow-up.

14                  Mr. Jones, did you review the cost  
15                  estimates that Mr. Robinette provided and  
16                  Mr. Dan Kendel?

17                  MR. JONES:                     Yes.

18                  MR. WITSCHEY:                 For that type of  
19                  construction that would be needed to bring the  
20                  property up to code, would there typically need  
21                  to be costs that would be expended for  
22                  engineering or architecture before construction  
23                  like that could occur?

24                  MR. JONES:                     Yeah. We would,  
25                  you know, be engaged -- or an architect would

1                   be engaged to, you know, design the  
2                   accessibility requirements to meet the building  
3                   code today, or at least meet Chapter 34 of the  
4                   Ohio Building Code to bring an existing  
5                   building up to some semblance of the code.

6                   MR. WITSCHEY:                 What would be an  
7                   estimate of engineering or architectural costs  
8                   to do a project to get the property up to code  
9                   and functioning?

10                  MR. JONES:                   I would say the  
11                  fees would be around six to eight percent of  
12                  the construction costs. So I know the  
13                  construction cost was just under three hundred  
14                  thousand, so doing some quick math, that would  
15                  be, I don't know, twenty-five thousand or so.

16                  MR. WITSCHEY:                 Okay. And I want  
17                  to read this pertinent section and then ask a  
18                  question about this. Where it says in the  
19                  code, "Demolition of existing buildings  
20                  which are not a significant loss to the  
21                  Historic District to allow for the  
22                  construction of new development which  
23                  enhances the Historic District may be  
24                  acceptable," have you done any work regarding  
25                  what kind of proposal Dr. Raymond and

1                   Twin Pines might have for this particular  
2                   project?

3                   MR. JONES:                   Yes. So I've  
4                   created kind of an idea of what that would be.

5                   And so this was an image that was created  
6                   to give an idea of what we would want to -- at  
7                   least kind of what could be put in place at  
8                   this building. You know, I think there's a  
9                   certain level of icing or decorative materials  
10                  that could always be adjusted, but they would  
11                  always have to fall in the spirit of the  
12                  Medina City design guidelines.

13                  But the idea would be to be a mixed-use,  
14                  multistory, you know, two-story kind of  
15                  commercial zero-setback building with a retail  
16                  or service business kind of bottom use with a  
17                  residential multifamily use above on the second  
18                  floor. So similar to what Dr. Raymond has done  
19                  at the parcel next door but, you know,  
20                  obviously this property is a lot smaller, so  
21                  that kind of envelope would be reduced, but it  
22                  would utilize the property lines as much as  
23                  possible to give it that -- the zero setback  
24                  kind of characteristic that is throughout the  
25                  rest of the commercial district in the City.

1                           MR. WITSCHY:                   And with that,  
2                           we'll open up questioning that anyone might  
3                           have.

4                           CHAIRWOMAN:                   Can I ask the  
5                           City's lawyer to ask questions that you might  
6                           have at this time.

7                           MR. HUBER:                   I don't have any  
8                           questions.

9                           CHAIRWOMAN:                   Okay. I have a  
10                          question. So the presentation that you have  
11                          before the Board here of the drawings of the  
12                          proposed potential new structure, so on the  
13                          Auditor's website, you refer to the subject  
14                          property as 028-19A-21-072 as the parcel number  
15                          for Twin Pines, the owner's property at  
16                          133 North Court Street. So you're suggesting  
17                          that that drawing there will fit on that  
18                          parcel?

19                          MR. JONES:                   That is correct.  
20                          So that drawing -- those same exterior walls in  
21                          that drawing are also in those representations.

22                          CHAIRWOMAN:                   Okay.

23                          MR. HUNT:                   Just for the  
24                          Board's information then, this proposed  
25                          building, will it meet the zoning setbacks for

1                   that zoning district?

2                   MR. JONES:                   Yes. This  
3                   district has a zero setback.

4                   MR. HUNT:                   Not just front,  
5                   but I'm talking about side.

6                   CHAIRWOMAN:               Side and back.

7                   MR. JONES:                   Oh, got you.

8                   Yes. I know of no setback requirements in  
9                   the Historic District, so I believe a zero  
10                  setback is applicable on all sides of the  
11                  property.

12                  CHAIRWOMAN:               Can anybody with  
13                  the City confirm that, either law or Andrew?

14                  MR. DUTTON:               Andrew Dutton;  
15                  1035 Brookpoint Drive, Medina.

16                  If you give me a minute, I can look that  
17                  up. I don't know that offhand.

18                  CHAIRWOMAN:               Does the Board  
19                  have any questions they'd like to submit to the  
20                  Applicant at this time?

21                  (No verbal response.)

22                  MR. HUNT:                   And, again, this  
23                  is for clarification for the Board. I did the  
24                  actual math of the professional costs that were  
25                  testified to with respect to engineering and

1                   architectural, and it's not really twenty-five  
2                   thousand. Six percent would be about --  
3                   because the cost that I saw was two hundred and  
4                   eighty-eight thousand, I believe  
5                   Mr. Robinette's report. Six percent would be  
6                   \$17,280; and at eight percent, it would be  
7                   \$23,040. So it doesn't quite meet twenty-five  
8                   thousand.

9                   MR. JONES:                   Thank you. Sorry  
10                  about that.

11                  MR. HUNT:                   That's fine.

12                  MR. DUTTON:                If I could  
13                  respond to the setback question. That is  
14                  correct, it would be a zero setback on all  
15                  sides as it's not adjacent to any residential  
16                  district.

17                  CHAIRWOMAN:                Does the subject  
18                  property have to have a certain amount of  
19                  parking associated with it?

20                  MR. DUTTON:                It is in our  
21                  parking-exempt district, so it would not need  
22                  to provide any on-site parking.

23                  CHAIRWOMAN:                Okay. Do we have  
24                  any other statements to be made from the  
25                  Applicant's attorney or any other questions

1                   from our Board?

2                   (No verbal response.)

3                   CHAIRWOMAN:                   No?

4                   MR. WITSCHEY:                   So we do have  
5                   more statements from the Applicant, yes.

6                   CHAIRWOMAN:                   Okay.

7                   MR. WITSCHEY:                   So I assume  
8                   Mr. Jones is done. If we could have Dan Kendel  
9                   please come up.

10                  So, Mr. Kendel, if you can just kind of  
11                  give us a little bit of an introduction of  
12                  yourself, what it is you do, and your history  
13                  with the property.

14                  MR. KENDEL:                   My name is  
15                  Dan Kendel, 799 Fowler Avenue, Akron, Ohio,  
16                  and I work for Dr. Raymond. I was the  
17                  construction manager on the Raymond Building at  
18                  139 North Court, and I prepared this estimate  
19                  in September of '20 of \$287,400 to bring the  
20                  133 North Court up to code standards, and since  
21                  that time, due to rising construction costs,  
22                  it's probably about twenty percent higher now  
23                  to do the same amount of work as it was a year  
24                  ago -- a year ago plus.

25                  MR. WITSCHEY:                   Have you done any

1                   work on the property to, you know, attempt to  
2                   preserve at least the condition that it was in  
3                   when Twin Pines acquired it?

4                   MR. KENDEL:                   Yes. We've  
5                   maintained the property, mowing and mulching  
6                   and maintaining the mechanicals of the  
7                   building. We were going to redo the back  
8                   portion of the building last year about  
9                   this time, and we were advised by then  
10                  Jonathan Mendel that we could not do anything  
11                  to the building because of the ongoing  
12                  litigation of the project.

13                  MR. WITSCHHEY:                 Was there any  
14                  time before being stopped by Mr. Mendel that  
15                  you made any repairs or did anything to the  
16                  premises to keep it dry or anything of that  
17                  nature?

18                  MR. KENDEL:                   Yes. We had a  
19                  couple leaks in the older windows which were  
20                  repaired and a repair to the roof -- the front  
21                  Court Street side, the bow of the lower roof  
22                  was leaking also, so we repaired that, but we  
23                  kept everything -- you know, we maintained it.

24                  MR. WITSCHHEY:                 Okay. Your  
25                  estimate about a year ago was at two hundred

1                   and eighty-seven thousand dollars, and you  
2 mentioned that there would be inflation or  
3 increases of about twenty percent, so the  
4 project would be now over three hundred  
5 thousand dollars?

6                   MR. KENDEL:                   Yes.

7                   MR. WITSCHNEY:                 As a construction  
8 expert, as somebody who -- well, first of all,  
9 how long have you been involved in this kind of  
10 construction?

11                  MR. KENDEL:                   Thirty years.

12                  MR. WITSCHNEY:                 With your  
13 education and experience involving  
14 construction, would you have an opinion on  
15 whether it would be worth putting three hundred  
16 thousand dollars into this building?

17                  MR. JONES:                   No. That would  
18 be -- no. That would bring the building up to  
19 code.

20                  MR. WITSCHNEY:                 Okay.

21                  MR. KENDEL:                   And then you have  
22 your tenant build-outs, which depends on  
23 whether it's commercial or residential or a  
24 mixed use, and then you have to add your  
25 additional costs on to that, and that would not

1                   be feasible, not economically feasible at all.

2                   MR. WITSCHEY:                 All right. Would  
3                   there be any risks from the standpoint of  
4                   doing -- putting this kind of money into a  
5                   building that sits on that -- the foundation of  
6                   this over one-hundred-year-old building?

7                   MR. KENDEL:                 No. I would be  
8                   very hesitant to do so without that structural  
9                   engineering and testing.

10                  MR. WITSCHEY:                 And that would be  
11                  additional costs?

12                  MR. KENDEL:                 Yes.

13                  MR. WITSCHEY:                 With that, my  
14                  examination is concluded, so if anyone has  
15                  questions, they're welcome to ask Mr. Kendel.

16                  CHAIRWOMAN:                 Does anybody on  
17                  the Board have any questions -- oh, sorry. Go  
18                  ahead.

19                  MR. HUBER:                 Mr. Kendel, did  
20                  you have an opportunity to look at the report  
21                  prepared by Mr. Marquard who's a REALTOR?

22                  MR. KENDEL:                 No, I did not.

23                  MR. HUBER:                 Well, he's going  
24                  to testify to his report, but just assume that  
25                  his estimate is that the property could be

8 MR. KENDEL: Yes. He's the  
9 expert in, you know, rental costs in the area  
10 and he's very well-respected, and I agree with  
11 him that that's, you know, probably about what  
12 you can get out of it.

16 MR. KENDEL: Yes.

17 MR. HUBER: And that's what  
18 the building was prior to Dr. Raymond buying  
19 it, right?

20 MR. KENDEL: Yes. It was  
21 sparsely rented out, different offices, and the  
22 first and second floor, it was -- it was just  
23 kind of shoddily run. We weren't quite sure,  
24 you know, what we were getting into when we got  
25 the building as far as tenants and --

1                           MR. HUBER:                   So if you bought  
2                           the building for two hundred and fifteen  
3                           thousand dollars and put three hundred thousand  
4                           more into it, I guess the reasonable  
5                           expectation would be that you would be earning  
6                           back roughly fourteen, fifteen thousand dollars  
7                           a year. There's a second floor to this  
8                           property, correct?

9                           MR. KENDEL:                   Yes. Yes, sir.

10                          MR. HUBER:                   So your  
11                          expectation in terms of the economic aspect  
12                          would be to put this money in and then hope to  
13                          get that money back through the rental of the  
14                          property, correct?

15                          MR. KENDEL:                   Yes, sir.

16                          MR. HUBER:                   You would agree  
17                          with me that that is -- assuming that's what  
18                          you wanted to do, that is an economically  
19                          viable use, correct?

20                          MR. KENDEL:                   Well, that's --  
21                          you know, you would have an additional cost,  
22                          and if it's residential, you know, you've got  
23                          your kitchen and utilities and appliances and  
24                          any type of a tenant build-out would be at an  
25                          additional cost added to that, so you would

1 have that also. So, you know, you're looking  
2 at over and above what bringing it up to code  
3 is. That would be, you know, at today's  
4 cost, and probably plus an additional fifty  
5 thousand onto this cost, and then you add in  
6 your cost of tenant build-outs, basically is  
7 what it would be.

8 MR. HUBER: So I don't really  
9 understand what you just talked about because  
10 you're kind of hard to hear and --

11 CHAIRWOMAN: Is your mic on,  
12 sir?

13 MR. KENDEL: Yeah.

14 CHAIRWOMAN: Do you have a  
15 green light lit?

16 MR. KENDEL: Yes.

17 MR. HUNT: Could you move  
18 closer?

19 MR. KENDEL: Better?

20 CHAIRWOMAN: Yes.

21 MR. HUBER: So what -- are  
22 you now, in response to my questions, adding  
23 thousands of dollars to this project --

24 MR. KENDEL: No, no.

25 MR. HUBER: -- that we hadn't

1                   talked about prior to your testimony? What are  
2                   you doing?

3                   MR. KENDEL:                   No. We're -- the  
4                   original estimate was to bring the building to  
5                   code to the requirements of the building codes  
6                   of the City of Medina. That's it.

7                   Now, when you do a tenant build-out, that's  
8                   over and above.

9                   MR. HUBER:                   What do you mean  
10                  "a tenant build-out"?

11                  MR. KENDEL:                   Well, whoever  
12                  would rent the space, you know, they would have  
13                  requirements as to what they want within the  
14                  building for what their use is, and if it was  
15                  residential, you know, then you're -- you have  
16                  to build -- treat it as a residential  
17                  build-out, which adds to the cost.

18                  MR. HUBER:                   Well, I mean, I  
19                  was in this building. There's spaces for  
20                  offices. It doesn't appear that -- if you  
21                  brought it up to code and made it in accordance  
22                  with what you as a builder would do, how do you  
23                  know that you're going to have a tenant  
24                  build-out? Because most people want offices  
25                  and want a place to put their coffeepot and

1                   want a place to put their printer. I don't  
2                   know what you're trying to say then. Because  
3                   it's been used as office space previously just  
4                   the way it is.

5                   MR. KENDEL:                   Hm-hm.

6                   MR. HUBER:                   You fix it to  
7                   code. Why wouldn't it be rented just the way  
8                   it is? It could be, couldn't it?

9                   MR. KENDEL:                   Well, he was  
10                  renting office spaces that I believe -- I don't  
11                  know if Mike knows this or not, but they were  
12                  approximately like three hundred dollars a  
13                  month, so you're not going to gain anything  
14                  back.

15                  MR. HUBER:                   We already  
16                  established through what Mr. Marquard -- who  
17                  hasn't testified yet. We're a little out of  
18                  order here, but we're looking at -- roughly  
19                  fourteen, fifteen thousand a year would be a  
20                  reasonable expectation, right?

21                  MR. KENDEL:                   Yes.

22                  MR. HUBER:                   And we could get  
23                  that without a whole lot of money in tenant  
24                  build-out. Wouldn't you agree?

25                  MR. KENDEL:                   It just depends

1                   on who is in there, if it's residential or  
2                   commercial or --

3                   MR. HUBER:                   Well, if you're  
4                   going to bring it up to code, then what money  
5                   are you talking about with respect to tenant  
6                   build-out over and above the three hundred  
7                   thousand you already testified to?

8                   MR. KENDEL:                  If you have to  
9                   install any kitchen appliances, if it's  
10                  residential, you know, new bathrooms.

11                  MR. HUBER:                  Well, we know  
12                  it's not residential. This is commercial.

13                  MR. KENDEL:                 Well, right, yes.

14                  MR. HUBER:                 Okay.

15                  MR. KENDEL:                 It just depends  
16                  on what -- you know.

17                  MR. HUBER:                 So you really  
18                  don't know whether there's going to be any  
19                  money on a tenant build-out, right?

20                  MR. KENDEL:                 Well --

21                  MR. HUBER:                 And you don't  
22                  know what that amount might be?

23                  MR. KENDEL:                 No, I don't know  
24                  what the amount might be, but there will be an  
25                  additional cost onto that, that I do know.

1                           MR. HUBER:                           So your testimony  
2                           is that to fix this building up, you're looking  
3                           at three hundred thousand plus some uncertain  
4                           additional expense; the expectation, on the  
5                           other end, is that you'd be able to lease  
6                           this -- or reasonably rent the space for  
7                           fourteen, fifteen thousand dollars a year.  
8                           That's the summary?

9                           MR. KENDEL:                          Yes.  
10                          MR. HUBER:                          Okay. Thank you.  
11                          CHAIRWOMAN:                         Could we have the  
12                          real estate agent go ahead and give his  
13                          testimony.

14                          MR. MARQUARD:                        Hi.  
15                          CHAIRWOMAN:                         Hi. You need a  
16                          microphone.

17                          MR. MARQUARD:                        You ready?  
18                          MR. WITSCHY:                        Yes.  
19                          MR. MARQUARD:                        Can everyone hear  
20                          me?

21                          CHAIRWOMAN:                         Yes.  
22                          MR. MARQUARD:                        My name is  
23                          Michael Marquard. I've been a real estate  
24                          broker for forty years. I own a company called  
25                          M.C. Real Estate.

I am the property manager of Twin Pines. I  
was asked to manage this building when  
Dr. Raymond of Twin Pines bought it. I can  
give you the lowdown of what I did when we went  
in there from the beginning, the type of  
tenants that were there, what it was leased  
for, whether there was any leasehold  
improvements or not, so I guess I'll back up to  
answer some of the questions that were coming  
up so that I can give you the lowdown.

When Dr. Raymond bought the building, I  
wasn't involved in the purchase of it. He  
bought it directly from an owner that was  
there. He asked me to manage the building. I  
went in, met the tenants. There was an  
attorney there, it was a psychologist, and a  
gentleman who owned Dan's Dogs that was on the  
third floor. The building was pretty much  
trashed on the top two levels. Will maintained  
the top level very well because he had a nice  
library up there, who I happen to know. I know  
all these people.

23 CHAIRWOMAN: Can I just  
24 interrupt you?

25 MR. MAROUARD: You can interrupt

1                   me all you want.

2                   CHAIRWOMAN:                   Could you tell us  
3                   what year that was?

4                   MR. MARQUARD:                 2017 or '18. I  
5                   don't know for sure. It was right after he  
6                   bought the building. About six months in he  
7                   realized that he needed a property manager to  
8                   take over, so I went in.

9                   The first thing I did is I asked the third  
10                  floor tenant to leave because it was a wreck,  
11                  it wasn't inhabitable to be up there, and he  
12                  did so, and he did leave.

13                  The second floor tenant - Will - who  
14                  happens to be my next-door neighbor, said he  
15                  wanted to leave anyway, so he was going to  
16                  leave, too.

17                  The gal on the first floor, I tried to  
18                  satisfy and keep her there because the first  
19                  floor is what is rentable in this building.  
20                  It's nonfunctional, but it's rentable to rent a  
21                  section of it, if you have the entryway it's  
22                  in. There's more square footage than the  
23                  fourteen hundred square feet. There's about  
24                  sixteen hundred and eight square feet without  
25                  bathrooms and without entry. The problem with

1           the building being not functional is you have a  
2           staircase at the back of the building of a  
3           house and you can't divide things up properly  
4           to make it in today's world and you have to  
5           have baths, handicap-accessible baths, and  
6           different things.

7           Leasehold improvements are something -- as  
8           an example, on the Raymond Building, when I  
9           leased Firestorm Gear, Heart and Soul their  
10          property, even though the building was built  
11          out, there were particular leasehold  
12          improvements that were made, and in that  
13          building, each tenant had about fifty to eighty  
14          thousand dollars of leasehold improvements up  
15          above.

16          I own a building, 403 East Washington  
17          Street, where my office is. It was built in  
18          1900. It's in the historic society. I'm very  
19          proud of it. It's on the corner.

20          I own a building, 129 Broadway. We manage  
21          about two hundred and fifty properties, my  
22          property management company.

23          The reason why I bring that up is, certain  
24          buildings are functional, certain buildings are  
25          not. This building is not functional to make

1           it worthwhile for the dollars you have to put  
2           in to get a return on your investment. It's  
3           always a shame, but it's the way it is.

4           I laid in the back of the building on the  
5           casket elevator. It was as dangerous as can  
6           be. You know, it was there. There were things  
7           there that just should not have been there.  
8           They were safety issues.

9           I think when you open up a building, you  
10          open up more than just three hundred thousand.  
11          You open up more to it than that once you get  
12          those walls open. You're going to find a lot  
13          more than what's there. I found in both of the  
14          buildings that I have and both of the buildings  
15          I have in Wadsworth the same thing.

16          I think the building is nonfunctional. I  
17          checked with a colleague; my colleague said  
18          nonfunctional. The last time this building was  
19          renovated I found out was 1990. Since then, he  
20          hasn't done -- the previous owner did not do a  
21          thing to it.

22          I don't know what else you want from me. I  
23          kind of went -- it's not what I was going to  
24          say when I came up here, but I'm trying to  
25          answer some of the other questions at the same

1 time.

2 CHAIRWOMAN: Does anyone from  
3 the Board have a question for the real estate  
4 agent?

5 (No verbal response.)

6 CHAIRWOMAN: Does this  
7 building have a back stairway or just one --  
8 MR. MARQUARD: He has a back  
9 stairway that's not usable.

10 CHAIRWOMAN: So there's two  
11 stairways?

12 MR. MARQUARD: There's two  
13 stairways. The one in the back was the old --  
14 probably an old maid's quarter upstairs.

15 CHAIRWOMAN: Sure.

16 MR. MARQUARD: It's --

17 CHAIRWOMAN: Real narrow?

18 MR. MARQUARD: You can't --  
19 yeah, it's real narrow.

20 CHAIRWOMAN: So when you  
21 testified that you did have renters in there --

22 MR. MARQUARD: Yes.

23 CHAIRWOMAN: -- did they have  
24 no bathroom to use and no kitchen?

25 MR. MARQUARD: They had one

1 bathroom downstairs --

2 CHAIRWOMAN: And it was a  
3 functioning bathroom?

4 MR. MARQUARD: -- and they had a  
5 sink.

6 It's still functioning right now, if you  
7 can call it functioning.

8 CHAIRWOMAN: Okay.

12 CHAIRWOMAN: Okay. But no  
13 kitchen?

14 MR. MARQUARD: It does have a  
15 sink, but there's no appliances in it, nothing  
16 else in it. It has an old sink.

17 CHAIRWOMAN: No refrigerator  
18 or anything like that?

19 MR. MARQUARD: No refrigerator  
20 was in there.

21 CHAIRWOMAN: Okay.

22 MR. WOOD: Is it  
23 nonfunctional because of the way --

24 MR. MARQUARD: The layout.

25 MR. WOOD: It is?

1 MR. MARQUARD:                   Absolutely it's  
2 the layout. That's a part of it. It's  
3 nonfunctional because you can't get enough rent  
4 out of it because of the way it functions. You  
5 come in, you lose all the square footage having  
6 a central area where then you divide it off  
7 into office here, office here, office upstairs  
8 (indicating). Nobody wants to go upstairs and  
9 have to walk through somebody else's office to  
10 go upstairs.

I had a title company. I tried to lease it  
and, also, my colleague tried to lease it. He  
was unsuccessful, too, my colleague. And so I  
called on him because I wanted to make sure my  
numbers were right. I wanted to make sure I  
had the right numbers -- of an opinion of  
numbers, and those are -- eight to ten is the  
ask rate. You get what you get. It's like  
anything. That's an ask rate that's there.

20                   But the point I'm making is, it doesn't  
21                   function well. Nobody wants to walk upstairs  
22                   today. I had a -- I was saying I had a title  
23                   company laid out. By the time we got to the  
24                   costs, they couldn't afford the leasehold  
25                   improvements. We didn't want to do it at that

1                   point; it didn't make sense. He ended up going  
2                   out to Medina Township renting a new one for  
3                   the same price he could have rented from me.  
4                   That's the problem.

5                   So you can't just get a return. And if you  
6                   get a return for it, great. Or if somebody  
7                   wants to give us a grant, great. A grant would  
8                   be great. It would be wonderful, like they do  
9                   in Wadsworth.

10                  CHAIRWOMAN:                   So the two  
11                  hundred and eighty-eight thousand dollars that  
12                  they would have to invest in it, would that  
13                  restructure the inside of it so that it would  
14                  be more functional?

15                  MR. MARQUARD:                 No. I think  
16                  that's just to bring it up to code.

17                  CHAIRWOMAN:                 Oh, okay.

18                  MR. MARQUARD:                 That was my  
19                  understanding, the two hundred and eighty-eight  
20                  thousand dollars was to bring it up to where it  
21                  was inhabitable for tenants.

22                  CHAIRWOMAN:                 So handicap  
23                  bathrooms and things like that?

24                  MR. MARQUARD:                 Yeah.

25                  CHAIRWOMAN:                 Locking doors?

1                   MR. MARQUARD:           Yeah. And I  
2                   can't -- you can hardly get in that bathroom  
3                   downstairs.

4                   CHAIRWOMAN:           Okay.

5                   MR. MARQUARD:           And the one  
6                   upstairs doesn't work. So that's why I had the  
7                   tenants move. The heat doesn't work in all the  
8                   different areas of the building.

9                   CHAIRWOMAN:           Right. But after  
10                  the investment, the heat would be working?

11                  MR. MARQUARD:           Well, it would  
12                  have to. Either that or you can't rent it.  
13                  Nobody wants to lease without heat.

14                  CHAIRWOMAN:           Okay.

15                  MR. MARQUARD:           So any other  
16                  questions of me?

17                  MR. HUBER:             Yes, I have some  
18                  questions.

19                  MR. MARQUARD:           Yes, sir.

20                  MR. HUBER:             Mr. Marquard,  
21                  this property was rented continuously right up  
22                  until 2017, correct?

23                  MR. MARQUARD:           I don't know what  
24                  the vacancy rate was, but he did have people  
25                  in -- he was in there himself, yes.

1 MR. HUBER: And after 2017,  
2 because of the mechanicals and all the problems  
3 with it, that in and of itself was going to  
4 make a problem for somebody to come and look at  
5 it now, correct?

6 MR. MARQUARD: Yes, sir.

7 MR. HUBER: You prepared a  
8 report at my request. You are a REALTOR in  
9 Medina for a long period of time. Is that  
10 correct?

11 MR. MARQUARD: Yes, sir.

12 MR. HUBER: And your business  
13 is known as M.C. Real Estate?

14 MR. MARQUARD: Yes, sir.

15 MR. HUBER: I've got what I  
16 marked as Exhibit C, which is your report  
17 concerning average rental value in the City of  
18 Medina. Is that correct?

19                           MR. MARQUARD:                   Yes, sir. That's  
20                           an asking range for properties that are like --  
21                           similar like that one redone.

25 MR. MARQUARD: Yes, sir.

1                           MR. HUBER:                   And you estimate  
2                           the square footage as being thirteen to  
3                           fourteen hundred dollars -- or thirteen to  
4                           fourteen hundred square feet, correct?  
5                           MR. MARQUARD:               Yes, sir.  
6                           MR. HUBER:                   So that  
7                           translates roughly to fourteen thousand a year?  
8                           MR. MARQUARD:               If you take the  
9                           ten dollars a square foot, that's fourteen  
10                          thousand times that, yes.  
11                          MR. HUBER:                   Okay.  
12                          MR. MARQUARD:               That is an asking  
13                          price, but yes, that would be -- that would be  
14                          max.  
15                          MR. HUBER:                   So that would be  
16                          roughly a thousand dollars --  
17                          MR. MARQUARD:               Fourteen thousand  
18                          divided by twelve, yes.  
19                          MR. HUBER:                   About eleven  
20                          hundred dollars a month?  
21                          MR. MARQUARD:               Yes. Just about  
22                          covers the taxes and water, sewer, you know,  
23                          for the rental costs there, but it doesn't  
24                          cover anything else.  
25                          MR. HUBER:                   You would agree

1                   with me -- I mean, you've seen where I rent as  
2                   an attorney. Basically I need space for a  
3                   secretary to put her desk, I need a copier, I  
4                   need some room for a computer, I need a desk  
5                   and a room for myself. This property would  
6                   ostensibly -- because it's downtown, it could  
7                   work along those lines. Isn't that true?

8                   MR. MARQUARD:                 Yes.

9                   MR. HUBER:                     But it needs to  
10                  have mechanicals if that were to happen, it  
11                  would need to be up to code?

12                  MR. MARQUARD:                 It would need to  
13                  be up to code and it would need to be renovated  
14                  inside to make it liveable for someone, yes.

15                  MR. HUBER:                     Does anybody have  
16                  any objection to me introducing into the record  
17                  Mr. Marquard's report as Exhibit C?

18                  MR. WITSCHEY:                 No objection.

19                  CHAIRWOMAN:                     No objection.

20                  MR. HUBER:                     Thank you very  
21                  much.

22                  MR. MARQUARD:                 Thank you, sir.

23                  MR. WITSCHEY:                 Greg, there's an  
24                  attachment from his colleague who he's made  
25                  reference to, and he gave permission, Greg, for

1                   you to review that. I don't think he wants the  
2                   communication with the colleague --

3                   MR. MARQUARD:                 Right.

4                   MR. WITSCHNEY:                 -- to be a part  
5                   of the public exhibit, so if we could redact  
6                   that or pull it off.

7                   MR. HUBER:                     That's fine.

8                   MR. WITSCHNEY:                 Is that okay?

9                   MR. HUBER:                     Sure.

10                  MR. MARQUARD:                 Thank you.

11                  MR. HUBER:                     I've got to see  
12                  what he's talking about.

13                  MR. MARQUARD:                 There's a flier  
14                  in there. There's an e-mail and flier. I just  
15                  don't want it part of the record.

16                  MR. HUBER:                     Just take that  
17                  off?

18                  MR. MARQUARD:                 Yes. I would  
19                  have to get permission from him to make that a  
20                  part of the public record.

21                  MR. HUBER:                     I just gave him  
22                  what you gave me, Mike.

23                  MR. MARQUARD:                 That's fine. I  
24                  don't think he would object, but I don't want  
25                  to take that professional liberty.

1                           MR. WITSCHEY:                   So I have maybe a  
2                           follow-up question and that is, have you had  
3                           occasion to consider the fair market value of  
4                           this property as it presently exists and have  
5                           an opinion on that?

6                           MR. MARQUARD:                   The property was  
7                           purchased for two hundred and fifteen thousand.  
8                           It's probably worth the lot value. It's  
9                           probably a fifty-thousand-dollar demolition if  
10                          I was to guess on that, and that is a guess,  
11                          forty to fifty thousand in today's world. I'm  
12                          not sure now what demolition is for that kind  
13                          of a building downtown, but I would think the  
14                          building would be worth a hundred and  
15                          seventy-five thousand. I just bought one  
16                          around the corner for a hundred and fifty. It  
17                          was less square footage. 129 Broadway is the  
18                          address that I paid one-fifty for. It was less  
19                          square footage and in good shape, mechanical  
20                          shape, which is also next door.

21                          MR. WITSCHEY:                   So is that  
22                          essentially the cost, two hundred and fifteen  
23                          thousand less demolition cost?

24                          MR. MARQUARD:                   Yeah, that's --  
25                          it's worth about a hundred and seventy-five

1 thousand dollars roughly. Yes, one-sixty-five,  
2 one-seventy.

3 MR. WITSCHEY: Thank you.

4 Unless anyone else has questions --

5 CHAIRWOMAN: I guess I'm kind  
6 of confused. If they put twenty-three thousand  
7 dollars into it, where does that get us?

8 MR. MARQUARD: Twenty-three  
9 thousand what?

10 CHAIRWOMAN: To make it  
11 functional, was the statement, to make it  
12 functional.

13 MR. MARQUARD: To make it  
14 functional is two hundred and eighty-eight  
15 thousand dollars, was the estimate.

16 CHAIRWOMAN: Well, there was a  
17 statement made that a minimum would be  
18 twenty-three thousand.

19 MR. MARQUARD: I don't know  
20 whether that came from me.

21 CHAIRWOMAN: I believe that  
22 came from the architect.

23 MR. MARQUARD: I don't know what  
24 twenty-three thousand dollars --

25 MR. JONES: Oh, that was the

1 architect's fee for the drawings.

2 CHAIRWOMAN: Oh, a fee.

3 MR. HUNT: Professional  
4 fees.

5 CHAIRWOMAN: Got you.

6 MS. BIGGENS-RAMER: Could you clarify  
7 for me, a hundred and seventy-five thousand  
8 market value price, that is if you put it on  
9 the market for sale right now, or you're  
10 suggesting that is -- you know, could you  
11 explain that again, please?

12 MR. MARQUARD: If I did an  
13 actual analysis of it, we'd have to get it --  
14 at least get the heat running. We'd have to do  
15 some investing in it to even put it on the  
16 market and make a determination on what market  
17 value -- he asked me to give a value off my  
18 head and I just did. We would have to  
19 analyze -- you know, I don't know whether the  
20 heat is working in there anymore. I don't know  
21 whether the hot water tank is working in there  
22 anymore, so all those are for just showing the  
23 property. You may get an offer, a hundred and  
24 twenty-five, you know. I don't know that.

25 I think a fair market value of that

1                   property would be in the value of  
2                   one-seventy-five based on a property I just  
3                   bought.

4                   MS. BIGGENS-RAMER:     Can you give your  
5                   professional estimate as, you know, what is  
6                   the -- you just bought a property.   What did  
7                   the square footage for that cost?

8                   MR. MARQUARD:         I don't recall.

9                   Well, I mean, if you divide it out, it's  
10                  between -- it's about eighteen hundred square  
11                  feet divided by a hundred and fifty thousand.

12                  MS. BIGGENS-RAMER:     Okay.   Thank you.

13                  MS. KNAGGS:           If I could ask a  
14                  question as well.   So just -- in a lot of  
15                  these, like, full calculations of costs to  
16                  bring the building to code, was any  
17                  consideration considered in, like, historic tax  
18                  credits and things like that for a project to  
19                  bring the building to code, or that's just off  
20                  of current calculation?

21                  MR. MARQUARD:         That's off of  
22                  current -- I don't know that.   I can't answer  
23                  that question.   I'm not the one who did that.

24                  MR. JONES:            I could jump in  
25                  and say, I think your number (indicating)

1 didn't have anything to make it kind of  
2 historically accurate, it was only to bring it  
3 up to --

4 MR. KENDEL: Yes.

5 MR. JONES: So if you applied  
6 for tax credits, they would expect that to be  
7 invested, and you have a period to correct the  
8 windows or, you know, detailing that would --  
9 it would be a whole separate cost that would be  
10 to make it look as if it was originally built  
11 for during the period of significance and --  
12 yeah. And that would have to go through a  
13 process where it gets submitted to the State to  
14 see if it's eligible. It's kind of like a  
15 lottery system to a point, you know, where they  
16 might pick five properties, and if that's not  
17 one, you can just keep reapplying.

18 MS. KNAGGS: Thank you.

19 MS. BIGGENS-RAMER: I have another  
20 question, and I guess to the construction  
21 individual.

22                    You mentioned -- could you specify what was  
23                    completed in regards to the mechanics? You  
24                    mentioned that there was work done on the  
25                    mechanics. Could you specify what was done and

1                   when that was done?

2                   MR. KENDEL:                 Everything was  
3                   working properly, you know, when Dr. Raymond  
4                   bought the building. It never had hot water in  
5                   the building. The hot water tank has been  
6                   disintegrated years and years ago, so these  
7                   people were in there with no hot water, just  
8                   cold water. But everything else has been  
9                   maintained and we've had, you know, your  
10                  typical maintenance repairs to it and that's  
11                  about it.

12                  MS. BIGGENS-RAMER: Can you elaborate  
13                  on that, please?

14                  MR. KENDEL:                 We had the boiler  
15                  repaired a couple times, had some minor  
16                  electrical work done on the panel, because a  
17                  lot of it is the old knob-and-tube wiring,  
18                  which is kind of dangerous. But we had to  
19                  reroute in a few areas some updated wiring to  
20                  the panel, which the panel was replaced  
21                  obviously long -- the panel is probably thirty,  
22                  forty years old, but it's functioning.

23                  MR. WOOD:                    But there's still  
24                  no hot water?

25                  MR. KENDEL:                 No. There was

1 no --

2 CHAIRWOMAN: Is there some  
3 reason why you can't put a hot water tank in?

4 MR. KENDEL: You can, yes, but  
5 it would --

6 MR. WOOD: Maybe that's why  
7 it was never rented.

8 MR. MARQUARD: No. It was  
9 rented and the tenants didn't care whether they  
10 had hot water or not. Those are the tenants  
11 that I thought needed to be -- either fix  
12 things safety-wise and fix the --

13 MR. WOOD: But if you're  
14 trying to rent out more units in the building  
15 and there's no hot water --

16 MR. MARQUARD: Absolutely.

17 MR. WOOD: -- then other  
18 people are not going to want it.

19 MR. MARQUARD: Absolutely.

20 MS. BIGGENS-RAMER: This goes back  
21 also -- can you elaborate on the repairs that  
22 you did to the roof?

23 MR. KENDEL: The valley on the  
24 lower section where the -- that originally was  
25 a porch area on the original structure and that

1                   was turned into, you know, space -- heated  
2                   space, there was a leak there and, also, one of  
3                   the windows up above which was repaired.

4                   MS. BIGGENS-RAMER: Meaning what?

5                   MR. KENDEL:                   We had to take  
6                   out all the old caulking and reseal it and  
7                   reglaze the old window that was in there, and  
8                   then we had repairs to the ceiling from where  
9                   the water was leaking so it wouldn't --

10                  MS. BIGGENS-RAMER: Is that the  
11                  extent of renovations since 2017 that have been  
12                  done at the building?

13                  MR. KENDEL:                   We've put in  
14                  vinyl plank flooring in the entry area where  
15                  the offices are and that was about it.

16                  CHAIRWOMAN:                   Does the  
17                  Applicant have anything else they'd like to  
18                  present to the Board?

19                  MR. WITSCHEY:                   No.

20                  CHAIRWOMAN:                   Does the  
21                  City Administration have anything else they'd  
22                  like to present?

23                  MR. HUBER:                   We have  
24                  Kevin Robinette here. He presented us with a  
25                  report that I would like to submit to the panel

1                   as Exhibit B, and before we do that, I'll  
2                   question Mr. Robinette as to what he was doing  
3                   and what his opinions are.

4                   CHAIRWOMAN:                   Thank you.

5                   MR. HUBER:                   Kevin, can you,  
6                   for the record, tell us your full name.

7                   MR. ROBINETTE:               Kevin Charles  
8                   Robinette. I -- out of Kevin C. Robinette  
9                   Architect, LLC.

10                  MR. HUBER:                   How long have you  
11                  been an architect?

12                  MR. ROBINETTE:               It would be  
13                  almost forty-three years.

14                  MR. HUBER:                   You've done work  
15                  in the City of Medina before?

16                  MR. ROBINETTE:               Yes.

17                  MR. HUBER:                   Can you talk a  
18                  little bit about that?

19                  MR. ROBINETTE:               I most recently  
20                  renovated this atrium space for the City  
21                  (indicating). I also redesigned and renovated  
22                  the Visitor's Center and restaurants off the  
23                  Square. I'm currently working on a residential  
24                  redevelopment of a historic home, 524 East  
25                  Washington Street. Over the past -- I've done

1 quite a bit of work here. My first job was in  
2 Medina in the late '70s, '80s. I worked for  
3 Ron Kohanski who designed this building at  
4 about that time. I've also done other work in  
5 the area, the Human Services building just  
6 north of town as part of the County Complex.

9 MR. ROBINETTE: Yes, sir.

10 MR. HUBER: You're familiar  
11 with renovation of historical buildings?

12 MR. ROBINETTE: I am.

13 MR. HUBER: You were asked to  
14 take a look at the building owned by  
15 Dr. Raymond. Is that correct?

16 MR. ROBINETTE: Yes, it is.

17 MR. HUBER: Did you do that?

18 MR. ROBINETTE: Yes, I did.

19 MR. HUBER: Can you tell

when?

1                   then I produced the report follow-up.

2                   The first sentence on the report was the  
3                   goal that I was asked to provide for. "We have  
4                   been asked to conduct a survey of existing  
5                   building at 133 North Court for the purpose of  
6                   providing an outline of recommended work scope  
7                   in order to achieve current code compliance  
8                   standards allowing for a functional and generic  
9                   'Business' occupancy."

10                  MR. HUBER:                   And you did that?

11                  MR. ROBINETTE:               Yes, I did.

12                  MR. HUBER:                   Your report dated  
13                   August 27th is the end work product of your  
14                   efforts?

15                  MR. ROBINETTE:               Yes, it is.

16                  MR. HUBER:                   Can you summarize  
17                   what you've looked at and summarize what you  
18                   found and then tell us your opinions as to the  
19                   cost of the repair that's required?

20                  MR. ROBINETTE:               The charge that I  
21                   had was essentially to evaluate the existing  
22                   building, its envelope, its systems, and what  
23                   it would cost to bring it back to a point where  
24                   it could be reasonably used going forward into  
25                   the future, meeting current code standards.

1           And subsequently I walked through the  
2 building thoroughly. I have a series of photos  
3 as exhibits that demonstrate the different  
4 components to the building.

5           I looked at the site. From a code  
6 standpoint, the building lacks accessibility.  
7 It's a typical traditional home where it's, if  
8 I remember correctly, approximately four to  
9 five steps above grade in the back, seven to  
10 eight steps from the front -- from the  
11 sidewalk. None of the interior spaces  
12 themselves are accessible at this time.

13           Although it was zoned commercial business,  
14 it was essentially more of a residential  
15 structure from the standpoint of its layout.  
16 Mr. Marquard mentioned you walk into a large  
17 room on the first floor and there were a number  
18 of smaller spaces off of that large room. The  
19 stair going upstairs came off of that large  
20 space in the back of the house, and then it  
21 brought people up to the second and the third  
22 floor, similar to a center hall colonial would  
23 be.

24           But the upper floors were essentially  
25 residential in nature with a series of what

1           used to be bedrooms and a bathroom on the  
2           second floor. Although some of the spaces had  
3           been used just prior to that as commercial  
4           office spaces, the house is still -- it's still  
5           a house for all intents and purposes.

6           The systems were all at the end of their  
7           useful life and would have to be replaced. The  
8           envelope requires repairs. The windows are  
9           inconsistent. The windows have been replaced  
10          on the second and third floors, if I recall  
11          correctly. I believe the original windows are  
12          still on the first floor.

13          In my summary I indicated that the  
14          structure of the house is sound. I was able to  
15          get into a couple of attic spaces off the  
16          second floor and the structure is sound.

