

HISTORIC CONSERVATION BOARD AGENDA

5th Floor Conference Room
805 Central Ave, II Centennial

Monday, August 8, 2016 at 3:00 pm

CALL TO ORDER

DISCUSSION ITEMS:

Item 1. 1716 Pleasant Street The applicant requests a Certificate of Appropriateness and Zoning Relief to construct a seven foot wood fence in the Over-the-Rhine Historic District.
Staff: Doug Owen
Owner/ Applicant: Matthew and Jennifer Wirtz

Item 2. 22 W. Court Street The applicant requests a Certificate of Appropriateness to rehabilitate an existing structure, which rehabilitation includes the construction of a two-story rear addition with roof deck, as well as Zoning Variances related to a privacy wall in the Court Street Historic District.
Staff: Beth Johnson
Applicant: Michael Uhlenhake Owner: Matt Alter

Item 3. 2342 Upland Place The applicant requests a Certificate of Appropriateness to demolish a rear-yard garage in the Uplands Historic District.
Staff: Beth Johnson
Applicant: Robert Humphrey Owner: Stanley Hester & Svetlana Shketik

Item 4. 719-721 Main Street The applicant requests a Certificate of Appropriateness to construct a new condominium development in the Main Street Historic District.
Staff: Beth Johnson
Owner/ Applicant: 1826 Race Street LLC

OTHER BUSINESS

ADJOURN

APPLICATION FOR DIMENSIONAL VARIANCE AND CERTIFICATE OF APPROPRIATENESS HISTORIC CONSERVATION BOARD PUBLIC HEARING STAFF REPORT

APPLICATION #: ZH20160113
APPLICANT: Matthew Wirtz
OWNER: Matthew Wirtz & Jennifer Wirtz
ADDRESS: **1716 Pleasant Street, Cincinnati OH 45202**
PARCELS: 094-0008-0160-00
ZONING: CC-P
OVERLAYS: Over-the-Rhine Historic District
COMMUNITY: Over-the-Rhine
REPORT DATE: July 20, 2016
HEARING DATE: August 8, 2016
STAFF REVIEW: Douglas Owen, Zoning Plan Examiner

Nature of Request:

The applicant is requesting a Certificate of Appropriateness (COA) and Zoning Relief for a dimensional variance to allow for a 7-foot fence in the side and rear yards of the subject property. Per CZC 1421-33, fences and walls in commercial zoning districts are limited to 6' in height and may be 100% opaque.

Existing Conditions:

The subject property at 1716 Pleasant Street is located on the east side of Pleasant Street, between W. Elder Street and Green Street (Figure 1). The property is a vacant landscaped lot. The lot is owned by Matthew and Jennifer LeMasters Wirtz who also own the adjacent residence to the north. An existing parking lot for Findlay Market is located on the adjacent property to the south. No screening currently exists between the vacant property and the parking lot.

Proposed Conditions:

The applicant is proposing to install a new 7-foot wood privacy fence along the southern and eastern lot lines of the vacant lot at 1716 Pleasant Street. The west elevation of the fence will cross the lot from north to south approximately 20 feet east of the front property line. The front 20 feet of fence along the south property line and the west elevation of the fence will be approximately 6' 10" tall and will consist of angled open horizontal slats. The remainder of the fence will consist of horizontal privacy slat cladding with approximately ¼" of spacing between boards. The upper 16" of the fence will consist of the angled open horizontal slats.

The western 20 feet of the lot will be paved with a permeable paver patio. The pavers feature voids that will allow grass and/or groundcover to grow through. In the future, the patio may be converted to a driveway through coordination with DOTE. If changes to

the paving, fence line or an enclosed garage structure are proposed, a new Certificate of Appropriateness will be required.



Figure 1. Location of subject property. Image courtesy of Google.

Previous Reviews: N/A

Applicable Zoning Code Sections:

Zoning District:	Section 1409	Commercial Community - Pedestrian
Variance Request:	Section 1421-33	Fences and Walls
Variance Authority:	Section 1445-07	HCB authority: Section 1435-05-4
Variance Standard:	Section 1445-13	General Standards: Public Interest
	Section 1445-15	Standards for Variances
Overlays:	Section 1435	Historic Preservation
Historic District/Reg:	Over the Rhine Historic District	
COA Standard:	Section 1435-09-2	Certificate of Appropriateness; Standard of Review

Details of Zoning Relief Required:

The applicant and/or owner(s) are requesting a dimensional variance to allow a 7-foot fence in the side and rear yards of the subject property.

- The project is in violation of the **Section 1421-33** of Cincinnati Zoning Code.
- Per Section 1421-33: fences and walls are limited to 6' in height.
- **A dimensional variance of 1 foot is sought to allow a 7-foot fence** in the side and rear yards of the subject property.

Zoning Analysis:

The applicant is proposing a fence that is one foot in excess of the maximum height of 6 feet due to security and privacy concerns related to the surface parking lot to the south of the subject property. The existing Findlay Market parking lot has no screening in place and is often used for commercial truck parking. Additionally, the lot features a raised parking guardrail near the property line. The additional one foot of fence height will help to improve security and privacy, as the guardrail could be used to help lift someone over a six-foot fence.

Below is analysis of the consideration factors for all of the requested zoning actions, utilizing Section 1445-13, General Standards; Public Interest.

- a. **Zoning.** The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code.

The underlying zoning is CC-P. The proposed use of the subject property conforms to the underlying zone district regulations. The proposal does not conform to CZC 1421-33, regulating fences and walls. The proposed fence is one foot higher than the allowable fence and wall height requirements.

- b. **Guidelines.** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.

The proposed work conforms to the guidelines for the district.

- c. **Plans.** The proposed work conforms to a comprehensive plan, any applicable urban design or other plan officially adopted by Council, and any applicable community plan approved by the City Planning Commission.

This project conforms to the Over the Rhine Comprehensive Plan.

- d. **Traffic.** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.

Traffic will not be impacted by the construction of the fence.

- e. **Buffering.** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.

The fence will provide buffering from the adjacent parking lot which was put in place prior to the current Zoning Code going into effect in 2004. As such, no buffering was provided between the parking lot and the residential properties to the north, as is required by the current Zoning Code. While the fence will not be placed on the parking lot property, it does help bring the lot into greater conformity by providing a buffer that would be required if the lot was regulated by the current Code.

- f. **Landscaping.** Landscaping meets the requirements of Chapter 1423, Landscaping and Buffer Yards.

This is not applicable.

- g. **Hours of Operation.** Operating hours are compatible with adjacent land uses.

This is not applicable.

- h. **Neighborhood Compatibility.** The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.

The proposed work will not have an adverse impact on the neighborhood. The fence facing Pleasant Street, as designed, will be of high aesthetic quality and will be set back approximately 20' from the front property line. A portion of the fence will extend near the front property line on the south, but will not adversely affect the area. The adjacent property owner, the Corporation for Findlay Market has written a letter in support of the proposed fence.

- i. **Proposed Zoning Amendments.** The proposed work is consistent with any proposed amendment to the zoning code then under consideration by the City Planning Commission or Council.

There are no proposed amendments under consideration that would impact this proposed project.

- j. **Adverse Effects.** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.

There are no adverse impacts anticipated. The adjacent property to the south is a surface parking lot. Neighboring land and buildings will not be impacted by the proposed fence. In fact, the adjacent properties are likely to benefit from the additional screening provided by the fence.

- k. **Blight.** The elimination or avoidance of blight.

The proposed work will improve the aesthetic appeal of the streetscape on this stretch of Pleasant Street by helping to screen the existing surface parking lot to the south.

- l. **Economic Benefits.** The promotion of the Cincinnati economy.

The proposed fence will have a minor economic impact.

- m. **Job Creation.** The creation of jobs both permanently and during construction.

The proposed project may have a minor job creation effect during construction. It does not appear likely to create permanent jobs.

- n. **Tax Valuation.** Any increase in the real property tax duplicate.

Property taxes may increase slightly due to the proposed work.

- o. **Private Benefits.** The economic and other private benefits to the owner or applicant.

The owner has a benefit to the proposed work as the fence will provide added security and privacy to their outdoor living space.

- p. **Public Benefits.** The public peace, health, safety or general welfare.

There is no measurable detriment to public peace, health, safety or welfare as a result of this proposed project.

Standards for Variances per Section 1435-05-4

- (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the Historic District or Historic Asset; or

The installation of a new 7' wood fence will not adversely affect the historic architectural or aesthetic integrity of the Historic District. The fence is located primarily in the side yard and rear yard of the subject property with an extension toward the front property line on the south. The fence will help to screen the non-contributing surface parking lot to the south. The fence will currently be visible from Pleasant Street but will be more in character with the surrounding district than the existing parking lot.

- (b) Is necessary where the denial thereof would result in a deprivation of all economically viable uses of the property as viewed in its entirety. In making such a determination, the Historic Conservation Board may consider the factors set forth in Section 1435-09-2 (aa) to (ff).

Adding the wood fence to the subject property will allow the owner to fully utilize the outdoor living space on the property and provide privacy and protection for the single-family residence. Furthermore, the fence will screen the surface parking lot from view from Pleasant Street to the north. While the property may remain economically viable without the proposed fence, the fence will provide a needed privacy and security buffer from the adjacent lots.

Certificate of Appropriateness Review:

A Certificate of Appropriateness is required for the installation of the fence.

Applicable Guidelines

Site Improvements

B. SPECIFIC GUIDELINES

3. FENCES AND WALLS: Plain board fences (vertical boards nailed side-by-side on horizontal stringers) or wire fences are appropriate at the rear of the property or along the side of the property. Wood fences should be painted or stained but not left to weather naturally. Chain link, stockade, shadow board, basket weave and lattice designs are not appropriate. Masonry privacy walls are not encouraged.

The proposed fence is generally appropriate for the District and will not detract from the character of the district. The fence will primarily be visible from Pleasant Street when viewed from the south through the existing noncontributing parking lot. The fence will be composed of plain horizontal wood boards that will be stained, an appropriate material for the district. The upper portion of the fence will consist of angled wood slats to allow additional light to penetrate the privacy fence. The fence will be placed along the south property line to help screen and protect the residential property from the adjacent surface parking lot.

Other Considerations:

Prehearing Results: A prehearing was held on July 13, 2016.

Comments Provided to Staff:

Joe Hansbauer, President and CEO of the Corporation for Findlay Market (CfFM), has written in support of the proposed fence project. The organization owns the properties to the east and south of the subject property. The owners contacted CfFM early in the planning process to review and comment on the proposed design. It is the view of CfFM that the proposed fence will benefit the owners as well as adjacent property owners and visitors to the Market.

Consistency with *Plan Cincinnati (2012)*:

“Sustain” Initiative Area “Preserve our built history”

Other: N/A

Recommendation:

Staff recommends the Historic Conservation Board take the following actions:

I. ZONING VARIANCE

A. DIMENSIONAL VARIANCE

1. **APPROVE** the requested 1-foot variance for a total of a 7-foot high fence in the side and rear yards of the subject property.

B. FINDING: The Board makes this determination that per Section 1435-05-4:

1. Such relief from literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property within the district or vicinity where property is located; and
2. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.

II. CERTIFICATE OF APPROPRIATENESS

A. APPROVE a Certificate of Appropriateness for 1716 Pleasant Street submitted by Urban Studio and dated 6/16/2016 including any revisions submitted for permit subject to staff review and approval with the following condition:

1. The building permits must be issued within two years of the decision date or the Certificate of Appropriateness shall expire.

B. FINDING: The Board makes this determination per Section 1435-09-2:

2. That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.

FOR OFFICE USE ONLY	
File No.	_____
Date Filed	_____
Type	_____
Legal Ad	_____
Hearing Date	_____
Decision	_____



APPLICATION FOR ZONING RELIEF

1. SUBJECT PROPERTY	
ADDRESS	_____
PARCEL ID(S)	_____
BASE ZONING CLASSIFICATION	_____ ZONING OVERLAY (if applicable) _____

2. APPLICANT	
NAME	_____ CONTACT PERSON (if legal entity) _____
ADDRESS	_____ TELEPHONE _____
EMAIL	_____ RELATIONSHIP TO OWNER (if not owner) _____

3. OWNER	
NAME	_____ CONTACT PERSON (if legal entity) _____
ADDRESS	_____ TELEPHONE _____
EMAIL	_____

4. NATURE OF RELIEF REQUESTED (select all that apply)	
<input type="checkbox"/> Variance <input type="checkbox"/> Use Variance <input type="checkbox"/> Special Exception <input type="checkbox"/> Conditional Use <input type="checkbox"/> Expansion or Substitution of Non Conforming Use <input type="checkbox"/> Hillside Overlay District Permission <input type="checkbox"/> Urban Design Overlay District Permission <input type="checkbox"/> DD District Phased Development Approval	

5. BRIEF DESCRIPTION OF PROPOSED PROJECT (You may attach a statement to this application if the space provided is insufficient to describe your proposed project)	
_____ _____ _____	

6. SUMMARY OF REASONS WHY RELIEF SHOULD BE GRANTED. You must provide a written statement explaining how the proposed project meets the standards for all relief requested. Separate instructions for preparing this statement are provided. If you fail to follow the instructions for requesting a variance, use variance, special exception, conditional use, expansion or substitution of non conforming use, hillside overlay district permission, urban design overlay district permission and/or DD district phased development approval, your application may be denied.	
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7. SIGNATURE. The undersigned do hereby certify that the information provided in connection with this application is, to the best of his or her knowledge, true and correct.	
Print Name	_____ Signature <u>Matthew A. Witt</u> Date <u> / / </u>

8. ADDITIONAL DOCUMENTATION SUBMISSION REQUIREMENTS. Submit three copies of the following documentation. If you fail to complete the application and provide all information requested, your application may be denied.

<input type="checkbox"/>	The written statement required in Section 6 above.
<input type="checkbox"/>	Survey plats, site plans, or other accurate drawings showing boundaries, dimensions, areas, topography, and frontage of the property involved, as well as the location and dimensions of all structures existing and proposed from the nearest property lines. When landscaping is required by the zoning code, a landscaping plan must also be provided.
<input type="checkbox"/>	Plans, architectural drawings, photographs, elevations, specifications, and other detailed information depicting fully the exterior appearance of the existing and proposed construction, including parking and access, exterior lighting, landscaping, and signs involved in the application.
<input type="checkbox"/>	In the Hamilton County Auditor's official records do not list the applicant or owner as the owner of the property, a lease, contract to purchase, or other agreement demonstrating the applicant or owner's legal basis to seek the relief requested.
<input type="checkbox"/>	All other documents or information you intend to introduce at the hearing on this application.
<input type="checkbox"/>	A list of witnesses and expert witnesses who you expect to testify at the hearing on this application.
<input type="checkbox"/>	A non-refundable application fee. The fee must be paid with a check made payable to "City of Cincinnati." Fees are as follows: \$500 – use variances; \$300 – all other relief.

To help avoid delays, it is strongly suggested that you present your application to neighboring property owners and any interested neighborhood community groups prior to the hearing on your application. This will give you a prior opportunity to address your neighbors' concerns or objections and can facilitate the approval of your application.

REMEMBER: YOU MUST PAY THE REQUIRED FEE AT THE TIME YOU SUBMIT YOUR APPLICATION. (\$500-USE VARIANCES; \$300-ALL OTHER RELIEF)

INSTRUCTIONS FOR APPLICATIONS REQUESTING A VARIANCE

Applicants requesting a variance must demonstrate through credible testimony, documentary evidence or written statements how their proposed project meets the standards outlined in Cincinnati Municipal Code 1445-13 AND Cincinnati Municipal Code 1445-15. Applications that are not supported by testimony, documentary evidence or written statements are subject to disapproval.

As required by Section 6 of the Zoning Hearing Examiner Application, applicants must provide a written statement explaining how their proposed project meets the following standards for a variance:

1. To meet the standard outlined in Cincinnati Municipal Code 1445-13, an applicant must show that the proposed project “is in the public interest.” A list of factors considered by the Zoning Hearing Examiner to determine whether the proposed project “is in the public interest” is found in Cincinnati Municipal Code 1445-13.

AND

2. To meet the standard outlined in Cincinnati Municipal Code 1445-15, an applicant must show:
 - a. neither the owner nor any of its predecessors caused the nonconformity requiring a variance; and
 - b. how the project meets either of the following conditions:
 - i. special circumstances or conditions pertaining to the subject property cause the strict application of the zoning code to be unreasonable and would result in practical difficulties; or
 - ii. a variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same district or vicinity.

APPLICATION FOR ZONING RELIEF: Requested Height Variance for Fence

Applicant: Matthew A.X. Wirtz, RA, LEED AP BD+C

Owner: Matthew Wirtz & Jennifer LeMasters Wirtz

Address: 1716 Pleasant Street, Cincinnati, OH. 45202

Auditor's ID: 094-0008-0160-00

Date: 06-23-2016

SECTION 5: BREIF DESCRIPTION OF PROPOSED PROJECT

1) Zoning Height Variance for fence statement:

The Wirtz Family requests zoning relief in the form of a zoning height variance to build a 7' perimeter fence per the plans submitted on 06.16.2016 (Permit # 2016P05337) at 1716 Pleasant Street 45202, currently a vacant lot abutting our single family home and the Findlay Market parking lot. The use variance will permit us privacy from the parking lot & improved security for our children and family. The requested dimensional variance is 12" above the 6' height permitted and specified in section 1421-33-B of the Cincinnati Zoning Code. Please refer to the variance rationale below.

SECTION 6: SUMMARY OF REASONS WHY RELIEF SHOULD BE GRANTED

1. To meet the standard outlined in Cincinnati Municipal Code 1445-13, an applicant must show that the proposed project "is in the public interest." A list of factors considered by the Zoning Hearing Examiner to determine whether the proposed project "is in the public interest" is found in Cincinnati Municipal Code 1445-13.

- An existing condition of 1716's perimeter is that on the long side of the lot (south side), it directly abuts Findlay Markets commercial parking lot. Zoning code typically requires a buffer yard or a parking lot screening device when abutting residential use but none exists from this lot to the parking, which is regularly full of vehicles. This existing condition creates a screening hardship for us. (Related sections 1445-13-A & E. *Zoning*, & *Buffering* respectively)
- While current zoning code permits 6' fences with 100% opacity to screen parking, the vehicular make up that parks in this lot varies from the norm, deviating in the fact that not only public patron vehicles park here but also large commercial box trucks park in this lot to make Findlay vendor deliveries. They typically choose the spaces that are up against our lot to park because those spots are the closest to the Market and easiest to access. Those commercial trucks are considerably taller (typically 10-13' tall) than normal vehicles. While we did not feel that a fence tall enough to fully screen those vehicles was appropriate, we did feel that an additional 12" of height definitely helped to buffer some of this visual impact, while still being balanced within the historic context, and remaining appealing, from both a visually sensitive & proportionally appropriate

perspective. This stemmed from keeping both our as well as the public's interest in mind. (Related sections 1445-13-A & E. *Zoning, & Buffering (protection from visual impacts)* respectively)

- An existing condition of the parking lots northern edge abutting our property, is that there is a continuous horizontal metal parking protection railing that stands 2'-6" off the ground (which would measure 4'-6" from the top of the currently proposed 7'-0" fence), which can be used as a step stool of sorts to gain access to the back yard, posing a security concern hardship for us. For reference, even with our currently existing 6' tall aluminum fence at the edge of our home (1718 Pleasant Street, which will be removed when the new fence is constructed), we've had a history of two full sets of patio table & chairs being stolen as well as the unfortunate event of a thief fleeing from police that jumped over our fence, into our backyard, with officers who followed suit, and tazed him while he tried to break into our house to escape. Our family consists of Jennifer and me, along with our 3yr old and 5yr old girls who we would like to feel safe playing in our back/side yard. It's also worth mentioning that from a blight perspective, without an edge boundary it is difficult to keep this area clean of general garbage (bags, cans/bottles, junk), heroin needles, and to my surprise, last week's find, a live shot gun shell round. (Related sections 1445-13-O,P & K. *Private Benefits, Public Benefits, & Blight* respectively)

Our intent and hope in regard to this project being in the public's interest is that this fence design, provides a public benefit because it is at a higher level of detail than standard fence designs, resulting in a net cumulative positive impact on the neighborhood, while simultaneously providing ourselves with the private benefits of additional usable yard area for our young children and family, with enhanced privacy screening, security, health & safety; working within the constraints of the inherited existing conditions of the abutting open public parking lot. Additionally, the fence façade would be available for the community, such as Art Works to install a mural for public enjoyment. Thank you for your time and consideration regarding this zoning relief request.

AND

2. To meet the standard outlined in Cincinnati Municipal Code 1445-15, an applicant must show:

- a. neither the owner nor any of its predecessors caused the nonconformity requiring a variance;**

[APPLICANTS RESPONSE] All conditions previously outlined in our responses above are a result of inherited existing conditions of the site, that we, the "owner" nor any of our predecessors caused. The design, while slightly out of zoning code height conformance due to existing site conditions, endeavors to be sensitive to the zoning code and its intended rationale, resulting in the design proposed that we believe is in keeping with the spirit & intent of the code, most specifically regarding the sections related to parking lot screening & buffering via fences.

and

b. how the project meets either of the following conditions:

i. special circumstances or conditions pertaining to the subject property cause the strict application of the zoning code to be unreasonable and would result in practical difficulties; or

[APPLICANTS RESPONSE]

Due to the following special circumstances, including the direct adjacency of the existing public parking lot that currently provides no buffer or screening, the parking restraint fence height that poses a security hardship, the commercial nature of tall delivery box trucks that frequently park against the south perimeter of our lot creating a negative visual impact, and the existing lack of privacy, the strict application of the zoning code for a 6' high fence poses practical difficulties of providing the private benefits of enhanced privacy screening, security, health & safety for our family.

ii. a variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same district or vicinity.

[APPLICANTS RESPONSE]

As described above, this variance will preserve the property right of appropriate buffering for property enjoyment, curbing the negative visual impact of the abutting public parking lot, simultaneously enhancing the safety and security of managing our home and yard for our young family, a right that is exercised by owners of other properties in this same district.

WITNESSES AND EXPERTS

Matthew Wirtz (Owner & Project Architect)

Jennifer LeMasters Wirtz (Owner)

APPLICATION

HCB

**HISTORIC
CONSERVATION
BOARD**

CERTIFICATE OF APPROPRIATENESS

APPLICATION
BUILDING ADDRESS: 1716 Pleasant Street, 45202

DISTRICT NAME: Over The Rhine
(if applicable)

OWNER NAME: Matthew & Jennifer Wirtz

ADDRESS: 1718 Pleasant Street, 45202

EMAIL: urbanstudiollc@gmail.com

CONTRACTOR NAME: T.B.D.

ADDRESS: T.B.D.

EMAIL: T.B.D.

ARCHITECT NAME: Matthew Wirtz

ADDRESS: 1718 Pleasant Street, 45202

EMAIL: urbanstudiollc@gmail.com

HC<small>B</small> USE ONLY	
DATE RECEIVED BY HCB:	_____
PERMIT/APD NO:	_____
APP. COMPLETION DATE:	_____

PHONE NO: 513-651-5433

PHONE NO: T.B.D.

PHONE NO: 513-651-5433

PLEASE NOTE: THE FOLLOWING FEES ARE DUE TO PROCESS YOUR APPLICATION.

Certificate of Appropriateness (without Board review)... \$50.00

Historic Conservation Board Review\$500.00

HC<small>B</small> USE ONLY	
Fee Received: \$	_____
Date Received:	_____

IT IS YOUR RESPONSIBILITY TO NOTIFY THE URBAN CONSERVATOR IF ANY OF THIS INFORMATION CHANGES DURING THE PENDING REVIEW OF YOUR

WORK PROPOSED: (Describe type of work, existing conditions, and methods to be used, materials proposed)

HC<small>B</small> USE ONLY	
<input type="checkbox"/>	MINOR ALTERATION
<input type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	ADDITION
<input type="checkbox"/>	DEMOLITION
<input type="checkbox"/>	REHABILITATION
<input checked="" type="checkbox"/>	OTHER <u>FENCE PERMIT</u>

The general intent of this COA submittal is to construct a wood perimeter fence at 1716 Pleasant St.. We have requested zoning relief in the form of a height variance to build a 7' fence per the plans submitted on 06.16.2016 (Permit # 2016P05337). The property exists as a vacant lot abutting our single family home & the Findlay Market Parking Lot. The requested variance is 12" above the 6' height permitted by section 1421-33-B of the Zoning Code, and is a result of working with atypical existing conditions. 1.) There currently is no buffer or parking lot screening device, creating a screening hardship. 2.) Commercial delivery trucks park in this lot that are much taller than typical vehicles. 3.) There is a horizontal parking protection railing 2'-6" above the ground that can easily function as a step stool, posing a security concern. For these reasons we have designed a slightly taller fence in an effort to preserve the property right of appropriate buffering, curbing the negative visual impact of the abutting public parking, & simultaneously enhancing the privacy, safety and security of managing our home & yard.

IN ORDER TO EXPEDITE HCB ACTION, PLEASE ATTACH ADDITIONAL INFORMATION, IF AVAILABLE, AS MAY BE APPROPRIATE. LIST ANY INFORMATION ATTACHED: (Elevations, site plans, specifications, photos, material samples, additional drawings or written matter)

REFER TO ALL DOCUMENTS INCLUDED IN THIS SUBMITTAL, OUTLINED AND REFERENCED IN THE FOLLOWING PAGES.

