

CITY OF HAMILTON, OHIO

HISTORIC DESIGN REVIEW BOARD
POLICIES & GUIDELINES

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The Department of Planning
The Planning Division

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Architectural Conservation/Historic Design Review Board

Policies & Procedures

- A. The Historic Design Review Board will have an assistance role to property owners wherever possible. When a property owner's plans run contrary to Department of Interior Standards, the legislated criteria for Board decision making, or the "Guidelines For Decision Making" as developed by the Historic Design Review Board, the Board will attempt to work with the property owner to a mutual resolution.
- B. The Board recognizes four classifications of meetings:
1. Regular Meetings – meetings held for the purpose of reviewing requests for Certificates of Appropriateness and other business requiring official Board action. Unless otherwise determined by Board action or a decision of the Chair, Regular Meetings of the Board will be held the first Tuesday of every month at 4:30 p.m. in a public location. Meetings may be cancelled due to a lack of requests/business for the Board. Regular Meetings will be open to the public and official minutes will be taken.
 2. Working Meetings – meetings held for the purpose of obtaining technical information and/or the discussion of technical information in an effort to:
 - a. Establish/refine decision making standards and/or policies used by the Board;
 - b. Assist in the public education/information efforts by the Board; and/or;
 - c. Assist the Board in the performance of other duties outlined/required by the legislation.

Working Meetings will be called as needed by the Board or by the Chair. Working Meetings are not required to, but may be open to the public.

3. Special Meetings – meetings called for the purpose of considering special requests for a Certificate of Appropriateness or special work items identified by the Board. Special Meetings may be requested by any Board member or the Secretary. Special Meetings require advance approval of the Board or the Chair and will be called only for those items/requests specifically outlined in the meeting request. Special Meetings will be open to the public and official minutes will be taken.
4. Emergency Meetings – meetings called for the purpose of handling of emergency requests only. These meetings may be requested by any Board member or the Secretary. Emergency Meetings require advance approval of the Chair and will be called only for the items/requests specifically outlined in the meeting request. The record of actions/discussions undertaken by the Board at an Emergency Meeting will be entered into the official minutes of the next Regular Meeting as part of the Secretary's Report. (examples are fire, acts of nature, etc.)

- C. The Board will recognize four classifications of requests:
1. Regular requests – requests involving no special time constraints or extenuating circumstances. The legislated thirty (30) day deadline for consideration is the only constraint (Ordinance No. EOR2005-7-71).
 2. Special requests – requests involving special time constraints. These requests either cannot wait for the two weeks between regular board meetings or must take advantage of immediate or unusual circumstances related to the maintenance/repair of a property in the district.
 3. Emergency requests – requests involving immediate threats to, or impending danger of, a property in the district. The request must be dealt with immediately. These cases will usually involve fire or nature related incidents.
 4. Minor project requests – requests submitted for one or a combination of the following items only:
 - a. Replacement of exterior architectural elements with exact duplicates made of the same material as the original elements.
 - b. The repainting of a property in its existing colors provided the existing colors have been previously approved by the Design Review Board.
 - c. Reroofing a structure provided:
 - i. No building permit is required for the roofing project.
 - ii. The structure will not be visibly altered on the exterior by the reproofing process. (For example, a proposed change in roof color for the purposes of this definition **would not** be considered a minor project.)
 - iii. The structural integrity will not be altered. (For example, a change from a slate roofing material to an asphalt shingle roofing material is an example of alteration in integrity that **would not** be considered a minor project.)
- D. On minor project requests for a Certificate of Appropriateness, the Secretary to the Board will have authority to issue, deny, or postpone issuance on behalf of the Board. Decisions made on such requests will be reported to the Board at the next Regular Meeting as part of the Secretary’s report. Nothing in this policy should be construed to deny the Secretary the opportunity to present a minor project request to the Board.
- E. In considering a request for a Certificate of Appropriateness, the Board may use the Secretary of the Interior’s Standards for Rehabilitation augmented by the technical support information published in the preservation Briefs Series prepared by the U.S. Department of the Interior (the Technical Preservation Series Division), authors of the Standards. Additionally, the Board will use the criteria in the Historic District Ordinance (Section 1126.00 et. seq. of the Hamilton City Zoning Code) for decision making where such criteria is stated, and/or the “Guidelines for Decision Making”, as developed by the Design Review Board.

