

**APPLICATION FOR  
ZONING RELIEF AND  
CERTIFICATE OF APPROPRIATENESS  
HISTORIC CONSERVATION BOARD PUBLIC HEARING  
STAFF REPORT**

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APPLICATION #: COA2020047  
APPLICANT: Evan Eagle, RA  
OWNER: Michelle Holley  
ADDRESS: **824 Dayton Street**  
PARCEL: 086-0001-0377-00  
ZONING: RM 1.2  
OVERLAYS: Dayton Street Historic District  
COMMUNITY: West End  
REPORT DATE: November 16, 2020  
STAFF REVIEW: Beth Johnson, Urban Conservator

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**Nature of Request:**

The applicant is requesting a Certificate of Appropriateness for a roof deck on the existing flat portion of the roof.

**Existing Conditions:**

The property is a contributing building within the Dayton Street Historic District. The building is an Italianate building with a flat topped hipped roof.

**Proposed Conditions:**

The proposal is to create a roof deck on the property by utilizing the existing flat portion of the roof and adding a simple metal railing to the top of the roof. No other structures will be erected on the roof and a roof hatch will be utilized for access.



Figure 1: View to the property from Dayton Street looking east. Google Street Views.



Figure 2: Map of 824 Dayton Street. Cagis Map

**Previous Review:** NA

**Applicable Zoning Code Sections:**

Zoning District: Section 1405 Residential  
HCB authority: [Section 1435-05-4](#)  
Overlays: [Section 1435](#) Historic Preservation  
Historic District/Reg: Over the Rhine Historic District  
COA Standard: [Section 1435-09-2](#) COA; Standard of Review

**Certificate of Appropriateness Review**

Staff is supportive of the design and feels that the design substantially conforms to the Historic Conservation District Guidelines.

**Roofs:** Roofs for new construction shall be similar to roofs of adjacent and nearby buildings of similar size and use. In the District, buildings of three or more stories generally have low-pitched shed roofs that are not visible above the principal facade. Smaller buildings in the district typically have simple gable roofs on which the gables are perpendicular to the principal facade. Institutional buildings in the District have a variety of roof shapes, including dormers, multiple gables, hip roofs and towers. Roofs in this district have little or no overhang. Rooftop decks or balconies shall not be visible from the street

*The deck consists mostly of the deck railing as the existing roof is flat and addition structure does not need to be constructed. The railing is only slightly visible from down the street and is not visible from in front or in close proximity to the building.*

*Even when it is visible it does not detract from the building as this type of building with flat hipped roof form often included a widow's walk or cresting. A metal railing at the roof is consistent with the architecture of the building and the district.*

**Other Considerations:**

**Prehearing Results:** November 18, 2020.

**Comments Provided to Staff:** NA

**Recommendation:**

Staff recommends the Historic Conservation Board take the following actions:

## I. CERTIFICATE OF APPROPRIATENESS

1. **APPROVE** a Certificate of Appropriateness for the roof deck at 824 Dayton Street per plans submitted by Evan Eagle Architect dated 10/23/2020.
  - a. The building permit must be issued within 2 years or the COA shall expire.
  
2. **FINDING:** The Board makes this determination per Section 1435-09-2:
  - a. The plans for the roof deck do not overpower the historic main building, are not highly visible from Dayton Street, and are sympathetic in design and material to the historic building.
  - b. The applicant has provided documentation that the proposal substantially conforms to the Dayton Street Historic District Guidelines.

**ADJUDICATION/DENIAL LETTER**

Date: October 8, 2020

Location: 824 Dayton Street

Request: roof deck

Zoning District: CC-P/ Over-the-Rhine Historic District/Hillside

The City of Cincinnati appreciates receiving your information regarding your proposed project. The purpose of this letter is to inform you that your proposed project will be required to get a Certificate of Appropriateness and Zoning Relief from the Historic Conservation Board as it is within a local historic district.

All documents **that are checked** on the Documents Required for Historic Conservation Board Review are a required part of the submission and the submission will not be considered complete unless all of these documents are included. When you submit the copies of the application, the Documents Required Sheet must be submitted as well. **A \$621.68 fee is required with the submission as well.** All deadlines for upcoming Historic Conservation Board hearings can be found at <https://www.cincinnati-oh.gov/buildings/historic-conservation/historic-conservation-board/>. **Applications must be submitted no later than 3pm on the deadline date.**

The applications and documents required will be turned into the *Law Department- Office of Administrative Boards*. Their office is located on the 5<sup>th</sup> floor of 805 Central Avenue in the Permit Center. Applications can be turned in **no later than 3pm on the deadline date**. You must contact Kasandra Maynes at 513-352-1559 or [Kasandra.Maynes@cincinnati-oh.gov](mailto:Kasandra.Maynes@cincinnati-oh.gov) for submittal.

You may also contact me at the information listed below with historic conservation or zoning questions, concerns or to make an appointment.

Sincerely,



Beth Johnson

Urban Conservator

(p): 513-352-4848

(e): [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)



II Centennial Plaza  
 805 Central Avenue, Suite 500  
 Cincinnati, Ohio 45202  
 Monday- Friday 7:30 am—4 pm  
 (513) 352-4848  
[Urban.Conservator@Cincinnati-OH.gov](mailto:Urban.Conservator@Cincinnati-OH.gov)

Office Use Only	
Application #:	_____
Date Accepted:	_____
<input type="checkbox"/> Staff Review	<input type="checkbox"/> Board Review
<input type="checkbox"/> Paid:	_____
Date Perfected:	_____
Hearing Date:	_____

## CERTIFICATE OF APPROPRIATENESS APPLICATION

### SUBJECT PROPERTY

Site Address: \_\_\_\_\_  
 Hamilton Co. Parcel ID No.: \_\_\_\_\_ Zoning District: \_\_\_\_\_  
 Historic District: \_\_\_\_\_ Overlay District: \_\_\_\_\_

### PRIMARY CONTACT INFO PROPERTY OWNER OTHER \_\_\_\_\_ (AGENT, ATTORNEY, ARCHITECT, ETC.)

Name: \_\_\_\_\_  
 Contact Person (if legal entity): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### PROPERTY OWNER INFO SAME AS ABOVE

Name: \_\_\_\_\_  
 Contact Person (if legal entity): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### CERTIFICATE OF APPROPRIATENESS (SELECT ALL THAT APPLY)

- New Construction       Alteration       Demolition

Provide a very brief summary of the project:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### ZONING RELIEF Yes No

Provide a very brief summary of the zoning relief requested:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### SUBMISSION REQUIREMENTS & REQUIRED ATTACHMENTS

**Demolition requests must include all required demolition forms.**  
**All applications that include requests for zoning relief must include a zoning hearing application.**  
**All persons seeking historic tax credits must provide a copy of their approved part II tax credit application.**

I certify that all statements and documents that I provide with reference to this application are accurate, complete, and true to the best of my knowledge and belief. I further acknowledge that my application shall be deemed incomplete for my failure to timely comply with any requirement of this application, which non-compliance may result in delays in the scheduling and resolution of my application.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# CINCINNATI'S HISTORIC CONSERVATION OFFICE



## Documents Required for Historic Conservation Board Review

*The Historic Conservation Office will provide this list with the required items checked off once an Adjudication/Denial letter is issued.*

- 3 complete hard copies at the time of application.
  - ✓  All drawings formatted to 11x17 or 12x18.
  - ✓  Digital copy in PDF format provided on CD, USB drive, or emailed to beth.johnson@cincinnati-oh.gov
  - ✓  Adjudication/Denial Letter and this checklist
  - ✓  Certificate of Appropriateness Application Form **(separate)**
  - ✓  A letter/narrative statement of intent and how the project meets the applicable Historic Conservation Guidelines
    - Zoning Hearing Examiner Application Form
    - A letter/narrative statement required in Section 6 of the Zoning Hearing Examiner Application
  - ✓  The Hamilton County Auditors record or other documentation showing property ownership
    - A letter/email of permission from owners, lease, contract to purchase or other agreement demonstrating the applicant or owner's legal basis to seek the COA or Zoning Relief
  - ✓  A list of the applicants' witnesses and expert witnesses who you expect to testify at the hearing or legal counsel, if any
    - 8 business days before the hearing date 10 hard copies and a digital copy in one pdf or for the final board packet. Drawings must be formatted and retain the proper scale in 11x17 or 12x18.
  - ✓  Other Documents or information applicant wants to present for their case
  - Non-Refundable Application Fee. Checks made payable to the City of Cincinnati. \$ 621.68
- ✓ **All Drawings and Plans must include the following**
- A graphic scale required on all drawings
  - North arrows on all site, context and floor plans
  - Elevations labeled with North, South, East West, front, side and rear labels
  - Street names labeled
  - Date and/or revision dates
- ✓ **Architectural Drawings and Plans**
- An index of drawings located on the first sheet
  - Context Map showing the building within at least a block of context
  - Existing and proposed site plans including
    - Parcel/boundary lines
    - Building footprints and dimensions labeled
    - Setback dimensions from all property lines labeled
    - Existing and proposed principal and accessory buildings, including location, dimensions, and height labeled;
    - All properties and their structures immediately adjacent to the site
  - Existing and proposed elevation drawings
    - Total Height from grade to top of the building
    - Total height- ASL (Above Sea Level)
    - Materials labeled
  - Existing and proposed floor plans and roof plans (with chimney locations)
    - Residential and Commercial Spaces labeled. Residential Spaces must be numbered.
    - Square feet of commercial spaces listed



II Centennial Plaza  
 805 Central Avenue, Suite 500  
 Cincinnati, Ohio 45202  
 Monday- Friday 7:30 am—4 pm  
 (513) 352-4848  
[Beth.Johnson@Cincinnati-OH.gov](mailto:Beth.Johnson@Cincinnati-OH.gov)

Office Use Only	
Application #:	_____
Date Accepted:	_____
<input type="checkbox"/> Staff Review	<input type="checkbox"/> Board Review
<input type="checkbox"/> Paid:	_____
Date Perfected:	_____
Hearing Date:	_____

## CERTIFICATE OF APPROPRIATENESS APPLICATION

### SUBJECT PROPERTY

Site Address: \_\_\_\_\_  
 Hamilton Co. Parcel ID No.: \_\_\_\_\_ Zoning District: \_\_\_\_\_  
 Historic District: \_\_\_\_\_ Overlay District: \_\_\_\_\_

### APPLICANT INFO PROPERTY OWNER OTHER \_\_\_\_\_ (AGENT, ATTORNEY, ARCHITECT, ETC.)

Name: \_\_\_\_\_  
 Contact Person (if legal entity): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### PROPERTY OWNER INFO SAME AS ABOVE

Name: \_\_\_\_\_  
 Contact Person (if legal entity): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### CERTIFICATE OF APPROPRIATENESS (SELECT ALL THAT APPLY)

New Construction       Alteration       Demolition

Provide a very brief summary of the project:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### ZONING RELIEF Yes No

Provide a very brief summary of the zoning relief requested:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### SUBMISSION REQUIREMENTS & REQUIRED ATTACHMENTS

**Demolition requests must include all required demolition forms.**  
**All applications that include requests for zoning relief must include a zoning hearing application.**  
**All persons seeking historic tax credits must provide a copy of their approved part II tax credit application.**

I certify that all statements and documents that I provide with reference to this application are accurate, complete, and true to the best of my knowledge and belief. I further acknowledge that my application shall be deemed incomplete for my failure to timely comply with any requirement of this application, which non-compliance may result in delays in the scheduling and resolution of my application.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- Location of trash storage and Utilities
- ✓  Site section and/or Site elevations including any adjacent properties
- Driveways, sidewalks, walkways, terraces, and other paved surfaces
- Existing and proposed accessory structures, including walls, fences, porches, lighting, signs, and other site improvements;
- Existing and proposed landscape areas and materials, if proposed to be altered;
- ✓  Proposed materials, textures, and colors. Include Make, model and series for proposed materials
- ✓  Labeled photos of all sides of the building and a 1 block streetscape context in all directions
- ✓  Site line drawings for any roof additions.
- A color rendering, axonometric drawings and/or perspective of the proposed construction (required on infill projects)

**Required if applicable to the project**

- Historic Sanborn Maps of the site
- Window brochures and cut sheet
- Roof product information (brochure)
- Garage door brochures
- Sample materials or color samples. \_\_\_\_\_
- Fence drawings of style, fence brochures or photo of a sample fence
- Signs; drawings, photo showing the sign on the building, mounting info, materials, colors and illumination
- Mature tree removal requires a letter from an arborist stating its poor health
- All written correspondence submitted by the applicant and other affected persons
- Tentative project schedule
- Egress Plan/Route to Building Code Compliance (roof decks, multi-family developments)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Demolition (full or partial) for Historic Conservation Districts and Landmarks**

- Demolition Case Sheet and all required information listed on the sheet unless otherwise not required by the Urban Conservator in writing and provided with application.
- Statement of plans for the property after demolition.

**Hillside Overlay Zone (CZC § 1433)**

- A development plan, accompanied by a property survey, showing existing vegetation and proposed development, and where applicable, streets, drives, parking areas, walkways, heights of structure(s), location of structures, elevation and setback of proposed buildings, drainage, existing contours and proposed grading and new landscaping plans, proposed uses and square footage of uses and recreational facilities;
- A preliminary geotechnical evaluation;
- A determination of the maximum building envelope;
- Average slope/grade of the property; and
- Graphic illustrations demonstrating that the proposed improvement or new structure has not exceeded the maximum building envelope

**For additional questions contact Beth Johnson, Urban Conservator at 513-352-4848 or [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)**

*Note: The aforementioned information is general in nature. Additional information may be required by the Urban Conservator once the application is submitted. Please use this list to plan for the potential documents that could be required for a submission.*

**GENERAL PLAN NOTES**

- A) ALL NEW WALL CONSTRUCTION TO BE 2x4 WOOD STUDS @ 16" O.C. WITH 1/2" DRYWALL UNLESS NOTED OR REQUIRED OTHERWISE
- B) ALL NEW CONSTRUCTION TO MATCH EXISTING APPEARANCE INCLUDING TRIM WORK WHERE OCCURS FOR RENOVATION WORK
- C) VERIFY EXISTING CONDITIONS & REMOVE EXISTING CONSTRUCTION AS INDICATED TO EXTENT REQUIRED FOR NEW WORK
- D) COORDINATE PLUMBING, MECHANICAL AND ELECTRICAL WORK WITH DESIGN-BUILD CONTRACTORS
- E) PAINT / RE-FINISH ALL NEW / PATCHED SURFACES TO MATCH EXISTING FOR RENOVATION WORK
- F) NEW FINISH SELECTIONS BY OWNER UNLESS NOTED OTHERWISE - ALL CABINETS BY OWNER'S VENDOR
- G) SHOWER GLASS SURROUND / DOORS TO BE TEMPERED SAFETY GLASS
- H) ALL INTERIOR DOORS 32" X 80" UNLESS NOTED OR SELECTED OTHERWISE - MATCH EXISTING OR AS SELECTED

**FRAMING NOTES**

- 1) ALL STRUCTURAL LUMBER SHALL BE MIN. NO. 2 SOUTHERN YELLOW PINE (F<sub>b</sub> = 1500, E = 1,600,000)
- 2) ALL LUMBER IN CONTACT WITH CONCRETE/MASONRY SHALL BE PRESSURE-TREATED. ALL LUMBER IN DIRECT CONTACT WITH GROUND SUPPORTING WALLS/ROOFS SHALL BE PRESSURE-TREATED FOR GROUND CONTACT USE.
- 3) ALL MET. FASTENERS & CONNECTORS GALVANIZED STEEL
- 4) ALL STRUCTURAL FRAMING TO BE FULL LENGTH (NO SPLICES)

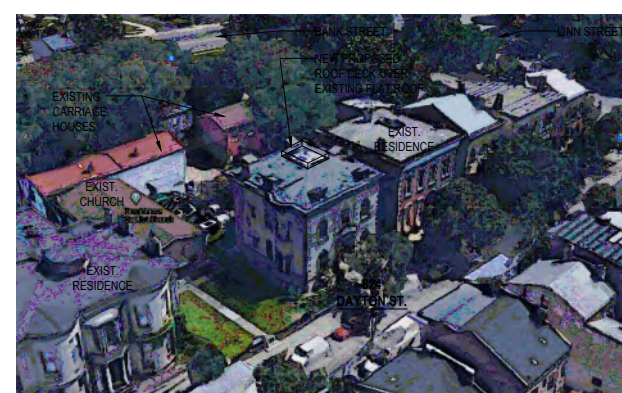
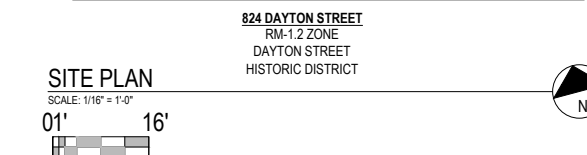
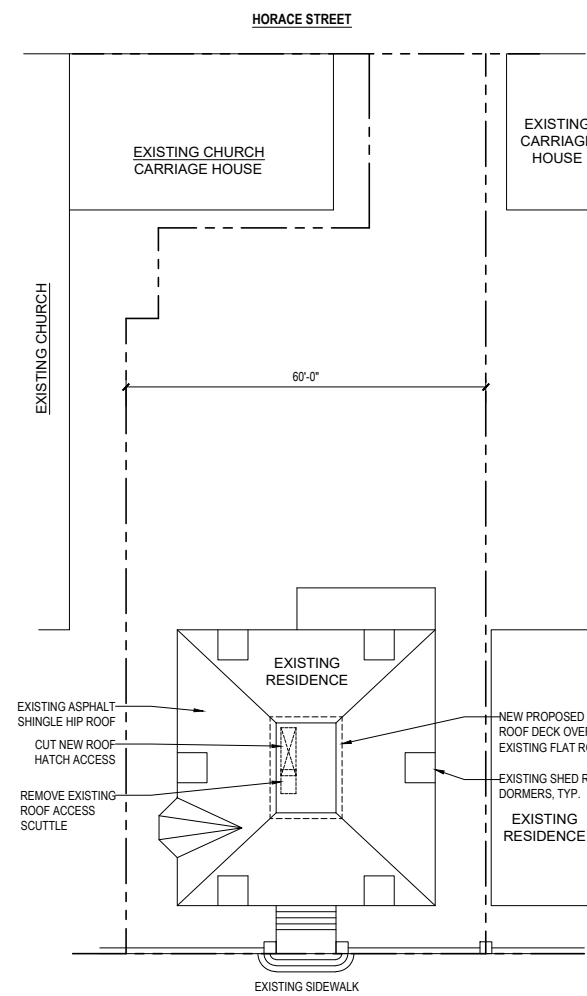
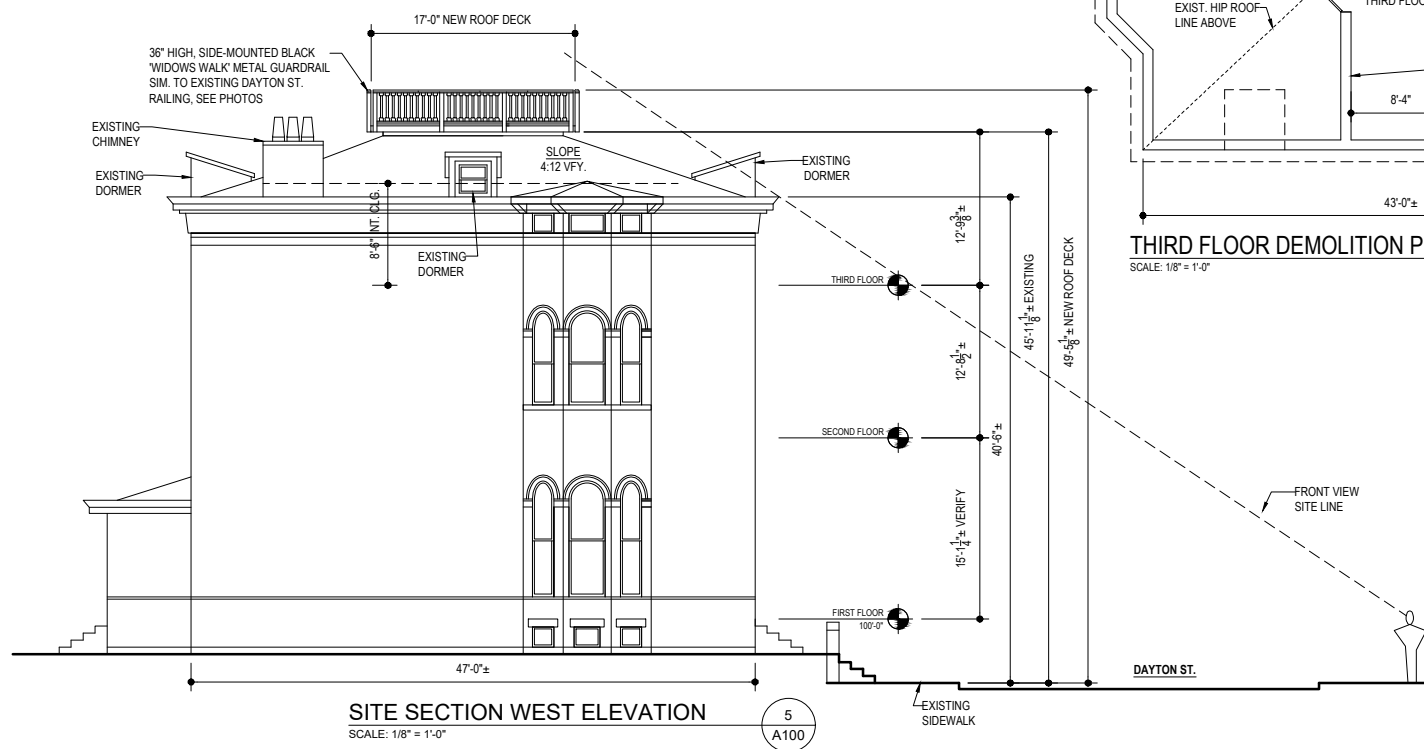
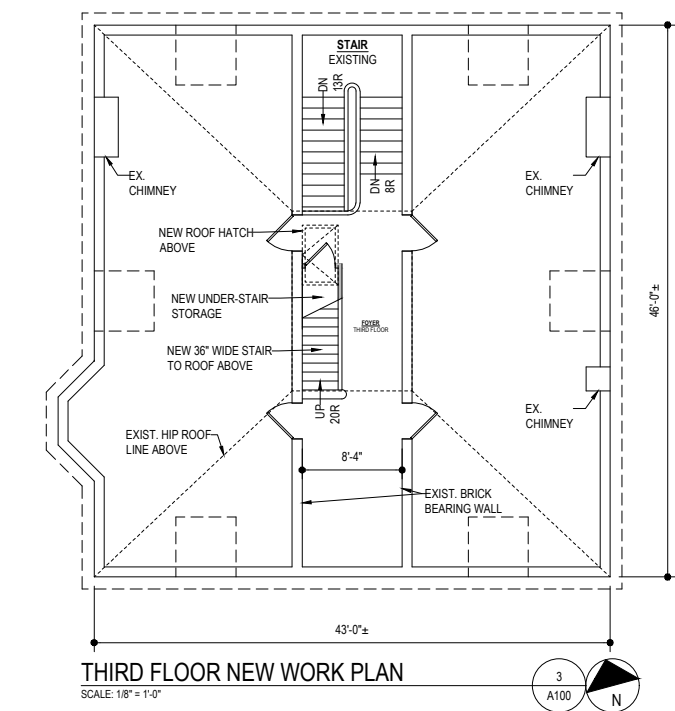
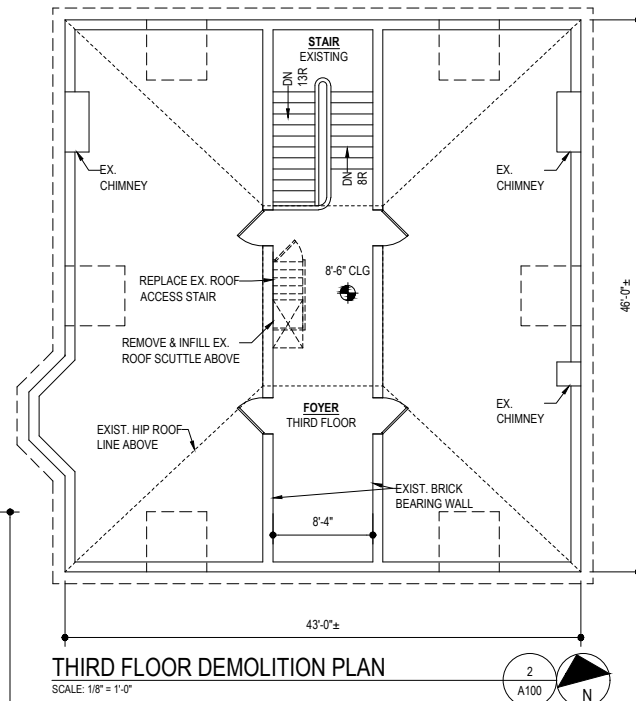
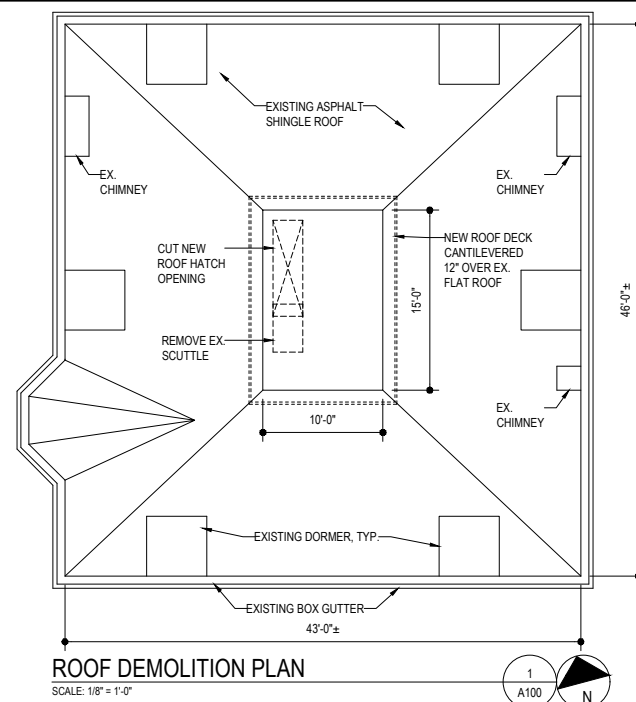
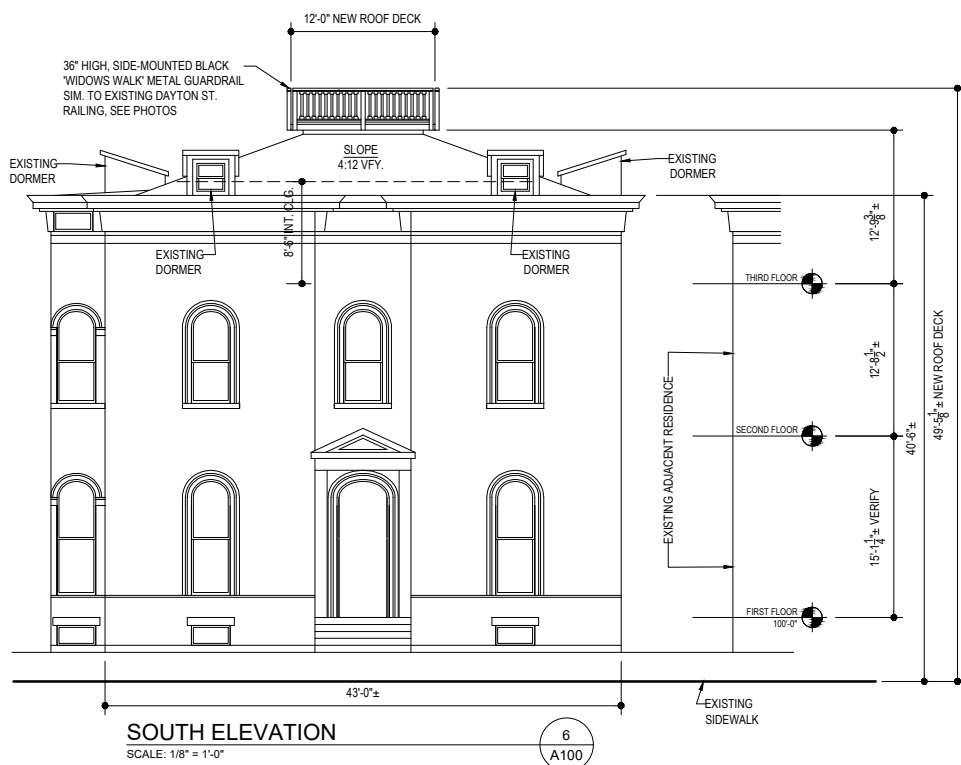
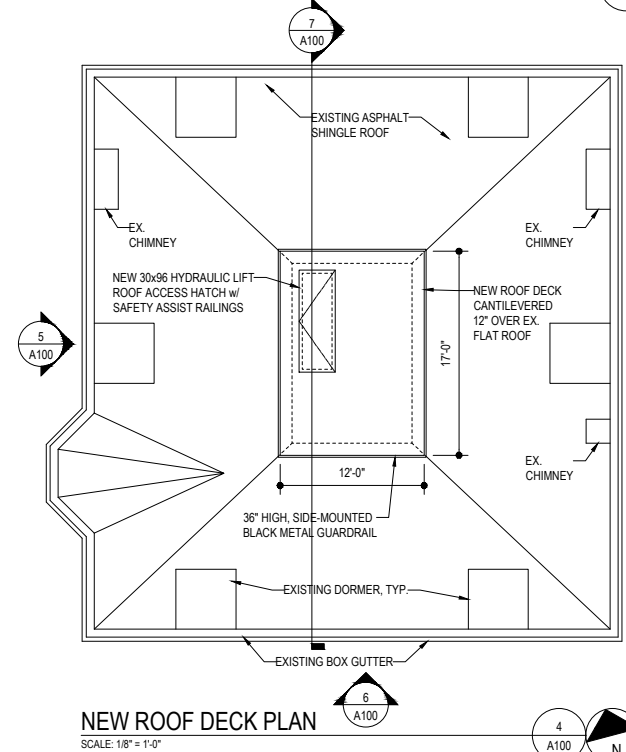
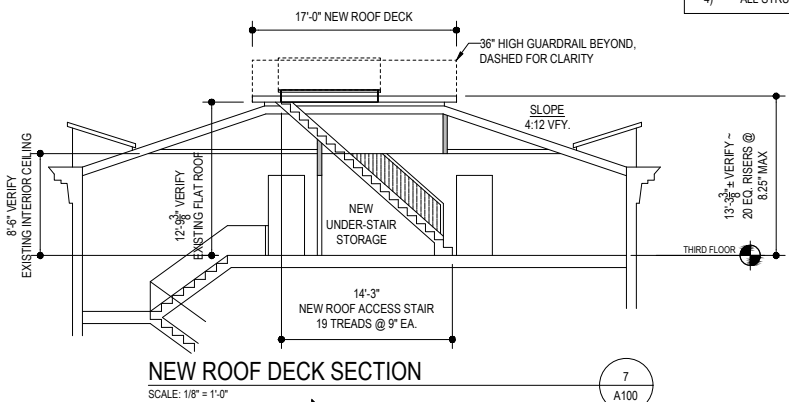
# NEW RESIDENTIAL ROOF DECK ADDITION

**GENERAL PROJECT NOTES**

2019 OHIO RESIDENTIAL CODE (ORC)

VICINITY MAP (NOT TO SCALE)

- A. ALL WORK SHALL CONFORM TO APPLICABLE BUILDING CODES.
- B. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS SHOWN ON THE DRAWINGS AT THE JOB SITE.
- C. CONTRACTOR SHALL PROVIDE BRACING AND BLOCKING OF ALL WALLS RECEIVING MILLWORK, SHELVING, ETC. AND ANY MISCELLANEOUS WOOD BLOCKING.
- D. ALL FLOORS SHALL BE LEVEL AND FREE OF IRREGULARITIES TO ASSURE CONSISTENT FLOOR HEIGHT.
- E. ALL CONTRACTORS ARE RESPONSIBLE FOR LAYING OUT EQUIPMENT PLANS TO AVOID INTERFERENCES BETWEEN BUILDING COMPONENTS AND WORK BY OTHERS.
- F. GYPSUM BOARD CONTROL JOINTS SHALL BE PROVIDED IN ACCORDANCE WITH THE U.S. GYPSUM ASSOCIATION AND / OR AS INDICATED. ALL OUTSIDE CORNERS OF GYP. BD. SHALL HAVE CONTINUOUS CORNER BEAD. ALL EXPOSED GYPSUM BOARD EDGES SHALL HAVE CONTINUOUS J-BEAD UNLESS NOTED OTHERWISE.
- G. ITEMS MARKED "TYPICAL" SHALL APPLY IN ALL SIMILAR CASES UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- H. FASTENERS USED IN PRESSURE TREATED WOOD SHALL HAVE THE APPROPRIATE FACTORY COATINGS TO PREVENT CORROSION DUE TO MOISTURE AND / OR THE WOOD'S CHEMICAL PRESERVATIVES.
- I. DIMENSIONS ARE TO FACE OF FOUNDATION WALL / MASONRY / STUD



DATE	10/23/2020
ISSUE	CERTIFICATE OF APPROPRIATENESS
#	

**TOTAL HOME CARE**  
634 6TH AVENUE  
DAYTON, KY 41074  
(859) 289-5554

**824 DAYTON STREET  
RESIDENTIAL ROOF  
DECK ADDITION**  
824 DAYTON STREET - CINCINNATI, OH 45214

**SHEET INDEX**

A100	GENERAL INFO & PROJECT PLANS
A101	PROJECT PHOTOS

**SCALE U.N.O.**  
0' 8'  
0' 16'

**EAGLE DESIGN**  
4001 BALLARD AVE.  
CINCINNATI, OH 45209  
(513) 518-9461

DOCUMENT OF SERVICE  
MAY NOT BE USED WITHOUT  
DESIGNER'S PERMISSION

CERTIFICATION IS ONLY APPLICABLE TO THE ARCHITECTURAL DOCUMENTS



ALTERATION AND/OR DUPLICATION OF THIS DOCUMENT IS PROHIBITED WITHOUT THE SPECIFIC CONSENT OF THE PROJECT CLIENT AND DESIGNER. Copyright: Evan Eagle 2018

**GENERAL INFO & PROJECT PLANS**

**A100**



DAYTON STREET  
EXISTING STREET METAL RAILING  
NO SCALE



DAYTON STREET  
EAST PERSPECTIVE VIEW  
NO SCALE



REAR NORTH ELEVATION  
NO SCALE



DAYTON STREET  
WEST PERSPECTIVE VIEW  
NO SCALE



SIDE WEST ELEVATION  
NO SCALE



DAYTON STREET  
SOUTHWEST PERSPECTIVE VIEW  
NO SCALE



DAYTON STREET  
FRONT SOUTH ELEVATION  
NO SCALE



DAYTON STREET  
SOUTHEAST PERSPECTIVE VIEW  
NO SCALE

#	ISSUE	DATE
	CERTIFICATE OF APPROPRIATENESS	10/23/2020

TOTAL HOME CARE  
634 6TH AVENUE  
DAYTON, KY 41074  
(859) 269-5554

824 DAYTON STREET  
RESIDENTIAL ROOF  
DECK ADDITION  
824 DAYTON STREET - CINCINNATI, OH 45214

SHEET INDEX

A100	GENERAL INFO & PROJECT PLANS
A101	PROJECT PHOTOS

SCALE U.N.O.  
0 1' 4'

EAGLE DESIGN  
4001 BALLARD AVE.  
CINCINNATI, OH 45209  
(513) 518-9461

DOCUMENT OF SERVICE  
MAY NOT BE USED WITHOUT  
DESIGNER'S PERMISSION

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ALTERATION AND/OR DUPLICATION OF THIS DOCUMENT IS PROHIBITED WITHOUT THE SPECIFIC CONSENT OF THE PROJECT CLIENT AND DESIGNER. Copyright: Evan Eagle 2018

EXISTING  
CONDITION  
PHOTOS

**APPLICATION FOR  
ZONING RELIEF AND  
CERTIFICATE OF APPROPRIATENESS  
HISTORIC CONSERVATION BOARD PUBLIC HEARING  
STAFF REPORT**

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APPLICATION #: COA2020051  
APPLICANT: Dellinger Architects  
OWNER: Celestial Capital LLC  
ADDRESS: **2725 Woodburn Ave**  
PARCEL: 061-0001-0136  
ZONING: CC-P  
OVERLAYS: Woodburn Avenue Historic District  
COMMUNITY: Walnut Hills  
REPORT DATE: November 16, 2020  
STAFF REVIEW: Beth Johnson, Urban Conservator

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**Nature of Request:**

The applicant is requesting a Certificate of Appropriateness for a roof addition and roof deck.

**Existing Conditions:**

The property is a contributing building within the Woodburn Avenue Historic District. The building is a 2 story brick mixed use building between 2 3-story buildings.

**Proposed Conditions:**

The proposal is to create a roof addition set back a minimum of 20' 5.5" from the front façade and create a roof terrace between the front of the building and the addition.



Figure 1: View to the property from Clayton Street. Google Street Views.

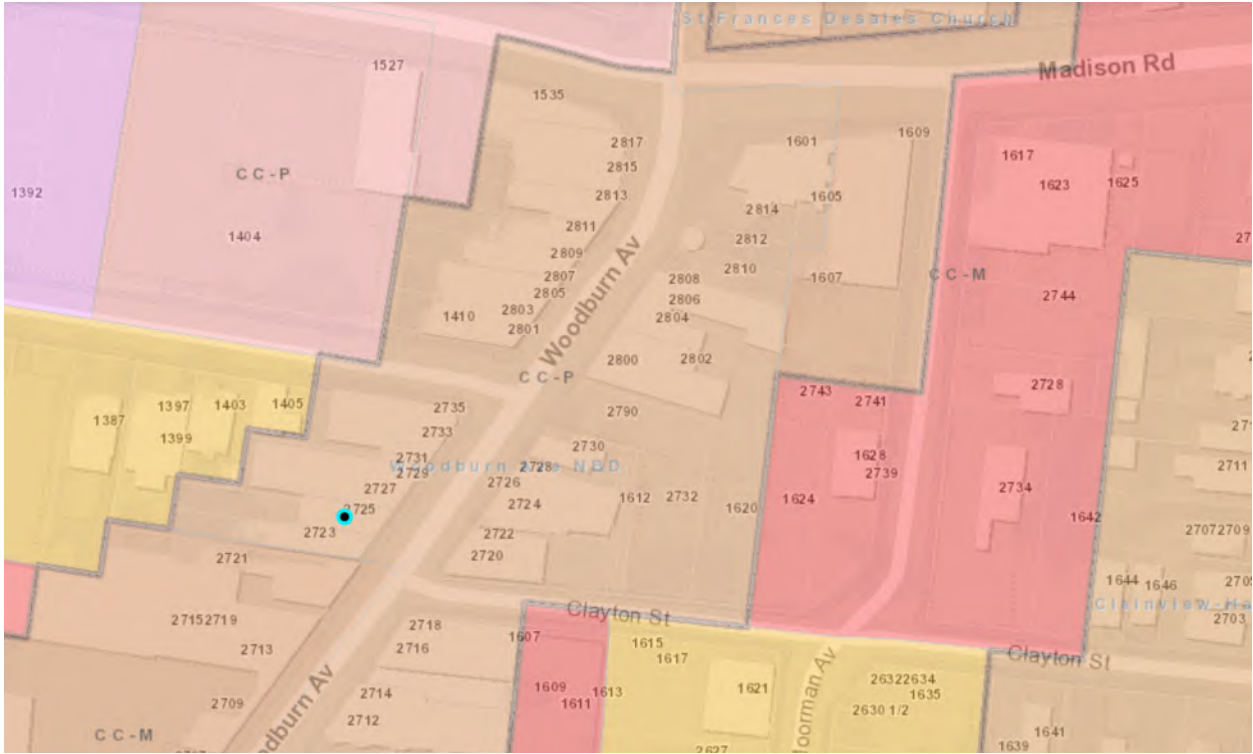


Figure 2: Map of 2725 Woodburn Ave Street. Cagis Map

**Previous Review:** NA

**Applicable Zoning Code Sections:**

Zoning District: Section 1409 Commercial  
HCB authority: [Section 1435-05-4](#)  
Overlays: [Section 1435](#) Historic Preservation  
Historic District/Reg: Over the Rhine Historic District  
COA Standard: [Section 1435-09-2](#) COA; Standard of Review

**Certificate of Appropriateness Review**

Staff is supportive of the design and recommends that the design substantially conforms to the Historic Conservation District Guidelines.

**Additions Intent and General Guidelines**

1. Additions are allowed and should follow new construction guidelines. They should be compatible in character with the original. They should be sympathetic but not imitative in design.
2. Additions should be designed to relate architecturally to adjacent buildings in general and to the building they are a part of in particular.
3. Additions should not overpower the original building.
4. The appropriateness of design solutions will be based on balancing 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.

**Rehabilitation- Roofs:**

Chimneys, dormers or towers and other architectural features that give the roofline of an building its identifying character should be preserved. Most of the buildings in the Woodburn Avenue NBD have flat or single-pitch roofs. The addition of vents, skylights, and roof top utilities should be inconspicuously placed or screened where necessary. Retain and repair original roof materials such as slate and standing seam metal roofs. Wood shakes and plastic roofing products, which are inappropriate materials in the Woodburn Avenue NBD, shall not be used. Simulated slate may be approved on a case-by-case basis.

*Typically roof top additions, especially when they are not minimal and strictly for rooftop access are not something that we are supportive of as it does change the shape of the roof and overall form and massing of the building. However, with this property it a 2-story building between two 3 story buildings and the addition's height will not be above the neighboring buildings causing it to be inconspicuous and not take away from the massing and form appearance of the building from the streetscape. The addition will be slightly visible from down Clayton St. The addition won't be visible when on Woodburn Avenue and it will not overpower the original or surrounding buildings or the streetscape.*

**Site Improvement- Decks:** Wood decks should be stained or painted. Rooftop decks should not be highly visible from the principal façade nor require modification of the existing roofline.

*The roof is currently a flat roof and will be utilized for the deck. The front parapet is tall enough to provide the required railing. The roof deck is designed to be incorporated into the architecture of the building and no railings will be visible from the street.*

**Other Considerations:**

**Prehearing Results:** November 18, 2020. The applicants and a neighbor were present. All voiced support for the project.

**Comments Provided to Staff:**

1. A letter from the East Walnut Hills Assembly Board is submitted in support of approval.
2. A letter from a neighbor, Edwin A Pfetzing, is submitted in support of approval.

**Recommendation:**

Staff recommends the Historic Conservation Board take the following actions:

**I. CERTIFICATE OF APPROPRIATENESS**

1. **APPROVE** a Certificate of Appropriateness for the roof addition and deck at 2725 Woodburn Ave per plans submitted by Dellinger Architects dated 10/23/2020.
  - a. The building permit must be issued within 2 years or the COA shall expire.
2. **FINDING:** The Board makes this determination per Section 1435-09-2:
  - a. The plans for the roof deck and addition do not overpower the historic main building or neighboring buildings, are not visible from Woodburn Avenue, and are sympathetic in placement to the historic building.
  - b. The applicant has provided documentation that the proposal substantially conforms to the Woodburn Avenue Historic District Guidelines.



II Centennial Plaza  
 805 Central Avenue, Suite 500  
 Cincinnati, Ohio 45202  
 Monday- Friday 7:30 am—4 pm  
 (513) 352-4848  
[Beth.Johnson@Cincinnati-OH.gov](mailto:Beth.Johnson@Cincinnati-OH.gov)

Office Use Only	
Application #:	_____
Date Accepted:	_____
<input type="checkbox"/> Staff Review	<input type="checkbox"/> Board Review
<input type="checkbox"/> Paid:	_____
Date Perfected:	_____
Hearing Date:	_____

## CERTIFICATE OF APPROPRIATENESS APPLICATION

### SUBJECT PROPERTY

Site Address: 2725 Woodburn Ave  
 Hamilton Co. Parcel ID No.: 061-0001-0136-00 Zoning District: CC-P Commercial Community - Pedestrian  
 Historic District: Woodburn Ave NBD Historic District Overlay District: \_\_\_\_\_

### APPLICANT INFO PROPERTY OWNER OTHER architect (AGENT, ATTORNEY, ARCHITECT, ETC.)

Name: Dellinger Architects Denny Dellinger  
 Contact Person (if legal entity): \_\_\_\_\_  
 Address: 228 Mohawk St.  
 City: Cincinnati State: OH Zip Code: 45214  
 Phone: 513-739-5770 E-mail: dennyd.dellinger@gmail.com

### PROPERTY OWNER INFO SAME AS ABOVE

Name: Celestial Capital LLC  
 Contact Person (if legal entity): Harry Ramaneni  
 Address: 1418 Central Parkway Suite 201  
 City: Cincinnati State: OH Zip Code: 45202  
 Phone: 513-615-3630 E-mail: hari1116@aol.com

### CERTIFICATE OF APPROPRIATENESS (SELECT ALL THAT APPLY)

New Construction  Alteration  Demolition

Provide a very brief summary of the project:

Scope of work includes renovation of the first and second floor and an thrid floor addition with roof deck

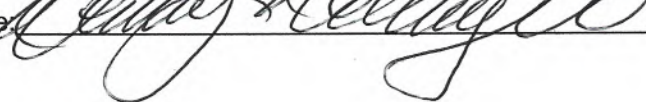
### ZONING RELIEF Yes No

Provide a very brief summary of the zoning relief requested:

### SUBMISSION REQUIREMENTS & REQUIRED ATTACHMENTS

**Demolition requests must include all required demolition forms.**  
**All applications that include requests for zoning relief must include a zoning hearing application.**  
**All persons seeking historic tax credits must provide a copy of their approved part II tax credit application.**

I certify that all statements and documents that I provide with reference to this application are accurate, complete, and true to the best of my knowledge and belief. I further acknowledge that my application shall be deemed incomplete for my failure to timely comply with any requirement of this application, which non-compliance may result in delays in the scheduling and resolution of my application.

Applicant Signature: 

Date: Oct. 23, 2020

**ADJUDICATION/DENIAL LETTER**

Date: 10/16/20

Location: 2725 Woodburn Av

Request: Addition and roof top deck

Zoning District: CC-P/ Woodburn

The City of Cincinnati appreciates receiving your information regarding your proposed project. The purpose of this letter is to inform you that your proposed project will be required to get a Certificate of Appropriateness from the Historic Conservation Board as it is within a local historic district.

All documents **that are checked** on the Documents Required for Historic Conservation Board Review are a required part of the submission and the submission will not be considered complete unless all of these documents are included. When you submit the copies of the application, the Documents Required Sheet must be submitted as well. **A \$621.68 fee is required with the submission as well.** All deadlines for upcoming Historic Conservation Board hearings can be found at <https://www.cincinnati-oh.gov/buildings/historic-conservation/historic-conservation-board/>. **Applications must be submitted no later than 3pm on the deadline date.**

Your request also does not comply with the City of Cincinnati Zoning Code for the following reason(s):

Project complies with zoning. No parking variance is required as the property is within 600 feet of a public parking lot and is permitted to have reduced parking. The new balcony off the rear is within the 20foot required rear yard setback for residential properties.

The applications and documents required will be turned into the *Law Department- Office of Administrative Boards*. Their office is located on the 5<sup>th</sup> floor of 805 Central Avenue in the Permit Center. Applications can be turned in **no later than 3pm on the deadline date**. You must contact Kasandra Maynes at 513-352-1559 or [Kasandra.Maynes@cincinnati-oh.gov](mailto:Kasandra.Maynes@cincinnati-oh.gov) for submittal.

You may also contact me at the information listed below with historic conservation or zoning questions, concerns or to make an appointment.

Sincerely,



Beth Johnson

Urban Conservator

(p): 513-352-4848

(e): [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)

# CINCINNATI'S HISTORIC CONSERVATION OFFICE



## Documents Required for Historic Conservation Board Review

*The Historic Conservation Office will provide this list with the required items checked off once an Adjudication/Denial letter is issued.*

- 3 complete hard copies at the time of application.
- All drawings formatted to 11x17 or 12x18.
- Digital copy in PDF format provided on CD, USB drive, or emailed to [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)
- Adjudication/Denial Letter and this checklist
- Certificate of Appropriateness Application Form
- A letter/narrative statement of intent and how the project meets the applicable Historic Conservation Guidelines
- Zoning Hearing Examiner Application Form
- A letter/narrative statement required in Section 6 of the Zoning Hearing Examiner Application
- The Hamilton County Auditors record or other documentation showing property ownership
- A letter/email of permission from owners, lease, contract to purchase or other agreement demonstrating the applicant or owner's legal basis to seek the COA or Zoning Relief
- A list of the applicants' witnesses and expert witnesses who you expect to testify at the hearing or legal counsel, if any
- 8 business days before the hearing date 10 hard copies and a digital copy in one pdf or for the final board packet. Drawings must be formatted and retain the proper scale in 11x17 or 12x18.
- Other Documents or information applicant wants to present for their case
- Non-Refundable Application Fee. Checks made payable to the City of Cincinnati. \$ 621.68

### All Drawings and Plans must include the following

- A graphic scale required on all drawings
- North arrows on all site, context and floor plans
- Elevations labeled with North, South, East West, front, side and rear labels
- Street names labeled
- Date and/or revision dates

### Architectural Drawings and Plans

- An index of drawings located on the first sheet
- Context Map showing the building within at least a block of context
- Existing and proposed site plans including
  - Parcel/boundary lines
  - Building footprints and dimensions labeled
  - Setback dimensions from all property lines labeled
  - Existing and proposed principal and accessory buildings, including location, dimensions, and height labeled;
  - All properties and their structures immediately adjacent to the site
- Existing and proposed elevation drawings
  - Total Height from grade to top of the building
  - Total height- ASL (Above Sea Level)
  - Materials labeled
- Existing and proposed floor plans and roof plans (with chimney locations)
  - Residential and Commercial Spaces labeled. Residential Spaces must be numbered.
  - Square feet of commercial spaces listed

- Location of trash storage and Utilities
- Site section and/or Site elevations including any adjacent properties
- Driveways, sidewalks, walkways, terraces, and other paved surfaces
- Existing and proposed accessory structures, including walls, fences, porches, lighting, signs, and other site improvements;
- Existing and proposed landscape areas and materials, if proposed to be altered;
- Proposed materials, textures, and colors. Include Make, model and series for proposed materials
- Labeled photos of all sides of the building and a 1 block streetscape context in all directions
- Site line drawings for any roof additions.
- A color rendering, axonometric drawings and/or perspective of the proposed construction (required on infill projects)

**Required if applicable to the project**

- Historic Sanborn Maps of the site
- Window brochures and cut sheet
- Roof product information (brochure)
- Garage door brochures
- Sample materials or color samples. \_\_\_\_\_
- Fence drawings of style, fence brochures or photo of a sample fence
- Signs; drawings, photo showing the sign on the building, mounting info, materials, colors and illumination
- Mature tree removal requires a letter from an arborist stating its poor health
- All written correspondence submitted by the applicant and other affected persons
- Tentative project schedule
- Egress Plan/Route to Building Code Compliance (roof decks, multi-family developments)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Demolition (full or partial) for Historic Conservation Districts and Landmarks**

- Demolition Case Sheet and all required information listed on the sheet unless otherwise not required by the Urban Conservator in writing and provided with application.
- Statement of plans for the property after demolition.

**Hillside Overlay Zone (CZC § 1433)**

- A development plan, accompanied by a property survey, showing existing vegetation and proposed development, and where applicable, streets, drives, parking areas, walkways, heights of structure(s), location of structures, elevation and setback of proposed buildings, drainage, existing contours and proposed grading and new landscaping plans, proposed uses and square footage of uses and recreational facilities;
- A preliminary geotechnical evaluation;
- A determination of the maximum building envelope;
- Average slope/grade of the property; and
- Graphic illustrations demonstrating that the proposed improvement or new structure has not exceeded the maximum building envelope

**For additional questions contact Beth Johnson, Urban Conservator at 513-352-4848 or [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)**

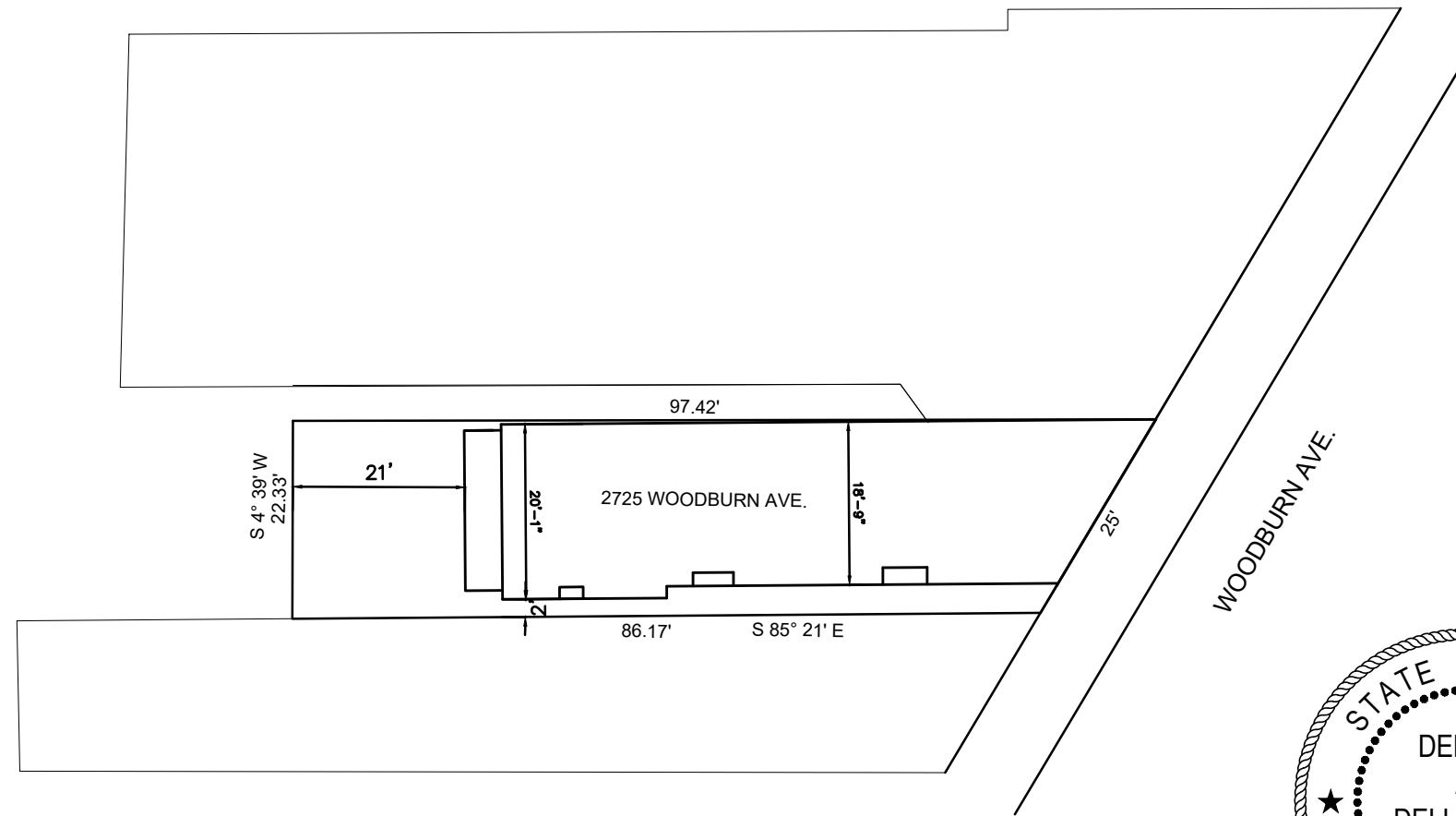
*Note: The aforementioned information is general in nature. Additional information may be required by the Urban Conservator once the application is submitted. Please use this list to plan for the potential documents that could be required for a submission.*



AERIEL VIEW OF SITE



SITE PLAN IN CONTEXT

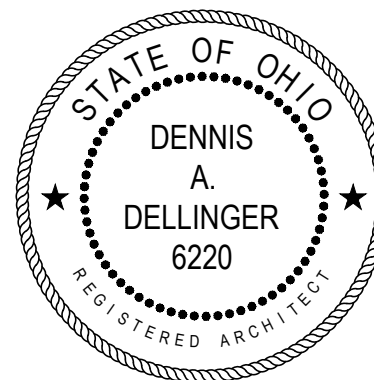


SITE PLAN

1" = 20'



DRAWING INDEX	
DRAWING #	DRAWING NAME
A-1	SITE PLAN AND INDEX OF DRAWINGS
A-2	ELEVATIONS - EXISTING
A-3	ELEVATIONS - EXISTING
A-4	ELEVATIONS WITH ADDITION
A-5	ELEVATION WITHIN CONTEXT
A-6	BASEMENT EXISTING AND REMODELED PLANS
A-7	FIRST FLOOR EXISTING AND REMODELED PLANS
A-8	SECOND FLOOR EXISTING AND REMODELED PLANS
A-9	THIRD FLOOR ADDITON AND EXISTING ROOF
A-10	SECTIONS - EXISTING
A-11	SECTIONS WITH ADDITION
A-12	3D DRAWINGS



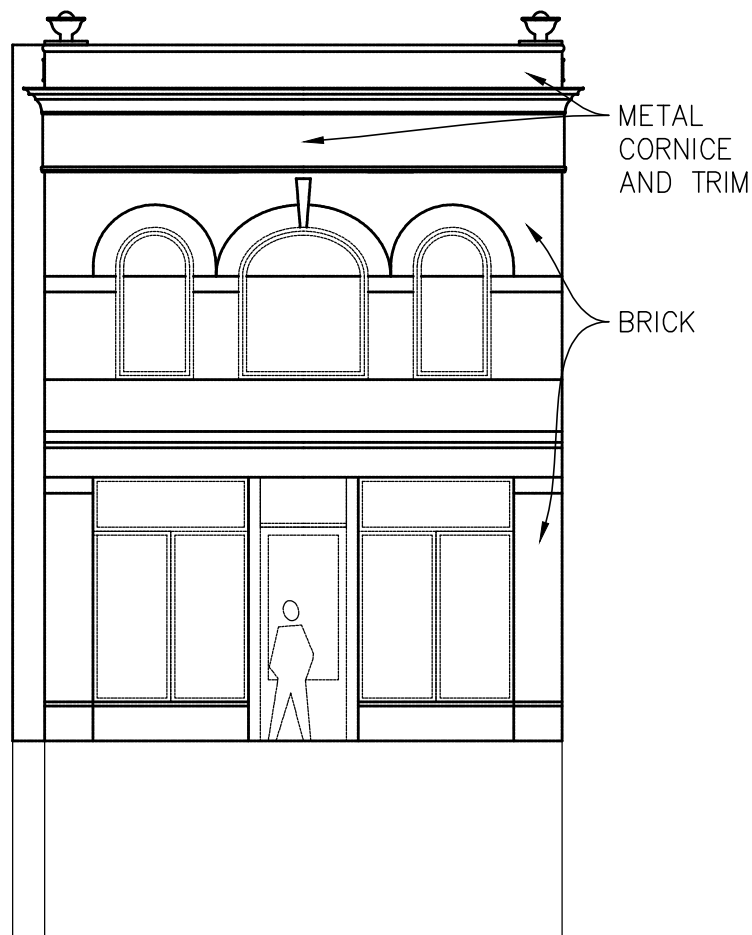
ALTERATIONS TO MIXED USE BUILDING  
AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

DELLINGER ARCHITECTS  
240 MOHAWK ST. CINCINNATI, OH 45214

DATE OCT. 23 2020  
513-739-5770

SITE INFORMATION

A-1



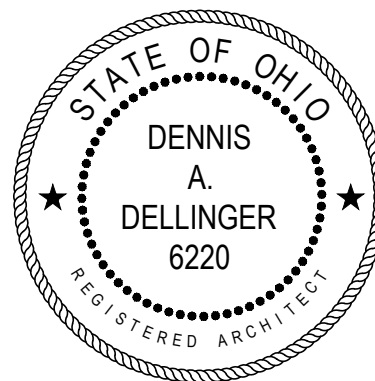
EAST ELEVATION EXISTING

1/8"=1'-0"



SOUTH ELEVATION EXISTING

1/8"=1'-0"



ALTERATIONS TO MIXED USE BUILDING  
AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

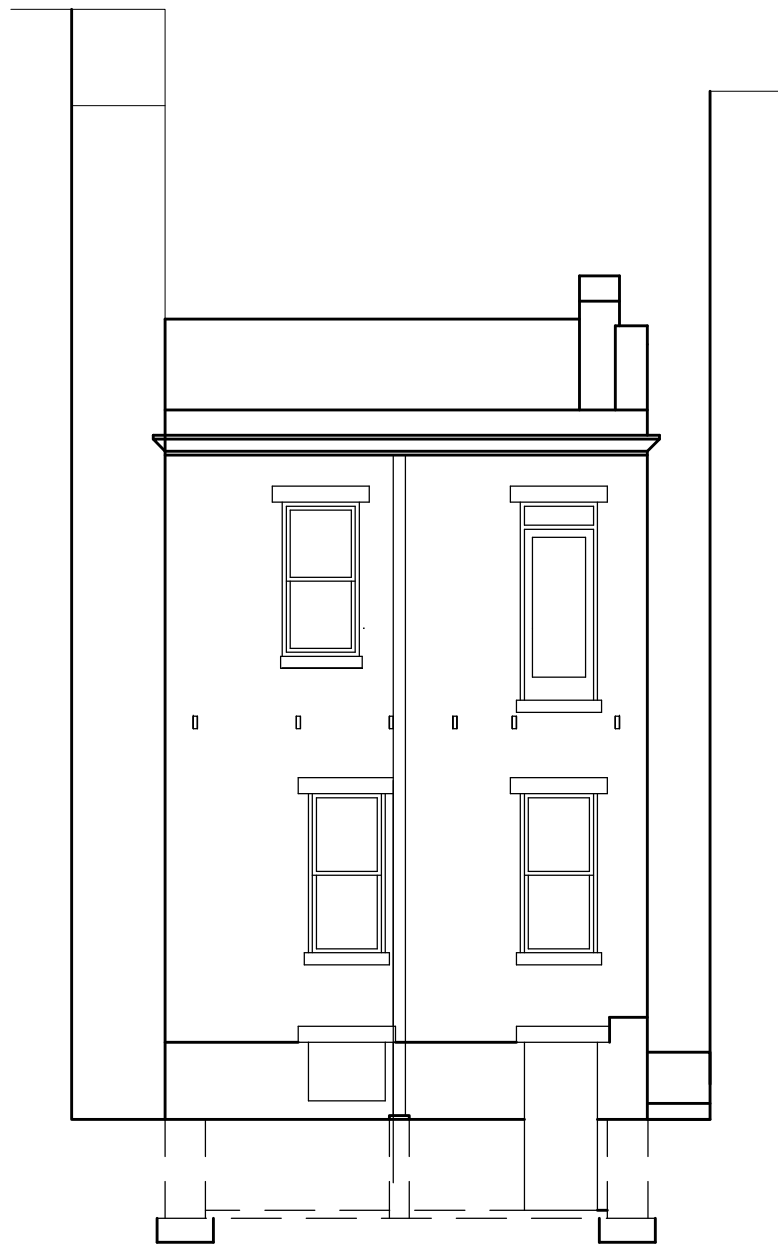
DELLINGER ARCHITECTS  
240 MOHAWK ST. CINCINNATI, OH 45214

DATE OCT. 23 2020

513-739-5770

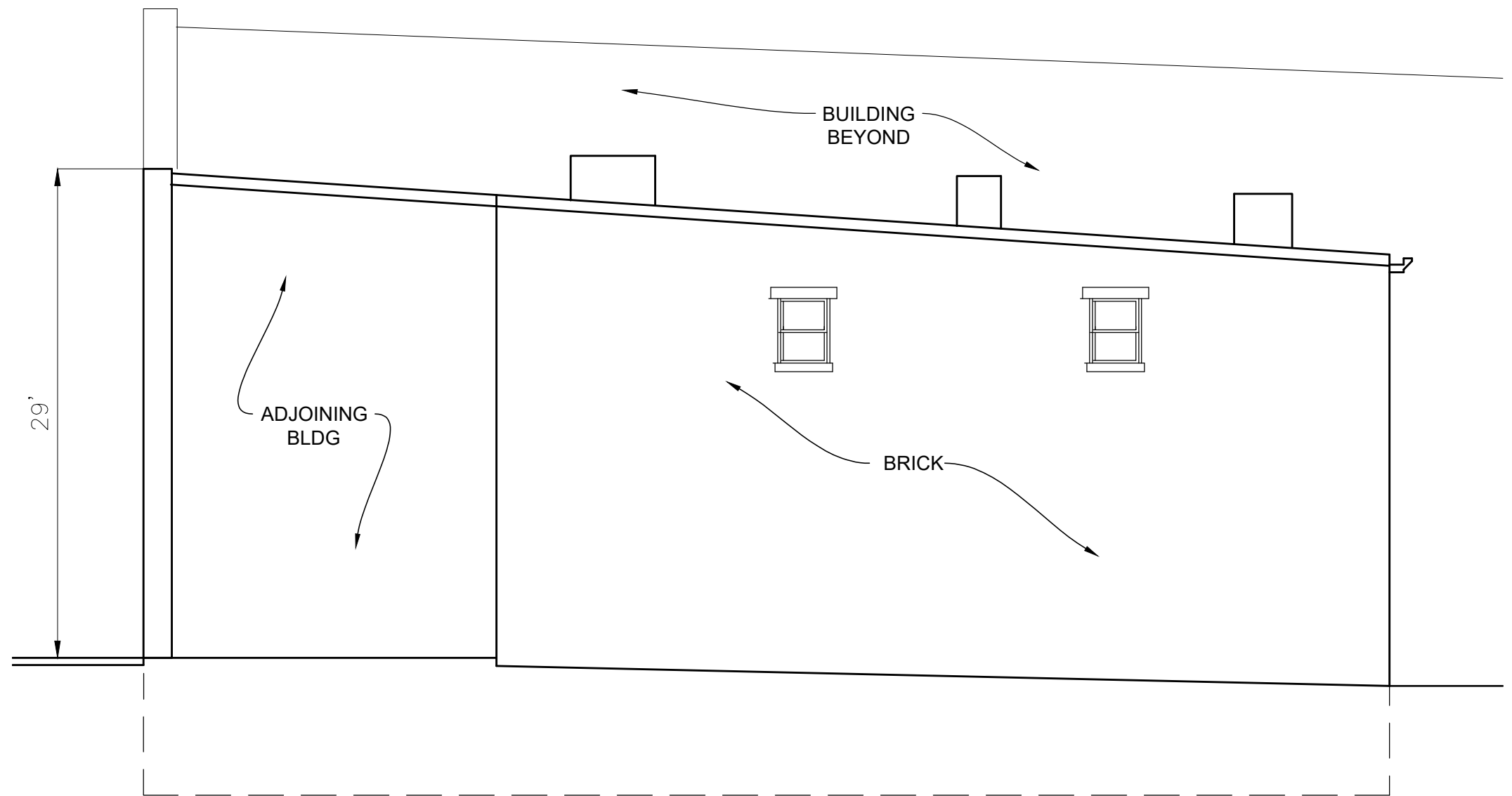
EXISTING ELEVATIONS

A-2



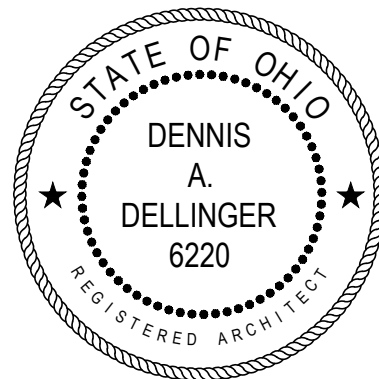
WEST ELEVATION EXISTING

1/8"=1'-0"



NORTH ELEVATION EXISTING

1/8"=1'-0"



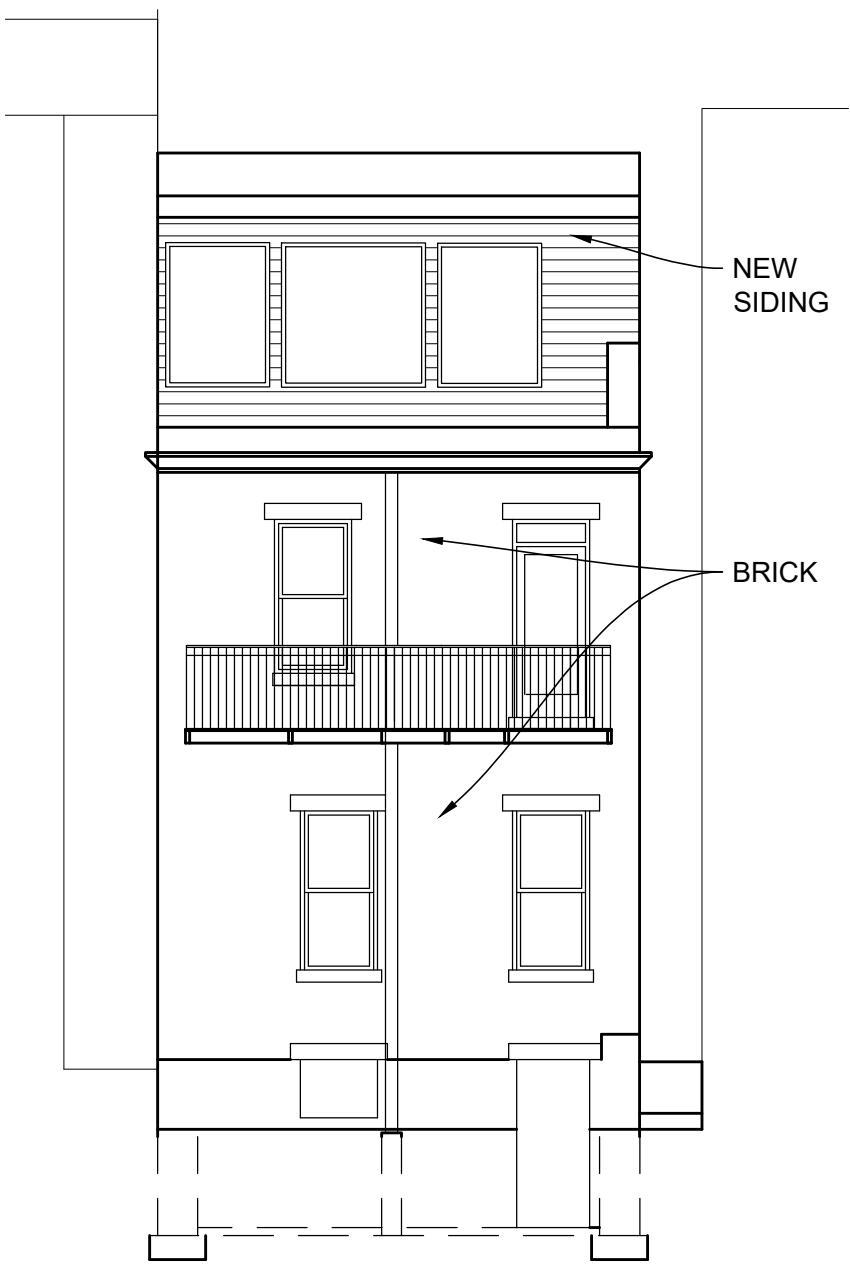
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DATE OCT. 23 2020  
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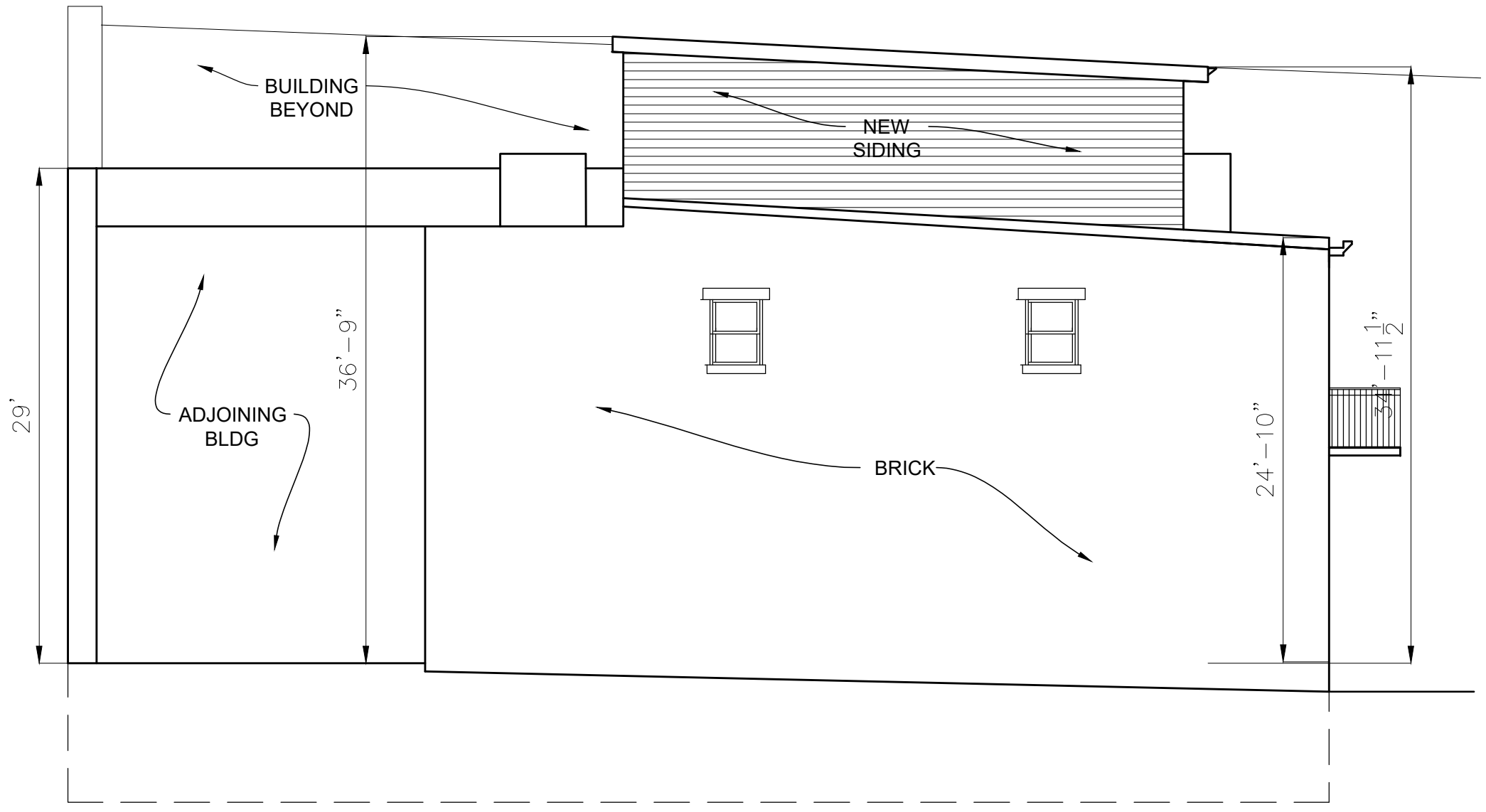
ELEVATIONS

A-3



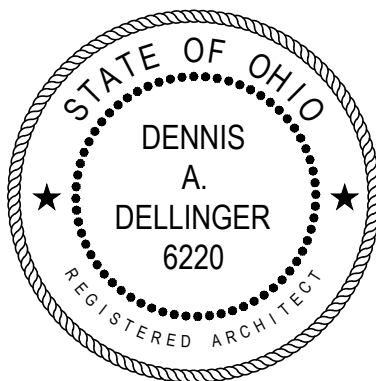
WEST ELEVATION WITH ADDITION

1/8"=1'-0"



NORTH ELEVATION WITH ADDITION

1/8"=1'-0"



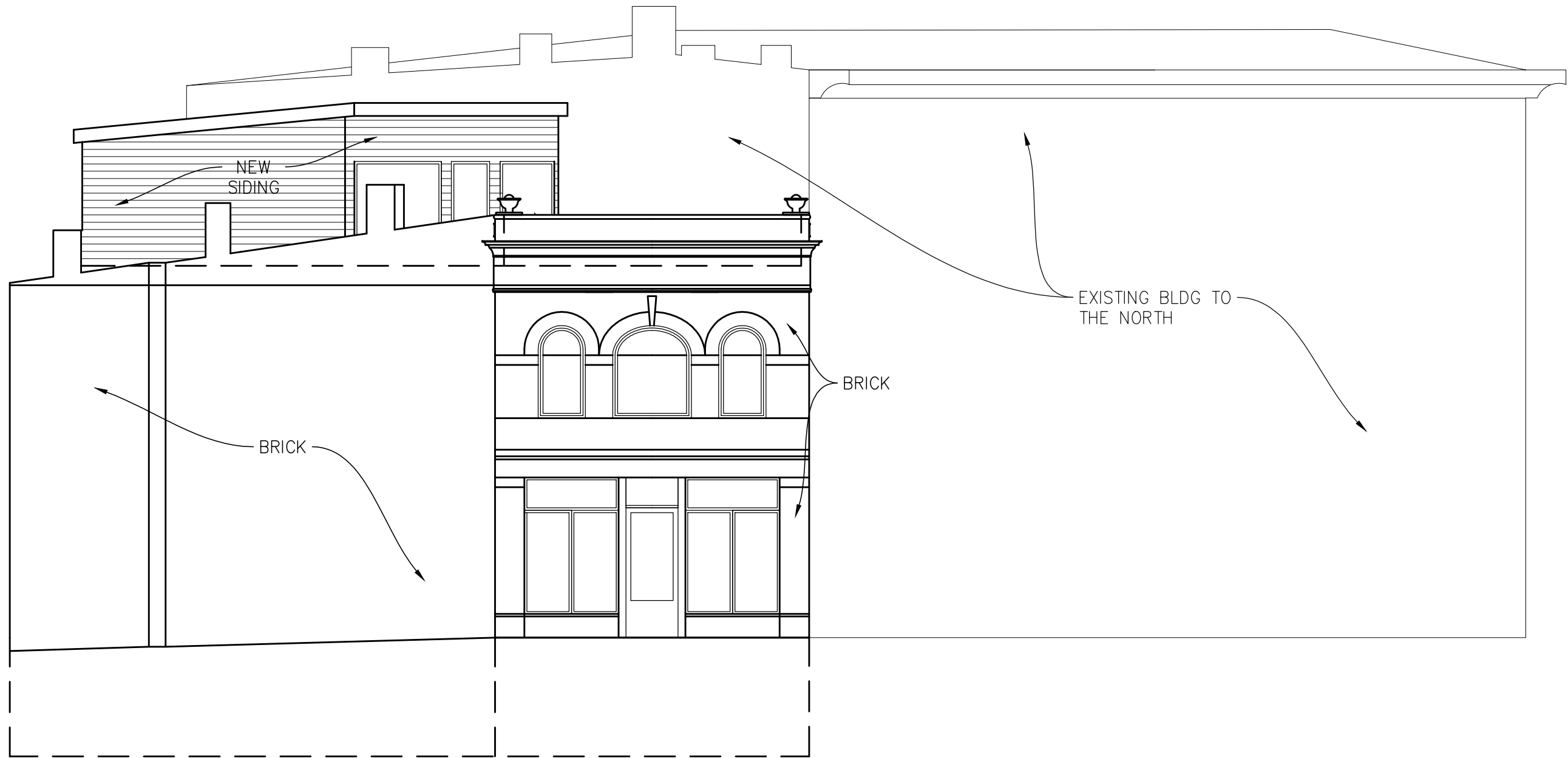
ALTERATIONS TO MIXED USE BUILDING  
AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

DELLINGER ARCHITECTS  
240 MOHAWK ST. CINCINNATI, OH 45214

DATE OCT. 23 2020  
513-739-5770

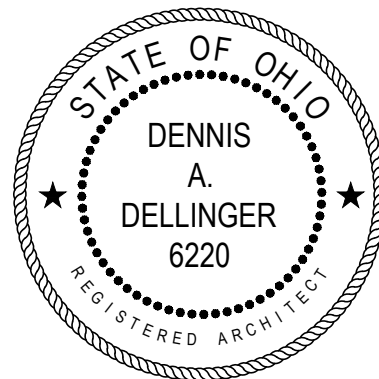
ELEVATIONS

A-4



EAST/SOUTH ELEVATION WITH NEW ADDITION

1/8"=1'-0"



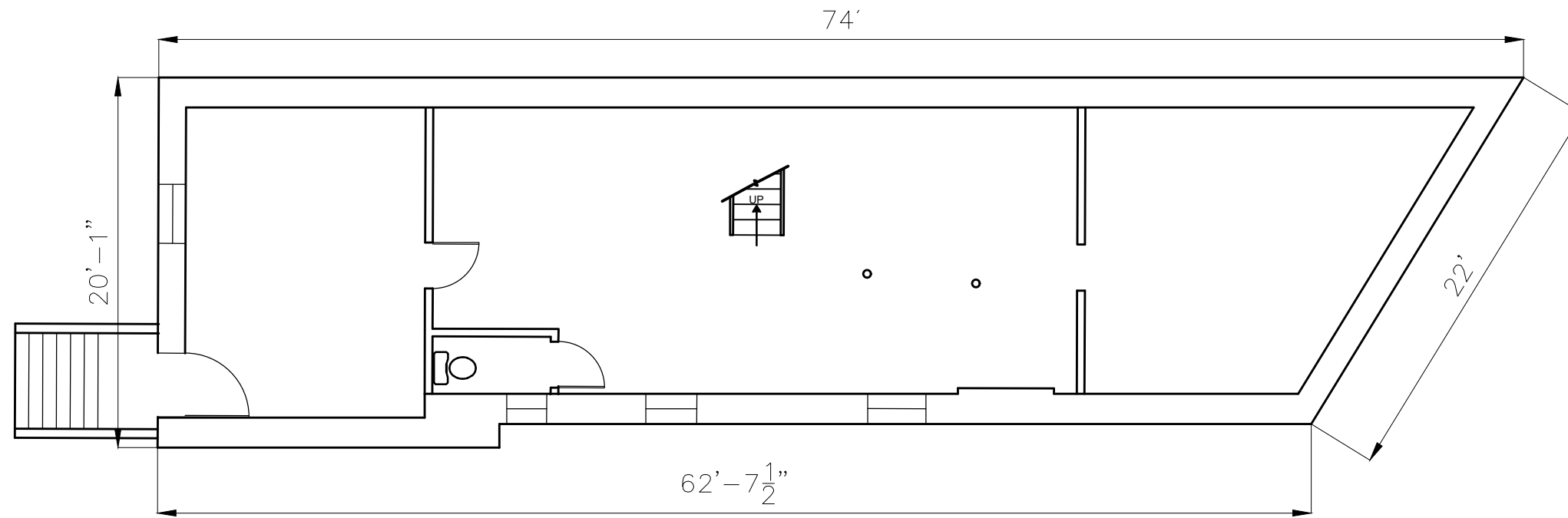
ALTERATIONS TO MIXED USE BUILDING  
AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

DELLINGER ARCHITECTS  
240 MOHAWK ST. CINCINNATI, OH 45214

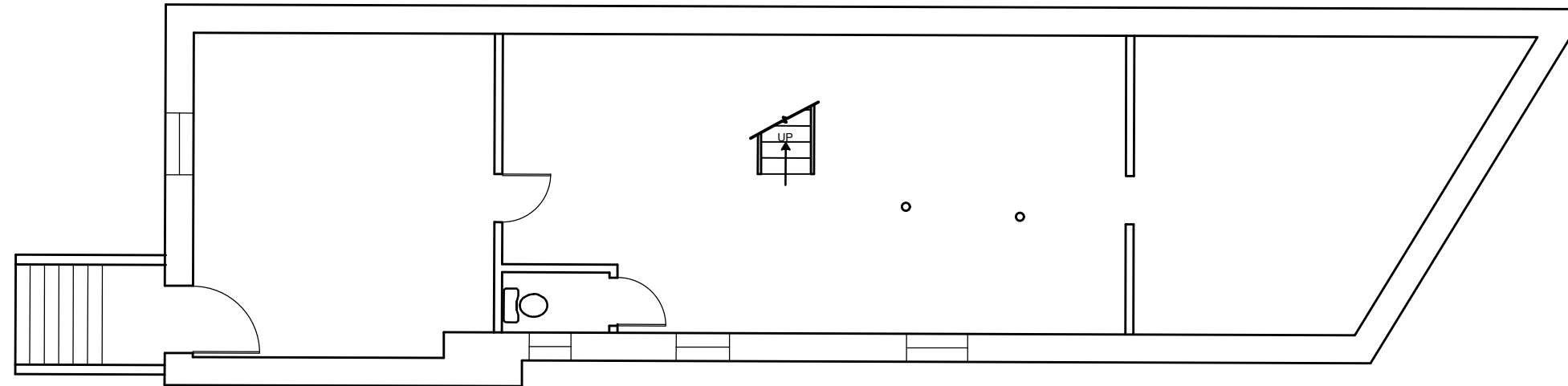
DATE OCT. 23 2020  
513-739-5770

ELEVATIONS

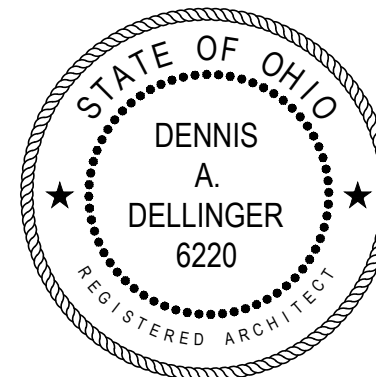
A-5



**BASEMENT FLOOR REMODEL**  
 1/8"=1'-0"



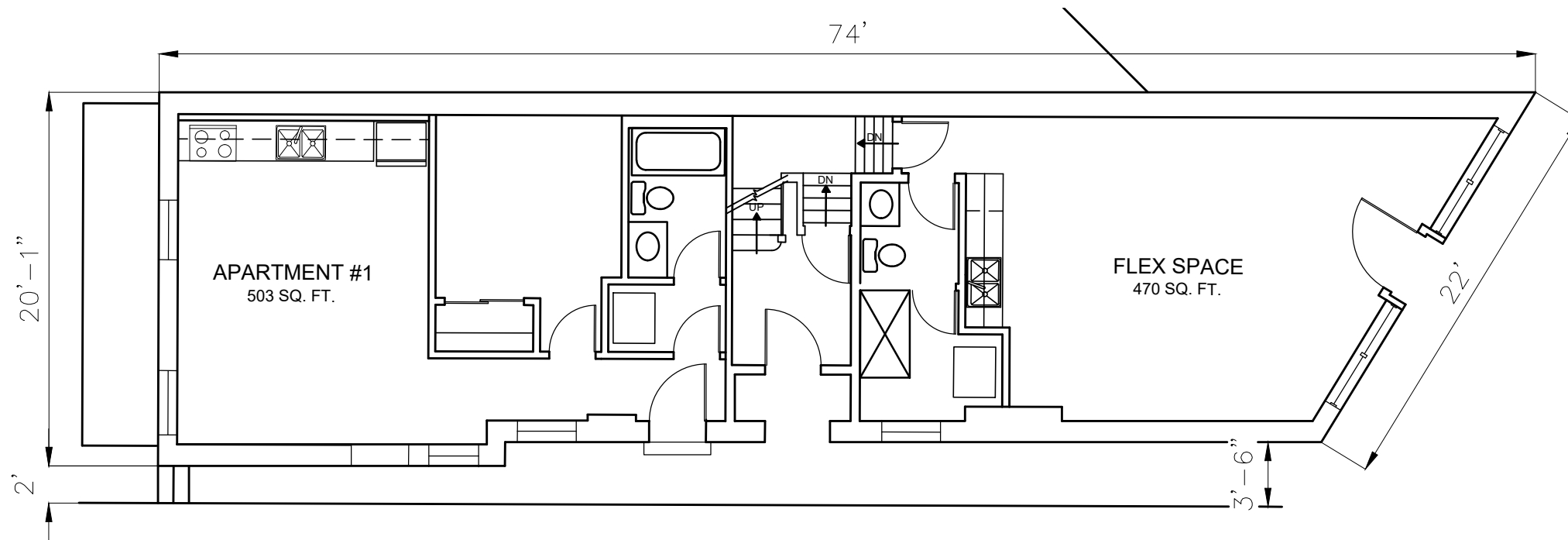
**BASEMENT FLOOR EXISTING**  
 1/8"=1'-0"



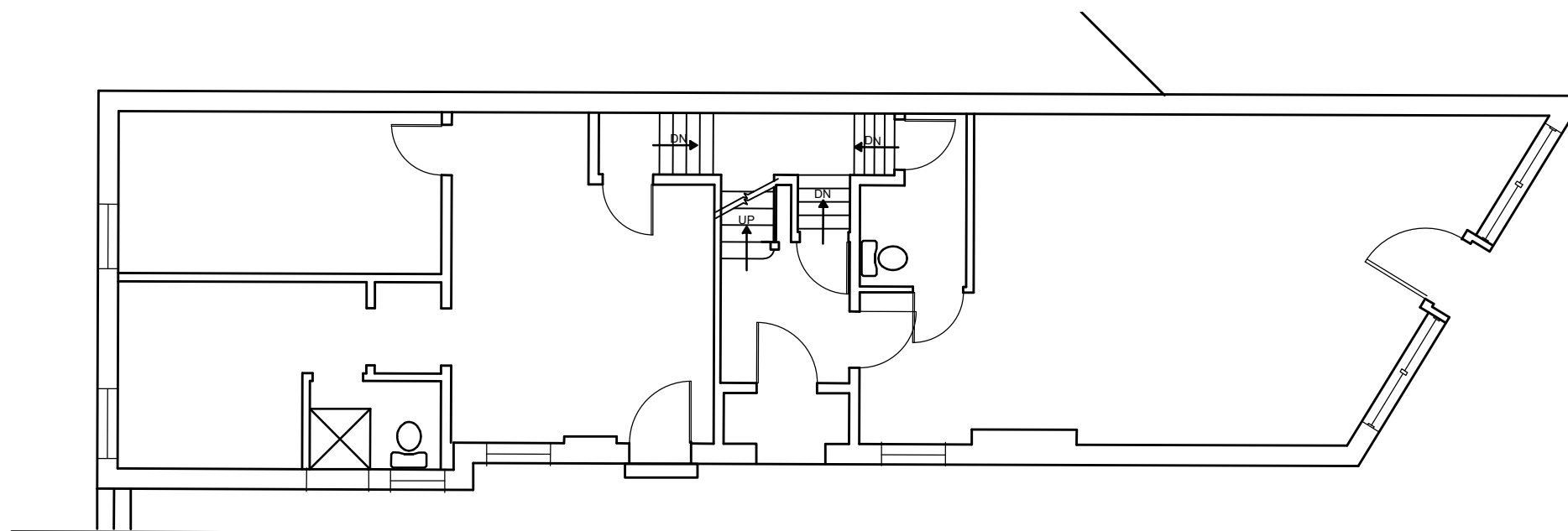
ALTERATIONS TO MIXED USE BUILDING  
 AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