- COA -- HISTORIC CONSERVATION OFFICE COA SUBMITTAL LIST
- _____
- _____
- _____
- _____

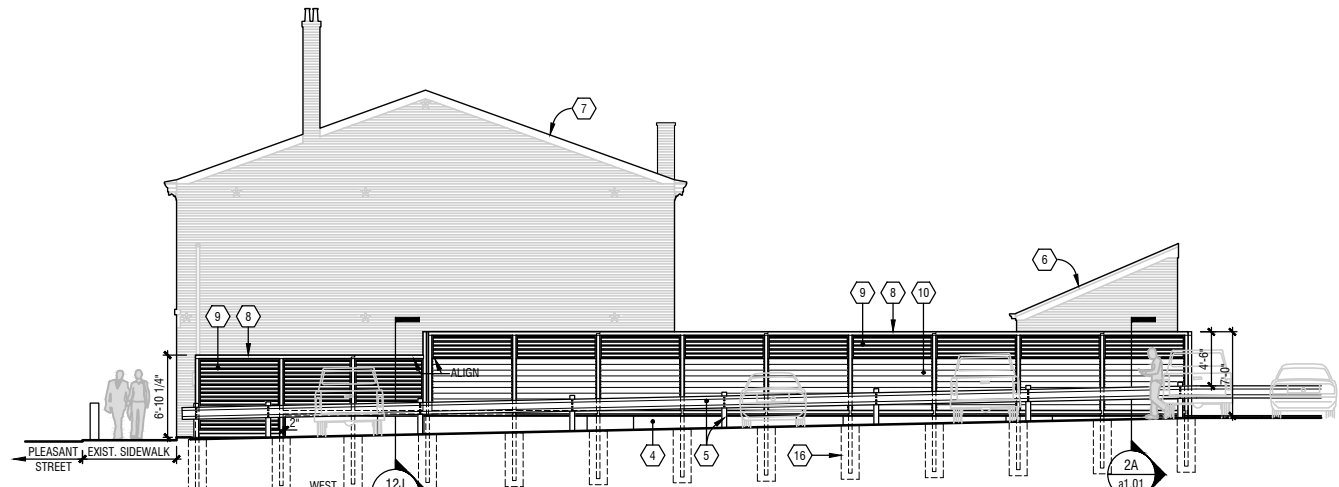
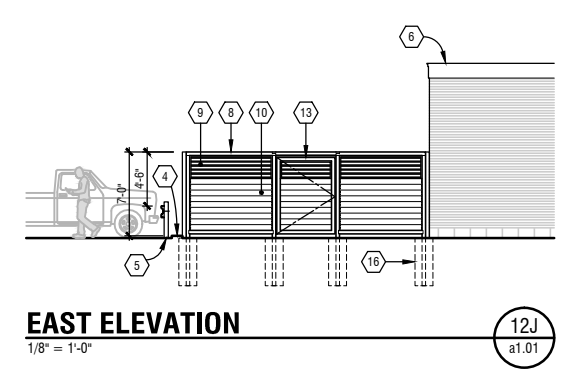
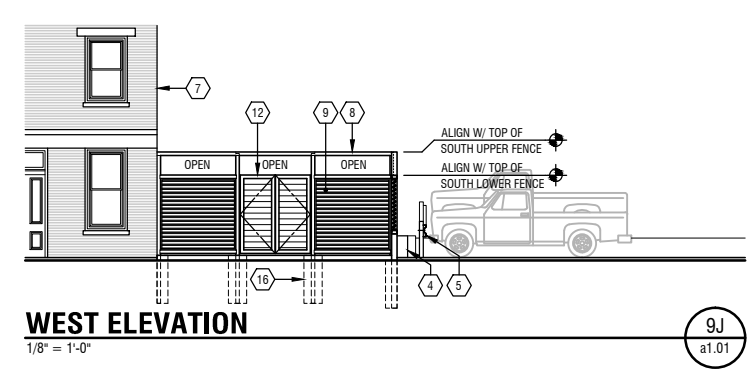
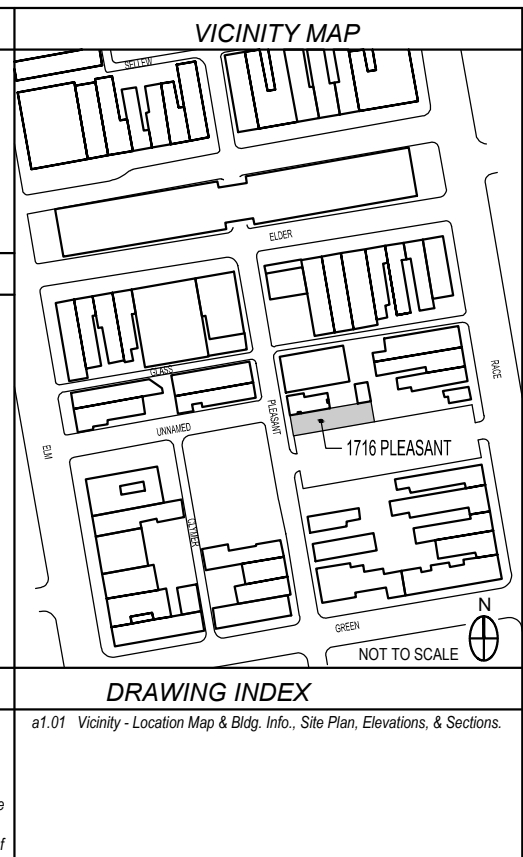
Attach a letter explaining the justification for the issuance of the desired Certificate of Appropriateness. Be advised that the burden of proof is on the applicant.

CINCINNATI'S HISTORIC CONSERVATION OFFICE COA SUBMITTAL LIST

PROJECT: 1716 PLEASANT STREET 45202 -- DATE: 06-23-2016

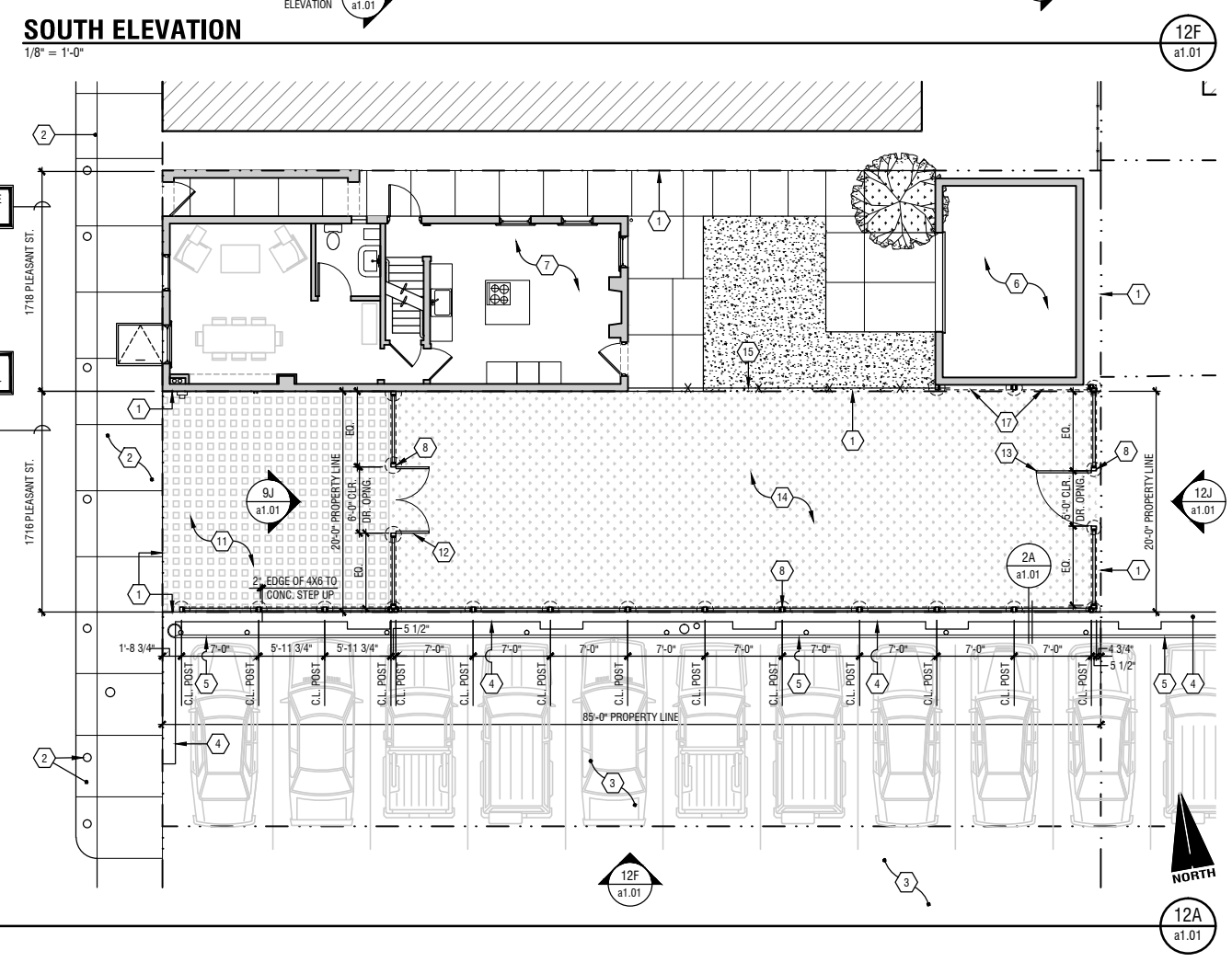
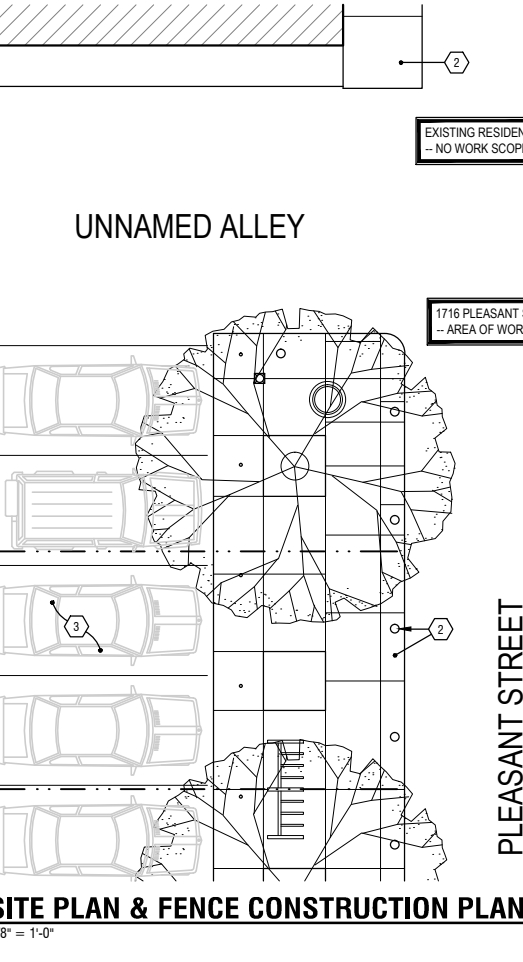
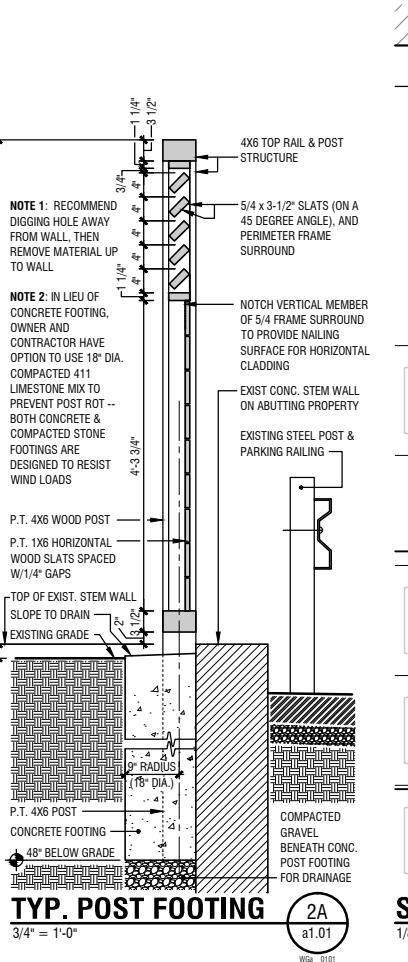
1. Site plan including street names, building footprints, parcel lines.
INCLUDED, REFER TO DRAWING a1.01 dated 6.16.2016, submitted under permit #2016P05337
2. Map showing the building and context
INCLUDED, REFER TO DRAWING a1.01 dated 6.16.2016, submitted under permit #2016P05337
3. Elevation drawings, floor plans, roof plan if applicable labeled N,S,E,W and front, sides and rear
INCLUDED, REFER TO DRAWING a1.01 dated 6.16.2016, submitted under permit #2016P05337
4. Labeled photos of all sides of the building and a few streetscapes for context
INCLUDED, REFER TO 1716 PLEASANT STREET EXISTING PHOTOS
5. Window brochures and cut sheet (unless product is on the approved list)
N/A
6. Roof product information (brochure)
N/A
7. Site line drawings for any roof additions and show drainage
N/A
8. Show existing chimneys and label their retention
N/A
9. Garage door brochures
N/A
10. Sample materials i.e. brick samples
STANDARD PRESSURE TREATED LUMBER, MEMBER SIZES ARE DEFINED AND DETAILED IN DRAWING a1.01
(FINISHED WITH A BEHR OR SIMILAR WEATHER PROOFING WOOD STAIN)
11. Landscaping plans if applicable
INCLUDED, REFER TO DRAWING a1.01 dated 6.16.2016, submitted under permit #2016P05337
12. Fence drawings of style, fence brochures or photo of a sample fence
INCLUDED, REFER TO FENCE DESIGN PRECEDENT AND INSPIRATION
13. Signs; drawings, photo showing the sign on the building, mounting info, materials, colors and illumination.
N/A
14. Mature tree removal requires a letter from an arborist stating its poor health
N/A
15. All written correspondence submitted by the applicant and other affected persons
INCLUDED. To the north is our home, to the East is a vacant lot owned & managed by Findlay Market Corporation.
To the South is the Findlay Market Parking Lot, & to the West is Pleasant Street and the Findlay Market Parking Lot.
A letter of support from the Findlay Market Corporation, our neighbor on all 3 sides, is attached for reference.
16. All demolitions cases must fill out economic hardship questionnaire
N/A
17. Tentative project schedule
September 2016
18. Number of residential units and /or square feet of commercial space
N/A
19. Estimated total project budget
APPROXIMATELY 7000.00
20. Number of permanent jobs created if any
N/A
21. The Hamilton County auditors record, a copy of your or other documentation showing ownership of the property
INCLUDED, REFER TO HAMILTON COUNTY AUDITOR PAGE FOR PROOF OF OWNERSHIP
22. A letter of permission to do alterations if a tenant applicant
N/A
23. A list of the applicants' witnesses and expert witnesses who you expect to testify at the hearing or legal counsel, if any
INCLUDED AS FOLLOWS. Matthew Wirtz (Owner & Project Architect), Jennifer LeMasters Wirtz (Owner)

PROJECT DIRECTORY	
OWNER	MATTHEW & JENNIFER WIRTZ 1718 PLEASANT STREET CINCINNATI OH 45202
CONTRACTOR	TO BE DETERMINED
ARCHITECT	URBAN STUDIO ARCHITECTURE LLC 1718 PLEASANT ST. CINCINNATI OH 45202
BUILDING/PARCEL INFO.	
ADD PERIMETER PRIVACY/PARKING LOT SCREENING FENCE AND PATIO FOR "OWNER" ASSESSORS PARCEL #094-0008-0160-00 1716 Pleasant Street Cincinnati, OH 45202	
GENERAL NOTES: The general intent of this project is to add a patio and a fence to the perimeter of our yard that is part of our home located at 1718 Pleasant Street.	
BUILDING (land) CODE INFORMATION: Auditor Land Use: Vacant Land Zoning: CC-P Property Description 1: 1716 Pleasant St 20x85 Property Description 2: Lot 16 Findlay & Garrard	
CODE	
Ohio Building Code - 2011 (OBC) W/ Amendments Zoning Code: Codified Ordinances of City of Cincinnati - Planning & Zoning Code - 2011 (NZC) Wind Load: Main windforce - Resisting System: 90MPH per ASCE 7 (3 second gust). -- Exposure B -- Wind load importance factor $I_e = 1.00$ -- Basic wind velocity pressure, $q_h = 11 \text{ psf}$ -- Components & Cladding wind loading designed to resist 17.4psf	



VICINITY MAP & PROJECT INFO
NA

DRAWING INDEX
a1.01 Vicinity - Location Map & Bldg. Info., Site Plan, Elevations, & Sections.



- KEYNOTES:**
- PROPERTY LINE
 - EXISTING SIDEWALK & BOLLARDS
 - EXISTING FINDLAY MARKET SOUTH PARKING LOT
 - EXISTING 10 1/2" WIDE CONCRETE FOUNDATION WALL ON ADJACENT PROPERTY -- DIRECTLY ABUTS PROPERTY LINE
 - EXISTING METAL POST AND RAILING PARKING RESTRAINT (2'-6" HIGH)
 - EXISTING STORAGE SHED BUILDING
 - EXISTING RESIDENCE
 - NEW PRESSURE TREATED (P.T.) 4x6 WOOD POST AND BEAM FENCE -- POSTS @ 7'-0" O.C. UNLESS NOTED OTHERWISE -- SET IN 16" DIA. X 48" DEEP CONCRETE FOOTING -- HOLD POST TIGHT TO CONCRETE FOUNDATION WALL ON SOUTH PROPERTY LINE -- 4x6 STRUCTURE TO BE STAINED OR PAINTED. REFER TO OWNER -- REFER TO ARCHITECT FOR JOINTERY
 - ANGLED OPEN HORIZONTAL SLAT FRAME -- STAIN OR PAINT. REFER TO OWNER -- REFER TO SECTION
 - HORIZONTAL PRIVACY SLAT CLADDING -- STAIN OR PAINT. REFER TO OWNER -- REFER TO SECTION
 - NEW PERMEABLE PAVED FRONT LANDSCAPE PATIO -- CONC. PAVERS WITH PERMEABLE SURFACE VOIDS (OR ALT. GRASSPAVE) OVER A BED OF 1" THICK SAND & 4" THICK CRUSHED STONE BASE OVER UNCOMPACTED SUBGRADE -- USE A CONCEALED PAPER RESTRAINT "BARRIER" EDGING (W/ STAY SPIKES), OR OWNER APPROVED EQUAL AT PAVEMENT YARD/LANDSCAPE EDGES.
 - DOUBLE FLAT FRAMED P.T. 2x4 GATE WITH P.T. HORIZONTAL 1x6 SLATS BETWEEN 2x4 FRAMES -- ASSEMBLE USING HOMAX EASY GATE NO-SAG GATE KIT (WITH INCLUDED HINGES) ON INSIDE 2x4 FRAME -- PROVIDE CANE BOLT ON INSIDE -- REFER TO OWNER FOR GATE PULLS AND LATCH HARDWARE
 - SIMILAR TO KEYNOTE 12 WITH SLIGHTLY MODIFIED TOP. REFER TO ARCH.
 - EXISTING LANDSCAPING TO REMAIN
 - EXISTING FENCE TO BE REMOVED -- SAVE AND REUSE GATE DOOR
 - POST FOOTING AND POST PROJECTION INTO GROUND, INDICATED DASHED FOR REFERENCE -- REFER TO SECTION
 - ERECT ONLY POST AND BEAM STRUCTURE FOR THE (2) FENCE BAYS THAT ABUT (PARALLEL TO) THE STORAGE SHED BUILDING, NO INT. CLADDING THIS AREA

URBAN STUDIO
1718 Pleasant Street
Cincinnati, OH 45202
URBAN STUDIO ARCHITECTURE LLC
513.651.5433

Owner
The Wirtz Family Residence
1718 Pleasant Street
Cincinnati, OH 45202
Matthew & Jennifer Wirtz
513.651.5433

Architect
Urban Studio Architecture LLC
1718 Pleasant Street
Cincinnati, OH 45202
Matthew Wirtz
513.651.5433

ISSUED INFORMATION

ISSUED: **06.16.2016**

REVISIONS:

STATE OF OHIO ARCHITECT
MATTHEW A. WIRTZ
0915050
REGISTERED

MATTHEW A. WIRTZ LIC.# 0915050
EXPIRATION DATE: 12.31.2017

PROJECT INFORMATION
WIRTZ RESIDENCE FENCE PERMIT
1716 Pleasant Street
Cincinnati, Ohio
45202

PROJECT NUMBER: 00128.00

SHEET INFORMATION
Drawing Index
Site, Plans, & Elevations

DRAWN BY: M. Wirtz
REVIEWED BY: M. Wirtz
SCALE: As Noted

AUTHORIZED FOR: PERMIT & CONSTRUCTION

a1.01



1716 PLEASANT -- NORTH PHOTO



1716 PLEASANT -- SOUTH PHOTO



1716 PLEASANT -- EAST PHOTO



1716 PLEASANT -- WEST PHOTO



1716 PLEASANT -- STREETSCAPE CONTEXT PHOTO



**OTR PRECEDENT: KAZE ON VINE ST.
HEIGHT: 6'-3" TALL**



**OTR PRECEDENT: GRANT ST @ ELM (S. OF MEMORIAL HALL)
HEIGHT: 8'-3" TALL**





DESIGN INSPIRATION: SAMPLE PHOTO



DESIGN INSPIRATION: SAMPLE PHOTO

Property Report

Parcel ID 094-0008-0160-00	Address 1716 PLEASANT ST	Index Order Parcel Number	Tax Year 2015 Payable 2016
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Related Names

Name	Relationship	Status
WIRTZ MATTHEW A & JENNIFER G LEMASTERS WIRT	Parcel Owner	Current

Detailed Name Information

Full Name WIRTZ MATTHEW A & JENNIFER G LEMASTERS WIRT	Type Parcel Owner
Address 1718 PLEASANT ST CINCINNATI OH 45202	Mailing Flags [1st Half Tax Bill] [2nd Half Tax Bill] [Change Notice] [Delinquent Tax Bill] [Reduction Notice]

APPLICATION FOR DIMENSIONAL VARIANCE AND CERTIFICATE OF APPROPRIATENESS HISTORIC CONSERVATION BOARD PUBLIC HEARING STAFF REPORT

APPLICATION #: ZH20160114
APPLICANT: Michael Uhlenhake
OWNER: Matt Acter
ADDRESS: **22 West Court Street**
PARCELS: 076-0002-0136
ZONING: DD- Downtown Development
OVERLAYS: Court Street Historic District
COMMUNITY: Downtown
REPORT DATE: July 22, 2016
HEARING DATE: August 8, 2016
STAFF REVIEW: Beth Johnson, Urban Conservator

Nature of Request:

The applicant is requesting a Certificate of Appropriateness (COA) and Zoning Relief for a dimensional variance to allow for a 16' wall/fence along the front of the subject property. Per CZC 1421-33, fences and walls in commercial zoning districts are limited to 6' in height and may be 50% opaque. The applicant is also requesting a Certificate of Appropriateness for a rooftop/second story addition, a roof deck and light wells.

Existing Conditions:

The subject property at 22 West Court is located on the north side of W. Court Street, between Race and Vine Street Street. It is a one story frame building, set back almost 30' from the street face. And set between two taller buildings. The building is listed as a compatible building but has been altered over time and has vinyl windows and replacement siding.



Figure 1: 22 West Court Street. Picture provided by applicant

At the street face of the property is currently a 6 foot black metal fence and surround.

Proposed Conditions:

The applicant is proposing to install a new 16' brick wall at the property line. This wall will have the look of a storefront with opaque/frosted glazing for windows and a door. A decorative metal mesh or patterned brick will be installed as ornamentation in a panel

on the wall.

The applicant is also proposing a second floor addition on the rear half of the building with a roof deck and two skylights on the front portion of the building. The addition will be sided in lap cement fiber board; It will have a picture window and a door to get to the roof deck set in front of the addition. The addition will have a sloping roof to the rear and will not be visible from W. Court Street.



Figure 2: Aerial photo of 22 West Court Street. Image provided from Cagis.

Previous Reviews: N/A

Applicable Zoning Code Sections:

Zoning District:	Section 1411	Downtown Development
Variance Request:	Section 1421-33	Fences and Walls
Variance Authority:	Section 1445-07	HCB authority: Section 1435-05-4
Variance Standard:	Section 1445-13 Section 1445-15	General Standards: Public Interest Standards for Variances
Overlays:	Section 1435	Historic Preservation
Historic District/Reg:	Court Street Historic District	
COA Standard:	Section 1435-09-2	Certificate of Appropriateness; Standard of Review

Details of Zoning Relief Required:

The applicant and/or owner(s) are requesting a dimensional variance to allow a 16 foot wall/fence in the front yard of the subject property with 100% opacity.

- The project is in violation of the **Section 1421-33** of Cincinnati Zoning Code.
- Per Section 1421-33: fences and walls are limited to 6' in height in commercial districts.
- Per Section 1421-33 fences must have 50% opacity.
- **A dimensional variance of 10 feet** is sought **to allow a 16 foot wall** in the front yard with 100% opacity.

Zoning Analysis:

The applicant is proposing a fence that is 10 feet in excess of the maximum height of 6 feet in order to create a new storefront look to the property. The original submission by the applicant was for a solid wall that was 10'10" tall, but in consultation and at the request of staff the applicant amended the design to be taller to make the wall more of a storefront façade treatment to make it a contextual design for West Court Street. This treatment helps to create a secure and private courtyard for the residence in a mixed use district as well as provides a continuity of the street face that is currently lacking with the existing property setback. While the structure is technically a standalone wall, the wall is creating a new historically proportioned façade treatment along the street.

Below is analysis of the consideration factors for all of the requested zoning actions, utilizing Section 1445-13, General Standards; Public Interest.

- a. **Zoning.** The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code.

The underlying zoning is DD. The proposed use of the subject property conforms to the underlying zone district regulations. The proposal does not conform to CZC 1421-33, regulating fences and walls. The proposed fence is 10 feet higher than the allowable fence and wall height requirements and has 100% opacity rather than a 50% opacity. Staff notes the frosted glass is a highly desirable solution that appears to strong compromise between some and no opacity.

- b. **Guidelines.** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.

The proposed work conforms to the guidelines for the district. See below.

- c. **Plans.** The proposed work conforms to a comprehensive plan, any applicable urban design or other plan officially adopted by Council, and any applicable community plan approved by the City Planning Commission.

This project conforms to Plan Cincinnati.

- d. **Traffic.** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.

Traffic will not be impacted by the construction of the fence/wall.

- e. **Buffering.** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.
The fence/wall will provide noise buffering from the street to the property. Other buffering is not required.
- f. **Landscaping.** Landscaping meets the requirements of Chapter 1423, Landscaping and Buffer Yards.
This is not applicable.
- g. **Hours of Operation.** Operating hours are compatible with adjacent land uses.
This is not applicable.
- h. **Neighborhood Compatibility.** The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.
The proposed work will not have an adverse impact on the neighborhood. The fence/wall facing Court Street as designed, will be of high aesthetic quality provide a street façade continuity that is currently lacking at this property. The design will introduce a zero lot set back and a historically sensitive façade treatment at the property
- i. **Proposed Zoning Amendments.** The proposed work is consistent with any proposed amendment to the zoning code then under consideration by the City Planning Commission or Council.
There are no proposed amendments under consideration that would impact this proposed project.
- j. **Adverse Effects.** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.
There are no adverse impacts anticipated.
- k. **Blight.** The elimination or avoidance of blight.
The proposed work will improve the aesthetic appeal of the streetscape on this stretch of Court Street by helping to provide a continuous zero lot line façade treatment.
- l. **Economic Benefits.** The promotion of the Cincinnati economy.
The proposed fence will have a minor economic impact.
- m. **Job Creation.** The creation of jobs both permanently and during construction.
The proposed project may have a minor job creation effect during construction. It does not appear likely to create permanent jobs.
- n. **Tax Valuation.** Any increase in the real property tax duplicate.
Property taxes may increase slightly due to the proposed work.
- o. **Private Benefits.** The economic and other private benefits to the owner or applicant.

The owner has a benefit to the proposed work as the fence will provide added security and privacy to their outdoor living space.

- p. **Public Benefits.** The public peace, health, safety or general welfare.
There is no measurable detriment to public peace, health, safety or welfare as a result of this proposed project.

Standards for Variances per Section 1435-05-4

- (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the Historic District or Historic Asset; or

The installation of a new 16 foot fence/wall that is 100% opaque will not adversely affect the historic architectural or aesthetic integrity of the Historic District. The wall will add to the district as it is introducing continuity to this parcel and street face that is currently lacking. This is the only parcel on this block that has a drastic setback and it creates a void in the streetscape. The new wall will fill this void. While the wall will technically be 100% opaque, the frosted glass will provide a break from a solid brick wall and provide an appearance of opacity with the glass.

- (b) Is necessary where the denial thereof would result in a deprivation of all economically viable uses of the property as viewed in its entirety. In making such a determination, the Historic Conservation Board may consider the factors set forth in Section 1435-09-2 (aa) to (ff).

Adding the fence/wall to the subject property will allow the owner to fully utilize the outdoor living space on the property and provide privacy and protection for the single-family residence

Certificate of Appropriateness Review:

A Certificate of Appropriateness is required for the installation of the fence and wall as well as the addition. As there are no specific guidelines as they relate to walls in the Court Street Design Guidelines, Staff will use the new construction and addition guidelines for the wall as the wall is trying to create a consistent streetscape. Staff is of the opinion that the proposed changes are appropriate for the district and this property as with the addition of a wall that creates a more sympathetic street treatment the addition and changes to the property will not be visible from the street.

Applicable Guidelines

ADDITIONS

A. Intent and General Guidelines

1. Appropriate additions are encouraged as a means of providing for current and future needs and providing for continued use of existing district buildings.
The proposed changes to the property are creating a residence at this location. The addition provides additional living space and the courtyard and roof deck

provide outdoor opportunities.

2. Additions should respond architecturally to adjacent buildings in general and to the building they are a part of in particular.

The proposed changes to the property are creating a residence at this location. The addition provides additional living space and the courtyard and roof deck provide outdoor opportunities.

3. If the original building is architecturally significant, the addition should take a respectful "back seat" to it. The addition should not overpower the original. An addition may be taller than the original building if site considerations and care design still allow the old building to remain dominant.

The proposed changes to the property are creating a residence at this location. The addition provides additional living space and the courtyard and roof deck provide outdoor opportunities.

