NOTICE OF MEETING

PLANNING, ZONING, PUBLIC BUILDINGS
AND GROUNDS COMMITTEE

Councilwoman Karen Lieske, Chair
Councilman Marty Mace
Councilman Paul Vincent

Monday, February 27, 2017
6:30 p.m.
Bay Village City Hall
Conference Room

Agenda
Monopoles
Head-in Parking in front of Commercial Establishments
Legislation for Accessory Structures other than Swimming Pools
Proposal to expand Architectural Board of Review to include review of Residential Dwelling Construction
Monopole Information
on picking up the yard waste, but after being behind in the leaves they had to request Republic Waste to come back in last week and help with the yard waste pick-up in order to keep the leaf pick up going on as scheduled. Mr. Tadych asked the cost for Republic to come in and pick up the yard waste and Mayor Ebert stated that the cost was $4,000.

Mayor Ebert stated that he met this evening with the new owner of the Humiston Drive property and spoke with neighboring residents. The agreement when the Humiston house was built, was that the lot to the north was purchased by the same owner and he would be allowed to build on the lot to the south using the dirt from that lot to regrade the north lot. They are allowed to excavate for the construction of the house but not allowed to build until the Board of Zoning Appeals hears the objection pending on building on the south lot.

Mr. Koomar confirmed that the fill from the dirt being excavated can be used in part on the existing home for drainage purposes. It will still need to meet all of the drainage ordinances in terms of not flooding the construction. Mr. Ebert stated that this is definitely part of the requirement.

**Mayor Ebert** stated that he has been inundated by three different companies on the new monopole cell towers. A monopole is a pole going up about 124 feet. We are seeing a lot of the companies come forward across the board. Rather than having the cell towers, they are doing monopoles. Mayor Ebert distributed to Council a list of some of the areas that have been looked at for consideration of placing some of these monopoles. This will be placed in the Planning, Zoning, Public Buildings and Grounds Committee for discussion sometime in the future. He noted that although they are not obstructive, he has asked them to consider installing on top of the police tower at City Hall in lieu of some of the ones they are considering. They are requesting installation in the public right-of-way, for example, one they are requesting is at the corner of Lake Road and Dover Center Road.

Mr. Tadych stated that he is confused about some of the locations listed, as they are far south in the City. Isn’t the purpose to pick up better transmission? Mr. Ebert stated that two companies want to be near the lakefront, but AT&T is not so worried about that because they have other locations in Westlake and surrounding areas that they can beam from.

Mayor Ebert noted that Bay Village has been very successful in challenging some locations because of the fall zone of the towers. These are monopoles, which look like telephone poles with wires on them. In some locations, they actually put these on as extensions on street light poles, which is another alternative.

Mrs. Lieske commented that according to the map distributed by Mayor Ebert these poles would be near peoples’ yards. Mr. Ebert stated that one proposed by Mobile Light was on the corner of West Oviatt and Donald Drive.

There are no monopoles in Bay Village currently. There is a similar type of situation at Bay High School, with poles on top of the light stanchions. Those are not called monopoles, and they were put in in lieu of a cell tower. The company pays rental for that use. There are also towers on top of the Knickerbocker Apartments which produce a monthly income for the apartments.
Special Meeting of Council  
December 12, 2016

They do not have to pay rent for the monopoles.

Mayor Ebert announced that a City Planning meeting will be held on Saturday, January 7, from 9 a.m. to 3 p.m. at LaCentre in Westlake. It is a great opportunity for the department directors to put forward what they look for in 2017 and thereafter. Also, the Council Committee Chairs and the Chairman of each City Board and Commission will make presentations on issues they have that the City should address in the future. It is a good opportunity for interplay of the City Council, Boards and Commissions, Directors, and city administration.

Mayor Ebert stated that he would like the Planning, Zoning, Public Buildings and Grounds Committee to review the possibility of eliminating the front-in parking in front of the stores on Dover Center Road. The stores only on the west side of the street still allow this parking. They all have parking available in the back of their businesses. It is a safety hazard to back out into the traffic.

Mr. Koomar commented that when Mr. Dan Galli was the City Service Director he worked with the businesses on the west side of Dover Center Road to restore the public right-of-way. The City extended some funds to help improve the area with tree lawn and plantings.

Mayor Ebert stated that he has a description and has talked to people about a grant writer to come into the City on a monthly basis paid through a retainer. This idea came about when talking about the renovations needed for the Community House and having a fund raiser for that purpose. The purpose would be to seek grants for the benefit of the historical buildings. Mayor Ebert will be bringing this to Council.

AUDIENCE

Mr. Clark called for a reading of the Minutes of the Regular Meeting of Council held December 5, 2016. Mr. Clark MOVED to dispense with the reading and accept the minutes of the Regular Meeting of Council held December 5, 2016 as prepared and distributed. Motion passed 6-0 with one abstention by Mr. Clark.

Mr. Clark read, by title only, Ordinance No. 16-84 to make appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2017. (Second Reading) (First Reading 11-21-16). Mr. Clark noted that the Finance Committee had a good, detailed discussion about the Capital component of the 2017 budget tonight at the Finance Committee meeting.
Finance Director Mahoney is going to make some changes as agreed upon, with the goal being third reading and adoption on Monday, December 19, 2016. Mr. Tadyeh stated that this is the first time the budget will be done before the end of the year in the last seven to eight years. Mr. Clark stated that many things worked in our favor this year, but nonetheless a good job by the Finance Department and the department heads in putting together what they thought was a realistic budget, especially on the Capital side.

Mr. Koomar announced that Ordinance No. 16-84 is placed on Second Reading.
ANGLE PARKING
INFORMATION
CHAPTER 351
Parking Generally

351.01 Police may remove unattended vehicle which obstructs traffic.
351.02 Registered owner prima-facie liable for unlawful parking.
351.03 Prohibited standing or parking places.
351.04 Parking near curb; handicapped locations on public and private lots and garages. Angle parking.
351.05 Manner of angle parking.
351.06 Selling, washing or repairing vehicle upon roadway.
351.07 Unattended vehicle: duty to stop engine, remove key, set brake and turn wheels.
351.08 Opening vehicle door on traffic side.
351.09 Truck loading zones.
351.10 Outside storage of disabled motor vehicles.
351.11 Parking in alleys and narrow streets; exceptions.
351.12 Prohibition against parking on streets or highways.
351.13 Parking on posted private property.
351.14 Snow emergency.
351.15 Overnight parking; maximum continuous parking limit.
351.16 Prohibition of parking of motor vehicles on lawns.
351.99 Penalty; waiver.

CROSS REFERENCES
See sectional histories for similar State law
Owner nonliability, lease defense - see Ohio R.C. 4511.071
Police may remove ignition key from unattended vehicle - see TRAF. 303.03
Parking near stopped fire apparatus - see TRAF. 331.27
Lights on parked or stopped vehicles - see TRAF. 337.09

351.01 POLICE MAY REMOVE UNATTENDED VEHICLE WHICH OBSTRUCTS TRAFFIC.
Whenever any police officer finds a vehicle unattended upon any street, bridge or causeway, or in any tunnel, where such vehicle constitutes an obstruction to traffic, such officer may provide for the removal of such vehicle to the nearest garage or other place of safety.
(ORC 4511.67)

351.02 REGISTERED OWNER PRIMA-FACIE LIABLE FOR UNLAWFUL PARKING.
In any hearing on a charge of illegally parking a motor vehicle, testimony that a vehicle bearing a certain license plate was found unlawfully parked as prohibited by the provisions of
this Traffic Code, and further testimony that the record of the Ohio Registrar of Motor Vehicles shows that the license plate was issued to the defendant, shall be prima-facie evidence that the vehicle which was unlawfully parked, was so parked by the defendant. A certified registration copy, showing such fact, from the Registrar shall be proof of such ownership.

351.03 PROHIBITED STANDING OR PARKING PLACES.
No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Traffic Code, or while obeying the directions of a police officer or a traffic control device, in any of the following places:
(a) On a sidewalk, devil strip or tree lawn area, except a bicycle and except where otherwise authorized by Council;
(b) In front of a public or private driveway;
(c) Within an intersection;
(d) Within ten feet of a fire hydrant;
(e) On a crosswalk;
(f) Within twenty feet of a crosswalk at an intersection;
(g) Within thirty feet of, and upon the approach to, any flashing beacon, stop sign or traffic control device;
(h) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic control device;
(i) Within fifty feet of the nearest rail of a railroad crossing;
(j) Within twenty feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five feet of the entrance when it is properly posted with signs;
(k) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
(l) Alongside any vehicle stopped or parked at the edge or curb of a street;
(m) Upon any bridge or other elevated structure upon a street, or within a street tunnel;
(n) At any place where signs prohibit stopping, standing or parking, or where the curbing or street is painted yellow, or at any place in excess of the maximum time limited by signs;
(o) Within one foot of another parked vehicle provided trucks may double park only so long as to load or unload merchandise;
(p) On the roadway portion of a freeway, expressway or thruway.
(ORC 4511.68)

351.04 PARKING NEAR CURB; HANDICAPPED LOCATIONS ON PUBLIC AND PRIVATE LOTS AND GARAGES.
(a) Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be stopped or parked with the curb side wheels of the vehicle parallel with and not more than twelve inches from the curb, unless it is impossible to approach so close to the curb; in such
case the stop shall be as close to the curb as possible and only for the time necessary to discharge and receive passengers or to load or unload merchandise.

(b)  (1)  This subsection does not apply to streets or parts thereof where angle parking is lawfully permitted. However, no angle parking shall be permitted on a state route unless an unoccupied roadway width of not less than twenty-five feet is available for free-moving traffic.

(2)  A.  No angled parking space that is located on a state route within a municipal corporation is subject to elimination, irrespective of whether there is or is not at least twenty-five feet of unoccupied roadway width available for free-moving traffic at the location of that angled parking space, unless the municipal corporation approves of the elimination of the angled parking space.

B.  Replacement, repainting or any other repair performed by or on behalf of the municipal corporation of the lines that indicate the angled parking space does not constitute an intent by the municipal corporation to eliminate the angled parking space.

(c)  (1)  Except as provided in subsection (c)(2) hereof, no vehicle shall be stopped or parked on a road or highway with the vehicle facing in a direction other than the direction of travel on that side of the road or highway.

(2)  The operator of a motorcycle may back the motorcycle into an angled parking space so that when the motorcycle is parked it is facing in a direction other than the direction of travel on the side of the road or highway.

(d)  Notwithstanding any provision of this Code or any rule, air compressors, tractors, trucks and other equipment, while being used in the construction, reconstruction, installation, repair or removal of facilities near, on, over or under a street, may stop, stand or park where necessary in order to perform such work, provided a flagman is on duty, or warning signs or lights are displayed as may be prescribed by the Ohio Director of Transportation.

(e)  Special parking locations and privileges for persons with disabilities that limit or impair the ability to walk, also known as handicapped parking spaces or disability parking spaces shall be provided and designated by the Municipality and all agencies and instrumentalities thereof at all offices and facilities, where parking is provided, whether owned, rented or leased, and at all publicly owned parking garages. The locations shall be designated through the posting of an elevated sign, whether permanently affixed or movable, imprinted with the international symbol of access and shall be reasonably close to exits, entrances, elevators and ramps. All elevated signs posted in accordance with this subsection and Ohio R.C. 3781.111 (C) shall be mounted on a fixed or movable post, and the distance from the ground to the bottom edge of the sign shall measure not less than five feet. If a new sign or a replacement sign designating a
special parking location is posted on or after October 14, 1999, there also shall be affixed upon the surface of that sign or affixed next to the designating sign a notice that states the fine applicable for the offense of parking a motor vehicle in the special designated parking location if the motor vehicle is not legally entitled to be parked in that location.

(f) (1) No person shall stop, stand or park any motor vehicle at special parking locations provided under subsection (e) hereof, or at special clearly marked parking locations provided in or on privately owned parking lots, parking garages, or other parking areas and designated in accordance with subsection (e) hereof, unless one of the following applies:
A. The motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a valid removable windshield placard or special license plates;
B. The motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates.

(2) Any motor vehicle that is parked in a special marked parking location in violation of subsection (f)(1) of this section may be towed or otherwise removed from the parking location by the Police Department. A motor vehicle that is so towed or removed shall not be released to its owner until the owner presents proof of ownership of the motor vehicle and pays all towing and storage fees normally imposed by the Municipality for towing and storing motor vehicles. If the motor vehicle is a leased vehicle, it shall not be released to the lessee until the lessee presents proof that that person is the lessee of the motor vehicle and pays all towing and storage fees normally imposed by the Municipality for towing and storing motor vehicles.

(3) If a person is charged with a violation of subsection (f)(1) of this section, it is an affirmative defense to the charge that the person suffered an injury not more than seventy-two hours prior to the time the person was issued the ticket or citation and that, because of the injury, the person meets at least one of the criteria contained in Ohio R.C. 4503.44(A)(1).

(g) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a removable windshield placard or a temporary removable windshield placard or special license plates, or when a motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates, the motor vehicle is permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner as to be clearly a traffic hazard.
(h) As used in this section:

(1) "Handicapped person" means any person who has lost the use of one or both legs, or one or both arms, who is blind, deaf or so severely handicapped as to be unable to move without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary or other handicapping condition.

(2) "Person with a disability that limits or impairs the ability to walk" has the same meaning as in Ohio R.C. 4503.44.

(3) "Special license plates" and "removable windshield placard" mean any license plates or removable windshield placard or temporary removable windshield placard issued under Ohio R.C. 4503.41 or 4503.44, and also mean any substantially similar license plates or removable windshield placard or temporary removable windshield placard issued by a state, district, country or sovereignty.

(ORC 4511.69)

351.05 MANNER OF ANGLE PARKING.
Upon streets where angle parking is permitted, no person shall stop, stand or park a vehicle other than at the angle to the curb or edge of the roadway as is indicated by appropriate signs or markings.

351.06 SELLING, WASHING OR REPAIRING VEHICLE UPON ROADWAY.
No person shall stop, stand or park a vehicle upon any roadway for the principal purpose of:

(a) Displaying such vehicle for sale;
(b) Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

351.07 UNATTENDED VEHICLE: DUTY TO STOP ENGINE, REMOVE KEY, SET BRAKE AND TURN WHEELS.
No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the parking brake, and, when the motor vehicle is standing upon any grade, turning the front wheels to the curb or side of the highway.

The requirements of this section relating to the stopping of the engine, locking of the ignition and removing the key from the ignition of a motor vehicle shall not apply to an emergency vehicle or a public safety vehicle.

(ORC 4511.661)

351.08 OPENING VEHICLE DOOR ON TRAFFIC SIDE.
No person shall open the door of a vehicle on the side available to moving traffic unless
and until it is reasonably safe to do so, and can be done without interfering with the movement of
other traffic, nor shall any person leave a door open on the side of a vehicle available to moving
traffic for a period of time longer than necessary to load or unload passengers.
(ORC 4511.70(C))

351.09 TRUCK LOADING ZONES.
No person shall stop, stand or park a vehicle for any purpose or length of time other than
for the expeditious unloading and delivery or pickup and loading of materials in any place
marked as a truck loading zone during hours when the provisions applicable to such zones are in
effect. In no case shall the stop for loading and unloading of materials exceed thirty minutes.

351.10 OUTSIDE STORAGE OF DISABLED MOTOR VEHICLES.
No person shall place, maintain, store or permit to be placed, maintained or stored for a
period of more than fifteen days any motor vehicle, chassis, part of or remains of a motor vehicle,
in a disabled condition upon any lot or land in the City, unless the same shall be within a
completely enclosed building or garage. The term “disabled” means a condition in which the
vehicle cannot be operated on public streets under its own power in compliance with statutory or
ordinance requirements.
(Ord. 67-141. Passed 10-16-67.)

351.11 PARKING IN ALLEYS AND NARROW STREETS; EXCEPTIONS.
No person shall stop, stand or park any vehicle upon a street, other than an alley, in such a
manner or under such conditions as to leave available less than ten feet of the width of the
roadway for free movement of vehicular traffic, except that a driver may stop temporarily during
the actual loading or unloading of passengers or when directed to by a police officer or traffic
control signal.
Except as otherwise provided by law, no person shall stop, stand or park a vehicle within
an alley except while actually loading and unloading, and then only for a period not to exceed
thirty minutes.

351.12 PROHIBITION AGAINST PARKING ON STREETS OR HIGHWAYS.
Upon any street or highway which does not have any curbing, no person shall stop, park
or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled
part of the street or highway if it is practicable to stop, park or so leave such vehicle off the paved
or main traveled part of such street or highway. In every event, a clear and unobstructed portion
of the street or highway opposite such standing vehicle shall be left for the free passage of other
vehicles, and a clear view of such stopped vehicle shall be available from a distance of 200 feet
in each direction upon such street or highway.
This section does not apply to the driver of any vehicle which is disabled while on the
paved or improved or main traveled portion of a street or highway in such manner and to such
extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such
position.
351.13 PARKING ON POSTED PRIVATE PROPERTY.
If an owner of private property posts on the property in a conspicuous manner, prohibition against parking on the property or conditions and regulations under which parking is permitted, no person shall do either of the following:
(a) Park a vehicle on the property without the owner's consent;
(b) Park a vehicle on the property in violation of any condition or regulation posted by the owner.
(ORC 4511.681)

351.14 SNOW EMERGENCY.
(a) Whenever, during any period of twenty-four hours or less, snow falls in the City or in a section thereof to a depth of two inches or more, an emergency is declared to exist in that such a heavy snow storm constitutes a serious public hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health and police protection, and other vital facilities of the City. Such emergency shall continue until an announcement by the Mayor or Director of Public Safety that snow plowing operations have been completed, which announcement shall be made in the same manner as outlined in subsection (b) hereof.

(b) Whenever such an emergency exists the Mayor or Director of Public Safety shall request the cooperation of the local press and radio and television stations to announce the emergency and the time that the emergency parking regulations will become effective, which time shall be no sooner than one hour after the first announcement, and such announcement, by two local radio stations, or two local television stations, or in a daily newspaper of general circulation in the City, shall constitute notice to the general public of the existence of the emergency. However, the owners and operators of motor vehicles shall have full responsibility to determine existing weather conditions and to comply with the emergency parking regulations.

(c) During the period of the emergency, the Mayor or Director of Public Safety may prohibit the parking of any vehicles upon any or all of the City streets. During the emergency no person shall park or cause to be parked or permit to be parked or permit to remain parked or abandoned or leave unattended, any vehicle of any kind or description upon such specified streets. However, vehicles may be parked for a period of not longer than three minutes for actual loading or unloading of passengers or not longer than thirty minutes for actual loading or unloading of property, provided no other ordinance restricting parking as to place or time is violated thereby.

(d) Any motor vehicle parked in violation of this section may be removed in accordance with the provisions of Section 351.01. In addition to the foregoing, any person who violates this section is subject to the penalty provided under Section 351.99.
(Ord. 78-16. Passed 2-21-78.)
351.15 OVERNIGHT PARKING; MAXIMUM CONTINUOUS PARKING LIMIT.
(a) No person shall park a motor vehicle on any street for a period of time longer than thirty minutes between the hours of 2:30 a.m. and 5:00 a.m. of any day, except persons on emergency calls.
(Ord. 76-19. Passed 3-1-76.)

(b) No person shall park a motor vehicle on any street for a period of time longer than six hours between the hours of 5:00 a.m. and 2:30 a.m. the following day, nor shall any person park a motor vehicle on any City property between the hours aforesaid unless such vehicle displays a permission decal obtained from the Mayor or the Director of Public Safety.
(Ord. 81-68. Passed 6-15-81.)

351.16 PROHIBITION OF PARKING OF MOTOR VEHICLES ON LAWNS.
(a) Definitions. As used in this section:
(1) "Driveway" means an area graded and provided with a hard surface of granulated material, asphalt, cement, brick or decorative stone, used as a means of ingress and egress, providing that such driveway shall not occupy over forty percent (40%) of the total required front yard of the lot.

(b) No automobile, motorcycle or other motor vehicle or trailer shall be parked or remain on any nonparking or nondriveway portion of the front yard, excluding circular accessways and turnarounds where applicable, of any residential or multi-family zoned lot. All vehicles parked in parking areas or driveways shall bear the current registration or license plates as required by the Ohio Revised Code.