17          There was a fire in the basement at one  
18          point in time. Some of the floor joists and  
19          the decking is charred. It's hard to see  
20          exactly how much damage was done there based  
21          upon the fact that it's now covered up with a  
22          tin or a metal interior.

23          The head height in the basement is  
24          substandard. It's a very low ceiling height.  
25          As was mentioned, there's a boiler that

1                   provides for heat to keep the structure warm.  
2                   There's no air conditioning, there's no  
3                   ventilation at this time.

4                   And from the summary of looking at the  
5                   different components of the building, I was  
6                   asked to put together a cost estimate, and the  
7                   estimate that I came up with was \$288,700 to  
8                   bring it up to a bear standard. And as we've  
9                   had some discussion about what that cost really  
10                  means, I did include a very moderate cost for  
11                  some interior improvements, basically paint and  
12                  floor finishes. The interior plaster work  
13                  drywall is in fairly decent shape, but just to  
14                  put it in perspective, the first floor was  
15                  eighteen thousand, the second floor was  
16                  thirteen thousand, the third floor was eight  
17                  thousand. It's unknown how far that would go,  
18                  but I was just asked to bring it for an  
19                  estimate that brings it up to a place where  
20                  it's reasonable and usable.

21                   CHAIRWOMAN:                   What was what  
22                   total number again?

23                   MR. ROBINETTE:               Pardon me?

24                   CHAIRWOMAN:                What was the  
25                   total number?

1                   MR. ROBINETTE:           \$288,700.

2                   MR. HUBER:                 Does that figure  
3                   take into consideration the inflation that's  
4                   taken place in the last couple years with  
5                   respect to billing costs?

6                   MR. ROBINETTE:           No, it really  
7                   hasn't. I'm an architect, I'm not a  
8                   contractor. When I'm asked to put together an  
9                   estimate, what I'll generally do is refer to  
10                  similar relevant projects that I've worked on  
11                  reasonably -- within reasonable proximity and  
12                  reasonable time frame to this one.

13                  For example, the systems costs, I did  
14                  receive a proposal for new mechanical,  
15                  electrical, and plumbing systems on the home  
16                  I'm working on at 524 East Washington, and that  
17                  came up to about ninety thousand dollars. I  
18                  used eighty-five-five on this study.

19                  CHAIRWOMAN:                So does your  
20                  estimate include handicap bathroom with hot and  
21                  cold water and --

22                  MR. ROBINETTE:           Yes, it does.

23                  CHAIRWOMAN:               -- a kitchen of  
24                  some sort?

25                  MR. ROBINETTE:           Just a

1 kitchenette, not a full kitchen.

2 CHAIRWOMAN: Right. But  
3 something with a refrigerator?

9 CHAIRWOMAN: Right, or make it  
10 elaborate or anything.

11 MR. ROBINETTE: Yeah.

12 CHAIRWOMAN: Got you. I  
13 understand.

18 MR. ROBINETTE: It is correct.

19 MR. HUBER: Why do you say  
20 that?

21 MR. ROBINETTE: Well, I  
22 wouldn't -- I've worked on a lot of historic  
23 structures. I wouldn't consider myself to be a  
24 historian at the same level that some are,  
25 but just looking at the home, I really don't

1 believe there's anything distinctive about it  
2 from a historical standpoint.

3 It's got a traditional form and traditional  
4 roof lines. At one time it had a traditional  
5 porch, but that porch has been bastardized,  
6 it's been enclosed. It's got a very unusual  
7 front porch entry. The balusters, the piers,  
8 the columns, they're made out of  
9 poured-in-place concrete, which I had never  
10 seen before, and over the years they've  
11 shifted, they moved, they're coming apart. I'm  
12 not sure how you'd repair something like that,  
13 in all candor. And you can see places where  
14 the concrete is split and separated and you'll  
15 see the little reinforcing wires they put  
16 inside.

17 The only original openings of value are the  
18 first floor windows. You know, to really make  
19 those usable again, bring those back to life,  
20 it would be a fairly significant expense to  
21 keep those. You have the four windows that  
22 have been replaced. There is some articulation  
23 in the framing of the eaves and the soffits  
24 where there's some exposed wood members that  
25 are somewhat decorative. Some of that's been

1 covered up at this point with siding and  
2 soffits.

3 In my opinion, there just isn't that much  
4 that contributes historically. If you look at  
5 some of the homes in Medina that are really  
6 nice and really have a period presence to them,  
7 in my opinion, when you see it, you know it.  
8 When I look at this house, personally I just  
9 don't see it.

10 CHAIRWOMAN: Does anybody know  
11 what the structure -- what we would call this  
12 house? We haven't -- nobody has actually named  
13 it, like it's not a Craftsman or --

14 MR. ROBINETTE: I really don't --  
15 I mean, it was expressed by this young man  
16 (indicating) that it was somewhere between  
17 Victorian and Craftsman style, but I really  
18 believe that was more of a reference to the  
19 time that it was built.

20 CHAIRWOMAN: Right.

21 MR. ROBINETTE: I mean, in all  
22 candor, if you go into a typical subdivision  
23 and look at the form of the home that's built  
24 today, I think it's more in keeping with that  
25 than it is with anything that has a period

1 style to it. I think in its day when it was  
2 first built, the wraparound porch would have  
3 offered some aspect to it that would have been  
4 appealing and attractive. In its current state  
5 with it being enclosed, I don't think it really  
6 does.

7 MR. HUBER: Does it make more  
8 sense to you, Mr. Robinette, if this house were  
9 to be returned to use as a house as opposed to  
10 trying to call it a commercial building?

11 MR. ROBINETTE: Well, there  
12 really hasn't been anything done to it that  
13 would turn it into a commercial building. It's  
14 got an old set of cabinets, it's got a  
15 residential sink, the restrooms on the first  
16 floor are still residential in nature, the  
17 bathroom on the second floor is still  
18 residential in nature. None of the spaces are  
19 segregated like you might expect in a  
20 modern-day office building.

21 As I was sitting here listening to the  
22 conversation, the thing that came into my mind,  
23 it would make a good frat house. You've got a  
24 nice big space -- and I'm not trying to be  
25 cute. You've got a nice big space on the first

1                         floor where people can kind of gather and then  
2                         you've got a bunch of bedrooms upstairs.

3                         MR. HUBER:                     In your opinion,  
4                         the commercial zoning that has been attached to  
5                         this property doesn't necessarily fit what it  
6                         actually is?

7                         MR. ROBINETTE:                 I don't believe  
8                         so, no.

9                         MR. HUBER:                     Okay. We heard  
10                         testimony from Mr. Marquard that he finds the  
11                         building to be nonfunctional. Do you have any  
12                         opinion on that?

13                         MR. ROBINETTE:                 From a commercial  
14                         standpoint, I would concur for the most part.

15                         If you were able to find a number of  
16                         single-person tenants that are interested in an  
17                         office space where they can put a desk and a  
18                         chair and file cabinets you described and lock  
19                         the door, it would be functional; that could  
20                         work for them. You'd still have to pass  
21                         through other people's offices to get there, to  
22                         get to the stair unless you were to make --  
23                         renovate the first floor to create access off  
24                         the back, segregate the stair so that you  
25                         separate it from the first-floor tenants, and

that would be very awkward.

2                   And the analogy that you used of the law  
3                   office and the secretary, you know,  
4                   theoretically you'd want a conference room,  
5                   which I don't believe any of the spaces in the  
6                   building as they are now, with the exception of  
7                   the large space on the first floor, would be  
8                   conducive to that. And if you have an  
9                   assistant or somebody you work with on a  
10                  conjoint basis, instead of having a door  
11                  between your office and their space, as it's  
12                  built now, you'd have to walk outside of your  
13                  office through the common area and then into  
14                  their space.

15 MR. HUBER: So we essentially  
16 asked you to look at this as objectively as you  
17 can in terms of "Here's where we're at. We  
18 have a demolition request." In your opinion,  
19 does it make sense for a property owner to put  
20 two hundred and eighty-eight thousand dollars  
21 into this building to make it functional as a  
22 commercial building?

23 MR. ROBINETTE: I'm not a real  
24 estate guy. I can't imagine how it could be.

25 MR. HUBER: Okay. Well,

1           that's what we asked you to do, give an  
2           objective opinion. I think we're getting down  
3           to the truth of this case.

4                     CHAIRWOMAN:                 Yep.

5                     MR. HUBER:                     Thank you, sir.

6                     MR. ROBINETTE:                 Yes.

7                     CHAIRWOMAN:                     Does anyone from  
8                     the Board have any more questions for them?

9                     MS. BIGGENS-RAMER:             I have a  
10                    question.

11                    MR. ROBINETTE:                 Yes, ma'am.

12                    MS. BIGGENS-RAMER:             In looking at the  
13                    property, it was mentioned prior that there was  
14                    a back stairwell. Does that go to just the  
15                    second floor or the third floor as well?

16                    MR. ROBINETTE:                 They had some  
17                    sort of contraption on the back previously that  
18                    lifted caskets, and that was taken down at the  
19                    time I observed it, so I have no idea what that  
20                    was like.

21                    And I can try to find the photograph of the  
22                    back. I believe there were two doors on the  
23                    back of the property. One goes -- there were  
24                    two stairs. One was -- it was described as a  
25                    main stair, which was substandard in size, and

1           it was directly adjoining the main stair of the  
2           house, what we call the center home stair, as I  
3           would refer to it, but there was a door to the  
4           porch off the back on the north end and sort of  
5           in the middle of the house where the -- I  
6           believe the main stair is. There's a door that  
7           comes in on the landing, and then you go up to  
8           the first floor and down into the basement, and  
9           somehow as part of what I believe was -- I  
10          don't know if it raised the caskets or not, but  
11          there's a door that comes out of the second  
12          floor and I'm not sure what that ever did or  
13          how it functioned, and then there's a door that  
14          came off of the porch that's been enclosed.

15           CHAIRWOMAN:                   So up on the  
16           screen there's a photograph of the back of the  
17           house.

18           MR. ROBINETTE:               There it is,  
19           yeah.

20           CHAIRWOMAN:                 Is that large  
21           window -- is that actually a door and was there  
22           a fire escape there?

23           MR. ROBINETTE:               There might have  
24           been. Fire escape is as good a guess as any.

25           CHAIRWOMAN:                 Because that

1                   looks like a door to me on the second story.

2                   MR. ROBINETTE:           Yeah, it's the  
3                   second story.

4                   DR. RAYMOND:           That was the  
5                   embalming room.

6                   MR. ROBINETTE:           That was the  
7                   embalming room?

8                   MR. KENDEL:           Yes. There was a  
9                   two-car garage attached to it and then the  
10                  embalming room was on top of it, and that door  
11                  went into it from the second floor and the  
12                  casket elevator was there on -- just on the  
13                  outside of it, and they were able to lower the  
14                  caskets down into the hearse within the garage  
15                  area. And we got permission to demolish that  
16                  when we were --

17                  CHAIRWOMAN:           Taking the shed  
18                  off?

19                  MR. KENDEL:           Yes, yes.  
20                  Because it was in very bad disrepair.

21                  CHAIRWOMAN:           Yeah.

22                  MR. KENDEL:           And that's where  
23                  that --

24                  CHAIRWOMAN:           I remember that.  
25                  MR. KENDEL:           It was bad.

1                           MR. ROBINETTE:           I'm grateful to  
2                           say I've never needed an embalming room.

3                           CHAIRWOMAN:              I was just going  
4                           to ask, did anybody have any problems renting a  
5                           former funeral home?

6                           MR. KENDEL:               A lot of people  
7                           expressed concern over that.

8                           MS. BIGGENS-RAMER:     I have a  
9                           question. You mentioned that the home  
10                          currently resides in a state that still  
11                          resembles a residential structure and that the  
12                          estimate you provided was to bring it to code  
13                          as a commercial structure. Can you provide any  
14                          insight on what the estimate would be to return  
15                          it to a residential structure?

16                          MR. ROBINETTE:           You know, I'd  
17                          really be hesitant to hazard a guess, because  
18                          whenever a client or an entity asks about a  
19                          cost estimate, there has to be some knowledge  
20                          to give an intelligent answer of what you're  
21                          really going to achieve. If you want to take  
22                          the house back to what it was, you're now  
23                          taking the porch back to what it was, you're  
24                          now finding a way to replace or repair the  
25                          concrete assembly that makes up the front

1 porch.

2 I think in the interior it wouldn't  
3 necessarily be that much. The home hasn't  
4 been -- I use the term "bastardized" for  
5 historic homes that have been ill-treated on  
6 the interior, and I don't think this house has  
7 been subjected to that. To put a modern  
8 kitchen in it -- I mean, people expect big  
9 kitchens today. This was built in a time where  
10 it was built for a maid to do the cooking in a  
11 very small kitchen. It didn't have what most  
12 people would be looking for, a modern kitchen,  
13 today.

14 Again, bathrooms. The one bathroom on the  
15 second floor is a modest, typical five-by-eight  
16 bathroom. The restroom on the lower floor is  
17 substandard at this point.

18 To do to it what you would need to do to it  
19 residentially, your systems costs are going to  
20 be the same. I think your envelope cost would  
21 go up based upon trying to do something of  
22 value for purchase and I think -- I'm talking  
23 myself into this now. I think your kitchen and  
24 bathroom costs would go up to provide something  
25 that's going to be appealing for somebody to

1           actually buy it, so I think you usually put  
2           yourself into a range of -- this didn't take  
3           into account inflation. I'm not a contractor,  
4           but I would push it into the range of close to  
5           four hundred thousand by the time you put a  
6           real kitchen that somebody's going to find  
7           desirable, bathrooms that somebody's going to  
8           find desirable, try to do something with the  
9           porch.

10           MS. BIGGENS-RAMER: And what is the  
11           total square footage of the house?

12           MR. ROBINETTE: That I cannot  
13           tell you, ma'am. I never computed that.

14           MS. BIGGENS-RAMER: Can someone  
15           please tell me what the total square footage of  
16           the home is?

17           MR. MARQUARD: The first floor  
18           has seventeen hundred and twenty square feet.  
19           The second floor has eleven hundred and ten  
20           square feet.

21           MR. ROBINETTE: If I could just  
22           ask, does that first floor include the porches?

23           MR. MARQUARD: It includes the  
24           two hundred and fifty square feet and one porch  
25           that's not really -- shouldn't be included in

1                   the square feet.

2                   MR. ROBINETTE:               Right.

3                   MR. MARQUARD:               But that's from  
4 Kovack's site.

5                   Ma'am, that's from Kovack's site that the  
6 City has.

7                   CHAIRWOMAN:               Yeah, this is the  
8 Auditor's website. Yeah, we're looking at it.

9                   MR. DUTTON:               If I could add on  
10                  the zoning side of things, it's on C-2, which  
11                  would not allow the entire structure to be used  
12                  residentially. You could have commercial on  
13                  the first floor, residential on the upper  
14                  floors, but the whole house could not be  
15                  residential.

16                  CHAIRWOMAN:               So they would  
17                  have to go to a zoning Board and have it  
18                  reverted back to housing?

19                  MR. DUTTON:               It would either  
20                  need to be rezoned or a use variance would be  
21                  necessary. Both of them are a somewhat complex  
22                  process with pretty high criteria for approval.

23                  CHAIRWOMAN:               It's really a  
24                  particular street since the houses -- since  
25                  there are homes behind it but commercial on

1                   either side of it.

2                   MR. HUBER:                   Only in Medina.

3                   CHAIRWOMAN:                Why did they do  
4                   this to us.

5                   So we've had the administration present its  
6                   case, questioning of the City witnesses by the  
7                   Applicant's attorney and Board members, we've  
8                   done the testimony of the third party who have  
9                   special interests in the case.

10                  MR. HUNT:                   I just thought  
11                  maybe there would be somebody who would be  
12                  attending this evening that would have an  
13                  interest in the case who would be testifying,  
14                  but it appears that everybody here has already  
15                  testified.

16                  CHAIRWOMAN:                Okay.

17                  Questioning of the third-party witnesses by  
18                  the Applicant's attorney --

19                  MR. HUNT:                   No third-party  
20                  witnesses.

21                  CHAIRWOMAN:                Okay. Do we have  
22                  a rebuttal of evidence by the Applicant?

23                  MR. WITSCHEY:              No.

24                  MR. HUBER:                   We would like to  
25                  introduce formally Mr. Robinette's report as

1 Exhibit B for the record.

2 CHAIRWOMAN: Thank you.

3                   Do we have any closing statements by the  
4                   Applicant and the City attorney?

## CLOSING ARGUMENTS

6 MR. WITSCHEY: Yeah. So I would  
7 just like to point out a couple of things I  
8 think that were evident here tonight, and that  
9 is that this property may have had a small  
10 amount of historical significance with some  
11 adaption of perhaps Victorian-style features  
12 that have all for -- I think virtually all,  
13 because we can't even identify -- the experts  
14 can't even identify what type of property it  
15 is, and I think it's because there's been a lot  
16 of adaptions, a lot of work on the property  
17 throughout a hundred years that have -- that  
18 has taken it, you know, to a point where it  
19 really has no historical significance.

20                   And then that one question about if it's  
21 demolished, would it be a significant blow to  
22 the Historic District, and I think the answer  
23 to that is a resounding no. Especially then  
24 when you add onto what could be put there to  
25 enhance, you know, the Victorian style or what

1           is the Town Square, so I think that element has  
2           definitely not been -- and that was Letter A in  
3           the Board of Zoning Appeals Resolution, so I  
4           think that that particular answer is that we  
5           just don't have historical significance here  
6           and we don't have something that the loss of  
7           would deal a blow to the Historic District.

8           Then we also have costs and expenses that  
9           just don't make this an economically viable  
10          property to rent in a commercial context. We  
11          have costs that even exceed what the numbers  
12          were when we -- say that we have to add some  
13          engineering to it. In the instance of  
14          Mr. Kendel's report, there's been inflation so,  
15          you know, to -- we have limited zoning where we  
16          can't just alter the property to become  
17          entirely residential. So the economic  
18          viability, as the experts have said, is just  
19          simply not there.

20          So we believe that on all three of those  
21          questions posed by the Board of Zoning Appeals,  
22          the answer here is that the application for  
23          demolition, we would respectfully request, be  
24          granted.

25          Thank you.

1 CHAIRWOMAN: Thank you.

2 MR. HUBER: The Board of

3 Zoning Appeals sent this case back with some

4 specific questions, and in order to answer

5 those questions, we took the step of hiring

6 Mr. Robinette to really bear down on an

7 objective assessment.

8 The question you have to weigh essentially

9 is the kind of balancing of economic costs

0 versus benefit, and in this case, with respect

1 to fair market value, it seems to be from the

2 evidence in the range of at least two hundred

3 and fifteen thousand, a hundred and

4 seventy-five thousand, in that area, in terms

5 of what the value of that property is.

6 Currently it seems to be agreed that the

7 cost to bring the building up to usability is

8 in the area of two hundred and eighty-eight

9 thousand to three-hundred-and-some thousand,

0 dependent upon what number you want to pick for

1 added costs for a renter, so maybe say three

2 hundred to three hundred and twenty-five. I'm

3 not sure exactly, but that seemed to be what I

4 was getting out of the testimony.

5 And you could reasonably, I think, expect

1 to be able to rent the property in its current  
2 form - and it does seem to be somewhat awkward  
3 because it was a house - and it seems that you  
4 could expect to get a return of roughly eleven  
5 hundred dollars a month or in that range.

6 You're going to have to decide to balance this  
7 out as to whether or not you think that makes  
8 sense because you make your decision and it's  
9 not what those folks want, this is going to go  
10 up to the BZA again.

11                   If those folks don't like what the BZA  
12                   says, ultimately this goes to a Common Pleas  
13                   judge, and I can guarantee you that he's going  
14                   to look at this and ask himself what makes  
15                   sense given this situation.

16                   We now have a pretty specific -- I think  
17                   more specific than we had previously on costs.  
18                   That's what the Board of Zoning Appeals asked  
19                   us to get. You'll collectively have to arrive  
20                   at your own conclusion as to what makes sense,  
21                   and I think from our end -- side of the aisle,  
22                   we've done the best we could to try to bring as  
23                   truthful a picture of the situation as we can.

24 CHAIRWOMAN: Can I ask the  
25 real estate agent one more question?

1 MR. ROBINETTE: Sure.  
2 CHAIRWOMAN: So if the  
3 house -- if they invested the two hundred and  
4 eighty-eight thousand into the house, what  
5 could you sell it for?  
6 MR. MARQUARD: If they do it  
7 commercially?  
8 CHAIRWOMAN: Yes. Because  
9 that's what it's zoned.  
10 MR. MARQUARD: I would have to  
11 do an analysis on it. I can't give a fair  
12 answer without doing an analysis on it. Just  
13 add the numbers what you need and then you take  
14 a look at what you're going to get in rent and  
15 you have to make a decision. So I don't know  
16 many investors are going to come in and --  
17 unless it's something they own, like I do with  
18 my building.  
19 CHAIRWOMAN: Right.  
20 MR. MARQUARD: I own the  
21 building, my company operates out of it. I way  
22 overpaid to get it the way it is. I'm very  
23 proud of it and I hope you come down to see it,  
24 because I'm very proud of the building. I have  
25 plenty of parking.

1           But I can't answer that honestly without  
2           doing an analysis and seeing what is done. It  
3           is too big of a hypothetical. Sorry.

4           CHAIRWOMAN:                   I would like to  
5           move that the Board go into executive session  
6           to deliberate on the case and to attain further  
7           legal advice from our attorney.

8           Do I have a motion to approve?

9           MS. KNAGGS:                   I'll motion.

10          MS. BIGGENS-RAMER:           I second.

11          MR. DUTTON:                   Biggens-Ramer?

12          MS. BIGGENS-RAMER:           Yes.

13          MR. DUTTON:                   Knaggs?

14          MS. KNAGGS:                   Yes.

15          MR. DUTTON:                   Traves?

16          CHAIRWOMAN:                   Yes.

17          MR. DUTTON:                   Wood?

18          MR. WOOD:                     Yes.

19           (Whereupon, at 9:25 p.m., the Board  
20           and Attorney Hunt entered executive session  
21           until 9:56 p.m., at which time the further  
22           following proceedings were had and placed upon  
23           the record.)

24          CHAIRWOMAN:                   So I will take a  
25           motion to continue the deliberations and

1                   setting a new date as of the second Thursday of  
2 December.

3                   Do I have a second?

4                   MS. BIGGENS-RAMER:     Second.

5                   MR. DUTTON:           Biggens-Ramer?

6                   MS. BIGGENS-RAMER:     Yes.

7                   MR. DUTTON:           Knaggs?

8                   MS. KNAGGS:          Yes.

9                   MR. DUTTON:           Traves?

10                  CHAIRWOMAN:         Yes.

11                  MR. DUTTON:           Wood?

12                  MR. WOOD:            Yes.

13                  CHAIRWOMAN:         Do we have any  
14 further business to attend to?

15                  MR. DUTTON:           No.

16                  CHAIRWOMAN:         Okay. Meeting  
17 adjourned.

18                  (Proceedings adjourned.)

19                  - - -

20

21

22

23

24

25

1 STATE OF OHIO )  
2 COUNTY OF MEDINA. ) ss:  
3

CERTIFICATE

4 I, Makenzie J. Sabo, RPR, Notary Public within  
5 and for the State of Ohio, duly commissioned and  
6 qualified, hereby certify that before the giving of  
7 their testimony, all persons were first duly sworn  
8 to testify to the truth, the whole truth, and  
9 nothing but the truth in this case aforesaid and  
10 that the testimony was taken by me by means of  
11 stenotype in the presence of said persons.

12 I further certify that this is a full and  
13 complete transcription of the above-entitled cause.

14 IN WITNESS WHEREOF, I have hereunto set my hand  
15 and affixed my seal of office at Medina, Ohio this  
16 29th day of November, 2021.

17  
18 \_\_\_\_\_  
19 Makenzie J. Sabo, RPR  
20 and Notary Public within and for  
21 the State of Ohio.  
22 My commission expires 09/19/23.  
23  
24  
25

H.

**Historic Preservation Board Review of**

**H20-06 on 11/10/21**

**Meeting Packet**

**SPECIAL MEETING: 11/10/21 @ 7:30 PM**

# **HISTORIC PRESERVATION BOARD**

**Case No. H20-06  
133 North Court Street**

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**A. MEMO FROM ANDREW DUTTON,  
CITY OF MEDINA COMMUNITY  
DEVELOPMENT DIRECTOR**



**CITY OF MEDINA**  
*Community Development Department*  
132 North Elmwood Ave., Medina, OH 44256  
Phone: 330-722-9023 Fax: 330-764-4385

## **MEMORANDUM**

**DATE:** November 3, 2021

**TO:** City of Medina Historic Preservation Board

**FROM:** Andrew Dutton, Community Development Director

**Subject:** Application H20-06, 133 North Court Street Building Demolition

Application H20-06, to demolish a building at 133 North Court Street, was submitted to the City of Medina Historic Preservation Board (HPB) for review in late 2020. The HPB considered the application on October 8, 2020 and November 12, 2020. A motion to approve the demolition of the building at 133 North Court Street was made on November 12, 2020. The motion failed with one vote in favor and four votes against approval and the application was denied.

On November 25, 2020, the HPB's decision to deny the application was appealed. Per Section 145.06(d) of the City of Medina Codified Ordinances, an appeal of the HPB's decision is reviewed by the City of Medina Board of Zoning Appeals (BZA). On March 4, 2021, the BZA held a meeting to review appeal Z21-01 and voted unanimously to remand the application back to the HPB to make written findings as to the following:

- (a) Specifically whether the subject property has some historic significance to the City of Medina;
- (b) Whether the reasonable estimated minimum cost to repair the existing structure to a safe and useable condition within the C-2 zoning code permitted uses outweighs the fair market value of the property; and
- (c) Whether there is an economically viable use of the property without regard to future use of the property, if demolition is approved.

A special meeting on November 10, 2021 has been scheduled in order for the HPB to review the application and make written findings to the above indicated items. Information from the HPB's meetings on October 8, 2020 and November 12, 2020, the BZA meeting on March 4, 2021, and an evaluation of the building by an architect have been included in your packet.

**B. HISTORIC PRESERVATION BOARD  
PACKET - OCTOBER 8, 2020**



# 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 20<sup>th</sup> 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.



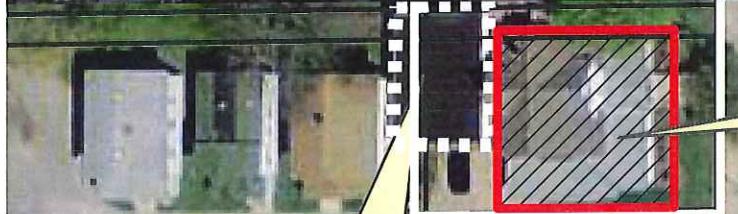
W FRIENDSHIP ST



E FRIENDSHIP ST



COURT ST  
N



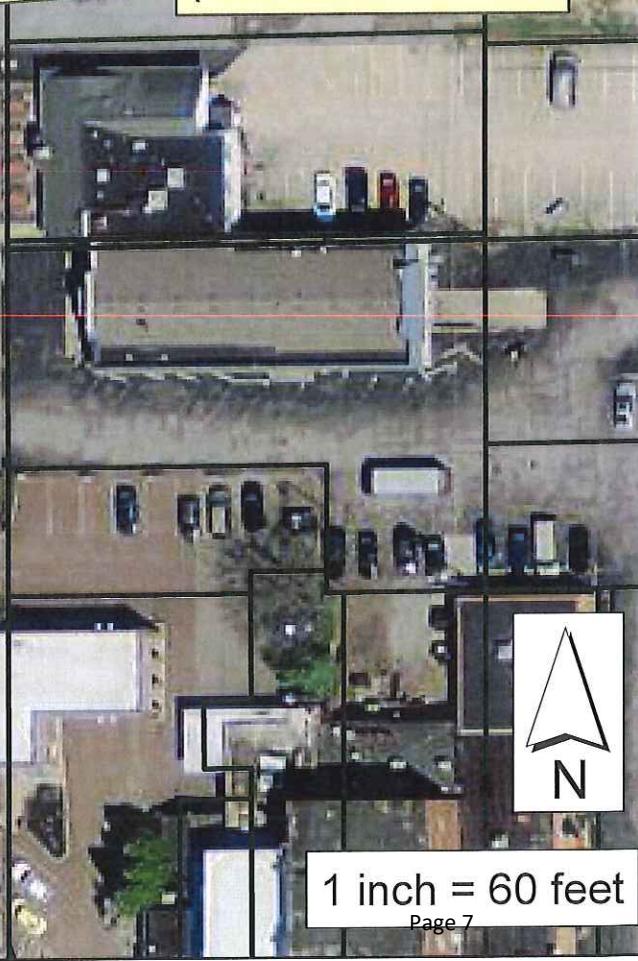
Building Portion  
approved for  
Demolition - 2018  
(white dashed line)



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

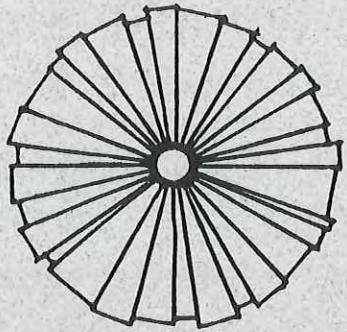


Building proposed  
for complete  
demolition  
(red outline hatched)



1 inch = 60 feet  
Page 7

E C E T W  
JUL 28 2020



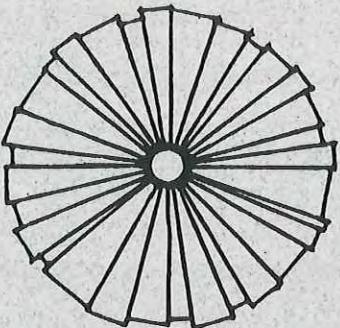
**LOREN A. RAYMOND D.M.D.**

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

July 28<sup>th</sup> 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

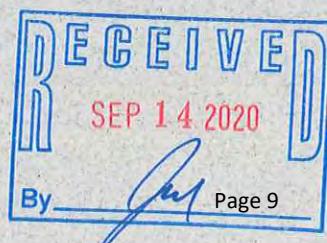
Jonathan,

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

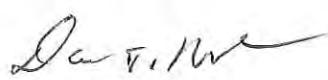
The following is an estimate for the cost of repairs and restoration for the building at 133 N. Court Street, Medina, Ohio owned by Dr. Loren Raymond.

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



**PRELIMINARY**  
NOTE!!!  
THIS DRAWING IS NOT  
FOR CONSTRUCTION

△ REVISIONS

PPN 02819A21071

PPN 02819A21073

EX. BUILDING

61'-6"

ONE WAY →

BUILDING  
PROPOSED TO BE  
DEMOLISHED

92'-0"

PPN 02819A21072

ROOF PERIMETER

92'-0"

BISHOP COURT

EX. BUILDING

NORTH COURT ST. 66'

RECEIVED  
SEP 14 2020  
By [Signature]

1 DEMOLITION SITE PLAN  
D1.0 SCALE: 3'10" x 1'-0"



N

E

S

W

D1.0  
1 OF 1

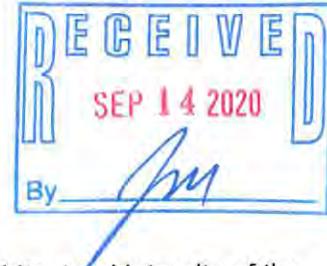
**MPG**  
MANN • PARSONS • GRAY  
ARCHITECTS mpg-architects.com

phone 330.666.5770  
fax 330.666.8812  
3680 Embassy Parkway  
Fairlawn, Oh 44333

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

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

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JUL 28 2020

BY:



RECEIVED  
JUL 28 2020

BY: .....

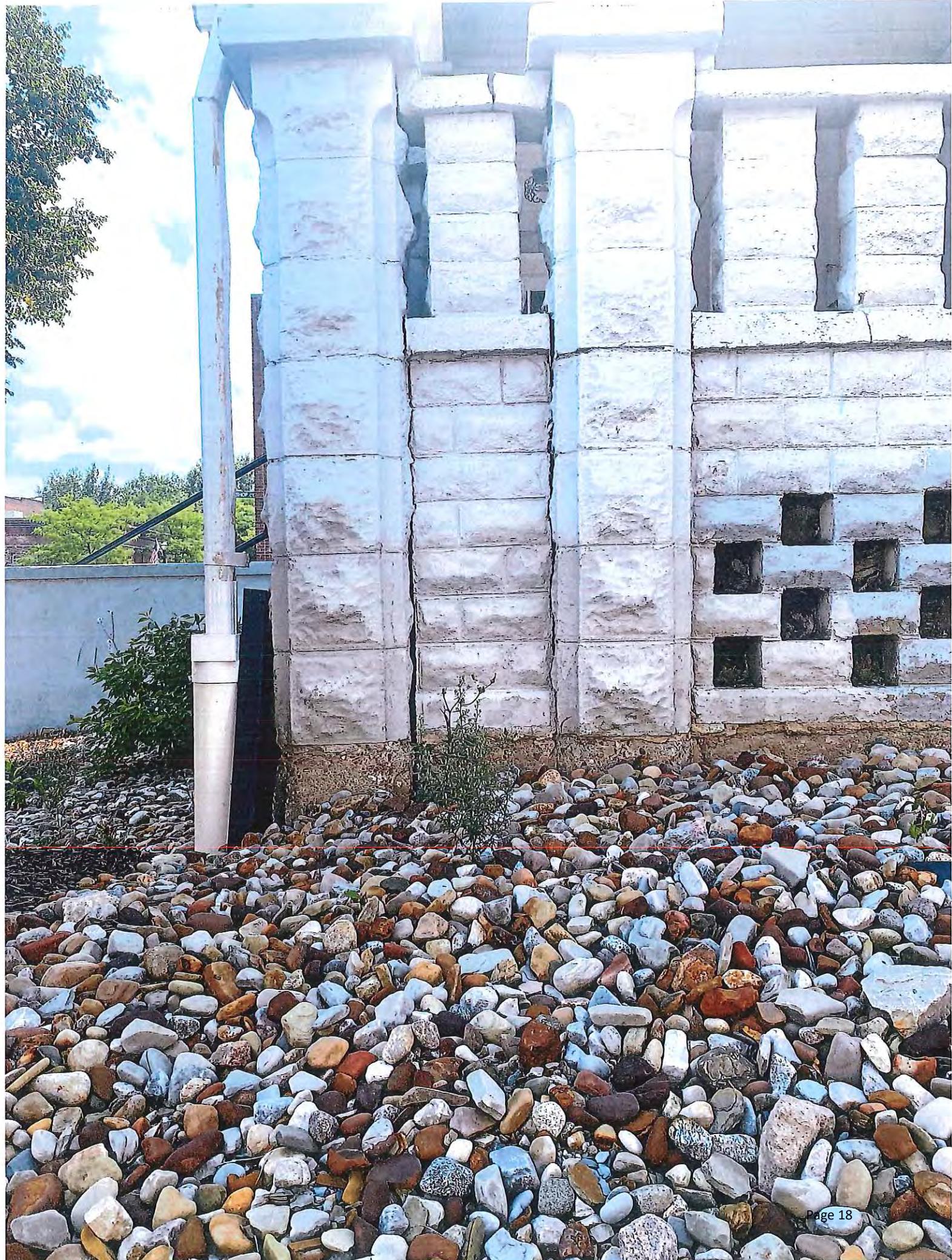


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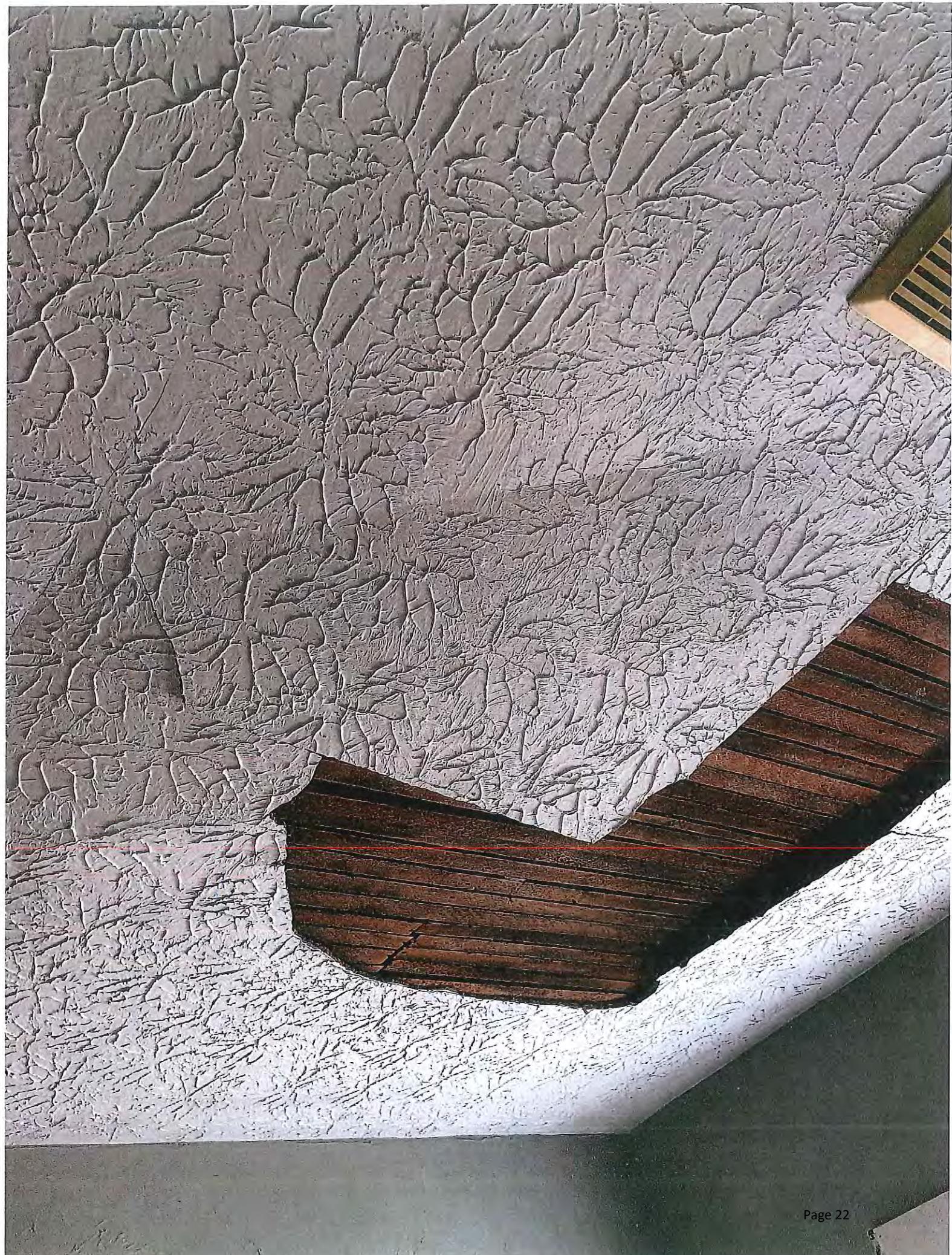




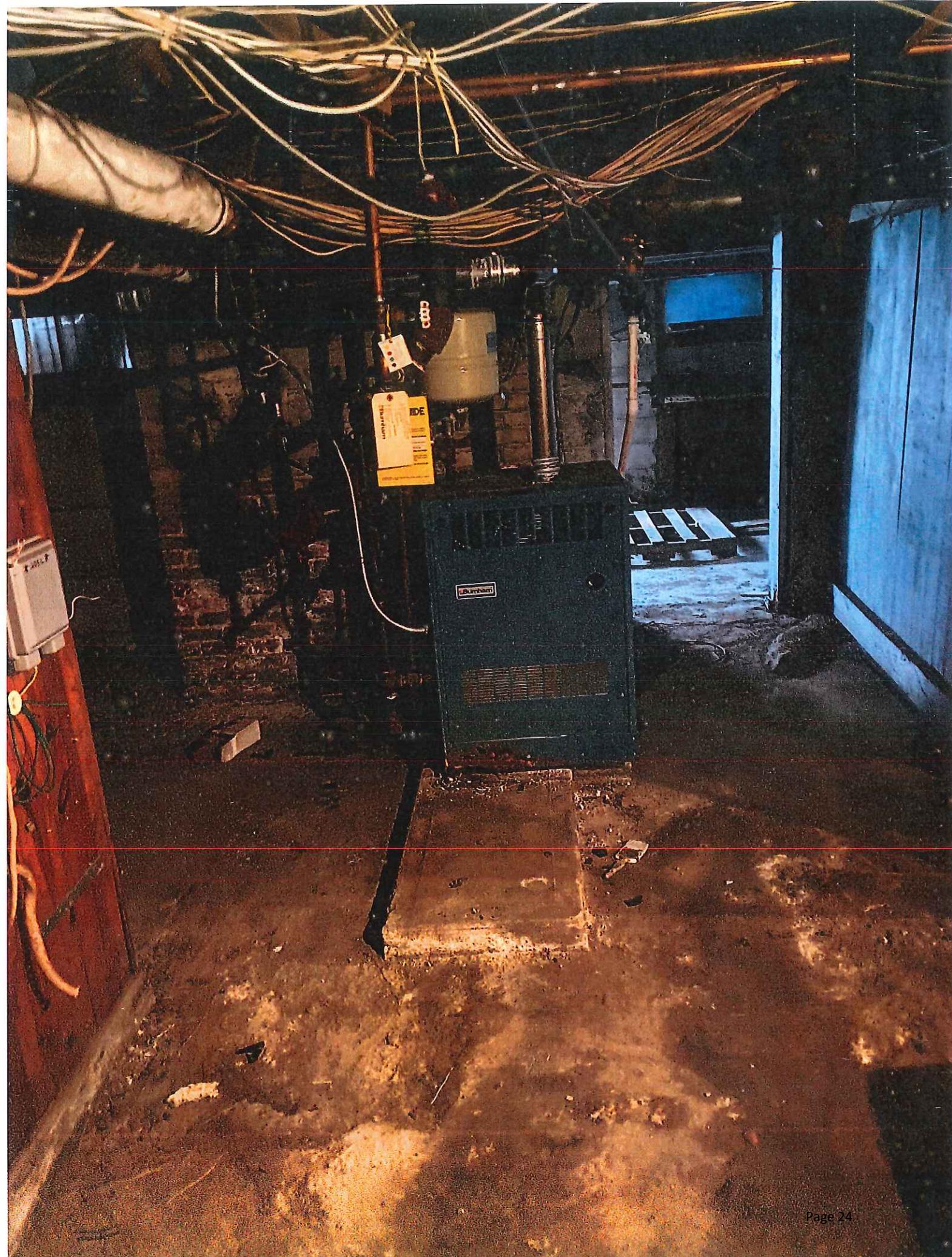
















## **C. APPLICABLE CODE SECTIONS PROVIDED BY JONATHAN MENDEL, FORMER COMMUNITY DEVELOPMENT DIRECTOR**

#### **145.01 ESTABLISHMENT.**

In recognition of the need for the establishment of a public body with authority to act upon changes to buildings and structures in the Historic Districts, and in other parts of the City as established by Council, and in order to encourage changes that are compatible with the restoration movement now in progress, the Historic Preservation Board, hereinafter referred to as the Board, is hereby established. (Ord. 75-07. Passed 5-14-07.)