4. In general, additions should follow new construction guidelines. They should appear contemporary but compatible in character with the original. They should be sympathetic but not imitative in design.

The second floor addition is a contemporary addition but the use of hardi-plank and the new wall will be distinguishable with the use of black brick.

5. The appropriateness of design solutions will be based on the program needs of the applicant with 1) how well the proposed design relates to the original building and neighboring buildings and 2) how closely the proposal meets the intent of these general guidelines and the specific guidelines for new construction.

NEW CONSTRUCTION

A. Intent and General Guidelines

1. Infill construction is encouraged on vacant sites in the Court Street District. The strong sense of an architecturally cohesive district is weakened by several gaps along the street. New construction will fill these gaps and improve the physical quality and economic health of the district.

While this is not a vacant site, because the building is set back almost 30 feet from the front property line it does create a gap along the street. The new wall/façade will be filling in the gap and will therefore improve the physical quality of the district.

2. Provision of parking within new structures on infill sites is strongly encouraged, but primary effort should be made to provide for automobile entry and egress at locations other than the Court Street side of the new structure wherever possible (e.g., the new Post building at 125 E. Court). Where this is not possible, frontage devoted to entry and egress should be minimized. Retail frontage is encouraged to reinforce the

pedestrian-oriented "storefront" appearance.

The proposed project is including a garage into the building to provide off street parking for the residence.

3. New construction should appear new. The intent of a historic district is not to "freeze" an area in time, but rather to encourage new, complementary buildings which allow for changing needs and tastes. The high quality of the older structures in the district demands excellence in design for new buildings there. New construction should not attempt to replicate the old or to introduce a false "historic" appearance.

Both the addition and the new façade/wall both appear new. The new second story rear addition is made of appropriate but new material and the wall/façade uses the correct proportions of a storefront but introduces a black brick to provide a contemporary element to the façade.

4. Historic Conservation Board review of new construction will focus on design compatibility with older structures. Proposals for new buildings will be reviewed within the context provided in the Streetscape Analysis attached as part of these guidelines. The appropriateness of design solutions will be based on the programmatic needs of the applicant with

- 1) how well the proposed design relates to neighboring buildings and
- 2) how closely the proposal meets the intent of the guidelines.

Applicants should pay particular attention to the following features: a. Composition b. Openings c. Rhythm d. Height

The façade/wall treatment relates well to the neighboring buildings as it is using proportions of the storefronts from the streetscape and is also not rising above the one story historic garage to the east. It will not overpower any of the historic elements while providing continuity to this portion of the street.

B. Specific Guidelines

1. Composition: Buildings in the district share common materials and common methods of organizing parts of the facades. These factors help shape the architectural character of the district.

- a. Three Parts in the Facade: The analysis shows that District buildings are generally divided into three parts: the top (similar to the capital on a column), the middle and the base. Guideline – New Buildings should respond to the three basic subdivisions found on the existing facades.

The façade/wall treatment has three parts. There is a bulkhead area with windows that represent the middle and the decorative brickwork/metal work acts as a strong top.

- b. The Top, or "Cornice": The analysis shows that District buildings are capped by a cornice, parapet or other visual ending where the building meets the sky.

Guideline – New buildings should have a strong element which defines the top of the building. (See exception for taller buildings under height).

The decorative brickwork/metal work acts as a strong top.

- c. The Roof: The analysis shows that District buildings have flat roofs or appear to have flat roofs when viewed from the street. Guideline – New buildings should appear to have flat roofs when viewed from the street. (See exception for tall buildings in Height).

The new roof to the addition is a flat/slightly sloping roof. This can't be seen from the street due to the façade treatment/wall.

- d. The Middle: The analysis shows that District buildings often have horizontal subdivisions on the facade other than at the cornice and the base. This intermediate banding sometimes occurs at floor levels or at sill and lintel height. Guideline – New buildings should respond to banding on adjacent buildings through the use of changes in colors, textures, planes or materials.

The windows on the façade treatment/wall are in a similar horizontal plane to other storefront windows along Court Street.

- e. The Base: The analysis shows that District buildings generally have a well-defined base. The base is often differentiated from upper floors by a change in materials or by a lintel or other type of banding. Sometimes the base treatment extends above the first floor to include the lower two or three stories (especially on larger-scale buildings in the district). Guideline – New buildings should have a well-defined base.

The concrete steps and sills provide a base and grounding element to the façade treatment.

- f. Materials: The analysis shows that the primary building material in the district is masonry. Brick and stone are common facing materials with trim of tin or stone or terra cotta. Older storefronts are primarily cast iron which frames large expanses of glass. Guideline – New construction materials should relate to the palette of materials found in the district in their color, texture, scale and composition.

The building material for the façade treatment/wall is a black brick. The brick is the same dimensions as similar brick in the district. The second floor addition is sided in hardi-plank which is contextual to the principal structure.

- 2. Openings: The design, scale, and placement of openings in buildings provides a rhythm to the district. Windows are like the "eyes" of a building. Storefronts are the lifeblood of the district and largely create the image of the street.

- a. Window Design: The analysis shows that windows are 1) contained in individual openings, 2) taller than they are wide, 3) set back from the surface of the wall giving the wall depth, and 4) have some form of definition such as sills, lintels or decorative surrounds. Guideline – New buildings should respond to the design characteristics of windows in the district.

The window height and width are similar to other storefront windows in the district. The windows and door openings provide a regular rhythm to the street and break the façade into three parts. The windows are taller than they are wide and are in individual openings. They also have sills at the bottom.

- b. Window Placement: The analysis shows that windows are generally placed symmetrically on the facade and stacked vertically above each other. Guideline – New buildings should respond to the pattern of window placement in the district.

Not applicable for the façade treatment and the addition is not visible from the street.

- c. Amount of Window Area: The analysis shows window openings generally occupy no less than 20% of the front facade wall area (exclusive of the first floor and cornice) and no more than 50%. Guideline – New buildings should follow this range of solid-to-void relationships.

Not applicable for the façade treatment/wall and the second floor addition is less than 50% glass.

- d. Storefront Character: The analysis shows that storefronts are 1) taller than any individual upper floor, 2) framed by piers or columns and have a lintel separating them from upper floors, 3) broken up visually into bays to achieve a vertical appearance and a pedestrian scale and rhythm and 4) have large expanses of clear, not mirrored or tinted glass. Guideline – Storefronts on new buildings should follow district characteristics.

The windows are broken into bays and the windows are vertical in orientation. The glass will not be mirrored but will be frosted to provide privacy as the use is a residence.

- e. Storefront Dimensions: The analysis shows that: 1) Storefront lintels are between 12 feet and 18 feet above grade and are 1 to 2 feet deep, 2) window sill height is between 18 inches and 3 feet above grade, and 3) storefront windows are set back up to 1 foot from the face of the building to expose structural elements. Guideline – Storefronts on new buildings should respond to the dimensions of existing storefronts in the district.

The top of the storefront is 16 feet above grade. As this is a wall that is imitating a storefront to make it more in character with the street, the dimensions of the depth of the storefront is not relevant or feasible with a wall structure.

- 3. Rhythm: Consistent patterns of setback, window placement, and wall treatment establish an architectural rhythm to the street.

- a. Setback: The analysis shows that all buildings are built to front property lines. Guideline – All new construction should be built to front property lines.

The wall/façade treatment is built to the front property line.

- b. Mass: The analysis shows that front facades are broken up into bays (subdivisions) of from 16 feet to 25 feet. This rhythm of bays is commonly achieved by grouping windows, varying wall planes, or using vertical elements like columns or piers. Guideline – The design of new buildings should avoid creating long, unrelieved expanses of wall along the street by maintaining the rhythm of bays in the district.

The entire wall/façade treatment is only 16' wide and is the width of a bay.

- c. Emphasis: The analysis shows that building facades are generally taller than they are wide giving district buildings a vertical emphasis. Guideline – New construction should be vertical in emphasis.

The façade treatment and windows are vertical in orientation creating a vertical emphasis.

- 4. Height: The scale of buildings is an important contributor to the character of the historic district.

- a. Basic Guideline for Height: The analysis shows that most District buildings are, with few exceptions, two to five stories tall. This low scale is an important district characteristic and distinguishes the district from its surroundings. Guideline – New buildings should generally be no taller than the tallest building on the block or in the immediate vicinity.

As this is a wall/façade treatment only and the neighboring building is one story tall, the one story height is appropriate in this property. The second floor addition will not be visible from the street.

- b. Guideline for Buildings which Cannot Meet Basic Limits: Where project review by the Historic Conservation Board determines that a significantly taller building is appropriate (based on site, design and economic development considerations), the following guidelines shall apply. Guideline – The new building should relate to its neighbors by responding to their banding or cornice lines. This may be achieved by upper-floor setback or detailing, for example.

Not applicable

Other Considerations:

Prehearing Results: A prehearing was held on July 13, 2016.

Comments Provided to Staff: N/A

Consistency with *Plan Cincinnati (2012)*:
“Sustain” Initiative Area “Preserve our built history”

Other: N/A

Recommendation:

Staff recommends the Historic Conservation Board take the following actions:

I. ZONING VARIANCE

A. DIMENSIONAL VARIANCE

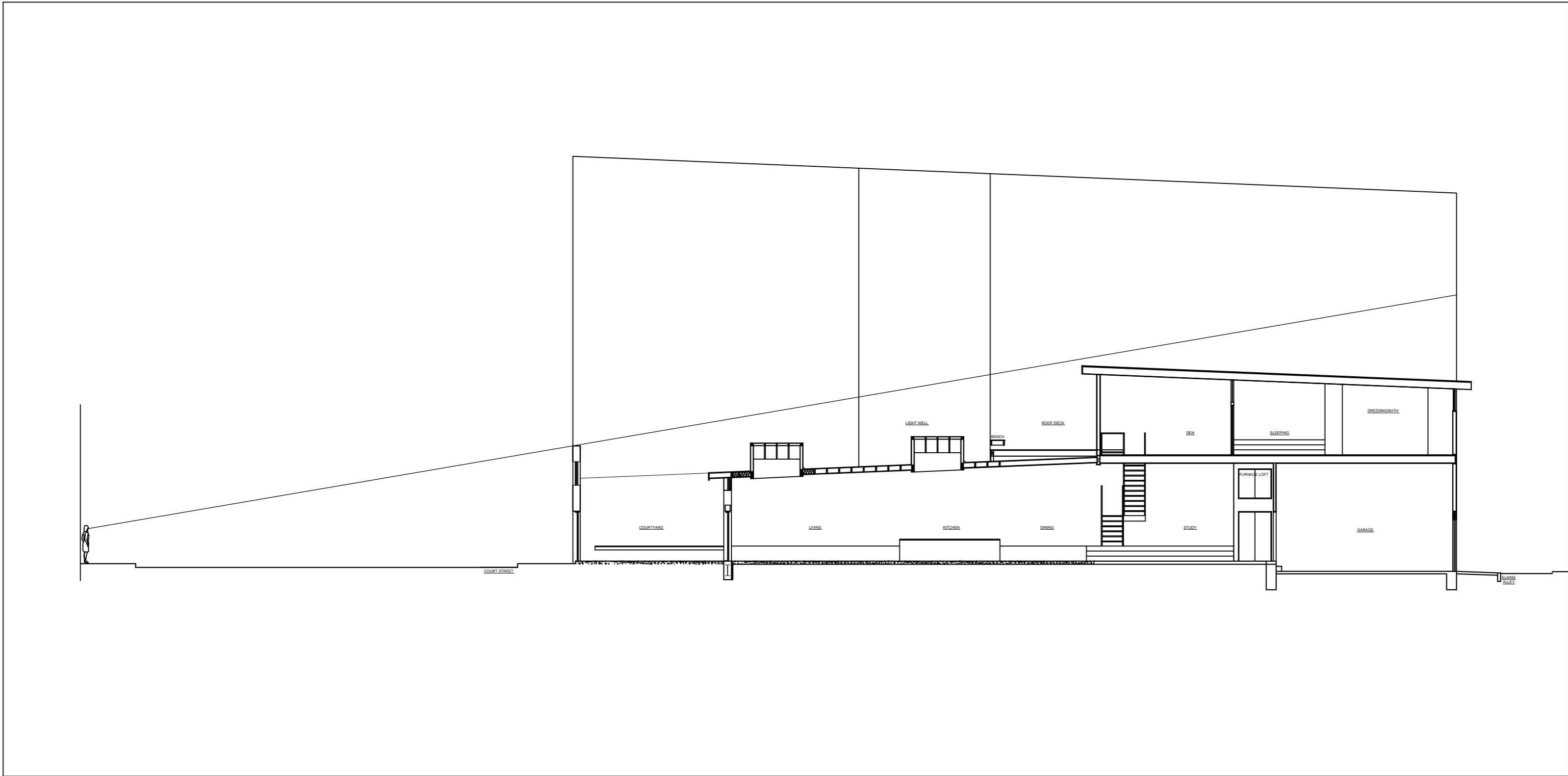
1. **APPROVE** the requested 10 foot variance at 22 West Court Street for a total of a 16 foot high wall in the front yard of the subject property.
2. **FINDING:** The Board makes this determination that per Section 1435-05-4:
 - a. Such relief from literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property within the district or vicinity where property is located; and
 - b. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.

B. DIMENSIONAL VARIANCE

1. **APPROVE** the requested 50% opacity variance at 22 West Court Street for a total of a 100% opaque wall in the front yard of the subject property subject to a significant portion of the wall façade is frosted glass.
2. **FINDING:** The Board makes this determination that per Section 1435-05-4:
 - a. Such relief from literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property within the district or vicinity where property is located; and
 - b. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.

II. CERTIFICATE OF APPROPRIATENESS

- A. **APPROVE** a Certificate of Appropriateness for 22 West Court Street submitted by Michael Ulhenhake including any revisions submitted for permit subject to staff review and approval with the following condition:
 1. The building permits must be issued within two years of the decision date or the Certificate of Appropriateness shall expire.
- B. **FINDING:** The Board makes this determination per Section 1435-09-2:
 2. That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.



REVISIONS	
ISSUES AND REVISIONS	DATE

PLAN NO.:

22 W. COURT STREET

Sight Line Study 2
N.T.S.

Michael A. Uhlenhake
Registered Architect
State of Ohio
114 E. 13th STREET, UNIT 2F
CINCINNATI, OHIO 45202
(513) 381.2724
m.uhlenhake@gmail.com

SEAL / STAMP

PRELIMINARY PLAN
A4.4

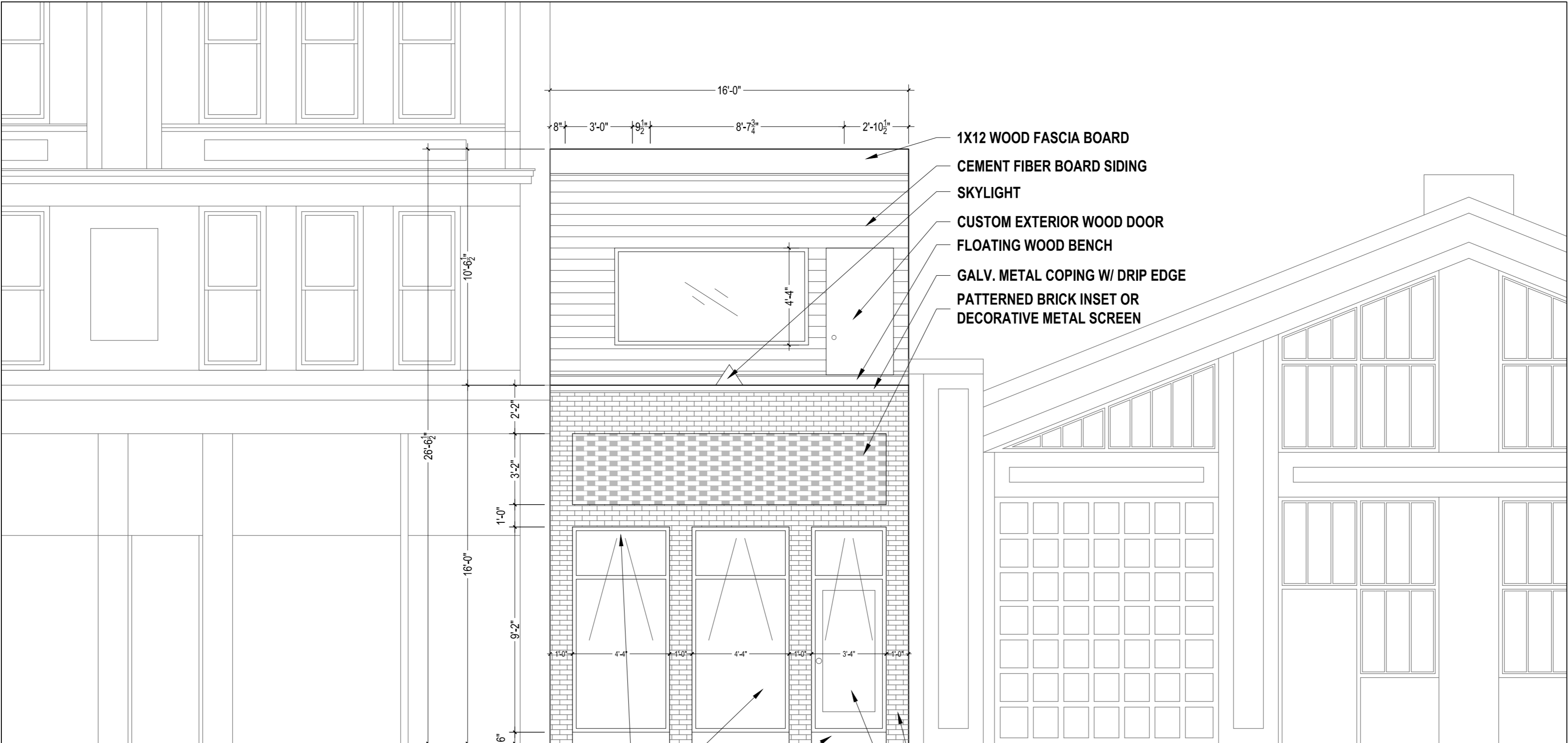
REVISIONS	
#	DATE AND REVISIONS

PLAN NO.:

DATE
23 June 2016

**22 W. COURT STREET
PROPOSED FRONT ELEVATION**

Michael A. Uhlenhake
Registered Architect
State of Ohio
114 E. 13th STREET, UNIT 2F
CINCINNATI, OHIO 45202
(513) 381.2724
m.uhlenhake@gmail.com



- 1X12 WOOD FASCIA BOARD
- CEMENT FIBER BOARD SIDING
- SKYLIGHT
- CUSTOM EXTERIOR WOOD DOOR
- FLOATING WOOD BENCH
- GALV. METAL COPING W/ DRIP EDGE
- PATTERNED BRICK INSET OR DECORATIVE METAL SCREEN

- CONCEALED LIGHTING
- FROSTED TEMPERED GLASS WITHIN 2 IN BLACK ALUMINUM FRAME
- CONCRETE STEP
- BLACK BRICK
- BLACK METAL DOOR WITH FROSTED GLASS

Proposed Court Street Elevation ①
1/4" = 1'-0"

SEAL / STAMP

PROPOSED FRONT ELEVATION

A4.1

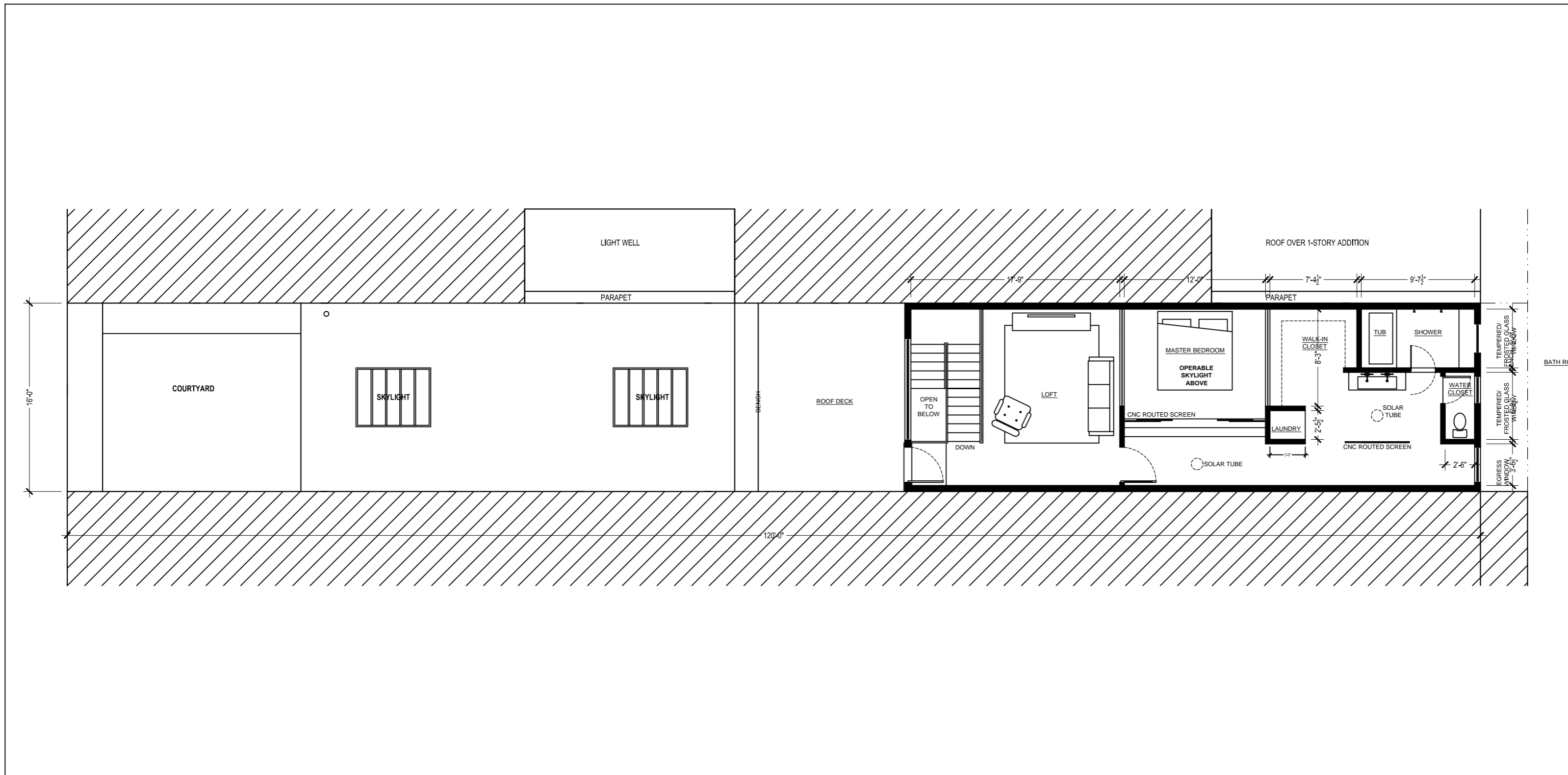
REVISIONS	
ISSUES AND REVISIONS	DATE

PLAN NO.:

DATE
23 June 2016

22 W. COURT STREET
Single Family Residence

Michael A. Uhlenhake
Registered Architect
State of Ohio
114 E. 13th STREET, UNIT 2F
CINCINNATI, OHIO 45202
(513) 381.2724
m.uhlenhake@gmail.com



Second Floor Plan 1
1/8" = 1'-0"

SEAL / STAMP

ELEVATION
A2.2

APPLICATION FOR DIMENSIONAL VARIANCE AND CERTIFICATE OF APPROPRIATENESS HISTORIC CONSERVATION BOARD PUBLIC HEARING STAFF REPORT

APPLICATION #: ZH20160113
APPLICANT: Matthew Wirtz
OWNER: Matthew Wirtz & Jennifer Wirtz
ADDRESS: **1716 Pleasant Street, Cincinnati OH 45202**
PARCELS: 094-0008-0160-00
ZONING: CC-P
OVERLAYS: Over-the-Rhine Historic District
COMMUNITY: Over-the-Rhine
REPORT DATE: July 20, 2016
HEARING DATE: August 8, 2016
STAFF REVIEW: Douglas Owen, Zoning Plan Examiner

Nature of Request:

The applicant is requesting a Certificate of Appropriateness (COA) and Zoning Relief for a dimensional variance to allow for a 7-foot fence in the side and rear yards of the subject property. Per CZC 1421-33, fences and walls in commercial zoning districts are limited to 6' in height and may be 100% opaque.

Existing Conditions:

The subject property at 1716 Pleasant Street is located on the east side of Pleasant Street, between W. Elder Street and Green Street (Figure 1). The property is a vacant landscaped lot. The lot is owned by Matthew and Jennifer LeMasters Wirtz who also own the adjacent residence to the north. An existing parking lot for Findlay Market is located on the adjacent property to the south. No screening currently exists between the vacant property and the parking lot.

Proposed Conditions:

The applicant is proposing to install a new 7-foot wood privacy fence along the southern and eastern lot lines of the vacant lot at 1716 Pleasant Street. The west elevation of the fence will cross the lot from north to south approximately 20 feet east of the front property line. The front 20 feet of fence along the south property line and the west elevation of the fence will be approximately 6' 10" tall and will consist of angled open horizontal slats. The remainder of the fence will consist of horizontal privacy slat cladding with approximately ¼" of spacing between boards. The upper 16" of the fence will consist of the angled open horizontal slats.

The western 20 feet of the lot will be paved with a permeable paver patio. The pavers feature voids that will allow grass and/or groundcover to grow through. In the future, the patio may be converted to a driveway through coordination with DOTE. If changes to

the paving, fence line or an enclosed garage structure are proposed, a new Certificate of Appropriateness will be required.



Figure 1. Location of subject property. Image courtesy of Google.

Previous Reviews: N/A

Applicable Zoning Code Sections:

Zoning District:	Section 1409	Commercial Community - Pedestrian
Variance Request:	Section 1421-33	Fences and Walls
Variance Authority:	Section 1445-07	HCB authority: Section 1435-05-4
Variance Standard:	Section 1445-13	General Standards: Public Interest
	Section 1445-15	Standards for Variances
Overlays:	Section 1435	Historic Preservation
Historic District/Reg:	Over the Rhine Historic District	
COA Standard:	Section 1435-09-2	Certificate of Appropriateness; Standard of Review

Details of Zoning Relief Required:

The applicant and/or owner(s) are requesting a dimensional variance to allow a 7-foot fence in the side and rear yards of the subject property.

- The project is in violation of the **Section 1421-33** of Cincinnati Zoning Code.
- Per Section 1421-33: fences and walls are limited to 6' in height.
- **A dimensional variance of 1 foot is sought to allow a 7-foot fence** in the side and rear yards of the subject property.

Zoning Analysis:

The applicant is proposing a fence that is one foot in excess of the maximum height of 6 feet due to security and privacy concerns related to the surface parking lot to the south of the subject property. The existing Findlay Market parking lot has no screening in place and is often used for commercial truck parking. Additionally, the lot features a raised parking guardrail near the property line. The additional one foot of fence height will help to improve security and privacy, as the guardrail could be used to help lift someone over a six-foot fence.

Below is analysis of the consideration factors for all of the requested zoning actions, utilizing Section 1445-13, General Standards; Public Interest.

- a. **Zoning.** The proposed work conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the Cincinnati Zoning Code.

The underlying zoning is CC-P. The proposed use of the subject property conforms to the underlying zone district regulations. The proposal does not conform to CZC 1421-33, regulating fences and walls. The proposed fence is one foot higher than the allowable fence and wall height requirements.

- b. **Guidelines.** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.

The proposed work conforms to the guidelines for the district.

- c. **Plans.** The proposed work conforms to a comprehensive plan, any applicable urban design or other plan officially adopted by Council, and any applicable community plan approved by the City Planning Commission.

This project conforms to the Over the Rhine Comprehensive Plan.

- d. **Traffic.** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.

Traffic will not be impacted by the construction of the fence.

- e. **Buffering.** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.

