

SPONSORED BY COUNCILMAN Jeffrey Siler ON THE 15th DAY  
OF December, 1980.

AN ORDINANCE AMENDING ORDINANCE NUMBER 15-1961 AND ORDINANCE NUMBER 28-73 AND REPEALING ORDINANCES NUMBERS 80-71, 70-72, 20-73 AND 36-79 TO PROVIDE FOR USES, REQUIREMENTS AND PROCEDURES IN THE ARCHITECTURAL PRESERVATION DISTRICT AND TO ESTABLISH A BOARD OF ARCHITECTURAL REVIEW IN THE CITY OF CENTERVILLE, OHIO.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. That Ordinances Numbers 80-71, 70-72, 20-73 and 36-79 are hereby repealed and Section 31 of Ordinance Number 15-1961, The Zoning Ordinance of the City of Centerville, Ohio, is hereby deleted by the addition of the following Section 31 thereto:

SECTION 31

ARCHITECTURAL PRESERVATION DISTRICT

A. PREAMBLE AND PURPOSE

The Centerville City Council, recognizing the unique panorama of architectural history that has developed along the major cross-roads of our community, hereby declares as a matter of public policy that the preservation, protection, perpetuation, and use of areas, places, structures, works of art or similar objects having a special historical, cultural, or aesthetic interest or value is a public necessity, and is required in the interest of the health, prosperity, safety, and welfare of the citizens of Centerville.

The purpose of this ordinance is to:

1. Protect the historic and architecturally significant buildings within the Architectural Preservation District.
2. Insure architectural harmony between buildings of widely varying architectural periods and styles.
3. Protect the existing residential uses within the Architectural Preservation District.
4. Stabilize, improve, and protect the property values of businesses within the Architectural Preservation District.
5. Strengthen the economy of the City of Centerville.
6. Protect and enhance the visual and aesthetic character, diversity, and interest in the City of Centerville.
7. Promote the use and preservation of historic sites and structures for the education and general welfare of the citizens of the City of Centerville.
8. Establish a Board of Architectural Review (BAR).
9. Establish standards and criteria for the Architectural Preservation District.

We, the City Council of Centerville, do hereby intend that with the assistance of this ordinance and the spirit of our community, the Architectural Preservation District will serve as a living record of Centerville's past, present, and future for the benefit of all generations.

B. DEFINITIONS

Architectural Preservation District (APD) - The Architectural Preservation District zoning classification as established in the City of Centerville Zoning Ordinance.

BAR Color Chart - A color chart of exterior paint color schemes approved for use within the Architectural Preservation District by the Board of Architectural Review.

Board of Architectural Review (BAR) - The Board of Architectural Review of the City of Centerville, Ohio.

City Council - The City Council of the City of Centerville, Ohio.

Design Review Criteria - A booklet containing architectural design guidelines for buildings, signs, landscaping, and screening which is formally titled the "Design Review Criteria for the Architectural Preservation District, City of Centerville, Ohio".

Graphic - Any communication designed to be seen from any public right-of-way utilizing letters, words, numbers, symbols, pictures, color, illumination, geometric or non-geometric shapes or planes. The term graphic shall be specifically included within the definition of the term "Sign" that is defined and/or used elsewhere in the Zoning Ordinance. Time and temperature devices shall be specifically included under the term graphic.

Planning Commission - The Planning Commission of the City of Centerville, Ohio.

Staff - Staff shall be defined as employees of the City of Centerville appointed by the City Manager to perform certain functions designated within this ordinance.

Work of Art - A non-living structure visible from a public right-of-way either attached or detached to a building whose design is intended to beautify the property upon which it is located. Graphics and signs shall not be included within this definition.

C. USES

1. Principal Permitted Uses

- a. Single-Family Dwellings as governed by the provisions of the R-1, R-2, R-3 Districts. (See Section 14 of the Zoning Ordinance)
- b. Two-Family Dwellings as governed by the provisions of the R-3 and R-4 Districts. (See Section 14 of the Zoning Ordinance)
- c. Multi-Family Dwellings as governed by the provisions of the R-4 District. (See Section 14 of the Zoning Ordinance)
- d. Local Business Uses as governed by the provisions of the B-1 District. (See Section 15 of the Zoning Ordinance)

2. Accessory Uses

Those accessory uses permitted in and as governed by the provisions of the R-1, R-2, R-3, R-4, and B-1 Districts. (See Section 14 and 15 of the Zoning Ordinance)

3. Contingent Uses

Those contingent uses permitted in and as governed by the provisions of the R-1, R-2, R-3 R-4, and B-1 Districts. (See Section 19 of the Zoning Ordinance)

4. Conditional Uses

Those conditional uses which may be permitted in and as governed by the provisions of the R-1, R-2, R-3, R-4, and B-1 Districts. (See Section 20 of the Zoning Ordinance)

D. REQUIREMENTS

1. General Requirements

All requirements for uses in the R-1, R-2, R-3, R-4, and B-1 Districts shall apply to uses in the APD unless modified in this section of the Zoning Ordinance.

2. Existing Non-Conforming Site Plan Elements (Except Uses)

Nothing in these requirements shall be construed to mean that non-conforming elements of site plans shall become conforming when changes are made or proposed to the site plan. Rather, only the specific change, or changes, shall comply with these requirements. Non-conforming uses, however, are subject to the specifications of Section 21 of the Zoning Ordinance.

3. Demolition or Moving of Buildings

a. Policy Statement

The demolition or moving of buildings within the APD shall require the approval of the BAR; however, staff may approve a demolition application where an extreme safety hazard exists. In order to grant such approval, the BAR must be satisfied that the building meets at least one of the following criteria:

b. Criteria

1) Health and Safety Hazard

The building has been deemed to be a hazard to public health or safety and repairs are deemed to be unfeasible as determined by the Building Inspector or his designee.

2) Deterrent to Major Community Improvement

The building is a deterrent to a major community improvement which the applicant must demonstrate will be of substantial benefit to the community. This improvement must be shown to have great potential for increasing surrounding property values.

3) Rehabilitation Not Economically Feasible

Rehabilitation of the building is not economically feasible. It shall be the responsibility of the applicant to prove that rehabilitation of the building would not allow a reasonable economic return on the owner's investment.

4) Detriment to Community

The retention of the building would not be in the interest of the community as a whole as is determined by the BAR.

c. Demolition Delay Period of Three (3) Months

In cases where approval for demolition is granted, for reasons other than public health or safety, such approval shall not become effective until three (3) months after the date of the approval decision by the BAR in order to provide a period of time within which it may be possible to relieve a hardship or to cause the property to be transferred to another owner who will retain the building. This in no way implies approval by the Building Department whose approval must also be secured in addition to the approval of the BAR. The BAR may waive any portion of the three (3) month demolition delay period.

4. Ingress and Egress

a. General

Due consideration shall be given to adequacy of ingress and egress to the property and structure and uses thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

b. Standards

Curb cuts shall be regulated according to the standards contained in the City of Centerville Curb Cut Ordinance for B-1 and B-2 Districts.

5. Off-Street Parking and Loading

a. General

Due consideration shall be given to off-street parking and loading facilities as related to adjacent streets, with particular reference to automotive and pedestrian safety and convenience, internal traffic flow and control, and arrangement in relation to access in case of fire or other emergency.

b. Standards

All parking shall be located in the rear yard except side and front yard parking shall be permitted for single and double family residential uses.

6. Storm Water Drainage

a. General

Due consideration shall be given to provisions for drainage, with particular reference to effect on adjoining and nearby properties and on general drainage systems in the area. Where major drainage volumes appear likely and capacity of available systems is found marginal or inadequate, consideration shall be given to possibilities for recharge of ground water supply on the property, temporary retention with gradual discharge, or other remedial measures.

b. Standards

Storm water drainage improvements for lots shall be in accordance with the standards and criteria contained in the improvements chapter of the Subdivision Regulations of the City of Centerville.

7. Sidewalks

a. Policy Statement

All sidewalks located within dedicated public right-of-way or public roadway easements in the APD shall be of red brick type surface. This requirement shall be achieved in time through the installation of new brick sidewalks and the replacement of existing non-brick sidewalks.

b. Location

Sidewalks shall be required along both sides of all dedicated public rights-of-way and public roadway easements greater than thirty-five (35) feet in width.

c. When Required

1) Building Gross Floor Area Change to Property

The following building gross floor area changes to a property shall require the installation of new brick sidewalks and/or the upgrading of deteriorated or non-deteriorated non-brick sidewalks to a brick surface:

- a) Construction of a new detached principle building.
- b) A major addition to a principal building containing more than twenty-five (25) percent of the gross floor area of the existing principal building to which the addition is attached or an addition exceeding one thousand (1,000) square feet in gross floor area.

2) Replacement of Non-Brick Surface Sidewalks

When replacement of non-brick surface sidewalks in the APD occurs, the new sidewalks shall be constructed of a brick type surface.

3) Public or Private Sidewalk Improvement Projects

When public or private sidewalk improvement projects occur in the APD, new or replaced sidewalks shall be constructed of a brick type surface.

d. When Not Required

Minor building additions containing twenty-five (25) percent or less of the gross floor area of the existing principal building and not exceeding one thousand (1,000) square feet in gross floor area, construction of accessory buildings, exterior alterations to existing buildings, and demolitions shall not require the installation of brick sidewalks.

e. Construction Specifications for Brick Sidewalks

Brick sidewalks shall be constructed to standards and specifications as adopted by the City of Centerville. Concrete imitation bricks may be acceptable.

