

Landmark Commission
July 18th, 2018
Meeting Minutes

The Chairman called the meeting to order at 4:30PM. The following members were present: Mr. John Lawrence, Mr. Timothy Berkey, Chairman Michael Zuilhof, Mr. Alan Griffiths, Ms. Nikki Llyod, and Mr. Joe Galea. Mr. Greg Voltz and Ms. Angela Byington represented the Planning Department; Mr. Trevor Hayberger represented the Law Department; and Casey Sparks, Clerk. There were 6 voting members present.

Mr. Zuilhof stated that the applicant, Robert W. Hare, on behalf of Renaissance Too LLC, has submitted an application for approval for the exterior renovations to 125 E. Water Street.

Mr. Voltz presented that the applicant is proposing to perform a comprehensive exterior renovations on the Biemiller Building. 125 E. Water Street is a contributing property within the Downtown Sandusky Historic District as well as being listed as a building within the Water Street Commercial Buildings Historic District. The applicant was recently awarded Ohio Historic Preservation Tax Credits. This requires the work being done to be approved by the State to assure it is following strict preservation guidelines. The repairs to the building will be focused on maintaining existing materials and only repairing and replacing what is necessary. Staff recommends the granting of a certificate of appropriateness for work to be performed at 125 E. Water Street.

Mr. Galea asked if there was proposed changes to the north face of the building, there was previous discussion regarding changing these windows, however this is a new application and the windows do not appear to be changing.

Mr. Voltz stated that the applicant will be maintaining all the existing windows, only repairing what is in need of repair. It is not the intent of the applicant to change any of the openings of the windows.

Mr. Griffiths stated that the applicant has gone through the state and federal process to receive the historic tax credits, these agencies standards would be in line with our standards. Mr. Griffiths stated that he would recommend a motion of approval.

Mr. Zuilhof stated he believes the applicant is in compliance with the city ordinance, confirmed with staff the application is in compliance.

Mrs. Byington stated that if the scope of the project deviates from the state approval they would need to resubmit to Landmark Commission.

Mr. Zuilhof stated that he would recommend this as a condition of approval.

Mr. Griffiths moved to approve the application for 125 E. Water Street with the condition that if the project deviates from the state approval the applicant would need to resubmit to Landmark Commission. Mr. Galea seconded the motion.

The motion approved unanimously.

Mr. Zuilhof stated that the applicant, Jami Tallman has submitted an applicant for approval for exterior alterations to 123-125 W. Market Street.

Mr. Voltz presented that the application is proposing to perform exterior alterations to install a wooden fence. 123-125 E. Market Street is a non-contributing property within the downtown

Sandusky Commercial Historic District. The applicant is proposing a decorative wooden fence to provide an outdoor dining area. The Secretary of Interior Standards do state that the exterior alterations to the site be compatible with the historic character of the site. Staff recommends granting of the certificate of appropriateness for the work performed at 123-125 W. Market Street. Mr. Voltz stated that he is not aware if they intend to paint or stain the fence at this time.

Mr. Zuilhof asked if this application will go to the Design Review Committee.

Ms. Byington stated that applicants are not required to be reviewed by both Landmark Commission and Design Review Committee. There are only a couple of properties that are not located within the area that both committees review.

Ms. Llyod ask if the applicant will be going through the encroachment license process and if they meet all requirements for that process.

Mr. Voltz stated that they have received a temporary outdoor dining permit and they will be going for an encroachment license through City Commission.

Mr. Galea stated that this was already constructed prior to approval.

Mr. Zuilhof stated that they generally do not require encroachment permits for fences.

Mr. Griffiths ask when issuing the certificate or appropriateness is the only consideration the material of the fence or does it speak to the color of the material.

Ms. Byington stated that it speaks to the kind of material, this is a wooden fence as such it would be permitted. In the past many of the business have a wrought iron. The fence would not change the building, the question is how much the fence would affect the historic nature of the area.

Mr. Zuilhof stated that the materials are permitted and meeting the standards. Mr. Zuilhof stated that he would like to see the fence be stained or painted. The paint would give a feeling of maturity. Mr. Zuilhof stated that he is mildly concerned that the applicant constructed the fence and simple ask forgiveness later. He is also concerned that a snow plow may not be able to get through the area, which will limit the area of clearing on the sidewalk.

Mr. Hayberger stated that he has discussed this with engineering and they are utilizing a 6' blade on the tractor utilized for clearing snow, Engineering may be getting smaller equipment to address these areas.

Mr. Griffiths stated that he would like to see a more uniform standard for these types of structures, it is not perfect however it meets the standards.

Mr. Griffiths moved to approve the subject fence with the condition that it be stained or painted.

Mr. Berkey suggested a 12 month time line for staining the fence.

Mr. Griffith amended his motion to state that the fence will be stained or painted within 12 months.

Mr. Berkey seconded the motion.

The motion approved unanimously.

Ms. Byington stated that she would like to discuss with the Commission the possibility of amending the Landmark Ordinance to exclude projects that are already approved by the State Historic Preservation Office.

Mr. Zuilhof stated that if the applications are identical than it should not matter.

Ms. Llyod stated that she has some question on how far the state looks into the details regarding the color palette. Often times the Landmark Commission has friendly discussions with the applicant regarding the proposed colors and often times the applicant makes changes.

Ms. Byington stated that this is something that they can look into at the state level.

Mr. Zuilhof stated that he is concerned that we maintain our certification for Certified Local Government and the Landmark Commission creditability.

Ms. Byington stated in order to maintain the CLG status the City is required to report all applications that are approved through Landmark Commission at a local level. Reviewing larger projects may give the Commission more credibility and the process is not difficult for the applicant.

Mr. Griffiths stated that maybe there is a middle ground in which the application can be reviewed by staff and then give notification to the Commission of the project.

Mr. Galea stated that a condition may be staff consultation to receive input of staff. Mr. Galea stated if the applicant does not consult with staff then a formal commission approval would be necessary. Mr. Galea agrees that this process is not a difficult process. If the state has more restrictive regulations more often than not we should generally agree with their recommendation.

Ms. Byington stated that staff will research how other Landmark Commission process these applications. Staff does not have an issue either way.

Mr. Zuilhof stated that he believes that there is value with coming to staff first and it is important that is on the radar of the commission.

Ms. Byington stated that we could postpone this discussion to another meeting.

Mr. Galea made a motion to approve the minutes that were received electronically by the clerk; Mr. Griffiths seconded the motion.

Ms. Lloyd ask if staff could discuss if fines should be in place with a violation.

Ms. Byington stated that they would be violation of the zoning code however there is no fine associated with this, staff could look at what other penalties that other cities have in place.

Mr. Galea asked the law department opinions of individuals in violation of the zoning code for not receiving a permit.

Mr. Hayberger stated any violation of zoning would be a criminal violation.

Mr. Galea asked who is authorized to make the individual compliant.

Mr. Hayberger stated that it would be a zoning enforcement officer.

Mr. Zuilhof stated that it may be appropriate to take them through the criminal process.

Mr. Griffiths suggested staff review what cities of our size do and if there are other penalties. that we can explore.

Mr. Hayberger suggested a timely route would be the criminal route for punishment.

Mr. Griffiths stated that there is a legal obligation through the Landmark Commission requiring the applicants to maintain the property.

Ms. Byington stated that staff would look into this subject.

Mr. Zuilhof motioned to adjourn the meeting; Mr. Griffiths seconded the motion. The meeting adjourned at 5:15PM.



Casey Sparks, Clerk



Michael Zuilhof, Chairman