#### **145.02 PURPOSE.**

Council, being mindful of the proud history of this community and of the importance of beauty in the everyday lives of Medina residents, hereby declares as a matter of public policy that the preservation, restoration, rehabilitation and overall aesthetic improvement of this community are matters of public necessity involving the health, safety, welfare, and prosperity of the people. The purpose of this chapter is to:

- (a) Promote the use and preservation of historic buildings, structures and sites which reflect the cultural, social, economic or architectural heritage of this Municipality for the education and general welfare of the residents of the Municipality;
- (b) Consider and take cognizance of the development of adjacent, contiguous and neighboring buildings and properties for the purpose of achieving safe, harmonious and integrated development of related properties;
- (c) Protect and enhance the attractiveness of the area as it relates to residents, tourists and visitors, serving as a support and stimulant to business, and thereby strengthen the economy for the Municipality and its residents;
- (d) Strive to achieve compatibility of any and all new construction with any and all modifications of existing structures with the historic architectural character of the Municipality;
- (e) Preserve and enhance civic pride of the residents in the beauty of the Municipality and in the notable accomplishments of the past.

(Ord. 75-07. Passed 5-14-07.)

#### **145.03 BOARD MEMBERSHIP.**

The Historic Preservation Board shall consist of five members who shall demonstrate a special interest, knowledge, or training in preservation, architecture, history, planning, conservation, landscape architecture, archeology, urban design or closely related field as follows:

- (a) Two (minimum) preservation related professional or academic members to the extent that they are available;
- (b) Two property or business owners from within the district;
- (c) One resident of the City.

Members shall be residents of the City of Medina; professional or academic members may include non-residents if no qualified residents are available. Members shall be appointed by the Mayor and approved by Council and shall serve for four-year terms. Members shall elect a Chair and Vice Chair, each to serve a one-year term. A staff member or designee of the Planning Department shall act as the Board Secretary.

(Ord. 75-07. Passed 5-14-07.)

#### **145.04 RESPONSIBILITY OF THE BOARD.**

The Historic Preservation Board, in conjunction with City Planning staff, shall make recommendations to Council regarding design guidelines, rules, and procedures for use in reviewing applications.

(Ord. 75-07. Passed 5-14-07.)

#### **145.05 HISTORIC DISTRICTS AND LANDMARKS.**

The Historic Preservation Board will review and act on all proposed changes to the exterior architectural appearance and demolition of all buildings or structures in any Historic District in the City of Medina, any Historic Landmarks, and any areas as established by Council.

- (a) Public Square bounded by Smith Road, Jefferson Street, Friendship Street and Elmwood Avenue is hereafter called the Public Square Historic District.
- (b) Refer to Section 145.08 and 145.09 for designation of districts and landmarks.

(Ord. 75-07. Passed 5-14-07.)

#### **145.06 RULES AND PROCEDURES.**

(a) Preface. The purpose of the City of Medina's Historic Preservation Board is to maintain the architectural integrity of the City's Historic Districts and Historic Landmarks by:

- (1) Encouraging the preservation and rehabilitation of existing buildings or structures;
- (2) Influencing any changes made to them so their inherent character continues to flourish;
- (3) Encouraging the continuous success of the Historic Landmarks and Historic Districts by averting demolition by neglect and purposeful demolition without just cause.

The Board will not establish any single style of architectural features as being preferable but will view all architectural proposals as part of the whole design of the building or structure within the context of the Historic District. The Board will work with property owners to ensure that Medina retains its unique character. Refer to Section 145.07, Appendix A, and *The City of Medina Guidelines for Historic Properties and Districts* for criteria and procedures.

(b) Definitions. The following definitions shall apply to the provisions of the Historic Preservation Board Rules, Procedures, Design Guidelines, and Demolition Criteria:

- (1) "Alter" or "alteration" means any change in the external architectural features of any building or structure.
- (2) "Board" means the Historic Preservation Board established under Chapter 145 of the Codified Ordinances of the City of Medina, Ohio.
- (3) "Certificate of Appropriateness" means a certificate issued by the City to authorize any new construction, demolition, or exterior alteration to any building or structure.
- (4) "Demolition" means the complete razing or removal of any structure or portion of a structure.
- (5) "Guidelines" means the supplemental information in *The City of Medina Design Guidelines for Historic Properties and Districts* (current issue.)

- (6) "Historic District" means a grouping of structures as determined by the Board and approved by Council as an historically or architecturally significant group and located within the limits of the City of Medina. Buildings or structures within this group may or may not be individually so designated. Listings of said structures will be kept for public record by the City Council and available through the Planning Department.
- (7) "Historic Landmark" means any individual building or structure determined by the Board and approved by Council as historically or architecturally significant and located within the limits of the City of Medina. Listings of said structures will be kept for public record by the City Council and available through the Planning Department.
- (8) "National Register of Historic Places" is the national listing of significant buildings, structures, or districts. Listings must have architectural, archeological, or historical significance. Owners of local historic landmarks shall be encouraged to seek listing on the National Register of Historic Places.
- (9) "Maintenance" - general maintenance information is provided in *The City of Medina Guidelines for Historic Properties and Districts* and specific City requirements are in the City of Medina Property Maintenance Code.
- (10) "Member" means any person serving on the Historic Preservation Board.
- (11) "Planning Director" means the person holding the position of Director of Planning and Community Development of the City of Medina.

(Ord. 75-07. Passed 5-14-07.)

(c) General Provisions. The rules of the Board and its procedures are governed by the Codified Ordinances of the City of Medina and its Charter. The rules and procedures to process applications for Certificates of Appropriateness are the following:

- (1) Exclusions. Nothing in these Rules, Procedures, or Guidelines shall be construed to prevent the ordinary maintenance or repair of any building or structure within the Historic District, provided such work involves no alteration to exterior architectural features.
- (2) Geographic area. The geographic area within which a Certificate of Appropriateness is required includes any Historic District or Historic Landmark in the City of Medina and as described in this Chapter 145 .
- (3) When a Certificate of Appropriateness is required. A Certificate of Appropriateness is required for exterior alterations or additions to the exterior of any building or structure that is designated as an Historic Landmark or is located within an Historic District for the construction of a new building or structure within an Historic District, or for the demolition of an existing building or structure within an Historic District.
- (4) Amendments to a Certificate of Appropriateness. At any time prior to completion of work under the Certificate of Appropriateness, an applicant may apply for an amendment to the Certificate. An applicant must apply for an amendment if the design for which the Certificate was issued is altered.
- (5) Expiration. Once a Certificate of Appropriateness has been granted, all other permits must be obtained and construction commenced within one year unless the applicant applies for and receives an extension.

(Ord. 75-07. Passed 5-14-07.)

(d) Application Procedures.

- (1) Submission requirements. In order for an application to be reviewed and approved, the applicant shall submit drawings, photographs, specifications, and material samples as required by the Procedures delineated in the Appendix Chapter II "Certificate of Appropriateness." An application along with supporting documents shall be filed with the Secretary as outlined. Submission shall accurately represent the proposed alterations or additions and new construction. The Secretary will schedule the applicant's submission for consideration at the next Historic Preservation Board meeting and forward the submission copies to all Members. Each application shall be accompanied by the payment of the fee established in Chapter 1108 of the Planning and Zoning Code.
- (2) Informal review. Applicant is encouraged to review the Medina Design Guidelines (current edition) to be familiar with design review for historic buildings and structures. Applicant is encouraged to discuss a project and Certificate of Appropriateness with the Planning Director. The Planning Director may provide a list of sources from which applicant may seek guidance prior to formal submission to the Historic Preservation Board. Likewise, an Applicant may request an informal review with the Board prior to formal submission.
- (3) Review process. The Applicant shall attend the scheduled Board meeting to present the proposed project and to be given the opportunity to respond to any questions from Members. The Board will then act upon the submission as prescribed herein:
  - A. The Applicant shall briefly present the proposed project describing the objectives and demonstrating good design principals for historic properties. Guidelines may be used to illustrate Applicant's effort.
  - B. Planning Director shall make recommendations to the Board, providing support for said recommendations.
  - C. Chair of the Board shall invite statements from other City Officials and from the public.
  - D. The Board shall discuss the proposed project as it meets the criteria outlined in the Guidelines and is specifically appropriate for the subject building or structure and the City of Medina. The Board shall either approve or disapprove the project unless the Applicant requests a time extension in order to modify the application. If the application is approved, a Certificate of Appropriateness will be issued. If the application is denied, the Applicant may modify the documents and re-submit, may appeal the decision (see below), or may wait one year to resubmit an unmodified request for further consideration.

(e) Penalty.

- (1) Violation, order. If it is found that any of the provisions of this chapter are being violated, all work shall cease upon notification, and no work shall be performed except to correct the violation. All violations shall be corrected within ten (10) days or within an approved extended period from the Planning Director. Any violations not corrected within the specified time may be prosecuted.
- (2) Failure to comply. Whoever constructs, reconstructs or alters any exterior architectural feature or demolishes all or part of any building or structure within an Historic District or any Historic Landmark without a Certificate of Appropriateness from the Historic Preservation Board shall be fined not more than one hundred dollars (\$100.00) per offense. Each day of violation shall be considered a separate offense. Whoever violates this section shall be required to restore

and reconstruct such features in full detail. Restoration or reconstruction shall be in addition to any criminal penalty and not in lieu thereof.

- (3) Failure to perform. Whoever receives a Certificate of Appropriateness from the Historic Preservation Board and constructs, reconstructs, or alters any exterior architectural feature other than in accordance with the requirements of the Certificate, shall be fined not more than one hundred dollars (\$100.00) per offense. Each day of violation shall be considered a separate offense. Whoever violates this section shall be required to make all changes and additions needed to comply with the Certificate. Changes and additions shall be in addition to any criminal penalty and not in lieu thereof.

(f) Appeals. Any Applicant aggrieved by the enforcement of these Rules, Procedures and Design Guidelines may appeal to the Board of Zoning Appeals within fourteen days of notification in writing of the decision of the Planning Director or Historic Preservation Board. (Ord. 75-07. Passed 5-14-07.)

#### **145.07 DESIGN GUIDELINES/DEMOLITION CRITERIA.**

(Refer also to *The City of Medina Guidelines for Historic Properties and Districts*.)

Preface. The purpose of this chapter and of *The City of Medina Guidelines for Historic Properties and Districts* is to preserve the architectural history and integrity of existing buildings or structures and to ensure the procedures and materials used are compatible with the existing building or structure and help to ensure its preservation into the future. These Guidelines are meant to give architects and Owners design direction consistent with Chapter 145 of the Codified Ordinances of the City of Medina. In principle, the Board adopts the United States of America, Secretary of the Interior's Standards for Rehabilitation.

- (a) Preservation/rehabilitation/renovation. With respect to preservation/rehabilitation/renovation generally it is the interest of the Board that buildings within the Historic District be preserved, thus maintaining the character of the Historic District. Consistent with the U.S. Secretary of the Interior, Standards for the Treatment of Historic Properties, the intent of these Guidelines is to preserve and restore the features which establish a building's architectural character while making alterations and renovations necessary for the efficient and contemporary use of the building.

The rehabilitation process assumes that some alterations may be necessary to meet the needs of the building Owner and the health, safety, and welfare of the building occupants. Such alterations should be done so as not to destroy the materials and features which help to define a building's historic, cultural and/or architectural character. The historic materials, features and/or craftsmanship are important in defining the building character and should be retained, protected, and repaired when possible.

When the preservation of architectural features is not possible, alterations should be done in a manner respectful of the existing character, but done in a manner that is representative of architectural design and construction of contemporary times.

- (b) Additions/new construction. With respect to additions/new construction to existing buildings and all new buildings or structures within Historic Districts, it is generally the interest of the Board that such additions/new construction shall be designed to enhance the character of the Historic District. Consistent with the preface of this Chapter, new buildings and additions should be representative of architectural design and construction of contemporary times.

Additions to existing buildings in the Historic District should be designed so as not to detract from the original character of the building. Whenever possible, additions should be located away from the primary or street face of the building. The addition should be designed so as not to destroy existing architectural features, such that the addition can be removed and the building restored to its original condition.

New buildings in the Historic District shall be designed to be compatible with other structures in the Historic District while still reflecting work of contemporary times. Proximity of existing buildings to the new building will affect the latitude in design constraints. An infill design should be more consistent with adjoining buildings than a freestanding structure.

- (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 reuse 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.

(Ord. 75-07. Passed 5-14-07.)

#### **145.10 SEVERABILITY.**

If a court of competent jurisdiction shall adjudge any provision of this chapter invalid or unenforceable, then the remaining provisions of this chapter shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

(Ord. 75-07. Passed 5-14-07.)

#### **APPENDIX A**

#### **Procedural Manual For Historic Preservation Board**

Chapter I Introduction and Organization

Chapter II Certificate of Appropriateness

Chapter III Conditional Sign Permit

#### **CHAPTER II**

#### **CERTIFICATE OF APPROPRIATENESS**

Certificates of Appropriateness shall be issued by the Historic Preservation Board, in accordance with the standards and regulations of

1. **REQUIRED DATA**.

To accomplish the Board's review of an application for a Certificate of Appropriateness, copies of all data specified in Chapter 145 of the Codified Ordinances of the City of Medina and the application shall be required. Number of copies and samples required shall be listed on the procedural information provided by the City.

A. Alterations and change of color.

1. Photographs of existing conditions.
2. Drawings indicating any changes to the physical appearance.
3. An outline describing work and the procedures to be performed.
4. Material samples and manufacturer's literature for major materials and products to be incorporated in the building.

B. New buildings.

1. Photographs (8"x 10") of the proposed site and context including adjacent structures.
2. Site plan and elevation drawings showing the design, indicating drives, road, parking, walks, walls, fences, landscaping, doors, windows, decoration, materials, finishes and other features accurately representing the proposed design.

3. Material samples and manufacturer's literature for major materials and products to be incorporated in the proposed design.

C. Additions to existing buildings.

1. Photographs (8"x 10") of the existing building and adjacent buildings or structures.
2. Site plan and elevation drawings showing the design, indicating drives, road, parking, walks, walls, fences, landscaping, doors, windows, decoration, materials, finishes and other features accurately representing the proposed design.

3. Material samples and manufacturer's literature for major materials and products to be incorporated in the proposed design.

D. Demolition, partial demolition, or moving.

1. Photographs (8"x 10"), of the existing building in detail including context and site.

2. A Site Plan depicting the site of the subject building and its context.

3. A written request from the Owner indicating reasons for the demolition, partial demolition, or moving.

4. Include the following information:

- Status - National Historic Landmark, National Landmark Historic District;
- Status - Listing on the U.S. National Register of Historic Places or determination of eligibility for the National Register;
- Status - Historic Landmark (Medina), Historic District (Medina);
- Form of Ownership of the property, amount paid for property, date of purchase, party from whom it was purchased, and description of relationship between Owner and Applicant;
- Cost of proposed Demolition;
- The fair market value for the property and the anticipated market value after rehabilitation;
- An analysis of the feasibility of rehabilitation, including the costs of rehabilitation, and the income and expense likely to be produced by the property after rehabilitation;
- A list of alternatives that were considered and reasons why alternatives were dismissed;
- Board may request other information specific to the project.

5. The Applicant may provide additional financial information supporting the case for demolition. This information may include:

- In the case of income-producing properties, provide the annual gross income from the previous two years and itemized expenses for the same time period;
- Price asked and offers received within the previous two years.

6. If Applicant claims lack of structural or architectural integrity as the reason for demolition, he/she must offer evidence prepared by a licensed engineer or architect as to the structural soundness of the building or structure.

(Ord. 75-07. Passed 5-14-07.)

2. **APPLICATION**.

The Applicant shall complete the application and submit all required data to the Secretary. The official date of the application shall be the date of the next regular Board meeting after all required data and fees have been submitted to the Secretary and at which the Applicant is scheduled to appear.

(Ord. 75-07. Passed 5-14-07.)

3. **REVIEW AND BOARD ACTION**.

Upon completion of the application, the Secretary shall place the application on the agenda of the next regular Board meeting and notify the Applicant in writing. The Board shall review the application as it appears on the agenda.

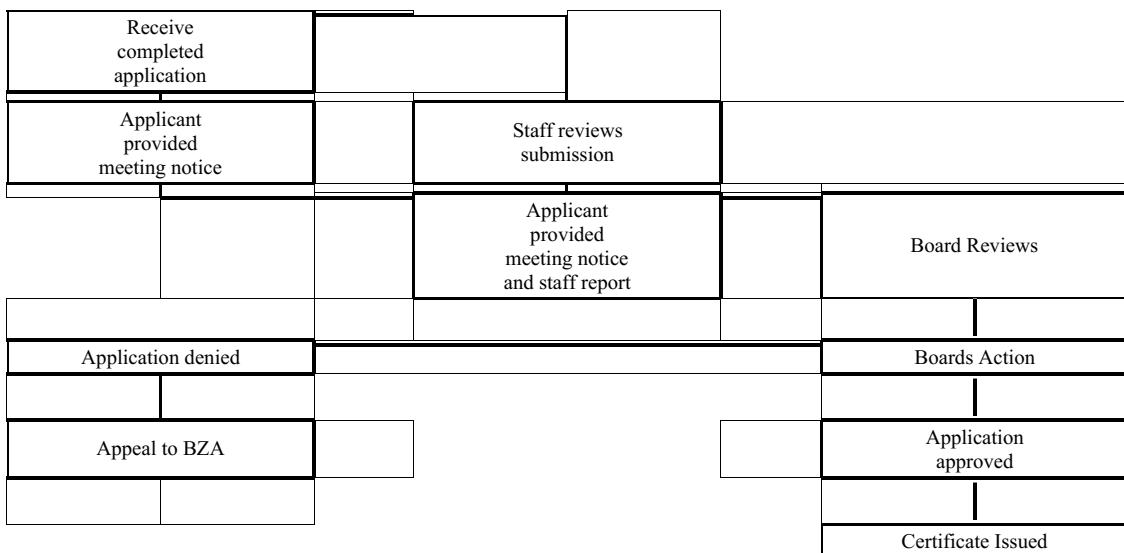
The Board shall act on the application by resolution and shall vote to approve, approve with amendment, or disapprove the application. The applicant shall be advised in writing of the Board's decision. Such action shall be taken immediately following the review of the application, unless the Applicant requests a time extension to modify or elaborate upon his/her proposal. When the applicant indicates to the Secretary that the modifications are complete, the extended proposal shall be deliberated at the next regular Board meeting or a special meeting called for this purpose. If more than one year has passed, Applicant must file a new application. If the Board denies the application wholly or in part, the applicant shall be notified of the reason.

(Ord. 75-07. Passed 5-14-07.)

4. **CERTIFICATE OF APPROPRIATENESS**.

Upon approval of the application by the Board, the Secretary shall issue a Certificate of Appropriateness. This Certificate of Appropriateness, however, does not exempt the applicant from provisions of the Building Code, Sign Code or other applicable laws of the City, County or State. The Certificate of Appropriateness shall become void if construction has not commenced within one (1) year after the date of approval. (Chapter 145 of the Codified Ordinances).

(Ord. 75-07. Passed 5-14-07.)



## VII. Miscellaneous Guidelines

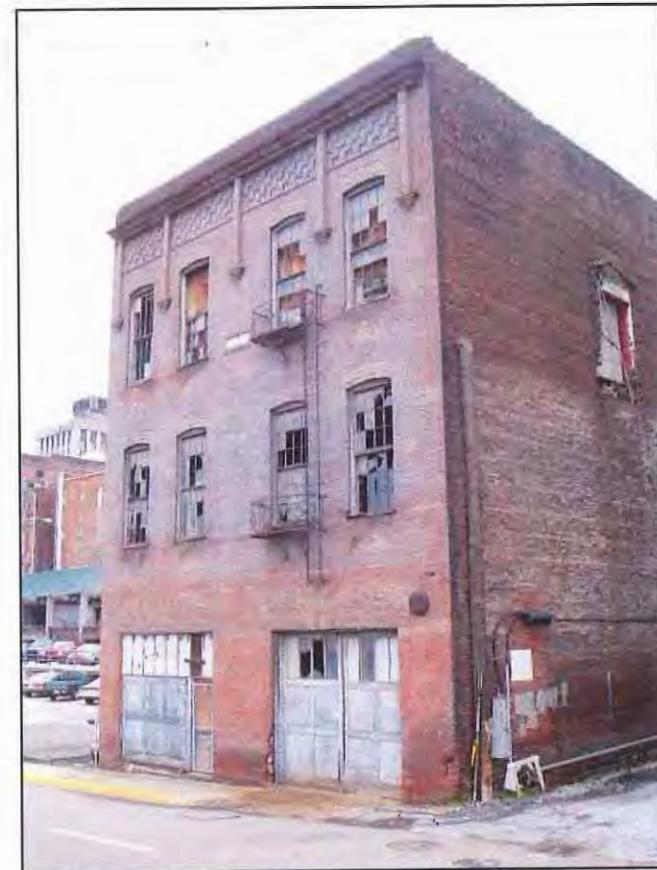
### Demolition and Moving Considerations

**Demolition** of individual buildings can have a detrimental effect on the continued historic architectural character of the area. Demolition is irreversible and should be considered only after every other option has been explored. Financial tools such as conservation easements or rehabilitation tax credits may provide alternatives to demolition. Consideration should be given to alternatives in keeping with the intent and purposes of the Ordinance.

A review period, as defined by the Ordinance, is required. During this period, consideration shall be given to alternative uses for the building or structure, condition of the building, potential return on investment by rehabilitation and use of the building on the existing site, and the efforts by current owners to secure profitable new owners or lessees for the building. Also taken into account is the impact that demolition or removal has on adjoining structures and the integrity of the area as a whole, including proposed new structures on the vacated site. For required data, refer to the Ordinance 145 Procedural Manual, Certificate of Appropriateness.

**Demolition by Neglect** is defined as the destruction of a structure through abandonment or lack of maintenance. The City of Medina's goal is to avoid demolition by neglect. Structures must at least be minimally maintained whether they are occupied or vacant. Minimal maintenance includes the means necessary to keep the structure dry and safe. This includes regular maintenance and any necessary repairs to the roof system, gutters, downspouts, and exterior paint. Refer to the City of Medina Maintenance Code for regulations.

**Moving** is considered the last resort to saving a structure because its connection with the original site is a primary defining feature of the structure's character; although, moving is preferred over demolition. If the Historic Preservation Board permits the relocation of a structure, it should be placed on a site that resembles the original and oriented on the new site the same as it was on the original. Refer to Ordinance 145 for regulations.



*This structure has been neglected and is not dry or safe.*

**D. LETTERS FROM DAN GLADDISH,  
CITY OF MEDINA CHIEF BUILDING  
OFFICIAL, AND MICHELE NICHOLS,  
PRESIDENT OF THE COMMUNITY  
DESIGN COMMITTEE**



Dennis Hanwell, Mayor

132 North Elmwood Ave.  
P.O. Box 703  
Medina, Ohio 44258-0703  
Phone: 330-725-8861  
Fax: 330-722-9045  
[www.medinaoh.org](http://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



## *Preserving Medina's Heritage*

Jonathan Mendel, Planning Director  
City of Medina  
132 North Elmwood Avenue  
Medina, OH 44256

October 8, 2020

Dear Jonathan,

The Medina Community Design Committee has spent over fifty years encouraging the restoration and preservation of Medina's historical buildings and homes. The heart of the City of Medina; its historic and vibrant downtown; is a culmination of decades of building and business owners working to restore and preserve the architecture and space which has become a nationally recognized area. Downtown Medina is a destination location for those seeking to enjoy the shops, restaurants and open space situated within this unique historical venue.

The building located at 133 North Court Street was originally constructed as a single-family home at the turn of the last century when it was customary to live close to centers of commerce. This building has successfully been utilized in the more recent past as a variety of businesses.

This property, along with the two properties to the north, parcel #028-19A-21-071 and parcel #028-19A-21-070, are all owned by Twin Pines, LLC. The new retail and residential building located at 139 North Court Street was erected on the northern most parcel, which transferred ownership in 2015. The two southern properties, which includes 133 North Court Street, had ownership transfer in 2017.

As per Section 145.07(c), "*saving and adaptive re-use of buildings significant to the character of the Historic Districts and the history of the City*", should always be considered first when purchasing property in and near the historic heart of the City of Medina. Purchasing historical properties should be with the intent to preserve and renovate, not with the intent neglect and then demolish.

Recently, maps were presented to members of City Council demonstrating the number of structures that have been demolished in and around the square since 1940 (also attached here for reference). Once these structures are gone, they leave a hole in the framework of the community – its structure and character. As you can see from the maps many of the demolished structures have been supplanted with parking areas, inclusive of two parking garages.



## *Preserving Medina's Heritage*

The development of 139 North Court Street, Raymond Building, has added downtown living opportunities and business opportunities to the historic heart of the city. This re-development project blends well with the historic nature of the nearby downtown and original neighborhoods (Water Tower Historic District). It is important that the future of the property located at 133 North Court Street also be in harmony with the area.

Albeit that the structure located at 133 North Court Street needs improvements to meet current building requirements, these could be completed during a renovation to convert the building into usable commercial and/or residential space(s), as it has been utilized in the past. There have been recent examples of renovating and re-purposing existing structures near the square. Demolishing the home without a plan as to how this site will be used, and how it will knit into the existing fabric of the community, creates a risk to nearby property owners, business owners and the historic downtown area.

It is the recommendation of the Medina Community Design Committee that the demolition of 133 North Court Street be denied. The structure should be renovated and re-purposed.

Sincerely,

Michele Nichols, President



## *Preserving Medina's Heritage*



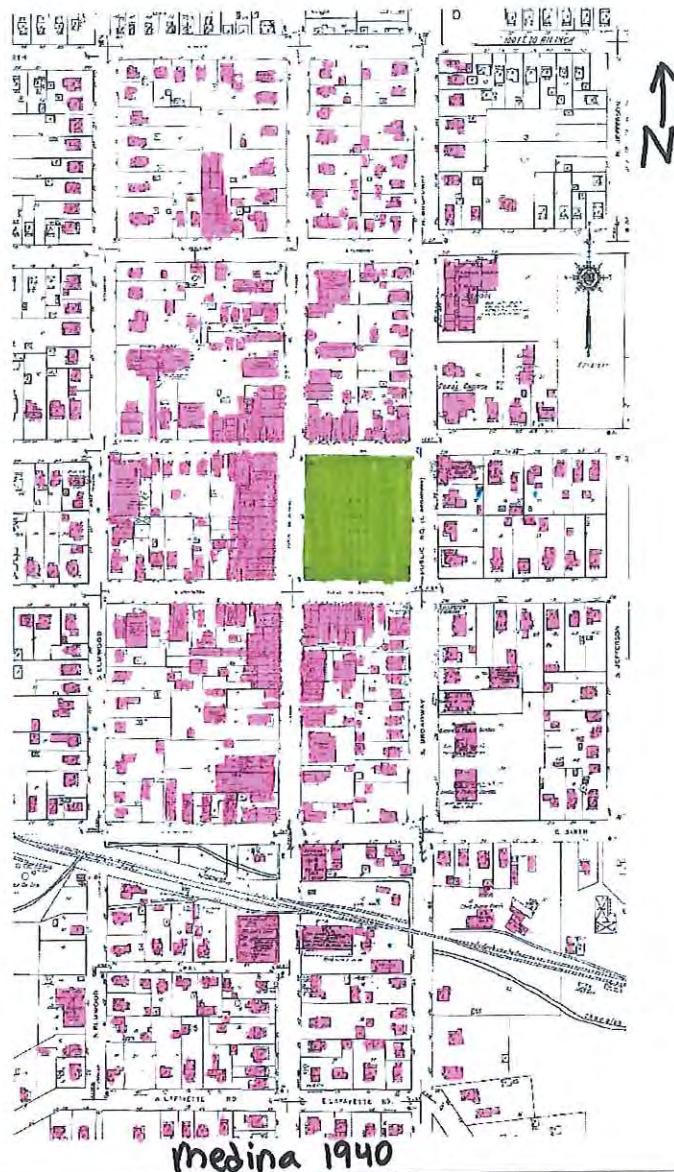
**CDC**

Community  
DESIGN  
Committee



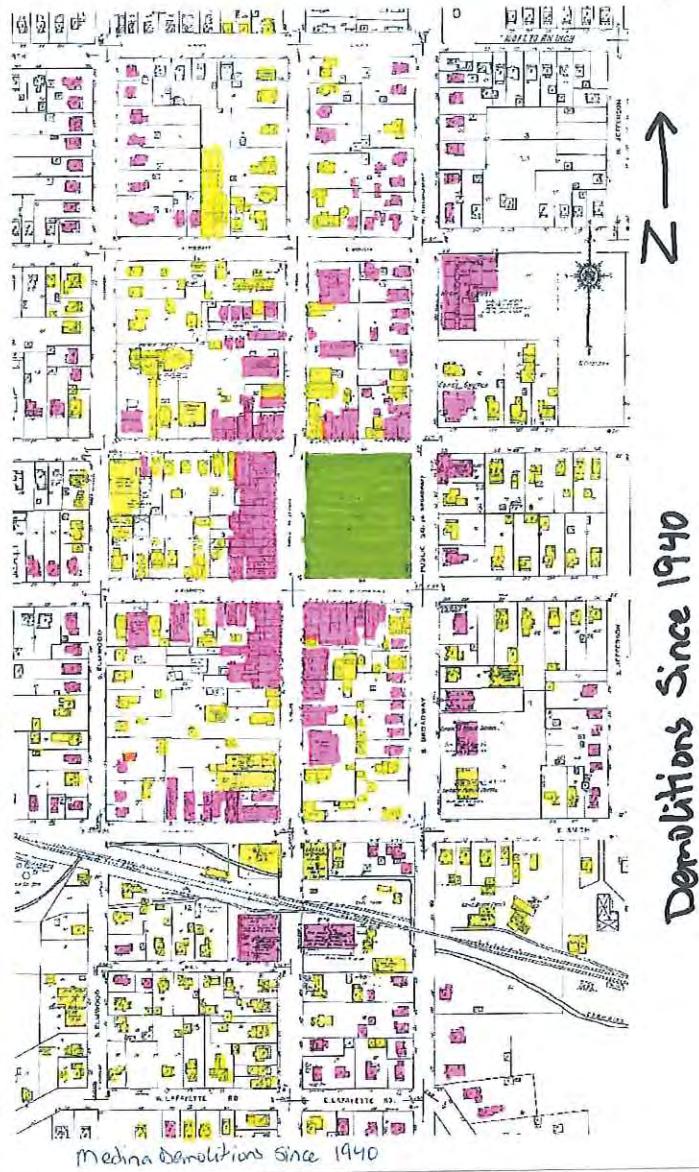
MEDINA, OHIO

*Pres*





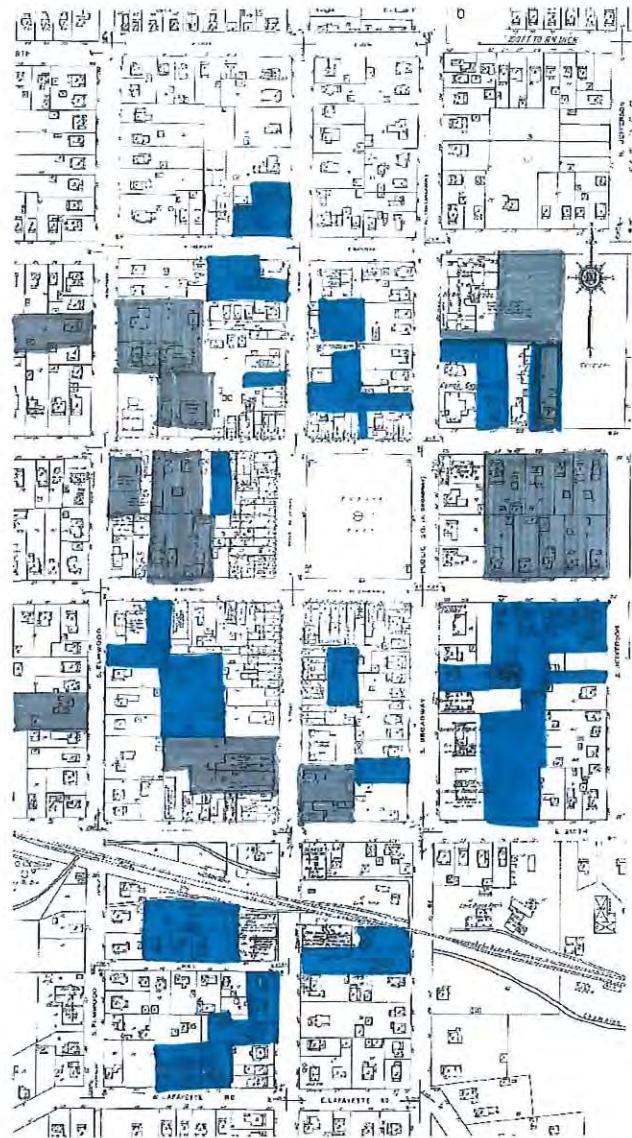
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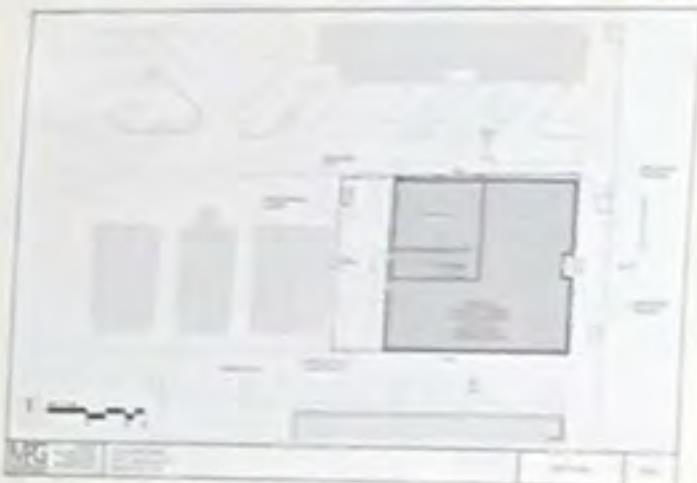
Demolitions Since 1940



*Pres*



**E. A PICTURE OF AN EXHIBIT PRESENTED AT  
THE OCTOBER 8, 2020 MEETING**



## **F. HISTORIC PRESERVATION BOARD RESOLUTION FOR H20-066**

**RESOLUTION  
HISTORIC PRESERVATION BOARD  
CITY OF MEDINA, OHIO**

November 13, 2020

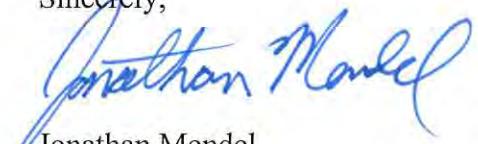
Loren A. Raymond  
4799 Granger Road  
Bath, Ohio 44333

PROPERTY: 133 N. Court Street

WHEREAS, YOUR APPLICATION WAS DULY PROCESSED AND AFTER APPROPRIATE REVIEW AND STUDY THE BOARD HAS PASSED THE FOLLOWING RESOLUTION:

The Historic Preservation Board at the November 12, 2020 meeting has denied a Certificate of Appropriateness for demolition of the building at 133 N. Court Street, Medina, Ohio.

Sincerely,



Jonathan Mendel  
Community Development Director



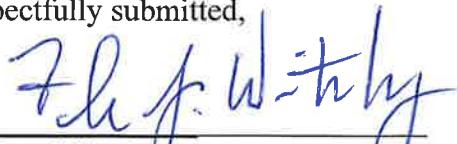
## **G. APPEAL REQUEST**

CITY OF MEDINA  
BOARD OF ZOING APPEALS

IN THE MATTER OF: ) Appeal Case No.  
 )  
TWIN PINES, LLC AND )  
LOREN RAYMOND APPLICATION )  
FOR DEMOLITION OF )  
BUILDING AT 133 NORTH COURT )  
STREET, MEDINA, OH )  
 )  
 ) **TWIN PINES LLC NOTICE OF  
APPEAL OF DECISION OF HISTORIC  
PRESERVATION BOARD**  
\*\*\*

Now comes Twin Pines LLC and its member, Loren Raymond (Applicants), by and through their attorney, Frank J. Witschey and does hereby appeal the decision of the Medina Historic Preservation Board denying Certificate of Appropriateness for the demolition of the building at 133 North Court Street Medina, Ohio on grounds that it presented evidence supporting an approval of the request pursuant to the Guidelines for development in the City's Historic District. A copy of the decision received by applicant on November 16, 2020 is attached.

Respectfully submitted,



Frank J. Witschey, Esq. (0059171)  
Witschey Witschey & Firestone Co., LPA  
405 Rothrock Road, Suite 103  
Akron, Ohio 44321  
Phone: 330-665-5117  
Fax: 330-665-7615  
E-mail: [fjw@witscheylaw.com](mailto:fjw@witscheylaw.com)  
ATTORNEY FOR APPLICANT

**H. A MEMO TO THE BOARD OF  
BUILDING AND ZONING APPEALS  
PROVIDED BY JONATHAN MENDEL,  
FORMER COMMUNITY DEVELOPMENT  
DIRECTOR**



**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

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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

## **I. BOARD OF ZONING APPEALS RESOLUTION FOR Z21-01**

**RESOLUTION  
BOARD OF ZONING APPEALS**

March 17, 2021

Loren A. Raymond  
4799 Granger Road  
Bath, Ohio 44333

PROPERTY: 133 N. Court Street

CASE NO: Z21-01

WHEREAS, YOUR APPLICATION WAS DULY PROCESSED AND AFTER APPROPRIATE REVIEW AND STUDY THE BOARD HAS PASSED THE FOLLOWING RESOLUTION:

At March 4, 2021 meeting, the Board of Zoning Appeals passed the following motion regarding the appeal of the November 12, 2020 Historic Preservation Board denial of a request for Certificate of Appropriateness to demolish 133 N. Court Street:

Remand to the Historic Preservation Board Case H20-06 to make written findings as to the following:

- (a) specifically whether the subject property has some historic significance to the City of Medina
- (b) whether the reasonable estimated minimum cost to repair the existing structure to a safe and useable condition within the C-2 zoning code permitted uses outweighs the fair market value of the property
- (c) whether there is an economically viable use of the property without regard to future use of the property, if demolition is approved.

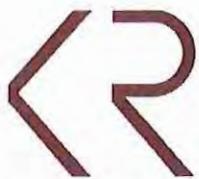
Sincerely,



Jonathan Mendel  
Community Development Director



**J. AN EVALUATION OF THE BUILDING BY  
KEVIN C. ROBINETTE of KEVIN C.  
ROBINETTE ARCHITECTS, LLC**



architects

August 27, 2021

Mr. Greg Huber  
City of Medina  
132 North Elmwood  
Medina, Ohio

Ref: 133 North Court  
Subj: Code Evaluation/Cost Estimate

Mr. Huber.

Attached you will find the Code Evaluation and cost estimate for the commercial property at 133 North Court in Medina. There is also attached an Exhibit with photos as a point of reference for the evaluation.

Please contact me with any questions or concerns.

Sincerely,

**Kevin C. Robinette, AIA**

**Kevin C. Robinette Architects, LLC**  
2091 South Belvoir Blvd.  
South Euclid, OH 44121  
(p) 216.246.0246  
(e) [robin.c.kevin@gmail.com](mailto:robin.c.kevin@gmail.com)

## **INTRODUCTION:**

We have been asked to conduct a survey of the existing building at 133 North Court for the purpose of providing an outline of recommended work scope in order to achieve current code compliance standards allowing for a functional and generic 'Business' occupancy.

This building was originally constructed as a residence in the 1920's, within what has become the 'Historic District' of central Medina. The structure itself has no designated historical value. The property was subsequently re-zoned as a business use and has accommodated a range of business functions for administrative office spaces as well as a funeral parlor. Most recently the building has been unoccupied with the exception of being used as a construction office during the construction of a new building immediately to the north.

The process used to conduct this evaluation has been to review the existing facility to survey existing conditions which are documented as a part of this survey through narrative descriptions with photos as an exhibit. From this survey a recommended work scope has been illustrated with an estimate of probable costs.

The intent of this evaluation is to illustrate essential work scope in order to provide for current standards of code compliance for a business use and subsequent estimate of probable costs to achieve this standard. This evaluation does not account for the renovation or functional improvements to meet the needs of a specific user or function. Consideration is the context of a generic business office use.

## **SITE:**

The structure encompasses the majority of the existing site. Immediately to the north and south are access drives for this and adjoining properties. The drive to the south allows for vehicular access to the west/rear of the property the space available is limited and would potentially allow for two parking spaces and an accessible ramp or lift.

Surrounding structures are commercial buildings to the north and south with residential rental properties to the west. These are landlocked between the business uses and the municipal center. Immediate paved areas of the site to the east and west have not been maintained and do not allow for current standards of accessibility.

## **HISTORIC SIGNIFICANCE:**

It has been related that the existing structure was built in the 1920's. It has a presence that could contribute to the fabric of an historic district however as a stand-alone structure its historic significance is very limited. It is also a residential structure within an area that has evolved into a commercial district with multi-level storefronts.



#### EXISTING CONDITIONS:

**Overall:** With the exception of the use as a construction office the building has been unoccupied for one year. Prior to this the facility has been kept 'warm, safe and dry' maintaining the integrity of the structural frame, exterior envelope and interior spaces. However it is evident that the building has not been updated with customary life safety and electrical/mechanical systems to support a current business function. It is also evident that basic maintenance, as the building has aged, has not been provided for.

The building is not currently accessible. The entry into the building from North Court is from the sidewalk with approximately 8 – 9 steps from the level of the sidewalk. The adjoining drives slope up into the site. It is assumed that there is a shared easement, for the drive to the south, allowing access to the west side (rear) of the site. Access to the finish floor is five steps from the existing grade.

