

TITLE NINE - Architectural Standards
Chap. 1187. Architectural Districts.

CHAPTER 1187
Architectural Districts

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1187.01 PURPOSES.

The purposes of this chapter are to maintain a high character of community development, to protect and preserve property, to promote the stability of property values and to protect real estate from impairment or destruction of value for the general community welfare by regulating the exterior architectural characteristics of structures throughout the hereinafter defined Regulated Architectural District and by making recommendations as to the exterior architectural characteristics of structures throughout the hereinafter defined Unregulated Architectural District.

These purposes will be served by the regulation of exterior design, use of materials, the finish grade line, landscaping and orientation of all structures hereinafter altered, constructed, reconstructed, erected, enlarged or remodeled in the hereinafter defined Regulated Architectural District and by recommendations as to exterior design, use of materials, the finish grade line, landscaping and orientation of all structures hereinafter altered, constructed, reconstructed, erected, enlarged or remodeled in the hereinafter defined Unregulated Architectural District. (Ord. 49-86. Passed 5-6-86.)

1187.02 DISTRICT BOUNDARIES.

(a) There is hereby established a Regulated Architectural District and an Unregulated Architectural District.

(b) The Regulated Architectural District is comprised of the following described area: Beginning at the intersection of the centerline of the Consolidated Rail Corporation with the centerline of Erie Street; thence in an easterly direction along the said centerline of Erie Street and said centerline of Erie Street extended to the West line of Haverford Subdivision; thence in a southerly direction along the said West line of Haverford Subdivision to the extension of the centerline of Firth Road; thence in an easterly direction along the said extension of the centerline of Firth Road and the centerline of Firth Road to the East right-of-way line of U.S. 23; thence in a northerly direction along the said East right-of-way line of U.S. 23 to the extension of the centerline of Randall Street; thence in an easterly direction along the said extension of the centerline of Randall Street and the centerline of said Randall Street to the centerline of Acres Road; thence in a southerly direction along the said centerline of Acres Road to the centerline of Alexis Road; thence in an easterly direction along the said centerline of Alexis Road to the East line of a parcel of land as described in Volume 1810, Page 217 Lucas County Deed Records; thence in a southerly direction along the said East line of a parcel of land as described in Volume 1810, Page 217 Lucas County Deed Records to an angle point in the said East line of a parcel of land as described in Volume 1810, Page 217 Lucas County Deed Records; thence in a southwesterly direction along the said East line of a parcel of land as described in Volume 1810, Page 217 Lucas County Deed Records and the East line of a parcel of land as described in Microfiche 86-579-C01 Lucas County Deed Records to the southerly right-of-way line of Monroe Street; thence in a northwesterly direction along the said southerly right-of-way line of Monroe Street to the said East right-of-way line of U.S. 23; thence in a southwesterly direction along the said East right-of-way line of U.S. 23 to the center of the Ten Mile Creek (AKA Ottawa River); thence in a westerly direction along the said center of the Ten Mile Creek (AKA Ottawa River) to the intersection of the East line of Lot 212 in Block 34 of the Plat of Sylvania (now vacated); thence in a southerly direction along the said East line of Lot 212 in Block 34 of the Plat of

Sylvania (now vacated) to the South line of said Lot 212 in Block 34 in the Plat of Sylvania (now vacated); thence in a westerly direction along the said South line of Lot 212 in Block 34 of the Plat of Sylvania (now vacated) and said South line of Lot 212 extended to the West line of Main Street; thence in a southerly direction along the said West line of Main Street to the South line of a parcel of land as described in Volume 1490, Page 480 Lucas County Deed Records; thence in a westerly direction along the said South line of a parcel of land as described in Volume 1490, Page 480 Lucas County Deed Records and said South line extended westerly to the said centerline of the Consolidated Railway Corporation; thence in a northerly direction along the said centerline of the Consolidated Railway Corporation to the said centerline of Ten Mile Creek (AKA Ottawa River); thence in a westerly direction along the said centerline of Ten Mile Creek (AKA Ottawa River) to the centerline of Silica Drive; thence in a northerly direction along the said centerline of Silica Drive and the centerline of so-called "School Drive" to the centerline of Maplewood Avenue; thence in an easterly direction along the said centerline of Maplewood Avenue to the said centerline of the Consolidated Rail Corporation; thence in a northerly direction along the said centerline of the Consolidated Rail Corporation to the point of beginning. Excepting therefrom all parcels zoned R-1 and R-2.