8. Location of Buildings on the Lot

a. Parallel or Perpendicular to Street

All building fronts shall be located on the lot parallel or perpendicular to the front lot line.

b. Front Yard

The front yard shall approximate the average front yard of the lots on the block.

c. Corner Lots

All lot lines which are adjacent to public rights-of-way of thirty-five (35) feet or more in width shall require a front yard.

d. Side Yard

The side yard on each side of the building shall approximate the average side yard of the lots on the block.

9. General Design Requirement for Exterior Building Architectural Elevations

The general design requirement for exterior building architectural elevations shall be that the size, shape, location, materials, and architecture of all new or modified principal buildings, accessory buildings, and garages shall be visually compatible with the surrounding buildings. The more detailed standards and criteria of this ordinance which relate to building design shall be used to determine the visual compatibility of a building with the surrounding buildings.

10. Shape of Buildings

a. General Shape

Buildings shall be of a simple solid, rectangular shape with corners that are clear and defined with walls that extend perpendicularly to the ground.

b. Roof Shape

Buildings shall employ a sloped, pitched roof design with eaves and a maximum of one-half (1/2) of the building's height may appear as roof.

c. Large Building and New Addition Shape

Very large new buildings and large additions to existing large buildings shall be composed of smaller rectangular building units of varied sizes grouped and attached together.

11. Dimension of Buildings

a. Height

The height of the building shall approximate the average height of the existing buildings on the lots on the block.

b. Width to Height Proportion

The width and height of the front elevation of the building shall appear as a rectangle with the longest side of the rectangle being the width of the front elevation of the building.

12. Roofs

a. Design and Styles

1) Pitched Roof

All buildings shall have a pitched roof with eaves.

2) Proportion of Building Height as Roof

No more than one-half (1/2) of the building height may appear as a roof.

3) Cornices

Roofs and walls shall be joined by a cornice.

4) Roof Styles

a) Permitted

Gable, gambrel, jerkin head, hip, or gable on hip roof style shall be permitted.

b) Prohibited

Mansard, false fronts, and shed style roofs shall be prohibited.

5) Roof Additions

If it is necessary to add a roof, the original roof form shall be maintained by constructing the additions as gables, dormer windows, shed dormers, or cupolas.

6) Removal of Architectural Features Prohibited

The stripping of roof architectural features such as dormer windows, cupolas, risers, and gables from existing roofs is prohibited.

b. Materials and Texture

1) Roof Material

Roof material shall be in harmony with the style and features of the building.

2) Consistent Roof Materials

Roof materials shall be consistent over the entire roof.

3) Roof Texture

Roof textures shall be subtle and unobtrusive.

13. Chimneys and Flues

a. Construction Materials

Chimneys and flues shall be constructed of brick, stone, or metal. Metal flues or chimneys shall be sized and located so as to be a subtle and unobtrusive element of the roof design.

b. Materials Prohibited

Imitation stone or brick or metal formed to look like stone or brick is prohibited.

14. Walls

a. Design and Styles

1) Ground Mounted

Walls shall extend from the ground up to the roof and have clearly defined corners.

2) Rectangular Building Block Construction

The walls shall fit together to form simple rectangular building blocks.

3) Flat Walls With Square Corners

Flat walls with square corners shall be required when additions are attached to the basic building.

4) Styles Prohibited

Fin walls, open arcades, walls constructed in suspended cantilevered forms, and exposed frames with infill panel walls are prohibited.

b. Materials, Pattern, Texture, Features, and Cleaning

1) Siding

a) Narrow Width Siding

Narrow width siding shall be used.

b) Clapboard

The clapboard shall be situated horizontally.

2) Brick Restorations and Alterations

a) New Bricks

New bricks shall match the old bricks in size, color, and texture.

b) Construction Patterns

Bricks shall be laid in the same pattern as was used in the original structure.

c) Mortar

Mortar shall duplicate the composition, color, texture, joint size, and joint profile of the original structure.

3) Trim, Sill, and Corner Boards

Trim, sill, and corner boards shall retain their original width.

4) Special Architectural Features

Special architectural features such as brackets, scrollwork, railings and pediments shall be retained.

5) Stucco Prohibited

The use of stucco for exterior building walls shall be prohibited.

6) Methods of Cleaning Prohibited

Sandblasting of brick or stone and the use of chemical cleaners on limestone is prohibited.

15. Wall Openings (Doors and Windows)

a. Architectural Compatibility

The architectural design of all wall openings (windows and doors) including the number, location, size, shape, style, trim, casing, lintel, sill, shutters, awnings, screening, storm protection, materials, and color shall be architecturally compatible with the proposed or existing building and the surrounding buildings.

b. Pattern of Wall Openings

Patterns and rhythms in window and door spacing that occur in surrounding buildings shall be incorporated into the proposed building wall planes.

c. Floor Levels

Floor levels shall be clearly indicated by the door and window arrangement and by the porch and roof design.

d. Portion of the Building Front Wall Plane Area Devoted to Wall Openings (Doors and Windows)

Approximately one-third (1/3) of the building front wall plane area shall be devoted to wall openings (doors and windows). Building walls containing large areas of glass shall be prohibited. Display windows located on the ground floor of commercial storefronts shall be permitted.

e. Projecting and Deeply Recessed Wall Openings Prohibited

Wall openings (doors and windows) which appear to be projecting or deeply recessed from the plane of the wall shall be prohibited.

f. Rectangular Shaped Wall Openings

All wall openings (doors and windows) shall appear rectangular in shape with the width of the wall opening being the shortest side of the rectangle. Picture windows and display windows located on the ground floor shall be permitted exceptions to this requirement, if they are compatible with the surrounding building window designs.

g. Arches

Only flat or very nearly flat (segmented) arch construction at the top of wall openings shall be permitted. Italianate, High Roman, and Gothic arches are prohibited.



16. Accessory Buildings, Garages, and Recreation Facilities

a. Side or Rear Yard Location

Accessory buildings, garages, and recreational facilities such as tennis courts and swimming pools, shall be located in the side or rear yard of the lot.

b. Five (5) Foot Setback

Accessory buildings, garages, and recreational facilities such as tennis courts and swimming pools, shall be located no closer than five (5) feet to a side or rear lot line.

17. Exterior Color

a. BAR Color Chart

Any color scheme selected from the BAR color chart shall be permitted. The BAR color chart shall be available for review by the public at the City of Centerville offices.

b. Color Harmony on the Property

The color(s) used on each property shall harmonize.

c. Color Compatibility With Surrounding Properties

The color(s) used on each property shall be visually compatible with those colors used on adjacent properties.

d. Number of Colors

A maximum of three (3) different predominate colors shall be used on the exterior of each building.

e. Siding or Wall Color

Siding or wall color above the foundation line of the building shall be of a single muted, earth tone, color. Bright, flashy wall colors shall be prohibited.

f. Brick Color

Brick color shall be reddish or white. Yellow, gray, and salt and pepper (black and white) colored brick are prohibited.

g. Trim Color

Trim color shall be the same color as the wall or of another single color which harmonizes and contrasts with the wall color. Bright colors may be used for the trim, however, the trim color shall not clash with the wall color. Shutters or another major trim feature may be painted a third harmonizing color.

h. Roof Color

Roof color shall be of a muted, subdued color that harmonizes with the other colors of the building. Bright, clashing roof colors that attract attention to the roof shall be prohibited.

18. Screening

Screening shall mean the provision of an eye level barrier of living or non-living material to separate or obscure an adjacent view three hundred sixty-five (365) days of the year.

a. When Required

1) Non-Residential Abutting Residential

Any non-residential use shall be required to provide screening along any mutual property line shared with a residential use. A property having both residential and non-residential uses shall be considered a non-residential use property.

2) Screening of Large Trash Collection Facilities

If a site plan contains a large exterior trash collection facility such as a dumpster, this area shall be screened so as to not be visible from a public right-of-way or an adjacent property.

3) Public Right-of-Way Separating Property Lines

Property lines separated by a dedicated public right-of-way of less than thirty-five (35) feet in width shall be considered to be mutual property lines.

4) Front Yard Screening Not Required

No screening shall be required within the front yard of a property.

b. Height

Screening, when required, shall be a minimum of six (6) feet high.

c. Traffic Hazard

When located adjacent to a dedicated public right-of-way, screening shall not be permitted to obstruct clear vision so as to create a potential traffic hazard.

d. Materials

1) Natural Materials Required

Only natural materials such as stone, brick, wood, and thick evergreen plants, shall be used for screening.

2) Compatibility

Screening shall be visually compatible with buildings, walls, fences, and other structures in the immediate area.

19. Fences

a. Permitted

Wooden fences of solid plain vertical boards, picket fences, or split rail fences shall be permitted with all building styles. Wrought iron or cast metal fences shall be permitted with brick or wood buildings.

b. Prohibited

- 1) Brick walls used with a stone and wood combination building are prohibited.
- 2) Wooden fences with diagonal or basket weave board structure, or uneven tops are prohibited.
- 3) Cinder block, plaster, chain link, cyclone, and all other wire fences are prohibited.

c. Maximum Fence Height

1) Front Yard

Three (3) feet.