The fence will provide buffering from the adjacent parking lot which was put in place prior to the current Zoning Code going into effect in 2004. As such, no buffering was provided between the parking lot and the residential properties to the north, as is required by the current Zoning Code. While the fence will not be placed on the parking lot property, it does help bring the lot into greater conformity by providing a buffer that would be required if the lot was regulated by the current Code.

- f. **Landscaping.** Landscaping meets the requirements of Chapter 1423, Landscaping and Buffer Yards.

This is not applicable.

- g. **Hours of Operation.** Operating hours are compatible with adjacent land uses.

This is not applicable.

- h. **Neighborhood Compatibility.** The proposed work is compatible with the predominant or prevailing land use, building and structure patterns of the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood.

The proposed work will not have an adverse impact on the neighborhood. The fence facing Pleasant Street, as designed, will be of high aesthetic quality and will be set back approximately 20' from the front property line. A portion of the fence will extend near the front property line on the south, but will not adversely affect the area. The adjacent property owner, the Corporation for Findlay Market has written a letter in support of the proposed fence.

- i. **Proposed Zoning Amendments.** The proposed work is consistent with any proposed amendment to the zoning code then under consideration by the City Planning Commission or Council.

There are no proposed amendments under consideration that would impact this proposed project.

- j. **Adverse Effects.** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.

There are no adverse impacts anticipated. The adjacent property to the south is a surface parking lot. Neighboring land and buildings will not be impacted by the proposed fence. In fact, the adjacent properties are likely to benefit from the additional screening provided by the fence.

- k. **Blight.** The elimination or avoidance of blight.

The proposed work will improve the aesthetic appeal of the streetscape on this stretch of Pleasant Street by helping to screen the existing surface parking lot to the south.

- l. **Economic Benefits.** The promotion of the Cincinnati economy.

The proposed fence will have a minor economic impact.

- m. **Job Creation.** The creation of jobs both permanently and during construction.

The proposed project may have a minor job creation effect during construction. It does not appear likely to create permanent jobs.

- n. **Tax Valuation.** Any increase in the real property tax duplicate.

Property taxes may increase slightly due to the proposed work.

- o. **Private Benefits.** The economic and other private benefits to the owner or applicant.

The owner has a benefit to the proposed work as the fence will provide added security and privacy to their outdoor living space.

- p. **Public Benefits.** The public peace, health, safety or general welfare.

There is no measurable detriment to public peace, health, safety or welfare as a result of this proposed project.

Standards for Variances per Section 1435-05-4

- (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the Historic District or Historic Asset; or

The installation of a new 7' wood fence will not adversely affect the historic architectural or aesthetic integrity of the Historic District. The fence is located primarily in the side yard and rear yard of the subject property with an extension toward the front property line on the south. The fence will help to screen the non-contributing surface parking lot to the south. The fence will currently be visible from Pleasant Street but will be more in character with the surrounding district than the existing parking lot.

- (b) Is necessary where the denial thereof would result in a deprivation of all economically viable uses of the property as viewed in its entirety. In making such a determination, the Historic Conservation Board may consider the factors set forth in Section 1435-09-2 (aa) to (ff).

Adding the wood fence to the subject property will allow the owner to fully utilize the outdoor living space on the property and provide privacy and protection for the single-family residence. Furthermore, the fence will screen the surface parking lot from view from Pleasant Street to the north. While the property may remain economically viable without the proposed fence, the fence will provide a needed privacy and security buffer from the adjacent lots.

Certificate of Appropriateness Review:

A Certificate of Appropriateness is required for the installation of the fence.

Applicable Guidelines

Site Improvements

B. SPECIFIC GUIDELINES

3. FENCES AND WALLS: Plain board fences (vertical boards nailed side-by-side on horizontal stringers) or wire fences are appropriate at the rear of the property or along the side of the property. Wood fences should be painted or stained but not left to weather naturally. Chain link, stockade, shadow board, basket weave and lattice designs are not appropriate. Masonry privacy walls are not encouraged.

The proposed fence is generally appropriate for the District and will not detract from the character of the district. The fence will primarily be visible from Pleasant Street when viewed from the south through the existing noncontributing parking lot. The fence will be composed of plain horizontal wood boards that will be stained, an appropriate material for the district. The upper portion of the fence will consist of angled wood slats to allow additional light to penetrate the privacy fence. The fence will be placed along the south property line to help screen and protect the residential property from the adjacent surface parking lot.

Other Considerations:

Prehearing Results: A prehearing was held on July 13, 2016.

Comments Provided to Staff:

Joe Hansbauer, President and CEO of the Corporation for Findlay Market (CfFM), has written in support of the proposed fence project. The organization owns the properties to the east and south of the subject property. The owners contacted CfFM early in the planning process to review and comment on the proposed design. It is the view of CfFM that the proposed fence will benefit the owners as well as adjacent property owners and visitors to the Market.

Consistency with *Plan Cincinnati (2012)*:

“Sustain” Initiative Area “Preserve our built history”

Other: N/A

Recommendation:

Staff recommends the Historic Conservation Board take the following actions:

I. ZONING VARIANCE

A. DIMENSIONAL VARIANCE

1. **APPROVE** the requested 1-foot variance for a total of a 7-foot high fence in the side and rear yards of the subject property.

B. FINDING: The Board makes this determination that per Section 1435-05-4:

1. Such relief from literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property within the district or vicinity where property is located; and
2. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.

II. CERTIFICATE OF APPROPRIATENESS

A. APPROVE a Certificate of Appropriateness for 1716 Pleasant Street submitted by Urban Studio and dated 6/16/2016 including any revisions submitted for permit subject to staff review and approval with the following condition:

1. The building permits must be issued within two years of the decision date or the Certificate of Appropriateness shall expire.

B. FINDING: The Board makes this determination per Section 1435-09-2:

2. That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.

FOR OFFICE USE ONLY	
File No.	_____
Date Filed	_____
Type	_____
Legal Ad	_____
Hearing Date	_____
Decision	_____



APPLICATION FOR ZONING RELIEF

1. SUBJECT PROPERTY	
ADDRESS	_____
PARCEL ID(S)	_____
BASE ZONING CLASSIFICATION	_____ ZONING OVERLAY (if applicable) _____

2. APPLICANT	
NAME	_____ CONTACT PERSON (if legal entity) _____
ADDRESS	_____ TELEPHONE _____
EMAIL	_____ RELATIONSHIP TO OWNER (if not owner) _____

3. OWNER	
NAME	_____ CONTACT PERSON (if legal entity) _____
ADDRESS	_____ TELEPHONE _____
EMAIL	_____

4. NATURE OF RELIEF REQUESTED (select all that apply)	
<input type="checkbox"/> Variance <input type="checkbox"/> Use Variance <input type="checkbox"/> Special Exception <input type="checkbox"/> Conditional Use <input type="checkbox"/> Expansion or Substitution of Non Conforming Use <input type="checkbox"/> Hillside Overlay District Permission <input type="checkbox"/> Urban Design Overlay District Permission <input type="checkbox"/> DD District Phased Development Approval	

5. BRIEF DESCRIPTION OF PROPOSED PROJECT (You may attach a statement to this application if the space provided is insufficient to describe your proposed project)

6. SUMMARY OF REASONS WHY RELIEF SHOULD BE GRANTED. You must provide a written statement explaining how the proposed project meets the standards for all relief requested. Separate instructions for preparing this statement are provided. If you fail to follow the instructions for requesting a variance, use variance, special exception, conditional use, expansion or substitution of non conforming use, hillside overlay district permission, urban design overlay district permission and/or DD district phased development approval, your application may be denied.
--

7. SIGNATURE. The undersigned do hereby certify that the information provided in connection with this application is, to the best of his or her knowledge, true and correct.
Print Name _____ Signature <u>Matthew A. Witt</u> Date <u> / / </u>

8. ADDITIONAL DOCUMENTATION SUBMISSION REQUIREMENTS. Submit three copies of the following documentation. If you fail to complete the application and provide all information requested, your application may be denied.

<input type="checkbox"/>	The written statement required in Section 6 above.
<input type="checkbox"/>	Survey plats, site plans, or other accurate drawings showing boundaries, dimensions, areas, topography, and frontage of the property involved, as well as the location and dimensions of all structures existing and proposed from the nearest property lines. When landscaping is required by the zoning code, a landscaping plan must also be provided.
<input type="checkbox"/>	Plans, architectural drawings, photographs, elevations, specifications, and other detailed information depicting fully the exterior appearance of the existing and proposed construction, including parking and access, exterior lighting, landscaping, and signs involved in the application.
<input type="checkbox"/>	In the Hamilton County Auditor's official records do not list the applicant or owner as the owner of the property, a lease, contract to purchase, or other agreement demonstrating the applicant or owner's legal basis to seek the relief requested.
<input type="checkbox"/>	All other documents or information you intend to introduce at the hearing on this application.
<input type="checkbox"/>	A list of witnesses and expert witnesses who you expect to testify at the hearing on this application.
<input type="checkbox"/>	A non-refundable application fee. The fee must be paid with a check made payable to "City of Cincinnati." Fees are as follows: \$500 – use variances; \$300 – all other relief.

To help avoid delays, it is strongly suggested that you present your application to neighboring property owners and any interested neighborhood community groups prior to the hearing on your application. This will give you a prior opportunity to address your neighbors' concerns or objections and can facilitate the approval of your application.

REMEMBER: YOU MUST PAY THE REQUIRED FEE AT THE TIME YOU SUBMIT YOUR APPLICATION. (\$500-USE VARIANCES; \$300-ALL OTHER RELIEF)

INSTRUCTIONS FOR APPLICATIONS REQUESTING A VARIANCE

Applicants requesting a variance must demonstrate through credible testimony, documentary evidence or written statements how their proposed project meets the standards outlined in Cincinnati Municipal Code 1445-13 AND Cincinnati Municipal Code 1445-15. Applications that are not supported by testimony, documentary evidence or written statements are subject to disapproval.

As required by Section 6 of the Zoning Hearing Examiner Application, applicants must provide a written statement explaining how their proposed project meets the following standards for a variance:

1. To meet the standard outlined in Cincinnati Municipal Code 1445-13, an applicant must show that the proposed project “is in the public interest.” A list of factors considered by the Zoning Hearing Examiner to determine whether the proposed project “is in the public interest” is found in Cincinnati Municipal Code 1445-13.

AND

2. To meet the standard outlined in Cincinnati Municipal Code 1445-15, an applicant must show:
 - a. neither the owner nor any of its predecessors caused the nonconformity requiring a variance; **and**
 - b. how the project meets either of the following conditions:
 - i. special circumstances or conditions pertaining to the subject property cause the strict application of the zoning code to be unreasonable and would result in practical difficulties; **or**
 - ii. a variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same district or vicinity.

APPLICATION FOR ZONING RELIEF: Requested Height Variance for Fence

Applicant: Matthew A.X. Wirtz, RA, LEED AP BD+C

Owner: Matthew Wirtz & Jennifer LeMasters Wirtz

Address: 1716 Pleasant Street, Cincinnati, OH. 45202

Auditor's ID: 094-0008-0160-00

Date: 06-23-2016

SECTION 5: BREIF DESCRIPTION OF PROPOSED PROJECT

1) Zoning Height Variance for fence statement:

The Wirtz Family requests zoning relief in the form of a zoning height variance to build a 7' perimeter fence per the plans submitted on 06.16.2016 (Permit # 2016P05337) at 1716 Pleasant Street 45202, currently a vacant lot abutting our single family home and the Findlay Market parking lot. The use variance will permit us privacy from the parking lot & improved security for our children and family. The requested dimensional variance is 12" above the 6' height permitted and specified in section 1421-33-B of the Cincinnati Zoning Code. Please refer to the variance rationale below.

SECTION 6: SUMMARY OF REASONS WHY RELIEF SHOULD BE GRANTED

1. To meet the standard outlined in Cincinnati Municipal Code 1445-13, an applicant must show that the proposed project "is in the public interest." A list of factors considered by the Zoning Hearing Examiner to determine whether the proposed project "is in the public interest" is found in Cincinnati Municipal Code 1445-13.

- An existing condition of 1716's perimeter is that on the long side of the lot (south side), it directly abuts Findlay Markets commercial parking lot. Zoning code typically requires a buffer yard or a parking lot screening device when abutting residential use but none exists from this lot to the parking, which is regularly full of vehicles. This existing condition creates a screening hardship for us. (Related sections 1445-13-A & E. *Zoning*, & *Buffering* respectively)
- While current zoning code permits 6' fences with 100% opacity to screen parking, the vehicular make up that parks in this lot varies from the norm, deviating in the fact that not only public patron vehicles park here but also large commercial box trucks park in this lot to make Findlay vendor deliveries. They typically choose the spaces that are up against our lot to park because those spots are the closest to the Market and easiest to access. Those commercial trucks are considerably taller (typically 10-13' tall) than normal vehicles. While we did not feel that a fence tall enough to fully screen those vehicles was appropriate, we did feel that an additional 12" of height definitely helped to buffer some of this visual impact, while still being balanced within the historic context, and remaining appealing, from both a visually sensitive & proportionally appropriate

perspective. This stemmed from keeping both our as well as the public's interest in mind. (Related sections 1445-13-A & E. *Zoning, & Buffering (protection from visual impacts)* respectively)

- An existing condition of the parking lots northern edge abutting our property, is that there is a continuous horizontal metal parking protection railing that stands 2'-6" off the ground (which would measure 4'-6" from the top of the currently proposed 7'-0" fence), which can be used as a step stool of sorts to gain access to the back yard, posing a security concern hardship for us. For reference, even with our currently existing 6' tall aluminum fence at the edge of our home (1718 Pleasant Street, which will be removed when the new fence is constructed), we've had a history of two full sets of patio table & chairs being stolen as well as the unfortunate event of a thief fleeing from police that jumped over our fence, into our backyard, with officers who followed suit, and tazed him while he tried to break into our house to escape. Our family consists of Jennifer and me, along with our 3yr old and 5yr old girls who we would like to feel safe playing in our back/side yard. It's also worth mentioning that from a blight perspective, without an edge boundary it is difficult to keep this area clean of general garbage (bags, cans/bottles, junk), heroin needles, and to my surprise, last week's find, a live shot gun shell round. (Related sections 1445-13-O,P & K. *Private Benefits, Public Benefits, & Blight* respectively)

Our intent and hope in regard to this project being in the public's interest is that this fence design, provides a public benefit because it is at a higher level of detail than standard fence designs, resulting in a net cumulative positive impact on the neighborhood, while simultaneously providing ourselves with the private benefits of additional usable yard area for our young children and family, with enhanced privacy screening, security, health & safety; working within the constraints of the inherited existing conditions of the abutting open public parking lot. Additionally, the fence façade would be available for the community, such as Art Works to install a mural for public enjoyment. Thank you for your time and consideration regarding this zoning relief request.

AND

2. To meet the standard outlined in Cincinnati Municipal Code 1445-15, an applicant must show:

- a. neither the owner nor any of its predecessors caused the nonconformity requiring a variance;**

[APPLICANTS RESPONSE] All conditions previously outlined in our responses above are a result of inherited existing conditions of the site, that we, the "owner" nor any of our predecessors caused. The design, while slightly out of zoning code height conformance due to existing site conditions, endeavors to be sensitive to the zoning code and its intended rationale, resulting in the design proposed that we believe is in keeping with the spirit & intent of the code, most specifically regarding the sections related to parking lot screening & buffering via fences.

and

b. how the project meets either of the following conditions:

i. special circumstances or conditions pertaining to the subject property cause the strict application of the zoning code to be unreasonable and would result in practical difficulties; or

[APPLICANTS RESPONSE]

Due to the following special circumstances, including the direct adjacency of the existing public parking lot that currently provides no buffer or screening, the parking restraint fence height that poses a security hardship, the commercial nature of tall delivery box trucks that frequently park against the south perimeter of our lot creating a negative visual impact, and the existing lack of privacy, the strict application of the zoning code for a 6' high fence poses practical difficulties of providing the private benefits of enhanced privacy screening, security, health & safety for our family.

ii. a variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same district or vicinity.

[APPLICANTS RESPONSE]

As described above, this variance will preserve the property right of appropriate buffering for property enjoyment, curbing the negative visual impact of the abutting public parking lot, simultaneously enhancing the safety and security of managing our home and yard for our young family, a right that is exercised by owners of other properties in this same district.

WITNESSES AND EXPERTS

Matthew Wirtz (Owner & Project Architect)

Jennifer LeMasters Wirtz (Owner)

APPLICATION

HCB

**HISTORIC
CONSERVATION
BOARD**

CERTIFICATE OF APPROPRIATENESS

APPLICATION
BUILDING ADDRESS: 1716 Pleasant Street, 45202

DISTRICT NAME: Over The Rhine
(if applicable)

OWNER NAME: Matthew & Jennifer Wirtz

ADDRESS: 1718 Pleasant Street, 45202

EMAIL: urbanstudiollc@gmail.com

CONTRACTOR NAME: T.B.D.

ADDRESS: T.B.D.

EMAIL: T.B.D.

ARCHITECT NAME: Matthew Wirtz

ADDRESS: 1718 Pleasant Street, 45202

EMAIL: urbanstudiollc@gmail.com

HC<small>B</small> USE ONLY	
DATE RECEIVED BY HCB:	_____
PERMIT/APD NO:	_____
APP. COMPLETION DATE:	_____

PHONE NO: 513-651-5433

PHONE NO: T.B.D.

PHONE NO: 513-651-5433

PLEASE NOTE: THE FOLLOWING FEES ARE DUE TO PROCESS YOUR APPLICATION.

Certificate of Appropriateness (without Board review)... \$50.00

Historic Conservation Board Review\$500.00

HC<small>B</small> USE ONLY	
Fee Received: \$	_____
Date Received:	_____

IT IS YOUR RESPONSIBILITY TO NOTIFY THE URBAN CONSERVATOR IF ANY OF THIS INFORMATION CHANGES DURING THE PENDING REVIEW OF YOUR

WORK PROPOSED: (Describe type of work, existing conditions, and methods to be used, materials proposed)

HC<small>B</small> USE ONLY	
<input type="checkbox"/>	MINOR ALTERATION
<input type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	ADDITION
<input type="checkbox"/>	DEMOLITION
<input type="checkbox"/>	REHABILITATION
<input checked="" type="checkbox"/>	OTHER <u>FENCE PERMIT</u>

The general intent of this COA submittal is to construct a wood perimeter fence at 1716 Pleasant St.. We have requested zoning relief in the form of a height variance to build a 7' fence per the plans submitted on 06.16.2016 (Permit # 2016P05337). The property exists as a vacant lot abutting our single family home & the Findlay Market Parking Lot. The requested variance is 12" above the 6' height permitted by section 1421-33-B of the Zoning Code, and is a result of working with atypical existing conditions. 1.) There currently is no buffer or parking lot screening device, creating a screening hardship. 2.) Commercial delivery trucks park in this lot that are much taller than typical vehicles. 3.) There is a horizontal parking protection railing 2'-6" above the ground that can easily function as a step stool, posing a security concern. For these reasons we have designed a slightly taller fence in an effort to preserve the property right of appropriate buffering, curbing the negative visual impact of the abutting public parking, & simultaneously enhancing the privacy, safety and security of managing our home & yard.

IN ORDER TO EXPEDITE HCB ACTION, PLEASE ATTACH ADDITIONAL INFORMATION, IF AVAILABLE, AS MAY BE APPROPRIATE. LIST ANY INFORMATION ATTACHED: (Elevations, site plans, specifications, photos, material samples, additional drawings or written matter)

REFER TO ALL DOCUMENTS INCLUDED IN THIS SUBMITTAL, OUTLINED AND REFERENCED IN THE FOLLOWING PAGES.

- COA -- HISTORIC CONSERVATION OFFICE COA SUBMITTAL LIST
- _____
- _____
- _____
- _____

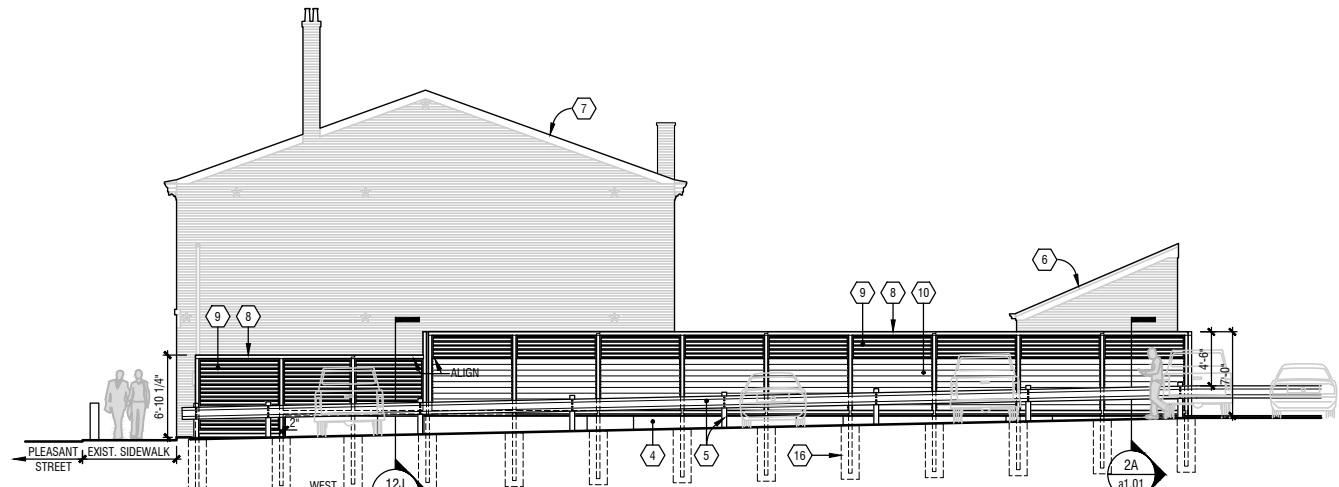
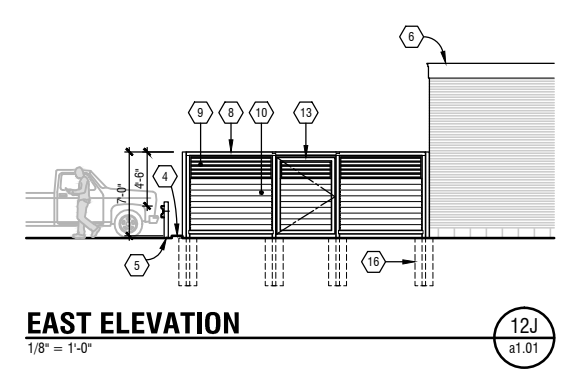
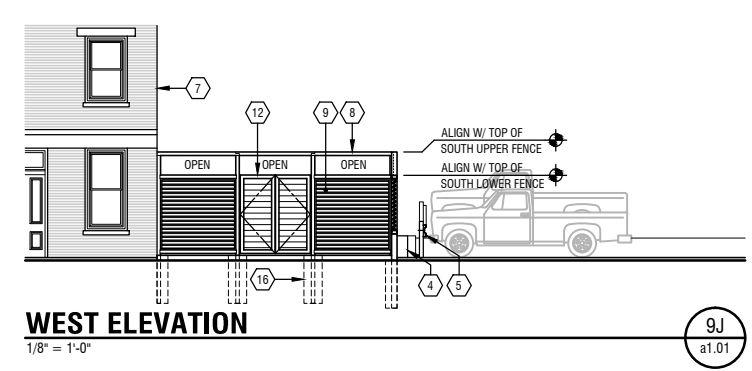
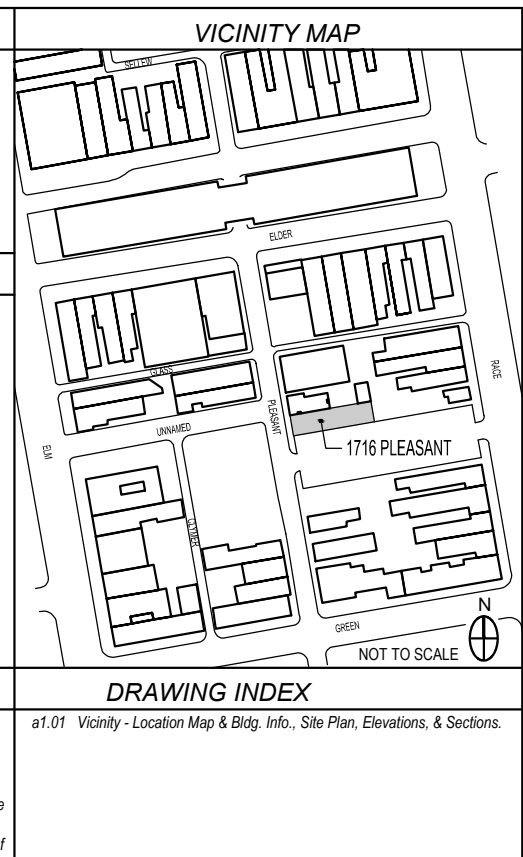
Attach a letter explaining the justification for the issuance of the desired Certificate of Appropriateness. Be advised that the burden of proof is on the applicant.