(c) The Unregulated Architectural District is comprised of the area within the boundaries of the Fire District as set forth in Section 1313.02 excepting therefrom the area comprising the Regulated Architectural District as set forth in subparagraph (b) of this section. (Ord. 104-94. Passed 10-3-94.)

1187.03 APPLICATION AND NOTICE FOR REGULATED
ARCHITECTURAL DISTRICT.

(a) Whenever a structure, as defined by this Zoning Ordinance, whether public or private, within the Regulated Architectural District is proposed to be constructed or erected and whenever an existing structure within such Regulated Architectural District is proposed to be altered, reconstructed, enlarged or remodeled, if such alteration, reconstruction, enlargement or remodeling involves the exterior design, material, finish grade line, landscaping or orientation of the structure, an application for a certificate of appropriateness shall be filed with the Clerk-Auditor together with a fee based upon the following schedule:

- (1) If the cost of the proposed project is to be two thousand dollars (\$2,000) or less the applicant shall pay a fee of two dollars (\$2.00).
- (2) If the cost of the proposed project is to exceed two thousand dollars (\$2,000) a fee of one dollar (\$1.00) for each one thousand dollars (\$1,000) or fraction thereof of the estimated total cost shall be paid. In no case shall such fee be less than two dollars (\$2 00) or more than two hundred dollars (\$200.00) .

(b) The application shall be accompanied by a line drawing indicating at a minimum, the lot dimensions, size, shape, and dimensions of the structure, the location and orientation of the structure on the lot and the actual or proposed building setback lines. In addition, the application shall be accompanied by a detailed narrative description of the proposed design or change of design, use of materials, finish grade line, landscaping and orientation of the structure. Except in single-family residential zoning districts, application for structures to be constructed or remodeled, which

remodeling would increase or decrease the total gross building area by fifty percent (50%) or more, shall be accompanied by a colored elevation showing at a minimum, the design, use of materials, finish grade line, landscaping and orientation of buildings. In addition, the Board of Architectural Review may require the submission of colored perspectives or architectural renderings.

(c) Upon receipt of an application for a certificate of appropriateness, which is accompanied by the material required by the provisions of subsection (b) hereof, the Clerk-Auditor shall refer the application to the Board of Architectural Review at its next regular meeting not more than thirty days from the date the application is filed and the chairperson of the Board may call a special meeting to consider such application. The applicant shall be notified by mail of the date and time of the meeting, unless such notice is waived. The Board shall consider and grant or deny the certificate of appropriateness within thirty days from the date of the filing of the application therefor or the certificate shall be deemed granted as applied for. The thirty-day limit within which such application must be considered and granted or denied may be extended by any amount of time consented to by applicant, in writing.
(Ord. 49-86. Passed 5-6-86.)

1187.04 BOARD OF ARCHITECTURAL REVIEW.

(a) The Municipal Planning Commission shall constitute the Board of Architectural Review for all purposes under this chapter.

(b) The Board of Architectural Review shall adopt its own rules of procedure and provide for regular and special meetings in order to carry out the purposes of this chapter. (Ord. 49-86. Passed 5-6-86.)