DELLINGER ARCHITECTS      DATE OCT. 23 2020  
 240 MOHAWK ST. CINCINNATI, OH 45214      513-739-5770

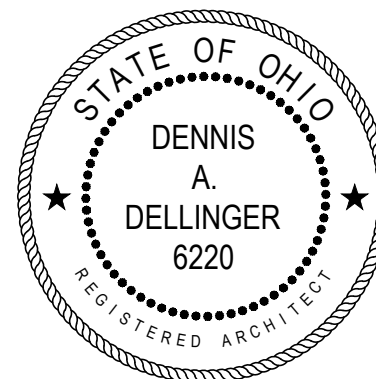
**BASEMENT FLOOR**      **A-6**



**FIRST FLOOR REMODEL**  
 1/8"=1'-0"



**FIRST FLOOR EXISTING**  
 1/8"=1'-0"



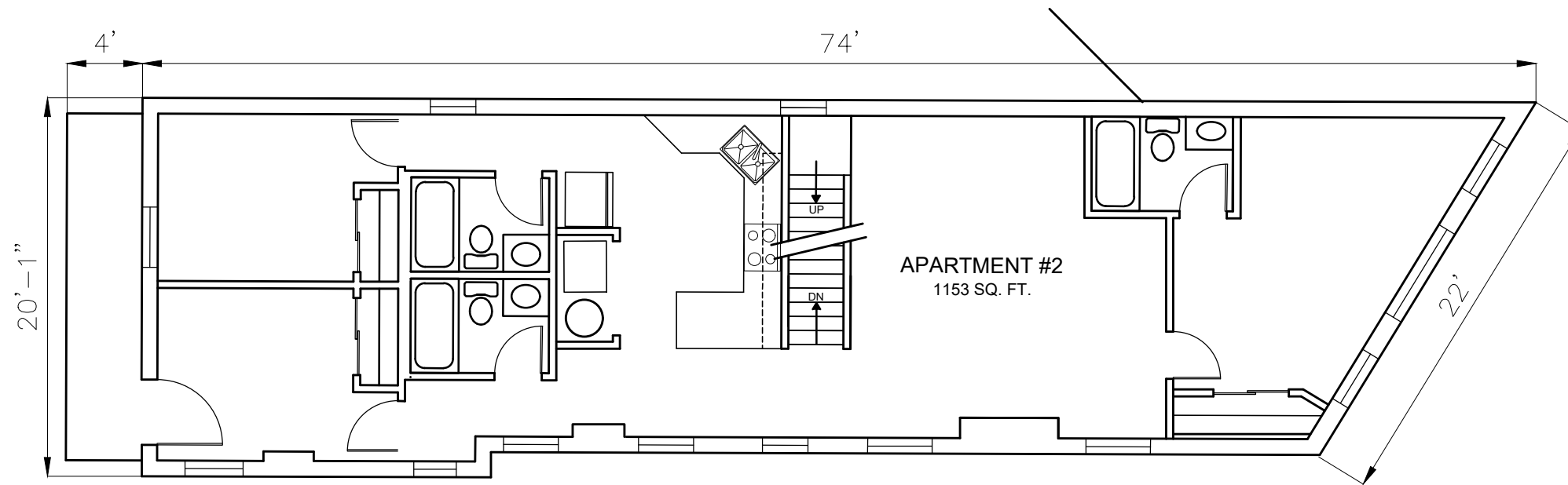
ALTERATIONS TO MIXED USE BUILDING  
 AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

DELLINGER ARCHITECTS  
 240 MOHAWK ST. CINCINNATI, OH 45214

DATE OCT. 23 2020  
 513-739-5770

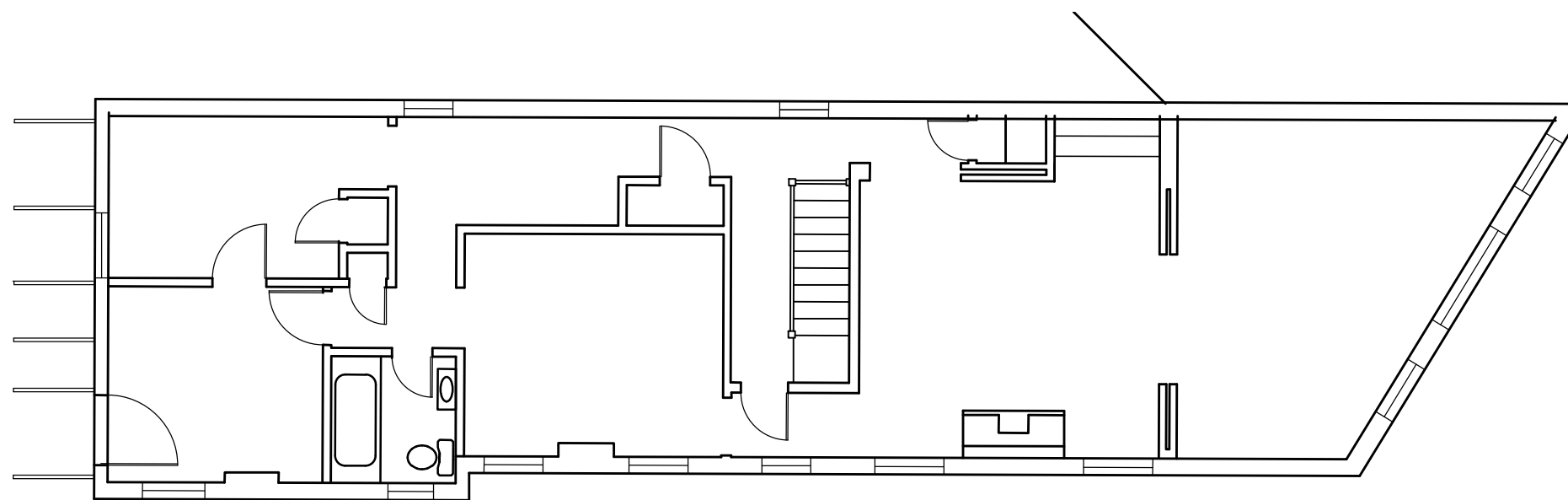
FIRST FLOOR

**A-7**



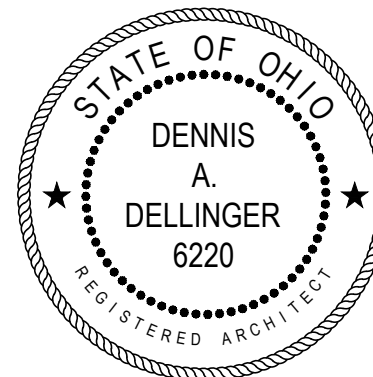
**SECOND FLOOR REMODEL**

1/8"=1'-0"



**SECOND FLOOR EXISTING**

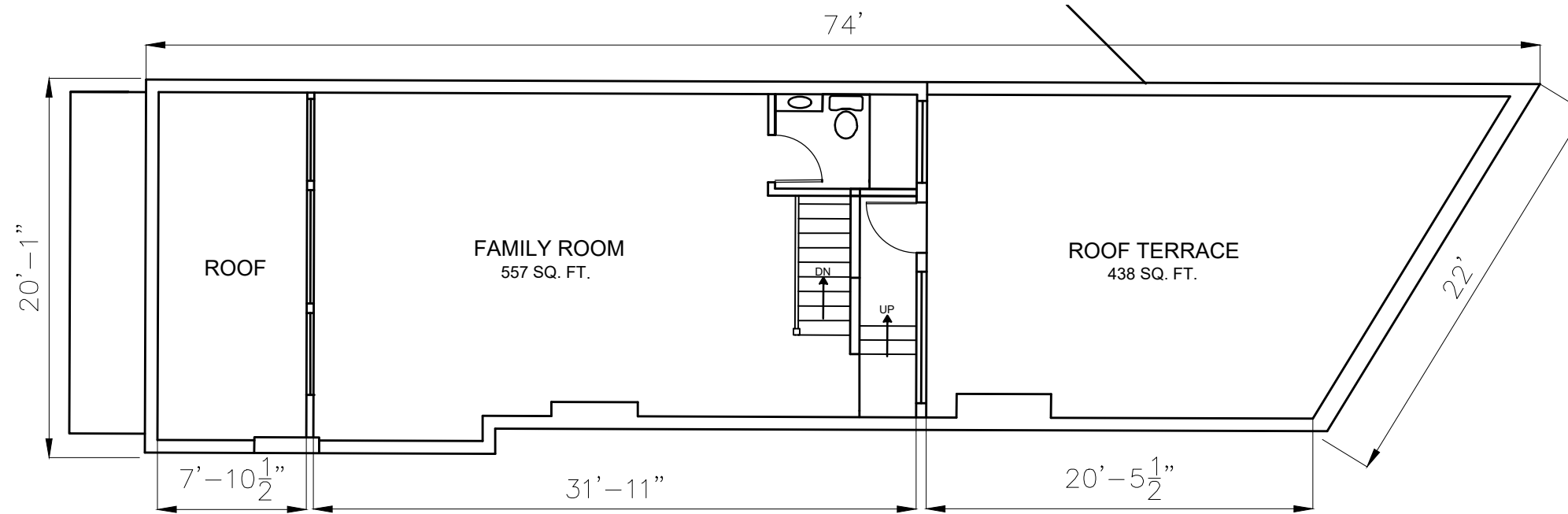
1/8"=1'-0"



ALTERATIONS TO MIXED USE BUILDING  
AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

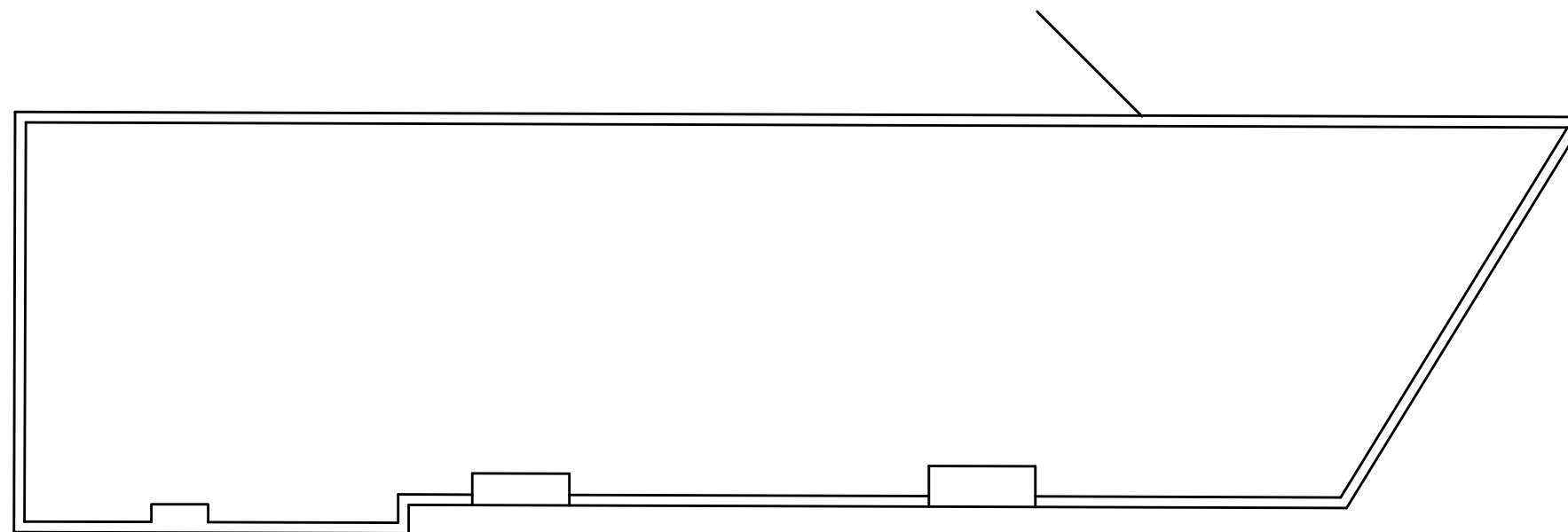
DELLINGER ARCHITECTS      DATE OCT. 23 2020  
240 MOHAWK ST. CINCINNATI, OH 45214      513-739-5770

SECOND FLOOR      **A-8**



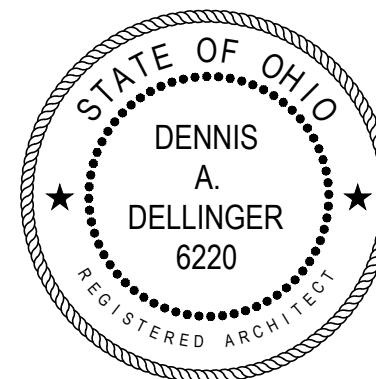
**THIRD FLOOR REMODEL**

1/8"=1'-0"



**ROOF EXISTING**

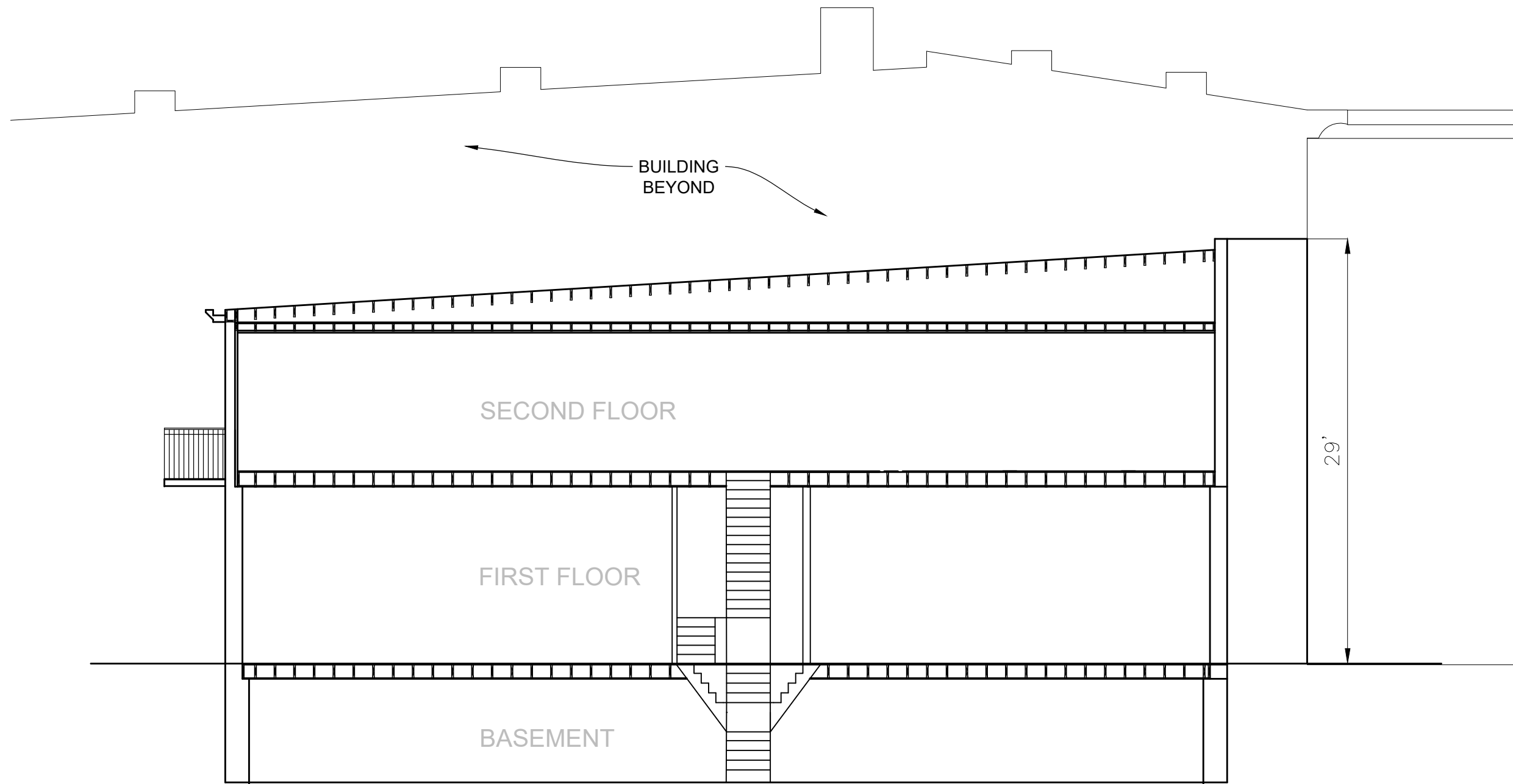
1/8"=1'-0"



ALTERATIONS TO MIXED USE BUILDING  
AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

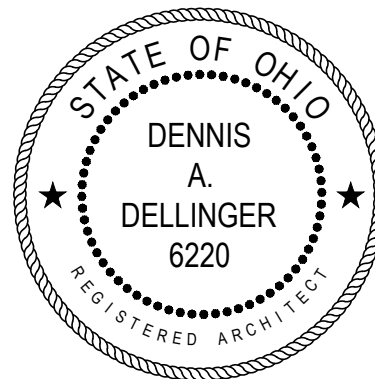
DELLINGER ARCHITECTS      DATE OCT. 23 2020  
240 MOHAWK ST. CINCINNATI, OH 45214      513-739-5770

THIRD FLOOR AND ROOF      **A-9**



**SECTION - EXISTING**

1/8"=1'-0"



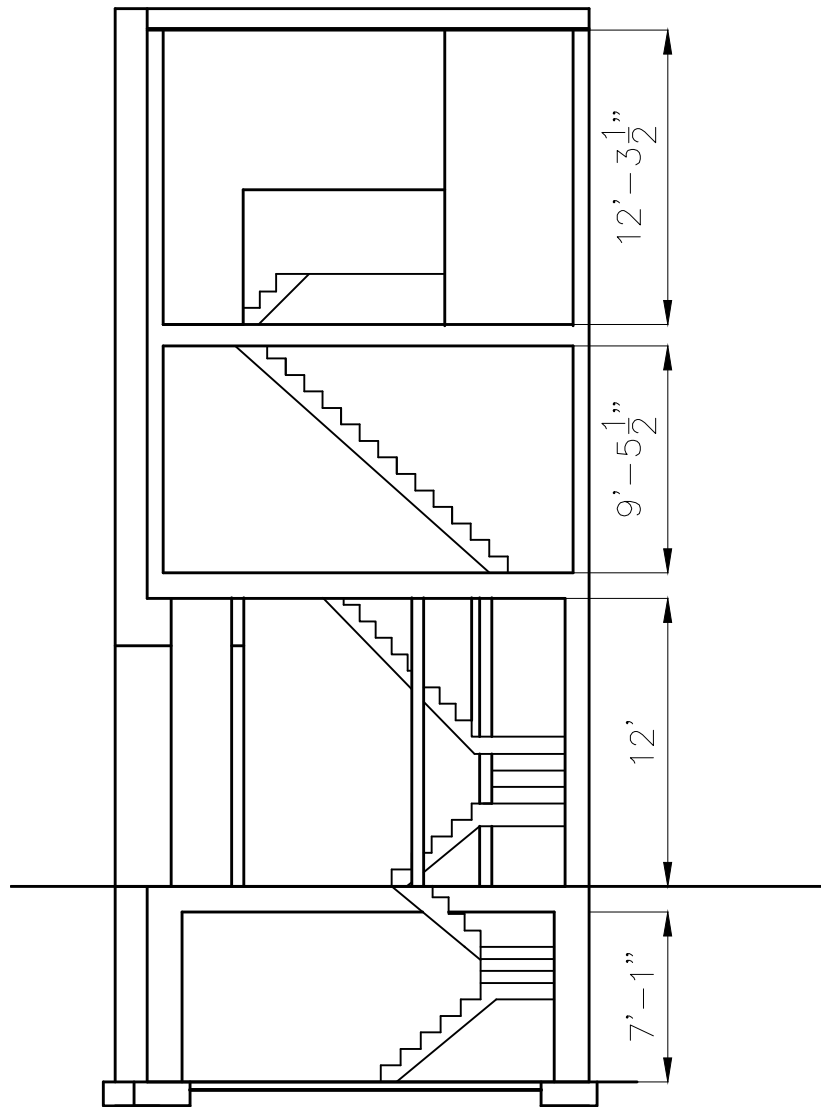
ALTERATIONS TO MIXED USE BUILDING  
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DATE OCT. 23 2020  
 513-739-5770

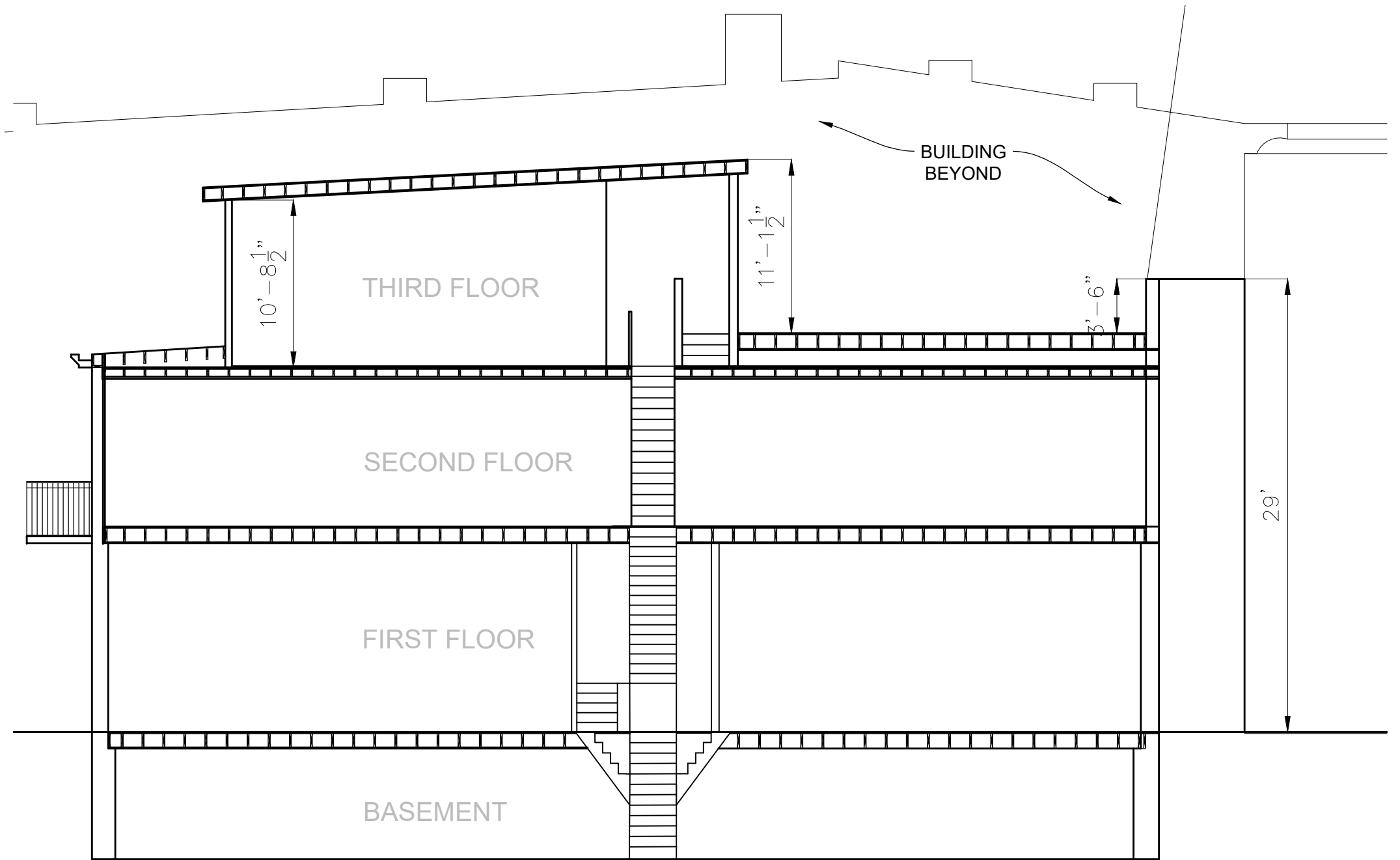
SECTIONS

**A-10**



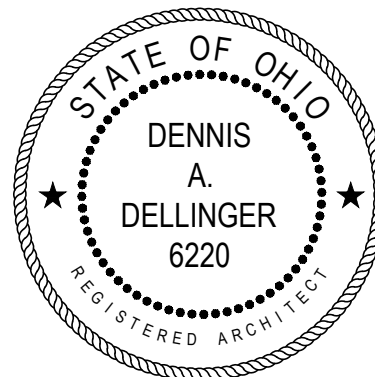
SECTION WITH ADDITON

1/8"=1'-0"



SECTION WITH ADDITION

1/8"=1'-0"



ALTERATIONS TO MIXED USE BUILDING  
AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

DELLINGER ARCHITECTS  
240 MOHAWK ST. CINCINNATI, OH 45214

DATE OCT. 23 2020

513-739-5770

SECTIONS

A-11



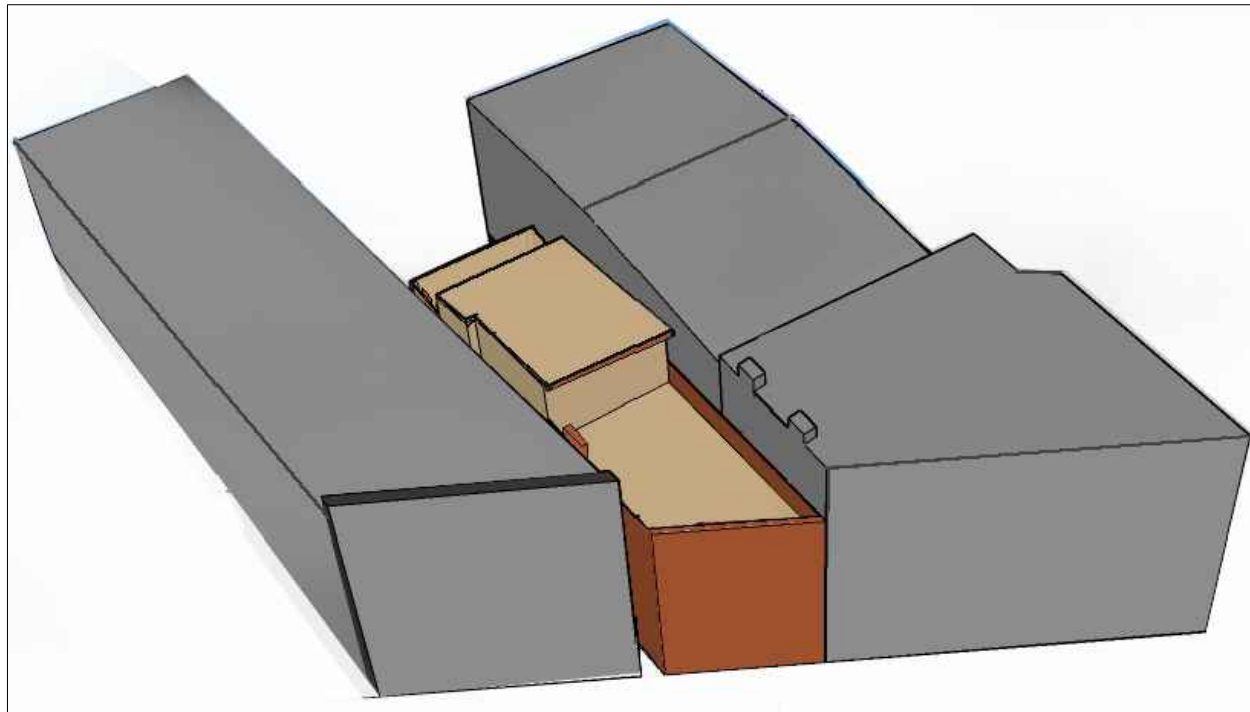
**VIEW OF EXISTING BLDG WITH ADDITION IN CONTEXT**

ADDITION IS NOT VISIBLE FROM ACROSS THE STREET @ 5'-7" AFF.

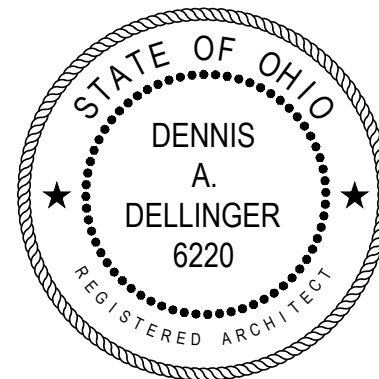


**VIEW OF EXISTING BLDG WITH ADDITION**

ADDITION IS NOT VISIBLE FROM ACROSS THE STREET @ 5'-7" AFF.



**BIRDSEYE VIEW OF EXISTING BLDG WITH ADDITION**



ALTERATIONS TO MIXED USE BUILDING  
AT 2725 WOODBURN AVE. CINCINNATI, OH. 45206

DELLINGER ARCHITECTS  
240 MOHAWK ST. CINCINNATI, OH 45214

DATE OCT. 23 2020  
513-739-5770

3D DRAWINGS

**A-12**



P.O. Box 68050, Cincinnati, OH 45206

November 24, 2020

Beth Johnson  
Urban Conservator  
Two Centennial Plaza  
805 Central Avenue, Seventh Floor  
Cincinnati, OH 45202

Dear Ms. Johnson:

My name is Tony Fischer and I am the President of the Board of the East Walnut Hills Assembly, the community council for the East Walnut Hills neighborhood. At the monthly meeting of the Board of the Assembly on Monday, November 23, 2020, Denny Dellinger, agent for Celestial Capital LLC, presented application materials for Celestial Capital LLC's application for a Certificate of Appropriateness in the Madison & Woodburn Historic District for renovations of, and additions to, the property at 2725 Woodburn Avenue.

Following a discussion and vote, the East Walnut Hills Assembly Board voted to support the application for a Certificate of Appropriateness by Celestial Capital LLC. The Board's vote to support is contingent on the project following the application materials Mr. Dellinger presented to the Board on Monday night.

I will emphasize that these materials have not been presented to the neighborhood Assembly as a whole, as our monthly meetings are held on the first Wednesday of the month. Mr. Dellinger represented that your administration would make a decision prior to our next monthly meeting; consequently only the Board was available for Mr. Dellinger's presentation on behalf of Celestial Capital LLC's application.

Sincerely,

Tony Fischer  
President, Board of the East Walnut Hills Assembly

November 27, 2020

Beth Johnson

Urban Conservator

Two Centennial Plaza

805 Central Avenue, Seventh Floor

Cincinnati, OH 45202

Dear Ms. Johnson:

My name is Edwin A. Pfetzing and I am the owner of 2801 to 2809 Woodburn Ave. I was also the East Walnut Hills representative when the Historic District at DeSales Corner was formed. I am in favor of the Certificate of Appropriateness for the renovation of 2725 Woodburn Ave.

I have reviewed the plans submitted by Mr. Dellinger and find them appropriate for the Historic District. The renovation of 2725 Woodburn as submitted will become a long-awaited addition to DeSales Corner.

If you have any questions, I may be reached at 513-221-2645.

Sincerely,

Edwin A Pfetzing, owner

(Woodburn Properties I, LLC)

## APPLICATION FOR LANDMARK DESIGNATION HISTORIC CONSERVATION BOARD PUBLIC HEARING STAFF REPORT

APPLICATION #: NA  
APPLICANT: Model Group  
OWNER: MCA Center, LLC  
ADDRESS: 414 Walnut Street, Cincinnati, Ohio 45202  
PARCELS: 083-0001-0163-00  
ZONING: DD  
OVERLAYS: N/A  
COMMUNITY: Downtown  
REPORT DATE: November 16, 2020  
STAFF REVIEW: Beth Johnson, Urban Conservator

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### **Nature of Request:**

The applicant is requesting a Local Historic Landmark Designation for the property generally located 414 Walnut Street, known both as the Mercantile Library Building. The landmark designation is sought for the building on the parcel 083-0001-0163-00

The building was found to be eligible for listing in the National Register under Criterion A and Criterion C during the Section 106 Review process for the Streetcar. Criterion A is the same as the City of Cincinnati's Criterion 1 and Criterion C is the same as Criterion 3.

The applicants are also seeking National Register Individual Listing Status for this property.

### **Summary and Background:**

#### *From the Designation Report*

The Mercantile Library Building is significant in the development of downtown Cincinnati as one of a half dozen skyscrapers built between 1900 and 1910. It is also significant for its association with Thomas Emery's Sons who were among Cincinnati's leading real estate developers. The Mercantile Library Building is architecturally significant as an example of the Chicago Commercial Style by the Cincinnati firm of Joseph G. Steinkamp Brothers.

The building is historically significant for its association under Criterion 1, as it is representative of the early commercial high-rise downtown real estate development and the association with the Emery Family, who was significant in the development of many buildings within the Downtown Commercial area. It is also significant under Criterion 3 for its association with the Joseph G. Steinkamp Brothers and as an example of the Chicago Commercial Style of architecture. The Designation Report in Attachment C details the historic and architectural significance of the building.

Attached to this Staff report are:

- Attachment A. Location Map
- Attachment B: Historic Designation Report
- Attachment C: Historic Conservation Guidelines

### **Applicable Zoning Code Sections:**

Zoning District: Section 1411  
Landmark Designation: Section 1435-07

### **Designation Review**

#### *Historic Significance*

Staff finds that, based on the attributes and architectural integrity as set forth in the Designation Report, the Mercantile Library Building at 414 Walnut Street, meets the requirements prescribed in Chapter 1435, specifically §1435-07-1, “Becoming a Becoming a Historic Structure: Determination of Historic Significance”.

The Cincinnati Zoning Code (CZC) § 1435-07-1(a), specifies that a structure or group of structures may be deemed as having Historic Significance if it has at least one of the following attributes:

1. *Association with events that have made a significant contribution to the broad patterns of our history; or*
2. *Association with the lives of persons significant in our past; or*
3. *Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
4. *That has yielded, or may be likely to yield, information important in prehistory or history.*

The Criteria in Chapter 1435-07-01 is based off of the criteria for the National Register of Historic Places and in fact models the language exactly.

The Historic Conservation Board is tasked with determining if it meets one of the Criteria set forth in Chapter 1435-07-1 of the Cincinnati Zoning Code and making a recommendation to the Cincinnati Planning Commission and City Council based on its significance.

The applicant is nominating 414 Walnut Street, aka The Mercantile Library Building, under Criterion 1: *Association with events that have made a significant contribution to the broad patterns of our history* and Criterion 3: *Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction.*

In Staffs review of the designation report and the documentation provided the building meets the criteria in the following ways

Criterion 1: *Association with events that have made a significant contribution to the broad patterns of our history*

- The building was built in 1905 during the transformation of downtown from low-scale mixed use commercial buildings to tall “sky scrapers.”
- The association with the Young Men’s Mercantile Library as a private library and learning institution.
- The association with the Emery Family who were multi-generational leaders in Cincinnati business, civics, the arts and in real estate development.

Criterion 3: *Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction.*

- The building was designed by the firm of Joseph G. Steinkamp, who were leading architects of the late 1800s and early 1900s in Cincinnati.
- The building as an example of Chicago Commercial Style Architecture, which was a popular style in Cincinnati during the transition from low-scale to high rise buildings in downtown.

### Conservation Guidelines

The Cincinnati Zoning Code (CZC) § 1435-07-2-C. - Adoption of Conservation Guidelines.

*“Conservation guidelines shall promote the conservation, development and use of the Historic Landmark, Historic District or Historic Site and its special historic, architectural, community or aesthetic interest or value. Insofar as practicable, conservation guidelines shall promote redevelopment and revitalization of Historic Structures and compatible new development within the Historic District. The guidelines shall not limit new construction within a Historic District to a single period or architectural style but may seek to preserve the integrity of existing Historic Structures. Conservation guidelines shall take into account the impact of the designation of a Historic Landmark, Historic District or Historic Site on the residents of the affected area, the effect of the designation on the economic and social characteristics of the affected area, the projected impact of the designation on the budget of the city, as well as all of the factors listed in paragraph 1435-07-2-B(c) above. Conservation guidelines shall address Non-Contributing Structures. Approved conservation guidelines shall be published on the City’s website and be made available for public inspection in the office of the Urban Conservator.*

Staff finds that the proposed Guidelines for 414 Walnut Street, The Mercantile Library, present best practice approaches in seeking to preserve the integrity of the exterior of the building while allowing a compatible reuse of the building. The proposed Conservation Guidelines cover changes to the exterior of the building and are similar to guidelines adopted for other Chicago Commercial Style buildings in the downtown area. The interior is not proposed to be subject to local review

The proposed guidelines are also compatible with the Secretary of the Interior's Standards for Historic Preservation.

The applicant submitted proposed guidelines and Historic Conservation and City Planning Staff. Historic Conservation Staff has no proposed changes.

## **Other Considerations:**

### **Prehearing Results**

- November 17, 2020 A Joint Staff Conference was held with the Department of City Planning. The applicants and City Staff were present.

### **Comments Provided to Staff:**

None.

### **Proposed Work**

The applicants are seeking Local landmarking status and National Register listing to be eligible for both State and Federal Historic Tax Credits.

**Consistency with Plan Cincinnati (2012):** This designation is consistent with the Plan Cincinnati goal embodied in the Sustain Initiative, specifically goal #2, preserving our built history as outlined in pages 197-198 of the plan.

## **Recommendation:**

Staff recommends the Historic Conservation Board take the following actions:

1. **RECOMMEND** to the Cincinnati City Planning Commission (CPC) and to the Cincinnati City Council (CC) for the designation of the building at Tax Parcel # 083-0001-0163-00, also referred to as 414 Walnut Street and known as The Mercantile Library Building and the adoption of the related Historic Conservation Guidelines subject to the following conditions:
  - a. Any construction proposed upon the proposed Historic Landmark shall comply with the proposed Historic Conservation Guidelines (Exhibit C).
2. **RECOMMEND** to the State Historic Preservation Board for the designation of the entire Tax Parcel # 083-0001-0163-00, also referred to as 414 Walnut Street and known as The Mercantile Library Building as an Individual Listing on the National Register of Historic Places.
  - a. Staff will submit a letter on behalf of the Historic Conservation Board with the above recommendation.
3. **FINDING:** The Board makes this determination per Section 1435-07-1:
  - (a) That it has been demonstrated that the 414 Walnut St/The Mercantile Library Building meets the conditions of §1435-07-1(a)(1) as the building maintains integrity with *“Association with events that have made a*

*significant contribution to the broad patterns of our history” and “Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction.”*

- (b) 414 Walnut Street/Mercantile Library building was found to be Eligible for listing to the National Register of historic places during the Section 106 Review for the Streetcar.
- (c) The designation of this property as a Local Historic Landmark will help facilitate the application for State Historic Tax Credits.

October 22, 2020

Caroline Hardy Kellam  
Senior City Planner  
City of Cincinnati  
Department of City Planning  
Two Centennial Plaza  
805 Central Avenue, Suite 720  
Cincinnati, OH 45202

Dear Caroline,

**Re: Application for Local Historic Designation  
Mercantile Library Building**

This is to submit an application for the local designation of the Mercantile Library Building, located at 414 Walnut Street.

We have included the following:

1. Application
2. Historic Designation Report
3. Historic Conservation Guidelines
4. Digital files
5. Check for \$1,500

Please call if you have any questions or if you need any additional information. Thank you for your time.

Sincerely,



Deanna Heil  
**CITY STUDIOS ARCHITECTURE**

**11 Centennial Plaza  
Planning Department  
805 Central Ave, Suite 700  
Cincinnati, OH 45202  
513-352-4848**

<b>FOR OFFICE USE ONLY</b>	
File No.	_____
Date Filed	_____
Fee Paid	_____
Date Received	_____
Decision	_____

## APPLICATION FOR LOCAL HISTORIC DESIGNATION/ HISTORIC ZONE CHANGE

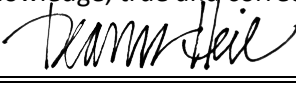
<b>1. SUBJECT PROPERTY/(ies)</b>	<input type="checkbox"/> Landmark	<input type="checkbox"/> Site	<input type="checkbox"/> District
ADDRESS _____			
PARCEL ID(S) _____			
AREA CONTAINED IN PROPERTY (EXCLUDING STREETS) _____			
NAME OF HISTORIC DESIGNATION _____			

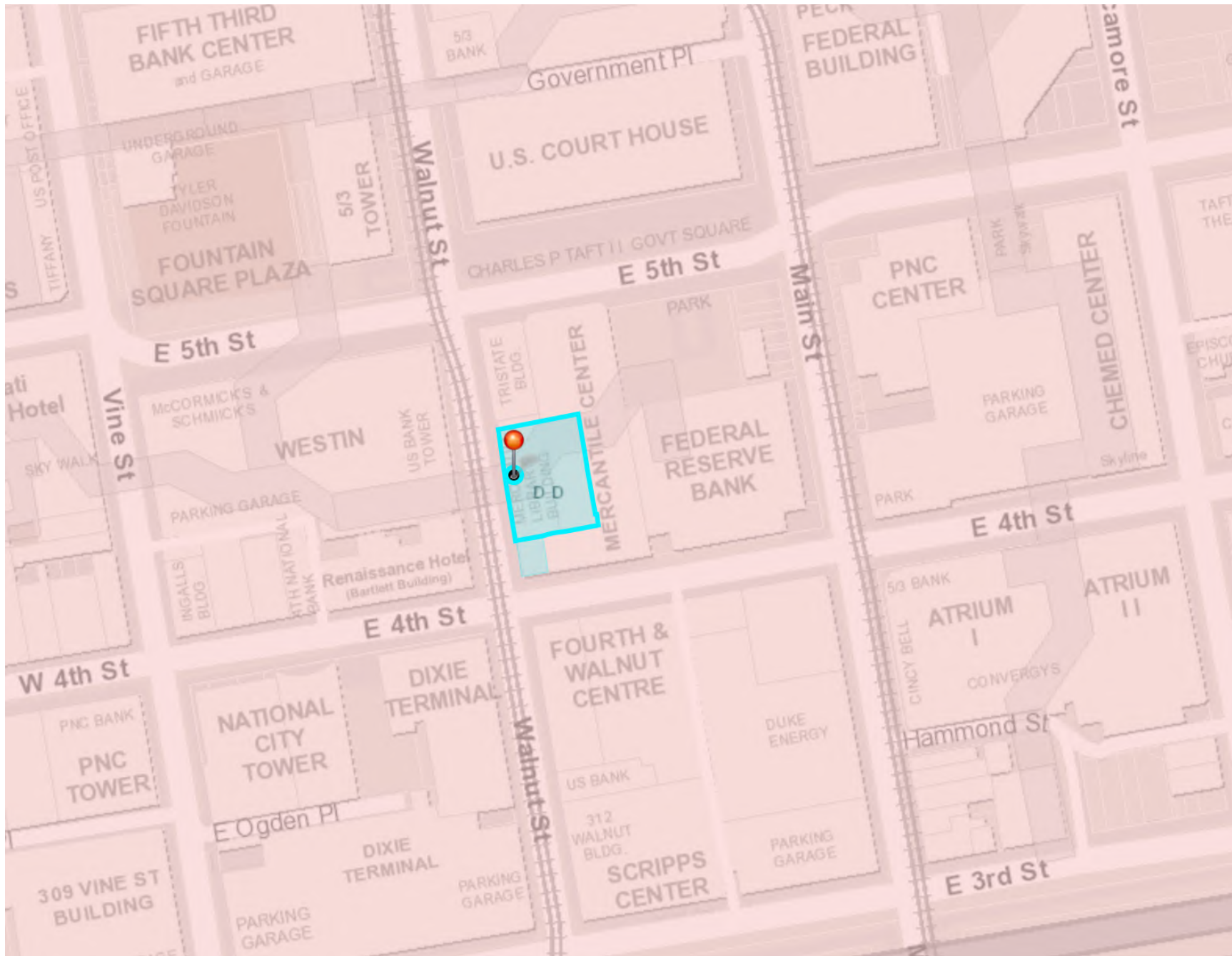
<b>2. APPLICANT</b>	
NAME _____	CONTACT PERSON (if legal entity) _____
ADDRESS _____	TELEPHONE _____
EMAIL _____	RELATIONSHIP TO OWNER (if not owner) _____
<input type="checkbox"/> Owner <input type="checkbox"/> City Council Member <input type="checkbox"/> City Manager <input type="checkbox"/> Urban Conservator <input type="checkbox"/> Planning Commission <input type="checkbox"/> Community Organization <input type="checkbox"/> Owner of Property within District	

<b>3. OWNER(S) (If multiple properties, please provide an excel sheet with information)</b>	
NAME _____	CONTACT PERSON (if legal entity) _____
ADDRESS _____	TELEPHONE _____
EMAIL _____	

<b>4. HISTORIC CRITERIA (Select all that apply)</b>
<input type="checkbox"/> Association with events that have made a significant contribution to the broad patterns of our history; or <input type="checkbox"/> Association with the lives or persons significant in our past; or <input type="checkbox"/> Embodies the distinctive characteristics of a type, period, method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction; or <input type="checkbox"/> That has yielded, or may be likely to yield, information important in prehistory or history.

<b>5. SUMMARY OF REASONS WHY THE REQUEST SHOULD BE GRANTED.</b> It is your responsibility to provide the Urban Conservator supporting documentation in the form of a "Designation Report" to facilitate the creation of a staff report under chapter 1435-07, "Preserving a Structure." <u>Please be advised that this application will be reviewed by the Historic Conservation Board &amp; Planning Commission Council.</u> The filing fee for the review is \$1,500 and due at the time the application is submitted.
--

<b>6. SIGNATURE.</b> The undersigned does 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 	Date ____ / ____ / ____
dheil@citystudiosarch.com	City Studios Architecture	



FIFTH THIRD BANK CENTER and GARAGE

Government Pl

PECK FEDERAL BUILDING

U.S. COURT HOUSE

UNDERGROUND GARAGE  
TYLER DAVIDSON FOUNTAIN  
FOUNTAIN SQUARE PLAZA

5/3 TOWER

Walnut St

CHARLES P TAFT II GOVT SQUARE

E 5th St

Main St

PNC CENTER

Camore St

E 5th St

Vine St

McCORMICK'S & SCHMICK'S

WESTIN

US BANK TOWER

TRISTATE BLDG

MERCANTILE CENTER

FEDERAL RESERVE BANK

PARKING GARAGE

CHEMED CENTER

MERCANTILE LIBRARY BUILDING  
D-D

Hotel

SKY WALK

PARKING GARAGE

INGALLS BLDG

5TH NATIONAL BANK

Renaissance Hotel (Bartlett Building)

E 4th St

FOURTH & WALNUT CENTRE

FEDERAL RESERVE BANK

E 4th St

W 4th St

PNC BANK

PNC TOWER

NATIONAL CITY TOWER

DIXIE TERMINAL

US BANK

312 WALNUT BLDG.

SCRIPPS CENTER

DUKE ENERGY

PARKING GARAGE

5/3 BANK

CINCY BELL

ATRIUM I

CONVERGYS

ATRIUM II

Hammond St

E Ogden Pl

DIXIE TERMINAL

PARKING GARAGE

309 VINE ST BUILDING

E 3rd St



# Mercantile Library Building | Designation Report

414 Walnut Street, Cincinnati, Ohio 45202

## **Introduction**

This report presents the findings and recommendations for local landmark designation of the Mercantile Library Building at 414 Walnut Street in downtown Cincinnati. This report was prepared by Beth Sullebarger on behalf of City Studios Architecture.

## **Background**

### **Overview of Designation Process**

This designation report is supported by the owner, the MCA Center LLC for the purpose of obtaining state and federal tax credits for historic rehabilitation.

### **Research**

Archival research was conducted primarily through internet sources such as the Hamilton County Auditor, Ohio History Connection, and Architectural Foundation of Cincinnati. Among the sources consulted were historic photographs, local histories, National Register nominations, Ohio Historic Inventory forms, and architectural drawings, which provided information about the building and downtown Cincinnati.

### **Statement of Significance**

The Mercantile Library Building is significant in the development of downtown Cincinnati as one of a half dozen skyscrapers built between 1900 and 1910. It is also significant for its association with Thomas Emery's Sons who were among Cincinnati's leading real estate developers. The Mercantile Library Building is architecturally significant as an example of the Chicago Commercial Style by the Cincinnati firm of Joseph G. Steinkamp Brothers.

### **Historical Significance**

Completed in 1905, the Mercantile Library Building is representative of the transformation of downtown Cincinnati, particularly the area between Fourth and Seventh streets, Vine and Walnut streets, from a low-scale mixed commercial and residential district to a commercial core of tall buildings that persists today. The city's growing population and innovations in building technology enabled the scale of commercial buildings downtown to escalate.

The process began in the late 1890s when Jacob Schmidlapp, president of the Union Savings Bank & Trust Company, saw the work of renowned Chicago architect Daniel Burnham (1846-1912). Burnham was one of the Chicago school of architects who had first developed skyscrapers in the late 1880s, creating a distinctively American style of Commercial architecture. Schmidlapp...brought Burnham and his revolutionary ideas about the scale and design of tall buildings to Cincinnati. The Union Savings Bank that Burnham designed for Schmidlapp opened in 1901 at the northwest corner of Fourth and Walnut (Giglierano & Overmyer, 32-33).

The Mercantile Library Building, across Walnut Street from the Union Savings Bank building, was among the handful of Cincinnati's first skyscrapers built in the first decade of the 20<sup>th</sup> century. There were three others by Burnham's firm—the Traction Company (AKA Tri-State) and First National Bank buildings in 1902 and the Fourth National Bank in 1905. Other high-

risers included the Ingalls Building (1903) at Fourth and Vine, and the Provident Savings Bank (1909) at Seventh and Vine. By 1920, these were joined by even taller commercial and banking buildings, including the 29-story Union Central Life Insurance Building (1913), also at Fourth and Vine, which was the tallest building outside New York City (Giglierano & Overmyer, 33).

### **The Mercantile Library Building**

The Mercantile Library Building is named for the cultural institution housed on the 11<sup>th</sup> and 12<sup>th</sup> floors. The Young Men's Mercantile Library was founded on April 18, 1835 by a group of 45 young businessmen to promote learning and to provide themselves with a library and reading room downtown. In 1840, the 700-book collection relocated to the 2-story brick Cincinnati College building, which then stood on the site of the current building (Figure 3). When a fire destroyed the college in 1845, the library collection was not only saved, but the Mercantile Library association raised \$10,000 to assist in rebuilding the college. That favor was rewarded when the college granted the library a 10,000-year rent-free lease, renewable in perpetuity, on the second floor of the new college building. Designed by Henry Walter, the new building was a 4-story Greek Revival building faced in Dayton marble (Vitz,36-37).

With the appreciation in value of downtown commercial properties at the turn of the 20<sup>th</sup> century, Thomas J. Emery's Sons moved to acquire the college building in 1902 and replace it with a much taller building. To seal the deal, the Emerys offered the Mercantile Library new space on the top two floors in exchange for its perpetual leasehold in the college. Completed in 1905, the Commercial-Style new building (Figure 2), designed by Joseph G. Steinkamp Brothers, displays a scroll and a book above the arched entrance on Walnut Street, denoting its namesake. One of the few subscription libraries in the U.S., the Mercantile Library today owns more than 200,000 volumes and presents lectures and programs as well as a quiet place to read.

### **Thomas Emery's Sons**

The Emerys were leaders in Cincinnati's business, civic, and arts arenas for three or more generations. The family dynasty began in 1832, when English-born Thomas L. Emery came to Cincinnati with his wife, and their son Thomas Josephus. They soon had another son, John Josiah, and two daughters, Kezia and Julia. By 1836 Thomas L. began an industry based on by-products of Cincinnati's vast pork-packing industry, first producing lard oil, followed by candles in the 1850s. Thomas began investing in real estate – mostly large plots of land and cottages in the country surrounding Cincinnati. An advertisement in Charles Cist's self-published *Cincinnati in 1841: Its Early Annals and Future Prospects* shows Thomas Emery was offering "houses, stores and lots for sale," as well as "country seats and farms."

After his death in 1857, his sons—John J. Emery, Sr. (1834-1908), Thomas J. Emery (1830-1906), and J. Howard Emery (1838-86) established Thomas Emery's Sons Inc. and were soon expanding the candle and lard oil business and investing heavily in real estate ventures throughout the city, becoming one of the most powerful and wealthy families in Cincinnati. As Cincinnati developed more densely after the Civil War and downtown land values rose, the Emerys built several important larger-scale commercial buildings and apartment buildings downtown.

In 1877, the Emerys built the 6-story red brick Hotel Emery and Arcade, designed by Henry Bevis, at the southwest corner of Vine and Fifth streets (razed in 1929 for construction of Carew

Tower). A few years later, in 1881-82, they built the 7 ½-story French Second Empire-style Palace Hotel (NR #80003071), a Samuel Hannaford design now known as The Cincinnati Hotel, at 601 Vine Street (Harlow, 397). As single-family detached townhouses became economically impractical, they provided the upper classes with respectable apartments on the fringes of downtown. In 1881, Thomas J. Emery's Sons built the 8-story Lombardy Apartments (NR #80003062) at 330 West Fourth Street (in the West Fourth Street Historic District). Considered one of Cincinnati's first "fashionable" apartment buildings, the Lombardy has an elegant Renaissance Revival style stone façade and large 5-room apartments with private baths and full kitchens and plenty of light and air provided by light wells and staircases. They next built the Brittany (NR #80003037), 100-104 West Ninth Street, in 1885, the Saxony (NR #80003083), 105-111 West Ninth Street, in 1891, and the Waldo Apartments (FKA The Norfolk) at 801 Elm Street in 1893 in the Ninth Street Historic District (NRHP, 1981)(Gordon, E35-E36).

From circa 1885 to circa 1915, the Emerys expanded their real estate empire by building many fine apartment buildings in developing neighborhoods of Cincinnati as they became reachable by streetcar lines. In Walnut Hills, these include Gilbert Row (NR #82003579) at 2152-2166 Gilbert Avenue; a series of double houses at 2128-2140 St. James Avenue (1885, HAM0144331); the St. James Rowhouses (c. 1895, HAM0144231), 2112-2126 St. James Avenue; The Eden Flats (HAM0090731), on Sinton Avenue in the Gilbert-Sinton Historic District (NR #83004306); as well as the Alexandra Apartments (1904, NR #87001223), 921 East Wm. Howard Taft Road; and The Navarre Apartments (1905), 2651 Gilbert Avenue. In 1906, the Emerys built The Verona (NR #08000625), and The Clermont, 1404-06 East McMillan Street; both in the local East Walnut Hills Historic District. In Avondale, they built the Somerset (1895, NR #14000355), 802-814 Blair Avenue, and Haddon Hall (1904, NR #82003582), 3418 Reading Road; and in Clifton, the Parkside Apartments (1897, NR #08000116), 3315-3317 Jefferson Avenue; The Roslyn, 3404-3420 Middleton Avenue (1904; HAM0750207); The Roanoke at 359 Ludlow Avenue (1900; HAM0182107); The Romaine, 3401 Middleton Avenue (1905); and the Rutland (1906) at 358 Shiloh Avenue.

After this extensive investment in apartments, the Emerys turned back to downtown commercial projects in the late 1920s. In 1924, John J. Emery (Jack), who was raised in New York City, came to Cincinnati to handle some issues at Thomas Emery's Sons Inc. The company was not doing well, so Jack decided to stay in Cincinnati to stay the family business back in order. In 1929-30, he built the dramatic 48-story Carew Tower (NR #82003578), the city's tallest building until 2010, and adjoining 800-room Netherland Plaza Hotel, an Art Deco masterpiece designed by New York City architect W.W. Ahlschlager with Delano & Aldrich. This mixed-use project replaced the Hotel Emery and its popular shopping arcade, which his father and uncle had built in 1877 at the corner of Fifth and Vine.

Jack Emery was also responsible for the Cincinnati's most important Modernist building—the Terrace Plaza Hotel (NR #SG100001493) at Sixth and Vine streets. Completed in 1948, the Terrace was the first hotel built in the U.S. after World War II. Like the Carew Tower-Netherland Plaza Hotel complex, the Terrace was a mixed-use project that combined two department stores, office space, hotel, apartments, and restaurants in an innovative way—particularly in locating the hotel lobby eight floors up. The Terrace Plaza was the first commission of the now international architecture firm of Skidmore Owings and Merrill (SOM) to be widely published and receive national attention. The Terrace Plaza also represents the last in a long legacy of Emery buildings in downtown Cincinnati.

## Architectural Significance

The Mercantile Library Building is architecturally significant as a major commission of Joseph G. Steinkamp Brothers and as an excellent example of the Chicago Commercial style of architecture built in downtown Cincinnati at the turn of the 20<sup>th</sup> century.

### Joseph G. Steinkamp Brothers

The Mercantile Library was designed by architect Joseph G. Steinkamp Brothers, considered among the leading architects of Cincinnati at the time. Joseph G. Steinkamp (1868-1948) and his younger brother, Bernard F. Steinkamp (c 1876-1943), got their start in the office of their father, John B. Steinkamp (1827-1890). A native of Germany, John came to Cincinnati in 1835 at the age of eight. Trained as a carpenter, John served for 25 years as superintendent of construction for the Emery family, among others. Beginning circa 1885, John Steinkamp practiced as an architect until his death in 1890. Joseph Steinkamp graduated from St. Xavier College in Cincinnati and then went to work for his father. Following his father's death, he continued the business under his own name for seven years. In 1897, he took on his brother as a partner, and they practiced together until Bernard's death in 1943, after which Joseph continued alone until 1948, the year of his death. Bernard, like his brother, received his education in parochial schools and St. Xavier.

"Outstanding examples of their practice are school and college buildings, while they have to their credit a large number of other structures built for investment purposes within the Cincinnati area" (Leonard, 594). These included school buildings for various Catholic parishes such as St. Mark's, St. Andrew's and St. William's, as well as St. Xavier College, their alma mater. Among their most prominent commissions are the Mercantile Library Building and the Hotel Metropole. While the firm drew a considerable number of clients, the Steinkamps are closely associated with Thomas Emery & Sons, who hired them exclusively to design and build innumerable apartment buildings downtown and in the inner suburbs. "Although some of these are handsome structures, the firm was best known for its efficiency and practicality" (Langsam).

In the 1870s and early 1880s the Emerys often engaged architect Samuel Hannaford, who produced fine designs for the Lombardy Flats, the stylish Palace (Cincinnati) Hotel, and Thomas J. Emery's own 1881 mansion, "Edgecliff," in East Walnut Hills. John B. Steinkamp served as construction superintendent for the Grand Hotel, the Palace Hotel, the old Queen City Club (demolished), and the Emery Hotel and Arcade. The Emerys apparently became disenchanted with Hannaford and turned to members of the Steinkamp family from the 1880s until World War I, when the Emery firm developed the Mercantile Library Building and dozens of up-to-date apartment buildings, downtown and in Clifton, Walnut Hills, and Avondale. By this time, the Steinkamps were serving as architects, not just builders. Their offices were located in the Mercantile Library Building from ca 1915 until at least 1945. Joseph was a charter member of the Cincinnati Chapter of the American Institute of Architects, serving as president from 1920 to 1922. He also served as president of the Ohio Association of Architects and a member of the St. Aloysius Orphans Society.

In a 1909 article entitled, "The Emery Estate, "A Commercialized Philanthropy," Walter Maxwell described the collaboration of the Emerys and the Steinkamps in apartment house development:

The Thomas Emery's sons were the first to erect apartment houses in Cincinnati and employed one firm of architects, Joseph G. Steinkamp Brothers, exclusively. By doing

this, every apartment house erected by them was an improvement over the previous one. Flat seekers always apply to Thomas Emery's sons first, and very often rent apartments without even having seen the plan, knowing that the best arrangement and most comfort would be found in their apartments.

Examples of these apartment buildings have already been mentioned above. While their primary focus was on apartment buildings, the Steinkamps produced a few other commercial buildings downtown besides the Mercantile Library Building during the early 20<sup>th</sup> century. One is the 8-story Robertson Building (1910) at 106 East Seventh Street, a handsome reinforced concrete building with a large proportion of window space and unusual cast-stone cladding with a Celtic-style interlaced pattern; the Hotel Metropole (NR# 09000443), a 10-story hotel completed in 1912 at 609 Walnut Street; and the superb Art Deco 15-story American Building (HAM0230804), built in 1928 at 30 East Central Parkway in the Over-the-Rhine Historic District.

### **Commercial Style Architecture**

The Mercantile Library Building exemplifies the Chicago Commercial Style of architecture, which originated in the wave of new buildings built in the reconstruction of Chicago after the great fire in 1871. The style is identified by its tripartite composition corresponding to a classical column—a heavy one to two-story base, often rusticated, with storefronts, classically inspired ornament and an interior cornice; upper stories with minimal ornamentation (the “shaft”); and a crowning cornice (“capital”), typically with brackets and modillions. The use of steel-frame construction with masonry cladding enabled open, flexible floor plans and large, plate-glass triple windows, identified as “Chicago windows,” for abundant light and air.

The Chicago Commercial Style was the dominant mode for construction in downtown Cincinnati at the turn of the 20<sup>th</sup> century. The style was popularized by Chicago architect Daniel Burnham who designed four steel-frame skyscrapers in Cincinnati in the early 1900s—the 18-story Union Savings Bank Building (1901; National Register, 2006); First National Bank Building (1902), Fourth National Bank Building (1905, AKA Clopay Building); and the Traction (now known as the Tri-State) Building (1908). Another example was the 16-story Ingalls Building (1903, National Register, 1975), the first reinforced concrete high-rise in the world, designed by the Cincinnati firm of Elzner & Anderson. The Mercantile Library Building reflects most aspects of the style, although it does not have triple windows. Its ornamental bronzed cast-iron facing on the storefronts is similar to the type of ornament used by Louis Sullivan, another prominent Chicago architect.

### **Description**

#### **Site**

The Mercantile Library Building at 414 Walnut Street occupies an irregular 0.836-acre parcel, which measures roughly 152.20 feet by 249.8 feet. (See Figure 1.)

#### **Setting**

The Mercantile Library Building is built to the sidewalk in a dense urban setting, midblock on the east side of Walnut Street between Fourth and Fifth streets. The building is flanked on the north

by the 15-story Tri-State Building (FKA Traction Building, 1903) and south by the 13-story Mercantile Center (FKA Formica) Building (1970), and on the east by a two-story atrium that connects to a building on Fifth Street formerly occupied by the Contemporary Art Center. To the west, across Walnut Street is the Renaissance Hotel, originally built for the Union Savings Bank, and Cincinnati first skyscraper.

## Building

Completed in 1905, the Mercantile Library Building is a 12-story, flat-roofed mixed-use commercial building. The building has a stone foundation, steel framing and brick curtain wall with terra cotta and cast-iron trim. Roughly rectangular in plan, the building's only street elevation extends 100 feet on Walnut Street. There is a one-story rectangular extension at the rear of the building, which houses a 1970-era expansion of the lobby on the first floor and the boiler room and other utilities in the basement.

The symmetrical front elevation is divided into 9 bays, with a wider bay in the center above the entrance. The building is characterized by a traditional tripartite façade. The first two stories are taller than those above; they have deeply set wide windows that fill the entire bay between pilasters and spandrels clad in ornamental bronzed cast-iron with a geometric pattern. The entrance is framed in a two-story smooth gray granite surround with a prominent entablature supported by flat pilasters with composite capitals. Within the surround is a brass storefront with a revolving door flanked by single doors, and a 3-part transom above. Above the transom is a spandrel with the name Mercantile Library Building in brass letters. Above that is an arched window. The frieze of the entablature is ornamented with curling acanthus leaves and six scrolls with the words, "History," "Logic," "Law," "Art," "Poetry," and "Fiction." In the center is an escutcheon with the letters, "MB." The spandrels around the arch are carved with a scroll and a book surrounded by laurel leaves. The first floor is lined with bronze anodized aluminum storefronts, which are recessed from the sidewalk.

The third floor is faced with terra cotta, lined with paired windows and defined by a prominent interior cornice detailed with anthemion. The fourth through tenth floors, faced with variegated brown brick, form the midsection of the building, articulated by flat brick pilasters and paired windows with terra cotta surrounds. The 11<sup>th</sup> floor, which contains the library, is taller and faced with terra cotta. The height of this story is emphasized by pairs of tall arched windows divided by colonnettes. The 12<sup>th</sup> floor is articulated by an elaborate terra cotta entablature with smaller windows deeply set within the frieze. The cornice has scrolled brackets and rosettes in the soffit.

On the interior, the ground-floor lobby has been renovated with a travertine marble floor, purple marble wall veneer and a ribbed metal hung ceiling. From the right side of the entrance lobby, a monumental marble stair leads to a lobby on the 2<sup>nd</sup> floor. This space has a terra-cotta red, white and black Minton tile floor and arched windows on two sides. The 2<sup>nd</sup>-floor lobby has been diminished by demising walls closing off the adjacent elevator bank. The arched windows in the stairway are covered by drywall on the inside. Each of the office floors 3 through 11 has a longitudinal double-loaded corridor that connect with the elevator lobby at the rear.

Alterations to the building include replacement of the storefronts and windows on the bottom two floors. In 1970, a major change occurred when an L-shaped building designed by the Chicago

architect Harry Weese, was built on the south and east. (The old college building to the south was condemned in 1965.) The south elevation of the Mercantile Library Building, originally exposed, was abutted by the new Formica Building, which involved blocking up the windows on the older building. Two decorative stained-glass windows in the south wall of the Library were removed at the time and later sold. On the east, a 2-story atrium was built, extending north through the block, with the Contemporary Arts Center (CAC) on the north end accessed from Fifth Street. (The CAC relocated to a new building by Zaha Hadid at 44 East Sixth Street in 2002.) The Mercantile Library Building's lobby was modernized and connected at its east end to the atrium of the Formica/CAC Building.

Most of the office floors, including the elevators, elevator lobbies, corridors and offices were renovated at that time and most of the windows were replaced. The corridors were carpeted, and new classically inspired wood door surrounds were installed around the elevators and office entry doors. The lobbies on the 2<sup>nd</sup> and 11<sup>th</sup> floors, are the only ones that retain original red, black and white Minton tile floors and white marble wainscoting. The 2<sup>nd</sup>-floor elevator lobby also has historic elevator doors, painted terra cotta red with geometric white decoration, possibly from the late 1920s. Individual offices have also been renovated repeatedly. Circa 1980, an enclosed skywalk over Walnut Street was inserted at the second floor on the north end of the building, which extended to the new CAC wing. Despite these alterations, the Mercantile Library Building retains sufficient integrity of location, design, setting, materials, workmanship, feeling, and association to convey historic and architectural significance.

### **Boundary**

The property is identified as 083-0001-0163 in the Hamilton County Auditor's records. Measuring 148.47 feet by 110.13 feet, the property is an irregular lot at the S E Corner of Walnut and Church Alley that is part of Parcels 163-169 Consolidated. The parcel is bounded on the west by Walnut Street, on the south by a 13-story building at 100 East Fourth Street, on the east by the Formica Center, and on the north by the 13-story Tristate Building at 432 Walnut (See Figure 1.)

### **Justification of Boundary**

The above-listed parcel is both the original and legally recorded boundary line for the property for which designation is being requested. The building occupies the entire parcel, and no other structures are present. Although the Mercantile Library Building is connected to abutting buildings on the south and east, the boundaries proposed for designation exclude these surrounding properties.

### **Findings**

According to Chapter 1435 of the Cincinnati Zoning Code (Historic Preservation) certain findings must be made before a historic structure can be designated by City Council. The structure must be found to have historic significance. Historic significance means that the attributes of a district, site or structure possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That has yielded, or may be likely to yield, information important in history or prehistory.

## **Planning Considerations**

### **Compatibility with Plan Cincinnati**

“Plan Cincinnati”, the current Master Plan adopted by City Council in 2012, supports and encourages historic preservation;

*“As housing demand increases in the oldest neighborhoods, the City’s broad and reputable historic building stock should be preserved...”*

Historic Conservation is considered a fundamental component in Cincinnati’s future with policy principles including:

*“Preserve our resources and facilitate sustainable development.”*

*“Cincinnati is known for our historic built character and spectacular natural beauty. The City will focus on preserving and protecting our unique assets and reverse the modern trend of ‘disposable’ development.”*

Cincinnati’s Zoning Code includes a commitment to historic preservation through its goals and policies. Three specific purposes of historic preservation, according to the current Zoning Code Section 1435-03 include:

*“to safeguard the heritage of the city by preserving districts and landmarks which reflect elements of its history, architecture and archeology, engineering or culture,”*

*“to conserve the valuable material and energy resources by ongoing use and maintenance of the existing built environment,”*

*“to maintain the historic urban fabric of the city.”*

Thus, landmark designation of the Mercantile Library Building, which allows for preservation of the building, is compatible with city plans and consistent with policy and code.

The Mercantile Library Building retains sufficient integrity of location, design, setting, materials, workmanship, feeling, and association. It has historic significance according to Chapter 1435 as defined under Criterion 1. It is historically significant as among the earliest high-rise commercial buildings built in downtown Cincinnati in the first decade of the 20<sup>th</sup> century. It is also significant for its association with Thomas Emery’s Sons, among Cincinnati’s most significant builders. The

building meets Criterion 3 as a significant example of a Chicago Commercial-style building by architects Joseph G. Steinkamp Brothers.

### Summary of Findings

The designation of the Mercantile Library Building meets the requirements of Chapter 1435 of the Cincinnati Zoning Code (Historic Preservation). The documentation in this designation report provides conclusive evidence that all required findings may be made for the proposed designation.

### References

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Mercantile Library Building, 414 Walnut Street, Front (West) elevation



Mercantile Library Building, 414 Walnut Street, lower façade



Mercantile Library Building, 414 Walnut Street, main entrance



Storefront detail showing ornamental bronzed cast-iron facing



Closeup of ornamental bronzed cast-iron facing

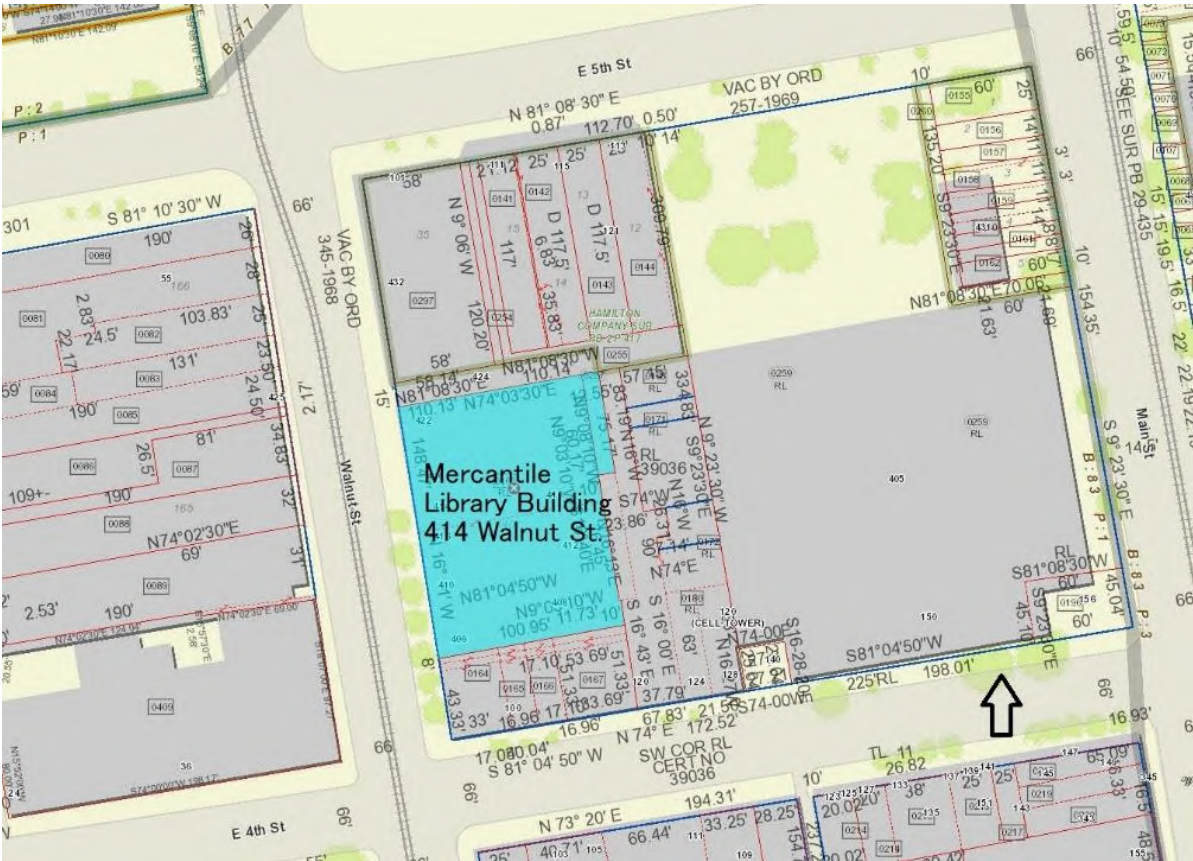


Figure 1. Parcel map, CAGIS, 2020



Figure 2. Historic photo of Mercantile Library Building, circa 1910, courtesy of The Mercantile Library



Figure 3. Historic photo of Cincinnati College Building, circa 1890,  
courtesy of The Mercantile Library

## HISTORIC CONSERVATION GUIDELINES

### Mercantile Library Building, 414 Walnut Street

Cincinnati, Ohio 45202

#### General Terminology

Within the context of these historic conservation guidelines, the “Mercantile Library Building” refers to the building located at 414 Walnut Street. The building’s vertical emphasis, symmetry and restrained classically inspired ornamentation are defining characteristics of the Chicago Commercial Style design of the building, and preservation of these aspects is essential to its integrity. The primary facade of the building faces west on Walnut Street; the east façade is exposed above the second floor but of simpler character than the west façade and considered secondary; the south and north elevations abut other buildings, and are thus tertiary.

#### Intent and General Guidelines

The following guidelines are adapted and comply with the *Secretary of the Interior’s Standards for Rehabilitation*. When a proposed change is not addressed by the guidelines, The *Secretary of the Interiors Standards for Rehabilitation*, *Interpreting the Standards Bulletins* and *Preservation Briefs* will be used as guiding documents.

These guidelines are intended to ensure that rehabilitation will maintain significant features of The Mercantile Library Building. Guidelines are intended not as strict rules but are to be used by the Historic Conservation Board as a guide to assess the compatibility and appropriateness of proposed rehabilitation changes. Reviews by the Historic Conservation Board are restricted to exterior changes proposed for this building. Repair and maintenance not changing significant features and clearly complying with the intent of these guidelines do not require board review. Interior alterations are not the purview of the Historic Conservation Board and are not subject to review.

The following general approaches are recommended:

1. **Repair and maintenance:** Ordinary repair and maintenance of like and kind for matching the original construction, where visible, and that does not change the appearance of the buildings, is acceptable under these guidelines. Rehabilitation may include preservation, restoration, reconstruction, or a combination of these, as appropriate and reasonable for the building.
2. **Maintenance.** Existing visible features that contribute to the overall character of the building in good condition shall be maintained and where possible, preserved or conserved.

Damaged visible features that can be repaired shall be repaired rather than replaced wherever possible.

3. **Replacements.** Replacements of significant features damaged beyond repair, deteriorated beyond reasonable repair, or missing shall sensitively harmonize with characteristics of the original feature. Replication is appropriate, but not required.

### Specific Guidelines

The following specific approaches to elements, features, and visible components are recommended:

1. **Materials:** Materials for visible features that are badly damaged, deteriorated beyond reasonable repair, or missing shall be replaced with materials or components that closely match the style, shape, color, treatment, and texture of the element replaced. Composition, type of joint, size of units, visible measures, placement, and detailing shall be appropriate for the building. Synthetic materials, where closely matching the existing characteristics, may be utilized.
2. **Door and Window Openings:** Among the important features of Mercantile Library Building are its window and door openings. The size and location of openings are an essential part of their overall design and an important feature of their architectural design. Original wall openings on primary facades shall not be significantly altered or filled in. On secondary facades, original wall openings shall not be significantly altered without consideration of their impact to the overall character of the original design.
3. **Doors and Window Sash:** The original doors and window sashes shall be repaired rather than replaced where feasible and where appropriate access and security can be achieved in compliance with building codes. If replacement of doors or windows becomes necessary due to deterioration or to replace missing or nonconforming units, new windows and doors on primary facades shall fill the original openings and be compatible with the building in size, scale, materials, configuration, style and color. Minor variations in mullion and sash frame dimensions of replacement windows may be considered. Vinyl replacement windows or glass-block windows shall not be used.
4. **Storefronts:** Nonconforming storefront features including doors, display windows, infill panels, canopies and awnings may be replaced with new materials compatible with the buildings design.
5. **Ornamentation:** Significant architectural features of the Mercantile Library Building include the following: granite door surround; terra cotta facing, cornices, colonettes; friezes; brick running-bond walls, pilasters; primary façade window openings. These features and other ornamental elements shall be preserved or conserved. Do not make replacements or substitutions of different scale, size, design, or incompatible materials. Replace ornamentation to match originals in character, scale, configuration, style, size texture, and color. Some synthetic materials including fiberglass castings or composite materials may be considered.

6. **Roof:** Parapets and other architectural features that define the roofline of the building shall be preserved. On the primary facades, vents, skylights, rooftop utilities, and equipment, such as elevator mechanicals and new roof elements shall be placed or screened so they are inconspicuous from view.
7. **Painting:** Do not paint stone and masonry elements that have historically not been painted. Use colors that are appropriate to the building's age, history, and style.
8. **Outside Attachments:** Exterior light fixtures should be appropriate to the style of the building, or simple and contemporary. Mercury vapor, high—pressure sodium, and other light sources that impact distortions of color when illuminated are not appropriate to primary facades. Exterior light fixtures shall be mounted or constructed so as not to cast undue glare onto neighboring buildings or damage the building on which they are mounted. Signs are addressed under Site Improvements.

## Additions and Exterior Alterations

### Intent and General Guidelines

1. **Additions:** Additions shall follow new construction guidelines, codes, and regulations. Any addition shall be compatible in character with the original building, with sensitivity to existing massing and scale, site, and appearance within the building's existing context. Additions shall be sympathetic, may be complementary, but need not be imitative in design. Additions should be designed to relate architecturally, not overwhelming the original building. Rooftop additions should be set back to minimize visibility.
2. **Alterations:** Alterations shall follow construction guidelines for alternations, codes, and regulations. Alterations shall not change or alter significant architectural features on primary facades. On the secondary facades, alterations shall be designed to minimize impact on the overall character of the facade on which the alteration occurs.
3. **Appropriateness:** The appropriateness of design solutions for additions and alternations should include the following.
  - a. How well the proposed design for the addition or alteration relates to the building and the neighboring buildings.
  - b. How closely the proposed addition or alteration meets the specific intentions of these guidelines.

### Site Improvements and Alterations

1. **Signs.** Signs should be designed for clarity, legibility, and compatibility with the building. Signs should not cover or obscure architectural features. Billboards and roof-top signs are not permitted. Temporary signage is permitted without review by the Historic Conservation Board.
2. **Parking and paving.** Not applicable.

3. **Walls and Fences.** Not applicable.
4. **Landscaping.** Not applicable.
5. **Support Structures.** Not applicable.

### **Demolition**

Any demolition, alterations, or modifications to the property and minimum maintenance requirements are governed by Section 1435-09: Alterations and Demolitions; Certificates of Appropriateness; Minimum Maintenance, of the Cincinnati Zoning Code, ordained by Ordinance No. 217-2012, §1, effective July 20, 2012. Any updates, modifications, or amendments to this section of the Cincinnati Zoning Code or legislation that supersedes Chapter 1435 of the Cincinnati Zoning Code which is established as the "Historic Preservation Code," shall be considered the governing law.

**APPLICATION FOR  
ZONING RELIEF AND  
CERTIFICATE OF APPROPRIATENESS  
HISTORIC CONSERVATION BOARD PUBLIC HEARING  
STAFF REPORT**

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APPLICATION #: ZH20200167/COA2020048  
APPLICANT: Kenneth Bowerman Architect  
OWNER: Nicole McCoubrey and Mark Scott  
ADDRESS: **1517 Republic Street**  
PARCEL: 081-0004-0030-00  
ZONING: RM 1.2  
OVERLAYS: Over The Rhine Historic District  
COMMUNITY: Over The Rhine  
REPORT DATE: November 16, 2020  
STAFF REVIEW: Beth Johnson, Urban Conservator

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**Nature of Request:**

The applicant is requesting a Certificate of Appropriateness and Zoning Relief a new single-family house with parking off of Goose Alley

**Details of Zoning Relief Required:**

1. 1405-07: Development Regulations- Rear setback. A rear yard setback of 20 feet is required. A 12.75 setback is provided. **A variance of 7.25 ft is required.**
2. 1405-07: Development Regulations- Height. A 35-foot maximum height is permitted. A 35 ft 6.5 in height is provided. **A variance of 6.5 in is required.**

**Existing Conditions:**

The property is a vacant lot mid-block between a 4 story and a 2 story contributing buildings. Formally a 3 story building was at this location.

**Proposed Conditions:**

The proposal is to build a 3-story brick sided single family home set at the front lot line with off-street parking to be access from the rear.



Figure 1: View of the lot from north looking south on Republic Street. Google Street Views.

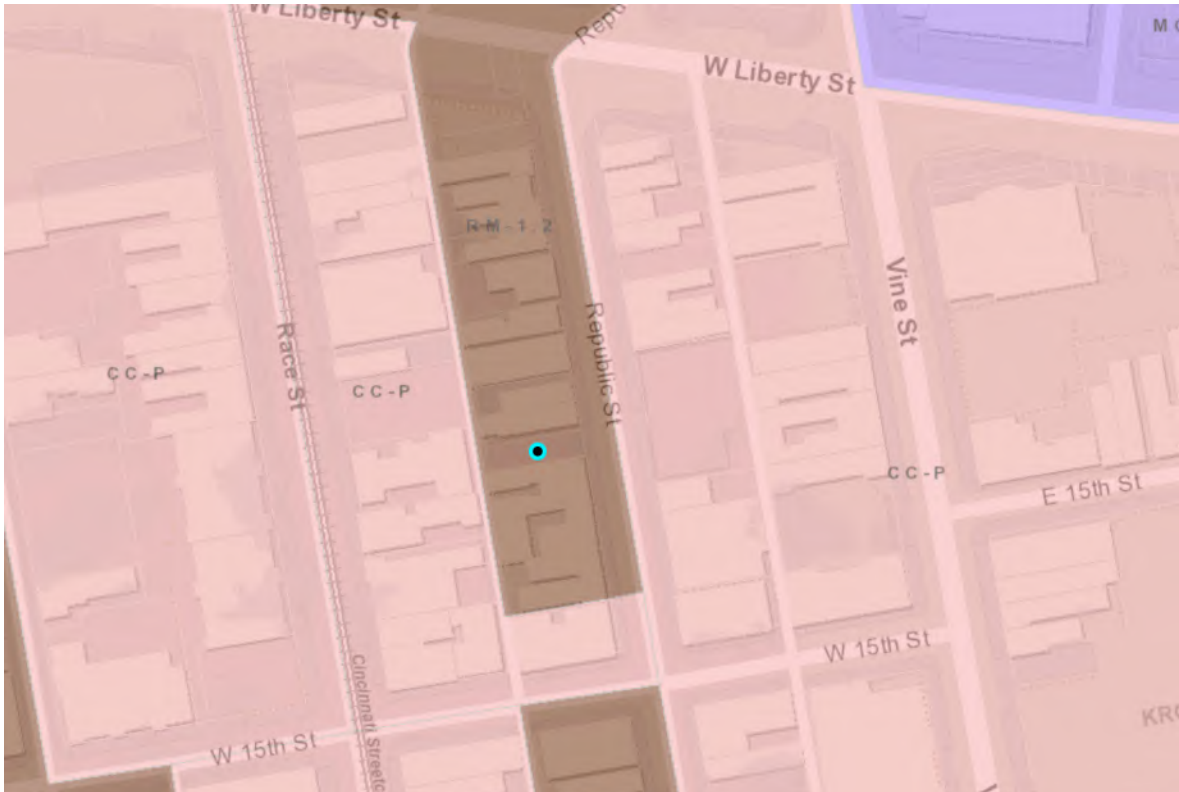


Figure 2: Map of 1517 Republic Street. Cagis Map

**Previous Review:** NA

**Applicable Zoning Code Sections:**

Zoning District:	Section 1405	Residential
Variance Requests:	Section 1405	Development Regulations
Variance Authority:	<a href="#">Section 1445-07</a>	
HCB authority:	<a href="#">Section 1435-05-4</a>	
Variance Standard:	<a href="#">Section 1445-13</a>	General Standards: Public Interest
	<a href="#">Section 1445-15</a>	Standards for Variances
Overlays:	<a href="#">Section 1435</a>	Historic Preservation
Historic District/Reg:	Over the Rhine Historic District	
COA Standard:	<a href="#">Section 1435-09-2</a>	COA; Standard of Review

**Zoning Analysis:**

The applicant is requesting to build a single-family house and requires both a rear yard and height variance. Both requests are supported by the applicants asking for a property right that other adjacent property enjoy as well as developing a building that is consistent with the adjacent historic buildings and forms.

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 RM 1.2 The use of the property as a single-family residence is permitted with the exception of the zoning relief requested.*
- 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 design of the of the single-family home meets the Over the Rhine Historic District Guidelines.*
- 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 in providing a range of housing opportunities within the city.*
- 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 adversely impacted as parking will be provided on the property at the rear.*
- e. **Buffering.** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.

NA

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

NA

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

NA

- 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 single-family home use is compatible along the mostly residential street and the building architecture and character are compatible with the historic district.*

- 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.

NA

- 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.

*None anticipated*

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

*This lot is not identified as blight, but adding a new building on a vacant lot will provide a beneficial use to the property and will fill in a building that had previously been demolished.*

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

*The addition of a house will provide additional customers to local businesses and will provide jobs during construction.*

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

*The proposed project will create temporary jobs during construction.*

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

*Property taxes will increase from the improvements on the lot.*

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

*The owner has an economic benefit as the improvements to the lot will increase the value of the property.*

- 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, Special Exceptions and Conditional Uses 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 of Historic Asset; or

*The proposed work will not have an adverse affect on the historic architecture or aesthetic integrity of the Historic District and supports the historic district by providing a compatible infill building. Both the rear yard and height variance are appropriate to provide for compatible height and massing.*

- (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).

*The denial of the height variance will not deprive the property of all economic use of the property, the denial of the rear setback provides a property that does not have sufficient room to build a functional building.*

## **Standards for Variances per Section 1445-05-4**

- (a) Owing to special circumstances or conditions pertaining to a specific piece of property, the strict application of the provisions or requirements of this Code or the Land Development Code, as applicable, are unreasonable and would result in practical difficulties.

*The property is in a dense urban environment and the property. The property is also a subminimum lot at only 1475 square feet. It is a lot of record and therefore is still a buildable lot, however to be able to build a useable building a rear variance is required.*

- (b) The 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.

*Most properties within the district have very minimal, if any, back yards and the request is asking for the same right.*

*The street has properties that exceed 35 feet. There are several buildings that are 4 stories and around 50 feet, the request of 6.5 inches in additional height is minimal.*

## **Certificate of Appropriateness Review**

Staff is supportive of the design and feels that the design substantially conforms to the Historic Conservation District Guidelines.

## **NEW CONSTRUCTION**

The Over the Rhine Historic Conservation Design Guidelines gives direction to both staff and an applicant on how to design and review proposed developments. When designing infill developments, context and existing surrounding buildings are the main guiding principles of reference. Typically, the context that we consider the most when looking at appropriate infill design is the block that the parcel is on and especially adjacent properties

Staff comments on the Specific Guidelines for New Construction:

### **A. Intent and General Guidelines**

1. New construction is allowed on vacant sites in Over-the-Rhine, because gaps due to demolition weaken the streetscape and the overall character of the district. New construction can improve both the physical quality and economic vitality of the neighborhood.

*The lot is a vacant lot and is used as an unimproved lot.*

2. New construction should be well-designed but should not replicate the existing buildings. The exceptional quality of the existing buildings in the district provides an outstanding framework for new construction.

*This infill development, while traditional in detailing, does not replicate the existing buildings.*

3. The Historic Conservation Board's review of new construction will focus on the design compatibility with the surrounding contributing structures. The appropriateness of design solutions will be based on balancing the programmatic needs of the applicant with how well the design relates to the neighboring buildings and to the intent of these guidelines. New design proposals should pay particular attention to composition, materials, openings, rhythm, scale, proportion and height.

*Staff details the compatibility of the project with the guidelines and surrounding buildings below in the specific guidelines.*

4. The new construction guidelines for this district will be used to judge the compatibility of new work. The specific site and programmatic needs of each project will be taken into consideration.

*Staff details the compatibility of the project with the guidelines and surrounding buildings below in the specific guidelines*

### **B. Specific Guidelines**

1. Composition: New buildings should respond to the traditional subdivisions found on historic property: a base, a middle and a top. Most buildings in Over-the-Rhine are built of brick with the principal facade parallel to the street it faces. The most important features of buildings in Over-the-Rhine are the arrangement of openings on the principal facade and an overall vertical emphasis of the whole design. Each building provides its own variations, but collectively they share many basic features.

**Base:** New buildings should have a well-defined base. Within the district most buildings have a base that is distinguishable from the rest of the building. This is accomplished through a change of materials, a change of scale, and/or a lintel or other type of horizontal banding. In larger buildings the original base may include more than the first floor.

*The property has a strong base by creating a strong water table with rusticated masonry units. Residential bases are minimal and tend to be at just the water table or below*

**Middle:** Details on new buildings should relate to the detailing of adjacent or nearby buildings. Buildings in the district often incorporate architectural details such as changes in plane or changes in materials on their upper floors. Decorative, horizontal bands indicating the floor lines, sill heights or lintel heights should not overpower the vertical emphasis of the design.

*The middle is defined by 3 floors of punched openings that are in a vertical columns and horizontal rows. Sills and lintels provide a simple and subtle changes in the plane. The front door in on once column and is setback from the façade.*

**Top:** New construction must employ a strong element that terminates the uppermost part of the building. Distinctive elements in the architecture of Over-the-Rhine are elaborate projecting cornices, decorative parapets and the expressive use of materials.

*The top is defined at the top of the third story by a simple paneled cornice.*

2. Roofs: Roofs for new construction should be similar to roofs of adjacent and nearby buildings of similar size and use. In the district, buildings of three or more stories generally have low-pitched shed roofs that are not visible above the principal facade. Smaller buildings in the district typically have simple gable roofs on which the gables are perpendicular to the principal facade. Institutional buildings in Over-the-Rhine have a variety of roof shapes, including dormers, multiple gables, hip roofs and towers. Roofs in this district have little or no overhang.

*The roof is a side gable 3:12 pitch roof that is similar in shape and pitch to historic contributing buildings on the block.*

3. Window Openings: Window openings are extremely important in this district. The openings of new buildings should be related to the size and placement of openings found on historic structures of similar use in the district. In residential buildings, window openings are typically found individually rather than in pairs or grouped. The openings are taller and wider (typically in a proportion of 2:1), window sash are set back from the wall surface, and openings have some form of definition, such as lintels, sills or decorative surrounds. Window openings, which are typically aligned vertically, usually occupy between 20% and 50% of the principal facade. In commercial, industrial and

institutional buildings, windows are often grouped within a single opening. These building types may also use a combination of window sash, including double-hung, awning and hopper. If muntins are used in new window sash, they must provide true divided lights. Within the individual opening, window sashes are usually divided into two or more lights. In all cases the glass must be clear; tinted or reflective glass is not acceptable. Also, roll down shutters and metal bar systems installed on the exterior of the building that cover door and window openings are not appropriate.

*On the front façade- The windows are one over one windows that are a 2:1 ratio. They are in individual punched openings in a horizontal and vertical alignment.*

*The windows have simple sills and lintels that provide a change of plane and detailing around the windows.*

*The windows on the rear of the building are more varied in alignment, which is often typical on buildings in the district. The windows are still vertically oriented.*

*All windows are proposed as Anderson 400 Series windows or similar.*

4. Storefronts: New storefronts should relate to the characteristics of existing storefronts on historic buildings. Storefronts in the district are typically taller than individual upper floors; framed by piers and/or columns and have a lintel separating them from the upper floors; are divided into bays which increases their verticality and provides a pedestrian scale and proportion; and have large, fixed expanses of clear (not tinted or reflective) glass. As with rehabilitated original storefronts, roll down shutters and metal bar systems installed on the exterior of the building are not appropriate elements for new storefronts. The storefront lintels are 12 to 18 feet above grade; the windowsill height is between 18 inches and 3 feet above grade; and storefront windows are set back from the structural elements approximately 12 inches

NA.

5. Setback: Setback is an important issue in a dense urban area such as Over-the-Rhine. The setback for new construction should be consistent with the buildings of similar use on adjacent and nearby sites. In Over-the-Rhine, most commercial buildings are built up to the property line. Some residential property, especially detached buildings, has shallow setbacks but retain an "edge" at the property line with a fence. Some larger institutional buildings such as schools, churches and public buildings are setback from the street to provide public space and to add to their monumentality. In most cases new construction on corner sites should be built up to the edge of both outside property lines.

*The front setback is set at the street front and there is a shallow side setback. The majority of the properties on the street are set at the street and may of the residential buildings have shallow side setbacks and minimal rear setbacks.*

6. Rhythm: New buildings should incorporate design features, such as window groupings, articulation of wall surfaces, and decorative elements such as columns or piers in an effort to maintain the rhythm that already exists in the district. New construction should avoid creating long unrelieved expanses of wall along the street by maintaining the rhythm of bays found on the district. Most buildings in Over-the-Rhine are relatively narrow, 25 to 50 feet in width. A building facade typically displays vertical subdivisions that establish a visual rhythm. In dense commercial areas such as Vine Street, there are no setbacks, creating a solid wall along the street. This wall is articulated by the individual buildings, which in turn are divided by window groupings, changes in wall planes and decorative elements such as pilasters, columns or piers.