HVAC - Radiator steam heat converted from hot water, boiler system. AC in basement for first floor only. Thru wall AC window units are used at the upper floors. The electrical system has not been updated and the panels are of a vintage that is no longer serviceable.

There is currently no survey of the existing environmental (hazardous materials/ACM) conditions. Based upon observations of pipe wrap within the basement and the general age of the structure it is assumed

that ACM is within the structure, pipe wrap observed, and will require removal with the demolition of existing systems.

#### **Interior Layout/Organization:**

**First Floor** – Access from street from the exterior porch through a foyer into a large space with three adjoining rooms. A ‘wrap around, (east and south side) enclosed and conditioned porch, accessed through interior rooms. There is an area to the northwest that offers restroom and kitchenette facilities (formally a residential kitchen).

**Second Floor** – central stair provide access to four rooms and a full bath at second floor with four rooms at each quadrant (corner) of the floor plan. There is a second (butlers) stair with access to a room at the NW corner.

**Third Floor** – central stair provide access to three rooms at third floor, one (central) adjoining stair with two spaces flanking. There is access to attic spaces, allowing for the condition of the structure and roof to be partially observed.

**Basement** – The basement is poor condition, multiple generations of mechanical (plumbing and HVAC), electrical and communications systems must be removed and replaced. The existing head height within the basement does not allow for the space to be functionally occupied. At some point in time there was a fire within the basement resulting in damage to the existing floor framing. This has been largely covered and could not be observed in its entirety.

Electrical service panels are no longer used and a new service with wiring will be required.

#### **EXTERIOR ENVELOPE:**

**Roofing** – existing asphalt shingles. No evidence of leaking observed, assume that existing roof is adequate on a ‘shirt term’ basis.

Siding has been installed over the existing painted wood siding and painted wood eaves at the porch. And lower level roof. The upper roof eaves and decorative joist ends remain uncovered. At the west side of the house there has been partial demolition of a rear porch and a connection to a demolished garage structure. The existing painted wood siding is exposed and completion of the demolition and patching of the remaining siding is required. Removal and infill of an existing second floor door is required.

Existing front porch is constructed of a concrete frame consisting of posts, base, ballustrade and railings. This is a relatively unusual condition and it is noted that it is failing in two locations. Porch flooring is typical for the period, painted, it is deteriorated at the edges, adjoining the concrete frame.

#### **CODE EVALUATION:**

This structure has been established as a business occupancy and as such it can be used for this purpose again. Current layout for the building does not provide for a separation of tenants. The existing areas can be used as administrative office spaces with shared amenities for restrooms kitchenette and

meeting spaces. It is assumed that smaller areas within the structure could be secured for individual tenant uses within the context of a shared facility.

- Accessibility can be provided from the west side of the building to the first floor only. Additional accessibility could be provided through a 'chair lift' at the stair, however this is awkward as both stairs arrive at an intermediate landing, requiring a second 'chair lift' to be provided.
- Accessible restrooms, at the first and second floors can be provided for.
- An accessible kitchenette and common meeting room can be developed at the first floor.
- Basic life safety systems will be required for exit signs and emergency lighting.
- Accessible hardware and exit hardware at doors.

**FUNCTIONALITY:** This report is offered without an opinion of potential functional value of the structure with its current layout. Consideration for how individual tenants may use the building and degree of separation between tenants to be determined.

**RECOMMENDED WORK SCOPE & ESTIMATE OF PROBABLE COST:** In order to achieve a minimum updated standard for a business occupancy, the following work scope is offered for consideration with estimates of probable cost.

**Site:** Site development of the sidewalk and entry access (east). Development of parking and accessible entry at the rear (west).

• Side walk and approach alignment and repairs (east)	\$4,000
• Selective demolition and repairs at the west side	\$16,000
○ Siding and trims, entry stairs and porch with accessible lift. New rear entry doors and access.	
• Paving at parking area	\$3,500
	(\$23,500)

**Accessibility:** it is the City of Medina policy that 20% of the overall construction costs for renovation be devoted to accessibility. Based upon the estimated net, work scope of \$228,200, \$42,200 will be budgeted for accessibility.

• Accessible lift	\$24,000
• Accessible restroom	\$12,000
• Modify access path from rear (west)	\$3,000
• Update hardware and doors for accessibility and exiting	\$3,200
	(\$42,200)

There is no accessibility to the 2<sup>nd</sup> and 3<sup>rd</sup> floors at present and none is proposed as a part of this study.

**Exterior:**

• Porch repairs	\$3,800
• Window replacement (30 Units)- 3 <sup>rd</sup> floor replaced	\$18,000
• Miscellaneous repairs	\$4,000
	(\$25,800)

**Systems: HVAC, Plumbing and Electrical** - \* Note estimates are based upon interpolation of recent proposals for replacement of systems within an historic residence under renovation in Medina, of a similar size. Assumes that gas, water and sanitary services are functional, electrical service to be upgraded..

• Plumbing	\$22,000
○ Includes replacement of primary sanitary piping at basement	
• HVAC (1 <sup>st</sup> floor – new furnace with ductwork in the basement)	\$14,000
(Boiler for re-use of radiator heat at second floors)	\$8,000
(Through wall window air conditioning)	
(provide for mini-split units (3) at third floor)	\$5,500

• Electrical	\$36,000
○ Includes life safety systems for existing and emergency lighting and smoke detection	<i>(\$85,500)</i>

**Interiors:** General refurbishment and repairs for existing conditions - painting/staining throughout with new floor finishes.

• Basement	\$5,000
○ Repairs from fire damage	\$4,200
○ New stair construction	\$3,000
• 1 <sup>st</sup> Floor	\$18,000
• 2 <sup>nd</sup> Floor	\$13,000
• 3 <sup>rd</sup> Floor	\$8,000
	<i>(\$51,200)</i>
<b>Sub-Total</b>	<b>\$228,200</b>
Contingency (10%)	\$23,000
General Conditions, OH & P (15%)	\$37,500
<b>TOTAL</b>	<b>\$288,700</b>
*20% of Sub-Total to be allocated for accessibility	\$45,600
• Estimated value - \$42,200	

**SUMMARY** – Despite this structure having not been maintained in its entirety – interiors, envelope and systems, its overall structural integrity is sound, with the exception of fire damage to framing in the basement. It can certainly be upgraded as necessary to meet minimal code requirements for accessibility and life safety. Levels of finish and ‘building to suit’ for a particular tenant(s) is much more subjective and cannot be identified as a part of this evaluation.

The functional response of the overall floor plan(s) is also subjective relative to the needs of a specific tenant for use and degree of separation and privacy. With the limited site area, the structure is really limited to its existing footprint and it presumed that any significant modifications to the interior will result in required modifications to structural framing.

## EXTERIOR



Concrete porch post out  
Of alignment



Front – east entry



Rear – west entry, door at landing no at-grade floor  
Level access

## EXTERIOR



West porch removed



West view



West parking

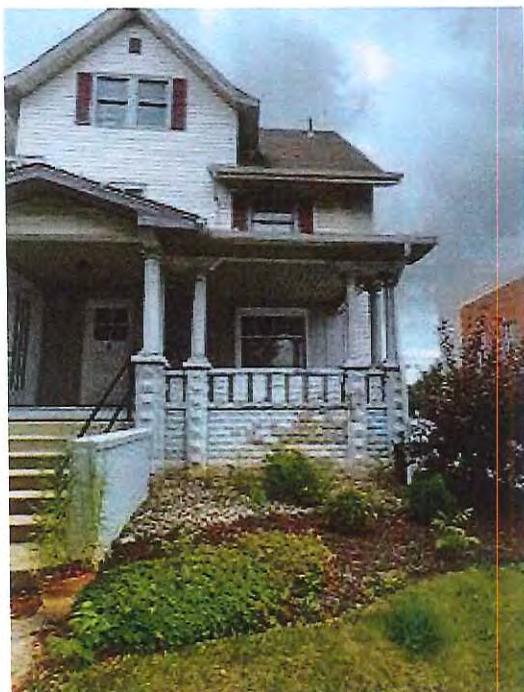


South view

## EXTERIOR



Southeast view (from square)



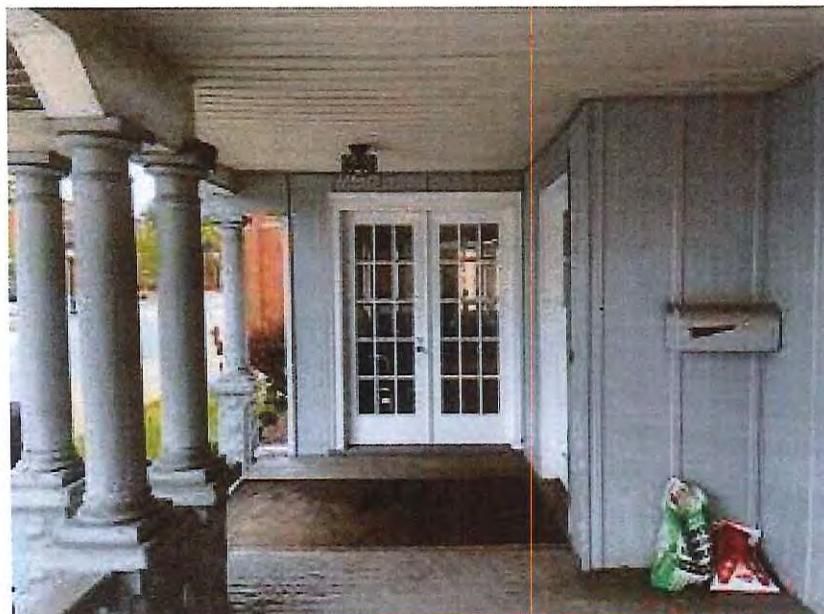
East porch – concrete base, posts and railing



## EXTERIOR



East entry porch – aluminum cladding at siding, vented soffits and porch ceiling

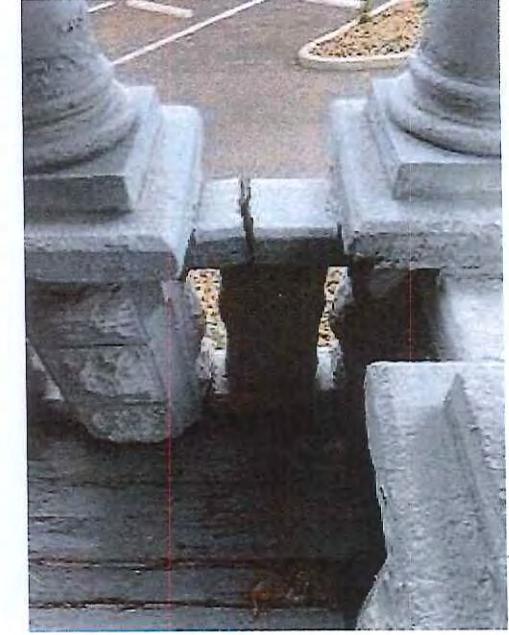
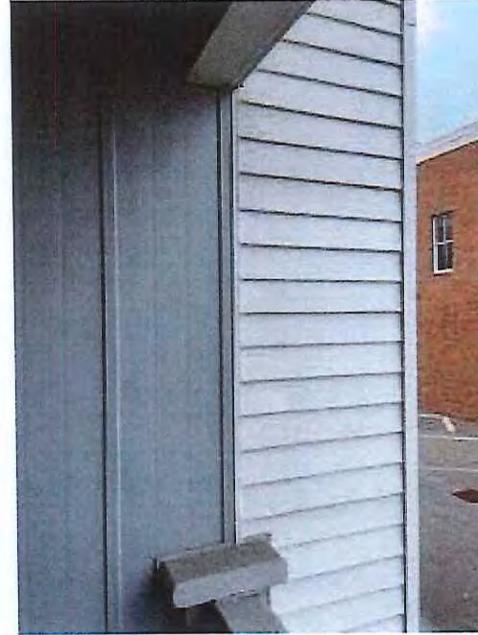


Entry to enclosed porch

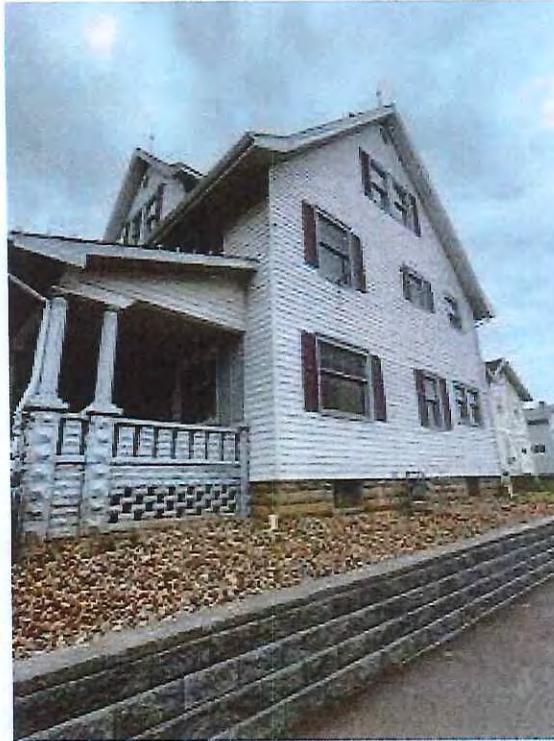


Porch floor with concret ballustrade

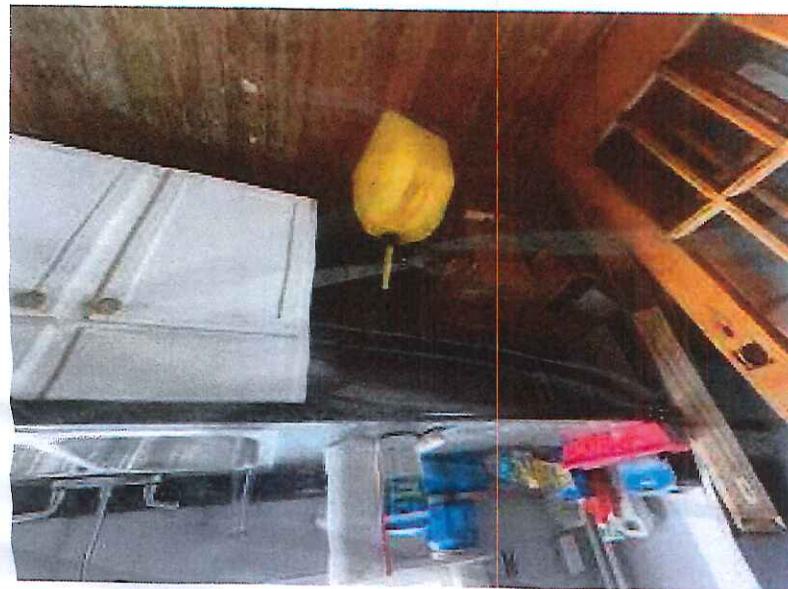
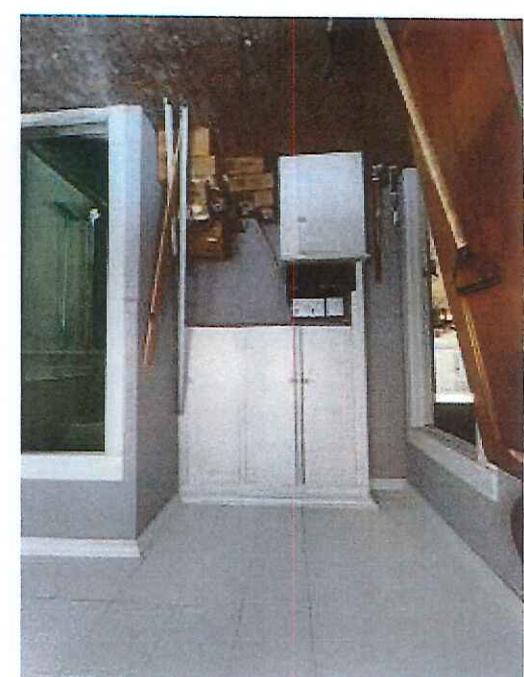
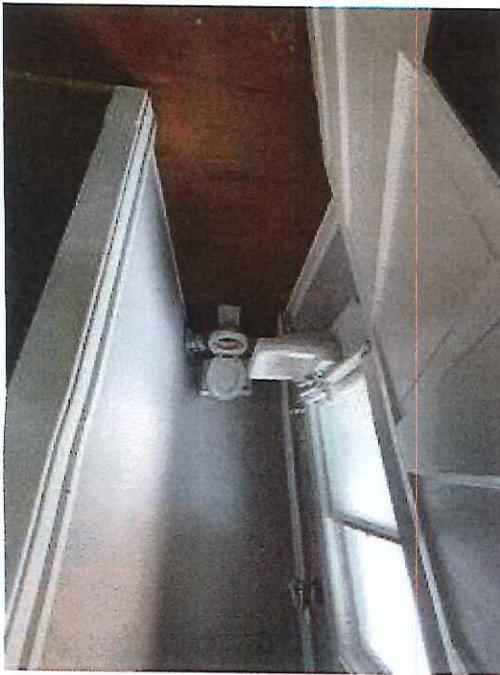
## EXTERIOR



Entry porch



Northeast view  
Page 65



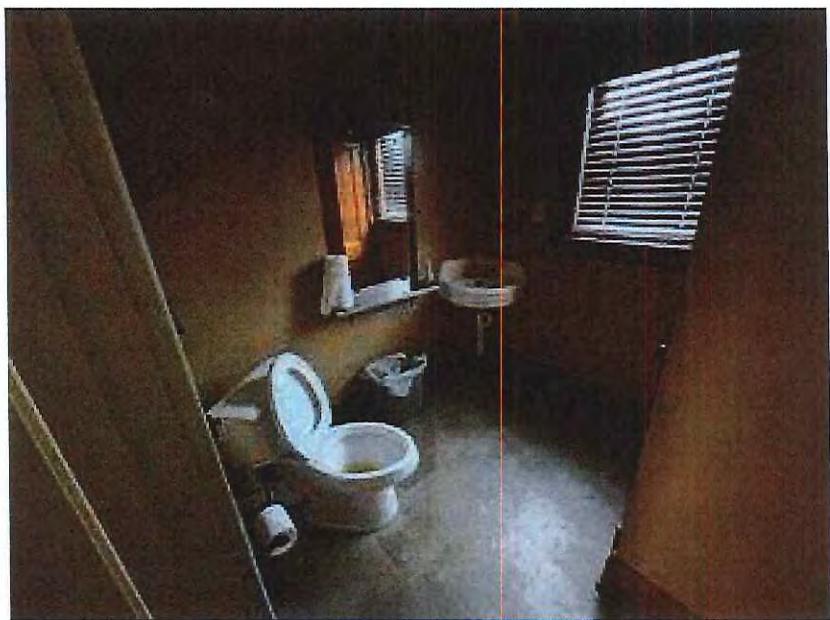
## FIRST FLOOR



To basement

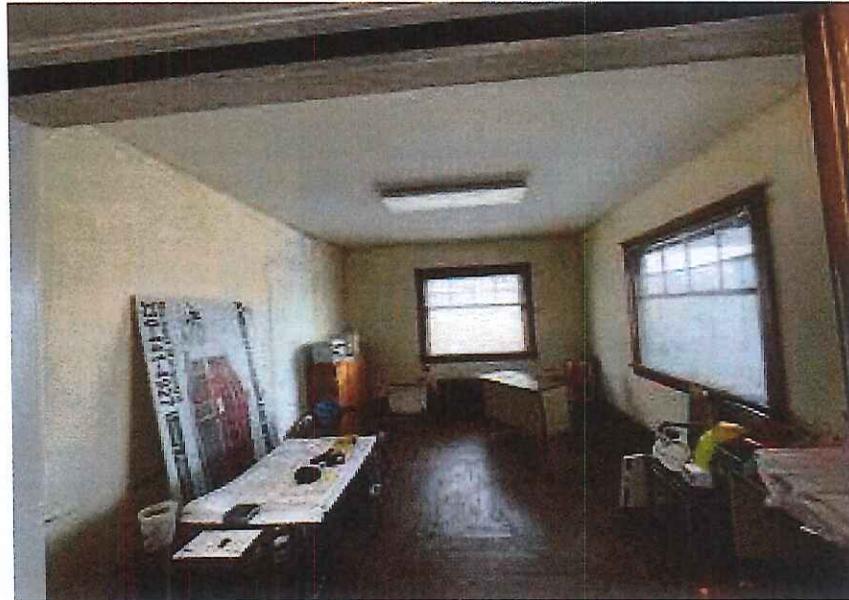


Secondary stair to 2nd



Primary stair

## FIRST FLOOR



Northeast office

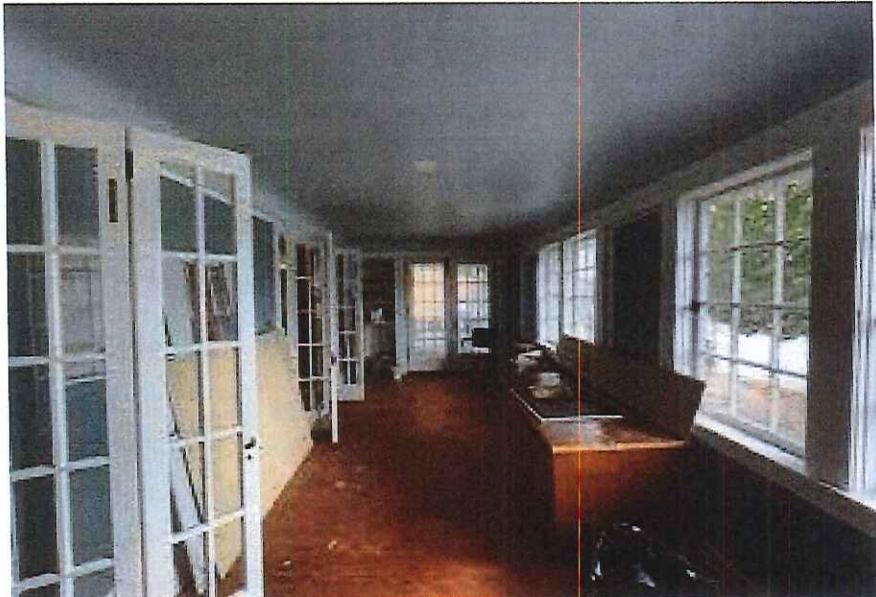


Main room from NW



Main room from SE

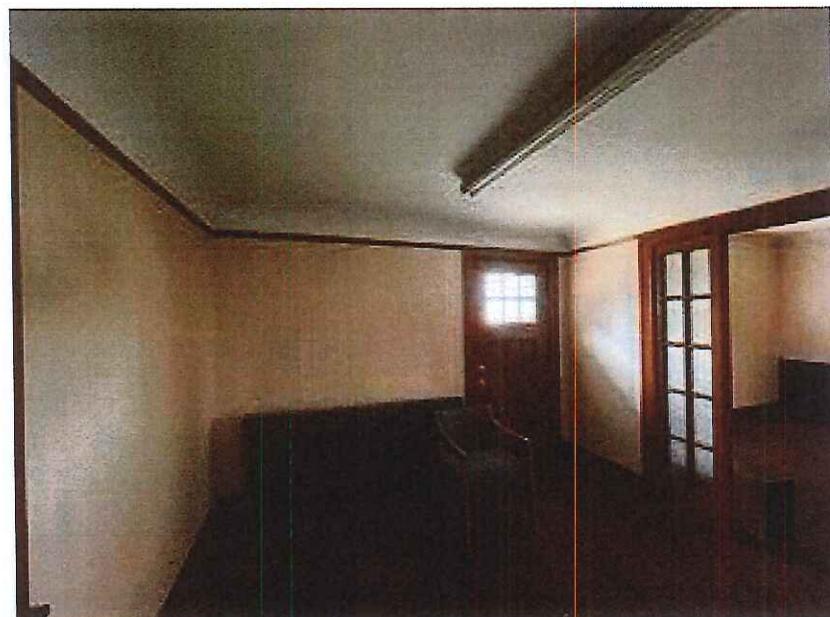
## FIRST FLOOR



Enclosed porch views – East



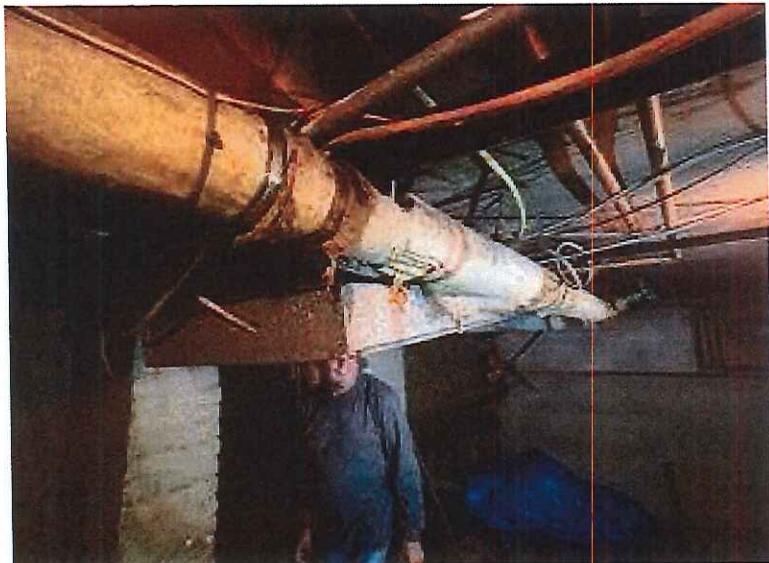
South



Northwest room



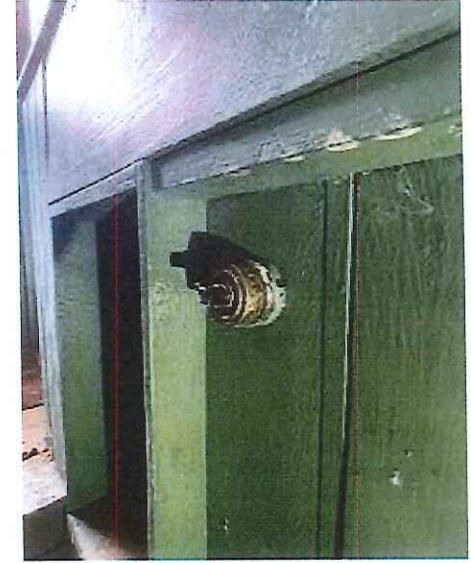
## BASEMENT



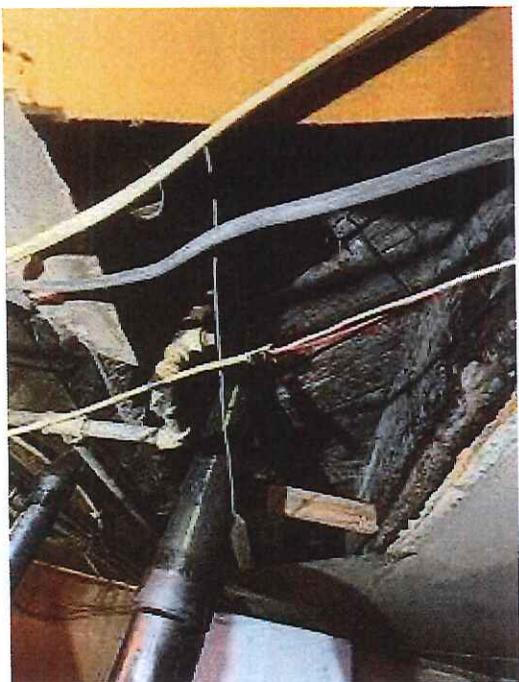
Asbestos pipe wrap with wiring



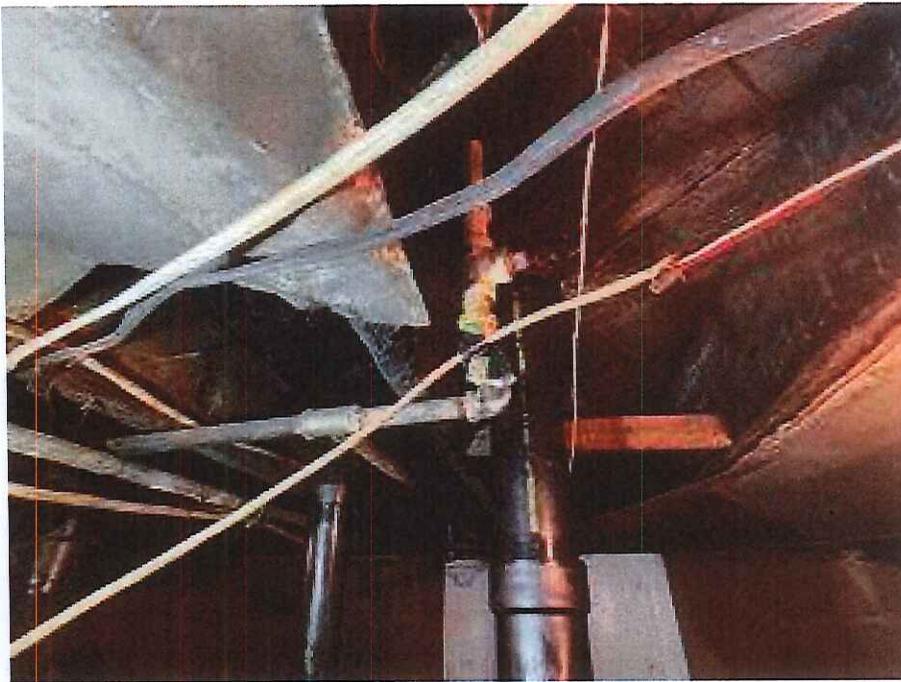
Fire damage



Switching

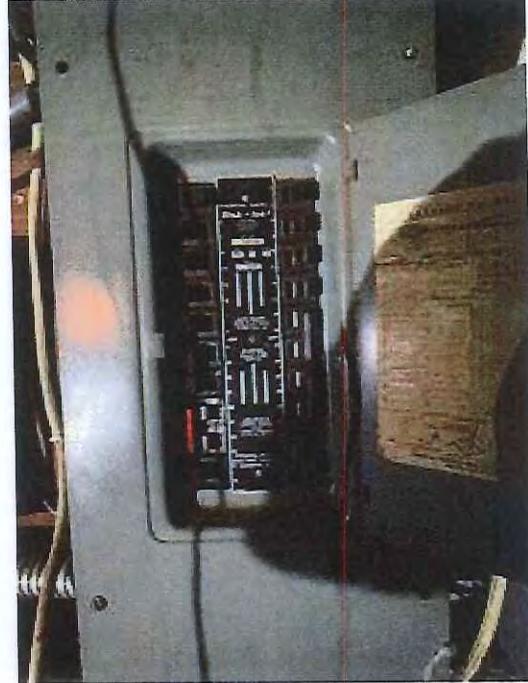
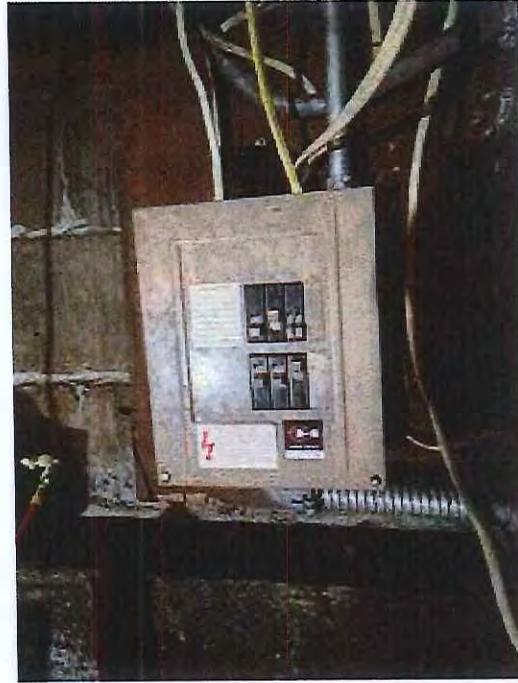
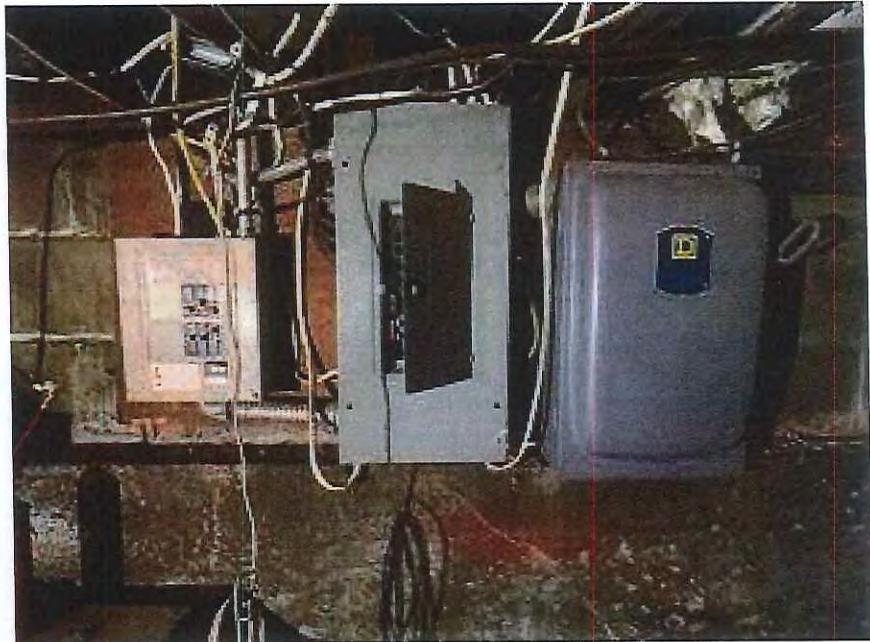
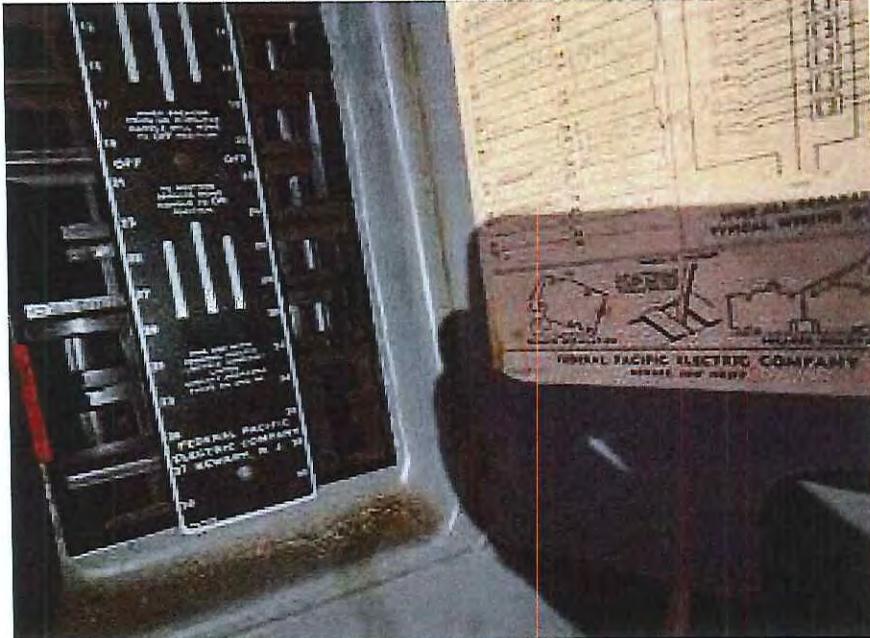


Fire damage



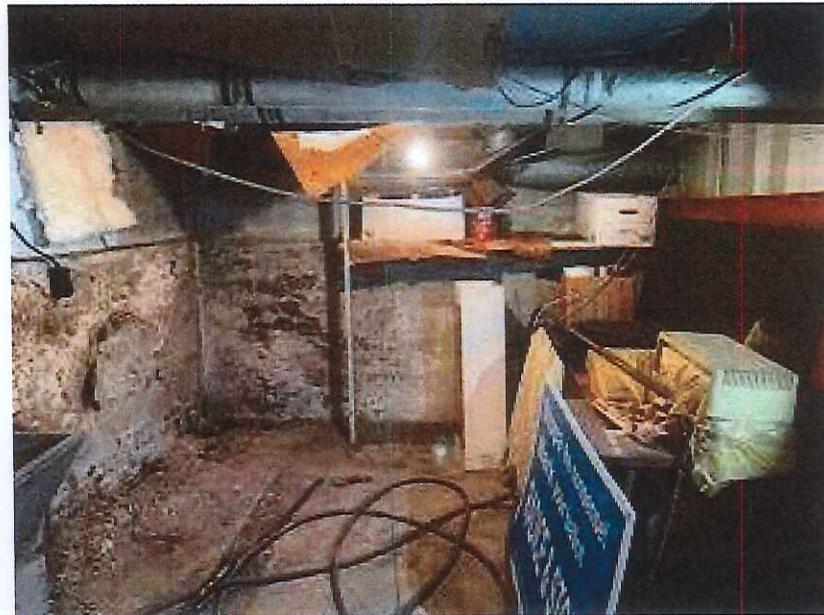
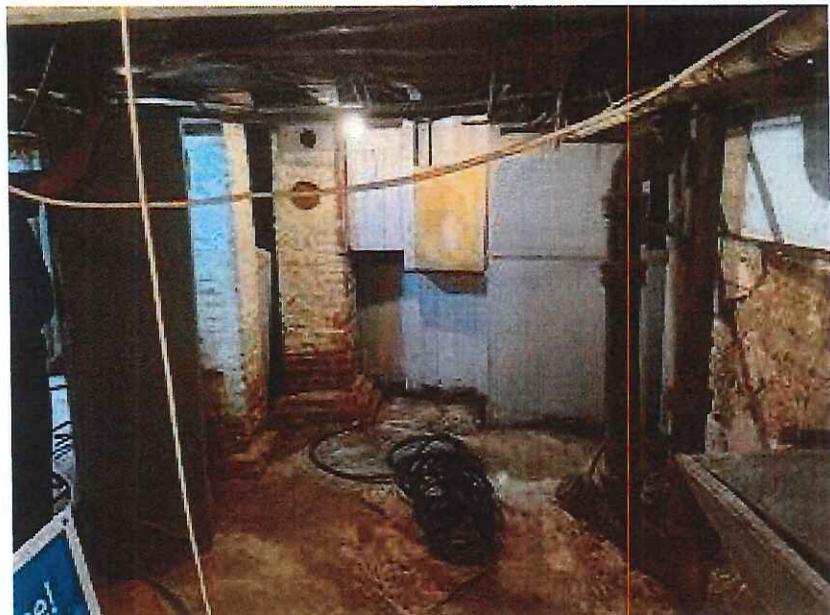
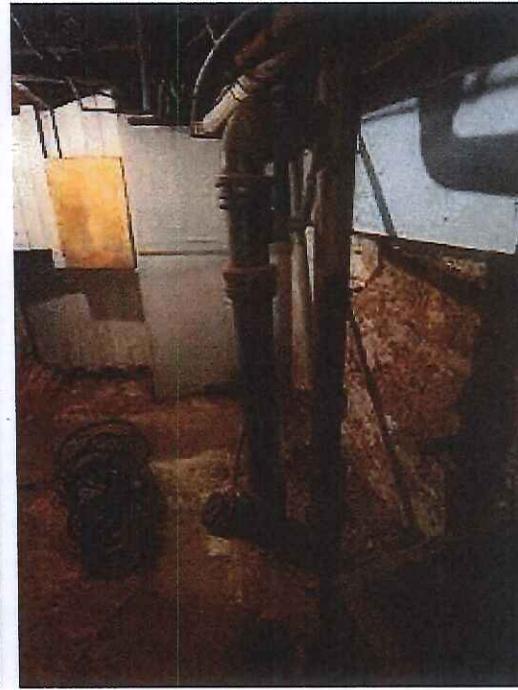
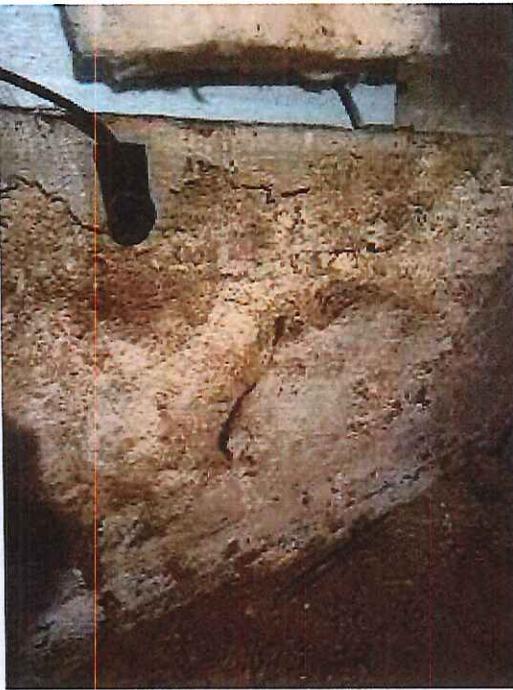
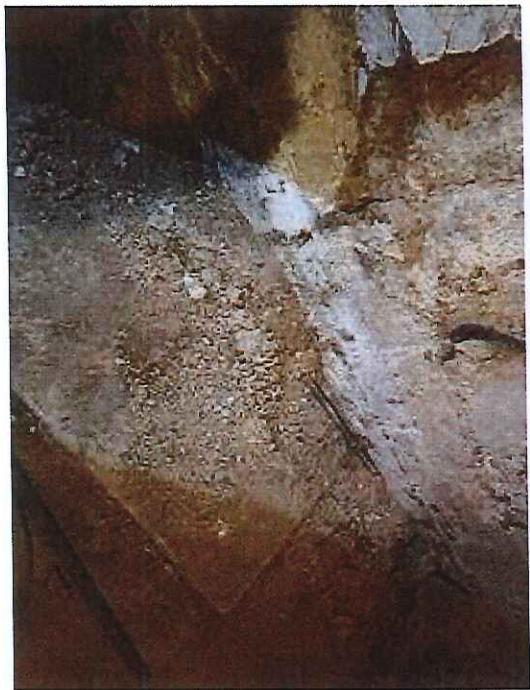
Fire damage