CINCINNATI'S HISTORIC CONSERVATION OFFICE COA SUBMITTAL LIST

PROJECT: 1716 PLEASANT STREET 45202 -- DATE: 06-23-2016

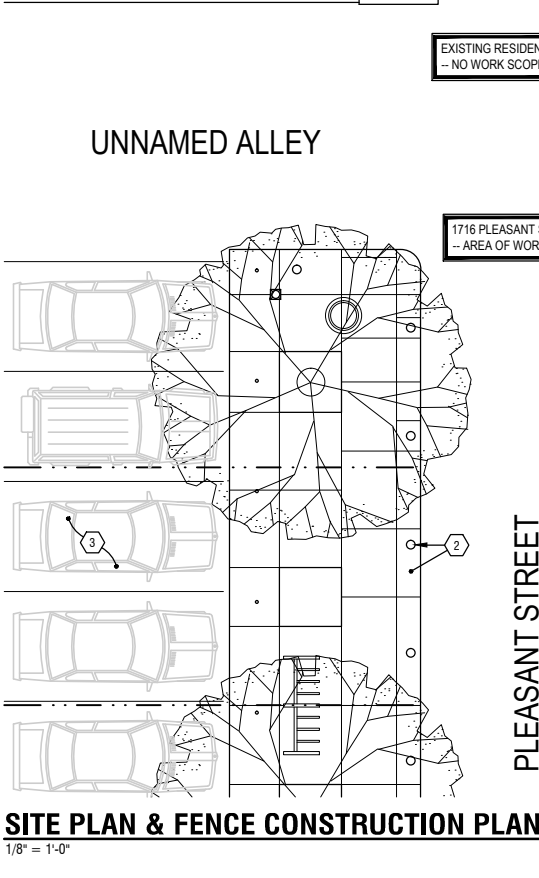
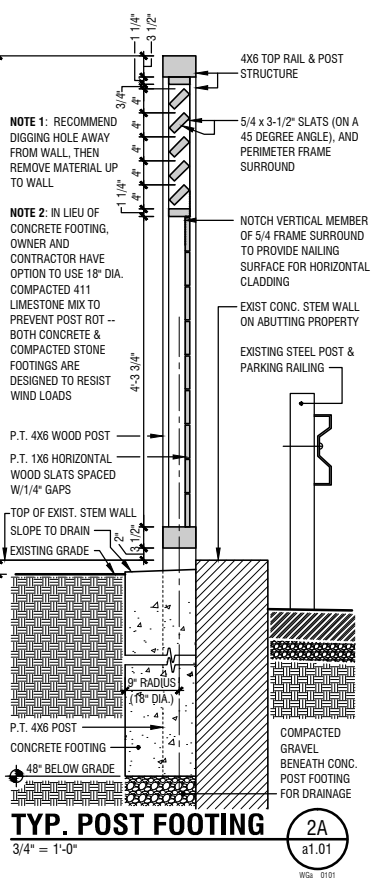
1. Site plan including street names, building footprints, parcel lines.
INCLUDED, REFER TO DRAWING a1.01 dated 6.16.2016, submitted under permit #2016P05337
2. Map showing the building and context
INCLUDED, REFER TO DRAWING a1.01 dated 6.16.2016, submitted under permit #2016P05337
3. Elevation drawings, floor plans, roof plan if applicable labeled N,S,E,W and front, sides and rear
INCLUDED, REFER TO DRAWING a1.01 dated 6.16.2016, submitted under permit #2016P05337
4. Labeled photos of all sides of the building and a few streetscapes for context
INCLUDED, REFER TO 1716 PLEASANT STREET EXISTING PHOTOS
5. Window brochures and cut sheet (unless product is on the approved list)
N/A
6. Roof product information (brochure)
N/A
7. Site line drawings for any roof additions and show drainage
N/A
8. Show existing chimneys and label their retention
N/A
9. Garage door brochures
N/A
10. Sample materials i.e. brick samples
STANDARD PRESSURE TREATED LUMBER, MEMBER SIZES ARE DEFINED AND DETAILED IN DRAWING a1.01
(FINISHED WITH A BEHR OR SIMILAR WEATHER PROOFING WOOD STAIN)
11. Landscaping plans if applicable
INCLUDED, REFER TO DRAWING a1.01 dated 6.16.2016, submitted under permit #2016P05337
12. Fence drawings of style, fence brochures or photo of a sample fence
INCLUDED, REFER TO FENCE DESIGN PRECEDENT AND INSPIRATION
13. Signs; drawings, photo showing the sign on the building, mounting info, materials, colors and illumination.
N/A
14. Mature tree removal requires a letter from an arborist stating its poor health
N/A
15. All written correspondence submitted by the applicant and other affected persons
INCLUDED. To the north is our home, to the East is a vacant lot owned & managed by Findlay Market Corporation.
To the South is the Findlay Market Parking Lot, & to the West is Pleasant Street and the Findlay Market Parking Lot.
A letter of support from the Findlay Market Corporation, our neighbor on all 3 sides, is attached for reference.
16. All demolitions cases must fill out economic hardship questionnaire
N/A
17. Tentative project schedule
September 2016
18. Number of residential units and /or square feet of commercial space
N/A
19. Estimated total project budget
APPROXIMATELY 7000.00
20. Number of permanent jobs created if any
N/A
21. The Hamilton County auditors record, a copy of your or other documentation showing ownership of the property
INCLUDED, REFER TO HAMILTON COUNTY AUDITOR PAGE FOR PROOF OF OWNERSHIP
22. A letter of permission to do alterations if a tenant applicant
N/A
23. A list of the applicants' witnesses and expert witnesses who you expect to testify at the hearing or legal counsel, if any
INCLUDED AS FOLLOWS. Matthew Wirtz (Owner & Project Architect), Jennifer LeMasters Wirtz (Owner)

PROJECT DIRECTORY	
OWNER	MATTHEW & JENNIFER WIRTZ 1718 PLEASANT STREET CINCINNATI OH 45202
CONTRACTOR	TO BE DETERMINED
ARCHITECT	URBAN STUDIO ARCHITECTURE LLC 1718 PLEASANT ST. CINCINNATI OH 45202
BUILDING/PARCEL INFO.	
ADD PERIMETER PRIVACY/PARKING LOT SCREENING FENCE AND PATIO FOR "OWNER" ASSESSORS PARCEL #094-0008-0160-00 1716 Pleasant Street Cincinnati, OH 45202	
GENERAL NOTES: The general intent of this project is to add a patio and a fence to the perimeter of our yard that is part of our home located at 1718 Pleasant Street.	
BUILDING (land) CODE INFORMATION: Auditor Land Use: Vacant Land Zoning: CC-P Property Description 1: 1716 Pleasant St 20x85 Property Description 2: Lot 16 Findlay & Garrard	
CODE	
Ohio Building Code - 2011 (OBC) W/ Amendments Zoning Code: Codified Ordinances of City of Cincinnati - Planning & Zoning Code - 2011 (NZC) Wind Load: Main windforce - Resisting System: 90MPH per ASCE 7 (3 second gust). -- Exposure B -- Wind load importance factor $I_e = 1.00$ -- Basic wind velocity pressure, $q_h = 11 \text{ psf}$ -- Components & Cladding wind loading designed to resist 17.4psf	



VICINITY MAP & PROJECT INFO
NA

DRAWING INDEX
a1.01 Vicinity - Location Map & Bldg. Info., Site Plan, Elevations, & Sections.



UNNAMED ALLEY
PLEASANT STREET

- KEYNOTES:**
- PROPERTY LINE
 - EXISTING SIDEWALK & BOLLARDS
 - EXISTING FINDLAY MARKET SOUTH PARKING LOT
 - EXISTING 10 1/2" WIDE CONCRETE FOUNDATION WALL ON ADJACENT PROPERTY -- DIRECTLY ABUTS PROPERTY LINE
 - EXISTING METAL POST AND RAILING PARKING RESTRAINT (2'-6" HIGH)
 - EXISTING STORAGE SHED BUILDING
 - EXISTING RESIDENCE
 - NEW PRESSURE TREATED (P.T.) 4x6 WOOD POST AND BEAM FENCE -- POSTS @ 7'-0" O.C. UNLESS NOTED OTHERWISE -- SET IN 16" DIA. X 48" DEEP CONCRETE FOOTING -- HOLD POST TIGHT TO CONCRETE FOUNDATION WALL ON SOUTH PROPERTY LINE -- 4x6 STRUCTURE TO BE STAINED OR PAINTED. REFER TO OWNER -- REFER TO ARCHITECT FOR JOINTERY
 - ANGLED OPEN HORIZONTAL SLAT FRAME -- STAIN OR PAINT. REFER TO OWNER -- REFER TO SECTION
 - HORIZONTAL PRIVACY SLAT CLADDING -- STAIN OR PAINT. REFER TO OWNER -- REFER TO SECTION
 - NEW PERMEABLE PAVED FRONT LANDSCAPE PATIO -- CONC. PAVERS WITH PERMEABLE SURFACE VOIDS (OR ALT. GRASSPAVE) OVER A BED OF 1" THICK SAND & 4" THICK CRUSHED STONE BASE OVER UNCOMPACTED SUBGRADE -- USE A CONCEALED PAPER RESTRAINT "BARRIER" EDGING (W/ STAY SPIKES), OR OWNER APPROVED EQUAL AT PAVEMENT YARD/LANDSCAPE EDGES.
 - DOUBLE FLAT FRAMED P.T. 2x4 GATE WITH P.T. HORIZONTAL 1x6 SLATS BETWEEN 2x4 FRAMES -- ASSEMBLE USING HOMAX EASY GATE NO-SAG GATE KIT (WITH INCLUDED HINGES) ON INSIDE 2x4 FRAME -- PROVIDE CANE BOLT ON INSIDE -- REFER TO OWNER FOR GATE PULLS AND LATCH HARDWARE
 - SIMILAR TO KEYNOTE 12 WITH SLIGHTLY MODIFIED TOP. REFER TO ARCH.
 - EXISTING LANDSCAPING TO REMAIN
 - EXISTING FENCE TO BE REMOVED -- SAVE AND REUSE GATE DOOR
 - POST FOOTING AND POST PROJECTION INTO GROUND, INDICATED DASHED FOR REFERENCE -- REFER TO SECTION
 - ERECT ONLY POST AND BEAM STRUCTURE FOR THE (2) FENCE BAYS THAT ABUT (PARALLEL TO) THE STORAGE SHED BUILDING, NO INT. CLADDING THIS AREA

URBAN STUDIO
1718 Pleasant Street
Cincinnati, OH 45202
URBAN STUDIO ARCHITECTURE LLC
513.651.5433

Owner
The Wirtz Family Residence
1718 Pleasant Street
Cincinnati, OH 45202
Matthew & Jennifer Wirtz
513.651.5433

Architect
Urban Studio Architecture LLC
1718 Pleasant Street
Cincinnati, OH 45202
Matthew Wirtz
513.651.5433

ISSUED INFORMATION
ISSUED:
06.16.2016
REVISIONS:

STATE OF OHIO ARCHITECT
MATTHEW A. WIRTZ
0915050
REGISTERED

MATTHEW A. WIRTZ LIC.# 0915050
EXPIRATION DATE: 12.31.2017

PROJECT INFORMATION
WIRTZ RESIDENCE FENCE PERMIT
1716 Pleasant Street
Cincinnati, Ohio
45202

PROJECT NUMBER: 00128.00

SHEET INFORMATION
Drawing Index
Site, Plans, & Elevations

DRAWN BY: M. Wirtz
REVIEWED BY: M. Wirtz
SCALE: As Noted

AUTHORIZED FOR: PERMIT & CONSTRUCTION

a1.01



1716 PLEASANT -- NORTH PHOTO



1716 PLEASANT -- SOUTH PHOTO



1716 PLEASANT -- EAST PHOTO



1716 PLEASANT -- WEST PHOTO



1716 PLEASANT -- STREETSCAPE CONTEXT PHOTO



**OTR PRECEDENT: KAZE ON VINE ST.
HEIGHT: 6'-3" TALL**



**OTR PRECEDENT: GRANT ST @ ELM (S. OF MEMORIAL HALL)
HEIGHT: 8'-3" TALL**



**OTR PRECEDENT: THE ANCHOR PATIO @ 1401 RACE
HEIGHT: 8'2" TALL**



**ANCHOR PATIO FENCE
HEIGHT: 8'-2" TALL**



DESIGN INSPIRATION: SAMPLE PHOTO



DESIGN INSPIRATION: SAMPLE PHOTO

Property Report

Parcel ID 094-0008-0160-00	Address 1716 PLEASANT ST	Index Order Parcel Number	Tax Year 2015 Payable 2016
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Related Names

Name	Relationship	Status
WIRTZ MATTHEW A & JENNIFER G LEMASTERS WIRT	Parcel Owner	Current

Detailed Name Information

Full Name WIRTZ MATTHEW A & JENNIFER G LEMASTERS WIRT	Type Parcel Owner
Address 1718 PLEASANT ST CINCINNATI OH 45202	Mailing Flags [1st Half Tax Bill] [2nd Half Tax Bill] [Change Notice] [Delinquent Tax Bill] [Reduction Notice]

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS HISTORIC CONSERVATION BOARD PUBLIC HEARING STAFF REPORT

APPLICATION #:
APPLICANT: Tom Rowe/ Terrex LLC
OWNER: Elka Real Estate Co LTD
ADDRESS: **719-721 Main Street, Cincinnati OH 45202**
PARCELS: 079-0001-0025 and 0029-00
ZONING: Downtown Development Districts (DD)/Historic District Overlay
OVERLAYS: Main Street Historic District
COMMUNITY: Downtown
REPORT DATE: July 11, 2016
PRE HEARING: Prehearing on June 29, 2016
STAFF REVIEW: Beth Johnson, Urban Conservator

Nature of Request:

The Applicant is requesting a Certificate of Appropriateness (COA) for a new 13 floor, 157' tall mixed use-condominium building that will have first floor commercial, internal parking on the 1-3 floors, and a 30 unit condominiums on floors 4-13.

Existing Conditions:

The project location is at the southwest corner of 8th and Main Street in the Main Street Historic District. The lot currently has two connecting buildings which have previously been approved for conditional demolition subject to a COA approval for a replacement building at the March 21, 2016 Historic Conservation Board meeting. The property to the west of the property is a parking lot outside of the historic district, and the property to the south is a 3 ½ story brick turn of the century Colonial Revival Brick building.

Proposed Conditions:

The proposal for the new 13 story condominium building includes

- Masonry Base that includes the first two floors
- Metal or a Pre-cast concrete panel that would extend to 122'
- Aluminum windows throughout
- The tallest portion of the building (excluding mechanical penthouse) would be 157'. This portion of the building will be set back from the Lower Unit height of 122'.
- The floor will have a commercial unit fronting Main Street and wrapping around to 8th Street.
- The condominium entrance will be on 8th street and will be distinguished with a canopy and colored panel.
- The garage entrance will be on 8th Street.

Previous Reviews: N/A

Applicable Zoning Code Sections:

Zoning District: Section 1411 Downtown Development District
Overlays: N/A
Historic Landmark/Reg: [Main Street Historic District Guidelines](#)
COA Standard: [Section 1435-09-2](#) Certificate of Appropriateness; Standard of Review

Details of Zoning Relief Required: The Applicant has not sought formal zoning relief from any of the guidelines that are the equivalent of law within the district. (Section 1435-011-3). Currently as the design and uses are proposed no zoning relief is required. The design is in compliance with 1411-17 (Commercial Continuity), 1411-21 (Ground Floor Transparency), and 1411-21(Required Parking Spaces).

Certificate of Appropriateness Review:

Historic Districts: Legislation and Purpose

In the Main Street Historic District Conservation Guidelines, there are guidelines that are applicable to the entire district and then specific guidelines for each block and each specific infill site.

As the infill guidelines do not have specific comments on the site at 719-721 Main Street since the Main Street Historic District encourages the retention of existing buildings, there are guidelines for the site at the northwest corner of 8th and Main which staff has recommended should also be used for the site at 719-721 Main Street due to the proximity and similar context.

NEW CONSTRUCTION

A. Intent and General Guidelines

1. Infill construction is encouraged on vacant sites in the Main Street District. The strong sense of an architecturally cohesive district is weakened by several gaps along the street. New construction will fill these gaps and improve the physical quality and economic health of the district.

This site has previously been granted a conditional approval for demolition at the March 21, 2016 Historic Conservation Board meeting with a final decision date of April 25, 2016. The current building will be permitted to be demolished once a Certificate for Appropriateness is approved for a new development that is in compliance with the Main Street Historic District.

2. Provision of parking within new structures on infill sites is strongly encouraged, but primary effort should be made to provide for automobile entry and egress at locations other than the Main Street side of the new structure wherever possible (e.g., the new Post building at 125 E. Court). Where this is not possible, frontage devoted to entry and egress should be minimized. Retail frontage is encouraged to reinforce the pedestrian-oriented "storefront" appearance.

The proposed development has 45 single and 2 tandem parking spaces to provide parking for both the commercial and residential uses in the building.

There is one entrance and exit on the 8th Street façade on the western portion of the façade. The Main Street façade is entirely storefront design.

3. New construction should appear new. The intent of a historic district is not to "freeze" an area in time, but rather to encourage new, complementary buildings which allow for changing needs and tastes. The high quality of the older structures in the district demands excellence in design for new buildings there. New construction should not attempt to replicate the old or to introduce a false "historic" appearance.

The proposal is a contemporary/modern design and is not a historic design. The materials being proposed are complementary, but also contemporary of the time in which it is designed. A discussion of how the building design relates to the specific site guidelines is below.

4. Historic Conservation Board review of new construction will focus on design compatibility with older structures. Proposals for new buildings will be reviewed within the context provided in the Streetscape Analysis attached as part of these guidelines. The appropriateness of design solutions will be based on the programmatic needs of the applicant will 1) how well the proposed design relates to neighboring buildings and 2) how closely the proposal meets the intent of the guidelines.

Specific guidelines for judging compatibility are shown for each development site. They should not, however, be interpreted as hard-and-fast rules. Guidelines must adapt to specific site considerations, to each owner's individual needs, and to the particular design features of nearby buildings. If new development is proposed on a site not illustrated in these guidelines, it will be reviewed within the context of its surroundings and the intent of the guidelines. The conservation guidelines are intended to encourage design creativity rather than "appropriate prototypes," so illustrations do not attempt to suggest actual solutions which would meet the guidelines.

1. Maximum height of approximately 120'; less than landmark buildings such as Gwynne Building and Second National Bank Building.

The above guideline can be interpreted in two ways: The maximum height is 120 feet or there is a range of height between 120-170 feet (the measured height of the Second National Bank Building). The proposed design is sensitive to the various interpretations and provides two distinct heights in the building. The first is at 122'. This portion, "Lower Units" is defined by a white (metal or cast-concrete) panel. The "Penthouse Section" goes to 157', which is still lower than the landmark buildings), and is set back 11'6" from the "Top Lower Units." The 3-D images show how the "Lower Units" are more prominent providing a definable top at 122' and that the "Penthouse Section" plays a secondary height and sits in the background to the more prominent "Lower Units."

The applicants have provided two proformas outlining the need for the increased density to make the project feasible. In their proformas, if they build a project with the anticipated average unit cost of \$500/sf that is 120' they would have a net loss of over \$1.1 million. If the project is built as submitted with the same

anticipated average unit cost of \$500/sf the project will make a net profit of \$882,122. Both proformas take into account anticipated city incentives.

In the Intent and General Guidelines it states “the appropriateness of design solutions will be based on the programmatic needs of the applicant.” Staff feels that the proposed is an appropriate solution and treatment as the design is respectful of the 120’ while providing an additional three floors to increase the density and make a feasible proforma.

2. Maximum Bay size of 20ft and definable to grade.

The design meets this guideline. There is no bay division over 20’ wide. These bays are also designed in such a way that smaller bays are combined into larger bays. The larger bay rhythm is such that it provides a varied spacing and bay rhythm along the street. Each end is approximately 11’ and then the larger bays are 20’ and 29’ with the 20’ sections having significant divisions to break up the mass. All of the bays are definable to the ground and extend up the façade to both the Lower Units and the Penthouse Units.

Staff feels that this treatment is an appropriate treatment and it meets the guidelines. The variety at the pedestrian level and throughout the upper façade, breaks down the façade so it doesn’t appear as one large mass.

3. There must be a storefront along the street frontage.

There is a glass and masonry storefront along the Main Street Façade that wraps to the 8th Street façade. The storefront will be used for commercial space at the north east corner and parking will be located at the south portion of the Main Street Façade. The glass in the south portion will be obscured or partially opaque to hide the parking. A residential lobby will be in the storefront on the Main Street façade.

Staff feels that this treatment is generally an appropriate treatment. The storefront is mostly glass with a transom design which is a contextual treatment within the historic district. About 40% of the façade along Main Street is proposed to be opaque glass to hide the parking. Staff would like to see other potential options such as clear glass with artwork installed behind the glass to keep the clear glass along the pedestrian walk.

4. The building needs to have a visual end, such as a cornice, parapet, or articulation to relate to detailing of the uppermost floors of other buildings in the district

The building provides two visual tops to the building. The first is defined by a slight parapet that provides a larger mass above the top floor of windows for the Lower Units. A slight inset where the windows are located also helps to provide a slight projection to this top section.

The Penthouse Units have less of a definable end, however Staff feels that this treatment is appropriate and the design focuses the eye towards the Lower Units.

Providing a more defining top at this portion highlights the 122' height rather than the 157'.

5. Tall buildings should be articulated a first two floors to form a base.
The building is considered a tall building and has a base that covers the first two floors. The design is appropriate and meets this guideline.

6. The emphasis of the building's design should be vertical.
The design has strong vertical elements. The white panel system that is broken into two separate elements on the Main Street Façade provides a very strong vertical emphasis. The windows that is also all vertically oriented. Having two floors on windows in each large opening along the panel system provides for a vertical emphasis as well.

On the 8th Street façade, the cantilevered tower provides a strong vertical element at the corner.

7. Windows should be within definable openings per floor; no ribbon type windows.
The building provides a hierarchy of window openings on both facades. All of the window openings are in definable openings and the floors are defined by a strong horizontal band. Individual windows are broken up with mullions and then groups of windows grouped two floors tall are divided by the large panel system on the Lower Units and stronger vertical pilasters on the upper floors.

8. Windows should be stacked vertically; grouped windows should be subdivided.
Windows are all stacked vertically and are in a consistent pattern. The groups of windows are subdivided by mullions on an individual basis and thicker horizontal bands at the floor heights and vertical members at the bays.

9. Windows should have clear glass; no mirrored glass.
The glass at the storefront will be clear at the commercial space and there will be an opaque or obscured glass at the storefront where there will be parking. The upper floors will have a slight tint to provide Low-E coating and insulation. The glass will have the highest amount of light transmittance and lowest reflectivity possible within energy code restrictions

Staff feels that this treatment is appropriate in order to balance the guidelines with the programmatic requirements for a residential use.

10. The % of glass on the façade should be at least 20% and less than 80%
The proposal has a 44% of the façade as glass. The design is in compliance with this guideline.

11. As corner buildings design should relate to both Main Street and 8th Street.
The design has a strong relation on each street. The Main Street façade as the Main façade has a strong pedestrian correlation with the storefront system.

Providing the residential entrance on the 8th Street façade gives integration and a purpose to the 8th Street face. The storefront on the Main Street wraps the corner and blends into the resident entrance providing a seamless storefront system to marry the two facades together.

12. Surface ornamentation and a variety of materials are encouraged.

Most buildings in the district typically have 2-4 materials. The current design has 3 different types of materials, with multiple types of metal being used. The white panel system is being proposed as either a metal panel or a pre-cast concrete panel. While staff feels that both materials could be appropriate, staff feels the pre-cast concrete would provide a higher level of compatibility to the design. The two landmark buildings in the district, Gwynne and the Second National Bank Building, are lighter color masonry buildings with coloring ranging from gray, off-white and buff color. The use of pre-cast concrete would provide a stronger masonry feel and look on the building, while providing the opportunity to have a unique tint to make the panels blend into the neighborhood.

13. Additional detailing seen on other buildings in the district (such as banding, extended sills or lintels) should be considered.

The building details provided are fairly simple. There is a strong use of banding at every other floor to provide horizontal detailing. The divisions of the windows also provide modern interpretation of divided light windows. The building also incorporates a multi-story bay window along 8th Street. While this is not a canted bay that can be seen on Victorian buildings in the district, it is a modern take of a bay window that provides views down the street from the upper stories.

Other Considerations:

Prehearing Results:

June 29, 2016 – The Applicant, representatives from neighboring buildings, and other interested parties were at the pre-hearing.

Comments Provided to Staff: NA

Consistency with *Plan Cincinnati (2012)*: N/A

Not consistent with the “Sustain” Initiative Area “Preserve our built history”

Recommendation:

Staff recommends the Historic Conservation Board take the following actions:

I. CERTIFICATE OF APPROPRIATENESS:

- A. Approve** a Certificate of Appropriateness approve the design for a 13 story building at 719-721 Main Street per plans submitted by John Senhauser Architects dated 6/10/2016 including any revisions submitted for permit subject to staff review and approval with the following conditions:

- i. The applicant will continue to work with staff on final material selection making a strong preference for pre-cast concrete panels for white panel system on the Lower Units.
- ii. The opaque glass shall be light in color, such as frosted. Black glass or highly reflective glass shall not be permitted. The applicants will work with staff to finalize glass type and will work with staff to explore options for a clear glass with an art installation behind the glass.
- iii. The applicants will get all permissions necessary from DOTE for the garage entrance and any portion of the building that extends over the right of way.
- iv. The building permits must be issued within two years of the decision date or the Certificate of Appropriateness shall expire.

B. FINDING: The Board makes this determination per Section 1435-09-2:

- i. That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.

APPLICATION



CERTIFICATE OF APPROPRIATENESS

APPLICATION BUILDING ADDRESS: 719+721 MAIN ST.

DISTRICT NAME: MAIN STREET
(if applicable)

OWNER NAME: ELKA REAL ESTATE CO LTD

ADDRESS: BY TERREX LLC

EMAIL: 3200 MADISON RD SUITE 2B 45209 312-4167

CONTRACTOR NAME: T. ROWE@TERREXLLC.COM

ADDRESS: CONTRACTOR - SAME

EMAIL: AS ABOVE

ARCHITECT NAME: GLASERWORKS AND

ADDRESS: JOHN SENHAUSER DESIGN

EMAIL: A.HUPP@GLASERWORKS.COM
304 E. EIGHTH 45202

HCB USE ONLY	
DATE RECEIVED BY HCB:	_____
PERMIT/APD NO:	_____
APP. COMPLETION DATE:	_____

PHONE NO: TOM ROWE TERREX

PHONE NO: TOM ROWE

PHONE NO: ARI HUPP 665-9857

IT IS YOUR RESPONSIBILITY TO NOTIFY THE URBAN CONSERVATOR IF ANY OF THIS INFORMATION CHANGES DURING THE PENDING REVIEW OF YOUR

WORK PROPOSED: (Describe type of work, existing conditions, and methods to be used, materials proposed)

HCB USE ONLY	
<input type="checkbox"/>	MINOR ALTERATION
<input type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	ADDITION
<input type="checkbox"/>	DEMOLITION
<input type="checkbox"/>	REHABILITATION
<input checked="" type="checkbox"/>	OTHER _____

CONDITIONAL DEMOLITION PERMIT
GRANTED BY HCB ON 3/21/16

PURPOSE OF PRESENTATION IS TO
REVIEW THE EXTERIOR FINAL DESIGN
OF NEW CONDOMINIUM DEVELOPMENT
AND HOW IT ADDRESSES DISTRICT
GUIDELINES BEFORE PROCEEDING TO
CD'S AND BUILDING PERMIT

IN ORDER TO EXPEDITE HCB ACTION, PLEASE ATTACH ADDITIONAL INFORMATION, IF AVAILABLE, AS MAY BE APPROPRIATE. LIST ANY INFORMATION ATTACHED: (Elevations, site plans, specifications, photos, material samples, additional drawings or written matter)

SEE ATTACHMENTS

- 11X17 SCALABLE DRAWINGS: SITE PLAN, FLOOR PLANS, ELEVATIONS, MATERIALS, 3D VIEWS OF BUILDING WITH CONTEXT, POINT BY POINT ADDRESSING OF GUIDELINES - 3 SETS AND DIGITAL FORMAT
- NARRATIVE EXPLAINING NEED FOR 160' HEIGHT
- SECOND \$500 CHECK

Attach a letter explaining the justification for the issuance of the desired Certificate of Appropriateness. Be advised that the burden of proof is on the applicant.

CONDOMINIUMS AT 719-721 MAIN STREET

HISTORIC CONSERVATION BOARD
7/13/2016

JOHNSENHAUSERARCHITECTS





719-721 MAIN STREET

The proposed condominium building at 719-721 Main Street is a part of the Main Street Historic District, characterized by its collection of cast iron storefronts. The dominantly vertical facades consist of more visual void than solid mass, and the buildings typically have ample floor-to-floor heights.

719-721 Main Street will be designed with similar emphasis on verticality, and relate to the historic streetscape with contemporary architecture compatible with the architectural characteristics of the district. In particular, the new building will include glass storefronts within a masonry base along the street, façades with two-story articulation, window openings expressing the associated residential spaces, and a strong vertical emphasis at the corner. The exterior materials harmonize with existing historic buildings – glass, metal, and masonry.

A street level storefront houses commercial uses along Main Street, with the residential lobby and garage entrances on 8th Street. The two main parking levels are located on second and third floors, with additional parking on the first floor, and condominium units on floors 4-13. Above the two-story base, the residential floors extend up behind a screen/grid element, the building steps back at the height of 120' above the street level, and the recessed penthouse floors stay below 160' above the street level, which keeps the top of the building below the nearby Main Street landmark buildings: Gwynne Building (153' plus 27' tower) and Second National Bank Building (170').

To avoid interrupting the pedestrian-oriented character of Main Street, the parking and service entrances are proposed along 8th Street.