(c) This section shall not apply during times of emergency due to acts of nature; or during the time that a resident is in the process of moving in or out of the premises; or upon permission granted by the Mayor’s office or the Police Department for a special event.

(d) Corner lots with side driveways shall be governed by the same regulations that pertain to those lots that have front driveways. In the case of any yards which extend across the full distance of the lot along all streets which border such parcel and being the perpendicular distances between the street right-of-way lines and the nearest portion of any building or structure, excluding fences, existing on such lot.

(e) The registered owner of a motor vehicle or trailer found in violation of this section shall be held prima-facie responsible for any such violation.
(Ord. 96-71. Passed 6-24-96.)

351.99 PENALTY; WAIVER.
(a) Whoever violates any of the provisions of this chapter shall be guilty of a
misdemeanor and shall be subject to the penalties set forth in Section 303.99, provided, however, that any person who is cited for a violation under this chapter may appear at the police station within seventy-two hours of the time appearing on such citation and enter a plea of guilty and pay a waiver fine of five dollars ($5.00), except those cited for a violation under Section 1721.03 shall pay a waiver fine of ten dollars ($10.00), those cited for a violation under Section 351.04(e)(f)(g) shall pay a waiver fine of one hundred dollars ($100.00), and those cited for a violation under Section 351.15 shall pay a waiver fine of twenty-five dollars ($25.00) within seventy-two hours. After the expiration of the seventy-two hour period, any person so cited may appear at the police station and enter a plea of guilty to such charge and pay a waiver fine of ten dollars ($10.00), except those cited for a violation under Sections 1721.03 shall pay a waiver fine of twenty dollars ($20.00) and those cited under Section 351.15 shall pay a fine of forty dollars ($40.00) provided a summons has not been issued for such person or a warrant issued for the arrest of such person. In the event of the issuance of summons or warrant, the matter shall be docketed in Rocky River Municipal Court and the penalties shall be as provided in Section 303.99.

(Ord. 12-82. Passed 10-1-12.)

(b) Whoever violates Section 351.16 of this chapter shall be deemed guilty of a misdemeanor and shall be subject to the penalties set forth in Section 303.99, provided, however, that any person who is cited with a Notice of Violation under this chapter may appear at the police station within seventy-two hours of the time appearing on such citation and enter a plea of guilty and pay a waiver of five dollars ($5.00) for the first offense, ten dollars ($10.00) for the second offense, and twenty-five dollars ($25.00) for any subsequent offenses. After the expiration of the seventy-two hour period, any person so cited may appear at the police station and enter a plea of guilty to such charge and pay a waiver fine of double the amount listed for such offense provided a summons has not been issued for such person or a warrant issued for the arrest of such person. In the event of the issuance of summons or warrant, the matter shall be docketed in Rocky River Municipal Court and the penalties shall be as provided in Section 303.99.

(Ord. 96-73. Passed 6-24-93.)
ACCESSORY STRUCTURE INFORMATION
Zoning

First Residence District

1141.04 Accessory Buildings, Structures and uses.

(J) Any building structure or use customarily accessory or incidental to a permitted use, including basketball courts, ice skating rinks, playground equipment, all including illumination, on special permit.

Accessory use or structure, Residence Districts.

1149.01 Location.

An accessory building, structure or use, including playground/recreational uses and structures, except in Business Districts, shall be located on a lot at least ten feet behind the outer rear wall of the main building or structure located upon such lot and at least three feet from any lot line. On a corner lot the rear line of which coincides with the side line of a lot in a Residence District, such accessory building, structure or use shall be located at least twenty-five feet from the side line of such lot which coincides with a street line at least ten feet from such rear line. In a Residence District the location of an accessory building, structure or use on a lot used for main buildings, structures or uses permitted by Section 1145.01 (B) shall conform with the restrictions applicable to main buildings, structures or uses in such district.

BUILDING

Air Conditioning Equipment

1359.01 Installation Requirements.

All permanent air conditioning equipment, condensers, heat pumps, and heat exchangers, and other similar equipment, other than those designed for window installation, installed in or in connection with a residential structure, shall be installed entirely within the building structure, or if of a nature and design requiring installation outside the structure, then shall be located so that:

(a) No part thereof is closer than ten feet to the nearest lot line of the property in which it is installed;
Hello Everyone,

I would like to thank you for your time as it was very nice to meet you all last night. We’ve been in BV for 20 years and that’s the first time I’ve been to a console meeting. (I know, me bad) I found the entire process very interesting and if not for our early morning wake ups (4:30am) I’d like to try to make more meetings to become more involved in our city.

I’ve included the email chain below for your reference. I still maintain most of the same concerns as noted below, other than a few additional. Additional thoughts might include a definition of ‘temporary’. Like how many months does this have to be back there? With the newly added refrigeration unit, I’d imagine it can keep ice up to 40-50 degrees. Hours of operation.. Sheryl and I were in agreement of 9pm Sun-Thurs.. 10pm Fri & Sat. The problem is, that it don’t end there.. the adult party typically runs much longer and is almost as bad. They are just as loud and they too take to the ice often. Then the shovel comes out and yes, that has been after midnight as well. Other concerns might be the size factor vs: lot size and distance to the property line. We all know these houses are tight, as are many in BV.

I did a quick search last night after it was mentioned this was seen on WBIZ (maybe) and turned up the Hydracrete Twitter page, which until last night, I did not know was on Twitter. For reference, the family owns the Hydracrete business, so Sheryl and I are in agreement that they may sponsor the traveling Hockey Team.. which would explain all the kids and most likely all the traffic. My guess is, probably not all BV kids as I first thought. Since the house to the south of them is currently vacant, they’ve been parking their personal vehicles there for these events, allowing for the traffic flow in their driveway.. (which is also under our master bedroom window)

Here is just 1 link to the Twitter Page.. (below) so, that you can click on the Hydracrete link top left and scroll down and see all the other pictures posted on Twitter. So, that be the timeframe of the events we’ve lived through.. You can see they go back to last years setup and maybe beyond. Some of the pictures include the construction.. and pictures of our property in the background as well.

https://twitter.com/Hydracrete/status/822245260935970819

and

https://twitter.com/Hydracrete

They first opened the rink this past December, which was later than the last 2 years past...

From my notes:

12/30/2016: we asked them just after 9pm to quiet it down over there.. they didn’t quit till 9:45pm. The lights stayed on beyond 12:30am and the adult party continued.

(see the video below.. be sure to have the sound turned up)
https://youtu.be/xmKK7iU5TVg

12/31/2016: New Years Eve.. we figured it was NYE, they’d be out there.. but it went beyond 1am when I finally managed to get to sleep.. the lights were on beyond 1am.
There's been several days and nights in between.. Fortunately, maybe this team travels...(?) so, we've had maybe 1 good weekend of quiet because they were gone.. (I think MLK weekend)

This past weekend:
2/3/2017:
They woke me up at 11:15pm where I yelled out our window at them. The lights were off, but they were still out there.
We woke to find what appeared to be uneaten Taco Bell (Burrito) in our tree limbs on Saturday AM. (eww)

2/4/2017:
The lights went off around 10:00pm.. and it quieted down some.. I turned in after 11:00pm news, only to be woken again at 12:15am..
The were outside in the driveway under our bedroom window.... the motion detector lights in our front drive were on.. & that was when I called the BVPD.
Before the BVPD arrived, they moved back to the ice rink and were out back, but still out having all kinds of fun.. It didn't quiet down until after 1:30am. (cars coming and going till at least 1:30am)
We were grateful that the BVPD were so accommodating for us.

We've been reluctant to call the police on our neighbors... as typical, about the time we call, they might quiet down.. (which has been the case when we've let it slide)
So, there has only been 1 call but many other times we were close to making that call and opted not to. As you can imagine, it's been a difficult balance for us living next door.. we've tried to be patient and understanding, but it's getting increasingly more difficult.
(btw, the summer time is almost equally as bad with the windows open.. they have a basketball hoop out front)

As for these ice rinks, we've seen at least 2 others in our area.. (same ward) neither of which are as complex, neither bother us like this one outside our Master Bedroom.
We're hopeful that City Console will understand our concerns and see that we feel there should be considerations for regulations on these, since apparently they are becoming more popular.
I can't imagine that it's doing our property value any good right about now.. If I was looking at a house and saw THAT next door.. I'd run for the hills!!!

Sheryl and I would like to thank all the members of the Bay Village City Console for your time and assistance with this matter.
Call me anytime, or please do.. (I hope you do) come over and take a look for yourself. That 10" of grade and all the dirt is a muddy mess back there when the snow is gone.

Joe & Sheryl Krall
Bay Village, Ohio
c: 216.702.1495

---Original Message---
From: Joe Krall <shadow7118@aol.com>
To: jgrassi <jgrassi@safebuilt.com>
Sent: Tue, Jan 3, 2017 6:35 pm
Subject: Re: Hockey Rink on Elmwood Rd.

Hi Jeff,

Thank you for your email note and your assistance as it's very much appreciated..

I failed to mention that Sheryl & I are (very) early risers.. like 4:30 am... & so why the added frustration... Which explains the 9 pm quiet time preference...

Thanks Again,
Joe Krall
Bay Village, Ohio

Original Message:
From: Jeff Grassi <jgrassi@safebuilt.com>
To: Joe Krall <shadow7118@aol.com>
Sent: Tue, Jan 3, 2017 05:16 PM
Subject: RE: Hockey Rink on Elmwood Rd.

Good Evening Joe,

I forwarded your concerns to the law director and the Property Maintenance Dept. for their review. In the mean time I would suggest a call to the police dept. if the noise continues to be bothersome.

Thank you

Jeffrey Grassi
Chief Building Official
City of Bay Village / SAFEbuilt
350 Dover Center Rd.
Bay Village, Ohio 44140
(O) 440.899.3401
(C) 216.704.3300
(F) 440.899.3418

From: Joe Krall [mailto:shadow7118@aol.com]
Sent: Tuesday, January 3, 2017 9:20 AM
To: Jeff Grassi <jgrassi@safebuilt.com>
Subject: Hockey Rink on Elmwood Rd.

Hi Jeff,

First, off, I'd like to wish you a Happy New Year.
and take a moment to thank you for your time and consideration last Friday regarding our neighbors rink (Hockey) Rink out back.
I really appreciate that we were able to talk to you about our concerns.

I'm not sure if you plan to inspect this or not, but
I'd like to offer an update from our vantage point.. and a few pictures as seen outside our Master Bedroom window.

Friday Night:
They went till 9:45PM, 45 minutes later than after we asked them to quiet it down.
The lights stayed on till just before Midnight, but we could still hear them outside clear as day as we tried (desperately) to sleep.

Saturday Night:
(NYE) after listening to the Hockey pucks 'hit the boards' all day long. (starting at around noon)
they went until 1AM.. that's when the noise let up.. I have NO idea how late the lights were on before they finally went dark. (it was after 1AM)
We also realize it was New Years Eve, so we let things slide..
If they continue to push the noise beyond the limits, we may need to take further action with the BVPD (I guess?)

I know you're not the one who takes the complaints.. but you noted that you did express your concern with other City Console members..
If you could share my noted concerns with them I'd appreciate it very much.

My concerns are:

1.) the added ~10" (+) of added grade to their back yard.. we've had back yard flooding prior to this added grade, I'd expect it to only be much worse now.
2.) This cooling unit out back, while not extremely noisy, does make noise back there. Kinda like sitting next to the coolers are Costco. IMO, it has NO place in a residential neighborhood. (at least not when the houses are so close together like they are) It's a constant noise that we can hear inside our home.

3.) The constant noise of the pucks slamming the boards. even in the daylight hours, it's like someone slamming a shed door all day long.. keep in mind this IS right outside our back door. (basically)

4.) They continue to build the rink at an angle and it's pointed directly at OUR house. (simply on account of the lack of space, I guess it won't fit any other way)

5.) The makeshift lights and extension cords all over the back yard. I'd think a safety hazard, especially with sharp hockey blades.. (what could go wrong?)

Apparently, there are no rules or regulations regarding ice (Hockey) Rinks in BV.. maybe this needs to be considered? We were never asked or approached about this. this is the 3rd year that it's popped up and apparently keeps getting bigger (and nosier) every year.

I can't put up a clothesline or above ground pool in Bay Village, I have NO idea how this can be OK..

While we realize it's a temporary setup. and some folks might think it's really cool.. NO ONE else who makes these decisions has to live with this for months like we do. outside our Bedroom window. (btw, the house on the south side of them is currently vacant - so no complaints there)

We've been in our home for 20 years. we had thoughts of retiring here. We don't mind kids (we have grand kids too) but this is not what we envisioned. The houses are simply too close together and this is right outside our bedroom window. the lights alone are bad enough, then factor the noise.

Seems like if this has to stay around, that it needs to be within limited hours. after all, it is OUR neighborhood and OUR home too..

If we could talk after you have had a chance to review and inspect (if you do that) I'd appreciate it very much.
If there is someone else I need to talk with regarding my concerns, can you please advise?

here's a video from Friday Night.. just before we asked them to quiet down... which didn't exactly happen when we asked.

https://youtu.be/xmKKe7iU5TVg

Thank you in Advance,
Joe & Sheryl Krall
Bay Village, Ohio

Attachments

- IMG_20170101_244837693.jpg (1.47MB)
- IMG_20170101_243202509.jpg (2.13MB)
- IMG_20161231_230236895.jpg (1.56MB)
- IMG_20161230_222042297.jpg (1.72MB)
- IMG_20161230_101632972.jpg (5.31MB)
- IMG_20161229_171750869.jpg (3.66MB)
- IMG_20161229_163359668.jpg (3.65MB)
ARCHITECTURAL BOARD OF REVIEW INFORMATION
City of Bay Village  
PLANNING, ZONING, PUBLIC GROUNDS AND BUILDINGS COMMITTEE  
October 3, 2016  
City Hall Conference Room 6:30 p.m.

Member Present: Councilwoman Karen Lieske, Chairman  
Councilman Marty Mace  
Councilman Paul Vincent

Others Present: Mayor Ebert, Councilman Tadych, Jeff Grassi, SAFEbuilt, Inc.

Audience: Lydia DeGeorge, Warren Remein, Richard Fink, Claire Banasiak, Dick Majewski.

Mrs. Lieske opened the meeting at 6:30 p.m., welcoming all those in attendance.

Proposal to expand Architectural Board of Review to include review of Residential Dwelling Construction

Mrs. Lieske stated that this proposal to expand the charge of the Architectural Board of Review (ABR) is something that has been heard through Planning Commission meetings and through input from residents at many meetings this past year, before even encountering the problems with the house built on Humiston Road.

Mayor Ebert had stated that this proposal might be something to revisit. Mr. Ebert stated that he is not saying that he is for the expansion of the duties of the ABR, because historically Council had been very careful to require ABR review for commercial establishments only. The comments in the past were that commercial review made sense; residential review might generate red tape for residents who are putting additions on or renovating their homes. There is a collective look in Bay Village without identical, cookie-cutter styled homes. The topic has been brought forward again due to the situation with the home on Humiston Road. The argument in the past against ABR residential review is that the Board is composed of architects, each with their own individual ideas. Some of the concerns are how grade and size are determined. The ABR is not going to have control over grade and size of homes on older lots. That would have to be determined by Councilmanic action or legislation.

A survey of municipalities regarding Architectural Board of Review was distributed to the members of the committee and is attached to these minutes as Exhibit A. Mr. Ebert expressed surprise that the City of Westlake does not require residential review by the Architectural Board of Review.

Mrs. Lieske stated that she has also heard concerns from residents in the last couple of years about some of the houses that are being rehabbled or redone, and totally changing the look of the house. It appears that some are keeping part of the house intact, and building all around it.
Mr. Vincent noted that many of the Humiston neighbors were concerned about how the new home at 580 Humiston was built, the size of it, and how it did not blend with the character of the entire street. If the builder were required to go to the Architectural Board of Review, the Board would be mindful of what the neighborhood looks like, and if the new construction really fits. There are other examples in the City of similar construction as the Humiston home where the new construction stand out conspicuously and does not blend with the neighborhood. If we took an average of the neighborhood concerning height, etc., that may cause these new properties to blend in more naturally.

Mr. Ebert asked Ms. Kemper to research Council minutes from the past to find discussion relative to the charge of the Architectural Board of Review.

Mr. Ebert suggested that there not be the requirement of review by the ABR for additions to homes, noting, however, an example of a home where the addition is so large it becomes an entirely new home. A definition of an “addition” versus a “redevelopment” would have to be established. Mr. Mace suggested that an increase of 50% in the home area would require ABR review. That would be a Building Department referral. Chief Building Official Grassi stated that the ARB in some cities just looks at certain districts, e.g., historical areas or downtown areas. Mr. Ebert noted that Bay Village does not have an historical district as such. There are historical homes scattered throughout the City.

Mrs. Lieske noted an example in her neighborhood where an estate was settled involving four parcels of land with four homes constructed. The homes are very nice, but they aren’t the same two-story colonial and it really changed the look of the neighborhood. There have been many home changes on Wolf Road as well during the past few years.

Mrs. Lieske asked Ms. Kemper to request the guidelines for the Architectural Boards that do review residential construction, namely, Aurora, Hudson, Mayfield Village, Medina, Oakwood, and Rocky River.

Mrs. Lieske asked the Planning Commission members present this evening for their thoughts on this matter. Mr. Majewski stated that what he recalls from discussion in the past regarding the Architectural Board of Review the reason they didn’t want to do residential was because of a time factor. They thought the ABR would be so overloaded with additions to homes and that sort of thing they thought they would be overworked and wouldn’t have the time to handle it. Mr. Majewski stated that when he looks at it now, if there is an addition and it is not major, that is not a concern. You are looking to find the ones that stick out; the ones that are really grievous. The home on Humiston is a perfect example; the Architectural Board of Review would have caught that. And, they probably would also have caught the sideyard setback that was not caught by the Building Department or anybody else in the City. That is the kind of thing the ABR would really look for. Also, the ABR does have power; they are not only an advisory capacity. If you examine the code, that was changed, especially in Chapter 1129.

Mr. Ebert stated that applicants go back to Planning Commission for final approval.
Mrs. Lieske cited an example on Bayview where a home was going to be put in on a lot where the existing home was going to be demolished. The house they were going to put in was going to be a lot larger than any of the existing houses. The application was withdrawn because the lot did not meet the required square footage.

Mr. Remein stated that having been in business and dealing with the Planning Commission over a lot of years, he has had a lot of Planning Commissions ask his opinion. If the City wants to protect its interests it has to make its own rules. You can’t depend on developers and outside people to have your best interest in mind. Mr. Remein would be in favor of some kind of controls and at some point having the ABR look at residential qualifications. In the Building Code there are requirements for a certain percentage of square footage or a certain percentage of the value of the building before certain provisions come into play. There were times when a renovation was submitted that required that the new code be met. You do not want to require an ARB to have to review minor modifications, such as building a new deck. Mr. Remein noted that the provisions should not require expense for the homeowner that would discourage upkeep and upgrading of homes.

Mrs. Lieske stated that when the committee obtains the information from other communities and reviews those it would be a good idea to invite members of the Architectural Board of Review, Planning Commission, and Board of Zoning Appeals to be present.

Mr. Majewski added that in the past homes were being demolished and rebuilt mostly on Lake Road. That type of activity is now occurring in all the neighborhoods in the City. He cited examples in his own neighborhood for potential tear-downs. He also noted a large home that was built in the eastern section of Bay Village where all of the homes have the ranch home architecture. A colonial type home was built with a 30 ft. front yard setback. That is one instance where you see all the homes basically the same design and one home sticking out like a sore thumb. Mr. Tadych noted that he just received a call from a resident complaining about that this week. He noted that people are very interested in leaving their neighborhoods as they are.

Mrs. Lieske stated that one of the things that makes Bay Village unique is that each block has its own character. While not wanting everything to be the same, there is the desire to preserve what is in the neighborhood.

Mr. Majewski noted that another consideration is the historical homes in the City. We have lost a number of historical homes over the last number of years. Perhaps the Architectural Board of Review could help protect some of those historical homes. When Will Krause was a member of the Planning Commission he worked tirelessly to recognize those people who had those historic homes.

