

Architectural Design Review Board
Tuesday, January 19, 2016
4:30 p.m.

Planning Commission	At-Large		Council	Chamber of Commerce	Rossville
VACANT	Steve Beckman <input checked="" type="checkbox"/>	Armand Bloch <input checked="" type="checkbox"/>	Robert Brown	Madam Chair Mary Pat Essman <input checked="" type="checkbox"/>	Pauline Fairbanks
Dave Belew				Rob Weigel	Jane Jacobs <input checked="" type="checkbox"/>
SID	Dayton Lane	Architect	German Village	Historic Hamilton	
Larry Fiehrer <input checked="" type="checkbox"/>	Dan Graham	Todd Palechek <input checked="" type="checkbox"/>	Debbie Ripperger <input checked="" type="checkbox"/>	Karen Whalen <input checked="" type="checkbox"/>	
Rick Demmel	Thomas O'Neill <input checked="" type="checkbox"/>		Ann Brown	Shi O'Neill	

Staff: Ed Wilson, City of Hamilton; Heather Hodges, City of Hamilton; Kim Kirsch, City of Hamilton

Guests: Myra Hargrove; Dan Acton

The meeting was called to order by Ms. Essman, Madam Chair, at 4:30 pm.

Ms. Essman welcomed Mr. Beckman to the Board.

I. **Roll Call:**

Mr. Beckman, Mr. Bloch, Ms. Essman, Ms. Jacobs, Mr. Fiehrer, Mr. O'Neill, Mr. Palechek, Ms. Ripperger, and Ms. Whalen were present.

II. **Approval of Meeting Minutes – Written Summary and Audio Recording for these dates:**

A. October 6, 2015 and November 3, 2015 - Motion to Approve by Mr. Bloch, 2nd by Mr. Palechek. With all "ayes", the Motion passes and both sets of minutes are approved.

III. Properties Seeking COA

1. Agenda Item #1 - 337 Ross Avenue (Rossville) – Handrail Installation, Windows

337 Ross Avenue was verbally reported to the Community Development Planning Division, for an installed handrail on the property. Staff investigated and verified, leading to the issuance of a Stop Work order. The Applicant promptly contacted Community Development to resolve the situation. This was followed by the submittal of a COA Application for inclusion in the January 19, 2016 Architectural Design Review Board agenda for review.

Staff also noted to the applicant that a comparison of prior photos to the present day condition of the structure showed different windows, indicative of window replacement work. The Applicant noted and confirmed this, including the item in the COA Application for review.

Additionally, the Applicant party intended to relay supporting information necessitating the need for the window replacement. Concurrently and on Staff suggestion, the Applicant party would research other possibilities to bring the windows back to an appearance similar or matching the previous original windows of the structure.

The Applicant and COA Application noted the handrail was installed for a disabled tenant residing at 337 Ross Avenue.

The Applicant party noted that work such as repair of gutters and painting was performed previously and in response to an issued Compliance Order from the City's Health Division.

State of Ohio Historic Designation:

This property of 337 Ross Avenue is part of the State of Ohio Historic Inventory, referenced as BUT-580-9.

Proposal

Hand Rail Installation

- Installation of Temporary Handrail at front exterior at the request of a disabled tenant.

- Permanent Handrail was to be installed at the completion of Concrete Repair Work. Due to the Stop Work order, this has not been completed.

Window Replacement

- Per Applicant: Replacement of existing windows. Double Hung, Wood, Painted White
- Per Applicant: New windows have been installed and are proposed for structure. Double Hung, Vinyl Replacement, White.
 - Easton – Signature Series, Vinylmax Windows

Ms. Myra Hargrove, Representative for the Applicant, was in attendance. A discussion took place between Mr. Bloch, Mr. Fiehrer, Ms. Jacobs and Ms. Hargrove regarding why the handrail was put up, the number of handrails (2), whether or not there had been a handrail previously, what type of handrail would work best, and if it would be possible to extend the handrail up to the piece of pipe. Ms. Hargrove stated during the course of conversation that the concrete work repair has now been completed, and that they haven't completed the handrails yet due to the Stop Work Order.

