

**MARIEMONT ARCHITECTURAL REVIEW BOARD
REGULAR MEETING
DECEMBER 17, 2012**

Mr. Bruggeman called the meeting to order at 5:30 p.m. Present were Mr. Bruggeman, Mr. Allen, Mr. Thomas and Ms. Schwartz. Mr. Stegman was absent. Also in attendance was Building Commissioner, Dennis Malone.

The first request was for a Certificate of Appropriateness from Spinnenweber Builders Inc., 6880 Wooster Pike, Mariemont, Ohio 45227, for final color approval on exterior stucco for the Mariemont Theatre expansion. Ms. Bonnie Malone originally they were going to go with off white like the Inn. They have since found out that the stucco can actually be tinted. The new construction completely covers one wall of the existing theatre. They are suggesting using one of the tinted stucco colorings that will match closely that which is now on PNC Bank and later doing the same with the Quarter. Eventually it will appear more conforming. She distributed some pictures which members found to be helpful. Mr. Thomas said he was curious as to what the ARB said about the color when the expansion was approved. He wants to make sure that we are not doing something to overstep our previous authorization - and if we are - to have it noted. Mrs. Van Pelt said the minutes from May 21, 2012 reflect "Mr. Stegman moved seconded by Mr. Bruggeman to approve the request by Mr. Spinnenweber based on the proposed plan presented with the cream color to match the existing color as closely as possible". Mr. Thomas moved, seconded by Ms. Schwartz to approve the final tinted stucco color as presented now that new information has been obtained. On roll call; four ayes, no nays.

Ms. Malone said US Bank has moved and per their lease they are required to remove everything (except the safe) and restore the building back as close as possible to the original building. It is going to be hard because there are no pictures of it originally. There was a door where the mechanical room is now located. What was suggested is putting a window in place of where the door was originally located. It is not clear whether the building is considered historical. Building Commissioner Malone said the whole block is indicated as being in the Historical District. Mr. Thomas said he would personally like to see as much done to the exterior as possible to restore to its original design. ARB recommended that Spinnenweber Builders restore the building as close as possible to the original design with the understanding that it will no longer have a door and it will have a window in place of the ATM machine. Building Commissioner Malone said they will have to come back to ARB but this gives them an idea of what is wanted.

Mr. Bruggeman said he and the Mayor had an e-mail discussion last month regarding the trailer that is located across from the school. There is no code violation and it is allowable. His discussion with the Mayor was the appropriateness of it. He asked if there was a possibility it could be removed after the theatre construction is complete. Ms. Malone said no. The trailer would have been long gone had they been able to develop the property and put up a fence and take out the sidewalk. However, the issue of taking up the sidewalk was tabled. As soon as the issue with people parking on Spinnenweber's property from the school is addressed and corrected the trailer will remain. Mayor Policastro said we need to protect the people who have businesses there. Mr. Spinnenweber brought before the Planning Commission a request to put up a fence from Madisonville Road to Wooster Pike and to pull up the sidewalk and replace it with landscaping. There was some opposition from people who use the sidewalk. The matter was tabled until school opened to see what happens. Mr. Spinnenweber is going to come back and either we give permission to pull up the sidewalk. Once that is resolved he supposes that the

trailer will be gone. He is going to have a police officer in the area for two hours (splitting the cost with the school) to walk around informing people that they can not park in the business lot.

The second agenda item was a letter from Mariemont Preservation Foundation concerning replacement windows at 6627 Murray Avenue. Mayor Policastro said this type of thing is happening all over the historic area. People are replacing windows etc and not getting approval from ARB. Starting with the New Year he is going to hire Kirk Hodulik to spend five hours per week inspecting the buildings in the area. Eventually he will replace Dennis Malone who has indicated that he will retire sometime in 2013. He will learn the job as he works with the Building Commissioner. It is important to have a Code that has teeth. He referred the matter to the Economic Planning and Zoning Committee of Council. He would like both the ARB and Planning Commission to attend. Building Commissioner Malone said the code is silent on such things as English Ivy on building which can be very detrimental.

Mr. Thomas said he recalled passing a property maintenance Ordinance. Building Commissioner Malone said there were the BOCA Maintenance Code and Kirkwood Legislation which only applies to the interior of the building. We need to be specific because if we get to the point that we cite them to Mayor's Court we need to be able to tell the Magistrate that there is some law that was violated. Mr. Thomas said he is in favor of it but a better incentive would be to find money that would allow people to replace windows with some sort of grants or low interest loans. It would create a more positive approach than taking them to Mayor's Court. He believes some communities do that and he finds that would be more effective. Especially for a community such as Mariemont he believes there would be funds available.