*The building follows the typical rhythm within the district as this is a typical rowhouse with windows and openings equally aligned over the façade.*

7. Emphasis: New residential and mixed-use construction should have a vertical emphasis, because in Over-the-Rhine buildings are taller than they are wide, window openings are tall and narrow, and storefronts have slender columns, which emphasize verticality. Commercial and industrial buildings, which may have an overall horizontal emphasis, often incorporate vertical elements, such as pilasters or vertically oriented openings.

*The building is taller than it is wide and has other elements that create vertical emphasis such as the vertical alignment of the windows and the windows being taller than they are wide.*

8. Height: The height of new construction should not vary more than one story from adjacent contributing buildings. Most buildings in Over-the-Rhine are between two- and five-stories.

*The height of the building is one story taller than the building to the north and one story shorter than the building to the south. The majority of the other contributing buildings on the street are three to four stories tall.*

9. Materials: New construction should use materials that are found on the historic buildings in Over-the-Rhine. Clearly the dominant material in Over-the-Rhine is brick, but other materials such as limestone, sandstone, cast-iron, slate, wood and sheet metal are important as well. Materials such as stucco, synthetic stucco and plastic are not appropriate and should not be considered as exposed finish materials for new construction in this district.

*The building materials are all appropriate. The main building material is brick and with a rusticated masonry unit as a base. Cement fiber board as a lap siding will be used on*

*the rear at the recessed from the rear building line. This material is appropriate as a secondary and accent material.*

*The proposal also includes a rear deck. The material is wood deck with metal railing and the design is simple and in keeping with the character and architecture of the building. The deck also provides a space for covered parking for the property.*

*The proposal also includes a 6-foot metal fence around the rear yard. This is appropriate and meets all zoning and historic regulations.*

**Other Considerations:**

**Prehearing Results:** November 18, 2020.

**Comments Provided to Staff:** NA

**Recommendation:**

Staff recommends the Historic Conservation Board take the following actions:

- I. **ZONING RELIEF:** Per plans submitted by Kenneth Bowerman Architect dated 10.5.2020 at 1517 Republic St.
  1. 1405-07: Development Regulations- Rear setback. **APPROVE** A variance of 7.25 ft to provide for a 12.75 ft rear yard.
  2. 1405-07: Development Regulations- Height. **APPROVE** A variance of 6.5 in to provide for a 35 ft 6.5 in tall building.
  
1. **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

**II. CERTIFICATE OF APPROPRIATENESS**

- A. **APPROVE** a Certificate of Appropriateness for the construction of a single-family home per plans submitted by Per plans submitted by

Kenneth Bowerman Architect dated 10.5.2020 for 1517 Republic Street with the following condition.

a. The building permit must be issued within 2 years or the COA shall expire.

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

a. That the property owner and applicant have demonstrated by credible evidence that the proposal substantially conforms to the applicable guidelines for New Construction of the Over-the-Rhine Historic Conservation District.

**ADJUDICATION/DENIAL LETTER**

Date: 10/6/2020

Location: 1517 Republic Street

Request: Infill and variances

Zoning District: RM 1.2/ Over-the-Rhine Historic District

The City of Cincinnati appreciates receiving your information regarding your proposed project. The purpose of this letter is to inform you that your proposed project will be required to get a Certificate of Appropriateness and Zoning Relief from the Historic Conservation Board as it is within a local historic district.

All documents **that are checked** on the Documents Required for Historic Conservation Board Review are a required part of the submission and the submission will not be considered complete unless all of these documents are included. When you submit the copies of the application, the Documents Required Sheet must be submitted as well. **A \$621.68 fee is required with the submission as well.** All deadlines for upcoming Historic Conservation Board hearings can be found at <https://www.cincinnati-oh.gov/buildings/historic-conservation/historic-conservation-board/>. **Applications must be submitted no later than 3pm on the deadline date.**

Your request also does not comply with the City of Cincinnati Zoning Code for the following reason(s):

1. 1405-07: Rear setback. A 20 foot rear setback is required. A 12.75 ft setback is provided a 7.25 ft variance is required.
2. 1405-07: Height. A 35 foot maximum height is allowed. The proposed height is 35 ft 6.5 in. a 6.5 inch variance is required.

The applications and documents required will be turned into the *Law Department- Office of Administrative Boards*. Their office is located on the 5<sup>th</sup> floor of 805 Central Avenue in the Permit Center. Applications can be turned in **no later than 3pm on the deadline date**. You must contact Kasandra Maynes at 513-352-1559 or [Kasandra.Maynes@cincinnati-oh.gov](mailto:Kasandra.Maynes@cincinnati-oh.gov) for submittal.

You may also contact me at the information listed below with historic conservation or zoning questions, concerns or to make an appointment.

Sincerely,



Beth Johnson  
Urban Conservator  
(p): 513-352-4848  
(e): [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)



II Centennial Plaza  
 805 Central Avenue, Suite 500  
 Cincinnati, Ohio 45202  
 Monday- Friday 7:30 am-4 pm  
 (513) 352-4848  
[Urban.Conservator@Cincinnati-OH.gov](mailto:Urban.Conservator@Cincinnati-OH.gov)

Office Use Only	
Application #:	_____
Date Accepted:	_____
<input type="checkbox"/> Staff Review	<input type="checkbox"/> Board Review
<input type="checkbox"/> Paid:	_____
Date Perfected:	_____
Hearing Date:	_____

## CERTIFICATE OF APPROPRIATENESS APPLICATION

### SUBJECT PROPERTY

Site Address: 1517 REPUBLIC STREET, CINCINNATI, OHIO  
 Hamilton Co. Parcel ID No.: 081-0004-0030-00 Zoning District: RM 1.2  
 Historic District: OVER-THE-RHINE Overlay District: \_\_\_\_\_

### PRIMARY CONTACT INFO PROPERTY OWNER OTHER ARCHITECT (AGENT, ATTORNEY, ARCHITECT, ETC.)

Name: KENNETH E. BOWERMAN, ARCHITECT, INC.  
 Contact Person (if legal entity): DARREN E. MYERS  
 Address: 8050 HOSBROOK RD. SUITE #106  
 City: CINCINNATI State: OHIO Zip Code: 45236  
 Phone: 513-791-6778 ext #6 E-mail: darrenmyers@fuse.net

### PROPERTY OWNER INFO SAME AS ABOVE

Name: NICOLE MCCOUBREY + MARK SCOTT  
 Contact Person (if legal entity): \_\_\_\_\_  
 Address: 1126 WALNUT STREET #2A  
 City: CINCINNATI State: OHIO Zip Code: 45202  
 Phone: NICOLE-734-645-2949 E-mail: NMCCOUBREY1@ATT.NET

### CERTIFICATE OF APPROPRIATENESS (SELECT ALL THAT APPLY)

New Construction     Alteration     Demolition

Provide a very brief summary of the project:  
PROPOSED NEW 3-STOREY SINGLE FAMILY HOME TO BE BUILT ON VACANT LOT. FRONT DOOR WILL BE ON TO REPUBLIC STREET WITH A PARKING PAD/DRIVEWAY OFF OF GOOSE ALLEY.

### ZONING RELIEF Yes No

Provide a very brief summary of the zoning relief requested:  
NEED 7.25' VARIANCE FOR REAR YARD & 6.5" FOR HEIGHT

### SUBMISSION REQUIREMENTS & REQUIRED ATTACHMENTS

Demolition requests must include all required demolition forms.  
 All applications that include requests for zoning relief must include a zoning hearing application.  
 All persons seeking historic tax credits must provide a copy of their approved part II tax credit application.

I certify that all statements and documents that I provide with reference to this application are accurate, complete, and true to the best of my knowledge and belief. I further acknowledge that my application shall be deemed incomplete for my failure to timely comply with any requirement of this application, which non-compliance may result in delays in the scheduling and resolution of my application.

Applicant Signature: Darren E. Myers Date: 10/22/20



II Centennial Plaza  
 805 Central Avenue, Suite 500  
 Cincinnati, Ohio 45202  
 Monday- Friday 7:30 am- 4 pm  
 513-352-1559  
[Boards@cincinnati-oh.gov](mailto:Boards@cincinnati-oh.gov)

for additional information  
 (hyper-link)

# ZONING HEARING EXAMINER

## Application for Zoning Relief

Office Use Only  
 Case Number: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

**Section 1. SUBJECT PROPERTY**  
 ADDRESS 1517 REPUBLIC STREET CINCINNATI, OHIO 45236 COMMUNITY OVER-THE-RHINE  
 PARCEL ID(S) 081-0004-0030-00 HILLSIDE DISTRICT:  Yes  No  
 BASE ZONING CLASSIFICATION RM 1.2 ZONING OVERLAY (if applicable) \_\_\_\_\_  
 HISTORIC DISTRICT:  No  Yes: (name) OVER-THE-RHINE  
 Non-Residential Project  Residential Project (RCO) One -, Two -, and Three- Family Dwelling

**Section 2. APPLICANT**  
 NAME KENNETH E. BOWERMAN, ARCHITECT, INC. CONTACT PERSON (if legal entity) DARREN E. MYERS  
 ADDRESS 8050 HOSBROOK RD, SUITE #106 CITY CINCINNATI STATE OH ZIP 45236  
 EMAIL darrenmyers@fuse.net RELATIONSHIP TO OWNER (if not owner) ARCHITECT/AGENT  
 TELEPHONE 513-791-6778 EXT. #6

**Section 3. OWNER**  
 NAME NICOLE MCCOUBREY CONTACT PERSON (if legal entity) \_\_\_\_\_  
 ADDRESS 1126 WALNUT ST. #2A CITY CINCINNATI STATE OH ZIP 45202  
 EMAIL NMCCOUBREY1@ATT.NET RELATIONSHIP TO OWNER (if not owner) \_\_\_\_\_  
 TELEPHONE 734-645-2949

**Section 4. NATURE OF RELIEF REQUESTED.** (select all that apply)  
 Variance(s)  Special Exception  Conditional Use  Use Variance  
 Expansion or Substitution of Non Conforming Use  Hillside Overlay District Permission  
 Urban Design Overlay District Permission  DD District Phased Development Approval

**Section 5. BRIEF DESCRIPTION OF PROPOSED PROJECT** (Do not write "see attached" or leave blank. You may attach a longer statement to this application if the space provided is insufficient to describe your proposed project)  
PROPOSED NEW 3-STORY SINGLE FAMILY HOME TO BE BUILT ON VACANT LOT. NEW BUILDING WILL BE CONSTRUCTED UP TO THE NORTH & SOUTH, "SIDE" PROPERTY LINES. FRONT, EAST, WILL BE UP TO SIDEWALK. 7.25' VARIANCE NEEDED FOR REAR YARD, WEST VARIANCE OF 6 1/2" IS NEEDED FOR BUILDING HEIGHT AS WELL.

**Section 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 attached. If you fail to follow the instructions for your type of request, your application may be denied.

**Section 7. SIGNATURE.** The undersigned does 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 DARREN E. MYERS Signature [Signature] Date 10/22/20

KENNETH R. BOWERMAN,  
ARCHITECT, INC.

City of Cincinnati Historic Conservation Office – Over The Rhine Historic District  
Written Summary for 1517 Republic Street, Cincinnati, OH

The Historic Guidelines for Over-The-Rhine promote that vacant lots be infilled & that new construction primarily extend to the property lines. That being the case, we are proposing that a new 3-story single family home be constructed at 1517 Republic Street. The front of the home, which is east, will be built up to the sidewalk. The sides of the homes will be built up to the property lines at the north & the south. The rear of this property is on Goose Alley & the homeowner's wish to use that for driveway access. Over part of the proposed driveway will be a deck which will encroach 7.25' into the required 20'-0" rear yard. We are asking for a variance of 7.25'.

We are also seeking a 6.50" height variance because the overall height of our proposed building is 35'- 6 ½" high & the maximum height per zoning is 35'-0". The Over-the-Rhine Historic Guidelines suggests that a building should be within 1 story of the buildings on either side. Given that the building to the south is 4 stories tall at the street & the one to the north is 2 stories at the street, it seemed logical & appropriate to make the new building 3 stories. Following the additional requirements for acceptable roof forms & slopes, the resulting new building is slightly higher than the required maximum. However, it is compatible not only with its immediate neighbors, but with the other buildings on the same side of the street in the 1500 block of Republic.

The new proposed building will be of masonry on the front & side. Window style & configuration on the front elevation are in accordance to the Over-the-Rhine Guidelines & consistent with the existing buildings on the same side of the street, especially to the south. Also per guidelines, the new home will be taller than it is wide, in line with its adjacent neighbors, & have decorative horizontal band at the top of the front façade.

Windows will be wood clad double hung. Railings & fences will be black metal. Brick masonry will be similar to other new construction in the neighborhood & we will gladly submit masonry choices to the Urban Conservator for input & approval, as we have in the past.

Overall, we feel that the new proposed building is designed in accordance to the guidelines, will fit in well with neighboring buildings & its immediate context, & is similar to other single family homes that we have had approved & built previously in Over-the-Rhine.

Sincerely,



Darren E. Myers (Architect & Owner Agent)

**Section 8. ADDITIONAL DOCUMENTATION SUBMISSION REQUIREMENTS.**

If you fail to complete the application or provide all information requested, your application may be denied.

All application transactions must be completed by 4:00pm. No exceptions.

<input type="checkbox"/>	Submit two (2) paper copies collated, single sided and bound together, and one (1) digital copy in PDF format of all the documents listed below.
<input checked="" type="checkbox"/>	All documents (forms, letters, etc.) must be formatted to 8.5x11. Plans or drawings may be formatted to 11x17 or 12x18, but no larger sizes will be accepted.
<input checked="" type="checkbox"/>	Zoning Hearing Examiner application.
<input checked="" type="checkbox"/>	Denial letter from Zoning Department, or signed letter from a Zoning Plans Examiner.
<input checked="" type="checkbox"/>	Written statement required in Section 6 of application.
<input type="checkbox"/>	Applications requesting development permission in a Hillside Overlay District must meet the additional requirements found in Cincinnati Municipal Code 1433-15. Please ensure your application meets these requirements.
<input checked="" type="checkbox"/>	Accurate drawings, plans or surveys (including a graphic scale) showing boundaries, dimensions, areas, topography, and frontage of the property involved, as well as the location and dimensions of all structures <b>existing and proposed</b> from the nearest property lines. When landscaping is required by the zoning code, a landscaping plan must be provided.
<input checked="" type="checkbox"/>	Detailed information (such as photographs, elevations, specifications) fully depicting the exterior appearance of the <b>existing and proposed</b> project, including parking and access, exterior lighting, landscaping, and signs involved in the application.
<input checked="" type="checkbox"/>	The Hamilton County Auditor's record showing ownership of the property. If the Hamilton County Auditor's official records do not list the applicant or owner as the owner of the property, please provide a <u>lease, contract to purchase, or other agreement</u> demonstrating the applicant or owner's legal basis to seek the relief requested.
<input type="checkbox"/>	A list of witnesses and expert witnesses who you expect to testify at the hearing on this application.
<input checked="" type="checkbox"/>	Other documents or information you intend to introduce at the hearing on this application.
<input checked="" type="checkbox"/>	A non-refundable application fee - a check made payable to "City of Cincinnati." <ul style="list-style-type: none"> <li>• <b>\$900.00</b> for Use Variances</li> <li>• Variances, including <i>Special Exception, Conditional Use, Expansion or Substitution of Non-Conforming Use, Hillside &amp; Urban Design Overlay and DD District</i> are as follows: <ul style="list-style-type: none"> <li><b>\$300.00</b> for Residential Projects (RCO) One -, Two -, and Three- Family Dwelling</li> <li><b>\$500.00</b> for Non-residential Projects (Non-RCO)</li> </ul> </li> </ul>

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.

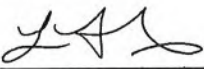
**AMENDMENT TO OPTION AGREEMENT**

1. OWNER: OTR HOLDINGS, INC.  
c/o 3CDC, 1203 Walnut Street, 4th Floor  
Cincinnati, Ohio 45202
2. OPTIONEE: MARK SCOTT AND NICLE MCCOUBREY
3. DATE OF OPTION AGREEMENT: June 19, 2020
4. AMENDMENT: All references to "Option Agreement" shall include the Option Agreement, any applicable extensions, and this Amendment. Except as modified herein, all other provisions of the Option Agreement shall remain the same.
5. OPTION PERIOD: The Option Period is extended for 112 days from the Effective Date of this Amendment ("Amended Option Period") and will now expire on Thursday, December 31, 2020.
6. AMENDED OPTION PAYMENT: INTENTIONALLY DELETED
7. AMENDED PURCHASE PRICE: INTENTIONALLY DELETED
8. COUNTER-PARTS This Amendment to Option Agreement may be executed in one or more counterparts and by electronic signature, which taken together shall constitute one agreement.

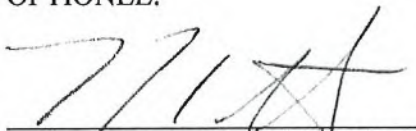
[signature page(s) follow]

THE OPTIONEE AND THE OWNER HEREBY AGREE TO THE FOREGOING AS OF THE LAST DATE THIS AMENDMENT TO OPTION AGREEMENT IS EXECUTED ("EFFECTIVE DATE").

OWNER:  
OTR HOLDINGS

By:   
Name: LANN FIELD  
Title: VP OF DEVELOPMENT  
Date: September 10, 2020

OPTIONEE:

  
MARK SCOTT AND NICLE MCCOUBREY  
Date: September 10, 2020

## OPTION AGREEMENT

1. OWNER: OTR HOLDINGS, INC  
c/o 3CDC, 1203 Walnut Street, 4th Floor  
Cincinnati, Ohio 45202
2. OPTIONEE: MARK SCOTT AND NICOLE MCCOUBREY
3. OPTION PERIOD: 60 days from the Effective Date ("**Option Period**"). Optionee shall have the ability, with Owner's prior written consent, in its sole and absolute discretion, to extend the Option Period for two 30-day period (each an "**Extension**").
4. PROPERTY: The real property and improvements located at 1517 Republic St. Cincinnati, OH 45202. Legal description attached as Exhibit A.
5. OPTION PAYMENT: Optionee shall pay Owner Two Thousand, Six Hundred Forty Dollars (\$2,640.00) ("**Option Payment**") for the option to purchase the Property pursuant to this Option Agreement. This payment is refundable as set forth herein less Holding Costs (defined in Section 12) and shall be credited against the Purchase Price if the Option is exercised.
6. CONDITIONS TO EXERCISE OF OPTION: As conditions precedent to Optionee's right to exercise the Option, Optionee shall provide to the satisfaction of Owner, in its sole discretion, those items set forth in Exhibit B (each an "**Option Condition**," collectively the "**Option Conditions**"). Optionee's failure to meet any Option Condition by the date set forth in Exhibit B shall be an Event of Default and trigger Owner's right to terminate this Agreement.
7. EXERCISE OF OPTION: To exercise the Option, Optionee shall provide to Owner, prior to the expiration of the Option Period, a written notice (i) stating Option's desire to exercise the Option and (ii) providing evidence that Optionee has completed the Option Conditions ("**Option Notice**"). If Optionee timely provides the Option Notice and Optionee has in fact met the Option Conditions, Owner shall provide a Purchase Agreement to Optionee in substantially the form attached as Exhibit C ("**PSA**"), and the parties shall work in good faith to execute the PSA within 15 days of Optionee's delivery of the Option Notice.
8. PURCHASE PRICE: If Optionee exercises the Option during the Option Period, the Purchase Price of the Property shall be \$93,000.00.
9. INSPECTION, TITLE AND SURVEY: During the Option Period, Optionee may, with Owner's prior consent, inspect the Property during Owner's regular business hours (M-F 8:00 a.m. – 5:00 p.m.) to determine whether the Property is suitable and acceptable to Optionee. Soil, environmental and structural tests may be performed at Optionee's cost. Prior to entering the Property, Optionee (and

any involved Optionee contractor) shall execute Owner's standard liability waiver. Any damage to the Property caused by Optionee or its contractors shall be promptly repaired at Optionee's expense. Optionee may also obtain a title commitment and an ALTA/ACSM survey, at Optionee's expense, during the Option Period.

10. OWNER'S TERMINATION OF OPTION AGREEMENT:

Owner shall have the right to terminate this Option Agreement upon any of the following circumstances by delivering written notice to Optionee:

- a) Optionee's failure to timely deliver the Option Payment;
- b) Optionee's failure to complete any or all Option Conditions;
- c) Optionee's failure to deliver the Option Notice prior to the expiration of the Option period; or
- d) The parties' failure to enter into a PSA as set forth herein.

Upon termination by Owner, the Option Payment shall be retained, in full, by Owner.

11. OPTIONEE'S TERMINATION OF OPTION AGREEMENT:

Optionee shall have the right to terminate this Option Agreement upon any of the following circumstances by delivering written notice to Owner:

- a) At any time prior to the expiration of the Option Period; or
- b) The parties' failure to enter into a PSA as set forth herein.

Upon termination by Optionee, the Option payment shall be refunded to Optionee less Holding Costs (defined in Section 12) through the date of such termination notice;

12. HOLDING COSTS:

"Holding Costs" include real property taxes and assessments on the Property, debt service incurred with respect to the Property, the cost of insuring the Property, and certain Property maintenance and repair costs. The estimated Holding Costs for the Property will be approximately \$440.00 per month.

13. RISK OF LOSS:

Owner shall insure the Property during the Option Period. If the Property is damaged or destroyed during the Option Period, either party may terminate this Option Agreement on notice to the other party.

14. EFFECT OF TERMINATION:

If either party delivers notice of termination pursuant to this Option Agreement (any party pays any applicable fees or refunds as set forth herein) this Option Agreement shall immediately terminate and neither party shall have further obligations under this Option Agreement.

15. GOVERNING LAW:

Ohio.

16. NON-RECOURSE:

This Option Agreement is non-recourse to Cincinnati Center City Development Corporation ("3CDC"), the sole member/shareholder of Owner, and to the members, managers, directors, officers, agents and representatives of Owner and 3CDC.

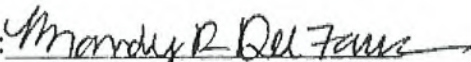
17. COUNTER-PARTS

This Option Agreement may be executed in one or more counterparts and by electronic signature, which taken together shall constitute one agreement.

[signature page(s) follow]

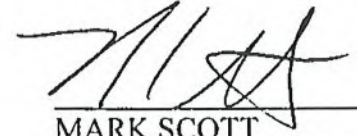

THE OPTIONEE AND THE OWNER HEREBY AGREE TO THE FOREGOING AS OF THE LAST DATE THIS OPTION AGREEMENT IS EXECUTED ("EFFECTIVE DATE").

OWNER:  
OTR HOLDINGS, INC

By:   
Name: BRANDY DEL FAVERO

DEVELOPMENT MANAGER  
Date: June 19, 2020

OPTIONEE:

   
MARK SCOTT  
NICOLE MCCOUBREY

Date: June 19, 2020

**EXHIBIT A**

LEGAL DESCRIPTION

1517 Republic  
Parcel # 081-0004-0030-00

Situate in the City of Cincinnati, Hamilton County, Ohio, bounded and described as follows:

Beginning, at a point on the west side of Republic Street, formerly Bremen Street, 150.10 feet north of Fifteenth Street between the two abutting buildings now constructed on said premises and the premises to the south; thence north along the west side of Republic Street 19.90 feet to a point; thence westwardly at right angles 74.15 feet, more or less, to Goose Alley; thence South 16° East along Goose Alley 19.86 feet to a point between the two buildings above mentioned; thence North 74° 20' East along a line between the two buildings 74.15 feet to the place of beginning.

Parcel No. 081-0004-0030 ✓  
1517 Republic Street, Cincinnati, OH

**EXHIBIT B**

OPTION CONDITIONS

Phase 1: Within 30 days of the Effective Date, Optionee shall deliver to Owner:

1. Reasonably detailed description of the project Purchaser intends for the Property ("Project")
2. Project budget and substantiation of Project costs
3. Optionee's plan to finance all Project costs through project completion; and
4. An initial Project development schedule.

Phase 2: Within 60 days of the Effective Date, Optionee shall deliver to owner:

1. Project Description, including:
  - a. Professionally prepared site plan, permittable architectural drawings and renderings,
  - b. If applicable, professional assessment from structural engineer, and
  - c. Estimate or bid from contractor or other third party acceptable to Owner substantiating Project hard costs.
2. Pro forma financial statements detailing assumptions for Project development timeline, Project costs (soft and hard), sources and uses, financing terms, inputs and revenues.
3. Preliminary proof of third party financing verifying Purchaser's possession of, or access to, sufficient funds to complete the Project as set forth in the Project Description. 100% of total Project costs (soft and hard) must be covered.
4. Project development schedule detailing significant development activities and milestones, with Project completion scheduled within 18 months of anticipated Closing.

## CINCINNATI'S HISTORIC CONSERVATION OFFICE



### Documents Required for

### Historic Conservation Board Review

*The Historic Conservation Office will provide this list with the required items checked off once an Adjudication/Denial letter is issued.*

- 3 complete hard copies at the time of application.
- All drawings formatted to 11x17 or 12x18.
- Digital copy in PDF format provided on CD, USB drive, or emailed to beth.johnson@cincinnati-oh.gov
- Adjudication/Denial Letter and this checklist
- Certificate of Appropriateness Application Form
- A letter/narrative statement of intent and how the project meets the applicable Historic Conservation Guidelines
- Zoning Hearing Examiner Application Form
- A letter/narrative statement required in Section 6 of the Zoning Hearing Examiner Application
- The Hamilton County Auditors record or other documentation showing property ownership
- A letter/email of permission from owners, lease, contract to purchase or other agreement demonstrating the applicant or owner's legal basis to seek the COA or Zoning Relief
- A list of the applicants' witnesses and expert witnesses who you expect to testify at the hearing or legal counsel, if any
- 8 business days before the hearing date 10 hard copies and a digital copy in one pdf or for the final board packet. Drawings must be formatted and retain the proper scale in 11x17 or 12x18.
- Other Documents or information applicant wants to present for their case
- Non-Refundable Application Fee. Checks made payable to the City of Cincinnati. \$ 621.68

#### All Drawings and Plans must include the following

- A graphic scale required on all drawings
- North arrows on all site, context and floor plans
- Elevations labeled with North, South, East West, front, side and rear labels
- Street names labeled
- Date and/or revision dates

#### Architectural Drawings and Plans

- An index of drawings located on the first sheet
- Context Map showing the building within at least a block of context
- Existing and proposed site plans including
  - Parcel/boundary lines
  - Building footprints and dimensions labeled
  - Setback dimensions from all property lines labeled
  - Existing and proposed principal and accessory buildings, including location, dimensions, and height labeled;
  - All properties and their structures immediately adjacent to the site
- Existing and proposed elevation drawings
  - Total Height from grade to top of the building
  - Total height- ASL (Above Sea Level)
  - Materials labeled
- Existing and proposed floor plans and roof plans (with chimney locations)
  - Residential and Commercial Spaces labeled. Residential Spaces must be numbered.
  - Square feet of commercial spaces listed

- Location of trash storage and Utilities
- Site section and/or Site elevations including any adjacent properties
- Driveways, sidewalks, walkways, terraces, and other paved surfaces
- Existing and proposed accessory structures, including walls, fences, porches, lighting, signs, and other site improvements;
- Existing and proposed landscape areas and materials, if proposed to be altered;
- Proposed materials, textures, and colors. Include Make, model and series for proposed materials
- Labeled photos of all sides of the building and a 1 block streetscape context in all directions
- Site line drawings for any roof additions.
- A color rendering, axonometric drawings and/or perspective of the proposed construction (required on infill projects)

**Required if applicable to the project**

- Historic Sanborn Maps of the site
- Window brochures and cut sheet
- Roof product information (brochure)
- Garage door brochures
- Sample materials or color samples. \_\_\_\_\_
- Fence drawings of style, fence brochures or photo of a sample fence
- Signs; drawings, photo showing the sign on the building, mounting info, materials, colors and illumination
- Mature tree removal requires a letter from an arborist stating its poor health
- All written correspondence submitted by the applicant and other affected persons
- Tentative project schedule
- Egress Plan/Route to Building Code Compliance (roof decks, multi-family developments)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Demolition (full or partial) for Historic Conservation Districts and Landmarks**

- Demolition Case Sheet and all required information listed on the sheet unless otherwise not required by the Urban Conservator in writing and provided with application.
- Statement of plans for the property after demolition.

**Hillside Overlay Zone (CZC § 1433)**

- A development plan, accompanied by a property survey, showing existing vegetation and proposed development, and where applicable, streets, drives, parking areas, walkways, heights of structure(s), location of structures, elevation and setback of proposed buildings, drainage, existing contours and proposed grading and new landscaping plans, proposed uses and square footage of uses and recreational facilities;
- A preliminary geotechnical evaluation;
- A determination of the maximum building envelope;
- Average slope/grade of the property; and
- Graphic illustrations demonstrating that the proposed improvement or new structure has not exceeded the maximum building envelope

For additional questions contact Beth Johnson, Urban Conservator at 513-352-4848 or [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)

*Note: The aforementioned information is general in nature. Additional information may be required by the Urban Conservator once the application is submitted. Please use this list to plan for the potential documents that could be required for a submission.*

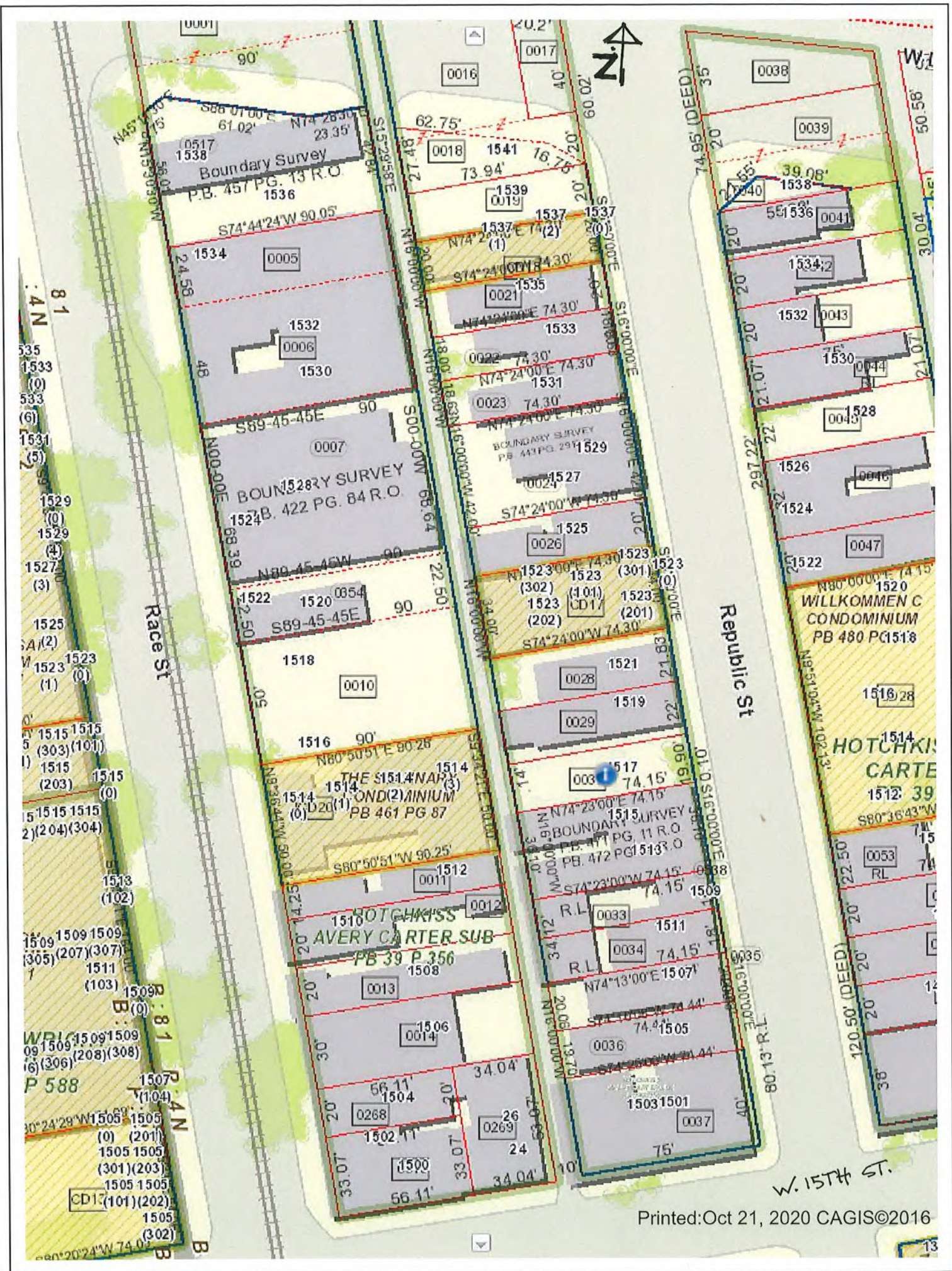
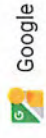




Image capture: Apr 2019 © 2020 Google

Cincinnati, Ohio



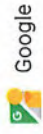
Street View





Image capture: Apr 2019 © 2020 Google

Cincinnati, Ohio



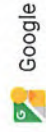
Street View





Image capture: Apr 2019 © 2020 Google

Cincinnati, Ohio



Street View



1515

Republic St

Google Maps

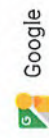
1517 lot

1519



Image capture: Apr 2019 © 2020 Google

Cincinnati, Ohio



Street View



- LEGEND**  
**EXISTING FEATURES**
- MANHOLE
  - ▣ CATCH BASIN/DRAIN
  - ▣ GUTTER INLET
  - CLEAN OUT
  - DOWNSPOUT
  - UTILITY POLE
  - ▣ ELECTRIC BOX
  - ▣ TELEPHONE BOX
  - ▣ CABLE TV BOX
  - ☆ LIGHT POLE/LAMP POST
  - ▣ TRAFFIC SIGNAL/BOX
  - FIRE HYDRANT
  - WATER VALVE/METER
  - SPRINKLER/VALVE
  - GAS VALVE/METER
  - SIGN/SIGN POST
  - FLAG POLE
  - ▣ MAIL BOX
  - ▽ PARKING METER
  - GUARD POST
  - HANDICAPPED PARKING
  - S- SANITARY SEWER
  - ST- STORM SEWER
  - W- WATER LINE
  - G- GAS LINE
  - E- ELECTRIC LINE
  - T- TELEPHONE LINE
  - OH- OVERHEAD UTILITY LINE
  - X- FENCE LINE

**OWNER:**  
**OTR HOLDINGS, INC**  
 1014 VINE STREET  
 SUITE 1420  
 CINCINNATI, OHIO 45202  
 O.R. 10006, PG. 3174  
 PARCEL XIII

**BUILDER:**  
**HUEBER HOMES**  
 526 WARDS CORNER ROAD  
 SUITE B  
 LOVELAND, OHIO 45140  
 PH. (513) 683-3080

**OHIO**  
**Utilities Protection**  
**SERVICE**  
*Call Before You Dig*  
**1-800-362-2764**  
 CALL TWO WORKING DAYS BEFORE YOU DIG  
 (NON MEMBERS MUST BE CALLED DIRECTLY)



**NOTES**

- BEARINGS BASED ON PLAT BOOK 471, PAGE 11, HAMILTON COUNTY, OHIO RECORDER'S OFFICE
- ELEVATIONS BASED ON M.S.D. SEWER RECORDS, CONTOURS BASED ON AN ACTUAL FIELD SURVEY
- OCCUPATION IN GENERAL FITS SURVEY EXCEPT AS SHOWN.
- MONUMENTS GENERALLY IN GOOD CONDITION UNLESS NOTED OTHERWISE. SURVEY BASED ON FIELD EVIDENCE AND DEEDS & PLATS OF RECORD NOTED HEREON.
- EASEMENTS SHOWN HEREON WERE DISCOVERED DURING THE COURSE OF PUBLIC RECORD RESEARCH AND MAY NOT COMPRISE ALL SUCH EASEMENTS AFFECTING THE SUBJECT PROPERTY.
- UNDERGROUND UTILITIES SHOWN ARE BASED ON A COMBINATION OF SURFACE EVIDENCE AND AVAILABLE PLANS & RECORDS. THEY HAVE NOT BEEN PHYSICALLY LOCATED. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES ON THE PREMISES, EITHER IN SERVICE OR ABANDONED; NOR IS IT GUARANTEED THAT THEY ARE IN THE EXACT LOCATION INDICATED, ONLY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.
- CONTRACTOR TO VERIFY ALL DIMENSIONS SHOWN HEREON AGAINST ARCHITECTURAL PLANS PRIOR TO ANY CONSTRUCTION.
- THE CONTRACTOR IS TO COORDINATE ALL UTILITY CONNECTIONS WITH THE APPROPRIATE UTILITY COMPANY.
- CONTRACTOR SHALL BE FAMILIAR WITH THE EXISTING UTILITIES IN THE CONSTRUCTION AREA AND SHALL BE HELD RESPONSIBLE FOR THE DAMAGE OF EXISTING UTILITIES DURING CONSTRUCTION.
- CONTRACTOR SHALL FIELD VERIFY ALL LOCATIONS AND INVERTS OF EXISTING UTILITIES AND IMMEDIATELY NOTIFY THE ENGINEER IF EXISTING UTILITIES INTERFERE WITH THE NORMAL INTENT OF THE PROPOSED UTILITY LAYOUT.
- SERVICE UTILITY MATERIALS SHALL BE PER THE APPROPRIATE UTILITY COMPANY DESIGN CRITERIA.
- THE BUILDER SHALL BE RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF ALL EROSION CONTROLS AS PER HAMILTON COUNTY EARTHWORK REGULATIONS. DANDY BAG PROTECTION TO BE ADDED PRIOR TO CONSTRUCTION TO DOWNSTREAM CATCH BASINS WITHIN IMMEDIATE VICINITY OF SITE.
- FINISHED GRADE SHALL SLOPE A MINIMUM OF 6" IN FIRST 10' FROM NEW FOUNDATION AND FINISH GRADE FOR DISTURBED PORTION OF SITE SHALL HAVE A MAXIMUM SLOPE OF 3:1.
- THE RECOMMENDED SIZING OF THE HOUSE AS SHOWN ON THIS PLAT MAKES NO REPRESENTATION AS TO EXISTING SOIL CONDITION. A GEOTECHNICAL ENGINEER SHOULD BE CONSULTED IN ALL MATTERS PERTAINING TO SUB-SURFACE CONDITIONS AND FOUNDATION REQUIREMENTS.
- DRIVEWAY APPROACH TO BE CONSTRUCTED AS PER HAMILTON COUNTY ENGINEERING SPECIFICATIONS.
- SANITARY LATERAL LOCATION AND ELEVATION TO BE FIELD VERIFIED BY BUILDER PRIOR TO CONSTRUCTION. TAP PERMIT AND FEES ARE NECESSARY FROM MSD.
- SANITARY SEWER CONNECTION TO BE 6" SANITARY @ 2.0% MINIMUM CONSTRUCTED OF PVC-SDR 35.
- IF LOWEST FLOOR ELEVATION IS BELOW RIM ELEVATION OF UPSTREAM MANHOLE THEN TAP MUST HAVE BACK-FLOW PREVENTER OR BE PUMPED TO GRAVITY.
- THE COUNTY OF HAMILTON DOES NOT ACCEPT ANY PRIVATE EASEMENT SHOWN ON THIS PLAT AND IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY INSTALLATIONS IN SAID EASEMENT. THE APPLICANT AGREES, AS A CONDITION OF APPROVAL OF THIS PLAT, THAT THERE WILL BE INCLUDED IN THE DEED OF CONVEYANCE OF EVERY LOT IN THIS SUBDIVISION, SUBSERVIENT TO AN ACCESS EASEMENT A CONDITION REQUIRING THE GRANTEE, HIS HEIRS AND ASSIGNS, TO CONTINUOUSLY MAINTAIN THE EASEMENT AREA FOR THE PURPOSE DESIGNED AND A CONDITION THAT WITHIN SUCH EASEMENT NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD OR CHANGE THE USE OF THE EASEMENT, SUCH CONDITIONS BEING FOR THE MUTUAL BENEFIT OF THE OWNERS OF ALL LOTS ON WHICH SIMILAR EASEMENTS ARE RESERVED.

**HALF SIZE**

**1517 REPUBLIC STREET**  
**AUD. PAR. ID. 81-4-30**  
**0.034 ACRES**  
 SECTION 18, TOWN 4, FRACTIONAL RANGE 1  
 CITY OF CINCINNATI, HAMILTON COUNTY, OHIO

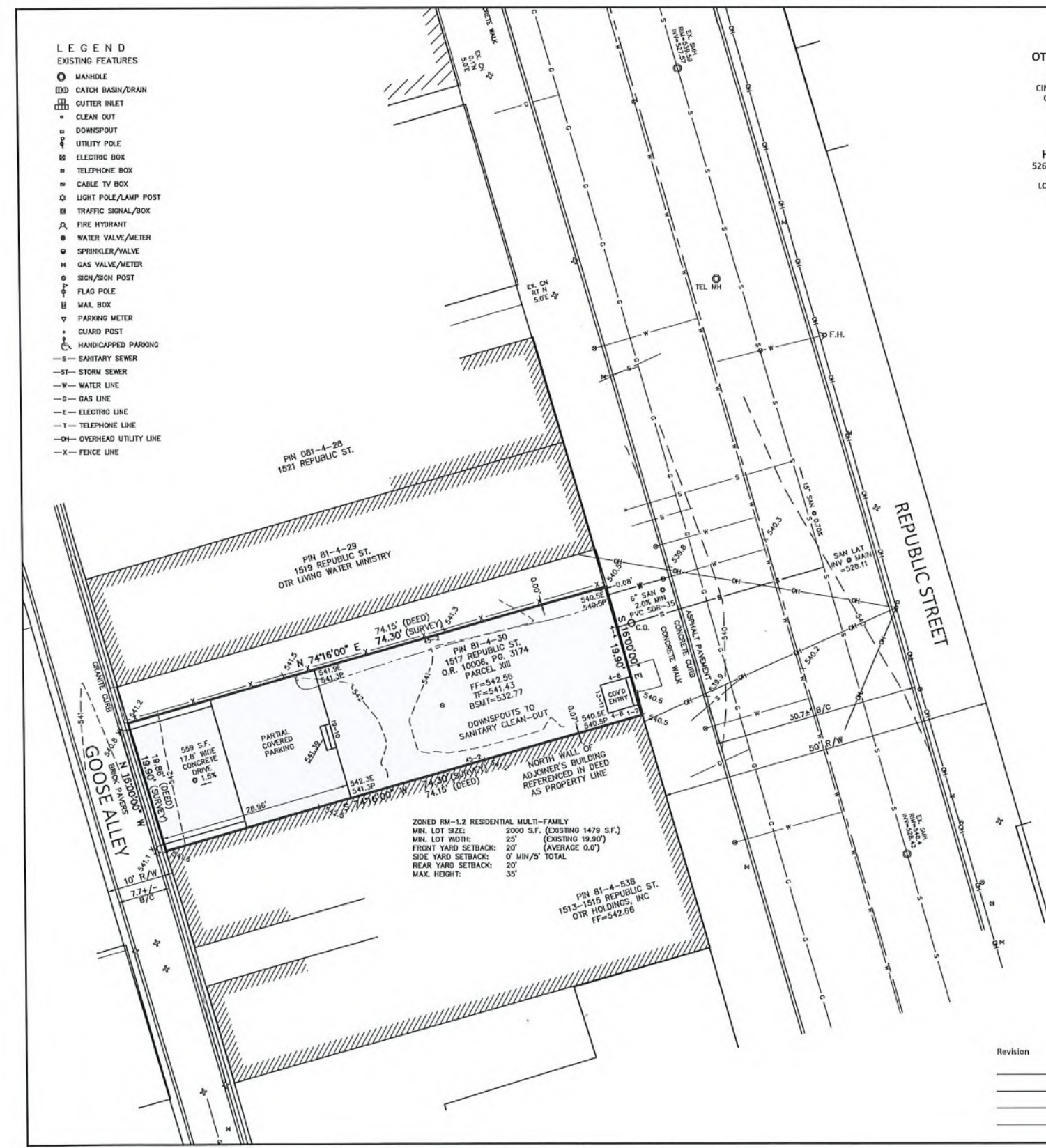
Date	10/16/2020
Scale	1" = 10'
Drawn By	RLC Proj. Mgr. MWP
Survey Database	1412503
DWG	20125083-PER 1412503-BP-1
X-Ref(s)	
Project Number	20125.08
File No.	14125.03
Sheet No.	1 / 1

**MSP**  
**DESIGN**  
 McGill Smith Punshon

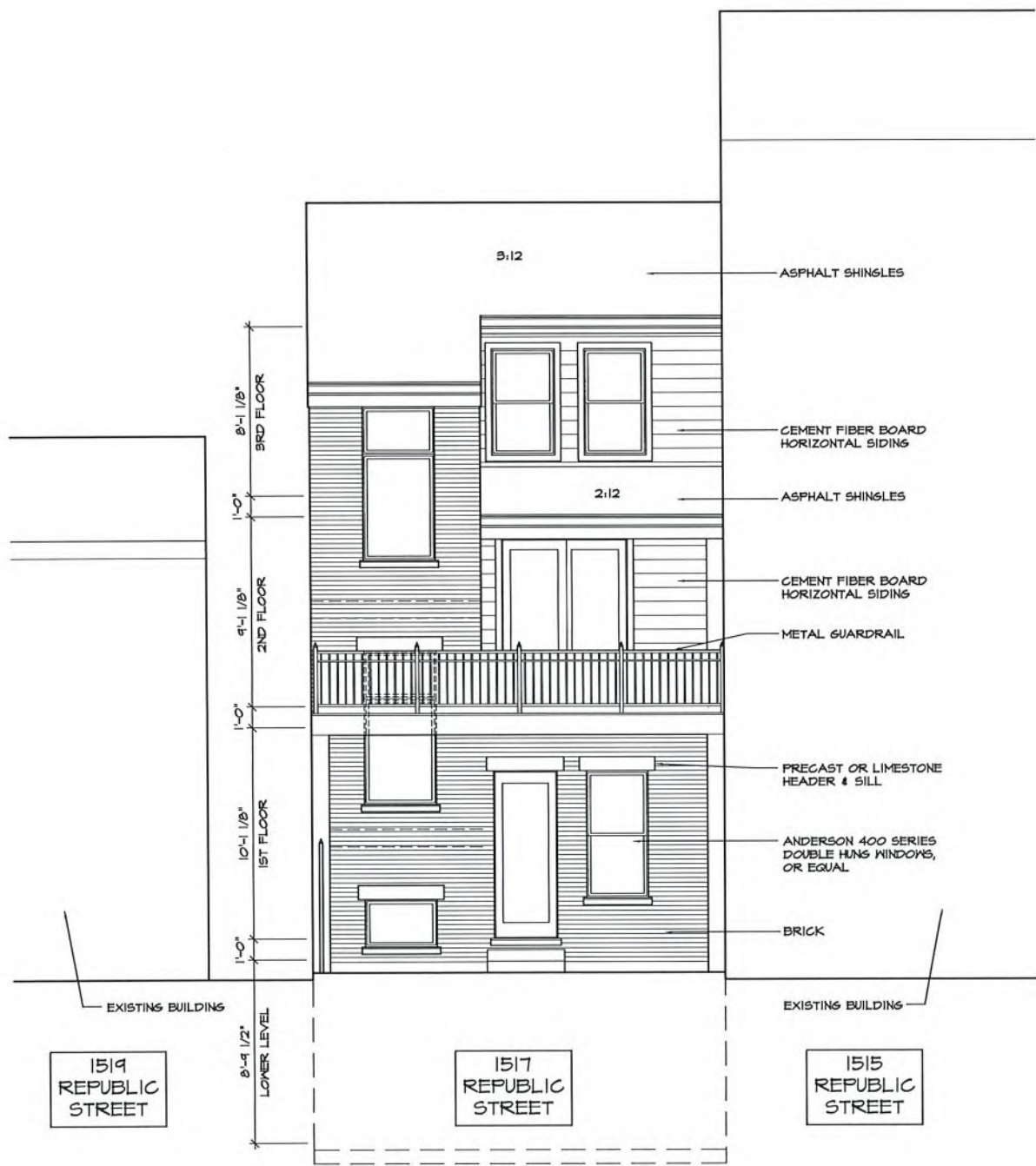
Architecture 3700 Park 42 Drive Suite 1908  
 Engineering Cincinnati OH 45241  
 Landscape Architecture Phone 513.759.0004  
 Planning  
 Surveying www.mspsdesign.com

Revision	By	Date

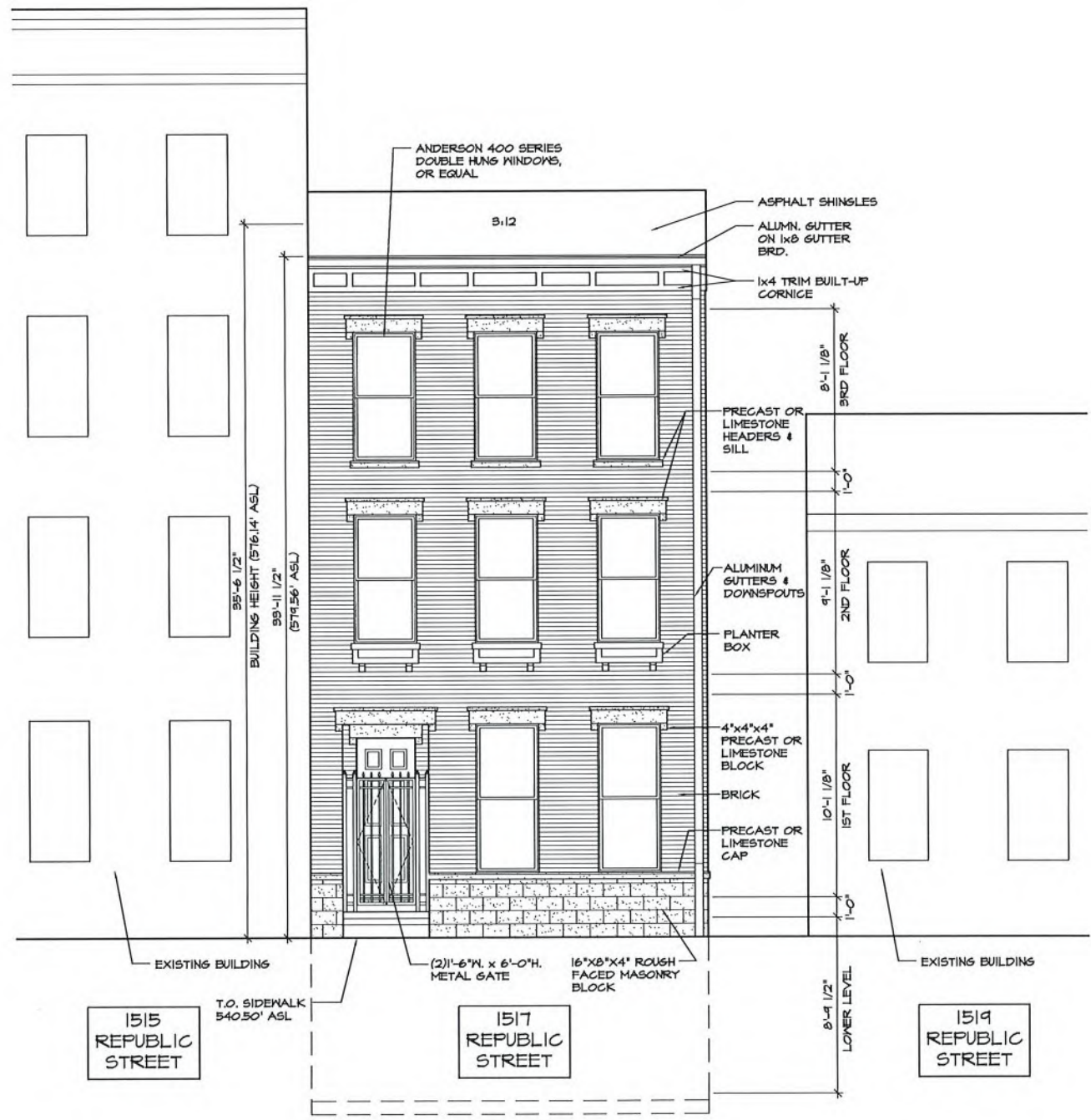
ZONED RM-1.2 RESIDENTIAL MULTI-FAMILY  
 MIN. LOT SIZE: 2000 S.F. (EXISTING 1479 S.F.)  
 MIN. LOT WIDTH: (EXISTING 19.80')  
 FRONT YARD SETBACK: 20' (AVERAGE 0.0')  
 SIDE YARD SETBACK: 0' MIN/5' TOTAL  
 REAR YARD SETBACK: 20'  
 MAX. HEIGHT: 35'



Drawing Index	
SHEET No.	DESCRIPTION
1a	FRONT & REAR ELEVATIONS
1b	SIDE ELEVATION
2	LOWER LEVEL & FIRST FLOOR PLANS
3	SECOND & THIRD FLOOR PLANS
4	BUILDING SECTION
5	SITE PLAN



REAR (WEST) ELEVATION  
1/8"=1'-0" (2/1a)



FRONT (EAST) ELEVATION  
1/8"=1'-0" (1/1a)

REVISED

KENNETH R. BOWERMAN ARCHITECT, INC.

8050 HOSBROOK ROAD, SUITE 106  
CINCINNATI, OHIO 45236  
(513) 791-6778 791-2322 (fax)

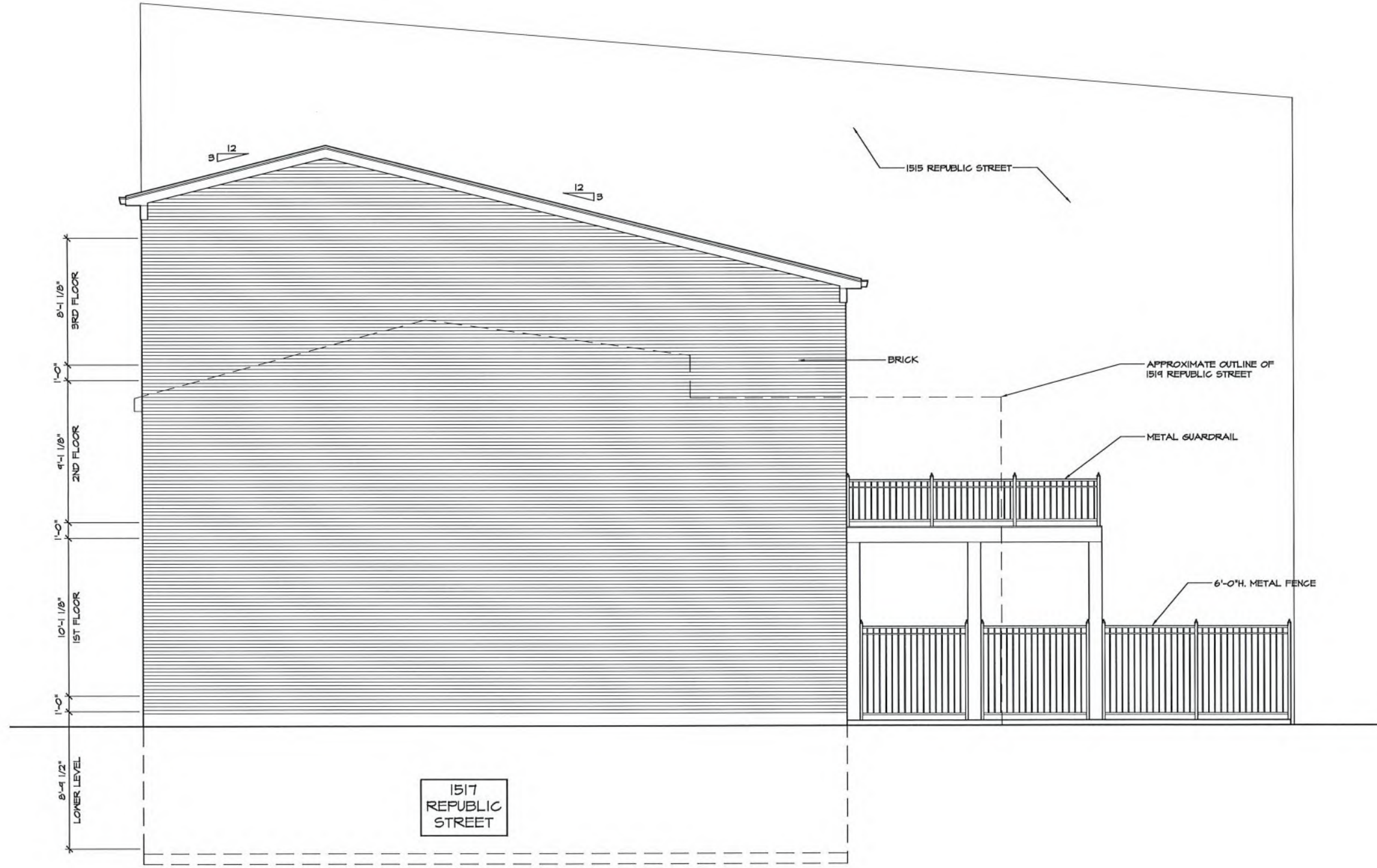
1517 Republic Street  
Cincinnati, Ohio

Hueber Homes

JOB NO.: 082002  
DRAWN: DEY/MB  
SCALE: as noted  
DATE: 10/05/20

SHEET NO.

1a



SIDE (NORTH) ELEVATION  
 1/8" = 1'-0"

1  
 1b

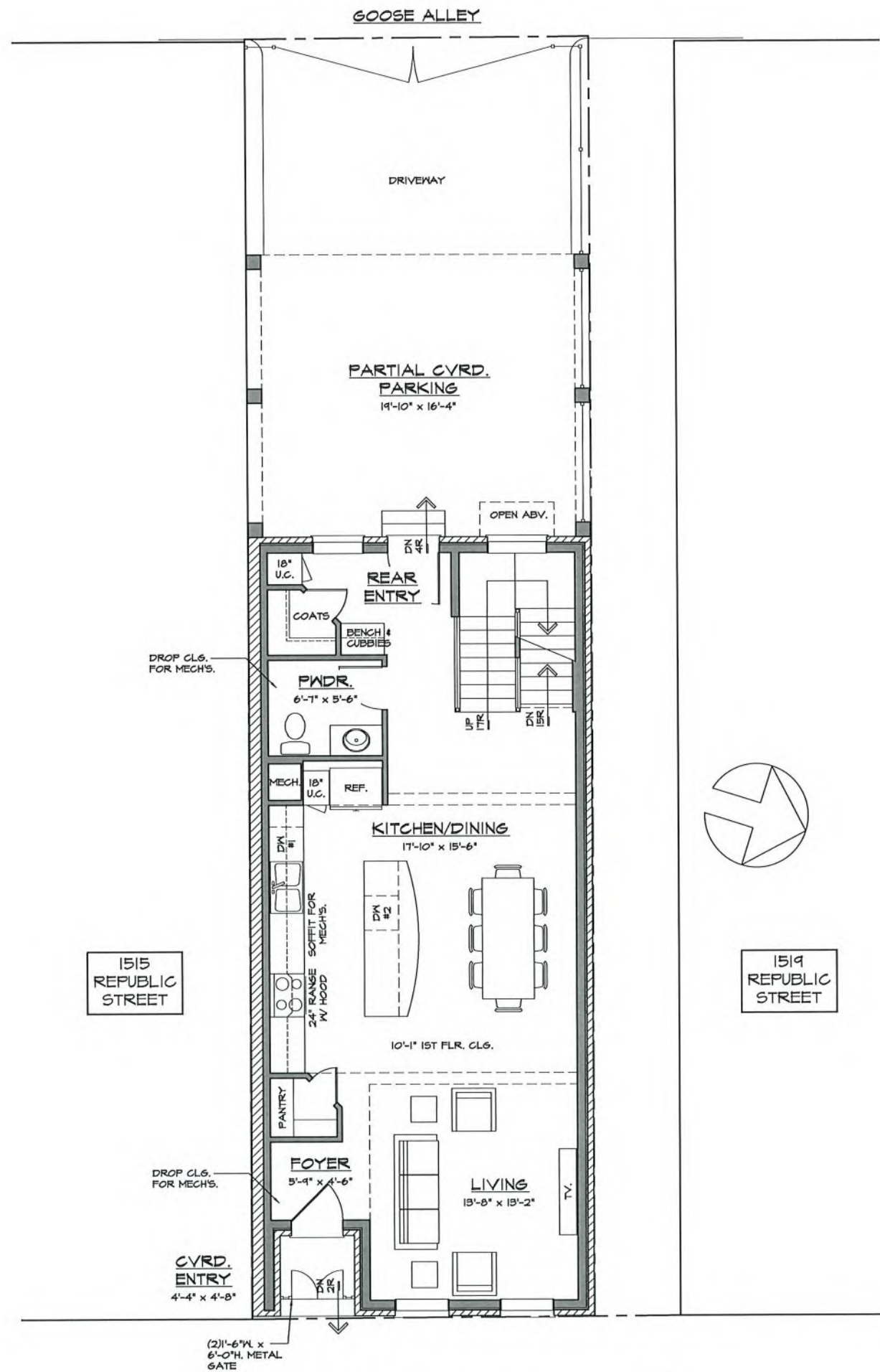
JOB NO.  
 082002  
 DRAWN  
 DEM/MB  
 SCALE  
 as noted  
 DATE  
 10/05/20

SHEET NO.  
 1b

1517 Republic Street  
 Cincinnati, Ohio  
 Hueber Homes

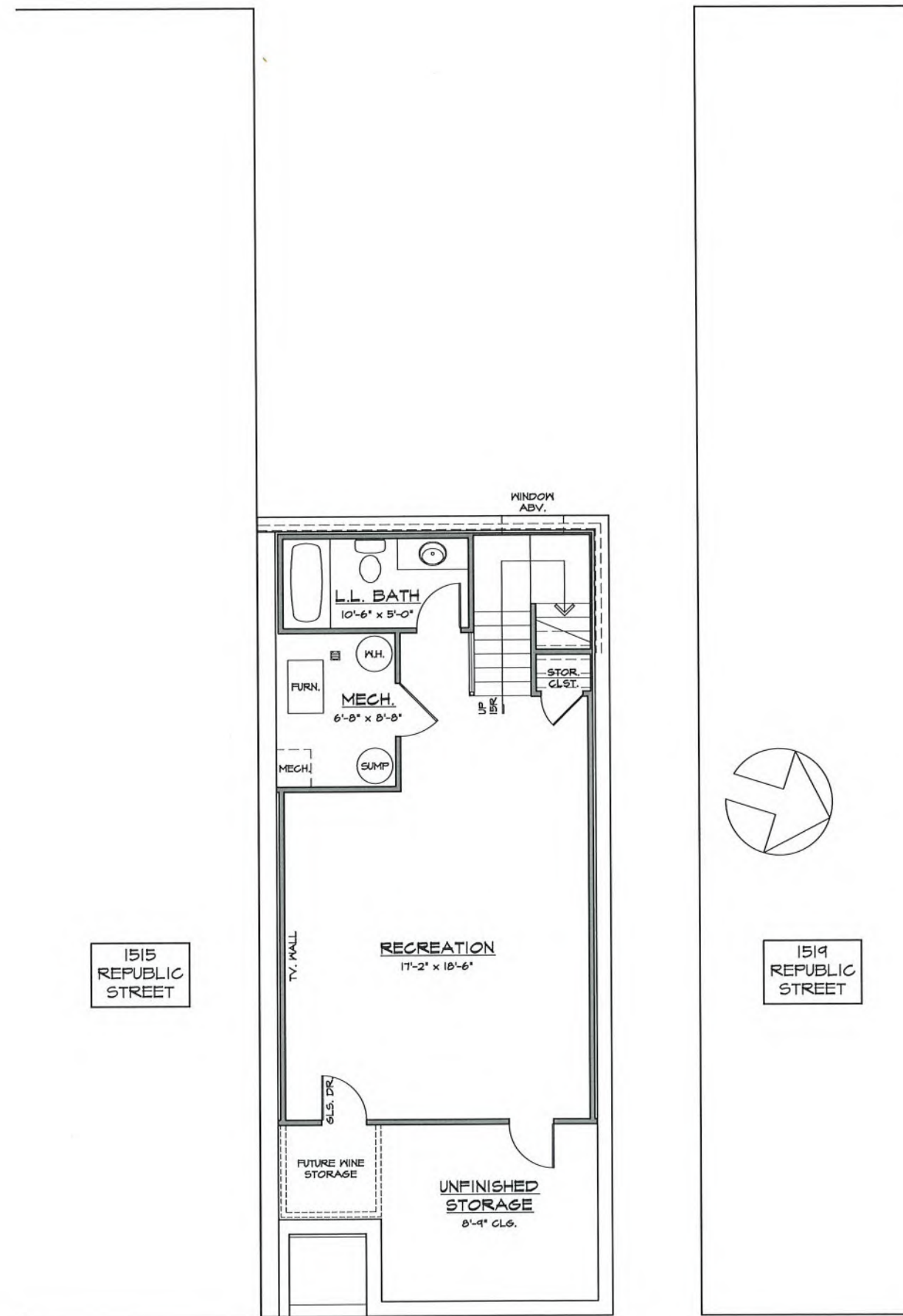
KENNETH R. BOWERMAN  
 ARCHITECT, INC.  
 8050 HOSBROOK ROAD, SUITE 106  
 CINCINNATI, OHIO 45236  
 (513) 791-6778 791-2322 (fax)

REVISED



**FIRST FLOOR**  
 1/8"=1'-0"  
 878 SQ. FEET (W/STAIRS)

2  
2



**FINISHED LOWER LEVEL**  
 1/8"=1'-0"  
 475 SQ. FEET (W/OUT STAIRS)

1  
2

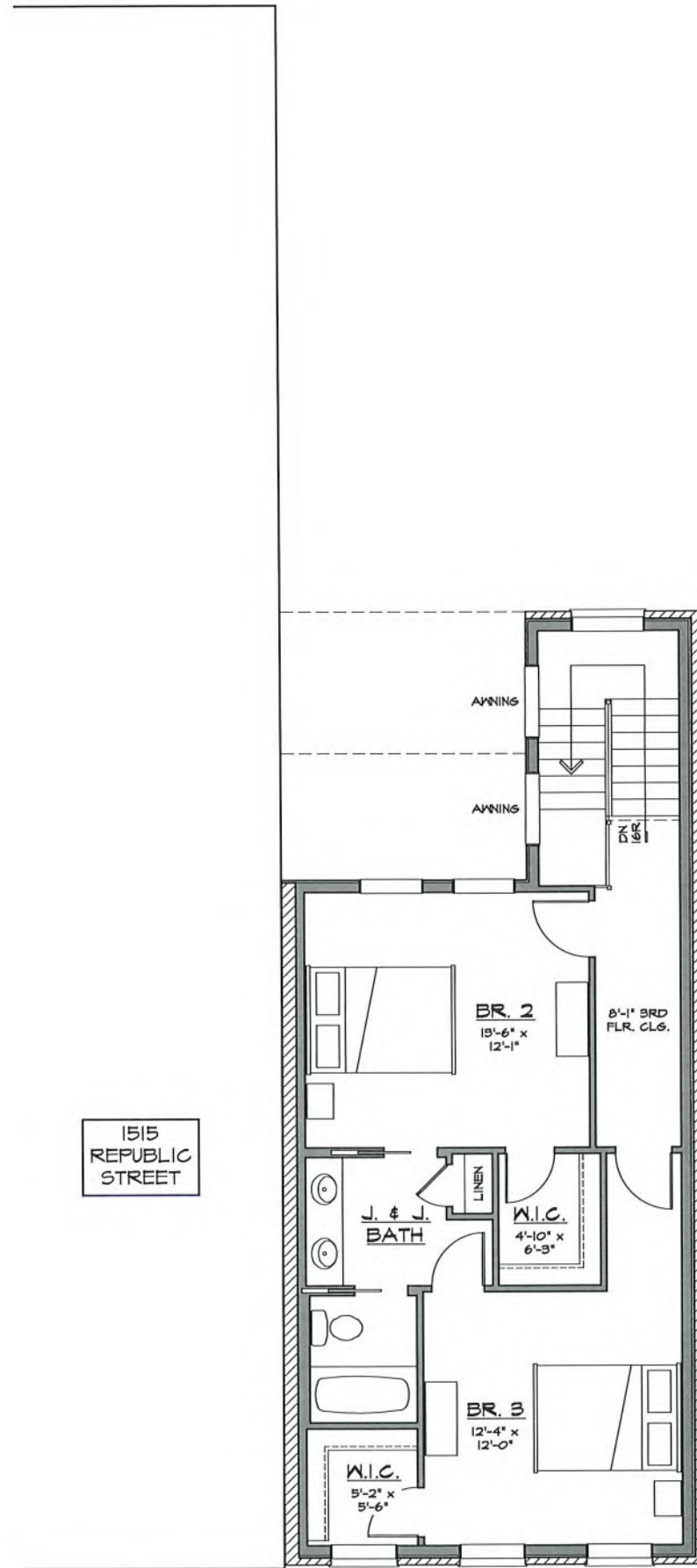
REVISIONS

KENNETH R. BOWERMAN  
 ARCHITECT, INC.  
 8050 HOSBROOK ROAD, SUITE 106  
 CINCINNATI, OHIO 45236  
 (513) 791-6778 (fax)

1517 Republic Street  
 Cincinnati, Ohio  
 Hueber Homes

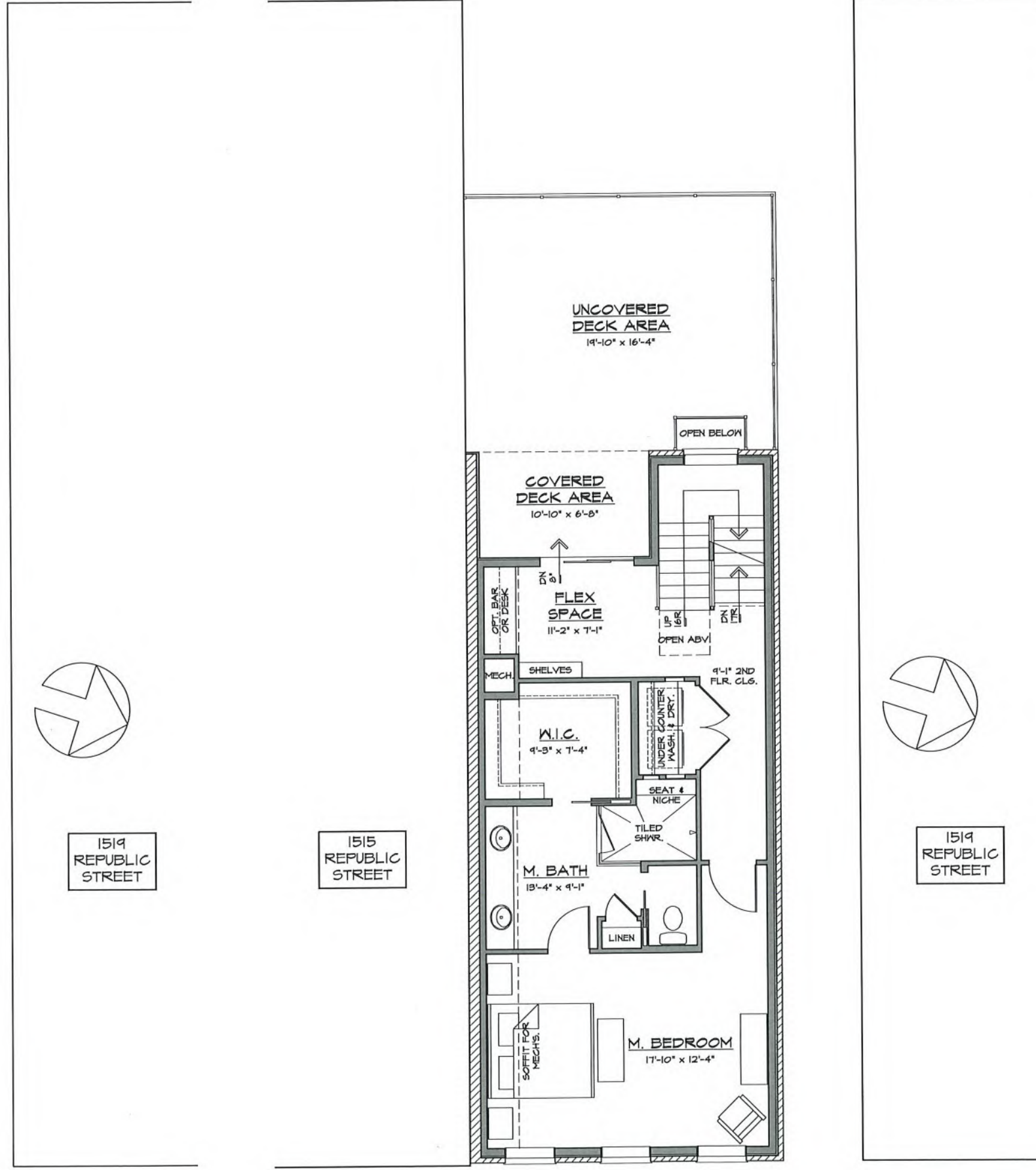
JOB NO. 082002  
 DRAWN DEM/MB  
 SCALE as noted  
 DATE 10/05/20

SHEET NO.  
 2



**THIRD FLOOR**  
1/8"=1'-0"  
667 SQ. FEET (W/OUT STAIRS)

2  
3



**SECOND FLOOR**  
1/8"=1'-0"  
817 SQ. FEET (W/STAIRS)

1  
3

REVISIONS

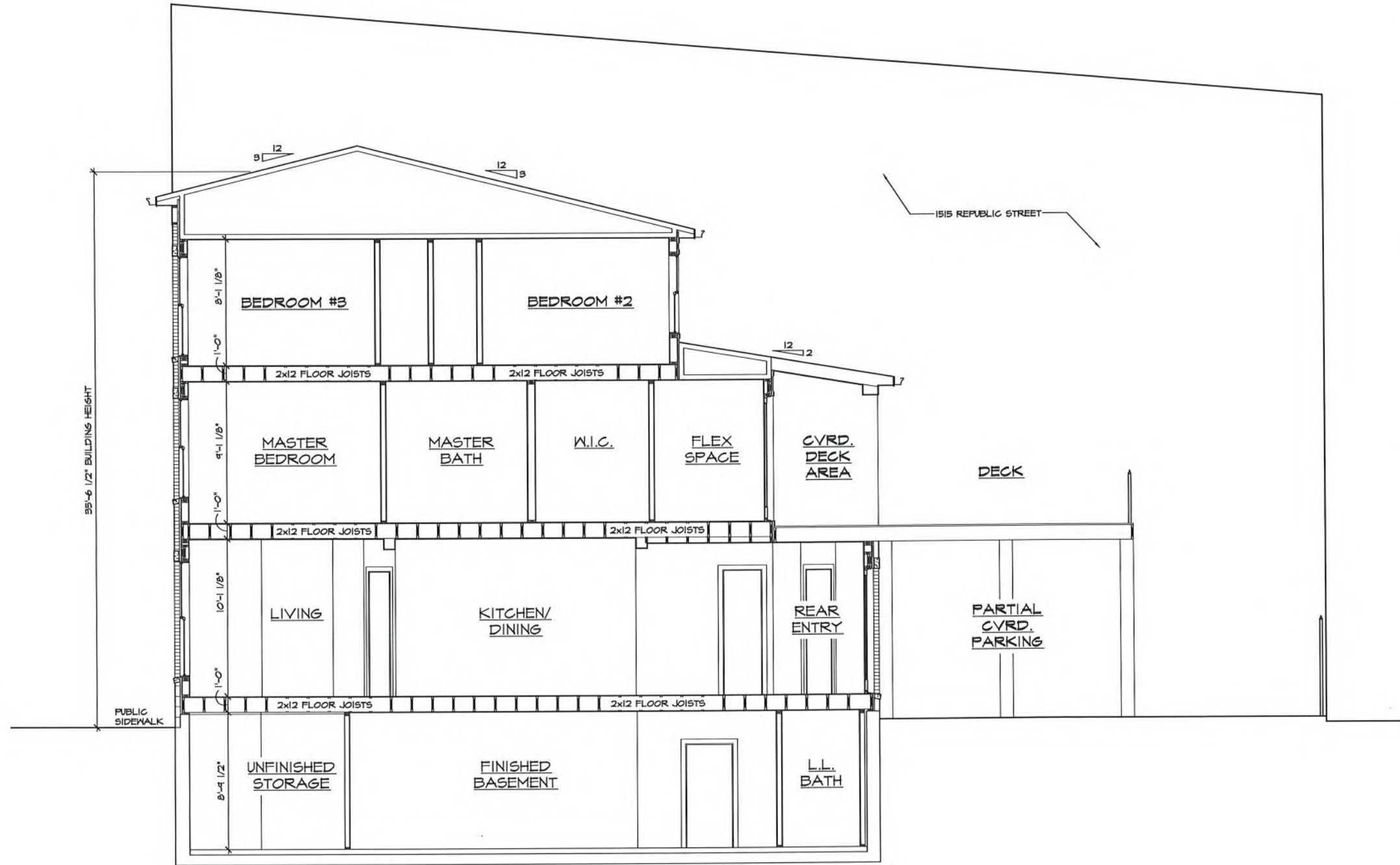
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KENNETH R. BOWERMAN  
ARCHITECT, INC.  
8050 HOSBROOK ROAD, SUITE 106  
CINCINNATI, OHIO 45236  
(513) 791-6778 791-2322 (fax)

1517 Republic Street  
Cincinnati, Ohio  
Hueber Homes

JOB NO.: 082002  
DRAWN: DEM/MB  
SCALE: as noted  
DATE: 10/05/20

SHEET NO.  
3



BUILDING SECTION  
 1/8" = 1'-0"

1  
4

REVISIONS

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KENNETH R. BOWERMAN  
 ARCHITECT, INC.

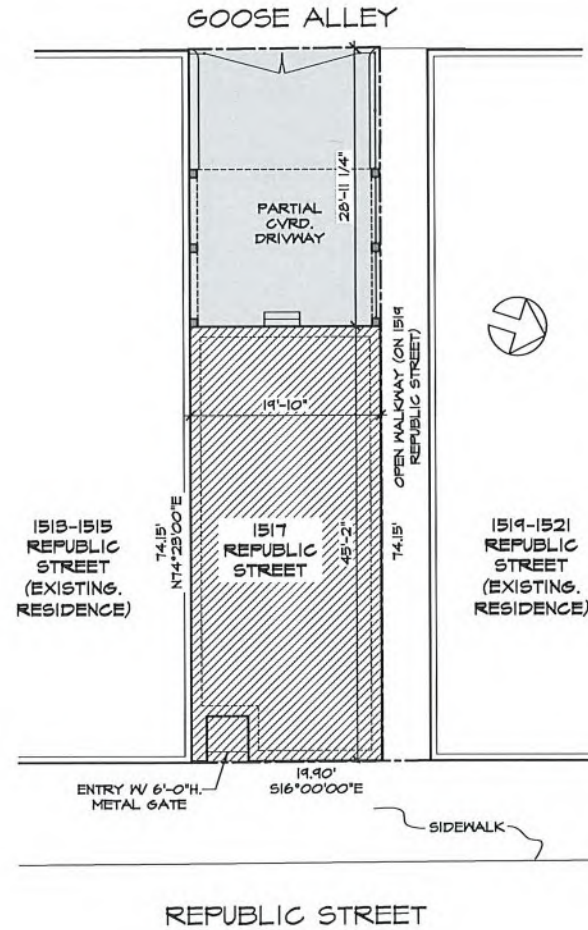
8050 HOSBROOK ROAD, SUITE 106  
 CINCINNATI, OHIO 45226  
 (513) 791-6778 791-2322 (fax)

1517 Republic Street  
 Cincinnati, Ohio

Hueber Homes

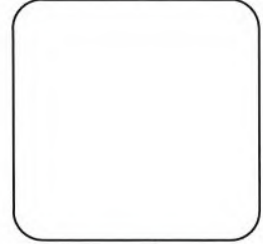
JOB NO. 082002  
 DRAWN DEM/MB  
 SCALE: as noted  
 DATE: 10/05/20

SHEET NO.  
 4



**SITE PLAN**  
1" = 20'-0"

1  
5



REVISED

KENNETH R. BOWERMAN  
ARCHITECT, INC.

8050 HOSEBROOK ROAD, SUITE 106  
CINCINNATI, OHIO 45236  
(513) 791-6778 791-2922 (fax)

**1517 Republic Street**  
Cincinnati, Ohio

**Hueber Homes**

JOB NO. 082002	DRAWN DEM/MB	SCALE as noted	DATE 10/05/20
-------------------	-----------------	-------------------	------------------

SHEET NO.

**5**

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## APPLICATION FOR ZONING RELIEF AND CERTIFICATE OF APPROPRIATENESS HISTORIC CONSERVATION BOARD PUBLIC HEARING STAFF REPORT

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APPLICATION #: ZH20200169/COA2020050  
APPLICANT: Steve Hampton  
OWNER: Alexander and Spencer Van Der Zee  
ADDRESS: **28 Findlay Street**  
PARCEL: 096-0006-0117  
ZONING: CC-P  
OVERLAYS: Over The Rhine Historic District  
COMMUNITY: Over The Rhine  
REPORT DATE: November 17, 2020  
STAFF REVIEW: Beth Johnson, Urban Conservator

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### **Nature of Request:**

The applicant is requesting a Certificate of Appropriateness and Zoning Relief a new single-family house with parking off of Rowan Court.

### **Details of Zoning Relief Required:**

1. 1409-17(a): Building Frontage/setback-. A building must be located at the front lot line, the proposed building is set back at 6'8" from the front property line. **A 6'8" foot variance is required.**
2. 1409-19(a): Articulated Building Street Facade- The building is allowed to have 1 sf of building articulation from the build to line. The proposed building has 98 sf and the building is 34.25' wide. **A variance of 73.75sf is required.**

### **Existing Conditions:**

The property is a vacant lot mid-block between 2, 2-story contributing buildings. Both the buildings are residential and are set back from the front property line.

### **Proposed Conditions:**

The proposal is to build a 2-story lap sided (cement fiber board) single-family home set back from the front property line at a similar setback to the adjacent properties with off-street parking to be accessed from the rear.



Figure 1: View of the lot looking east on Findlay Street. Google Street Views.

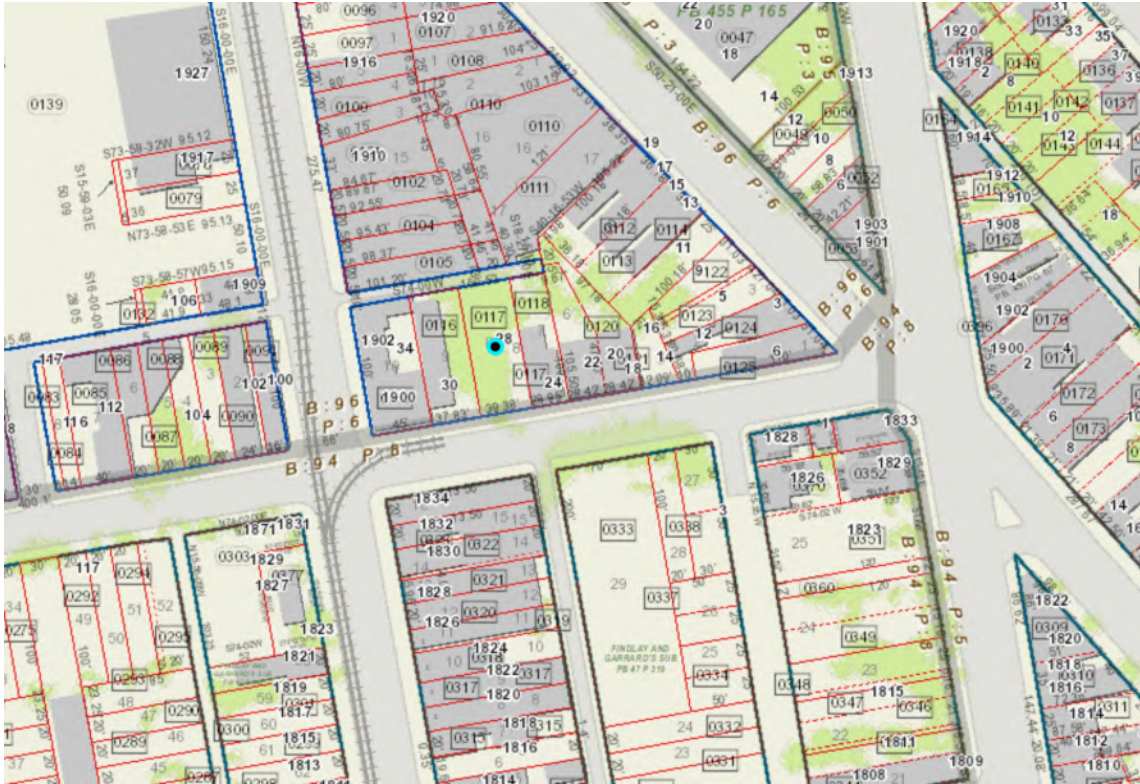


Figure 2: Map of 28 Findlay Street. Cagis Maps.

**Previous Review:** NA

**Applicable Zoning Code Sections:**

Zoning District:	Section 1409	Commercial
Variance Requests:	Section 1409	Development Regulations
Variance Authority:	<a href="#">Section 1445-07</a>	
HCB authority:	<a href="#">Section 1435-05-4</a>	
Variance Standard:	<a href="#">Section 1445-13</a>	General Standards: Public Interest
	<a href="#">Section 1445-15</a>	Standards for Variances
Overlays:	<a href="#">Section 1435</a>	Historic Preservation
Historic District/Reg:	Over the Rhine Historic District	
COA Standard:	<a href="#">Section 1435-09-2</a>	COA; Standard of Review

**Zoning Analysis:**

The applicant is requesting to build a single-family house and requires both a front yard and articulation variance. Both requests are supported by the applicants asking for a property right that other adjacent property enjoy as well as developing a building that is consistent with the adjacent historic buildings and forms.

The applicant has provided a very detailed narrative. Staff agrees with their narrative and has the additional comments/analysis below.

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 use of the property as a single-family residence is permitted with the exception of the zoning relief requested.*
- 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 design of the of the single-family home meets the Over the Rhine Historic District Guidelines.*
- 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 in providing a range of housing opportunities within the city.*
- 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 adversely impacted as parking will be provided on the property at the rear.*

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

*NA*

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

*NA*

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

*NA*

- 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 single-family home use is compatible along the street that has commercial buildings facing the main north south streets and residential facing the side street of Findlay. The building architecture and character are compatible with the historic district.*

- 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.

*NA*

- 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.

*None anticipated*

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

*This lot is not identified as blight but adding a new building on a vacant lot will provide a beneficial use to the property and will fill in a building that had previously been demolished.*

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

*The addition of a house will provide additional customers to local businesses and will provide jobs during construction.*

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

*The proposed project will create temporary jobs during construction.*

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

*Property taxes will increase from the improvements on the lot.*

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

*The owner has an economic benefit as the improvements to the lot will increase the value of the property.*

- 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, Special Exceptions and Conditional Uses 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 of Historic Asset; or

*The proposed work will not have an adverse affect on the historic architecture or aesthetic integrity of the Historic District and supports the historic district by providing a compatible infill building. Both the front yard and articulation variance are appropriate to provide for compatible setback and massing*

- (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).

*The denial the variances will not deprive the property of all economic use of the property but due to both elevation change from the sidewalk, it would create some engineering and other practical difficulties as well as would not be sympathetic to the neighboring buildings.*

**Standards for Variances per Section 1445-05-4**

- (a) Owing to special circumstances or conditions pertaining to a specific piece of property, the strict application of the provisions or requirements of this Code or the Land Development Code, as applicable, are unreasonable and would result in practical difficulties.

*The property is in between 2 residential buildings that have setbacks. The property owner is asking for a similar setback in order to be compatible and sympathetic to the historic fabric. There is also a grade change and a collapsed retaining wall. Building right to this line would create engineering and structural issues.*

- (b) The 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.

*The project is asking for a similar setback and rights to the two directly adjacent property owners.*

## **Certificate of Appropriateness Review**

Staff is supportive of the design and feels that the design substantially conforms to the Historic Conservation District Guidelines. The applicant has provided a very detailed narrative. Staff agrees with their narrative and has the additional comments/analysis below.

### **NEW CONSTRUCTION**

The Over the Rhine Historic Conservation Design Guidelines gives direction to both staff and an applicant on how to design and review proposed developments. When designing infill developments, context and existing surrounding buildings are the main guiding principles of reference. Typically, the context that we consider the most when looking at appropriate infill design is the block that the parcel is on and especially adjacent properties

Staff comments on the Specific Guidelines for New Construction:

#### **A. Intent and General Guidelines**

1. New construction is allowed on vacant sites in Over-the-Rhine, because gaps due to demolition weaken the streetscape and the overall character of the district. New construction can improve both the physical quality and economic vitality of the neighborhood.

*The lot is a vacant lot and is used as an unimproved lot.*

2. New construction should be well-designed but should not replicate the existing buildings. The exceptional quality of the existing buildings in the district provides an outstanding framework for new construction.

*This infill development, while traditional in detailing, does not replicate the existing buildings.*

3. The Historic Conservation Board's review of new construction will focus on the design compatibility with the surrounding contributing structures. The appropriateness of design solutions will be based on balancing the programmatic needs of the applicant with how well the design relates to the neighboring buildings and to the intent of these guidelines. New design proposals should pay particular attention to composition, materials, openings, rhythm, scale, proportion and height.

*Staff details the compatibility of the project with the guidelines and surrounding buildings below in the specific guidelines.*

4. The new construction guidelines for this district will be used to judge the compatibility of new work. The specific site and programmatic needs of each project will be taken into consideration.

*Staff details the compatibility of the project with the guidelines and surrounding buildings below in the specific guidelines*

## **B. Specific Guidelines**

1. Composition: New buildings should respond to the traditional subdivisions found on historic property: a base, a middle and a top. Most buildings in Over-the-Rhine are built of brick with the principal facade parallel to the street it faces. The most important features of buildings in Over-the-Rhine are the arrangement of openings on the principal facade and an overall vertical emphasis of the whole design. Each building provides its own variations, but collectively they share many basic features.

**Base:** New buildings should have a well-defined base. Within the district most buildings have a base that is distinguishable from the rest of the building. This is accomplished through a change of materials, a change of scale, and/or a lintel or other type of horizontal banding. In larger buildings the original base may include more than the first floor.

*The property has a strong base by creating a strong water table with rusticated masonry units at the front of the property as a retaining wall and continued at the bottom of the building. Residential bases are minimal and tend to be at just the water table or below*

**Middle:** Details on new buildings should relate to the detailing of adjacent or nearby buildings. Buildings in the district often incorporate architectural details such as changes in plane or changes in materials on their upper floors. Decorative, horizontal bands indicating the floor lines, sill heights or lintel heights should not overpower the vertical emphasis of the design.

*The middle is defined by 2 floors of punched openings that are in a vertical columns and horizontal rows. Sills and lintels provide a simple and subtle changes in the plane. The front door in on once column and is setback from the façade in a small one-story mass.*

**Top:** New construction must employ a strong element that terminates the uppermost part of the building. Distinctive elements in the architecture of Over-the-Rhine are elaborate projecting cornices, decorative parapets and the expressive use of materials.

*The top is defined at the top of the second story by a simple bracketed cornice.*

2. Roofs: Roofs for new construction should be similar to roofs of adjacent and nearby buildings of similar size and use. In the district, buildings of three or more stories generally have low-pitched shed roofs that are not visible above the principal facade. Smaller buildings in the district typically have simple gable roofs on which the gables are perpendicular to the principal facade. Institutional buildings in Over-the-Rhine have a variety of roof shapes, including dormers, multiple gables, hip roofs and towers. Roofs in this district have little or no overhang.