Mr. Vincent stated that it would be good to determine the threshold when the Architectural Board of Review might come in to play. We would want to make sure the ABR has the time and capacity for residential review. Mr. Vincent asked Mr. Grassi to provide the information of new construction during the past year. Mrs. Lieske asked if information would be available that would show the existing square footage of demolitions and the proposed square footage of
replacement homes. Mrs. Lieske asked what type of information would be available which would help the committee make a determination as to which situations to which the ABR review would apply. Mr. Grassi stated that he would give that request further thought and consideration. Mrs. Lieske suggested that the new builds might be a good approach for a starting point. Mr. Mace stated that would address complete demolitions and the building of new homes on smaller lots which is a matter of concern.

Mrs. Lieske asked if the Planning and Zoning Committee is inclined to put something together in terms of the new housing construction for the Architectural Board of Review to include in their reviews. Mr. Vincent stated that he would prefer waiting until we have another meeting to see what the construction was over the past twelve months, and the time that would be required for reviews by the ABR.

Mrs. Lieske suggested that a joint meeting of the Planning Commission, Architectural Board of Review and Board of Zoning Appeals be held to discuss this further. This will be scheduled as soon as the information from other communities is available.

Mr. Majewski commented that if you look at the Architectural Board of Review as a group that just has oversight and holds the applicant to certain things, it can also be used a resource for people as well. If they are developing plans for a home and they come to the ABR they can help them make a better home.

Mrs. Lieske noted how receptive the Planning Commission was with the Vivid Jewelers and how they were guiding them to have the most aesthetically appealing, beautiful spot. Vivid Jewelers was really open to some of the suggestions that came forth.

Mr. Majewski noted that when Pizza Hut came in with their original plans, the Architectural Board of Review was tremendous in making the building look the way it is. There were a number of projects that the ABR helped as a resource. The ABR had a lot of input in the design of the Police Station. It has always been a great resource and could be for homeowners as well.

**Codified Ordinance Section 1155.04 – Exception on Older Lots**

Mr. Ebert stated that he has not had a chance to get all of the research done. The issue is prompted by what has happened on Humiston Road. The big issue is the constitutional right for someone who has a dilapidated home or a lot that doesn’t have a house on it now, and what you can legislatively do so that you don’t deny their rights to construct. Mr. Ebert is researching now sample legislation that addresses the square footage of the lot and how large of a house can be built based on that square footage. The lots in question, going back before 1950, are buildable lots, but because of our codified ordinances we require a certain square footage to build. Mr. Ebert will provide the sample legislation from the Ohio Municipal Attorney’s Association to review. It is based on square footage, and anything beneath that would require submission to the Board of Zoning Appeals.
Mrs. Lieske questioned whether any of the neighboring communities have legislation that would address this issue. Mr. Vincent stated that the matter ties into the interest in having review by the Architectural Board of Review.

Mr. Remlein suggested a sliding scale that for the non-conforming lots a certain percentage of coverage is permitted, taking into consideration the sideyard setback percentage.

Mr. Tadych asked Mr. Ebert if the rights of the property for rebuilding could be removed and the people would know that when they are purchasing. Mr. Ebert stated that what they would like to pursue is that the lot could be built on but the new house can only be a certain percentage based on the square footage of the lot and the sideyard would be a minimum of a certain number of feet.

Mr. Vincent suggested that when an additional meeting of this committee is held to discuss the Architectural Board of Review at the same time we can talk about this older lot issue. Mr. Ebert stated that a mathematical formula pertaining to building is reasonable and would not deny anyone their constitutional rights.

**Codified Ordinance Chapter 1158 – Attached Residence District**

Mrs. Lieske stated that one point that was going to be considered is the applicability of 1158.02 concerning properties located along arterial or collector streets adjacent to retail districts may also lend themselves to the uses permitted in this district.

Mr. Ebert distributed a copy of Chapter 1158 that includes comments from this committee and the Planning Commission, as well as tweaks from Mr. Paul LeBlanc, Planning Consultant. The next step would be for the Planning, Zoning, Public Buildings and Grounds Committee to agree with the draft or disagree with the draft.

Mrs. Lieske asked if it refers to the property around the post office or across from the Knickerbocker Apartments when it talks about the streets adjacent to the retail improvement strategy. Mr. Ebert stated that it is cutting it fine to say “adjacent” versus “close proximity.” It is subject to interpretation when you say “close.” Mrs. Lieske stated that there were discussions about close proximity with the Planning Commission. What really is close proximity? That was the reason for using the word “adjacent.”

Mr. Mace stated that he still has concerns about the Retail Business District and that it can be used for attached housing and doesn’t have to go to a vote of the people in the area, particularly the precinct. Mr. Mace stated he was looking at Section 1175.01 which is a Commercial Business District and it says “uses are set forth in the following schedule:” “(A) Buildings, structures or uses permitted and as regulated in a Retail Business District.” Retail Business District would also be permitted in the Commercial Business District. We have a big corridor then on Dover Center Road.
Mr. Ebert stated that the former Shell Station property did go to a vote of the people. That was commercial property, and that passed. The developer made a presentation and never came back.

Mr. Mace stated that the vote made it possible for attached housing to be in a retail business district. Now, anything in the City in the retail business district can be used for attached housing. Section 1175 says that retail business district use is also permitted in the commercial business district. Do we want to have a developer come in and, without a vote of the people in the precinct, put this in their back yard? That is what the people said they don’t want happening.

It was the understanding of the people that the vote was only for the Shell Station. It was on the ballot that the zoning was going to change for permitted use for that district. Mr. Majewski stated that the vote was to allow attached housing in retail districts. It didn’t specify specifically for that property. It was only to allow it in retail business districts. The interest was that there was a developer who wanted to develop the Shell property. It was put on the ballot only to make it a permitted use in retail districts. Mr. Mace is trying to say that a permitted use in a retail district is also a permitted use in a commercial district. It is now permitted use in both. That was not a specific vote only for the Shell station.

Mr. Mace stated that he was at the Planning and Zoning Committee meetings and Mr. Barbour pointed out that Section 1129 was supposed to be with a vote of the people and he had some concerns that there are areas of the City where this shouldn’t happen. We have to pay a little more attention to what is going on with Chapter 1158 with density and square footage allowances and be a little more careful with saying okay. We might have a situation with a person coming in that may not be wanted.

Mrs. Lieske stated that we had the discussion with the Planning Commission about going ahead and trying to get something in place now while the process is underway for the new Master Plan, since the Master Plan is referenced here. Some said to put something in place with possible revisions in the future. Others say that since it is underway to wait. Mr. Ebert stated that he doesn’t think the Master Plan will be back for quite some time. He reiterated that the Planning, Zoning, Public Buildings and Grounds Committee should review the final draft and move it forward.

Mr. Mace stated that the districts are being allowed to be developed without any pre-application meeting, no consent of people in the neighborhoods. The review and approval process is gone whenever you have the property that is already zoned for the use. A review and approval is only when you want to rezone. There is no rezoning issue with these districts to attached residence housing.

Mr. Vincent stated that his understanding is that when you want to develop attached housing you have to go through the review and approval process according to Chapter 1129. Mr. Mace stated that it states that prior to submitting an application for rezoning,... Mr. Vincent stated that it says prior to submitting an application for rezoning to or for development plan approval. Mr. Ebert stated that catches both and is acceptable. Mrs. Lieske asked Mr. Ebert to clarify the issue of close proximity and if that would include the post office and Knickerbocker areas.
Mr. Koomar stated that there is a version that was gutted so that clearly it went back to Chapter 1129. There was one version that basically eliminated Chapter 1129 when it first come in. It even had it going to City Council for approval and clearly bypassed the Planning Commission, which did not make sense. That is when he talked to Mark Barbour and put that back in there as a clear component. You can’t take that out of this type of housing.

The meeting adjourned at 7:32 p.m. Mrs. Lieske thanked everyone for their attendance.

Karen Lieske, Chairman

Joan Kemper, Secretary
Mr. Zwilling stated that the Sidewalk Policy, currently on second reading would be up for final reading on Monday, May 1, 1995.

FINANCE, CONTRACTS & CLAIMS COMMITTEE

*Moral Claim, Hanna* - A traffic accident which involved the Bay Village Fire Department enroute to Fairview General Hospital was discussed. The right rear lower compartment door of Rescue 11 swung open, striking the driver’s side mirror of a vehicle driven by Tricia Hanna. It was agreed that the City should pay the invoice.

*Continental Cablevision, Inc.* - A revised Renewal of Franchise with Continental Cablevision, offering a 5 year contract with a 5 year renewal, subject to Continental’s faithful performance of the franchise after its acceptance by the City was discussed and will be voted on at the next Council Meeting.

PLANNING & ZONING COMMITTEE

*Architectural Review Board* - Mr. Kloepfer said Ord. 95-47 Establishing the ARB will be up for adoption at the next Council Meeting. It was noted that the ARB was originally intended to include the residential and commercial districts of Bay Village. However, to begin with, only the commercial areas will be addressed.

PARKS & RECREATION COMMITTEE

*Rates of Compensation for Pool Employees* - Recreation Director Weeks distributed a chart with the duties and wages proposed for the Bay Swimming Pool 1995 personnel. There are no substantial increases in wages. Legislation will be prepared amending the previous ordinance regarding rates of compensation for pool employees.

SERVICE, UTILITIES & EQUIPMENT COMMITTEE

*Resolution Ratifying Two Trucks for Service Department* - These vehicles were included in the budget at the beginning of the year and one will replace a 3/4 ton utility bed truck driven by the mechanics. They were purchased through the Cooperative Purchasing Program and in order to get exactly what we wanted on the vehicles, the City had to submit the purchase orders prior to April 7, 1995. However, the agreements are pending ratification by Council.

*Request to Go Out for Bids for L8000 and Super Duty Truck* - These were bid out last year but they were not awarded.

*Request to Go Out for Bids for Chip and Seal for Park Roads and Parking Lots* - Mr. Sears requested permission to go out for bids to repair the roads in the Parks and also the parking lots at the Roschill, Community House and the Swimming Pool.
Council Minutes, Committee Session 3 June 26, 2000

He permit fees again.

The Zoning Code Review Committee also recommended adding attached housing and therefore, cluster developments to the Architectural Board of Review for review. After much discussion, council will carefully consider this action at a later date.

Mending C.O. 1131.01 Districts Established - Councilwoman Sutherland explained that this ordinance adds a section for Cluster Development Districts.

Mending C.O. 1191.02 (u) Adding Cluster Home Parking Spaces - Councilwoman Sutherland explained that this ordinance requires two off street parking spaces per unit in addition to two attached garage spaces for cluster homes.

Councilman Brugh asked Mrs. Sutherland's committee to look at homes that have converted garages to family rooms and consider a penalty of $1,000.00. Mrs. Sutherland will bring this issue to her committee.

Master Plan - Councilwoman Sutherland stated that accepting it by motion will give the City the new lot of work went into this plan. By Council receiving it and acknowledge it. Council was a special meeting of Council on July 10, 2000.

ISCELLANEOUS

Council President Martin recognized this evening Martin, on behalf of Council, wishes to express his appreciation for the Board of Elections. Mayor Jeleski's commitment to the City. Mayor Jeleski seeks.

AHOON PARK TRUSTEES

Sideside Cemetery - Representatives from the American Legion and Vietnam Veteran's association Jim Potter and Dick Ross were present this evening to discuss the ceremony for the unknown Union Soldier. The ceremony will take place on Monday, July 3, 2000 at 11:00 a.m.

Here being no further business to discuss, the meeting ended at 9:35 p.m.

Patricia A. Speese
Clerk of Council

Richard Martin
President of Council
ORDINANCE NO. 01-33
INTRODUCED BY Koomar

1st Reading 3/19/01
2nd Reading 4/2/01
Passed 4/23/01

AN ORDINANCE
AMENDING C.O. CHAPTER 1148 REGARDING THE ARCHITECTURAL BOARD OF REVIEW AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Chapter 1148 which presently reads as follows:

"CHAPTER 1148
ARCHITECTURAL BOARD OF REVIEW

1148.01 INTENT

The purpose of the Architectural Board of Review is to protect the value, appearance, and use of all property, except residential and family and group homes, on which buildings are constructed or altered, to maintain a high character of community development, to protect the public health, safety, convenience, and welfare, and to protect real estate within the City from impairment or destruction of value. The Architectural Board of Review shall assist and advise the Planning Commission on the design, amenities, quality, relationships to natural features and other aspects of building and site development plans which relate to the appearance of an entire project, all of its parts and its surroundings. All standards, regulations and criteria contained in this Zoning Code, which pertain to all property, except residential and family and group homes, shall be considered by the Architectural Review Board in its review.

1148.02 ESTABLISHMENT; COMPOSITION.

There is hereby established an Architectural Board of Review consisting of the following five members, all residents of the City, appointed by the Mayor with confirmation by a majority of the members of Council provided for in the Charter, and a member of Council appointed by Council.

A. Two (2) architects duly authorized and registered to practice architecture in and under the laws of the State of Ohio, and shall have been actively engaged in general practice of architecture as a registered architect in the State of Ohio for a period of not less than ten years prior to their appointment to the Board, and shall have been a resident of this City for not less than three years prior to their appointment to the Board. Council may waive the residence requirement provided herein.

B. Two (2) non-architect members that have been a resident of this City for not less than three years prior to their appointment to the Board.

C. One member of Council appointed by Council.
D. A majority of the Board shall constitute a quorum to do business, but any decision made by the Board of matters before it upon which it is required to pass under the provisions of this code shall require a majority vote of all members appointed to and serving on the Board and present at the meeting when such decision is made.

E. Each member shall be appointed by the Mayor with confirmation by a majority of the members of Council, for the following terms:


2. One member for a term expiring December 31, 1996.

3. Subsequent appointments to the Board shall be for terms of three years each. Vacancies shall be filled for the remainder of unexpired terms in the same manner as the original appointments and confirmations. Appointments of alternate members shall be made by the Mayor with confirmation by a majority of the members of Council, for a term of three years each.

F. No member of the Board shall participate in the review of any work of which he/she or any partner or professional associate is the author, or in which he/she or they have any direct or indirect financial interest. If such an occasion should arise, the member so restrained shall yield his/her place to an alternate member.

G. Council shall review the effectiveness of the Architectural Board of Review three years after establishment to determine if this Board is a viable contributing body to the City.

1148.03 MEETINGS

The Planning Commission shall determine and advise the Architectural Board of Review on the schedule of meetings in order that applications can be processed expeditiously.

1148.04 ARCHITECTURAL BOARD OF REVIEW TO ADVISE

After receipt of a complete submission of an application, the Planning Commission may refer all proposed commercial site development and building plans filed with it to the Architectural Board of review for purposes of review and report.
1148.05 REVIEW OF BUILDING PERMIT APPLICATIONS

A. Submission of Applications. All applications for building permits for exterior construction or reconstruction of commercial buildings, with accompanying drawings, renderings, data and material samples to be used, shall be submitted to the Building Director. After processing the same, he shall submit such applications as provided in this section.

B. Commercial Buildings. The Building Director shall submit to the Secretary of the Planning Commission all applications for commercial buildings for Planning Commission review of the proposed use, parking, setbacks and yard requirements for conformity with the provisions of this Zoning Code and any supplementary rules and regulations which have been adopted and published by the Architectural Board of Review. This requirement shall affect both new construction and alterations or additions to exterior of existing commercial buildings.

Upon receipt of the application, the Secretary of the Commission shall transmit a copy of such application to the Architectural Board of Review for its review, report and recommendation. The Board shall, within thirty days from the date of receiving such application, provide and furnish to the Commission its report upon its respective jurisdiction.

Within sixty days after an application has been filed with the Secretary or such longer time as agreed upon by the developer and Commission, the Commission shall evaluate the development proposal and report to the Board and shall make a finding either that the proposal complies or does not comply with regulations, standards and criteria prescribed by this Zoning Code applicable to the proposal and shall approve, disapprove or modify such proposal.

C. Approval. If the application for a building permit is approved by the Planning Commission as required in this section, the Building Director shall issue a building permit.

1148.06 APPELLATE REVIEW

Any person aggrieved by an action or recommendation of the Architectural Board of Review may appeal such action or recommendation within ten (10) days after receipt of such decision or recommendation. Such appeal shall be filed with the Board of Zoning Appeals with a copy of such appeal filed with the Building Director. The notice of appeal shall specify the grounds upon which the appeal is taken. The Architectural Board of Review shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken. In modifying or reversing any order of the Architectural Board of Review, the affirmative votes of two-thirds (2/3) of the membership of the Board of Zoning Appeals is required.
1148.07 DISPOSITION OF BOARD REPORTS

Three copies of the report of the Architectural Board of Review shall be prepared. One shall be filed with the Planning Commission for its use, one shall be filed with the Clerk of Council and shall be open to public inspection and one copy shall be retained by the Board. The Board shall complete its report and recommendations within thirty days after referral of an application by the Commission.

1148.08 FAILURE TO ACT

If the Architectural Board of Review fails to act within thirty days after it has received the application for a building permit from the Planning Commission, the Commission shall consider the application as recommended for approval by the Board.

1148.09 STANDARDS AND CRITERIA

The following standards and criteria are established to guide the Architectural Review Board in its review of commercial development proposals:

A. Materials shall be appropriate for the use of the building, for weathering and for their relationship to other materials, including those used on adjacent buildings.

B. Colors and textures shall be appropriate for the size and scale of the Building, for weathering and for their relationship to the site and adjacent buildings.

C. Architectural details and ornaments shall be meaningful to the overall design and appropriate for the size and scale of the building and for weathering.

D. Mechanical equipment shall be considered as it affects rooftop appearance, sidewall openings, sound levels, smoke and other nuisance aspects. Also, mechanical equipment shall be considered as it relates to overhead wires, gas and electric meter stations and any other visible appurtenances.

E. Approaches, drives and parking areas shall be considered as they affect the appearance from the street and from the site as well. The relationship of paving to the building shall be appropriate considering factors such as safety, drainage and landscaping.

F. Landscaping shall be appropriate for the size and use of the area, and for its relationship to the building, street, parking area, walks and adjacent buildings.
G. Lighting shall be considered for the appropriateness of nighttime illumination of the grounds, drives, walks, parking areas and the building, and its effect upon surrounding areas.

H. Signs shall be considered for the appropriateness of size, scale, shape, color and illumination in relation to the building site."

be and the same is hereby amended to read:

TITLE FIVE - Zoning Administration
"CHAPTER 1128
ARCHITECTURAL BOARD OF REVIEW

1128.01 INTENT

The purpose of the Architectural Board of Review is to protect the value, appearance, and use of all property, except single-family homes, double houses, duplexes, and family and group homes, but including cluster development and attached housing, on which buildings are constructed or altered, to maintain a high character of community development, to protect the public health, safety, convenience, and welfare, and to protect real estate within the City from impairment or destruction of value. The Architectural Board of Review shall assist and advise the Planning Commission on the design, amenities, quality, relationships to natural features and other aspects of building and site development plans which relate to the appearance of an entire project, all of its parts and its surroundings. All standards, regulations and criteria contained in this Zoning Code, which pertain to all property, except single-family homes, double houses, duplexes, and family and group homes, but including cluster development and attached housing, shall be considered by the Architectural Review Board in its review.

1128.02 ESTABLISHMENT; COMPOSITION.

There is hereby established an Architectural Board of Review consisting of the following five members, all residents of the City, appointed by the Mayor with confirmation by a majority of the members of Council provided for in the Charter, and a member of Council appointed by Council.

A. Two (2) architects duly authorized and registered to practice architecture in and under the laws of the State of Ohio, and shall have been actively engaged in general practice of architecture as a registered architect in the State of Ohio for a period of not less than ten years prior to their appointment to the Board, and shall have been a resident of this City for not less than three years prior to their appointment to the Board. Council may waive the residence requirement provided herein.
Ordinance No. 01-33  Architectural Board of Review

B. Two (2) non-architect members that have been a resident of this City for not less than three years prior to their appointment to the Board.

C. One member of Council appointed by Council.

D. A majority of the Board shall constitute a quorum to do business, but any decision made by the Board of matters before it upon which it is required to pass under the provisions of this code shall require a majority vote of all members appointed to and serving on the Board and present at the meeting when such decision is made.

E. Each member shall be appointed by the Mayor with confirmation by a majority of the members of Council for terms of three years each. Vacancies shall be filled for unexpired terms in the same manner as the original appointments and confirmations. Appointments of alternate members shall be made by the Mayor with confirmation by a majority of the members of Council, for a term of three years each.

