

CHAPTER 1450
Architectural Board of Review

1450.01	Establishment; membership; removal.	1450.08	Secretary.
1450.02	Purpose.	1450.09	Duties of building official.
1450.03	Authority.	1450.10	Standards.
1450.04	Conflicts of interest.	1450.11	Procedure, quorum and vote.
1450.05	Compensation.	1450.12	Report of proceedings.
1450.06	Review of plans and specifications.	1450.13	Appeals from decisions of the Board.
1450.07	Meetings.	1450.99	Penalty.

CROSS REFERENCES

Architects - see Ohio R.C. Ch. 4703

Village Architect - see B. & H. Ch. 1442

Architect review fees for one, two and three-family residences - see B. & H. 1444.04

1450.01 ESTABLISHMENT; MEMBERSHIP; REMOVAL.

There is hereby established an Architectural Board of Review (hereinafter referred to as the Board) whose regular membership shall consist of the Architect, the Engineer, the Building Official, and two residents who shall be appointed by the Mayor with the consent of Council for a term of six years. Any member of the Board shall be subject to removal by the Mayor for cause. However, such removal shall not become final without the concurrence of at least four members of Council.

(Ord. 54-01. Passed 4-17-01.)

1450.02 PURPOSE.

The Board shall protect the value, appearance and use of property on which exterior buildings, signs and other structures 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 in the Village from impairment or destruction of value. Such purpose shall be accomplished by the Board regulating, according to accepted and recognized architectural principles, the design, use of materials, finished grade lines, dimensions, orientation and location of all exterior alterations to main and accessory buildings, signs,

structures and landscaping moved, altered, remodeled or repaired, subject to the provisions of the Planning and Zoning Code, this Building and Housing Code and other applicable ordinances of the Village. In reviewing, regulating and approving building plans, the Board shall consider and be cognizant of the development of adjacent, contiguous and neighboring buildings and properties. The Board shall also review and recommend to the Village Council any changes or amendments to this Building and Housing Code which it deems advisable, including, but not limited to, the types of homes, exterior finishes, basements, etc.

(Ord. 61-00. Passed 6-6-00.)

1450.03 AUTHORITY.

The Board shall receive and promptly review and pass upon all drawings, data, reports and complaints in the order filed under published rules and regulations consistent with the purpose of the Board and adopted by it. The Board shall immediately notify the Building Department in writing of action taken in each instance, and no building permit or sign permit, for a sign located in an industrial, limited industrial or commercial district, shall be issued unless plans and specifications therefor have been approved by the Board. In making its determination, the Board shall review all drawings, data, reports and objects and make such further investigations as it may deem appropriate. The Board shall apply accepted engineering and architectural principles. It shall also apply generally accepted principles of real property appraisal and shall take into consideration the nature and extent of the development of adjacent and neighboring properties.

(Ord. 16-00. Passed 2-1-00; Ord. 80-01. Passed 7-3-01.)

1450.04 CONFLICTS OF INTEREST.

No member of the Board shall participate in the review of any work of which he or she or his or her partner or professional associate is the author or in which he, she or they have any direct or indirect financial interest (this also applies to relatives). If such an occasion should arise, the member shall not enter into the review of the work in question.

(Ord. 16-00. Passed 2-1-00.)

1450.05 COMPENSATION.

The Architect, the Engineer, and the Building Official shall be compensated in the amount of sixty dollars (\$60.00) an hour (minimum of one hour). The two residents shall be compensated at the rate of thirty dollars (\$30.00) per meeting. The secretary shall be paid fifty dollars (\$50.00) an hour (minimum of one hour).

(Ord. 61-00. Passed 6-6-00.)

1450.06 REVIEW OF PLANS AND SPECIFICATIONS.

No person shall construct, alter or relocate any building or structure without first submitting detailed plans and specifications, including representations of exterior appearance, to the Board at the time of filing an application for a building permit. No person shall construct, alter or relocate any sign located in an industrial, limited industrial or commercial district without first submitting the sketches of the proposed sign and other information required for an application for a sign permit to the Board at the time of filing an application for a sign permit. No plans shall be considered unless, at the time of filing, the applicant submits a fifty dollar (\$50.00) non-refundable fee for residential buildings or structures, a fifty dollar (\$50.00) non-refundable fee for signs,, and a two hundred dollar (\$200.00) fee for commercial buildings and structures. At the next regular meeting, not more than 30 days after such filing, the Board shall review and pass upon all drawings, data, reports and complaints filed with the Building Official, for the purposes set forth in this chapter.

(Ord. 61-00. Passed 6-6-00; Ord. 80-01. Passed 7-3-01.)