*The roof is a side gable 5:12 pitch roof that is similar shape and pitch to historic contributing buildings on the block.*

3. Window Openings: Window openings are extremely important in this district. The openings of new buildings should be related to the size and placement of openings found on historic structures of similar use in the district. In residential buildings, window openings are typically found individually rather than in pairs or grouped. The openings are taller and wider (typically in a proportion of 2:1), window sash are set back from the wall surface, and openings have some form of definition, such as lintels, sills or decorative surrounds. Window openings, which are typically aligned vertically, usually occupy between 20% and 50% of the principal facade. In commercial, industrial and institutional buildings, windows are often grouped within a single opening. These building types may also use a combination of window sash, including double-hung, awning and hopper. If muntins are used in new window sash, they must provide true divided lights. Within the individual opening, window sashes are usually divided into two or more lights. In all cases the glass must be clear; tinted or reflective glass is not acceptable. Also, roll down shutters and metal bar systems installed on the exterior of the building that cover door and window openings are not appropriate.

*On the front façade- The windows are one over one windows that are a 2:1 ratio. They are in individual punched openings in a horizontal and vertical alignment.*

*The windows have simple lintels and a panel under the windows that provide a language of a sill. These also provide a change of plane and detailing around the windows.*

*The windows on the side rear of the building are more varied in alignment and type, which is often typical on buildings in the district. The windows are still vertically oriented.*

*All windows are proposed as Pella Architect Series or similar aluminum clad windows.*

*A garage and garage door are located at the rear of the property. Due to the change in garage of the property from the alley to the property the garage is well concealed from surrounding streets.*

4. Storefronts: New storefronts should relate to the characteristics of existing storefronts on historic buildings. Storefronts in the district are typically taller than individual upper floors; framed by piers and/or columns and have a lintel separating them from the upper floors; are divided into bays which increases their verticality and provides a pedestrian scale and proportion; and have large, fixed expanses of clear (not tinted or reflective) glass. As with rehabilitated original storefronts, roll down shutters and metal bar systems installed on the exterior of the building are not appropriate elements for new storefronts. The storefront lintels are 12 to 18 feet above grade; the windowsill height is between 18 inches and 3 feet above grade; and storefront windows are set back from the structural elements approximately 12 inches

NA.

5. Setback: Setback is an important issue in a dense urban area such as Over-the-Rhine. The setback for new construction should be consistent with the buildings of similar use on adjacent and nearby sites. In Over-the-Rhine, most commercial buildings are built up to the property line. Some residential property, especially detached buildings, has shallow setbacks but retain an "edge" at the property line with a fence. Some larger institutional buildings such as schools, churches and public buildings are setback from the street to provide public space and to add to their monumentality. In most cases new construction on corner sites should be built up to the edge of both outside property lines.

*The front setback is set back 6'8" at about the same setback as both adjacent properties. As a residential property shallow setback are permitted and contextual. The setback is appropriate for an infill building not to overpower the adjacent historic buildings.*

6. Rhythm: New buildings should incorporate design features, such as window groupings, articulation of wall surfaces, and decorative elements such as columns or piers in an effort to maintain the rhythm that already exists in the district. New construction should avoid creating long unrelieved expanses of wall along the street by maintaining the rhythm of bays found on the district. Most buildings in Over-the-Rhine are relatively narrow, 25 to 50 feet in width. A building facade typically displays vertical subdivisions that establish a visual rhythm. In dense commercial areas such as Vine Street, there are no setbacks, creating a solid wall along the street. This wall is articulated by the individual buildings, which in turn are divided by window groupings, changes in wall planes and decorative elements such as pilasters, columns or piers.

*The building follows the typical rhythm within the district as this is a typical rowhouse with windows and openings equally aligned over the façade. The width of the building is similar to the widths of the adjacent buildings. Breaking the building into two masses provides the appropriate widths and rhythm to the street.*

7. Emphasis: New residential and mixed-use construction should have a vertical emphasis, because in Over-the-Rhine buildings are taller than they are wide, window openings are tall and narrow, and storefronts have slender columns, which emphasize verticality. Commercial and industrial buildings, which may have an overall horizontal emphasis, often incorporate vertical elements, such as pilasters or vertically oriented openings.

*The main building mass is slightly taller than it is wide and has other elements that create vertical emphasis such as the vertical alignment of the windows and the windows being taller than they are wide. Creating a separate small one-story massing setback from the main façade helps to create a vertical alignment while providing for extra space for the residence.*

8. Height: The height of new construction should not vary more than one story from adjacent contributing buildings. Most buildings in Over-the-Rhine are between two- and five-stories.

*The height of the building is the same as the buildings directly adjacent on either side of the building. The use of the grade change on the property allows for a useful basement level as a garage while not increasing the overall height of the building.*

9. Materials: New construction should use materials that are found on the historic buildings in Over-the-Rhine. Clearly the dominant material in Over-the-Rhine is brick, but other materials such as limestone, sandstone, cast-iron, slate, wood and sheet metal are important as well. Materials such as stucco, synthetic stucco and plastic are not appropriate and should not be considered as exposed finish materials for new construction in this district.

*The building materials are all appropriate. While most buildings within OTR are brick, towards the northern end of the district there are more frame buildings. Also as this building is very traditional in detailing, the use of a lap-siding does not detract from the overall character and compatibility of the building.*

*The proposal also includes decks both at the rear and on the roof of the one-story portion of the building. The guardrail is a metal guardrail that is appropriate in design and material*

*The proposal also includes a 6-foot screen fence at the deck at the rear. This is appropriate and meets all zoning and historic regulations.*

**Other Considerations:**

**Prehearing Results:** November 18, 2020. The applicant was present.

**Comments Provided to Staff:** NA

**Recommendation:**

Staff recommends the Historic Conservation Board take the following actions:

- I. **ZONING RELIEF:** Per plans submitted by Steve Hampton Architect dated 10.25.2020 at 28 Findlay Street.
  - A. 1409-17(a): Building Frontage/setback-. **APPROVE** a 6'8" front yard setback variance to allow for a 6'8" front yard setback.

- B. 1409-19(a): Articulated Building Street Facade- **APPROVE** a variance of 73.75sf to allow for 98sf of building articulation from the build to line

- 1. **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

## II. CERTIFICATE OF APPROPRIATENESS

- A. **APPROVE** a Certificate of Appropriateness for the construction of a single-family home per plans by Steve Hampton Architect dated 10.25.2020 at 28 Findlay Street with the following condition.
  - a. The building permit must be issued within 2 years or the COA shall expire.
- B. **FINDING:** The Board makes this determination per Section 1435-09-2:
  - a. That the property owner and applicant have demonstrated by credible evidence that the proposal substantially conforms to the applicable guidelines for New Construction of the Over-the-Rhine Historic Conservation District.

**ADJUDICATION/DENIAL LETTER**

Date: October 16, 2020

Location: 28 Findlay St

Request: Infill and Zoning Relief

Zoning District: CC-P/ Over-the-Rhine

The City of Cincinnati appreciates receiving your information regarding your proposed project. The purpose of this letter is to inform you that your proposed project will be required to get a Certificate of Appropriateness and Zoning Relief from the Historic Conservation Board as it is within a local historic district.

All documents **that are checked** on the Documents Required for Historic Conservation Board Review are a required part of the submission and the submission will not be considered complete unless all of these documents are included. When you submit the copies of the application, the Documents Required Sheet must be submitted as well. **A \$621.68 fee is required with the submission as well.** All deadlines for upcoming Historic Conservation Board hearings can be found at <https://www.cincinnati-oh.gov/buildings/historic-conservation/historic-conservation-board/>. **Applications must be submitted no later than 3pm on the deadline date.**

Your request also does not comply with the City of Cincinnati Zoning Code for the following reason(s):

1. 1409-17(a): Building Setback/Frontage. The building must be located at the front lot line. The building is located 6'8" from the front lot line. A variance of 6'8" is required.
2. 1409-19(a)The building is allowed to have 1 sf of building articulation from the build to line. The proposed has 98 ft and the building is 34.24ft wide. A variance of 73.75 feet

The applications and documents required will be turned into the *Law Department- Office of Administrative Boards*. Their office is located on the 5<sup>th</sup> floor of 805 Central Avenue in the Permit Center. Applications can be turned in **no later than 3pm on the deadline date**. You must contact Kasandra Maynes at 513-352-1559 or [Kasandra.Maynes@cincinnati-oh.gov](mailto:Kasandra.Maynes@cincinnati-oh.gov) for submittal.

You may also contact me at the information listed below with historic conservation or zoning questions, concerns or to make an appointment.

Sincerely,



Beth Johnson

Urban Conservator

(p): 513-352-4848

(e): [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)

## CINCINNATI'S HISTORIC CONSERVATION OFFICE



### Documents Required for Historic Conservation Board Review

*The Historic Conservation Office will provide this list with the required items checked off once an Adjudication/Denial letter is issued.*

- 3 complete hard copies at the time of application.
- All drawings formatted to 11x17 or 12x18.
- Digital copy in PDF format provided on CD, USB drive, or emailed to beth.johnson@cincinnati-oh.gov
- Adjudication/Denial Letter and this checklist
- Certificate of Appropriateness Application Form
- A letter/narrative statement of intent and how the project meets the applicable Historic Conservation Guidelines
- Zoning Hearing Examiner Application Form
- A letter/narrative statement required in Section 6 of the Zoning Hearing Examiner Application
- The Hamilton County Auditors record or other documentation showing property ownership
- A letter/email of permission from owners, lease, contract to purchase or other agreement demonstrating the applicant or owner's legal basis to seek the COA or Zoning Relief
- A list of the applicants' witnesses and expert witnesses who you expect to testify at the hearing or legal counsel, if any
- 8 business days before the hearing date 10 hard copies and a digital copy in one pdf or for the final board packet. Drawings must be formatted and retain the proper scale in 11x17 or 12x18.
- Other Documents or information applicant wants to present for their case
- Non-Refundable Application Fee. Checks made payable to the City of Cincinnati. \$ 621.68

#### All Drawings and Plans must include the following

- A graphic scale required on all drawings
- North arrows on all site, context and floor plans
- Elevations labeled with North, South, East West, front, side and rear labels
- Street names labeled
- Date and/or revision dates

#### Architectural Drawings and Plans

- An index of drawings located on the first sheet
- Context Map showing the building within at least a block of context
- Existing and proposed site plans including
  - Parcel/boundary lines
  - Building footprints and dimensions labeled
  - Setback dimensions from all property lines labeled
  - Existing and proposed principal and accessory buildings, including location, dimensions, and height labeled;
  - All properties and their structures immediately adjacent to the site
- Existing and proposed elevation drawings
  - Total Height from grade to top of the building
  - Total height- ASL (Above Sea Level)
  - Materials labeled
- Existing and proposed floor plans and roof plans (with chimney locations)
  - Residential and Commercial Spaces labeled. Residential Spaces must be numbered.
  - Square feet of commercial spaces listed

- Location of trash storage and Utilities
- Site section and/or Site elevations including any adjacent properties
- Driveways, sidewalks, walkways, terraces, and other paved surfaces
- Existing and proposed accessory structures, including walls, fences, porches, lighting, signs, and other site improvements;
- Existing and proposed landscape areas and materials, if proposed to be altered;
- Proposed materials, textures, and colors. Include Make, model and series for proposed materials
- Labeled photos of all sides of the building and a 1 block streetscape context in all directions
- Site line drawings for any roof additions.
- A color rendering, axonometric drawings and/or perspective of the proposed construction (required on infill projects)

**Required if applicable to the project**

- Historic Sanborn Maps of the site
- Window brochures and cut sheet
- Roof product information (brochure)
- Garage door brochures
- Sample materials or color samples. \_\_\_\_\_
- Fence drawings of style, fence brochures or photo of a sample fence
- Signs; drawings, photo showing the sign on the building, mounting info, materials, colors and illumination
- Mature tree removal requires a letter from an arborist stating its poor health
- All written correspondence submitted by the applicant and other affected persons
- Tentative project schedule
- Egress Plan/Route to Building Code Compliance (roof decks, multi-family developments)
- Pictures of historic wood sided/lapsided buildings in OTR and their context. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Demolition (full or partial) for Historic Conservation Districts and Landmarks**

- Demolition Case Sheet and all required information listed on the sheet unless otherwise not required by the Urban Conservator in writing and provided with application.
- Statement of plans for the property after demolition.

**Hillside Overlay Zone (CZC § 1433)**

- A development plan, accompanied by a property survey, showing existing vegetation and proposed development, and where applicable, streets, drives, parking areas, walkways, heights of structure(s), location of structures, elevation and setback of proposed buildings, drainage, existing contours and proposed grading and new landscaping plans, proposed uses and square footage of uses and recreational facilities;
- A preliminary geotechnical evaluation;
- A determination of the maximum building envelope;
- Average slope/grade of the property; and
- Graphic illustrations demonstrating that the proposed improvement or new structure has not exceeded the maximum building envelope

**For additional questions contact Beth Johnson, Urban Conservator at 513-352-4848 or [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)**

*Note: The aforementioned information is general in nature. Additional information may be required by the Urban Conservator once the application is submitted. Please use this list to plan for the potential documents that could be required for a submission.*



II Centennial Plaza  
 805 Central Avenue, Suite 500  
 Cincinnati, Ohio 45202  
 Monday- Friday 7:30 am—4 pm  
 (513) 352-4848  
[Beth.Johnson@Cincinnati-OH.gov](mailto:Beth.Johnson@Cincinnati-OH.gov)

Office Use Only	
Application #:	_____
Date Accepted:	_____
<input type="checkbox"/> Staff Review	<input type="checkbox"/> Board Review
<input type="checkbox"/> Paid:	_____
Date Perfected:	_____
Hearing Date:	_____

## CERTIFICATE OF APPROPRIATENESS APPLICATION

### SUBJECT PROPERTY

Site Address: \_\_\_\_\_  
 Hamilton Co. Parcel ID No.: \_\_\_\_\_ Zoning District: \_\_\_\_\_  
 Historic District: \_\_\_\_\_ Overlay District: \_\_\_\_\_

### APPLICANT INFO PROPERTY OWNER OTHER \_\_\_\_\_ (AGENT, ATTORNEY, ARCHITECT, ETC.)

Name: \_\_\_\_\_  
 Contact Person (if legal entity): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### PROPERTY OWNER INFO SAME AS ABOVE

Name: \_\_\_\_\_  
 Contact Person (if legal entity): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### CERTIFICATE OF APPROPRIATENESS (SELECT ALL THAT APPLY)

New Construction       Alteration       Demolition

Provide a very brief summary of the project:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### ZONING RELIEF Yes No

Provide a very brief summary of the zoning relief requested:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### SUBMISSION REQUIREMENTS & REQUIRED ATTACHMENTS

**Demolition requests must include all required demolition forms.**  
**All applications that include requests for zoning relief must include a zoning hearing application.**  
**All persons seeking historic tax credits must provide a copy of their approved part II tax credit application.**

I certify that all statements and documents that I provide with reference to this application are accurate, complete, and true to the best of my knowledge and belief. I further acknowledge that my application shall be deemed incomplete for my failure to timely comply with any requirement of this application, which non-compliance may result in delays in the scheduling and resolution of my application.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_



II Centennial Plaza  
 805 Central Avenue, Suite 500  
 Cincinnati, Ohio 45202  
 Monday- Friday 7:30 am- 4 pm  
 513-352-1559

Click any blue box  
 for additional information  
 (hyper-link)

[Boards@cincinnati-oh.gov](mailto:Boards@cincinnati-oh.gov)

# ZONING HEARING EXAMINER

## Application for Zoning Relief

Office Use Only  
 Case Number: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

**Section 1. SUBJECT PROPERTY**  
 ADDRESS \_\_\_\_\_ COMMUNITY \_\_\_\_\_  
 PARCEL ID(S) \_\_\_\_\_ HILLSIDE DISTRICT  Yes  No  
 BASE ZONING CLASSIFICATION \_\_\_\_\_ ZONING OVERLAY (if applicable) \_\_\_\_\_  
 HISTORIC DISTRICT:  No  Yes: (name) \_\_\_\_\_  
 Non-Residential Project  Residential Project (RCO) One -, Two -, and Three- Family Dwelling

**Section 2. APPLICANT**  
 NAME \_\_\_\_\_ CONTACT PERSON (if legal entity) \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 EMAIL \_\_\_\_\_ RELATIONSHIP TO OWNER (if not owner) \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_

**Section 3. OWNER**  
 NAME \_\_\_\_\_ CONTACT PERSON (if legal entity) \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 EMAIL \_\_\_\_\_ RELATIONSHIP TO OWNER (if not owner) \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_

**Section 4. NATURE OF RELIEF REQUESTED.** (select all that apply)  
 Variance  Special Exception  Conditional Use  Use Variance  
 Expansion or Substitution of Non Conforming Use  Hillside Overlay District Permission  
 Urban Design Overlay District Permission  DD District Phased Development Approval

**Section 5. BRIEF DESCRIPTION OF PROPOSED PROJECT** (Do not write "see attached" or leave blank. You may attach a longer statement to this application if the space provided is insufficient to describe your proposed project)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Section 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 attached. If you fail to follow the instructions for your type of request, your application may be denied.

**Section 7. SIGNATURE.** The undersigned does 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 \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

# NEW SINGLE-FAMILY HOME VAN DER ZEE RESIDENCE 28 FINDLAY STREET CINCINNATI, OHIO 45202

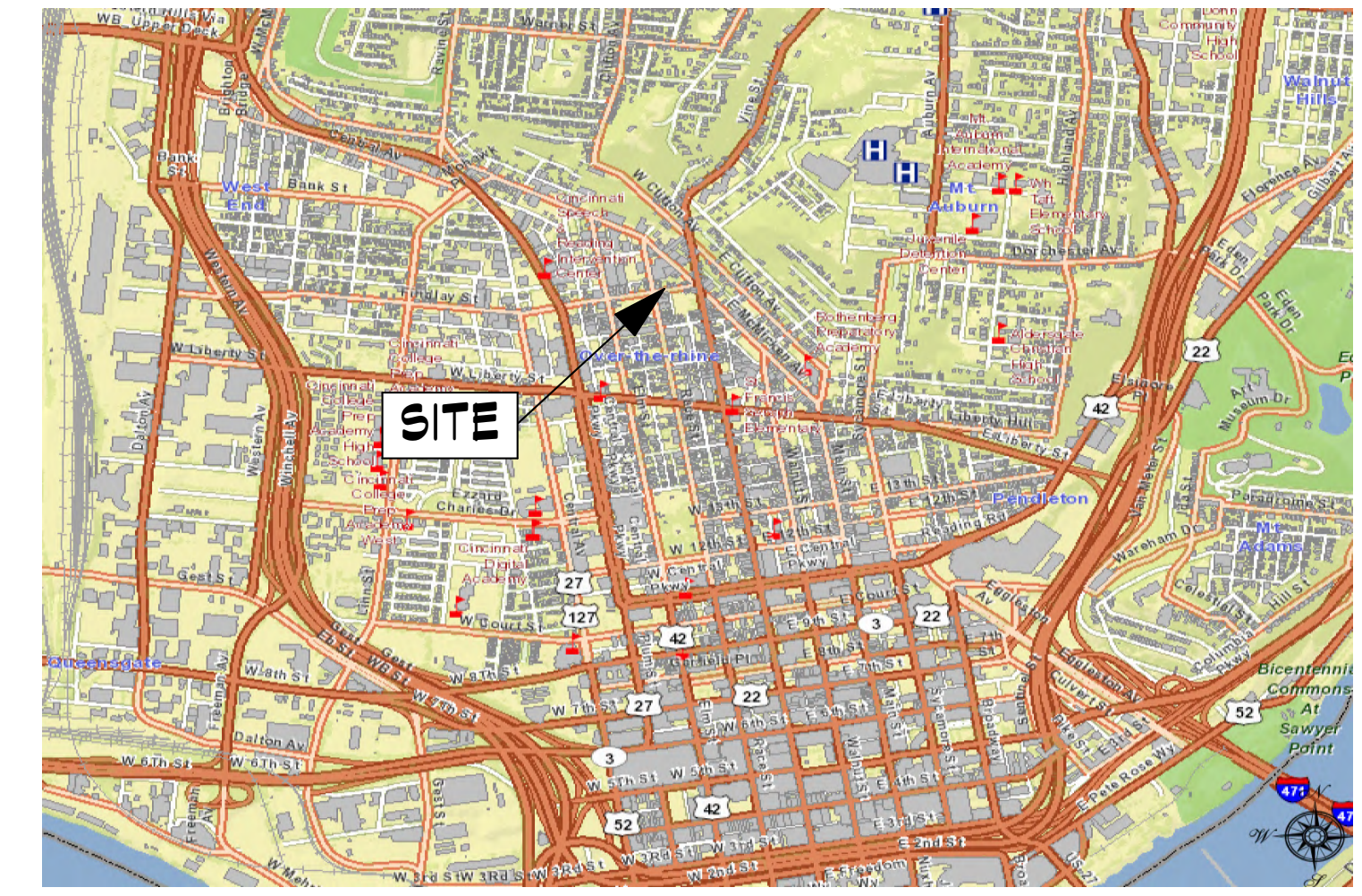
110 EAST McMICKEN AVENUE  
CINCINNATI, OHIO 45202  
(513) 784-0352  
STEVE@HAMPTONARCHITECTS.COM  
**HAMPTON ARCHITECTS, LLC**

NEW SINGLE-FAMILY HOME  
**VAN DER ZEE RESIDENCE**  
28 FINDLAY STREET  
CINCINNATI, OHIO 45202

## ABBREVIATIONS

Ø	DIAMETER	FIN	FINISHED	FL	FLUTE
AB	ANCHOR BOLT	FLR	FLOOR	FLAM	FLASTIC LAMINATE
ADJ	ADJACENT	FLUOR	FLUORESCENT	FLAS	FLASTER
AFJ	ABOVE FINISH FLOOR	FOM	FACE OF MASONRY	FLBS	FLUMBING
AFS	ABOVE FINISH GRADE	FOS	FACE OF STUD	FLYVD	FLYWOOD
AHJ	AIR HANDLING UNIT	FRFBS	FIREPROOFING	PNL	PANEL
AL	ALUMINUM	FR	FIRE RETARDANT	PRFAB	PREFABRICATED
ALT	ALTERNATE	FRG	FURRING	PSF	POUNDS PER SQUARE FOOT
AP	ACCESS PANEL	FASTN	FASTENER	PT	POINT PRESSURE TREATED
ARA	AREA OF RESCUE ASSISTANCE	FT	FOOT, FEET	PTD	PAINTED
ARCH	ARCHITECTURAL	FTS	FOOTING	QT	QUARRY TILE
AVS	AVERAGE	GA	GAUGE	R	RADIUS, RISE(S)
BD	BOARD	GALV	GALVANIZED	R	RADIUS, RISE(S)
BT	BITUMINOUS	GC	GENERAL CONTRACTOR	RD	ROOF DRAIN
BUDS	BUILDING	GL	GLASS	RESFP	RESISTIBLE
BLK	BLOCK	GRD	GROUND	REF	REFER REFERENCE
BLKS	BLOCKING	GR	GRADE	RENF	REINFORCED(ING)
BM	BEAM	GYP BD	GYPUM BOARD	REQ	REQUIRED
BES	BEARING	H	HIGH	REQMT	REQUIREMENT
BMT	BASEMENT	HC	HOLLOW CORE, HANDICAPPED	REV	REVISION
CAB	CABINET	HD	HEAD	RES	ROOFING
C/C	CENTER TO CENTER	HDV	HARDWARE	RM	ROOM
CJ	CONTROL JOINT	HDVD	HARDWOOD	RO	ROUGH OPENING
CLG	CEILING	HM	HOLLOW METAL	S	SOFT
CLO	CLOSET	HORIZ	HORIZONTAL	SAN	SANITARY
CLR	CLEAR CLEARANCE	HR	HANDRAIL	SC	SOLID CORE
CMU	CONCRETE MASONRY UNIT	HT	HEIGHT	SCHE	SCHEDULE
COL	COLUMN	ID	INSIDE DIAMETER	SF	SQUARE FOOT
CONC	CONCRETE	IN	INCHES	SHT	SHEET
CONST	CONSTRUCTION	INGND	INCANDESCENT	SHTS	SHEATHING
CONT	CONTAINER	INCL	INCLUDING	SM	SIMILAR
COORD	COORDINATE(S)	INSUL	INSULATION	SJ	SAN JOINT
CS	COURSE	INT	INTERIOR	SM	SHEET METAL
CT	CERAMIC TILE	JAN	JANITOR	SPEC	SPECIFICATION
D	DEEP DEPTH	JF	JOINT FILLER	SSJ	STAINLESS STEEL
DEMO	DEMOLISH DEMOLITION	JT	JOINT	STD	STANDARD
DET	DETAIL	KD	KNOCKED-DOWN	STL	STEEL
DF	DRINKING FOUNTAIN	NG	NGO	STRUT	STRUCTURAL
DN	DOWN	ND	NOT IN CONTRACT	SUSP	SUSPENDED
DR	DOOR	NO	NUMBER	SYM	SYMMETRICAL
DS	DOWNSPOUT	NDM	NOMINAL	T/	TOP OF
DWS	DRAWING	NB	NORTH-SOUTH	T/B	TOP / BOTTOM
E	EAST	NTS	NOT TO SCALE	TEMP	TEMPORARY, TEMPERATURE
EA	EACH	OA	OVERALL	TF	TONGUE & GROOVE
EBS	EXTERIOR INSULATION & FINISH SYSTEM	OC	ON CENTER	TKG	TRUSS
EJ	EXPANSION JOINT	OD	OUTSIDE DIAMETER	TRU	THRU
ELEV	ELEVATION	OPN	OPENING	TS	TOP OF SLAB
ELEG	ELECTRIC(AL)	OPF	OPPOSITE	TOA	TOP OF WALL
ELEV	ELEVATOR	PL	PLATE	TV	TELEVISION
EMER	EMERGENCY	PLAM	PLASTIC LAMINATE	TYF	TYPICAL
ENGL	ENCLOSURE	PLAS	PLASTER	UG	UNDERCUT
EQ	EQUAL	PLBS	PLUMBING	US	UNDERGROUND
E-W	EAST-WEST	PLYVD	PLYWOOD	UNFN	UNFINISHED
EAC	ELECTRIC WATER COOLER	PNL	PANEL	UND	UNLESS OTHERWISE NOTED
EXH	EXHAUST	PRFAB	PREFABRICATED	VAR	VARIABLES
EXP	EXPANSION EXPANDED EXPOSED	PSF	POUNDS PER SQUARE FOOT	VCT	VINYL COMPOSITION TILE
EXT	EXTERIOR	PT	POINT PRESSURE TREATED	VERT	VERTICAL
FCU	FAN COIL UNIT	PTD	PAINTED	VTR	VENT THROUGH ROOF
FG	FIRE EXTINGUISHER CABINET	QT	QUARRY TILE	VVC	VINYL WALLCOVERING
FLD	FLOOR DRAIN	R	RADIUS, RISE(S)	X	REST, RISE, ROTH
FDN	FOUNDATION	RD	ROOF DRAIN	X/	X/TH
FF	FINISH FLOOR	RESFP	RESISTIBLE	XG	X/GROOVE
F/F	FACE TO FACE PAR FACE	REF	REFER REFERENCE	XND	X/NON
FFI	FIXTURES, FURNISHINGS, & EQUIPMENT	RENF	REINFORCED(ING)	X/O	X/OUT
		REQ	REQUIRED	X/P	X/WATERPROOF
		REQMT	REQUIREMENT	X/R	X/REST
		REV	REVISION	XRP	X/REINFORCED WIRE FABRIC
		RES	ROOFING	YD	YARD, YARD DRAIN
		RM	ROOM		
		RO	ROUGH OPENING		
		S	SOFT		
		SAN	SANITARY		
		SC	SOLID CORE		
		SCHE	SCHEDULE		
		SF	SQUARE FOOT		
		SHT	SHEET		
		SHTS	SHEATHING		
		SM	SIMILAR		
		SJ	SAN JOINT		
		SM	SHEET METAL		
		SPEC	SPECIFICATION		
		SSJ	STAINLESS STEEL		
		STD	STANDARD		
		STL	STEEL		
		STRUT	STRUCTURAL		
		SUSP	SUSPENDED		
		SYM	SYMMETRICAL		
		T/	TOP OF		
		T/B	TOP / BOTTOM		
		TEMP	TEMPORARY, TEMPERATURE		
		TF	TONGUE & GROOVE		
		TKG	TRUSS		
		TRU	THRU		
		TS	TOP OF SLAB		
		TOA	TOP OF WALL		
		TV	TELEVISION		
		TYF	TYPICAL		
		UG	UNDERCUT		
		US	UNDERGROUND		
		UNFN	UNFINISHED		
		UND	UNLESS OTHERWISE NOTED		
		VAR	VARIABLES		
		VCT	VINYL COMPOSITION TILE		
		VERT	VERTICAL		
		VTR	VENT THROUGH ROOF		
		VVC	VINYL WALLCOVERING		
		X	REST, RISE, ROTH		
		X/	X/TH		
		XG	X/GROOVE		
		XND	X/NON		
		X/O	X/OUT		
		X/P	X/WATERPROOF		
		X/R	X/REST		
		XRP	X/REINFORCED WIRE FABRIC		
		YD	YARD, YARD DRAIN		

## VICINITY PLAN



1 VICINITY PLAN  
Scale: NONE

## DRAWING INDEX

	ISSUE DATE	REV #	REV DATE
A1.0 GENERAL NOTES, ZONING CODE, DETAILS, AND INDEX	10/28/20		
A1.1 SITE PLAN	10/28/20		
A2.0 FLOOR PLANS	10/28/20		
A2.1 FLOOR PLANS	10/28/20		
A3.0 ELEVATIONS	10/28/20		
A3.1 BUILDING SECTIONS & RENDERINGS	10/28/20		
A3.2 BUILDING RENDERINGS	10/28/20		

## ZONING CODE

EXISTING CINCINNATI ZONING: CC-P COMMERCIAL COMMUNITY PEDESTRIAN  
PROPOSED USES: SINGLE-FAMILY RESIDENTIAL - PERMITTED  
PARKING: NONE PROVIDED

## GENERAL NOTES

CONTRACTORS SHALL VISIT THE SITE OF THE PROPOSED WORK AND FULLY ACQUAINT THEMSELVES WITH CONDITIONS AS THEY CURRENTLY EXIST SO THAT THEY MAY FULLY UNDERSTAND THE FACILITIES, DIFFICULTIES AND RESTRICTIONS RELATED TO THE EXECUTION OF THE WORK. ACCESS TO THE SPACE SHALL BE COORDINATED WITH THE BUILDING OWNER. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS, SOIL BEARING CAPACITIES, DIMENSIONS, INFORMATION ETC INDICATED ON THESE DOCUMENTS. ANY AND ALL ERRORS, OMISSIONS, INCONSISTENCIES, ETC SHALL BE REPORTED TO THE ARCHITECT FOR CLARIFICATION PRIOR TO PROCEEDING WITH WORK. FAILURE TO ALERT ARCHITECT BY CONTRACTOR OF SAID DISCREPANCIES SHALL NOT ONLY RELIEVE ARCHITECT OF ALL RESPONSIBILITY AND LIABILITY BUT ALSO SHALL CONSTITUTE ASSUMPTION OF RESPONSIBILITY AND LIABILITY BY THE CONTRACTOR.

SCALE OR FIGURE DIMENSIONS ON THE DOCUMENT SHOWS THE CORRECT SIZES UNDER IDEAL CONDITIONS, AND SHALL NOT UNDER ANY CIRCUMSTANCE BE SO CONSTRUED AS TO RELIEVE THE ARCHITECT OR CONTRACTOR FROM THE RESPONSIBILITIES OF:  
A) FIELD VERIFICATIONS OF EXACT DIMENSIONS AND  
B) FURNISHING AND INSTALLING MATERIALS AND/OR EQUIPMENT OF THE CORRECT SIZE IN ORDER TO PROPERLY PERFORM PARTS OF THE WORK WHEREIN DESCRIBED.

DO NOT SCALE DRAWINGS.

ALL FEDERAL, STATE, AND LOCAL BUILDING CODES AND/OR REGULATIONS HAVING JURISDICTION SHALL GOVERN EXECUTION OF THE WORK REQUIRED IN THIS PROJECT.

EACH SUBCONTRACTOR IS RESPONSIBLE FOR COORDINATING HIS RESPECTIVE WORK TO THE EXTENT NECESSARY TO PREVENT INTERFERENCE OF COMPONENTS OR EQUIPMENT WITH OTHER SUBCONTRACTORS WORK. FAILURE TO DO SO SHALL NOT RELIEVE THE CONTRACTOR OF THE COST OF CORRECTION WORK. ALL STUDS, FURRING, AND FRAMING MEMBERS SHALL BE SO PLACED AS TO AVOID INTERFERENCE WITH LOCATIONS OF CASING, LIGHTING FIXTURES, PIPING, DUCTWORK, ETC. PROVIDE BLOCKING AS REQUIRED FOR ALL WALL HUNG OR SURFACE MOUNTED ITEMS SUCH AS MILLWORK, SHELVING, ETC.

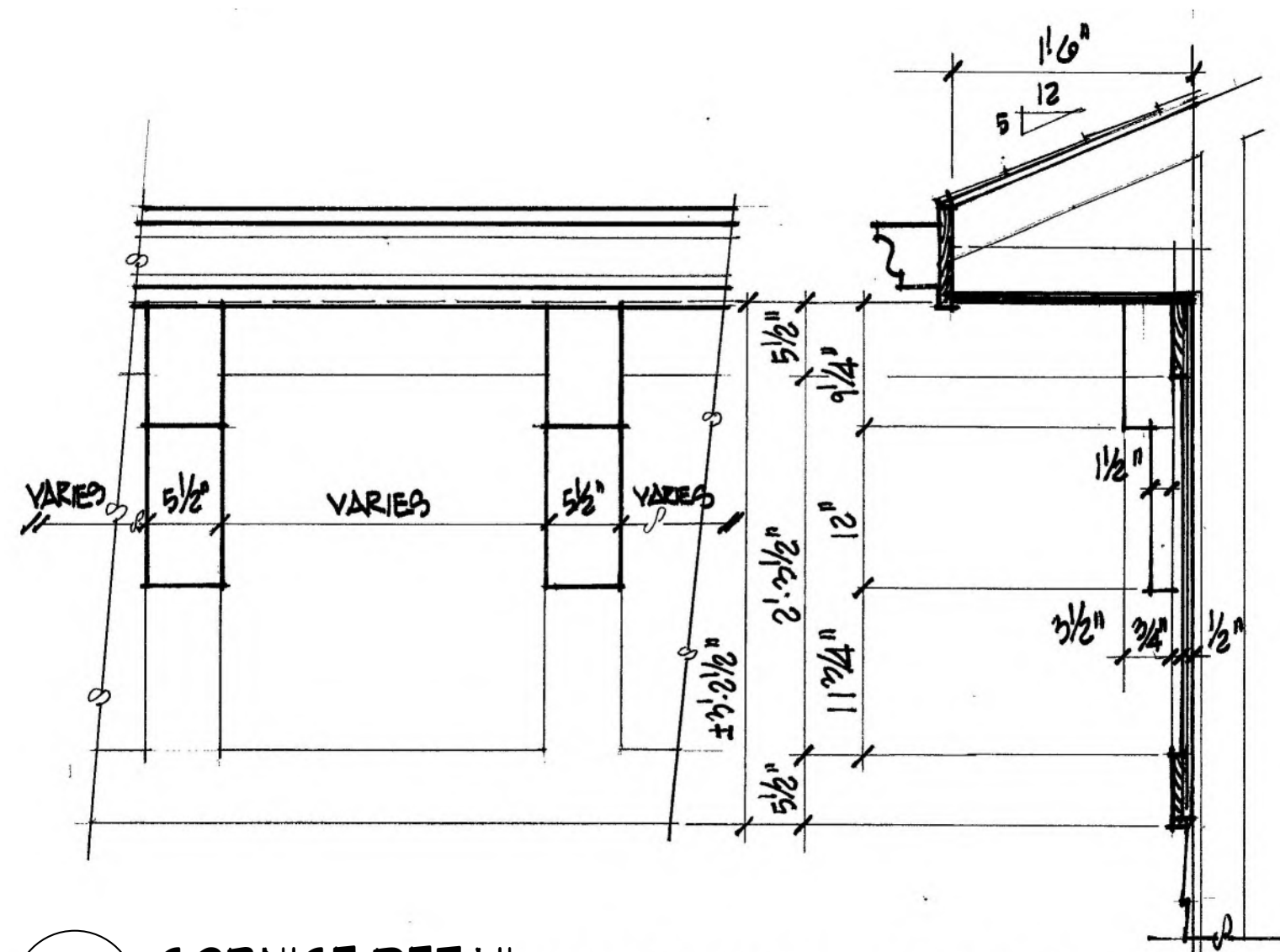
THE CONTRACTOR SHALL BRACE THE STRUCTURE AS REQUIRED DURING DEMOLITION AND CONSTRUCTION TO MAINTAIN STABILITY UNTIL THE STRUCTURE IS COMPLETE AND FUNCTIONING AS THE DESIGNED UNIT.

THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OF CONSTRUCTION SELECTED BY CONTRACTOR. THE CONTRACTOR REMAINS RESPONSIBLE FOR DETAILS AND ACCURACY FOR CONFIRMING AND CORRELATING ALL QUANTITIES AND DIMENSIONS, FOR SELECTING FABRICATION PROCESS, AND FOR TECHNIQUES OF ASSEMBLY.

THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. WHEN ON SITE, THE ARCHITECT IS RESPONSIBLE FOR HIS/HER OWN SAFETY BUT HAS NO RESPONSIBILITY FOR THE SAFETY OF OTHER PERSONNEL OR SAFETY CONDITIONS AT THE SITE.

CONTRACTOR SHALL FURNISH ALL ITEMS SHOWN ON THE DRAWINGS UNLESS SPECIFICALLY NOTED OTHERWISE, EITHER ON THE DRAWINGS OR IN THE SPECIFICATIONS. CONTRACTOR TO PERFORM IN A WORKMAN LIKE MANNER.

2 WINDOW JAMB/SILL/HEAD DETAIL  
Scale: 1" = 8'-0"

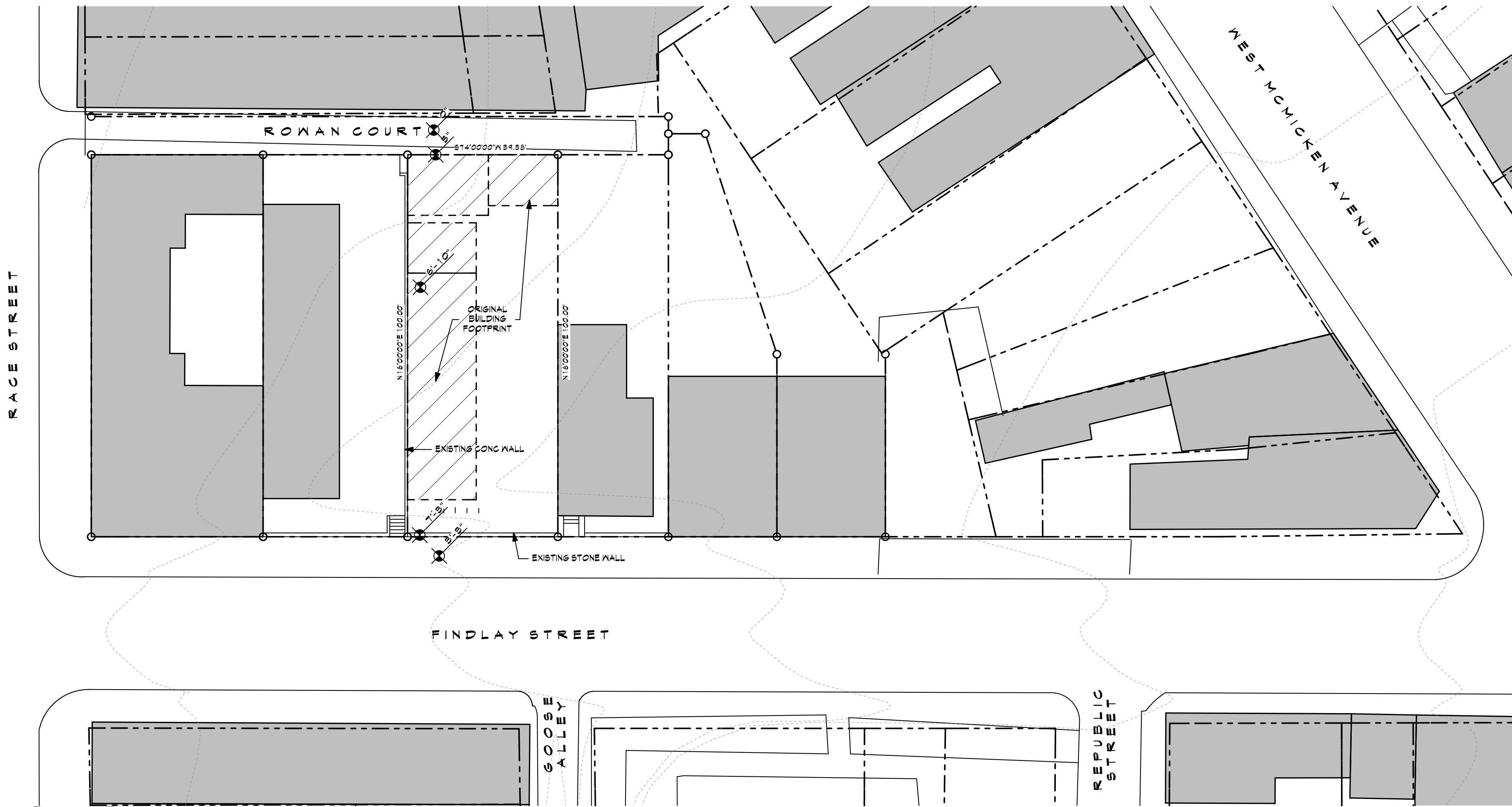


3 CORNICE DETAIL  
Scale: 1" = 1'-0"

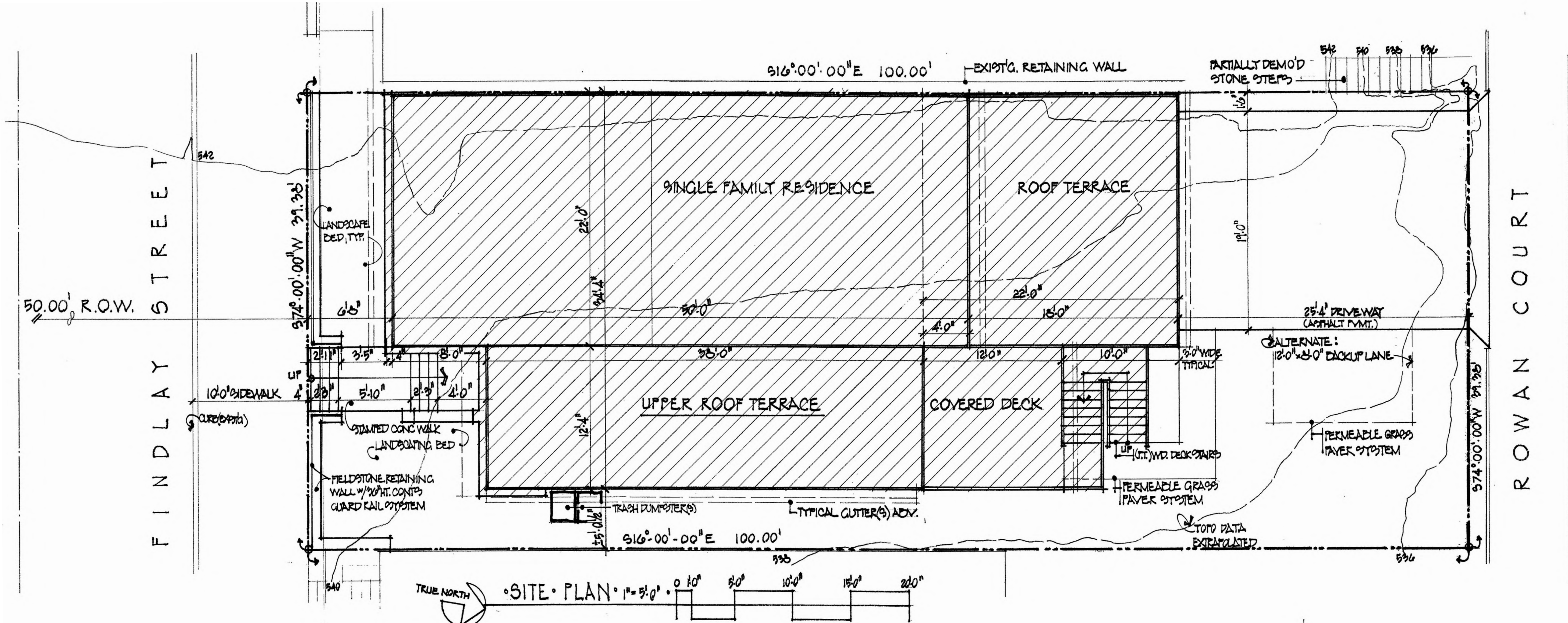
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CHECKED BY STH  
DATE 10/28/20  
SCALE AS NOTED  
DRAWING TITLE  
**GEN NOTES, CODE NOTES, SPECS, & INDEX**  
REV. 0 DRAWING NO. A1.0



2 EXISTING SITE VICINITY PLAN  
 A1.1 Scale: 1" = 20'-0"



TRUE NORTH  
 SITE PLAN 1" = 5'-0"  
 0' 5' 10' 15' 20'

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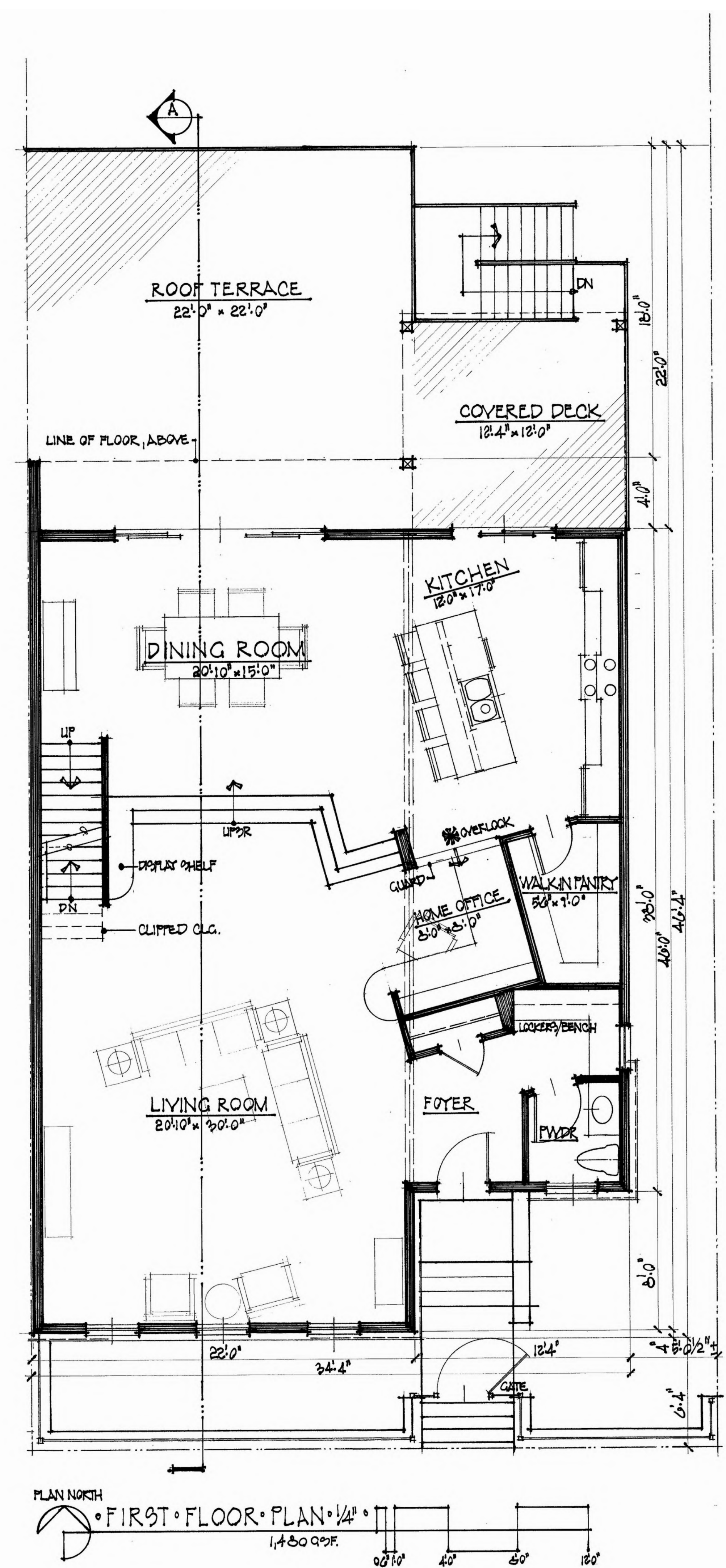
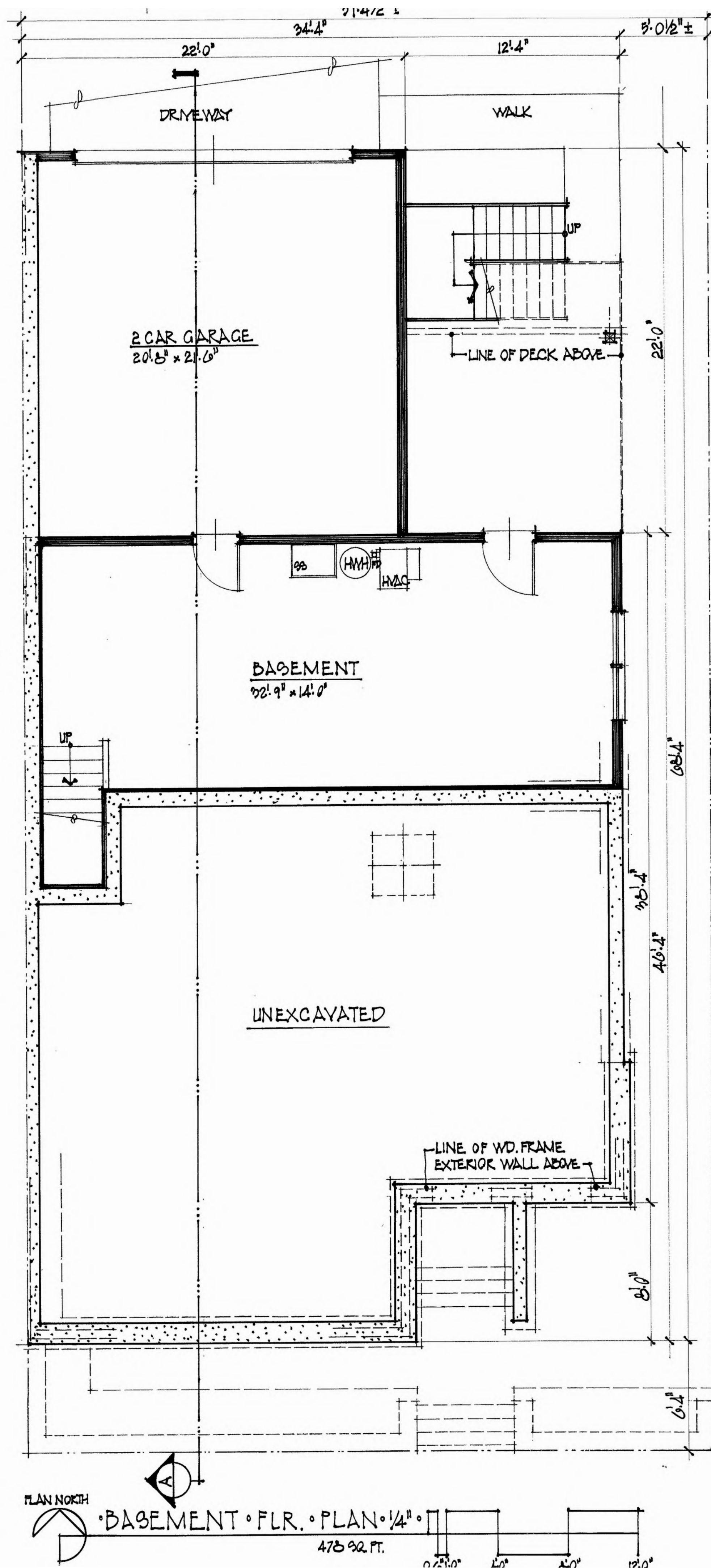
NEW SINGLE-FAMILY HOME  
**VAN DER ZEE RESIDENCE**  
 28 FINDLAY STREET  
 CINCINNATI, OHIO 45202

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**SITE PLAN**  
 REV. DRAWING NO. A1.1



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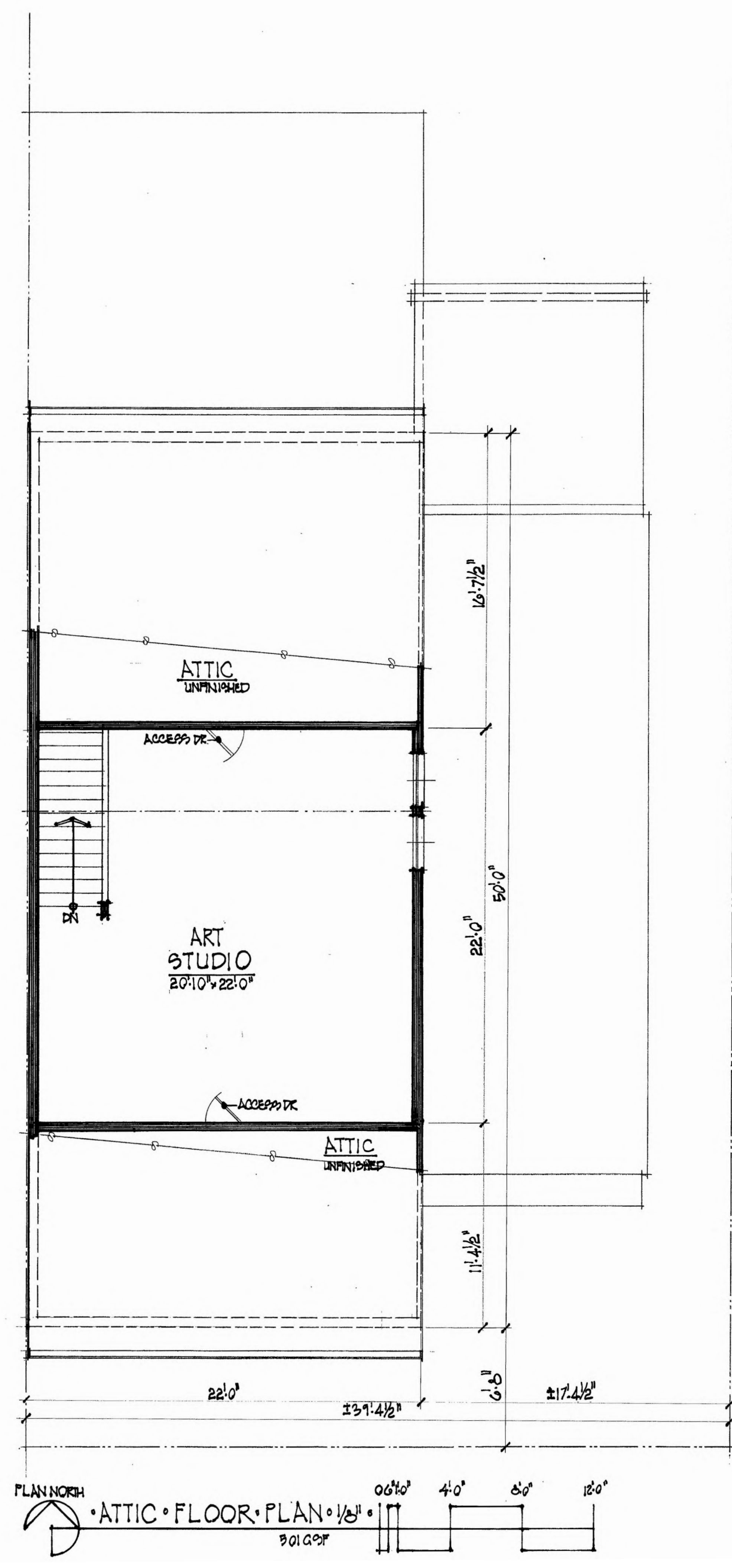
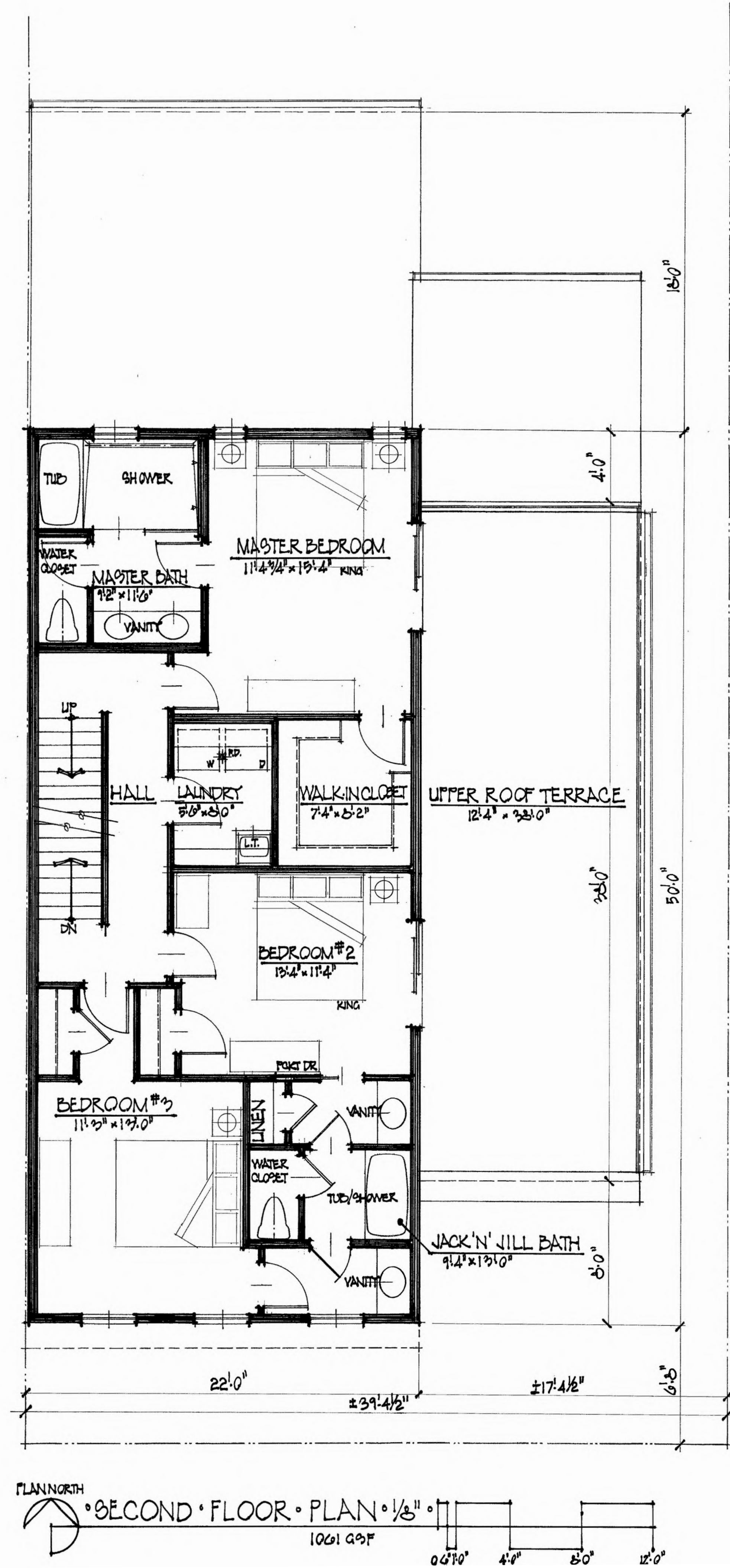
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**FLOOR PLANS**

REV. 0 DRAWING NO. A2.0



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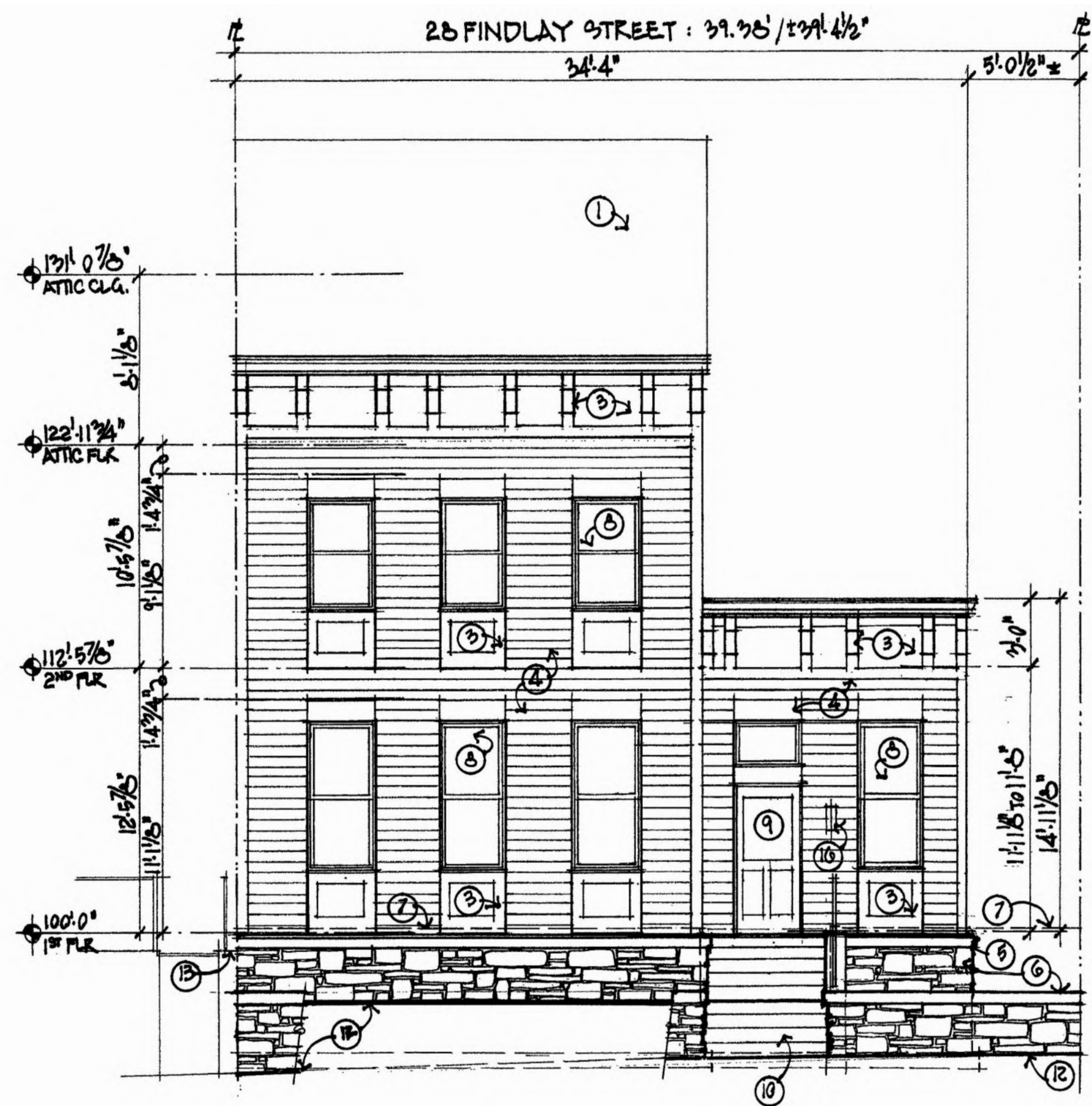
NEW SINGLE-FAMILY HOME  
**VAN DER ZEE RESIDENCE**  
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NO.	REVISION	DATE

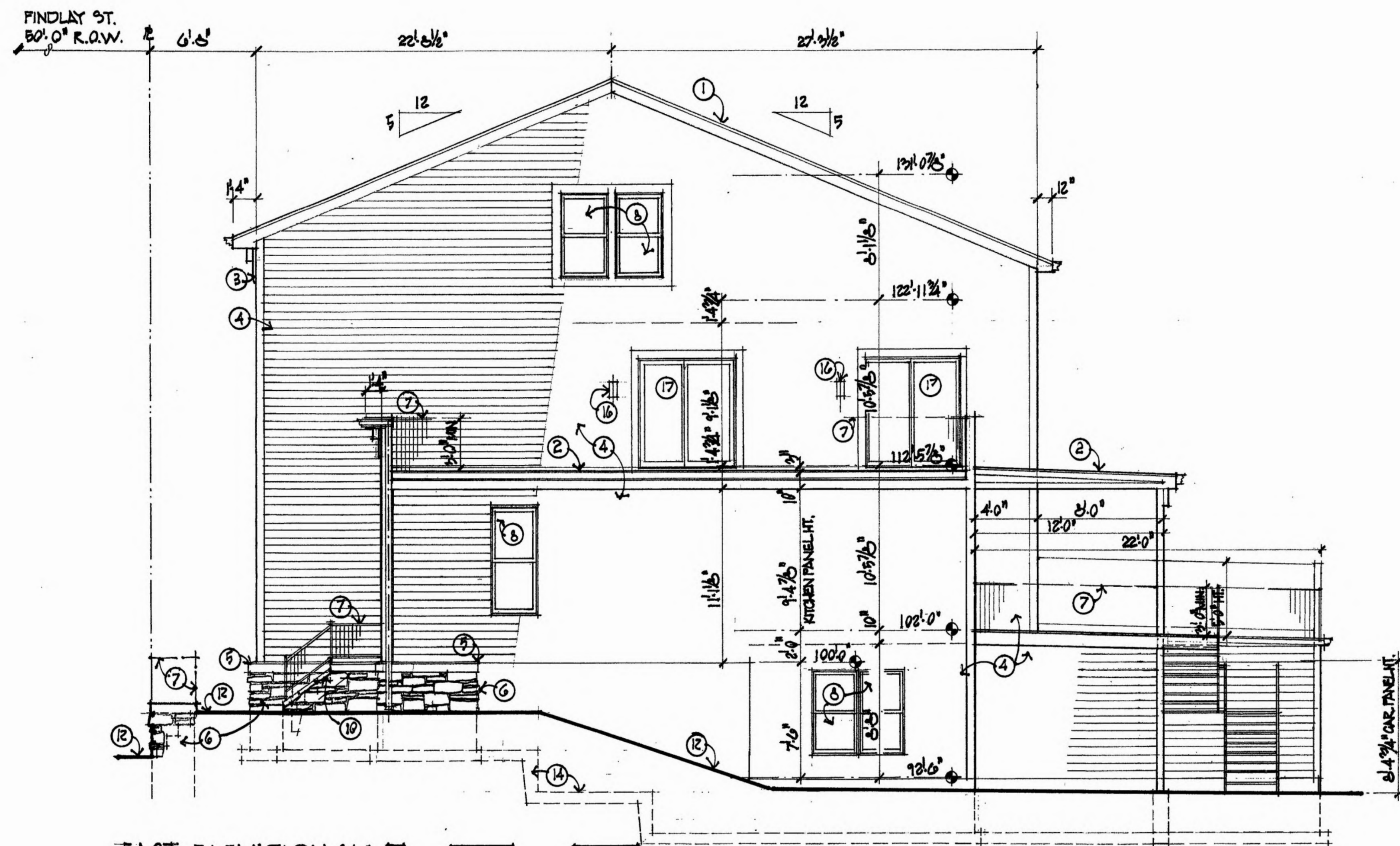
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**FLOOR PLANS**  
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 0 A2.1



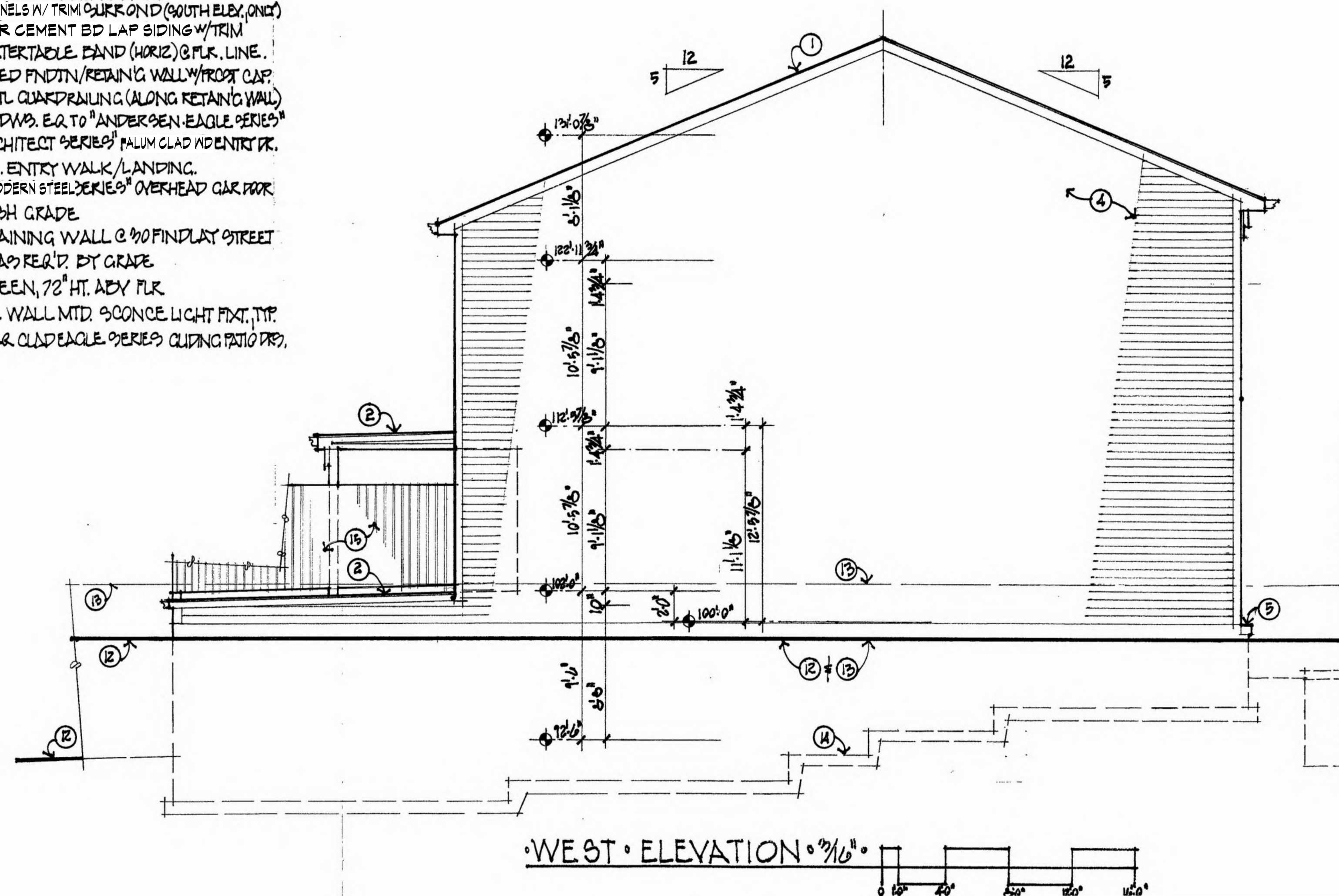
• SOUTH ELEVATION • 3/16" •



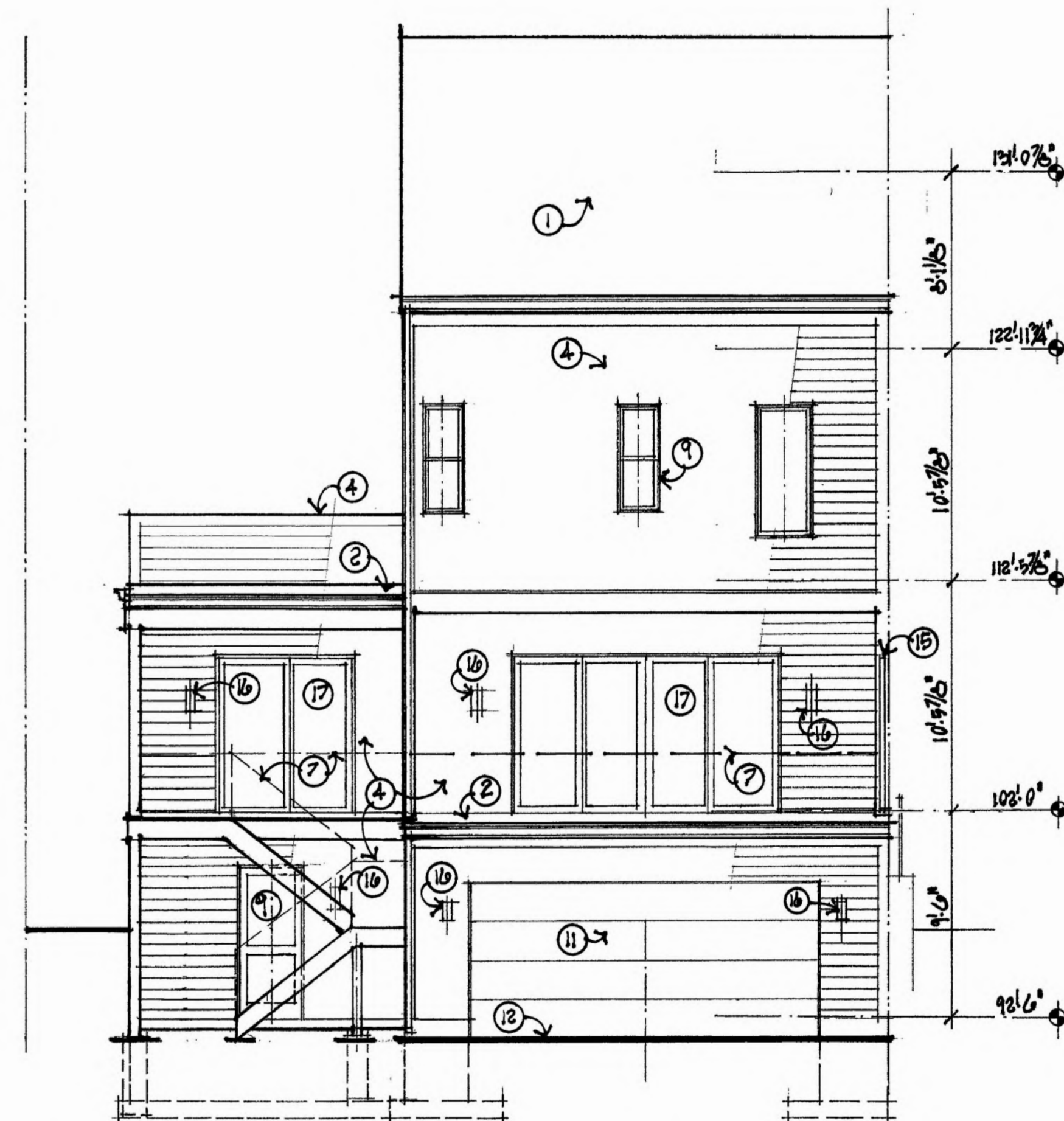
• EAST ELEVATION • 3/16" •

• ELEVATION KEY NOTE 1 KEYNOTE #

1. FIBERGLASS ROOFING SHINGLES
2. SINGLE MEMBRANE ROOFING SYSTEM
3. FIBER CEMENT BD PANELS W/ TRIM CURK OND (SOUTH ELEV AND)
4. HORIZONTAL FIBER CEMENT BD LAP SIDING W/ TRIM
5. PROT. CONC. WATERTABLE BAND (HORIZ) @ FLR. LINE.
6. ARCH CONC UNIFACED FINISH/RETAINING WALL/PROT CAP.
7. CONTD PREFAB MTL QUARDRAILING (ALONG RETAINING WALL)
8. ALUM. CLAD RH. W/PWS. EQ TO "ANDERSEN EAGLE SERIES"
9. EQ TO BELLA ARCHITECT SERIES" PALUM CLAD AD ENTRY PR.
10. STAMPED CONC. ENTRY WALK/LANDING.
11. EQ TO "CLOPY-MODERN STEEL SERIES" OVERHEAD GAR DOOR
12. APPROX. FINISH GRADE
13. APPROX TOP/RETAINING WALL @ 90 FINDLAY STREET
14. STEP FOOTINGS AS REQ'D BY GRADE
15. PRIVACY SCREEN, 72" HT. ADBY FLR
16. "MODERN" STYLE WALL MTD SCONCE LIGHT FIXT. TYP.
17. "ANDERSEN" OKE & CLAD EAGLE SERIES CLIND PATIO DR.



• WEST ELEVATION • 3/16" •



• NORTH ELEVATION • 3/16" •

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NEW SINGLE-FAMILY HOME  
**VAN DER ZEE RESIDENCE**  
28 FINDLAY STREET  
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**EXTERIOR ELEVATIONS**

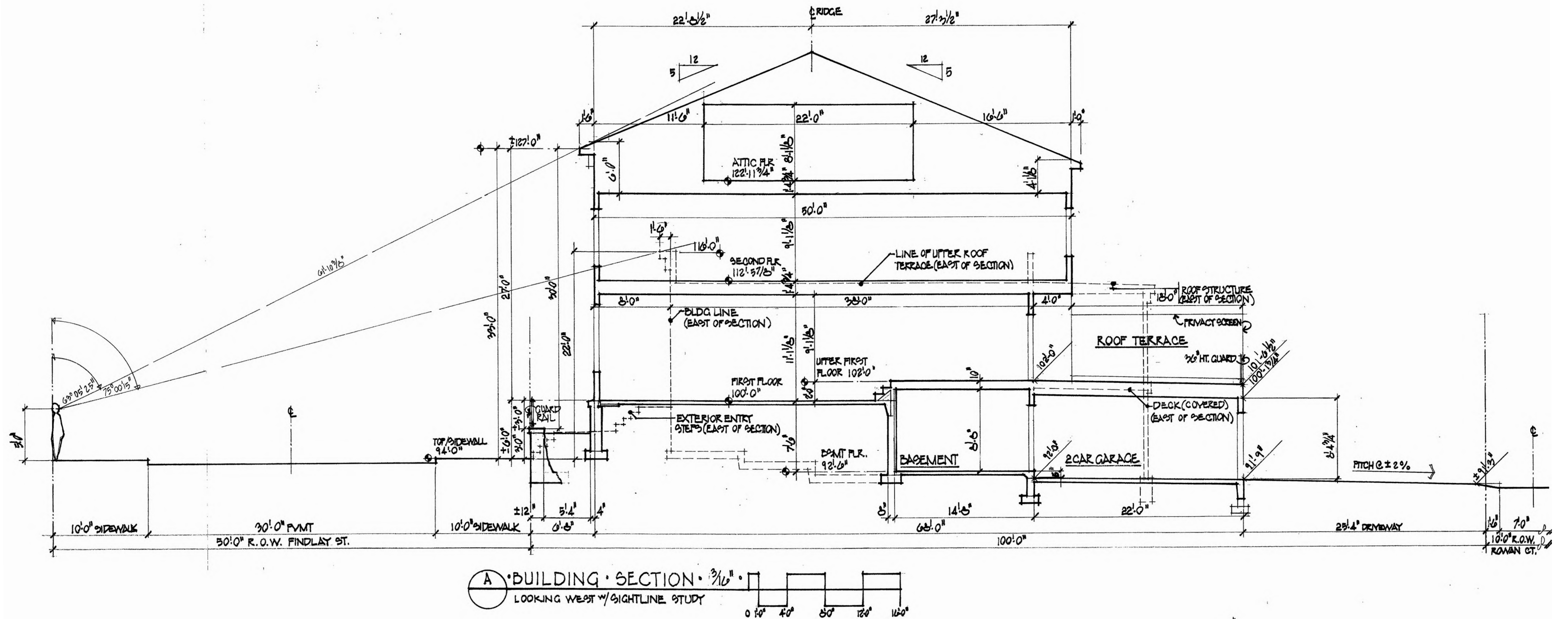
REV. DRAWING NO.  
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2 PROPOSED STREET WALL  
AS.1 Scale: NONE

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BUILDING SECTIONS

REV. DRAWING NO.  
0 AS.1



1 PROPOSED RENDERING  
 AB.2 Scale: NONE



1 PROPOSED RENDERING  
 AB.2 Scale: NONE



1 PROPOSED RENDERING  
 AB.2 Scale: NONE

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NEW SINGLE-FAMILY HOME  
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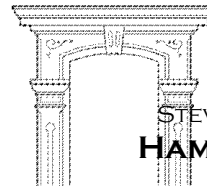
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 DRAWING TITLE

**BUILDING RENDERINGS**

REV. DRAWING NO.  
 0 AB.2



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**HAMPTON ARCHITECTS, LLC**

23 October 2020

Beth Johnson  
Urban Conservator  
City of Cincinnati  
805 Central Avenue  
Cincinnati, Ohio 45202

**RE: Zoning Variances and Certificate of Appropriateness for 28 Findlay Street**

**Ms. Johnson and the Historic Conservation Board:**

This is a request for a Certificate of Appropriateness and a Variance for relief from zoning requirements for the construction of a new single-family dwelling on the vacant lot at 28 Findlay Street.

Project Narrative

The project consists of a new single-family building on the existing vacant lot at 28 Findlay Street. The existing site is an atypically wide lot for Over-the-Rhine, about 40' wide and 100' deep. There is an existing stone retaining wall on Findlay Street, between 3' and 4' high that creates a grade that sits above Findlay Street. The site is mostly level before dropping down about 6'-7' to Rowan Court, a narrow dead-end alley. According to historic Sanborn Fire Insurance maps, there originally was a 2 story brick residential building on the site that was set back  $\pm 10'$  from Findlay Street and was  $\pm 20'$  wide and  $\pm 72'$  deep. There were 1-story outbuildings along Rowan Court. It appears the buildings were demolished c. 1970.

The proposed building will be 2 ½ stories tall and  $\pm 4,000$  GSF. The building is sited similar to how the original building was, tight to the property line on the west with open space on the east side and set back from Findlay Street about 6'. The existing stone retaining wall will remain with grade remaining about 3' above Findlay Street. The wall will be repaired and a new set of stairs cut in for the primary access. The building is split into two primary masses, a 2 ½ story portion on the west and a 1 story narrower portion set back on the east, to provide a more vertical primary facade. There is a limestone base with an 8" water table detail. The primary exterior cladding is painted fiber cement board lap siding, with a 6" exposure. The south façade includes aluminum clad wood double hung windows matching typical Over-the-Rhine proportions. A 4-panel aluminum clad wood entrance door and transom is provided. Windows are recessed deeper than a typical lap siding contributing building with a 2x6 framed wall. Openings are trimmed with a perpendicular fiber cement board trim to create a deeper opening and shadow lines. Below the windows, the recessed opening is continued through to create a fiber-cement board panel element to emphasize the vertical. Opening lintel trim is an 8" high fiber-cement board. The cornice is a simplified version of an Italianate metal or wood cornice, with fiber cement board panel trim and rectangular corbel blocks, with a metal gutter and downspout. The 1-story portion of the façade has the same cornice treatment but acts as a guardrail for the roof deck beyond.

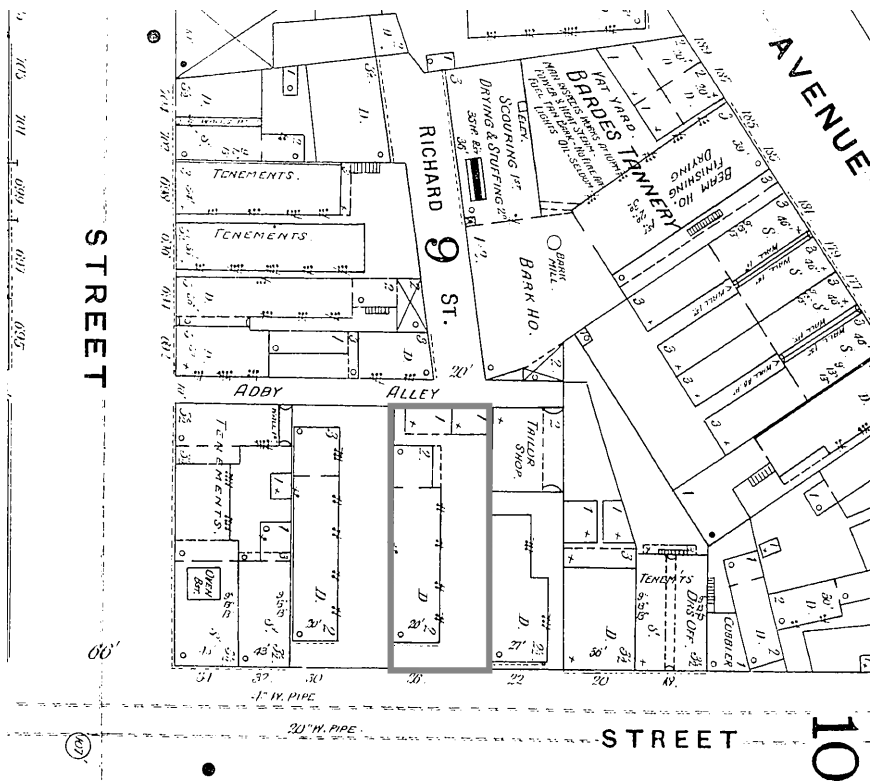
The remainder of the building is clad with the same fiber cement board lap siding, with aluminum clad wood double hung windows and doors. At the rear of the building, the garage roof creates a roof deck with privacy screen to the west and metal guardrail on the north. A pressure treated wood deck and roof structure is also included to the east.

The grade difference in the site allows the garage to sit in the basement, and access Rowan Court at the rear of the building via a driveway.

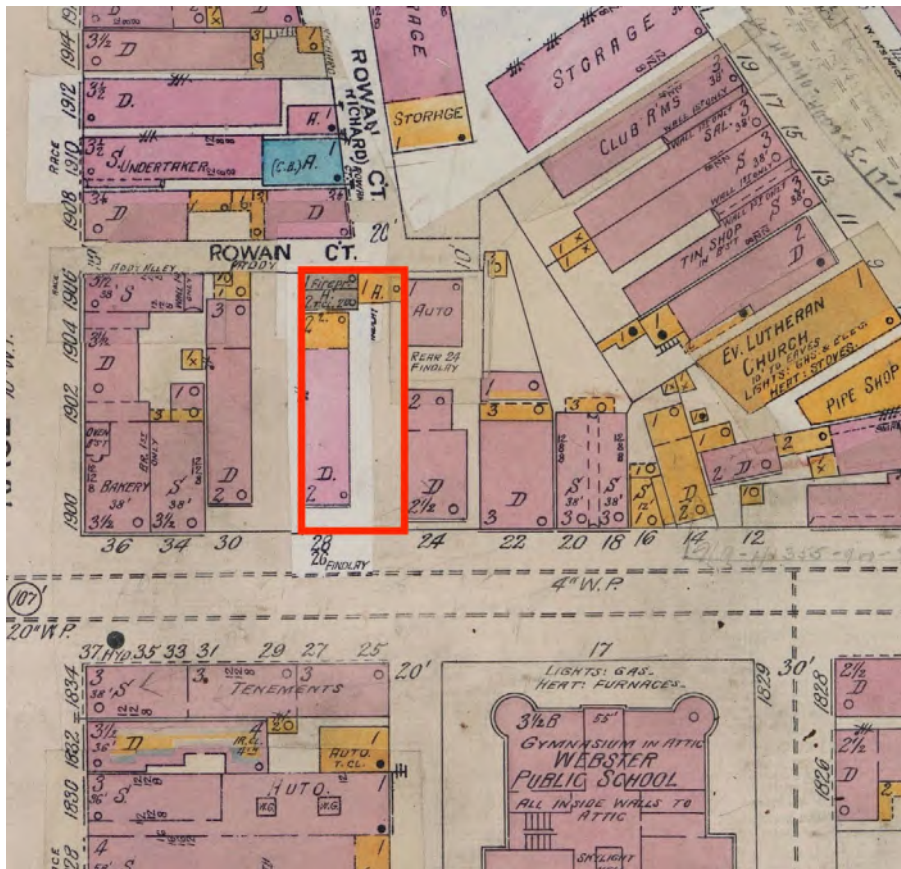
The roof on the 2 ½ story portion of the building is a simple gable roof, sloping to the front and back and clad with asphalt shingles. The 1 story portion of the building is a flat roof with a walkable deck surface, and is hidden from the primary view by the cornice wall.

There will be a 3' high decorative metal guardrail installed on the top of the stone wall, a decorative metal gate on the east side of the building controlling access to the rear, and a 6' high solid wood privacy fence at the rear.

The project is anticipated to break ground in early 2021, with completion in late 2021. Project construction budget is \$ 450,000.



Sanborn Fire Insurance Map, 1889



Sanborn Fire Insurance Map, 1930



Existing vacant lot (Findlay Street).



Proposed primary façade (Findlay Street).



Proposed Findlay Street streetscape (looking east)



Proposed Findlay Street streetscape (looking west)



Rear of site (looking east down Rowan Court from Race Street).



Rear of site (looking west down Rowan Court).

## Certificate of Appropriateness

As an infill project, the new construction seeks to be compatible with the surrounding contributing structures by responding to the guidelines of the Over-the-Rhine historic district.

*1. Composition: New buildings should respond to the traditional subdivisions found on historic property: a base, a middle and a top. Most buildings in Over-the-Rhine are built of brick with the principal facade parallel to the street it faces. The most important features of buildings in Over-the-Rhine are the arrangement of openings on the principal facade and an overall vertical emphasis of the whole design. Each building provides its own variations, but collectively they share many basic features.*

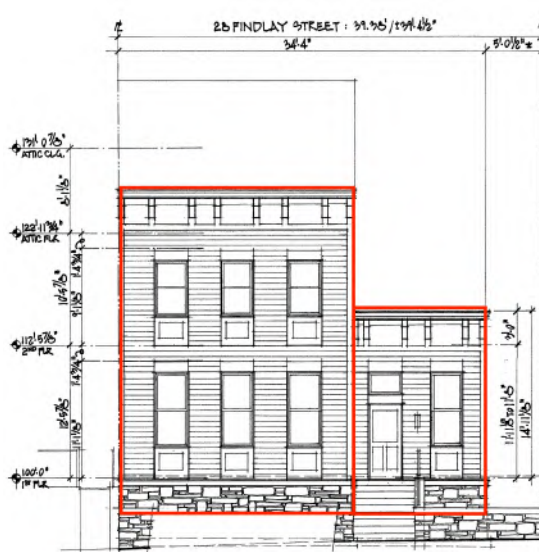
*Base: New buildings should have a well-defined base. Within the district most buildings have a base that is distinguishable from the rest of the building. This is accomplished through a change of materials, a change of scale, and/or a lintel or other type of horizontal banding. In larger buildings the original base may include more than the first floor.*

*Middle: Details on new buildings should relate to the detailing of adjacent or nearby buildings. Buildings in the district often incorporate architectural details such as changes in plane or changes in materials on their upper floors. Decorative, horizontal bands indicating the floor lines, sill heights or lintel heights should not overpower the vertical emphasis of the design.*

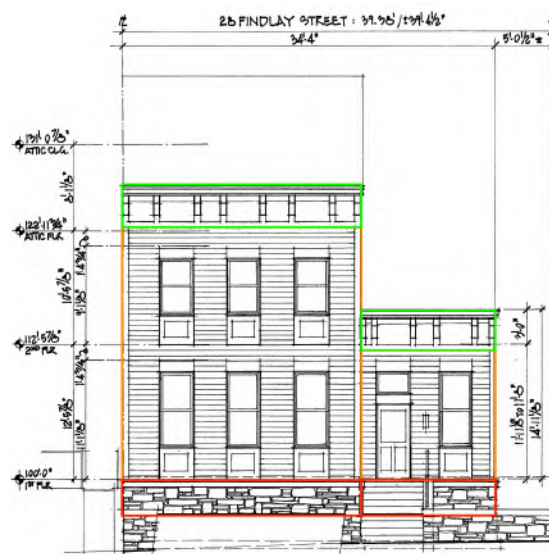
*Top: New construction must employ a strong element that terminates the uppermost part of the building. Distinctive elements in the architecture of Over-the-Rhine are elaborate projecting cornices, decorative parapets and the expressive use of materials.*

The massing of the building is arranged to create a more vertical focus, with the primary building element being taller than wide. The 1 story portion of the building is set back from the primary façade and is kept lower to maintain the primary massing that is similar to other buildings on the block.