F. No member of the Board shall participate in the review of any work of which he/she or any partner or professional associate is the author, or in which he/she or they have any direct or indirect financial interest. If such an occasion should arise, the member so restrained shall yield his/her place to an alternate member.

1128.03 MEETINGS

The Planning Commission shall determine and advise the Architectural Board of Review on the schedule of meetings in order that applications can be processed expeditiously.

1128.04 ARCHITECTURAL BOARD OF REVIEW TO ADVISE

After receipt of a complete submission of an application, the Planning Commission may refer all proposed site development and building plans, except single-family homes, double houses, duplexes, and family and group homes, but including cluster development and attached housing, filed with it to the Architectural Board of review for purposes of review and report.

1128.05 REVIEW OF BUILDING PERMIT APPLICATIONS

The review and approval of projects by the Architectural Board of Review shall conform to the applicable requirements of Chapter 1129, “Approval Process - Commercial Structures, Public Facilities, Attached Housing, and Cluster Development”.
STANDARDS AND CRITERIA

The following standards and criteria are established to guide the Architectural Review Board in its review of commercial development proposals:

A. Materials shall be appropriate for the use of the building, for weathering and for their relationship to other materials, including those used on adjacent buildings.

B. Colors and textures shall be appropriate for the size and scale of the Building, for weathering and for their relationship to the site and adjacent buildings.

C. Architectural details and ornaments shall be meaningful to the overall design and appropriate for the size and scale of the building and for weathering.

D. Mechanical equipment shall be considered as it affects rooftop appearance, sidewalk openings, sound levels, smoke and other nuisance aspects. Also, mechanical equipment shall be considered as it relates to overhead wires, gas and electric meter stations and any other visible appurtenances.

E. Approaches, drives and parking areas shall be considered as they affect the appearance from the street and from the site as well. The relationship of paving to the building shall be appropriate considering factors such as safety, drainage and landscaping.

F. Landscaping shall be appropriate for the size and use of the area, and for its relationship to the building, street, parking area, walks and adjacent buildings.

G. Lighting shall be considered for the appropriateness of nighttime illumination of the grounds, drives, walks, parking areas and the building, and its effect upon surrounding areas.

H. Signs shall be considered for the appropriateness of size, scale, shape, color and illumination in relation to the building site.

and present C.O. Chapter 1148 is repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with law.
SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to define the scope of the Architectural Board of Review, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: April 23, 2001

T. Richard Martin
PRESIDENT OF COUNCIL

CLERK OF COUNCIL Pro-Tem

APPROVED: April 24, 2001

Debra L. Sperber
MAYOR

3/29/01

Clerk of the Council of the City of Bay Village, Ohio, hereby certify that Ordinance No. 01-33, adopted by the Council of the City of Bay Village, April 23, 2001, was posted for a period of fifteen days, beginning April 24, 2001, at the five posting places as designated in Ordinance No. 65-149.
November 3, 2006

Mayor Deborah Sutherland
City of Bay Village

Dear Deborah:

On behalf of the Architectural Board of Review, I am submitting in draft form the Architectural Board of Review Design Guidelines that you have been waiting for patiently for several years. The goal of this draft is to solicit comment from you and legal council so that final edits can be made to complete the document.

In regards to Section VII Building Types you will find that we did not complete the text for this section. After researching over a half dozen other cities design guidelines such as Shaker Heights and Chagrin Falls, we found that these cities did not include language to control the architecture for these building types. The committee feels strongly that Bay Village should be able to control the architecture of the listed building types, especially with respect to Franchise Prototypes, but question if the city has legal grounds to do so.

After you “bless” the final design guideline please submit your edits to Corinne so that the document can be revised. Following the final edits we would like to meet with you to discuss the graphic format of the document. We have reviewed several cities guidelines, and to date the committee likes the graphic format of the Shaker Heights Landmark Commission Design Guidelines. Corinne has a copy of this and can give it to you as well.

If you have any questions or comments please feel free to contact me at home or my office. Again, our apologies for sitting on this for so long, in fact it’s a little embarrassing, especially since we started this project when you were still a member of our ABR.

Sincerely,

David Dickinson, Chairman
Bay Village Architectural Board of Review
CITY OF BAY VILLAGE
ARCHITECTURAL BOARD OF REVIEW

GUIDELINES

TABLE OF CONTENTS

I. City of Bay Village Overview
   A. Existing City Fabric
   B. Community Goals for Commercial Development

II. General Guideline Information
   A. Purpose
   B. Principles
   C. Procedures
   D. Glossary of Terms
   E. Submission Requirements

III. Site Planning
   A. Site Improvements
   B. Landscaping
   C. Fencing
   D. Parking Lots
   E. Sidewalks
   F. Dumpster Enclosures
   G. Exterior Lighting

IV. Building Materials and Features
   A. Foundation
   B. Exterior Walls
   C. Roofs
   D. Gutters and Downspouts
   E. Windows and Doors
   F. Architectural Details

V. Non-Building Design Elements
   A. Utilities & Equipment
   B. Ground Equipment
   C. Roof Equipment
   D. Building Utilities
VI. Applied Exterior Elements
   A. Awnings (refer to Chapter 1179 Sign Regulations)
   B. Signage (refer Chapter 1179 Sign Regulations)
   C. Banners and Flags (refer Chapter 1179 Sign Regulations)

VII. Exterior Paint Colors

VIII. Building Types
   A. Gas and Service Stations
   B. Franchise Prototypes
   C. Municipal/Public Buildings
   D. Churches

IX. Appendix
   A. Preface and Introduction
   B. Social and Development History
I. CITY OF BAY VILLAGE OVERVIEW

A. EXISTING CITY FABRIC

There are approximately 2,900 acres of property, which is predominantly residential, within the boundaries of the City of Bay Village. The natural setting, including the community's proximity to Lake Erie, the major parkland near the center of town, and the abundance of trees, has made Bay Village an attractive place for people to live.

- **Residential** Bay Village is predominantly a residential community, comprised of approximately 70% of the land use in the community. Housing stock ranges from the century homes of early settlers to the current architectural styles of today.
- **Commercial** Commercial and office use make up approximately 1% of the City's land use and located in two distinct nodes along Dover Center and Wolf Roads. Dover Center Road is the geographic center and the perceived "downtown" of the community because of the concentration of commercial uses and civic institutions including the City Hall, Cahoon Memorial Park, post office, library, schools and shopping centers.
- **Industrial** Industry is virtually non-existent representing less than 0.5% of the City's land use and consist of small industrial uses in close proximity to residentially zoned properties.
- **Institutional** Institutional and municipal growth is on the rise, because of construction or expansion of schools, churches and civic buildings but represents a small percentage of the land use; less than 1%.
- **Recreational** Recreation is the second largest land use in the community and is a cherished amenity. The Cleveland Metroparks Reservation and Cahoon Memorial Park are contiguous and produce a major open space with lakeside access in the center of the community.
- **Vacant Land** Less than 2% undeveloped land remains within the City as of the year 2000.

B. COMMUNITY GOALS FOR DEVELOPMENT

The following goals presented are broad statements indicating a general direction the City would like to achieve when considering future development:

- **Maintain** the "small town" feel of the community.
- **Preserve** the overall character of the community of single family residential homes on quiet, tree-lined streets
- **Provide** housing options that allow residents to remain in the community as they continue to age.
• **Ensure** that new development complements the existing City fabric.
• **Preserve** and protect the community’s historic resources.
• **Recognize** the importance that trees contribute to the City’s character.
• **Strengthen** the perception of the Dover Center/Wolf Road areas as the center or “downtown” of the community.
• **Expand** existing commercial establishments, and then attract new development to balance and maintain the economic growth of the City.
• **Improve** the aesthetic appearance of the City’s retail areas.
• **Improve** the mix of retail to better provide for the convenience and dining needs of the community.
• **Encourage** improvements, which persuade owners to re-invest in their property.

II. GENERAL GUIDELINE INFORMATION

A. PURPOSE

The Architectural Design Standards have been adopted by the City of Bay Village to provide a consistent set of standards from which to assess the construction and improvements of commercial buildings. The intent of these standards is to preserve the high quality character of the community, protect the adjacent residential neighborhoods, and to preserve a viable commercial district. These Standards recognize that improving the existing commercial building stock and the attraction of new development are critical to a balanced growth and to the economic health of the City.

B. PRINCIPLES

These principles are a summary of values that the City of Bay Village has found to be important in preserving the high quality character of the community and attractive viable commercial district. The Architectural Board of Review uses these six (6) principles as framework for making decisions.

1. **Maintain a high level of architectural quality.** Architectural quality does not refer to a specific architectural style or personal preference, but to a visually pleasing composition, sensitive use of materials and to design integrity.

2. **New buildings and improvements to existing buildings shall respect the existing context and framework.** The design of any building shall be reviewed in reference to its site and the character of its surroundings.

3. **Improve the aesthetic appearance of the City’s commercial areas.** The aging commercial building stock need upgrades and improvements to the building facades to create more coherency and uniformity to the commercial districts in which they are located.
4. **Strengthen the perception of the Dover Center/Wolf Road area as the “Town Center” of Bay Village.** This area houses the majority of the commercial buildings in Bay Village and is considered the Town Center of Bay Village.

5. **The site plan and building shall respect the land and the environment in which they are placed.** An attractive City takes advantage of its natural surroundings. Buildings shall be sited to minimize re-grading and to take advantage of natural features.

6. **Design sensitivity with architecturally significant buildings.** Historic buildings are tangible evidence of the City of Bay Village history and culture and need special attention to their survival.

C. **PROCEDURES**

Without limiting the discretion of the Architectural Board of Review to make judgments rendered in accordance with these Principles, in no case shall the applicant be required to revise the proposed project, that are not supported by these Principles. The Architectural Board of Review may offer additional advice and suggestions, at its discretion; however, such advice shall be clearly stated as such. The Architectural Board of Review may waive any requirements of these Principles in order to approve the proposed project if the Architectural Board of Review finds that the project is consistent with the above Principles and meets the following condition:

1. Exceptional and unique conditions exist that create a practical difficulty to complying with these Principles, such as an unusual program requirement or a unique site circumstance.

D. **GLOSSARY OF TERMS**

<table>
<thead>
<tr>
<th><strong>Arch</strong></th>
<th>The curved or pointed top on a door or open entryway. Arches come in many different shapes and styles.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Atrium</strong></td>
<td>An inner courtyard of a home or other building that is open to the sky or covered by a skylight.</td>
</tr>
<tr>
<td><strong>Awning</strong></td>
<td>A fabric covering stretched over a rigid frame to protect a window, door or opening from the elements.</td>
</tr>
<tr>
<td><strong>Balcony</strong></td>
<td>A platform projecting from a wall, enclosed by a railing or balustrade, supported on brackets or cantilevered out.</td>
</tr>
<tr>
<td><strong>Baluster</strong></td>
<td>A short post or pillar in a series that supports a rail, thus forming a balustrade. May be curved or straight.</td>
</tr>
<tr>
<td><strong>Bay Windows</strong></td>
<td>These windows project out from the front or side of a building with angled projections that rise up from the ground on the first floor.</td>
</tr>
<tr>
<td><strong>Bracket</strong></td>
<td>A small supporting piece of wood or stone, often formed on scrolls or other decorative shapes, designed to bear a projected weight, such as a window.</td>
</tr>
<tr>
<td>Building Setback</td>
<td>A site specific line determined by the building codes and constraints, which defines the outermost edge of new construction in any given direction.</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Canopy</td>
<td>A projection or hood over a door, window, niche, etc.</td>
</tr>
<tr>
<td>Cantilever</td>
<td>A horizontal projection from a building, such as a step, balcony, beam, or canopy, that is without external bracing and appears to be self-supporting.</td>
</tr>
<tr>
<td>Capital</td>
<td>The head or crowning feature of a column.</td>
</tr>
<tr>
<td>Casement Window</td>
<td>A metal or wooden window that opens outward or inward.</td>
</tr>
<tr>
<td>Cladding</td>
<td>Material used as surface sheathing.</td>
</tr>
<tr>
<td>Clapboard</td>
<td>Overlapping horizontal boards that cover the timber-framed wall of a building.</td>
</tr>
<tr>
<td>Clerestory Window</td>
<td>A window (usually narrow) placed in the upper walls of a room, usually at an angle, to provide extra light.</td>
</tr>
<tr>
<td>Cornice</td>
<td>Any projecting ornamental molding that finishes or crowns the top of a building, wall, arch, etc.</td>
</tr>
<tr>
<td>Cupola</td>
<td>A dome, especially a small dome on a circular or polygonal base crowning a roof or turret.</td>
</tr>
<tr>
<td>Dome</td>
<td>An arched roof or ceiling of even curvature erected on a circular or square base. Domes can be segmented, semicircular, pointed or bulbous. Often decorated with stained or painted glass. Adds light, color and drama to a room or foyer.</td>
</tr>
<tr>
<td>Dormer Window</td>
<td>A window placed vertically in a sloping roof that has a tiny roof of its own.</td>
</tr>
<tr>
<td>Eaves</td>
<td>The under part of a sloping roof overhanging a wall.</td>
</tr>
<tr>
<td>Façade</td>
<td>The exterior face of a building, which is the architectural front.</td>
</tr>
<tr>
<td>Fascia</td>
<td>A horizontal piece (such as a board) covering the joint between the top of a wall and the projecting eaves; also called fascia board.</td>
</tr>
<tr>
<td>Frieze</td>
<td>A decorated band along the upper part of an exterior wall.</td>
</tr>
<tr>
<td>Gable</td>
<td>The triangular upper portion of a wall at the end of a pitched roof. It typically has straight sides, but there are many variations.</td>
</tr>
<tr>
<td>Gambrel Roof</td>
<td>A roof with one low, steep slope and an upper, less steep one on each of its two sides, giving the look of a traditional American hay barn.</td>
</tr>
<tr>
<td>Ganged Windows</td>
<td>Individual windows laced closely side by side to create a horizontal strip opening.</td>
</tr>
<tr>
<td>Gazebo</td>
<td>A small lookout building or the porch or roof of a building.</td>
</tr>
<tr>
<td>Gutter</td>
<td>A trough attached to the edge of a roof to collect and conduct water from rain or melting snow.</td>
</tr>
<tr>
<td>Hipped Roof</td>
<td>A roof with sloped instead of vertical ends.</td>
</tr>
<tr>
<td>Lintel</td>
<td>A horizontal beam or stone bridging an opening, most often a door.</td>
</tr>
<tr>
<td>Mansard Roof</td>
<td>This roof is flat on top, sloping steeply down on all four sides, thus appearing to sheath the entire top story of a building.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Mullion</td>
<td>A vertical post or other upright that divides a window or other opening into two or more panes.</td>
</tr>
<tr>
<td>Muntin</td>
<td>A secondary framing member to hold glass within a window or glazed door.</td>
</tr>
<tr>
<td>Niche</td>
<td>A windowless recess in an exterior wall.</td>
</tr>
<tr>
<td>Palladian Window</td>
<td>A window with three openings, the central one arched and wider than the others.</td>
</tr>
<tr>
<td>Parapet</td>
<td>The portion of the wall extending entirely above the wall.</td>
</tr>
<tr>
<td>Pediment</td>
<td>In classical architecture, a low-pitched gable above a portico; also a similar feature above doors. It may be straight or curved, “broken” in the center, or solid.</td>
</tr>
<tr>
<td>Penthouse</td>
<td>A separately roofed structure on the top of a tall building.</td>
</tr>
<tr>
<td>Pilaster</td>
<td>A shallow pier or a rectangular column projecting only slightly from a wall. Primarily decorative.</td>
</tr>
<tr>
<td>Porch</td>
<td>The roofed entrance to a building.</td>
</tr>
<tr>
<td>Porte-cochere</td>
<td>A roofed structure extending from the side or front entrance of a building over an adjacent driveway to shelter those getting in or out of vehicles.</td>
</tr>
<tr>
<td>Punched Opening</td>
<td>Single doors or windows set in a structure, as opposed to ganged windows.</td>
</tr>
<tr>
<td>Quoins</td>
<td>The dressed stones at the corner of buildings, usually laid so their faces are alternately large and small. Usually in contrasting color of brick from the rest of the wall.</td>
</tr>
<tr>
<td>Reveal</td>
<td>A change in the depth of materials used on a planer surface, causing a shadow line or light on the building façade.</td>
</tr>
<tr>
<td>Shutters</td>
<td>Window or door screens featuring horizontal slats that may be articulated, allowing control over air and light transmission. They are usually made of wood. While they may be hinged, modern exterior shutters are often decorative and remain fixed to the wall alongside the window or door opening.</td>
</tr>
<tr>
<td>Side Light</td>
<td>A framed area of fixed glass alongside a door or window opening.</td>
</tr>
<tr>
<td>Sill</td>
<td>The lower horizontal part of a window frame. Materials very widely, from wood to marble.</td>
</tr>
<tr>
<td>Skylight</td>
<td>A window set into a roof or ceiling to provide extra lighting. Sizes, shapes, and placement vary widely.</td>
</tr>
<tr>
<td>Soffit</td>
<td>The underside of an arch, roof overhang, or ceiling.</td>
</tr>
<tr>
<td>Stepped</td>
<td>To set back in layers, as in the manner of steps.</td>
</tr>
<tr>
<td>Stucco</td>
<td>A sturdy type of plaster used on exterior walls; often spread in a decorative pattern.</td>
</tr>
<tr>
<td>Transom</td>
<td>Small, usually rectangular or fanlight window over a door.</td>
</tr>
<tr>
<td>Trim</td>
<td>The framing or edging of openings and other features on the façade of a building.</td>
</tr>
<tr>
<td>Turret</td>
<td>A very small, slender tower.</td>
</tr>
</tbody>
</table>
E. SUBMISSION REQUIREMENTS

The following information must be submitted to evaluate the design twelve (12) calendar days prior to the scheduled public meeting of the Architectural Board of Review. The Architectural Board of Review meetings are regularly scheduled on the first and third Wednesdays of each month.

1. DRAWINGS: Submit nine (9) copies of the following documents, drawn to scale:
   a) Site Plan: Locating all building, building setback lines, pavement areas, planting areas, existing and proposed tree locations, utility poles, lighting poles, trash containers enclosures and the location of and distance to buildings on the adjacent properties.
      1. Site plan shall be drawn to scale no less than 1'=30'-0"
   b) Elevations: Front, all sides and rear.
      1. Exterior building elevations shall include dimensioned drawings a minimum of 1/8 inch per foot indicating finished grade, building height, window and door composition, roof systems, proposed building signage design of visual barriers required for dumpsters and rooftop equipment.
      2. A colored rendering of the principal exterior building elevation.

2. PHOTOGRAPHS:
   a) Clear color photos of any existing buildings, site features and adjoining properties indicating the context of the building improvement, addition or new construction.

3. MATERIAL SAMPLES:
   a) Samples of all exterior materials exposed to view to be used on the project, including but not limited to masonry, roofing, trim, fascia, windows, doors, visual barriers, light fixtures, awning, fencing and signage. Material samples shall include manufacturers exact color and reference numbers, with photographic brochures.

4. LANDSCAPE MATERIALS:
   a) The site plan shall show the location, type and size of all existing and proposed new plant materials. Plants shall be identified as to species and anticipated size at maturity.

5. SIGN PERMIT APPLICATIONS:
   a.) Refer to Chapter 1179 Sign Regulations
III. SITE PLANNING

A. SITE IMPROVEMENTS

The goal is to encourage site improvements that blend with their natural setting and adjacent properties.

1. Arbors and trellises that support plants or vines as a landscape feature are examples of site improvements that blend with their natural setting. Brick or cut stone is preferable to concrete or asphalt in laying walks. Benches, waste cans, planter, etc., shall be designed and placed appropriately. They shall be of commercial grade materials and construction that complement other existing site features.

2. Air conditioning units, satellite dishes, and other mechanical structures should be located according to code and well landscaped so they do not become intrusive features of a landscape.

3. Gravel lots and driveways should not be permitted under any circumstances. Excessive use of lawn ornaments (plywood cut outs, sculptures, etc.) is strongly discouraged in front yards. Avoid over using railroad ties as a landscape feature as well as any feature that may not fit well with its surroundings.

B. LANDSCAPING

1. One of the key factors that can improve and enhance the commercial district is landscaping. The Architectural Board of Review will require detailed site plans to consider in relation to signage, drives, parking and other building features.