1450.07 MEETINGS.

The Board shall hold such meetings as may be provided by its rules, and notice of all such meetings shall be published. All drawings and plans shall be submitted to the Board not less than ten days prior to a scheduled meeting. The Board shall give five days prior written notice of such hearing to the applicant for the permit and shall post notices advertising the meeting not less than five days preceding such meeting at places where notices are normally posted.

(Ord. 16-00. Passed 2-1-00.)

1450.08 SECRETARY.

The Board shall appoint a secretary who shall prepare and cause to be kept in the office of the Clerk/Treasurer a complete record open to public inspection of all meetings of the Board, and who shall perform other duties as assigned by the Board.

(Ord. 49-00. Passed 4-18-00.)

1450.09 DUTIES OF BUILDING OFFICIAL.

The Building Official shall present to the other members of the Board any changes deemed outdated or unenforceable. The Board shall review the proposed changes and make recommendations for these changes to Council.

(Ord. 16-00. Passed 2-1-00.)

1450.10 STANDARDS.

Standards, regulations and criteria are hereby set forth to be administered by the Board for the purpose of alleviating, to the extent possible, the occurrence of adverse effects. The Board may require a redesign or may disapprove any application for a permit referred to it, provided that it finds that the building, structure or sign for which the permit was applied would, if erected, be so detrimental to desirable property values or the development of the surrounding areas as to provoke one or more of the harmful effects.

- (a) **Excessive Similarity.** There shall be no excessive similarity to any other building, structure or sign existing or for which a permit has been issued, or to any other building, structure or sign included in the same permit application, facing upon the same street and with the same setback of the proposed site, with respect to one or more of the following features of exterior design or appearance:
- (1) Apparently identical facade, bulk and mass of building;
 - (2) Substantially identical size and arrangement of either the entrance, windows or other openings or breaks in the facade facing the street, including a direct reverse arrangement;
or
 - (3) Other significant identical features, such as, but not limited to, materials, roof line and height or other design elements.
- (b) **Excessive Dissimilarity.** There shall be no excessive dissimilarity in appropriateness in relation to any other building, structure or sign existing or for which a permit has been issued, or to any other building, structure or sign included in the same permit application, facing upon the same street and with the same setback of the proposed site, with respect to significant design features such as material or quality or architectural design, provided that it is found that the excessive dissimilarity is of such a nature as to be expected to provoke beyond reasonable doubt one or more of the adverse effects.
- (c) **Architectural Character.** An underlying architectural character should prevail. There should be some repetition of basic elements through harmony of colors and a common scale. However, each individual dwelling should have an identity and the result should be an aesthetic unity. The findings shall not be based on personal preference as to taste or choice of architectural style and a finding of inappropriate design shall mean that it is of such a nature as to produce one or more of the adverse effects.
- (Ord. 16-00. Passed 2-1-00; Ord. 80-01. Passed 7-3-01.)

1450.11 PROCEDURE, QUORUM AND VOTE.

The Architect and the Engineer, after consultation with the Building Inspector, shall determine the schedule of regular meetings of the Board in order that applications are processed expeditiously in accordance with provisions of applicable regulations. If an application for a permit for a building or structure is filed at least ten working days before a scheduled meeting of the Board, it shall be acted upon at the next meeting unless good cause is shown why action must be delayed.

Approval shall be had by a majority of the Board.

The Board shall immediately notify the Building Official of action taken in each instance, and no permit shall be issued by the Building Official unless plans and specifications have been approved in writing by the Board.

(Ord. 16-00. Passed 2-1-00.)

1450.12 REPORT OF PROCEEDINGS.

The Board shall provide for a detailed report of all its proceedings and shall submit a copy of its decisions.

(Ord. 16-00. Passed 2-1-00.)

1450.13 APPEALS FROM DECISIONS OF THE BOARD.

Any person or persons aggrieved by any decision of the Board may, within thirty days from the date of the decision of the Board, appeal such decision to Council.

(Ord. 16-00. Passed 2-1-00.)

1450.99 PENALTY.

Whoever violates any of the provisions or requirements of this chapter, or any amendment or supplement hereto, or fails to comply herewith, or with any ruling or order issued by the Building Inspector acting as the Zoning Inspector, or builds in violation of a detailed statement or plans submitted and approved hereunder, or any architect, builder or contractor who may be employed to assist in the commission of any violation, for each and every violation or noncompliance, is guilty of a misdemeanor of the third degree, and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues. Nothing herein shall prevent the Village from taking such other lawful action as is necessary to prevent or remedy any violations.

(Ord. 16-00. Passed 2-1-00.)