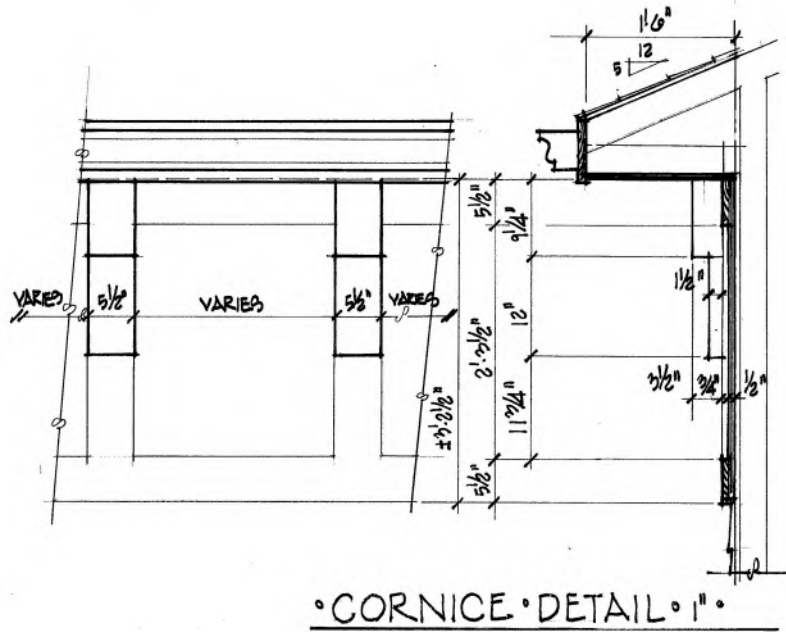
A clearly defined base is provided with limestone and an 8" projected water table trim. The middle is lap siding, but the window openings are provided with an additional trim panel below to emphasize the verticality. A cornice caps the façade with appropriate massing, but with a simplified trim and corbel detailing reflecting that this is a modern addition.



Massing Study



Base/Middle/Top Study



*2. Roofs: Roofs for new construction should be similar to roofs of adjacent and nearby buildings of similar size and use. In the district, buildings of three or more stories generally have low-pitched shed roofs that are not visible above the principal facade. Smaller buildings in the district typically have simple gable roofs on which the gables are perpendicular to the principal facade. Institutional buildings in Over-the-Rhine have a variety of roof shapes, including dormers, multiple gables, hip roofs and towers. Roofs in this district have little or no overhang.*

The primary roof is a gable roof, pitching both front and back. The secondary roof on the 1-story section is a flat roof creating a roof deck from the second floor. This is hidden behind the parapet/cornice which is typical of 1-story wood frame buildings in the district.



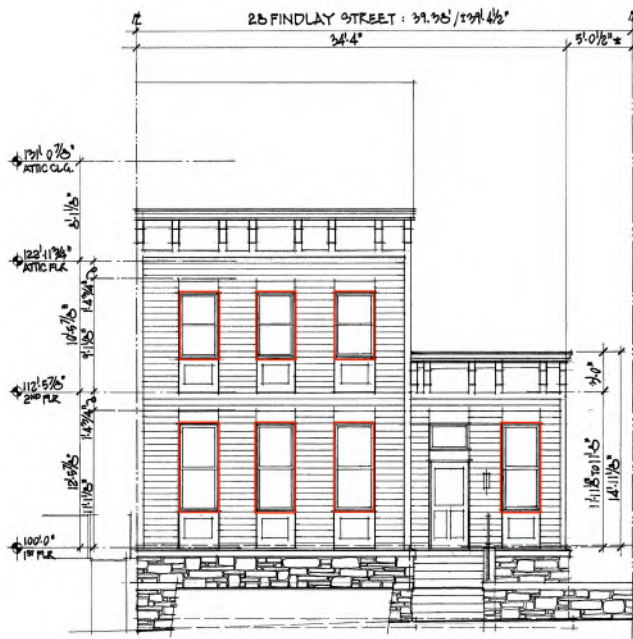
Example Parapet/Cornice detail at 137 Mulberry Street

*3. Window Openings: Window openings are extremely important in this district. The openings of new buildings should be related to the size and placement of openings found on historic structures of similar use in the district. In residential buildings, window openings are typically found individually rather than in pairs or grouped. The openings are taller and wide (typically in a proportion of 2:1), window sash are set back from the wall surface, and openings have some form of definition, such as lintels, sills or decorative*

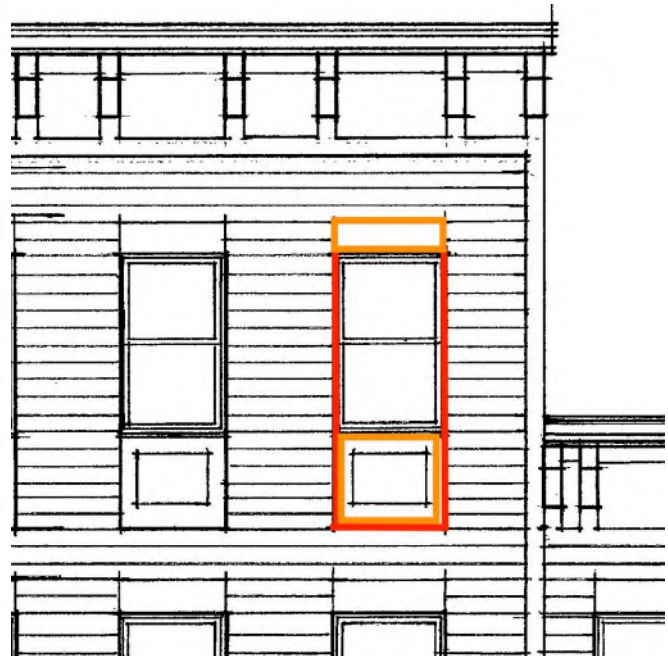
surrounds. Window openings, which are typically aligned vertically, usually occupy between 20% and 50% of the principal facade. In commercial, industrial and institutional buildings, windows are often grouped within a single opening. These building types may also use a combination of window sash, including double-hung, awning and hopper.

If muntins are used in new window sash, they must provide true divided lights. Within the individual opening, window sash are usually divided into two or more lights. In all cases the glass must be clear; tinted or reflective glass is not acceptable. Also, roll down shutters and metal bar systems installed on the exterior of the building that cover door and window openings are not appropriate.

Aluminum clad wood double hung windows are provided in a  $\pm 2:1$  proportion, in a pattern and spacing similar to surrounding contributing buildings. The typical detail for a framed building is that the window is relatively flush with the cladding due to the relative thinness of the wall construction. On the primary facades, this building will have a 2x6 framed wall which will allow the windows to be set back from the cladding an additional 2". The jamb detail will include a fiber cement board trim that is perpendicular to the wall instead of a flat "frame" around the window, which will provide an additional depth to the shadow lines. Below the windows, the trim frame will continue creating a recessed panel which will add additional emphasis to the verticality of the windows. There will be an 8" high fiber cement board lintel trim board. All openings and trim will be aligned with the coursing of the lap siding.



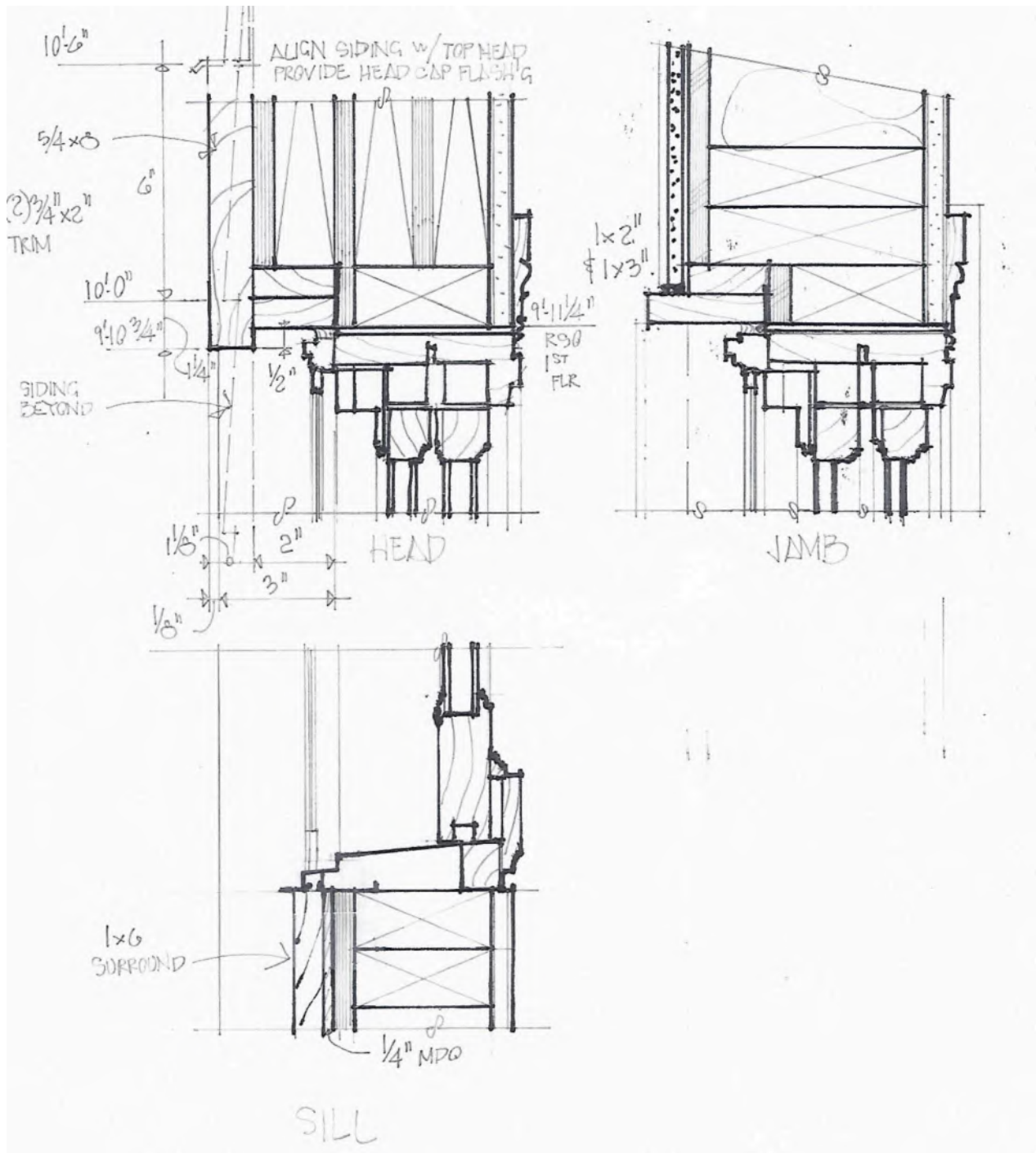
Window Study



Window Trim Study



Window & Panel Trim Detail



Window & Panel Trim Details

*4. Storefronts: New storefronts should relate to the characteristics of existing storefronts on historic buildings. Storefronts in the district are typically taller than individual upper floors; framed by piers and/or columns and have a lintel separating them from the upper floors; are divided into bays which increases their verticality and provides a pedestrian scale and proportion; and have large, fixed expanses of clear (not tinted or reflective) glass. As with rehabilitated original storefronts, roll down shutters and metal bar systems installed on the exterior of the building are not appropriate elements for new storefronts.*

*The storefront lintels are 12 to 18 feet above grade; the window sill height is between 18 inches and 3 feet above grade; and storefront windows are set back from the structural elements approximately 12 inches.*

Not applicable to a single-family building.

*5. Setback: Setback is an important issue in a dense urban area such as Over-the-Rhine. The setback for new construction should be consistent with the buildings of similar use on adjacent and nearby sites. In Over-the-Rhine, most commercial buildings are built up to the property line. Some residential property, especially detached buildings, have shallow setbacks but retain an "edge" at the property line with a fence. Some larger institutional buildings such as schools, churches and public buildings are setback from the street to provide public space and to add to their monumentality. In most cases new construction on corner sites should be built up to the edge of both outside property lines.*

The original building on the site was set back  $\pm 10'$  from Findlay Street, in addition to being raised up about 3' from the sidewalk due to a stone wall. The proposed single-family residential building sets the main portion of building back 6'-8" from Findlay Street and retains the stone wall. The buildings immediately adjacent on both the west and east are set back from the street,  $\pm 10'$  on the west and  $\pm 5'$  on the east.

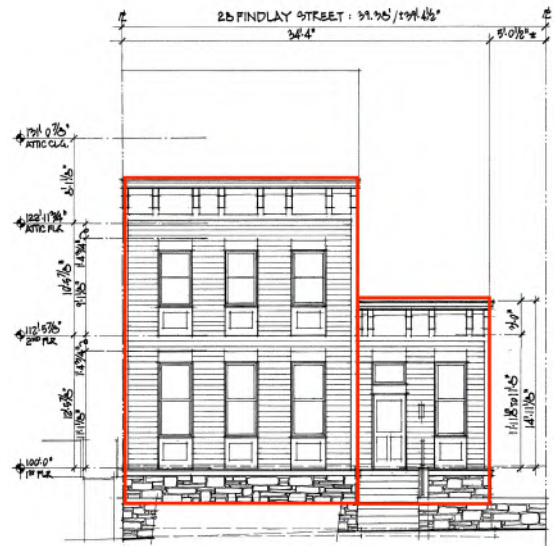
The original building was built tight to the property line on the west, but left  $\pm 19'$  as open space on the east. The proposed building also is built tight to the property line to the east, but only leaves a 5' alley as open space to the east.



Existing site showing buildings set back on west and east adjacent properties

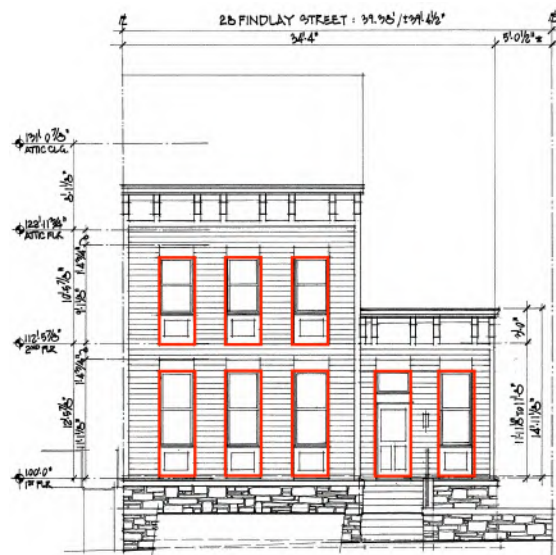
**6. Rhythm:** New buildings should incorporate design features, such as window groupings, articulation of wall surfaces, and decorative elements such as columns or piers in an effort to maintain the rhythm that already exists in the district. New construction should avoid creating long unrelieved expanses of wall along the street by maintaining the rhythm of bays found in the district. Most buildings in Over-the-Rhine are relatively narrow, 25 to 50 feet in width. A building facade typically displays vertical subdivisions that establish a visual rhythm. In dense commercial areas such as Vine Street, there are no setbacks, creating a solid wall along the street. This wall is articulated by the individual buildings, which in turn are divided by window groupings, changes in wall planes and decorative elements such as pilasters, columns or piers.

As the existing parcel is relatively wide, the building mass is split into two sections. The larger 2 1/2 story section maintains the massing of a building on a typical 25' wide, while a smaller 1 story section is set back an additional 8' to maintain the verticality of the building.



**7. Emphasis:** New residential and mixed-use construction should have a vertical emphasis, because in Over-the-Rhine buildings are taller than they are wide, window openings are tall and narrow, and storefronts have slender columns, which emphasize verticality.

Window openings are provided with an additional trim panel below recessed to match the face of the window, in order to provide additional rhythm and verticality.



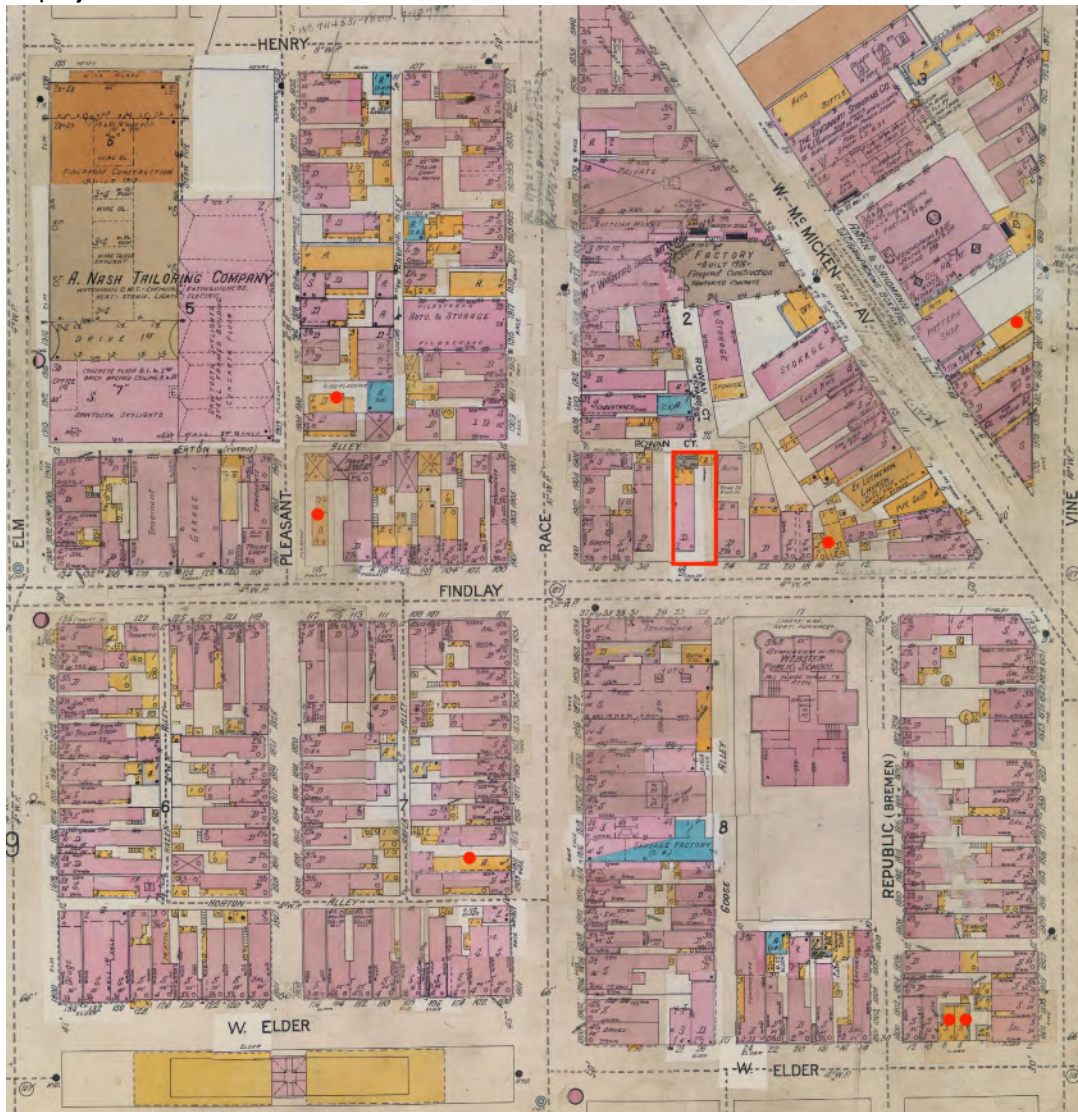
**8. Height:** The height of new construction should not vary more than one story from adjacent contributing buildings. Most buildings in Over-the-Rhine are between two- and five-stories.

The building is 2 1/2 stories, which is in line with the adjacent buildings on each side that are 2 1/2 stories each, as well as with the rest of the block which does not exceed 3 1/2 stories.



*9. Materials: New construction should use materials that are found on the historic buildings in Over-the-Rhine. Clearly the dominant material in Over-the-Rhine is brick, but other materials such as limestone, sandstone, cast-iron, slate, wood and sheet metal are important as well. Materials such as stucco, synthetic stucco and plastic are not appropriate and should not be considered as exposed finish materials for new construction in this district.*

The primary material for this building is fiber cement board lap siding with a 6" exposure. While the majority of buildings in Over-the-Rhine are masonry, there were historically a significant number of wood framed buildings with lap siding. Many of these have not survived due to not being as durable when neglected. Referring to the Sanborn Fire Insurance map from 1930 as a representative sample, at least 7 residential buildings in just the few surrounding blocks were frame structures. Typically, frame structures were interspersed randomly within blocks similar to this project.



1930 Sanborn Fire Insurance map (red dots indicate primary residential structures that were wood framed)

Examples of framed structures with lap siding within the Over-the-Rhine historic district include the following:



37 Mulberry Street



135 Mulberry Street



137 Mulberry Street



1706 Pleasant Street

Examples of framed structures with lap siding within adjacent historic districts include the following:



338 Milton Street



465 West McMicken Avenue



525 West McMicken Avenue

The base material for the primary façade is architectural precast concrete in the same color as limestone, including an 8" high cut water table profile.

New site fencing is 3' high on the primary façade and 6' high at the side gate and is a painted ornamental metal with at least 50% transparency and follows the Over-the-Rhine Historic District Conservation guidelines for Site Improvements by being wrought-iron style. Rear fencing is a 6' high solid wood privacy fence.

### Variances

Per the adjudication letter provided by Urban Conservator Beth Johnson on October 16, 2020 the following variances are required:

1. 1409-17(a): Building Setback/Frontage. The building must be located at the front lot line. The proposed building is located 6'-8" from the front lot line. A variance of 6'-8" is required.
2. 1409-19(a): Articulated Building Street Face. The building is allowed to have 1 SF of building articulation from the build to line. The proposed building has 98 SF and the building is 34.24' wide. A variance of 73.75 feet is required.

The existing site includes a stone retaining wall at the front property line, raising the grade to  $\pm 3'$  above the sidewalk, making it impossible to build to the front property line. Both abutting properties to the east and west are set back between 5' and 10', and per the infill guidelines residential buildings may be set back as well as new structures should be consistent with adjacent properties. Lastly, the original building was set back  $\pm 10'$ , so there is historic precedent for the replacement building to be allowed to be set back from the property line.

Per Cincinnati Municipal Code 1445-13, a Variance may be granted if it is the 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 or the Land Development Code, as applicable.* The building placement conforms to the guidelines of the Over-the-Rhine historic district.
- 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 complies with the Over-the-Rhine Historic District guidelines for setbacks, including respecting adjacent properties.
- 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.* The proposed work will help achieve goals set forth in the Over-the-Rhine Comprehensive Plan, including Housing Goal 1: Encourage and welcome new investment at all levels of the housing market.
- 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.* No impact.
- e) *Buffering. Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.* No impact, in fact the building improves the vacant lot currently there.
- f) *Landscaping. Landscaping meets the requirements of Chapter 1423, Landscaping and Buffer Yards.* None required.
- g) *Hours of Operation. Operating hours are compatible with adjacent land uses.* No impact.
- 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 complies with the Over-the-Rhine Historic District guidelines for setbacks, including respecting adjacent properties.
- i) *Proposed Zoning Amendments. The proposed work is consistent with any proposed amendment to the zoning code or the Land Development Code then under consideration by the City Planning Commission or Council.* No impact.
- 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.* No impact.

- k) *Blight. The elimination or avoidance of blight.* The proposed building will replace a lot vacant since 1970.
- l) *Economic Benefits. The promotion of the Cincinnati economy.* The proposed building will add permanent housing on a lot vacant since 1970.
- m) *Job Creation. The creation of jobs both permanently and during construction.* No impact.
- n) *Tax Valuation. Any increase in the real property tax duplicate.* The proposed building will increase the property value.
- o) *Private Benefits. The economic and other private benefits to the owner or applicant.* The owner will be able to create a building footprint that will make the project feasible.
- p) *Public Benefits. The public peace, health, safety or general welfare.* Additional owner-occupied housing will benefit the Over-the-Rhine neighborhood.

In addition, per Cincinnati Municipal Code 1445-15, a Variance may be granted based on the following:

- a) *That neither the owner nor any of its predecessors caused the nonconformity requiring a variance.* The building replaces a structure demolished in 1970.
- b) *The project meets either of the following conditions:*
  - i. *Owing to special circumstances or conditions pertaining to a specific piece of property, the strict application of the provisions or requirements of this Code or the Land Development Code, as applicable, are unreasonable and would result in practical difficulties.* Due to the existing stone walls, the site grading, and existing setbacks of the adjacent properties make building to the property line very difficult.
  - ii. *The 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.* Over-the-Rhine Historic District guidelines allow for setbacks for residential infill construction, so other properties are afforded this opportunity as well.

I request a Certificate of Appropriateness and Variances to allow the new construction. Owing to special conditions pertaining to this specific piece of property, the strict application of the provisions or requirements of this Code are unreasonable and would result in practical difficulties. I feel that the project is compatible to the Over-the-Rhine Historic District and surrounding properties.

Thank you for your consideration. Please let me know if you have any additional questions or concerns.

Sincerely,



**Steven T. Hampton**  
Architect, NCARB

copies: file

**MATERIALS**  
**LAP SIDING AND TRIM**

# HardiePlank®

Thickness 5/16 in  
Length 12 ft planks

## SELECT CEDARMILL® & SMOOTH

Width	5.25 in	6.25 in	7.25 in	8.25 in	9.25 in*
Exposure	4 in	5 in	6 in	7 in	8 in
Prime Pcs/Pallet	360	308	252	230	190
ColorPlus Pcs/Pallet	324	280	252	210	—
Pcs/Sq	25.0	20.0	16.7	14.3	12.5

## SELECT CEDARMILL®



## SELECT CEDARMILL®

Width	5.25 in	6.25 in	7.25 in	8.25 in	9.25 in*
STATEMENT COLLECTION™			✓	✓	
DREAM COLLECTION™	✓	✓	✓	✓	
PRIME	✓	✓	✓	✓	✓

## SMOOTH



## SMOOTH

Width	5.25 in	6.25 in	7.25 in	8.25 in	9.25 in*
STATEMENT COLLECTION™					
DREAM COLLECTION™	✓	✓	✓	✓	
PRIME	✓	✓	✓	✓	✓

## BEADED CEDARMILL®

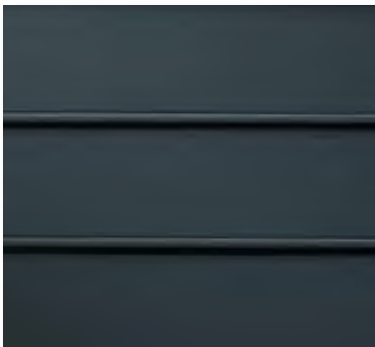


## BEADED CEDARMILL® & BEADED SMOOTH

Width	8.25 in
Exposure	7 in
Prime Pcs/Pallet	240
ColorPlus Pcs/Pallet	210
Pcs/Sq	14.3

STATEMENT COLLECTION™	—
DREAM COLLECTION™	✓
PRIME	✓

## BEADED SMOOTH

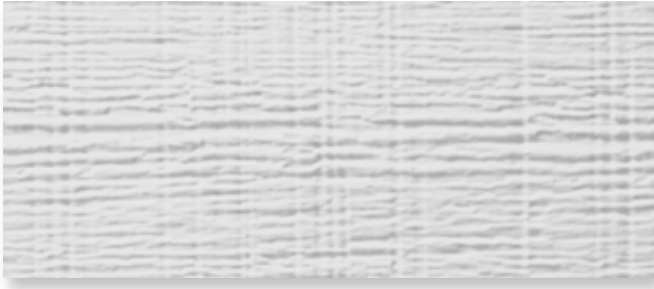


\*9.25 in widths do not feature the drip edge

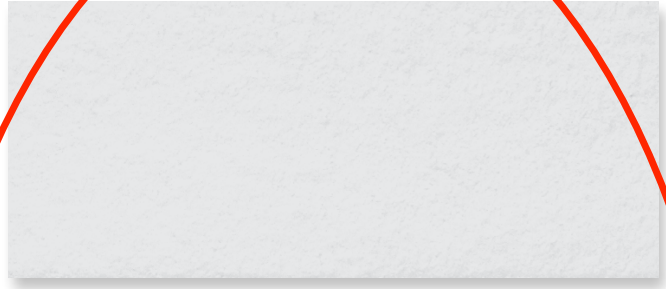
# HardieTrim®

Length 12 ft boards

## ROUGHSAWN



## SMOOTH



### 4/4 ROUGHSAWN

Thickness	.75 in				
Width	3.5 in	5.5 in	7.25 in	9.25 in	11.25 in
Prime Pcs/Pallet	312	208	156	104	104
ColorPlus Pcs/Pallet	312	208	156	104	104
<b>STATEMENT COLLECTION™</b>	AW	AW	✓	AW	AW
<b>DREAM COLLECTION™</b>	✓	✓	✓	✓	✓
<b>PRIME</b>	✓	✓	✓	✓	✓

### 4/4 SMOOTH

Thickness	.75 in				
Width	3.5 in	5.5 in	7.25 in	9.25 in	11.25 in
Prime Pcs/Pallet	312	208	156	104	104
ColorPlus Pcs/Pallet	312	208	156	104	104
<b>STATEMENT COLLECTION™</b>	AW	✓	✓	AW	AW
<b>DREAM COLLECTION™</b>	✓	✓	✓	✓	✓
<b>PRIME</b>	✓	✓	✓	✓	✓

### 5/4 ROUGHSAWN

Thickness	1 in					
Width	3.5 in	4.5 in	5.5 in	7.25 in	9.25 in	11.25 in
Prime Pcs/Pallet	240	200	160	120	80	80
ColorPlus Pcs/Pallet	240	200	160	120	80	80
<b>STATEMENT COLLECTION™</b>	✓		✓	✓	AW	AW
<b>DREAM COLLECTION™</b>	✓	✓	✓	✓	✓	✓
<b>PRIME</b>	✓	✓	✓	✓	✓	✓

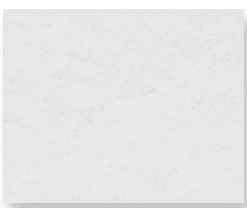
### 5/4 SMOOTH

Thickness	1 in					
Width	3.5 in	4.5 in	5.5 in	7.25 in	9.25 in	11.25 in
Prime Pcs/Pallet	240	200	160	120	80	80
ColorPlus Pcs/Pallet	240	200	160	120	80	80
<b>STATEMENT COLLECTION™</b>	✓		✓	✓	AW	✓
<b>DREAM COLLECTION™</b>	✓	✓	✓	✓	✓	✓
<b>PRIME</b>	✓	✓	✓	✓	✓	✓

AW - Arctic White only. Not available in the standard trim product Statement Collection™ color offering.

## BATTEN BOARDS

### SMOOTH



### RUSTIC GRAIN®



### SMOOTH & RUSTIC GRAIN®

Thickness	.75 in	<b>STATEMENT COLLECTION™</b>	✓
Width	2.5 in	<b>DREAM COLLECTION™</b>	✓
Prime Pcs/Pallet	190	<b>PRIME</b>	✓
ColorPlus Pcs/Pallet	437		

# STATEMENT COLLECTION™

Make your next home stand out with our Statement Collection™ products. Carefully curated by our design experts specifically for your market, the collection brings together the most popular James Hardie ColorPlus® siding and trim styles, textures, and colors. This stunning selection is locally stocked and designed for simplicity - making it easier than ever to get a beautiful, long-lasting home exterior.

## ColorPlus® Technology

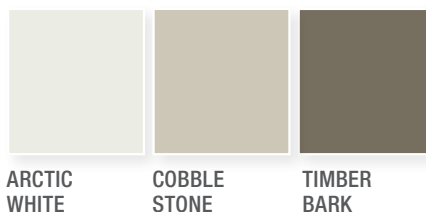
### Plank, Panel, Shingle and Batten Color Offering



### Trim Color Offering



### Soffit Color Offering



Colors shown are as accurate as printing methods will permit. Please see actual product sample for true color.

**MATERIALS**  
**STONE**

# Cordova Stone™

## FULL DEPTH VENEERS

### ARTISAN MASONRY STONE VENEERS®



**ECHELON™**

Quality masonry products from  
Oldcastle APG

A CRH Company



Beautifully emulates the look  
of natural limestone.

Performance Upgrade Option:  
EnduraMax™ Wall System

Cordova Stone's durable, high-density finish achieves the look of natural stone by incorporating all-natural aggregates and recycled content. Available in a variety of classic colors and finishes, Cordova Stone delivers the prestigious appearance of cut stone with all the benefits of manufactured stone veneers.

### Features & Benefits

- Ideal for interior & exterior applications
- Emulates cut stone look
- Color throughout unit
- Repels water & resists mold
- Durable
- Expanded colors & finishes
- Look of limestone

# Natural Colors & Textures

## EARTH BLEND



Canyon Blend    Desert Blend    Mountain Blend    Woodland Blend

Note: All color samples are representative only. For accurate color selection, ask your sales representative for samples.

## NATURAL

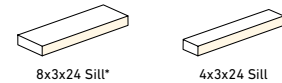
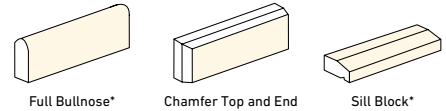
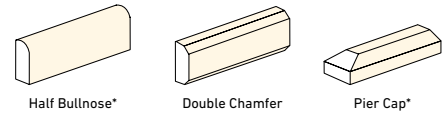
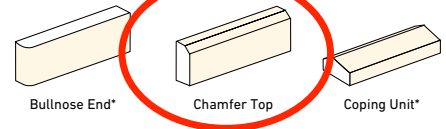
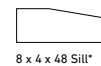
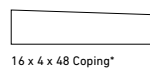
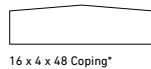
	Buff	Limestone	Alabaster	Graphite	Granite	Midnight
Ground Face						
Rock Face						
Texture Face						
Chisel Face						

## Select Shapes & Sizes

Using state-of-the-art equipment, Echelon can customize standard units to fit your special design needs. Inquire about the endless ways that Cordova Stone can bring your design concept together, including archway pieces, coping units and sill pieces.

## Unit Sizes

- 4" x 8" x 12"
- 4" x 16" x 12"
- 4" x 16" x 16"
- 4" x 4" x 24"
- 4" x 8" x 24"
- 4" x 12" x 24"
- 4" x 16" x 24"
- 4" x 18" x 24"
- 6" x 6" x 24"
- 6" x 8" x 24"
- 6" x 12" x 24"
- 6" x 16" x 24"
- 6" x 4" x 48"
- 8" x 4" x 48"
- 8" x 8" x 24"
- 4" x 16" x 48"



## NEW LONGER SIZES

Few mortar joints means reduced labor costs and less chance of water infiltration. These units are machine made and can be cut to your specifications.

Note: Available in many other shapes and sizes.

# **MATERIALS**

## **WINDOWS**

# EXTERIOR & INTERIOR TRIM OPTIONS

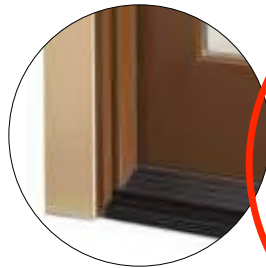
Details take your project from ordinary to extraordinary. The perfect finishing touches make every window and patio door an irreplaceable part of any home or commercial building. We offer the trim and accessory metals that make the final details of your project easier to complete and more beautiful to look at.

## EXTERIOR TRIM

Designed to add depth and traditional appeal, our exterior trim options extend outward from the window or door frame, casting a shadow line consistent with true historical applications. Choose from our extended selection of flat and profiled casings, brick mould casings and sill nose. Match or contrast the trim with your windows and doors in any of our 50 exterior colors, custom colors and anodized finishes.



3 1/2" backband and bead casing and 1 1/2" sill nose shown on casement



3 1/2" flat casing shown on hinged inswing patio door



2" brick mould and 1 1/2" sill nose shown on casement



3 1/2" brick mould and 1 1/2" deep sill nose shown on double-hung

## INTERIOR TRIM COMPONENTS

### Extension Jamb

Pre-installed, dimensional extension jambs save time on jobsites and help enable a perfect installation. Available in all wood species, extension jambs can accommodate a wide variety of wall conditions.



### Drywall Returns

We offer drywall returns in three depths:

1 1/16", 3/16" and 7/16"



### Wood Casing

A subtle touch around the perfect window or door makes your view even more special. Choose from four different casings and add plinth blocks at the corners for just the right touch of detail.



- A 1/2" x 3 1/4" Fluted Casing
- B 1 1/16" x 2 1/4" Colonial Casing (WM366)
- C 1 1/16" x 2 1/4" Colonial Casing (WM356)
- D 1 1/16" x 2 1/4" Ranch Casing (WM324)
- E 2 1/2" Plinth Block
- F 3 1/2" Plinth Block

# 50 EXTERIOR COLORS

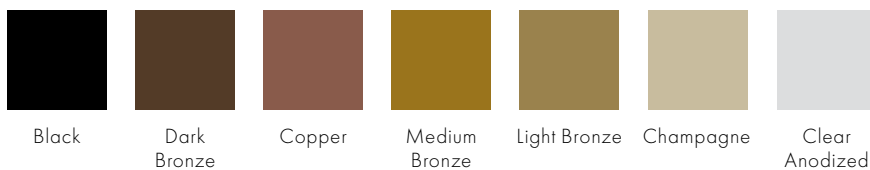
Our exclusive line of exterior colors offers a broad spectrum of quality, baked-on, silicone polyester enamel exteriors that meet AAMA 2604 specification. AAMA 2605 color compliance is also available.\* Our limited warranty covers exteriors for 10 years against chalking and color change and 20 years against cracking, checking, peeling, flaking, blistering and loss of adhesion.\*\*

## EXTERIOR COLORS



## 7 ANODIZED FINISHES

Choose from a spectacular selection of anodized finishes. Anodizing is a process that penetrates the aluminum like a stain penetrates wood. The result is a rich, lustrous metallic appearance that cannot peel or flake and is not affected by sunlight.\* This process produces a harder, more durable finish that makes this a perfect choice for high-traffic areas in commercial or residential buildings.



\*AAMA 2605 finishes are available in any of our 50 colors or select a custom color of your choice.

\*\*Visit [andersenwindows.com/warranty](https://andersenwindows.com/warranty) for details.

Printing limitations prevent exact color and finish replication. See your Andersen supplier for actual color and finish samples.

# DOUBLE-HUNG WINDOW

## FEATURES

### DOUBLE-HUNG WINDOWS

#### FRAME & SASH

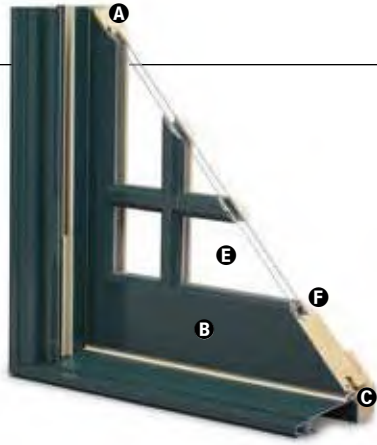
**A** Select wood components are kiln dried and treated with water/insect repellent and preservative. Interior wood surfaces are available in pine, mixed grain Douglas fir, cherry, hickory, mahogany\*, maple, oak, walnut, alder or vertical grain Douglas fir. Interior surfaces are available unfinished or factory primed. Factory-applied finishes are available in a variety of stain and paint options.

**B** Wood components are fitted with aluminum extrusions on the exterior. 50 exterior colors that meet AAMA 2604 and 2605 specifications are available, as well as custom colors. Also available is a selection of seven exterior anodized options.

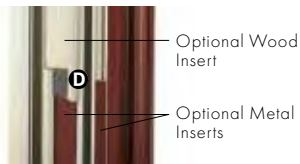
Optional vinyl installation flanges are pre-applied into a kerf on the frame exterior to facilitate installation. Optional aluminum flanges or metal installation clips are available.

**C** Compression bulb weatherstrip is applied on the bottom sash, head jamb, at the meeting rail and on side jambs for a maximum weather seal.

Jamb liners encase balancer assemblies that allow each sash to be tilted 90° inward from a bottom pivot and stay securely in place for washing.



**D** Double-hung jamb liners incorporate synthetic interior and exterior inserts or optional painted aluminum exterior and wood-veneered interior inserts.



#### GLASS

**E** High-Performance Low-E4® glass with a low-conductivity spacer. Triple-pane glass, tinted, clear dual-pane, high-altitude glass and other special glazing options are available.

**F** Glass is fixed in place from the interior with wood stops that can be removed for easy reglazing if necessary. Glass stops available in ovolo (colonial) and contemporary profiles.

#### HARDWARE

Sash lock/tilt mechanisms and keepers give a slim, more traditional design and allow opening and tilting of the window in one operation. Tilting the sash from the inside for cleaning is effortless.

Optional surface mount sash lifts allow for easy operation. Units less than 3' wide use one lift. Units 3' wide and greater use two lifts.

#### HARDWARE OPTIONS



Lock



Sash Lift

Antique Brass | **Black** | Bright Chrome | Bronze | Gold  
Oil Rubbed Bronze | Pewter | Polished Brass | Satin Chrome | White

Windows with VeriLock® sensors use a different sash lock. See the next page for details.

#### HARDWARE FINISHES



Antique Brass | Black | Bright Chrome | Bronze | Gold  
Oil Rubbed Bronze | Pewter | Polished Brass | Satin Chrome | White

Oil rubbed bronze is a "living" finish that will change with time and use.

## EXTERIOR & INTERIOR OPTIONS

**EXTERIOR COLORS** 50 exterior colors, 7 anodized finishes and custom colors. See exterior colors on [page 11](#)

#### INTERIOR WOOD SPECIES



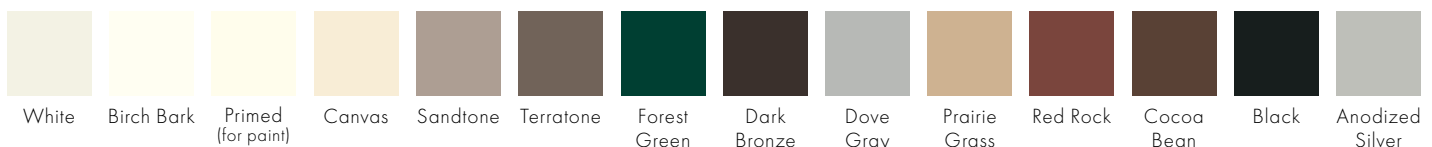
Pine | Mixed Grain Douglas Fir | Oak | Maple | Hickory | Mahogany\* | Cherry | Walnut | Vertical Grain Douglas Fir | Alder

#### FACTORY-FINISHED INTERIORS



Clear Coat | Wheat | Autumn Oak | Golden Hickory | Honey | Cinnamon | Russet | Mocha | Espresso

#### INTERIOR PAINTED OPTIONS



White | Birch Bark | Primed (for paint) | Canvas | Sandtone | Terratone | Forest Green | Dark Bronze | Dove Gray | Prairie Grass | Red Rock | Cocoa Bean | Black | Anodized Silver

Naturally occurring variations in grain, color and texture of wood make each window one of a kind.

All factory-finished options are shown on pine.

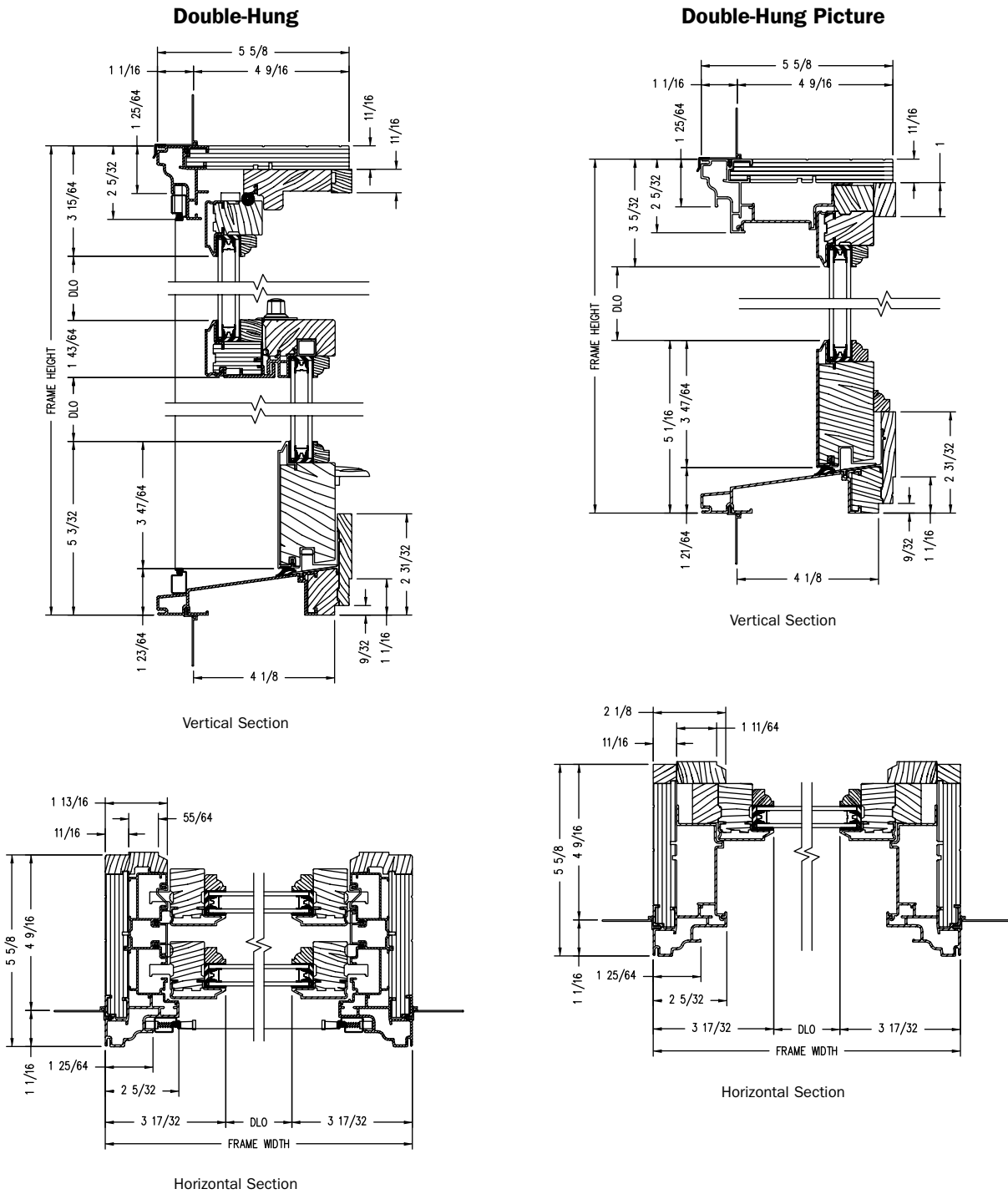
Painted options available on pine. Dark bronze and black painted options available on pine or maple. Anodized silver painted option available on maple only.

Interior custom stains, paints and color matching available.

\*Actual wood species is either Sapele or Sipo, both non-endangered species grown in Africa, with color and characteristics similar to Central American mahoganies. Printing limitations prevent exact replication of colors and finishes. Please see your Andersen supplier for actual color and finish samples.

# DOUBLE-HUNG WINDOWS

## Double-Hung Windows



Shown with ovolo (colonial) glass stops.

PROPER INSTALLATION AND MAINTENANCE OF E-SERIES PRODUCTS IS ESSENTIAL TO ATTAIN OPTIMUM PERFORMANCE AND OPERATION. WRITTEN INSTALLATION INSTRUCTIONS THAT PROVIDE GUIDELINES FOR PROPER INSTALLATION ARE AVAILABLE BY VISITING [ANDERSENWINDOWS.COM](http://ANDERSENWINDOWS.COM). CUSTOM SIZES ARE AVAILABLE. CONTACT YOUR LOCAL SUPPLIER FOR MORE INFORMATION. DRAWINGS ARE NOT TO SCALE.

**MATERIALS**  
**DOORS**

# Pella® Architect Series® Traditional

Wood & Aluminum-Clad Wood

Pella Architect Series  
Traditional

## Detailed craftsmanship

Crafted with classic aesthetics to make a design statement and add architectural interest to your project, inside and out.

## Virtually unlimited design choices

Extensive size offerings, grille patterns, finishes, wood types and glass options allow you to meet your project's design specifications.

## #1 limited lifetime warranty<sup>1</sup>

Pella Architect Series products are backed by the best limited lifetime warranty for wood windows and patio doors.



## Enduring designs

**Custom-crafted.** From unique sizes to one-of-a-kind grille patterns and custom glass options, we'll make your dream a reality.

**Low-maintenance exteriors.** Protect the aluminum-clad exterior with EnduraClad® finish and wood parts with EnduraGuard® wood protection.

**Stunning hardware designs.** Our expansive portfolio includes four unique collections made to complement a home's architectural design. Choose from our Essential, Classic, Modern and Rustic Collections.

## Achieve your vision

**Fine-furniture details.** Add drama and interest to a classic look with intricate details like matching sash and grille profiles. And with an array of classic and on-trend colors, your traditional-style products will look beautiful.

**Integrated security sensors.** Optional built-in security sensors integrate hidden technology into your windows and doors. The free Pella Insynctive App alerts homeowners when their windows and doors are open or closed and locked or unlocked.

**Tailor-made solutions.** From preliminary drawings to installation, Pella's expert team of architects, engineers, drafters and consultants can work to deliver custom window and door solutions for your project.

The classic window styles you love with fine-furniture detailing and exceptional energy efficiency are backed by the best limited lifetime warranty for wood windows and patio doors.<sup>1</sup> Every window or door is one of a kind, just like the wood it is crafted from.

Designed to last, Pella Architect Series - Traditional wood windows and patio doors offer optional Integral Light Technology® grilles to create the look of individual panes. Detailed hardware designs and finishes add personality to already beautiful wood windows and patio doors. Upgrade to impact-resistant glass to help protect against extreme weather, noise and intruders. For added peace of mind and convenience, use built-in security sensors with Pella's Insynctive® technology.<sup>2</sup>

Available in these window and patio door styles:



Special shapes also available.








<sup>1</sup> Based on comparing written limited warranties of leading national wood window and wood patio door brands. See Pella written Limited Warranty for details, including exceptions and limitations, at [installpella.com/warranties](http://installpella.com/warranties) or contact Pella Customer Service at 877-473-5527.

<sup>2</sup> Requires the Pella Insynctive App on a smart device, an Insynctive Bridge and a wireless home internet router with internet connection.

Colors & Finishes

**Wood Types** C T

Choose the wood species that best complements your project's interior.

 Pine	 Douglas Fir	 Mahogany	<b>Custom solutions:</b>			
 White Oak	 Red Oak	 Cherry	 Maple			






**Prefinished Pine Interior Colors** C T

When you select pine, we can prefinish in your choice of four paint colors or eleven stains. Unfinished or primed and ready-to-paint are also available.

 White	 Bright White	 Linen White	 Artisan Greige	 Natural Stain	 Wheat Stain	 Skyline Gray Stain	 Black Stain
 Golden Oak Stain	 Early American Stain	 Provincial Stain	 Dark Mahogany Stain	 Red Mahogany Stain	 Espresso Stain	 Charcoal Stain	

**Aluminum-Clad Exterior Colors** C T

Our low-maintenance EnduraClad® exterior finish resists chalking and fading. Take durability further with EnduraClad Plus protective finish, which meets the industry's highest exterior coating standard to help protect against chalking and fading.<sup>1</sup> Custom colors are also available.

 White	 Tan	 Putty	 Brown	 Classic White	 Vanilla Cream	 Poplar White	 Almond
 Sand Dune	 Honeysuckle	 Fossil	 Portobello	 Deep Olive	 Auburn Brown	 French Roast	 Summer Sage
 Hemlock	 Hartford Green	 Morning Sky Gray	 Eldridge Gray	 Iron Ore	 Black	 Naval	 Stormy Blue
 Real Red	 Brick Red	 Cranberry					

Glass

**InsulShield® Low-E Glass**

Advanced Low-E insulating dual-pane glass with argon<sup>2</sup> C T

Advanced Low-E insulating triple-pane glass with argon or krypton T

AdvancedComfort Low-E insulating dual-pane glass with argon<sup>2</sup> C T

NaturalSun Low-E insulating dual-pane glass with argon<sup>2</sup> C T

NaturalSun Low-E insulating triple-pane glass with argon or krypton T

SunDefense™ Low-E insulating dual-pane glass with argon<sup>2</sup> C T

SunDefense Low-E insulating triple-pane glass with argon or krypton<sup>2</sup> T

**Additional Glass Options**

Laminated (non-impact-resistant)<sup>4,5</sup>, tinted<sup>2,4</sup> or obscure<sup>2,4</sup> glass also available on select products C T

STC (Sound Transmission Class)-improved dual-pane sound glass<sup>3,6</sup> C T

Impact-resistant glass<sup>3,4</sup> T

<sup>1</sup> The highest exterior coating standard for painted aluminum exteriors is the AAMA 2605 standard. EnduraClad Plus protective finish is not available with all colors. See your local Pella sales representative for availability.

<sup>2</sup> Optional high-altitude InsulShield Low-E glass is available with or without argon on select products.

<sup>3</sup> Available on select products only. See your local Pella sales representative for availability.

<sup>4</sup> Available with Low-E insulating glass with argon on select products.

<sup>5</sup> For best performance, the laminated glass may be in the interior or exterior pane of the insulating glass, depending on the product.

<sup>6</sup> Sound control glass consists of dissimilar glass thickness (3mm/5mm).

Grilles

**Grille Types**

Choose the look of true divided light, removable roomside grilles or make cleaning easier by selecting grilles-between-the-glass.

 Ogee Integral Light Technology* <sup>1</sup> 7/8", 1-1/4" or 2" <span>T</span>	 Square Integral Light Technology* <sup>1</sup> 5/8", 7/8", 1-1/4" or 2" <span>C</span>	 Aluminum Grilles-Between-The-Glass 3/4" <span>C</span> <span>T</span>	 Roomside Removable Grilles <sup>1</sup> 3/4", 1-1/4" or 2" <span>T</span>
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**Grilles-between-the-glass Interior Colors:<sup>2</sup>**

 White	 Ivory	 Tan <sup>2</sup>	 Sand Dune	 Putty <sup>2</sup>	 Brown	 Harvest	 Morning Sky Gray
 Brickstone	 Cordovan	 Black					

**Grille Patterns**

In addition to the patterns shown here, custom grille patterns are available.

 12-Lite Prairie <span>T</span>	 14-Lite Prairie <span>T</span>	 Victorian <span>T</span>	 New England <span>T</span>	 Traditional <span>C</span> <span>T</span>	 9-Lite Prairie <span>C</span> <span>T</span>	 Top Row <span>C</span> <span>T</span>	 Cross <span>C</span> <span>T</span>	 Custom <span>C</span> <span>T</span>
 Diamond <span>T</span>	 Simulated French <span>T</span>							

Screens<sup>4</sup>

**Rolscreen®** C T

Rolscreen soft-closing retractable screens roll out of sight when not in use. Available on Pella Architect Series - Traditional casement windows and sliding patio doors and on Pella Architect Series - Contemporary sliding patio doors.

**Flat** C T

InView™ screens are clearer than conventional screens. Vivid View® screens offer the sharpest view, letting in 29% more light and 21% more airflow than conventional fiberglass screens.<sup>5</sup>

**Wood-Wrapped** C T

Optional wood veneer can be added over the metal screen channel on interior screens to provide a more seamless look.

Added Peace of Mind

**Integrated Security Sensors** C T

Integrated wireless security sensors maintain aesthetics, streamline security installation and ensure no warranty loss is caused by post-installation drilling. Sensors are compatible with major security panel systems. For more information, visit connectpella.com.

<sup>1</sup> Color-matched to your product's interior and exterior color.

<sup>2</sup> Appearance of exterior grille color may vary depending on the Low-E insulating glass selection.

<sup>3</sup> Only available with matching interior and exterior colors.

<sup>4</sup> Warning: Use caution when children or pets are around open windows and doors. Screens are not designed to retain children or pets.

<sup>5</sup> Improved airflow is based on calculated screen cloth openness. Screen cloth transmittance was measured using an integrated sphere spectrophotometer.

Window Hardware

Classic Collection

T

Get a timeless look with authentic styles in classic finishes.

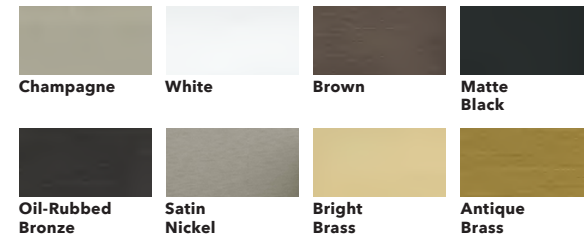


Fold-Away Crank  
Antiek



Spoon-Style Lock

Finishes:



Rustic Collection

T

Create a distinct and charming look with distressed finishes.



Fold-Away Crank  
Antiek



Spoon-Style Lock

Finishes:



Essential Collection

T

Select from popular designs and finishes to suit every style.

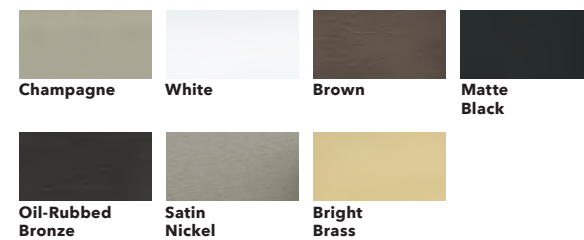


Fold-Away Crank



Cam-Action Lock

Finishes:



Modern Collection

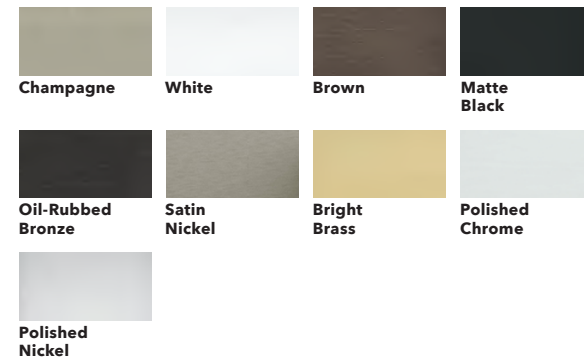
C

Achieve the ultimate contemporary look with exclusive hardware designed by Pella.



Fold-Away Crank  
Saldo

Finishes:



C Pella® Architect Series® - Contemporary  
T Pella Architect Series - Traditional

Patio Door Hardware

Classic Collection

C T

BALDWIN

Choose timeless pieces for a look that will never go out of style.



Hinged & Bifold  
Patio Door Handles  
Locus | Virago

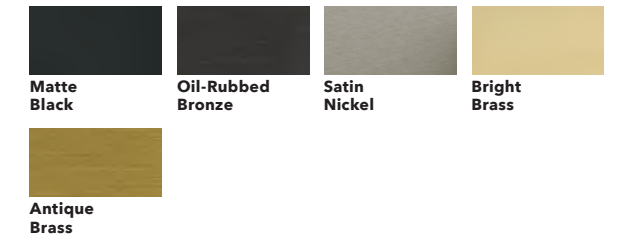


Sliding &  
Multi-Slide  
Patio Door  
Handle  
Ambrose



Multi-Slide  
Patio Door  
Handle<sup>1,2</sup>

Finishes:



Modern Collection

C T

BALDWIN

Achieve the ultimate contemporary look with sleek finishes.



Hinged & Bifold  
Patio Door Handle  
Spire

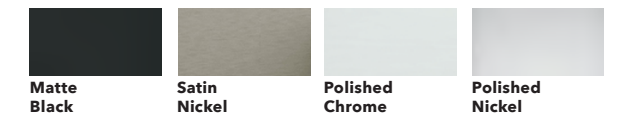


Sliding &  
Multi-Slide  
Patio Door  
Handle  
Plazo



Multi-Slide  
Patio Door  
Handle<sup>1,2</sup>

Finishes:



Rustic Collection

C T

BALDWIN

Stand out with bold looks and create an utterly unique aesthetic.



Hinged & Bifold  
Patio Door Handles  
Rustiek | Gusto



Sliding &  
Multi-Slide  
Patio Door  
Handle  
Notus

Finishes:



Essential Collection

C T

Elevate your style and transform a home with elegant selections.



Hinged & Bifold  
Patio Door Handles

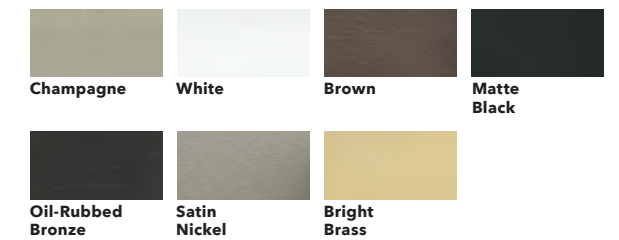


Sliding Patio  
Door Handle



Multi-Slide  
Patio Door  
Handle<sup>1,2</sup>

Finishes:



<sup>1</sup> Flush multi-slide handle is a Pella exclusive design.

<sup>2</sup> Flush multi-slide handle is not available in Antique Brass, Champagne or Polished Nickel.

**MATERIALS**  
GARAGE DOOR

# MODERN STEEL™ garage doors

Modern Steel™ garage doors complement contemporary and mid-century modern home styles. Doors are available with or without windows and with or without grooves in the panels. All are available in multiple paint and Ultra-Grain® finishes to create the perfect look for your home.



*Photographer, Brian Gassel  
Model 9202 Modern Flush Panel; Shown in Ultra-Grain® Cypress Walnut Finish*

AVAILABLE WITH

**intellcore**®  
insulation technology



**WARMER**

Energy efficiency provides year-round comfort



**QUIETER**

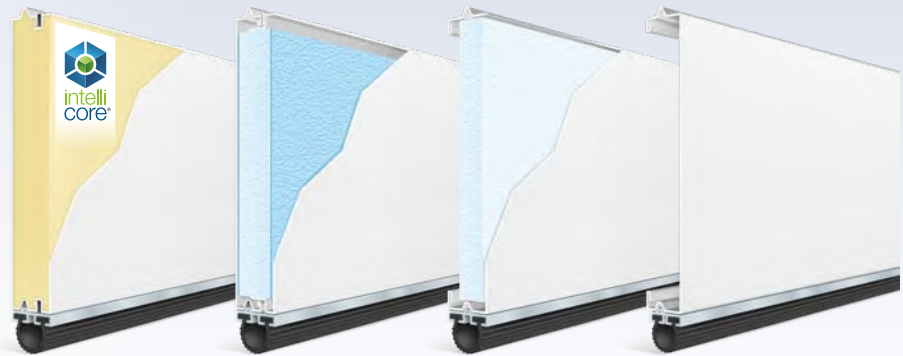
Dense insulation reduces noise by up to 16 decibels



**STRONGER**

Enhanced strength resists everyday wear and tear

# MODEL AVAILABILITY



## DOOR DESIGNS

Door design examples shown at 9' wide x 8' high  
Available window options listed below model number  
(See back cover for examples of window options)

TEXTURE

	3-LAYER				2-LAYER	1-LAYER
	2" Polyurethane	1-3/8" Polyurethane	2" Bonded Polystyrene	1-3/8" Bonded Polystyrene	1-5/16" Polystyrene	Non-Insulated
	18.4 R-value	12.9 R-value	9.0 R-value	6.5 R-value	6.3 R-value	

### MODERN FLUSH Door constructed using 24", 21" and 18" section heights

			9202 Contemporary Windows	9132 Contemporary Windows	4302 Contemporary Windows	4132 Contemporary Windows		
--	--	--	------------------------------	------------------------------	------------------------------	------------------------------	--	--

### MODERN FLUSH Door constructed using 21" and 18" section heights

			9201 Contemporary and Decorative Windows	9131 Contemporary and Decorative Windows	4301 Contemporary and Decorative Windows	4051 Decorative Windows	T42F (24 Gauge Steel) Decorative Windows	T40F (24 Gauge Steel) Decorative Windows
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### MODERN FLUSH Door constructed using 24" and 21" section heights

			9208 Contemporary Windows	9138 Contemporary Windows	4308 Contemporary Windows	4138 Contemporary Windows		
--	--	--	------------------------------	------------------------------	------------------------------	------------------------------	--	--

### MODERN GROOVED Door constructed using 24", 21" and 18" section heights

			9205 Contemporary Windows		4305 Contemporary Windows			
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### MODERN GROOVED Door constructed using 24" and 21" section heights

			9209 Contemporary Windows	9139 Contemporary Windows	4309 Contemporary Windows			
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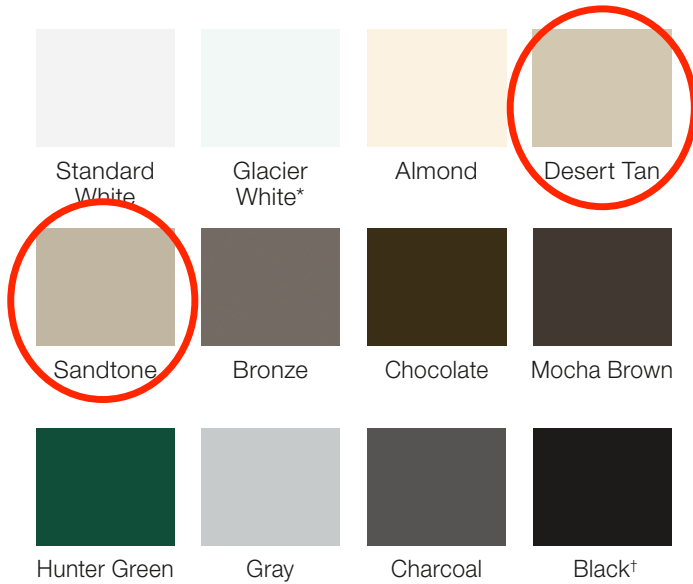
COLOR AVAILABILITY	Standard White	Glacier White	Almond	Desert Tan	Sandtone	Bronze	Chocolate	Mocha Brown	Hunter Green	Gray	Charcoal	Black	Ultra-Grain® Cypress Medium	Ultra-Grain® Cypress Cherry	Ultra-Grain® Cypress Walnut	Ultra-Grain® Cypress Slate
9202, 9205, 9208, 9209	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
9201	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
9132, 9138, 9139	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
9131	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
4302, 4305, 4308, 4309	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
4301	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
4132	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
4051	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
4138	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
T42F, T40F	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■

Calculated door section R-value is in accordance with DASMA TDS-163. For more information about color options see page 4.

Models with Ultra-Grain® finish and Black paint options are 25 gauge steel.

\*Exterior steel surface on an Ultra-Grain® finish door has a woodgrain texture on Modern Steel™ Collection doors.

## STANDARD COLORS



- Exterior steel on standard color flush doors will have either a stucco or woodgrain texture depending upon model chosen (see chart on page 3 for details). Grooved doors have a stucco texture.
- Doors can be painted to match the home's exterior using a high-quality latex exterior paint. Do not use oil-based paint.

*\*Popular in select markets, Glacier White is a brighter white.*

*† Additional charges apply.*

*Due to the printing process, colors may vary. See your Clopay Dealer for color samples. Not all colors available on all models. See previous page for complete color availability.*

## ULTRA-GRAIN® FINISH



Cypress Medium Finish    Cypress Cherry Finish    Cypress Walnut Finish    Cypress Slate Finish

- Painted steel surface simulates a stained door without the need of staining and the ongoing maintenance of wood.
- Woodgrain runs horizontal for an authentic, natural look.
- Available in Cypress Medium, Cherry, Walnut or Slate finishes that complement Clopay Entry Doors, shutters and other exterior stained wood products.
- Exterior steel surface on all Modern Steel™ Collection Ultra-Grain® finish doors have a woodgrain texture to create a more natural appearance.
- Window frames, grilles and inserts are a solid color to coordinate with Ultra-Grain® finishes.

*Due to the printing process, colors may vary.*

*Not all colors available on all models. See previous page for complete color availability. Additional charges apply.*

## CUSTOM PAINT OPTION



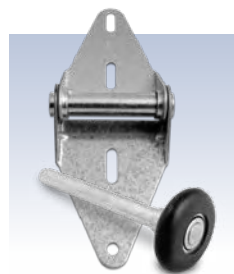
Color Blast® finish offers more than 1,500 Sherwin-Williams® color options to complement your home. This durable two-part paint system has been thoroughly tested and is backed by a five-year warranty.

## ADDITIONAL FEATURES

- Tongue-and-groove section joints help seal out wind, rain and snow.
- Replaceable vinyl bottom weatherseal in a rust-resistant aluminum retainer helps seal out the elements.
- Clopay's Safe-T-Bracket® helps prevent serious injury that could occur if the bottom bracket were removed with the garage door closed and under tension.
- Color-matched exterior step plate/lift handles are durable and allow for safe opening and closing of your door.
- 2" thick polystyrene doors and all Intellicore® insulation doors comply with 2015 IECC air infiltration requirement of 0.40 cfm/ft<sup>2</sup> or less (IECC, Section C402.5.2).
- See your Clopay Dealer for WINDCODE® door availability.

*For additional information about how to care for and maintain your door, visit: [www.clopaydoor.com/residential/support](http://www.clopaydoor.com/residential/support)*

## HEAVY-DUTY HARDWARE



2" thick polystyrene doors and all Intellicore® insulation doors come standard with 10-ball nylon rollers and heavy-duty 14 gauge steel hinges.

## WARRANTIES

PAINT SYSTEM	WINDOWS	HARDWARE
LIMITED <b>LIFE</b> WARRANTY	LIMITED <b>10YR</b> WARRANTY	LIMITED <b>3YR</b> WARRANTY

**APPLICATION FOR  
ZONING RELIEF AND  
CERTIFICATE OF APPROPRIATENESS  
HISTORIC CONSERVATION BOARD PUBLIC HEARING  
STAFF REPORT**

---

APPLICATION #: ZH20200049/COA2020168  
APPLICANT: CURB development LLC  
OWNER: 551-553 13th Street LLC  
ADDRESS: **553 E 13<sup>th</sup> Street**  
PARCELS: 075-0003-0117-00  
ZONING: RM 0.7  
OVERLAYS: Over the Rhine Historic District  
COMMUNITY: Pendleton  
REPORT DATE: December 1, 2020  
STAFF REVIEW: Beth Johnson, Urban Conservator

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**UPDATED****Nature of Request**

The applicant is requesting a Certificate of Appropriateness and related zoning relief for a 6-story, 10-unit residential building.

**Details of Zoning Relief Required:**

1. 1405-07: The density allowed is 1 unit per 700 sf of land. The project is permitted to have 3 units, the proposed has 10. A 487.5 sf/unit of land variance is required for a density of 212.5sf of land area/unit.
2. 1405-07: A required rear setback is 32 feet. A zero-lot line set back is proposed. A 32-foot variance is required. As the building is over 35 feet an additional 1 foot of rear setback is required for each additional foot of height.
3. 1405-07: A side setback 0/5 is required. A zero-lot line development is proposed. A 7/12 foot variance is required. As the building is over 35 feet an additional 1 foot of minimum setback is required and 2 feet of cumulative setback is required.

**Existing Conditions:**

553 E 13<sup>th</sup> Street is a vacant lot mid block close to the intersection of Reading Road and 13<sup>th</sup> Street. It is on a section of 13<sup>th</sup> Street where the predominant height on the south side of the street is 4 stories and the predominant height on the north side of the street is between 2-3 stories.



Figure 1: Street view of 553 E 13<sup>th</sup> Street. Pictures provided by Google Street Views.

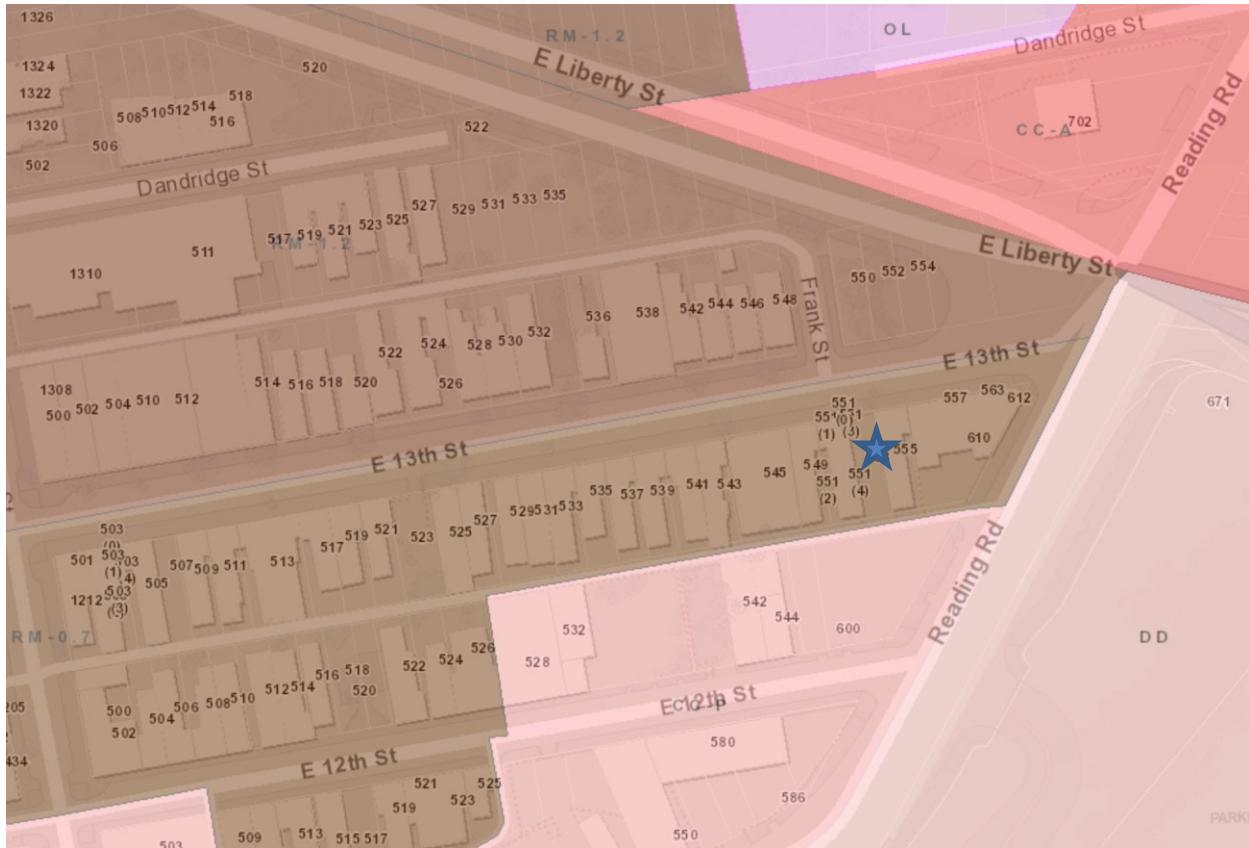


Figure 2: Map of 553 E 13<sup>th</sup> Street. Map provided by Cagis Maps

**Proposed Conditions:**

The proposal at 553 E 13<sup>th</sup> Street includes the following:

1. Construct a new 6 story 10-unit residential building.
  1. A 2 space parking garage will be accessed off of the alley.
  2. The front façade will be gray brick and metal mesh with a “green” vegetated wall. The front also has recessed balconies and a recessed entrance.
  3. The rear will be mostly glass with floor divisions of concrete and balconies to the lot line.
  4. The development goes to the lot lines on all sides.

**Previous Review:** A 2.5 story single family residential building was proposed in 2017. The board tabled the application with feedback for adjustments. The applicant withdrew the application.

**Applicable Zoning Code Sections:**

Zoning District:	<a href="#">Section 1405</a>	Residential
Variance Requests:	<a href="#">Section 1405</a>	Development Standards
Variance Authority:	<a href="#">Section 1445-07</a>	
HCB authority:	<a href="#">Section 1435-05-4</a>	
Variance Standard:	<a href="#">Section 1445-13</a> <a href="#">Section 1445-15</a>	General Standards: Public Interest Standards for Variances

Overlays: [Section 1435](#) Historic Preservation  
Historic District/Reg: Over the Rhine Historic District  
COA Standard: [Section 1435-09-2](#) COA; Standard of Review

**Zoning Analysis:**

When considering zoning relief for Historic Districts the following two sets of standards are considered by staff in our recommendation and are to be use for review by the Historic Conservation Board.

**1435-05-4. - Variances, Special Exceptions and Conditional Uses.**

The Historic Conservation Board may grant such conditional use or special exception or variance from the regulations when it finds such relief from the literal implication of the Zoning Code will not be materially detrimental to the public health, safety, and welfare or injurious to property in the district or vicinity where the property is located and either:

(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

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

1435-09-2: In evaluating the above factors for economic hardship, the Historic Conservation Board may consider any or all of the following:

(aa)A property's current level of economic return;

(bb)Any listing of property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents;

(cc)The feasibility of alternative uses for the property that could earn a reasonable economic return;

(dd)Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property;

(ee)Knowledge of landmark designation or potential designation at time of acquisition; and/or

(ff)Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

**1445-15. - Standards for Variances.**

Subject to the other provisions of this Chapter, the Zoning Hearing Examiner may grant a variance from the requirements of the Cincinnati Zoning Code or the Land Development Code, provided the condition giving rise to the request for the variance

was not created by the owner or any predecessor in title. In order to grant approval, the examiner has to find that requested variance is not contrary to the intent and purpose of this Code or the Land Development Code, as applicable, and the zone district nor detrimental or injurious to the public health, safety and general welfare based on either of the following:

(a) Owing to special circumstances or conditions pertaining to a specific piece of property, the strict application of the provisions or requirements of this Code or the Land Development Code, as applicable, are unreasonable and would result in practical difficulties.

(b) The 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.

### Rear and Side Setbacks

The variances that are being requested are more than the base requirements of 25 feet for a rear yard and 0/5 for the side yard as the applicant is proposing a building that is 39 feet higher than the base zone of 35 feet. While in the RM 0.7 there is no height limitation for a multi-family the side and rear increase with each 5 feet of additional height.

A zero-lot line development is appropriate for the following reasons. The immediately adjacent buildings have approximately 3-3.5 ft. rear setbacks. While rear setbacks of the existing historic buildings along E 13<sup>th</sup> Street are varied, few provide the base zoning required setbacks and zero foot rear setbacks are a common feature. Zero foot side setbacks are also a common feature of the buildings along E 13<sup>th</sup> Street, and zero foot side setbacks characterize the historic streetscape.

These variances are justified with both:

- 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;
- 1445 -15 (b) The 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.

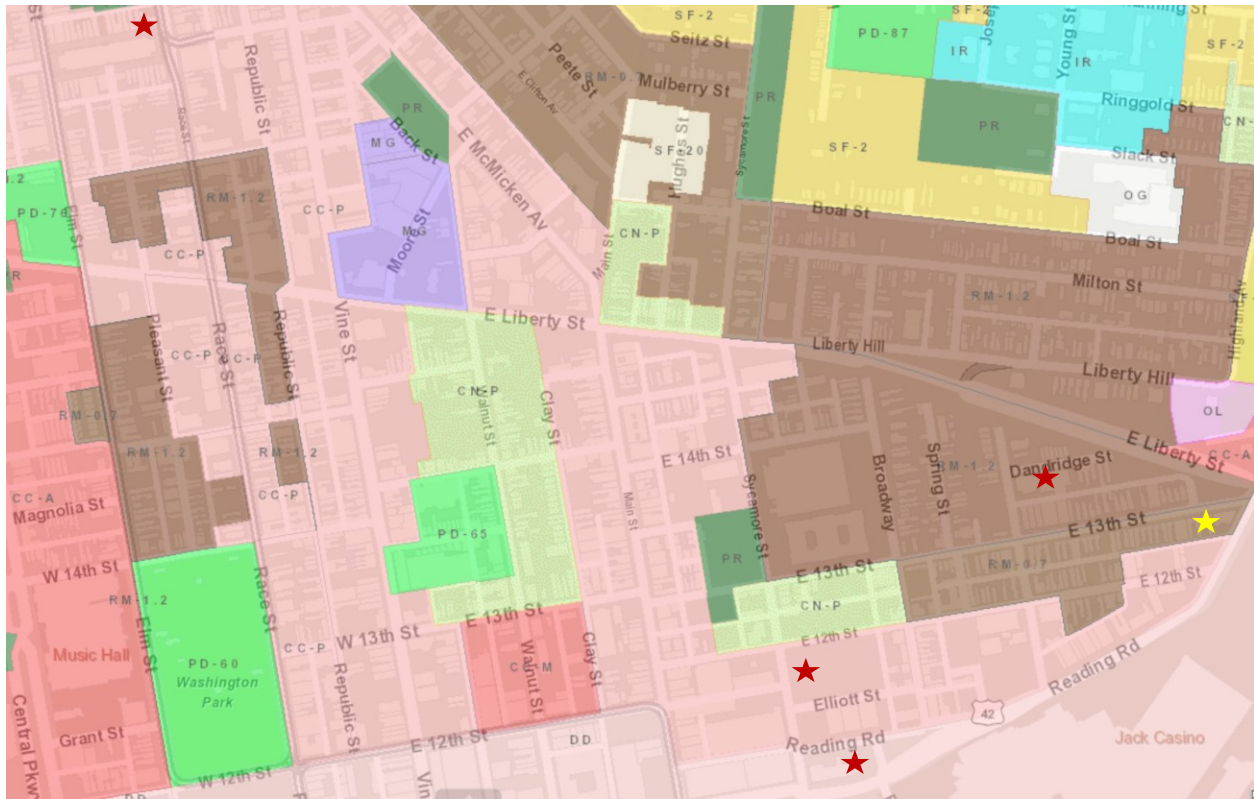


Figure 3: The proposed project is at the yellow stars, the buildings submitted as precedence for the applicant are in red.

Density

The applicants are requesting a density of 212.5 sf of land area/unit.

The Historic Conservation Board has approved several density variances within the Over-the-Rhine Historic District for both new and existing projects. For new construction the densest to date was 1600-1602 Pleasant Street which was approved at 247 sf of land area/ unit. This project was part of the Willkommen Low Income Housing Tax Credit Project that provided mixed use on the first floor and is in a CC-P zoning district.

Staff is generally supportive of density within an urban neighborhood, however when the density creates a height that is inappropriate we cannot also support the density. As the height is 2 stories above the neighboring buildings and does not meet the Historic Conservation Guidelines. Staff would be able to support a density that would be supported in a 3-5 story building which would then meet the Historic Conservation Guidelines. This would be a closer condition to the properties along the south side of 13<sup>th</sup> Street, the addresses that are within the same zoning district of RM 0.7. These properties have the following densities listed below. The information was taken from rental registrations on the County Auditors website on 11/18/2020:

- 551 E 13<sup>th</sup> St- 4 units at 541 sf of land area/unit- 4 stories tall
- 543 E 13<sup>th</sup> St- 4 units at 541 sf of land area/unit- 4 stories tall

539 E 13<sup>th</sup> St- 4 units at 541 sf of land area/unit- 4 stories tall  
537 E 13<sup>th</sup> St- 4 units at 541 sf of land area/unit- 4 stories tall  
533 E 13<sup>th</sup> St- 7 units at 303 sf of land area/unit- 4 stories tall  
529-531 E 13<sup>th</sup> St 8 units at 488 sf of land area/unit- 4 stories  
527 E 13<sup>th</sup> St- 8 units at 265 sf of land area/unit- 4 stories tall  
525 E 13<sup>th</sup> St- 4 units at 1168 sf of land area/unit 4 stories tall  
521 E 13<sup>th</sup> St- 3 units at 541 sf of land area/unit- 3 stores tall  
519 E 13<sup>th</sup> St- 3 units at 708 sf of land area/unit- 3 stories tall

These variances are not justified as

- *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;*

The density as designed creates a building that does not meet the design guidelines and therefore creates a condition that is inappropriate and not in the interest of historic conservation. It would adversely affect the architectural character and aesthetic integrity of the 13<sup>th</sup> Street corridor.

- *1435-05-4 (b)Is necessary where the denial thereof would result in a deprivation of all economically viable use of the property as viewed in its entirety. In making such determination, the Historic Conservation Board may consider the factors set forth in Section 1435-09-2(aa)—(ff) below.*

In this case density is directly associated with height, they have not shown that a building at 10 units with the required square feet and amenities that are provided, therefore creating a building that is 6 stories tall, is the only economically viable use of the property. Economic Hardship is discussed on page 18 below under the Height Guideline discussion.

- *1445 -15 (a)Owing to special circumstances or conditions pertaining to a specific piece of property, the strict application of the provisions or requirements of this Code or the Land Development Code, as applicable, are unreasonable and would result in practical difficulties.*

The applicant has not provided any information related to this question in regard to density. An economic hardship would be required showing that the contract price that they have on the property of \$100,000 is the going market rate for vacant unimproved properties within the neighborhood and that a 4-story building with a density that can be supported within that project are not feasible.

- *1445 -15 (b)The 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.*

As shown above the majority of properties along E 13<sup>th</sup> Street are around 541 sf of land area/unit. This would be considered a substantial property right possessed by other properties in the same district (RM 0.7) or in the vicinity. If a higher density was required to financially support a 4-story building, staff could be supportive of the density per 1434-04(a) and (b).

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 RM-0.7. Multi-family residential uses are permitted however not at the proposed density.*
- 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 does not substantially conform to the guidelines for the Over-the-Rhine Conservation District. (Refer to Certificate of Appropriateness review 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 the Over the Rhine Comprehensive Plan of 2002\* through creating a mixed-use development that supports a walkable community. However, it does not conform to the Plan as the proposed structure does not address the street in a consistent pattern that the historic buildings create.*  
*The Comprehensive Plan also calls for developments within Historic Districts to support the historic conservation efforts and as in staff's review, the development does not substantially conform to the historic district guidelines, the development does not support the historic conservation efforts.*  
*\* While the Community Council and neighborhood is Pendleton- The Pendleton neighborhood was included as part of the 2002 OTR 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 be impacted by the construction of this infill project as it would more than triple the allowed density and assumed increase the parking and traffic volume. It is noted that the applicant has provided bike parking within the project which does provide alternative transportation storage options for the residents.*
- e. **Buffering.** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.  
*This is not applicable.*

- 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 use of multi-family residential is compatible with the use of the neighborhood and a zero-lot line development is consistent with the form and pattern within the neighborhood, however the amount of density is not in keeping with the neighborhood.*
- 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 is a proposed amendment to the Zoning Code called the Urban Housing Overlay Zone that would eliminate all density requirements for properties within the zone. This property is within the zone. This was scheduled to go before the Cincinnati Planning Commission on November 13<sup>th</sup> but has been pulled and has not been rescheduled.*
- 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.  
*The additional height on the building is directly related to the request for a density variance. The requested height has the potential to block access to light and air from adjoining properties. As previously noted, traffic conditions could be adversely affected by the more than triple increase in proposed density. The proposed zero side and rear setbacks are common features along the street and will not result in material adverse effects.*
- k. **Blight.** The elimination or avoidance of blight.  
*The current site is a vacant property and is not considered a blighted property.*
- l. **Economic Benefits.** The promotion of the Cincinnati economy.  
*The proposed work will increase the property value of the subject parcels.*
- m. **Job Creation.** The creation of jobs both permanently and during construction.  
*The proposed project will create temporary jobs during construction.*
- n. **Tax Valuation.** Any increase in the real property tax duplicate.  
*Property taxes will increase due to the improved value of the property. However, the applicant has stated they are seeking tax abatements which would reduce the amount of tax dollars the city would receive from the development.*

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

*The owner has an economic benefit to the proposed establishment.*

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

*As the design of the building does not meet the Over-the-Rhine Historic Conservation District Guidelines there will be a detriment to the public welfare of the neighborhood if a project that does not substantially conform to the guidelines is approved. When projects that do not substantially meet the guidelines are approved, this weakens the effectiveness of the guidelines and the integrity of the historic district.*

## **Certificate of Appropriateness Review**

### **NEW CONSTRUCTION**

#### *Summary of Review:*

The New Construction section in the OTR Historic Conservation Guidelines do not require replication, but they do detail ways in how a building should be designed to incorporate elements to make the building compatible with the historic district. A full scale checking the box of every guideline is not the standard but rather it is substantial compatibility. Ultimately it is the decision of the Historic Conservation Board as to what substantial compatibility encompasses. Staff aims to provide flexibility in our review while assessing if the proposal meets the intent of the guideline and advises the board on this assessment. Within this view of flexibility, is staff opinion that applications should try to meet the majority of the guidelines or their intent and should request flexibility with only a few minor guidelines, rather than meet only a couple and ask for flexibility on the majority, which is where staff feels this design currently is.

While staff will go into detail below regarding the specific guidelines the major issues that need to be addressed are

1. Height: The building is 2 stories higher. The applicants have been told numerous times that the Historic Conservation Board has already found that at this site a 4-story building would be the height allowed on a previous case.
2. Windows and Articulation: The windows lack any type of articulation including, sills, lintels, or window divisions and are inappropriate.
3. Entrance opening: The entrance opening is too large and doesn't match the context

If an application does not substantially conform to the guidelines, per 1435-09-02 (b) they can show

b) That the property owner has demonstrated by credible evidence that the property owner will suffer economic hardship if the certificate of appropriateness is not approved.

In determining whether the property owner has demonstrated an economic hardship for purposes of (b) above, the Historic Conservation Board shall consider all of the following factors:

(i) Will all economically viable use of the property be deprived without approval of a Certificate of Appropriateness;

*The applicant's economic hardship claim is in regards to height and its associated unit count that a 6 floor building can support. This is further discussed on page 17-18 below with the discussion of height.*

(ii) Will the reasonable investment-backed expectations of the property owner be maintained without approval of a Certificate of Appropriateness; and

*The applicant has the property under contract and has not purchased the property. The owner has stated that a 4-story building would gain an IRR of 10%, whereas they are seeking a 6-story building at 21%. It is up to the board to determine if the applicants 10% is not economically viable.*

*Also, it is important to note the applicant does not own the property and has not substantiated that the \$100,000 contract price cannot be reduced.*

(iii) Whether the economic hardship was created or exacerbated by the property owner.

*This is a vacant lot, the only potential Economic Hardship created or exacerbated by the property owner would be the purchase price of the property.*

In evaluating the above factors for economic hardship, the Historic Conservation Board may consider any or all of the following:

(aa) A property's current level of economic return;

(bb) Any listing of property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents;

(cc) The feasibility of alternative uses for the property that could earn a reasonable economic return;

(dd) Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property;

(ee) Knowledge of landmark designation or potential designation at time of acquisition; and/or

(ff) Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

## **Staff comments on the Specific Guidelines for New Construction:**

### **A. Intent and General Guidelines**

1. New construction is allowed on vacant sites in Over-the-Rhine, because gaps due to demolition weaken the streetscape and the overall character of the district. New construction can improve both the physical quality and economic vitality of the neighborhood.

*The lot is a vacant lot. Developing this lot would strengthen the streetscape and create a stronger continuity on the street wall.*

2. New construction should be well-designed but should not replicate the existing buildings. The exceptional quality of the existing buildings in the district provides an outstanding framework for new construction.

*This infill development does not replicate the existing buildings, but staff does not feel that the building is contextually sensitive to the neighborhood and the historic architecture.*

3. The Historic Conservation Board's review of new construction will focus on the design compatibility with the surrounding contributing structures. The appropriateness of design solutions will be based on balancing the programmatic needs of the applicant with how well the design relates to the neighboring buildings and to the intent of these guidelines. New design proposals should pay particular attention to composition, materials, openings, rhythm, scale, proportion and height.

*Staff details the compatibility of the project with the guidelines and surrounding buildings below in the specific guidelines. In staff's review, the proposal does not relate to the neighboring buildings in composition, materials, openings, scale, or height.*

4. The new construction guidelines for this district will be used to judge the compatibility of new work. The specific site and programmatic needs of each project will be taken into consideration.

*Staff details the compatibility of the project with the guidelines and surrounding buildings below in the specific guidelines.*

### **B. Specific Guidelines**

1. **Composition:** New buildings should respond to the traditional subdivisions found on historic property: a base, a middle and a top. Most buildings in Over-the-Rhine are built of brick with the principal facade parallel to the street it faces. The most important features of buildings in Over-the-Rhine are the arrangement of openings on the principal facade and an overall vertical emphasis of the whole

design. Each building provides its own variations, but collectively they share many basic features.

**Base:** New buildings should have a well-defined base. Within the district most buildings have a base that is distinguishable from the rest of the building. This is accomplished through a change of materials, a change of scale, and/or a lintel or other type of horizontal banding. In larger buildings the original base may include more than the first floor.