2. Important landscape features should be respected when planning additions or new structures. Consideration should be given to avoid removal of existing trees and other landscape material.

3. The use of a variety of specimen trees should be planted to vary the maturation rate and prevent the devastation of a single species due to disease.

4. Specimen trees may include varieties of beech, ash, ornamentals, oaks, and maples and must be consistent with the Street Tree Plan of the City of Bay Village.

5. Rear yard/entry landscaping is highly desirable. Plantings and ground cover materials shall compliment the overall landscape plan.

6. Removal of healthy, mature trees are strongly discouraged. Excessive use of mulch, crushed stone, railroad ties, and similar materials are discouraged.
C. **FENCING**
Fencing shall be sensitively designed to complement the building and the adjacent properties.

1. Wrought iron, brick, dry laid stone, wood picket, and split rail are among the preferred types of fencing.
2. The use of chain link fencing is strongly discouraged.
3. Privacy fences, constructed of vertical board, nailed side by side on parallel stringers, are suggested for rear yard.

D. **PARKING LOTS**
Parking shall be provided for in commercial developments within the City, which does not negatively impact the neighboring properties or communities.

1. It is desirable to provide landscaping that softens the amount of paved area and to screen automobiles from view.

E. **SIDEWALKS**
Pedestrian access should provide a safe means of access for those arriving by automobile, bicycle or on foot.

1. Concrete, brick or stone pavers set on a concrete base are acceptable. Crushed stone, pavers set on an earthen base or asphalt are not acceptable.
2. The material used must be consistent within the site and shall be adequately illuminated.

F. **DUMPSTER ENCLOSURES**
Service areas for loading, unloading and for dumpsters shall be located to minimize the visual and noise impact on adjacent properties. The areas should be screened with landscaping, berms, fencing, etc.

1. Dumpsters shall be enclosed with materials consistent with the building materials. Brick or weather resistant wood if compatible with the main building is acceptable.

G. **EXTERIOR LIGHTING**
Exterior lighting shall provide safety and security around the building, identify key building elements including building name, address, entry and local points and shall be of consistent design, in character with the building.
1. Exterior lighting shall be as low as possible and shielded to protect nearby residential areas from glare.

2. Multiple low wattage light sources are preferred rather than high intensity overhead lighting.

IV. BUILDING MATERIAL AND FEATURES

Incorporated vernacular materials and features can help the design of new or renovated buildings be compatible with its surrounding. These Design Guidelines are based on a study of materials and features used historically in Bay Village. The substitutions of compatible new materials suggested herein are offered as preferred alternatives.

A. FOUNDATIONS

1. Foundations are to be constructed of structurally designed masonry or poured concrete. The proper use of stone veneer, brick, or textured concrete on new foundations is encouraged.

2. The use of stucco, artificial stone, or synthetic brick is discouraged. Exposed asphalt that is exposed is not acceptable, all exposed damproofing or waterproofing above grade is not acceptable. All concrete masonry units above grade shall be parged with a cementitious material.

B. EXTERIOR WALLS

1. New construction can best blend into its community surroundings by using real wood siding. Historically four-inch clapboards (or slight variations thereof) are preferred. Other acceptable wood siding applications are beaded clapboards and horizontal tongue-and-groove siding.

2. Repairing or preserving original wood siding is preferred over replacement aluminum or vinyl siding. Replaced siding that matches the original in appearance, material and workmanship is appropriate. When siding is applied, all architectural detailing should be retained.

3. Brick, split face concrete block, and stone are acceptable building materials when properly sized and colored to its surrounding environment.

4. When using brick, split face concrete block and stone, it is important to preserve at least the illusion of it’s being a solid wall rather than a single course or brick veneered to a stud wall.

5. The concept of having the street façade constructed with a masonry veneer and the other walls constructed of wood siding is generally discouraged.

6. The use of exterior finish insulation systems (EIFS) is discouraged.
C. ROOFS
1. Roofs are usually a defining visual feature of a building. It is strongly encouraged that all buildings be designed with gabled, hipped or gambrel roofs with a minimum roof pitch of 4/12. Steeper pitches are preferable. Flat roofs are discouraged.
2. The roof shall be in scale and proportion to the overall massing of the building.
3. Careful consideration shall be given to the appropriate roofing material including color, detail and texture.

D. GUTTERS AND DOWNSPOUTS
1. It is desirable to retain built-in or concealed gutter systems, especially where they are part of prominent architectural feature. It is important to have functioning gutter system, but care should be taken to ensure the system is architecturally compatible with the structure.

E. WINDOWS AND DOORS
1. Windows and doors are important visual elements of commercial structures. The type, placement, and composition shall be compatible with the architectural style of the building.
2. Wood, aluminum clad and vinyl clad windows are acceptable. The use of solid vinyl windows and doors are discouraged.
3. Preservation of original wood windows and doors in historically significant buildings is strongly encouraged or replace with aluminum panning systems that replicates the detail and profile.

F. ARCHITECTURAL DETAILS
The applicant shall recognize that architectural details can either enhance or detract from a building’s aesthetics. Architectural details can be described as individual and collective construction elements that give character to a structure that include but not necessarily limited to; architectural trim, fascias, railings, shutters, porches, steps, columns, cupolas, etc.
1. Architectural details should be appropriate for the style of building. Building design features such as materials, colors, textures, size, scale and proportion should all be designed in accordance to the design style of the structure.
2. Incorporating architectural details of adjacent buildings shall be considered to maintain harmony and consistency of the architecture of the community.
V. NON-BUILDING DESIGN ELEMENTS

A. UTILITIES AND EQUIPMENT
Mechanical equipment, communications, dumpsters, pad mounted transformers, and heating and ventilating equipment are often times a necessity for businesses today. In general, equipment shall be screened with visually appealing architectural elements.

B. GROUND EQUIPMENT
These elements shall be screened by fencing or landscaping. Shrubbery can often effectively conceal ground equipment from direct view. In some instances, constructing attractive fencing can also camouflage such features.

C. ROOF EQUIPMENT
Heating and ventilating equipment, satellite dishes, and other mechanical equipment shall be set back from the face of the building to minimize site lines or screened from the front and side view such that they do not become intrusive features of the building.

D. BUILDING UTILITIES
Avoid cutting duct or vent penetrations through exposed walls or roof areas that are publicly visible. Utility company wiring is increasingly an issue on the exterior of the buildings. Often telephone company, cable television service and electrical service will run such lines along a building's veneer. With careful planning, these services can be run inconspicuously.

VI. APPLIED EXTERIOR ELEMENTS
Refer to Chapter 1179 Sign Regulations

VII. EXTERIOR PAINT COLORS
In general, the use of color shall be harmonious with the color schemes of neighboring buildings. In general, subdued hues are preferable. Bright, harsh colors should be generally avoided.
VIII. BUILDING TYPES

A. GAS AND SERVICE STATIONS

1. Service stations are typically the least attractive features in most communities. They need to be present to address the residents' needs but there are ways to making these facilities more attractive. Gas stations can become good neighbors through appropriate design, placement, landscaping, signage, proportioning, and use of appropriate building materials.

2. Refuse containers, loose refuse, salable items, inventory, mechanical systems, oil recycling equipment and similar clutter must be housed within the service station building or screened from view in a manner acceptable by the Architectural Board of Review.

3. Overhead canopies should be given greater attention than has been customary. They are all too often treated as advertisement signs. Adding an appropriate fascia can soften the negative impact of such features. Care must be taken to avoid an excessively ambitious color scheme or an inappropriate design. Some stations have used canopies that have hipped or gabled roofs rather than flat roofs with fascia edges. This can work, provided that massing does not become excessively heavy or poorly proportioned.

4. The use of real brick or stone facing on a service station is recommended. Real wood trim with proper detailing and proportioning is also recommended.

5. The often objectionable aspects of service station include: Large paved areas without adequate landscaping; overhead garage doors facing onto the street, large and highly conspicuous signs, bulky, overhead canopies, and excessive level of night lighting that is often distracting to the neighborhood.

6. Facing materials such as Panel 15, T-111 siding and aluminum-faced plywood or other types of synthetic materials, including vinyl and aluminum are not desirable.

B. FRANCHISE PROTOTYPES

C. MUNICIPAL/PUBLIC BUILDINGS

D. CHURCHES
IX. APPENDIX

A. PREFACE AND INTRODUCTION

Bay Village is a mature community. As the City redevelops itself, nearly all changes will occur within the context of its built environment. The City no longer has sufficient vacant land available at a low enough price to generate any significant new commercial development. Further, there seems to be general agreement that the City's commercial areas do not reflect the much higher quality of its residential neighborhoods.

In 1992, the Metro 1 Design Group was retained by the City of Bay Village Planning Commission to research and analyze the desirability of creating an Architectural Board of Review. The Architectural Board of Review would review all building permit applications involving new construction, as well as any proposal that would significantly alter an existing structure. Although the City has, in the past, had an informal design review process, Bay Village was virtually the only community in the West Shore area not to have a formalized review process linked to the issuance of a building permit. Formal interest in the creation of a Bay Village Architectural Board of Review originated in the City's Planning Commission and was based on a number of key concerns. These were:

- The City's small commercial areas, though functional and, in general, serving the community, were severe and uninspiring in appearance, reflecting poorly upon the genuinely fine character of the surrounding districts.
- The Planning Commission was often called upon to make judgments regarding the impact of the design of submissions on the City and nearby commercial and residential properties, extending itself well beyond its legal regulatory authority.
- Lacking a formalized design review procedure, there was little consistency in the quality of submissions to the Planning Commission, which, in turn, often required the Planning Commission to make design decisions based upon very incomplete proposals.
- The City's housing stock averages between 45 and 55 years old and is increasingly subject to renovation as tastes and housing needs change. Without appropriate design controls, the quality of the City's housing stock could be compromised through haphazard and poorly thought out modifications.
- The construction of a number of dominating, out-of-scale homes along Lake Road, which architecturally dwarfed their neighbors.

City of Bay Village
Architectural Board of Review
Guidelines
11/3/2006

Page 15
As Bay Village looks to upgrade its commercial building stock, a number of key design issues must be addressed. Since the City's Architectural Board of Review will play a key role in determining the quality of these renovations, the following design standards are proposed to serve as a guide in evaluating projects, which come under its scrutiny.

Cities, like individuals, tend to get what they ask for and define themselves through the standards they set. The design standards outlined in this booklet are consistent in scope with those in many other cities and should not be viewed as another bureaucratic obstacle. Rather, they represent an attempt by the City to maintain harmony within the existing architectural fabric. By setting down simple and reasonable submission requirements, commercial applicants will be required to think through their projects a bit more thoroughly and offer the Building Director, the Architectural Board of Review, and the Planning Commission a project plan which can be thoroughly analyzed. The result will be better plans and better projects.

B. SOCIAL AND DEVELOPMENTAL HISTORY

The many fine contemporary homes, new subdivisions, and fully developed suburban character of Bay Village masks a history which dates back to the very early part of the nineteenth century when the first settlers moving into the Connecticut Firelands of the Western Reserve shared the land with indigenous Indian tribes and the occasional French trapper moving his goods from the interior to ports further east along the Great Lakes. Although some of the early settlers had emigrated directly from Europe, most were farmers and tradesmen from Connecticut and other parts of New England eager to trade the rocky difficult soil of the eastern seaboard states for the rich soils of northern Ohio. Dover Township, from which Bay Village was carved, took its name from Dover Township in Connecticut, which, in turn, was named after Dover, England. This early history can still be seen in the New England style architecture of the twenty odd Century homes to be found in the City. Many of the City’s streets bear the names of these settlers from New England to carve a new way of life cut of the forests of the Western Reserve.

The first white settler to arrive in Dover Township was Joseph Cahoon, who migrated with his family from Vergennes, Vermont. He and his family arrived on October 10, 1810 and staked out the farmland along what is now Lake Road near the mouth of Cahoon Creek. Cahoon Park and Cahoon Road bear the family name. The Cahoon family farmhouse (Rose Hill) still stands on the west bank of Cahoon Creek and now houses the Bay Village Historical Society.
Other settlers soon followed. These included the Nathan Basset, Rueben Osborn, and Noah Crocker families, arriving the following year in 1811. Family records show that these early settlers could hear the sounds of Commodore Perry's guns during the naval engagements with the British near Kelly's Island during the War of 1812. With the successful conclusion of the war with the British more settlers began pouring into the Western Reserve communities of northern Ohio. Thomas Foote, Sylvanus Phinney, Bernard Case, Henry and Josher Taylor, Jesse Lilly, and John Smith arrived in Dover Township in 1815. The first sawmill was built in 1811; the first tavern in 1813. In 1817 the first frame house was built in the Township. In 1818, the Joseph Cahoon house at 27715 Lake Road (now Rose Hill Museum) was erected.

By 1826 there had been considerable migration into Dover Township. Comparatively “settled” by the standards of the day, there were seventy households and five school districts in the Township. The opening of the Erie Canal and the Ohio–Erie Canal in 1827 permitted settlers to come in the relative comfort of the canal boats as far as Buffalo to the east and Akron and Cleveland to the southeast. From these points it was a relatively easy trip by either boat or wagon train to the new townships of the Western Reserve and the rapidly growing City of Cleveland. In the twenty year period from the first settlement by the Cahoon family to the 1830’s, Dover Township and the rest of the Western Reserve was rapidly transformed from heavy forest land to gently rolling farmland supporting a range of crops from corn to fruit orchards. The geography of Dover Township, with its rich soil, cool wet springs and long summers tempered by Lake Erie made the land especially good for fruit growing and created nearly continuous belt of fruit farms stretching from Lakewood to the Sandusky Bay. Fruit orchards can still be found in abundance just to the west in the Cities of Avon and Avon Lake.

As the country in general, and Cleveland in particular, began moving towards a more industrialized society, the farmers of Dover Township continued to prosper providing meats and fresh groceries to city dwellers in Cleveland. The routes along Lake Avenue, Detroit Road, and Lorain Avenue were once dotted with small taverns and feed houses, which serviced farmers hauling their goods to market in downtown Cleveland. Few of these taverns survive today. With the revolutionary changes brought by the Civil War, the settlement period of Dover Township came to an end. Cleveland emerged from the Civil War as one of the pre-eminent industrial cities in America, experiencing a boom in population growth that would not end until well after World War II. The monumental changes in the urban giant to the east brought subtle changes to the now settled rural life in Dover Township. The extension of rail service in 1882 along the lakeshore opened new markets to farmers along with weekend visitors seeking relief from the busy and sometimes gritty urban environment in Cleveland. Although still largely a rural farming community, the lakeshore of Dover Township offered cool clear summer breezes off the lake, fine beaches, and excellent fishing. A number
of wealthy Clevelanders began building summer cottages as well as large permanent homes like the Washington H. Lawrence mansion at 23200 Lake Road (now the main building for the Cashelmara Condominiums).

In 1897 opening of the Lakeshore Electrical Interurban Railway, which ran from downtown Cleveland to Lorain made the trip from Cleveland to the Hamlet of Bay Village direct, simple, and cheap. Not surprisingly, many of the regular weekend visitors to the Dover station were soon buying land and building summer cottages along the lakeshore. Many of these summer cottages were later converted to year round swellings and can still be seen throughout Bay Village. In 1903 the Hamlet of Bay Village made application to the State of Ohio to be incorporated as a Village under Ohio law. In April of 1903 the Village elected its first mayor and city council. Many of those elected were direct descendants of the founding settlers. Reuben Osborn was elected Village Mayor, William Aldrich, Clerk, and J. Currier, Treasurer. Council members included familiar names like Foote, Wischmeyer, Osborn, Meilander, Sadler, and Mathews.

The outbreak of war in Europe in August, 1914 brought with it the last period of agricultural boom to Bay Village. With virtually every European nation at war and men being drawn from the farm to serve on the front there was a huge demand for foodstuffs from the still pacific United States. Nearly every acre of arable soil was placed into production. With factory orders rising and demand for labor high, cities like Cleveland drew more and more manpower off the farms and brought the country to nearly full industrialization. Bay Village farms with their good soil prospered. Every acre that could be bought or rented went under the plow. When the United States entered World War I in 1917, the demand for foodstuffs skyrocketed. In 1919 World War I ended. Within a few years, European farming was able to recover. By the middle twenties, the boom had led to bust, beginning the great agricultural depression, which would not end until World War II. Many Bay Village farmers were forced to sell off land to pay debts and the first of many suburban subdivisions began appearing on Bay Village Plat maps.

Agricultural depression aside, the Twenties were prosperous years that popularized among other things, the automobile. Bay Village was now a short commute by auto from Lakewood to downtown Cleveland. With access now easy, more and more farmland was turned into solid middle-class housing. Many of the City’s finest homes were built in the 20’s and 30’s. Popular styles during this period were Tudor Revival, Colonial Revival, and the Craftsman Bungalow. Many fine examples of these styles can be found throughout the City. During World War II new home construction all but ceased. The 25-year building boom, which followed World War II, shaped the Bay Village we see today. GI’s returning home from the war and anxious to start new families created an unprecedented demand for new housing. It seemed impossible to build houses quickly enough to satisfy demand. The many postwar bungalows, Cape Cods, and ranch homes
found all over the City are a legacy of this period. By 1970 the City's population peaked at 18,163 and Bay Village was all but fully developed. New construction in the City is now limited to either scattered site housing, or, in a limited number of cases, demolition of old housing for new.

Like most suburbs in the region, Bay Village has gone through many periods of development. Each development period has left an architectural legacy; legacies well worth preserving.

Note: Much of the information found in Social and Development history of Bay Village was drawn from Bay Village: A Way Of Life, which was written and published by the Bay Village Historical Society. Published in 1974, this book serves as an invaluable guide to anyone interested in the history of not only Dover Township, but the entire Western Reserve settlement period.
<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>SQUARE FOOT OF NEW HOME</th>
<th>CUYAHOGA COUNTY AUDITOR LOT SIZE – SQUARE FOOT</th>
<th>RESIDENCE DISTRICT ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>KNICKERBOCKER</td>
<td>1,020</td>
<td>7,500</td>
<td>RD3</td>
</tr>
<tr>
<td>GLEN PARK</td>
<td>2,680</td>
<td>10,000</td>
<td>RD3</td>
</tr>
<tr>
<td>CANTERBURY</td>
<td>2,766</td>
<td>6,400</td>
<td>RD3</td>
</tr>
<tr>
<td>OAKLAND</td>
<td>3,215</td>
<td>7,200</td>
<td>RD3</td>
</tr>
<tr>
<td>WOLF</td>
<td>3,640</td>
<td>18,000</td>
<td>RD3</td>
</tr>
<tr>
<td>UPLAND</td>
<td>3,722</td>
<td>11,742</td>
<td>RD3</td>
</tr>
<tr>
<td>CAHOON</td>
<td>3,736</td>
<td>28,649</td>
<td>RD3</td>
</tr>
<tr>
<td>HUNTMERNE</td>
<td>3,931</td>
<td>8,976</td>
<td>RD3</td>
</tr>
<tr>
<td>HUMISTON</td>
<td>4,014</td>
<td>8,595</td>
<td>RD1</td>
</tr>
<tr>
<td>OAKMOOR</td>
<td>4,035</td>
<td>5,868</td>
<td>RD3</td>
</tr>
<tr>
<td>WOLF</td>
<td>4,203</td>
<td>9,666</td>
<td>RD3</td>
</tr>
<tr>
<td>HUMISTON</td>
<td>4,834</td>
<td>8,595</td>
<td>RD1</td>
</tr>
<tr>
<td>OSBORN</td>
<td>5,412</td>
<td>30,927</td>
<td>RD1</td>
</tr>
<tr>
<td>CLIFF</td>
<td>6,099</td>
<td>9,750</td>
<td>RD1</td>
</tr>
<tr>
<td>LAKE</td>
<td>6,148</td>
<td>14,364</td>
<td>RD1</td>
</tr>
<tr>
<td>LAKE</td>
<td>6,879</td>
<td>8,880</td>
<td>RD1</td>
</tr>
<tr>
<td>NANTUCKET</td>
<td>7,314</td>
<td>20,000</td>
<td>RD1</td>
</tr>
<tr>
<td>HUNTINGTON WOODS</td>
<td>7,690</td>
<td>31,500</td>
<td>RD1</td>
</tr>
</tbody>
</table>

*19 – NEW SINGLE FAMILY DWELLING HOMES

*9 – RESIDENCE DISTRICT NUMBER 1

*10 – RESIDENCE DISTRICT NUMBER 3
## Survey of Municipalities Regarding Architectural Board of Review

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Architectural Board of Review</th>
<th>Commercial</th>
<th>Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aurora</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Avon Lake</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Broadview Heights</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Brook Park</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garfield Heights</td>
<td>Planning Board acts as ABR</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Hudson</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Lakewood</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Macedonia</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mayfield Village</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Medina</td>
<td>Planning Commission</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>and Historical Preservation Board</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Ridgeville</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oakwood</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Parma</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Rocky River</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Strongsville</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Westlake</td>
<td>Planning Commission Only</td>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>
RESIDENTIAL PROJECTS

These guidelines endeavor to protect an important aspect of the economic base of the City of Aurora by preventing the destruction of the natural environment and to enhance property values by controlling design, material types and architectural elements. This unique character is encouraged and controlled.

