

Architectural Design Review Board
Tuesday, May 17, 2016
4:30 p.m.

Planning Commission	At-Large		Council	Chamber of Commerce	Rossville
Tom Alf	Steve Beckman <input checked="" type="checkbox"/>	Armand Bloch	Robert Brown <input checked="" type="checkbox"/>	Madam Chair Mary Pat Essman <input checked="" type="checkbox"/>	Pauline Fairbanks <input checked="" type="checkbox"/>
Joshua Smith				Rob Weigel	Jane Jacobs
SID					
	Dayton Lane	Architect	German Village	Historic Hamilton	
Larry Fiehrer	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: Mr. Ed Wilson, Ms. Heather Hodges, Ms. Meredith Murphy

Guests: Jane Jacobs, Bud Arbino, Mr. Meschoulam and Ms. Kathy Dudley.

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

Roll Call:

Mr. Beckman, Mr. Brown, Madam Chair Essman, Ms. Fairbanks, Mr. O'Neill, Mr. Palechek, Ms. Ripperger, and Ms. Whalen.

I. Swearing in of Those Providing Testimony to the Board:

Members of the audience wishing to speak were sworn in by Mr. Edward Wilson, Secretary for ADRB. Ms. Kathy Dudley (Assistant Law Director) was in attendance as an Applicant.

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

- A. March 1, 2016. Motion to Approve by Mr. Brown. With a 2nd by Ms. Rippererger and all “ayes” except for Fairbanks (abstained), the Motion passes 7-1.

III. Properties Seeking COA – Old Business

Agenda Item # 1 - 127 Hueston Street (Rossville) – Front Shutters

Introduction:

The Applicant, Jane Jacobs, has submitted a Certificate of Appropriateness Application for the property of 127 Hueston Street. The proposal involves removal of vinyl siding and vinyl windows; installation of wooden windows; painting; and the addition of shutters on the front of the house.

The proposal of Shutters to the front of the house remains as an item in need of ADRB review, having been tabled at the May 3rd 2016 meeting.

The subject property of 127 Hueston Street is part of the Rossville Historic District and is Zoned “R-4”, Multi-Family Residential.

State of Ohio Historic Designation

This property of 127 Hueston Street is not part of the State of Ohio Historic Inventory.

Proposal:

Addition of shutters on front of structure.

Shutters

- Add shutters to front of house

Mr. Wilson indicated that the Applicant, Ms. Jane Jacobs, was present and wanted to present her case to the Board.

Ms. Jacobs said that she had a picture from the 1930’s that has the original shutters on it before the vinyl was put on. Her plan is to put one double wooden shutter on each side. She is definitely putting them on the front (top and one under the porch) now, and may put them on the rest of the house if she can find some in salvage.

Mr. Palechek asked Ms. Jacobs if it was two shutters on each side, or one that is a double width, and she said it is one double width shutter on each side (with a strip down the middle).

Ms. Jacobs said that when she removes the rest of the vinyl, she will be replacing the corbel on the front and one on the side. It was determined that Ms. Jacobs had not asked for that previously, so she is making that request now in addition to the shutters.

Mr. Brown if it's going to be "like-for-like" and she said yes it would, because they will match the original.

With no further input from the audience, Mr. Brown made a Motion to close the Public Hearing. With a 2nd by Mr. Beckman and all "ayes", the Public Hearing was closed.

Ms. Whalen made a Motion to approve the request for shutters as proposed to the front of the house, and the addition of Corbels and Cove Molding at the Peaks of the front and side gables. With a 2nd by Mr. Palechek and all "ayes" to a roll call vote, the Motion passes by a vote of 8-0.

IV. Properties Seeking COA - New Business

Agenda Item # 1 - 232 North Second Street (German Village) – Gable Window

Introduction:

The Applicant, Marion Arbino, has submitted a Certificate of Appropriateness Application for the property of 232 North Second Street. The proposal involves replacement of existing gable window with a new rectangular window.

The subject property of 232 North Second Street is part of the German Village Historic District and is Zoned "BPD" – Business Planned Development.