*As a residential building, bases are minimal. The base is usually defined in residential buildings as the water table. While the material of the water table provided in not an appropriate material, the size and scale of the water table provided in appropriate.*

***The Base does substantially conform to this guideline.***

**Middle:** Details on new buildings should relate to the detailing of adjacent or nearby buildings. Buildings in the district often incorporate architectural details such as changes in plane or changes in materials on their upper floors. Decorative, horizontal bands indicating the floor lines, sill heights or lintel heights should not overpower the vertical emphasis of the design.

*The middle is defined by 6 floors of individual punched openings. While punched openings are an appropriate solution the building lacks contextual detailing. There are not changes in planes at the windows providing for a very flat façade.*

*The middle also has a metal lattice screen to be used as a green wall. While this does provide a strong element of vertical emphasis, the material is not appropriate, and staff has concerns about the viability of a screen wall. At the 1010 Walnut Street (Kroger) project, the original proposal included a green screen wall on the south, and ultimately it was determined that this was not feasible due to the climate of Cincinnati that would not allow for a year-round green wall.*

***The Middle does not substantially conform to this guideline.***

**Top:** New construction must employ a strong element that terminates the uppermost part of the building. Distinctive elements in the architecture of Over-the-Rhine are elaborate projecting cornices, decorative parapets and the expressive use of materials.

*The top is defined by a mansard roof (more detailing about this roof type is discussed under roofs.) and below the mansard roof a simple lattice screen to provide a green cornice. In New Construction staff has been supportive of simple designs often including a simple horizontal band. Staff could be supportive of this feature with a few adjustments such as*

- *A change of plan to provide a slight projection of the horizontal band.*

- *A taller band providing a more substantial mass.*

***The Top partially conforms to this guideline, but staff recommends adjustments for a more substantial compatibility.***

**2. Roofs:** Roofs for new construction should be similar to roofs of adjacent and nearby buildings of similar size and use. In the district, buildings of three or more stories generally have low-pitched shed roofs that are not visible above the principal facade. Smaller buildings in the district typically have simple gable roofs on which the gables are perpendicular to the principal facade. Institutional buildings in Over-the-Rhine have a variety of roof shapes, including dormers, multiple gables, hip roofs and towers. Roofs in this district have little or no overhang.

*A mansard roof is not listed an appropriate roof in the guidelines. While there are some buildings with this form, the guidelines states that buildings of three or more stories generally have low-pitched shed roofs that are not visible above the principal façade. The provided roof shape is not a low-pitched shed roof and is visible above the principal façade.*

***The Roof does not substantially conform to this guideline.***

**3. Window Openings:** Window openings are extremely important in this district. The openings of new buildings should be related to the size and placement of openings found on historic structures of similar use in the district. In residential buildings, window openings are typically found individually rather than in pairs or grouped. The openings are taller and wide (typically in a proportion of 2:1), window sash are set back from the wall surface, and openings have some form of definition, such as lintels, sills or decorative surrounds. Window openings, which are typically aligned vertically, usually occupy between 20% and 50% of the principal facade. In commercial, industrial and institutional buildings, windows are often grouped within a single opening. These building types may also use a combination of window sash, including double-hung, awning and hopper. If muntins are used in new window sash, they must provide true divided lights. Within the individual opening, window sash are usually divided into two or more lights. In all cases the glass must be clear; tinted or reflective glass is not acceptable. Also, roll down shutters and metal bar systems installed on the exterior of the building that cover door and window openings are not appropriate.

1. *The windows on the primary street façade are taller than they are wide and generally have a 2:1 ratio.*
2. *The windows on the front also are solid panes of glass and do not have a division. There have been many other cases where we have approved more modern style windows that have a division within the glass to break the scale. This division often isn't at the midway point, but it gives a nod to the historic double hung window. Even as awning windows are proposed, a mullion could still be provided to provide a sense of compatibility with the context.*
3. *The windows are not set back from the façade and do not have a sense of definition, but rather are flat without articulation. Recessing the windows*

*slightly from the façade and adding even simple sills and lintels through a new material or even soldier course above and below the window would create a sense of definition.*

4. *The front door area is recessed. Front doors are often recessed along this street however the door opening is generally the same width as the opening above. The door/entrance opening is much wider and provides a large plane of glass that is wider than the typical opening on the house.*

***The Windows do not substantially conform to this guideline.***

**4. Storefronts:** New storefronts should relate to the characteristics of existing storefronts on historic buildings. Storefronts in the district are typically taller than individual upper floors; framed by piers and/or columns and have a lintel separating them from the upper floors; are divided into bays which increases their verticality and provides a pedestrian scale and proportion; and have large, fixed expanses of clear (not tinted or reflective) glass. As with rehabilitated original storefronts, roll down shutters and metal bar systems installed on the exterior of the building are not appropriate elements for new storefronts. The storefront lintels are 12 to 18 feet above grade; the window sill height is between 18 inches and 3 feet above grade; and storefront windows are set back from the structural elements approximately 12 inches.

*NA- This is a residential building that does not have a storefront form.*

**5. Setback:** Setback is an important issue in a dense urban area such as Over-the-Rhine. The setback for new construction should be consistent with the buildings of similar use on adjacent and nearby sites. In Over-the-Rhine, most commercial buildings are built up to the property line. Some residential property, especially detached buildings, has shallow setbacks but retain an "edge" at the property line with a fence. Some larger institutional buildings such as schools, churches and public buildings are setback from the street to provide public space and to add to their monumentality. In most cases new construction on corner sites should be built up to the edge of both outside property lines.

*The setback is consistent with the buildings of similar use on adjacent and nearby sites. The south side of E 13<sup>th</sup> Street is defined by a strong building wall at the street line building wall that does not have breaks between buildings. The proposed setbacks are consistent with the building form and would help to strengthen the street edge.*

***The Setback does substantially conform to this guideline.***

**6. Rhythm:** New buildings should incorporate design features, such as window groupings, articulation of wall surfaces, and decorative elements such as columns or piers in an effort to maintain the rhythm that already exists in the district. New construction should avoid creating long unrelieved expanses of wall along the street by maintaining the rhythm of bays found on the district. Most buildings in Over-the-Rhine are relatively narrow, 25 to 50 feet in width. A building facade typically displays vertical subdivisions that establish a visual rhythm. In dense commercial areas such as Vine

Street, there are no setbacks, creating a solid wall along the street. This wall is articulated by the individual buildings, which in turn are divided by window groupings, changes in wall planes and decorative elements such as pilasters, columns or piers.

*The building is 25 feet wide and provides a zero-lot line setback to create a solid wall along the street. There is little articulation of the wall surfaces to create a micro sense of rhythm on the building*

*On the building there are 4 columns of windows which is similar to other buildings along the street, however the western most column has a break to the column and rhythm at the first-floor level with the entrance. Staff is not opposed and is supportive of recessed openings. Staff is also not opposed to having the actual door around the corner for practical purposes of privacy, cover, and safety, however the opening at the street width should match the width of the windows above to create a continuity of the columns which would create a continuity of rhythm.*

***The Rhythm partially conforms to this guideline, but staff recommends adjustments for a more substantial compatibility.***

**7. Emphasis:** New residential and mixed-use construction should have a vertical emphasis, because in Over-the-Rhine buildings are taller than they are wide, window openings are tall and narrow, and storefronts have slender columns, which emphasize verticality. Commercial and industrial buildings, which may have an overall horizontal emphasis, often incorporate vertical elements, such as pilasters or vertically oriented openings.

*The building does have a substantial vertical emphasis. The building is taller than it is wide and the windows are tall and narrow.*

*The metal screen also provides a strong vertical element, while staff has concerns regarding the feasibility of use as a green wall, staff would not be opposed to a change of material at this bay creating a column. If the material was a similar color to the brick and at the same plane, it could be an effective architectural feature to create vertical emphasis.*

***The Emphasis substantially conforms to this guideline.***

**8. Height:** The height of new construction should not vary more than one story from adjacent contributing buildings. Most buildings in Over-the-Rhine are between two- and five-stories.

*The height is 6 stories tall which is 2 stories taller than the adjacent building. This does not meet the design guidelines.*

*The Historic District Guidelines for New Construction state height of new construction "should not vary more than one story from adjacent contributing buildings." Varying more than one story from the 4 story adjacent contributing buildings would make a three*

*to five story building conform with the height guideline. It could be feasible to reduce the height to five stories and meet the design guidelines for height.*

*The proposal is two stories taller than the adjacent buildings and 2 stories taller than any building along E 13<sup>th</sup> Street. The south side of E 13<sup>th</sup> Street has one of the strongest continuity of building heights within the historic district and it is a defining element of this particular street. Having a building that is 2 stories taller is inappropriate to the character of the historic street and historic assets per the Over-the Rhine Historic Conservation Guidelines. The building overpowers the historic district and as historic districts get their integrity from the collection of buildings, having a building that is not a cultural institution or corner building so much taller than the adjacent buildings detracts from the historic district.*

*Staff has requested information from the application addressing the economic hardship for a 6-story building in order to evaluate if the proposal is the only feasible project at this site. To date the applicant has provided a basic proforma for a 4 story and for the proposed 6 story. Construction costs aren't detailed in either proforma so information such as construction type (in general a 4 story building construction type would cost less per square foot than a 6 story construction type) and if an elevator is provided (as it's not required for a 4 story building), the construction costs cannot be evaluated for accuracy. While the construction costs are not provided the 4 story proforma does have a positive IRR. The IRR for the 4 story is 10%, for the 6 story is 21%. The standard is that denial of the 6-story building with 10 units would result in a deprivation of all economically viable use.*

*In the 4 story option the rent is listed as only \$1.46/sf, in comparison to rents on the same vicinity,*

- 526 E 12<sup>th</sup> Street- a 4 story building without an elevator or on-site parking, has a rent for 665 sf apartment for \$1225, which averages to \$1.84/sf.*
- 512 E 12<sup>th</sup> Street- a 4 story building without an elevator or on-site parking, has a rent for 546 sf apartment for \$888, which averages to \$1.62/sf*
- 527 E 13<sup>th</sup> Street- 4 story building without an elevator or on-site parking has a rent for 476 sf apartment for \$890, which averages to \$1.86/sf.*

*The applicant also provided the below information in an email on 11-19-20 regarding their Economic Hardship claim.*

*“(aa): as the property currently sits, it is a lot valued @ \$17,260. The city currently shares its portion of the annual taxes of \$593.48. We are proposing a project with an estimated cost just under \$2MIL. Even with tax abatements, the city will see a drastic upside. Also, the addition of (10) new tenants with expendable income will add to the neighborhood economy, frequenting the local restaurants & shops.”*

*Another economic factor that the applicant has provided is in reference to required egress and an elevator which adds \$200,000. If the applicant were to build a 4-story building an elevator is not required per building code and therefore this extra cost would not need to be accounted for.*

*The Community and Economic Development Department has a letter submitted as to their evaluation of the Economic Hardship. They evaluated at a high level a 5.5 (6) story, 5-story, and 4-story. They kept certain hard costs constant over all scenarios, such as keeping an elevator in all options.*

*The permitted uses of a 1 family, 2 family, 3 family have not been evaluated by the applicant or the economic development department. The permitted height of a 3-story building has also not been evaluated for feasibility.*

*1435-09-2: In evaluating the above factors for economic hardship, the Historic Conservation Board may consider any or all of the following:*

- (aa) A property's current level of economic return;*
- (bb) Any listing of property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents;*
- (cc) The feasibility of alternative uses for the property that could earn a reasonable economic return;*
- (dd) Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property;*
- (ee) Knowledge of landmark designation or potential designation at time of acquisition; and/or*
- (ff) Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.*

***The Height does not substantially conform to this guideline.***

**9. Materials:** New construction should use materials that are found on the historic buildings in Over-the-Rhine. Clearly the dominant material in Over-the-Rhine is brick, but other materials such as limestone, sandstone, cast-iron, slate, wood and sheet metal are important as well. Materials such as stucco, synthetic stucco and plastic are not appropriate and should not be considered as exposed finish materials for new construction in this district.

- 1. The main material that is along E 13<sup>th</sup> Street is brick. The applicant has provided a specification sheet and staff would condition that the brick must be the modular size. Brick is an appropriate material.*
- 2. The applicant has provided specs for a metal grate system for the western most column on the front of the building for the purpose of a green wall. As staff has stated before, other projects have concluded that green walls are not feasible and there is a concern that throughout the winter there would not be growth and this grating system would be visible. Staff is not opposed to a metal grating system on the front in a column form, but the material would need to provide more of a massing and not be heavily opaque and the color would need to create a continuity along the façade.*

3. *The water table and the rear solid masses are concrete. Concrete is not listed as an appropriate material in the guidelines and a simple concrete is similar to a stucco, which is called out as not being appropriate.*

***The Materials partially conforms to this guideline, but staff recommends adjustments for a more substantial compatibility.***

## **Other Considerations:**

### **Prehearing Results**

November 18, 2020: 4 neighboring property owners were present and were all opposed to the project. Height, materiality, the rear façade, front entrance and façade detailing were all concerns voiced as well as concerns for lack of overall compatibility with the neighboring buildings and context.

### **Comments Provided to Staff and provided to HCB in the packet in opposition:**

1. A letter from the Pendleton Community Council opposing the project. They are opposed to the height and lack of compatibility of the architecture as well as the density.
2. A letter from a neighbor (across the street), Shirley Rosenzweig, opposing the project.
3. A letter from a Pendleton resident, Myra Greenburg, opposing the project.
4. A letter from a Pendleton property owner, Danny Klingler, opposing the project.

## **Recommendation:**

Staff recommends the Historic Conservation Board deny the variances for height and density and the COA the following reasons

- The density of the building does not meet the standards set for zoning relief in 1435-05-4 or 1445-15. The applicant has not provided evidence that what they are asking is a substantial property right enjoyed by others in the RM 0.7 district or the vicinity, that the site has unique circumstances that require the density and height, the applicant has failed to show the height and related density are the only economically viable alternative for the site, the applicant has failed to show that this height and density are in the interest of historic conservation of the district.
- The Community and Economic Development Department has submitted a letter showing analysis of just a 4, 5 and 6 story options. Their high level analysis shows that a 5-story building would be feasible, therefore the proposed 6-story building is not the only feasible option.
- The proposal does not substantially meet the New Construction Guidelines in the Over the Rhine Historic Conservation Guidelines for composition, roof, openings, rhythm, height, and materials. The following changes are recommended
  1. A 5-story building would meet the guideline for Height in the Over-the-Rhine Historic District Guidelines.
  2. Remove the mansard roof form and have a flat/slightly sloping roof.

3. Increase the massing of the top horizontal metal banding and provide a slight projection.
4. Provide a mullion at the center of each window.
5. Provide definition around the window with either a change of material or change of brick pattern, such as soldier courses.
6. Create a more balanced solid to glazing percentage at the rear. Aim for no more than 50% glazing.
7. Recess the windows slightly from the façade.
8. Reduce the width of the entrance opening to match the width of the windows.
9. Change the metal grate material to a more substantial, architectural, or artistic material. Remove the green wall concept.
10. Use a rusticated stone for the front base/water table water.
11. Use a metal paneling or brick on the rear rather than concrete.

I. **ZONING VARIANCE**

A. **APPROVE** the following Zoning Relief for the construction of a 6-story building at 553 E 13<sup>th</sup> Street per the plans dated 9.22.20 by 324 build.

1. **§1405-07– Dimensional Variance – APPROVE** - Dimensional Variance of 32 feet to allow for a zero-lot line rear setback.
2. **§1405-07– Dimensional Variance – APPROVE** - Dimensional Variance of 7/12 feet to allow for a zero-lot line side setback.

B. **FINDING:** The Board makes this determination that per Section 1435-05-4 and 1445-15:

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.
2. Such relief will give the property owner a substantial property right that other property owners enjoy.
3. Such relief is in the interest of historic conservation and would adversely affect the historic character of the street.

C. **§1405-07– Dimensional Variance – DENY** - Dimensional Variance of 487.5 sf to allow for a density of 212.5 sf of land area/unit.

D. **FINDING:** The Board makes this determination that per Section 1435-05-4 and 1445-15:

1. Such relief from literal implication of the Zoning Code will be materially detrimental to the public health, safety and welfare or injurious to property within the district or vicinity where property is located.

2. Such relief will give the property owner a substantial property right that other property owners do not enjoy.
3. There is not a special circumstance or condition on the property required the zoning relief.
4. Such relief would not be in the interest of historic conservation and would adversely affect the historic character of the street.
5. The applicant has failed to show that a 6-story building is the only economically viable use on the property.
6. As the density is directly tied to a height in this proposal and the height does not meet the Over-the-Rhine Historic District Guidelines, the requested density is also inappropriate.

II. **CERTIFICATE OF APPROPRIATENESS**

**A. DENY** the application for Certificate of Appropriateness for construction of a 6-story building at 553 E 13<sup>th</sup> Street per the plans dated 9.22.20 by 324 build.

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

1. That the property owner has not demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines and the application does not meet the following guidelines detailed in the staff report: composition, roof, openings, rhythm, height, and materials.
2. The property owner has not demonstrated or provided evidence in the form of proformas, market studies, engineering reports etc. that this project is the only economically viable project at this site.

November 25, 2020

Mr. Art Dahlberg  
Director of Buildings & Inspections, City of Cincinnati  
805 Central Ave, Suite 500, Cincinnati, OH 45202

**RE: 553 E 13<sup>th</sup> Street, Cincinnati, Ohio 45202**

Mr. Dahlberg:

Please find below DCED's analysis of the possible economic returns for the proposed development at 553 E 13<sup>th</sup> Street in the Pendleton neighborhood of Cincinnati. We believe that the project would not be financially feasible should the variances requested be denied. Three scenarios have been analyzed. The first (labeled A) is an analysis of the project as proposed by the applicant. The second and third (labeled B-1 & B-2) are scaled down alternatives to the project as proposed.

<b>Assumptions</b>	<b>A</b>	<b>B-1</b>	<b>B-2</b>
# of units	10	9	7
Sq. ft. / floor	1950	1950	1950
# of floors	5.5	5	4
Total sq. ft.	10725	9750	7800
Hard Costs \$ / sq. ft.	200.00	205.00	210.00
Market Rent / sq. ft.	2.00	2.00	2.00
<b>Uses</b>			
Acquisition	100,000	100,000	100,000
Hard Costs	2,145,000	1,998,750	1,638,000
Soft Costs	429,000	399,750	360,360
Total Uses	2,674,000	2,498,500	2,098,360
<b>Sources</b>			
Loan (80%)	2,139,200	1,998,800	1,678,688
Equity (20%)	534,800	499,700	419,672
Total Sources	2,674,000	2,498,500	2,098,360
<b>Proforma</b>			
Rental Revenue	257,400	234,000	187,200
Less Vacancy (7%)	18,018	16,380	13,104
= Gross Revenue	239,382	217,620	174,096
Less Operating Expenses	67,027	63,110	52,229
= Net Operating Income	172,355	154,510	121,867
Less Debt Service	137,804	128,760	108,139
= Projected Cash Flow	34,551	25,750	13,728
<b>Economic Returns</b>			
Debt Coverage Ratio	1.25	1.20	1.13
Cash on Cash	6.5%	5.2%	3.3%



November 17, 2020

Historic Conservation Board  
Attn: Tim Voss – Chair  
Two Centennial Plaza  
805 Central Avenue, Fifth Floor  
Cincinnati, OH 45202

Re: COA 2020049 – 553 E. 13<sup>th</sup> Street

Dear Mr. Voss and members of the Historic Conservation Board,

This letter is sent **to assert and verify that the Pendleton Neighborhood Council has voted to oppose the proposed development at 553 E. 13<sup>th</sup> Street (COA 2020049)** at a Special Meeting of our Council on November 16, 2020. This project will be reviewed by the Historic Conservation Board at a pre-hearing on 11/18/20 and during a board hearing on 12/07/20.

A representative of the developer (Michael Streicher with Curb Development LLC) presented to our council on 11/16/20 and allowed for feedback regarding Pendleton's position on this project. Of primary concern to multiple members of our Council are a) the excessive height of the proposed structure relative to the surrounding historic structures, b) the dearth of parking given the proposed number of units/density, and c) that the proposed structure does not consider/is not consistent with the intact streetscape it would be joining. Notably, many members of our Council assert that they desire to see this parcel developed and would like to see the developer return with a proposal that accounted for the three major concerns previously noted. At this time, the developer replied that the proposal will not be modified and that the developer will appeal if it is denied by the Historic Conservation Board (but will not modify it using Council's feedback).

In summary, as the president of the Pendleton Neighborhood Council I verify that the membership of the Pendleton Neighborhood Council conducted a valid vote on this matter on 11/16/20. The outcome of this vote was that the majority of **Pendleton Neighborhood Council members opposed the proposed development at 553 E. 13<sup>th</sup> Street**. Should any additional information be needed from us, please feel free to reach-out by email.

Respectfully,

Abbigail Tissot  
President - Pendleton Neighborhood Council  
[PendletonNeighborhoodCouncil@gmail.com](mailto:PendletonNeighborhoodCouncil@gmail.com)

The assumptions above are based off market data specific to the project type and location.

Fixed costs (i.e. land, excavation, foundations, elevator, etc.) associated with construction of the project do not change from Scenario A to B-1 or B-2, hence Scenarios B-1 & B-2 have a higher projected cost per square foot. The same logic applies to the assumed fixed soft costs (i.e. architectural & legal fees) and operating expenses (i.e. trash collection & maintenance fees), which will be proportionally higher for the alternative scenarios.

The analysis illustrates that Scenario B-2 does not meet the industry standard Debt Coverage Ratio required by lending institutions (minimum of 1.20) and therefore could not successfully secure bank financing to proceed with the project. The equity return (Cash on Cash) is also too low to attract the necessary private capital to proceed with the project.

Scenario B-1 presents an economically viable project that requires a 27-foot height variance, rather than a 39-foot height variance. Scenario B-1 would require a 467 sq. ft./unit of land variance, which is less than the 487.5 sq. ft./unit of land variance requested.

Therefore, it is my belief that the denial of the requested variances for density, height and setback beyond what is proposed for Scenario B-1 would deprive the property in question of its economic use. Furthermore, a denial of the requested variances would result in sustained vacancy and blight at the property, which decreases the overall wellbeing of the neighborhood and by extension City. Although the analysis indicates that B-1 is a feasible option for the applicant, it is important to consider the City's growing need for additional housing units and increased density, especially in high-demand, walkable neighborhoods like Pendleton where the project is proposed.

Should you have any questions regarding this analysis, please feel free to contact me.

Sincerely,

*Markiea L. Carter*

Markiea L. Carter, Interim Director  
Department of Community & Economic Development

Shirley Rosenzweig – Pendleton Resident  
548 E Thirteenth Street, Cincinnati, OH 45202

City of Cincinnati Planning Commission – Buildings & Inspection  
Permit Center - Beth Johnson, Urban Conservator  
805 Central Avenue, Suite 500 - Cincinnati OH 45202

Cincinnati, November 29<sup>th</sup> 2020.

Subject: 553 E Thirteenth Street – Mr. Streicher proposal

Dear Beth,

In regards to the request for several variances on a project proposal to be built on 553 East 13<sup>th</sup> Street, Pendleton, we, residents of 548 East 13th Street, would like to state our strong opposition and concerns on the acceptance of these variances. **Our reasoning is based on the negative impact to the Cincinnati Italianate Historical Heritage represented by all the adjacent buildings in the same block of East 13<sup>th</sup> Street and other areas of OTR/Pendleton.**

**1. Historical breach on height, design, materials and architectural characteristics of the Italianate buildings.**

The integrity of small historical niches such as the Italianate buildings on the 500's East 13<sup>th</sup> Street should be preserved as unique domestic and international examples of the Italianate Architecture Style and German Influence in USA. Such groups of historical buildings are actual and irreplaceable witnesses to works on sociology, history, anthropology, architecture, tourism, urban planning, civil engineering and other academic fields and independent researchers.

**2. Reminder to the City of Cincinnati Authorities on the responsibilities to preserve unique historical and architectural legacy.** Once the environment of existing and remaining historical groups of structures is impacted, destroyed or broken with new estranged buildings, the original legacy is diminished, devalued or lost. The exemption on saving and keeping intact the current state of any historical building groups should be investigated not only as a disregard of the city authority responsibilities, but also as an attempt to permeate and facilitate further obscure private interests. Any current existing buildings as examples of not following the historical guidelines in the OTR / Pendleton area should not be used as precedent cases to support the authorities to continually grant exceptions and allow new disruptive constructions in the city historical heritage buildings areas.

**3. Impact on the Pendleton neighborhood residential houses real state value by introducing a disruptive and non-pertinent structure to the group of historical Italianate buildings in the close vicinity.** In the same regards that the proponents (Mr. Streicher and his developers) are requesting the city and the neighborhood to accept his variances based on his personal economical and financial benefits and interests, we, current residents, remind that we have similar economic concerns on the impact of the future real state value of our houses if such disruptive structure is allowed to be constructed in such close vicinity to our properties.

Respectfully, we request your attention to our concerns.

Best regards.

Shirley Rosenzweig

Nov 30, 2020

Dear Members of the Historic Conservation Board, the Urban Conservator and City Law Department

I respectfully urge you deny the Applicant's COA for failure of the proposed design to substantially comply with the City's Over-the-Rhine Conservation Guidelines.

As a set piece of legislation representing the will of the people living in the Over-the-Rhine Historic District, these Guidelines were adopted and approved by Cincinnati City Council whose members were democratically elected by this city's citizens (natural persons).

Further, I urge decision makers to reject the Applicant's arguments for the requested variances and zoning relief due to the following omissions caused or created by the Applicant:

- 1) a wholesale lack of compliance with the City's Preservation Ordinance and regulations
- 2) failure to respond to the City's Urban Conservator's instructions and multiple requests
- 3) failure to present a written statement comporting with CMC §1435-05-4 and §1435-09-2
- 4) failure to demonstrate *any* Economic Hardship by clear and convincing proof entailing page-proof, court-proof evidence (credible evidence), subject to scrutiny and verification

Economic Hardship is a legal standard, and should not be confused with Economic Feasibility which is not a legal standard. Economic Hardship is bounded by evidentiary requirements essential for compliance with, among other things, fundamental notions of fair play and due process, but also constitutional precepts safeguarding the public's safety and welfare. As a legal standard, the type of valid proof required of an Applicant to demonstrate Economic Hardship (by clear and convincing proof), has been fully adjudicated in Hamilton County but also across the nation in state and federal courts.

The Applicant acts as if no guardrails exist or should exist for neighboring property owners, interested parties and residents, or for this city's citizens insisting the Over-the-Rhine Historic District remain unharmed from inappropriate construction.

## Part One

The Applicant did not show up for the pre-hearing.

## Part Two

Who owns this property? Who owns it as a matter of official record?

Does the Applicant even have a grubstake?



0750003011700 08/11/2008



## Transfer History

### Transfer History

Year	Conveyance #	Selling Price	Sale Date	Previous Owner	Current Owner
2011		0	8/24/2011	BADGER GREGORY	551-553 13TH STREET LLC
2011	22088	50,500	6/14/2011	WELLS FARGO BANK NA	BADGER GREGORY
2011	20252	40,000	5/4/2011	DOSS DENNIS & ANITA	WELLS FARGO BANK NA
2004	23704	199,000	11/10/2004	551 EAST THIRTEENTH ST INC	DOSS DENNIS & ANITA
1996	0	0	12/27/1996	HSIUNG MARCELLA HSIUNG MARCELLA K & JUDIE DEWINTERS	551 EAST 13TH ST INC
1996	1788	4,500	2/23/1996	TAYLOR OTIS W	HSIUNG MARCELLA
1990	0	0	1/1/1990	TAYLOR OTIS W & NANCY B	TAYLOR OTIS W
1985	0	0	1/1/1985	SEE OWNERSHIP CARD	TAYLOR OTIS W & NANCY B

It is not clear whether the Applicant owns the property located at 553 East 13<sup>th</sup> Street.

The Auditor's website shows this Owner:

551-553 13TH STREET LLC  
**PO BOX 141462** ✓  
 CINCINNATI OH 45250

Per the Ohio Secy of State's corporate records, no corporation named **551-553 13<sup>th</sup> Street LLC** exists.

However, there was an OHIO corporation named **551 E. 13<sup>th</sup> Street**, whose principal office was in Cincinnati. Created in 1994, this corporation's name was amended about a month later to **551 East Thirteenth Street, INC**. In 2008, the corporation's president, Marcella Hsiung, certified that a special stakeholder's meeting had occurred; she was appointed the corporation's Statutory Agent; stakeholders' agreed to dissolve the corporation; and she had notified a number of government authorities of same: Ohio Secy of State, Ohio Dept of Taxation, Ohio Jobs and Family Services. See, <https://bizimage.ohiosos.gov/api/image/pdf/200828101970>

The COA Application sets forth the Property Owner below, certified with Applicant's signature:

551-553 13<sup>th</sup> Street LLC  
 10901 Evendale Dr

Per the Auditor's website, no address exists for 10901Evendale Dr.

However, Mr Gregory Badger is the presumed owner.

See, <https://wedge.hcauditor.org/pdf/FORMS/C0003145/C0761011.tif.pdf>

No transfer or sale since 2011, and no sale shows up in the Auditor's monthly records.

The current estate agent for 553 East 13<sup>th</sup> Street lists the property ‘under contract’ but not to whom.

The correct and true property owner should be listed on the COA Application and on all statements purporting necessity of zoning variances.

## **Part Two continued**

If the Applicant does not own the property and 551-553 13<sup>th</sup> Street LLC does not exist, the COA must be denied and all variances rejected.

If the Applicant cannot show any credible records for his claim of ownership, then the COA must be denied.

Because it’s not clear whether the Applicant even has a grubstake, proper records must be presented.

While not common, in the past a number of Applicants have sought COAs and Zoning Variances but were not Owners. I’m hoping the City requires applicants to certify the truth of all information presented on zoning applications under pain of consequences for knowingly filing false statements.

A natural or corporate person cannot lawfully claim Economic Hardship, and certainly cannot prove such with clear, credible and convincing evidence, if one does not have a substantial ownership right —based on ownership.

## **Part Three**

The Applicant’s COA should be denied for the following reasons:

### **Height**

The building is far taller than its historic neighbors. As proposed, it is three (3) stories taller.

*The height of new construction should not vary more than one story from adjacent contributing buildings. Most buildings in Over-the-Rhine are between 2- and 5-stories.*

Plus the design includes what appears to be a colossal aluminum pie pan atop its roof line.

Even by OTR and Cincinnati standards, the residential area of the 500 block of East 13<sup>th</sup> Street is quite special. The south side of the block is one of the district’s most beautiful rows of 19<sup>th</sup> century residential buildings. The north side of the block, equally impressive, is composed of single-family and multi-family buildings, some set back from the street.

### **Broadway-Pendleton** [a subarea of Over-the-Rhine]

*Thirteenth Street exhibits a distinctive streetscape composed of three- and four-story Italianate-style rowhouses. Its visual integrity is further accentuated by the undulation of the street, as it drops toward the west to expose an imposing view of Old St Mary’s Church in the distance. These*

*simple brick structures feature decorative stone hood moulds above rectangular wood sash windows and bracketed cornices with paneled friezes.*

Page 34, OVER-THE-RHINE, A Description and History; Historic District Conservation Guidelines (1995), produced by the City of Cincinnati [Christopher Cain, et al] and made possible in part by a grant from the US Dept of the Interior's National Park Service

When you walk from the top of East 13<sup>th</sup> Street to Pendleton Street, you will experience the feeling and sensation of this block's walled enclosure of open space plus the buildings' near uniform massing and height around 553 East 13<sup>th</sup> Street which is so prized by designers and residents alike.

As you walk downhill, stop and view the massing, scale, materials, rooflines, window openings, doorways, breezeways, façade materials, the craftsmanship of articulation — all constituting the balance of varying rhythms embedded in each building with craftsmanship and skill, but also how each building respects its neighbors. Then take in how each building contributes to the entire ensemble of historic buildings on the block.

I hope you will walk this street to fully experience this block's exquisite stand of residential buildings; the wide streetscape; the rewarding vista to the west (OTR) and to the east (Mt Adams). When traveling by foot, this block is a sensory experience — your reward for being there. I hope you will walk it soon. You can park on upper East 12<sup>th</sup> Street (no residential-parking permit required), and walk over to East 13<sup>th</sup> Street, then to Pendleton, and back up to East 12<sup>th</sup> Street.

The existing historic buildings are congruent — as an ensemble but also with their side-by-side neighbors. Together, these historic buildings form a continuous streetwall or blockface. While in the past, unsympathetic buildings were constructed (and some historic buildings were muddled), it is possible that some day all of the delightful character-defining features of those historic building will be restored. It is possible some of the non-contributing buildings will be replaced with new residential buildings designed with skill, good judgment, tact and respect for the area's built heritage. Today, many of this block's buildings are owned by residents who take care of their historic property, their homes, and in turn want others to respect their homes, their neighbors, and the neighborhood's cultural heritage.

This is not the time, and I hope you will agree this is not the new building, which will heal past inequities to this special blockface, this row of magnificent multi-family buildings.

## **The Roof**

The building' roof has a pie-pan hat on top — that is how this too-tall building meets the sky.

It was explained the 'hat' is supposed to be a mansard roof but this hat is nothing like the classically composed mansard roofs on buildings located around Ziegler Park. There are at least six (6) beautiful mansard roofs on Broadway and East 14<sup>th</sup> Street, and another on the 1300 block of Spring Street.

*Roofs for new construction should be similar to roofs of adjacent and nearby buildings of similar size and use. [...] Page 54, Ibid.*

Abstract Reference (as a typology) to classical forms, when perverted to the point of being comical if not embarrassing, are neither needed nor wanted in this historic district. If a designer is going all in on a classical form, perhaps consider investigating the formal language of that form. This roof looks like a pie

pan or Frisbee was flung from the prominent Pendleton House at the apex of Liberty Hill and landed on East 13<sup>th</sup> Street. Even if the pie pan could not be seen by anyone, it still is not appropriate. It is that more inappropriate when atop a too-tall, incongruous building seen by other OTR neighbors; our Liberty Hill Historic District neighbors, and everyone traveling through the viewshed near the Downtown-and-OTR Gateway.

Either the roof is appropriate or not. In this instance, abstract reference is not appropriate.

## **Materials**

### 1) Black velour shiny bricks

Black bricks, shiny or matte, are not a material found in OTR's historic buildings. Proposals for dressing a street-facing façade in materials such as vinyl, plastiques, stucco and such, should be rejected.

### 2) Mesh of wire-frames and steel nets

To my knowledge, no facade of any historic residential building was clad, draped, or shrouded with wire-frame netting. We have seen metal screened roll-down doors but those are no longer allowed per the Guidelines (however, some very old ones are grandfathered).

The proposed greenwall mounts and metal screens are suitable for above-ground parking garages where in-ground irrigation lines are hooked to the owner's water line.

(We suggested these types of wall mounts for the garage proposed next to Peaslee Center. Gardeners, horticulturalists and designers know that using living vines is a good remedy for hiding something ugly or unappealing in the landscape such as concrete structures and utility sheds. 'Spinach' can hide all types of unsightly things. Green walls are spectacular, both for interiors and exteriors but still must be suitable for place, purpose and climate. Cities in SE Asia have adapted spinach and green walls to extraordinary effect by engineering vertically green, carbon-consuming environments – something which subtropical climates promote, support.)

These mounts and metal screens are not suitable material for a façade, nor for screening a façade.

### 3) Glass curtains on rear façade

So much glazing used in effect as a façade material, is not appropriate. Such is not found in the historic district's residential buildings. Besides, a larger ratio of masonry provides much needed energy savings, privacy, safety, and security for those living within. We have shootings – non-target random shootings, therefore residents will want masonry and not glass walls for protection. Just last week, over a dozen police cruisers swarmed the neighborhood. Their vehicles were parked all over the neighborhood, particularly in force on East 12<sup>th</sup> and 13<sup>th</sup> Streets where officers blocked moving traffic. Police officers, on foot, were searching the alleys, the public stairs, side yards, rear yards, streets (parked vehicles) and sidewalks.

## **Materials**

*New construction should use materials that are found in the historic buildings*

*in Over-the-Rhine. Clearly the dominant material in Over-the-Rhine is brick [red clay fired brick] but other materials such as limestone, sandstone, cast-iron, slate, wood and sheet metal are important as well. Materials such as concrete block, stucco, synthetic stucco and plastic are not appropriate and should not be considered as exposed finish materials for new construction in this district.*

Page 55, Ibid.

### **Openings: Windows, Doors and Balconies**

The windows on the principal facade are inappropriate. So are those proposed for the rear façade, which would be highly visible from several streets. This building would be seen from many points.

The door and doorway are inappropriate.

The balconies are inappropriate.

The windows are without any articulation whatsoever. As openings, they are voids without articulation. They are sized and placed without balance or rhythm. They are out of sync with the adjacent historic buildings which present superb examples of articulation, rhythm and balance (plus, void-to-mass). These windows are the wrong size, ratio, material.

Same for the door and doorway. Given the wonderful examples existing on the block, this part too is without grace. Attempting to understand the overall design and how it relates to the historic neighbors, or whether a rigorous analysis was undertaken, is futile.

The balconies, even without the affixed metal screens and wall mounts, are also without grace. Neighbors will be presented with all types of plastic chairs, pots, mops, doggie litter pans, and such. As designed, even with the metal screens, the balconies will not afford privacy especially when the interior lights are on. And when no lights are illuminating the balconies' spaces, the people sitting behind those screens will give off creepy vibes. Those types of balconies, which function as interior decks, are better placed in the rear, perhaps with solid parapet walls and not be part of the historic streetscape. Those types of balconies are also dirt and debris collectors which make the building's front façade look grimy, even more so when clad in shiny black bricks.

### **Window Openings**

*Window openings are extremely important in this district. The openings of new buildings should be related to the size and placement of openings found on historic structures of similar use in the district. In residential buildings, window openings are taller than they are wide (typically in a proportion of 2:1), window sashes are set back from the wall surface, and openings have some form of definition, such as lintels, sills or decorative surrounds. Window openings, which are typically aligned vertically, usually occupy between 20% and 50% of the principal façade.*

Page 54, Ibid.

### **Rhythm**

*New buildings should incorporate design features, such as window groupings, articulation of wall surfaces, and decorative elements such as columns or piers in an effort to maintain the rhythm that already exists in the district. [...] Page 55, Ibid.*

## **Composition**

New buildings should respond to the traditional subdivisions found on historic property: a base, a middle and a top. [...] The most important features of buildings in Over-the-Rhine are the arrangement of openings on the principal façade and an overall vertical emphasis of the whole design. [...] Page 53, Ibid.

## **Part Four**

The Applicant has applied for an array of variances from the Cincinnati Zoning Code (CZC). Applicant is claiming that without a COA and relief from the zoning code, Applicant will incur Economic Hardship.

Applicant has not provided any proof – and certainly no credible proof – to support its claim of Economic Hardship.

The burden of proof lies with the Property Owner. The Owner is charged with producing credible evidence. The standard of proof is ‘clear and convincing’.

Bald recitals are not proof. Self-serving, bald recitals are not proof. Self-serving recitals about loss of potential profit are not proof.

The Applicant claims to be a real estate developer and contractor. He claims to be experienced.

Banker's Choice, L.L.C. v. Cincinnati Zoning Bd. of Appeals, 2019-Ohio-4854;  
<https://cases.justia.com/ohio/first-district-court-of-appeals/2019-c-180578.pdf?ts=1574871386>

The government does not have a duty to rescue investors from their own speculative decisions.

Financial risks are inherent in the fair trade of real property. The people through their government do not carry the burden of insuring a profit, a return of any sort whatsoever, or otherwise ameliorate a real or perceived loss for speculative investors.

The people do not insure buyers’ inherent risks for acquiring real estate.

Economic Feasibility is not the legal standard. The legal standard is Economic Hardship.

### **1435-05-4. - Variances, Special Exceptions and Conditional Uses.**

The Historic Conservation Board may grant such conditional use or special exception or variance from the regulations when it finds such relief from the literal implication of the Zoning Code will not be materially detrimental to the public health, safety, and welfare or injurious to property in the district or vicinity where the property is located and either:

(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

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

§ 1435-09-2. - Certificates of Appropriateness; Standards for Review.

In accordance with Section 1435-09-1 above, the Historic Conservation Board has the duty to review and make a determination on all Certificates of Appropriateness in the manner prescribed herein for the purpose of furthering the conservation and integrity of the Historic Asset or Historic District affected. The Board may approve or approve with conditions an application for a Certificate of Appropriateness when it finds either:

- (a) That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines; **or**
- (b) That the property owner has demonstrated by credible evidence that the property owner will suffer economic hardship if the certificate of appropriateness is not approved.

In determining whether the property owner has demonstrated an economic hardship for purposes of above, the Historic Conservation Board **shall consider all of the following factors:**

- (i) Will all economically viable use of the property be deprived without approval of a Certificate of Appropriateness;
- (ii) Will the reasonable investment-backed expectations of the property owner be maintained without approval of a Certificate of Appropriateness; **and**
- (iii) Whether the economic hardship was created or exacerbated by the property owner.

In evaluating the above factors for economic hardship, the Historic Conservation Board **may** consider any or all of the following:

- (aa) A property's current level of economic return;
- (bb) Any listing of property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents;
- (cc) The feasibility of alternative uses for the property that could earn a reasonable economic return;
- (dd) Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property;
- (ee) Knowledge of landmark designation or potential designation at time of acquisition; and/or
- (ff) Economic incentives and / or funding available to the applicant through federal, state, city, or private programs.

The Applicant has not presented any documentation or records, and certainly no credible proof, to support his claims of Economic Hardship.

Neither the property owner nor applicant has presented clear and convincing proof of any sort whatsoever.

The Applicant cannot rattle the empty chair and, in essence, claim 'my investors won't give me loans, capital, a green light on a financial package unless they make X profit; therefore, the HCB must give me all the variances, exemptions, relief, and passes that I apply for.'

That type of conclusory statement does not rise to the legislative meaning, intent, necessity, justification, or proof-positive evidence for Economic Hardship as set forth very clearly in the Preservation Ordinance.

As a result, I urge the members of the Historic Conservation Board to deny the COA and all relief requested by Applicant from the Cincinnati Zoning Code.

## **Part Five**

Starting in the early 1970s, when the *Back to the City Movement* began across the nation, people did not migrate to all parts of a city. In Cincinnati, the urban migrants of the 70s did not move to North College Hill, Carthage, Lockland, or Erlanger.

People who wanted to live in diverse neighborhoods with beautiful architecture migrated to the oldest urban centers and to the most intact urban neighborhoods. They migrated to Over-the-Rhine, Mt Adams, Avondale and North Avondale, Court Street, Northside, Liberty Hill, and parts of the West End. In Covington, a sleepy river town in the 70s, people migrated to Wallace Woods, Licking Riverside, and small parts of Mainstrasse.

For decades, people have worked to keep buildings and entire blocks – their homes and cherished institutions and civic spaces – from melting away.

Residents worked to keep demolitions at bay, to landmark their neighborhood, and to put preservation ordinances and regulations in place. Residents worked to put fair procedures in place. They helped restore neighborhood houses, churches, schools, assembly venues, civic spaces, and parks. They built businesses and nonprofits to serve the best interests of their neighborhoods' diverse constituencies. They worked continually to stop the degradation and marginalization of the neighborhood's residents.

Thousands of now-anonymous people worked singly and together to keep their historic neighborhood intact.

Whether the early urban migrants came from afar, from across town or the river, thousands of them preserved, restored, rehabilitated and modernized their buildings because they loved their homes, their businesses, and their adopted urban neighborhood. These many anonymous preservationists saved the city's cultural heritage in Over-the-Rhine. Similar-minded residents did the same in the city's other urbanesque neighborhoods.

We know Over-the-Rhine could have vanished years ago, as did large parts of West End, Walnut Hills, and Mt Auburn.

Because so much of Over-the-Rhine's historic environment was saved, is why the neighborhood today still attracts residents and home owners. However now, fewer and fewer migrants have the same desire and ethic to preserve and protect what was essentially saved and created by others.

Taking something hard-earned from these same people who do abide by the City's laws and regulations in order to unfairly benefit others is not the way forward. Taking something valuable from others is not good government *for the people* or the city.

In closing, I sincerely hope you will deny the COA and all zoning relief requested.

Thank you for your consideration of these important matters.

Myra Greenberg, Over-the-Rhine resident

**Subject:** [External Email] 13th st project

**Date:** Monday, November 30, 2020 at 3:38:04 PM Eastern Standard Time

**From:** Danny Klingler

**To:** Johnson, Beth

External Email Communication

Beth,

Id like to state my strong opposition to the 13th street project (I believe the address is 553 E. 13th) proposed by Mr. Streicher.

The 6 story building is way out of scale and would represent a major intrusion on the consistent repetition of 4 story buildings on 13th street. It also has front balconies that are not found anywhere else in the 13th street fabric.

As the owner of 509 e 13th street and a pendleton resident on 13th from 2010-2018, I was drawn to this neighborhood largely due to the consistent form and rhythm of the historic buildings along the street, cascading downward all the way to Main Street.

I urge the board to reject this proposal and set a strong precedent for infill moving forward. A building occupying this site should be 4 stories, as are its neighboring buildings.

I will be in an airport on the day of the hearing but will try my best to join.

Best,  
Danny Klingler

## ADJUDICATION/DENIAL LETTER

Date: September 18, 2020

Location: 553 E 13<sup>th</sup> Street

Request: Infill construction and various zoning relief

Zoning District: Rm 0.7/ Over-the-Rhine Historic District

The City of Cincinnati appreciates receiving your information regarding your proposed project. The purpose of this letter is to inform you that your proposed project will be required to get a Certificate of Appropriateness and Zoning Relief from the Historic Conservation Board as it is within a local historic district.

All documents **that are checked** on the Documents Required for Historic Conservation Board Review are a required part of the submission and the submission will not be considered complete unless all of these documents are included. When you submit the copies of the application, the Documents Required Sheet must be submitted as well. **A \$621.68 fee is required with the submission as well.** All deadlines for upcoming Historic Conservation Board hearings can be found at <https://www.cincinnati-oh.gov/buildings/historic-conservation/historic-conservation-board/>. **Applications must be submitted no later than 3pm on the deadline date.**

Staff has discussed this project with the applicant and has stated that we will not be able to support the project as presented for this adjudication letter due to the lack of compliance to the zoning code and variance requirements and the Over-the-Rhine Historic District guidelines. The applicant is submitting an application knowing that the staff is not supportive of the project as proposed in review for this adjudication letter and against the advice of staff as to how to proceed. The project does not meet the Historic Conservation Guidelines for new construction for the Over-the Rhine historic district in the following ways.

1. Height: The building is 2 stories higher. The applicants have been told numerous times that the Historic Conservation Board has already found that at this site a 4-story building would be height allowed on a previous case.
2. Windows: The windows lack any type of articulation including, sills, lintels, or window divisions and are inappropriate.
3. Entrance opening: The entrance opening is too large and doesn't match the context. T
4. Rear façade: The rear façade is very visible and does not meet the guidelines for windows, rhythm, height, or materials.

Your request also does not comply with the City of Cincinnati Zoning Code for the following reason(s):

1. 1405-07: The density allowed is 1 unit per 700 sf of land. The project is permitted to have 3 units, the proposed has 10. A zero-lot line set back is proposed. **A 487.5 sf/unit of land variance is required.**
2. 1405-07: A required rear setback is 20 feet. A zero-lot line set back is proposed. **A 20-foot variance is required.**
3. 1405-07: A side setback 0/5 is required. A zero lot line development is proposed. **A 5-foot variance is required.**
4. 1405-07: Height. The required maximum height is 35 feet. The proposed height is 74 feet. **A 39-foot variance is required.**

The applications and documents required will be turned into the *Law Department- Office of Administrative Boards*. Their office is located on the 5<sup>th</sup> floor of 805 Central Avenue in the Permit Center. Applications can

be turned in **no later than 3pm on the deadline date**. You must contact Kasandra Maynes at 513-352-1559 or [Kasandra.Maynes@cincinnati-oh.gov](mailto:Kasandra.Maynes@cincinnati-oh.gov) for submittal.

You may also contact me at the information listed below with historic conservation or zoning questions, concerns or to make an appointment.

Sincerely,



Beth Johnson  
Urban Conservator  
(p): 513-352-4848  
(e): [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)

# CINCINNATI'S HISTORIC CONSERVATION OFFICE



## Documents Required for Historic Conservation Board Review

*The Historic Conservation Office will provide this list with the required items checked off once an Adjudication/Denial letter is issued.*

- 3 complete hard copies at the time of application.
- All drawings formatted to 11x17 or 12x18.
- Digital copy in PDF format provided on CD, USB drive, or emailed to [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)
- Adjudication/Denial Letter and this checklist
- Certificate of Appropriateness Application Form
- A letter/narrative statement of intent and how the project meets the applicable Historic Conservation Guidelines
- Zoning Hearing Examiner Application Form
- A letter/narrative statement required in Section 6 of the Zoning Hearing Examiner Application
- The Hamilton County Auditors record or other documentation showing property ownership
- A letter/email of permission from owners, lease, contract to purchase or other agreement demonstrating the applicant or owner's legal basis to seek the COA or Zoning Relief
- A list of the applicants' witnesses and expert witnesses who you expect to testify at the hearing or legal counsel, if any
- 8 business days before the hearing date 10 hard copies and a digital copy in one pdf or for the final board packet. Drawings must be formatted and retain the proper scale in 11x17 or 12x18.
- Other Documents or information applicant wants to present for their case
- Non-Refundable Application Fee. Checks made payable to the City of Cincinnati. \$ 621.68

### All Drawings and Plans must include the following

- A graphic scale required on all drawings
- North arrows on all site, context and floor plans
- Elevations labeled with North, South, East West, front, side and rear labels
- Street names labeled
- Date and/or revision dates

### Architectural Drawings and Plans

- An index of drawings located on the first sheet
- Context Map showing the building within at least a block of context
- Existing and proposed site plans including
  - Parcel/boundary lines
  - Building footprints and dimensions labeled
  - Setback dimensions from all property lines labeled
  - Existing and proposed principal and accessory buildings, including location, dimensions, and height labeled;
  - All properties and their structures immediately adjacent to the site
- Existing and proposed elevation drawings
  - Total Height from grade to top of the building
  - Total height- ASL (Above Sea Level)
  - Materials labeled
- Existing and proposed floor plans and roof plans (with chimney locations)
  - Residential and Commercial Spaces labeled. Residential Spaces must be numbered.
  - Square feet of commercial spaces listed

- Location of trash storage and Utilities
- Site section and/or Site elevations including any adjacent properties
- Driveways, sidewalks, walkways, terraces, and other paved surfaces
- Existing and proposed accessory structures, including walls, fences, porches, lighting, signs, and other site improvements;
- Existing and proposed landscape areas and materials, if proposed to be altered;
- Proposed materials, textures, and colors. Include Make, model and series for proposed materials
- Labeled photos of all sides of the building and a 1 block streetscape context in all directions
- Site line drawings for any roof additions.
- A color rendering, axonometric drawings and/or perspective of the proposed construction (required on infill projects)

**Required if applicable to the project**

- Historic Sanborn Maps of the site
- Window brochures and cut sheet
- Roof product information (brochure)
- Garage door brochures
- Sample materials or color samples. \_\_\_\_\_
- Fence drawings of style, fence brochures or photo of a sample fence
- Signs; drawings, photo showing the sign on the building, mounting info, materials, colors and illumination
- Mature tree removal requires a letter from an arborist stating its poor health
- All written correspondence submitted by the applicant and other affected persons
- Tentative project schedule
- Egress Plan/Route to Building Code Compliance (roof decks, multi-family developments)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Demolition (full or partial) for Historic Conservation Districts and Landmarks**

- Demolition Case Sheet and all required information listed on the sheet unless otherwise not required by the Urban Conservator in writing and provided with application.
- Statement of plans for the property after demolition.

**Hillside Overlay Zone (CZC § 1433)**

- A development plan, accompanied by a property survey, showing existing vegetation and proposed development, and where applicable, streets, drives, parking areas, walkways, heights of structure(s), location of structures, elevation and setback of proposed buildings, drainage, existing contours and proposed grading and new landscaping plans, proposed uses and square footage of uses and recreational facilities;
- A preliminary geotechnical evaluation;
- A determination of the maximum building envelope;
- Average slope/grade of the property; and
- Graphic illustrations demonstrating that the proposed improvement or new structure has not exceeded the maximum building envelope

**For additional questions contact Beth Johnson, Urban Conservator at 513-352-4848 or [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)**

*Note: The aforementioned information is general in nature. Additional information may be required by the Urban Conservator once the application is submitted. Please use this list to plan for the potential documents that could be required for a submission.*



II Centennial Plaza  
 805 Central Avenue, Suite 500  
 Cincinnati, Ohio 45202  
 Monday- Friday 7:30 am—4 pm  
 (513) 352-4848  
[Beth.Johnson@Cincinnati-OH.gov](mailto:Beth.Johnson@Cincinnati-OH.gov)

Office Use Only	
Application #:	_____
Date Accepted:	_____
<input type="checkbox"/> Staff Review	<input type="checkbox"/> Board Review
<input type="checkbox"/> Paid:	_____
Date Perfected:	_____
Hearing Date:	_____

## CERTIFICATE OF APPROPRIATENESS APPLICATION

### SUBJECT PROPERTY

Site Address: \_\_\_\_\_  
 Hamilton Co. Parcel ID No.: \_\_\_\_\_ Zoning District: \_\_\_\_\_  
 Historic District: \_\_\_\_\_ Overlay District: \_\_\_\_\_

### APPLICANT INFO PROPERTY OWNER OTHER \_\_\_\_\_ (AGENT, ATTORNEY, ARCHITECT, ETC.)

Name: \_\_\_\_\_  
 Contact Person (if legal entity): [Daniel J Streicher](#)  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### PROPERTY OWNER INFO SAME AS ABOVE

Name: \_\_\_\_\_  
 Contact Person (if legal entity): [Shane Qualls](#)  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### CERTIFICATE OF APPROPRIATENESS (SELECT ALL THAT APPLY)

- New Construction       Alteration       Demolition

Provide a very brief summary of the project:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### ZONING RELIEF Yes No

Provide a very brief summary of the zoning relief requested:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### SUBMISSION REQUIREMENTS & REQUIRED ATTACHMENTS

**Demolition requests must include all required demolition forms.**  
**All applications that include requests for zoning relief must include a zoning hearing application.**  
**All persons seeking historic tax credits must provide a copy of their approved part II tax credit application.**

I certify that all statements and documents that I provide with reference to this application are accurate, complete, and true to the best of my knowledge and belief. I further acknowledge that my application shall be deemed incomplete for my failure to timely comply with any requirement of this application, which non-compliance may result in delays in the scheduling and resolution of my application.

Applicant Signature: [Daniel J Streicher](#) Date: \_\_\_\_\_



859.412.0220  
daniel@createdbyCURB.com

PO Box 121324  
Covington, KY  
41012

September 23, 2020

Ms. Beth Johnson  
City of Cincinnati, Urban Conservator  
805 Central Ave / Suite 500  
Cincinnati OH 45202

Dear Ms. Johnson,

My team currently controls the property @ 553 East 13th Street in Cincinnati's exciting Pendleton neighborhood. We have purchased control of this property with the intent of building an owner-occupied multifamily investment that solidifies us as Cincinnatians and continues to strengthen the urban landscape of the Pendleton neighborhood. This is a lifestyle and lifetime investment. My family looks forward to raising our seven year old in Pendleton, sending him to local schools, growing our investment & development company within the neighborhood, and continuing to improve the Cincinnati urban way of life.

As you will see in the attachments, our project conforms to many of the historic guidelines. Some of the easily recognizable traits are window rhythm, brick facade, roofline overhang and top floor dormers. While the proposed building stands taller than the two direct neighbors, you will find in **exhibit A902** that it maintains the erratic 2-3 story rhythm of the south side 13th Street scape. Look a bit further to include the entire Pendleton neighborhood, you will see that it fits the entire corky rhythm of the neighborhood which encompasses the historic 8-story shoe factory turned art center @ 1310 Pendleton St, the 6-story historic-modern condo project @ 410 Reading Rd, and the newest addition of the 7-story ultra-modern luxury apartments @ 1118 Sycamore St. These projects can be seen in **exhibit A903**.

Our team has worked very hard to create a win/win for all parties involved and affected by the proposed project. We hope that you will seriously consider the proposal and support us through the approval process. We look forward to continuing working with your team on the project and the opportunity to invest in Cincinnati & the Pendleton neighborhood.

Thank you for your time and consideration.

Sincerely,

Daniel J Streicher

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II Centennial Plaza  
805 Central Avenue, Suite 500  
Cincinnati, Ohio 45202  
Monday- Friday 7:30 am- 4 pm  
513-352-1559

Click any blue box  
for additional information  
(hyper-link)

[Boards@cincinnati-oh.gov](mailto:Boards@cincinnati-oh.gov)

# ZONING HEARING EXAMINER

## Application for Zoning Relief

Office Use Only  
Case Number: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

**Section 1. SUBJECT PROPERTY**

ADDRESS \_\_\_\_\_ COMMUNITY \_\_\_\_\_

**PARCEL ID(S)** \_\_\_\_\_ **HILLSIDE DISTRICT**  Yes  No

**BASE ZONING CLASSIFICATION** \_\_\_\_\_ **ZONING OVERLAY** (if applicable) \_\_\_\_\_

**HISTORIC DISTRICT:**  No  Yes: (name) \_\_\_\_\_

Non-Residential Project  Residential Project (RCO) One -, Two -, and Three- Family Dwelling

**Section 2. APPLICANT**

NAME \_\_\_\_\_ CONTACT PERSON (if legal entity) \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

EMAIL \_\_\_\_\_ RELATIONSHIP TO OWNER (if not owner) \_\_\_\_\_

TELEPHONE \_\_\_\_\_

**Section 3. OWNER**

NAME \_\_\_\_\_ CONTACT PERSON (if legal entity) \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

EMAIL \_\_\_\_\_ RELATIONSHIP TO OWNER (if not owner) \_\_\_\_\_

TELEPHONE \_\_\_\_\_

**Section 4. NATURE OF RELIEF REQUESTED.** (select all that apply)

Variance  Special Exception  Conditional Use  Use Variance

Expansion or Substitution of Non Conforming Use  Hillside Overlay District Permission

Urban Design Overlay District Permission  DD District Phased Development Approval

**Section 5. BRIEF DESCRIPTION OF PROPOSED PROJECT** (Do not write "see attached" or leave blank. You may attach a longer statement to this application if the space provided is insufficient to describe your proposed project)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Section 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 attached. If you fail to follow the instructions for your type of request, your application may be denied.

**Section 7. SIGNATURE.** The undersigned does 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 Paul J. St... Date \_\_\_\_/\_\_\_\_/\_\_\_\_

**Section 8. ADDITIONAL DOCUMENTATION SUBMISSION REQUIREMENTS.**

If you fail to complete the application or provide all information requested, your application may be denied.

All application transactions must be completed by 4:00pm. No exceptions.

<input type="checkbox"/>	Submit two (2) paper copies collated, single sided and bound together, and one (1) digital copy in PDF format of all the documents listed below.
<input type="checkbox"/>	All documents (forms, letters, etc.) must be formatted to 8.5x11. Plans or drawings may be formatted to 11x17 or 12x18, but no larger sizes will be accepted.
<input type="checkbox"/>	Zoning Hearing Examiner application.
<input type="checkbox"/>	Denial letter from Zoning Department, or signed letter from a Zoning Plans Examiner.
<input type="checkbox"/>	<u>Written statement required in Section 6 of application.</u>
<input type="checkbox"/>	Applications requesting development permission in a Hillside Overlay District must meet the additional requirements found in <u>Cincinnati Municipal Code 1433-15</u> Please ensure your application meets these requirements.
<input type="checkbox"/>	Accurate drawings, plans or surveys (including a graphic scale) showing boundaries, dimensions, areas, topography, and frontage of the property involved, as well as the location and dimensions of all structures <b>existing and proposed</b> from the nearest property lines. When landscaping is required by the zoning code, a landscaping plan must be provided.
<input type="checkbox"/>	Detailed information (such as photographs, elevations, specifications) fully depicting the exterior appearance of the <b>existing and proposed</b> project, including parking and access, exterior lighting, landscaping, and signs involved in the application.
<input type="checkbox"/>	<u>The Hamilton County Auditor's</u> record showing ownership of the property. If the Hamilton County Auditor's official records do not list the applicant or owner as the owner of the property, please provide a lease, contract to purchase, or other agreement demonstrating the applicant or owner's legal basis to seek the relief requested.
<input type="checkbox"/>	A list of witnesses and expert witnesses who you expect to testify at the hearing on this application.
<input type="checkbox"/>	Other documents or information you intend to introduce at the hearing on this application.
<input type="checkbox"/>	A non-refundable application fee - a check made payable to "City of Cincinnati." <ul style="list-style-type: none"> <li>• <b>\$900.00</b> for Use Variances</li> <li>• Variances, <i>including Special Exception, Conditional Use, Expansion or Substitution of Non-Conforming Use, Hillside &amp; Urban Design Overlay and DD District</i> are as follows: <ul style="list-style-type: none"> <li><b>\$300.00</b> for Residential Projects (RCO) One -, Two -, and Three- Family Dwelling</li> <li><b>\$500.00</b> for Non-residential Projects (Non-RCO)</li> </ul> </li> </ul>

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.

# **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.

# **INSTRUCTIONS FOR APPLICATIONS REQUESTING A USE VARIANCE**

Applicants requesting a use variance must demonstrate through “CLEAR AND CONVINCING EVIDENCE” in the form of 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 1445-16. 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 use 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 1445-16, an applicant must show that the applicant will suffer unnecessary hardship if strict compliance with the terms of the Code is required. An applicant can show this by providing clear and convincing evidence demonstrating all of the following criteria are met:
  - a. the property cannot be put to any economically viable use under any of the permitted uses in the zoning district;
  - b. the variance requested stems from a condition that is unique to the property at issue and not ordinarily found in the same zone or district;
  - c. the hardship condition is not created by actions of the applicant;
  - d. the granting of the variance will not adversely affect the rights of adjacent property owners or residents;
  - e. the granting of the variance will not adversely affect the community character, public health, safety or general welfare;
  - f. the variance will be consistent with the general spirit and intent of the zoning code; and
  - g. The variance sought is the minimum that will afford relief to the applicant.

# **INSTRUCTIONS FOR APPLICATIONS REQUESTING A SPECIAL EXCEPTION**

Applicants requesting a special exception 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 1445-19. 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 special exception:

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 1445-19, an applicant must demonstrate all of the following:
  - a. the zoning code allows for a special exception in the district in which the property is located;
  - b. the proposed project meets any special standards for the specific special exception requested; and
  - c. the proposed project will meet all of the following standards:
    - i. be consistent with the purposes of the zoning code and the district where the use is located.
    - ii. not substantially diminish or impair the value of property within the neighborhood in which it is located.
    - iii. not have an adverse effect on the character of the area or the public health, safety and general welfare, and be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accord with applicable district regulations.
    - iv. comply with all other standards imposed on it by this zoning code.

# **INSTRUCTIONS FOR APPLICATIONS REQUESTING AN EXPANSION OR SUBSTITUTION OF A NONCONFORMING USE**

Applicants requesting an expansion or substitution of a nonconforming use 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 1447-17. 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 an expansion or substitution of a nonconforming use:

1. To meet the standard outlined in Cincinnati Municipal Code 1447-17, an applicant must demonstrate how the proposed project relates to one or more of the following standards:
  - a. consistency with the general purposes and intent of the zoning code;
  - b. promotion of the safe and efficient use of land;
  - c. compatibility with other adjacent land uses and buildings existing in the surrounding area;
  - d. consistency with the purposes of the zoning district in which the use is located and does not negatively impact the value of surrounding property; or
  - e. location in a building that is specially equipped or structurally designed for that use.

# **INSTRUCTIONS FOR APPLICATIONS REQUESTING DEVELOPMENT PERMISSION IN A HILLSIDE OVERLAY DISTRICT**

Applicants requesting development permission in a Hillside Overlay District must demonstrate through credible testimony, documentary evidence or written statements how their proposed project meets the standards outlined in Cincinnati Municipal Code 1433-19 AND Cincinnati Municipal Code 1433-23. 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 development permission in a Hillside Overlay District:

1. To meet the standard outlined in Cincinnati Municipal Code 1433-19, an applicant must demonstrate how the proposed project complies with all base development requirements for a Hillside Overlay District. The list of base development requirements is found in Cincinnati Municipal Code 1433-19.

**AND**

2. To meet the standard outlined in Cincinnati Municipal Code 1433-23, an applicant must demonstrate the proposed project is in harmony with adjacent buildings and the hillside environment. A list of standards considered by the Zoning Hearing Examiner to determine whether the proposed project is in harmony with adjacent buildings and the hillside environment is found in Cincinnati Municipal Code 1433-23.

**\*\*\*Please note that applications requesting development permission in a Hillside Overlay District must meet the additional requirements found in Cincinnati Municipal Code 1433-15. Please ensure your application meets these requirements.**

# **INSTRUCTIONS FOR APPLICATIONS REQUESTING DEVELOPMENT PERMISSION IN AN URBAN DESIGN OVERLAY DISTRICT**

Applicants requesting development permission in an Urban Design Overlay District must demonstrate through credible testimony, documentary evidence or written statements how their proposed project meets the standards outlined in Cincinnati Municipal Code 1437-09. 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 development permission in an Urban Design Overlay District:

1. To meet the standard outlined in Cincinnati Municipal Code 1437-09, an applicant must demonstrate how the proposed project complies with the standards found in Cincinnati Municipal Code 1437-09 that apply to the particular district in which the proposed project will be located.

# **INSTRUCTIONS FOR APPLICATIONS REQUESTING APPROVAL FOR A DD DISTRICT PHASED DEVELOPMENT**

Applicants requesting approval for a DD District Phased Development must provide all information required by Cincinnati Municipal Code 1411-45.

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 approval of a DD District Phased Development:

1. For projects that intend to phase development by first erecting a building and then enlarging that building or erecting one or more additional buildings or both, the applicant must:
  - a. provide a site master plan to the Zoning Hearing Examiner. The site master plan must be a schematic of the intended development of the entire site showing the locations, uses, heights and gross floor areas of every building. The master plan must contain such other information as necessary to determine whether the intended development conforms to the requirements of this zoning code. The master plan may be amended from time to time, provided any amended master plan be filed with the Zoning Hearing Examiner; **and**
  - a. comply with all other applicable requirements set forth in Cincinnati Municipal Code 1411-45.

## **INSTRUCTIONS FOR APPLICATIONS REQUESTING CONDITIONAL USE APPROVAL**

Applicants requesting approval a conditional use approval 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 1445-05 and 1445-21. 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 conditional use approval:

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 1445-05 and 1445-21, an applicant must show:
  - a. the conditional use is specifically listed in the applicable zoning district use regulations;
  - b. the project meets any limitations specifically listed in the applicable zoning district use regulations; **and**
  - c. the project’s location, design, configuration and special impact on the area will prevent or limit potential adverse effects on the immediate neighborhood

# **INSTRUCTIONS FOR APPLICATIONS REQUESTING A USE PERMIT**

Applicants requesting approval Use Permit 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 1445-05 and 1445-21. Applicants that are not supported by testimony, documentary evidence, or written statements may be denied.

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 a Use Permit:

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 1445-05 and 1445-21, an applicant must show:
  - a. the Use Permit is specifically listed in the applicable transect zone use table;
  - b. the project meets any limitations specifically listed in the applicable transect zone regulations; **and**
  - c. the project’s location, design, configuration, and special impact on the area will prevent or limit potential adverse effects on the immediate neighborhood



859.412.0220  
daniel@createdbyCURB.com

PO Box 121324  
Covington, KY  
41012

September 23, 2020

Ms. Maynes  
City of Cincinnati, Zoning Examiner  
805 Central Ave / Suite 500  
Cincinnati OH 45202

Dear Ms. Maynes,

My team currently controls the property @ 553 East 13th Street in Cincinnati's exciting Pendleton neighborhood. My girlfriend and I have purchased control of this property with the intent of building an owner-occupied multifamily investment that solidifies us as Cincinnatians and continues to strengthen the urban landscape of the Pendleton neighborhood. This is a lifestyle and lifetime investment. We look forward to raising our seven year old in Pendleton, sending him to local schools, growing our investment & development company within the neighborhood, and continue to improve the Cincinnati urban way of life.

With this in mind, there are four zoning issues identified by the Historic Conservator that we need to address. Each issue seems to correlate directly with City of Cincinnati Zoning Code 1405-07:

1. 1405-07: The density allowed is 1 unit per 700 sf of land. The project is permitted to have 3 units, the proposed has 10. A zero-lot line set back is proposed. **A 487.5 sf/unit of land variance is required.**
  2. 1405-07: A required rear setback is 20 feet. A zero-lot line set back is proposed. **A 20-foot variance is required.**
  3. 1405-07: A side setback 0/5 is required. A zero lot line development is proposed. **A 5-foot variance is required.**
  4. 1405-07: Height. The required maximum height is 35 feet. The proposed height is 74 feet. **A 39-foot variance is required.**
-

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UNIT COUNT: We are aware the both zoning and historic preservation only allow up to 3 units. Like many of the development firms that work within the city, we must create a project that attracts the necessary investment capital to execute a successful project. Though we seek to control the project, live on site, and operate investment, our investors require a market rate return. To accomplish these returns, afford the increase in construct prices, and pay the requested land value, (10) units were the minimal required.

REAR SETBACK: We are providing a rear setback that is consistent with the neighboring historic buildings.

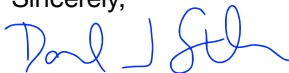
SIDE SETBACK: By nature of this historic street, most buildings connect with one another maintaining a zero lot line. We look to continue this rhythm and build up to the neighboring property.

BUILDING HEIGHT: We are aware the both zoning and historic preservation only allow for a (4)-story building. However, we have the intention of attracting life long tenants and denizens to the Pendleton neighborhood. To do so, providing opportunity for customers to age in place is mandatory and the elevator access is critical. We believe it is fair to assume that you are aware of the expenses associated with installing an elevator. The only way that the project can afford the tool is to build the proposed (6) floors. Upon review of the plans, you will notice that we went through great lengths to assure that the additional height was not overbearing. With the change in street elevation, the height of the 5th floor is hardly higher than the surrounding 4th floor of the neighboring buildings. And on the 6th floor, we pushed the front facade back a number of feet, so that from most street level views you will not even know that the 6th floor exist.

Our team has worked very hard to create a plan that is a win/win for all parties involved and affected by the addition of the proposed project. We hope that you will seriously consider these proposed variance and support us through the approval process. We look forward to continuing working with your team on the project and the opportunity to invest in Cincinnati & the Pendleton neighborhood.

Thank you for your time and consideration.

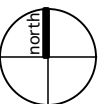
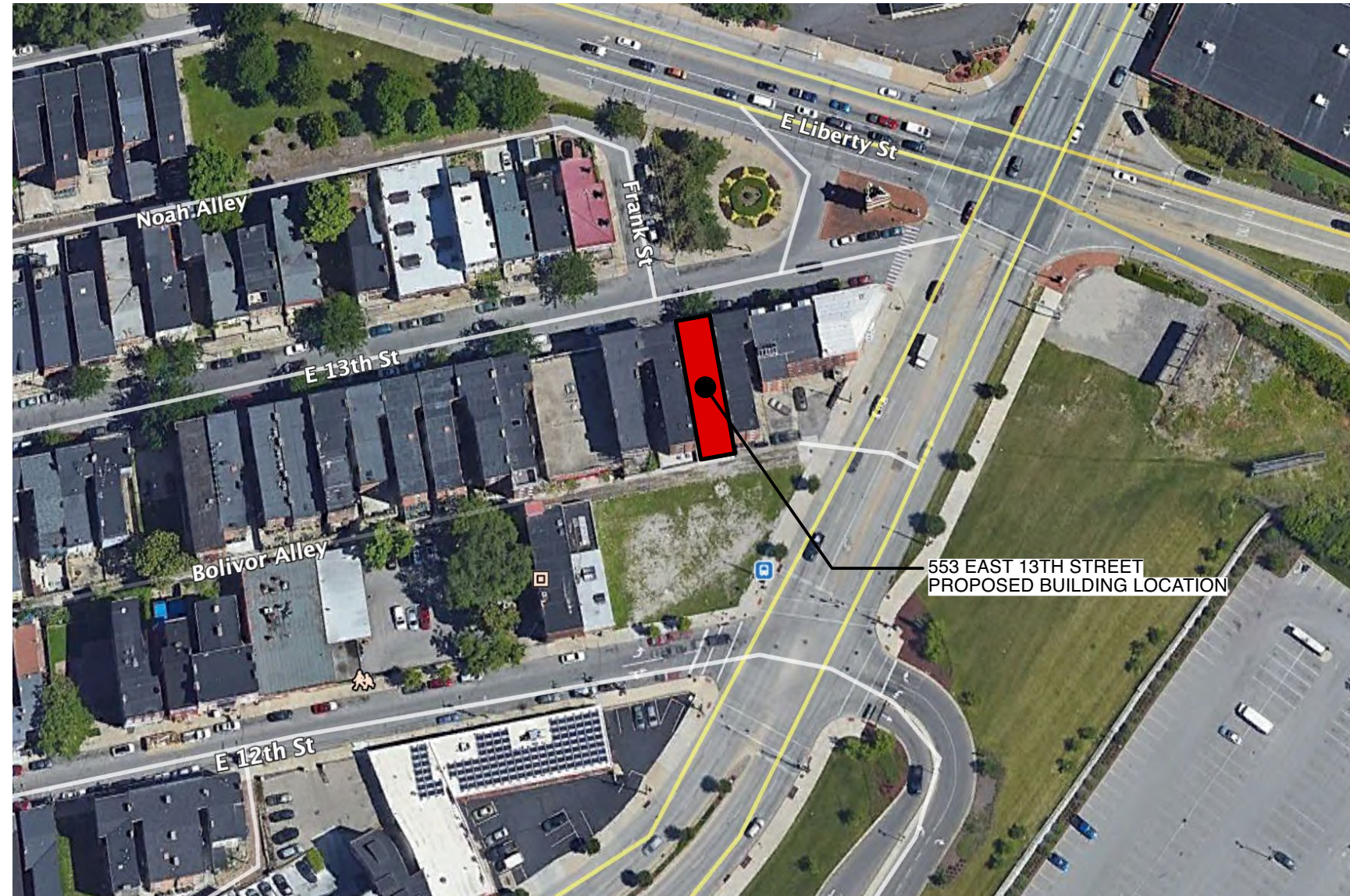
Sincerely,



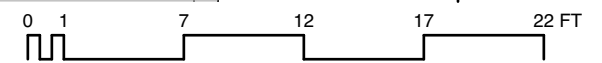
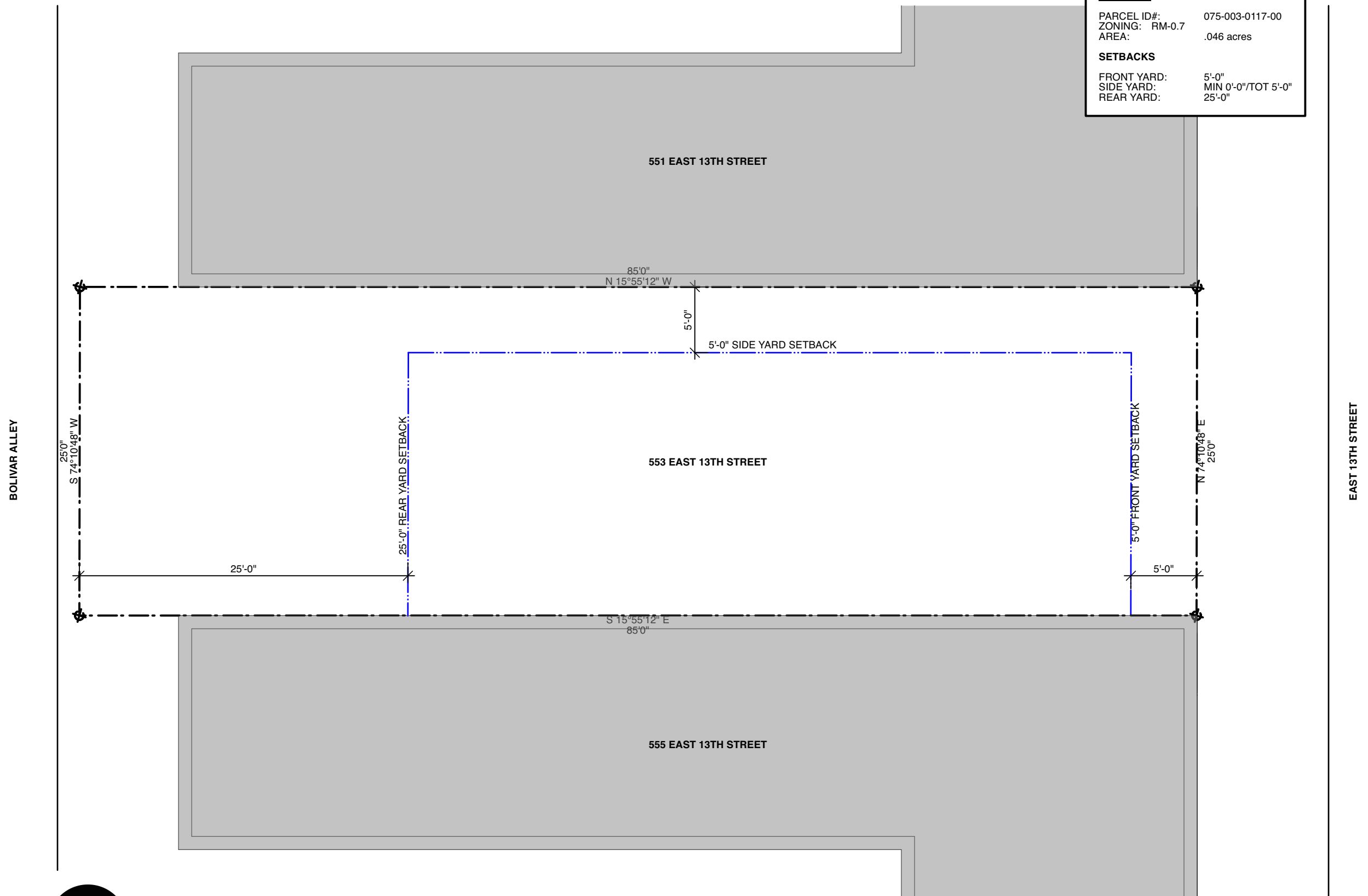
Daniel J Streicher

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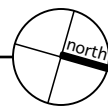
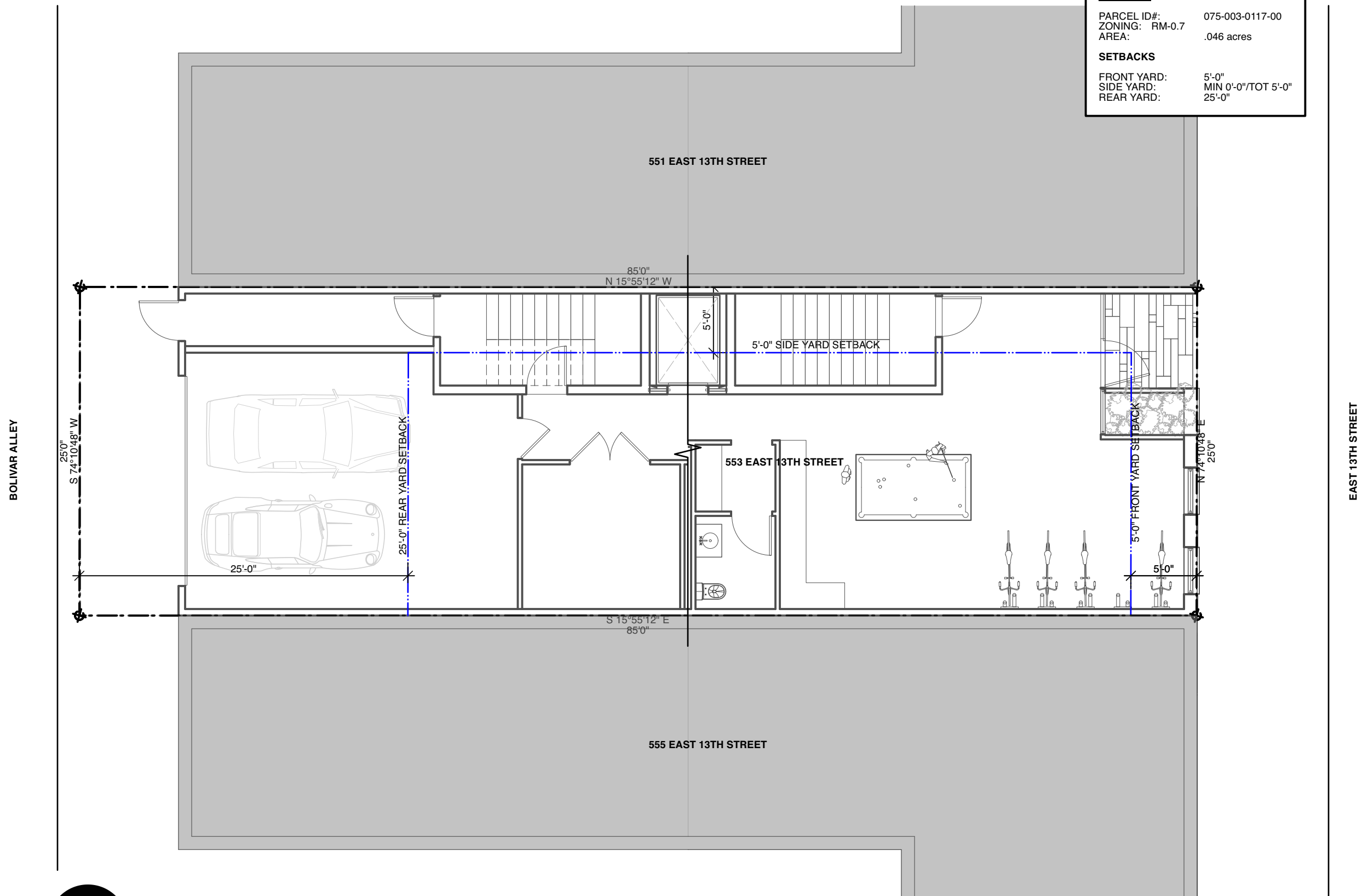
NO.	SHEET NAME	DATE
A000	Cover Sheet	10/19/20
A001	Site Location Plan	10/12/20
A002	Existing Site Plan	10/12/20
A003	Proposed Site Plan	10/12/20
A004	Proposed Egress Plan	10/19/20
A005	Proposed Egress Plan	10/19/20
A100	Basement Plan	10/12/20
A101	Ground Floor Plan	10/12/20
A102	Second - Fifth Floor Plans	10/12/20
A103	Sixth Floor Plan	10/12/20
A104	Roof Plan	10/12/20
A200	Elevations	10/12/20
A201	Elevations	10/12/20
A900	Rendering	10/12/20
A901	Rendering	10/12/20
A902	Streetscape	10/12/20
A903	Context/Precedent	10/12/20

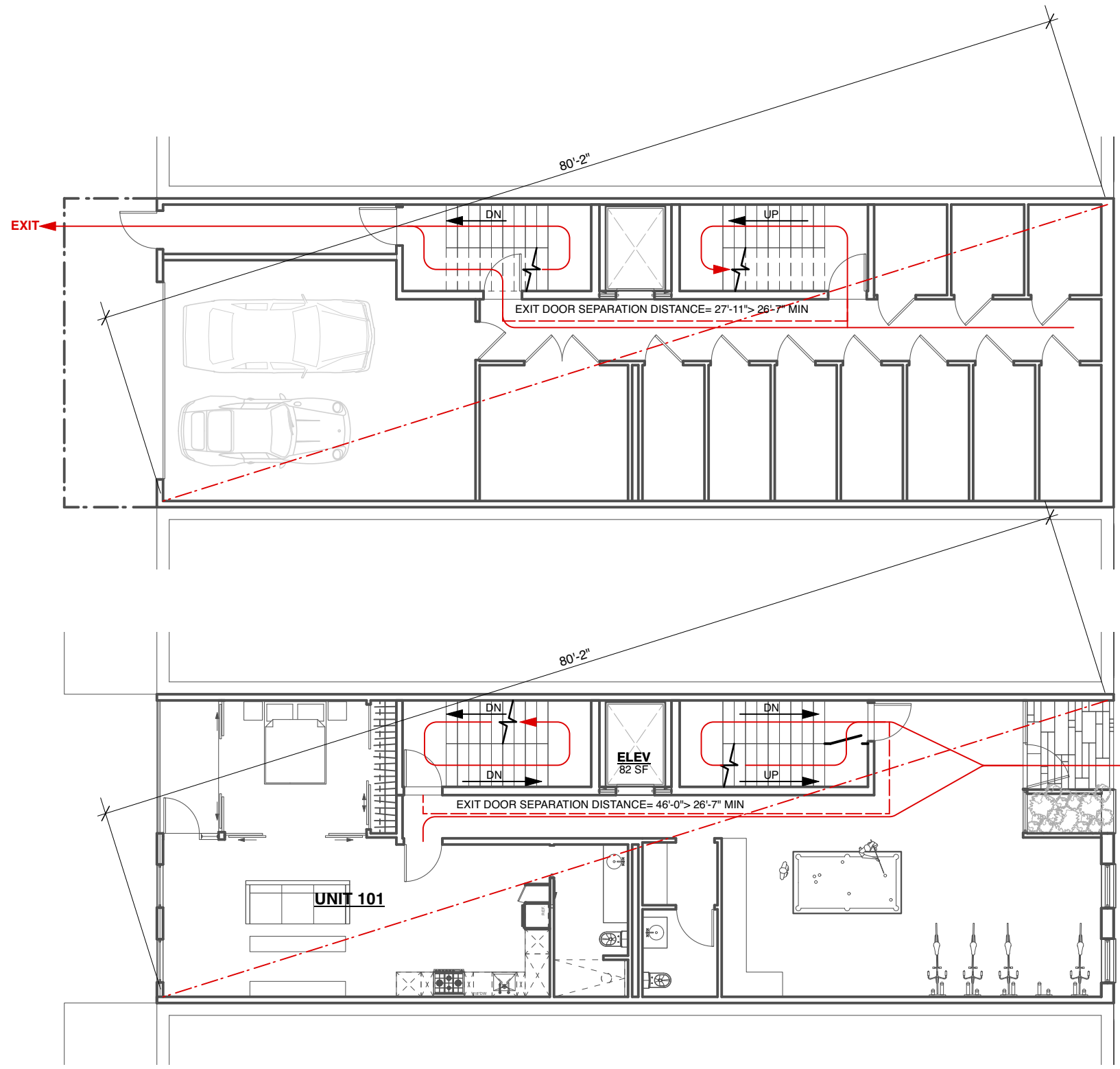


SITE DATA	
PARCEL ID#:	075-003-0117-00
ZONING:	RM-0.7
AREA:	.046 acres
SETBACKS	
FRONT YARD:	5'-0"
SIDE YARD:	MIN 0'-0"/TOT 5'-0"
REAR YARD:	25'-0"



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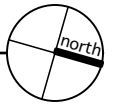




OVERALL DIAGONAL DIMENSION= 80'-2"

BUILDING IS TO BE EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM. THE SEPARATION DISTANCE SHALL BE NOT LESS THAN ONE-THIRD OF THE MAX OVERALL DIAGONAL DIM.