Exposed Foundations:
All exposed foundations shall be constructed of brick or stone materials which give a permanent dimensional appearance on all sides. All exterior materials shall be approved by the Architectural Board of Review. Exception: All exposed foundation materials for additions and accessory buildings over 200 square feet shall match the existing residence.

Chimneys:
All fireplace chimneys, including direct vent, which project through the roof shall be constructed of brick or stone materials. Exception: direct fireplace venting through a wall shall be located at the rear of the residence.

Stacks:
Any stack with a diameter of six inches (6") or greater which extends through the roof must be enclosed with an acceptable chimney facing material that gives the appearance of brick or stone. Vinyl and aluminum are not acceptable means of wrap or enclosure. All stacks must be installed on the rear side of the roof ridge.

Windows:
Windows are required on all elevations of a residence. If windows on the front elevation have muntins, then the side windows shall have muntins. If windows on the front elevation have shutters, the Board may require the side windows to also have shutters to match for the purposes of consistency. If the front windows have wide casings, then the side windows shall also have wide casings. All windows without shutters shall have a minimum of a four inch (4") wrap. Glass block is not permitted on front elevations. The Architectural Board
shall have the right to reject glass block windows on other elevations if the windows are considered too large.

**Bay Windows (i.e. projecting windows):**
All bay window projections located on the first floor of the front elevation where the bottom of the Bay Window support structure is 4’-0” or less above finished grade must have the appearance of bearing on a solid foundation consisting of materials matching the foundation wall of the house or main structure. A bay window projection on the side or rear elevations or on the front elevation where the bottom of the Bay Window support structure is greater than 4’-0” above finish grade can be cantilevered. Finish grade shall be the grade contour at the Bay Window location as shown on the approved site/topographical plan.

**Bow Windows:**
All bow window projections located on the first floor of the front elevation should extend to grade and must have the appearance of a solid foundation wall. A bow window that projects more than two feet (2’) must bear on a foundation. Foundation walls, either in appearance or in function, shall consist of materials matching the foundation walls of the house or main structure.

**Overhead Doors:**
All garages must have doors and the colors shall complement the residence. Garage doors shall not face the street or right-of-way. *Exception: The Architectural Board may approve front elevation garages for hardship reasons. Items of hardship shall include, but are not limited to, a narrow lot, a ravine, or large trees provided such hardship is not created by the project owner/planner.*

**Skylights:**
Skylights shall not be visible from the street or road on which the house/structure fronts.

**Exterior Wall Materials and Style of Architecture:**
All exterior wall materials and the style of architecture shall be approved by the Architectural Board. Residences of an established traditional style shall have all materials, colors, roof pitches, windows, architectural details and proportions consistent with that particular style as approved by the Architectural Board. A change in exterior wall materials from the front elevation to the sides must wrap a minimum of two feet (2’) around the corners and onto the sides. The use of exterior insulating finishing systems (E.I.F.S.) as a siding material must be no more than a nominal portion of the total exterior and only as approved by the Architectural Board.
Additions to Existing Residences:
All additions shall match the materials, colors, roof pitch, windows and architectural style of the existing residence. Any color or material on an addition shall require all remaining areas on the house and all appendages to match the new addition within a year of the Architectural Board approval. Exceptions: as approved by the Architectural Board.

Accessory Buildings Over 200 Square Feet:
Accessory buildings over 200 square feet must have a solid foundation as required by the Ohio Building Code. Such exposed foundations may be required to match the residence. Windows may be required by the Board at its discretion. Any accessory building within 50 feet of a residence or visible from the right-of-way or neighboring structure shall match the colors of the residence.

Accessory Buildings 200 Square Feet or Less:
Any accessory building 200 square feet or less shall match the colors of the residence. These structures will not require a review by the Architectural Board.

Three-Season Rooms:
All three-season rooms shall match the materials, colors, and architectural style of the residence. All three-season rooms shall have the appearance of a solid foundation. Foundation walls shall consist of materials matching the foundation walls of the house or main structure.

Metal Roofs:
Metal roofs are generally prohibited on any structure unless the Board determines the application overcomes the criteria in ACO 1321.03(b).

Note: Exceptions to these guidelines may be made at the discretion of the Architectural Board of Review.
RULES AND REGULATIONS OF THE
BOARD OF BUILDING STANDARDS AND BUILDING APPEALS/
ARCHITECTURAL BOARD OF REVIEW/SIGN REVIEW

(As Amended March 10, 2008)

Acting pursuant to the authority granted to it by Section 156.03 of the Ordinances of the City of Lakewood, that the Board of Building Standards and Building Appeals/Architectural Board of Review/Sign Review hereby adopt the following Rules and Regulations:

ARTICLE 1

OFFICES

Section A - Designation

The Board shall elect a chairman and vice-chairman, who shall be members of the Board. It shall elect such other officers, as it may from time to time deem necessary that need not be members of the Board.

Section B - Election and Terms

The officers shall be elected at the regular meeting of the Board held in January of each year and they shall take office immediately and hold such office until the next January meeting of the Board or until their successors are elected and qualified. The Board may remove any officer at any time with or without cause by a majority vote of the entire membership of the Board. The Board may fill any vacancy in any office for the unexpired term.

Section C - Chairman

The Chairman shall preside at all meetings of the Board, appoint all committees and be an ex-officio member of such committees. He or she shall perform all of the duties incident to the office and such other and further duties as from time to time shall be required or authorized by any ordinance of the City, these Rules, or the Board.
Section D - Vice-Chairman

The Vice-Chairman, in the absence or inability of the Chairman to act, shall perform the duties of the Chairman and possess the same power and authority as the Chairman.

Section E - Secretary

The Secretary shall serve as the chief staff executive for the Board. He or she shall attend all meetings of the Board and of all of its committees and keep the minutes thereof; give or cause to be given any notice required by the ordinances of the City or these Rules; and shall perform all other duties incident to the office of a secretary and such other duties as may be assigned to him or her by the Board.

Section F - Other Duties

Any other officers elected by the Board shall perform such duties and functions as may from time to time be required or authorized by the Board.

ARTICLE 11

MEETINGS

Section A - Regular Meeting

The regular meeting of the Board shall be held monthly on the second Monday of each month at city hall, City of Lakewood, at 5:30 p.m.

Section B - Special Meetings

Special meetings of the Board shall be held whenever called by the Chairman or Vice-Chairman in the absence of the Chairman or by the Secretary when requested in writing by any two (2) members of the Board. Matters considered at a special meeting shall be limited to the matters described in the notice of the meeting.

Section C - Pre-Meeting (Work Session for Board Members)

Pre-meetings of the Board shall be held monthly on the first Monday of each month at city hall, City of Lakewood, at 4:00 p.m. The Board and Building Department personnel shall attend the pre-meeting for the purpose of reviewing the docket items. Pre-meetings are open to the public. During this administrative work session, the Board members may ask questions of the applicants and/or their legal representatives, if present. Any other comments from the applicants, their legal representatives or the general public shall be reserved until the regular meeting of the Board.
ARTICLE 111

DOCKET

Section A - Application Procedures

I. Any appeal or application to the Board of Building Standards and Building Appeals, in accordance with the City Charter, brought to the attention of the Secretary of the Board prior to noon thirteen and one-half (13½) days preceding the next regular meeting of the Board shall be placed upon the docket for that meeting.

II. The applicant or legal representative must appear at the regular meeting in order for the Board to act upon the application filed. The Board may deny the request for a variance if an applicant or his representative fails to appear at the meeting. The Board shall consider appeals and applications and shall either approve, deny or defer the matter until the next meeting of the Board.

A "legal representative" will be expected to possess credentials or other written evidence of authority. Questions regarding the credentials of the representative may result in the matter being deferred.

Because of the potential conflict of interest between sign fabricators/contractors and property owners/tenants, sign companies will not be accepted as "applicants" unless they are the owners or tenants of the property on which the signage is to be erected.

The following are examples of persons who might meet the criteria of "legal representative" of an applicant to the Board of Building Standards/Architectural board of Review/Sign Review.

1. Officer of a company
2. Officer, trustee of a church or non-commercial organization
3. Attorneys, architects
4. Spouse of a married proprietor or building owner
5. Persons possessing adequate power to negotiate on behalf and amend applications of and bind the applicant
III. Applications for a variance to the Building Code of the City, which have been denied by the Board, may be resubmitted within ten (10) days, if a request is made in writing by the applicant, setting forth the grounds thereof. If the Board determines by vote that valid grounds have been submitted, a rehearing shall be granted.

If the request is not made within ten (10) days from the date of ruling, no application on the same appeal may be made to the Board for a period of six (6) months from the date the original application was denied. The filing of an application for a rehearing shall not be deemed to extend the time period permitted by law for the filing of an appeal to the courts.

IV. Decisions of the Board on applications for relief of Building Code violations shall be deemed to be final, and the Secretary shall not accept or docket applications, which have been denied by the Board unless a rehearing is granted pursuant to Item III above.

**Section B - Copies of the Docket**

The Secretary shall e-mail the entire docket to each member of the Board. The Secretary shall deliver a copy of the docket to the Mayor of the City of Lakewood, City Council, Directors including the Police and Fire Chief, Building Commissioner, Assistant Building Commission for Housing and Assistant Building Commissioner for Commercial on or before the 7th day prior to the regular meeting of the Board. The Board or the Chairman may at any time, or from time to time, request the regular or special delivery of a copy of any one (1) or all of the items on the docket to any other person, firm, or corporation.

**Section C - Contents of a Docket Item**

Each item listed on the docket shall include:

1. The name of the applicant requesting a ruling.

2. The location of the property involved.

3. The character of the request or appeal.

4. The reason for submission to the Board.


6. A plot plan or other drawing if structure, room size or arrangement is involved if requested by the Board.
ARTICLE IV

NOTICES

Section A - Notices of Regular Meetings

The delivery of the docket as provided in Article III, Section B shall constitute a notice to members of the regular meeting of the Board provided for in Article II, Section A.

Section B - Notices of Special Meetings

Written notice of any special meeting called pursuant to Article II, Section B shall be given by the Secretary to each member of the Board at least two (2) days in advance of the time set for such special meeting.

Section C - Pre-Meeting (Work Session for Board Members)

Notice of the Pre-Meeting calendar is distributed yearly to all recipients of Board of Building Standards/Arcbrocultural Board of Review/Sign Review agendas and dockets. A copy of the yearly calendar is also contained in the application packet.

Section D - Waiver of Notices

Any member of the Board may waive any requirement for notices to members established by these Rules in writing and his attendance at any meeting shall be considered a waiver of any notice requirement of such meeting.

Section E - Contents of Notice of Special Meeting

If any special meeting is called to consider an appeal from the denial of an application for a building or ruling limiting or restricting any work under any permit issued or requesting an interpretation of the Building Code, the notice of said special meeting to members shall contain relating to such items all facts required in Article III, Section C of these rules.

Section F - Public Notice

The Secretary shall be required to provide all notices pursuant to Chapter 109 of the Administrative Code of the Codified Ordinance of the City of Lakewood.
ARTICLE V

CONDUCT OF MEETING

Section A - Order of Consideration

Unless otherwise directed by motion of the Board, the Chairman shall call for consideration of the docket items in the order in which they were filed.

Section B - Procedure for Disposition of an Item

Upon the call of the Chairman for the disposition of an item, unless otherwise directed by a motion of the Board, the following procedure shall be followed:

A. The Secretary shall record the comments and recommendations made by the Board at the Pre-meeting pursuant to Article II, Section C. The secretary shall prepare a written summary. At the regular meeting, the Chairman shall read the summary for each item appearing on the agenda.

B. A statement of the applicant seeking the relief from the order of interpretation appealed from which statement may be supplemented by any written or graphic material deemed to be pertinent by the applicant to the item in issue.

C. A statement, or statements, by interested persons including Building officials and members of the Department of Law of the City of Lakewood either in support or opposed to the request of the applicant which statement, or statements, may be supplemented by any written or graphic material deemed by the Chairman to be pertinent to the item in issue.

D. Any statement by the applicant in rebuttal of the statement made by any interested parties.

E. The Chairman shall thereupon call for disposition of the item.

Section C - Participation by Members of the Board

At any time during the presentation, any member of the Board may ask questions of the person appearing before the Board providing he first receives permission to ask such questions from the Chairman.
Section D - Comments and Questions by Other Than Members of the Board

All persons, during the consideration of any item, shall direct their comments only to the members of the Board and any questions they may desire to ask shall be stated to the Board and the Chairman, after determining the questions pertinent, shall restate the question and request the answer.

Section E - Power of Chairman

It shall be the duty of the Chairman to conduct all proceedings before the Board and his ruling in connection therewith shall be final unless appealed by any member of the Board and such appeal being supported by at least a majority of the Board.

ARTICLE VI

QUORUM AND VOTING

Section A - Quorum

The presence of a majority or more of the members of the Board shall be necessary to constitute a quorum for a meeting of the Board.

Section B - Roll Call Vote

Except for procedural matters all voting shall be by roll call and a record of the “yeas” and “nays” shall be set forth in the minutes.

Section C - Approval

At least three (3) members of the Board shall vote in favor of the approval of any variance, allowance of an appeal or interpretation of the Building Code.

ARTICLE VII

WAIVER

Any rule herein established may be waived by the affirmative roll call vote of at least four (4) members of the Board.
ARTICLE VIII

CONFLICT OF INTEREST

No member of the Board or other officer shall participate as such, through decision, approval or disapproval, recommendation, the rendering of advice, investigation or otherwise in a Board action, proceeding or other particular matter in which, to his or her knowledge, he or she, his or her spouse, child, partner, business association in which he or she is service as an officer, director, trustee, partner or other employee or any person or organization with whom he or she is negotiating or has an arrangement concerning prospective employment, or has a substantial financial interest. The foregoing prohibition does not apply: in the case of a Board member or other officer, if he or she, by statement entered upon the minutes of the Board record first discloses the nature and circumstances of the Board action, proceeding or particular matter and his financial interest in it and declares that his interest is not so substantial as to infect the integrity of his or her action as a member of the Board or holder of any office.

ARTICLE IX

SUMMARY APPROVAL PROCEDURE FOR SIGN REVIEW

I. A sign proposal submitted for review for which NO variance is requested or required in order to comply with the City’s Sign Ordinance, Chapter 1329 of the Lakewood Codified Ordinances, is eligible for summary approval. A committee of no less than three (3) members of the Board, including the Chairman or Vice-Chairman, shall review the proposal. If the committee unanimously recommends the proposal, the proposal shall be referred to the full Board at it’s next regular meeting with the committee’s recommendation.

II. The committee shall meet once a month during the Board’s regularly scheduled pre-meeting. Neither the applicant nor his/her representative is required to appear at the pre-meeting but may do so to discuss the proposal. If a proposal receives summary approval recommendation, the applicant is not required to appear at the regular meeting of the Board at which his proposal is docketed.

III. If a sign proposal does not receive summary approval, it shall remain on the docket for the next Board meeting for which it is eligible for consideration. If a proposal presented for summary approval is not approved, but in the opinion of the Committee could be approved with modification, the applicant may resubmit prior to presentation to the full Board (this may require voluntary deferral on the regular Board docket).
IV. The criteria which the Chairman shall use in determining whether a sign proposal shall receive summary approval shall include, but not limited to, the following:

A. Signs similar in design, materials, composition, scale, and appearance to other approved signs on adjacent storefronts in the same building ordinarily should be referred to Committee;

B. Signs similar in design, materials, composition, scale and appearance to approved signs being replaced shall ordinarily be referred to Committee;

C. Signs which, based on previous experience and history of the Board, are likely to be subject to debate or are a substantial departure from approved signs in the place and/or environs proposed to locate the sign should not be referred for summary approval;

D. No signs which require a variance should be referred, as all variances must be presented to the full Board at the regularly scheduled public meeting, to allow other persons an opportunity to voice any opposition to the granting of a variance and to afford the applicant an opportunity to demonstrate the necessary hardship;

E. Any sign proposal about which the Building Department, a member of the Board or any member of the public has expressed reservations or has requested full Board consideration of, shall not be referred for summary approval;

F. Existing sign submitted for review which have been in existence since before the creation of sign review by the Board, and which do not require variances, should be given great consideration for referral to Committee;

G. Sign proposals of great magnitude or likely to set a standard for a neighborhood, trade or industry should not be referred for summary approval;

V. A proposal receiving summary approval recommendation from the Committee and referred to the full Board for approval shall be made available for review by any member of the Board or the public at the regular meeting of the Board. Proposals receiving summary approval shall be so identified and noted on the record at the regular meeting of the Board on which the proposal is docketed.

A. If no member of the Board or the public objects, the Board may entertain a motion to approve all proposals receiving summary recommendation. Passage of said motion shall be deemed final approval of such proposals and
the Building Department shall issue the appropriate permits. No permits shall be issued prior to said regular monthly public meeting.

B. Where a member of the Board objects, the proposal shall be deferred to the next regular meeting of the Board. An objection by a member of the public shall be considered by the Board to determine whether deferral is appropriate.

ARTICLE X

MINOR ALTERATIONS, ADDITIONS TO ARCHITECTURAL PROPOSALS AND SIGN PROPOSALS

It shall be the policy of the Board to delegate to the Chairman the review of minor alterations, additions, or deletions ordered by the Board of otherwise accepted architectural proposals and sign proposals. If in the Chairman’s opinion the revised proposal meets the Board’s conditional approval, then no further appearances before the whole Board will be necessary.

It shall be the further policy of the Board that the whole Board authorizes the Chairman, upon the recommendation of the Building Commissioner, to approve minor alterations, revisions, or deletions of or to existing buildings and signs without presentation and review. In these instances, the Chairman’s failure to approve will not be a denial of approval but will merely cause the item to remain on the docket for regular consideration at the next scheduled meeting of the Board.

ARTICLE XI

AMENDMENTS

These Rules and Regulations may be amended or the Board at a meeting may adopt new Rules and Regulations for such purpose by the affirmative vote of at least three (3) members of the Board.
1341.02 RESIDENTIAL STRUCTURES.
(a) No building permit shall be issued for a single-family residential structure unless the applicant establishes to the satisfaction of the City Architect that:
   (1) The exterior architectural character and functional plan of the proposed structure, when erected, will not be at such variance with existing structures, or structures currently being built, in the immediate neighborhood or zoning district as to cause substantial depreciation in the property values of such existing structures or structures currently being built;
   (2) The site utilization and orientation of the proposed structure is reasonably integrated with existing roads, drives, vehicular traffic patterns and pedestrian walkways abutting the property on which the proposed structure is to be built; and
   (3) The building or structure shall not be like or substantially like any neighboring structure, defined in subsection (b) below, then in existence or for which a building permit has been issued. The City Architect shall approve the application provided that the applicant establishes that no more than two of the following exist with respect to any such neighboring structure:
      A. The roof style of the proposed structure is similar to the structure it resembles, or
      B. The roof pitch of the proposed structure is less than three vertical units in twelve from the structure it resembles; or
      C. More than half of the exterior surface materials of the proposed structure are the same as the structure is resembles; or
      D. The relative location of an attached garage, porch, portico, breezeway, gable or other major design feature attached to the proposed structure is similar to the structure it resembles; or
      E. The relative location of entry doors, windows, shutters or chimneys in the proposed construction is similar to the structure it resembles.
   (4) The structure has no more than two vehicle garage doors facing the street with the exception that structures located on corner lots are permitted a maximum of three vehicle garage doors facing the side street provided that at least one of the garage doors has a setback from such side street at least two feet greater or lesser than the other garage doors.
   (5) The structure is in compliance with the following standards:
      A. Chimneys shall be constructed of either facebrick, "z" brick or equal, or stone. Simulated chimneys and exterior flues of contrasting and incompatible materials which do not complement the primary architectural style are prohibited.
      B. Air conditioning units are prohibited on or adjacent to exterior wall surfaces facing a street. When located in a side or rear yard, decorative fences.
      C. Wall vents shall be located as low as possible on the exterior wall surface, painted to appear as inconspicuous as possible and/or screened from view by appropriate landscaping.
(b) Additional standards which may exist in the form of deed restrictions or covenants imposed by developers of single family homes shall become part of these standards and are enforceable by the City of Macedonia as if fully written herein.