2) Side or Rear Yard

Seven (7) feet.

20. Exterior Lighting

a. General Design

Due consideration shall be given to the number, size, character, location, and orientation of all exterior lighting fixtures located within the APD; with particular reference to traffic safety, glare, and compatibility and harmony with adjoining and nearby property, and the character of the area.

b. Intensity

The level of illumination shall be low so as to present a soft and subdued appearance to the property. The brightness of all exterior lights shall appear of constant intensity to the eye.

c. Beamspread

The beamspread of light fixtures shall be designed so that the effect on adjacent properties shall be minimal.

d. Glare

No light fixtures shall be permitted which appear as glare from any public right-of-way.

e. Color

White and yellow shall be the only permitted illumination colors.

f. Movement

The movement of light fixtures while they are producing illumination shall be prohibited.

g. Sign Illumination

See Section 32 of the Zoning Ordinance.

21. Works of Art

Works of art that meet all of the following standards shall be permitted:

a. Quantity

The quantity of works of art per property shall be limited to the number that results in an uncluttered appearance to the property.

b. Architectural Compatibility on Property

The size, scale, proportion, and design of the works of art shall be architecturally compatible with the other buildings, structures, and other works of art located on the property.

c. Architectural Compatibility with Surrounding Properties

The work(s) of art shall be architecturally compatible with the surrounding properties.

d. Not a Sign or Graphic

The work of art shall not be considered a sign or graphic under the terms of this ordinance.

22. Signs

Signs shall be regulated in accordance with provisions contained in Section 32 of the Zoning Ordinance.

E. APPROVALS REQUIRED AND PENALTIES

It shall be the responsibility of all persons, partnerships, firms, corporations, or associations within the APD to obtain the necessary approvals under the procedures set forth in this ordinance before altering any element(s) of their site plan as defined in the "Procedure for Obtaining Permits" section of this ordinance. Any such party not complying with this provision shall be subject to the penalties of Section 26 of the Zoning Ordinance.

F. OTHER PERMITS REQUIRED

Approvals obtained by an applicant under the procedures of this section of the Zoning Ordinance shall not exempt the applicant from the necessity of obtaining all other required permits (such as, but not limited to, zoning, building, demolition, and sign permits) prior to making site plan alterations within the APD.

G. PROCEDURES FOR OBTAINING PERMITS

1. General

Those procedures for obtaining permits that apply to the R-1, R-2, R-3, R-4, or B-1 zoning districts which governs the provisions for the use in the APD shall apply, unless specifically modified in this section of the Zoning Ordinance.

2. Contents of the Application

The site plan shall serve as the basic document by which the applicant identifies the proposed property changes.

a. Site Plan Defined

A site plan shall refer to a set of to-scale drawings and associated text containing the following elements of information regarding the proposed and/or existing use(s) for an entire legal parcel of land:

1) Use

A statement of the general nature of the proposed and/or existing use(s) on the parcel.

2) Structures

The location, size, and height of all structures on the property (including buildings, signs, walls, fences, and works of art).

3) Setbacks and Yards

The location, size, and dimensions of all yards, setbacks, and spaces between structures.

4) Architectural Elevations

The exterior architectural elevations of all structures proposed and/or existing on the site showing the general design, architectural features, color, and building materials. The architectural elevations of structures immediately adjacent to the applicant's property may be required.

5) Paving

The location, dimensions and method of improvement of all driveways, parking areas, walkways, and other means of access, ingress, and egress.

6) Parking and Loading

The location, dimensions, and layout of all areas to be used for parking or loading.

7) Screening

The location, height, and materials for all required screening.

8) Lighting

The location, design, intensity, color, and beamsread of all exterior lighting.

9) Signs

The location, size, and elevations of all signs.

10) Storm Water Drainage

The design of the storm water drainage system for the property.

11) Other Relevant Information

Any additional relevant information requested by the City.

b. Format of the Site Plan Elements

The BAR, the Planning Commission, or City Council may adopt detailed rules governing the acceptable format of the site plan elements to be submitted in an application. City staff shall make any such adopted rules available to the applicant.

3. Approval Procedures

There are four (4) different approval procedures which may apply to proposed site plan alterations.

- a. No Approval Required
- b. Staff Approval
- c. Board of Architectural Review Approval
- d. City Council Approval

PROCEDURE ONE  
NO APPROVAL REQUIRED

A. SITE PLAN ALTERATIONS SUBJECT TO THIS PROCEDURE

1. Use Changes that meet the following requirements:

- a. Do not involve a conditional use.
- b. Meet all the requirements of the Zoning Ordinance.
- c. Involve no changes to the site plan for the property.

2. Repairs

Routine repairs to structures that involve no change of design, color or type of materials (examples: replacement of shutters, screens, steps, banisters, guttering, roofing, etc.).

3. Painting (Colors From the BAR Color Chart)

The painting or repainting of any exterior surface (not including sign faces) using a color scheme selected from the BAR Color Chart.

4. Landscaping with Living Plantings

An alteration of the living plantings on a property (the addition of works of art, non-living materials, and structures are not included in this category).

5. Signs

See Section 32 of the Zoning Ordinance.

B. NO APPROVAL REQUIRED PROCEDURE

No approval by the City of Centerville within the scope of this section of the Zoning Ordinance is required for the above listed actions.

PROCEDURE TWO

STAFF APPROVAL

A. SITE PLAN ALTERATIONS SUBJECT TO THIS PROCEDURE

1. Minor Exterior Alterations to Existing Buildings

Staff may approve minor exterior alterations to existing buildings which clearly meet the requirements of this ordinance. Examples of such changes are as follows:

- a. Siding - Changes to the color, texture, dimensions, or percentage of the exterior facade to be covered by the siding.
- b. Doors and Windows - A structural change of the frame, a change in the size or style, or the addition of storm windows or doors.
- c. Shutters - The addition of shutters or the alteration of the size or style of existing shutters.
- d. Roofing - An alteration of the color and/or materials.

2. Painting (Colors not From the BAR Color Chart)

The painting or repainting of any exterior surface using a color scheme not selected from the BAR Color Chart but within the color requirements of this ordinance.

3. Storage Sheds (One Hundred Twenty (120) Square Feet or Less in Gross Floor Area)

The installation of this size storage shed within the rear yard of a property whose sole use is a single-family residential dwelling unit.

4. Demolition of Buildings

The demolition of any building within the APD requires the approval of the BAR; however, staff may approve a demolition application where an extreme safety hazard exists.

5. Parking, Sidewalks, Driveways, or any Other Paved Surface

6. Fencing

The construction or alteration of the design, color, or type of materials of all fences.

7. Works of Art, Non-Living Materials, and Structures (Not Including Buildings)

The addition of any of these items to a property shall be subject to this review procedure.

8. Lighting

The alteration of exterior lighting on a property.

9. Drainage

The alteration of the design and layout of the storm water drainage system.

10. Signs

See Section 32 of the Zoning Ordinance.

11. Numerous Actions Listed Above

Where an applicant proposes several or more actions included in the above list that would result in a major change to the exterior appearance of the property, staff shall rechannel those proposed alterations through the Board of Architectural Review Approval Procedure.

B. STAFF APPROVAL PROCEDURE

The intent of this approval process is to give staff the ability to expeditiously approve applications for minor site plan alterations which are in compliance with the applicable requirements of the Zoning Ordinance and all other applicable requirements.

1. Staff Decisions

The following actions may be taken by staff on an application:

- a. Approve - Staff shall approve the alterations proposed on the application.
- b. Request Modifications - Staff may request that the applicant make amendments to the application. Staff may approve the amended application. The applicant may at any time request that the application be referred to the Board of Architectural Review Approval Procedure.
- c. Referral to the BAR - Staff shall refer the application to the BAR who shall process the application under the Board of Architectural Review Approval Procedure.

2. Maximum Decision Time

Staff shall have a maximum time limit of five (5) working days from the date of receipt of the application by the City within which to render a decision on the application or the application shall automatically be placed on the agenda for the next Board of Architectural Review meeting.



PROCEDURE THREE

BOARD OF ARCHITECTURAL REVIEW APPROVAL

A. SITE PLAN ALTERATIONS SUBJECT TO THIS PROCEDURE

1. Minor Additions to Principal Building

An addition containing twenty-five (25) percent or less of the gross floor area of the existing principal building to which the addition is to be attached and not exceeding one thousand (1,000) square feet in gross floor area.

2. Major Exterior Alterations to Existing Buildings

Examples of such changes are as follows:

a. Porch Enclosures or Alterations

b. Alterations of the Exterior Building Wall Material

c. Alteration of Exterior Building Wall Openings

Alteration of the location, size, or shape of the exterior building wall openings (doors and windows).

d. Roof Form Alterations

Changes to the roof design and shape (examples: addition of a gable, dormer window, cupola, or cornice work).

3. Painting (Colors not from the BAR Color Chart and not Conforming with the Color Requirements of this Ordinance)

The painting or repainting of any exterior surface using a color scheme not selected from the BAR Color Chart and not conforming with the requirements of this ordinance.

4. Signs

See Section 32 of the Zoning Ordinance.