- F. The Board reserves the right to develop/rewrite specific policies and/or standards for decision making on events, requests, products, or construction/rehabilitation techniques as needed. The Board also reserves the right to establish standards based on local experience with specific architecture/construction within the district. These standards for decision-making will be outlined in separate item listings in the publication of the Board's "Guidelines for Decision Making".
- G. The Board will follow the compliance process outlined below:
1. Compliance with issued Certificates will be determined by the Board following inspections of the properties for which Certificates have been issued. Inspections will take place as staff/board members time permits or will be initiated through the receipt of a complaint/request of the general public.
 2. In all cases where the Board determines that the terms of an issued Certificate of Appropriateness have not been met, the property owner will be informed that he/she has fourteen (14) days from the date of written notification of Board action in which to bring the property into compliance.
 3. If compliance cannot be attained within the fourteen (14) day period note above, the Board will permit the property owner to submit a written plan to bring the property into compliance. Such written plan will be required by the Board within the original fourteen (14) day compliance period noted in item "2" above. The submitted written plan will be reviewed by the Board for approval for a defined compliance period, and the property owner notified of the Boards decision in writing.
 4. The Board will consider the process outlined in item "3" above as the attempt to "reconcile differences" specified by Section 1126.50 of the Hamilton City Zoning Code.
 5. Failure to bring a property into compliance with an issued Certificate will be considered by the Board as equivalent to work without a Certificate; the matter will be referred to the City Law Department for appropriate legal action to enforce the ordinance.
- H. Requests for a Certificate of Appropriateness must be filed in writing by the property owner either on an approved application form or by letter. The Board reserves to the right to:
1. Postpone any request received by letter due to a lack of sufficient detailed information until such information is provided by the owner as requested by the Board.
 2. Postpone any request filed without a written and/or completed approved application form.
 3. Extensions of time may be granted with the mutual consent of the applicant and the Design Review Board.

- I. The Secretary is authorized to reissue Certificates of Appropriateness in full as originally approved for work that is not completed within the six-month limit of the Certificate, not to exceed an eighteen month period.

Guidelines for Decision Making

The guidelines on the following pages are a supplement to the requirements of Section 1126.00 of the Hamilton Zoning Code. The guidelines are the result of either a direct development (where the code is silent or needs clarification) or as a result of requests/situations that have come before the Board for which a guideline was needed. Unless otherwise stated on the following pages, the overriding guideline beyond those required by the ordinance, is that a property should retain as close to an original appearance as is possible using materials that match the original.

Exceptions to the above guidelines will be considered on the merits of individual cases as requests for exceptions come before the Board. Where exceptions are granted, the reason for the exception will be recorded in the official minutes of the Board.

Demolition Requests

Requests for Certificate of Appropriateness for demolition will be granted or denied based on the Board's evaluation of the following considerations:

- A. Are the criteria of Section 1126.00 of the Hamilton Zoning Code permitting demolition able to be met?
 - 1. Is the property inherently inconsistent with other properties in the affected area of the district?
 - 2. Is the property void of features of architectural and/or historical significance?
 - 3. Is there a reasonable economic use for the property as it exists or be rehabilitated?
 - 4. Is there any feasible and prudent alternative to demolition?
 - 5. Has deterioration of the property progressed to the point where it is not economically feasible to rehabilitate the property?

- B. Is the property individually significant or is it part of a cluster/thematic significance based on events or architecture?
 - 1. Is the property on the city survey?
 - 2. Is the property on a non-city significance list?
 - 3. Are there features of architectural or historic significance about the property site that will be affected by the demolition?

- C. Is the property not savable considering each of the following?
 - 1. Cost of rehabilitation compared to potential market value after rehabilitation.
 - 2. The property poses a significant health and/or public safety threat as documented by a governmental agency or expressed through written neighborhood sentiments on file with the Design Review Board and/or a governmental agency.

- D. Is the property marketable?
 - 1. How long has the property been actively marketed before the request?
 - 2. Is the property owner willing to place the property on the market prior to the granting of the request?

- E. Will the effect of demolition be positive or negative?
 - 1. on the immediately adjacent properties;

2. on the street;
 3. on the district?
- F. Has moving the building been investigated? Is it a feasible option to demolition?
- G. What is the reason for the request? (in order of importance value)
1. Deterioration of the property
 2. Expansion of an existing business – exclusive of parking
 3. Creation/development for a new business – exclusive of parking
 4. Parking needs
- H. Any property ordered for demolition by the City’s Court system is exempt from Design Review Board review.