1187.05 STANDARDS FOR REVIEW; CERTIFICATE OF APPROPRIATENESS.

(a) The Board of Architectural Review, in deciding whether to issue a certificate of appropriateness, shall determine that the application under consideration promotes, preserves and enhances the architectural character of the community and would not be at variance with existing structures within that portion of the district in which the structure is or is proposed to be located as to be detrimental to the interests of the Regulated Architectural District as set forth in Section 1187.01. In conducting its review, the Board shall make examination of and give consideration to the elements of the application including, but not necessarily limited to:

- (1) Height.
- (2) Building massing, which shall include the relationship of the building width to its height and depth, and its relationship to the viewer's and pedestrian's visual perspective.
- (3) Window treatment, which shall include the size, shape and materials of the individual window units and the overall harmonious relationship of window openings.

- (4) Exterior detail and relationships, which shall include all projecting and receding elements of the exterior, including but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements.
- (5) Roof shape, which shall include type, form and materials.
- (6) Materials: texture and color, which shall include a consideration of material compatibility among various elements of the structure.
- (7) Compatibility of design and details, which shall include the appropriateness of the use of exterior design details.
- (8) Landscape design and plant materials, which shall include, in addition to requirements of this Zoning Ordinance, lighting and the use of landscape details to highlight architectural features or screen or soften undesirable views.
- (9) Pedestrian environment, which shall include the provision of features which enhance pedestrian movement and environment and which relate to the pedestrian's visual perspective.
- (10) Signage, which shall include the appropriateness of signage to the building.

(b) In conducting its inquiry and review, the Board may request from the applicant such additional information, sketches and data as it shall reasonably require. It may call upon experts and specialists for testimony and opinion regarding the matters under examination. It may recommend to the applicant changes in the plans that it considers desirable and may accept a voluntary amendment to the application to include or reflect such changes. The Board shall keep a record of its proceedings and shall append to the application copies of information, sketches and data needed to clearly describe any amendment to it.

(c) When its review is concluded, the Board will determine by a vote of its members, whether the application for a certificate of appropriateness shall be approved or denied. If approved by a majority of its members, the Board shall return the application and appended material to the Clerk-Auditor with the instruction that the certificate of appropriateness be issued, provided all other requirements for a building permit, if applicable, are met. If not approved, the Board shall return the application and appended material to the Clerk-Auditor with instructions that the certificate of appropriateness shall not be issued because the application did not meet the criteria and standards set forth herein.
(Ord. 49-86. Passed 5-6-86.)

1187.06 PRESERVATION OF PROPERTY UPON DEMOLITION OF A STRUCTURE IN THE REGULATED ARCHITECTURAL DISTRICT.

(a) Whenever a structure within the Regulated Architectural District is proposed to be demolished, an application for a certificate of appropriateness shall be filed with the Clerk-Auditor as provided in this chapter. In considering such application, the Board of Architectural Review shall limit its inquiry to the proposal for grading, landscaping and other design treatment of the property once the structure has been removed.

(b) Nothing in this chapter shall be construed to prevent the demolition of a structure whether public or private, within the Regulated Architectural District.
(Ord. 49-86. Passed 5-6-86.)

1187.07 REPAIR OR MAINTENANCE EXCEPTION.

Nothing in this chapter shall be construed to prevent any ordinary repair or maintenance of an exterior architectural feature or any ordinary planting and landscaping now in the Regulated Architectural District or the Unregulated Architectural District.
(Ord. 49-86. Passed 5-6-86.)

1187.08 APPLICATION AND NOTICE FOR UNREGULATED ARCHITECTURAL DISTRICT.

(a) Whenever a structure, as defined by this Zoning Ordinance, whether public or private, within the Unregulated Architectural District is proposed to be constructed or erected and whenever an existing structure is proposed to be altered, reconstructed, enlarged or remodeled, if such alteration, reconstruction, enlargement or remodeling involves the exterior design, material, finish grade line, landscaping or orientation of the structure, an application for a recommendation of appropriateness shall be filed with the Clerk-Auditor together with a fee based upon the following schedule:

- (1) If the cost of the proposed project is to be two thousand dollars (\$2,000) or less the applicant shall pay a fee of two dollars (\$2.00).
- (2) If the cost of the proposed project is to exceed two thousand dollars (\$2,000), a fee of one dollar (\$1.00) for each one thousand dollars (\$1,000) or fraction thereof of the estimated total cost shall be paid. In no case shall such fee be less than two dollars (\$2.00) or more than two hundred dollars (\$200.00) .