5. Accessory Buildings

Buildings detached from principal buildings on the lot which contain an accessory use that does not involve human occupancy of the building (other than storage sheds one hundred twenty (120) square feet or less in gross floor area located in the rear yard of a property whose sole use is a single-family dwelling unit).

6. Demolition or Moving of Buildings

The demolition or moving of any building within the APD shall require the approval of the BAR. (Staff may approve a demolition application where an extreme safety hazard exists.)

7. Role of the Planning Commission

Under this review procedure the BAR shall review only the following site plan element(s):

a. Architectural elevations of all structures (including buildings, signs, walls, fences, and works of art)

b. Screening (materials)

c. Lighting

d. Signs

The Planning Commission shall act in place of the BAR under this procedure in reviewing all the following site plan element(s) subject to this procedure:

- a. Structures (location, size, height)
- b. Setbacks and Yards
- c. Paving
- d. Parking
- e. Screening (location and height)
- f. Storm Water Drainage

The Planning Commission in acting for the BAR shall be subject to the requirements of this procedure applicable to the BAR including the ability to grant variances from requirements according to the provisions of this section of the Zoning Ordinance.

**B. BOARD OF ARCHITECTURAL REVIEW APPROVAL PROCEDURE**

**1. Board of Architectural Review Decisions**

The following actions may be taken by the Board of Architectural Review on an application submitted for its review under the scope of this section of the ordinance:

- a. Approve - The BAR shall approve the alterations proposed on the application.
  - b. Approve with Conditions - The BAR shall approve the alterations proposed on the application if the applicant complies with the conditions placed on the approval by the BAR.
    - 1) This action shall be considered the same as a disapproval unless the applicant complies with the conditions placed on the approval by the BAR.
  - c. Disapprove - The proposed alterations on the application shall not be permitted.
2. Appeal to City Council - The applicant or any aggrieved person shall have the right to appeal any decision of the BAR to City Council. An applicant or aggrieved person desiring to appeal a decision of the BAR to the City Council shall have five (5) days from the date of the BAR's decision to file with the City Clerk a Notice of Intent to Appeal. Within fifteen (15) days of the BAR's decision date, the applicant shall file with the City Clerk an appeal letter setting forth the facts of the case.
3. Maximum Decision Time - Upon receipt of an application by the City, the BAR shall have a maximum time limit of forty-five (45) days from the date of receipt of the application by the City within which to render a decision on the application unless the applicant agrees to an extension of the time limit. Failure of the BAR to reach a decision within the forty-five (45) days maximum time limit shall be considered the same as an approval of the application by the BAR.
4. Notification of Adjacent Property Owners - Property owners adjacent to the applicant's property should be notified by the BAR of the date, time, and place where the BAR's meeting will be held to consider the application. Letter or telephone notification of adjacent property owners shall be sufficient.
5. Right of the Public to be Heard at Meetings - Persons attending a meeting of the BAR shall be given an opportunity to speak for or against any application before the BAR.

PROCEDURE FOUR  
COUNCIL APPROVAL

A. SITE PLAN ALTERATIONS SUBJECT TO THIS PROCEDURE

1. Conditional Uses

All conditional uses which may be permitted in the APD.

2. Principal Buildings

All proposed new principal buildings.

3. Major Additions to Principal Buildings

An addition to a principal building containing more than twenty-five (25) percent of the gross floor area of the existing principal building to which the addition is to be attached or an addition exceeding one thousand (1,000) square feet gross floor area.

B. COUNCIL APPROVAL PROCEDURE

City Council shall take final action on the application after receiving recommendations from both the Planning Commission and the BAR.

1. Board of Architectural Review Recommendation

a. The BAR shall review the appropriate elements of the applicant's site plan under the scope of this section of the Zoning Ordinance. The BAR may make the following recommendations to City Council:

- 1) Recommend approval.
- 2) Recommend approval with conditions.
- 3) Recommend disapproval.

b. Appropriate Elements of the Site Plan for Board of Architectural Review

- 1) Architectural elevations of all structures (including buildings, signs, walls, fences, and works of art)
- 2) Screening (materials)
- 3) Lighting
- 4) Signs

2. Planning Commission Recommendation

a. Conditional Use - The Planning Commission shall review the appropriate elements of the applicant's site plan and make a recommendation in accordance with the procedures of Section 20, paragraphs A through D, of the Zoning Ordinance.

b. Other Applications - Planning Commission shall review the appropriate elements of the applicant's site plan in accordance with the procedures of Section 15 of the Zoning Ordinance.

c. Appropriate Elements of the Site Plan for Planning Commission Review

- 1) Use
- 2) Structures
- 3) Setbacks and Yards
- 4) Paving
- 5) Parking

6) Screening (location and height)

7) Drainage

3. City Council Action

- a. Conditional Use - The City Council shall review the application in accordance with the procedures of Section 20, paragraphs A through D, of the Zoning Ordinance.
- b. Other Applications - The City Council shall review all other applications in accordance with the procedures of Section 15 of the Zoning Ordinance.

4. Maximum Decision Time

The City Planning Commission and the BAR shall have a maximum time limit of forty-five (45) days from the date the application is received by the City within which to forward their recommendations on the application to City Council. After this forty-five (45) day time period has elapsed, the City Council shall have an additional forty-five (45) day maximum time limit to take action on the application with or without a recommendation from the City Planning Commission or BAR. Failure of the City Council to reach a decision within a maximum time limit of ninety (90) days from the date of the receipt of an application by the City shall be considered the same as an approval of the application by the City Council, unless the applicant agrees to an extension of the time limit.

5. Public Hearings

The City Council shall hold a public hearing in accordance with Section 24 of the Zoning Ordinance only for conditional use applications.

H. LIMITATION ON THE ISSUANCE OF PERMITS

No zoning, building, demolition, or sign permits shall be issued by the Centerville Department of Development for the construction, alteration, demolition, or moving of any structure or sign within the APD until the applicant has complied with the procedures of this section of the Zoning Ordinance and obtained all necessary approvals.

I. EXPIRATION OF APPROVALS AFTER ONE (1) YEAR

Any approval granted under this section of the Zoning Ordinance shall expire one (1) year after the date the application was approved unless one of the following conditions are met:

1. City permit(s) necessary for the implementation of all the actions proposed on the application have been issued and are still valid.
2. All the changes proposed on the application have been completed.
3. The City authority who originally approved the application has agreed to extend their approval for an additional specified period of time.

J. VARIANCES FROM THE ARCHITECTURAL PRESERVATION DISTRICT REQUIREMENTS

1. Variances to be Granted by the BAR, Planning Commission, or the City Council

In any particular case, where, because of topographic or other conditions, strict compliance with the foregoing requirements of this section of the Zoning Ordinance would cause practical difficulties, or exceptional or undue hardship upon the applicant, the BAR, Planning Commission, or City Council may under their respective approval procedures authorize site plan alterations which vary from the strict applications of these requirements so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this section of the Zoning Ordinance. The variance provisions of this ordinance shall be strictly listed to the Architectural Preservation District.

2. No Variances to be Granted by Staff

Staff shall have no authority to grant variances from the requirements of this ordinance in reviewing site plan alterations subject to the staff approval procedure. Staff shall rechannel all such submitted applications.

K. ESTABLISHMENT OF THE BOARD OF ARCHITECTURAL REVIEW (BAR)

1. Creation

In order to execute the purposes declared in this ordinance, there is hereby created a commission to be called the Board of Architectural Review (BAR).

2. Number of Members

The BAR shall consist of seven (7) members appointed by City Council.

3. Composition

In considering appointments or reappointments to the BAR, City Council shall attempt to achieve the following BAR composition:

- a. Four (4) members residing or conducting business within the APD.
- b. One (1) member of the Centerville Historical Society.
- c. Two (2) members not included in either category "a" or "b" above.
- d. City Council shall attempt to insure that at least one (1) of the above seven (7) members of the BAR shall have design expertise.

4. Residency

*In considering appointments or reappointments to the BAR, the City Council shall give utmost consideration to applicants residing within the City of Centerville; however, applicants with professional, economic, or civic interests in the APD who reside outside the City of Centerville shall be eligible for membership on the BAR.*

5. Term of Office

*The term of office for each member of the BAR shall be three (3) years.*

6. Compensation

*Members of the BAR shall serve without compensation.*

7. Vacancies

*City Council shall appoint a new member to fill the unexpired term of any BAR member whose place has become vacant.*

8. Removal from Office

*City Council shall have the power to remove any member of the BAR from office. City Council shall hold a public hearing on the removal of a member of the BAR before rendering its decision.*

L. RULES OF PROCEDURE FOR THE BOARD OF ARCHITECTURAL REVIEW (BAR)

1. Officers

*A chairperson shall be appointed by City Council from the members of the BAR. The vice-chairperson shall be elected by the BAR from their own members.*

2. Terms of Officers

*The chairperson and vice-chairperson shall serve a one-year term of office.*

3. Meetings

*The members of the BAR shall hold as many meetings as may be necessary to carry out their duties.*

4. Quorum

*Four (4) members of the BAR shall constitute a quorum for the transaction of business.*

5. Minutes of the Meetings

*The BAR shall keep a record, which shall be open to the public, of its resolutions, proceedings, substantive arguments, and actions.*

6. Public Meetings

*All meetings of the BAR shall be open to the public. Persons attending a meeting of the BAR shall be given the opportunity to speak for or against any application before the BAR.*

7. Conflicts of Interest

*No member of the BAR shall vote or participate in the discussion of any question before the BAR in which he or she has a personal or pecuniary interest. All members of the BAR are subject to the City of Centerville Code of Ethics.*

8. Additional Rules of Procedure

*The BAR shall adopt additional rules of procedure as they deem necessary to conduct their business.*

M. DUTIES AND POWERS OF THE BOARD OF ARCHITECTURAL REVIEW

1. Site Plan Review

The BAR shall have the power to approve or disapprove alterations to site plan element(s) within the APD in accordance with the requirements and procedures contained within this Architectural Preservation District Ordinance.