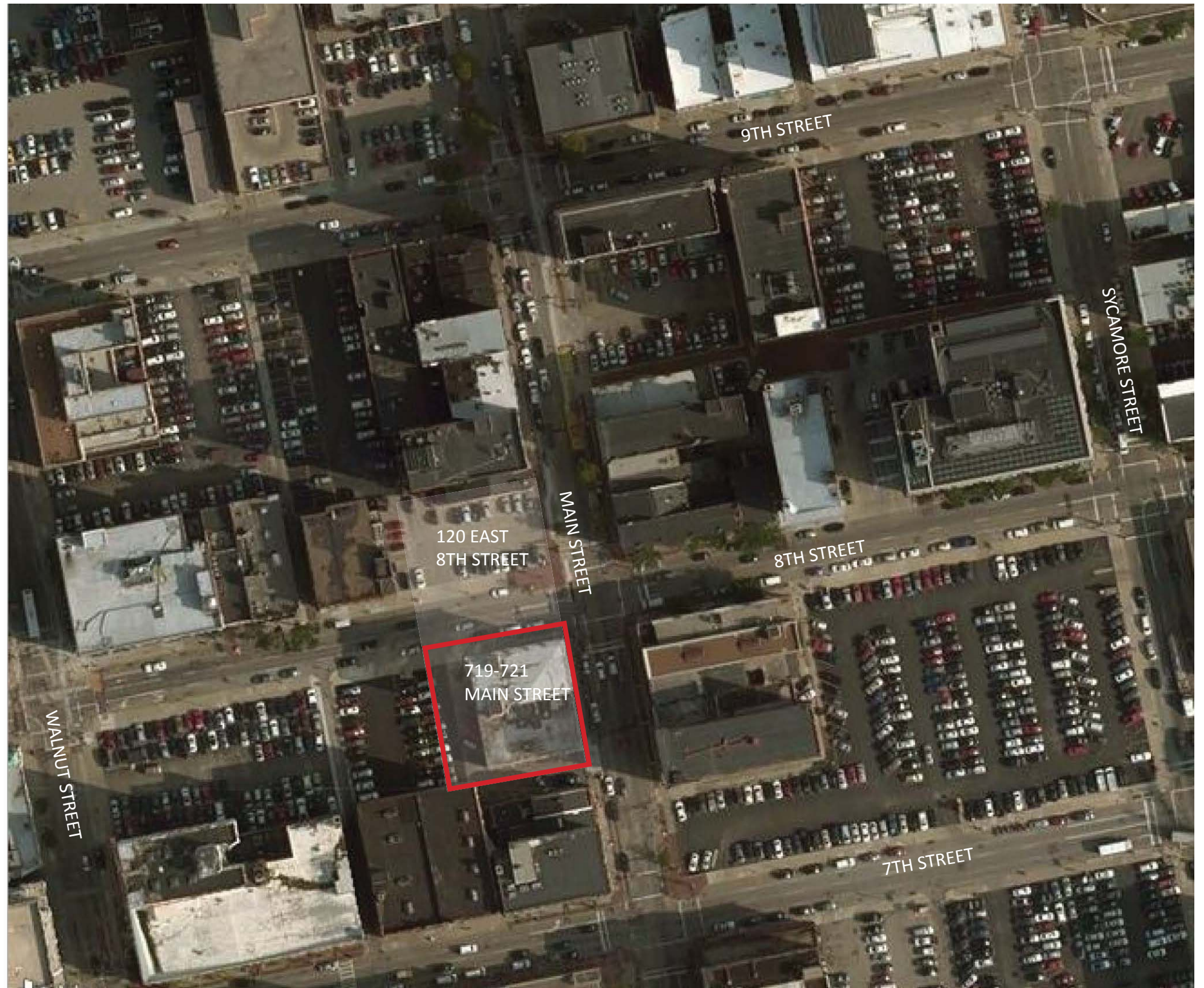
719-721 Main Street will set a precedent to a future project on the property across the street, at 120 East 8th Street. The Developer plans to build another condominium building on that site, with similar quality, materials and parking arrangements. The project will strengthen the Main Street district by increasing its economic vitality and visual energy level by means of owner-occupied buildings with high quality architecture.

719-721 MAIN STREET NARRATIVE

7/13/2016

JOHNSENHAUSERARCHITECTS





**719-721 MAIN STREET
EXISTING SITE**

7/13/2016

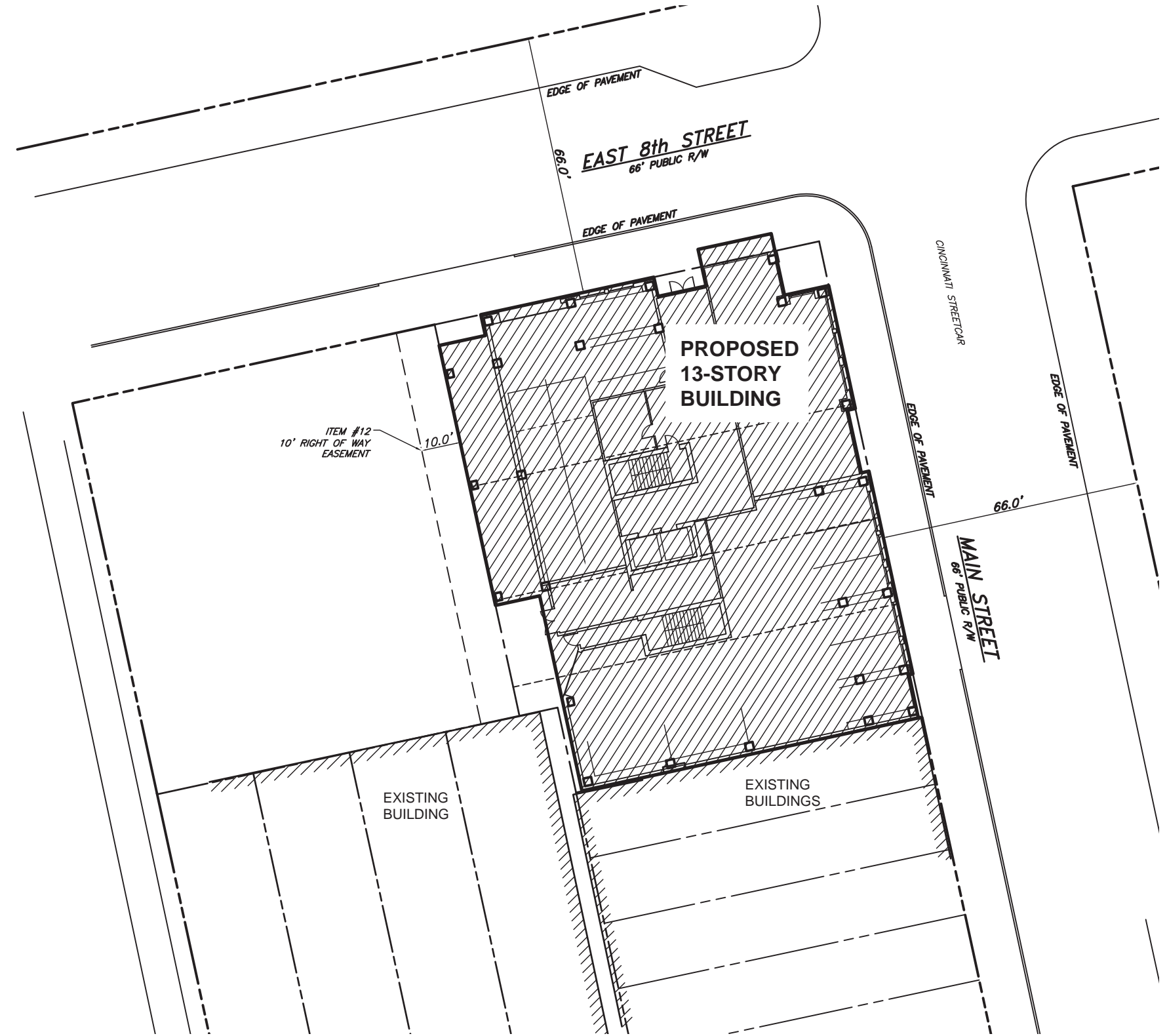


JOHNSENHAUSERARCHITECTS





DEMOLITION PLAN
1/64" = 1'-0"



PROPOSED SITE PLAN
1/32" = 1'-0"

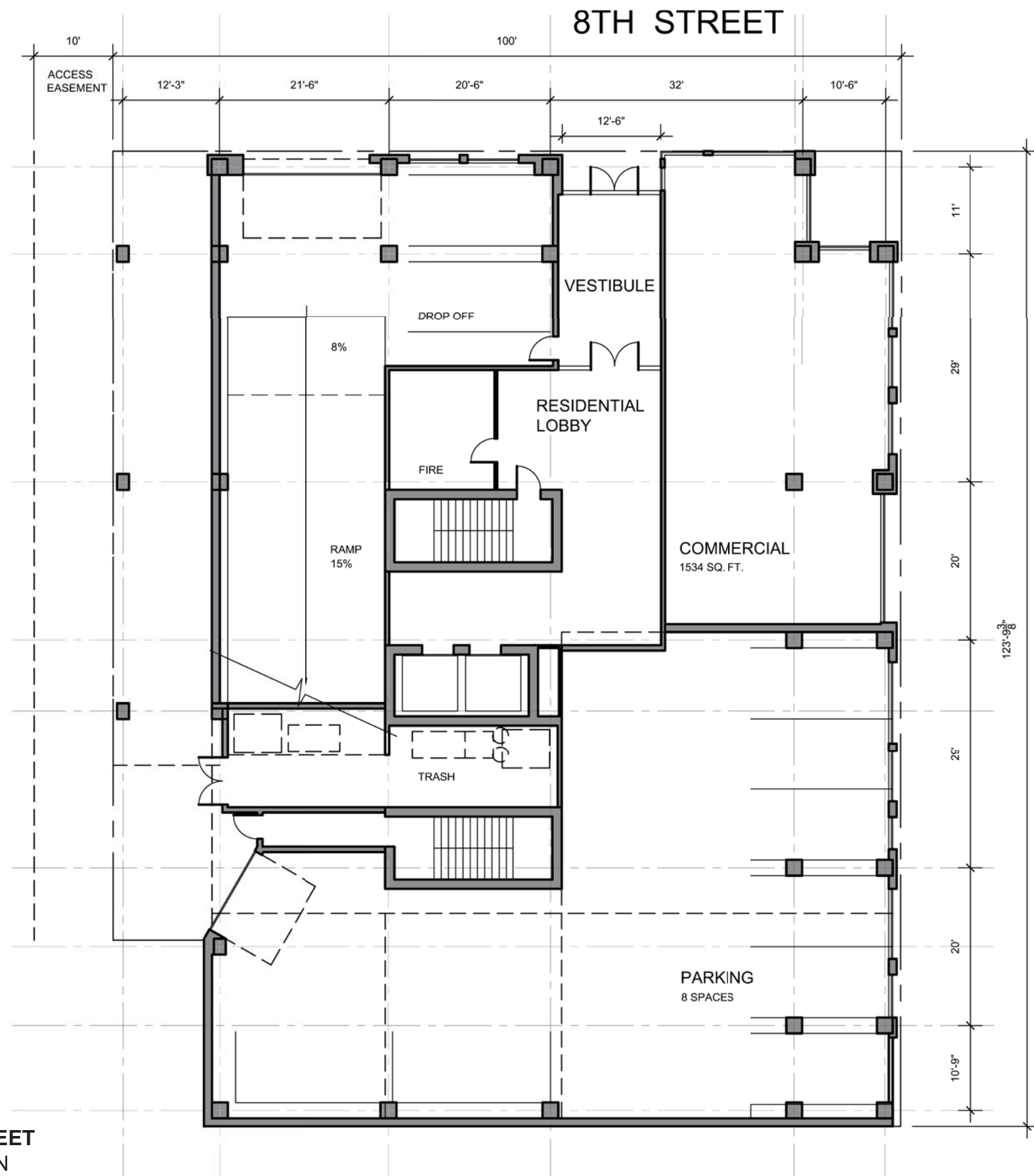


**719-721 MAIN STREET
DEMOLITION PLAN AND
PROPOSED SITE PLAN**

7/13/2016

JOHNSENHAUSERARCHITECTS





PROJECT SUMMARY

UNIT MIX:

FLOORS 4-7: 4 RESIDENTIAL UNITS/FLOOR
= 16 UNITS
FLOORS 8-10: 3 RESIDENTIAL UNITS/FLOOR
= 9 UNITS
FLOORS 11-12: 2 RESIDENTIAL UNITS/FLOOR
= 4 UNITS
FLOOR 13: 1 RESIDENTIAL UNIT

TOTAL: 30 UNITS

PARKING:

LOCATED ON THREE LEVELS
1ST FLOOR: 8 SINGLE SPACES
2ND FLOOR: 17 SINGLE + 1 TANDEM
3RD FLOOR: 20 SINGLE + 1 TANDEM

TOTAL: 45 SINGLE + 2 TANDEM

FAR CALCULATIONS:

LOT AREA 12,107 SF
FAR 9 = 108,963 SF
PARKING LEVELS EXCLUDED

PROPOSED:

STREET LEVEL 10,500 SF
4 LEVELS OF 10,100SF
3 LEVELS OF 9,900 SF
2 LEVELS OF 7,600 SF
1 LEVEL OF 6,400 SF

TOTAL SQUARE FOOTAGE = 102,200 SF
BELOW ALLOWABLE SF

MAIN STREET

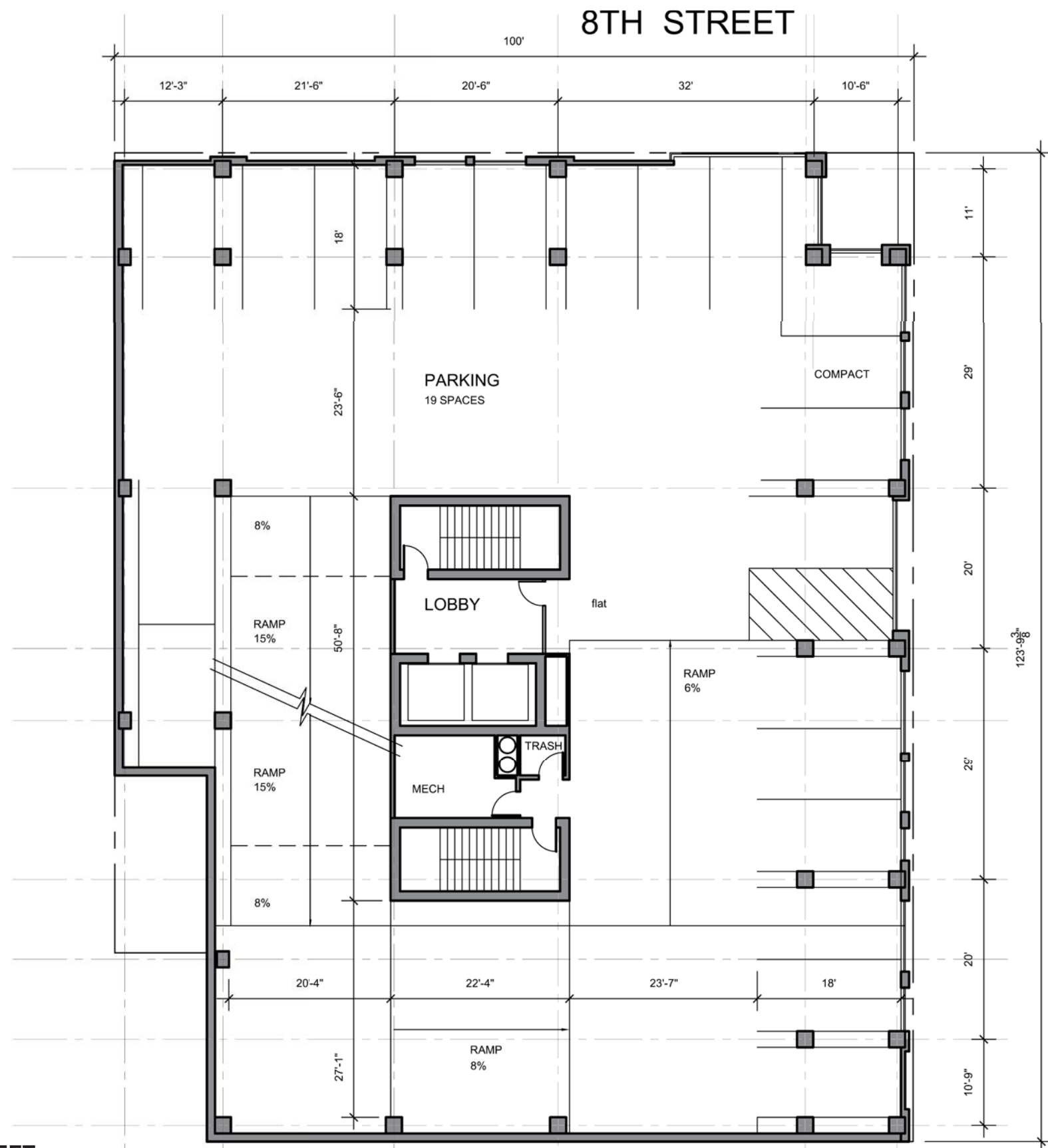
719-721 MAIN STREET
FIRST FLOOR PLAN

SCALE 1/16" = 1'-0"
7/13/2016



JOHNSENHAUSERARCHITECTS





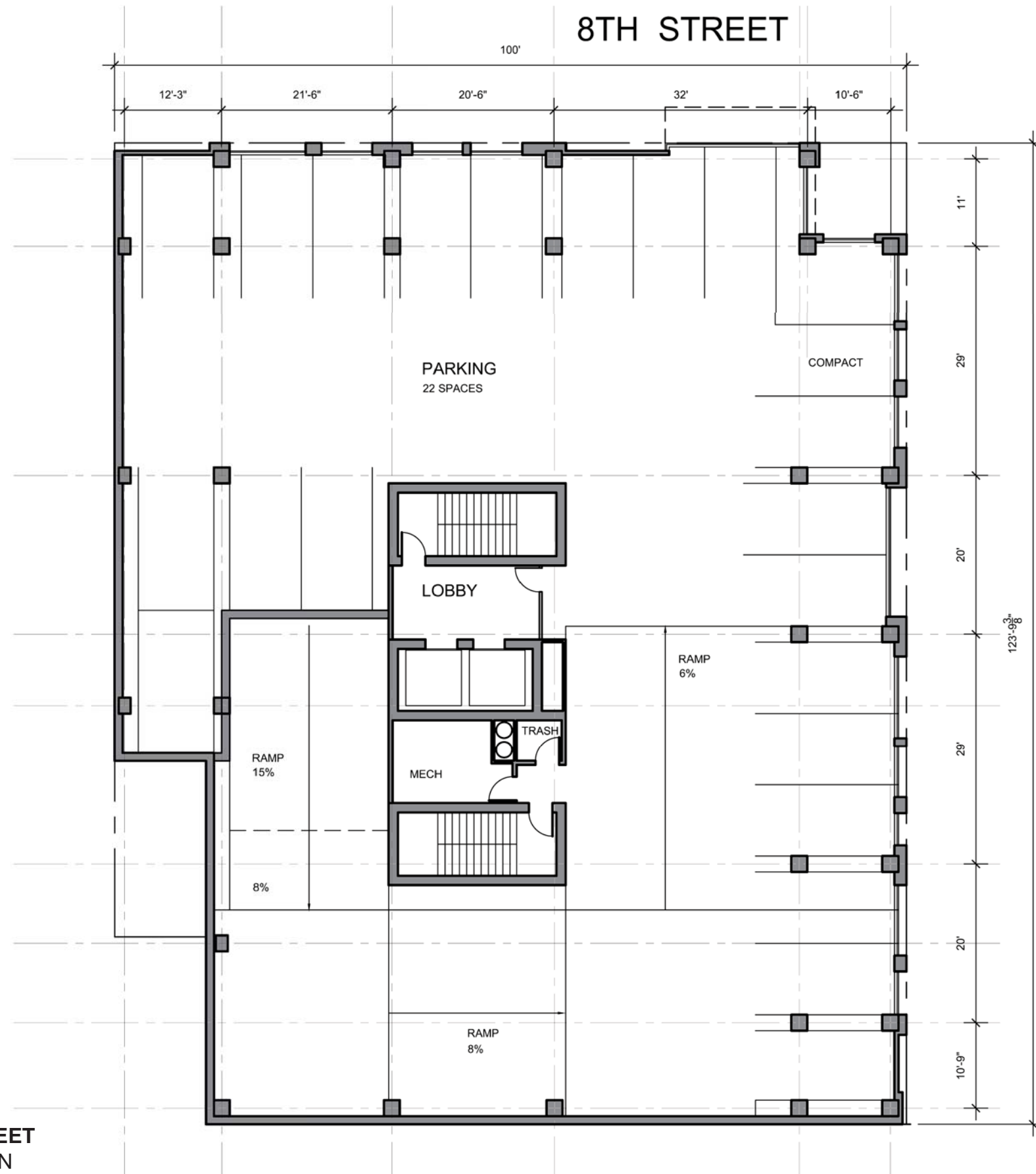
**719-721 MAIN STREET
SECOND FLOOR PLAN**

SCALE 1/16" = 1'-0"
7/13/2016



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**719-721 MAIN STREET
THIRD FLOOR PLAN**

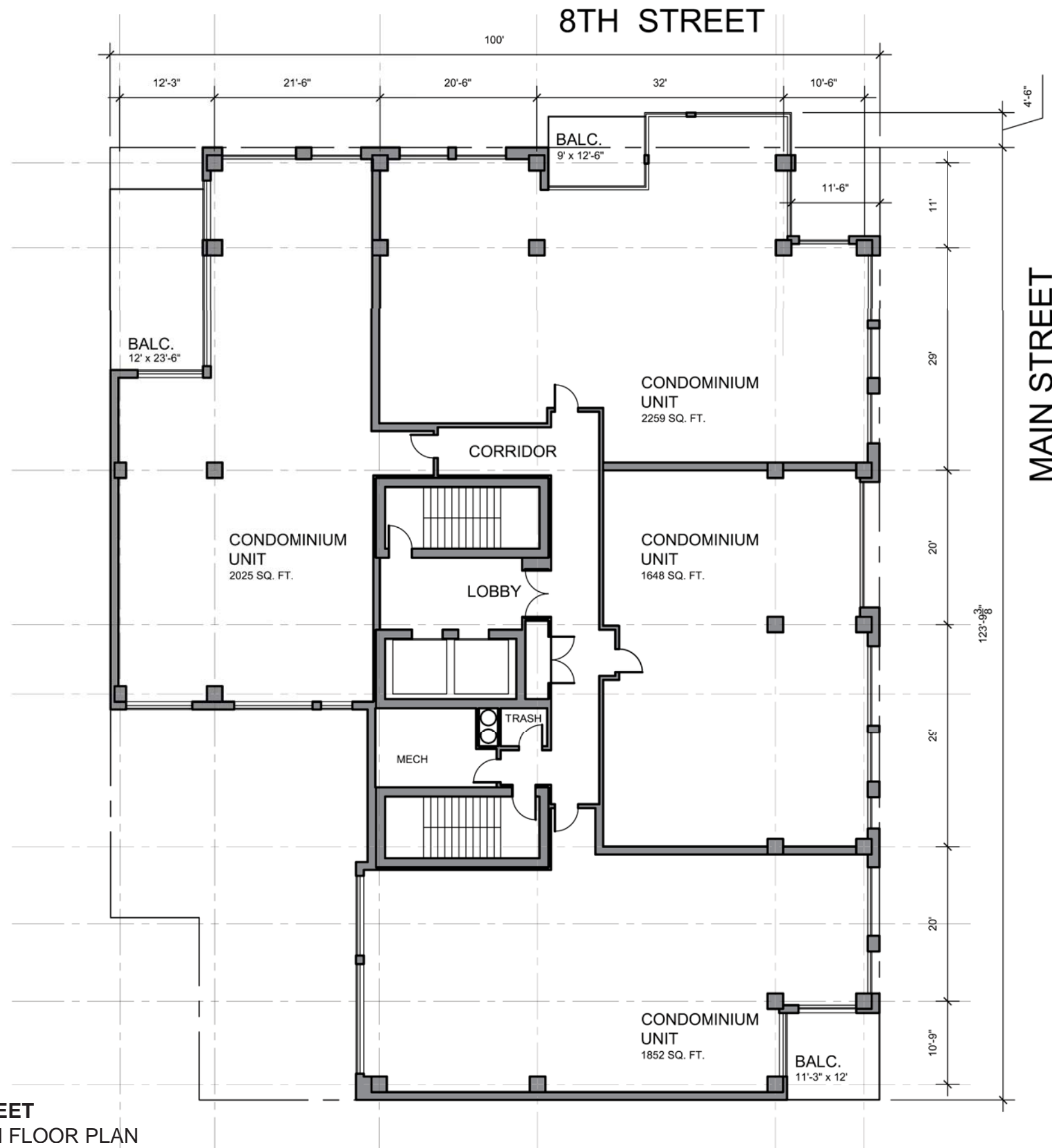
SCALE 1/16" = 1'-0"
7/13/2016

MAIN STREET



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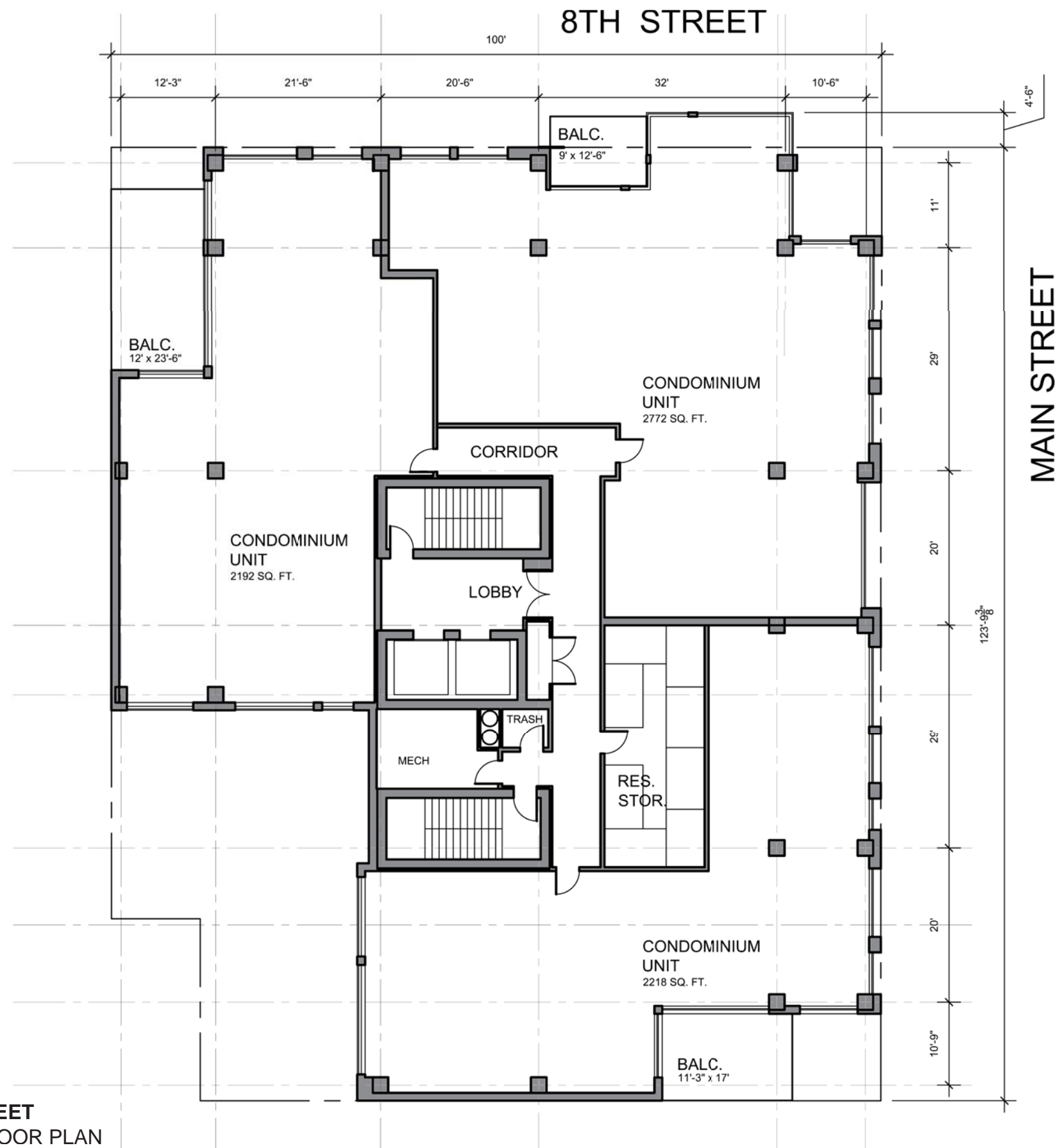
719-721 MAIN STREET
FOURTH-SEVENTH FLOOR PLAN