## BASEMENT



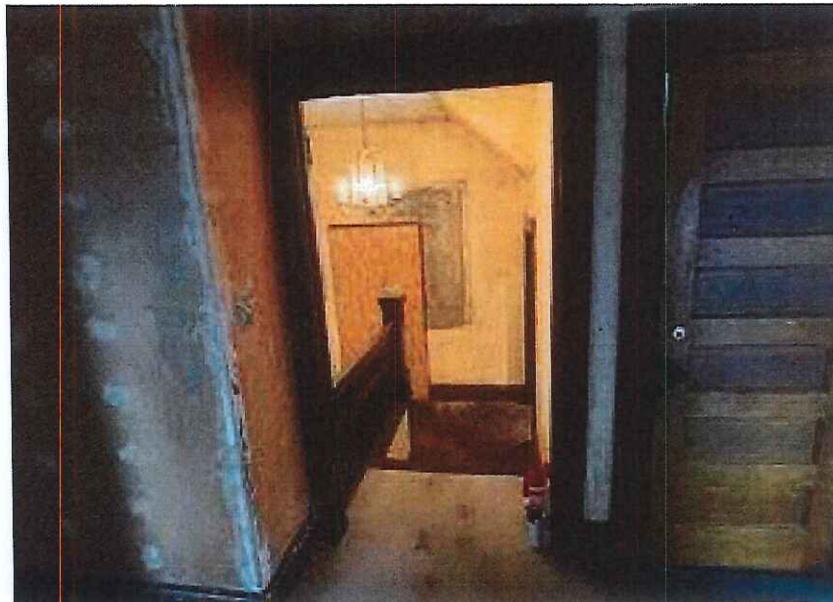
Electrical service panels – beyond useful life

## BASEMENT

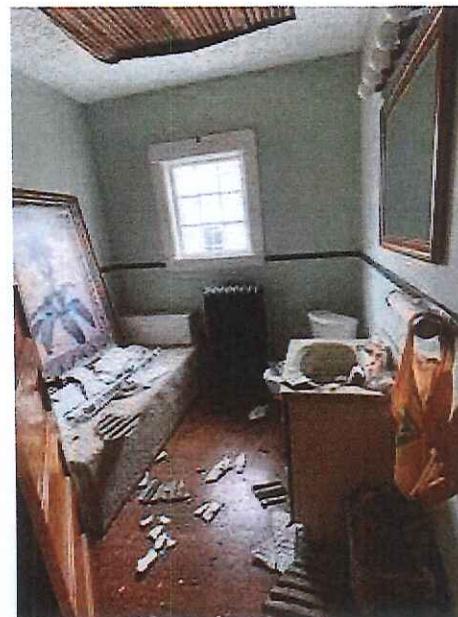
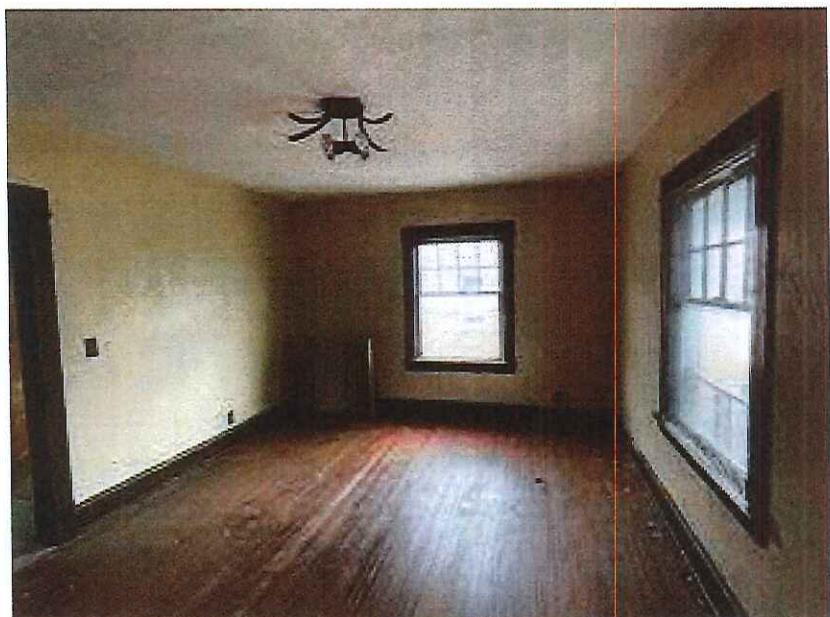


General appearance

## SECOND FLOOR

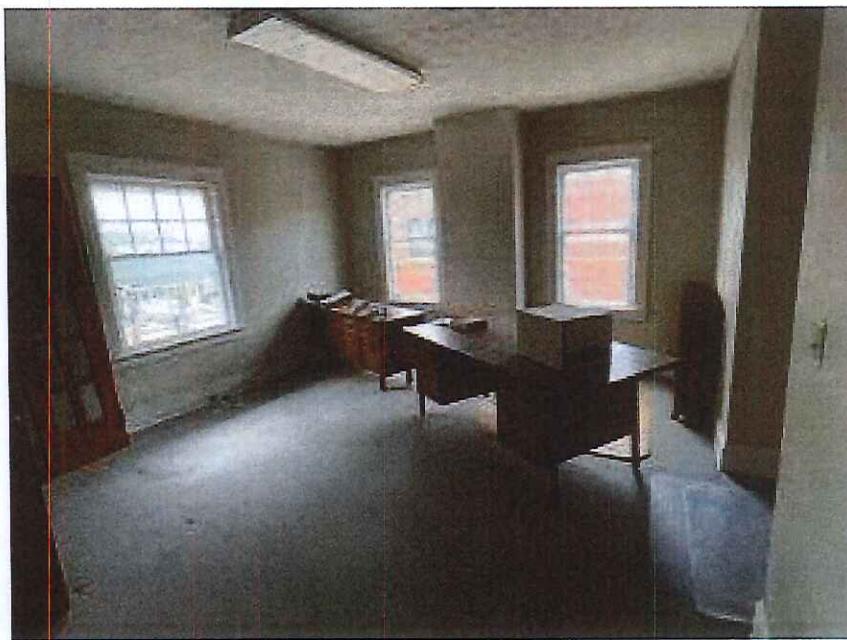
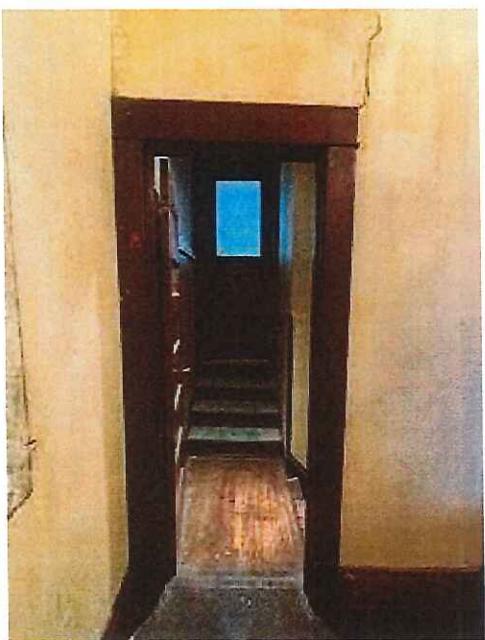
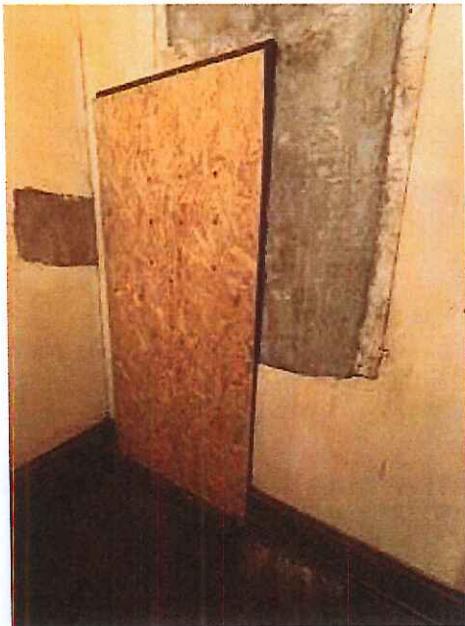
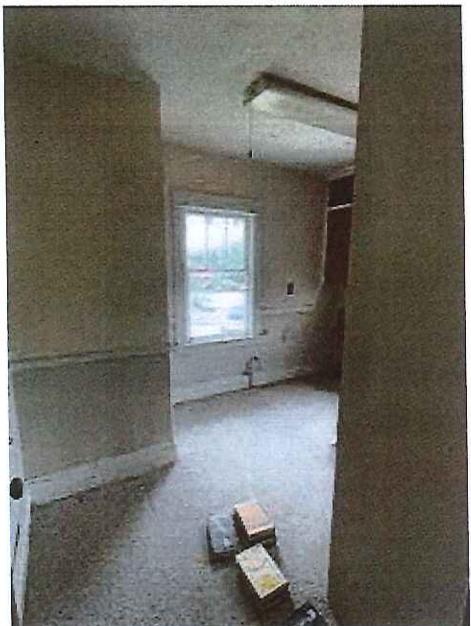


Primary stair

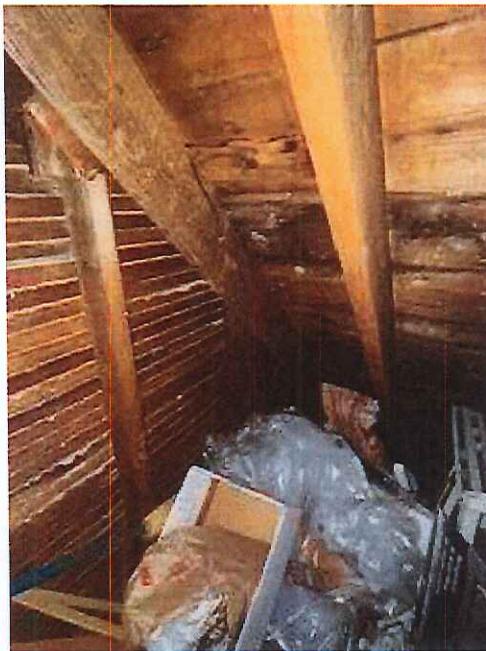
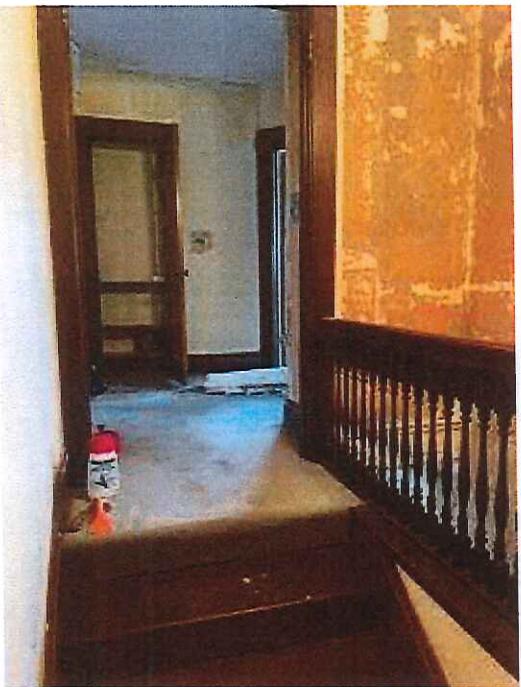


Bathroom

## SECOND FLOOR

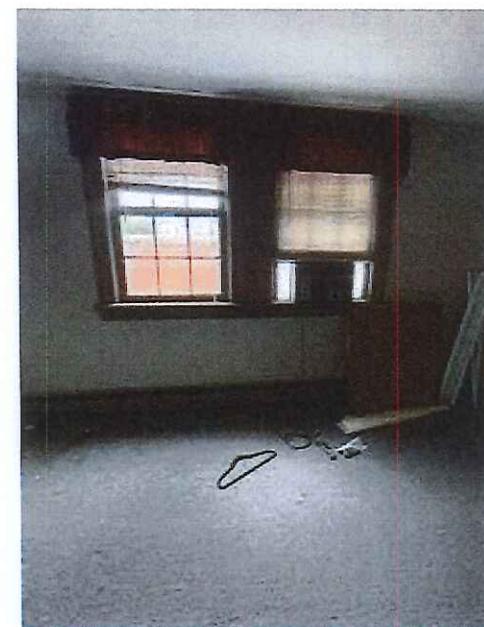
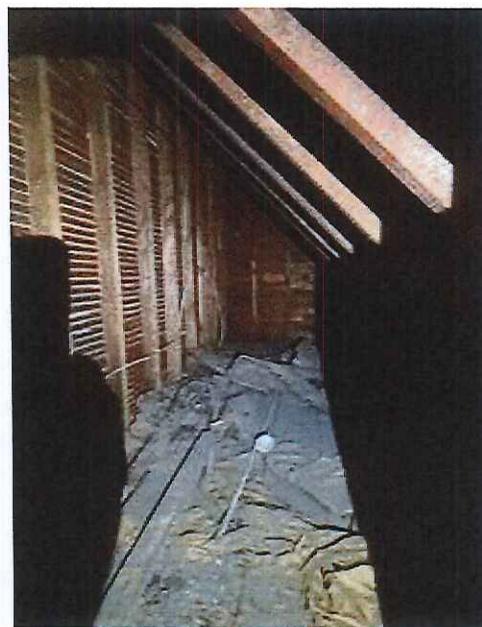
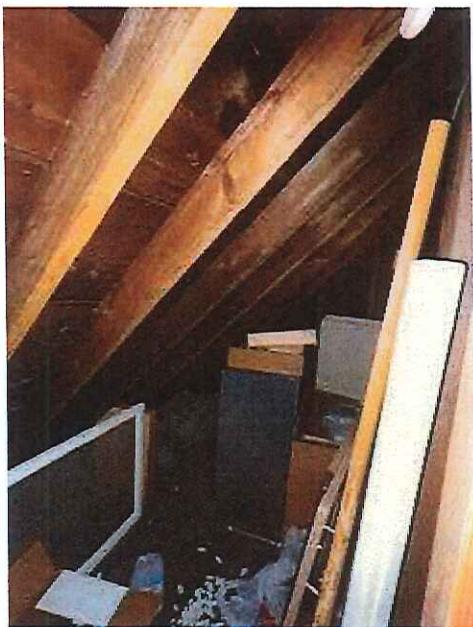


## THIRD FLOOR



Attic space

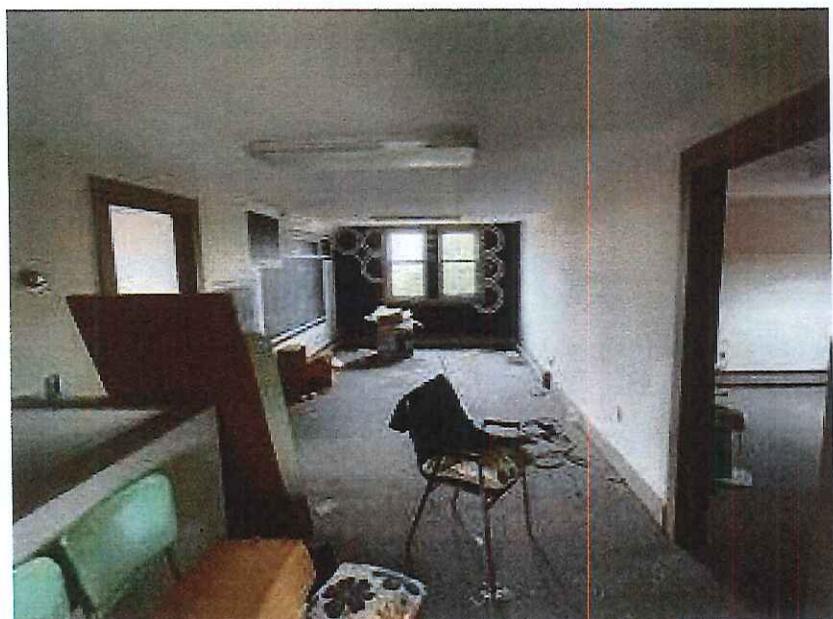
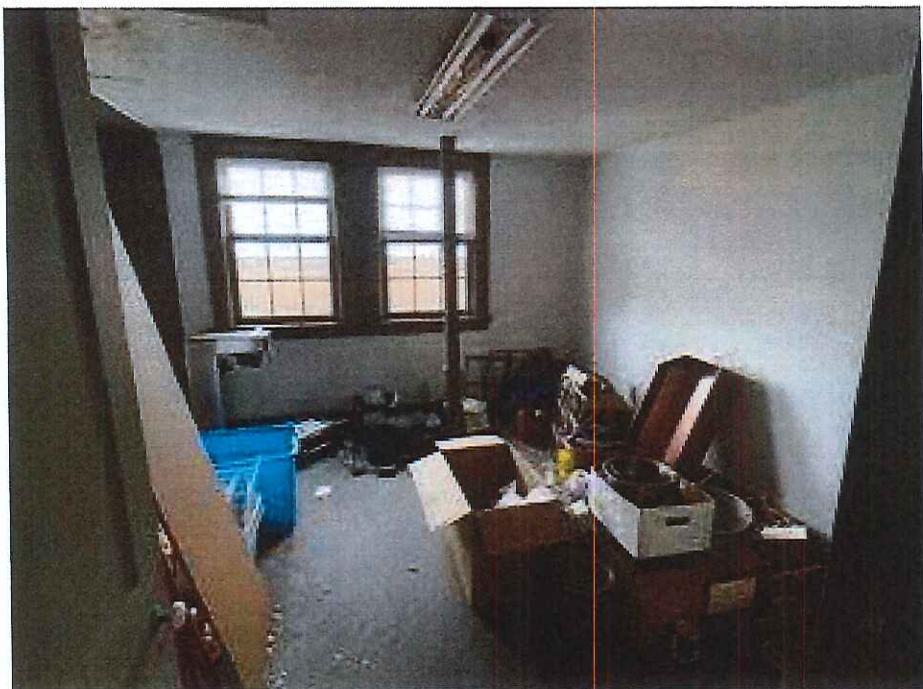
## THIRD FLOOR



Attic space



## THIRD FLOOR



## **K. HISTORIC PRESERVATION BOARD OCTOBER 8, 2020 MEETING MINUTES**



## CITY of MEDINA Historic Preservation Board Meeting

### Historic Preservation Board

Meeting Date: October 8, 2020

Meeting Time: 5:00pm

Present: Leslie Traves, Don Geitz, Paula Banks, Elizabeth Biggins-Ramer (arrived at 5:06pm), Jonathan Mendel (Community Development Director), Sandy Davis (Administrative Assistant)

Absent: Patty Stahl

Paula Banks made a motion to approve the minutes from the September 10, 2020 meeting as submitted. The motion was seconded by Don Geitz.

Vote:

Banks	<u>Y</u>
Traves	<u>Y</u>
Geitz	<u>Y</u>
Approved	3-0

Announcements: No Announcements

Old Business: None

New Business:

Mrs. Traves announced the board will hear case H20-10 first on the agenda.

H20-10      243 S. Jefferson      Damir Simic      COA

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a request for a Certificate of Appropriateness for façade painting at 108 W. Washington. Mr. Mendel stated the property is zoned C-2 Central Business District. Mr. Mendel stated the applicant proposes painting the exterior with "Uncertain Gray" by Sherwin Williams. Mr. Mendel stated the applicant has provided a paint chip.

Mr. Mendel stated this would be an alteration to the building so it requires review.

Mr. Mendel stated the proposed paint scheme will provide update to the existing building. Mr. Mendel stated this paint scheme design is appropriate to the subject

building and complimentary to the immediate vicinity and the District. Mr. Mendel stated the paint scheme would continue the updating of the building.

Staff recommends that the Historic Preservation Board grant a Certificate of Appropriateness for the proposed painting scheme for 243 S. Jefferson St.

Present for the case was owner, Damir Simic. Mrs. Traves asked the color of the trim. Mr. Simic stated his name and address. Mr. Simic stated he is trying to improve the appearance on the inside and the outside. Mr. Simic stated the inside of the house is almost complete. Mr. Simic stated the only thing left is the painting of the siding and the trim. Mr. Simic stated once the siding is painted, it may be one shade darker per the salesperson at Sherwin Williams. Mr. Simic stated the trim would stay as it is right now until they decide what color to use. Mr. Simic stated once they decide on a color, they will come back to the board. Mr. Geitz suggested painting the trim a darker shade of gray as a nice contract. Mr. Simic stated he needs to speak to his wife about the color as well as the board.

Mr. Mendel suggested the board approve the request subject to the staff approving the trim color in an appropriate shade of gray or white.

Mrs. Banks stated she is ok having staff approve the color of the trim.

Mr. Geitz made a motion to approve a Certificate of Appropriateness for façade painting at 243 S. Jefferson Street in the color "SW 6234, Uncertain Gray" and a condition that the trim and porch color be subject to administrative review and approval.

The motion was seconded by Biggens-Ramer.

There was a brief discussion regarding painting the block.

Vote:

Traves	<u>Y</u>
Banks	<u>Y</u>
Biggens-Ramer	<u>Y</u>
Geitz	<u>Y</u>
Approved	4-0

2. H20-06      133 N. Court Street      Loren A. Raymond      COA

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is for 133 N. Court Street and the applicant is Twin Pines LLC for a Certificate of Appropriateness request for complete demolition of the existing building.

Mr. Mendel stated the property is zoned C-1, Central Business District and is located on the west side of 100 block of N. Court Street. Mr. Mendel stated the subject building was constructed between 1902 and 1911 as a single dwelling residence.

Mr. Mendel stated the subject property is a converted house that has been commercially used for decades. Mr. Mendel stated at one time, this property was the location of the

Waite and Sons Funeral Home. Mr. Mendel stated at some point in the first half of the 20<sup>th</sup> 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.

Mr. Mendel stated 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.

Mr. Mendel stated the applicant requests complete demolition of the existing building without a specific imminent redevelopment plan. Mr. Mendel stated 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.

Mr. Mendel cited City of Medina Historic District Design Guidelines, Section 145.07(c): Demolition.

Mr. Mendel stated 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.

Mr. Mendel stated 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. Mr. Mendel stated 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.

Mr. Mendel stated 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.

Mr. Mendel stated 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.

Mr. Mendel stated 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.

Mr. Mendel stated Dan Gladish, Chief Building Official and Jonathan Mendel toured the subject building regarding the subject property's existing conditions in relation to consistency and/or compliance with the Ohio Building Code. Mr. Mendel stated Mr. Gladish's comments are provided with the staff report included in the packet.

Mr. Mendel stated 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.

Mr. Mendel stated 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.

Mr. Mendel stated 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.

Mr. Mendel stated for the record that he received a letter from the Community Design Committee (CDC) by e-mail which he printed and provided to each board member prior to the start of the meeting as well as a copy for the file and the applicant.

Mr. Mendel stated he will not read the letter into detail as it is labeled under the President of the CDC, Michelle Nichols and will become an exhibit as part of the record.

Mrs. Traves asked if the Board can hear from Chief Building Official, Dan Gladish, first before hearing from the applicant. Mr. Mendel stated they may.

Dan Gladish, City of Medina Chief Building Official, 132 N. Elmwood Avenue, Medina, Ohio addressed the board. Mr. Gladish stated he was asked to evaluate the overall condition of the property at 133 N. Court Street, and after a thorough walk through of the interior and the exterior he noted the mechanical systems, electric, HVAC, plumbing are all outdated and in a state of major disrepair. Mr. Gladish stated there are unsanitary conditions and there has been no hot water probably for close to twenty years. Mr. Gladish stated the tank is in the basement and is basically just a pile of rust. Mr. Gladish stated and to know that was the last tank used. Mr. Gladish stated the electrical wiring is a mix of knob and tube to Romex cable and is a disaster. Mr. Gladish stated even the chimney has issues and there is a lot of exposed wiring. Mr. Gladish stated the plumbing system is the same with a mix of galvanized copper, PVC and ABS which are all tied together improperly. Mr. Gladish stated the HVAC system, part of the house is air conditioned which is in a state of disrepair. Mr. Gladish stated the boiler is inoperable. Mr. Gladish stated the heating system was set up for an old steam system, with the old cast iron radiator. Mr. Gladish stated it was converted to hot water at some point. Mr. Gladish stated you typically would not reuse the old cast iron radiators, but the heating system is very inefficient and a mix of steam with a hot water system and some forced air duct work for the air conditioning system.

Mr. Gladish stated one of the biggest concerns he has is trying to make the place acceptable for any future use. Mr. Gladish stated the front porch sets up approximately 54" from the ground and trying to make it accessible would require ramps approximately 40 to 50 feet in length. Mr. Gladish stated the exterior walls and the rock foundation fell into the front porch which is all concrete including the columns.

Mr. Gladish stated none of the chimneys have liners and one of the chimneys can be replaced with new high efficiency stuff would vent down the sidewalk and could be a major issue.

Mr. Gladish stated part of the house still has the original wiring and some of the switches are switches that date back probably 20's and 30's. Mr. Gladish stated the electric are the old two wire switches.

Mr. Gladish continued to review the report submitted to the board.

Mrs. Banks asked if there is any asbestos. Mr. Gladish stated it would need to be tested but it is clearly evident that some of the steam piping has the old asbestos insulation which is in the basement and on each floor.

Mrs. Traves asked how long the house has been vacant. Mr. Gladish stated possibly 2 years. Mr. Mendel stated the applicant would be more able to answer that questions.

Mr. Mendel stated Chief Building Official Gladish is just doing this evaluation in terms of compliance or consistency with the existing Ohio Building Code. Mr. Mendel stated he is not in his position as City Staff to be making judgement calls. Mr. Mendel stated the question that is in front of the board or as the applicant has expressed, whether there are substandard conditions in relation to the current building code and whether those substandard conditions are safe or unsafe. Mr. Mendel stated that is what is analysis in the packet is intended to be.

Mrs. Biggens-Ramer asked if there are other homes in the City of Medina with knob and tube wiring that are habited. Mr. Gladish stated he can't say for sure but most likely there are. Mr. Gladish stated knob and tube wiring is just an old system but there is nothing in the code that states it needs to be removed. Mrs. Banks asked if the house is remodeled, does it need to be replaced. Mr. Gladish stated you can leave everything existing as is.

Mr. Geitz stated if this building were to be remodeled, it would be at tremendous cost because you would have to put up a handicap right and they may decide to add a garage for residential, it would need a ramp. Mr. Geitz stated the building used to be a funeral home. Mr. Geitz stated it is a beautiful house and we hate to lose a house that old. Mr. Geitz stated the applicant would like to purchase the houses in the back. Mr. Geitz stated the building the applicant built on the corner is really nice and this is our only part of history left with this building.

Mr. Mendel stated he did not include all of the photos taken by Mr. Gladish into the packet because it is three times larger than the packet that was sent out.

Mr. Geitz asked if it is worth the effort to ask a few professional contractors to give an estimate of cost to bring the building up to code for reuse.

Mr. Mendel stated that is a question for the applicant and not the Building Official.

Mrs. Traves stated there is a general estimate in the packet.

Present for the case was Loren Raymond, owner. Mr. Raymond stated his architect is present to speak to the condition.

Mrs. Biggens-Ramer asked if the building was occupied when Mr. Raymond purchased it. Mr. Raymond stated there was one tenant. Biggens-Ramer asked if the tenant was conducting business at the time or was it residential. Mr. Raymond stated she was a therapist and she was conducting business.

Mr. Raymond introduced his architect, Ian Jones, MPG Architects, 3660 Embassy Parkway, Fairlawn, Ohio 44333.

Mr. Jones stated Mr. Raymond asked him to walk through the building. Mr. Jones stated he has been through the building multiple times since he purchased it and assessed the condition of the building. Mr. Jones stated the state of repair has been similar from when he first purchased the building to today. Mr. Jones stated it is just some things progressed and some things he made improvements on it. Mr. Jones stated Mr. Raymond did make investments in the building when he purchased it to improve it but it is just out running the capability to really maintain it.

Mrs. Biggens-Ramer asked Mr. Jones to elaborate what the improvements were. Mr. Jones stated there was some electrical, some lighting, flooring and painting done. Mr. Jones stated he thinks the intent at that time was to maintain the building as reasonable but now it has crossed the threshold where it is just not reasonable. Mr. Jones stated after his walk-through he observed much of what Mr. Gladish observed. Mr. Jones stated one of the most substantial items was the foundation is deteriorating in a few spots and appears it is mostly due to moisture issues in the basement where the walls are crumbling. Mrs. Biggens-Ramer asked the composition of the foundation walls. Mr. Jones stated they are some type of cast concrete, at least where he saw it. Mr. Jones stated he is sure there is some concrete, some stone/block foundation as well. Mr. Jones states sometimes they would plaster over the block. Mrs. Biggens-Ramer asked if the deterioration is over the entire foundation or just the section of the original wall. Mr. Jones stated he would say it is prevalent in areas throughout the whole basement and also from recently walking through it, they have removed all paper that has exposed building cracks everywhere from moving. Mr. Jones stated he thinks this building has settled in a lot of different directions just because of the nature of how it was built.

Mrs. Biggens-Ramer asked if the cracks are in the foundation or are they in the plaster. Mr. Jones stated they are in the plaster and he thinks those are a combination of water infiltration from leaks either in the roof or somewhere else or from just movement due to the foundation deteriorating.

Mr. Jones stated as Mr. Gladish stated, there is a lot of electrical issues, there is a lot of mechanical issues. Mr. Jones stated as far as the architectural integrity of the building, there has been a lot of changes that occurred probably decades earlier such as it has aluminum siding that is in poor condition. Mr. Jones stated there are some original windows and there are some areas where the original windows have been completely removed and the framed opening has changed in size so there would have to be a lot of work to bring the building back up to its historic look by expanding those openings again if the headers are still there and in good shape.

Mrs. Biggens-Ramer asked if there is any millwork or doors or anything that is salvageable. Mr. Jones stated he thinks there are parts of the interior that could be salvaged. Mr. Jones stated the non-structural items such as nice doors, maybe some wood floor, the built in woodwork. Mr. Jones stated it is not large when compared to the whole structure but he thinks it would be something that could be taken out and repurposed somewhere.

Mr. Jones stated also his assessment looked at accessibility and life safety. Mr. Jones stated it is really tricky to try and bring this building up to code with any type of improvement just because right now it has been a business use for the last, well, he didn't know when it wasn't a business use since it was the funeral home since the 1940's or so. Mr. Jones stated it did have apartments on the upper floors but with today's code, because those were used as offices as well at last we know, then bringing those up to standards for fire separation and bringing them up to standards for exit and access requirements for the stairs, with single exits and residents on the second floor, you would be required to have a suppression system installed unless you added additional means of egress. Mr. Jones stated the current means of egress are not to code so he would have a hard time, or he would think it would be unwise as an architect to even seal a drawing that would allow the building remain in fundamental elements such as the stairs.

Mrs. Traves asked if there is enough room in the back for a ramp and accessibility into the structure since they had a garage there and tore it down. Mr. Jones states yes, they could add, he thinks there is room for a ramp on the back or the front but as Dan Gladish stated, if you have a 40" rise you have to have a 40' run for a ramp and you are not permitted to have a continuous run that long. Mr. Jones stated you would have to have switch backs so it would probably be at least two directions, maybe three, each with a lift that would probably result or probably project eight to twelve feet from the building.

Mrs. Traves asked if that is because the building stays commercial so if you wanted to go back to a single family home, you would not have to meet those standards. Mr. Jones stated yes, a single family home standards are a lot different than commercial standards. Mr. Jones stated if it was commercial, it would be a huge investment in updating the

restrooms for accessibility because they would probably have to get twice or four times as large for wheelchair turning radius.

Mrs. Biggins-Ramer asked if that would be the case if it was to be turned back into a residential property. Mr. Jones stated with a single family home, yes, you would not have to do that and you would likely not have to have a ramp. Mr. Jones stated you would mostly have to bring it up to, a single family home would be the cheapest way to renovate it but he also thinks it would be the least beneficial as far as maximizing its use.

Mrs. Biggins-Ramer asked if where it is located on the block, surrounded by commercial, would it be that easy to sell if it was a house. Mr. Jones stated he would think it would be worth less than the cost to buy it and improve it.

Mrs. Biggins-Ramer asked the zoning of the buildings down the corridor. Mr. Mendel stated they are the same zoning, C-2, Central Business and then just for the record, single family dwelling is not a permitted or conditionally permitted use in the C-2 zoning district. Mr. Mendel stated this is all commercial building use and it wouldn't be able to be converted back to a single family. Mrs. Biggins-Ramer asked if a single family use is off the table. Mr. Mendel stated yes, the C-2 district allows multi-family developed which is defined as a building with at least 3 units and ground floor, first floor residential is a conditionally permitted use in the multi-family building in the C-2 District.

Mrs. Biggins-Ramer asked about the homes down the alley behind the subject property. Mr. Mendel stated they are existing non-conforming residential uses and he thinks some of them are duplexes and some are single family. Mr. Mendel stated they are not businesses, they are all residential occupancy.

Mrs. Biggins-Ramer stated the contiguous property use is all residential. Mr. Mendel stated except for the dance studio building immediately to the south. Mr. Mendel stated behind to the west, to the rear, all of those houses are residentially occupied.

Mr. Jones stated one last thing to consider is there is a lot of opportunity for the parcel and he thinks the City of Medina has a very good set of standards for development in the Historic District. Mr. Jones stated they have a thorough review process and they also have zoning that compliments the type of development that would complement the Square such as a zero setback where it can be a building similar to the development north of this where it is on the North Court Street, right next to the sidewalk. Mr. Jones stated he thinks because their system is so robust, he would think there wouldn't be any concerns about a future development being unsightly or being not the best fit for the area.

Mrs. Traves stated for her, if it is taken down, what is going to go up there so she would eventually like to get to the point where they would talk about what would actually be there. Mrs. Traves stated they also have a letter from D & D Builders, LLC which talks about the cost of renovations. Mrs. Traves asked if anybody has any questions.

Mr. Geitz asked if the building is commercial. Mr. Mendel stated it is, it would be considered under the building code it's been commercial use and that would be the vast majority of the use of the building, use group. Mr. Geitz stated it is easy for the board to say to tear something down because it is for safety, health and everything you described and showed in the pictures is horrible, there's no question. Mr. Geitz stated it is one of the oldest buildings in the area but if the applicant took it down, would he be able to conform to the historical value of the Square. Mr. Geitz stated the building on the corner did. Mr. Raymond responded to Mr. Geitz's question. Mr. Raymond stated he did the building on the corner and he has a track record in the town and this is what he wants to do. Mr. Raymond stated he loves the Historic District and he wants to maintain what you've got here but the building that he has there now, he cannot do anything with it. Mr. Raymond stated he would very much like to kind of duplicate what he did on the corner. Mr. Raymond stated he has not done any drawings because it is costly and until he gets the approval to remove the building, he did not want to spend the money. Mr. Raymond stated he has two daughters who would also be working on the project. Mr. Geitz stated it is possible this is the same firm that did the corner building. Mr. Jones stated he did all the drawings for the building on the corner.

Mr. Geitz asked if he can design something that is similar to the corner building. Mr. Raymond stated that is his intention. Mr. Raymond stated he is 80 years old and he is feeling every year of it but his two daughters will ultimately be taking over the company and their intentions are exactly as his.

Mrs. Traves asked if D&D Builders is present this evening. Mrs. Traves stated they submitted a letter on September 14, 2020. Mrs. Traves asked if they could talk about the cost of the improvements if he actually tried to save the building.

Present for D&D Builders, Inc. was Dan Kendel, 799 Bower Avenue, Akron, Ohio. Mr. Kendel stated he works for Dr. Raymond and he built his building on the corner. Mr. Kendel stated it was just a brief walk-thru and estimate of what he saw visually without getting into walls or flooring or ceilings or anything else. Mr. Kendel stated the estimate is what he feels would be a minimum cost of renovations and he is sure it would be a lot more once they got into a design phase of the renovations.

Mrs. Traves stated he has an estimate of \$287,400.00. Mr. Kendel stated that is correct. Mrs. Traves asked if that was to address the 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, etc.

Mrs. Biggins-Ramer asked if the estimate of \$287,400 is to what capacity, is it a renovation to single family home renovation, commercial units. Mr. Kendel stated it is for what was used for previously such as separate small offices, minimal structural changes which would be needed. Mr. Kendel stated it was a brief estimate of the cost. Mrs. Biggins-Ramer asked if the structure would be for one business with several offices. Mr. Kendel stated probably yes. Mr. Kendel stated once they got into what is behind the

wall, flooring and ceiling, it probably would be substantially more. Mr. Kendel stated he did not get that far into an estimate at this time. Mr. Kendel stated Mr. Raymond asked for a rough estimate.

Mr. Mendel paused the meeting to let the Planning Commission members know that this meeting will be a little longer.

Mrs. Traves resumed the meeting. Mr. Geitz stated it is his professional opinion that if he remodeled this entire building, it would be difficult to bring it up because in this day and age, people are looking for something that is up to date like the building on the corner, the new courthouse. Mr. Geitz stated they are not going to be looking for a house to rent. Mr. Kendel stated that is correct. Mr. Kendel stated it could include leasehold improvements where they would have to build it to the standards of who leased it to be what they wanted. Mr. Geitz stated he thinks they are moving in the right direction and this is an old house.

Mrs. Traves asked the total square footage of the house. Mr. Kendel stated with the attic space, probably about 3,000 sq. ft. maybe. Mrs. Traves stated with 3,000 sq. ft. and you paid \$217,000 for the house and you are going to need to invest \$287,400 to remodel it, you will be at almost \$500,000. Mrs. Traves asked what the price per sq. ft. would then be to rent it at. Mrs. Traves asked if the Medina Market will even support it.

Present for the case was Michael Marquard, MC Real Estate in Medina. Mr. Marquard stated he has been involved with Dr. Raymond handling the leasing of all the properties. Mr. Marquard stated they did have someone to lease the building but it became prohibitive for them to lease it. Mr. Marquard stated there was more than one person in the building when Dr. Raymond bought it. Mr. Marquard stated he believes there was a lawyer in there and another business. Mr. Marquard stated the building did not have hot water for about 20 years. Mr. Marquard stated the one girl wanted to stay in the building and that is the one who remained after Dr. Raymond purchased the building. Mr. Marquard stated the tough thing about leasing the building was the way it sits and the parking situation. Mr. Marquard stated now we have the parking deck to help with that. Mr. Marquard stated he did have it at \$14.00 gross modified square foot if someone is interested in the building. Mr. Marquard stated it was a vacant cash flow at that point to renovate it with leasehold improvements, cost of the building and cost of the renovations. Mr. Marquard stated Mr. Raymond would have been paying about \$2,000 per month to put one tenant in the downstairs so it was a negative.

Mr. Marquard stated the building was bought at that time from Hetrick. Mr. Marquard stated he told Mr. Raymond at that time that he would not have bought the building. Mr. Marquard stated Mr. Raymond needed the building because, the building next to it, he didn't want any problems with the adjacent owner. Mr. Marquard stated to remodel the building for a commercial use, the numbers do not make sense. Mr. Marquard stated that is why building something new and fresh that fits the Historic District is what Dr. Raymond wants to do. Mr. Marquard stated that is the intent of the building. Mr. Marquard stated they do have extra parking. Mr. Marquard stated the best use for that

land is to add on and make it a "Raymond II" building just like the Raymond I building on the corner with a good architect and a zero lot line so they can utilize it. Mr. Marquard stated people aren't going to lease those things anymore. Mr. Marquard stated he has a building at 403 E. Washington Street, I'm a single user so the building is perfect for me. Mr. Marquard stated this building you cannot have a single user in there, it just doesn't make sense.

Mrs. Traves asked for comments from the audience.

Bill Lamb, 721 S. Court, Medina, Ohio stated he is here speaking as Councilman At Large for the City of Medina. Mr. Lamb stated there are a number of issues with this to be addressed. Mr. Lamb stated first of all, one thing they are absolutely opposed to is demolition through neglect. Mr. Lamb stated the discussion so far has been a great deal to do with compliance. Mr. Lamb stated compliance belongs to the person that owns the building and if somebody was in the building and it was being rented and it was a viable use, it needed to be brought into compliance. Mr. Lamb stated how the building got like it was when it was purchased, he does not know but if you buy a building, you take responsibility for the condition of the building. Mr. Lamb stated how we got here, was by not demolishing buildings which is how the city got the restoration of the Historic District that we now have. Mr. Lamb stated it is important to consider that the purpose of the restoration is both historical and economic but the intention was never to create Disneyland. Mr. Lamb stated tearing down the building that is historic when there are other vacancies in the Historic District, particularly is not something that should be allowed. Mr. Lamb stated he owns a house that was built in 1881. Mr. Lamb stated when his wife purchased the house in 1975, the house had four apartments in it. Mr. Lamb stated there was a family that lived in the attic and it was all knob and tube wiring. Mr. Lamb stated the whole house had to be re-wired, re-plumbed, all the plaster had to be redone with drywall, and all of those things had to be done in order to make that house livable. Mr. Lamb stated it was a great expense and is an ongoing expense. Mr. Lamb stated in 1990 he bought a house ten houses from him and restored it to something for living in. Mr. Lamb stated in that house, the kitchen sink and the upstairs bathroom sink had hoses that ran downstairs into a sewer line while someone was living there. Mr. Lamb stated the sewer line was plugged up. Mr. Lamb stated it had a crumbling foundation and they simply restored those things and brought the house back to where it should be and it is now occupied as a house. Mr. Lamb stated Councilman Heffinger and he have a proposal they are working on that they hope to have ready prior to the Council meeting after Columbus Day on Tuesday. Mr. Lamb stated it specifically addresses this situation and it states if you have an application for demolition in the Historic District, you have to show what will be built in its place, if that is approved, it will go to City Council and anything in the Historic District would require a super majority of Council in order to pass favorably on demolition.

Mrs. Banks asked if this is a proposed legislation. Mr. Lamb stated it is not in effect right now but the reason they are proposing it.