2. Design Review Criteria Booklet

The BAR shall adopt, update, and make available to any interested persons a booklet containing architectural design guidelines for buildings, signs, landscaping, and screening within the APD. No information contained within this booklet shall be construed to be a legislative requirement for properties located within the Architectural Preservation Zoning District.

3. Preservation of Significant Buildings

The BAR shall have the power to approve or disapprove the demolition of all buildings within the APD in accordance with the procedures and criteria established within this ordinance except staff may approve a demolition application where an extreme safety hazard exists.

4. Adoption of the BAR Color Chart

The BAR shall adopt a color chart of exterior building color schemes approved for use within the APD. This color chart and all adopted amendments to it shall be known as the BAR Color Chart and shall hereby be incorporated by reference and made a part of this ordinance.

5. Granting of Site Plan Alteration Variances

The BAR shall have the authority to grant variances from the Zoning Ordinance requirements for site plan alterations which are subject to the BAR Approval Procedure.

6. Granting of Sign Variances

The BAR shall have the authority to grant all variances from the Sign Ordinance provisions contained in Section 32 of the Zoning Ordinance applicable to the APD.

7. Hiring of a Consultant

The BAR, with the approval of the City Manager or the City Council, may in special instances temporarily retain the services of a consultant to assist the BAR in performing its duties.

8. Establish Rules of Procedure

The BAR shall have the power to adopt rules of procedures as may be necessary to perform their duties.

9. Education of the Community

The BAR shall have the power and duty to inform the citizenry about the cultural and architectural history of the community.

10. Additional Powers

The BAR shall have all additional powers granted by the City Council.

N. STAFF ASSISTANCE TO THE BOARD OF ARCHITECTURAL REVIEW (BAR)

1. Staff Approval Procedure

The City Manager shall appoint staff member(s) as necessary to administer the Staff Approval Procedure.

2. Staff Assistance to the BAR

The City Manager shall appoint staff member(s) as necessary to assist the BAR.

Section 2. That Ordinance Number 28-73 is hereby amended as follows, with the portions in brackets thereof repealed and the underlined portions added:

32.01 Exempted Signs

The following signs are not subject to the provision of this ordinance:

(a) Governmental signs for control of traffic and other regulatory purposes, identification signs, street signs, warning signs, railroad crossing signs, and signs of public service companies for the purpose of safety.

(b) Flags, emblems and insignia of any governmental agency.

(c) Commemorative plaques placed by the Centerville Historical Society or City of Centerville.

(d) Signs within a stadium, shopping center, arena, or other use, which signs can be viewed only by persons within such uses.

[(e) All signs within the Architectural Preservation District.]

Sec. 32.4 Signs within the Architectural Preservation District

32.41 Exempted Provisions

Signs within the Architectural Preservation District shall not be subject to any provisions of Section 32 of the Sign Ordinance except those provisions listed under this subsection of the Sign Ordinance.

32.42 General Requirements

BAR Approval Required

A. The erection, construction, or modifying of any sign shall require the approval of the Board of Architectural Review (BAR) in accordance with the BAR Approval Procedure contained in Section 31 of the Zoning Ordinance.

B. Sign Permits Required

Permits shall be obtained for erection, construction, of modifying of any sign, as regulated by Centerville's Building Inspector's Office.

32.43 Standards

A. All signs must be an integral part of the development. Not more than one sign shall be permitted for each occupancy.

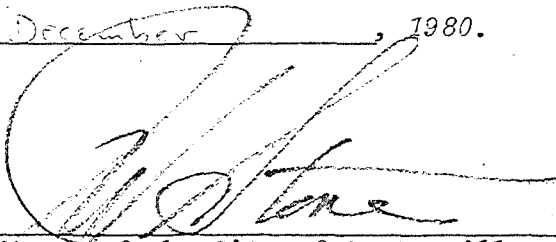
B. All signs shall be constructed of a solid opaque material, shall have no moving parts and no back illumination.

C. All exterior lighting and fixtures must conform to the architectural period of the development.

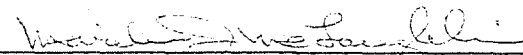


SECTION 3. This Ordinance shall become effective from and after the earliest date allowed by law.

PASSED this 15th day of December, 1980.

  
\_\_\_\_\_  
Mayor of the City of Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
Clerk of the Council of the  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 4880, passed by the Council of the City of Centerville, Ohio, on the 15th day of December, 1980.

  
\_\_\_\_\_  
Clerk of the Council

Approved as to form, consistency with existing ordinances, the charter and constitutional provisions.

Department of Law  
Robert N. Farquhar  
Municipal Attorney



ORDINANCE NUMBER 80-71  
CITY OF CENTERVILLE, OHIO

Sponsored by Councilman J. V. Stone on the 17th day of January, 1972.

AN ORDINANCE TO AMEND ORDINANCE NUMBER 15-1961, THE ZONING ORDINANCE BY ESTABLISHING AN ARCHITECTURAL PRESERVATION DISTRICT, PROVIDING FOR USES THEREIN AND PROCEDURES RELATING THERETO.

WHEREAS, the City of Centerville, Ohio is interested in preserving the historical and architectural heritage of the City but recognizes that the pressures of modern economic life are such that the most historic area of the City is becoming less fit for residential purposes under the present zoning for those areas; and

WHEREAS, the City of Centerville, Ohio is of the opinion that the public health, safety, morals and general welfare of the citizens of Centerville, Ohio can best be served if a zoning plan and ordinance is adopted which would encourage and permit development and uses in the historic area which would be compatible to either residences or businesses, and

WHEREAS, the City of Centerville is of the opinion that a similar architecture and other controls would allow for a greater variety of uses while at the same time protecting the interests of all citizens and thus promote the public health, safety, morals and general welfare.

NOW THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. Section 6A. of Ordinance number 15-61, the Village of Centerville, Ohio, known as the "zoning ordinance of Centerville, Ohio", as amended, passed on December 11, 1961, shall be amended as follows:

A. The City of Centerville is hereby classified and divided into [nine (9)] ten (10) districts designated as follows:

R-1 Residents District	B-2 Roadside Business District
R-2 Residents District	B-3 Shopping Center District
R-3 Residents District	I-1 Industrial District
R-4 Residents District.	EC Entrance Corridor District
B-1 Local Business District	<u>AP Architectural Preservation District</u>

Section 2. Section 5 of Ordinance number 15-61 shall be amended as follows:

1. Construction - shall include the erection of a new building or the exterior remodelling of an existing structure.
2. Parking - shall mean area on applicants own property available for the parking of vehicles and shall not include any area on a public street or alley.
3. Screening - shall mean a visual obstruction between applicants property and adjoining properties and shall be made of brick or wooden or shrubbery of a height designated by the specifications of this ordinance relative thereto.

Section 3. Ordinance number 15-61, the Village of Centerville, Ohio known as the "zoning ordinance of Centerville, Ohio" passed on December 11, 1961, is hereby amended by adding the following:

Section 31.

A. Preamble - Findings of Fact. The City of Centerville hereby finds that inappropriateness or poor quality of design in the exterior appearance of buildings erected in any neighborhood adversely effects the desirability of the immediate area and neighboring areas for residential and business purposes or other use and by so doing impairs the benefits of occupancy of existing property in such areas, impairs the stability and value of both improved and unimproved real property in such areas, prevents the most appropriate development of such area, produces degeneration of property in such areas with attendant deterioration of conditions affecting the health, safety, morals and general welfare of the inhabitants thereof and destroys a proper relationship between the taxable value of real property in such areas and the cost of municipal services provided, therefore. It is the purpose of this section to prevent these and other harmful effects of such exterior appearances of buildings erected in any neighborhood and thus to promote and protect the health, safety, morals and general welfare of the community, to promote the public convenience and prosperity, conserve the value of buildings and encourage this most appropriate use of land within the City. Further the public interest calls for the preservation and protection of significant architectural records from Centerville's, Washington Township's and America's history wherever possible that lie within this municipality and especially to preserve buildings erected prior to 1860 and to promote styles of said period in all new and remodeled buildings. Buildings and places that tell us of our forebearers on this ground add meaning and livability to a community as much as do handsome residential areas and orderly business districts. To accomplish this it is necessary to provide a method whereby, with careful consideration for the rights of private property (and only after thorough analysis of the objects to be achieved) certain public controls over changes to be made in meaningful buildings and other adjacent buildings or neighborhoods can be established.