Mayor Policastro said he went to seminars and he has asked where we can search for programs like this. There was not a whole lot for us. Ms. Schwartz said she found something through the Ohio Historical Society where landlords might be able to take advantage of something like this. Mayor Policastro said they went through them when renovating the barn and the bureaucracy you have to go through it was almost impossible. Mr. Thomas said Ohio has one of the worst historical societies in terms of making sure a developer does things exactly one way. Mr. Don Keyes, President of MPF, said they might be able to find someone to work on it. Mr. Thomas said at some point you are it is really difficult to find the funds or money to justify the improvements because you are not going to get the rent to make any kind of return on your money. He would like the Village to be more proactive in trying to find funds versus just letting people do things because it is so expensive and the property is going to deteriorate even further without any kind of concessions on our part. Mayor Policastro said we are all for like, kind and quality - you can't force people to use what they did in 1920. Mr. Thomas asked what can be done at this point. Building Commissioner Malone said he can deny the permit and recommend that they appear before the ARB if he wants to pursue it further to get it approved to vary from the established guidelines. Typically he would issue a retrospective permit and double the fee on the project. Mr. Thomas said if our approach is if someone does something without a permit and all we do is double the permit fee he does not think that makes a lot of sense.

Mr. Bruggeman said it does not solve the original problem. He said the houses on Beech with the former metal roof and now the newly fiberglass shingles was approved based on the fact that it was too expensive to put up a metal roof. It was a large visual impact from a historical context. It would be nice if we made everyone take care of their buildings in the most exact and historical context but he is not sure we can do that.

Mr. Thomas said it is our responsibility as a board to try to make these things happen. We are here to make sure the historic district lives up to the standard whatever that may be. But

to allow a vinyl window to go into a historic building is inappropriate. Mr. Bruggeman said it is somewhere in between the historical reproduction versus something that is financially affordable.

Mr. Keith Kohout said he is a new landlord on Beech Street. Before he bought the building and the roof went from metal to shingle he paused and almost did not buy the building. Though it was lower in cost to do the shingles he found himself questioning the integrity of the historical boundaries. When the metal roof was removed there was nothing wrong with it.

Building Commissioner Malone said 6627 Murray Avenue did not get a building permit which would have triggered ARB involvement. The replacements need to look like more or less the existing configuration, size and scale. This is a radical departure. If it is the consensus of the ARB that they require him to remove the window and put in something that is more in proportion then he will pursue it. Mr. Bruggeman suggested having the owner come to an ARB meeting and explain his position, rational and what he knew about the process. Mr. Thomas said then everyone will go forward with the work and rationalize after the fact. He does not know if ARB has the jurisdiction to say it needs to be torn out but can make a motion to strongly object to the fact that the owner put in a window without a permit and that it needs to be replaced. The matter would need to come before the ARB. Building Commissioner Malone said he will contact the home owner.

Mr. Allen said in the future perhaps there could be standard for the front of the building and the back of the building. It might provide some economic relief. Mr. Bruggeman said that the members of the ARB will meet with the Economic Planning and Zoning Committee of Council to discuss changes to the code. Mayor Policastro said we will start inspections with the historical area and then move onto other areas of the Village.

Mr. Keyes said the reason for writing the letter was not because the window was different but because we need to establish standards so that after a certain time the building is not the same building as it was originally. We need to find the place where the building can be maintained economically but yet still remain historical in nature. MPF will assist in anyway possible.

The second request was for a Certificate of Appropriateness from Dub Nelson, Roosters Grooming Center, 3912 Miami Road, Cincinnati, Ohio 45227 for the installation of a "Barbers Pole" on the front brick column near the main entrance on Miami Road. Mr. Nelson said it will be similar to the barber shop located on Madisonville Road. It is a bit more modern but similar in design. Mr. Bruggeman moved, seconded by Mr. Allen to approve the request for a Certificate of Appropriateness. On roll call; four ayes, no nays.

Mr. Nelson said he inadvertently ordered (but not installed) a wrought iron railing in the back of the building along with an awning without obtaining a permit. Building Commissioner Malone said to get him the paperwork so he can have it presented before ARB for approval.

The third request was for a Certificate of Appropriateness from Mr. Keith Kohout, 3899 Beech Street, Mariemont, Ohio 45227 to paint shutters black in lieu of 1 of 3 colors specified in Historic District guidelines and add up-lighting to building. Mr. Kohout said presently the shutters are a light green and presented members with pictures. The approved colors do not match what is on the two flanking buildings which do not have shutters on the front but rather the side of the building. Mr. Allen said there are plenty of black shutters on the street. Ms. Schwartz said for the record Bob and Sue Huddleston, 3905 Beech, are not in favor of the request. Mr. Kohout said black is kind of a universal neutral and it fits with the architectural style of the

building. Mr. Allen moved, seconded by Mr. Bruggeman to add black to the approved specified color list and to grant the request for black shutters. On roll call; four ayes, no nays.

Mr. Kohout said he will be adding four lights for the ingress and egress sidewalks which are located on the side of the building. ARB does not have jurisdiction over this matter. Mr. Kohout said he would be happy to offer assistance with the code changes.

Mr. Thomas moved, seconded by Mrs. Schwartz to approve the minutes as written for September 17, 2012. On roll call; four ayes, no nays.

The meeting was adjourned at 6:41 p.m.

Respectfully Submitted,

Mary Ann Schwartz
Secretary