Fences

Requests for Certificates of Appropriateness involving fences will be treated by the Board as follows:

- A. Requests for chain-link fencing that may be visible from a public right-of-way will be denied as inappropriate for the district
- B. In extraordinary cases, the Board may approve the installation of chain-link fencing with the following constraints:
 - 1. The property owner proves to the Boards satisfaction that alternative fencing has been investigated and is not able to meet the need for the fence as such need is outlines by the property owner in the request.
 - 2. If approved, the fence is hidden from public view by an evergreen hedge or comparable shrubbery that is maintained year round at a minimum height equal to the height of the fence. Additionally the fence is painted a dark green or black to mitigate its appearance.
- C. A privacy fence will generally be approved in the rear yard of a property if it is not extensively visible from a public right-of-way. If a privacy style fence is visible from public right-of-way, the finished side of the fence must face the right-of-way and the Board may impose installation/set back conditions for approval.

Garages / Garage Doors

Requests for Certificates of Appropriateness involving new construction/replacement of garage doors will be treated by the Board as follows:

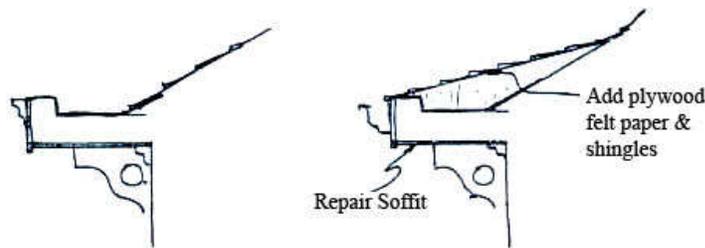
- A. Replacement garage doors will replicate, as close as possible, the existing garage doors in design and material.
- B. New/replacement garage doors that cannot replicate existing doors will have a multi-paneled design.
- C. Garages should be painted in a color scheme that compliments the principal structure.

Gutters

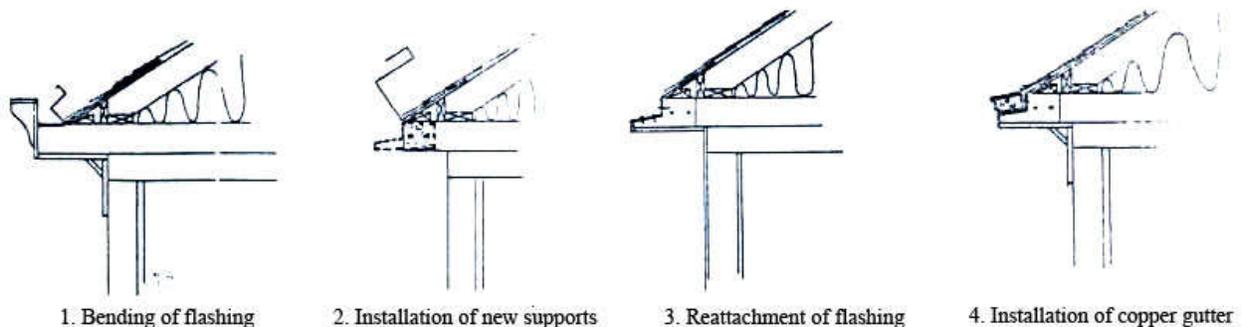
Requests for Certificates of Appropriateness involving new construction/replacement of gutters will be treated by the Board as follows:

- A. Every effort should be made to repair/reconstruct existing box, trough, or other original gutters with original materials to retain the original construction and appearance.
- B. The following relining materials may be substituted for original metal linings if the existing metal is proven to be beyond repair:
 1. Rubberized rolled roofing material
 2. Polyester rolled (“rubber”) roofing material
- C. Tar (aka “pitch”, “coal tar”, etc.) patching of original gutters will only be approved if such “repair” efforts had been undertaken on the property prior to 1/1/86, and is subsequently requested as a “temporary” repair until a permanent improvement is made.
- D. If the existing gutters are proven beyond saving and a bypass system is necessary, one of the following reconstruction methods may be approved. Bypass System Type II is the preferred method. All architectural details removed during bypass installation must be reinstalled or replaced.

Bypass Type I



Bypass Type II



Insulation

Requests for Certificates of Appropriateness involving installation of blown-in insulating materials should not change the external appearance of the house.