B. Purpose. This section is intended to establish a procedure for the determination, designation, and regulation, after careful survey and deliberation, of those buildings and structures, or neighborhoods or both, in which the preservation of particular architectural features are of historical importance to the citizens of Centerville and can be preserved, restored, or developed without significant adverse impact upon the use and enjoyment of the property or properties so affected.

C. Board of Architectural Review - Creation and Organization. There is hereby created a Board of Architectural Review which shall consist of five (5) members who shall serve without compensation and who shall be specifically qualified by reason of training or experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business or profession or by reason of civic interest and sound judgment to judge of the effects of a proposed building or the remodeling of an existing building upon the desirability, property values and development of surrounding areas. At least one member of the Board shall be appointed based upon a recommendation from the Centerville Historical Society. The members of the Board shall be appointed by the Council and shall elect a chairman and secretary from their own membership. The term of office of each member shall be three (3) years, except that the initial appointments of one member shall be for one year, two members for two years and of two members for three years. The Council shall have the power to remove any member for cause after

public hearing. Vacancies shall be filled for the unexpired term for any member whose place has become vacant by appointment made by the Council. The building inspector and city engineer shall serve as ex-officio members of the Board and it shall be their duty to refer to the Board plans for any building for which a permit is sought for construction (including exterior remodeling), zoning or occupancy and for which building or proposed building is situated in the Architectural Preservation District. Meetings of the Board of Architectural Review shall be held at such times as the chairman of the board may determine for the purpose of acting on any application for building, zoning or occupancy permits. The chairman or in his absence, the acting chairman may administer oaths and compel the attendance of witnesses. Three (3) members of said Board shall constitute a quorum for the transaction of business. The Board shall keep minutes of its proceedings, showing a vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall also keep records of its examination and other official actions. The Board shall have power from time to time to adopt, amend and repeal rules and regulations not inconsistent with law or the provisions of this ordinance governing its procedure and the transaction of its business, and for the purpose of carrying into effect the standards set forth in this ordinance.

D. Powers of the Board of Architectural Review. The Board of Architectural Review may approve, conditionally, subject to specified modifications or disapprove any application for a building, zoning or occupancy permit referred to it by the building inspector or the City engineer as provided for herein, provided that such action shall be by an affirmative vote of three (3) members of said Board, and provided that the Board finds that the building for which the permit was applied, if erected or remodeled, be consistent with the standards and specifications set forth in this ordinance if approved, or inconsistent if disapproved. After the approval of the issuance of any permit requested, the Board shall have continuing jurisdiction to review the proposed construction or remodeling as to its conformity with the original plan submitted by the applicant. Such review shall relate to the exterior appearance of any building to be constructed or remodeled, its location upon the lot in accordance with a plat plan to be submitted with the application, landscaping or other screening, parking and walks requirements. If the Board should determine that construction, remodeling, landscaping, screening or parking is not in accordance with the original application, the Board may by an affirmative vote of three (3) members direct the building inspector to issue a stop order which shall order the applicant, his agent or contractor to cease all work until compliance with the original application and approval by the Board can be assured. Any applicant failing to cease construction upon receipt of a stop order shall be in violation of this ordinance and may be liable to a fine of Fifty (\$50.00) Dollars for each day that he fails to comply with the order. The Board may, by an affirmative vote of three (3) members, modify any plan submitted by an applicant, and when modified, and agreed to by an applicant, said plan shall have full force and effect as the plan which shall govern said remodeling or construction project. If an applicant refuses to agree to any modification of any plan submitted in connection with an application, the Board may reject or disapprove the application as provided for herein. The Board is also charged with the duty of preserving structures in the Architectural Preservation District which were erected prior to 1860. To preserve said structures, the Board may promote uses of said structures.

To assist it in carrying out the provisions of this ordinance, the Board may retain an architect familiar with and interested in preservation of historical structures to act as an advisor to the Board. Such architect-advisor need not be a resident of Centerville.

E. Effect of Board Action. The building inspector shall refuse any permit application disapproved by the Board as provided in Paragraph D above. He may approve any application conditionally approved by the Board as soon as the conditions specified in such conditional approval have been fulfilled. If the Board shall have approved any building, zoning or occupancy permit, then the building inspector shall, at the expiration of seven (7) days from the date of Board approval issue the permit applied for. He shall likewise issue the permit as applied for in the case of any building, zoning or occupancy permit application referred to such Board which such Board has failed to approve or disapprove within forty (40) days of the date of filing of the application. If any appeal to Council is filed within seven days from the date of Board approval of an application, no permit shall be issued until such appeal has been finally determined by Council.

F. Appeal to Council. Any person aggrieved by the action of the Board of Architectural Review in approving or disapproving a building, zoning or occupancy permit application may take an appeal therefrom to the City Council, within five (5) days after Board action, in the same manner as is provided for in Section 30. H., and such Council after proceeding in the same manner as is provided for therein and with the same power and authority there invested in passing upon appeals before it under the provisions of law and this ordinance and in the exercise thereof may reverse, affirm or modify and affirm as modified the action of Board of Architectural Review.

G. Board of Architectural Review - Procedure on Applications - Public Hearing. Upon the filing of an application for building, zoning or occupancy permit for any property located in an Architectural Preservation District, the building inspector shall forthwith transmit a copy of said application to the Chairman or Secretary of the Board of Architectural Review together with any recommendation by him or the City Engineer relative to compliance of any proposed building, or changes in the exterior of any existing building with the standards set forth in this Ordinance or relative to any parking, walks or screening necessary to protect the City and surrounding properties. The Board shall then set the matter for hearing, said hearing to be within 30 days from the date of filing of the application and cause notice of said hearing to be given by letter to the applicant, the building inspector, the City Engineer and all property owners whose property adjoins the property which is the subject of the application. Any of the foregoing persons who attend the Board hearing in person or by counsel shall be considered as a person aggrieved for the purpose of any desired appeal provided for herein.

The Board at the hearing shall review the application relative to the specifications of this ordinance, shall review the comments and recommendations of the building inspector and City Engineer and shall hear and receive in evidence the comments, exhibits or other relevant information presented by any other interested persons attending the hearing in person or by counsel.

H. Contents of Application. Each application for a building, zoning or occupancy permit shall be on a form prescribed by Building Inspector. At the time of filing of said application, the applicant shall also file a plot plan showing the location of the proposed building to be built or remodeled and other fixtures and signs on the lot, the dimensions of the lot, the location of parking facilities and walks and the width, height and type of proposed screening around the lot; an artist's or architect's drawings of all sides of the proposed building to be constructed or remodeled if applicable; a statement as to the proposed use of said property; and the names and mailing addresses of all adjoining property owners. Each application shall also be accompanied by the payment of a permit fee based upon the following schedule:

(1) Building Permits:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(2) Zoning Permits:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(3) Occupancy Permits:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I. Permitted Uses. Any use permitted in the R-1, R-2, R-3, R-4 or B-1 Districts shall be permitted in the Architectural Preservation District.

J. Exceptions as to Existing Structures. Any existing structure which, in the judgment of the Board of Architectural Review, is of significant historical or architectural value as it exists and especially those erected prior to 1860, need not be altered to comply with the specifications and standards of this ordinance; (building code requirements for proposed occupancy excepted) provided, however, the Board may condition its approval of the application upon remodeling deemed necessary in order to restore the exterior of said structure and may also condition said approval upon parking, walks and screening requirements consistent with the proposed use and for the protection of adjoining property owners and the community.

K. Signs. Any sign erected in an Architectural Preservation District shall comply with the sign specifications and standards of this ordinance as to size and type and the remainder of the zoning ordinance as to location unless otherwise ordered by the Board of Architectural Review.

L. Specifications and Standards. Attached hereto and made a part hereof are standards and specifications of typical exterior designs for buildings, plot plans and signs which are hereby deemed to be consistent with building, plot plans and signs appropriate for the Architectural Preservation District.

M. Exceptions to Subdivision Regulations. The provision of the Subdivision Regulations requiring that a lot front on a public or private street shall not apply in the Architectural Preservation District; provided, however, that all lots in the Architectural Preservation District must front on any of the following: private or public street, private or public alley.

O. Permits Required. (1) In the Architectural Preservation District before any use of an existing or proposed building can be made, except single family residential use, a zoning and occupancy permit must be obtained, upon proper application made, in accordance with the provisions of this ordinance. (2) Any construction work in an Architectural Preservation District shall not be commenced until a building permit has been applied for and issued in accordance with the terms of this ordinance.

Section 4. This ordinance shall become effective on the earliest date allowed by law.

PASSED this 17th day of January, 1972.

## STANDARDS AND SPECIFICATIONS

### A. Buildings

Proposed new buildings and remodeling of existing buildings shall be acceptable as to style if they are similar in design and appearance to buildings depicted in the following publications:

Historic Midwest Houses - John Drury, 1947, L. C. Card #47-12011

Early Homes of Ohio - I. T. Frary, 1936, L. C. Card #76-110298

Copies of the aforesaid publications or advice as to location of same may be obtained from the City of Centerville. Any copies obtained from the City of Centerville shall be on a loan basis.

### B. Signs

All signs must be an integral part of the development. Not more than one sign shall be permitted for each occupancy.

All signs shall be constructed of a solid opaque material, shall have no moving parts and no back illumination.

All exterior lighting and fixtures must conform to the architectural period of the development.