(b) The application shall be accompanied by a line drawing indicating at a minimum, the lot dimensions, size, shape and dimensions of the structure on the lot and the actual or proposed building setback lines. In addition, the application shall be accompanied by a detailed narrative description of the proposed design or change of design, use of materials, finish grade line, landscaping and orientation of the structure. Except in single-family residential zoning districts, applications for structures to be constructed or remodeled, which remodeling would increase or decrease the total gross building area by fifty percent (50%) or more, shall be accompanied by a colored elevation showing, at a minimum, the design, use of materials, finish grade line, landscaping and orientation of buildings. In addition, the Board of Architectural Review may require the submission of colored perspectives or architectural renderings.

(e) Upon receipt of an application for a recommendation of appropriateness, which is accompanied by the material required by the provisions of subsection (b) hereof, the Clerk-Auditor shall refer the application to the Board of Architectural Review at its next regular meeting not more than thirty days from the date the application is filed and the chairperson of the Board may call a special meeting to consider such application. The applicant shall be notified by mail of the date and time of the meeting, unless such notice is waived. The Board shall consider and make its recommendations of appropriateness within thirty days from the date of the filing of the application therefor or the recommendation of appropriateness shall be deemed granted as applied for. The thirty-day limit within which such application must be considered and such recommendation of appropriateness made may be extended by any amount of time consented to by applicant, in writing.
(Ord. 49-86. Passed 5-6-86.)

1187.09 STANDARDS FOR REVIEW; RECOMMENDATION OF APPROPRIATENESS.

(a) The Board of Architectural Review, in making a recommendation of appropriateness, shall determine whether the application under consideration promotes, preserves and enhances the architectural character of the community and whether it would be at variance with existing structures within that portion of the district in which the structure is or is proposed to be located as to be detrimental to the interests of the Unregulated Architectural District as set forth in Section 1187.01. In conducting its review, the Board shall make examination of and give consideration to the elements of the application including, but not necessarily limited to those elements mentioned in Section 1187.05(a)(1) to (10).

(b) In conducting its review, Section 1187.05(b) shall apply.

(c) When its review is concluded, the Board, by a majority vote of its members, shall make a recommendation of appropriateness. Whether positive or negative, the recommendation of appropriateness shall be issued forthwith and a copy thereof served by mail or hand delivered on such applicant and the applicant may then apply for zoning approval and a building permit.
(Ord. 49-86. Passed 5-6-86.)

1187.10 ZONING APPROVAL AND BUILDING PERMIT PROHIBITED WITHOUT COMPLIANCE WITH THIS CHAPTER.

No zoning permit incidental to the issuance of a building permit and no building permit shall be issued for property in either architectural district unless the applicant has first complied with the provisions of this chapter.
(Ord. 49-86. Passed 5-6-86.)

1187.11 PRESERVATION OF PROPERTY UPON DEMOLITION
OF A STRUCTURE IN THE UNREGULATED
ARCHITECTURAL DISTRICT.

(a) Whenever a structure within the Unregulated Architectural District is proposed to be demolished, an application for a recommendation of appropriateness shall be filed with the Clerk-Auditor as provided in this chapter. In considering such application, the Board of Architectural Review shall limit its inquiry to the proposal for grading, landscaping and other design treatment of the property once the structure has been removed.

(b) Nothing in this chapter shall be construed to prevent the demolition of a structure whether public or private, within the Unregulated Architectural District.
(Ord. 49-86. Passed 5-6-86.)

1187.12 APPEALS.

Appeals from decision of the Board of Architectural Review shall be heard and decided by the Zoning Board of Appeals in accordance with the procedure set forth in Section 1105.06 and recourse from decisions of the Zoning Board of Appeals shall be to the courts as provided by law.
(Ord. 49-86. Passed 5-6-86.)