Mr. Bloch made a Motion to approve the installation of a Black metal handrail as presented, with the additional condition of replacing the existing elbow handrail found at the porch step to the 341 Ross Avenue, with the same approved Black Metal Handrail, for consistency. With a 2nd by Ms. Whalen and all "ayes", the Motion passes.

Ms. Hargrove said that she still needs approval for paint. She said that they had proposed a like-for-like for paint and once they received the Stop Work Order, they did not paint. Her gutter repairs have been done, but the paint has not. Mr. Wilson replied that if it is "like-for-like", he can approve such an item as Secretary of the Board.

With regard to the windows, Mr. Wilson states that there is a dispute because the original windows have been replaced by white vinyl windows. The original windows were double hung white wood. Mr. Wilson says that he advised the Applicant to include the windows for discussion.

Ms. Essman verified with Mr. Wilson why the windows were before the Board, and he said because it was work done without a COA. She asked him what the Board's options are and he said that they can either accept or deny the work that has been done.

In addition, he says that he had spoken to Ms. Hargrove about researching other possibilities to bring the windows back to an appearance similar or matching the previous original windows of the structure. In response, Ms. Hargrove said that she wanted to see what the Board's thoughts were on the situation.

Ms. Essman asked if there was a picture of how it looked previously, and Mr. Wilson showed her a picture from 1990 that show windows with sashes. She then asked how they presently are, and Mr. Wilson said that they are white vinyl with no sashes.

Ms. Jacobs said that she saw the property this past summer when the work was being done and she said that all the sashes had been removed and were standing in the front yard. She believed that they were not white, but unpainted wood and they were in good shape. She said that she mentioned to the guys that were working there that they couldn't do the work without a COA, and they replied to her that the work had been approved. She said that she also noticed at the time that the sashes were all in remarkably good shape, they just needed to be reglazed and repaired. The lower windows are floor to ceiling, and the windows that they have put in the front don't fit right. She also mentioned that guidelines were discussed in the working meetings earlier in the year and the Board's stance on "like-for-like", and that the vinyl windows certainly wouldn't be in a house of that age originally.

Ms. Hargrove replied that the issue is that they have never been included in any of the Historic District, and weren't aware that it was a historic property prior to the Stop Work Order for the handrail. She said that Ms. McCall bought the property in 1999, checked with the City at that time, and was told by Mary Mahoney (a former City of Hamilton employee) that it was not a part of the historic district. She stated that Ms. McCall has done other work to the exterior, has painted several times, and has never been told that they are in a historic district. She says that Ms. McCall didn't know what she had to get pre-approval before doing any work to the house.

Ms. Whalen asked how many other properties Ms. McCall has located in a historic district, and she replied that she doesn't know offhand, but can come back with that number. She said that when Ms. McCall knows that it's a historic property, she always gets a COA prior to doing any work.

Ms. Jacobs asked when the property was purchased and Ms. Hargrove said that it was in January of 1999. Ms. Jacobs said that it was in the Rossville Historic District at the time, and the Realtor would have been obligated to tell the owner that, so she's not sure that she believes that the owner was unaware.

Ms. Ripperger says that there are signs up that say "Welcome to the Rossville Historic District".

Mr. Bloch asked if they took the chimney off of the house also, and Ms. Jacobs said that she believes that they are gone.

Ms. Whalen said that there is a recurring problem with people doing the work and then saying that they didn't know.

Mr. Fiehrer asked when the windows were installed, and she said they were done in May as a cost savings to the tenants. Ms. Whalen replied that it's unknown if the windows being reglazed and repaired would have resulted in the same savings to the tenants.

Ms. Essman asked Mr. Wilson about what he had asked the Applicant to bring to the meeting, and he went over that. She confirmed with Ms. Hargrove that she hasn't done what he asked because she wanted to get input from the Board first, and she verified that. She says that what Ms. McCall would like to do is to take the money that it would take to buy new windows that are acceptable, and apply it instead to other improvements on the property.

Ms. Jacobs said that it's not the lights, it's the material that the issue. She said that the Board did discuss using a composite material at the meeting that's acceptable. The bigger issue to her is that the windows on the bottom don't fit. Ms. Essman and Ms. Jacobs talked about what she would like to be done, and how the situation could be remedied to the Board's satisfaction.