$80'-2" / 3 = 26'-7" \text{ MIN}$

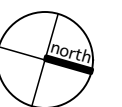


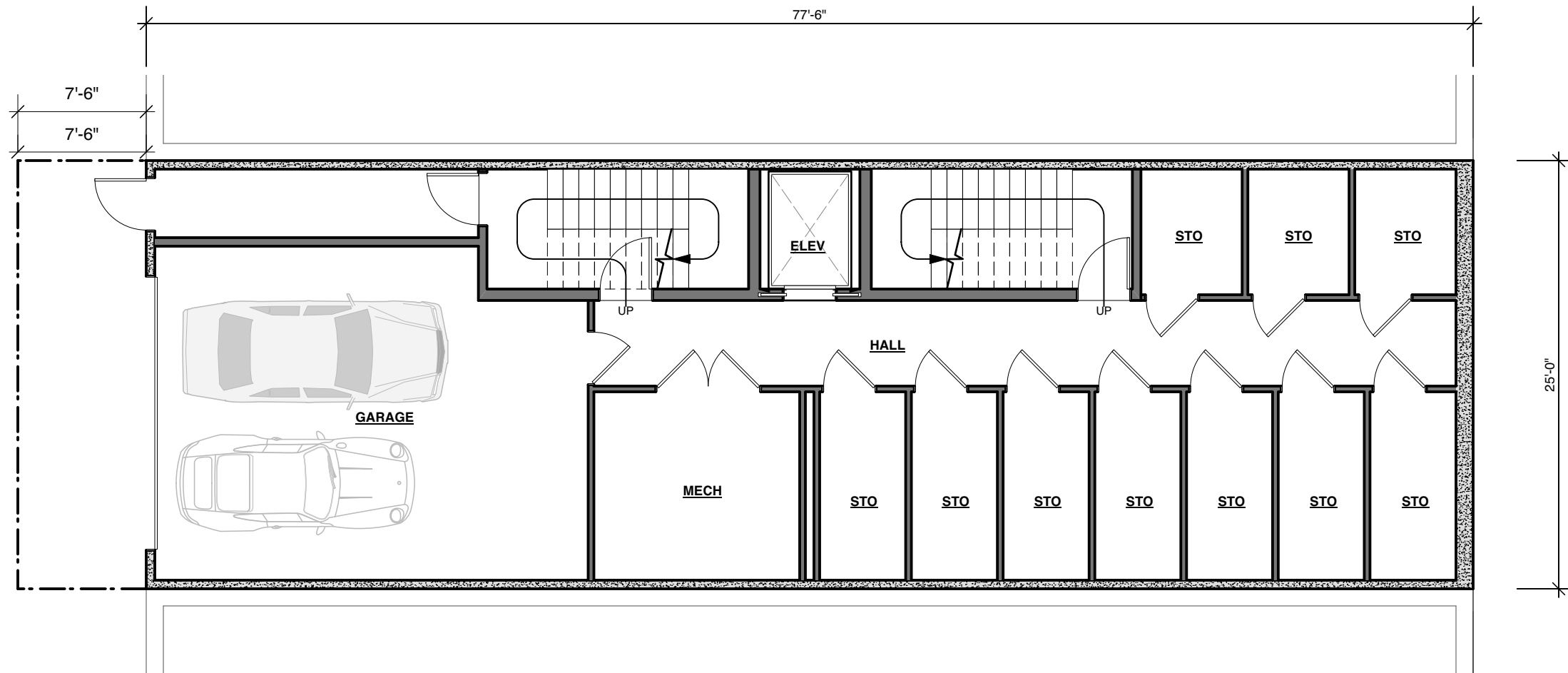


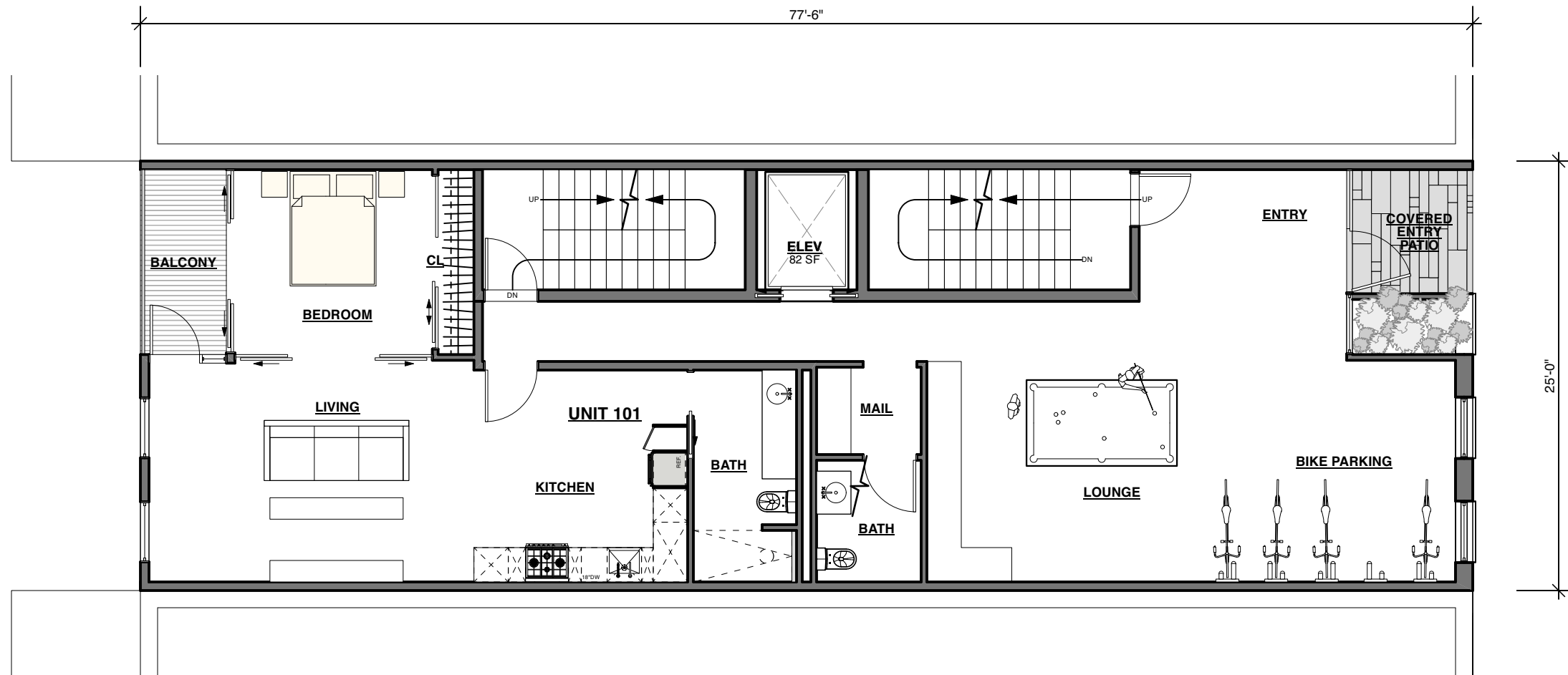
OVERALL DIAGONAL DIMENSION= 80'-2"

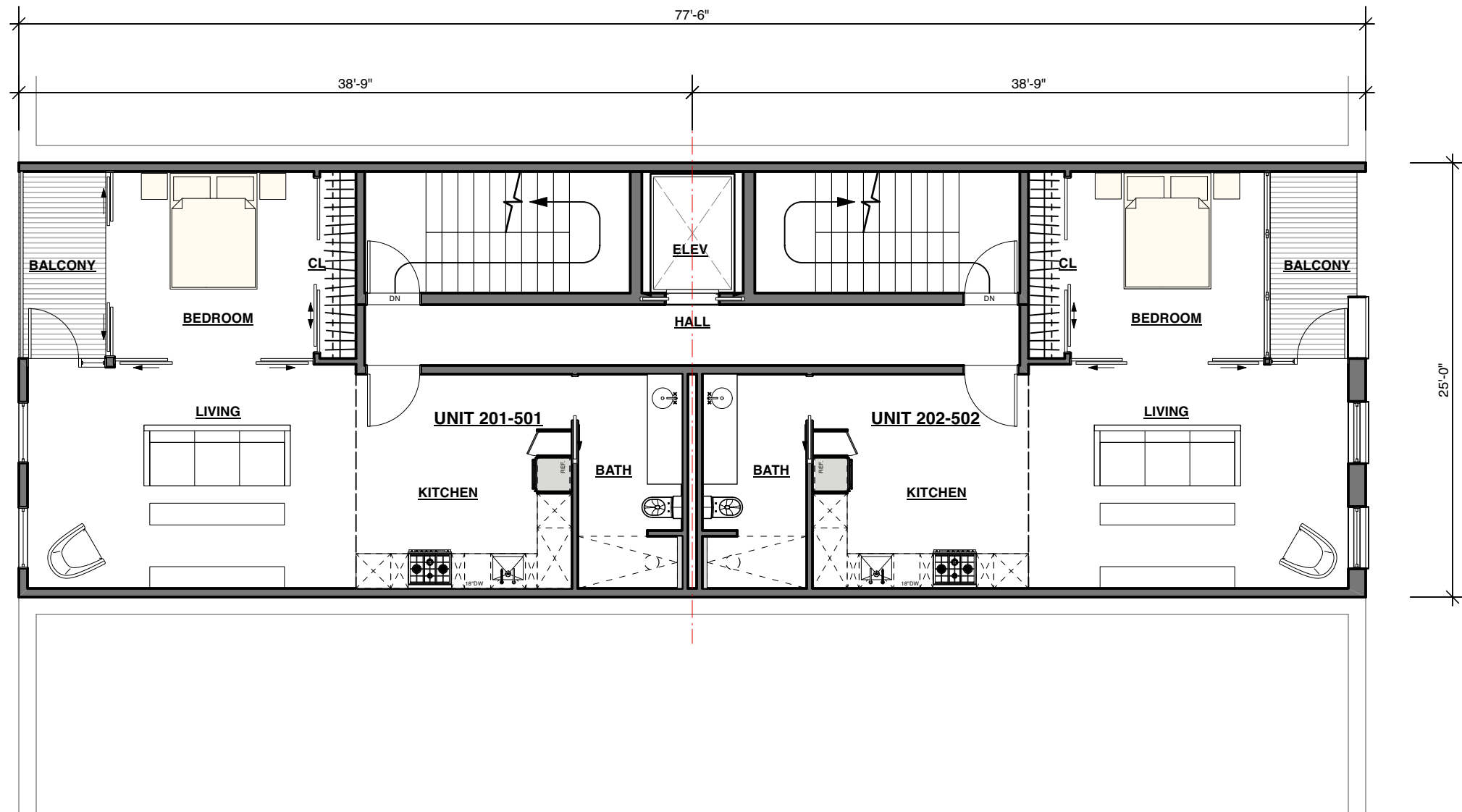
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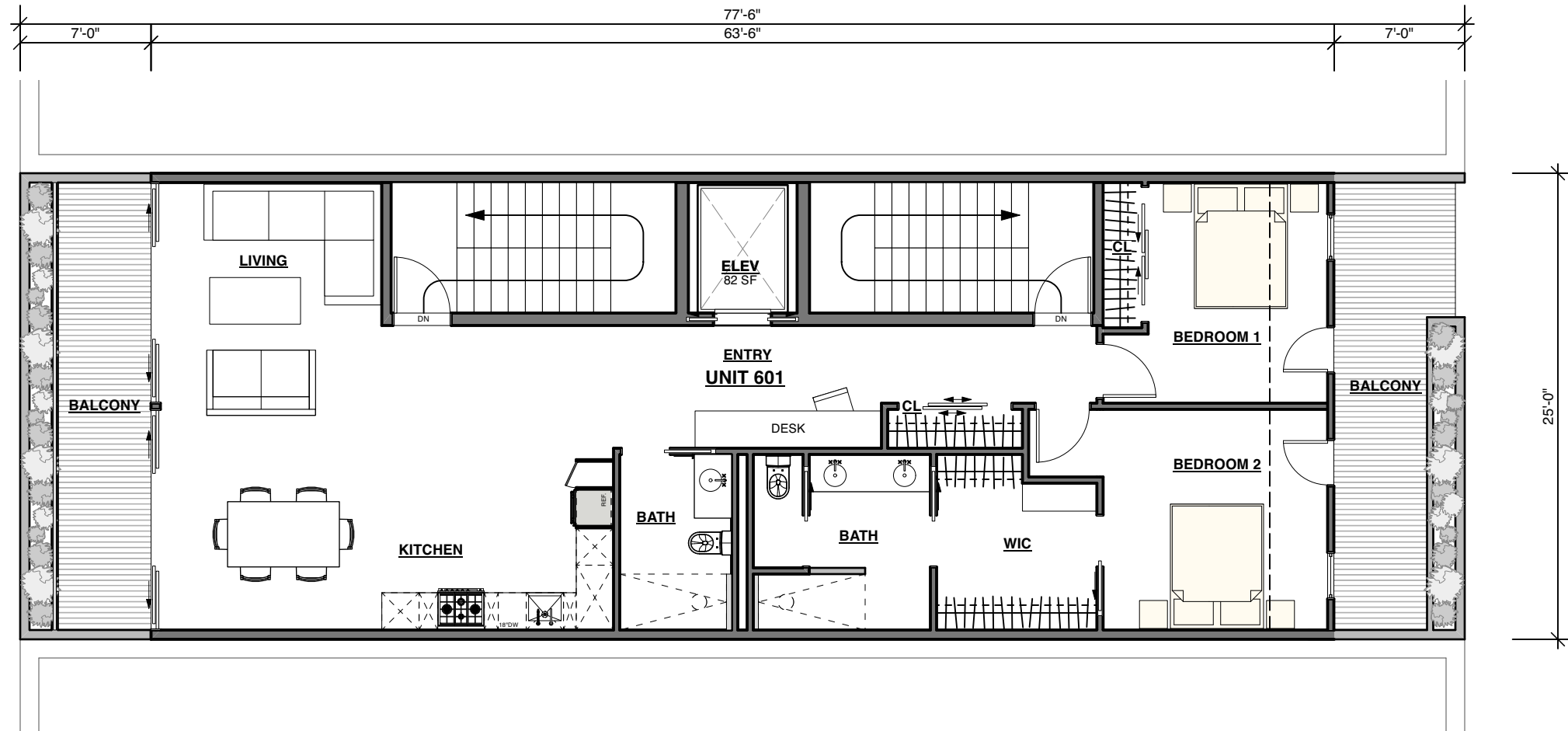
$80'-2" / 3 = 26'-7" \text{ MIN}$

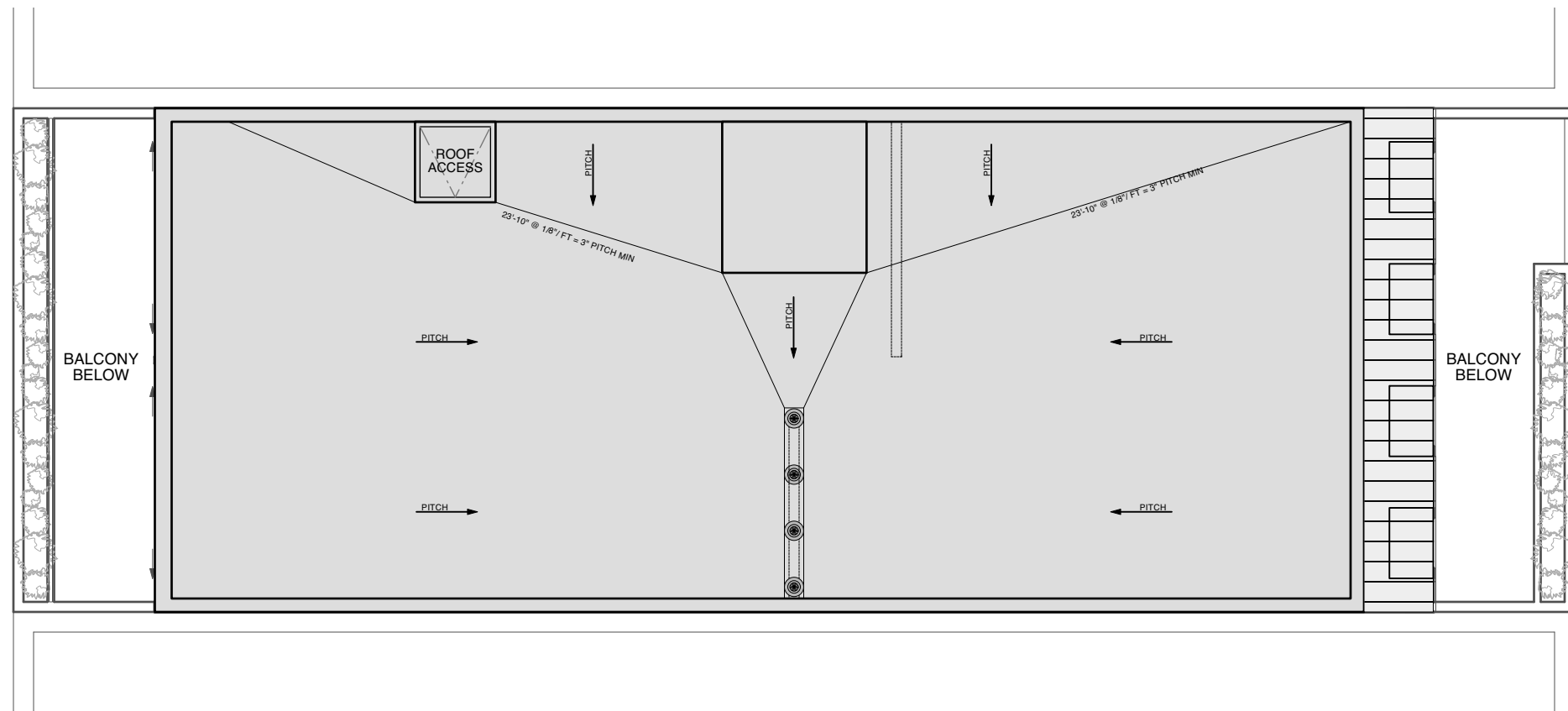


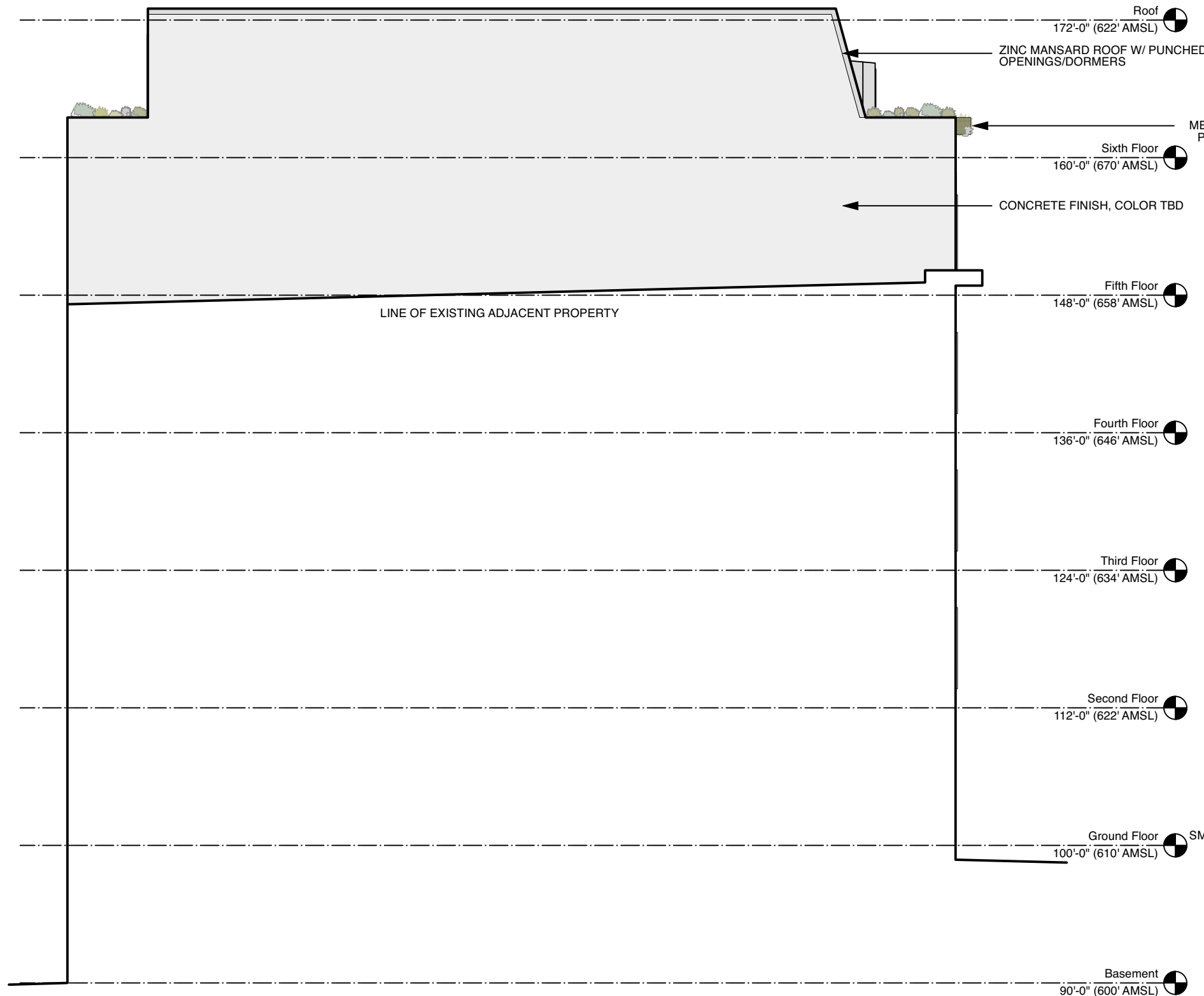








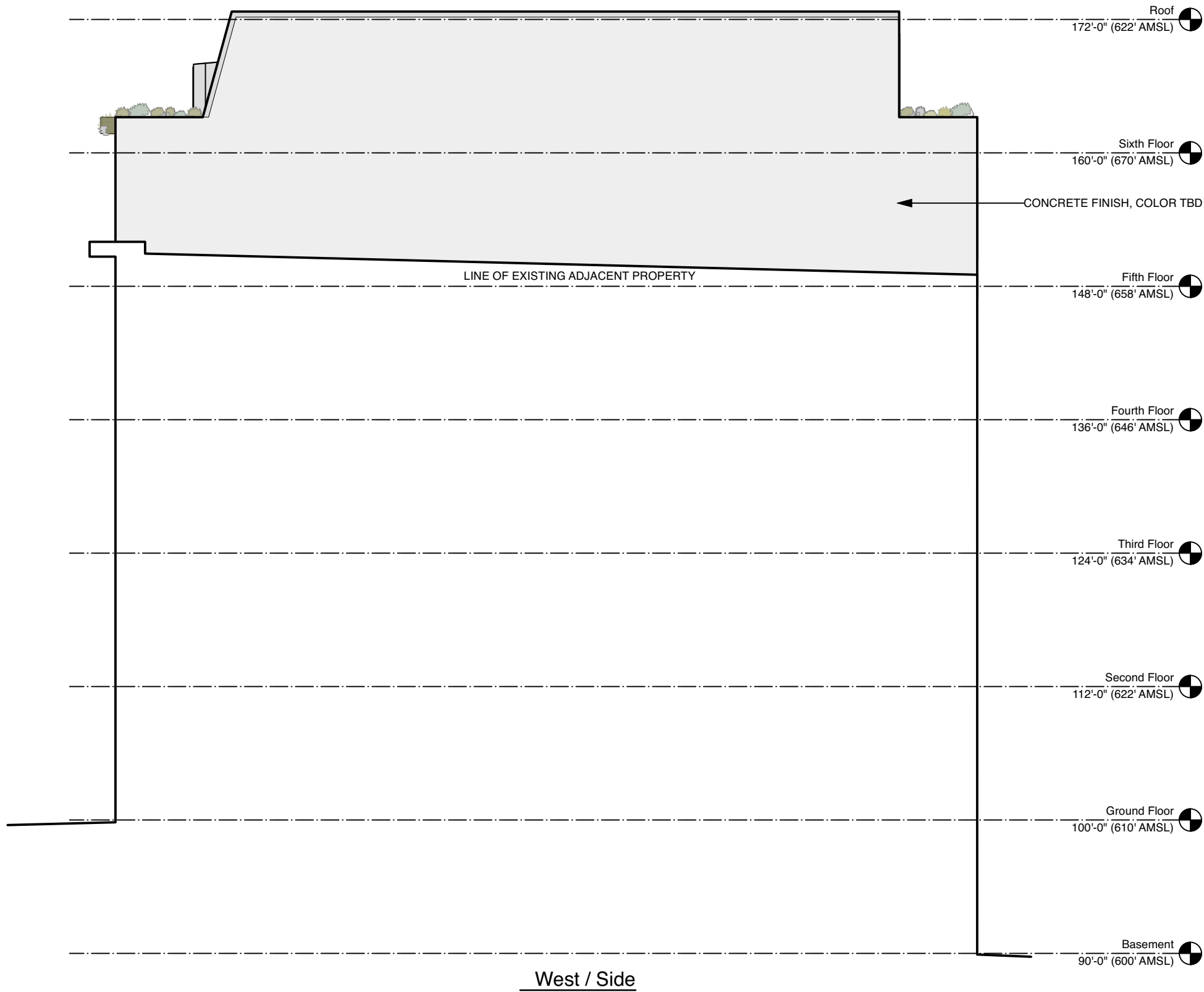




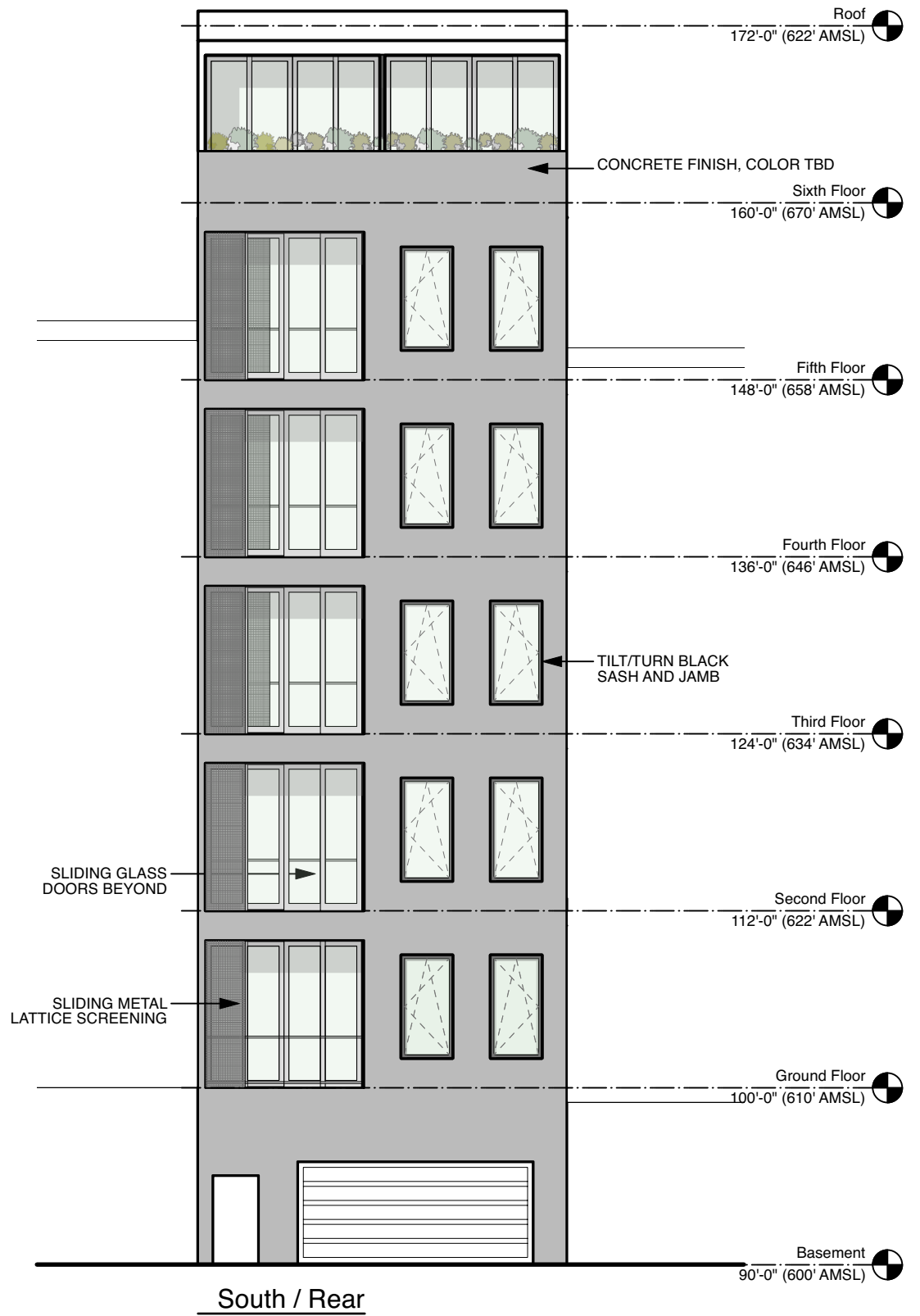
East / Side



North / Front



West / Side



South / Rear



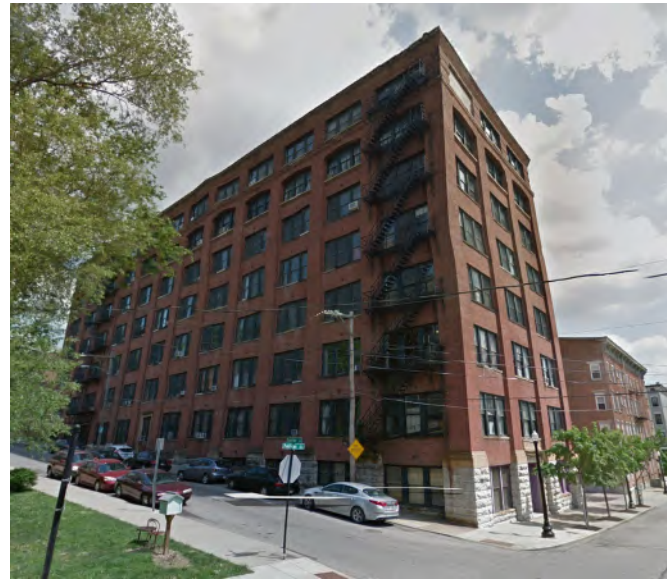


PROPOSED BUILDING LOCATION





1118 Sycamore St.



1310 Pendleton St.



100 West Elder St.



410 Reading Road

## ADJUDICATION/DENIAL LETTER

Date: September 18, 2020

Location: 553 E 13<sup>th</sup> Street

Request: Infill construction and various zoning relief

Zoning District: Rm 0.7/ Over-the-Rhine Historic District

The City of Cincinnati appreciates receiving your information regarding your proposed project. The purpose of this letter is to inform you that your proposed project will be required to get a Certificate of Appropriateness and Zoning Relief from the Historic Conservation Board as it is within a local historic district.

All documents **that are checked** on the Documents Required for Historic Conservation Board Review are a required part of the submission and the submission will not be considered complete unless all of these documents are included. When you submit the copies of the application, the Documents Required Sheet must be submitted as well. **A \$621.68 fee is required with the submission as well.** All deadlines for upcoming Historic Conservation Board hearings can be found at <https://www.cincinnati-oh.gov/buildings/historic-conservation/historic-conservation-board/>. **Applications must be submitted no later than 3pm on the deadline date.**

Staff has discussed this project with the applicant and has stated that we will not be able to support the project as presented for this adjudication letter due to the lack of compliance to the zoning code and variance requirements and the Over-the-Rhine Historic District guidelines. The applicant is submitting an application knowing that the staff is not supportive of the project as proposed in review for this adjudication letter and against the advice of staff as to how to proceed. The project does not meet the Historic Conservation Guidelines for new construction for the Over-the Rhine historic district in the following ways.

1. Height: The building is 2 stories higher. The applicants have been told numerous times that the Historic Conservation Board has already found that at this site a 4-story building would be height allowed on a previous case.
2. Windows: The windows lack any type of articulation including, sills, lintels, or window divisions and are inappropriate.
3. Entrance opening: The entrance opening is too large and doesn't match the context. T
4. Rear façade: The rear façade is very visible and does not meet the guidelines for windows, rhythm, height, or materials.

Your request also does not comply with the City of Cincinnati Zoning Code for the following reason(s):

1. 1405-07: The density allowed is 1 unit per 700 sf of land. The project is permitted to have 3 units, the proposed has 10. A zero-lot line set back is proposed. **A 487.5 sf/unit of land variance is required.**
2. 1405-07: A required rear setback is 20 feet. A zero-lot line set back is proposed. **A 20-foot variance is required.**
3. 1405-07: A side setback 0/5 is required. A zero lot line development is proposed. **A 5-foot variance is required.**
4. 1405-07: Height. The required maximum height is 35 feet. The proposed height is 74 feet. **A 39-foot variance is required.**

The applications and documents required will be turned into the *Law Department- Office of Administrative Boards*. Their office is located on the 5<sup>th</sup> floor of 805 Central Avenue in the Permit Center. Applications can

be turned in **no later than 3pm on the deadline date**. You must contact Kasandra Maynes at 513-352-1559 or [Kasandra.Maynes@cincinnati-oh.gov](mailto:Kasandra.Maynes@cincinnati-oh.gov) for submittal.

You may also contact me at the information listed below with historic conservation or zoning questions, concerns or to make an appointment.

Sincerely,



Beth Johnson  
Urban Conservator  
(p): 513-352-4848  
(e): [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)

# CINCINNATI'S HISTORIC CONSERVATION OFFICE



## Documents Required for Historic Conservation Board Review

*The Historic Conservation Office will provide this list with the required items checked off once an Adjudication/Denial letter is issued.*

- 3 complete hard copies at the time of application.
- All drawings formatted to 11x17 or 12x18.
- Digital copy in PDF format provided on CD, USB drive, or emailed to beth.johnson@cincinnati-oh.gov
- Adjudication/Denial Letter and this checklist
- Certificate of Appropriateness Application Form
- A letter/narrative statement of intent and how the project meets the applicable Historic Conservation Guidelines
- Zoning Hearing Examiner Application Form
- A letter/narrative statement required in Section 6 of the Zoning Hearing Examiner Application
- The Hamilton County Auditors record or other documentation showing property ownership
- A letter/email of permission from owners, lease, contract to purchase or other agreement demonstrating the applicant or owner's legal basis to seek the COA or Zoning Relief
- A list of the applicants' witnesses and expert witnesses who you expect to testify at the hearing or legal counsel, if any
- 8 business days before the hearing date 10 hard copies and a digital copy in one pdf or for the final board packet. Drawings must be formatted and retain the proper scale in 11x17 or 12x18.
- Other Documents or information applicant wants to present for their case
- Non-Refundable Application Fee. Checks made payable to the City of Cincinnati. \$ 621.68

### All Drawings and Plans must include the following

- A graphic scale required on all drawings
- North arrows on all site, context and floor plans
- Elevations labeled with North, South, East West, front, side and rear labels
- Street names labeled
- Date and/or revision dates

### Architectural Drawings and Plans

- An index of drawings located on the first sheet
- Context Map showing the building within at least a block of context
- Existing and proposed site plans including
  - Parcel/boundary lines
  - Building footprints and dimensions labeled
  - Setback dimensions from all property lines labeled
  - Existing and proposed principal and accessory buildings, including location, dimensions, and height labeled;
  - All properties and their structures immediately adjacent to the site
- Existing and proposed elevation drawings
  - Total Height from grade to top of the building
  - Total height- ASL (Above Sea Level)
  - Materials labeled
- Existing and proposed floor plans and roof plans (with chimney locations)
  - Residential and Commercial Spaces labeled. Residential Spaces must be numbered.
  - Square feet of commercial spaces listed

- Location of trash storage and Utilities
- Site section and/or Site elevations including any adjacent properties
- Driveways, sidewalks, walkways, terraces, and other paved surfaces
- Existing and proposed accessory structures, including walls, fences, porches, lighting, signs, and other site improvements;
- Existing and proposed landscape areas and materials, if proposed to be altered;
- Proposed materials, textures, and colors. Include Make, model and series for proposed materials
- Labeled photos of all sides of the building and a 1 block streetscape context in all directions
- Site line drawings for any roof additions.
- A color rendering, axonometric drawings and/or perspective of the proposed construction (required on infill projects)

**Required if applicable to the project**

- Historic Sanborn Maps of the site
- Window brochures and cut sheet
- Roof product information (brochure)
- Garage door brochures
- Sample materials or color samples. \_\_\_\_\_
- Fence drawings of style, fence brochures or photo of a sample fence
- Signs; drawings, photo showing the sign on the building, mounting info, materials, colors and illumination
- Mature tree removal requires a letter from an arborist stating its poor health
- All written correspondence submitted by the applicant and other affected persons
- Tentative project schedule
- Egress Plan/Route to Building Code Compliance (roof decks, multi-family developments)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Demolition (full or partial) for Historic Conservation Districts and Landmarks**

- Demolition Case Sheet and all required information listed on the sheet unless otherwise not required by the Urban Conservator in writing and provided with application.
- Statement of plans for the property after demolition.

**Hillside Overlay Zone (CZC § 1433)**

- A development plan, accompanied by a property survey, showing existing vegetation and proposed development, and where applicable, streets, drives, parking areas, walkways, heights of structure(s), location of structures, elevation and setback of proposed buildings, drainage, existing contours and proposed grading and new landscaping plans, proposed uses and square footage of uses and recreational facilities;
- A preliminary geotechnical evaluation;
- A determination of the maximum building envelope;
- Average slope/grade of the property; and
- Graphic illustrations demonstrating that the proposed improvement or new structure has not exceeded the maximum building envelope

**For additional questions contact Beth Johnson, Urban Conservator at 513-352-4848 or [beth.johnson@cincinnati-oh.gov](mailto:beth.johnson@cincinnati-oh.gov)**

*Note: The aforementioned information is general in nature. Additional information may be required by the Urban Conservator once the application is submitted. Please use this list to plan for the potential documents that could be required for a submission.*



 **western**  
window systems



Live Better

**For additional information, please contact:**

Western Window Systems  
2200 E. Riverview Dr.  
Phoenix, AZ 85034  
877-268-1300

[westernwindowssystems.com](http://westernwindowssystems.com)

**For sales inquiries, please visit:**

[westernwindowssystems.com/contact-us](http://westernwindowssystems.com/contact-us)



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- 8 Live, Design, Build Better
- 10 Energy Efficiency

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- 26 Series 2600 Aluminum-Clad Multi-Slide Wood Door

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## Hinged and Pivot Doors

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**Architizer**

[architizer.com/brands/western-window-systems](http://architizer.com/brands/western-window-systems)



## Smarter Manufacturing for Over 50 Years

In 1959, Western Window Systems produced its first glass product in Phoenix. From this simple beginning, we've helped revolutionize indoor-outdoor living with large sliding and folding glass doors and windows that offer almost infinite design possibilities.

What fuels our passion to be the best? A single vision statement: Have fun creating a winning company that changes construction and helps our partners live better. This vision serves as inspiration for everything we do.

Our legacy of quality manufacturing is based on three core values: excellence, innovation, and partnership. All our products are built in the U.S. using superior materials that promote longevity. Our commitment to innovation has resulted in numerous product awards from the building and remodeling industry. And because we're passionate about actively building relationships, we're at your service via telephone or online.

Over the years, the reliability of Western Window Systems products has made us a recognized manufacturer of high-quality door systems and windows in North America. More importantly, it has allowed our customers to fulfill their highest design aspirations with the utmost confidence and satisfaction.





## Living Better, Designing Better, and Building Better Begin with Western Window Systems

Enjoying the benefits of a home that brings the indoors and outdoors together. Designing with the kind of customization that ensures your vision comes to life. Building a project that differentiates and adds value for homebuyers. These are reasons enough to choose Western Window Systems. But they're really just the beginning of the ways our large sliding and folding glass doors and windows can meet your needs beautifully time after time.

### Designed for Indoor-Outdoor Living

Western Window Systems' large moving walls of glass are more than just entryways; they're centerpieces for indoor-outdoor living. Seamlessly merging the indoors with the outside, they transform space by expanding living areas, maximizing views, and letting in loads of natural light and fresh air. The result: a new kind of gathering space that lets you entertain, relax, and live better than ever.



### Originality in Every Project

Whatever your taste in home styles or building designs, you'll find limitless expression with Western Window Systems. Choose a sliding door that neatly tucks away into a pocket, a folding door that creates a grand entrance from corner to corner, or a 90-degree style that completely opens up a room. Further customize your door with sill options, handles, and finishes. By offering infinite ways to express your originality, it's no wonder Western Window Systems is an architectural element in so many projects.

### Built and Tested to Last

Because we build and test our door systems and windows to last, you can enjoy your Western Window Systems product for years to come. Manufactured in the U.S., each of our product families is tested for air, water, and structural performance and certified by the NFRC (National Fenestration Rating Council) and AAMA (American Architectural Manufacturers Association). For additional strength and durability, we use stainless steel hardware to keep your product on the path to a long life.

## Committed to a Better World

At Western Window Systems, our dedication to high-quality doors and windows extends to energy efficiency and sustainability. When we manufacture our products, we utilize materials that increase energy performance as effectively as possible. And because we build them to last, they stay out of landfills longer. Best of all, because our products are completely customizable, you can select or combine options that meet your project's performance requirements.

## Energy Efficiency

From the tight seals that help control moisture and minimize air leakage to dual-paned, triple-coated low-E glass that reduce heating and cooling costs, every Western Window Systems product is designed with energy efficiency in mind. For additional savings, many of our door systems and windows are available with the option of thermally broken aluminum, which features an insulating barrier that increases energy performance.



## Sustainability

Western Window Systems products are made with aluminum, a highly recyclable material. We recycle our aluminum as well as materials such as vinyl, cardboard, and paper. Our wood panels are certified by the FSC (Forest Stewardship Council), a group that ensures products are made with, or contain, wood from FSC-certified forests. And because we manufacture all our door systems and windows at our facility in Phoenix, we reduce fuel and international transportation costs.

For questions on compliance with Title 24 (also known as the California Energy Code), visit [westernwindowssystems.com/why-wws/sustainability](http://westernwindowssystems.com/why-wws/sustainability) or contact a representative.

## Sliding Door Systems

"They have an innate understanding and appreciation for modern design — paying attention to details like clean and thinner profiles that many architects are drawn to."

— Jimmy Sullivan, owner, CitiZen Design Studio

Design Better

**Series 600 Multi-Slide Door**



# Series 600 Multi-Slide Door

A choice of builders for over two decades, Western Window Systems' Series 600 Multi-Slide Door merges seamlessly into its surroundings. Each features large, unobstructed rolling glass panels that stack or slide into pockets for extra wide openings that expand living space. There's even a 90-degree option that completely opens up the sides of a room by eliminating a connecting post.



## Clean Design

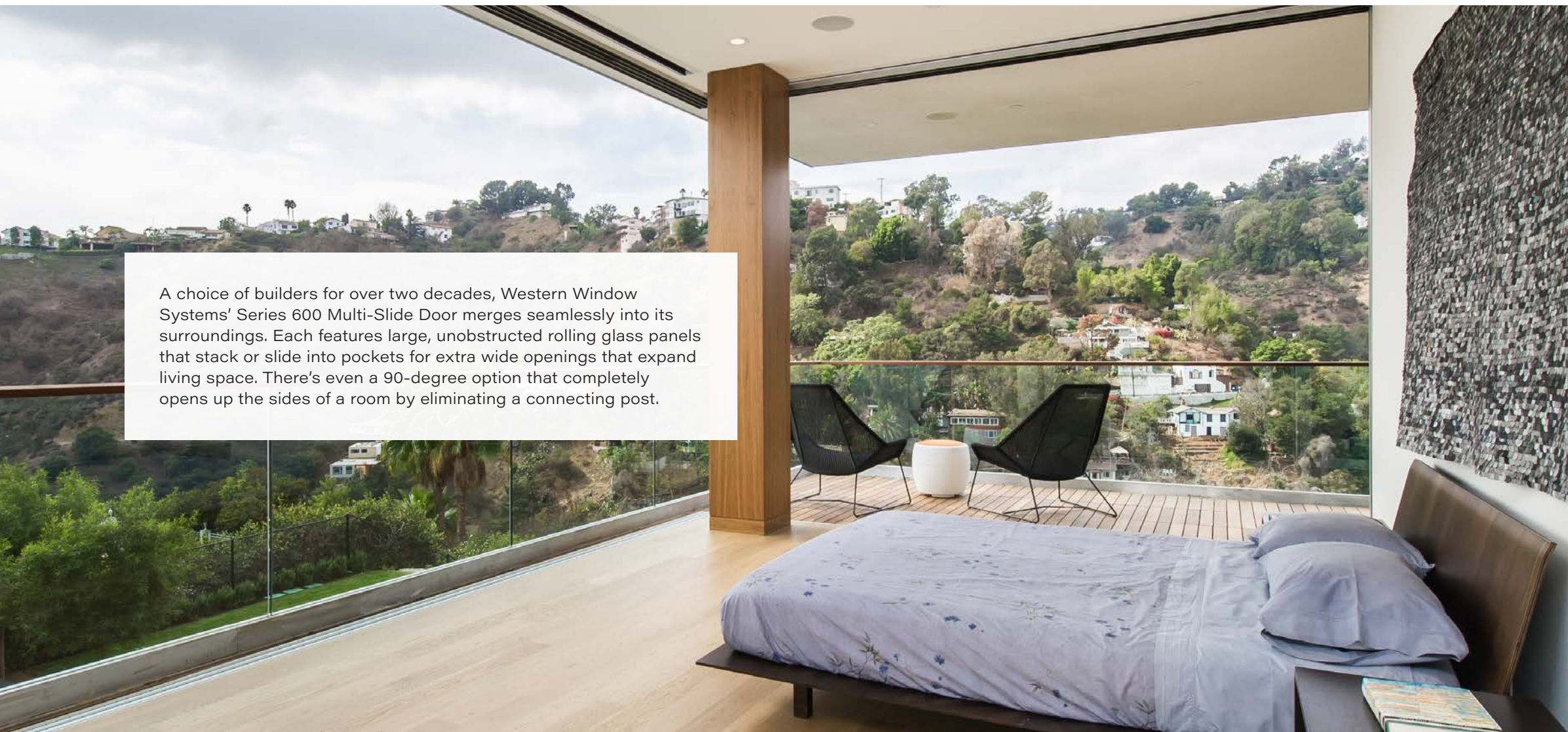
Designed to seamlessly blend into nearly any space, the Series 600 features a 2.55" interlock stile, wide panels, and modern details that allow for more light and glass.

## Climate Ready Glass

Our dual-paned low-E glass can be customized in a variety of types, colors, and thicknesses for improved privacy, protection, and thermal efficiency.

## Configurations and Sizes

The Series 600 Multi-Slide Door is available in any configuration, with panels up to 84" wide and 144" tall (maximum 60 square feet). For complete flexibility, it can be designed to do things like go around curves, bypass obstacles, and bi-part in the center. Nearly any shape is possible, including open corners.



**Concealed Locking System**

The Series 600 includes a hidden stainless steel multi-point lock to secure its large sliding panels, providing additional strength and protection. A keyed cylinder option is available.



**Smooth Operation**

Sealed stainless steel ball bearing rollers make our multi-slide doors easy to operate. An interlocking track design provides structural integrity and makes it possible to span wide openings with almost any number of panels.



**Classic or Thermally Broken Aluminum**

Classic aluminum provides effortless operation, versatility, and a clean aesthetic. Our thermally broken option provides the same functionality, but with an insulating barrier that increases energy performance in colder climates.



**Heavy Duty Hardware**

Rolling hardware includes two options: a standard 1.81" size and our 3" Monster Roller, capable of handling more than twice the weight of the largest panel.

# Options: Series 600 Multi-Slide Door



## Screen

Our aluminum frame panel screen integrates seamlessly with our sliding glass doors while providing optimal ventilation and protection from outside pests.

## System Automation

All Western Window Systems multi-slide doors are designed with automation in mind. All automation systems are designed, purchased, and installed by third parties. Contact us to find one near you.



## Water Barrier Sill

The water barrier sill's 1.5" interior leg and weep-hole system safeguards against water intrusion. For additional protection, the back leg of each sliding panel penetrates the track to keep out dust and debris.



## Flush Sill

When ease of entry is more important than performance against the elements, our flush sill is the perfect choice. With an interior and exterior sill height of just 0.75", it lines up with most interior flooring for a smooth transition to the outside. Weep holes in the track allow water to drain away from the door while the back leg of each sliding panel discourages dust and debris.



## Thinline Sill

The ability of our signature thinline sill to hide almost completely makes it ideal for projects where a continuation of flooring from the inside to the outdoors needs to appear virtually seamless. Staggered tracks expose a slim channel on which the panels roll, with the finished floor installed between them.

Note: Thinline and flush sills may be less effective at preventing water penetration than the water barrier sill and therefore may not be appropriate in all climates, conditions, and exposures.



## Premium Handle

Our optional premium handle features a minimal one-piece design, comfortable grip, and the option of a keyed cylinder that allows the door to be unlocked from the exterior. Finish is available in brushed nickel or black. The premium handle is not available on pocketing multi-slide door systems.



## Flush-Mounted Handle

The standard choice for all of Western Window Systems' multi-slide doors, the flush-mounted handle's clean, narrow design allows panels to easily slide past each other or into a pocket. An optional keyed cylinder allows the door to be unlocked from the exterior. Finish choices are available in brushed nickel or black.

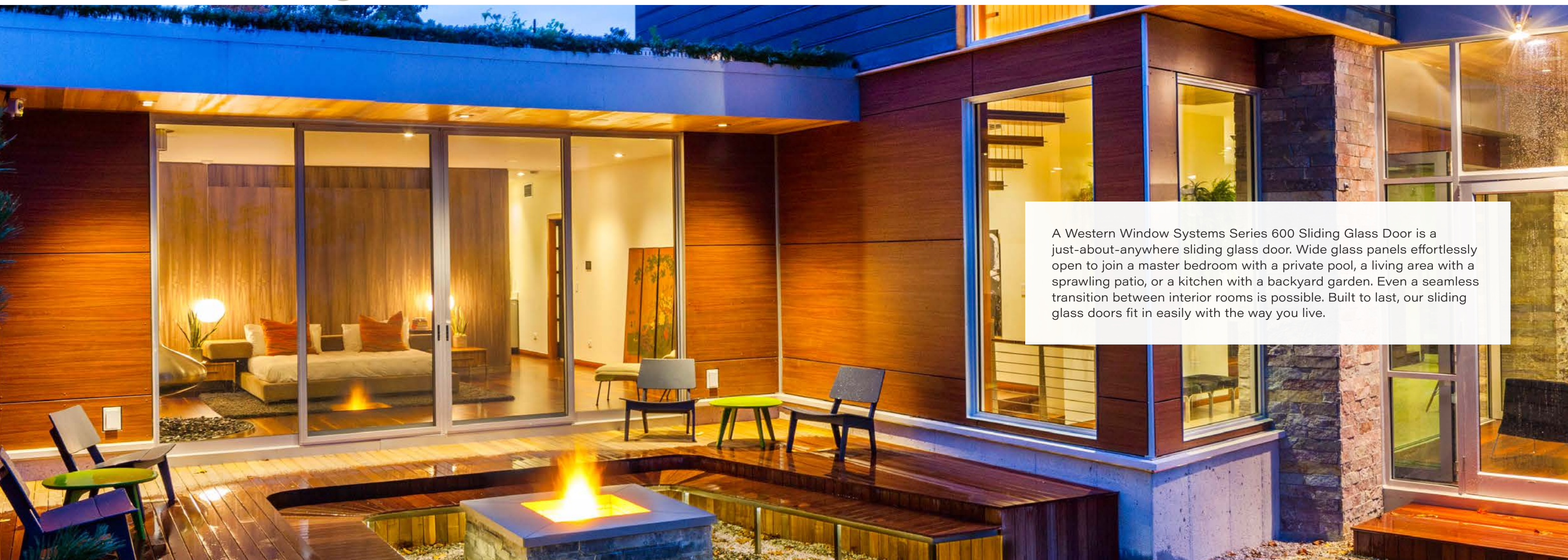
## Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.



**Series 600 Sliding Glass Door**

# Series 600 Sliding Glass Door



A Western Window Systems Series 600 Sliding Glass Door is a just-about-anywhere sliding glass door. Wide glass panels effortlessly open to join a master bedroom with a private pool, a living area with a sprawling patio, or a kitchen with a backyard garden. Even a seamless transition between interior rooms is possible. Built to last, our sliding glass doors fit in easily with the way you live.



**Concealed Locking System**

The Series 600 includes a hidden stainless steel multi-point lock to secure its large sliding panels, providing additional strength and protection. A keyed cylinder option is available.



**Smooth Operation**

Sealed stainless steel ball bearing rollers make our sliding glass door easy to operate. Rolling hardware includes two options: a standard 1.81" size and our 3" Monster Roller, capable of handling more than twice the weight of the largest panel.



**Classic or Thermally Broken Aluminum**

Classic aluminum provides effortless operation, versatility, and a clean aesthetic. Our thermally broken option provides the same functionality, but with an insulating barrier that increases energy performance in colder climates.

## Clean Design

The Series 600 Sliding Glass Door features a 2.55" interlock stile.

## Climate Ready Glass

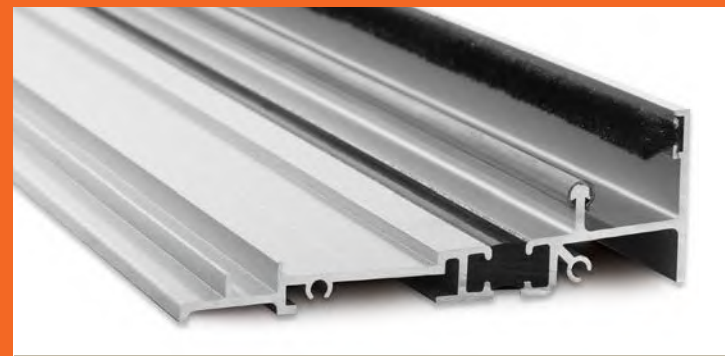
Our dual-paned low-E glass is available in a variety of types, colors, and thicknesses for enhanced privacy, protection, and thermal efficiency.

## Configurations and Sizes

The Series 600 Sliding Glass Door is available in nearly any configuration, with panels up to 72" wide and 144" tall (maximum 60 square feet). Sliding glass doors can also bi-part in the center.

As a window option, the Series 600 features a sliding screen, energy-efficient thermally broken aluminum, and a nail fin to fasten the window in place.

# Options: Series 600 Sliding Glass Door



**1.5" Sill**

Standard on the Series 600 Sliding Glass Door, the 1.5" sill's interior leg and sloped profile provides a water barrier and meets the commercial specifications of the American Architectural Manufacturers Association (AAMA). Finished to match the color of the frame.

### 1.75" Sill

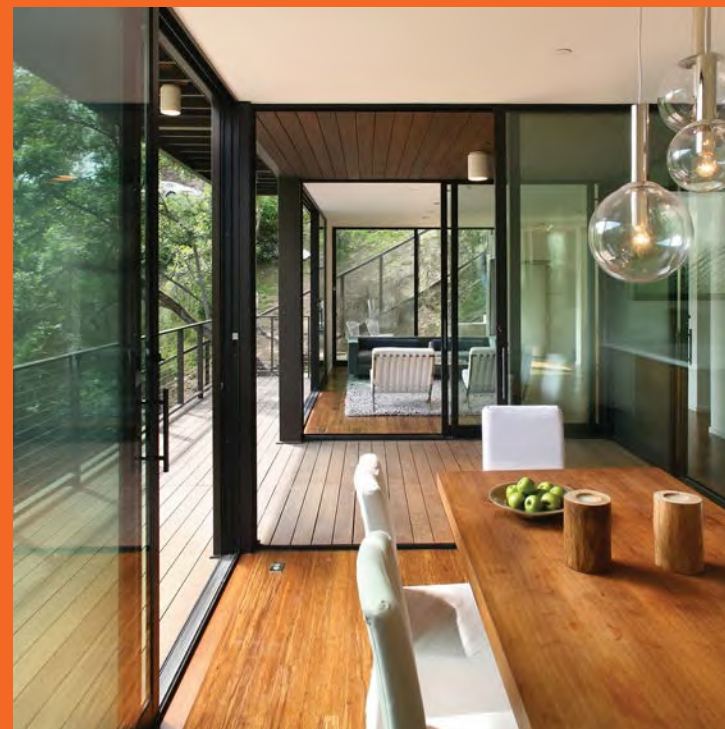
For increased effectiveness against the elements, the 1.75" sill features a higher interior leg and a performance rating of HC40 from the American Architectural Manufacturers Association (AAMA). Finished to match the color of the frame. Not available in thermally broken aluminum.

### Screen

Our aluminum frame panel screen integrates seamlessly with our sliding glass doors while providing optimum ventilation and protection from outdoor pests.

### Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.



**Flush-Mounted Handle**

The flush-mounted handle is designed to integrate into the panel for a clean aesthetic. An optional keyed cylinder allows the door to be unlocked from the outside. Finish is available in brushed nickel or black.



**Premium Handle**

Our optional premium handle features a minimal one-piece design, comfortable grip, and the option of a keyed cylinder that allows the door to be unlocked from the exterior. Finish choices are brushed nickel or black.



## Series 2600 Aluminum-Clad Multi-Slide Wood Door

"It's an overall feeling that you can take a wall, open it, and the whole outside becomes part of the inside."

– Rick Salter, builder and dealer

# Series 2600 Aluminum-Clad Multi-Slide Wood Door



Western Window Systems' Series 2600 Aluminum-Clad Multi-Slide Wood Door features the best of two worlds. Inside: the beauty and warmth of wood, with durable panels that can be stained or painted to fit any style of project. Outside: low-maintenance, durable aluminum – painted or anodized – to complement an endless array of exterior color schemes. It's indoor-outdoor living your way, inside and out.



## Clean Design

The Series 2600 includes your choice of a 3.62" or 5" interlock stile profile and bottom rails available in 3.62", 5", and 8" dimensions. Wood panels are built from strong LVL (laminated veneered lumber) cores that include a stain-grade wood veneer on the interior, allowing you to stain or paint the wood as you see fit.

## Heavy Duty Hardware

Rolling hardware includes two options: a standard 2.12" size and our 3" Monster Roller, capable of handling more than twice the weight of the largest panel.

## Concealed Locking System

The Series 2600 includes a hidden stainless steel multi-point lock to secure its large sliding panels. A keyed cylinder option is available.

## Smooth Operation

Sealed stainless steel ball bearing rollers make our multi-slide doors easy to operate. An interlocking track design provides structural integrity and makes it possible to span wide openings with almost any number of panels.

## Climate Ready Glass

Our dual-paned low-E glass can be customized in numerous types, colors, and thicknesses for more privacy, protection, and thermal efficiency.

## Designed and Tested for Durability

Manufactured for strength and built to last, the Series 2600 features extruded aluminum cladding on the exterior and wood panels made from strong, FSC-certified woods.

## Configurations and Sizes

The Series 2600 Multi-Slide Door is available in any configuration, with panels up to 84" wide and 144" tall (maximum 60 square feet). For additional flexibility, it can be designed to meet at a 90-degree angle to open up the sides and corner of a room or, for projects with limited side space, bi-part at the center.

# Options: Series 2600 Aluminum-Clad Multi-Slide Wood Door



## Aluminum Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.

## System Automation

All Western Window Systems multi-slide doors are designed with automation in mind. Trusted third parties handle the design, purchase, and installation of all automation systems. Contact us to find one near you.

## Screen

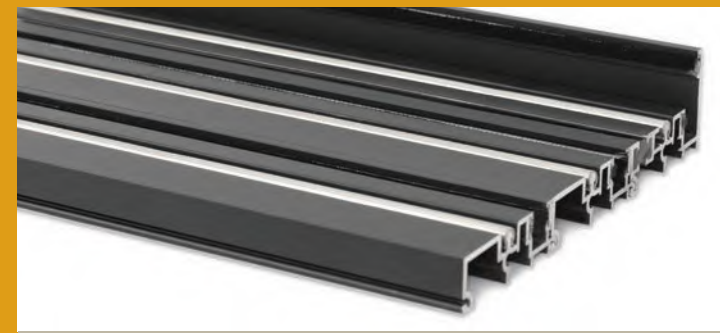
Our aluminum frame panel screen integrates seamlessly with our sliding glass doors while providing optimal ventilation and protection from outside pests.

## Panel Styles

Panels can be 1.75" or 2.25" thick and are available in two styles: traditional and contemporary. Perfect for when you need to match classic wood windows or doors, traditional panels feature a beveled glazing leg, interior wood stops, and offer 1.125" and 0.875" simulated divided lite options. For a more updated look, the contemporary panel's clean lines include a straight glazing leg and a square wood stop. Simulated divided lite options of 1.5" and 0.875" are also minimal in design.

## Woodgrain Finishes

Our LVL (laminated veneered lumber) cores include a stain-grade wood veneer on the interior that allows staining or painting as you wish. The standard interior finish is stain-grade pine with an option for vertical grain fir. Custom wood species are available. For approximate woodgrain finishes, see page 122.



## Water Barrier Sill

The water barrier sill's 1.5" interior leg and weep-hole system safeguards against water intrusion. For additional protection, the back leg of each sliding panel penetrates the track to keep out dust and debris. Available only in black.



## Flush Sill

When ease of entry is more important than performance against the elements, our flush sill is the perfect choice. With an interior and exterior sill height of just 0.75", it lines up with most interior flooring for a smooth transition to the outside. Weep holes in the track allow water to drain away from the door while the back leg of each sliding panel discourages dust and debris by penetrating the track. Available only in black.



## Thinline Sill

The ability of our signature thinline sill to virtually disappear makes it perfect for projects where a continuation of flooring from the inside to the outdoors needs to be seamless. Staggered tracks expose a slim channel on which the panels roll, with the finished floor installed between them.

Note: Thinline and flush sills may be less effective at preventing water penetration than the water barrier sill and therefore may not be appropriate in all climates, conditions, and exposures.



## Flush-Mounted Handle

The standard choice for all of Western Window Systems' multi-slide doors, the flush-mounted handle's clean, narrow design allows panels to easily slide past each other or into a pocket. An optional keyed cylinder allows the door to be unlocked from the outside. Choices of finish are brushed nickel or black.



## Premium Handle

Our optional premium handle features a minimal one-piece design, comfortable grip, and the option of a keyed cylinder that allows the door to be unlocked from the exterior. Finish choices are available in brushed nickel or black. The premium handle is not available on pocketing multi-slide door systems.

A photograph of a modern outdoor kitchen at dusk. The kitchen features a long wooden countertop with a sink and a curved faucet. Above the counter is a backsplash of small, square mosaic tiles in shades of green and white. The kitchen is illuminated by warm, recessed lighting. A large, multi-paned folding glass door is open, revealing the interior of the kitchen. The door is made of several large glass panels held together by a metal frame. The exterior wall is dark grey horizontal siding. A brick wall is visible on the right side. The floor is paved with large, light-colored tiles. In the foreground, there are several potted plants on a table. The overall atmosphere is warm and inviting.

Folding Door Systems

Design Better

# Series 9500 Bi-Fold Door



The ability of Western Window Systems' Series 9500 Bi-Fold Door to completely open up to the outdoors is what makes it so unique. Designed to smoothly stack and fold against side walls, it creates a huge opening from corner to corner, connecting the indoors with the outside and expanding living space. Need everyday access? Opt for a convenient single door.

## Clean Design

The Series 9500's contemporary look includes a 2.25" x 3.5" stile for additional glass and light, and a frame and sill depth of 4.5", allowing it to integrate into nearly any wall condition.

## Concealed Locking System

The Series 9500 includes a hidden stainless steel multi-point lock to secure its large sliding panels, providing additional strength and protection. A keyed cylinder option is available.

## Thermally Broken Aluminum

Thermally broken aluminum provides an insulating barrier that increases energy performance.

## Climate Ready Glass

Our dual-paned low-E glass can be customized in a number of types and colors for improved privacy, protection, and thermal efficiency.

## Smooth Operation

Sealed stainless steel ball bearing rollers make our bi-fold door easy to operate.

## Configurations and Sizes

The Series 9500 Bi-Fold Door System is available in a multitude of configurations, with panels up to 42' wide and 12' tall (not to exceed 264 pounds per panel). Sixteen-panel maximum, eight in each direction. For additional flexibility, the Series 9500 can be specified to swing inward or outward.



Carrier Hinge - Bottom Load Bi-Fold



Heavy Duty Carrier Hinge - Head Load Bi-Fold

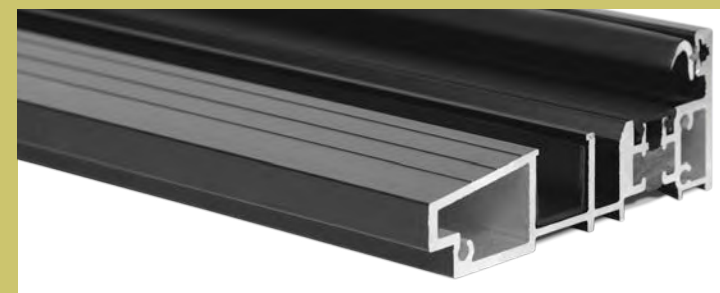


Carrier Hinge - Head Load Bi-Fold

## Heavy Duty Hardware

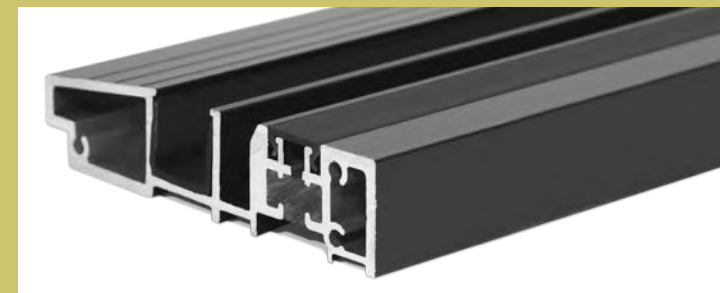
Our stainless steel head load carriers and hinges are capable of handling panels weighing up to 264 pounds. Bottom load carriers and hinges can accommodate door panels weighing up to 176 pounds.

# Options: Series 9500 Bi-Fold Door



**Top-Hung Water Barrier Sill**

The water barrier sill safeguards against water intrusion while providing a tight seal. In top hung bi-fold doors, where the weight is concentrated in the heads, the interior leg is 1.82". Thresholds are finished to match the frame color.



**Top-Hung Flush Sill**

When ease of entry is more important than climate performance, the flush sill can line up with most interior flooring for a smooth transition to the outdoors. Top-hung bi-fold doors feature an interior threshold height of 1.07". Thresholds are finished to match the color of the frame.

Note: The flush sill may be less effective at preventing water penetration than the water barrier sill and therefore may not be appropriate in all climates, conditions, and exposures.



**D-Pull Handle - Inactive Lock Handle**



**Premium Handle**

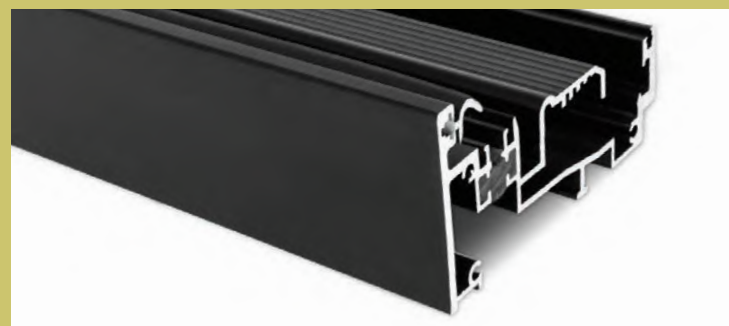
**High-Quality Handles**

Designed for durability and comfort, each of our bi-fold doors features three high-quality, contemporary-looking handles. The premium handle, located on all active panels, includes an optional key lock. A D-shaped pull handle at the bi-fold's pivot points further aids in opening and closing the door. And an inactive lock handle at the door's pivot points secures the door panels with steel pins at the head and sill.

Premium and inactive lock handles are available in brushed nickel or black. The D-shaped pull handle is available in stainless steel or black.

## Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.



**Bottom-Load Water Barrier Sill**

The water barrier sill safeguards against water intrusion while providing a tight seal. For bottom-loading bi-fold doors, where the bottom of the door carries the majority of the weight, the interior leg is 2.51". Thresholds are finished to match the color of the frame.



**Bottom-Load Flush Sill**

When ease of entry is more important than climate performance, the flush sill can line up with most interior flooring for a smooth transition to the outdoors. On bottom-loading bi-folds, the interior threshold height is 1.76". Thresholds are finished to match the color of the frame.

Note: The flush sill may be less effective at preventing water penetration than the water barrier sill and therefore may not be appropriate in all climates, conditions, and exposures.



**U Track**

For top-hung bi-fold doors intended for interior use only, the U track allows for a flush transition from room to room and is offered in a dark bronze finish.


Note: The U track is less effective at preventing water penetration than other sill options and therefore is not intended for exterior use.

Hinged Doors

Design Better



# Series 900 Hinged Door



A true triumph of versatility, our Series 900 Hinged Door excels in both residential and commercial applications. Featuring wide glass panels that maximize views and let in light, it's perfect for creating an impressive main entrance, allowing a smooth transition from room to room, or connecting the indoors with the outside via a patio, deck, or balcony. For further customization, the Series 900 can be combined with our window selections.

## Smooth Operation

A continuous hinge, strong enough to support panels as wide as 5' and finished to match the frame color, keeps the Series 900 operating smoothly for years to come. An optional concealed overhead closure and secondary lock ensure the door is self-closing.

## Classic or Thermally Broken Aluminum

Classic aluminum provides effortless operation, versatility, and a clean aesthetic. Our thermally broken option provides the same functionality, but with an insulating barrier that increases energy performance in colder climates.

## Climate Ready Glass

Our dual-paned low-E glass can be customized in several types, colors, and thicknesses for enhanced privacy, protection, and thermal efficiency.

## Heavy Duty Hardware

On doors over 96" tall, roller catches are utilized to help pull the door in tight. Have your own custom hardware in mind? Contact a representative.

## Built to Last

The top and bottom rails of the Series 900 Hinged Door nest with the stiles to eliminate sunlight at the corners. Each corner is secured with a tie rod for a permanent, rigid connection. On hinged door pairs, the passive panel features continuous weatherstripping for additional protection.

## Configurations and Sizes

The Series 900 thermally broken hinged door is available as single leaf with medium stile up to a size of 45" x 121.5"; a single leaf with narrow stile up to 39" x 109.5"; a hinged pair with medium stile up to 87" x 121.5"; and a hinged pair leaf up to 75" x 109.5". Available in single or double inswing and outswing configurations. For even more design flexibility, it can be partnered with any of our window styles.



# Options: Series 900 Hinged Door



**Single-Point Lock**

When the added protection of a multi-point lock isn't necessary, the single-point lock secures the door in one place. Available only with the premium handle.



**Multi-Point Lock**

Lever-activated, the multi-point lock provides additional vertical strength and security through several locking points in the jamb or inactive stile. Available only with thermally broken aluminum hinged doors.

**Premium Handle**

Our premium handle features a minimal one-piece design and comfortable grip. Finish choices are available in brushed nickel or black. Available only with the 4.71" stile (aluminum and thermally broken aluminum) and the 2.79" thermally broken aluminum stile.

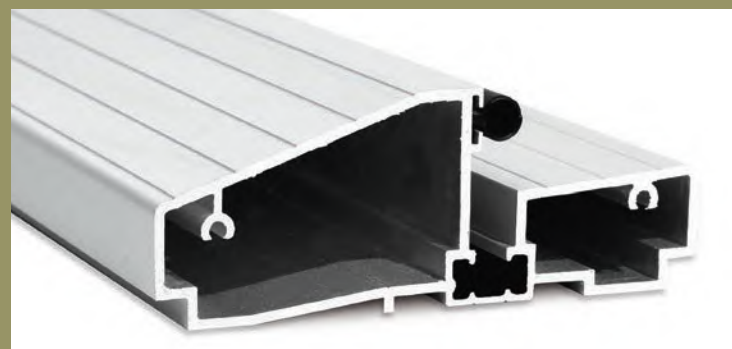
**Finishes**

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.



**Type C Lock**

Our standard deadbolt lock, the heavy-duty Type C features a 1.12" backset on narrow-stile doors and a 1.5" backset on medium-stile doors.



**Standard Threshold**

Ideal for residential applications, the standard threshold is 4.5" wide and features a 1" exterior step (1.68" for inswing doors) that protects against water penetration and allows full perimeter weatherstripping on outswing doors, reducing air infiltration. Inswing doors are equipped with a weatherstrip assembly mounted to the bottom of the door that sweeps against the threshold. Finished to match the color of the frame.



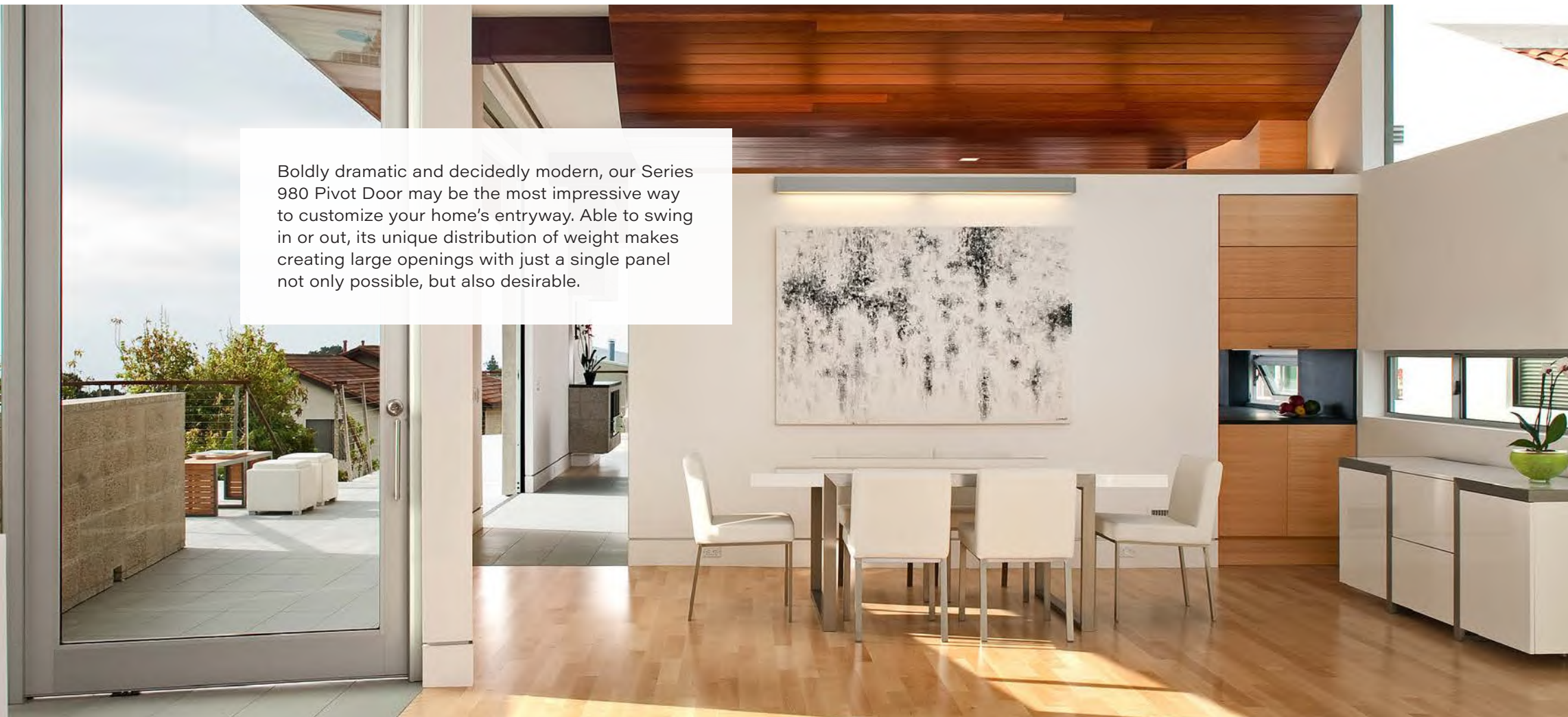
**Commercial Threshold**

The Series 900 Hinged Door utilizes a low-profile commercial threshold that favors ease of entry over protection from the elements. Available in satin and bronze anodized finishes. Capable of meeting ADA (Americans with Disabilities Act) requirements.

Note: The commercial threshold may be less effective at preventing water penetration than the standard threshold and therefore may not be appropriate in all climates, conditions, and exposures.

# Series 980 Pivot Door

Boldly dramatic and decidedly modern, our Series 980 Pivot Door may be the most impressive way to customize your home's entryway. Able to swing in or out, its unique distribution of weight makes creating large openings with just a single panel not only possible, but also desirable.



## Clean Design

Large glass and a minimal frame allow for more light and a modern style. For commercial use, a 4.5" frame depth is comparable to that of typical storefront systems.

## Durability

Built to last, our pivot doors are designed with secured corners and top and bottom rails that nest with the stiles for a permanent, rigid connection.

## Climate Ready Glass

Our dual-paned low-E glass can be customized in a variety of types, colors, and thicknesses for improved privacy, protection, and thermal efficiency.

## Configurations and Sizes

The Series 980 Pivot Door can swing in or out and is available in stile widths of 4.71" (with panels up to 60' wide and 120' tall). For even more design flexibility, it can be partnered with any of our window styles.

## Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.



## Commercial Threshold

The Series 980 Pivot Door utilizes a low-profile commercial threshold that favors ease of entry over protection from the elements. Available in satin and bronze anodized finishes. Capable of meeting ADA (American Disabilities Act) requirements.

Note: The commercial threshold may be less effective at preventing water penetration than the standard threshold and therefore may not be appropriate in all climates, conditions, and exposures.



## Smooth Operation

Our custom pivot hardware supports the weight of the door on the bottom arm, creating less stress on the frame and allowing the door to swing smoothly and effortlessly. Even massive doors weighing up to 500 pounds open with ease. An optional concealed overhead closure and secondary lock ensure the door is self-closing.



## Heavy Duty Hardware

Standard hardware includes the Type C lock (our standard deadbolt lock with a 1.5" backset), top and bottom roller catches to help pull the door in tight, and a 48" tall ladder-style pull handle available in a brushed stainless or black finish.

A modern, bright interior space with large windows, a glass dining table, and a white sofa. The room features a high ceiling, a stone pillar, and a large potted plant. The floor is made of light-colored tiles. The overall atmosphere is clean, minimalist, and airy.

Windows

Design Better

# Series 600 Window Wall

What's in a name? Everything. The Series 600 Window Wall replaces exterior barriers with expanses of glass that let in light and frame beautiful views. Completely customizable, a limitless array of openings – from single-panel to door-size to openings that span an entire wall – allow you to create views from various sizes and shapes of glass. And because the Series 600 is designed to integrate with various ventilating window styles as well as our hinged and sliding doors, it's flexible as well as functional.



## Seamless Integration

The Series 600 Window Wall's versatile 4.5" deep framing system allows our Series 900 Hinged Doors, Series 600 Sliding Glass Doors, and Series 670 hinged windows to directly mull to any combination of windows, creating a clean, smooth appearance.

## Clean Design

The mulling process for the Series 600 Window Wall combines window frames while keeping sightlines narrow, resulting in a clean, contemporary look that can be replicated through an entire wall of glass.

## Classic or Thermally Broken Aluminum

Classic aluminum provides effortless operation, versatility, and a clean aesthetic. Our thermally broken option provides the same functionality, but with an insulating barrier that increases energy performance in colder climates.

## Configurations and Sizes

Featuring countless extrusion styles, the Series 600 Window Wall can be designed to nearly any configuration and size. Standalone units are tested to 50 DP. For larger expanses, steel can be added when mulling for increased strength. Fixed windows can be built to nearly any geometric configuration, including arches, circles, and polygons. The Series 600 Window Wall is designed to integrate with various ventilating window styles as well as our hinged and sliding doors.

## Climate Ready Glass

Our dual-paned low-E glass can be customized in a variety of types, colors, and thicknesses for improved privacy, protection, and thermal efficiency.

## Tested for Durability

Fixed Series 600 windows mounted in the structure on all four sides achieve a performance grade of CW-PG50 at sizes up to 60" x 120." (CW-PG50 includes a design pressure of 50 pounds per square foot, the equivalent of 140 mph winds).



## Steel Support

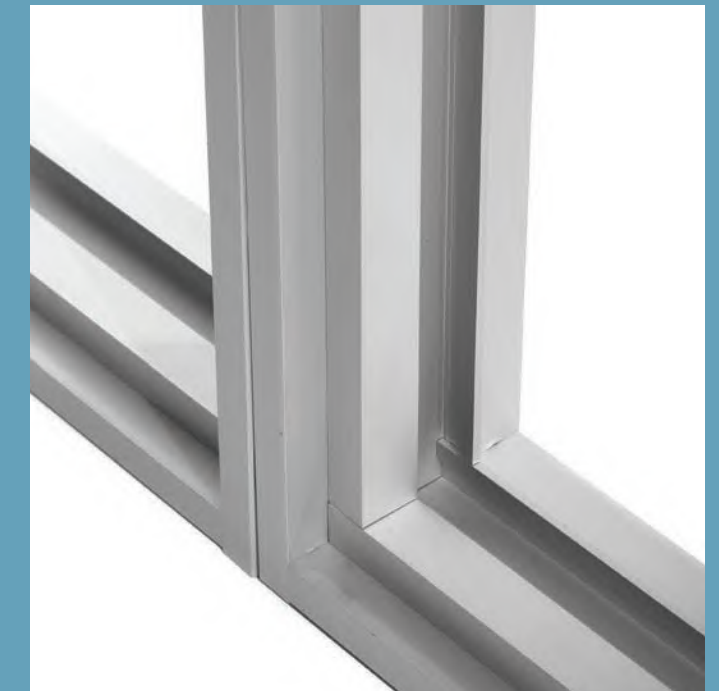
Steel support reinforces the cavity of the mull on its window walls with steel for additional strength, support, and wind resistance.

# Options: Series 600 Window Wall



## Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.



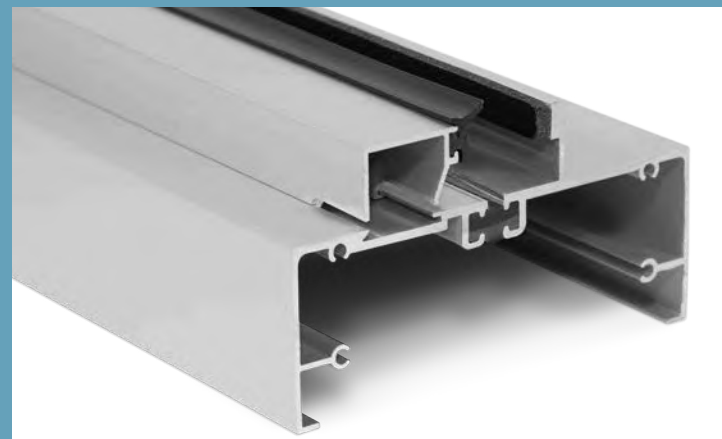
## Even Sight Lines

When mullered together, the Series 600 offers a narrow, three-inch sight line from glass to glass for a more balanced and symmetrical appearance.



## Standard Base Sill

The standard base sill for the Series 600 Window Wall is 0.75" tall and is used around the perimeter of all Series 600 fixed windows.



## High Base Sill

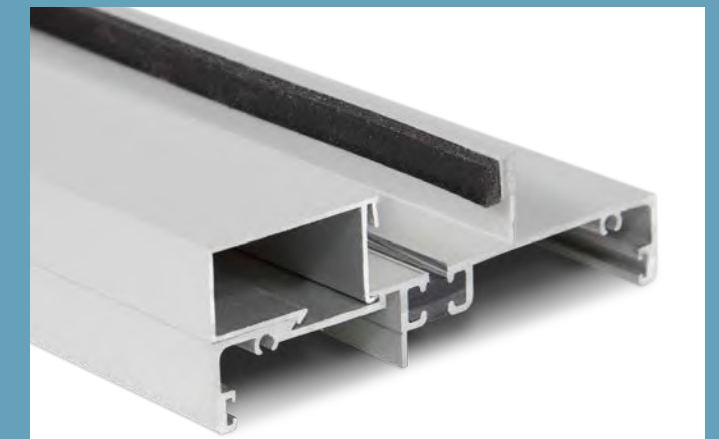
Perfect for fixed windows that will sit directly on a finished floor, the high base sill is 1.75" tall.

Note: For additional protection against the elements, the perimeter of the Series 600 Window Wall is available with an extruded nail fin located 1" from the exterior.



## Standard Stop

The standard stop for the Series 600 Window Wall features a classic stepped profile with removable stops for re-glazes and weep holes at the base. Available in multiple dimensions, it can accommodate glass sizes from 0.25" to 1" overall.



## Flush Stop

Even with the exterior of the frame and with weep holes at the base, the flush stop provides the look of a typical storefront. Used exclusively in conjunction with 1" overall glass.

# Series 670 Hinged Window Line



Western Window Systems' Series 670 hinged windows offer the variety, sizes, and performance features to enhance any type of home. Combining clean design and optimal performance, every style – casement, push-out casement, awning, and hopper – can be integrated with our hinged doors, sliding doors, and fixed window walls for maximum views and ventilation.



## Clean Design

Designed with a 4.5" frame depth, the Series 670 can be directly mullied to most Western Window Systems products, including hinged doors, sliding doors, and fixed window walls.

## Sloped Sill

For improved water drainage, each window style in the Series 670 line includes a sloped sill.

## Thermally Broken Aluminum

Thermally broken aluminum provides an insulating barrier that increases energy performance.

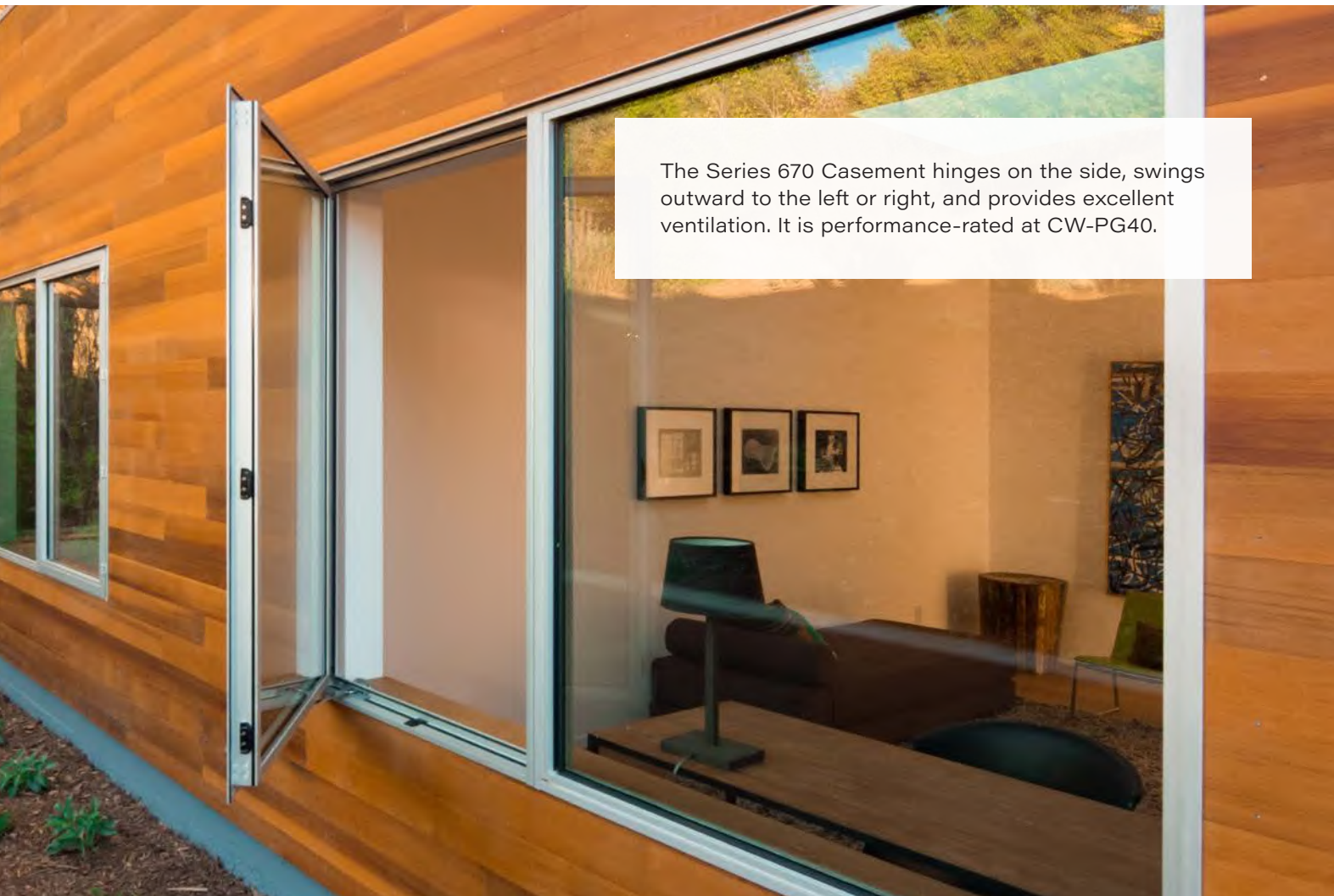
## Climate Ready Glass

Our dual-paned low-E glass can be customized in a variety of types, colors, and thicknesses for improved privacy, protection, and thermal efficiency.

## Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.

# Casement



The Series 670 Casement hinges on the side, swings outward to the left or right, and provides excellent ventilation. It is performance-rated at CW-PG40.

## Smooth Operation

Butt hinges and a roto operator make for effortless opening and closing.

## Window Heads

Western Window Systems offers a raked head window shape option for the Series 670 Casement.

## Locking System

The Series 670 Casement features a hidden multi-point locking system.

## Heavy Duty Hardware

For strength and smooth operation, Western Window Systems uses premium hardware for its windows. All fasteners are stainless steel.

## Sizes

The Series 670 Casement is available in widths from 16" to 42" and heights from 16" to 120".

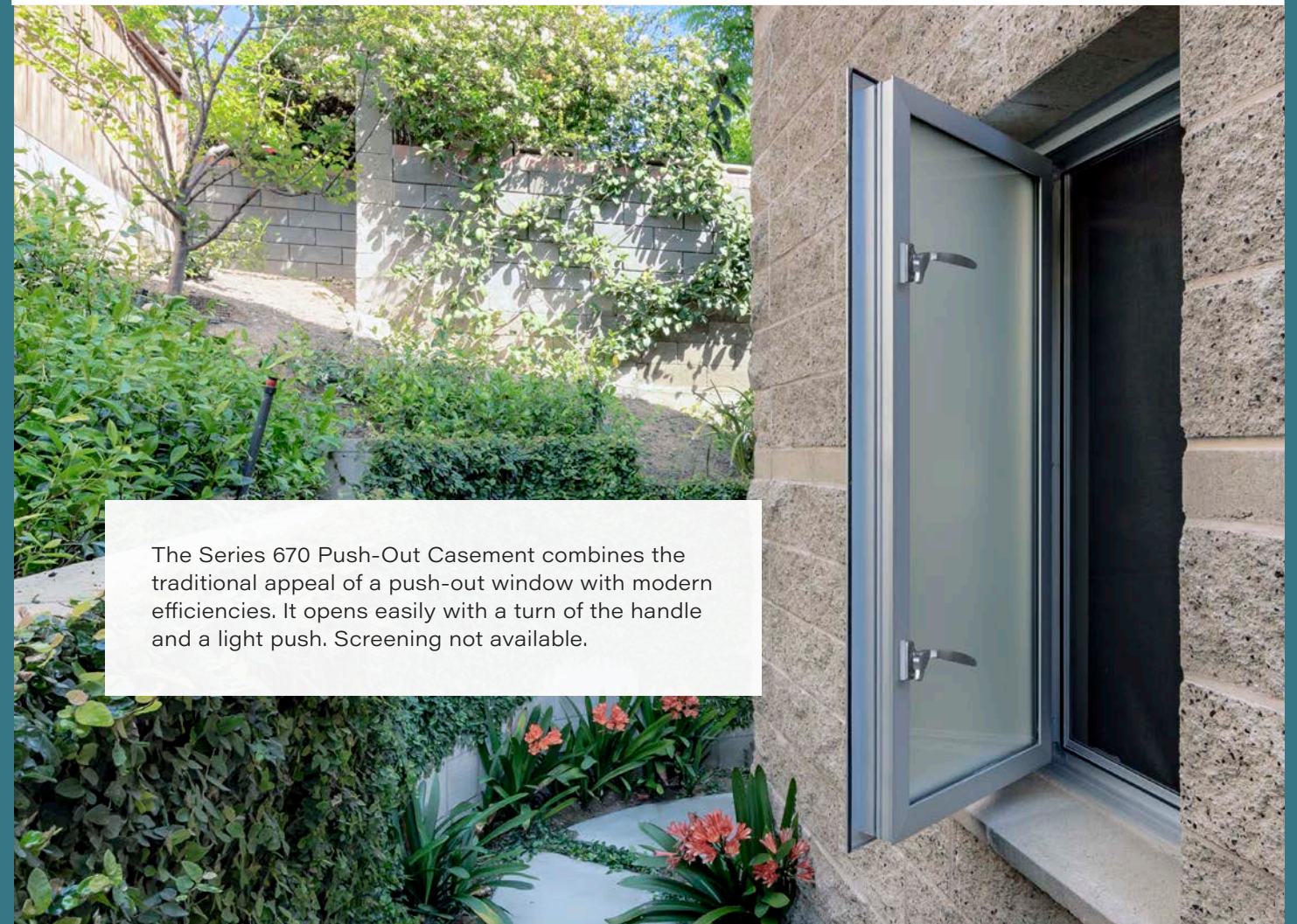
## Screening

Manufactured from extruded aluminum for durability, screens employ an easy-to-use concealed ball catch system. Screen frames are finished to match the window's frame color. For casements, which swing out, screens are mounted to the interior.



Roto Operator

# Push-Out Casement



The Series 670 Push-Out Casement combines the traditional appeal of a push-out window with modern efficiencies. It opens easily with a turn of the handle and a light push. Screening not available.

## Smooth Operation

Stainless steel four-bar hinges with an adjustable tensioning device keep the sash in place when open.

## Locking System

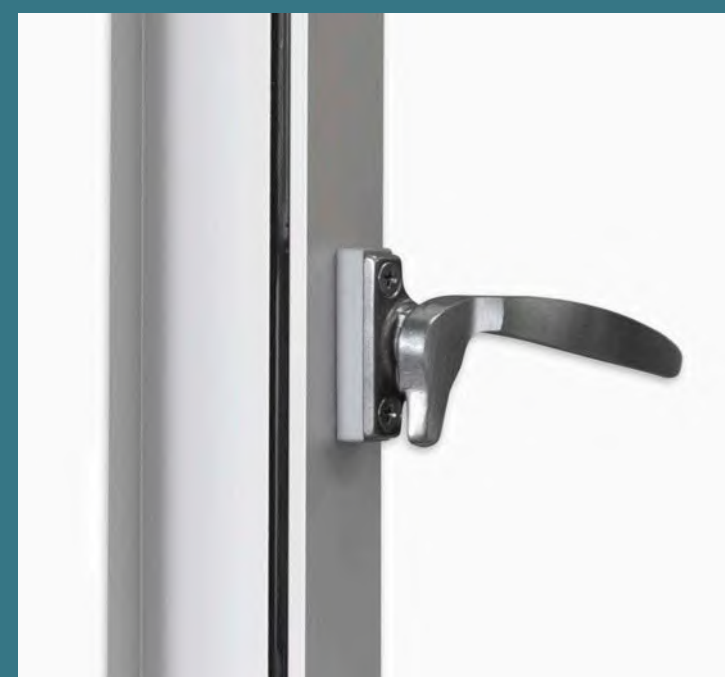
The Series 670 Push-Out Casement features durable locking handles.

## Heavy Duty Hardware

For strength and smooth operation, Western Window Systems uses stainless steel hardware for its windows. High-quality interior hardware is available in brushed nickel.

## Sizes

The Series 670 Push Out Casement is available in widths from 16" to 36" and heights from 16" to 72".



Locking Handle



The Series 670 Awning Window hinges on the top, opens outward, and is typically wider than it is tall. It provides maximum natural light and ventilation to small areas, and it saves space by opening from the bottom.

## Smooth Operation

For performance and control, the Series 670 Awning employs a double scissor-arm operator.

## Screening

Series 670 screens are designed to provide protection from outside pests while complementing the window's clean, contemporary style. Manufactured from extruded aluminum for durability, the Series 670 screens employ an easy-to-use concealed ball catch system. Screen frames are finished to match the window's frame color.

## Sizes

The Series 670 Awning is available in widths from 21" to 60" and heights from 16" to 48".

## Push-Out Style

The Series 670 Awning also is available in a push-out style with cam lever handles. Screens are not available.