Mrs. Banks stated if someone owns a property before that legislation, they would not be bound by the legislation. Mr. Lamb stated that is correct. Mr. Lamb stated if this were to pass tonight, it would not be affected by any future legislation. Mr. Lamb stated his point is without knowing, number one, it shouldn't be torn down because it is in the Historic District. Mr. Lamb stated if a person buys a property in the Historic District, no matter where you are, you should think demolition might be something you are not going to do. Mr. Lamb stated secondly, if you have to tear something down, it is important to know what goes in its place and we don't really know what is going in its place. Mr. Lamb stated the idea isn't just the buildings that would look like the square. Mr. Lamb stated that was never the intent of the restoration. Mr. Lamb stated it was to preserve what is historic and anything else that gets built could blend but not just to imitate the Square. Mr. Lamb stated since 1981, over 100 buildings in the Historic District and around the District have been demolished. Mr. Lamb stated the reason the City created the Historic District and this Preservation Board was to deal with the issue of restoration and the issue of demolition because so many buildings had been lost. Mr. Lamb stated when we try and judge a building today, we don't know the significance of the loss of the building. Further, Mr. Lamb stated he is not really sure if we are supposed to consider the cost. Mr. Lamb stated all of the buildings that were restored on the Square were done at extraordinary cost. Mr. Lamb stated it wasn't a consideration of making a profit on it or will it be too expensive. Mr. Lamb stated it was done because it was the right thing to do. Mr. Lamb stated his message to the Board is this should be discouraged as a commercial building, if it stays commercial, it doesn't need a handicap ramp because it is in the Historic District and the use does not change. Mr. Lamb stated the city is in the process of building condominiums and apartments on E. Liberty Rd. because we want downtown housing. Mr. Lamb stated here we are with a structure that possibly could be housing and we are going to turn that down. Mr. Lamb stated to him it just doesn't make sense. Mr. Lamb stated the Board was created so that these issues wouldn't continue to happen so he is hopeful the Board will not approve this.

Mrs. Traves thanked Mr. Lamb for his comments.

Mr. Geitz stated if we had an image for you to view today, would this nice gentleman investing in our area, building and showing compliance with a beautiful building on the corner and a good architectural firm, then he doesn't know what to tell you. Mr. Geitz stated we have been fighting over a courthouse for ages. Mr. Geitz stated a sketch was put in your hand a year and a half ago that shows exactly where we are at now. Mr. Lamb stated he doesn't really know. Mr. Geitz stated if we haven't indicated to your group that we have a gentleman with a good heart. Mr. Lamb stated his group is him on City Council, he does not speak for a group, he is here as a Councilman. Mr. Geitz stated he does not feel Mr. Lamb's argument is valid for this building. Mr. Lamb stated he totally disagrees with Mr. Geitz and his analysis. Mr. Lamb stated he created this board to protect the City Historic District from these kinds of issues and that is what matters. Mr. Lamb stated with regard to the Courthouse, he worked for 2 years with the Commissioners and other people and they have agreed to keep the 1969 Courthouse, even though they were going to tear it down. Mr. Lamb stated they agreed to keep the old Courthouse and to keep all the additions to the old Courthouse, even though those were

going to be torn down, and they are agreeing to keep the Prosecutor's Office. Mr. Lamb stated that was because they realized it was the right thing to do. Mr. Lamb stated if it takes a long time to do that, that's ok.

Mrs. Traves stated we are not here to talk about the Courthouse.

Kimberly Marshall, Economic Development Director, stated as a point of clarification to Councilman Lamb's statements, the city wrote down a Downtown Strategic Redevelopment Plan focused on underutilized and underdeveloped properties within the Historic District in the downtown. Mrs. Marshall stated a lot of the goal for that is downtown housing however the W. Liberty project is looking at being a mixed use project with similar to what Dr. Raymond has already created in his first project that we are referring to as the Raymond Building which is retail on the first floor and housing above it. Mrs. Marshall stated she did a walk through the subject building a few years ago and she knows that Dr. Raymond looked at trying to renovate and redevelop it but as it was stated, it is cost prohibitive. Mrs. Marshall stated obviously, there are some valid points on trying to maintain the buildings but it sounds like it hasn't been maintained even prior to this ownership and she thinks to Mr. Raymond's defense, that the renovations just far out weight the benefits or cost or whatever. Mrs. Marshall stated a couple of points of clarification, the Downtown Strategic Redevelopment Plan was also adopted by Council in 2014 via resolution so they are on board with redevelopment in the Historic District.

Mr. Lamb stated we do have the downtown plan for underused areas but the development on Washington Street or Liberty Street requires no demolition. Mr. Lamb stated the development on Liberty Street that Mrs. Marshall talked about does not require any demolition. Mr. Lamb stated the demolition there occurred in the 1980's when the historic Baptist Church got torn down but the new development in its place is a vacant use of property that is being developed.

Mrs. Banks stated that is not what is before us right now. Mr. Lamb stated he thinks that is what Kimberly is talking about is the Economic Development Plan that we have bought into, we want to develop underused areas but a building with a structure on it is not necessarily underused and further, if you buy a building knowing the condition it is in, and you don't upgrade it so that today it meet the proper condition for that use, that is demolition by neglect. Mr. Lamb stated that is the absolute meaning of that term.

Skip Baron, 536 N. Broadway Street, Medina, Ohio commented. Mr. Baron stated he is speaking as an individual and as a member of the Board of the Community Design Committee that submitted the letter to the board. Mr. Baron stated he would like to find out if this is the final vote this evening on what happens or are we just getting started on this. Mr. Mendel stated the Historic Preservation Board is a final say on it and issuing a Certificate of Appropriateness. Mr. Baron asked if that will be tonight. Mr. Mendel stated typically, the Historic Preservation Board, 99% of the time, rule on the same evening. Mr. Baron stated he had a whole bunch of things to say but he is not sure now after hearing, Dr. Raymond I give you great credit for the building on the corner, one

thing he remembers is the previous building on the corner was a modern building and not a historic building that is going down like the one being considered this evening. Mr. Baron stated he agrees with Mr. Lamb and others that he and his wife have worked on a lot of houses over the years, renovating an 1832 federal style home, and an 1853 gothic revival in Hudson, Ohio. Mr. Baron stated they built a copy of an 1830 Hale Farm house and now he lives in an 1834 house that was built on the Square where the new Courthouse is now and moves to where it is now. Mr. Baron stated they are heavily invested in this community and the concept of Historic Preservation and they got involved in this a little late so he is not able to give a definitive statement from his personal thought process so he was wondering if it is going to be decided today.

Mrs. Traves stated because Mr. Raymond's actual thought for the property would actually include other structures behind this structure, and they are not talking about just necessarily just taking down one building, we might be talking about taking down two or three buildings or four buildings. Mrs. Traves stated in order for him to accomplish what he is trying to do, what he is asking right now is just vague.

Mrs. Biggins-Ramer stated she feels that the board really does need to know what is going to happen on this site and if the CDC wants to weigh in on the whole concept of the property and not just this one structure.

Mr. Baron stated he knows he needs more information before he can make a definitive judgement, from his experience. Mr. Baron stated they are spending a lot more money on his current house just like Mr. Lamb did. Mr. Baron stated they will spend more than they will get out of it. Mr. Baron stated they just bought new windows that are simulated divided lights that, as his Realtor said, nobody is going to care that you are spending all of this money on simulated divided light windows but they felt the house deserved it so they went for it. Mr. Baron stated they have already bought actual wooden shutters with hinges, locks and latches that are the same as what would have been on them when it was built in 1834. Mr. Baron stated they could have bought shutters for a whole lot less than they spent. Mr. Baron stated he thinks it is important to maintain the history the best we can and to duplicate it if necessary.

Mrs. Banks stated she thinks what you do with your own residential property and the upgrades and such are commendable but we are talking about a commercial property. Mrs. Banks stated her parents and grandparents lived in a town in Indiana and the commercial district died and is basically a ghost town that railroads go through. Mrs. Banks stated she thinks there can be a combination of new businesses that do this to make a profit, and not to improve their interiors or whatever of the time. Mrs. Banks stated we are not talking about taking this to a new home and she is not sure we can say, we want to know all of your intentions. Mrs. Banks stated if you are going to invest in a business that is going to have commercial in the downstairs and apartments up above and that is going well, then maybe that is all you want to do. Mrs. Banks stated she doesn't know that you can say, yes I want to tear down this whole block.

Mrs. Biggins-Ramer stated if they try to do in phase II like the building down the road, she does not think they have enough square footage to just tear this one house down to do what they have done already. Mrs. Banks stated she thinks it's appropriate that they let us know what they want to do at this point but she doesn't think the board can ask them to tell if they have intentions of the block. Mrs. Banks stated she thinks we need to talk one building at a time because that is what she would like to know at this point.

Mr. Geitz stated if a stranger walked in here and he had bought this building, and he didn't know these people on the corner, you would tell him just what you said, we want to see what you are going to do. Mr. Geitz stated we already know approximately what Mr. Raymond is going to blend the façade of the street to conform what the board is going to approve. Mr. Geitz stated we have that in front of us and that is why this building has got to go because it is just beyond repair. Mr. Geitz stated on this site for this applicant, this is where he stands because we have everything in place.

Mrs. Biggins-Ramer stated in the Doctor's submission for demolition, one of the things he says in #5 is Short-term –remove house & grass the property and #6 stated Longer term - purchases houses behind and construct retail stores with apartments above. Mrs. Biggins-Ramer stated the applicant does not currently own those properties and she agrees with Leslie that the footprint of this existing house at 3,000 sq. ft., if you plan to do a similar construction, is not going to be on just that one piece of property which is before us this evening. Mrs. Biggins-Ramer stated in looking at just that, this will sit vacant for who knows how long as a piece of grass or worse, could become a parking lot where we just had a parking deck constructed a block away. Mrs. Biggins-Ramer stated the other thing she has of concern is whether you are a business or a resident purchasing a home, you go into the building and assess it and what the costs may be to continue either utilizing it as a commercial space or as a home and then you negotiate those points. Mrs. Biggins-Ramer stated making some purchasing a home with the intent of demolishing it in the future is a slippery slope for our historical district.

Mrs. Banks replied that this was a commercial building. Mrs. Biggins-Ramer stated that is understood but in three years it has been vacant and he had done, according to testimony given, minimal upkeep to it so it is, unfortunately, lead to what we see before us now which is a building in poor repair and we are looking at basically, demolition through neglect. Mrs. Biggins-Ramer stated this would be a precedence for any building on the square if an owner chooses not to maintain it, we have no point of sale inspections to prevent that, so how about the Old Phoenix Bank not being kept up and eventually that just erodes into decay and we can take that down or maybe the old Zeigler building. Mrs. Biggins-Ramer stated she feels that is a dangerous precedent. Mrs. Biggins-Ramer stated she does agree that, when someone comes before the board, they state their current situation and this is what I hope to do to the property and so the board understands the progression of that.

Mrs. Banks stated the man who was here before still hasn't decided what he wants to do with the property, and granted it was just paint but when he was here before the board asked what he was going to do with the building and he said he didn't know. Mrs.

Biggins-Ramer stated that is correct but he doesn't want to tear it down. Mrs. Biggins-Ramer stated she feels it is comparing apples to oranges but she thinks it is reasonable, if you are going to remove a historical structure, and especially one that may have been left or purchased for the sole purpose of letting it go and neglect it for demolition purposes, to understand what is going to go there. Mrs. Biggins-Ramer stated if it is really the Dr.'s plan is to purchase the other homes, and, no disrespect to the Dr. and the family, but if it takes you 10 years to purchase the other homes in order to create another retail establishment with a building on the bottom and homes above, what is the community's guarantee that will actually occur. Mrs. Biggins-Ramer asked Mr. Raymond if he will be here in 10 years.

Mrs. Traves asked Mr. Jones if the applicant was to do a Phase II, how many square feet and what part of the current property would that take up. Mr. Jones stated he wants to clarify that Mr. Raymond would not need additional parcels to develop the current parcel that is up for consideration. Mr. Jones stated the development would vary in size, large or smaller, depending on which parcels he owns. Mr. Jones stated a building that would be better utilizing the space and better utilizing the location in proximity to the square could be put in place where the current building is in now. Mr. Jones states it would be a different design as far as how the layout works, it wouldn't have the stairs in the same location and it would not have the same footprint just because that is a narrower lot in general however, the development is possible partly due to there is no parking requirements in the Historic District and so you can maximize the building footprint and not have a concern about taking up land just for parking.

Mrs. Biggins-Ramer asked if that is the case, why not bring that plan to the board so they can better understand the utilization. Mr. Jones stated his service is would be a cost to create that plan and he feels for this board it is not a requirement to provide, is it? Mr. Mendel stated the code does not require a plan for a demolition request. Mr. Mendel stated it does talk about if there is one, it could help mitigate an issue with the existing building as was read from the staff report. Mr. Mendel stated it is not required at this time under the Certificate of Appropriateness review process.

Mr. Jones stated he feels the important thing is that there is a track record established as far as intentions and goals. Mr. Jones stated it is not Disneyland to create a mixed use development but it is also adherent to the requirements for building in the Historic District. Mr. Lamb asked Mr. Jones if he would like to argue that. Mr. Jones stated that he does not want to argue it here, he understands that the National Park Service, in its definition of historic, how they regard additions to the buildings and things like that. Mr. Jones stated there is a fine line in the definition by the National Parks Service.

Mr. Mendel reminded everybody it is best to remember that anybody speaking is addressing the board as opposed to anybody else in the room.

Mr. Jones stated to Mr. Lamb's point, a lot of times when there is a historic structure and an addition to it or a new building built on the same property or adjacent to it, often times they don't want a building that imitates so they don't want the brick work detail or they

don't want the same cornice details that an existing building would have. Mr. Jones stated they would want something that would have that gesture. Mr. Jones stated to him he feels we are in this century and just as capable of creating the same details that we were a century or two centuries ago. Mr. Jones stated a lot of times he thinks it is a disservice to some of those properties. Mr. Jones stated the intent is because they don't want you to be confused about what is old and what isn't. Mr. Jones stated he thinks when you have a building that is going to be here such as the Raymond building, it could be here another 100 years and when you look back from that point, he doesn't think there is going to be someone that says that building was built in 2017 and it should have been more like a Chipotle. Mr. Jones stated just because it is not the current favor of architecture because things are a little more modern doesn't mean that it shouldn't exist as new building. Mr. Jones stated he does have a little issue with that definition. Mr. Jones stated he would say if he were to do an addition on a historic structure or nearby he would not imitate it in any sense but would do something completely abstract and opposite as a counterpoint. Mr. Jones stated that is not something that we would do within a block of the square because it wouldn't be appropriate and it wouldn't be approved through the board that we would go through. Mr. Jones stated he understands the concern with a confusion for the time being as far as the origin of the building but he does not think it is a concern that has merit when we look in the future and reflect back. Mr. Jones stated he does not think it is a concern when we are just as capable now to design something that can be detailed with a craftsmanship that buildings were in the past.

Mr. Geitz stated he thinks the board might give permission to tear down the building contingent on seeing the future use of the property. Mr. Jones stated his first question would be, would that mean that with that approval they would go through the architectural review board and the Planning Commission as any building would do. Mr. Jones asked about the logistics of that because if what they submit to this board might be something different after it goes through the architectural review board, so would the HPB review be before that or after that or if it is just with the approval of the HPB plan.

Mr. Geitz stated right now you are trying to get to first base and the board just wants to see what will be on first base.

Mrs. Banks asked if Jonathan can verify the question. Mrs. Traves stated she does not think they have to provide super detailed drawings if they already know they are going to match the building next door, and the Historic Preservation Board approves facades, we have already approved that façade. Mrs. Traves stated the Historic Preservation Board is looking for how big the footprint is and how many stories tall is it. Mrs. Traves asked Mr. Jones if he can provide that.

Mr. Raymond stated he wants to defend himself a little bit. Mr. Raymond stated he did not buy the house with the intention of tearing it down. Mr. Raymond stated he bought the house because there was a lane that ran to the west of it between the property he purchased with the Chamber of Commerce building and the property next to it, there was a lane next to it that was owned by the person who owned the house next door. Mr.

Raymond stated he wanted to get that land for his parking lot for the present building that has now been constructed which happened. Mr. Raymond stated that was the original purpose was to just acquire the lane. Mr. Raymond stated he spoke to the owner several times about buying the lane but he wasn't interested in selling it. Mr. Raymond stated one day his lawyer called and said Mr. Hetrick wants to sell the whole thing, and asked if I was interested. Mr. Raymond stated he said yes without even going through the property because he needed the property to the west of the parking lot. Mr. Raymond stated they spent a great deal of time, and they put their construction office in the house and at that time we had one tenant. Mr. Raymond stated he does not know if he even went down in the basement to look at it because he had achieved what he wanted to achieve and he thought let's get the original building finished and then we will address that.

Mr. Raymond stated as they got into it they started redoing the first floor because I thought I had a tenant for it but it didn't work out. Mr. Raymond stated he then got into the building more and found the bathroom ceiling upstairs fell in and we had a window fall out and went downstairs to look at the condition of the foundation and all the mechanicals of the building which were, for lack of a better word, atrocious. Mr. Raymond stated there were active wires hanging from the ceiling because the building had a fire in it once upon a time, the structural trusses are charred and it became very apparent that we were either going to have to redo this thing or tear it down and build something like we just did. Mr. Raymond stated that is how he reached his decision to demolish the building. Mr. Raymond stated to put it back to where it was 40 to 50 years ago is cost prohibitive. Mr. Raymond stated he is a business man, he does this for a business. Mr. Raymond stated if you are going to do the renovation to your own house, good for you, that's nice but this is not going to be where I live or where anybody else is going to live because it's just not structurally sound.

Mrs. Traves asked Mr. Raymond how he feels about submitting a plan to the Board to give them an idea of what the footprint might be. Mr. Raymond stated the footprint, the lot itself, the house itself, occupies about half the lot and they can utilize, probably, almost all of the lot. Mr. Raymond stated from looking at an aerial he feels he can put the building pretty close to the size of what he did on the corner. Mr. Raymond stated he thinks he has a track record in town of when he says this is what he is going to do, his intentions are good. Mr. Raymond stated this is what he wants to do with it. Mr. Raymond stated he hopes to make a go of it and he thinks it would be a real asset to the historic district downtown and he kind of resents the fact that they would refer to his building as Disneyland, he thinks that is silly. Mr. Raymond stated that is the history of his association with the building.

Mrs. Traves thanked Mr. Raymond for his time.

Mr. Lamb stated his point about the Disneyland thing is that you don't tear down a building that is historic and then build another building that has an appearance of being historic. Mr. Lamb stated if you are a business person, and for whatever reason, I understand why that building was purchased, but if you are a business person and you

buy a building and you actually have an office in it and you have never looked at the building to see the condition that it is in, and then only with some improvements, you leave it in that condition, that is demolition through neglect and that cannot be the excuse that is used in order to allow for demolition. Mr. Lamb stated that the idea that because we know who somebody is and we've seen what they've done, we can't judge people that way because we've seen something they have done so we assume they are going to do something else. Mr. Lamb stated this demolition through neglect could end up being an empty space for years or it might not but we don't really know and at the moment, there is nothing that requires the applicant to submit a plan to show what will be done. Mr. Lamb stated this is simply a vote decision based on whether to demolish a building in the Historic District that has been allowed to deteriorate to that condition while it has been under that applicant's ownership.

Mr. Jones stated he understands that argument to a point but where is the line drawn. Mr. Jones stated what if he had bought that property and it visibly had the roof caved in. Would he then have rebuilt the roof once he assumed ownership of it? Mr. Jones stated the easy answer would be no, it is too far gone. Mr. Jones stated this building is the same scenario but it's just a lot of little things that are getting it to that point so he gets that it was neglected previously for decades and that is wrong, he agrees with Mr. Lamb there but he does not think that it is malicious to have purchased this building, invested a portion of money into it and then realize that it is just not going to work out as it stands unless it gets up to date repairs where Dan gave that estimate but that would just be getting it kind of to where it is the same building but fixed up. Mr. Jones stated we talked about how shutters that would be historically accurate are a lot more, that windows that would be historically accurate would be a lot more. Mr. Jones stated there is a lot of cost that would be even, in addition to his fixing it to bring it up to something that would appear historically significant because that wouldn't have new siding that replicates the original siding or repaired whatever might be there that is salvageable. Mr. Jones stated he thinks there is logic to that argument but he thinks there is also some flaws in it and to assume, he just thinks that is not a fair assessment of this situation, just personally. Mr. Jones stated he thinks those principals could be applied to a different building but this was no way, I couldn't imagine that it was malicious for two years where investments are made and its just running away. Mr. Jones stated the foundation, its more deteriorated than it was two years ago and it is just unfeasible to do improvements to make this last for another decade.

Mrs. Traves asked if it is possible to suspend the discussion and go into an executive session. Mr. Mendel stated yes. Mrs. Traves stated she knows there is another board waiting. Mr. Mendel stated we have Planning Commission waiting but there would have to be a motion to do that. Mrs. Traves asked the board if they would like to take a vote on whether to demolish the building or would they like to go into an executive discussion to have a discussion. Mrs. Biggins-Ramer stated she would like to go into an Executive Session and have a discussion. Mrs. Banks agreed.

Mrs. Biggins-Ramer made a motion to go into an Executive Session and Mrs. Banks seconded the motion.

Vote:  
Traves            Y  
Banks            Y  
Biggins-Ramer    Y  
Geitz

Mr. Mendel stated the session would include the board and if they wanted to invite someone, typically it would be staff but they do not have to. Mr. Mendel stated it could just be the board but they need to make it explicit.

Mr. Mendel stated if the board wants to do an Executive Session, he would suggest the board could make a motion to continue to another meeting and start that meeting in Executive Session, come out of Executive Session and then continue from there. Mr. Mendel stated they could do a motion to continue to the November 12<sup>th</sup> meeting date and then they can start the meeting off with an Executive Session. Mr. Mendel stated that probably would be appreciated by the other applicants and the other Commissions that are waiting upstairs but that is up to you.

Mrs. Biggins-Ramer rescinded the motion to move into Executive Session that is on the floor and would like to make a new motion to table the case until the November 12, 2020 meeting at which point they will begin the November meeting with an Executive Session inviting Jonathan Mendel, Community Development Director, Dan Gladish, Chief Building Official after which the board will move into regular session.

Mrs. Traves seconded the motion.

Vote:

Geitz            Y  
Banks            Y  
Traves            Y  
Biggins-Ramer    Y  
Approved        4-0

Having no further business, the meeting was adjourned.

Respectfully submitted,

Sandy Davis  
Sandy Davis  
Leslie Traves  
Leslie Traves, Chairperson

# **L. HISTORIC PRESERVATION BOARD**

## **NOVEMBER 12, 2020 MEETING MINUTES**

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4         CITY OF MEDINA HISTORIC PRESERVATION BOARD  
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10             Transcript of Proceedings held on Thursday, the  
11             12th day of November, 2020 before the City of  
12             Medina Historic Preservation Board, commencing at  
13             approximately 5:00 p.m., as taken by  
14             Nicholas Glatzhofer, Notary Public within and  
15             for the State of Ohio, and held in Medina City Hall,  
16             132 North Elmwood Avenue, Medina, Ohio 44256.

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22             MEDINA COURT REPORTERS, INC.  
23             REGISTERED PROFESSIONAL REPORTERS  
24             209 North Broadway Street  
                   Medina, Ohio 44256  
                   (330) 723-2482  
                   MCRMedina@msn.com

1	I N D E X	
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1 APPEARANCES:

2 Leslie Traves, Chairwoman,  
3 Elizabeth Biggens-Ramer, Member,  
4 Paula Banks, Member,  
5 Patty Stahl, Member,  
6 Don Geitz, Member.

7 City of Medina Planning and Community,  
8 Development Department,  
9 Jonathan Mendel, Community Development Director,  
10 Sandy Davis, Administrative Assistant.

11 City of Medina  
12 Gregory A. Huber, Law Director.

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## 1 PROCEEDINGS

## 2 OLD BUSINESS

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4 CHAIRWOMAN: I would like

5 to call the Historic Preservation Board meeting  
6 to order.7 Today is November the 12th, 2020. We have  
8 four cases.9 We are asking the members of the public --  
10 we'll provide an opportunity to address the  
11 Board. If you do so, please come to the podium  
12 and state your name and address for the record,  
13 and keep your comments to a length of five  
14 minutes.15 We have our minutes from the last meeting  
16 and they were quite substantial.17 Does anybody have any comments or  
18 corrections, or do I have a motion to prove the  
19 minutes?20 MR. GEITZ: I read the  
21 minutes and they were really -- she did a  
22 fantastic job (indicating).

23 MS. BIGGENS-RAMER: She did.

24 MR. GEITZ: I had to look  
25 up her name.

1 CHAIRWOMAN: I don't know  
2 why I didn't bring her cookies today.  
3 MR. GEITZ: I had to look  
4 up her name to see who she was.  
5 MS. BANKS: I move that we  
6 accept the minutes as delivered.  
7 MR. GEITZ: Second.  
8 CHAIRWOMAN: Okay.  
9 MS. DAVIS: Traves?  
10 CHAIRWOMAN: Yes.  
11 MS. DAVIS: Banks?  
12 MS. BANKS: Yes.  
13 MS. DAVIS: Biggens-Ramer?  
14 MS. BIGGENS-RAMER: Yes.  
15 MS. DAVIS: Geitz?  
16 MR. GEITZ: Yes.  
17 MS. DAVIS: Stahl?  
18 MS. STAHL: Yes.  
19 MS. DAVIS: Motion  
20 approved, five-zero.  
21 MR. MENDEL: And then just  
22 for the Board's sake, we do have a court  
23 reporter here this evening. So just because  
24 HPB usually doesn't have one, but we decided --  
25 administration decided we needed one, so just

1           an FYI, that's why he's sitting over there  
2           doing his thing.

3           Thank you.

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1 Case Number H20-11

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3 Additional Appearances: Teresa Rodgers, House of Flowers.

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5 CHAIRWOMAN: We're going  
6 to skip number one on the agenda and we're  
7 going to move to House of Flowers,  
8 102 West Washington.

9 MR. MENDEL: Yes. So this  
10 is 102 West Washington. It's conditional sign  
11 approval for House of Flowers. The property is  
12 zoned C-2 commercial.

13 This property has been through the  
14 Board several times for signage. It's one  
15 of our nice incubator spaces in the downtown  
16 area. It's a really nice, little space  
17 actually. We've had several businesses go  
18 through it and actually move to larger spaces  
19 later on.

20 So they requested new window signage and a  
21 projecting sign for a relocating business. So  
22 House of Flowers, which is currently in a  
23 larger building on West -- on East Smith Road,  
24 they're going to be downsizing a bit and moving  
25 to this location.

1                   So the ground -- the wall sign is a  
2 business logo, it's 4.9 square feet, and the  
3 projected sign will be four square feet mounted  
4 eight feet above the public sidewalk.

5                   There are specific requirements for these  
6 two types of signs. The proposed window --  
7 permanent window signage complies with the  
8 requirements as does the projecting sign.

9                   With these -- with the projecting signs, I  
10 always like to make it explicit that there are  
11 specific minimum/maximum placement requirements  
12 in the code for projecting signs and this  
13 proposed sign does comply with that.

14                  So this proposed signage is compatible with  
15 the district, the building, and the conditional  
16 sign guidelines, and I would recommend approval  
17 as proposed.

18                  Thank you.

19                  CHAIRWOMAN:                           Can I have  
20 the applicant Teresa Rodgers come to the  
21 podium and state your name and address for  
22 the record.

23                  MS. RODGERS:                         Hello. Happy  
24 Thanksgiving.

25                  CHAIRWOMAN:                         Give us a

1                   little background. Welcome.

2                   MS. RODGERS:                   My name is  
3                   Teresa Rodgers, 6788 River Forest Drive in  
4                   Medina.

5                   CHAIRWOMAN:                   So you just go  
6                   ahead and tell us a little bit about your signs  
7                   and about your business.

8                   MS. RODGERS:                   Sure.

9                   So House of Flowers has been a business  
10                  for ninety-four years in Medina. They just  
11                  acquired -- the fourth owners just acquired  
12                  the business in January of 2020. The  
13                  102 West Washington Street is actually a second  
14                  location. They will be moving from the  
15                  East Smith address to Beuhler's Drive in the  
16                  River Styx Shopping Center. So they are moving  
17                  out of East Smith there, but loved the idea of  
18                  a retail location in the downtown area to be  
19                  able to provide grab-and-go bouquets and  
20                  arrangements in kind of a very small retail  
21                  setting.

22                  We could also do consulting there. We do  
23                  some consulting in the little upstairs table  
24                  for weddings and then other events, and then if  
25                  people wanted to come in and personally, you

1 know, talk about an arrangement they wanted to  
2 make, they can do that, too.

3 CHAIRWOMAN: Okay. So  
4 everything is -- the lettering on the windows  
5 are white and the protruding wall sign has a  
6 little bit of red color on it.

7 Does anybody have any questions?

8 MR. GEITZ: The sign could  
9 swing in the wind, right?

10 MS. RODGERS: Yes.

11 MR. GEITZ: I would make a  
12 motion that we accept the sign.

13 MS. BANKS: I'll second.

14 CHAIRWOMAN: Thank you.

15 MS. RODGERS: Thank you very  
16 much.

17 MS. DAVIS: Stahl?

18 MS. STAHL: Yes.

19 MS. DAVIS: Traves?

20 CHAIRWOMAN: Yes.

21 MS. DAVIS: Geitz?

22 MR. GEITZ: Yes.

23 MS. DAVIS: Banks?

24 MS. BANKS: Yes.

25 MS. DAVIS: Biggens-Ramer?

1 MS. BIGGENS-RAMER: Yes.  
2 MS. DAVIS: Motion  
3 approved, five-zero.  
4 CHAIRWOMAN: Thank you.  
5 MS. RODGERS: Thank you.  
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1 Case Number H20-12

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3 Additional Appearances: Paul Brilla, FASTSIGNS.

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5 CHAIRWOMAN: We're on  
6 Case Number H20-12, 140 West Washington Street,  
7 HER REALTORS®.

8 Jonathan's going to get his little thing  
9 ready.

10 MR. BRILLA: I have these  
11 (providing).

12 MR. MENDEL: Yes.

13 Do you have one that kind of bounces out  
14 the text a little better than I talked to you  
15 about?

16 MR. BRILLA: Yeah. I  
17 have -- I brought a new one because they had it  
18 changed. They found out they had trademark  
19 issues, so I brought a new copy for everyone.

20 MR. MENDEL: While you're  
21 looking at that, I'll go through this unless  
22 it's substantively changed in terms of area or  
23 anything.

24 MR. BRILLA: It's smaller.

25 MR. MENDEL: Well, that's

1                   usually better. When you find that, just bring  
2                   it up here, I'll put it up on the screen.

3                   For the staff report -- so the staff  
4                   report --

5                   MR. BRILLA:                           Here you go  
6                   (providing).

7                   MR. MENDEL:                           Thank you.

8                   So the proposed location is at  
9                   140 West Washington. This is a conditional  
10                  sign approval for HER REALTORS®. The property  
11                  is zoned C-2 commercial. Everybody knows this  
12                  is the space that has Miss Molly's Tea Room in  
13                  the main floor. These are for the office space  
14                  on the second floor (indicating), the two-story  
15                  portion of the building.

16                  They request a new wall sign and a ground  
17                  sign panel for the new business in the existing  
18                  building.

19                  The primary wall sign was twenty-four by  
20                  thirty-three, and these options are  
21                  one-and-a-half by something-something.

22                  MS. BIGGENS-RAMER:                   11.16 feet.

23                  MR. MENDEL:                           That's one  
24                  thirty-four divided by twelve?

25                  MS. BIGGENS-RAMER:                   Yes, sir.

1                           MR. MENDEL:                   All right.

2                           MR. BRILLA:                   The other one  
3                           is 18.257 for Option B on the building.

4                           MR. MENDEL:                   Okay. So with  
5                           those numbers, the -- and then there's a  
6                           panel -- there's a panel for the ground sign,  
7                           for the existing ground sign.

8                           MR. BRILLA:                   If you flip  
9                           over to the new one I gave you, there's a  
10                          larger version.

11                          MR. MENDEL:                   Okay.

12                          MR. BRILLA:                   There was a  
13                          slight change of that one. The word "REALTORS"  
14                          is now title case instead of first letter  
15                          capitalized.

16                          MR. MENDEL:                   Okay.

17                          MR. BRILLA:                   No square  
18                          footage, just --

19                          MR. MENDEL:                   Yeah, the  
20                          panel is the same size.

21                          MR. BRILLA:                   Yeah.

22                          MR. MENDEL:                   And that panel  
23                          is a 4.8 square foot tenant panel on the  
24                          existing ground sign.

25                          We do have conditional sign permit review

1 guidelines. Looking at the signs, the proposed  
2 wall sign at twelve to eighteen square foot is  
3 compliant with the code as the maximum allowed  
4 is forty-eight square feet. So it's -- you  
5 know, it's much more -- less than half of the  
6 square footage that's allowed for this tenant  
7 space. The tenant panel is on an existing  
8 ground sign, so it doesn't change any dynamics  
9 that were there before, and that would be  
10 compliant as well.

11 MS. BANKS: I'm sorry, I  
12 have a question.

13 I don't -- on -- it didn't come out that  
14 there's going to be something up here  
15 (indicating).

16 MR. MENDEL: Yeah. So the  
17 tenant wall sign is actually here on the  
18 parapet above the cornice.

19 MS. BANKS: Okay, because  
20 that didn't come out.

21 MR. MENDEL: It was  
22 difficult on the old plan, it's really dark.  
23 You can see it here (indicating). It's hard  
24 for me to see in person on the original I was  
25 given. So they -- you know, that's why I

1                   called them last week and I was like, "Hey, you  
2                   guys need to give us an exhibit that, you know,  
3                   upgrades the contrast between the picture and  
4                   the proposed sign."

5                   This is permitted placement of the wall  
6                   signs since they are all on the second floor.

7                   It's basically the same situation that  
8                   Dan Mason Financial did on his building at  
9                   33 Public Square. He put that up on the --  
10                  above the third floor windows, which is not an  
11                  atypical situation in historical sign placement  
12                  on multi-tenant buildings.

13                  So as proposed previously, and now with  
14                  this adjusted plan as was presented by the  
15                  applicant, the sign plan is compatible with the  
16                  district, the building, and the conditional  
17                  sign guidelines. So I would recommend approval  
18                  for the conditional sign approval as amended at  
19                  the -- at this meeting.

20                  CHAIRWOMAN:                         Okay. Would  
21                  the applicant please state your name and  
22                  address for the record and give us a little bit  
23                  more information?

24                  I'm curious. The sign's going across the  
25                  top of the building. Is that just individual

1 letters?

2 MR. BRILLA: My name is

3 Paul Brilla with FASTSIGNS in Medina,

4 2755 Medina Road.

5 To answer your question, yes. Those are  
6 individually mounted formed plastic letters, so  
7 they are UV-cured plastic, same color all the  
8 way through to help prevent fading and chipping  
9 and breaking.

10 CHAIRWOMAN: In black?

11 MR. BRILLA: Yes.

12 MS. BANKS: There's no  
13 backing behind the letters?

14 MR. BRILLA: No.

15 They'll have studs about two inches long  
16 that gets drilled into the building and the  
17 back of the letter gets slid into the building  
18 and siliconed with the studs.

19 MR. GEITZ: Is there a  
20 reason why they're black? Because we can't  
21 even see them here. A truck driver trying to  
22 make a left turn --

23 MR. BRILLA: That color was  
24 chosen with the discussion of the property  
25 owner. They had to get permission obviously to

1 do that to the building for the naming rights.  
2 White was a little stark for the building, and  
3 then this being Ohio and where that letter is  
4 going to sit, white's not going to look very  
5 good in two or three years.

6 MR. GEITZ: Isn't that  
7 part of it, too (indicating)?

8 MR. MENDEL: Yes, that's  
9 the ground sign.

10 MR. GEITZ: The ground  
11 sign.

12 MR. MENDEL: That provides  
13 a lot of the pedestrian vehicle advertisement.

14 MR. GEITZ: The reason I  
15 ask, it pops right out when I got this page. I  
16 mean, they're white. Why wouldn't you use  
17 white way up there?

18 MR. BRILLA: Well, I give  
19 them my best -- I give them my best advice.  
20 Sometimes I have to do things that I'm told.  
21 If that's what they want, that's what I try to  
22 get them.

23 MR. GEITZ: The only other  
24 thing is you could put a white background  
25 behind the black letters because right now,

1 good luck.

2 MR. BRILLA: I think  
3 they're going for subtle instead of  
4 in-your-face. It's the Historic District, so  
5 they're not really trying to scream their name.

6 MR. GEITZ: How do you  
7 spell subtle? It's okay, it was just our  
8 opinion.

9 MR. BRILLA: I understand,  
10 trust me.

11 MR. MENDEL: Now, this -- I  
12 did verify with the property owners, this is --  
13 this realty group is taking this entire second  
14 floor of the building so, you know, it's a  
15 significant number of new people where it's  
16 daytime workers in the downtown, so --

17 MR. GEITZ: Yeah.

18 CHAIRWOMAN: Does anybody  
19 else have any questions for the applicant?

20 (No response.)

21 CHAIRWOMAN: No.  
22 I'll make a motion to approve.

23 MS. BIGGENS-RAMER: Second.

24 CHAIRWOMAN: Okay.

25 MS. DAVIS: Geitz?

1                   MR. GEITZ:                   Yes.  
2                   MS. DAVIS:                   Banks?  
3                   MS. BANKS:                   Yes.  
4                   MS. DAVIS:                   Traves?  
5                   CHAIRWOMAN:                  Yes.  
6                   MS. DAVIS:                   Biggens-Ramer?  
7                   MS. BIGGENS-RAMER:           Yes.  
8                   MS. DAVIS:                   Stahl?  
9                   MS. STAHL:                   Yes.  
10                  MS. DAVIS:                   Motion  
11                  approved, five-zero.  
12                  MR. BRILLA:                   Thank you.  
13                  CHAIRWOMAN:                  Thank you,  
14                  sir.  
15                  - - -  
16  
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1 Case Number H20-13

2 - - -

3 Additional Appearances: Mark Klaus, Castle Noel.

4 - - -

5 CHAIRWOMAN: We're moving  
6 right along to Case Number H20-13,  
7 Castle Noel.

8 MR. MENDEL: As you said,  
9 this is for Castle Noel, 258 South Court  
10 Street. Certificate of appropriateness for  
11 facade sign rehabilitation and conditional sign  
12 review. Property is zoned C-2, central  
13 business. I think we all know where it is.

14 So the proposed changes involve extensive  
15 painting of the architectural details  
16 throughout the three storefronts and changing  
17 of it from the dangerously rotted 20th  
18 century -- mid-20th century storefronts that  
19 were on the building that reflect the design  
20 that reflects the subject building's  
21 architectural period.

22 "The three storefronts will have  
23 traditional human scaled windows topped with  
24 coffered panel design. The two south  
25 storefronts will be traditional darker green

1 for the Castle Noel gift shop. The remaining  
2 north storefront is proposed with NYPD Blue  
3 color" for a new business that is associated  
4 with the whole Castle Noel complex.

5 So part of this work has already begun on  
6 this property, if you've been down that  
7 stretch, you've seen it. That was because the  
8 applicant was looking -- was initially just  
9 simply planning to do some maintenance work and  
10 discovered basically rotting that could have  
11 brought the facade of the storefront off the  
12 building. So that's why it's kind of half-done  
13 right now, but we still need to go through this  
14 process to get it approved by the  
15 Historic Preservation Board.

16 The italics on Page 1, I kind of outlined  
17 the reasons and conditions as expressed by the  
18 applicant from several weeks ago.

19 While they're in it, they want to do a  
20 proposed -- seek a conditional sign review for  
21 the wall sign for the Polar Bear Club, which  
22 the applicant's been planning for over a year  
23 at the north storefront. The sign is sixteen  
24 square feet and requires this review.

25 So in terms of the building rehabilitation

1 as an alteration, it should be done to not  
2 destroy the materials or features which help to  
3 define a building's historic, cultural, and  
4 architectural character and to maintain  
5 materials as necessary that are part of the  
6 defining character of the building.

7 My comments, you know, the primary facade  
8 rehabilitation will rescue the existing three  
9 storefronts from the current mid-20th century  
10 design and remove a hazardous condition as the  
11 existing two south storefront window structural  
12 systems were rotted and near danger of  
13 collapse. What's proposed is an ideal example  
14 of historical building rehabilitation.

15 In terms of the sign, the sign is proposed  
16 for the Polar Bear Club, required to be one --  
17 so it's proposed at sixteen square feet where  
18 the maximum allowed is twenty square feet.

19 With that design, the sign is compatible with  
20 the building and district and it adheres to the  
21 Zoning Code requirements.

22 You have the color samples in front of you,  
23 some of them are for the building facade  
24 renovations, some of them are for the sign, and  
25 Mr. Klaus has also brought a physical example

1                   of the material of the Polar Bear Club sign.

2                   So if you want to -- Mark, if you could  
3                   give that to Beth and she can kind of pass it  
4                   along so people can get a sense of the  
5                   materials.

6                   MR. KLAUS:                           It's a  
7                   tradition fifteen-pound urethane carving foam  
8                   that's used. I actually picked this up --

9                   MR. MENDEL:                           Mark, let me  
10                  just finish my part real quick.

11                  MR. KLAUS:                           Sorry.

12                  MR. MENDEL:                           So with all  
13                  that said, I would recommend approval of the  
14                  certificate of appropriateness for the proposed  
15                  facade changes and the conditional sign  
16                  approval for the proposed wall sign. Thank  
17                  you.

18                  CHAIRWOMAN:                           So would the  
19                  applicant go ahead and state your name and  
20                  address for the record.

21                  MR. KLAUS:                           Mark Klaus.  
22                  Home address or work address? Either one.  
23                  MR. MENDEL:                           Either one.  
24                  MR. KLAUS:                           260 South  
25                  Court Street, Medina.

1 CHAIRWOMAN: So do you want  
2 to give us a little background on all the  
3 millwork and the signage?

4 MR. KLAUS: Yeah. So we  
5 were going to do -- this year being not a  
6 banner year for getting things done, we were  
7 going to just do some nice cosmetic replacement  
8 of -- if you look above the windows, somebody  
9 back whatever number of years before I bought  
10 it just put like Texture 1-11 -- are you  
11 familiar with what that is? It's just that  
12 plywood that was popular in the '70s. They  
13 stuck that up there and it started, over all  
14 these years, to rot. It was actually rippled  
15 and rotted and it looked really bad, so I  
16 thought I would replace just the plywood with  
17 some nice panels.

18                   And I talked to Jonathan, he said do the  
19                   squares. So we did the -- so I built the  
20                   panels, painted the panels. It was going be a  
21                   nice quick one-day install and we were going to  
22                   be done, and then we took it out and realized  
23                   that there -- those windows -- I don't know if  
24                   you're familiar with that '50s-style  
25                   architecture, they put these angled windows in.

