

Landmark Commission  
November 28<sup>th</sup>, 2018  
Meeting Minutes

The Chairman called the meeting to order at 3:36PM. The following members were present: Mr. Jon Lawrence, Chairman Michael Zuilhof, Mr. Joe Galea, Mr. Griffith, Dr. Tim Berkey, and Ms. Nikki Lloyd. Mr. Greg Voltz and Mr. Horsman represented the Planning Department; Mr. Trevor Hayberger represented the Law Department; and Casey Sparks, Clerk. There were 6 voting members present.

Dr. Berkey moved to accept the minutes from October 17<sup>th</sup>, 2018, Mr. Lawrence second the motion.

Mr. Horsman stated that the discussion item for this evening is the proposed revisions to Chapter 1161 Landmark Ordinance of the Planning & Zoning Code. The revisions break down into specifically three different areas: granting Certificate of Appropriateness regarding demolition, Landmark Commission delegating staff performing minor reviews, and assuring the current language is more consistent.

Staff reviewed many different localities to see what is appropriate and made the most sense for a community of this size regarding demolition guidelines and what the commission would have to evaluate. Staff proposed a list of items and criteria that would be considered for both demolition and issuing Certificate of Appropriateness. The proposed staff administrative review section would call for staff to review and approve minor changes such as landscaping, fence, etc. this was proposed to make the application process easier. The proposed revisions also state that staff could approve applications that have already been approved by the State Historic Preservation Office. If the application is denied by staff the applicant has the ability to allow the Commission to review the application. Staff would also keep the Commission aware of any applications that staff has approved.

Dr. Berkey stated the he has concerns regarding a concern with preservation of historic properties on the National Registry. Do we believe that this ordinance gives staff the ability for staff to enforce against owners that have let the buildings deteriorate, shut off the utilities, or let the buildings be vacant. The interior of the building has an impact on the exterior as well. Dr. Berkey ask if we need to add more language to assure a solid process is in place.

Ms. Lloyd suggested that proposed minor maintenance requirements does not have much language, Ms. Lloyd ask staff if they had seen anything similar when doing their research.

Mr. Horsman stated that there are a variety of different approaches, it was not something that we particularly dived into but staff thought what was proposed was sufficient, they did not find anything that they could use to beef up the existing regulations.

Mr. Zuilhof stated that the maintenance requirements could be stronger, he believes that they should reference the secretary of interior standards.

Mr. Hayberger stated that some of the these things could be referenced to Code Enforcement Department.

Mr. Zuilhof stated having specific protections within this code would be make these situations a priority.

Ms. Lloyd stated the ordinance needs to ensure owners take proper care of the buildings before it becomes an issue for the structure.

Mr. Zuilhof stated that they should implement higher standards than the building code and possibly a higher penalty for not maintaining a Landmark structure.

Mr. Griffiths stated at the end of the day city has to have the ability to enforce the code. He likes the ideas of prioritizing a landmark structure, possibly pacing these issues to the top of the list with the Code Enforcement Office.

Ms. Lloyd stated that they should add an extra line in the demolition process to assure that the owner had done proper maintenance to the structure before they requested demolition.

Dr. Berkey ask if the city is informed when the electric has been turned off.

Mr. Hayberger stated that we could determine this information.

Mr. Zuilhof suggested that the ordinance require any vacant building to be mothballed if it is vacant.

Mr. Griffiths stated the ordinance should indicate if the owners mothball a building the owner should notify the city. All residential property may be too much but it should be a requirement for a Landmarked building.

Mr. Zuilhof discussed receiving the owner's approval before designating a property, this could possibly cause a building to crumble and the Commission could possibly loose leverage. This would be excellent time to change this back to the original language. He believes the owner should be notified, however the owner should not have to issue approval.

Ms. Lloyd stated that in Section 1161.07(b) (1)- Certificate of Appropriateness, she would like to discuss the proposed changes regarding fencing. In Section 1161.07 (b) (2) she would suggest changing the wording to state that the applicant will be referred to Landmark Commission instead of allowing the applicant to request an application to be forwarded to Landmark Commission.

Mr. Zuilhof ask how the Commission would be notified of these applications, could the applications possibly be emailed and allow Commission to provide comment.

Mr. Hayberger stated that this may be violating the open meetings law.

Mr. Galea stated that in regards to Section 1161.07 (B) (3) there may be a logistics issue and tough for Commission to provide comments, it may be better to leave discussions for the next meeting.



Mr. Galea stated also referencing Section 11641.07(b) (3) he would prefer it to state "may request" as it would be more appropriate because staff is empowered to resolve the issue before it comes to Landmark Commission.

Ms. Lloyd stated that it makes sense to keep the way it is, she was considering it for more major changes.

Mr. Voltz stated the intent is for minor changes to be approved by staff.

Mr. Horsman referenced Section 1164.01 regarding granting authority, staff would provide a list of what is appropriate for staff to review and the Commission would need to approve this list.

Mr. Griffiths ask staff to elaborate on what he meant in regards to changes approved by the State Preservation Office.

Mr. Horsman stated that the intent is that any projects have been through the National Park Service review process staff could also review and approve, however this would have to be something that the Commission would have to grant within the approved list.

Mr. Zuilhof stated that he would like this list to be approved periodically to safeguard against abuse and to also make clear that it could be rescinded if needed.

Mr. Zuilhof discussed the definition of Landmark and ask staff if we are at risk of a circular definition. One solution is to define designated Landmark.

Mr. Horsman stated staff's attempt to resolve this was to distinguish landmark and historic. The term landmark is designated to define properties that are locally landmarked properties.

Mr. Hayberger ask if there are Landmarked properties that are not designated but also called landmarks.

Mr. Zuilhof discussed the use of the word landmark throughout the ordinance.

Mr. Hayberger stated that staff will look into the definition and the use of the word throughout the proposed legislation.

Mr. Griffith stated that yes there are landmarks that are not designated as landmarks, as we have a process to designate these properties. Section 1161.04(a) discusses designating certain landmarks and properties, staff may want to tighten up this section.

Mr. Zuilhof ask if the Commission would like to discuss possibly designating structures or objects not just sites.

Mr. Griffiths described sections that would allow them to designate objects, specifically state objects or sites.

Ms. Lloyd stated that it appears that the proposed changes have been sent to the Ohio Historic Preservation Office and they are currently reviewing them, will staff submit the changes that

are made based on Commissions comments this evening to the Ohio Historic Preservation Office.

Mr. Horsman stated that the proposed ordinance is still under review at their office, depending on feedback from OHPO they will discuss with staff if they need to resubmit to their office.

Mr. Zuilhof discussed additional landmarks that could be considered are the Boy with the Boot Fountain, Dauch Park Fountain on Wayne Street, historic schools such as Monroe School. There are several properties that we should consider.


Mr. Griffiths stated the committee could recommend a list of properties that could be designated and recommend this list to City Commission. Staff could circulate all current properties that are currently on the National Register.

Mr. Galea stated we should receive a list of the current historic districts and boundaries.

Mr. Galea made a motion to adjourn the meeting; Mr. Griffiths seconded the motion.

The meeting was adjourned at 4:25PM.

  
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Casey Sparks, Clerk

  
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Michael Zuilhof, Chairman