SCALE 1/16" = 1'-0"
7/13/2016



JOHNSENHAUSERARCHITECTS





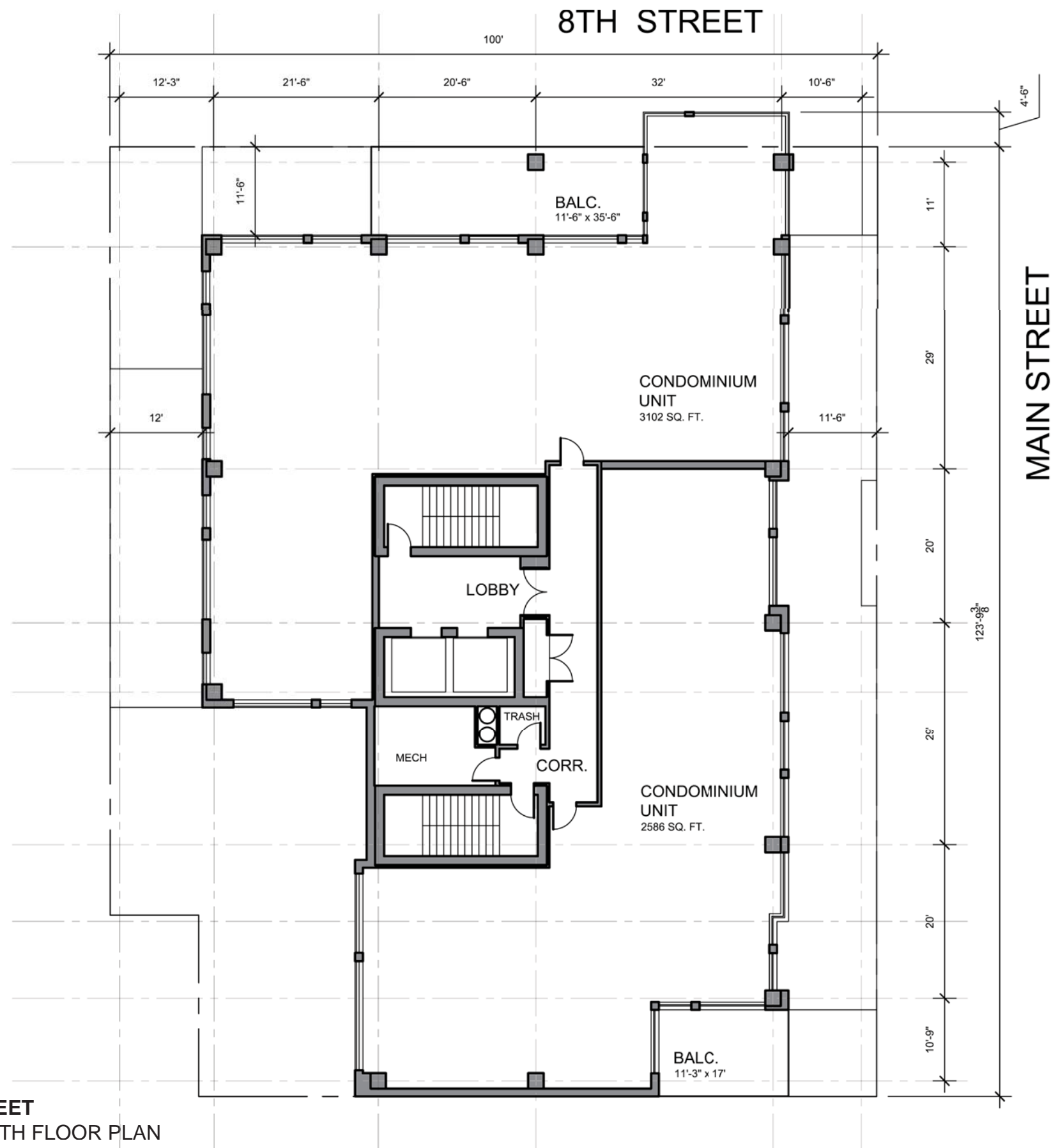
719-721 MAIN STREET
EIGHTH-TENTH FLOOR PLAN

SCALE 1/16" = 1'-0"
7/13/2016



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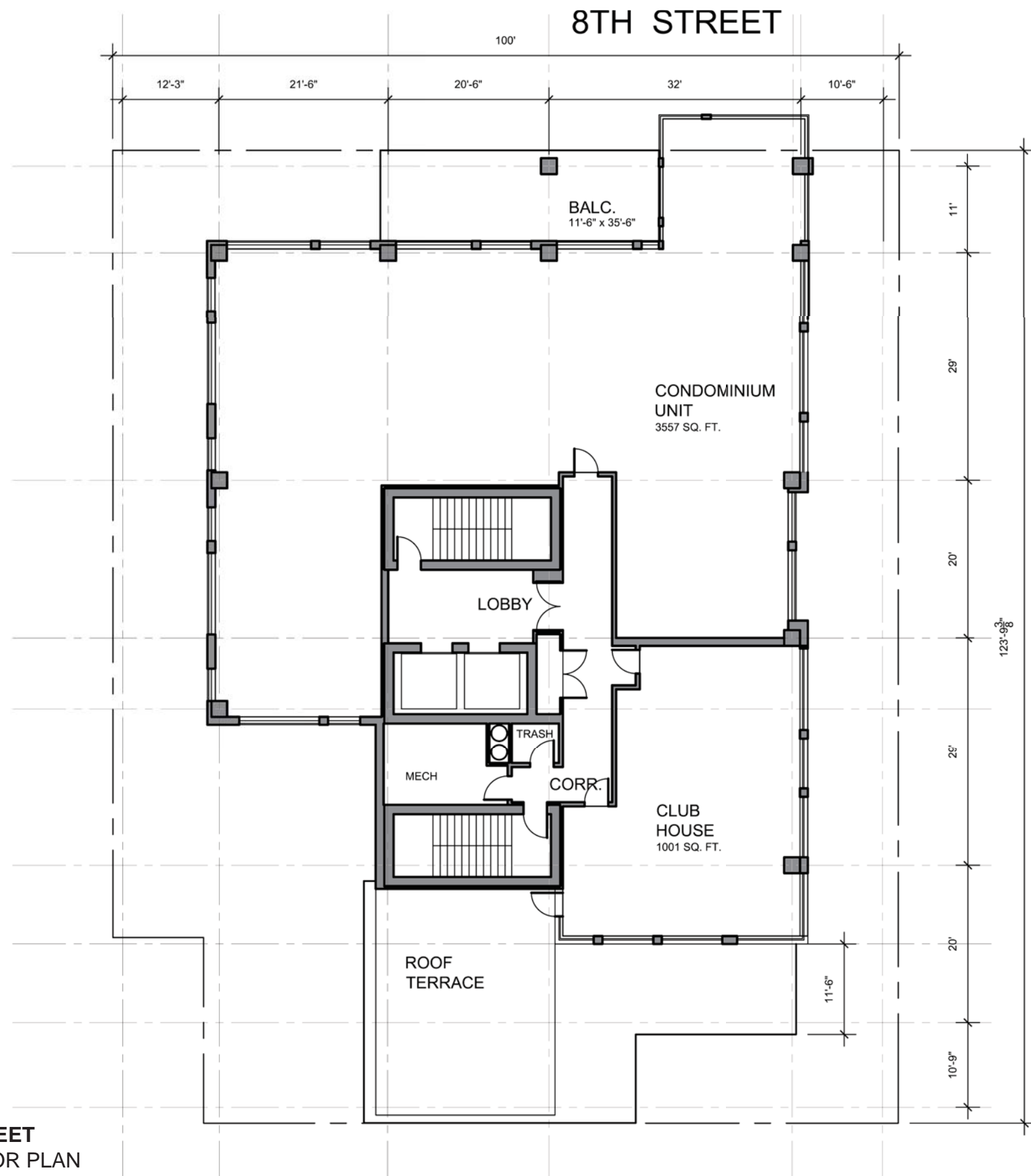
719-721 MAIN STREET
ELEVENTH-TWELFTH FLOOR PLAN

SCALE 1/16" = 1'-0"
7/13/2016



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**719-721 MAIN STREET
THIRTEENTH FLOOR PLAN**

SCALE 1/16" = 1'-0"
7/13/2016

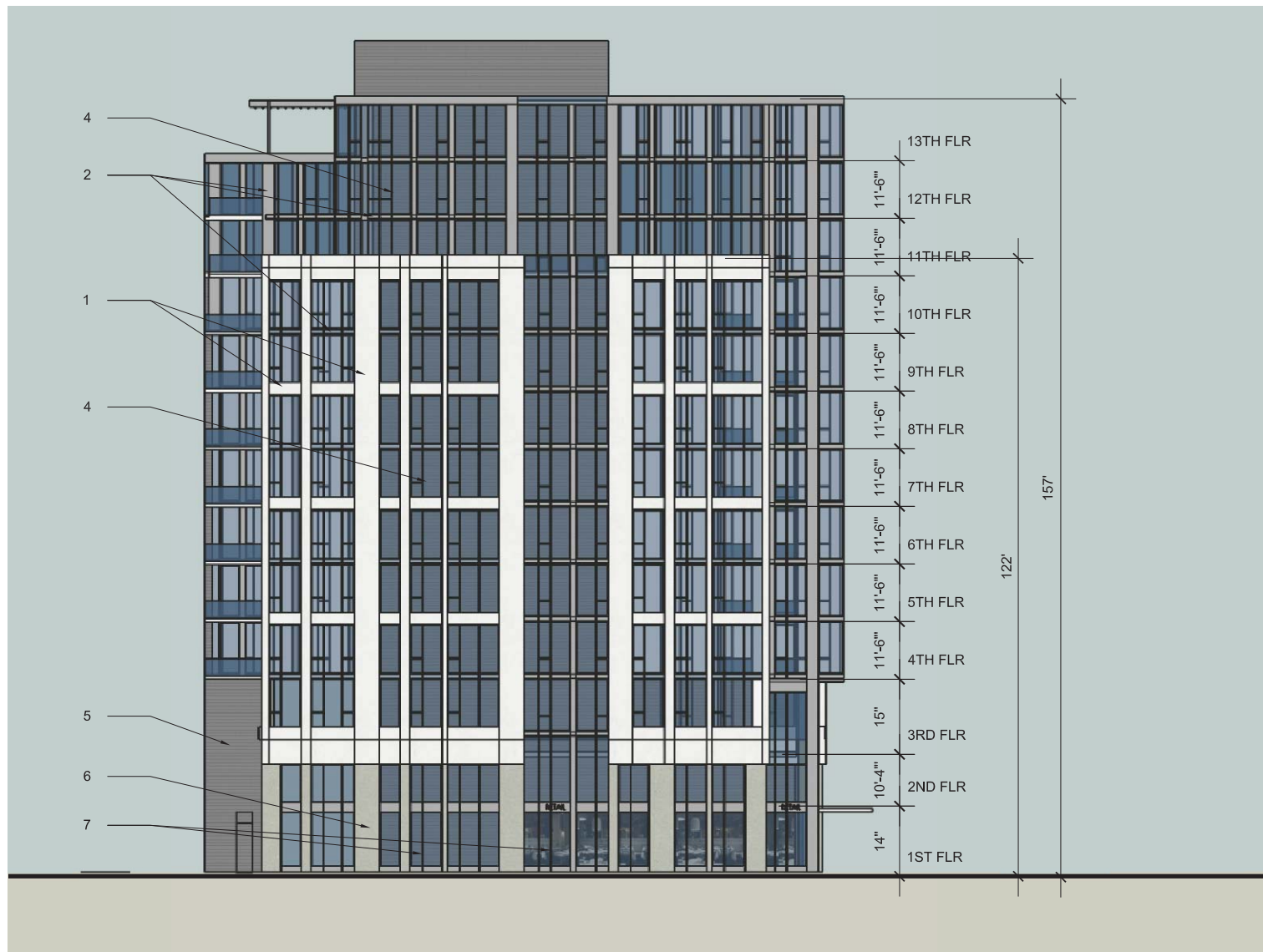


JOHNSENHAUSERARCHITECTS



MATERIALS

- 1 METAL OR PRECAST CONCRETE PANEL
- 2 METAL ACCENT TRIM
- 3 GLASS
- 4 ALUMINUM WINDOWS
- 5 METAL SIDING/LOUVERS
- 6 MASONRY: STONE OR PRECAST CONCRETE
- 7 ALUMINUM STOREFRONT



EAST (MAIN STREET)
ELEVATION



NORTH (EIGHTH STREET)
ELEVATION

719-721 MAIN STREET EXTERIOR ELEVATIONS

SCALE 1/32" = 1'-0"
7/13/2016

JOHNSENHAUSERARCHITECTS

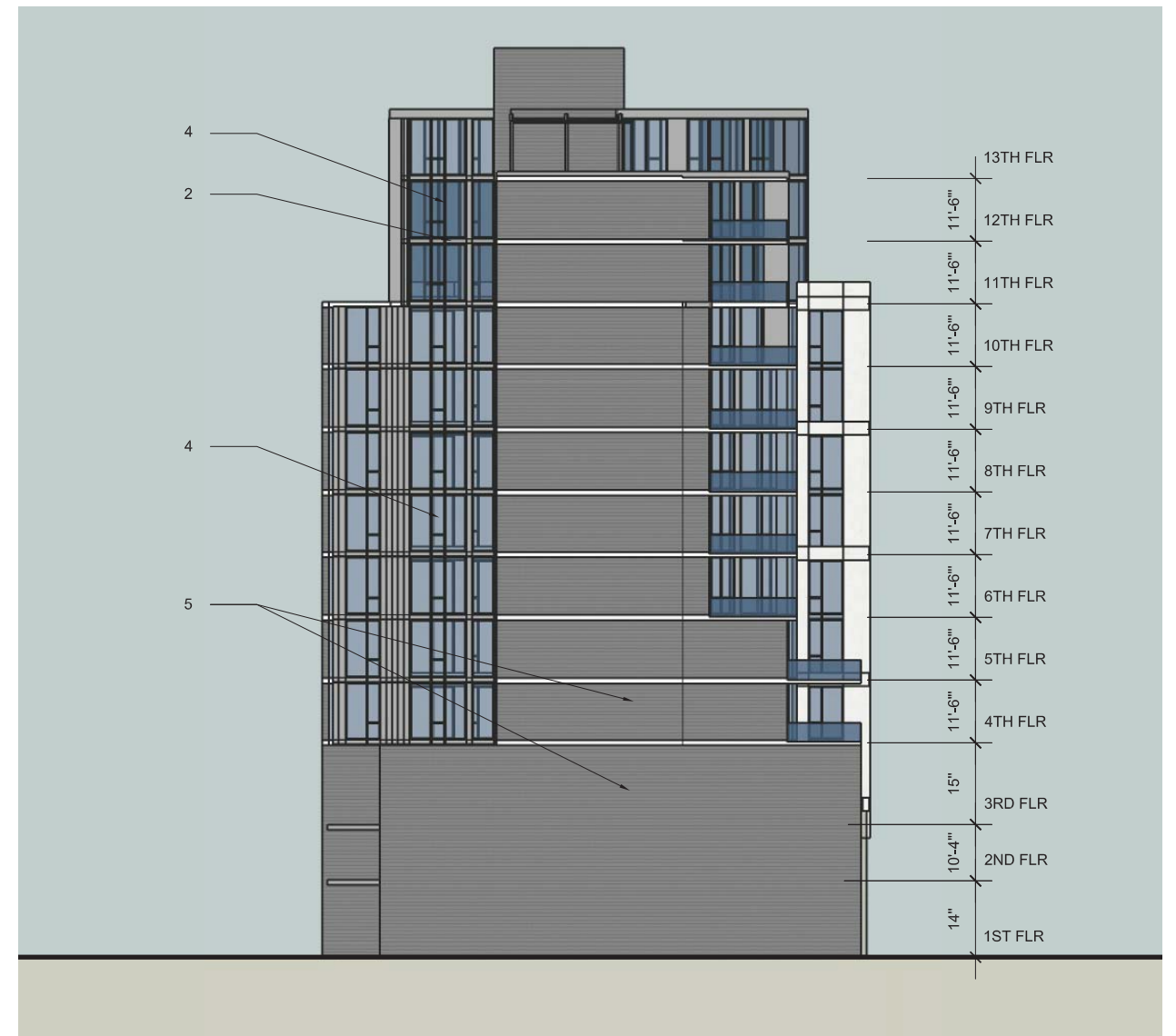


MATERIALS

- 1 METAL OR PRECAST CONCRETE PANEL
- 2 METAL ACCENT TRIM
- 3 GLASS
- 4 ALUMINUM WINDOWS
- 5 METAL SIDING/LOUVERS
- 6 MASONRY: STONE OR PRECAST CONCRETE
- 7 ALUMINUM STOREFRONT



WEST
ELEVATION



SOUTH
ELEVATION

719-721 MAIN STREET EXTERIOR ELEVATIONS

SCALE 1/32" = 1'-0"
7/13/2016

JOHNSENHAUSERARCHITECTS





MATERIALS

- 1 METAL OR PRECAST CONCRETE PANEL
- 2 METAL ACCENT TRIM
- 3 GLASS
- 4 ALUMINUM WINDOWS
- 5 METAL SIDING/LOUVERS
- 6 MASONRY

1
2
3
4
5
6



719-721 MAIN STREET
EXTERIOR MATERIALS

7/13/2016

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MATERIAL OPTION: METAL PANELS

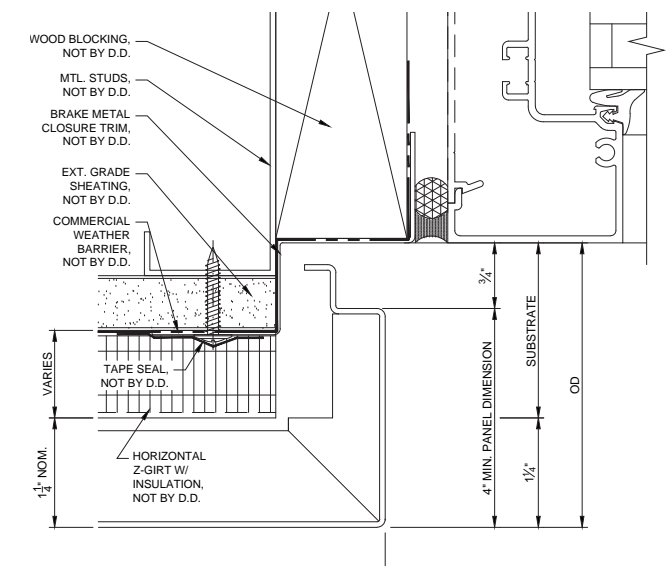
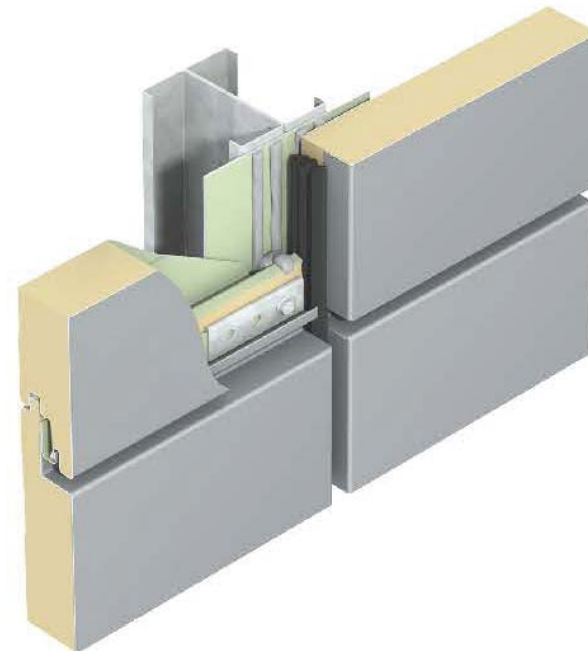
METAL PANEL SYSTEM:

- RAIN SCREEN OR INSULATED WEATHER BARRIER SYSTEM
- KYNAR PAINT FINISH
- LIGHT GREY COLOR

INSULATED WEATHER BARRIER SYSTEM



RAIN SCREEN SYSTEM



719-721 MAIN STREET
METAL PANELS

7/13/2016

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MATERIAL OPTION: PRECAST CONCRETE PANELS

CONCRETE:

- WHITE CEMENT W/ PIGMENT AND LIGHT-COLORED AGGREGATE
- LIGHT GREY COLOR
- TX ACTIVE TITANIUM DIOXIDE, SELF-CLEANING ADDITIVE

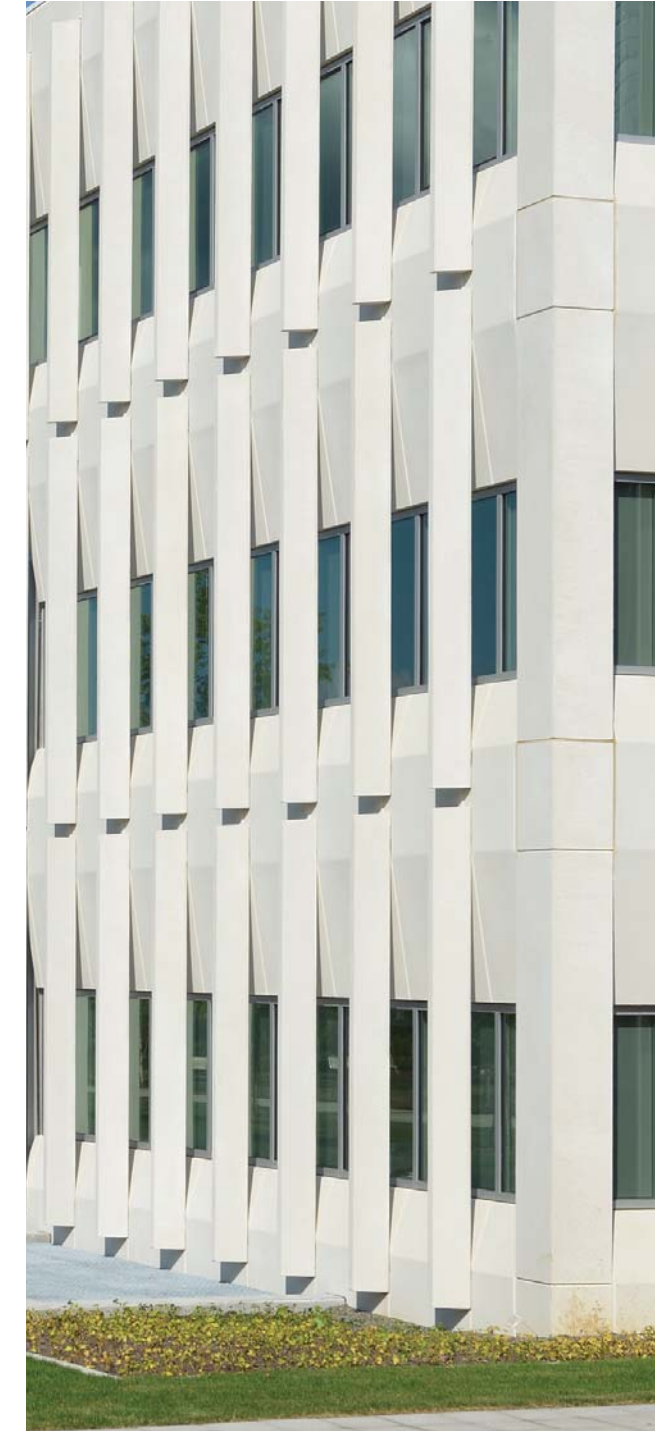
FINISH OPTIONS:

- ACID WASH
- SAND BLAST
- POLISH
- BURNISH

STREET LEVEL STOREFRONT FINISH DIFFERENT FROM RESIDENTIAL FLOORS WITH A MATTE FINISH



719-721 MAIN STREET
PRECAST CONCRETE PANELS



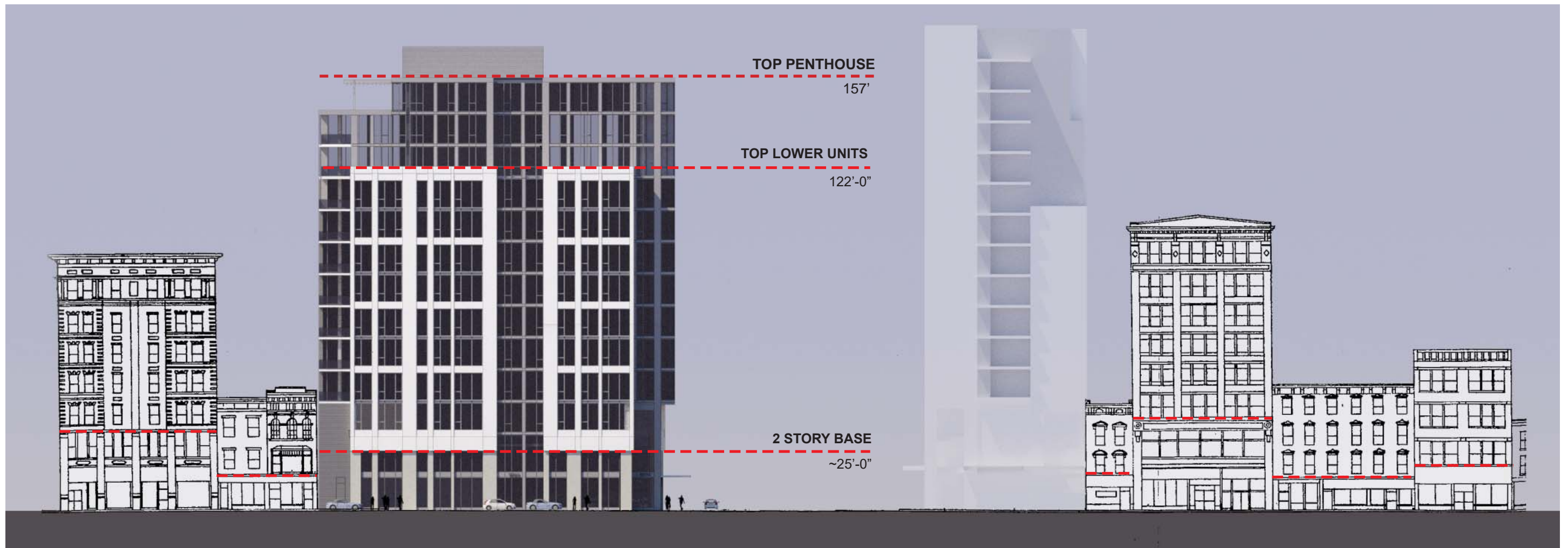
HEIGHT

DESIGN GUIDELINE:

MAXIMUM HEIGHT OF APPROXIMATELY 120';
LESS THAN LANDMARK BUILDINGS SUCH AS
GWYNNE BUILDING (153' + 27' TOWER) AND
SECOND NATIONAL BANK BUILDING (170').

PROPOSED:

THE MAIN VOLUME OF THE BUILDING IS 122' FROM
SIDEWALK. BUILDING STEPS BACK 10' AT 122' HEIGHT
FOR PENTHOUSE UNITS ON TOP THREE FLOORS.
TOTAL BUILDING HEIGHT 157'.



719-721 MAIN STREET
BUILDING HEIGHT

7/13/2016

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BAY SIZE

DESIGN GUIDELINE:

MAXIMUM BAY SIZE OF 20' AND DEFINABLE TO GRADE.

PROPOSED BAY SPACING:

THE BAYS ARE ASYMMETRICALLY SPACED AT THREE REGULAR INTERVALS TO CREATE AN ASYMMETRICAL RHYTHM.

NO BAY IS OVER 20' WIDE.

FRAME RHYTHM:

THE FRAME IS COMPOSED OF METAL PANELS. THE WIDTH OF THE FRAME VARIES BETWEEN 12 AND 60 INCHES.

WINDOW RHYTHM:

WINDOWS CREATE A SECONDARY RHYTHM WITHIN THE GRID. WINDOW SIZES WILL BE APPROXIMATELY 30" AND 48" WIDE AND FULL HEIGHT. THE PROPORTIONS CREATE A VERTICAL EXPRESSION.

