

## Demolition and/or Economic Hardship Case Sheet

### Documentation for the Demolition and/or an Economic Hardship Claim of Historic Properties

#### Historic Conservation Office

Applicants requesting a Demolition and/or Economic Hardship must provide the following information. If you have a demolition, first refer to Section 1. If you are claiming and Economic Hardship for a demolition or alteration, go straight to Section 2. Applications that are not supported by testimony, documentary evidence or written statements are subject to disapproval. All answers must be in written form in a separate document. Answers filled in on this form will not be accepted.

#### Section 1:

A property owner who wishes to demolish a local landmark or a building located in a local historic district must demonstrate to the Historic Conservation Board that they meet one of the following conditions.

1. Emergency Demolition
  - a. Must have a letter from the Director of Buildings and Inspections declaring it a Emergency Demolition in accordance with section 1435-09-5 of the City of Cincinnati Zoning Code.
2. Demolition of a Non-Contributing building or addition
  - a. Must be listed in the applicable guidelines as non-contributing or if not listed as non-contributing, must provide justification why the building should be considered non-contributing; and
  - b. The demolition will not adversely affect the streetscape.
3. The Demolition is for inappropriate addition or a non-significant portion of a building.
  - a. The demolition does not adversely affect significant parts of the building; and
  - b. The addition or non-significant portion highly is not highly visible from the street; or
  - c. The demolition will not adversely affect the streetscape.
4. The Demolition is due to an Economic Hardship. *If claiming Economic Hardship the applicant must answer all questions in Section 2.*
5. The demolition may be permitted through other conditions set forth in the applicable guidelines for the property.

#### Section 2:

A property owner who wishes to demolish or proposes work that is not substantially compatible with the Historic Conservation must demonstrate to the Historic Conservation Board that there is no feasible and prudent alternative that would conform to the conservation guidelines and the applicant must also show that the strict application of the guidelines would deny the owner a reasonable rate of return on the real property and would amount to an economic hardship.

When an applicant claims that the strict application of the conservation guidelines would amount to an economic hardship, the applicant must submit answers to the following questions, in written form in a separate document, to the Urban Conservator.

1. The amount paid for the property, the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner and the person from whom the property was purchased;
2. Annual gross (pre-tax minus maintenance and other costs) income from the property for the previous three (3) years;

3. Itemized operating and maintenance expenses for the previous three (3) years;
4. An itemized statement of the annual costs of all insurance on the property;
5. The value of significant interior and exterior improvements made after purchase;
6. Real estate taxes for the previous three (3) years;
7. Remaining balance on the mortgage of other financing secured by the property and annual debt service, if any, for the previous three (3) years;
8. The assessed value of the land and improvements thereon according to the three (3) most recent assessments;
9. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with his purchase, financing or ownership of the property;
10. Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other.
11. Any state or federal income tax returns relating to the property for the last two years.
12. Any listing of the property for sale or rent, price asked and offers received if any;
13. Any real estate broker or firm engaged to sell or lease the property;
14. Proof of reasonableness of price or rent sought by the applicant;
15. Any advertisements placed for the sale or rent of the property;
16. The condition of the property when purchased;
17. All available reports, if any, on the structural condition of the property.
18. Any consideration by the owner as to profitable adaptive uses for the property;
19. Whether or not the property was occupied when purchased, and any income from the property at the time it was purchased immediately or prior thereto.
20. Annual cash flow, if any, for the previous two (2) years.
21. For vacant, semi-vacant and under-utilized buildings, or buildings in need of rehabilitation, owner is required to submit a statement of estimated market value and potential return on investment based on existing or all potential legal new uses, including cost estimates of rehabilitation, and supplementary new construction, The applicants must use fair market value for the property, a "reasonable" rate of return on investment, and prevailing rehabilitation and rental rates in the area (including floor area per floor and total).
22. Consideration if partial use of the building would be able to gain a reasonable economic return on the building.
23. Consideration of economic incentives and/or funding available through the federal, state, city or private programs on the pro-formas for rehabilitation that would affect the potential return on investment the property.
24. Estimated market value and/or income from the property after the demolition of the structure or structures.
25. Statement from the owner of knowledge of landmark designation or potential designation at the time of acquisition.
26. Credentials of all professionals providing evidence including but not limited to structural engineering report, market values, rental rates, appraisals, construction cost estimates, and pro-formas.