(c) The term "neighboring structure", as used in this section, shall be defined as any existing structure or any structure for which a building permit has been issued which is situated on any one of the following lots:

(1) Any lot within three lots, on the same side of the street, on either side of the proposed construction, without regard to intersecting street lines; or

(2) Any lot within three lots of the property directly across from the proposed construction on the opposite side of the street, without regard to intersecting street lines; or

(3) Any lot within two lots of the proposed construction providing such lot is abutting a street intersecting the street upon which the proposed construction will be located and the front elevations of the subject structures will be approximately ninety degrees to each other.

(Ord. 14-1995. Passed 3-9-95.)
Architectural Review Board

The purposes of the Architectural Review Board are to protect property on which buildings or structures are constructed or altered, to maintain the high character of community development, and to protect real estate within the Municipality from impairment or destruction of value, by regulating according to proper architectural and engineering principles, the exterior design, use of materials, finished grade, lines, dimensions, location and orientation of all new buildings or structures hereafter erected, and the moving, alteration, improvement, repair or adding to, in whole or in part, of all existing buildings or structures. The Board shall exercise its powers and perform its duties for the accomplishment of such purposes only.

Meetings are held the 2nd and 4th Thursday monthly at 7:30 p.m. at the Civic Center (held only when plans are submitted).

Current Members:

Josh Klein
Carmen Miozzi (Chairman Pro Tem)
Edward T. Parker (Chairman)
Ivo Tombazzi
Maryann Wervey
John Marrelli (MV Building Commissioner)
Debbie Garbo (MV Building Executive Assistant)

To contact the Architectural Review Board you can email Debbie Garbo at dgarbo@mayfieldvillage.com (mailto:dgarbo@mayfieldvillage.com) or call the Building Department at 440.461.2213.

For more information on the Architectural Review Board, please click here (http://www.conwaygreene.com/Mayfield/lpext.dll/Mayfield/4eae/4ee0/4f2d?f=hitlist&q=architectural&x=Simple&opt=&skc=80000002402423A0C7D8947B00004F2E&c=curr&gh=1&2.0 #LPHit1).
RESIDENTIAL CONSTRUCTION
NEW / ADDITIONS / ALTERATIONS
PLAN REQUIREMENTS

Mayfield Village

SCALE 1/4" = 1'

SET BACKS CHECK DEED RESTRICTIONS

FRONT - 60' OR GREATER
SIDE YARDS - 35% 10' MINIMUM ON ANY ONE SIDE. REAR YARD - 20% OF THE DEPTH OF THE LOT.
DETACHED GARAGE TO BE NO CLOSER THAN 10' TO HOUSE SIDE AND REAR LINES. MAXIMUM SIZE IS 675 SQUARE FEET.

PHOTOGRAPHS THREE SHOWING EXISTING BUILDINGS AND PROPOSED CONSTRUCTION SITE

SITE PLAN SHOWING EXISTING BUILDINGS, PROPERTY DIMENSIONS AND PROPOSED BUILDING

ARCHITECTURE DRAWINGS
IDENTIFIED WITH STREET NAME, NUMBER AND OWNER
SIX SETS (6) SHOWING ALL DETAILS OF CONSTRUCTION
SECTION DETAIL SHOWING FOOTER DEPTH (42" MINIMUM)
FLOOR PLAN WITH ALL ELEVATIONS AND A SECTIONAL VIEW FOOTER TO RIDGE
EXTERIOR GRADE OF EXISTING AND PROPOSED - MAY REQUIRE VILLAGE ENGINEER APPROVAL

MINIMUM CONSTRUCTION REQUIREMENTS (2006 OHIO RESIDENTIAL CODE)

FOOTERS 12" WIDE / 42" DEEP (DETACHED ACCESSORY BUILDINGS - 8" WIDE / 18" DEEP)
FOUNDATION WALLS 12" WIDE
GRADE WALLS NO EXPOSED BLOCK - BRICK TO MATCH EXISTING
FRAMING 2 X 4 16" O.C. 1/2" WALL SHEATHING
PLATE 2" X AS REQUIRED
FLOORING 1" MINIMUM
FLOOR JOISTS AND RAFTERS SIZED BY OHIO RESIDENTIAL CODE.
CRAWL SPACE AT LEAST 18" - VAPOR BARRIER AND 3" CONCRETE COVER WITH WALL VENTS
MINIMUM INSULATION - WALLS R-13, CEILING R-30 PERIMETER: 2" IN DEPTH RECOMMENDED OR
CALCULATED PER IECC (INT'L ENERGY CONSERVATION CODE)
WINDOWS TO BE DOUBLE GLAZED THERMOpane/SIZES INDICATED
DRAIN TILE VITRIFIED CLAY OR PVC MINIMUM 2000# CRUSH RESISTANT CEMENTED JOINTS WITH
CLEAN OUTS - BACKFILL OVER DRAIN TILE TO WITHIN 18" OF GRADE - NO FINES
FIREPLACES OHIO RESIDENTIAL CODE AND BUILDING DEPARTMENT REQUIREMENTS
FIREPLACE FLUE TO BE IN CENTER - JOISTS PROTECTED UNDER HEARTH - ASH DOOR REQUIRED
ALL DRAFT OPENINGS TO BE FIRE-STOPPED - FIRST FLUE INSPECTION MANDATORY
CHIMNEY TO BE 2' ABOVE ROOF WITHIN 15'; SADDLE REQUIRED
ANCHOR BOLTS TO BE PLACED 12" OF CORNERS - 6" MAX ON CENTERS - ONE ON EACH RETURN - 12" OF ENDS OF BOARDS
UNEXCAVATED AREAS TO HAVE 6 MILL POLY UNDER CONCRETE
GARAGE FLOOR DRAINS TO BE 12" MINIMUM - CONNECTED TO SANITARY FOR ATTACHED GARAGES ONLY.
TURNABOUTS TO BE CURBED (SIDES AND REAR) WITH A MINIMUM 12" CATCH BASIN
CONCRETE DRIVEWAYS TO BE 4" MINIMUM AND 6" AT THE APRON WITH MESH
SIDEWALKS TO BE 4" MINIMUM AND 5" WIDE
SKYLIGHTS TO BE FLAT TYPE IF VISIBLE FROM THE STREET
ENTRANCE PLATFORMS TO HAVE FULL 8" MASONRY SUPPORT WALLS, FILLED.
STEP RISES NOT TO BE GREATER THAN 8 1/4", TREAD TO BE MINIMUM 9" DEEP, NOSING REQUIRED IF LESS THAN 11" DEEP.
ACCESS DOORS TO ATTACHED GARAGES TO BE METAL CLAD, SOLID WOOD, OR 20-MINUTE FIRE RATED SELF CLOSING
ROOF SHEATHING 1/2" - 16" O.C.
WALL SHEATHING 1/2" - 16" O.C.
ROOF AND SIDING TO HAVE 15 # FELT UNDERLAY - COLORS AND MATERIALS TO MATCH EXISTING
ROOF SHINGLES TO BE 24# MINIMUM - NAILS PREFERRED.
GUTTER BOARDS 1" X 6" ROOF FELT AND ICE GUARD REQUIRED TO EXTEND OVER GUTTER BOARD PRIOR TO GUTTER INSTALLATION
SHOW DOWNSPOUTS ON DRAWING - RUNOFF TO BE CONTAINED
SOFFITS MUST BE VENTED - ICE GUARD REQUIRED.
SHOW ALL ELECTRICAL INSTALLATIONS ON FLOOR PLANS PLUMBING ON EXTERIOR WALLS MUST HAVE HEAVY
INSULATION AND SHOWN ON DRAWING 2008 NATIONAL ELECTRIC CODE AND 2007 OHIO PLUMBING, HEATING & BLDG CODES.
EXHAUST FANS MUST BE VENTED TO OUTSIDE AIR AND LOUVERED

Pg 1 of 2
DRAWING REVIEW
ARCHITECTURAL REVIEW BOARD MEETS THE SECOND AND FOURTH THURSDAY IN THE MAYFIELD VILLAGE CIVIC CENTER AT 7:30 P.M. DRAWINGS MUST BE SUBMITTED BY THE FIRST OR THIRD THURSDAY. OWNER AND/OR CONTRACTOR TO BE PRESENT FOR REVIEW OF DRAWINGS BUILDING APPLICATION TO BE COMPLETED WITH DRAWINGS

MATERIALS/COLOR
TO MATCH EXISTING HOME – SAMPLES REQUIRED ON NEW CONSTRUCTION AND LISTED ON DRAWINGS

TRADE REGISTRATION
ALL CONTRACTORS MUST REGISTER, POST INSURANCE AND TAKE OUT APPLICABLE PERMITS

INSPECTIONS
ALL WORK REQUIRES INSPECTION. KEEP YOUR JOB RUNNING SMOOTH - CALL BEFORE YOU COVER OR ORDER YOUR CONCRETE. TWENTY-FOUR HOUR NOTICE REQUIRED. ANY WORK COVERED WITHOUT INSPECTION WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.

HOURS OF CONSTRUCTION – NEW CONSTRUCTION AND REPAIRING OF BUILDINGS:
MONDAY – FRIDAY 7:00 AM - 6:00 PM
SATURDAY 10:00 AM - 6:00 PM.
SUNDAY EMERGENCY CONSTRUCTION ONLY – REQUIRES SPECIAL APPROVAL.

FEES AS LISTED ON APPLICATION FORMS

RIGHT-OF-WAY WORK $200 CASH BOND; $5000 SURETY AND $100,000 LIABILITY

CODES
NATIONAL ELECTRICAL CODE
INTERNATIONAL PLUMBING CODE
INTERNATIONAL RESIDENTIAL CODE (IRC)

STRUCTURAL AND NON STRUCTURAL ACTIVITIES IN FLOOD AREA Any construction in a Flood Hazard Area, Commercial or Non-Commercial, must be by special permit. Forms are available upon request. Should there be a question on the correct classification, a determination can be made by The Village Engineer. A fee of $60 will be assessed.

DRAWINGS. IT IS SUGGESTED THAT DRAWINGS FOR CONSTRUCTION IN EXCESS OF $10,000.00 BE DRAWN AND STAMPED BY A REGISTERED ARCHITECT.

Mayfield Village Building Department
6622 Wilson Mills Rd.
Mayfield Village, Ohio 44143
Phone: (440) 461-2213
Fax: (440) 442-5077
City of Medina Boards and Commission
Submittal Requirements

Please review the below submittal requirements for project subject to review by the Planning Commission, Board of Zoning Appeals, and/or the Planning Commission.

SITE PLAN APPROVAL OR CONDITIONAL USE (Two copies of all plan submittals. Large plans to be one full size set and one reduced 11 x 17 set.)

1. General notes: Each sheet must have the north arrow, scale, date, and the contact information of the firm that created it. Plans should be of a scale that clearly shows your project, but in no case less than 1” = 100’. Plans should show property lines and easements. Where existing and proposed items are shown on the same drawing existing items must be shown with light dashed lines and proposed items must be shown with bold solid lines.

2. Existing conditions map: Topographic survey showing all land owned and proposed for development, topography, including contours of no greater vertical interval than two feet, existing site features and within twenty five feet of the site, surrounding streets and adjoining lots; the location, size and height of all existing buildings on the proposed site and adjacent thereto; existing public utilities including fire hydrants, sanitary sewers, water mains and surface drainage facilities; existing trees and other landscaping features. This information is typically used as a base layer for other drawings.

3. Site Plan: Proposed site plan at the same scale as the existing conditions map, showing the proposed systems of circulation of vehicular traffic including delivery trucks, details for connections to present streets, type of pavement and plans for control of traffic in and around the development; parking areas with the number of spaces to be provided; design features; location and type of lighting fixtures; proposed public utilities including water distribution, sewerage collection and surfaces drainage; the location, type and height of all buildings and major subdivision of space therein; all proposed accessory structures including signs; and other proposed site improvements including grading, landscaping, fences and walls.

4. Lighting Plan: All exterior lights, light poles, lighting under canopies, and lights attached to or directed towards buildings must be shown on a lighting plan. The plan must include fixture locations and manufacturer’s information, and will usually need to include a photometric plan over the site plan.

5. Landscaping Plan: Clearly indicate all existing trees, noting species, location, DBH and condition. Note whether existing trees will be retained, removed, or relocated. Show existing and/or proposed buildings, utilities, sidewalks, driveways, and impervious...
surfaces. All proposed trees, shrubs, plants, shall be identified by the botanical and common name and placed in a legend noting the proposed number of each plant next to the name. Commercial/Change of Use occupancy site plans shall also include the following: A site plan that will achieve at least 20% of the paved surface becoming shaded by tree canopies within 15 years of acquisition of the permits. Site plans must show plantings as they will exist at the time of installation and at age of progression of 15 years. The development of this tree canopy shall be in accordance with the Urban Forest Management Plan.

6. Tables showing total number of acres and the number and type of dwelling and nonresidential uses including streets, park and open space.

7. Architectural drawings at a scale of not less than 1/8 inch equals one foot of the exterior of structures and groups of structures. Proposed and existing materials, finishes, and construction methods should be indicated.

8. Any other pertinent data that may be necessary to review the site plan as determined by the Planning Commission or Planning Director.

BUILDING ALTERATIONS (Two copies of all plan submittals. Large plans to be one full size set and one reduced 11 x 17 set.)

1. General notes: Each sheet must have a north arrow, scale, date, and the contact information of the firm that created it. Plans should be of a scale that clearly shows your project, but in no case less than 1” = 100’. Plans should show property lines and easements. Where existing and proposed items are shown on the same drawing existing items must be shown with light dashed lines and proposed items must be shown with bold solid lines.

2. Site Plan: Proposed site plan at the same scale as the existing conditions map, showing the proposed systems of circulation of vehicular traffic including delivery trucks, details for connections to present streets, type of pavement and plans for control of traffic in and around the development: parking areas with the number of spaces to be provided; design features; location and type of lighting fixtures; proposed public utilities including water distribution, sewerage collection and surfaces drainage; the location, type and height of all buildings and major subdivision of space therein; all proposed accessory structures including signs; and other proposed site improvements including grading, landscaping, fences and walls.

3. Lighting Plan: All exterior lights, light poles, lighting under canopies, and lights attached to or directed towards buildings must be shown on a lighting plan. The plan must include fixture locations and manufacturer’s information, and will usually need to include a photometric plan over the site plan.

4. Architectural drawings at a scale of not less than 1/8 inch equals one foot of the exterior of structures and groups of structures. Proposed and existing materials, finishes, and construction methods should be indicated.
5. Any other pertinent data that may be necessary to review the site plan as determined by the Planning Commission or Planning Director.

**CONDITIONAL SIGN PERMIT:** (Two copies of all plan submittals. Large plans to be one full size set and one reduced 11 x 17 set.)

1. A plot plan and building elevations drawn to scale (1/8 inch = 1 ft min.) showing the locations and dimensions of the existing building and the proposed signage and lighting.
2. A description and drawings indicating the color, style, materials, mounting method, and lighting of the proposed signs.
3. Existing condition photographs.
4. Any other pertinent data as may be deemed necessary by the Planning Commission for the proper enforcement of these regulations.

**CERTIFICATE OF APPROPRIATENESS:** (Two copies of all plan submittals. Large plans to be one full size set and one reduced 11 x 17 set.)

A. Alterations and change of color.
   1. Photographs of existing conditions.
   2. Architectural elevations indicating any changes to the exterior appearance.
   3. An outline describing work and the procedures to be performed.
   4. Material samples and manufacturer's literature for major materials and products to be incorporated.

B. New buildings.
   1. Photographs of the proposed site and context including adjacent structures. adjoining building.
   2. Site plan and elevation drawings showing the design, indicating drives, road, parking, walks, walls, fences, landscaping, doors, windows, decoration, materials, finishes and other features accurately representing the proposed design.
   3. Material samples and manufacturer's literature for major materials and products to be incorporated in the proposed design.

C. Additions to existing buildings.
   1. Photographs of the existing building and adjacent adjoining buildings or structures.
   2. Site plan and elevation drawings showing the design, indicating drives, road, parking, walks, walls, fences, landscaping, doors, windows, decoration, materials, finishes and other features accurately representing the proposed design.
   3. Material samples and manufacturer's literature for major materials and products to be incorporated in the proposed design.

D. Demolition, partial demolition, or and moving.
   1. Photographs (8"x 10"), of the existing building in detail including context and as it sits on its site.
   2. A Site Plan depicting the site of the subject building and its context.
   3. A written request from the Owner indicating reasons for the demolition, partial demolition, or moving.
4. Include the following information:
   - Status—National Historic Landmark, National Landmark Historic District or
   - Status Listing on the U.S. National Register of Historic Places or determination of eligibility for the National Register.
   - Status—Historic Landmark (Medina), Historic District (Medina)
   - Form of Ownership of the property, amount paid for property, date of purchase, party from whom it was purchased, and description of relationship between Owner and Applicant;
   - Cost of proposed Demolition,
   - The fair market value for the property and the anticipated market value after rehabilitation;
   - An analysis of the feasibility of rehabilitation, including the costs of rehabilitation, and the income and expense likely to be produced by the property after rehabilitation;
   - A list of alternatives that were considered and reasons why alternatives were dismissed;
   - Board may request other information specific to the project.

5. The Applicant may provide additional financial information supporting the case for demolition. This information may include:
   - In the case of income-producing properties, provide the annual gross income from the previous two years and itemized expenses for the same time period;
   - Price asked and offers received within the previous two years.

6. If Applicant claims lack of structural or architectural integrity as the reason for demolition, he/she must offer evidence prepared by a licensed engineer or architect as to the structural soundness of the building or structure.

VARIANCES AND APPEALS (Two copies of all plan submittals. Large plans to be one full size set and one reduced 11 x 17 set.)

1. A clear description of the proposed work.
2. Specific reference to the section of the code to which a variance is sought.
3. The exceptional conditions pertaining to the property which would cause practical difficulty if the provisions of the Ordinance were strictly applied (Please reference variance checklist in appendix).
4. A drawing to scale showing the lot and all existing and proposed structures as well as any information that will be necessary to provide for the proper hearing of the appeal.
RE ZONING AND CODE AMENDMENTS (Two copies of all plan submittals. Large plans to be one full size set and one reduced 11 x 17 set.)

1. Names and addresses and lot numbers of all property owners adjoining any part of the property to be rezoned.
2. Property Survey and legal description prepared by a registered surveyor or other competent person.
Letter of support regarding the request.

SUBDIVISION REVIEW (Two copies of all plan submittals. Large plans to be one full size set and one reduced 11 x 17 set.)

Preliminary Discussion Map: The sub-divider as a basis for informal discussion shall submit a map. The map shall show the following information:

1. Location: tract boundaries, township and north point.
2. Existing highways and proposed streets on and adjacent to the tract. (Several alternates if considered)
3. Statement of how sewage disposal and water supply will be provided.
4. Utility transmission lines and easements.
5. Existing zoning districts.
6. Topography (U.S.G.S. or better.)

Preliminary Plan:
The plan shall be prepared in accordance with Chapter 1171 by a registered surveyor, city planner, landscape architect or professional engineer. The plan shall be accurately and clearly drawn. The drawing shall include the proposed plan or alternate plans of the subdivision, and shall show the following:

(1) Identification.
(a) Proposed name of subdivision, which must not duplicate others in the County, township, tract or original lot or section number.
(b) Names, addresses and telephone numbers of owners, subdivider and registered surveyor, city planner, landscape architect or professional engineer.
(c) Scale (1" = 100'), north arrow and date.

