

**MARIEMONT ARCHITECTURAL REVIEW BOARD
REGULAR MEETING
AUGUST 16, 2021**

Mayor Brown called the meeting to order at 5:30 p.m. Present were Mr. Kintner, Dr. Lewis and Mr. Lockhart. Mayor Brown noted that he is Chairing the meeting. Mr. Wren not being able to make it due to the commute from Columbus, Ohio.

Mr. Lockhart moved, seconded by Dr. Lewis to accept the minutes as written for the meeting July 27, 2021. Mr. Kintner asked if there was confirmation that the building referenced owned previously to Mr. West had slate shingles replaced with asphalt shingles. Mayor Brown said it is not known if the matter came before the ARB and was approved. Mr. Kintner said there was a reference made by Mayor Brown... 'Mayor Brown said the issue is expecting owners to replace slate with slate in this day and age is an unrealistic expectation. ARB is faced with is trying to determine what is an appropriate replacement yet being sensitive to the economic constraints'...he asked if that was Mayor Brown's personal view or the Village's view. Mayor Brown said the proposition to replace slate with slate is a very expensive proposition. ARB is here to see if there is a suitable alternative to slate. On roll call; three ayes, no nays (Mr. Kintner abstained due to his absence from the meeting).

The first application was from Charles Stephan, 3845 Beech Street, Cincinnati, OH 45227 to deviate from the Historic District color requirement for frame and trim.

Findings of the Building Department:

3845 Beech Street is part of the Elzner and Anderson Buildings. Relevant to this request, Mariemont code states the following:

151.075 HISTORIC DISTRICT.

(F) *Landmarks.* (9) Elzner and Anderson Buildings, 1-4 Linden Place, including garage area, 3845 and 3855 Beech Street, and 6576-6596 west of Beech Street on the north side of Wooster Pike;

(1) *Standards for review: design requirements for certificate of appropriateness.* The Architectural Review Board, in deciding whether to issue a certificate of appropriateness, shall determine that the application under consideration promotes, preserves, and enhances the distinctive historical integrity of the landmark structure as set forth in division (F) above, as well as the historical village character of the community and would not be at variance with existing structures within that portion of the district in which the structure is or is proposed to be located. In conducting its review, the Board shall make examination and give consideration to the elements of the application including, but not necessarily limited to:

(h) Buildings shall have exterior material of painted wood, material that simulates painted wood, brick, stucco, stones, or stone masonry and take into consideration texture, color, and compatibility among various elements of the structure. The exterior color of all landmark structures shall be guided by the Village Historic Color Guidelines.

Mr. Stephan indicated that he submitted a color choice (Down Pour PDG101010-5) with his application. It is the closest color sample he could find to match the houses on either side of Ten Mile Lane where it meets Wooster Pike. The color sample was circulated. He indicated that the darker gray color (Mushroom Gray) was previously approved in October 2018 by the ARB and said that is why he

chose the color. He strongly believes that precedent is set and sees no reason why his request should not be approved based on prior decisions of the ARB.

Mr. Van Stone said the proposed color is a significant change and the current color is already a color deviated from the approved colors.

Mayor Brown said we are faced again with a request to paint a house outside of the approved color pallet, yet houses have been given permission in the past by the ARB to paint the house with a different color. At some point, we have to right the ship.

Discussion ensued around the sensibilities that were brought to bear on past decisions and how that should not preclude the ARB to make the same decision to allow colors that are not the accepted color. Mr. Stephan said that according to case law he has researched, the ARB would have to have a rational and compelling reason not to follow precedent. Mr. Kintner agreed that this was an ongoing problem from the past Mayor who repeatedly pushed through changes that technically did not meet the color palette which results in the current reoccurring problem. If we are not going to uphold the code, he is not sure why the ARB is meeting. Mr. Stephan said if there is repeated struggle with multiple requests to shift from the approved colors, he suggests that a change to the colors approved by code be reviewed.

Dr. Lewis asked if there if the paint color is a criterion for Historic Landmark Status. If that is true, then previous decisions could have put our Village Historic Landmark Status in jeopardy. The answer was unclear. Mr. Lockhart commented that we cannot keep kicking the can down the road. If we have agreed as a group to reevaluate colors then we have let people down by not doing that.

To approve a Certificate of Appropriateness to allow deviation from the correct color palette to allow the proposed paint color was put to a vote. On roll call; three ayes, one nay (Mr. Lockhart dissented). Dr. Lewis said we need to research the answer regarding Historic Landmark Status. Mayor Brown noted that he struggled with the vote. Mr. Van Stone said the Village should look at expanding the approved color palette. Ms. Kim Jackson, 6592 Wooster Pike, agreed that the Village should give residents more color choices.

Second application was from Andy Balzhiser, Building Administrator for the Cincinnati Waldorf School, 6743 Chestnut street, Mariemont, OH 45227 to remove and replace windows at the Waldorf School

Findings of the Building Department:

6743 Chestnut Street is a Landmark structure in the Historic District. Relevant to this request, Mariemont code states the following:

§ 151.075 HISTORIC DISTRICT.