1           And although they thought that the support  
2       system that they created to support the  
3       building worked, maybe it worked in a limited  
4       amount of time. What happens is you're  
5       transferring the weight forward because the  
6       windows are angled. So the down pressure  
7       eventually -- from the store's front facade  
8       over a short period of time, I'm sure it was  
9       fine, but over a long period of time you start  
10      to push it away, it starts to give way.

11           So the glass cracked at the top of the  
12       windows, and then we realized that the only  
13       thing that was used to support were these  
14       half-inch steel rods, and half of those had  
15       rotted out and were not actually part of it  
16       anymore.

17           So I knew that we had to support it and get  
18       the pressure of the building going in the right  
19       direction. So it called for like eight-inch  
20       LVL beams. We put fourteen-inch beams. We put  
21       direct supports, four-by-six supports directly  
22       to the surface, all vertical.

23           Then we had everything ground out and  
24       re-tuckpointed and the facade reanchored so  
25       that it was reanchored to the building properly

1                   and that the weight was transferred straight  
2                   down as opposed to on that goofy angle.

3                   Then we actually went up on the roof and  
4                   redid the entire back of that facade. All the  
5                   brickwork had to be re-tuckpointed, and then we  
6                   did an overcoat of cement over the entire back  
7                   of mortar so that it stays stable for a long  
8                   period of time.

9                   It's not really what I wanted to do this  
10                  year, but I'm super-glad that I found it when I  
11                  did because, gosh, you don't know. You know,  
12                  with the weather that comes through on that  
13                  side of the building, the winds and stuff, who  
14                  knows? So I'm really glad that it was able to  
15                  be fixed. And I will say, at the end of the  
16                  day, it looks way, way nicer.

17                  CHAIRWOMAN:                   It really  
18                  does.

19                  MR. KLAUS:                   And I even  
20                  went up there to make sure, because we -- I  
21                  rolled all those flat surfaces inside the  
22                  building, and when then I looked at it, I  
23                  didn't like the texture of the roll, it looked  
24                  too modern. So I went up there and I brush  
25                  painted the entire facade so it has that sort

1                   of classic, you know, brush-stroke look as  
2                   opposed to that rolled pucker look. So, you  
3                   know, I'm really happy with it.

4                   We're going to have new windows put into  
5                   the straight facade, and then the windows that  
6                   are inside right now will be removed. The  
7                   structure that's inside will be removed.

8                   CHAIRWOMAN:                   It looks nice.

9                   MR. KLAUS:                   Thank you.

10                  Have you been by it since we almost finished  
11                  it?

12                  MS. STAHL:                   Yeah, it looks  
13                  nice.

14                  CHAIRWOMAN:                   I'm across the  
15                  street, I've seen it.

16                  MR. KLAUS:                   You know, it's  
17                  so hard to like -- did you guys know who was  
18                  here? It's me.

19                  CHAIRWOMAN:                   You had the  
20                  nice weather and you also touched up your sign,  
21                  too - right? - so it was a little brighter.

22                  MR. KLAUS:                   Yeah, touched  
23                  up the sign, which really helped because it  
24                  had -- it had taken some abuse from the weather  
25                  and things.

1 CHAIRWOMAN: So the other  
2 side is going to be a little different with  
3 the --

4 MR. KLAUS: It's going to  
5 be the same look, the same concept. The  
6 structure is slightly different shaped so that  
7 it delineates it slightly from the storefront  
8 next door, so they have two identities as  
9 opposed to being one specific identity.

Again, it's all going to be, you know, the recessed panels, the multiple levels of the molding, the crown mould across the stop at each of those levels. And the color on my computer is obviously very bright, but you can see by the color chart that the NYPD Blue -- this is the actual blue that the woodwork will be, this color (indicating). So it fits in nice. It's just hard to get those kind of muted colors out of my computer. I'm not a computer guy.

21 MS. BANKS: What is this  
22 (indicating)?

25 MS. BANKS: Okay. Is that

1                   what's going to go --

2                   MR. KLAUS:                   Yeah, that's  
3                   the color that I painted.

4                   MS. BANKS:                   What are these  
5                   (indicating)?

6                   MR. KLAUS:                   These colors  
7                   are for the sign (indicating).

8                   Now, I -- okay. The printed colors make it  
9                   look much brighter, but we're going to do --  
10                  these would be basically your dark outline and  
11                  then your background color on the body of the  
12                  sign (indicating), and then the banner that  
13                  goes over it will be in this beige color and  
14                  with really dark chocolate brown lettering. So  
15                  it will be -- and then the polar bear will of  
16                  course be white and shaved up.

17                  This will all be sculpted. As you know I  
18                  like doing the sculpting stuff. It will be  
19                  sculpted out of the urethane foam. It will be  
20                  about two-inches thick total at the end of it  
21                  because I'm going to add the banner with the  
22                  two layers of foam. The first one will be the  
23                  background, the second one will be the banner  
24                  that goes over the top, so it will look really,  
25                  really classy when it's done.

1                   And then I've got to say this just in case  
2                   you were wondering why it's on there. This  
3                   year, my dad - he lived with us - he passed  
4                   away. He was two weeks short of his  
5                   ninety-fifth birthday. Everybody that came  
6                   over, he would say when they left, "Live life  
7                   and laugh a lot." If he talked to you on the  
8                   phone, it was always, "Live life and laugh a  
9                   lot," so I thought I would put that on the  
10                  logo. So it's a little tribute to my dad. He  
11                  was a great guy.

12                  MR. GEITZ:                           Mark, you're  
13                  not getting your bear and sticking it out in  
14                  front, are you?

15                  MR. KLAUS:                           No.

16                  MR. GEITZ:                           Okay.

17                  MR. KLAUS:                           No. It will  
18                  be --

19                  MR. GEITZ:                           A polar bear,  
20                  I mean.

21                  MR. KLAUS:                           I have six  
22                  life-size polar bears inside.

23                  MR. GEITZ:                           Okay.

24                  MR. KLAUS:                           Yeah, but  
25                  nothing outside other than the bear that's

1 carved.

2 CHAIRWOMAN: Do we have any  
3 other questions?

4 MR. MENDEL: If I can  
5 just -- for the structural items on the  
6 condition and the work on the storefronts, the  
7 south storefronts, you know, Mark gave me a  
8 call right away when he discovered the issue.

9 I told Dan Gladish, our building official.  
10 Dan took a look at it and he said, you know,  
11 it's all appropriate and the appropriate  
12 actions were taken. So I just wanted to put  
13 that on the record for the Board.

14 CHAIRWOMAN: Okay.

15 MR. KLAUS: Thank you.

16 I guess that's all, unless anybody has any  
17 other questions for me.

18 CHAIRWOMAN: Anybody have  
19 any questions for Mark?

20 (No response.)

21 CHAIRWOMAN: Do I have a  
22 motion to approve?

23 MS. BANKS: I so move.

24 MR. GEITZ: Second.

25 CHAIRWOMAN: Okay.

1 MR. GEITZ: We appreciate  
2 all the work you're doing for the community.

3 MR. KLAUS: Thank you so  
4 much. I love being here, I love the people  
5 here, and it's been a real -- it's been a real  
6 journey, and we're going to get through this  
7 and keep moving forward.

8 MS. DAVIS: Traves?

9 CHAIRWOMAN: Yes.

10 MS. DAVIS: Banks?

11 MS. BANKS : Yes .

12 MS. DAVIS: Biggens-Ramer?

13 MS. BIGGENS-RAMER: Yes.

14 MS. DAVIS: Geitz?

15 MR. GEITZ: Yes.

16 MS. DAVIS: Stahl?

17 MS. STAHL: Yes.

18 MS. DAVIS: Moti

19 | approved, five-zero.

20 MR. KLAUS:

21 | - - -

1 Case Number H20-06

2 - - -

3 Additional appearances: Dan Gladish, Building Official.

4 Charles Ramer,  
5 Community Design Committee.

6 Ian Jones,  
7 Mann, Parsons, Gray Architects.

8 - - -

9 CHAIRWOMAN: So as I had

10 stated in the other cases, we have four cases  
11 today and we have an hour to do them in, and  
12 then the Planning Commission starts at six  
13 o'clock. We went way over last time and got  
14 quite a few dirty looks. So we're going to try  
15 to stay on schedule tonight.

16 MR. MENDEL: All right.

17 Well --

18 CHAIRWOMAN: So here we are  
19 at Case Number H20-06, 133 North Court Street.

20 We had tabled a discussion last month  
21 because it was going long, and I had a little  
22 bit of research I was kind of interested in  
23 doing.

24 So do you need to do any --

25 MR. MENDEL: Well, at the  
end of the last meeting there was a discussion

1                   about an executive session. So if you would  
2                   like to talk about that --

3                   CHAIRWOMAN:                           Right.

4                   MR. MENDEL:                           -- now would  
5                   be a good time at the beginning of the meeting.

6                   CHAIRWOMAN:                           So we  
7                   understand that we were tabled to go into an  
8                   executive session, but it was okay for us to  
9                   table the discussion and kind of give ourselves  
10                  a little breather to think about all that was  
11                  presented to us in the two hours.

12                  I felt like there was something missing in  
13                  all of the discussions and that was actually  
14                  the history of the house. So I went through  
15                  the book by Joann King, and Adner Wagner is  
16                  mentioned in this book five times. He was the  
17                  person who built the house. He was originally  
18                  from Wadsworth and settled here in Medina as  
19                  one of the original settlers. He was a  
20                  preservationist himself actually.

21                  There was a church - and it's now the stone  
22                  church - he bought the church and he moved the  
23                  church down and over two blocks, and he set up  
24                  his carriage business out of that church.

25                  He then went on to -- he was also a

1                   blacksmith. He went on to build about six  
2                   hundred carriages a year. He had one specific  
3                   road carriage that he built that was under --  
4                   he had a patent on it, and he showed that  
5                   carriage at the Chicago Fair.

6                   He had five children, three of them were  
7                   doctors, and three boys and one girl. He died  
8                   in 1914, his wife died in 1911. We think the  
9                   house was built in 1909. He had a niece that  
10                  lived with him and she died a year after he  
11                  died in 1915.

12                  So that's pretty much what we know about  
13                  the original owner of the house. I thought  
14                  maybe if I pulled on that string and find out  
15                  something about the house, but I really didn't.  
16                  I think we're calling it a craftsman-style  
17                  house. It's a common house here in this area,  
18                  and I think it's a pretty house.

19                  MR. HUBER:                           If I may,  
20                  before the Board continues. My name is  
21                  Greg Huber. I'm the law director for the City.

22                  I've been asked about this particular  
23                  demolition. I did look at some of the case law  
24                  in demolition, and so what I wanted to do is  
25                  state in the record the case law on demolition

1           requires the finding of unreasonable hardship  
2           that would deprive the applicant of the  
3           reasonable use of his land.

4           Now, some of the facts that came to me had  
5           to do with the fact that this house was bought  
6           at what seems like a pretty high price for what  
7           it is in order to solve a problem with the  
8           previous tenant and the difficulty that tenant  
9           was having with the applicant, and that was  
10           ongoing because I got involved in that, too.  
11           So we solved that problem, but when the house  
12           was purchased, my understanding is that some  
13           mechanicals and problems with the house were  
14           not really examined. That's not your problem,  
15           that's the applicant's problem.

16           The other issue is, I did talk to  
17           Dan, because Dan went through the house, and I  
18           asked Dan, "Well, I know you examined this  
19           house pretty good, you're our building  
20           inspector. What do you think it would cost to  
21           put in a hot water heater, put some heat in the  
22           place, get the electric up to the point that  
23           it's usable, and open it up to rent if you  
24           wanted to rent it because it's commercial?"

25           Dan, why don't you address that?

1 MR. MENDEL: Dan, you can  
2 come up to the podium.

3 MS. STAHL: Can you repeat  
4 that, what you found, the unreasonable  
5 hardship? Can you repeat that again?

6 MR. HUBER: The applicant  
7 needs to show that he's going to suffer  
8 unreasonable hardship that would deprive him of  
9 all reasonable use of the property, and so  
10 that's what courts look at when these  
11 demolition issues go to the common pleas level  
12 in a trial court.

13                    Obviously, the idea is within an historical  
14                    district, and your purpose is to weigh this and  
15                    to try to preserve these buildings where  
16                    reasonably possible.

17 Go ahead, Dan.

18 MR. GLADISH: The question  
19 that was asked --

20 MR. MENDEL: Hold on, Dan.  
21 For the record, just give your full name, your  
22 title with the City, and that you're with the  
23 City for the court reporter.

24 MR. GLADISH: Dan Gladish,  
25 chief building official for the City of Medina,

132 North Elmwood, Medina, Ohio.

The question that was asked of me earlier today was, what would it take to get -- to be able to put a tenant in that space, basically, a hot water tank, some minor rewiring, and a little bit of mechanical work. So the estimated cost that I would say would be three to five thousand dollars. For sure it needs a hot water tank and some minor plumbing work -- I mean some major plumbing work, but to get a tenant in there, three to five thousand dollars. That's just the interior, that doesn't include anything on the outside. And I know the only item on the outside was in my letter that I put together for the last meeting was that the front porch facade would for sure need some adjustment. I couldn't guess at what that would cost.

19 MR. HUBER: So we're  
20 creating a record, and for the Board, I wanted  
21 to make sure you have -- you have to make this  
22 decision, you are the Board, but I wanted to  
23 make sure this information with respect to some  
24 of the economics applied -- that would apply to  
25 this building so you can weigh that in your

1 decision.

2 That's all I have at this point.

3 CHAIRWOMAN: Now --

4 MS. BANKS: Now, if this

5 is --

6 MR. MENDEL: Paula, we need  
7 to defer to the Chair.

8 CHAIRWOMAN: Go ahead. I'm  
9 sorry.

10 MS. BANKS: If this is  
11 rehabed for a tenant, doesn't it have to be --  
12 have a handicap ramp and a few other things?

13 MR. GLADISH: No. That's  
14 not true because there's no change of use.  
15 It's not true because there's no change of use.  
16 It could remain as-is. If there was a change  
17 in use, then yes, the accessibility codes would  
18 come into play, but it would be business to  
19 business.

20 MS. BANKS: Okay.

21 CHAIRWOMAN: Don, go ahead.

22 MR. GEITZ: I went over  
23 the minutes from the last meeting where we went  
24 back and forth, and it came to my mind that  
25 this Board always has been doing signs. We've

1 never been asked to do anything of this sort.

2 We did something on the outside of a back of a  
3 building.

4 So I decided to write this out.

5 Excuse me if I get nervous, because I'm not  
6 used to crowds. Okay?

7 This is in reply to the structure at 133  
8 North Court. Prior -- excuse me with this  
9 mask. Prior to the Historical Board meeting on  
10 October 8th, 2020, the Chief Building Official  
11 Dan Gladish reviewed this structure zoned C-1.

12 Mr. Gladish walked through the building and  
13 produced his observation with photos and twelve  
14 comments. The only comments that our Board  
15 should be considering are 5, 9, 10, 11, and  
16 possibly 12, and all of these are pertaining to  
17 the exterior of the building. These are the  
18 areas of the exterior of the building which,  
19 when completed, would keep the integrity and  
20 the original architectural style of its period  
21 in history. The Historical Board's concern  
22 should only be the exterior facades for this  
23 historical value to the community. It's not  
24 our Board's decision to refurbish interiors of  
25 structures and suggest the demolition of these

1                   structures.

2                   CHAIRWOMAN:                   Jonathan, do  
3                   you think that we need to go ahead and read  
4                   145, or the law director has given -- because  
5                   I --

6                   MR. MENDEL:                   I can read  
7                   the -- if you wish, I can read verbatim just  
8                   the design -- the design guidelines for  
9                   demolition that are listed in Section 145.07(c)  
10                  of the City of Medina Code.

11                  CHAIRWOMAN:                   Yes.

12                  MR. MENDEL:                   Okay. So  
13                  "145.07(c) Demolition. With respect to  
14                  demolition, it is the interest of the  
15                  Board that Landmark Buildings and buildings  
16                  within Historic Districts be preserved and  
17                  renovated for economically productive uses.  
18                  The Board encourages the saving and adaptive  
19                  reuse of buildings significant to the character  
20                  of the Historic Districts and the history of  
21                  the City. Consistent with this intent, the  
22                  Board also realizes the Historic District is  
23                  not a static environment, but an ever changing  
24                  and developing entity. Applications for  
25                  demolition shall be reviewed based on the

1                   overall impact the demolition will have on  
2                   adjacent Historic Landmarks, Historic  
3                   Districts, and the community.

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

12                  That is the entire Subsection 145.07(c).

13                  CHAIRWOMAN:                                   Thank you.

14                  Now, Patty, you were here before. Do you  
15                  have any questions for Dan?

16                  MS. STAHL:                                   I think you  
17                  answered one of my questions as I was reading  
18                  through the material and seeing the quote that  
19                  Dr. Raymond received to rehab the whole house.  
20                  The question was, okay, they get it up to be  
21                  able to have a tenant in there, what would have  
22                  to be done to meet the standard? So you  
23                  answered that, which was one of my questions  
24                  there.

25                  MR. GLADISH:                                   Okay.

1 CHAIRWOMAN: Does anybody  
2 else have a question for Dan?

3 MS. STAHL: And I guess,  
4 you know, pertaining to your letter, there was  
5 some significant -- you know, in your opinion,  
6 significant things that would have to happen to  
7 rehab that building, like with the foundation,  
8 because that's where I see, you know, the most  
9 cost and the most issues you could run into  
10 when you're doing something like that. So  
11 could you maybe describe some of those a little  
12 better so I have a better understanding?

13 MR. GLADISH: Yeah. I mean,  
14 there's a lot of crumbling. The foundation is  
15 settled. The actual front porch, which is all  
16 precast concrete, is shifting to one side and  
17 pulling away from the front of the facade, so  
18 basically water damage from freeze/thaws and  
19 stuff like that. So the front facade for  
20 sure, the front porch, and the foundation are  
21 in need of some major repair.

22 MS. BANKS: I think in our  
23 last meeting we also thought that there was  
24 some asbestos. I mean, if you put a water  
25 heater and fix some electricity, would someone

1 rent it?

2 CHAIRWOMAN: Yeah, where  
3 are we with the asbestos issue?

4 MR. GLADISH: We don't know  
5 that. That has to be tested.

6 CHAIRWOMAN: You don't know  
7 whether it's asbestos or not?

8 MS. BANKS: I mean, making  
9 it have hot water and electricity doesn't mean  
10 that it would be a viable, rentable property,  
11 does it?

12 MR. GLADISH: I mean, we  
13 don't regulate asbestos or lead paint, that's a  
14 health department thing. So, I mean, almost  
15 every house that's built in '50s or older for  
16 sure is going to have lead-based paint, and if  
17 it's got a heating system that was an old steam  
18 system, there's most likely asbestos pipe  
19 insulation, so we know it's pretty much likely  
20 there is that. Nothing says it has to be  
21 abated unless it's caused an issue or it's  
22 flaking or it's fibrous and it's in the area.  
23 So as long as it's intact, there's nothing that  
24 says it has to come out.

25 MR. GEITZ: It's still my

1 contention that that's none of our business on  
2 the inside, that's the owners, whatever, the  
3 building department and Dan can come together  
4 on. How far does it go that people can come in  
5 there safely and leaving safely? That's our  
6 main -- that's their concern. I mean, sure,  
7 we're concerned, but it's not for us to improve  
8 that. We're looking for the exterior of all  
9 these buildings and that's it. Ninety-nine  
10 percent is -- we just did three signs.

11 I drove by there, my wife drove there and  
12 she said, "Look, the building's sinking on the  
13 porch." Well, sure it is, the building's one  
14 hundred and twenty years old.

15 So anyhow, my contention is we should  
16 concentrate on what we're supposed to do.

17 CHAIRWOMAN: So can I ask  
18 the law director, how do you feel about Dan's  
19 comment there that we're really only looking at  
20 the facade?

21 MR. HUBER: Well, that's  
22 not actually correct. On a demolition issue,  
23 it's your job to look at a whole picture. The  
24 economic doesn't -- as I indicated, the  
25 property owners are coming to you to ask about

1                   a certificate of appropriateness to demolish  
2                   the building. Well, he's dealing with the  
3                   reality of the whole building, not just the  
4                   exterior, and when he comes to you to ask for  
5                   that, you have to look at the reality of what  
6                   he's looking at. So that does factor into this  
7                   picture on demolition, and that is one of the  
8                   things you're tasked with and that's typical  
9                   with municipal historic preservation boards.

10                  Now, you're not to speculate about things.  
11                  The question of asbestos is not established one  
12                  way or the other, so all you could do is  
13                  speculate on that. Dan's saying that -- like  
14                  in our office building, we have asbestos in the  
15                  basement. You know, unless it's a problem, it  
16                  stays.

17                  What is relevant, and what I want to make  
18                  sure is in the record, is that you don't have  
19                  to completely rebuild this house, you need to  
20                  make it economically rentable. What would that  
21                  be? And I wanted to make sure that that  
22                  ballpark figure is in front of you as you make  
23                  the decision.

24                  Dan, what do you think it would take to do  
25                  some repairs on the foundation so that it's not

1 a hazard?

2 MR. GLADISH: You know, I  
3 could tell you we're doing a similar project on  
4 East Washington, 524 East Washington, and that  
5 foundation repair project is ninety thousand  
6 dollars.

7 MR. HUBER: Okay.

8 MR. GLADISH: Similar sized  
9 house.

10 MR. HUBER: But you  
11 wouldn't have to fix the foundation to rent it.  
12 This place was rented for the last three years,  
13 right?

14 MR. GLADISH: You would just  
15 have to address the front porch foundation and  
16 the front porch itself.

17 MR. HUBER: Okay.

18 MR. GLADISH: So maybe a  
19 third of that cost.

20 MR. HUBER: Does that  
21 answer your question?

22 CHAIRWOMAN: It does.

23 Thank you very much, that's really helpful.

24 Does anyone else have a question for the  
25 law director or Dan?

1 MS. BIGGENS-RAMER: I guess I  
2 would like to make a statement if I could.

3 CHAIRWOMAN: Okay, go  
4 ahead.

5 MS. BIGGENS-RAMER: You know, as  
6 it's been stated by both Jonathan and the law  
7 director, you know, we are to preserve  
8 historical structures. You shared with us a  
9 history that we weren't aware of. This  
10 individual sounds like he was a rather  
11 intricate member of the community at that point  
12 and was, you know, of community significance.

13 You know, if we are to preserve buildings  
14 and one of the things that we have -- I think  
15 we all, as property owners, have a  
16 responsibility when you purchase a building,  
17 whether it's commercial in nature or  
18 residential, is to understand what it is that  
19 you're purchasing and the state of the  
20 building.

21 We heard at the last meeting that the  
22 applicant had not fully understood all of the  
23 issues of the building, but that there was  
24 still tenants in it, and I guess I am a little  
25 perplexed as to, you know, why if it was

11 CHAIRWOMAN: Okay. Does  
12 anybody else want to make a statement or have  
13 any questions?

14 MS. BANKS: I walk  
15 down that street and this house is the odd  
16 guy out because of all the other commercial  
17 buildings. We did do a demolition of the  
18 Chamber of Commerce building, that was where he  
19 built his store and apartments up above.

20 CHAIRWOMAN: And the  
21 Masonic Temple and the Rose Theater.

22 MS. BANKS: So we have  
23 been involved in demolitions.

I probably shouldn't say this because I may  
be the oldest person in the room, but because

1           something's old doesn't mean it's valuable. I  
2           think we also have a danger of just insisting  
3           that everything old stay and I feel that will  
4           discourage businesses. There are businesses  
5           all around there.

6           We have a man who has proven his concept of  
7           design, has fully-rented apartments, and  
8           fully-occupied businesses. Looking at the  
9           pictures that we see from the inside of that, I  
10          wouldn't put my business in that building. I  
11          mean, for three to five thousand dollars, I  
12          wouldn't want to be staying there. I think we  
13          do have to look at both sides of it, and think  
14          of Medina's growth and progress. And I, too,  
15          do not like to see things demolished, but we've  
16          allowed this to happen, and there's one  
17          sore-thumb building still standing there. I  
18          don't think it would be a great crime if that  
19          were demolished and a business put in that  
20          looks like the one on the corner.

21          I agree with Beth that you don't buy  
22          something without inspecting it. That was not  
23          a good idea. We aren't here to impugn motives  
24          or read minds or anything else. That's my  
25          opinion. Don, you gave yours.

1 MS. STAHL: I guess I'll  
2 speak to the other side of that. Being an  
3 owner of two historic buildings, you know, I've  
4 seen what you can do with a building and, you  
5 know, it's a risk that you take every time you  
6 purchase a building. You don't know what  
7 you're going to get into. You know, you could  
8 plan on spending ten thousand, you could end up  
9 spending fifty thousand dollars. You don't  
10 know and that's just the gamble that you take.  
11 Obviously, I wanted to be on this Board as  
12 a proponent of preserving buildings. I just --  
13 I just think it's great that there's so much  
14 history in buildings, and I think for what  
15 Medina does, that that needs to be something  
16 that stays. That's the purpose of this Board,  
17 is to evaluate the -- keeping the historic  
18 significance in the City of Medina.  
19 With that being said, if I'm looking at  
20 this building and somebody's asking, you know,  
21 "I want to demolish it," I don't see enough  
22 devastation to this building to -- that I could  
23 justify that to say "Yes, tear it down, it's in  
24 utter disrepair," and, you know, you're just  
25 going to rebuild all the historic significance

1                   anyway from the ground up so it's not really  
2                   original. If it was that type of situation,  
3                   then I could see, you know, considering this  
4                   demolition.

5                   You know, when I look through our  
6                   guidelines, you know, there's -- they're  
7                   supposed to be looking at all the different  
8                   avenues first before demolition. So one of the  
9                   avenues is consideration for alternatives such  
10                  as, you know, tax credits - I'm very familiar  
11                  with those - or grants with Main Street Medina  
12                  that could help, you know, rebuild these  
13                  buildings.

14                  It's also a slippery slope of demolition.  
15                  I wasn't on the Board with the other  
16                  demolitions that happened, so I can't speak to  
17                  those, but it opens the door to, you know, who  
18                  do we say no to and who do we say yes to. So  
19                  if I buy a building and I just decide, "Well,  
20                  that's just -- I don't want to invest or it's  
21                  just not for me," then do I just come to this  
22                  Board and say, "Well, can I just demolish it  
23                  and rebuild it because I just don't want to do  
24                  it?" Is that going to open the door for other  
25                  people?

1                   I'm not saying that this is this situation,  
2                   but it's a slippery slope and where do we go  
3                   from there and how do we put those guidelines  
4                   together to say in this situation, "This is  
5                   when we would go down the demolish route?" So  
6                   that's my opinion.

7                   My question, also, to the Board and to  
8                   Mr. Huber, you know, at what point -- how do  
9                   you make that decision so that everybody who  
10                  just wants -- you know, people who buy a house  
11                  and say, "Well, I'm just going to buy a house  
12                  and let it sit and then I'll come before the  
13                  Board and demolish it and build a new one?"  
14                  That could be a situation that could happen, so  
15                  how do we prevent that?

16                   CHAIRWOMAN:                           Did you want  
17                  to address her question?

18                   MR. HUBER:                           Well, that  
19                  goes to the issue of what I think Bill had been  
20                  talking about previously, demolition by  
21                  neglect. If you're knuckleheaded about taking  
22                  care of your building, you know, it will  
23                  dissolve and then you'll be looking at a lot of  
24                  money to fix it and making an argument about  
25                  demolition. We don't want that to happen, and

1                   that's the whole idea behind a lot of our  
2                   building department regulations and what we are  
3                   trying to encourage.

4                   CHAIRWOMAN:                   Well, we --

5                   I'm going to make a statement also.

6                   I own a house that's twenty-five years old.  
7                   I'm the original owner of that house, and I've  
8                   replaced the hot water tank twice, I've  
9                   replaced the roof once, I've replaced the air  
10                  conditioning and heating one time.

11                  I also own a historic storefront which I  
12                  replaced the heat and the plumbing and the  
13                  electricity and the roof and the windows and  
14                  I've painted the front facade twice, so it's  
15                  part of the maintenance of the building.

16                  A lot of the things that are on your list  
17                  are just like normal things that property  
18                  owners -- that's what we signed up for, and if  
19                  you didn't want to do that then, you know, it's  
20                  left for somebody else.

21                  Everything about Medina is about historic  
22                  preservation. Kimberly had actually fought  
23                  very hard to get a sign out on 71 that says  
24                  "Please come to the Historic Downtown Medina."

25                  So I think every marketing campaign that Medina

1 runs is about the history of Medina. If we  
2 start tearing down all of the historic  
3 buildings, what is there to come and see? So  
4 that's where I'm coming from.

5 So I guess, do I even have a motion? I  
6 don't think I have a motion to approve.

7 MR. GEITZ: What are we  
8 motioning for?

9 CHAIRWOMAN: That's what I  
10 said. I don't have a motion and I don't have a  
11 second.

12 MR. MENDEL: Just if I can  
13 give one piece of information, Chair?

14 Given the statements that have been made, I  
15 don't know if you want to reopen public  
16 comments from either the applicant or any other  
17 member of the public just for the sake of due  
18 process.

19 CHAIRWOMAN: Okay. Would  
20 anybody from the public like to come and speak?

21 Charley, are you with CDC?

22 MR. RAMER: Yes.

23 CHAIRWOMAN: Please come to  
24 the podium and state your name and address for  
25 the record.

1 MR. RAMER: Of course.

2 My name is Charles Ramer, I live at  
3 141 South Prospect Street. I'm here  
4 representing the Community Design Committee.

5 CHAIRWOMAN: Okay.

6 MR. RAMER: I'm  
7 representing Michele Nichols, the president.  
8 She was unable to attend.

9 The CDC has a fifty-year history of making  
10 every effort to maintain the integrity of the  
11 downtown area and the original concept, the  
12 design, the recommendations and, also,  
13 preserving each one of those buildings as  
14 tenants change and as the designs change, so  
15 it's particularly critical to us that you, as  
16 the Historic Preservation Board, understand the  
17 importance of every remaining structure.

18 Now, we sent a letter to Jonathan on the  
19 8th of October with a map of all the different  
20 buildings in the nine-block area that had been  
21 demolished since the '40s, and it's an  
22 alarming, alarming number of buildings.

23 Everything that remains is an important piece  
24 of history, and particularly residential  
25 structures that remain are the most critical,

1 because it was common to build those residences  
2 downtown since you would have close contact  
3 with the commerce.

4           Ironically, we live in a house, the  
5 Munson House on Prospect Street, that was moved  
6 from where the parking lot now exists behind  
7 the courthouse as a result of the volunteers  
8 from the Community Design Community, so we're  
9 passionate about this town.

10          When you buy an old building, as you said,  
11 Leslie, you have an obligation, particularly in  
12 this particular area, to understand the  
13 renovations and the preservation that's  
14 necessary to maintain the integrity of that  
15 particular building. Each one is a component  
16 of the total. The CDC strongly, strongly  
17 encouraged you to deny this demolition. We  
18 agree it sets a dangerous precedent. The owner  
19 who purchased it should have understood the  
20 obligation they had to maintain the integrity  
21 of the downtown and the history of Medina.

22          This is an historic structure, and your  
23 charge, as defined in the Medina Code, is  
24 "... saving and the adaptive re-use of  
25 buildings significant to the character of the

Historic District and the history of the City."

You have an obligation in our opinion to do this, so we strongly discourage you to deny this demolition request.

Thank you.

**CHAIRWOMAN:**

Thank you.

Anyone else?

MR. JONES:

Hi, my name is

Ian Jones. I'm with Mann, Parsons, Gray  
Architects at 3660 Embassy Parkway.

I just wanted say thank you for having us here. I think it's --

MR. MENDEL: If you can,

just for the record, who are you representing?

MR. JONES: I'm

representing Dr. Raymond.

I think it's healthy to have this discussion. It's why the Board exists

I think the main part of the Code that we're looking at is whether it is appropriate to demolish this building, and the Code specifically asks if this is a landmark and if it is significant and if something in its place would enhance the district.

I think, you know, we learned about the

1                   history of the person who built this home, and  
2                   it's arguable to say that this person built  
3                   this home late in their life. They didn't live  
4                   in this building for a long amount of time, and  
5                   it doesn't sound like it's an important part of  
6                   the arc of that person's life necessarily. So  
7                   I would not consider this a landmark because of  
8                   who built this house. I would not consider it  
9                   significant because of who built this house.

10                  On top of that, I think the proposed -- at  
11                  least the idea that is based on the track  
12                  record of the previous projects of Dr. Raymond,  
13                  it is an appropriate use and appropriate  
14                  improvement to the Historic District. I think  
15                  it would enhance the district.

16                  So I think -- just per the Code, I think it  
17                  checks all of the boxes about why this would be  
18                  acceptable. We're not talking about the  
19                  Masonic Temple or the Rose Theater, which  
20                  sounds like they should have been saved, in  
21                  that they did have, you know, a landmark status  
22                  and a significant historical status. We're  
23                  talking about just a case-by-case basis of --  
24                  and this case is completely separate than  
25                  those, and it's completely separate from future

1 cases, and that's why we have this Board. I  
2 don't think we have a slippery slope when we do  
3 have the opportunity to review every one of  
4 these.

5 CHAIRWOMAN: Thank you for  
6 your comments.

7 We are running out of time because we have  
8 another board that follows us at six o'clock.  
9 So with respect to what's coming up next, do I  
10 have a motion to either approve or deny this  
11 applicant?

12 MR. MENDEL: If I can  
13 interject real quick, Chair?

14 CHAIRWOMAN: Sure.

15 MR. MENDEL: For the sake  
16 of the record, either the motion has a specific  
17 reason in relation as related to the demolition  
18 design guidelines in 145.07(c) and/or each  
19 board member explains -- you know, gives a  
20 specific reason for their -- an objective  
21 reason in relation to the Code for their vote  
22 on a particular issue.

23 MR. JONES: May I also add  
24 one other thing?

25 CHAIRWOMAN: Yes.

1                           MR. JONES:                   You know, we  
2                           heard about whether this would be a hardship,  
3                           and I think another important thing to consider  
4                           is that right now this building could have, you  
5                           know, x-amount of dollars to possibly get one  
6                           tenant, maybe, if they were willing to rent the  
7                           space. The upstairs would not be rentable in  
8                           any, you know, meaningful way.

9                           The opportunity here is for a building that  
10                          could have six or eight tenants, both  
11                          commercial and residential. So I think when  
12                          you think about unreasonable burden, there is,  
13                          you know, that prospect of that potential  
14                          income from those renters, and so it's a whole  
15                          different type of building and, actually, it's  
16                          a type of development that is historically --  
17                          you know, what has been done, homeowners  
18                          central to a business district would eventually  
19                          replace their homes with commercial  
20                          storefronts. A perfect example of that is  
21                          something like East 4th in Cleveland, so --

22                          MR. GEITZ:                   (Indicating.)

23                          CHAIRWOMAN:               Yes, Don?

24                          MR. GEITZ:                   You had the  
25                          opportunity to come back here with something

1                   that would knock our socks off to replace this  
2                   building. I was looking forward to seeing you  
3                   draw something, bring something here.

4                   My other suggestion would be that you do so  
5                   and keep the house up until you bring something  
6                   here that we can replace it and be happy about.

7                   MR. JONES:                           I think the  
8                   track record from the building next door --

9                   MR. GEITZ:                           We don't care  
10                  about the track record. We want to see this  
11                  site come to life.

12                  MR. JONES:                           Hm-hm.

13                  MR. GEITZ:                           Replace all  
14                  the windows, the sidings, the foundation, put  
15                  the money into it and keep it historically the  
16                  way it is. Then you can rent the whole place  
17                  out and we would be safe and nobody would get  
18                  hurt and we'll be fire-protected and all those  
19                  things that go with architecture. Okay?

20                  I'm sorry to be -- I'm not insulting you.  
21                  I'm just saying, I was looking forward to  
22                  seeing you come back with something that would  
23                  say we can compare. We have nothing to  
24                  compare. We're not even supposed to be doing  
25                  something to the inside.

1                   MR. JONES:                   Yeah.

2                   MR. GEITZ:                   We're supposed  
3                   to be doing something to the outside.

4                   MR. JONES:                   And I don't  
5                   know that there is any -- that is a good idea I  
6                   think, but I don't think there's any obligation  
7                   as far as that for the applicant. But do I --  
8                   I'm sure, you know, anyone would --

9                   MR. GEITZ:                   It's not  
10                  considered an obligation; it's considered to  
11                  try to improve a piece of property one way or  
12                  the other. Okay?

13                  MR. JONES:                   Yes.

14                  MR. GEITZ:                   Whether it was  
15                  for a guy that wasn't important or family, the  
16                  building has been run down over and over. I  
17                  can't blame the building department, I can't  
18                  chase Dan down here and say, "How come you  
19                  didn't catch this building going downhill?"

20                  MR. JONES:                   Yeah.

21                  MR. GEITZ:                   But that's  
22                  where we are today, and I think that's where we  
23                  should be going.

24                  MR. JONES:                   Okay.

25                  CHAIRWOMAN:                   Thank you for

1                   your comments.

2                   MR. JONES:                   Thanks.

3                   CHAIRWOMAN:                 Does anybody  
4                   else want to make a comment?

5    (No response.)

6                   CHAIRWOMAN:                 Okay. Do I  
7                   have any type of a motion? Do I have a motion  
8                   to approve or do I have a motion to deny?

9                   MR. MENDEL:                 I think, for  
10                  the sake of the record, just keep it in the  
11                  affirmative. Any motion should be in the  
12                  affirmative.

13                  CHAIRWOMAN:                 Okay.

14                  MR. MENDEL:                 And the votes  
15                  would be either pass it or fail it.

16                  CHAIRWOMAN:                 Okay. Do I  
17                  have a motion to approve?

18                  MS. BANKS:                 I'll move.

19                  CHAIRWOMAN:                 Do I have a  
20                  second?

21                  MR. GEITZ:                 I'll second.

22                  MS. DAVIS:                 Traves?

23                  CHAIRWOMAN:                 No.

24                  MS. DAVIS:                 Banks?

25                  MS. BANKS:                 Yes.

1 MS. DAVIS: Biggens-Ramer?

2 MS. BIGGENS-RAMER: No.

3 MS. DAVIS: Geitz?

4 MR. GEITZ: How do you be  
5 neutral?

6 MR. MENDEL: You can't.

7 CHAIRWOMAN: You can't.

8 MR. GEITZ: What am I  
9 voting no for?

10 CHAIRWOMAN: Not to  
11 approve.

12 MR. GEITZ: Not to  
13 approve? I'll be no then.

14 CHAIRWOMAN: Stahl?

15 MS. STAHL: No.

16 MS. DAVIS: Motion to  
17 approve denied, four -- one yea, four nays.

18 MR. MENDEL: There is  
19 nothing else to come before the Board this  
20 evening.

21 Thank you.

22 CHAIRWOMAN: Meeting's  
23 adjourned.

24 (Proceedings concluded.)

25 - - -

1 STATE OF OHIO )  
2 ) ss:  
3 COUNTY OF MEDINA. )

## 3 CERTIFICATE

4 I, Nicholas Glatzhofer, Assistant Official  
5 Court Reporter and Notary Public within and for the  
6 State of Ohio, hereby certify that the above and  
7 foregoing is a true and correct transcription of my  
8 stenographic notes as taken by me on the 12th day of  
9 November, 2020.

10 I further certify that this is a full and  
11 complete transcription of the above-entitled cause.

12 IN WITNESS WHEREOF, I have hereunto set my hand  
13 and affixed my seal of office at Medina, Ohio this  
14 24th day of November, 2020.



15  
16  
17  
18  
19 Nicholas Glatzhofer,  
20 Assistant Official Court Reporter  
and Notary Public within and for  
the State of Ohio.  
21 My commission expires 10/24/2023.  
22  
23  
24  
25

**M. BOARD OF ZONING APPEALS  
MARCH 4, 2021 MEETING MINUTES**

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4         CITY OF MEDINA BOARD OF ZONING APPEALS  
5                   - - -  
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9

10                 Transcript of Proceedings held on Thursday,  
11                 the 4th day of March, 2021 before the City of  
12                 Medina Board of Zoning Appeals, commencing at  
13                 approximately 6:00 p.m., as taken by  
14                 Nicholas Glatzhofer, Notary Public within and  
15                 for the State of Ohio, and held in Medina City Hall,  
16                 132 North Elmwood Avenue, Medina, Ohio 44256.

17                   - - -  
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20  
21  
22

23                 MEDINA COURT REPORTERS, INC.  
24                 REGISTERED PROFESSIONAL REPORTERS  
25                 209 North Broadway Street  
                       Medina, Ohio 44256  
                       (330) 723-2482  
                       MCRMedina@msn.com

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1 APPEARANCES:

2 City of Medina Board of Zoning Appeals,  
3 Bert Humpal, Chairman,  
4 Mark Williams, Member,  
5 Rob Henwood, Member,  
6 Paul Roszak, Member,  
7 Brandilyn Fry, Member.

8  
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27 Medina, Ohio 44256  
28 330.722.5300  
29 ghuber@medinaoh.org  
30 on behalf of the Historic Preservation Board.

31 City of Medina Planning and Community  
32 Development Department,  
33 Jonathan Mendel, Community Development Director.

34 Also present: Ian Jones, Mann Parsons Gray Architects,  
35 on behalf of the Appellant.

36 Loren A. Raymond, Appellant.

37

38

39

40

1 CASE NUMBER Z21-01

2 - - -

3 MR. CHAIRMAN: We're going to  
4 call to order the City of Medina Board of  
5 Zoning Appeals special meeting of March 4th,  
6 and we're here to visit Case Z21-01.

7 Jonathan, would you do a brief introduction  
8 and then we'll proceed?

9 MR. MENDEL: Yes.

10 This appeal hearing this night -- this  
11 evening is an appeal of the November 12th,  
12 2020, Historic Preservation Board decision  
13 on the request by Loren Raymond, owner of  
14 133 North Court Street, for the demolition of  
15 the building under a certificate of  
16 appropriateness review.

17 The decision by the Historic Preservation  
18 Board on November 12th, 2020 was denial of that  
19 requested certificate of appropriateness.

20 Chapter 145 of the City Code permits an  
21 appeal of that -- of an Historic Preservation  
22 Board decision, and that appeal goes to the  
23 City of Medina Board of Zoning Appeals, this  
24 body.

25 So that is what -- that is the genesis of

the meeting we're having this evening.

2 MR. CHAIRMAN: Thank you.

I'll note that in preparation for the meeting, we have been provided with -- let me drop my mask here a little bit. I think we're far enough apart.