(2) Existing Data
(a) Boundary line survey showing bearings and distances as surveyed by a registered surveyor.
(b) Easements, showing location, width and purpose.
(c) Streets on and adjacent to the subdivision, names, location, right of way and roadway width. Planned public improvements: highways or other major improvements planned by public authorities for future construction on or near the subdivision, including journalized routes to highways.
(d) Utilities on and adjacent to the subdivision, location, size and invert elevations of sanitary and storm sewers; location and size of water mains, fire hydrants. If water mains, sewers and/or culverts are not on or adjacent to the tract, indicate the direction and distance to and size of nearest ones, showing invert elevation of sewers and culverts.

(e) Ground elevations on the subdivision showing contours with an interval of not more than five feet if ground slope is in excess of four percent.

(f) Subsurface conditions on the subdivision: any conditions that are not typical, such as abandoned mines.

(g) Other conditions on the subdivision:
   1. Watercourses and areas subject to flooding. 2. Marshes. 3. Rock outcroppings.
   4. Wooded areas. 5. Isolated preservable trees one foot or more in diameter.
   6. Any structures or other significant features.

(h) Other conditions on adjacent land within 200 feet.
   1. Approximate direction and gradient of ground slope. 2. Location and type of buildings, fences, tree lines, etc. 3. Railroad lines. 4. Power lines and towers including any embankments or retaining walls. 5. Other nearby nonresidential uses of land. 6. Owners of adjacent unplatted land (for adjacent platted land, refer to subdivision plat by name, plat book and pages.)

(i) Zoning requirements:
   1. District. 2. Lot size and yard requirements. 3. Proof of an variances or special exceptions which may have been granted.

(j) Planned public improvement showing highways or major improvements planned by public authorities for future construction on or near the subdivision.

(3) Proposals

(a) Streets showing proposed streets, indicating each by letter except where the street is a continuation of an existing street, right-of-way widths, approximate grades and proposed improvements.

(b) Other rights of way or easements showing location, width and purpose.

(c) Lots showing numbers, dimensions and area of irregular lots in square feet. Final lot numbers will be assigned by the City Engineer just prior to recording.

(d) Minimum Building setback lines.

(e) Land parcels within the subdivision not to be divided into lots.

(f) Public sites reserved or dedicated for parks, playgrounds or other public uses.

(g) Sites for other uses: multi-family dwellings, shopping facilities, churches, industry or other nonpublic uses exclusive of single-family dwellings.

(h) Total site date including acreage, number of residential lots, typical lot size and acres in parks and other public uses.

(i) When extensive changes of topography are contemplated, a plan showing the proposed topography.

(4) Other Information. The Planning Commission and/or City Engineer may require additional information as deemed necessary.
(5) **Vicinity map** (See Appendix A.) The map shall show the relationship of the proposed subdivision to existing community facilities which serve or influence it. The vicinity may be on the same sheet as the preliminary plan drawing. The vicinity map shall show: (a) Subdivision name, township, tract and north arrow. (b) Existing and proposed main traffic arteries. (c) Shopping facilities.
1140.03 DUTIES GENERALLY.

(a) The duties of the Architectural Board of Review shall be to examine all plans, designs, and specifications for constructing, altering, repairing, moving or demolishing any building, structure or part thereof, or the making of such proposed work is of such design, material or location that it will result in a substantial change in the character of the estate, and whether the use of such proposed design, material and location, or substantial part of the property involved, and to approve, disapprove or recommend modification of plans and specifications and the approval of the majority of the members of the Board shall be necessary for any decision by such Board.

(b) Whenever, in considering any application for a permit to construct, alter, repair, or design within the Village, the Board finds that such proposed construction, erection, alteration, design, material or location that it would result in substantial impairment or destruction of the property and not be in conformity to the established development of the area in which the same is proposed or detrimental to the future growth and development of such area, or detrimental to the good of the property upon which such construction, erection, alteration, amendment, or replacement of retaining walls, except for simple landscape features which are less than 4 feet high, disapprove such plans and specifications have been modified or amended so as to remain consistent with the established development of the area in which the same is proposed. (Ord. 1989-64. Passed 6-6-89.)

(c) The Architectural Board of Review shall consider any application approved by the Village Board and shall determine if such application meets the screening criteria established by ordinance before approval. (Ord. 1988-49. Passed 6-7-88.)

(d) The Architectural Board of Review shall review, in accordance with the provisions of this section, plans for the construction, utilization, or replacement of retaining walls, except for simple landscape features which are less than 4 feet high. (Ord. 1997-66. Passed 10-14-97.)
(5) To investigate and propose on its own initiative such amendments to the Development Code, as it may deem consistent with the purposes of this Development Code and which further the public health, safety, and general welfare of the City of Rocky River;

(6) To resolve any disputes with respect to the precise location of a zoning district boundary, using, where applicable, the standards and criteria of Chapter 1149, Establishment of Districts and Maps;

(7) To review and act on sign applications, as provided for in Chapter 1193, Sign Regulations, according to the procedures, standards, and criteria stated in this Development Code;

(8) To perform such other functions as are referred or delegated to it by the City Council or the Mayor; and,

(9) To hear and decide all other matters referred to and upon which it is required to pass by this Code.

(a) Intent. The appearance of buildings, structures, open spaces and landscape throughout the City is of public concern and in the public interest; therefore, provisions are established in this Section to achieve, among others, the following purposes:

1. To conserve the attractive environment of the community and to guide future development to further improve the appearance of the community.

2. To maintain community values, as well as individual property values, through the relationship of design among neighborhood properties.

3. To assure that each new development shall be attractive within itself.

4. To apply such concepts impartially according to design criteria of form, composition, color and materials.

5. To carry out the objectives of the Plan of the City.

(b) Establishment, Organization and Proceedings. The creation and composition of the Design and Construction Board of Review shall be as provided for in the Charter of the City of Rocky River.

1. The Design and Construction Board of Review originally established by Ordinance 17-66, passed January 24, 1966, shall consist of three (3) regular members and two (2) alternate members, each of whom shall be residents of the City and shall be an architect or professional engineer duly registered and authorized to practice such profession in an under the laws of the State of Ohio.

2. The members of the Architectural Review Board shall be appointed by the Mayor to three (3) year terms ending December 31 of a given year, arranged so that one (1) term of a regular member expires in each year, and so that the terms of alternate members do not expire in the same year. A vacancy in any unexpired term of a member or alternate member shall be filled in the same manner and for the same term as the original appointment. A chair and secretary shall be chosen by and from the regular members of the Architectural Review Board.
(3) In the event of the absence or temporary disability of any regular member, one (1) of the alternate members shall be designated by the Chair of the Architectural Review Board to serve during the temporary absence or disability, so that the number of members, regular and alternate, present and voting at any meeting shall be not less than two (2) nor more than three (3). During such time as the alternate member so serves in the place of a regular member, he shall have the same powers, perform the same duties and receive the same compensation as a regular member.

(4) The Board shall establish a schedule of regular meetings, and procedures for the calling of and giving notice of special meetings. If a proper application for a Zoning Certificate or design plan review, including all required documents is filed, it shall be considered and acted upon at the next regular meeting, unless an extension of time has been agreed to by the applicant or the application is deemed incomplete by the Zoning Administrator. When the application is deemed complete, the Zoning Administrator shall officially accept the application for consideration place it on the Board of Review’s agenda.

(5) All actions by the Architectural Review Board, including approval, approval subject to revisions, deferment for additional information or for a conference with the applicant or disapproval require the affirmative concurring vote of at least two (2) members voting on the action.

(6) A member of the Board shall not participate in the review of any work in which he, his partner or his professional associate has any direct or indirect interest.

(7) Compensation for the services of regular and alternate members, and provisions, if any, for the services of a compensated recording secretary, shall be as from time to time established by ordinance.

(c) Powers and Duties. For the purposes of this Development Code, the Design and Construction Board of Review shall have the following powers and duties:

(1) To review and act on all plans and specifications for the construction, alteration or relocation of any building or structure according to the procedures, standards, and criteria stated in this Development Code or in the Charter of the City of Rocky River.

(2) In making its determinations in accordance with the purpose of the Architectural Review Board and acceptable architectural principles, the Architectural Review Board shall have a duty to consider the elements of the application including, but not limited to:

A. Building massing, which shall include the relationship to the view's from the building and the building's scale and relationship to nearby buildings and pedestrian walkways;

B. Window treatment, which shall include the size, shape and materials of the individual window units and the overall harmonious relationship of window openings;

C. Exterior detail and relationships, which shall include all projecting and receding elements including but not limited to, porches and overhangs;

D. Roof shape, which shall include type, form, and materials;
E. Materials, texture and color, which shall include a consideration of material compatibility among various elements of the structure;
F. Compatibility of materials on the exterior;
G. Pedestrian environment, which shall include the provision of features which enhance pedestrian's visual perspective; and,
H. Any other factors necessary to fulfill the purposes of this Development Code and any other design criteria as set forth in this Code.

(3) To assist the City in establishing, if so requested, according to accepted and recognized architectural principles, additional design criteria to be applied in evaluating: the design, use of materials, finished grade lines, dimensions, orientation of all main buildings to be erected, moved, altered, remodeled or repaired, subject to the provisions of the Development Code and other applicable ordinances of the City.

1125.09 BOARD OF ZONING AND BUILDING APPEALS.
(a) Intent. The Board of Zoning and Building Appeals, referred to in the Development Code as the Board of Appeals, established by Article VI of the Charter, to achieve, among others, the following purposes.

(1) To provide an administrative board, independent from all other Municipal boards or commissions, to act in accordance with established procedures to hear and decide appeals as provided in the Charter.
(2) To provide a method for alleviating unnecessary hardship in unique circumstances.
(3) To provide for determinations and decisions which will sustain the constitutionality of the Development Code and be in compliance with the objectives of the plan of the City.

(b) Organization.
(1) The Board of Appeals shall consist of five (5) electors of the City not holding other office, appointment or employment in the government of the City, at least three (3) of whom shall be architects or professional engineers duly licensed or registered in and authorized by the State of Ohio to practice their profession. All members shall be appointed by the Mayor for a term of five (5) years and until their successors are appointed and qualified. A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment.
(2) The Mayor may remove any member for just cause in connection with the performance or nonperformance of his duties as a member. The absence of any member, for any reason whatever, from five (5) consecutive regular meetings of the Board of Appeals shall be cause for removal of such member by and at the discretion of the Mayor.
(3) The Board of Appeals shall elect at its first regular meeting in each calendar year, from among its members, a chair, a vice-chair and a secretary.

(c) Proceedings.
(1) The Board shall adopt rules necessary to conduct its affairs in keeping with the provisions of the Development Code and of the Charter, and in accordance with hearing proceedings provided by law. Copies of such rules shall at all times be available from the Zoning Administrator for distribution to persons requesting the same.
(k) Any other documents deemed necessary by the Zoning Administrator or the Board of Appeals.

1137.21 SUBMISSION REQUIREMENTS FOR A ZONING AMENDMENT.

Applications for proposed amendments shall contain at least the following information:

(a) The name, address and phone number of the applicant and the property owner if other than the applicant;

(b) A statement of the reason(s) for the proposed amendment;

(c) A statement on the ways in which the proposed amendment relates to the Master Plan;

(d) The payment of the application fee;

(e) Amendments to the Zoning Map adopted as part of this Development Code shall contain the following additional information:

1. Legal description of the parcel(s) to be rezoned, drawn by an Ohio registered/licensed surveyor;

2. Present use and zoning district;

3. Proposed use and zoning district;

4. A vicinity map at a scale approved by the Zoning Administrator showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Administrator may require;

5. A list of all owners of property within, abutting on and directly across the street from the parcel or parcels to be rezoned or redistricted, and in addition, the owners of property which is contiguous to (touches upon) any of the aforesaid property which abuts on or is directly across the street from the parcel or parcels to be rezoned or redistricted, as such addresses appear on the County Auditor’s then current tax list or the County Treasurer’s matric list;

6. Photographs of the subject property and adjacent properties; and,

7. Existing topography at two-foot contour intervals of the property to be rezoned and extending at least 250 feet outside the proposed site, and including property lines, easements, street rights-of-ways, existing structures, trees and landscaping features existing thereon.

1137.23 SUBMISSION REQUIREMENTS FOR REVIEW BY THE DESIGN AND CONSTRUCTION BOARD OF REVIEW.

An application for review by the Design and Construction Board of Review, upon the forms provided, shall be accompanied by the following requirements:

(a) Site Plan: Drawn to scale, showing the lot size, building dimensions, front setback, side and rear setback dimensions, yard dimensions, walks and driveways, accessory structures, downspouts, drains and storm water disposal system. Show existing and proposed grade elevations if topography of lot is irregular or application is for a previously undeveloped lot. Locate patios, air conditioning condensers, swimming pools, retaining walls, fences, porches and other site improvements. Minimum scale: 1 inch equals 20 feet;

(b) Floor Plan: Drawn to scale, showing walls, windows, doors, and floor elevations. Minimum scale: 1/4 inch equals 1 foot;

(c) Foundation or Basement Plan: Drawn to scale, showing walls, windows, vents, doors, and floor elevations;
(d) **Exterior Elevations**: Elevations showing each side of the proposed building or addition, drawn to scale, showing downspout connections, chimney height, steps, platforms, etc. Minimum scale: 1/4 inch equals 1 foot;

(e) **Heating Plan**: Drawn to scale, showing the exterior location of all mechanical equipment or solar equipment. Air conditioning condensing unit must be shown on the site plan;

(f) **Photographs**: Photographs of the subject property and adjacent properties; and,

(g) **Sample Building Materials**: Color samples of roofing, siding and/or other exterior materials.

**1137.25 SUBMISSION REQUIREMENTS FOR GENERAL DEVELOPMENT CONCEPT.**

It is the intent of these regulations that the general development concept shall generally indicate overall design of the proposed development project. Information submitted should be comprehensive enough to enable understanding of the existing site and concept for the proposed development. The applicant shall submit the number of copies as determined by the Zoning Administrator. The information submitted should include the following:

(a) **Completed Application Form** along with the application fee.

(b) **Vicinity Map** indicating the location of the site in the city and the general location of principal thoroughfares.

(c) **Regional Context Map**: A map indicating the proposed site and all parcels within 2000 feet in all directions showing the basics of the proposed site layout, all property lines, general location of structures on all parcels, and existing land use on all parcels.

(d) **Map of Existing Conditions** and features drawn to scale, with accurate boundaries of the entire project and a north arrow, including the property proposed for development, all adjacent rights-of-way and 100 feet of property immediately adjacent thereto, indicating:

   (1) Existing public improvements, permanent facilities, easements and property boundaries;

   (2) Location of existing structures on the site and abutting properties;

   (3) Physical features and natural conditions of the site including the location of streams, tree masses, open spaces, etc.;

   (4) General topography;

   (5) Existing zoning district boundaries and jurisdictional boundaries;

   (6) Surface drainage and areas subject to flooding;

   (7) Existing public and private utility systems;

   (8) Regional transportation system.

(e) **The General Development Concept Map**: drawn to scale with accurate boundaries of the entire project and a north arrow, including the property proposed for development, all adjacent rights-of-way, and 100 feet of property immediately adjacent to the property boundary, indicating:

   (1) Depiction of proposed land uses, including open space areas, indicating the approximate acreage by land use, density and type of buildings or dwelling units;

   (2) The location of any lands to be dedicated to any public agency;

   (3) The general circulation pattern;

   (4) The relationship of the proposed project to the surrounding area.
1153.09 HEIGHT REQUIREMENTS.
All buildings and structures in any residential district shall comply with the following height regulations:
(a) The height of principal buildings and structures shall not exceed twenty-five (25) feet.
(b) The height of accessory buildings and structures shall not exceed ten (10) feet, except the height of detached garages shall not exceed fifteen (15) feet.
(c) Permitted height exceptions are set forth in Section 1181.01, Supplementary Height Regulations.

1153.11 DESIGN GUIDELINES FOR ONE- AND TWO-FAMILY DWELLINGS.
The purpose of the following design guidelines is to further the goals of the City’s Master Plan. These guidelines are meant to insure that development projects respect the existing built environment that was recognized and valued in the City’s Master Plan.
The provisions of this Section shall apply to all residential development, except Cluster Development, within the R-1 and R-2 Districts. Any addition, remodeling, relocation, or construction requiring review by the Architectural Review Board shall adhere to the guidelines in this Section, where applicable. The Architectural Review Board may exempt applicants from these standards when the exterior building modifications are minor in nature, meaning the design modifications will have no discernable impact on neighboring properties, the public, the public right-of-way, or those intended to occupy or use the proposed development.
(a) Character of Dwellings. Principal dwellings are to be designed and located on the site and be of a scale to complement buildings in close proximity and enhance the character of the surrounding area by having features that are appropriate and compatible with existing buildings and structures. In making this determination, the following shall be considered:
(1) Building height, width, and general proportions;
(2) Architectural features, including patterns of windows and doors, roof pitch, balconies, porches, shutters, dormers, eaves and other decorative detail;
(3) Buildings materials.
(4) Explanation Of Terms. Certain terms and words shall be interpreted with regard to the following explanations:
A. Appropriateness. A proposal is judged to be appropriate when it respects the existing architectural style of a building or buildings and fits comfortably within its setting, neighborhood and overall community. This condition applies to landscaping and accessory structures, as well.
B. Compatibility. A design or a material selection is compatible when it does not strongly deviate from its parent building, or the overall character of the neighborhood. To be compatible does not require look alike designs, but rather designs that reflect some aspects of its parent building or buildings in the general vicinity, such as scale of windows, overhangs, building materials, patterns of siding, roof slope. Conversely, incompatibility occurs when an architectural design, landscape design or accessory building proposal is aesthetically harsh or overwhelming relative to its neighbors.
C. Proportion. The relationship of parts of a building, landscape, structures, or buildings to each other and to the whole balance.
D. Proximity. Proximity shall be considered in terms of the potential for one property, by virtue of its location, to materially affect other properties. In determining a property to be in proximity to another, the following factors shall be considered:

i. The visibility of both properties from a common point; or,

ii. The location of both properties within a relatively compact network of streets, walkways, or spaces.

(b) Facade Articulation. The articulation of facades and the massing of structures give them richness and scale. Long uninterrupted exterior walls should be avoided. All building walls should have relief to create interest and reduce bulk.

(c) Roof Articulation. For sloped roofs, both vertical and horizontal articulation is encouraged. Rooflines should be representative of the design and scale of surrounding dwellings. Roof articulation may be achieved by changes in plane and/or the use of traditional roof forms such as gables, hips, and dormers.

(d) Materials. Buildings should not have large expanses of a material on a single plane.

1153.13 PROJECTIONS INTO REQUIRED SETBACKS.

(a) A structural projection is a feature of a building that extends outside the enclosing walls as an integral and functional part of the plane, thus providing form and interest to the exterior design, and connections and protection to exterior spaces. Projections shall, however, be designed and constructed so as not to substantially interfere with the reception of sun, light, and air and the use of adjoining lots.

(b) Every part of a required yard shall be open to the sky and unobstructed except for accessory buildings, as set forth in Section 1153.15. Architectural features, such as chimneys, bay windows, cornices, and sills and hooks and shading devices may project from the principal building not more than two and one-half (2 ½) feet into any setback. Entrance platforms and other open shelters may project into the front or side setback for a distance of five (5) feet. Unroofed and unenclosed architectural features attached to the principal building, such as platforms, landings, steps, decks or other features, not extending above the first floor level of a dwelling, may extend into the rear setback, provided that such features shall not project more than ten (10) feet into such required setback.

(c) Covered structures such as porches, balconies, platforms, carports, patios, and similar architectural projections shall be considered a part of the principal building to which they are attached and shall not project into the minimum front, side, or rear setback.

(Ord. 71-12. Passed 3-25-13.)

1153.15 ACCESSORY USES AND STRUCTURES.

Accessory uses, buildings, and structures permitted in residential districts shall conform to the location, coverage, area, and maintenance standards contained in this Section and Chapter 1181, General Use Regulations. No accessory building or use shall be established on a lot unless a principal building or use has first been established on the lot in conformance with all applicable provisions of this Development Code.

(a) Location Requirements for Accessory Uses. An accessory building or use permitted in a residential district shall be located as set forth in Schedule 1153.15. However, an accessory use shall only be permitted to the extent such use complies with all other accessory use regulations set forth in this Development Code.