(F) *Landmarks.*

(16) Dale Park School, 6743 Chestnut Street, original building, Fechmeimer, Ihorst, and McCoy architects;

(2) *Standards for review: design requirements for certificate of appropriateness.* The Architectural Review Board, in deciding whether to issue a certificate of appropriateness, shall determine that the application under consideration promotes, preserves, and enhances the distinctive historical integrity of the landmark structure as set forth in division (F) above, as well as the historical village character

of the community and would not be at variance with existing structures within that portion of the district in which the structure is or is proposed to be located. In conducting its review, the Board shall make examination and give consideration to the elements of the application including, but not necessarily limited to:

(g) Window treatment shall take into consideration the size, shape, and materials of the individual window units, and the overall harmonious relationship of window openings. Windows shall be similar to those of adjacent landmark structures;

Mr. Balzhiser distributed materials related to the request. A similar request was made in 2017. Mr. Brown said this is an example of when an accommodation whereby a new modern energy efficient window can be replaced yet maintain an aesthetic look of a window of that era.

Mr. Kintner moved, seconded by Mr. Lockhart to approve the Certificate of Appropriateness. On roll call; four ayes, no nays.

The third application was from Phil West, 6835 Stonington Rd., Cincinnati, OH 45230 to replace the original slate roof at 6621-6629 Murray Ave. with an Owens Corning architectural shingle roof. The current slate roof is damaged.

Findings of the Building Department:

6621-6629 Murray is in the Clinton MacKenzie group of buildings which is made up of the large apartment building at the corner of Murray and Beech along with 7 buildings surrounding it on both Murray and Beech. All these buildings still have the original slate roofs, most of which are still in good condition. Relevant to this request, Mariemont code states the following:

§ 151.075 HISTORIC DISTRICT.

(F)(1) Landmarks: Clinton MacKenzie Buildings, 3902-3946 Beech Street, north of Chestnut, east side; 6611-6639 Murray Avenue, south side between Beech and Oak Streets

(H)(2) *Regulations governing site modifications: Standards for review: design requirements for certificate of appropriateness.* The Architectural Review Board, in deciding whether to issue a certificate of appropriateness, shall determine that the application under consideration promotes, preserves, and enhances the distinctive historical integrity of the landmark structure as set forth in division (F) above, as well as the historical village character of the community and would not be at variance with existing structures within that portion of the district in which the structure is or is proposed to be located. In conducting its review, the Board shall make examination and give consideration to the elements of the application including, but not necessarily limited to:

(f) For buildings identified in division (F)(1) through (F)(12) above which are parts of complexes involving several buildings designed by the same architect to form a consistent, harmonious entity, exterior paint, or stain colors for all parts of the complex by the same architect irrespective of diversity of ownership shall be chosen with the approval of the Architectural Review Board, which reflect the character, style, and materials of the buildings;

(i) Roof treatment shall be of the same type and form and the same or similar color and exterior material as found on the existing building or brought into conformity with division (H)(2)(f) above.

Mr. West brought samples and displayed for ARB, such as Grand Manor and Storm Master. He read the qualities attached to both, such as life wear. He talked with many companies.

Mr. Bob Rich, 6925 Crystal Springs Road, asked if Mr. West had priced replacing the current slate roof with slate product. All the surround properties have the matching slate. To make a change would be precedent setting. Buying a house in a Historic District takes due diligence to know what you are really buying into. He suggested looking into a fibrous cement product Mr. West said the slate will not match and it is cost prohibitive at \$30,000-\$50,000.

Mr. Van Stone said he talked with Dave Malloy Roofing. He summarized the conversation: 'Most slate roofs can be repaired. Some slate such as Bangor or Pennsylvania Black gets soft and cannot be adequately prepared. Durable Slate is a reputable roofer, but it a little conservative. Mr. Malloy was provided with a photo to access the roof and he was emailed the phot from the ARB packet for his assessment. If the roof could not be repaired the offered options: First choice Reuse slate \$700-\$1200/square with expensive installation. Other options include daVinci simulated slate which is a polymer product. It would probably las a long as asphalt roofing \$700-\$800/square. He has seen these simulated products come and go. They have great claims but always seem to find new failure modes (sun damage, curling, etc.) This is expensive to install. Certainly, Grand Manor is the best asphalt shingle which looks like slate. (Sample was shown to members of the ARB). The sample is black but it comes in a variety of colors. \$300/square. The product is rated for 45 years; however, its realistic life is about 30 years due to algae and granule loss. Installation will take longer than a conventional asphalt shingle. GAF also has a simulated shingle line (slate line) which does not look that good. It tends to look uneven when placed on a plank roof and costs \$220/square.

After further discussion and due to the long-lasting outcome of the decision. The board did not feel they were presented with enough choices, such as cement and marble dust options. Mr. West said the Village is going to have to realize that people cannot afford to replace roofs with slate. No one on this board knows what is allowable or what has been approved. It is historically difficult to get answers. He asked that the ARB would be willing to look at options other than slate.

Mayor Brown moved, seconded by Mr. Lockhart to see choices other than asphalt-based options, such as concrete materials, marble dust polymer which resemble slate. On roll call; four ayes, no nays.

The meeting was adjourned at 7:35 p.m.

Respectfully Submitted,

Mr. John Bentley
Secretary