Set back requirement for front, rear and side yard spaces shall conform to those historic buildings presently adjacent to the proposed use.

### C. Plot Plan

The plot plan submitted with the application must show the location of the building on the plot with scale dimensions showing the length of all property lines and the distance of structures and signs from property lines.

The plan shall also show the locations of all exterior lighting, walks, parking area (including location and number of spaces) and landscaping or other screening.

### D. Landscaping and Screening

All uses, other than small single family residences, shall be screened from all adjoining properties by: (1) solid masonry wall at least five feet in height and no more than eight feet in height. Concrete or concrete block walls shall not be permitted;

Or (2) a dense evergreen hedge at least seven (7) feet thick and at least five (5) feet in height;

Or (3) a wooden fence, the design of which is consistent with the architectural period of the development. The fence shall completely hide the adjoining properties and shall be at least five feet and not more than eight feet in height.

### E. Walks

All walks shall be constructed of brick or stone block or stone slabs.

### F. Parking

All parking shall be behind the rear building line and the spaces shall be designated by painted lines. All parking areas shall be constructed of blacktop or concrete. The number of spaces required shall conform to the number required by Ordinance 15-61, the Zoning Ordinance, for any particular use.



/s/ Paul C. Hoy  
MAYOR - City of Centerville, Ohio

ATTEST:

/s/ Marilyn J. McLaughlin  
Clerk of the Council of the City  
of Centerville, Ohio

C E R T I F I C A T E

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of an ordinance passed by the Council of the City of Centerville, Ohio, on the 17th day of January, 1972.

/s/ Marilyn J. McLaughlin  
Clerk

ORDINANCE NO. 20-73  
CITY OF CENTERVILLE, OHIO

Sponsored by Councilman John Davis, on the 21st day of May, 1973.

AN ORDINANCE AMENDING ORDINANCE NO. 15-61 AND ORDINANCE NO. 80-71 BY ADDING SPECIFICATIONS FOR SIDEWALKS IN THE ARCHITECTURAL PRESERVATION DISTRICT.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That Sub-section e of the Standards and Specifications of Ordinance No. 80-71 by which Ordinance amends Ordinance No. 15-61 is hereby amended by the addition of the specifications for brick sidewalks which are attached hereto and made a part hereof and incorporated herein by reference in accordance with Section 5.06 of the Centerville Charter.

Section 2. This Ordinance shall become effective at the earliest date allowed by law.

Passed this 21st day of May, 1973.

/s/ Paul C. Hoy  
Mayor of the City of  
Centerville, Ohio

ATTEST:

/s/ Marilyn J. McLaughlin  
Clerk of the Council of the  
City of Centerville, Ohio

C E R T I F I C A T E

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 20-73, passed by the Council of the City of Centerville, Ohio, on the 21st day of May, 1973.

/s/ Marilyn J. McLaughlin  
Clerk of the Council

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions.

Department of Law  
Robert N. Farquhar  
Municipal Attorney

# Specifications

## ARCHITECTURAL PRESERVATION DISTRICT

CITY OF

# CENTERVILLE

OHIO

BOARD OF ARCHITECTURAL REVIEW:

MRS ELIZABETH HOY, CHAIRMAN

MESSRS. FREDERICK FOCKE

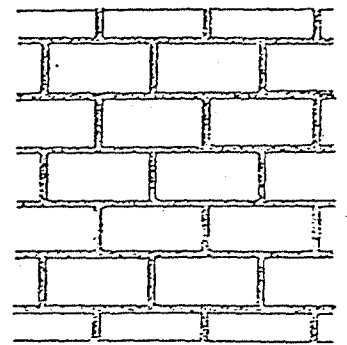
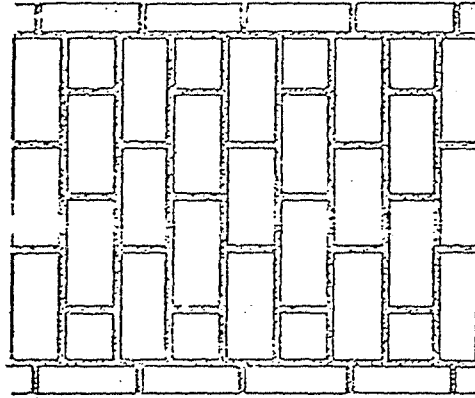
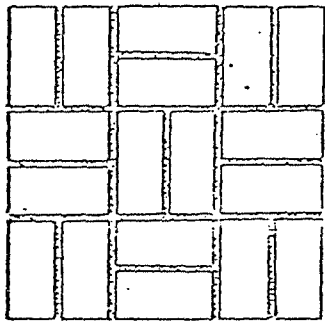
HOWARD KREIDER, JR.

JOSEPH LEDBETTER

EUGENE MAYLEBEN

# BRICK PAVING

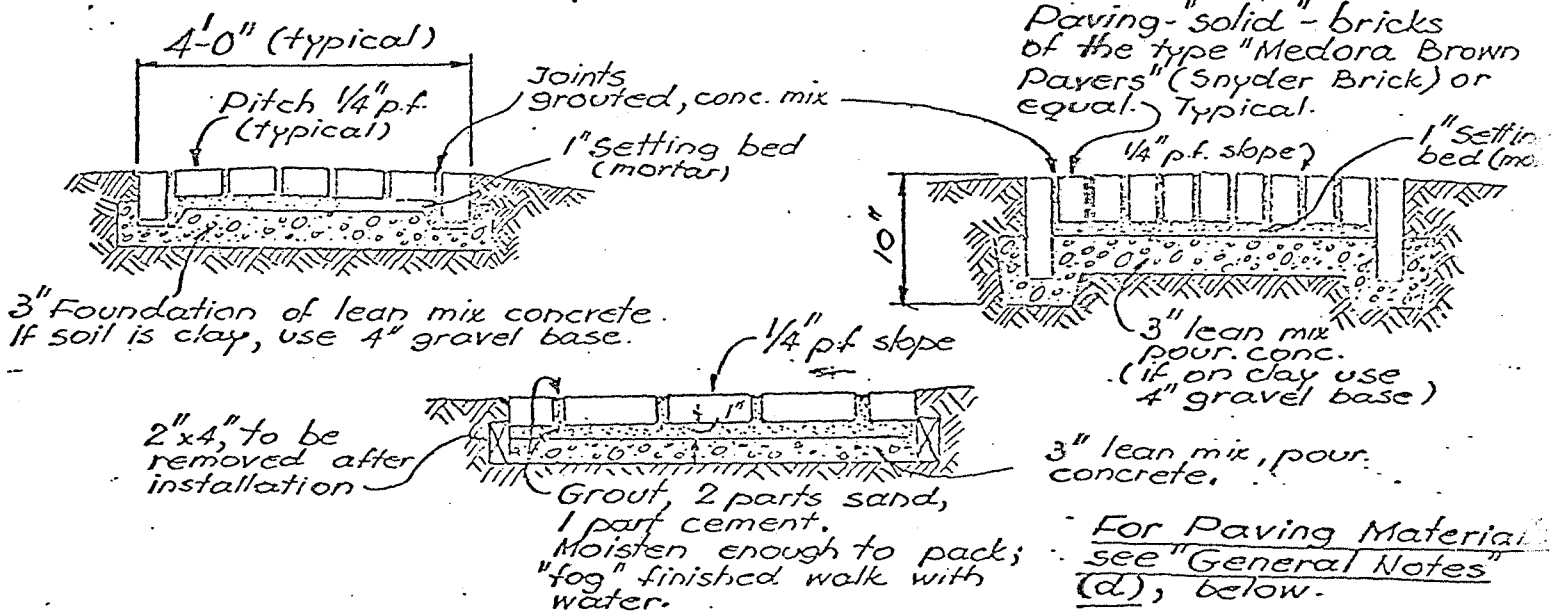
The following paving patterns for walks, terraces and porches are acceptable within the Architectural Preservation District, City of Centerville, Ohio:



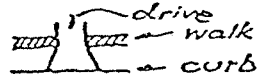
Other patterns, if desired, can be installed upon submittal to and acceptance by the Board of Architectural Review.

## METHODS OF INSTALLATION:

(Not to scale; any of 3 methods may be used)



## GENERAL NOTES:

- Rear of brick walk to be 1/2" per foot above top of curb, brick walk itself to slope 1/4" p.f. toward curb. If brick walks are to be installed within property itself, they may be "crowned" (as shown above), sloping 1/4" p.f. to both sides.
- Brick walks should be interrupted at drives, i.e. 
- Maximum longitudinal slope of sidewalk: 8%

(d) Materials accepted for paving of sidewalks within the Centerville Architectural Preservation District:

- (1) Solid "paving" brick, manufactured in accordance with ASTM C 7-42 (as reapproved in 1965).
- (2) Stone Slabs; details to be approved by the Centerville Engineer.

(e) It is the intention of these Specifications to cause either installation of new brick sidewalks or gradual replacement of existing concrete sidewalks with brick sidewalks, within all public streets in the Architectural Preservation District.

The installation of new sidewalks may be required in conjunction with any and all actions brought forward by a petitioner, as for instance (but not limited to) applications for: zoning permit, change of occupancy, curb cut, change of exterior appearance of the building, etc.