New Additions to Existing Structures

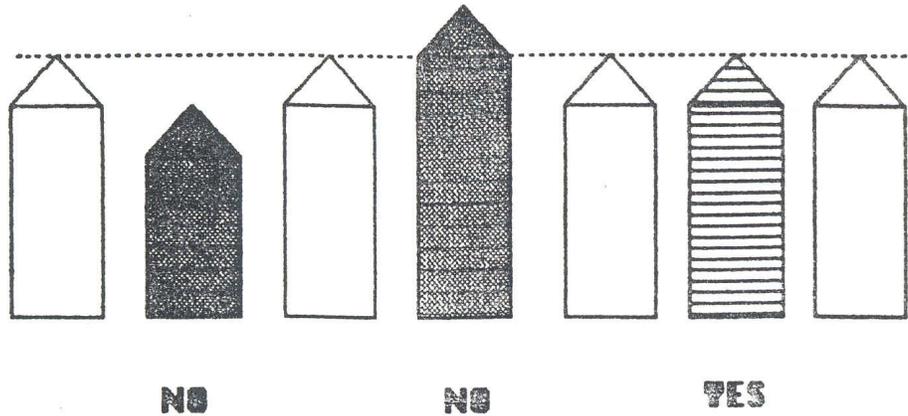
Requests of Certificates of Appropriateness involving additions to existing structures will be treated by the Board as follows:

- A. The height of any addition will not exceed the highest point of the existing original structure for which the addition is proposed.
- B. The finishing material of the exterior of any addition will match the finishing material of the existing original structure so as to blend as closely as possible with the finished appearance of the original structure.
- C. Window and door dimensions, style, and placement in the addition should replicate the dimensions, styles, and placement of those in the original structure.

New Construction

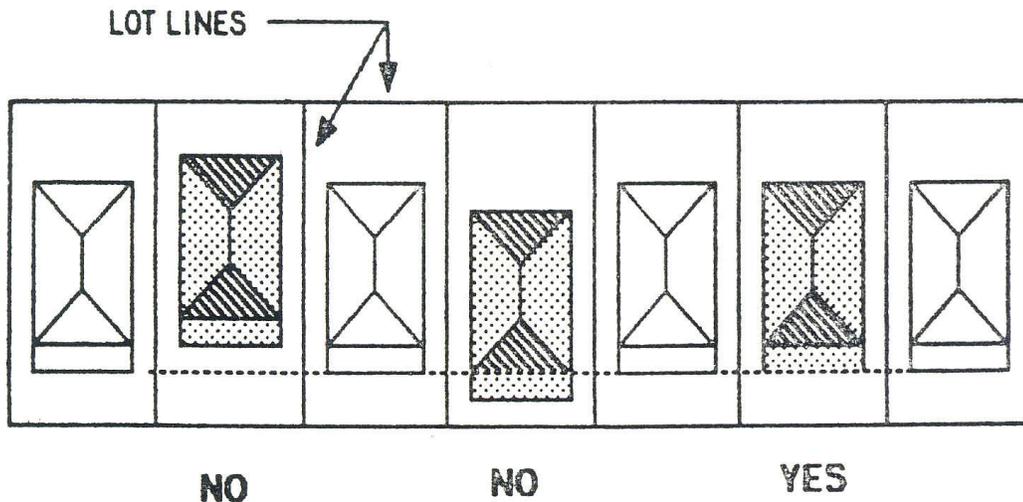
Requests for Certificates of Appropriateness involving new construction will be treated by the Board as follows:

A. Height requirements for new construction in the District will be as follows:



1. If located in the center of a block, the new structure will not exceed the average height of the principal structures on either side of the new construction site.
2. If located on a corner, the new structure will not exceed the average height of the principal structures on each of the sites immediately adjacent to the new construction site.
3. If immediately adjacent site(s) is/ (are) vacant, the new structure will not exceed the average height of the principal structures in the affected block.

B. The front of any new construction will be set back from the street the exact same distance as the front of the structures on the immediately adjacent properties, unless documented evidence can be presented to prove that the front wall of the original structure on the site was closer or farther from the street than the front wall of the structures on the immediately adjacent properties.



For the purposes of this section, if the proposed new construction has a porch, the furthest forward point of the porch structure will be considered the front of the structure that must meet set back requirements.