Background:

During the consultation meeting, Staff provided Mr. Arbino with a copy of the ADRB Policies & Guidelines, with citation towards the subject of windows. Additionally, Staff summarized to Mr. Arbino that the ADRB focus pertains to the exterior appearance and design of the structure. Likewise, it was noted that the current state of 232 North Second Street consisted of several non-historic and/or artificial construction products already in place at the structure, and having been in place for years. This was further supported by an issued COA approving Aluminum Siding to the wood siding from Hamilton's German Village Commission, circa 1977.

In summation, due to the existing use and evidence of approval of non-original materials, the impact of a non-original artificial replacement window, with poplar wood trim, as noted by the Applicant, is arguably negligible compared to most typical non-original material proposals, such as full vinyl siding or replacement of all windows as vinyl on a historic structure.

At the end of the meeting, Staff supplied a copy of the ADRB Policies & Guidelines with emphasis on the topic of windows, printed copies of the inventory photos showing the appearance alteration – both the former and current state of 232 North Second Street as of the latest Community Development-ADRB records, and a copy of the COA issued by the Hamilton German Village – circa 1977. The foremost item is included as an overall ADRB Agenda attachment, while the latter items are included as Exhibit Attachments for this report.

State of Ohio Historic Designation

This property of 232 North Second Street is not part of the State Historic Inventory.

Proposal:

- Replacement of existing wooden gable window with a new rectangular vinyl window, trimmed in poplar wood.

The work has already occurred without a COA.

Mr. Wilson indicated that the Applicant, Mr. Arbino, was present in the audience, and would be available for questions after his summary of the facts.

The case of 232 North Second Street began with visual confirmation of work occurring without a Certificate of Appropriateness (COA) at the residential structure, April 15, 2016. This confirmation transpired during a local inventory session and photographs were taken as evidence of the occurrence on this date. This was followed by the issuance of a Stop Work order through the mail.

Thereafter and upon receipt of the Stop Work order, the property owner and applicant, Mr. Arbino, contacted the Planning Division to discuss the specifics and gain information on the needed steps to resolve the situation. Staff answered Mr. Arbino's questions and outlined the approval process steps for COA application and ADRB review.

Following this, Mr. Arbino met in-person to further discuss the situation involving 232 North Second Street. The Applicant highlighted the work that occurred at 232 North Second Street, emphasizing that the existing gable windows were rotted and needed replacement. Mr. Arbino mentioned the compounding items of the Health Division citing the gable window for paint, the subsequent court

case and the resultant monetary fine. He said that he was given 3 weeks to get the problem fixed, and he was able to do that.

Mr. Arbino also revealed the aluminum siding covering the gable was damaged in a recent windstorm, prompting the decision to remove that siding; the outcome of which revealed the original fish-scale/scallop siding, which the Applicant touched up with white paint.

After a discussion between the Board and Mr. Arbino regarding his proposal (including any possible code violations, whether or not the area in question was livable, what the code violation from the Health Department was for, what the process is for service of a Health Department citation, the reason for the Stop Work Order, and several options that they think would work), Mr. Palechek made a Motion to close the public hearing. With a 2nd by Ms. Whalen and all "ayes", the Motion passes and the public hearing is closed.

After a discussion between the Board members, Mr. Palechek made a Motion to modify the request as submitted, with the addition of a 4-6" vertical false mullion made out of wood to surround the window (to give the appearance as a double window), and Ms. Ripperger made a 2nd.

With a roll call vote of 5-3 (Mr. Palechek, Ms. Fairbanks and Ms. Ripperger voted yes), the Motion is denied. They asked the applicant to bring back other options that are more appropriate to the property, and asked Mr. Wilson to work with the applicant (which he agreed to).

There was a Motion by Mr. Brown to table the application until the next meeting. With a 2nd by Mr. Beckman and all "ayes", the request was tabled.

Agenda Item # 2 - 50 North Sixth Street (Dayton-Campbell) – Fences and Bollards

Background:

50 North Sixth Street came to the attention of the Planning Division due to the Applicant's contact of the office, researching the historic status of the property and the relevant requirements for submitting property proposals.

Staff answered Mr. Meschoulam's questions and worked with the Applicant concerning historic and zoning requirements. Summarily, the proposal stems from a desire to improve and secure the property in a fashion seen fit by the Applicant.