7                   We've been provided with meeting  
8                   minutes from the two monthly meetings that  
9                   Historic Preservation did have, along with  
10                  their original case of probably well more than  
11                  a hundred pages of extracted minutes. So I  
12                  think as a Board, we're totally informed as to  
13                  all of the subject matter and the discussions  
14                  taken place.

15 I would like to defer to counsel for a  
16 minute to give us some guidance on how we're  
17 proceeding this evening, if you would please.

18 MR. HUNT: Surely. And  
19 this is sort of a unique --

20 MR. MENDEL: Mr. Hunt, if  
21 you could, just for the court reporter, just  
22 introduce yourself.

1 I'm Todd Hunt. I've been asked by the  
2 City of Medina to counsel -- to serve as  
3 counsel for the Board of Zoning Appeals tonight  
4 and give them counsel during this hearing.

5 Mr. Huber, who is, of course, the director of  
6 law, will be defending the decision of the  
7 Historic Board, and Mr. Witschey is here, of  
8 course, to represent the property owner in this  
9 matter.

10 So I have counseled with the Chair, and I  
11 have not spoken with the rest of the Board of  
12 Zoning Appeals, but I have counseled them to  
13 some extent with respect to how this proceeding  
14 should go. It is an appeal from the Historic  
15 Board.

16 The Historic Board is a quasi-judicial  
17 body. They took evidence at two different  
18 meetings, so I've counseled them that there's  
19 no requirement that they do an evidentiary  
20 hearing tonight. The parties should rely on  
21 the evidence that was presented to the  
22 Historic Board, and the attorneys for each  
23 side - each side has attorneys - can then make  
24 their arguments based on that evidence.

25 One of the evidentiary principles that I

1 have advised the Board with respect to is the  
2 fact that this is a demolition of what is  
3 alleged to be or could be an historic  
4 structure. That's one of the issues, of  
5 course, that was decided by the Historic Board,  
6 so the standards here for the evidence should  
7 not go to what this property could be developed  
8 for.

9 Now, I know there was evidence put in front  
10 of the Historic Board, but that is not an issue  
11 that should be in front of you. This is  
12 whether it's an historic structure and whether  
13 it can maintain some financial or economic  
14 viability going forward based on what it would  
15 take to do the minimum necessary to restore  
16 this home. And I don't say "restore" to  
17 restore it, just to do the minimum to meet  
18 certain building code requirements so it  
19 doesn't have to be torn down.

20 Those are the issues. And, of course,  
21 Mr. Witschey's client has the burden of proof  
22 here being the appellant and would normally go  
23 first.

24 MR. CHAIRMAN: Yes --

25 MR. WITSCHNEY: Can I --

1                           MR. CHAIRMAN:                   -- we will do  
2                           that.

3                           Did I hear a question come out?

4                           MR. WITSCHEY:                   Yes. This is  
5                           Frank Witschey, attorney for Twin Pines and  
6                           Dr. Loren Raymond, the Applicant here.

7                           Todd, just a question for you. Is there --

8                           MR. MENDEL:                       Excuse me,  
9                           Mr. Witschey. Just for the sake of the room,  
10                          could you come to the lectern --

11                          MR. WITSCHEY:                   Yes.

12                          MR. MENDEL:                       -- so it's  
13                          nice and loud and everybody can -- and speak a  
14                          little bit louder than you were speaking.

15                          MR. WITSCHEY:                   Sure.

16                          So just initially, because I, too, found  
17                          the -- what's called an intra-municipal appeal  
18                          to be a unique situation and did not find any  
19                          procedure concerning evidence and whether  
20                          additional evidence could be presented here  
21                          this evening.

22                          Do you have authority for that position?

23                          MR. HUNT:                        Do you have  
24                          authority for a position that's different from  
25                          mine?

1 MR. WITSCHNEY: I don't. Like  
2 I said, I --  
3 MR. HUNT: And I do not.  
4 MR. WITSCHNEY: Yeah.  
5 MR. HUNT: So it's really  
6 up to the Board, and I've counseled that they  
7 do not have to take evidence if they don't wish  
8 to do so, because --  
9 MR. WITSCHNEY: Okay.  
10 MR. HUNT: -- all of the  
11 evidence should have been presented below.  
12 MR. WITSCHNEY: Right.  
13 MR. HUNT: There were no  
14 objections that I saw in the record below with  
15 respect to not putting in the record whatever  
16 evidence you -- the parties wanted to put in.  
17 MR. WITSCHNEY: So I think  
18 what I intend to do is -- we do have the record  
19 that was eluded to with the minutes and the  
20 transcript --  
21 MR. HUNT: Certainly.  
22 MR. WITSCHNEY: -- and we  
23 certainly would not want to reiterate  
24 evidentiarily those things. So --  
25 MR. HUNT: Correct.

1                   Well, you certainly can refer to the evidence  
2                   below in your arguments.

3                   MR. WITSCHNEY:                   Well, we will,  
4                   although we do have some additional evidence  
5                   that we are going to proffer, and we can  
6                   proffer it over your objection.

7                   MR. HUNT:                        You can  
8                   certainly proffer. It's up to the Board  
9                   whether they want to hear new evidence,  
10                  additional evidence, new evidence based on the  
11                  fact that you had that opportunity below.

12                  MR. WITSCHNEY:                 Okay.

13                  MR. CHAIRMAN:                 Otherwise, you  
14                  may proceed and present your argument, please.

15                  MR. WITSCHNEY:                 Thank you.

16                  As I mentioned, my name is Frank Witschey,  
17                  and I represent Loren Raymond and his company  
18                  Twin Pines, LLC, which is the owner of the  
19                  property in question, 113 North Court Street.

20                  We also have with us here tonight  
21                  Ian Jones, who is an architect who has been  
22                  engaged by Dr. Raymond to work on this project.

23                  I want to extend, again, a thank you for  
24                  having what I understand to be a meeting that  
25                  isn't in the normal course, but everybody --

1 MR. CHAIRMAN: That's for  
2 sure.

3 MR. WITSCHEY: -- was able to  
4 get together and pick a time and date that  
5 works. So we appreciate that.

6 This is, as has been mentioned by  
7 Mr. Mendel, an appeal of the November 13th  
8 decision, which was a denial by the  
9 Historic Preservation Board of a certificate of  
10 appropriation for the demolition of that  
11 property, 133 North Court Street.

12 As I mentioned, we have the record, which  
13 was created at the first two hearings. Those  
14 hearings were, I believe, on October 8th, 2020  
15 and November 12th, 2020. There was plenty of  
16 evidence about the cost, the expense, and  
17 different things of that nature to rehab this  
18 particular property to make it economically  
19 viable for the owner and, in turn, for the  
20 City.

21 But to get to the point of the historic  
22 nature of -- or whether or not this particular  
23 property has any historical value, I would like  
24 to give a little bit of a history and research  
25 concerning the historic districts in Medina and

1                   exactly how they came into being.

2                   The first thing that occurred was in 1975,  
3                   the city applied with the National Register of  
4                   Historic Places to have this property be  
5                   determined -- or to have - I'm sorry - the  
6                   Medina Square area to be determined as an  
7                   historic place, and what we have here - and  
8                   I'll pass it out, if you would take one and  
9                   pass it along - is the application that the  
10                  City had made. And what the City did is, it  
11                  described the area in there that it wanted to  
12                  have under the National Registry to be deemed  
13                  an historic place. So there's descriptions,  
14                  there's drawings, and we're able to tell  
15                  what it was exactly that was in this  
16                  National Register that was applied for; in  
17                  others words, when they filled out the form,  
18                  >this is what we want" in 1975.

19                  MR. CHAIRMAN:                         May I  
20                  interrupt --

21                  MR. WITSCHEY:                         Yes.

22                  MR. CHAIRMAN:                         -- just for a  
23                  brief moment?

24                  I suspect this should be submitted as a  
25                  piece of evidence to the court reporter or

1 referred to as an exhibit as part of our  
2 process.

3 MR. WITSCHEY: Yes. It could  
4 be deemed Exhibit A.

5 (Whereupon, the City of Medina application  
6 for the National Register of Historic Places  
7 was then marked as Appellant's Exhibit A for  
8 purposes of identification.)

9 MR. CHAIRMAN: All right. I  
10 guess we'll need another copy here.

11 Okay, thank you. Go ahead.

12 MR. WITSCHEY: In this  
13 particular application, as I said, they were  
14 giving descriptions, and gave a description of  
15 what they intended in 1975 to be deemed  
16 historic, and it basically had the area  
17 immediately surrounding the Square, the  
18 buildings that outlined and created that  
19 boundary was what was being applied for, but  
20 what they said in there, if you'll -- on the  
21 seventh page of this particular application,  
22 the very last paragraph, they made this  
23 comment. This is the City of Medina. It said,  
24 "The district boundaries are very irregular  
25 because of the varying depths of the building

1 facing the Square and its adjacent streets.

2 The boundaries are determined by the fact that  
3 they enclose..." and this is an important term,  
4 that those -- that the boundaries "... enclose  
5 the coherent assemblage of architecture  
6 described in the statement of significance..."

7 And then they went on, and the City  
8 said "... the nature and condition of the  
9 architecture changes radically immediately  
10 beyond these boundaries."

11 Well, this project, 133 North Court Street,  
12 was not in the boundaries. It was one of those  
13 properties that they deemed to be a radical  
14 change from the coherent assemblage of  
15 architecture that described the properties  
16 which were on the Square.

17 So this is important for two reasons. The  
18 subject property was not included in this  
19 coherent assemblage of architecture that was in  
20 the statement of significance. So it wasn't in  
21 that assemblage of architecture, nor was this  
22 property itself significant. Second, the City  
23 found this property to be included with those  
24 surrounding the area, which they determined to  
25 be a radical change in architecture.

1                   So this property that we're -- that is the  
2                   subject of our meeting, is a radical property  
3                   when compared with the architecture of the  
4                   Square itself.

5                   In 2007, then the City established the  
6                   Administrative Code Section, or Chapter 145,  
7                   and this particular chapter was established  
8                   and it had specific boundaries. It said  
9                   that the boundaries would be Smith Road,  
10                  Jefferson Street, Friendship Street, and  
11                  Elmwood Avenue, and then it called that the  
12                  Public Square Historic District. So this  
13                  particular district was expanded beyond  
14                  what was accepted by -- or what was applied  
15                  for by the City and accepted into the  
16                  National Registry, and this description now  
17                  did encompass the property of 133 North Court  
18                  Street.

19                  But the purpose in this particular section  
20                  of 145, they give a purpose, and what that  
21                  purpose is, is it says that this Chapter 145 is  
22                  to "promote the use and preservation of  
23                  historic buildings." So we need to determine  
24                  is this an historic building. Is this one of  
25                  the buildings that is supposed to be subject to

1                   certain restrictions and prohibitions?

2                   And then it says, and which reflect the  
3                   "architectural heritage of the Municipality."

4                   So that's going to be another question that we  
5                   have to answer; does this home that sits  
6                   at 133 - a residential structure - does it  
7                   really reflect the architectural heritage, or  
8                   as in the National Registry application, "the  
9                   assemblage of architecture that comprises the  
10                  charm of the Square"?

11                  The next item is to "Protect and enhance  
12                  the attractiveness of the area..." There's  
13                  another questions for us. Does this particular  
14                  home enhance the attractiveness of the area and  
15                  does it support a stimulus to business and  
16                  thereby strengthen the economy of the local  
17                  area? Does it strive to achieve compatibility  
18                  with the historical architectural character,  
19                  and does it finely preserve notable  
20                  accomplishments of the past?

21                  Now, the record from the prior Board  
22                  meetings at the Preservation Board and the --  
23                  well, there was the two hearings, and what  
24                  you'll hear tonight is going to show that this  
25                  property doesn't fulfill any of the purposes;

1                   the present existence of this property doesn't  
2                   fulfill the purposes as set forth by this  
3                   Chapter 145.

4                   So why did, in 1975, the Medina --  
5                   City of Medina consider this property to be  
6                   a radical departure from the coherent  
7                   assemblage of architecture comprising the  
8                   Historic District of the National Registry?  
9                   Why is this not an historic building worthy of  
10                  presentation under Chapter 145? Well,  
11                  Mr. Jones the architect is going to answer some  
12                  of those questions right now, and I believe  
13                  he's going to start with whether this -- the  
14                  architecture aspect of this particular building  
15                  is coherent and is complimentary to what exists  
16                  in the Medina Square.

17                  MR. HUNT:                                   Is this new  
18                  evidence being put on or --

19                  MR. WITSCHEY:                           It's --

20                  MR. HUNT:                                   You said  
21                  there's evidence in the record currently --

22                  MR. WITSCHEY:                           Yes.

23                  MR. HUNT:                                   -- so why  
24                  can't you just reiterate that instead of  
25                  putting new evidence, additional evidence on

1 through a witness?

2 MR. WITSCHEY: So I could do  
3 it, but I would prefer to put on a witness, and  
4 so we're going to challenge your ruling and --

5 MR. HUNT: Well, I'm not  
6 challenging, I'm just questioning. If the  
7 Board wants to hear it, the Board can make that  
8 decision.

9 MR. WITSCHEY: Okay. We'll  
10 let the Board make the decision.

11 Ian.

12 MR. CHAIRMAN: Please  
13 introduce yourself first.

14 MR. JONES: My name is  
15 Ian Jones. I'm a licensed architect at  
16 Mann Parsons Gray Architects in Fairlawn, and  
17 I'm working on behalf of Dr. Raymond and have  
18 done previous projects in the City of Medina  
19 for Dr. Raymond as well.

20 MR. CHAIRMAN: I think  
21 counsel suggested that you limit - if I'm  
22 saying it correctly - your testimony to  
23 reiterating what was previously admitted or  
24 discussed in prior meetings to the extent you  
25 can.

1 MR. JONES: Okay.  
2 So in the prior meeting, one of the  
3 Historic Preservation members, you know, asked  
4 before the vote, or kind of just discussed,  
5 they said, "Well, just because something is  
6 old, doesn't mean it's valuable," and I think  
7 she was getting at something important about  
8 this structure, and it's whether this could be  
9 called historic.

10 Another member at that meeting described  
11 the building as craftsman, which I thought was,  
12 you know, a little not quite there, and I think  
13 when you look back at architecture in the late  
14 nineteenth century, there was the Victorian  
15 period of architecture that was very ornate,  
16 that had, you know, a lot of woodwork details,  
17 they would have asymmetrical facades and, you  
18 know, turrets or towers on the corner.

19                   And then transitioning out of the Victorian  
20                   era was followed up by the Craftsman era in the  
21                   turn-of-the-century, early 1900s, where, you  
22                   know, you saw the Sears & Roebuck homes, you  
23                   saw simplified structures, things like that.  
24                   So a drastic change in architecture.

25 The building up for demolition was built in

about 1909, and it really doesn't embody either style well. You could almost refer to it as a tweener, because it does a little bit of the Victorian era, it does a little bit of the Craftsman era, but it doesn't really do -- it's not a good example of either. So I think, you know, that's -- to consider what's called something historically valuable, it doesn't exemplify any certain period of architecture.

And then when thinking about this as to whether it should be historical, you can consider, you know, the process for applying for the National Register to make it an historic landmark per the National Park System, but for that to happen, the property must have integrity, and it must embody the distinctive characteristics of a type, period, or method of construction, or give the historic sense of a particular period of time. That's one of the things with this building is, it doesn't really do that at all because it's this kind of awkward, you know, tweener building.

And then just applying that at the local level, the Historic Preservation Board and the Code, it mentioned architectural heritage, and

1           that is what is missing in this structure. So  
2           I think it gets at what that member said, where  
3           just because something is old, doesn't mean it  
4           has the architectural value, doesn't mean it  
5           has a history that narrates, you know,  
6           preservation for the next, you know, hundred  
7           years or so.

8           And another thing that was discussed a lot  
9           last meeting was whether this was a demolition  
10          by neglect, and that was discussed a lot, and I  
11          think the main point in this -- you know, for  
12          this building is that all of the changes that  
13          took place for this building, say the aluminum  
14          siding that's not original, you know, filling  
15          in the porch on the south side of the east  
16          facade, replacing windows, things like that,  
17          those could have been considered improvements  
18          at the time, but they've only diminished, you  
19          know, what remaining historical value they  
20          had -- you know, that building had from being  
21          built.

22          And one of the criterion, you know, jumping  
23          back to the National Register, is if this was  
24          something built by a craftsman, for example,  
25          you know, something that has value because of

1                   how well it was crafted, the quality of the  
2                   craftsmanship. And this kind of goes back to  
3                   where it was at this strange period of  
4                   architecture with railroads being  
5                   coast-to-coast and everything, a lot of things  
6                   became premanufactured at that point. So any  
7                   ornate pieces such as the rafters that would  
8                   have had some type of shape to them, a lot of  
9                   those things would have been premade somewhere  
10                  else and then shipped by train to the -- you  
11                  know, to the town and then assembled there. So  
12                  it really doesn't apply as far as, you know,  
13                  being a quality piece of hand-built  
14                  architecture from a significant period of time.

15                 I think it kind of circles back to what  
16                 Frank said where, you know, the City, in 1975,  
17                 did submit to the National Register and they  
18                 did create that boundary that encompassed the  
19                 buildings on the Square and a few just outside  
20                 the Square, and this was not included, and it  
21                 was considered a radical departure from the  
22                 quality of architecture that was, you know,  
23                 deemed back then necessary to preserve.

24                 So I think to call it historic is to only  
25                 look at its age and not the quality of the

1                   architecture, even when it was built and then  
2                   of what remains now, because when it was built,  
3                   it wasn't, you know, a substantial piece of  
4                   architecture in any way, and over the years  
5                   that quality has only diminished through what  
6                   previous owners would have considered  
7                   improvements with new siding, things like that.

So would you like to talk a little bit more about the person that --

10 MR. WITSCHHEY: I can do that,  
11 yeah.

12 MR. JONES: Okay.

13 MR. CHAIRMAN: Thank you.

14 MR. JONES: Yes.

15 MR. CHAIRMAN: Did you want  
16 to come back?

17 MR. WITSCHÉY: So I do have a  
18 few more things.

19 MR. CHAIRMAN: Come back.

20 MR. WITSCHEY: So one of the  
21 other -- you know, when an assessment is being  
22 made about a particular site and whether  
23 there's anything of historical significance,  
24 some of the other things that they look at are  
25 you know, was this a work of some kind of a

1 master? You know, was this Frank Lloyd Wright  
2 that built this home or designed it? The  
3 answer in this particular instance is no.

4 It was built by somebody that was not  
5 renowned. It was a -- my understanding, from  
6 the record, was a gentleman that came here from  
7 a nearby town in Wadsworth and, you know, a  
8 nice town, this guy was probably a nice guy,  
9 but historically significant, no. He lived  
10 there for five years after building the home.  
11 He built carriages, that was in the record,  
12 that's what somebody was able to determine, but  
13 he didn't build the carriages at the home such  
14 that carriage building plays any kind of  
15 historically significant -- has any significant  
16 weight to this particular matter. He wasn't a  
17 famous carriage builder or anything of that  
18 nature.

19 So from that perspective, even the  
20 individual that built the home, there's nothing  
21 really significant about that, you know, from a  
22 historical perspective.

23 And another thing is, is this preserving  
24 some type of an accomplishment? In other  
25 words, you know, where Thomas Edison invented

1                   the light bulb or something like that. The  
2                   carriage was long before this guy and he didn't  
3                   invent anything at that particular site.

4                   So then I think the next thing that we need  
5                   to talk about, or that we need to assess, is  
6                   the economics, because that was a part of this  
7                   whole thing, and this particular home is, you  
8                   know, a home that is not really adaptable to a  
9                   good commercial use or residential use, and  
10                  what would, you know, go -- or what should go  
11                  there is something that compliments,  
12                  architecturally, the Square and something  
13                  that's going to, as it says in the Code,  
14                  attract business.

15                  MR. CHAIRMAN:                   Excuse me.

16                  MR. WITSCHNEY:                 Yes?

17                  MR. CHAIRMAN:                 Your point  
18                  there is -- that's not a part of the appeal.  
19                  You're beginning to address future use, and  
20                  we're advised by counsel that that's not an  
21                  appropriate point.

22                  MR. WITSCHNEY:                 Well, I  
23                  think -- let me then say that what is existing  
24                  there right now is, I don't believe, a good  
25                  economic property. Okay? What happens in the

future is something that will -- we're going to proffer here tonight, and you, you know, are able to assess that or not depending on --

4 MR. CHAIRMAN: We will not  
5 because it's not part of our decision.

6 MR. WITSCHHEY: Okay.

10 MR. WITSCHHEY: Yes. Well,  
11 I --

18 MR. WITSCHHEY: Well --

19 MR. HUNT: And it doesn't  
20 have economic value going forward based on  
21 repairs that need to be made to make it -- to  
22 make it habitable and usable.

23 MR. WITSCHHEY: Okay. What --  
24 I'll let you in just a moment.

25 But I do want to point out that the Board

1 relied on that information, that was part of  
2 it. They talked about "Well, you don't have a  
3 rendition of what it is that you're doing,"  
4 even though it was described. So there were  
5 descriptions that were given of what was going  
6 to be built.

7 MR. HUNT: That was in  
8 the records so you don't have to proffer it.  
9 It's already there.

10 MR. WITSCHEY: Right.

11 So what we have here is what is called a  
12 demonstrative exhibit, which just gives a  
13 visual to what was described.

14 MR. HUNT: It's up to the  
15 Board to accept those drawings that weren't in  
16 the record below. You can proffer it if you  
17 want.

18 MR. WITSCHEY: That's all  
19 we're doing. I mean, there's no offense to  
20 proffering, as you know.

21 MR. HUNT: Exactly.

22 MR. WITSCHEY: I'm not being  
23 adversarial, I just want to proffer.

24 Go ahead.

25 MR. JONES: I think you

1 covered it.

2 I just wanted to mention that day one of  
3 the Board members' vote was specifically tied  
4 to what type of future development would be  
5 there and they specifically asked for drawings,  
6 and so I think, you know, what we're proffering  
7 is an extension of what we described to the  
8 Board and so it's just iterative of what we  
9 presented to the Board, just in drawing form.

10 MR. CHAIRMAN: Let us -- when  
11 we get to Board discussions, let us consider  
12 that point.

13 MR. HUNT: And I would  
14 counsel the Board, of course, as you know, the  
15 opinions of one Board member is not the opinion  
16 of the Board itself, so that would apply to the  
17 Historic Preservation Board as well as the  
18 Board of Zoning Appeals. So the fact that one  
19 member of the Board may have said something as  
20 a member of the Historic Preservation Board, it  
21 is not dispositive of what their decision was  
22 based upon.

23 MR. JONES: Okay.

24 MR. CHAIRMAN: Go ahead and  
25 proceed, if you wish.

1                           MR. JONES:                       Okay. So give  
2                           me just a second.

3                           Frank, may I go ahead and proffer that?

4                           MR. WITSCHEY:                   Yes.

5                           MR. JONES:                       So I did  
6                           bring --

7                           MR. HUNT:                       A proffer is  
8                           really a description of what it is, a brief  
9                           description.

10                          MR. JONES:                      Okay.

11                          MR. HUNT:                       It is what it  
12                          is.

13                          MR. JONES:                      Okay. So what  
14                          we presented at the Board was that, you know,  
15                          we would do something in the vein of what was  
16                          done at the corner lot at West Friendship and  
17                          North Court.

18                          MR. CHAIRMAN:                 We're aware of  
19                          that structure.

20                          MR. JONES:                      Yes.

21                          MR. CHAIRMAN:                 Extremely.

22                          MR. JONES:                      And so, you  
23                          know, we described that this new -- what would  
24                          take place in place of this building would be  
25                          in that same light. It would follow the design

1                   standards that the City of Medina created  
2                   critical to the project. It would have a  
3                   zero-foot setback, just like any commercial  
4                   property elsewhere in the city.

5                   MR. CHAIRMAN:                   I appreciate  
6                   your description, but again, as counsel  
7                   suggested, that's not part of our decision  
8                   process here as to future use. So I guess I  
9                   wouldn't spend a great deal of time describing  
10                  it any further.

11                  MR. JONES:                        Okay. Yeah, I  
12                  just wanted iterate that it would match, you  
13                  know, the design guidelines --

14                  MR. CHAIRMAN:                   I appreciate  
15                  it.

16                  MR. JONES:                        -- as we've  
17                  stated previously. And it would represent  
18                  something like a twentieth century commercial  
19                  block from -- you know, of the era that would  
20                  be cohesive with the City of Medina.

21                  MR. CHAIRMAN:                   Thank you.  
22                  Any further comment, counsel?

23                  MR. WITSCHNEY:                   No. Thank you  
24                  for your time.

25                  On behalf of my client, I would --

1                           MR. JONES:                   I do have one  
2                           more thing. Sorry.

3                           MR. CHAIRMAN:               Go ahead.  
4                           That's all right. Go ahead.

5                           MR. JONES:                   So I did want  
6                           to say that one thing I mentioned at the  
7                           previous meeting, that I don't think was fully  
8                           understood, was the type of development we're  
9                           looking to do, which -- so this is just  
10                          referencing what I spoke of previously, is an  
11                          incremental type of development where -- which  
12                          happened over the course of history; any  
13                          natural development where you would have an  
14                          historic town that had homes, you know,  
15                          centered in the middle of the town, and as the  
16                          town grew, maybe those homes turned into  
17                          storefronts, and from that point they might  
18                          have outgrown the storefront and they would  
19                          either demolish the home or they would build,  
20                          you know, a small structure in front of the  
21                          home.

22                          So this is kind of that time period for  
23                          this property where it was built as a home, it  
24                          later became, you know, not useful as a home,  
25                          just like all historic -- you know, all cities

1 develop in the same way, in a natural way. So  
2 it's that time for this to see its next phase  
3 in this development.

4 MR. CHAIRMAN: I appreciate  
5 your comment. We have other streets in Medina  
6 that have been going through that very similar  
7 discussion in the past year so that -- I think  
8 that's all you have to suggest to us.

9 MR. JONES: Okay, yeah. I  
10 think it's a big difference between, you know,  
11 a property where a developer will gobble up a  
12 bunch of different parcels and do a big  
13 development all at once that doesn't have kind  
14 of that natural feel to it because it was -- it  
15 wasn't organically done, it was just master  
16 planned and not a natural type of development.

17 So I think this is in light of the Code  
18 where it says that it does realize that this is  
19 an ever-changing entity. I think this is the  
20 exact type of development that, you know, would  
21 be warranted by the Code.

22 MR. CHAIRMAN: Thank you.

23 Greg, would you like to -- care to comment  
24 on behalf of the Historical Board?

25 MR. HUBER: Well --

1 MR. CHAIRMAN: If you do, go  
2 to the podium, please.

20                   The house itself, I believe, if you look at  
21                   it, you have pictures of it, you can see the  
22                   porches that were built around. I think the  
23                   house is charming. It's been altered to its  
24                   detriment because the porches have been built  
25                   in, especially around the south side and the

1                   southeast corner, but if you imagine what the  
2                   porch looked like when it was built, which is  
3                   somewhat reflected on the north side of the  
4                   house, this is a house that is attractive.

5                   One of the things that is charming about  
6                   Medina, and one of the reasons we have the  
7                   expansion of the Historic District, has to do  
8                   with the fact that we have charming residential  
9                   houses built close to a very historic downtown.

10                  The fact of the matter is that the  
11                  Historic District, with Mayor Lamb's help, was  
12                  created in the mid-'70s and it was then  
13                  expanded. Prior to this time, none of these  
14                  buildings were well-maintained, or many of them  
15                  weren't. I think it was through the work of  
16                  many people in the late '60s, mid-'70s, which  
17                  is when I was in high school in Medina, that it  
18                  came to a point of recognition that this area  
19                  and this district is worthy of preservation,  
20                  and that preservation includes the residential  
21                  housing that is located so near the  
22                  historic Square. This house is absolutely in  
23                  line with that intent, and the fact of the  
24                  matter is, this house was included in that  
25                  district.

1                   After Mr. Arden died, the house started to  
2 languish, but then was purchased by the  
3 Waite Funeral Home and was the Waite & Son  
4 Funeral Home for a long period of time prior to  
5 Waite moving farther up North Court Street.

6                   The Historic Preservation Board from our  
7 side of the aisle would absolutely be in line  
8 in finding that this is a house of some  
9 historical significance that deserves  
10 consideration for preservation.

11                  At the end of the day, you will have to  
12 decide that. You will have to look at these  
13 photographs. The building was utilized right  
14 up to the point that Dr. Raymond bought it. I  
15 think what Dr. Raymond does is exemplary, but  
16 from, again, this side of the aisle, we would  
17 respectfully disagree that this house should be  
18 torn down.

19                  We did have our building inspector examine  
20 this house. The cost to make it usable in  
21 terms of plumbing and wiring is probably in the  
22 area of three to five thousand, according to  
23 our building inspector. He did take enough  
24 time to look through the inside and the  
25 outside. The porch needs renovation. He

1                   thought probably it may cost as much as thirty  
2                   thousand dollars to repair the porch if you do  
3                   it properly, but after the expenditures of  
4                   those monies, this house is viable  
5                   economically, and that is the second part of  
6                   what you have to weigh from.

7                   Again, the City's point of view, this  
8                   is a house worthy of preservation, so we would  
9                   respectfully ask that the Board of Zoning  
10                  Appeals take into consideration that this was  
11                  accepted as a building in the Historic  
12                  District. It does have historic significance.  
13                  There is a positive history attentive to the  
14                  construction. It's a very attractive, charming  
15                  house on its own. It needs a little bit of  
16                  love and care, and I think from the City side  
17                  of the aisle, we would like to see Dr. Raymond  
18                  fix it.

19                   MR. CHAIRMAN:                   Thank you.

20                   Counsel, any further comeback or rebuttal  
21                  to Counsel Huber?

22                   MR. WITSCHEY:                   Yes, just a  
23                  couple points.

24                   You know, I would emphasize the fact that  
25                  it is -- the architecture is like this tweener,

1 and there's the improvements - quote,  
2 "improvements" - that were made long before my  
3 client ever purchased the building, which  
4 further detracted, you know, from this property  
5 that is not in the realm of complimenting the  
6 architecture of the -- of the Square.

7 And in the Code section, too, I would also  
8 like to point out that there is an element in  
9 the whole "should we preserve something as  
10 historical," and those elements of the economy  
11 and how it would or would not aid the local  
12 economy. So not just economics from the  
13 owner's standpoint, but what is it going to do  
14 for the community? And this home and what  
15 could be done with it, if it is -- if it is not  
16 demolished and something else comes in, as it  
17 presently exists, it's not going to help the  
18 community from an economic standpoint, and I  
19 think that there was evidence on the record in  
20 the previous hearings to that effect as well.

21 Thanks.

22 MR. CHAIRMAN: Thanks.

23 MR. HUBER: Can I address  
24 that?

25 MR. CHAIRMAN: Sure,

1                   certainly.

2                   MR. HUBER:    Part of what  
3                   makes Medina Medina has to do with the fact  
4                   that we have residences like this house located  
5                   so close to the Historic Square. The fact is  
6                   that what is desirable involves having people  
7                   live near the downtown, and this house as a  
8                   residence is viable. It could be made a  
9                   residence. I think the City of Medina has  
10                   prided itself on the fact that we have so many  
11                   of these kinds of houses that are charming and  
12                   attractive that can be maintained while we have  
13                   people living close together in the downtown  
14                   area.

15                   Creating a commercial downtown isn't  
16                   historically what is desired in terms of  
17                   the Historic District, and part of the  
18                   Historic District involved the very idea of the  
19                   residence buildings themselves and that's what  
20                   this house is. It needs to be preserved.

21                   MR. CHAIRMAN:    Does anyone  
22                   from the public wish to make any comment  
23                   particularly -- unless it was new evidence from  
24                   the public, then we would be glad to hear it,  
25                   otherwise not so.

1 (No response.)

2 MR. CHAIRMAN: We're at the  
3 point of a Board discussion. I'm thinking  
4 about whether we take a brief executive session  
5 to discuss matters of law, that we excuse  
6 ourselves from the room for a few minutes ,and  
7 then we'll come back.

8 Do you think that's appropriate, counsel?

9 MR. HUNT: Yes, it is.  
10 It is in these quasi-judicial proceedings, and  
11 the purpose would be to obtain legal advice  
12 from the Board's counsel.

13 MR. WILLIAMS: Mr. Chairman,  
14 I would make a motion that we go into executive  
15 session for purposes of the law.

16 MS. FRY: I'll second.

17 MR. CHAIRMAN: I don't know  
18 who is taking the roll.

19 MR. MENDEL: Hold on, I'll  
20 take the roll. Let me just -- I've got to make  
21 a note for executive session.

22 MR. CHAIRMAN: Brandi --

23 MR. MENDEL: Hold on.

24 MR. WITSCHEY: Todd, if I  
25 could, there's one other thing that I would

1 like to read from the Code section.

2 MR. CHAIRMAN: Certainly.

3 That's fine.

4 MR. WITSCHEY: And I think  
5 perhaps maybe just to kind of get into things  
6 and gloss over this, but right within the  
7 Section 145.07 design guidelines and demolition  
8 criteria, it does say "consistent with this  
9 intent --" or "the Board encourages the saving  
10 and adaptive re-use of buildings significant to  
11 the character of the Historic District and the  
12 history of the City. Consistent with this  
13 intent, the Board also realizes the  
14 Historic District is not a static environment,  
15 but an ever-changing and developing entity.

16 "In reviewing an application, the Board  
17 will also consider the impact of the proposed  
18 use of the site on the Historic District.

19 Demolition of existing buildings which are not  
20 a significant loss to the Historic District to  
21 allow for the construction of new development  
22 which enhances the Historic District may be  
23 acceptable."

24 So we -- the crux of our case is this would  
25 not be a significant loss, especially in

1 consideration of the enhancement that could be  
2 made to the area.

3 MR. CHAIRMAN: Thank you.

4 MR. MENDEL: I'm ready for  
5 a roll call.

6 MR. CHAIRMAN: Go ahead,  
7 Jonathan.

8 MR. MENDEL: Humpal?

9 MR. CHAIRMAN: Yes.

10 MR. MENDEL: Williams?

11 MR. WILLIAMS: Yes.

12 MR. MENDEL: Roszak?

13 MR. ROSZAK: Yes.

14 MR. MENDEL: Henwood?

15 MR. HENWOOD: Yes.

16 MR. MENDEL: Fry?

17 MS. FRY: Yes.

18 MR. CHAIRMAN: All right.

19 Executive session.

20 I think I can -- I will -- if you want to,  
21 I can take you to the council room --

22 MR. CHAIRMAN: We can  
23 either --

24 MR. MENDEL: -- the table  
25 in there. That's really the best spot that's

1 kind of --

2 MR. CHAIRMAN: Just up to the  
3 rotunda.

4 MR. MENDEL: There's a  
5 meeting going on up there, so I have to take  
6 you to a closed room.

7 MR. CHAIRMAN: Okay.

8 (Whereupon, the proceedings stood in  
9 recess while the members of the Board of Zoning  
10 Appeals retired to executive session.)

11 MR. CHAIRMAN: We are  
12 returning to call back to order. It's about  
13 7:14.

14 MR. MENDEL: 7:14.

15 MR. CHAIRMAN: We're to the  
16 point where we ask the Board for either  
17 questions, comments, discussions, as you may  
18 wish.

19 MR. WILLIAMS: Sure.

20 Mr. Huber, a question for you, sir. You  
21 mentioned a dollar figure. I'm not sure if I  
22 remember exactly what it was, but it was in the  
23 single-digit thousands that would bring the  
24 building under question up to the standard  
25 enough to be viable.



1 building.

2 It needs mechanical repairs, and Dan  
3 estimated in his own opinion as to three to  
4 five thousand to get the mechanicals repaired.

5 He thought to fix the entire foundation of  
6 the building -- if you look at Page 48 of his  
7 testimony, entire foundation, if it's really  
8 done exactly right, would be about ninety  
9 thousand dollars. He didn't think that would  
10 need to be done to make it economically viable.

11 He did think it would be a good idea to fix  
12 the porch, and he figured the cost of about  
13 thirty thousand dollars to renew the porch and  
14 the foundation there.

15 So about thirty-five thousand, thirty-six  
16 thousand, is what he estimated and that's based  
17 upon his observations.

18 MR. WILLIAMS: Thank you.

19 MR. CHAIRMAN: And, Greg, if  
20 I may, there was no cost estimated to come up  
21 to ADA standards or whatever for commercial  
22 use?

23 MR. HUBER: No. He didn't  
24 think that was required.

25 MR. CHAIRMAN: As a C-3 use I

1 think. I don't know that.

2 Go ahead, Board. Any other questions or  
3 observations?

4 MR. WITSCHEY: Can I add  
5 something to the question?

6 There is a section in the first hearing,  
7 the meeting minutes, where there was another  
8 contractor that was asked about getting the  
9 building back up to what it was used for  
10 previously, which was some office units and  
11 what not, and he had two hundred and  
12 eighty-seven thousand. That's on Page 9.

13 MR. CHAIRMAN: Was that at  
14 the October meeting?

15 MR. MENDEL: The October  
16 meeting, yes.

17 MR. CHAIRMAN: It seems to  
18 me, as an observation, that there's no real  
19 economic value calculation of presentation  
20 anywhere in the testimony given at this point.

21 MR. WILLIAMS: Yeah.

22 MR. CHAIRMAN: So it makes a  
23 difficult decision as to whether there's  
24 economic viability of the building or not for  
25 us to come to a conclusion.

1 MR. WILLIAMS: Mr. Chairman?

2 MR. CHAIRMAN: Yes?

3 MR. WILLIAMS: Barring other

4 Board input -- I'm going to withdraw that.

5 MR. CHAIRMAN: Okay.

6 Any other comment?

7 (No response.)

8 MR. CHAIRMAN: Counsel,

anything else that should be added?

10 MR. HUNT: No, I don't  
11 believe so.

I will add that the Historic Preservation Board did not state any reasons or conclusions or any findings to support its conclusion, so it's awfully difficult for the appeal court -- or even if you're in the court setting, an appeal court to determine if there was some error on the part of the board below or the court below, and I think that's the dilemma that you're in.

21 MR. CHAIRMAN: I think so.

It may be that a motion's appropriate.

23                   One of the options available to us is to  
24                   remand the case to the Historic Preservation  
25                   Board to do the added homework and come to t

1 total conclusion.

2 MR. HUNT: With reason.

3 MR. CHAIRMAN: With reason,

4 yes.

5 And proceed from that point on and,  
6 depending on where HPB ends up, if that's the  
7 case or if we do remand, then we continue on  
8 and then it will be up to the Council to decide  
9 perhaps from a future HPB activity.

10 MR. HUBER: Can I ask, if  
11 you're going to remand, that you zero in on  
12 what you want the HPB to --

13 MR. CHAIRMAN: Yes.

14 MR. HUBER: -- advise, and  
15 then Attorney Witschey can zero in on it, I can  
16 zero in on it, and --

17 MR. CHAIRMAN: Yes.

18 MR. HUBER: Okay.

19 MR. HENWOOD: I'm ready to  
20 make a motion.

21 MR. CHAIRMAN: Go ahead.

22 MR. HENWOOD: All right. I  
23 move to remand the Historic Preservation Board  
24 Case H20-06 to make written findings as to the  
25 following; (A), specifically whether the

1 subject property has some historic significance  
2 to the City of Medina; (B), whether the  
3 reasonable estimated minimum cost to repair the  
4 existing structure to a safe and usable  
5 condition within the C-2 Zoning Code permitted  
6 uses outweighs the fair market value of the  
7 property; and (C), whether there is an  
8 economically viable use of the property without  
9 regard to future use of the property if  
10 demolition is approved.

11 MR. CHAIRMAN: Is there a  
12 second?

13 MR. ROSZAK: Second.

14 MR. CHAIRMAN: You may call  
15 the roll.

16 Let me back up. I failed to ask for any  
17 discussion on the motion. Excuse me.

18 MR. WILLIAMS: Certainly,  
19 Mr. Chair.

20 I think -- as a Board, I think we would be  
21 looking, Mr. Huber, to address your point  
22 specifically in that financial accounting of  
23 work needing done to bring it up to a usable  
24 standard and a financially beneficial standard.

We will be looking for substantiation,

itemization, and documentation. Those are appropriate.

MR. WITSCHEY: So does this mean another evidentiary hearing for those materials?

MR. CHAIRMAN: However the HBP would choose to do their homework. I would assume that they're going to have to ask for advice or outside counsel to do their homework, but that's entirely up to HPB how they want to do it.

MR. HUBER: So I'm assuming if the Historic Preservation Board wants to have somebody that the City hires to look at the building, that it would be available for us to do that. We're going to have go through another evidentiary hearing. Is that --

MR. WITSCHÉY: I think.

MR. HUBER: All right.

MR. CHAIRMAN: That's -- I would think that would be depending on the conclusion of HPB whether this appeal will remain open until we hear from HPB, and we may resume, or depending on where they end up on a

1 remand.

2 I think we can call the roll then,  
3 Jonathan.

4 MR. MENDEL: Yes.

5 Roszak?

6 MR. ROSZAK: Yes.

7 MR. MENDEL: Humpal?

8 MR. CHAIRMAN: Yes.

9 MR. MENDEL: Henwood?

10 MR. HENWOOD: Yes.

11 MR. MENDEL: Fry?

12 MS. FRY: Yes.

13 MR. MENDEL: Williams?

14 MR. WILLIAMS: Yes.

15 MR. MENDEL: All right.

16 The motion to remand as outlined by Mr. Henwood  
17 is approved five-zero.

18 MR. CHAIRMAN: Very good.

19 Any further business this evening?

20 MR. MENDEL: No.

21 MR. CHAIRMAN: We are  
22 adjourned.

23 (Proceedings concluded.)

24 - - -

25

1 STATE OF OHIO )  
2 COUNTY OF MEDINA. ) ss:  
3

CERTIFICATE

I, Nicholas Glatzhofer, Assistant Official Court Reporter and Notary Public within and for the State of Ohio, hereby certify that the above and foregoing is a true and correct transcription of my stenographic notes as taken by me on the 4th day of March, 2021.

I further certify that this is a full and complete transcription of the above-entitled cause.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Medina, Ohio this 19th day of March, 2021.

Nicholas Glatzhofer,  
Assistant Official Court Reporter  
and Notary Public within and for  
the State of Ohio.  
My commission expires 10/24/2023.