- C. Existing side and rear yard requirements in the Hamilton City Zoning Code will apply to new construction in the District.
- D. Windows and doors for new construction in the District will conform to the following:
 - 1. If located in the center of a block, windows and doors of new construction will conform to the average window and door dimensions, styles, and locations of the principal structures on either side of the new construction site.
 - 2. If located on a corner, windows and doors of new construction will conform to the average window and door dimensions, styles, and locations of the principal structures on immediately adjacent sites.
 - 3. If the immediately adjacent site(s) is/(are) vacant, windows and doors of new construction will conform to the average window and door dimensions, styles, and locations on the principal structures in the affected block.
- E. The exterior finishing material on new construction will match the original exterior finishing material that is found in the block affected by the new construction. (For example, if 4” pine lap siding, red smooth faced brick, and orange rough faced brick all exist as finishing material in the block affected by the new construction, one or a combination of these finishing materials only will be accepted as a finishing material on the new structure.)

Painting – Color Approval

Requests for Certificates of Appropriateness involving the painting of a property and/or the color selection for the same will be treated by the Board in the following manner:

A. The Board may use the following publications as reference base for decision making on color applications.

1. A Century of Color, Roger Moss, American Life Foundation, 1981.
2. Victorian Exterior Decoration, Roger Moss and Gail Winkler, Holt & Co., 1987.

The Board may also take into consideration technical information that may be available locally, through the Ohio Historic Preservation Office, and paint sampling research from the property in question.

B. The Board will attempt to provide corresponding color matches by paint company trade name to the basic reference colors approved through the publications listed in Item “A” above.

C. For technical items not covered above, the Board will rely on the following:

1. Preservation Brief No. 10, Exterior Paint Problems on Historic Woodwork, U.S. Department of the Interior, Technical Preservation Services Division, 1982.
2. The Old House Journal, published by OHJ Inc., New Jersey, June, 1986.

D. As staffing permits, the Board will attempt to provide a record of colors other than those listed in the reference publication that have been approved under selected circumstances.

Parking Lots

Requests for Certificates of Appropriateness involving parking lots will be treated by the Board as follows:

- A. Certificates issued for the installation of new parking lots will require the following:
 - 1. A landscape buffer will be installed and maintained between the sidewalk and the first parking space.
 - 2. The required landscaped buffer will consist of an evergreen hedge maintained at a height of at least 36 inches and consist of a depth equal to the front yard of the immediately adjoining property.
 - 3. The screen wall required by the City code between parking lots and residential property will not extend beyond the actual front wall of the adjacent residential structure. The composition/material of the screen wall may be specified by the Board.
- B. The Board reserves the right to attach landscape buffering requirements as a condition for approval of the reconstruction/surfacing or resurfacing of existing parking lots.
- C. Scaled plans of parking lot proposals with detailed landscaping and screening layouts will be required with a request for a Certificate.

Shutters

Request for Certificates of Appropriateness involving the installation of shutters will be treated by the Board as follows:

- A. A request for shutters will be approved only if the following criteria are met:
 1. There is evidence on the building that shutters did exist at one time (i.e. brackets still exist, or coloration on the building indicates a one-time presence of shutters).
 2. There is no evidence on the building per say but given the environment the building rests in and its style, it is reasonable to assume shutters may have been a part of the building. In this circumstance, historic photos of the area in question and architectural reference sources may be used in making a determination of approval/denial.
- B. If approved, actual shutter installation must meet the following conditions which will be considered a part of the issued Certificate of Appropriateness:
 1. If original hardware is present, the shutter is capable of being opened and closed over the window.
 2. The shutters are to be made of a material most closely related to the original shutters, or to a typical shutter of the architectural period/style in question (i.e. wood)
 3. The shutters are to replicate, as closely as possible, the appearance of the original shutter or a typical shutter of at least one of the following:
 - a. the architectural period of the property
 - b. the architectural style of the building and its window openings
 - c. the typical shutters of the immediately adjacent area of the district in which the property is located
 4. The shutter is sized correctly for the window opening it is designed to cover (i.e. not longer, shorter, or wider than the full window opening).
- C. For items not covered above, the Board may refer to the U.S. Department of the Interior (the Technical Preservation Services Division), the Ohio Preservation Office, and/or references from the above.