State of Ohio Historic Designation

The property of 50 North Sixth Street is not part of the State of Ohio Historic Inventory.

Proposal:

Replacement of rear yard fence, erection of front yard fence, installation of bollards at front entry walkway.

Rear Yard Fence

- Removal of existing chain-link fence.
- Installation of new chain-link fence, 61 feet in total length along the same course as the previous existing fence.
- 72 inch high fence, with posts spaced at 4 feet apart.
- Vinyl Coated chain-link, in a Black color.
- Includes two (2) 5 foot wide gates with expanded metal screen, plus panic bar, and one (1) 4 foot wide gate with expanded metal screen, plus panic bar.

Front Yard Fence

- Installation of new fence, 88 feet in total length for the front yard.
- 42 inch high fence, with posts are spaced at 4-5 feet apart.
- Fence is Montage Plust Steel Speartop.

Bollards

- Installation of two (2) bollards for the concrete walkway located at the front elevation of the property.
- Square Black Powder-Coated Steel, concrete-filled bollards.
- Bollards have 4 inch black bollard caps.
- Placed to follow the course of the proposed front fence.

Mr. Wilson gave a brief summary of the proposal. The Applicant, Mr. Meschoulam, was present and answered questions by the Board.

Ms. Whalen made a Motion to close the Public Hearing. With a 2nd by Mr. Palechek and all "ayes", the Motion is approved and the public hearing was closed.

Ms. Whalen made a Motion to approve the request as submitted. With a 2nd by Ms. Fairbanks and all "ayes" by the Board, the Motion passes and the request is approved by a roll call vote of 8-0.

Agenda Item # 3 - 202 S. "B" Street (Rossville)-Demolition

Background:

The Applicant, City of Hamilton, proposes demolition of the structure at 202 South B Street due to several reasons. The City's Health Division dealt with the property for multiple cases and violations since at least 2008. The structure has been without utilities since September 2010. Subject property and structure have been subject to significant damage and neglect since at least 2013. 202 South B Street was declared a public nuisance, the details of which are available in Exhibit B of the Board packet. In 2015, photos and assessments of the property were taken, including the condition of the structure's interior, noting damage, animals inhabiting the structure and animal wastes.

Summarily, the Applicant assertion in reference to the justification for historic structure demolition of 202 South B Street is that there is no reasonable economic use for the property as it exists or rehabilitated – or that there is no feasible means or prudent alternative to demolition.

Requirements for Demolition

1126.60 CERTIFICATE OF APPROPRIATENESS - DEMOLITION:

In the event an application for a Certificate of Appropriateness includes demolition of any property in the Architectural Conservation/Historic District the applicant shall be required to submit evidence to the Architectural Design Review Board indicating that at least ONE of the following conditions prevail:

- A. That the property proposed for demolition is not inherently consistent with other properties in its area of the Architectural Conservation/Historic District (or)
- B. That the property proposed for demolition contains no features of architectural and/or historical significance; or
- C. That there is no reasonable economic use for the property as it exists or as it might be rehabilitated, that there is no feasible means or prudent alternative to demolition

State of Ohio Historic Designation

The property of 202 South B Street is not part of the State of Ohio Historic Inventory.

Proposal:

Demolition of the structure.

Recommendation:

If the ADRB determines to grant approval of a Certificate of Appropriateness for the demolition of the structure located at 202 South B Street the Community Development Department recommends that the motion include the ADRB's consideration of Part C of criteria listed in 1126.60 above:

1. That there is no reasonable economic use for the property as it exists or as it might be rehabilitated, that there is no feasible means or prudent alternative to demolition.

Ms. Kathy Dudley, Applicant, was present and went over the summary, the history of the issues with the property, and the reasons for the request for demolition for the subject property.

There were several questions by the Board for the Applicant, and several comments by the Board. Ms. Dudley answered their questions, and gave her opinion on how the property got to the state that it's in.

Mr. Palechek made a Motion to close the public hearing. With a 2nd by Ms. Ripperger and all "ayes", the Motion passes and the public hearing was closed.

Mr. Beckman made a Motion to approve the request as submitted. With a 2nd by Mr. Palechek and all "ayes" to a roll call vote (with the exception of Ms. Fairbanks), the Motion passes by a vote of 7-1, and the request is approved.