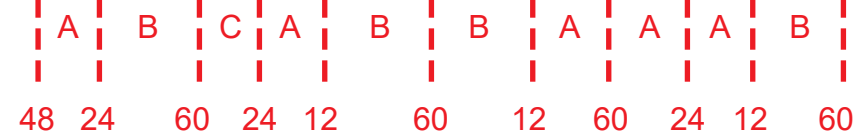
TYPICAL WINDOW SPACING:

- A - 7'-0"
- B - 12'-4"
- C - 6'-0"



719-721 MAIN STREET
BAY DIAGRAM

7/13/2016



WINDOW RYTHMN

FRAME RYTHMN

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STOREFRONT

DESIGN GUIDELINE:
THERE MUST BE A STOREFRONT ALONG THE STREET FRONTAGE

PROPOSED:
STOREFRONT FOR COMMERCIAL SPACE ON MAIN STREET, AT THE NORTH-EAST CORNER OF THE BUILDING.

PARKING LOCATED AT SOUTH PORTION OF FIRST FLOOR MAIN STREET STOREFRONT. GLASS AT THIS PORTION TO BE OBSCURED - FRITTED OR PARTIALLY OPAQUE.

RESIDENTIAL LOBBY (181 EIGHTH STREET) AND GARAGE ENTRANCE LOCATED ON 8TH STREET.



EAST ELEVATION (MAIN ST)



NORTH ELEVATION (8TH ST)

719-721 MAIN STREET
STOREFRONT

7/13/2016

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VISUAL END/TOP

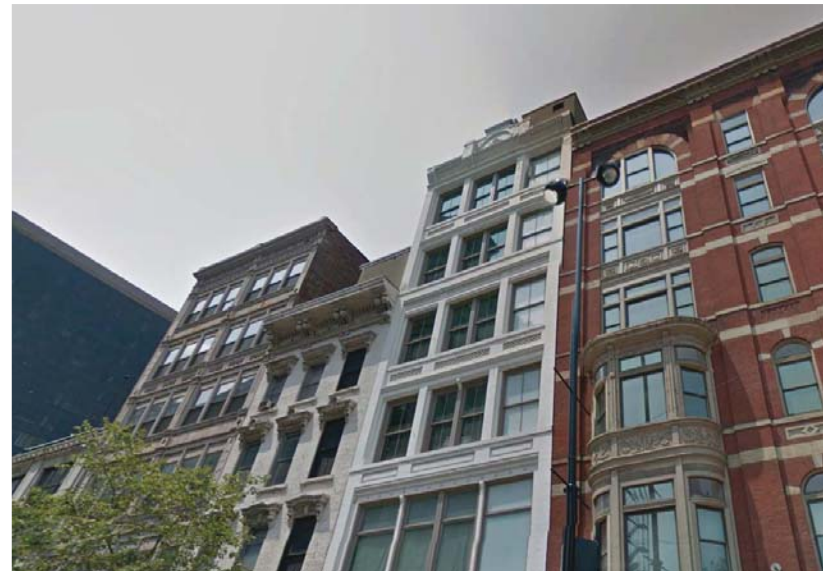
DESIGN GUIDELINE:

THE BUILDING SHOULD HAVE A VISUAL END, I.E. A CORNICE OR PARAPET OR OTHER ARTICULATION TO RELATE TO DETAILING OF THE UPPERMOST FLOORS OF OTHER BUILDINGS IN THE DISTRICT.

PROPOSED:

BUILDING MEETS SKY WITH BAYS OF VARIED WIDTHS AND SCALE COMPATIBLE WITH HISTORIC DISTRICT.

TOP OF BUILDING



EXAMPLES OF "TOPS" OF NEIGHBORING BUILDINGS

719-721 MAIN STREET
BUILDING TOP

7/13/2016

JOHNSENHAUSERARCHITECTS



BASE

DESIGN GUIDELINE:

TALL BUILDINGS SHOULD BE ARTICULATED AT THE FIRST TWO FLOORS TO FORM A BASE AND TO RELATE TO OTHER TALL BUILDINGS IN THE DISTRICT.

PROPOSED:

THE BUILDING HAS A TWO-STORY MASONRY/STOREFRONT BASE.



719-721 MAIN STREET
BUILDING BASE

7/13/2016

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CORNER VIEW

719-721 MAIN STREET
VERTICALITY

7/13/2016

VERTICAL EMPHASIS

DESIGN GUIDELINE:

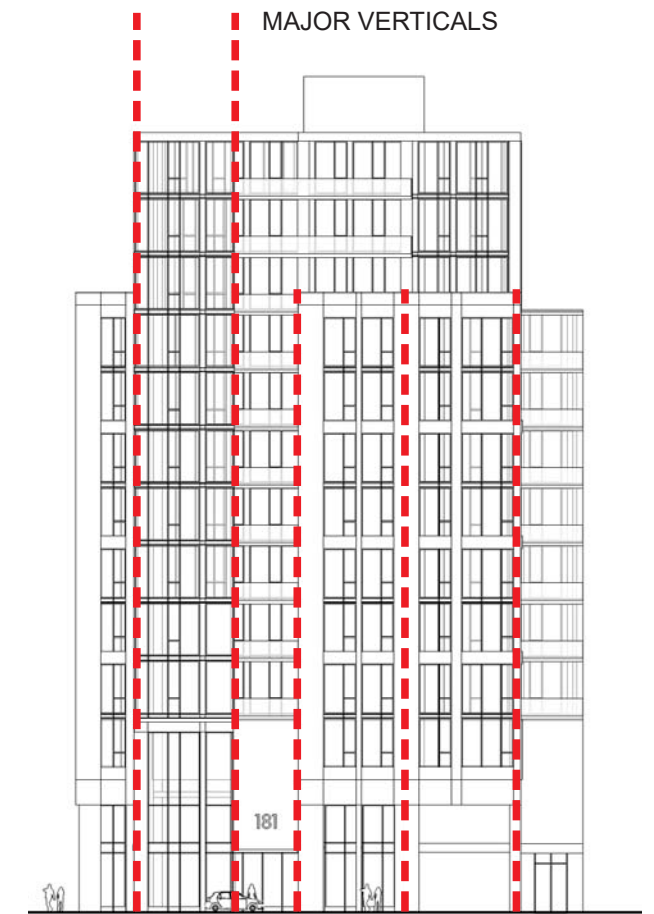
THE EMPHASIS OF THE BUILDING'S DESIGN SHOULD BE VERTICAL

PROPOSED:

VERTICAL BAY ELEMENTS ARTICULATE THE BUILDING BOTH ON MAIN AND EIGHTH STREETS



EAST ELEVATION



NORTH ELEVATION

JOHNSENHAUSERARCHITECTS



WINDOWS

DESIGN GUIDELINE:

WINDOWS SHOULD BE WITHIN DEFINABLE OPENINGS PER FLOOR; NO RIBBON TYPE WINDOWS.

WINDOWS SHOULD BE STACKED VERTICALLY; GROUPED WINDOWS SHOULD BE SUBDIVIDED.

PROPOSED:

1) WINDOW WALL GLAZING EXPRESSES EACH FLOOR LINE. VARIATION IN SLAB EDGE EXPRESSION ADDS VARIETY AND RHYTHM.

2) GROUPED WINDOWS SUBDIVIDED INTO SMALLER UNITS SEPARATED BY MULLIONS, METAL PANEL, OR METAL "SCREEN"

3) LARGE AREAS OF GLASS ARRANGED VERTICALLY TO AVOID HORIZONTAL EXPRESSION OR RIBBON WINDOW EFFECT.

4) WINDOWS STACKED VERTICALLY.



719-721 MAIN STREET
WINDOWS

7/13/2016

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GLASS

DESIGN GUIDELINE:
 WINDOWS SHOULD HAVE CLEAR GLASS; NO MIRRORED GLASS.

PROPOSED:
 THE PRELIMINARY SELECTIONS FOR GLASS MUST BALANCE PERFORMANCE AND AESTHETICS.

THE DESIGN WILL USE INSULATED GLASS UNITS WITH LOW-E COATING.

THE VISION GLASS AT THE RESIDENTIAL UNITS WILL HAVE THE HIGHEST AMOUNT OF LIGHT TRANSMITTANCE AND LOWEST REFLECTIVITY POSSIBLE WITHIN THE ENERGY CODE RESTRAINTS.

THE STOREFRONT WILL BE MORE TRANSPARENT, TO HELP BETTER CONNECT THE STREET AND THE INTERIOR

1) VISION GLASS / RESIDENTIAL FLOORS	
VISUAL LIGHT TRANSMITTANCE	60%
REFLECTIVITY OUTWARD	10%
SHGC	0.29
2) STOREFRONT GLASS / STREET LEVEL	
VISUAL LIGHT TRANSMITTANCE	75%
REFLECTIVITY OUTWARD	10%
SHGC	0.50

**719-721 MAIN STREET
 GLASS**

7/13/2016



GLASS PERCENTAGE

DESIGN GUIDELINE:

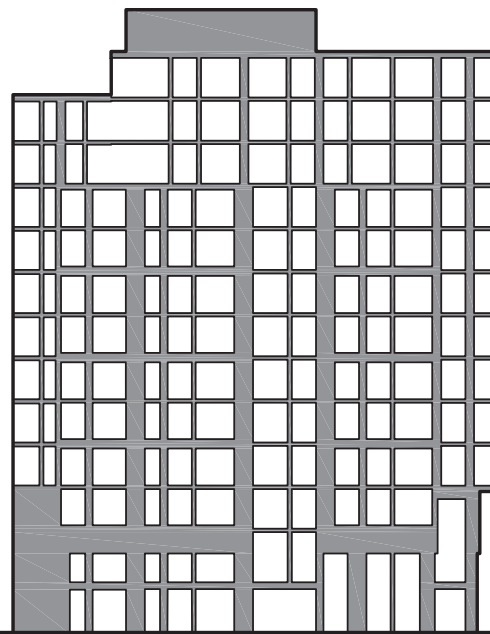
THE % OF GLASS SHOULD BE AT LEAST 20% AND LESS THAN 80%.

PROPOSED:

TOTAL FACADE AREAS

SOLID	39,160 SF	56%
GLASS	31,047 SF	44%

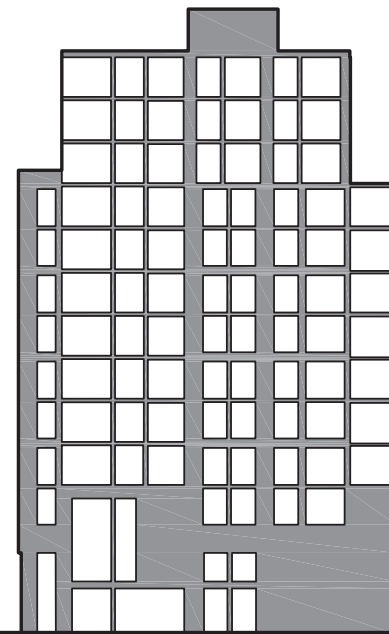
TOTAL 70,207 SF



EAST ELEVATION
MAIN STREET

FACADE AREAS

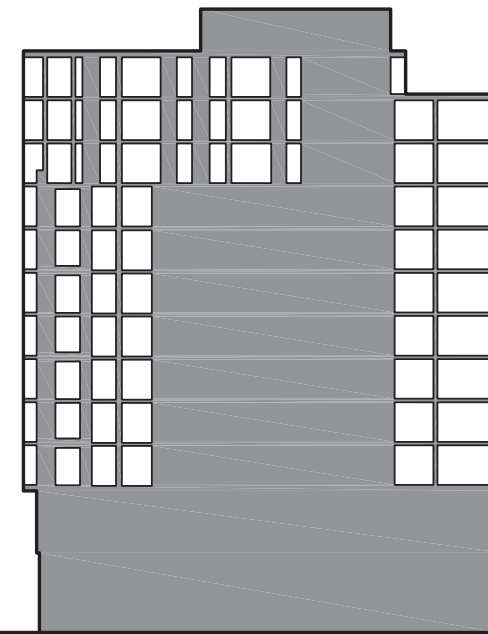
SOLID	7,452 SF
GLASS	12,550 SF
TOTAL	20,002 SF



NORTH ELEVATION
8TH STREET

FACADE AREAS

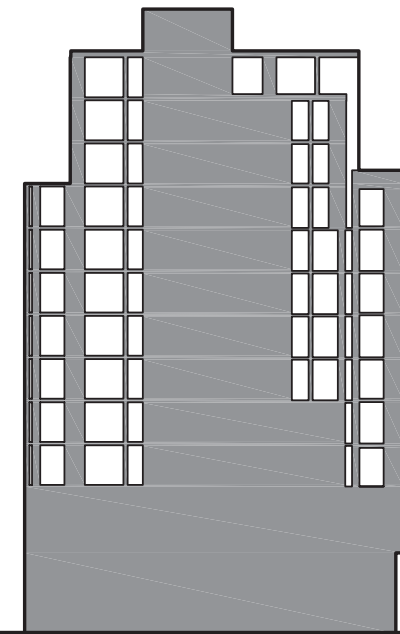
SOLID	6,193 SF
GLASS	8,920 SF
TOTAL	15,113 SF



WEST ELEVATION

FACADE AREAS

SOLID	14,227 SF
GLASS	5,774 SF
TOTAL	20,001 SF



SOUTH ELEVATION

FACADE AREAS

SOLID	11,288 SF
GLASS	3,803 SF
TOTAL	15,091 SF

719-721 MAIN STREET GLASS PERCENTAGE

7/13/2016

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CORNER

DESIGN GUIDELINE:

AS A CORNER BUILDING THE DESIGN SHOULD RELATE TO BOTH STREETS.

PROPOSED:

- STOREFRONT WITH VARYING RHYTHMS ON MAIN STREET, RESPONSIVE TO SCALE OF HISTORIC BAYS
- SCALE OF BAYS ON 8TH STREET SIMILAR TO HISTORIC CONTEXT
- TWO-STORY BUILDING BASE SIMILAR TO ADJACENT HISTORIC BUILDINGS ON MAIN AND 8TH STREETS
- RESIDENTIAL UNITS HAVE VIEWS DOWN BOTH STREETS AND PROVIDE ILLUMINATED, INHABITED PRESENCE AND VIBRANCY AT NIGHT TIME



719-721 MAIN STREET
STREET CORNER

7/13/2016

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PROPOSED:

- 1) DOUBLE HEIGHT BAYS WRAPPED LARGE VERTICAL FRAMES REFER TO NEIGHBORHOOD'S TALL NARROW CAST IRON STOREFRONTS.
- 2) RETAIL/GARAGE BASE RELATES TO THE THREE AND FOUR STORY MASONRY STRUCTURES NEARBY.
- 3) STEP BACK IN FACADE RELATES TO TALLER STRUCTURES ON MAIN STREET, CREATES A SIMILAR PEDESTRIAN EXPERIENCE.
- 4) PENTHOUSE LEVELS ARE LIGHTER WITH MORE GLASS, THINNER MASSES, AND DARKER COLORS.
- 5) TOP OF BUILDING CREATES AN ASYMMETRICAL SILHOUETTE.
- 6) REGULAR WINDOWS ARE STACKED VERTICALLY
- 7) IRREGULAR RHYTHMS AT GROUND LEVEL CONNECT AND COMPLEMENT EXISTING STOREFRONT RHYTHMS.
- 8) "ZIPPER" BREAKS LARGER FRAME INTO TWO VERTICAL EXPRESSIONS MORE COMPATIBLE WITH PROPORTIONS FOUND IN THE DISTRICT.

SURFACE/MATERIALS

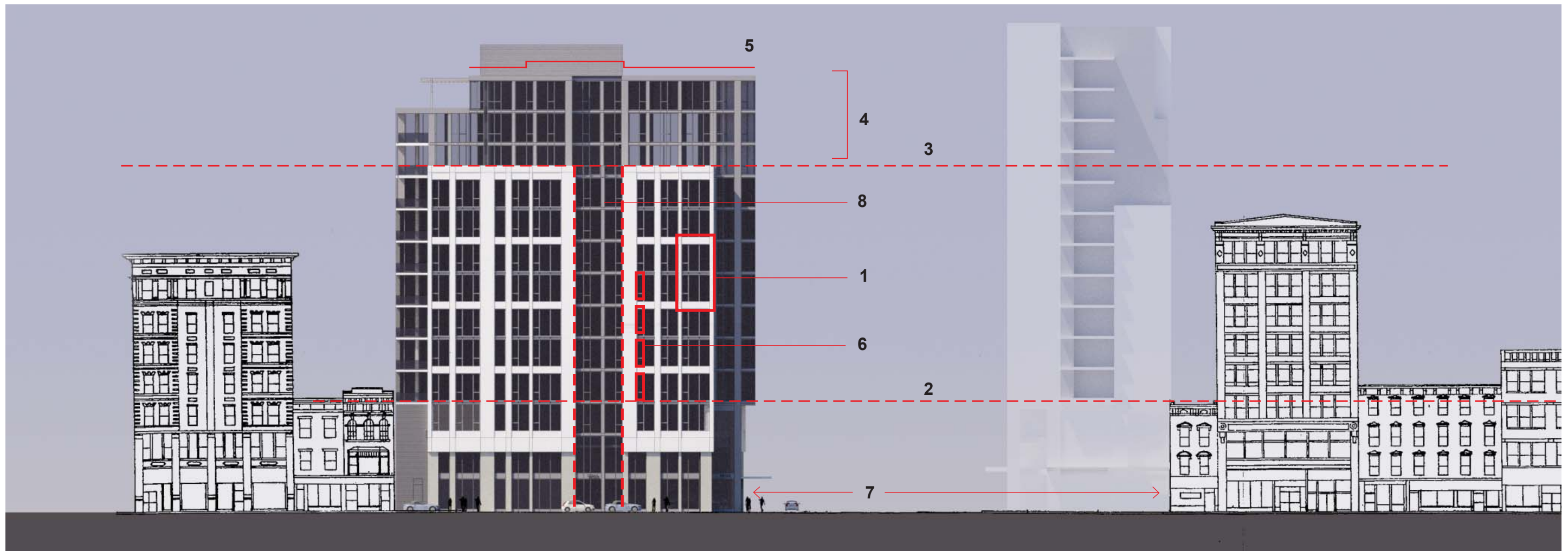
DESIGN GUIDELINE:

SURFACE ORNAMENTATION AND A VARIETY OF MATERIALS IS ENCOURAGED

DETAILING

DESIGN GUIDELINE:

ADDITIONAL DETAILING SEEN ON OTHER BUILDINGS IN THE DISTRICT (SUCH AS BANDING, EXTENDED SILLS OR LINTELS) SHOULD BE CONSIDERED.



7TH STREET
719-721 MAIN STREET
MATERIALS AND DETAILING

8TH STREET



719-721 MAIN STREET
STREET VIEW FROM SOUTH

7/13/2016

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719-721 MAIN STREET
STREET VIEW FROM NORTH

7/13/2016

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8TH & MAIN STREET PROJECT – HEIGHT SUPPORT SUMMARY

Background:

Applicant made application to the Cincinnati Historic Board for a Certificate of Appropriateness for the demolition of the building located at the corner of 8th and Main Streets in Cincinnati. The HCB approved Applicant's COA request at their regular meeting on March 21, 2016.

Now Applicant is applying to the HCB for a Certificate of Appropriateness for the overall building design for the improvements to be built on the site. Plans are being submitted with this document showing the proposed design of the building. Additionally, Applicant wishes to provide more detailed information as to why the height of the building needs to be approximately 160'. This need is driven by financial realities of redeveloping a site downtown and developing enough saleable square feet to make the project financially viable.

Since the last meeting on March 21, 2016, Applicant worked with its design team to generate a design that is 120' high. This design was fully budgeted by Messer Construction and modeled from a financial perspective. Attached please find a copy of the financial model output from this design.

Based on the financial realities of the project, Applicant believes the project will need to be 160' high to become financially viable. This is the design being presented with this document. The financial model for the 160' plan is also attached.

Financial Analysis:

The following is a summary of the financial implications associated with the two models the team studied:

120' Model:

- Net Profit Gross = (\$1,145,892)
- Net Profit per Unit = (\$63,661)

160' Model (Proposed):

- Net Profit Gross = \$882,122
- Net Profit per Unit = \$29,404

The 120' Model generates a net loss for the project whereas the 160' Model generates a positive return. It is worth noting that the team still has work to do because the financial returns on the 160' Model are still not sufficient to permit the Project to move forward. The team will be undertaking value engineering and other work to help boost the financial returns for the Project and believes it can work to achieve the results needed to push the Project forward.

Donato's Condos - 120' Option

Condominium Unit Breakdown & Sales Summary

Unit Summary & Proceeds									
Plan No.	Unit Sq. Ft.	Units/Level	Levels	Unit Count	Total Sq. Ft.	Sales Price /Ft.	Unit Price	Gross Proceeds	
A	2,196	1	3	3	6,588	478	1,049,501	3,148,503	
B	2,001	1	3	3	6,003	478	956,307	2,868,922	
C	1,685	1	3	3	5,055	478	805,286	2,415,859	
D	1,835	1	3	3	5,505	478	876,974	2,630,921	
E	3,242	1	3	3	9,726	528	1,713,213	5,139,639	
F	2,750	1	3	3	8,250	528	1,453,219	4,359,656	
	0	0	0	0	0	0	0	0	
	0	0	0	0	0	0	0	0	
TOTAL				18	41,127	500.00	1,142,417	20,563,500	
				<i>Ave/Unit</i>	<i>2,285</i>				
Lobby		1	1	1	1,332	1.3%			
Storage		1	1	1	1,703	1.7%			
Circulation		1	11	1	20,092	20.3%			
Retail		1	1	1	3,369	3.4%			
Parking	15.66667	3	47	31,218	31.6%				
TOTAL NON-SALEABLE					57,714	58.4%			
PROJECT TOTAL					98,841		\$226.89		

Parking Proceeds	1,450,000	\$80,556
Retail Proceeds	505,350	\$150
Total Gross Proceeds	22,518,850	
Project Cost (Net Incentives)	22,426,205	\$300
Gross Profit	92,645	0.45%
Commissions	\$1,238,537	5.50%
Net Profit	(\$1,145,892)	(\$63,661)

Sales Forecast			
Year 1	2017	0	Construction Start
Year 2	2018	13	Completion June
Year 3	2019	5	Sales
Year 4	2020	0	Sales completed
Year 5	2021	0	Sales completed
Year 6	2022	0	Sales completed
TOTAL		18	
Commissions		5.50%	

Capitalization:			
Equity	\$2,242,621	8.6%	
City Incentives	\$3,800,000	14.5%	
Debt - Bank	\$17,940,964	68.4%	
Debt - CDF/Mez	\$2,242,621	8.6%	
TOTAL	\$26,226,205	100.0%	

Equity Return:		
IRR		-4.03%
CoC		-5.11%

Sales Price - Gross by Floorplan									
Flr	Plan No.								
	A	B	C	D	E	F	G		
1									
2									
3									
4	1,040,254	947,882	798,191	869,247					
5	1,017,137	926,818	780,454	849,930					
6	1,040,254	947,882	798,191	869,247					
7	1,063,371	968,946	815,929	888,564					
8	1,086,488	990,010	833,667	907,880					
9					1,638,132	1,389,532			
10					1,672,260	1,418,481			
11					1,706,387	1,447,429			
12					1,740,515	1,476,378			
13					1,808,771	1,534,275			
14							0	0	
Ave.	1,049,501	956,307	805,286	876,974	1,713,213	1,453,219	0	0	
Total	5,247,504	4,781,537	4,026,432	4,384,868	8,566,064	7,266,094	0	0	

Project Cost	
Land	\$860,500
Hard Cost	\$20,123,540
Soft Cost	\$5,242,165
TOTAL	\$26,226,205

Sales Price - Per Ft. by Floorplan								
	Plan No.							
Floor	A	B	C	D	E	F	G	
1								
2								
3								
4	474	474	474	474				
5	463	463	463	463				
6	474	474	474	474				
7	484	484	484	484				
8	495	495	495	495				
9					505	505		
10					516	516		
11					526	526		
12					537	537		
13					558	558		
14								
	\$478	\$478	\$478	\$478	\$528	\$528		

Donato's Condos - 160' Model

Condominium Unit Breakdown & Sales Summary

Unit Summary & Proceeds									
Plan No.	Unit Sq. Ft.	Units/Level	Levels	Unit Count	Total Sq. Ft.	Sales Price /Ft.	Unit Price	Gross Proceeds	
A	2,025	1	4	4	8,100	475	961,084	3,844,337	
B	2,259	1	4	4	9,036	475	1,072,143	4,288,571	
C	1,648	1	4	4	6,592	475	782,156	3,128,626	
D	1,852	1	4	4	7,408	475	878,977	3,515,907	
E	2,192	1	3	3	6,576	506	1,109,700	3,329,101	
F	2,772	1	3	3	8,316	506	1,403,325	4,209,976	
G	2,218	1	3	3	6,654	506	1,122,863	3,368,588	
H	3,102	1	2	2	6,204	533	1,652,179	3,304,358	
I	2,586	1	2	2	5,172	533	1,377,348	2,754,697	
J	3,557	1	1	1	3,557	580	2,063,338	2,063,338	
	0	0	0	0	0	0	0	0	
TOTAL				30	67,615	500.00	1,126,917	33,807,500	
				<i>Ave/Unit</i>	<i>2,254</i>				
Lobby		1	1	1	1,001	0.8%			
Storage		1	1	1	0	0.0%			
Circulation		1	11	1	24,340	19.4%			
Retail		1	1	1	1,534	1.2%			
Parking	16.33333		3	49	31,000	24.7%			
TOTAL NON-SALEABLE					57,875	46.1%			
PROJECT TOTAL					125,490	\$256.44			

Parking Proceeds	950,000	\$19,388
Retail Proceeds	230,100	\$150
Total Gross Proceeds	34,987,600	
Project Cost (Net Incentives)	32,181,160	\$256
Gross Profit	2,806,440	8.30%
Commissions	\$1,924,318	5.50%
Net Profit	\$882,122	\$29,404

Sales Forecast			
Year 1	2017	0	Construction Start
Year 2	2018	21	Completion June
Year 3	2019	9	Sales
Year 4	2020	0	Sales completed
Year 5	2021	0	Sales completed
Year 6	2022	0	Sales completed
TOTAL		30	
Commissions		5.50%	

Capitalization:			
Equity	\$3,218,116	8.9%	
City Incentives	\$3,800,000	10.6%	
Debt - Bank	\$25,744,928	71.6%	
Debt - CDF/Mez	\$3,218,116	8.9%	
TOTAL	\$35,981,160	100.0%	

Equity Return:		
IRR	18.70%	
CoC	27.41%	

Project Cost	
Land	\$860,500
Hard Cost	\$28,822,472
Soft Cost	\$6,298,188
TOTAL	\$35,981,160

Sales Price - Gross by Floorplan

Flr	Plan No.									
	A	B	C	D	E	F	G	H	I	J
1										
2										
3										
4	961,084	1,072,143	782,156	878,977						
5	939,727	1,048,317	764,775	859,444						
6	961,084	1,072,143	782,156	878,977						
7	982,442	1,095,968	799,538	898,510						
8					1,086,582	1,374,089	1,099,470			
9					1,109,700	1,403,325	1,122,863			
10					1,132,819	1,432,561	1,146,256			
11								1,635,821	1,363,711	
12								1,668,537	1,390,986	
13										2,063,338
14										
Ave.	961,084	1,072,143	782,156	878,977	1,109,700	1,403,325	1,122,863	1,652,179	1,377,348	2,063,338
Total	3,844,337	4,288,571	3,128,626	3,515,907	3,329,101	4,209,976	3,368,588	3,304,358	2,754,697	2,063,338

Sales Price - Per Ft. by Floorplan

Floo	Plan No.									
	A	B	C	D	E	F	G	H	I	J
1										
2										
3										
4	475	475	475	475						
5	464	464	464	464						
6	475	475	475	475						
7	485	485	485	485						
8					496	496	496			
9					506	506	506			
10					517	517	517			
11								527	527	
12								538	538	
13										580
14										
	\$475	\$475	\$475	\$475	\$506	\$506	\$506	\$533	\$533	\$580