Siding

Requests for Certificates of Appropriateness involving the application of aluminum, vinyl aluminum, vinyl, or other siding material not original to a property or the historic district will be treated by the Board as follows:

- A. Application of a non-original siding material to a property will be approved only as a measure of last resort and when extenuating circumstances justify the application. If non-original siding material is approved, the Board will identify the extenuating circumstances in its official minutes. (Example: fire damage to an entire side of a structure would be an extenuating circumstance.)
- B. A copy of Preservation Brief No. 8, Aluminum and Vinyl Siding on Historic Buildings (U.S. Department of the Interior, Technical Preservation Service Division, 1984) will be made available to every property owner considering/requesting a Certificate for aluminum, vinyl, or vinyl aluminum siding once the Board has been made aware of the desire by the property owner and before the request for Certificate is considered by the Board.
- C. The Board will not approve the application of siding materials over brick.
- D. In all cases involving the application of non-original siding material, the Board will require an actual sample of material(s) and a written contract proposal for installation before approval will be given.
- E. If approved, the new siding material must have an appearance as close to the original siding as possible and have a minimum thickness of .04-inch. It is understood that this requirement will generally preclude the application of very wide sidings, vertical sidings in 4 x 8 panels, and raised wood-grain “look” sidings.
- F. The Board may require certain application methods and/or materials to mitigate the effect of the new siding on a property and/or its environs.
- G. New products will be treated as such by the Board and may be approved on an experimental basis, after any one or more of the following:
 - 1. Review and/or investigation of the manufacturer’s specification/claims for the product.
 - 2. Consultation with the U.S. Department of Interior, Technical Preservation Services Division.
 - 3. Consultation with the Ohio Historic Preservation Office.
 - 4. Consultation with other preservation/design commissions, contractors, and/or architects who may have experience with or knowledge of the product.

- H. For technical items not covered above, the Board may rely on Preservation Brief No. 8, Aluminum and Vinyl Siding on Historic Buildings (Technical Preservation Services Division, the U.S. Department of the Interior, 1984), the U.S. Department of the Interior, the Ohio Historic Preservation Office, and/or references from the above.

Roofs

Asphalt Roofs

Dimensional roofing is preferred in all cases.

Slate Roofs

Requests for Certificates of Appropriateness involving slate roofs will be treated by the Board as follows:

- A. Every effort should be made to repair/save an original slate roof for the following reasons:
 1. The color, texture, and design of a slate roof contribute significantly to the overall architectural appearance of a structure and its environs.
 2. Specific slate roofing products/designs/installation methods may be indicative of significant architectural periods/design developments within the district.
 3. Slate roofs have the longest life of any roofing material.
- B. Requests for slate roof replacement must include the following conclusive information from the property owner:
 1. Evidence that alternatives to complete slate roof replacement were explored by the property owner with contractors/individuals knowledgeable in, and qualified to work with, slate roofing.
 2. Evidence of the need for slate roof replacement in written form submitted by more than one source experienced in slate roofs.
- C. The Board reserves the right to complete an on site investigation of the need for replacement by the Board itself or its designate prior to rendering a decision to issue or deny a Certificate.
- D. If replacement of a slate roof is approved the following will apply:
 1. The Board will give priority consideration to replacement of the existing (old) slate roof with a new slate roof as close in design and color to the original as possible.
 2. If the cost of replacement under consideration "1" above is proven to be prohibitive to the property owner, the Board may approve/specify an acceptable alternative roofing application/material. Every effort will be made to minimize the impact of such and approval on the structure, its environs, and/or the district.

3. The Board may require that the existing (old) slate be saved by the owner/contractor and be given/sold to a third party not-for-profit for future use in city preservation efforts.
- E. For technical items not covered above, the Board may rely on Preservation Brief No. 4, Roofing for Historic Buildings (the Technical Preservation Service Division, U.S. Department of the Interior, 1978), the Old House Journal (December, 1975), the Ohio Historic Preservation Office, and/or reference from the above.

Windows

Request for Certificate of Appropriateness involving windows will be treated by the Board as follows:

- A. All windows on a structure will be considered part of the exterior features of that property.
- B. The following items will be considered a critical part of the exterior architectural/design elements that should not be altered on a structure:
 - 1. The specific location of each individual window.
 - 2. The specific style of each individual window.
 - 3. The specific dimensions of each individual window.
 - 4. The specific treatment of the framing for each individual window.
 - 5. The specific design of each individual window.
 - 6. The relationship of the above elements and/or related elements for each window in the overall window treatment/design of a structure.
- C. Certificates for window replacements may be approved if the existing window is demonstrably beyond repair.
- D. If approved, replacement windows will conform to the following:
 - 1. The replacement window must match the existing window with regard to location on the structure.
 - 2. The replacement window must match the existing window style.
 - 3. The replacement window must match the existing window dimensions.
 - 4. The replacement window must match the existing window design.
 - 5. The replacement window should match the existing window in material composition (example: existing window is made from pine, the replacement window should be made from pine)
- E. Filling in or covering up windows, transoms, or vents is not allowed.