If circumstances make it impossible to proceed with construction of said improvements at the time of submittal of the application, the Board of Architectural Review shall designate a reasonable time period within which the project has to be completed.

(f) Installation of concrete curb in conformance with Centerville Specifications, and widening of blacktop roadway (where necessary) has to be done at the same time as sidewalk installation.

The Centerville City Engineer will designate grade, location and give any other needed instructions for installation of the above improvements. He will determine what, if any, plans or other documents should be submitted. Cost of improvements to be borne by owner.

(g) Construction of storm sewers, catch basins, storm manholes and related structures will not be the concern of the individual property owner, but will be executed by the City of Centerville, at the time when such improvements appear to be necessary and feasible. Costs of such improvements will be assessed to the property owner.

(h) If additional right-of-way for public use is needed in order to make installation of brick sidewalk (or any other improvement) possible, dedication of an additional width of street shall be enacted at the time when application (as listed under "e" above) is granted.

(i) In the event that there are adequate sidewalks in good repair on the premises at the time specified in subsection (e) hereof, the Board may determine that no new sidewalks constructed in conformity with this ordinance shall be required, provided the applicant agrees to install same at such time in the future as the Board, acting on the advice of the Building Inspector or City Engineer as to the then existing condition, may order same. In the event that there are no sidewalks or inadequate sidewalks at the time of said application specified in subsection (e) the Board shall require new sidewalks in accordance with these specifications, unless the applicant can prove to the Board that there are compelling reasons for not constructing same, in which event the Board may waive this requirement in the same manner as previously provided for, in the case of adequate sidewalks in good repair.

ORDINANCE NUMBER 70-72  
CITY OF CENTERVILLE, OHIO

Sponsored by Councilman John McIntire on the 18th day of December, 1972.

AN ORDINANCE AMENDING ORDINANCE NO. 15-1961, THE ZONING ORDINANCE AS AMENDED BY ORDINANCE NO. 25-69 AND ORDINANCE NO. 80-71 BY GRANTING THE BOARD OF ARCHITECTURAL REVIEW THE POWER TO GRANT VARIANCES.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That Section 23 of Ordinance No. 15-1961 as amended by Ordinance No. 25-69 and Ordinance No. 80-71 is hereby amended by the addition of the following:

In an Architectural Preservation District the Board of Architectural Review shall, exclusive of all other Boards and Commissions, have all of the powers and duties herein granted to the City Planning Commission acting as the Administrative Board.

Section 2. This Ordinance shall become effective from and after the earliest date allowed by law.

PASSED this 18th day of December, 1972.

/s/ Paul C. Hoy  
Mayor of the City of Centerville, Ohio

ATTEST:

/s/ Marilyn J. McLaughlin  
Clerk of the Council of the  
City of Centerville, Ohio

C E R T I F I C A T E

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 70-72, passed by the Council of the City of Centerville, Ohio, on the 18th day of December, 1972.

/s/ Marilyn J. McLaughlin  
Clerk of the Council

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions.  
Department of Law  
Robert N. Farquhar  
Municipal Attorney

ORDINANCE NO. 36-79  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Jeffrey Siler ON THE 5th DAY  
OF November, 1979.

AN ORDINANCE AMENDING ORDINANCE NUMBER 15-61, THE ZONING ORDINANCE, AS AMENDED BY ORDINANCE NUMBER 80-71, BY INCREASING THE MEMBERSHIP OF THE BOARD OF ARCHITECTURAL REVIEW FROM FIVE (5) MEMBERS TO SEVEN (7) MEMBERS.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. That Section 31 of Ordinance Number 15-61, as amended by Ordinance Number 80-71 is hereby amended as follows, with the portions in brackets thereof repealed and the underlined portions added:

SECTION 31.

C.. Board of Architectural Review [- Creation and Organization] (BAR)

1. There is hereby created a Board of Architectural Review (BAR) which shall consist of [~~five (5)~~] seven (7) members who shall serve without compensation and who shall be specifically qualified by reason of training or experience in art, architecture, community planning, land development, real estate, landscape architecture, historical preservation, history or other relevant business or profession or by reason of civic interest and sound judgment to judge of the effects of a proposed building or the remodeling of an existing building upon the desirability, property values and development of surrounding areas. [At least one member of the Board shall be appointed based upon a recommendation from the Centerville Historical Society.]

2. The members of the Board of Architectural Review shall be appointed by the City Council [and shall elect a chairman and secretary from their own membership.]. The term of office [of] for each member shall be three (3) years [, except that the initial appointments of one member shall be for one year, two members for two years and of two members for three years] A Chairperson and a Secretary shall be elected from the membership of the Board of Architectural Review.

3. In considering appointments to the Board of Architectural Review, the City Council will attempt to insure representation from the Centerville Historical Society and from the Merchants in the Architectural Preservation District.

4. The Council shall have the power to remove any member for cause after public hearing. Vacancies shall be filled for the unexpired term for any member whose place has become vacant by appointment made by the Council.

5. The [building inspector and city engineer] City Manager, City Engineer, Building Inspector, or their designees, shall serve as ex-officio members of the Board of Architectural Review and it shall be their duty to



refer to the Board of Architectural Review plans for any building for which a permit (s) is sought for construction (including exterior remodeling), [zoning] or occupancy [and] as well as the other permits as may be required, for which building or proposed building is situated in the Architectural Preservation District.

6. Meetings of the Board of Architectural Review shall be held at such times as the [chairman] Chairperson of the Board of Architectural Review may determine for the purpose of acting on any application for building, [zoning] or occupancy permits[.], or other reasons as necessary. [The chairman or in his absence, the acting chairman may administer oaths and compel the attendance of witnesses.]

7. [Three (3)] Four (4) members of said Board of Architectural Review shall constitute a quorum for the transaction of business.

8. The Board of Architectural Review shall keep minutes of its proceedings [,] showing a vote of each member upon each question or if absent or failing to vote, indicating such fact, and shall also keep records of its examination and other official actions. For the purpose of appeal, appeal time shall commence to run on the date a decision of the Board of Architectural Review is voted upon by the Board of Architectural Review and not from the date the minutes including the facts of such decision are approved.

9. The Board of Architectural Review shall have power from time to time to adopt, amend and repeal rules and regulations not inconsistent with law or the provisions of this ordinance governing its procedure and the transaction of its business, and for the purpose of carrying into effect the standards set forth in this ordinance.

#### D. Power of the Board of Architectural Review

1. The Board of Architectural Review may approve, conditionally, subject to specified modifications or disapprove any application for a building, zoning or occupancy permit referred to it [by the building inspector or the city engineer] as provided for herein, provided that such action shall be by an affirmative vote of [three (3)] four (4) members of said Board, and provided that the Board finds that the building for which the permit was applied, if erected or remodeled, be consistent with the standards and specifications set forth in this ordinance if approved, or inconsistent if disapproved.

2. After the approval of the issuance of any permit requested, the Board shall have continuing jurisdiction to review the proposed construction or remodeling as to its conformity with the original plan submitted by the applicant. Such review shall relate to the exterior appearance of any building to be constructed or remodeled, its location upon the lot in accordance with a plot plan to be submitted with the application, landscaping or other screening, parking and walks requirements. If the Board should determine that construction, remodeling, landscaping, screening or parking is not in accordance with the original application, the Board may by an affirmative vote of [three (3)] four (4) members direct the building inspector to issue a stop order which shall order the applicant, his agent or contractor to cease all work until compliance with the original application and approval by the Board can be assured. Any applicant failing to cease construction upon receipt of a stop order shall be in violation of this ordinance and may be liable to a fine of Fifty (\$50.00) Dollars for each day that he fails to comply with the order.

3. The Board may, by an affirmative vote of [three (3)] four (4) members, modify any plan submitted by an applicant, and when modified, and agreed to by an applicant, said plan shall have full force and effect as the plan which shall govern said remodeling or construction project. If an applicant refuses to agree to any modification of any plan submitted in connection with an application, the Board may reject or disapprove the application as provided for herein.

4. The Board is also charged with the duty of preserving structures in the Architectural Preservation District which were erected prior to 1860. To preserve said structures, the Board may promote uses of said structures.

5. To assist [it] in carrying out the provisions of this ordinance, the Board of Architectural Review may retain an architect familiar with and interested in preservation of historical structures to act as an advisor to the Board of Architectural Review. Such architect/advisor need not be a resident of Centerville [.] ; however, the Board of Architectural Review shall assure that there is no conflict of interest in his activities. The Board of Architectural Review will include in its budget request for funds to cover the services of this individual.

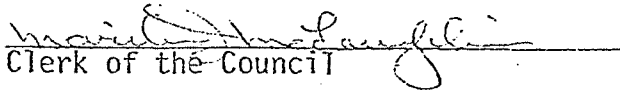
SECTION 2. This Ordinance shall become effective from and after the earliest date allowed by law.

PASSED this 5th day of November, 1979.



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Mayor of the City of Centerville, Ohio

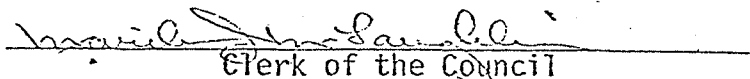
ATTEST:



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Clerk of the Council

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance Number 36-79, passed by the Council of the City of Centerville, Ohio, on the 5th day of November, 1979.



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Clerk of the Council