Agenda Item # 4-131 Hueston Street – Demolition

Introduction:

The Applicant, City of Hamilton, has submitted a Certificate of Appropriateness Application for the property of 131 Hueston Street. The proposal involves the Demolition of the Structure.

The subject property of 131 Hueston Street is part of the Rossville Historic District and is Zoned "R-4", Multi-Family Residential District.

Background:

The property of 131 Hueston Street was acquired by the Butler County Land Reutilization Corporation in February of 2016. The property was subject to bank foreclosure initiated in January 2013, filed by Wells Fargo. The property was at Sheriff's Sale and has been shifted between several different corporations. Further background information pertaining to the known and relevant immediate history of 131 Hueston Street can be found in Exhibit A of the Board packet, and in the Applicant's addendum summarizing the demolition application.

The City proposes demolition of the structure at 131 Hueston Street for substantial reasons. The structure is currently encased in vinyl siding and contains vinyl replacement windows. Per the Applicant submitted addendum, historically significant interior and exterior items have been removed from 131 Hueston Street, prior to recent attempts to repair and refashion the structure. Exhibit items C through H of the Board packet illustrate these articles.

Concurrently, the structure's exterior and interior have significant damage. The exterior assessment includes neglected and damaged gutters, with water damage to the foundation. The interior assessment encompasses significant damage to the basement and temporary bracing utilized as a stopgap measure.

Summarily, the Applicant assertion in reference to the justification for historic structure demolition of 131 Hueston Street is twofold. First, that the structure proposed for demolition contains no features of architectural and/or historical significance. Second, that there is no reasonable economic use for the property as it exists or rehabilitated – or that there is no feasible means or prudent alternative to demolition.

Multiple narratives, documents and photos have been included as Exhibit Attachments for reference and consideration.

Requirements for Demolition

1126.60 CERTIFICATE OF APPROPRIATENESS - DEMOLITION:

In the event an application for a Certificate of Appropriateness includes demolition of any property in the Architectural Conservation/Historic District the applicant shall be required to submit evidence to the Architectural Design Review Board indicating that at least ONE of the following conditions prevail:

1. That the property proposed for demolition is not inherently consistent with other properties in its area of the Architectural Conservation/Historic District (or)

2. That the property proposed for demolition contains no features of architectural and/or historical significance; or
3. That there is no reasonable economic use for the property as it exists or as it might be rehabilitated, that there is no feasible means or prudent alternative to demolition

State of Ohio Historic Designation

The property of 131 Hueston Street is not part of the State of Ohio Historic Inventory.

Proposal:

Demolition of the structure.

Ms. Kathy Dudley, Applicant, was present and went over the summary, the history of the issues with the property, and the reasons for the request for demolition for the subject property.

After several comments by the Board, Mr. Beckman made a Motion to close the Public Hearing. With a 2nd by Ms. Fairbanks and all "ayes", the Motion passes and the public hearing was closed.

Mr. Brown made a Motion to approve the request as submitted. With a 2nd by Mr. Beckman and all "ayes" to a roll call vote, the Motion passes by a vote of 8-0, and the request is approved.

Agenda Item # 5-221 N. 8th Street (Dayton-Campbell) – Demolition

Ms. Dudley advised the Board that she wishes to remove that item from the agenda, as it is not in the historic district, and Mr. Wilson verified that the information is correct.

V. Miscellaneous/Discussion/On the Radar

Mr. Wilson advised that the next tentative ADRB meeting is June 7, 2016. Also, there is a tentative StreetSpark and ADRB Work Session meeting set for June 21, 2016, starting at 3:30 prior to the ADRB meeting set for the date.

Ms. Dudley and Madam Chair Essman had a discussion regarding what type of research she might want for the meeting, and what the purpose of the meeting is.

Ms. Ripperger asked Mr. Wilson if it is possible for Health Department to send Mr. Wilson notice of Health Department citations. Ms. Dudley advised Ms. Ripperger what the verbiage is in the letters, and it covers that.

VI. Adjourn

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

Submitted by:

Chair:



Ed Wilson
Secretary, ADRB



Mary Pat Essman
Madam Chair, ADRB