Ms. Essman advised Ms. Hargrove that the Board is requesting that she do research and bring something back that will make it look as it was. Mr. Bloch said there should be some current windows that would look the same with the multi grids.

Mr. Fiehrer made a Motion to table the window item until the next meeting. With a 2nd by Mr. Bloch and all "ayes", the Motion carries.

Mr. Dan Acton, Consultant for Missy McCall and the Butler County Investment Property Owners Association, also spoke. He said that he feels that there is a recurring theme of lack of notice that properties are in a historical district, and he made reference back to Mr. Pruitt's situation. Mr. Wilson gave him the information about what Staff is doing at this time as far as notification letters to homeowners in the historical district, as well as State Historic Inventory. Ms. Jacobs stated that Mr. Pruitt had applied for a previous COA, so she believes that he knew he was in a historic district. There was then a discussion about the Rossville Historic meetings, and the fact that they are not open to the public, they are strictly board meetings. He said that he would like some identifiable procedure that there is evidentiary material that those persons have been served that they are, in fact, in a historic property. Ms. Essman verified with Mr. Wilson that mailings have gone out, and Mr. Acton asked if those were standard bulk rate, as he feels (and thinks that Mr. Fiehrer would concur) that if there is an

issue in the future and the homeowner says that the kids got the mail and they didn't know anything about it, there could be an issue. He wonders if Mr. Fiehrer couldn't work with Mr. Wilson to come up with something, perhaps sending it all certified mail. Ms. Essman asked Mr. Wilson if the notice was sent to the property owner or resident, and he replied that it's sent to the property owner. Ms. Jacobs said she has hand delivered invitations to different events several times in the past year to the residents. Mr. Acton said that he believes that Ms. McCall has been very diligent in getting prior approval for work done to historic houses, and that this one just slipped through the cracks. He said that if his association can help with the process of notification, he will certainly be willing to put that as an agenda item in their newsletter. Ms. Essman said she thought was a great idea. Ms. Ripperger said that she believes that if you buy a property through a real estate agent, they are obligated to tell you, and Mr. Acton responded that it's true if it's done through an agent, but not necessarily if it's a home owner that is doing the sale. He thinks the solution could be that the titles are branded so that whenever a property is sold, it's marked on it.

Ms. Whalen said that she had an editorial comment that if you buy a property and you look around and everything looks really old, it kind of might be a clue that it's a historic district. She further stated that she believes that there are people, "not you all", but there are people who know that they are in a historic district that think if they can do the work quickly and even if they get a Stop Work Order, "what can they do"? She went on to say that the Board can just do the best that they can to try to follow their guidelines, try to inform everybody, and certainly keep trying to do a better job in the future.

Mr. Bloch asked if we can make a concerted effort to inform all of the real estate agencies that function within the Hamilton/Fairfield area about the locations and parameters of the historic district. Mr. Wilson said that it's worth investigating.

Mr. Fiehrer asked Mr. Wilson how quickly something has to be done by the Board on the COA, and he replied that it's 30 days, unless the Board agrees to a longer period. Ms. Essman said that if it doesn't come before them, they would certainly do that.

IV. Miscellaneous/Discussion/On the Radar

Inquiries Received:

- 425 N 3rd Street –Like-for-Like COA for repair of concrete half-wall, window glass, downspouts, missing fence and painting.
- 306 S "D" Street
- 328 S "D" Street
- 1010 Dayton Street
- 137 Hueston Street
- 149 Hueston Street

- 344 Ross Avenue
- 401 N 2nd Street
- 416 N 3rd Street

Ms. Jacobs noted that three of those properties were hers, but she's gotten COA's on them, and Mr. Wilson advised that if he gets an inquiry, it's part of the list.

V. Adjourn

With nothing further, Mr. Bloch made a Motion to Adjourn, with a 2nd by Mr. Palechek.

Submitted by:

Chair:



Ed Wilson
Secretary, ADRB



Ms. Mary Pat Essman
Madam Chair, ADRB