## Locking System

The Series 670 Awning features a hidden locking system.

## Heavy Duty Hardware

For strength and smooth operation, Western Window Systems uses stainless steel hardware for its windows. High-quality interior hardware is available in brushed nickel or painted to match the frame finish.

## Motorized Operators

For awning windows in hard-to-reach areas, Western Window Systems offers a motorized operator for ease of use.



The Series 670 Hopper hinges on the bottom and opens from the top. Hopper windows are the perfect solution in places where there is limited space for a window to extend to the outside. When used in basements, it helps prevent leaves, dust, and other debris from blowing inside while still providing ventilation.

## Sizes

The Series 670 Hopper is available in widths from 16" to 60" and heights from 16" to 48".

## Locking System

The Series 670 Hopper locks with a pawl handle or ring pull.

## Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.

## Screening

Series 670 screens are designed to provide protection from outside pests while complementing the window line's clean, contemporary style. Manufactured from extruded aluminum for durability, they employ an easy-to-use concealed clip system. Screen frames are finished to match the color of the window frame.

## Heavy Duty Hardware

Depending on size and placement, the Series 670 Hopper is available with a pawl handle or ring-pull latch with an extension pole. High-quality interior hardware is brushed nickel.

# Series 610 Single-Hung and 620 Sliding Window

With a design pressure (DP) rating tested for the commercial marketplace and the ability to be glazed on the inside for easy installation, our single-hung and sliding windows are perfect for projects from luxury hotels and resorts to office spaces and modern homes.

A thermally broken aluminum option makes the Series 610 and 620 energy efficient. And because each is designed to integrate with our large sliding glass doors and fixed windows, there are nearly infinite ways to customize.



## Clean Design

Engineered for smooth operation, maximum ventilation, and a modern aesthetic, our single-hung and sliding windows are designed with premium hardware and a 4.5" frame depth.

## Mulling Options

Both window styles can be directly mullered to most of Western Window Systems' product lines such as hinged doors, sliding doors, and fixed window walls. This male/female mulling feature is unique in aluminum fenestration products and eliminates the need for operable inserts while maximizing glass and narrowing sight lines.

## Locking System

A positive-acting T-lock engages an integrated strike in the frame's center bar. Available in black and brushed nickel finish.

## Screening

Designed to provide protection from outside pests while complementing a clean, contemporary style, screens are included with all single-hung and sliding windows.

## Tested for Durability


Because we build and test our windows to last, you can enjoy your Western Window Systems product for years to come. Manufactured in the U.S., each of our product families is tested for air, water, and structural performance and certified by the NFRC (National Fenestration Rating Council) and AAMA (American Architectural Manufacturers Association).

## Climate Ready Glass


We use dual-paned low-E glass manufactured using thermoplastic spacer (TPS) technology for better energy performance. Glass can be customized in a variety of types, colors, and thicknesses for improved privacy, protection, and thermal efficiency.

## Series 610 Single-Hung Window

## Series 620 Sliding Window



The Series 610 Single Hung Window features a top sash that is fixed and a bottom sash that moves up to open and let in fresh air. Sometimes referred to as a sash window, it's easy to operate, and its clean, contemporary look makes it ideal for any home style.



Offering a maximum view to the outdoors, the Series 620 Slider features two or three sashes aligned horizontally and sliding left or right. One sash slides open in a single slider. A double slider allows both sashes to open.

### Spiral Balancers

The Series 610 is equipped with spiral balancers for better adjustability and smoother operation to control the sash in the open position.

### Locking System

Window locks are T-latch and concealed with a slim cover. Available in black and brushed nickel finishes.

### Sizes

Single-hung windows are available with a maximum vent size of 48" in width and 36" in height, and with a frame height up to 96". Vent height is typically half the window height. Custom vent heights are available, but cannot exceed half the window height.

### Sizes

A double sash option is available up to 96" in width and 72" in height. Triple sash windows are also available.

### Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.

### Hardware

All fasteners on the sliding window are stainless steel. The roller is modeled after our popular multi-slide door.

### Screening

Included with all single-hung and sliding windows, our screens are made of extruded aluminum for additional strength.

# Series 600 Multi-Slide Window



Featuring the same rolling glass panels that stack or slide into pockets as our multi-slide door, the Series 600 Multi-Slide Window is a head-turning alternative to a standard opening. Perfect for large, long areas where people congregate, these moving walls of glass frame beautiful views and let in loads of fresh air and natural light.



## Clean Design

The Series 600 features a 2.55" stile, wide panels, and modern details that allow for more light and glass.

## Climate Ready Glass

Our dual-paned low-E glass can be customized in a number of types and colors for improved privacy, protection, and thermal efficiency.

## Configurations and Sizes

The Series 600 Multi-Slide Window is available in any configuration, with panels up to 84" wide and 138" tall or 138" wide and 84" tall (maximum 60 square feet). For complete flexibility, our multi-slide windows can be designed to go around curves, bypass obstacles, or bi-part in the center.



**Concealed Locking System**

The Series 600 Multi-Slide Window includes a hidden stainless steel multi-point lock to secure its large sliding panels, providing additional strength and protection. A keyed cylinder option is available.



**Smooth Operation**

Sealed stainless steel ball bearing rollers make our multi-slide window easy to operate. An interlocking track design provides structural integrity and makes it possible to span wide openings with almost any number of panels.



**Classic or Thermally Broken Aluminum**

Classic aluminum provides effortless operation, versatility, and a clean aesthetic. Our thermally broken option provides the same functionality, but with an insulating barrier that increases energy performance in colder climates.



**Heavy Duty Hardware**

Rolling hardware is AAMA-certified.

# Options: Series 600 Multi-Slide Window



## Water Barrier Sill

The water barrier sill's 1.5" interior leg and weep-hole system safeguards against water intrusion. For additional protection, the back leg of each sliding panel penetrates the track to block dust and debris.



## Flush Sill

The flush sill features an interior and exterior sill height of just 0.75". Weep holes in the track allow water to drain away from the window, while the back leg of each sliding panel discourages dust and debris.



## Thinline Sill

The ability of our signature thinline sill to hide almost completely makes it appear virtually seamless. Staggered tracks expose a slim channel on which the panels roll.

Note: Thinline and flush sills may be less effective at preventing water penetration than the water barrier sill and therefore may not be appropriate in all climates, conditions, and exposures.



## Flush-Mounted Handle

The flush-mounted handle's clean, narrow design allows panels to easily slide past each other or into a pocket. An optional keyed cylinder allows the window to be unlocked from outside. Finish available in brushed nickel or black.



## Premium Handle

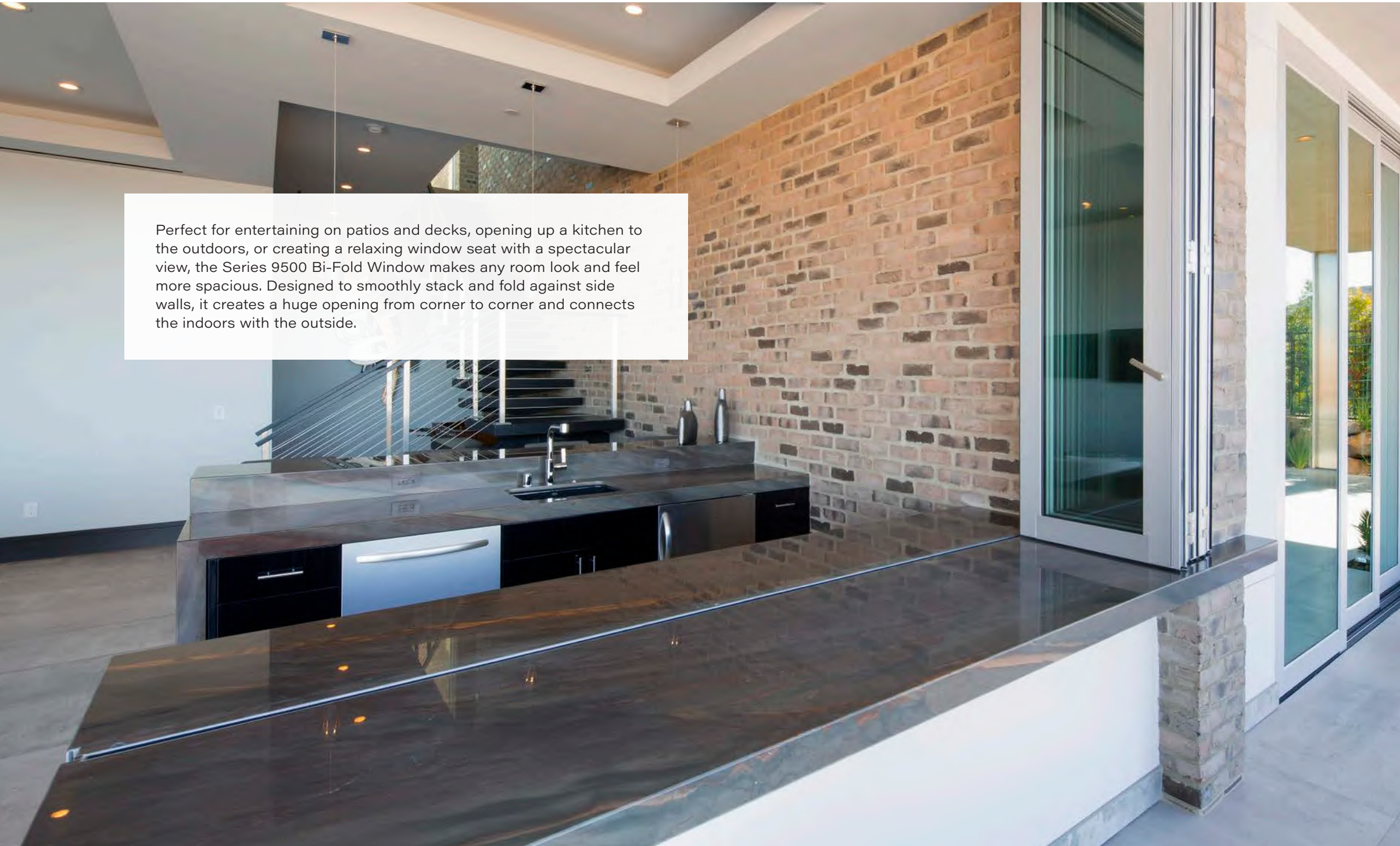
Our optional premium handle features a minimal one-piece design, comfortable grip, and the option of a keyed cylinder that allows the window to be unlocked from the exterior. Finish available in brushed nickel or black. Not available on pocketing multi-slide window systems.

## Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.

# Series 9500 Bi-Fold Window

Perfect for entertaining on patios and decks, opening up a kitchen to the outdoors, or creating a relaxing window seat with a spectacular view, the Series 9500 Bi-Fold Window makes any room look and feel more spacious. Designed to smoothly stack and fold against side walls, it creates a huge opening from corner to corner and connects the indoors with the outside.



## Clean Design

The Series 9500 includes a 2.25" x 3.5" stile and a frame and sill depth of 4.5", allowing it to integrate into nearly any wall condition.

## Concealed Locking System

Our bi-fold window includes a hidden stainless steel multi-point lock to secure its large panels, providing additional strength and protection.

## Thermally Broken Aluminum

Thermally broken aluminum provides an insulating barrier that enhances energy performance.

## Climate Ready Glass

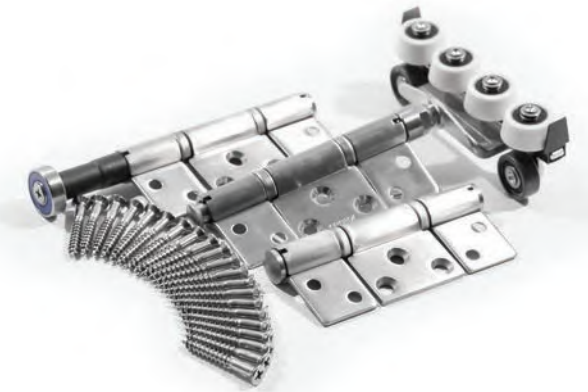
Our dual-paned low-E glass can be customized in a number of types and colors for improved privacy, protection, and thermal efficiency.

## Smooth Operation

Sealed stainless steel ball bearing rollers make our bi-fold window easy to operate.

## Configurations and Sizes

The Series 9500 Bi-Fold Window is available in a multitude of configurations, with panels up to 42' wide and 12' tall (16-panel maximum, eight in each direction). For additional flexibility, the Series 9500 can be specified to swing inward or outward.



Carrier Hinge - Bottom Load Bi-Fold



Heavy Duty Carrier Hinge - Head Load Bi-Fold

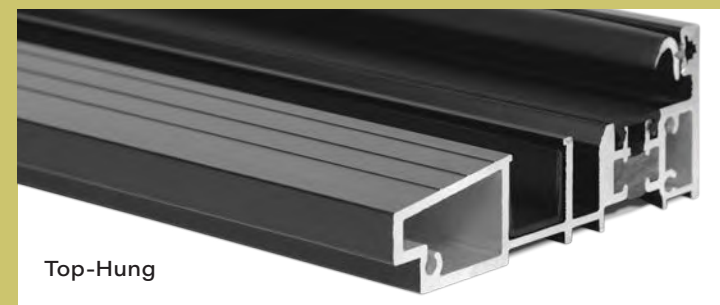


Carrier Hinge - Head Load Bi-Fold

## Heavy Duty Hardware

For strength and durability, Western Window Systems uses stainless steel hardware for its windows.

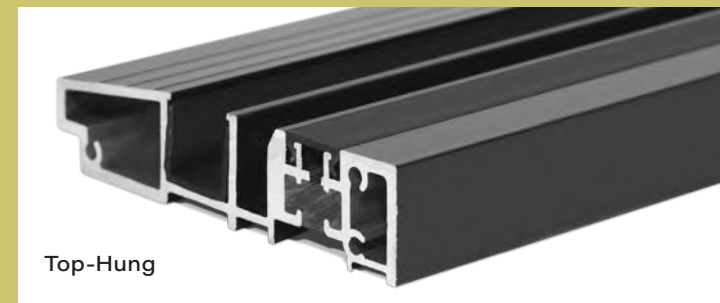
# Series 9500 Bi-Fold Window



Top-Hung

## Water Barrier Sill

The water barrier sill safeguards against water intrusion while providing a tight seal. In top-hung bi-fold windows, where the weight is concentrated in the heads, the interior leg is 1.82". For bottom-loading bi-folds, where the bottom of the window carries the majority of the weight, the interior leg is 2.51". Thresholds are finished to match the frame color.



Top-Hung

## Flush Sill

Top-hung bi-fold windows feature an interior threshold height of 1.07". On bottom-loading bi-folds, the interior threshold height is 1.76". Thresholds are finished to match the color of the frame.

Note: The flush sill may be less effective at preventing water penetration than the water barrier sill and therefore may not be appropriate in all climates, conditions, and exposures.



## U Track

For bi-fold windows intended for interior use only, the U-track allows for a flush transition and is offered in a dark bronze finish.

Note: The U track is less effective at preventing water penetration than other sill options and therefore is not intended for exterior use.



D-Pull Handle - Inactive Lock Handle



Premium Handle

## High-Quality Handles

Western Window Systems' bi-fold windows feature three high-quality, contemporary-looking handles. The premium handle, located on all active panels, includes a key lock. A D-shaped pull handle at the bi-fold's pivot points further aids in opening and closing the door. And an inactive lock handle at the door's pivot points secures the door panels with steel pins at the head and sill.

Premium and inactive lock handles are available in brushed nickel or black. The D-shaped pull handle is available in stainless steel or black bronze.

## Finishes

Aluminum finishes are available in-stock, as designer selections, and can be customized to match nearly any color. For approximate finish options, see page 122. For exact paint swatch samples, contact us.

What You Can Expect



Live Better

# Support as Exceptional as Our Products



## Visit a Western Window Systems Dealer Near You

Like us, our dealer partners are driven by a mission to help people live better. Whether you need expert product advice or sales and installation services, they have the answers you need. Located in showrooms across North America, many with full-size displays of our products, our dealers are here to ensure that your experience with a Western Window Systems product exceeds your expectations. To find one near you, visit [westernwindow.com/contact-us](https://www.westernwindow.com/contact-us).

## Customer Care

From product guidance to pricing to technical assistance, our knowledgeable representatives are committed to answering your questions the way you want them answered – quickly and efficiently. Talk direct to a representative at our headquarters in Phoenix or connect with us online at [westernwindow.com/contact-us](https://www.westernwindow.com/contact-us).

## Shortened Lead Times

To help keep your project on time and on budget, we offer some of the shortest production lead times in the industry. Production lead times are updated daily and on every product we make. To get the most current lead times, contact a Western Window Systems representative at [westernwindow.com/contact-us](https://www.westernwindow.com/contact-us).

## Online Resources

Find specifications, watch installation videos, and download resources like energy values and product brochures. It's all there when you need it at [westernwindow.com/professionals](https://www.westernwindow.com/professionals).

## Installation Advice

We recommend installation be performed by an experienced professional working in accordance with the tested and accepted installation techniques of the American Architectural Manufacturers Association (AAMA). Installation instructions are supplied with all of our products and can be found on our website. Following these instructions is required for correct installation and maintaining product warranty.

## Cleaning and Care

At [westernwindow.com](https://www.westernwindow.com), you'll find tips and detailed information to keep your Western Window Systems products performing their best: care during installation, cleaning materials and recommendations, lubricating hardware, and inspections.

## Insulated Glass Warranty

We guarantee our insulated glass for 10 years from the invoice date. The insulated glass in our products is warranted against permanent material obstruction of vision due to a premature failure of the air seal. Glass breakage is not covered. For full warranty details, visit [westernwindow.com/support/warranty-information/](https://www.westernwindow.com/support/warranty-information/).





## Warmly Minimal

Los Angeles-based design-build firm Walker Workshop designed this pleasant modern residence tucked in the hills west of the San Fernando Valley. Moving glass walls throughout the home, including a Series 600 90-Degree Multi-Slide Pocketing Door in the kitchen, blur the lines between the inside and the outdoors and let in sunlight and fresh air.

A sliding glass door in the master bedroom is perfectly positioned to enjoy the views. Matching fixed and hinged windows continue the modern theme. And a Series 900 Hinged Door in the front entry keeps the space feeling bright and airy.

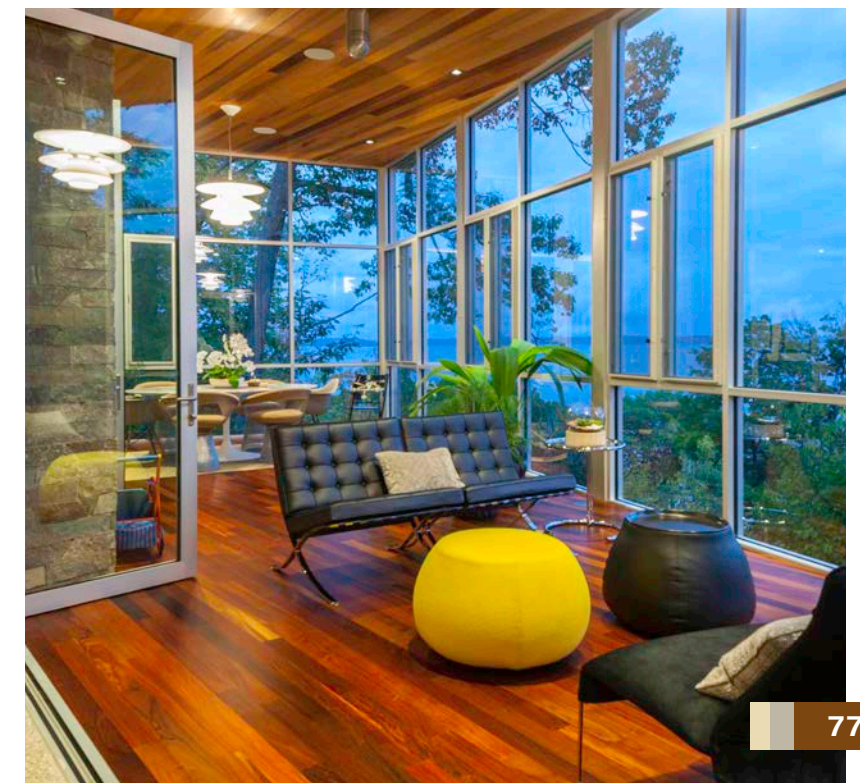




## Modern in Michigan

This impressive home blends a sense of place with modern sensibilities. From architect Michael Fitzhugh, its design includes natural materials, an innovative heating and cooling system, and a clean exterior featuring large glass panels from Western Window Systems.

"Western Window Systems provided a unique alternative to traditional commercial storefront glazing," says Fitzhugh. "Thin frame profiles and well-designed hardware allowed for a clean design while staying functional!"

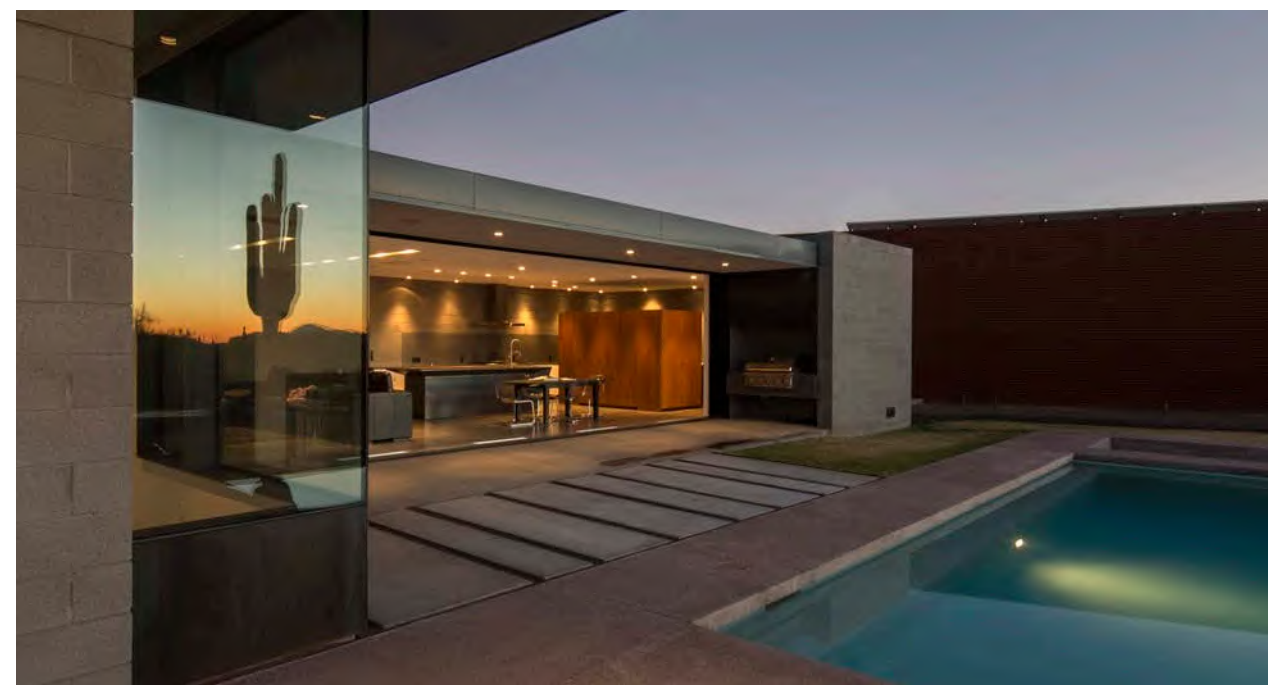




## Modern in the Desert

Scottsdale-based architectural firm Chen + Suchart Studio created this modern home in Arizona with a private courtyard and pool on the lower level and rooms upstairs that take advantage of views of the McDowell Mountains.

Sliding glass panels that disappear into walls, courtesy of Western Window Systems' Series 600 Multi-Slide Doors, transform rooms into uninterrupted spaces that open to other living areas and allow for panoramic outlooks of the surroundings.





## Taking Home the Gold

Praised for its visually appealing, modern yet comfortable design, this Scottsdale residence took home the gold in the 2014 Design Awards from Professional Builder magazine. Built by Calvis Wyant Luxury Homes, the 5,877-square-foot residence features an open floor plan that includes Western Window Systems' multi-slide pocket doors to allow for optimal inside-to-outside flow. Tropical influences such as covered patios, a pool, and reflecting ponds give the home a lush, resort-style feel.





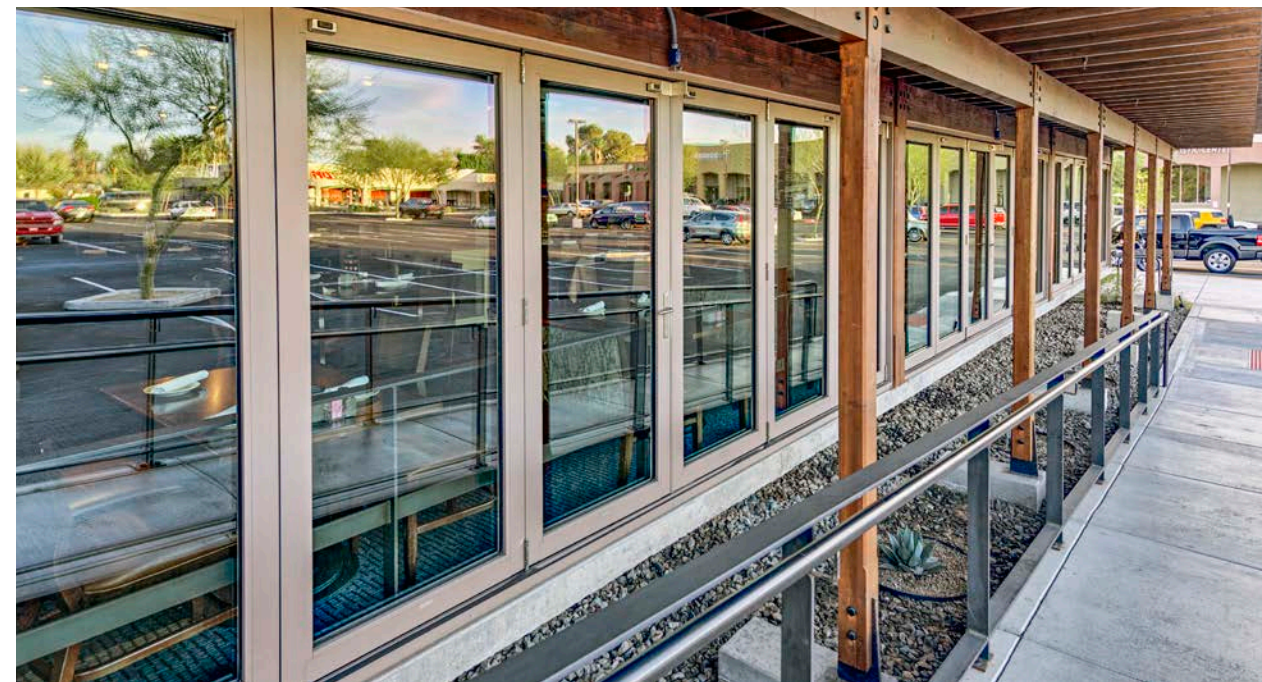
## Architect's Dream Home

A widely known architect with a reputation for creating beautiful infill projects, Jonathan Segal used all his skills to build his own home (dubbed "The Cresta"). Built on a lot in an established San Diego residential neighborhood, the project stands as a beautiful duet of concrete and glass with stunning views of the Pacific Ocean.

Western provided Series 600 Multi-Slide Doors, Series 600 Window Walls and other products to help create a true indoor-outdoor lifestyle at a project that demands attention.

Photos: Matthew Segal





## Elevated Dining

Indoor/outdoor dining gets elevated at this Central Phoenix location of Z'Tejas, the contemporary Southwestern-style restaurant chain. Atop a raised platform, Series 9500 Bi-Fold Doors from Western Window Systems frame patio, lounge, and dining areas.

When opened, the floor-to-ceiling doors bring the sections together, expanding space and treating patrons to an open-air dining experience no matter where they're seated. From Scottsdale-based DPA Architects, Phoenix-based Roadrunner Glass, and Christofferson Commercial Builders in Colorado.





## Smooth Landing

Amid a \$100 million expansion of Koloa Landing Resort & Villas at Poipu Beach on Kauai, Azul Hospitality Group replaced all the sliding glass doors on the property, upgrading to Western Window Systems sliders. The new doors feature dual-paned, triple-coated low-E glass, which blocks a substantial amount of heat transfer to help reduce heating and cooling costs at the resort.

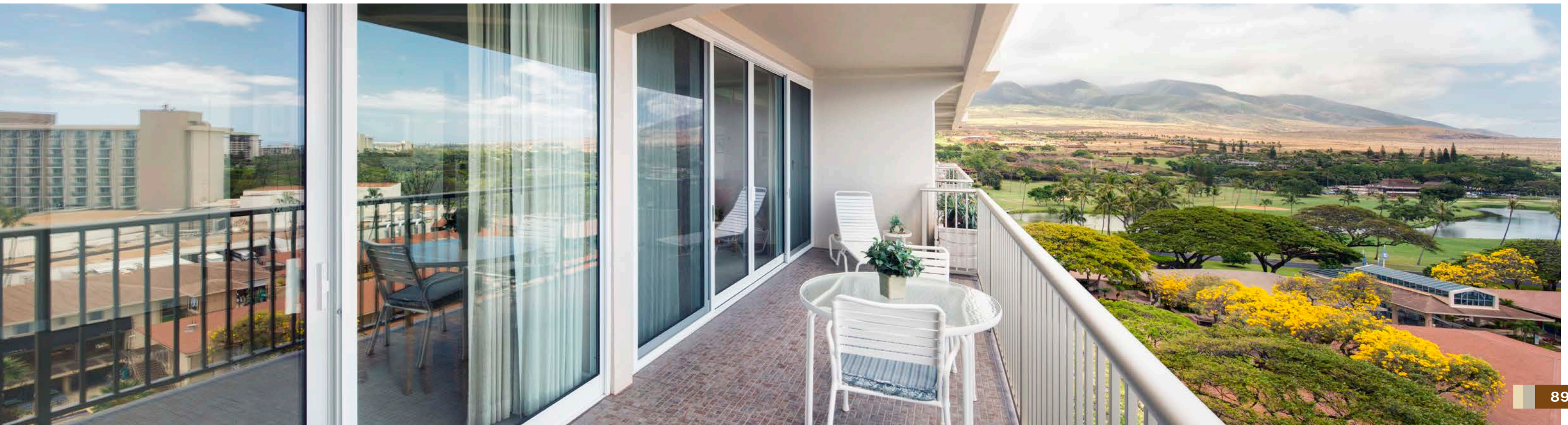
Along with improving energy efficiency, the new sliding glass doors give the resort's rooms and villas a larger opening to the outdoors, providing ample opportunity for guests to soak in the beautiful Hawaiian climate.



## Maui Makeover

After 30 years, it was time for an upgrade of the doors at Aston at The Whaler at Kaanapali Beach in Lahaina, Hawaii. Aston Hotels & Resorts turned to Western Window Systems to replace the sliding doors in all 410 units in two 12-floor towers of the resort. The new Series 600 Sliding Doors, each with a white painted finish, are insulated, low-E glass doors that allow for energy efficiency. The biggest doors (184 by 99 inches) were installed by Glass Products Hawaii in 215 units, while 120 units now benefit from 160-by-99-inch sliders.

Guests at the Maui resort now enjoy a seamless merging of the indoors and the outside, as the doors give the appearance of a larger guest room and let in loads of sunshine.



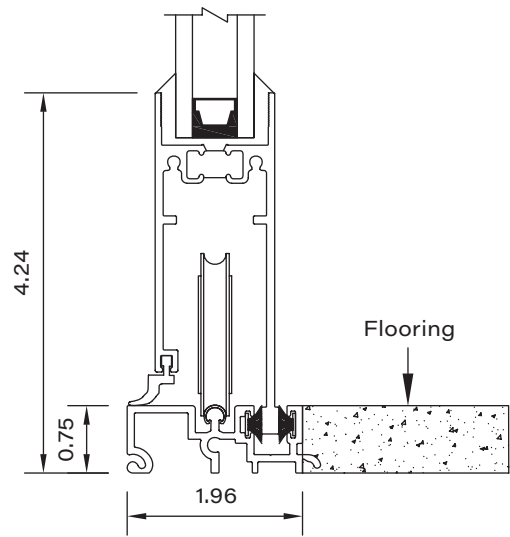
## Technical Specifications

"We have six 12-foot-tall by 6-foot-wide panel windows that are very energy efficient."

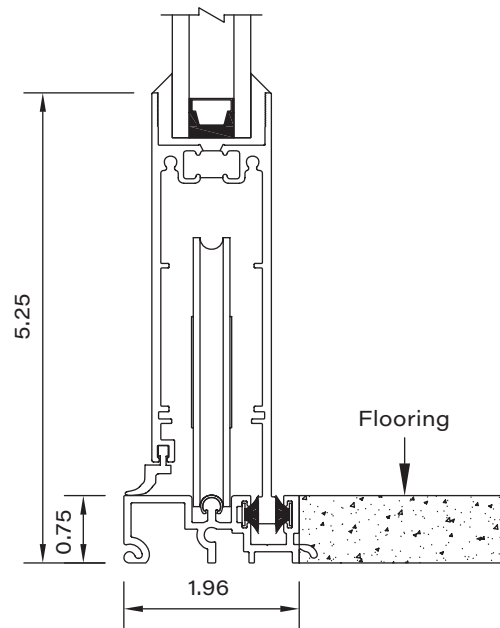
– Dean Papadopoulos, homeowner

Design Better

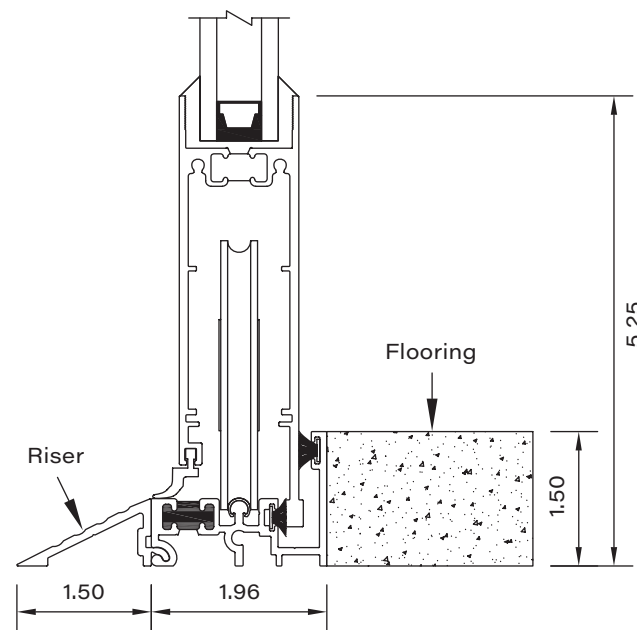
# Series 600 Multi-Slide Door



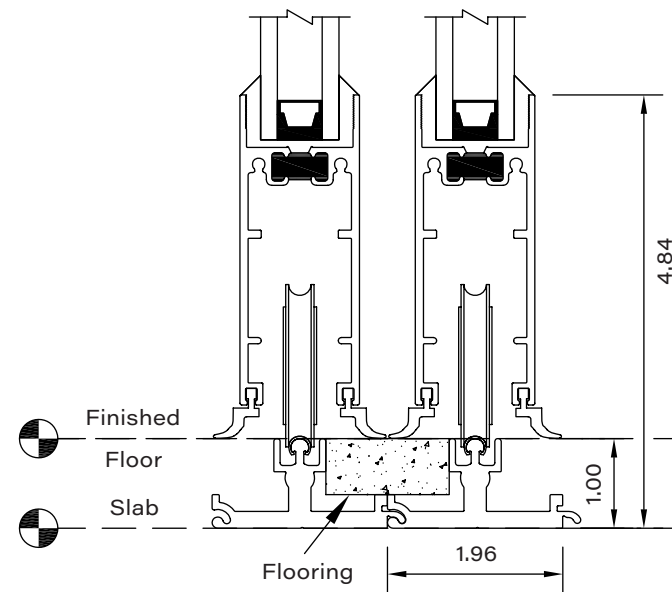
flush threshold with 1.81 diameter roller



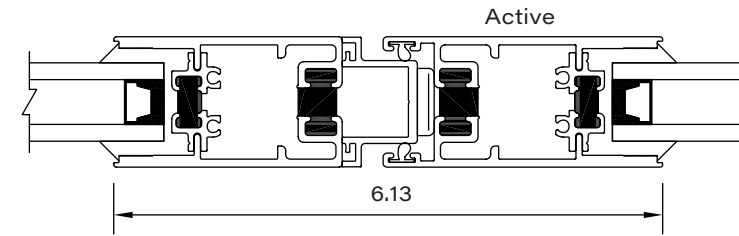
flush threshold with 3.00" diameter roller



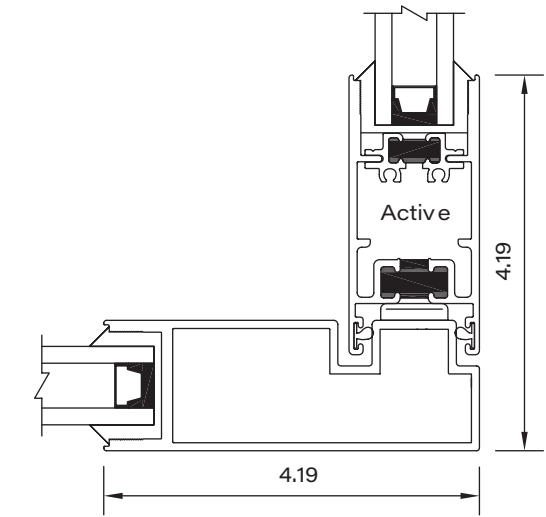
water barrier threshold with 3.00" diameter roller and riser



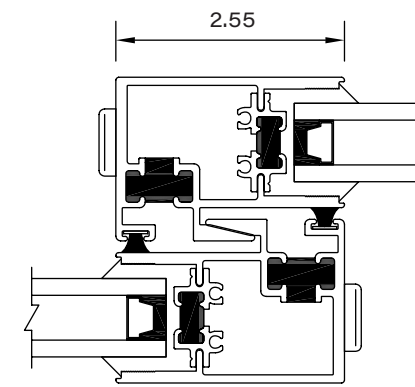
thinline threshold with 1.81" diameter roller



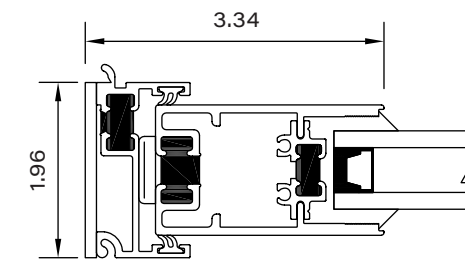
bi-parting condition



90-degree condition

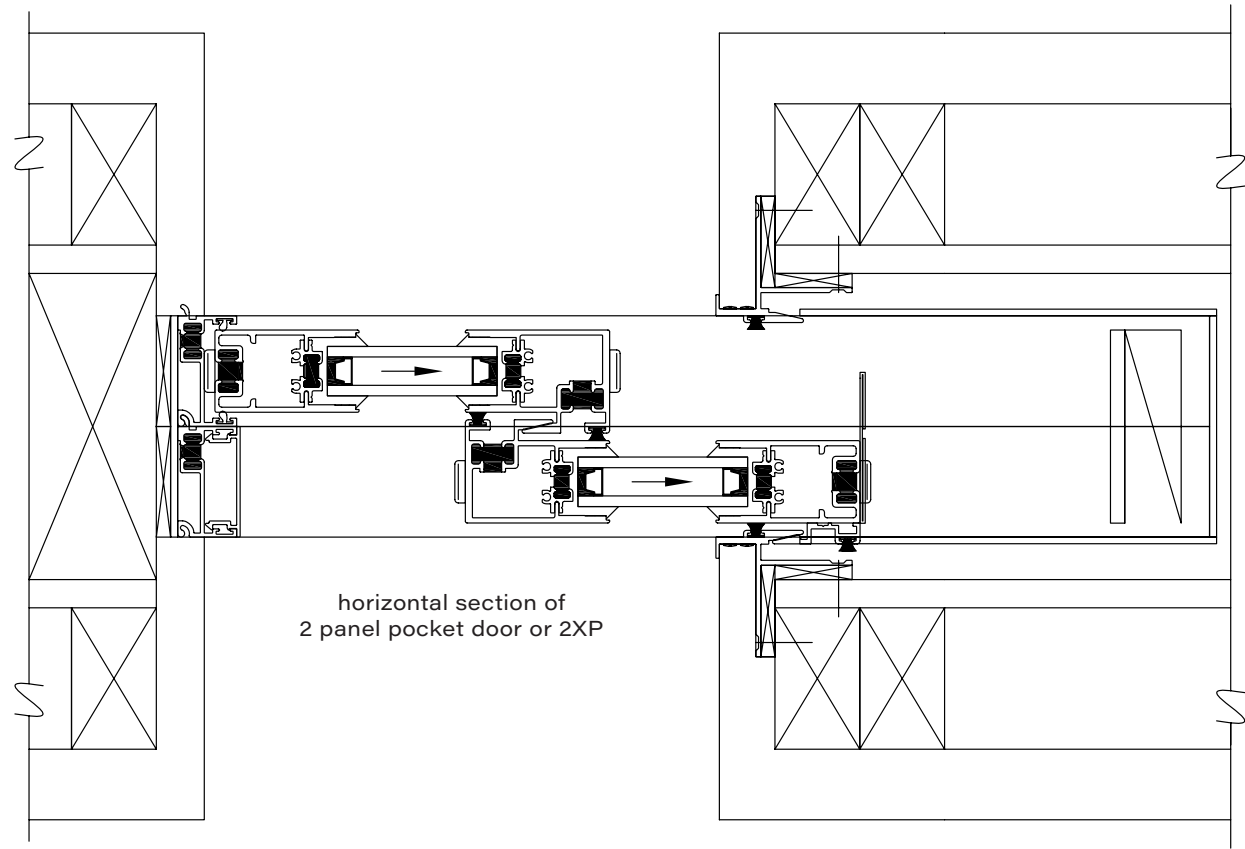


interlocking condition

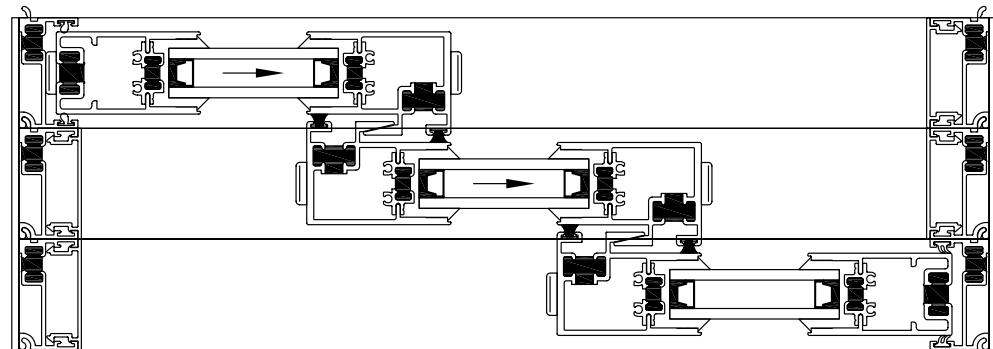


fixed position

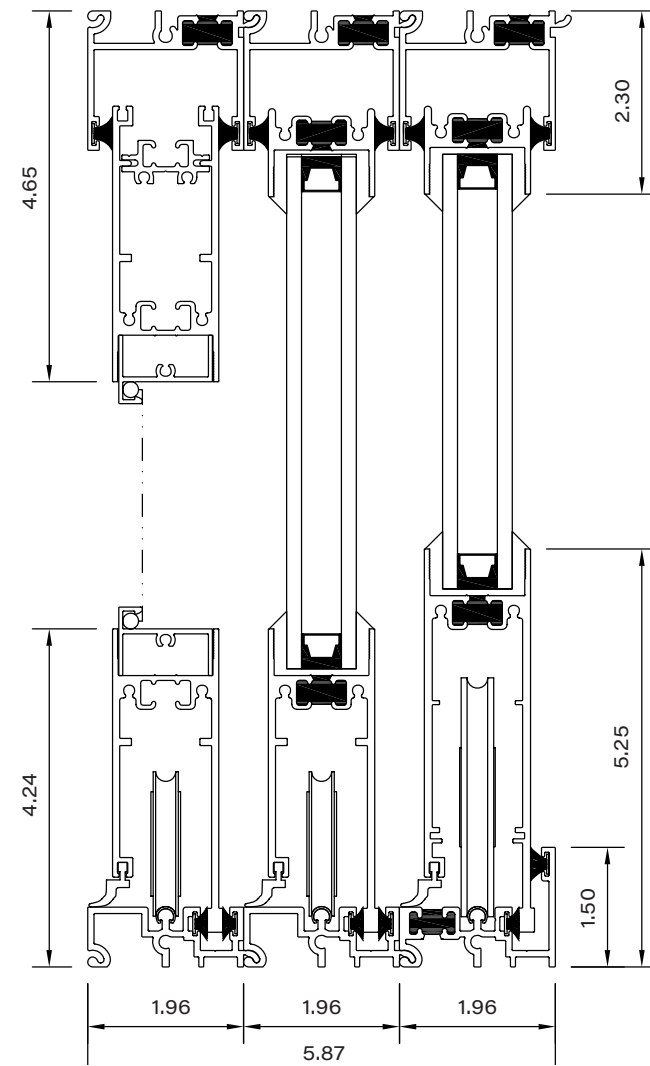
# Series 600 Multi-Slide Door



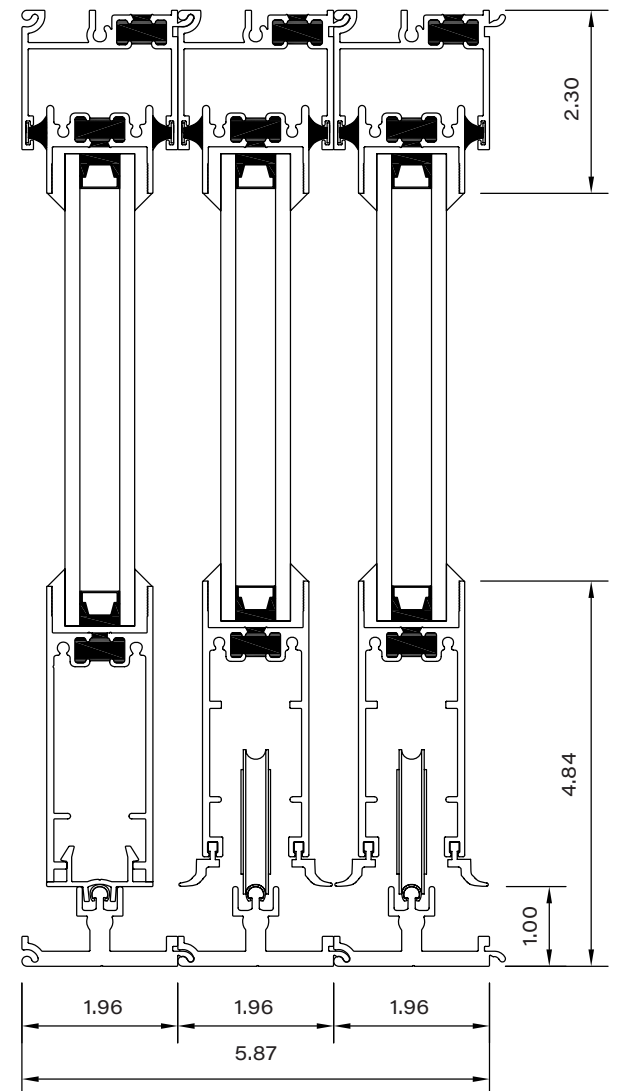
horizontal section of  
2 panel pocket door or 2XP



horizontal section of  
3 panel stacking door or 2XO

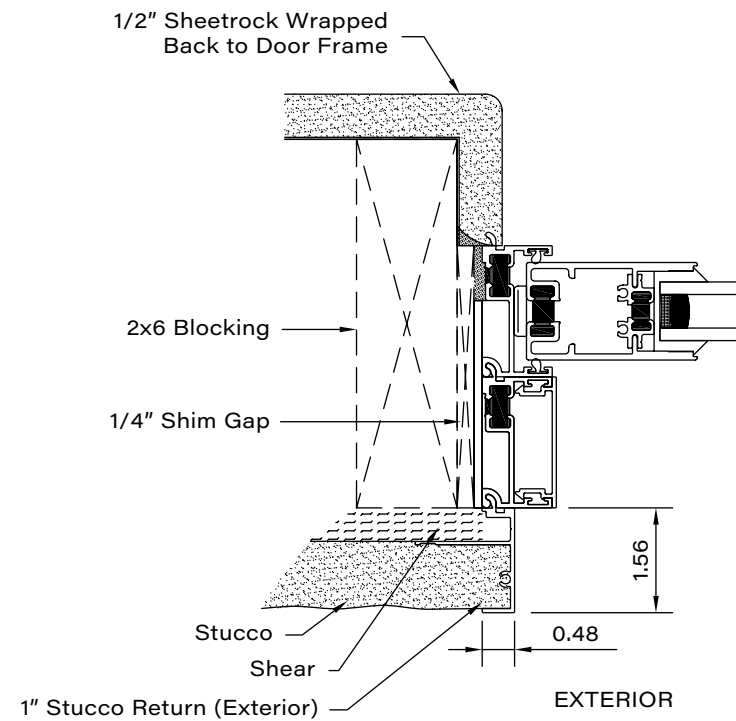


vertical section of exterior screen  
1.81" diameter roller  
3.00" diameter roller  
water barrier threshold

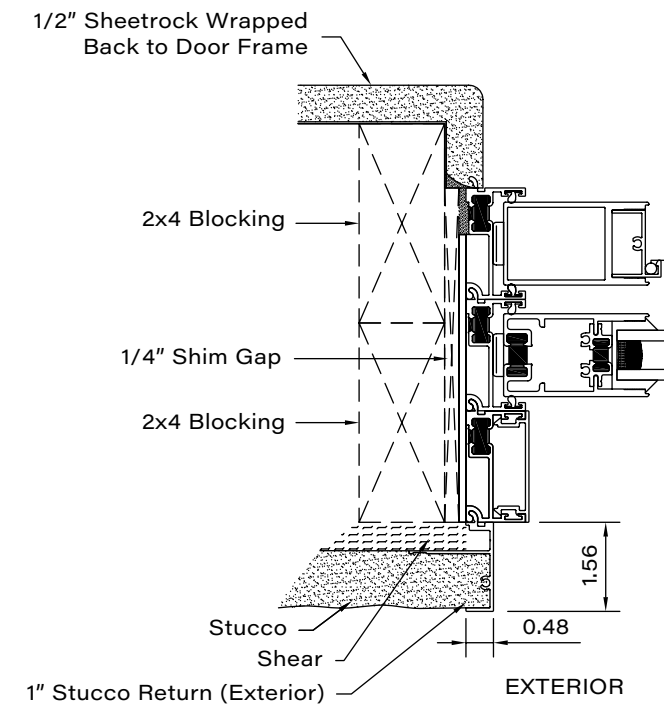


vertical section of thinline threshold  
with 1.81" diameter rollers

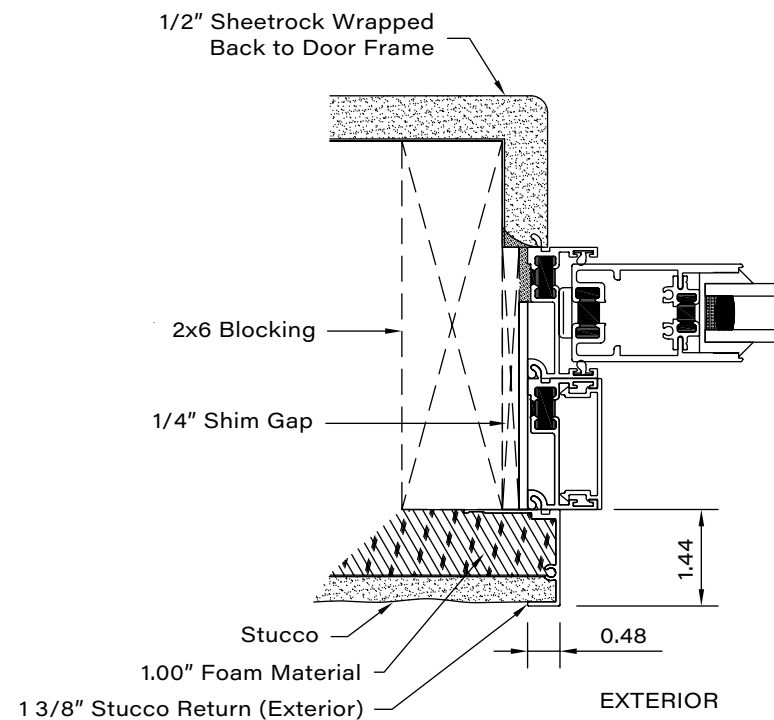
# Series 600 Multi-Slide Door



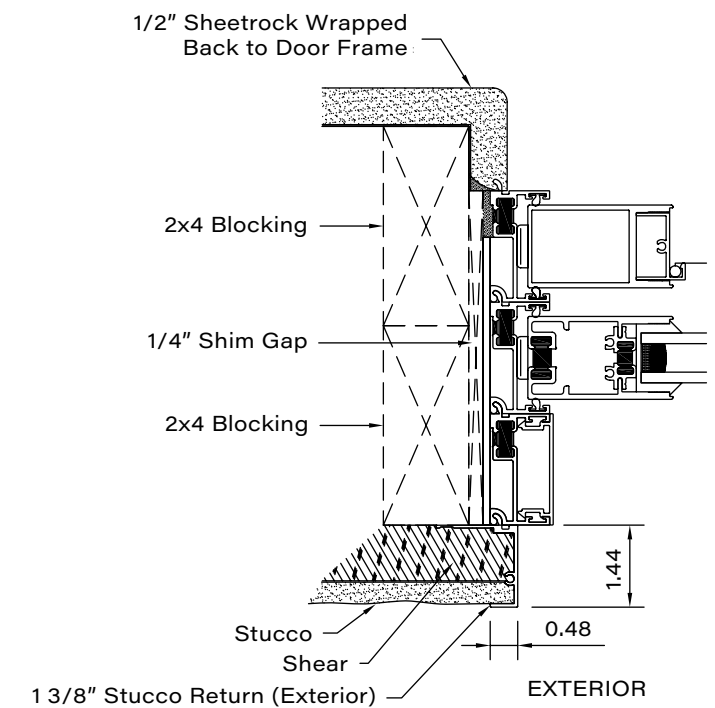
1" stucco return wall construction profile @ stud multi-slide stacking door jamb application



1" stucco return wall construction profile @ stud multi-slide stacking door jamb application

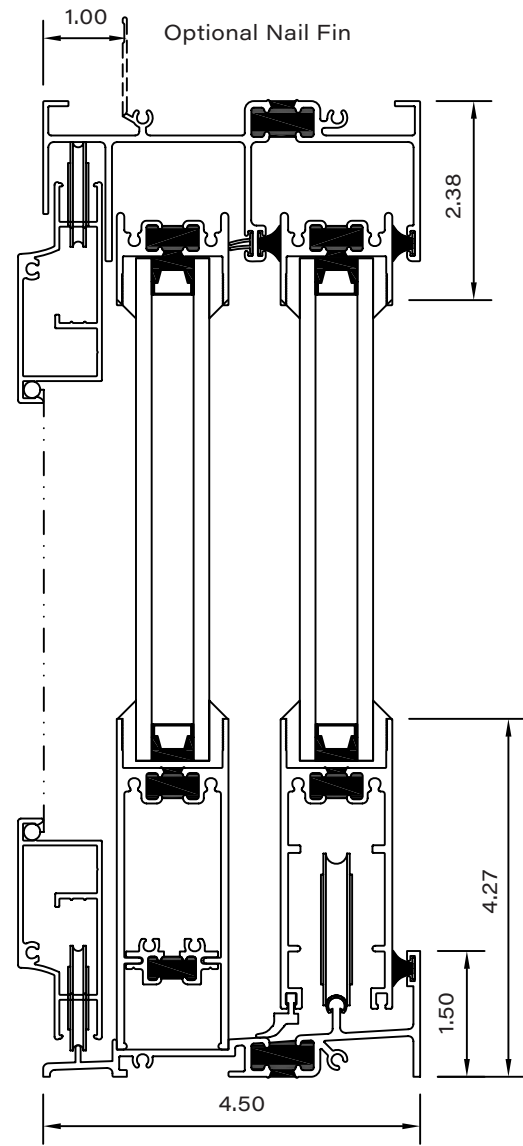


1.375" stucco return wall construction profile @ stud multi-slide stacking door jamb application

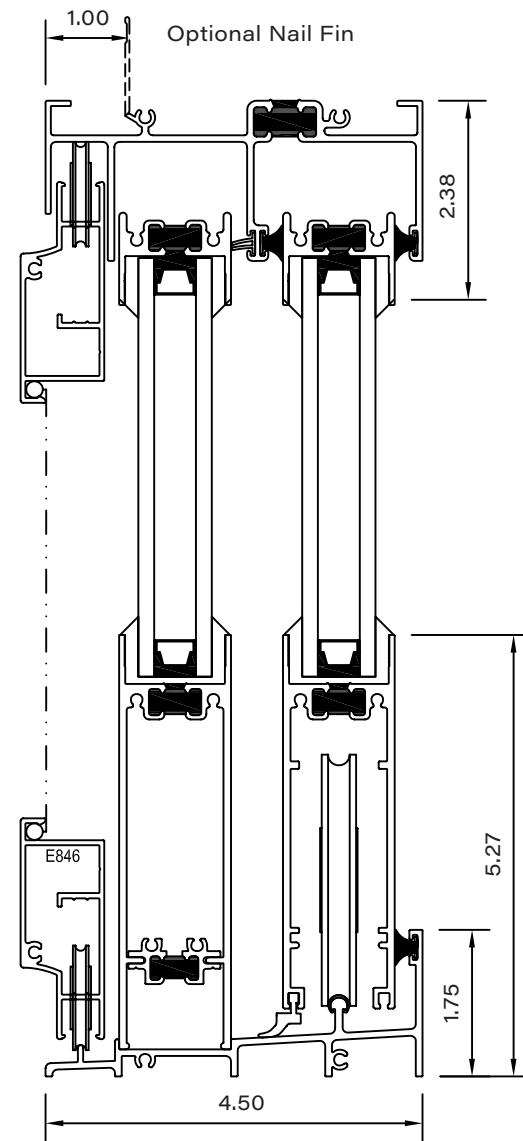


1.375" stucco return wall construction profile @ stud multi-slide stacking door jamb application

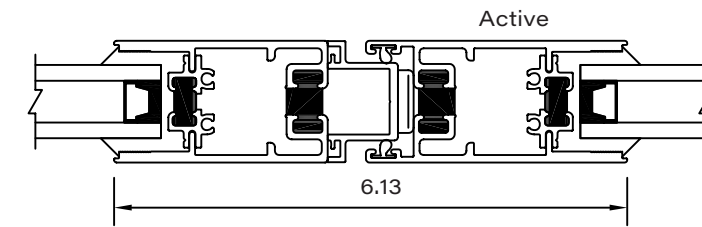
# Series 600 Sliding Glass Door



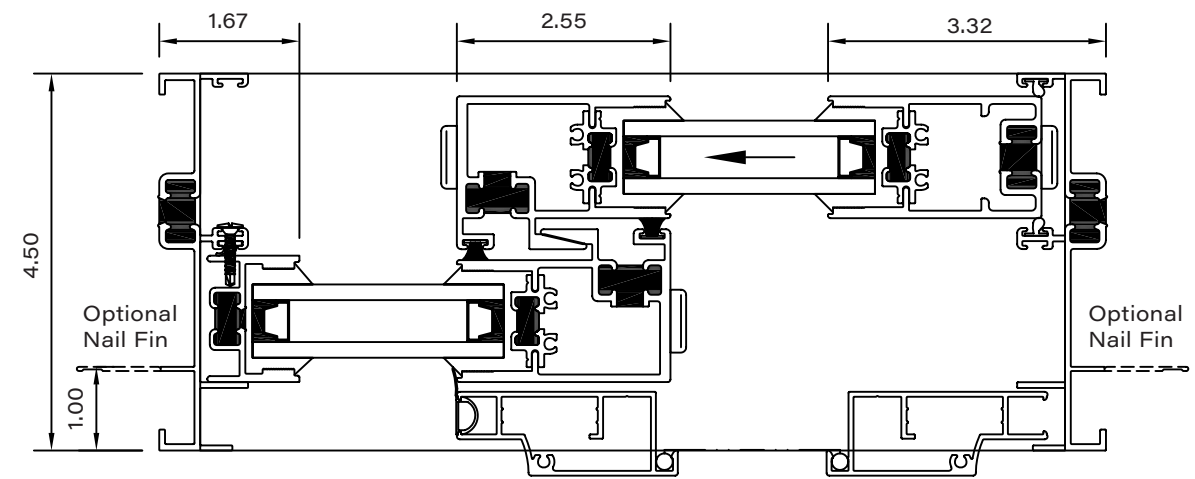
vertical section with 1.81" diameter rollers and 1.50" threshold



vertical section with 3.00" diameter rollers and 1.75" threshold

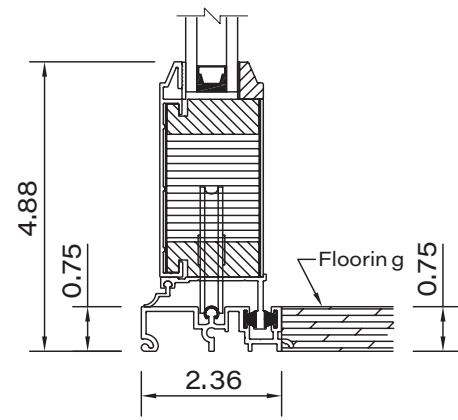


bi-parting condition

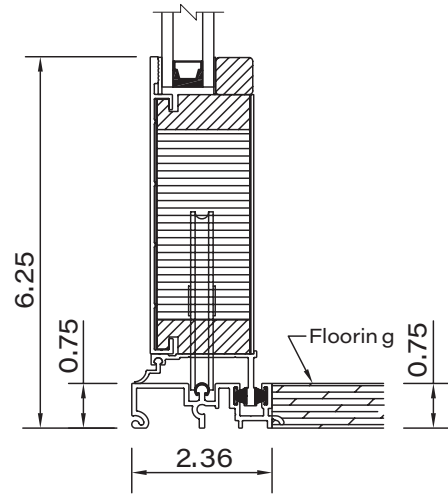


horizontal section OX

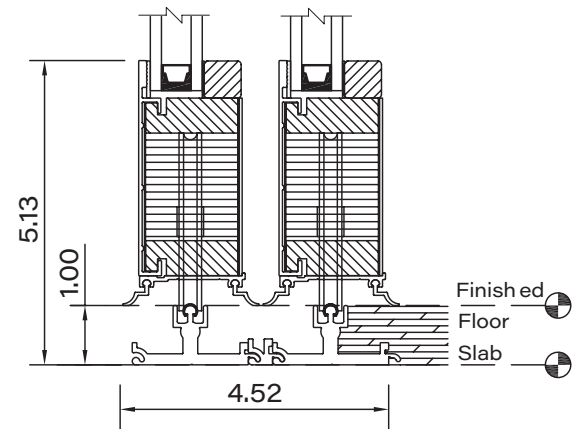
# Series 2600 Aluminum-Clad Multi-Slide Door



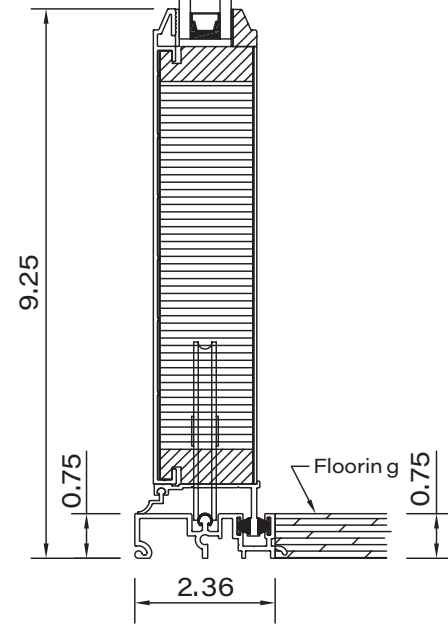
flush sill - 2.12" roller  
3.63" traditional bottom rail



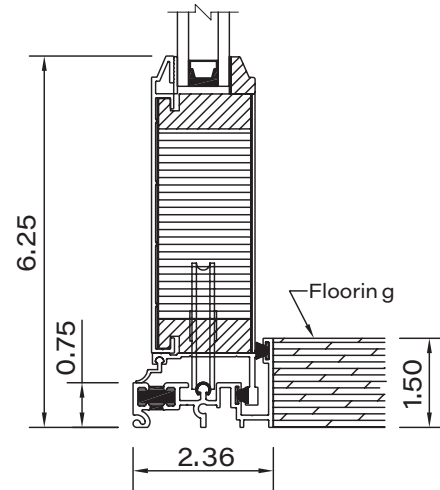
flush sill - 3" roller  
5" contemporary bottom rail



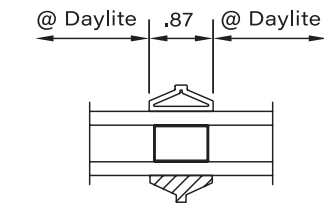
thinline sill - 3" roller  
3.63" contemporary bottom rail



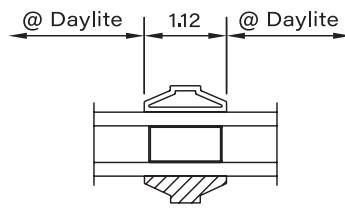
flush sill - 3" roller  
8" traditional bottom rail



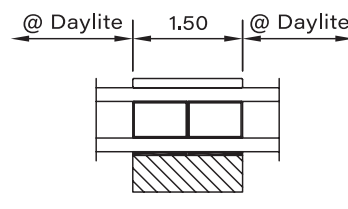
water barrier sill - 2.12" roller  
5" traditional bottom rail



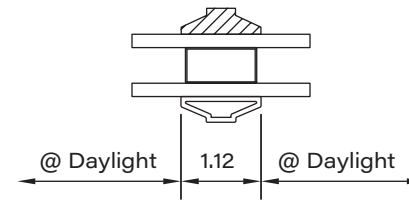
traditional .87" bar  
simulated divided lite



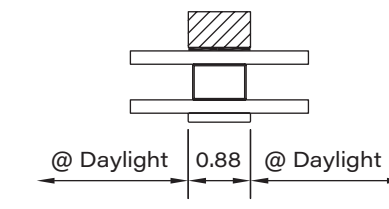
traditional 1.12" bar  
simulated divided lite



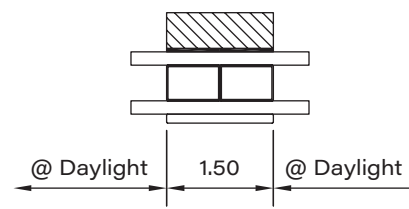
contemporary 1.5" DH bar  
simulated divided lite



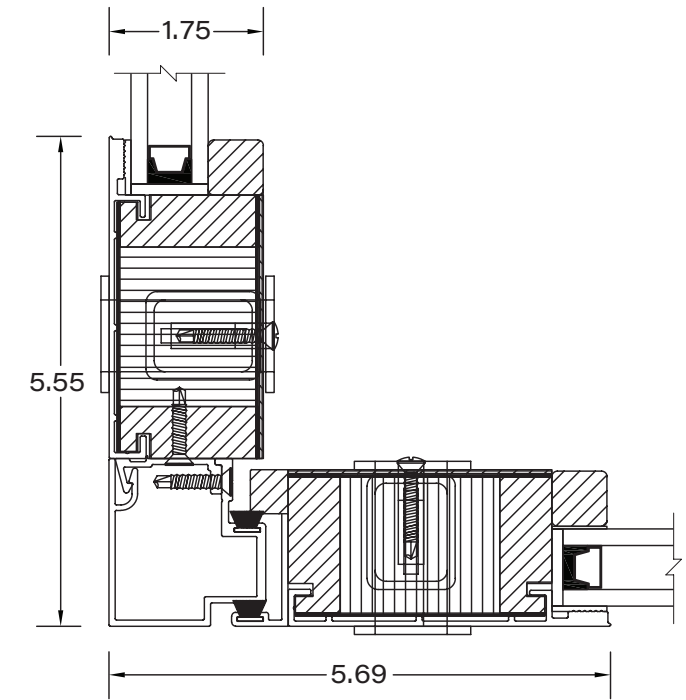
E2671 traditional  
wood clad muntin



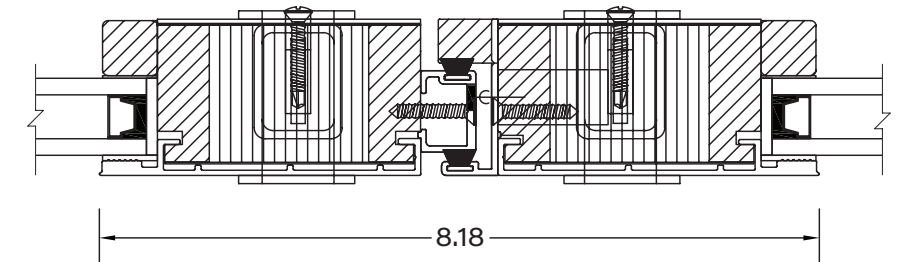
E135 contemporary  
wood clad muntin



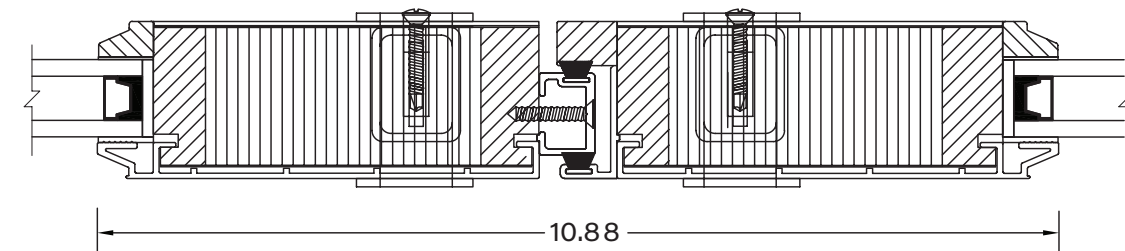
E126 contemporary  
wood clad muntin



90-degree condition  
contemporary narrow style

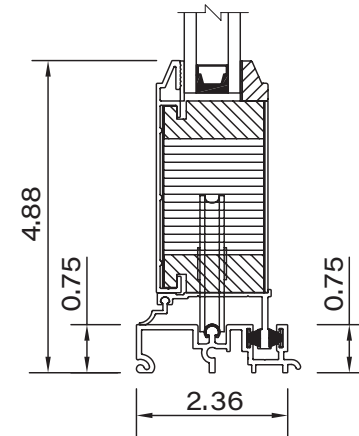
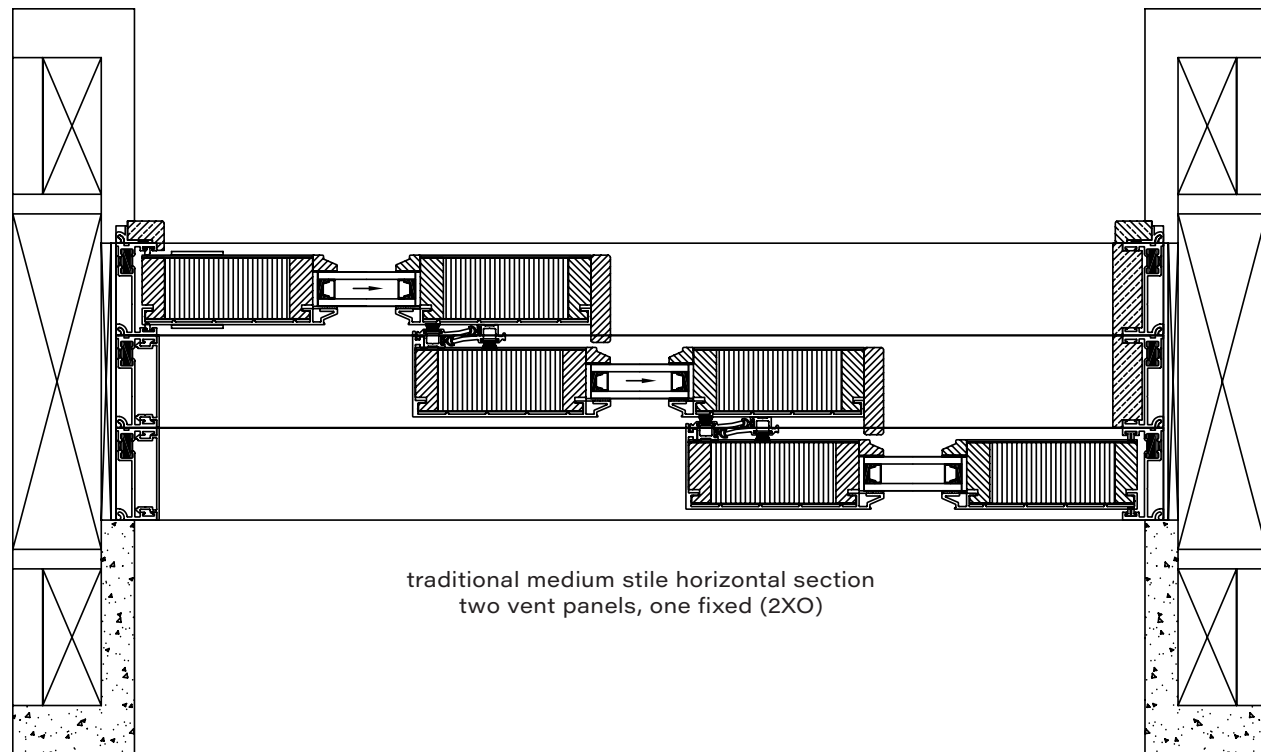
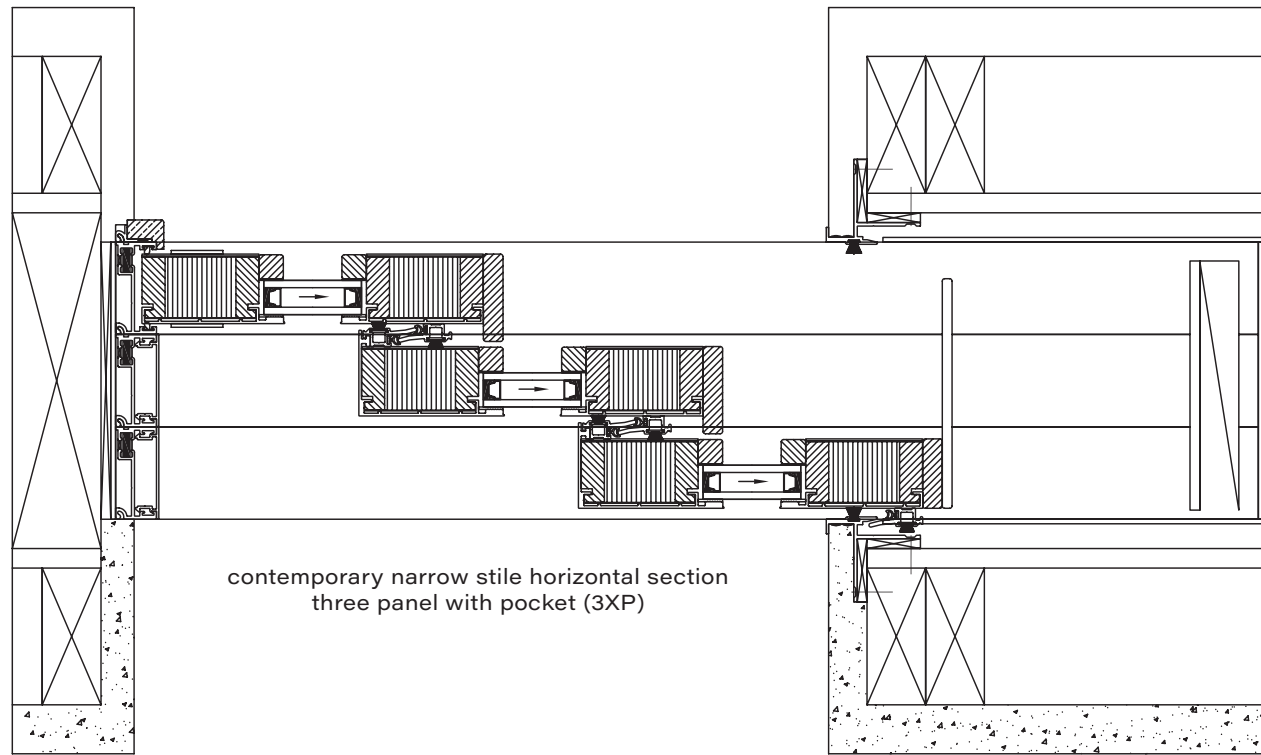


bi-parting condition  
contemporary narrow style

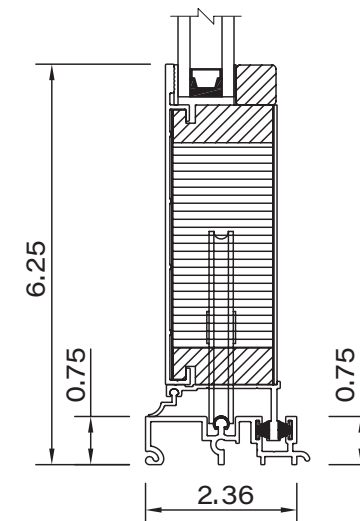


bi-parting condition  
traditional medium style

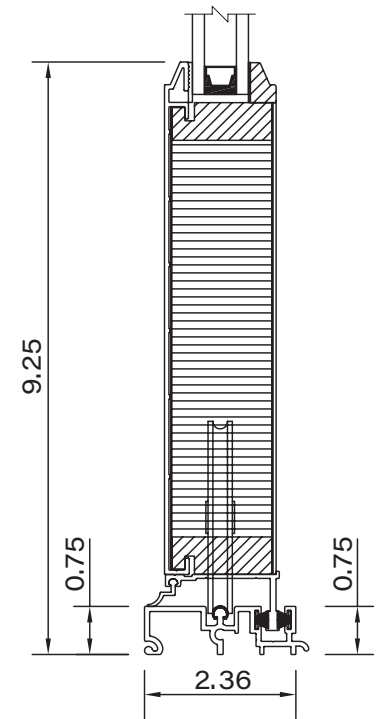
# Series 2600 Aluminum-Clad Multi-Slide Door



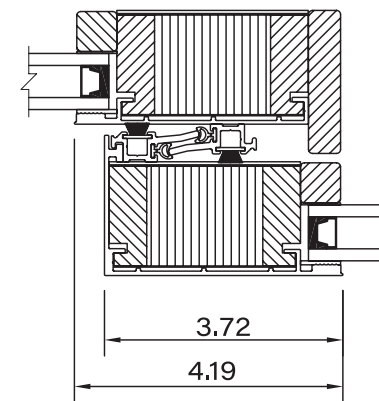
flush sill - 2.12" roller  
3.63" traditional bottom rail



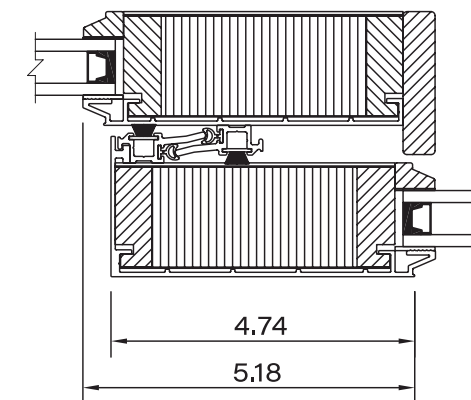
flush sill - 3" roller  
5" contemporary bottom rail



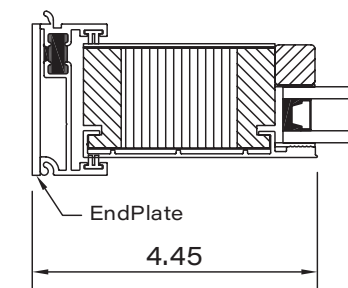
flush sill - 3" roller  
8" traditional bottom rail



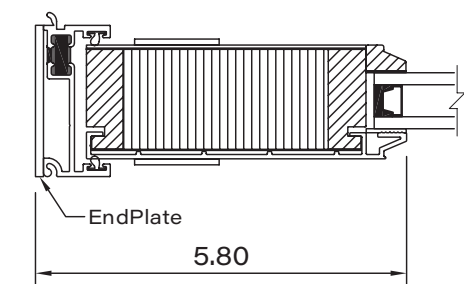
interlocking condition  
contemporary narrow stile



interlocking condition  
traditional medium stile

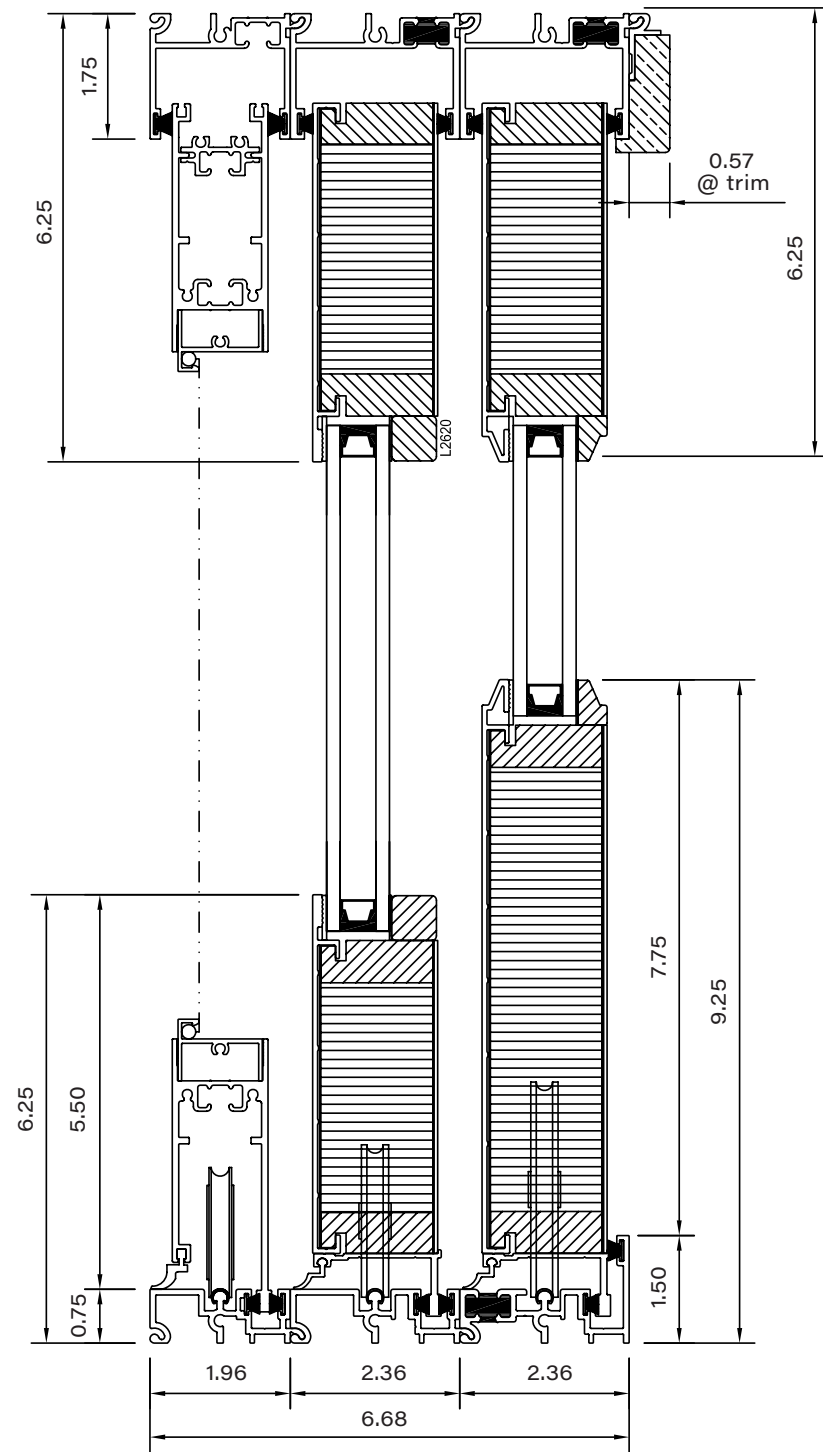


fixed condition  
contemporary narrow stile

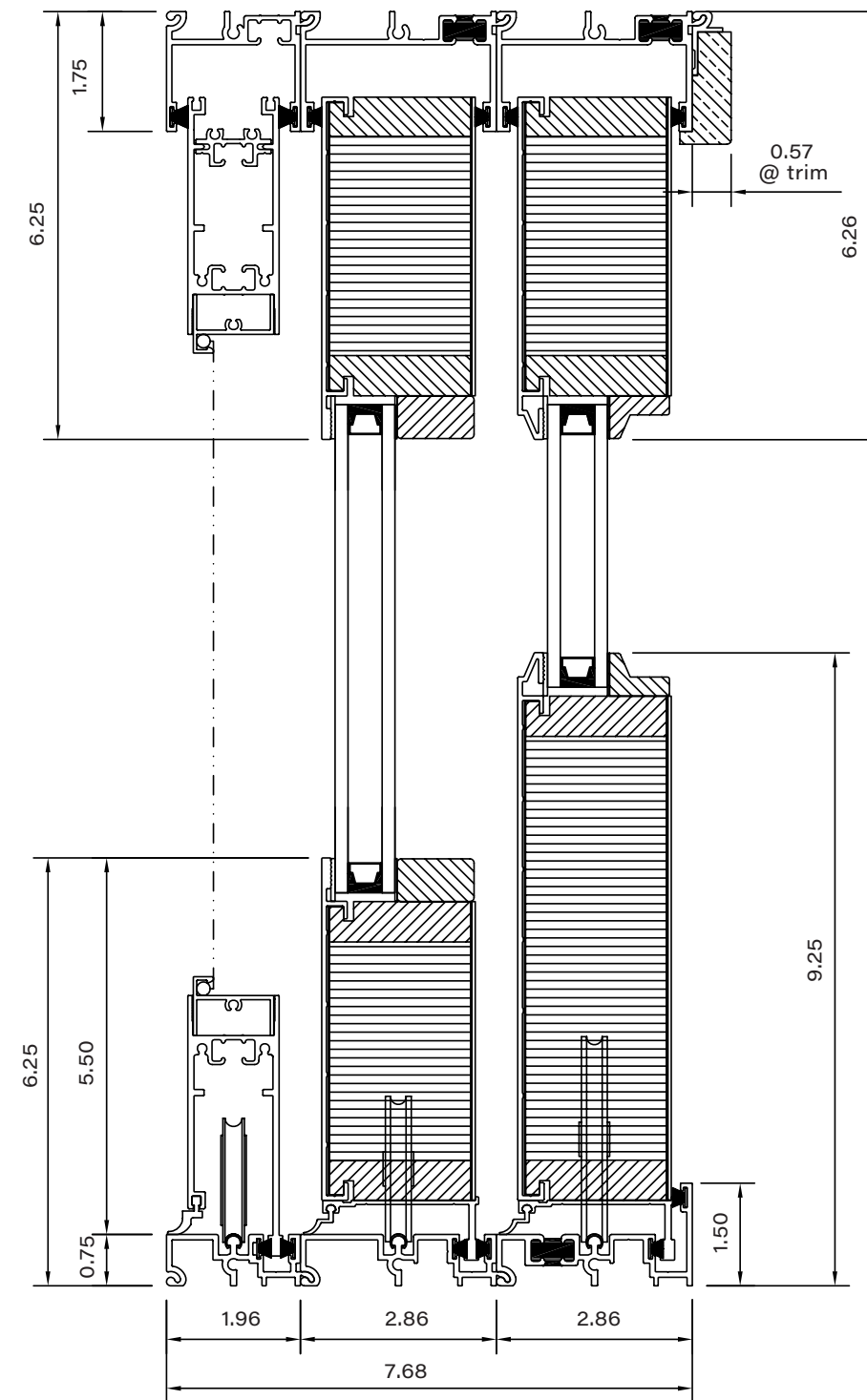


fixed condition  
traditional medium stile

# Series 2600 Aluminum-Clad Multi-Slide Door

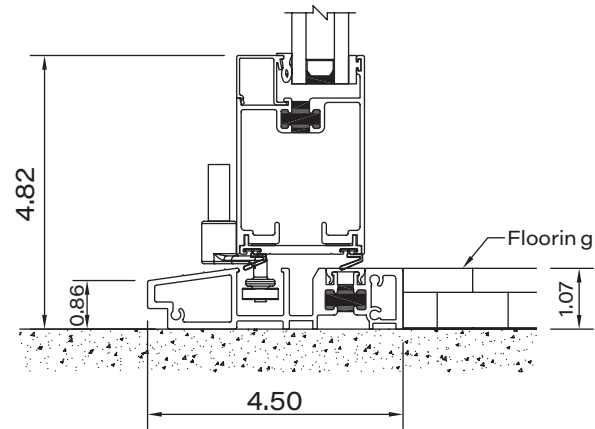


vertical section with screen - 1.75" panels  
various options shown

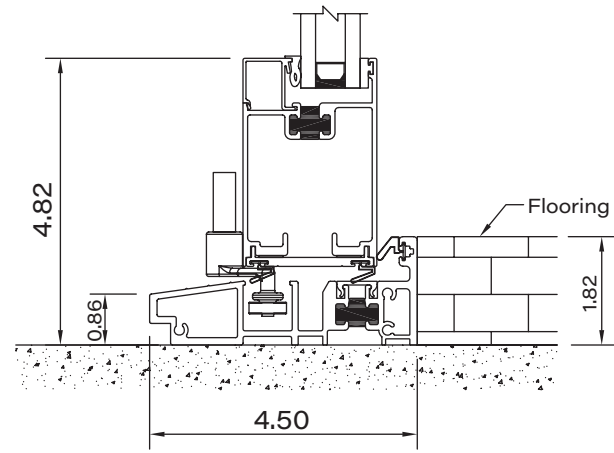


vertical section with screen - 2.25" panels  
various options shown

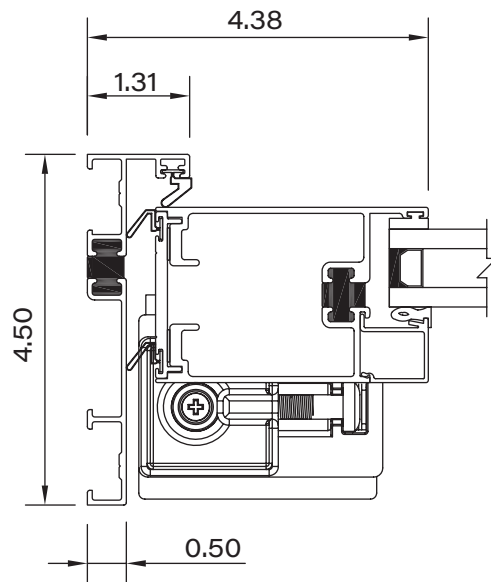
# Series 9500 Bi-Fold Door



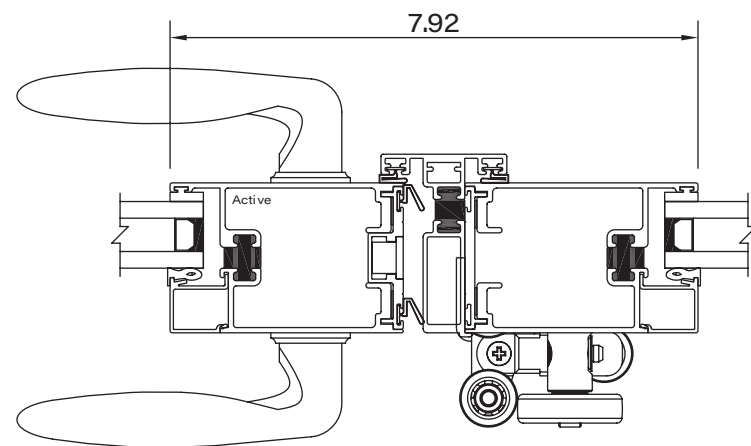
swing out with flush sill head load bi-fold



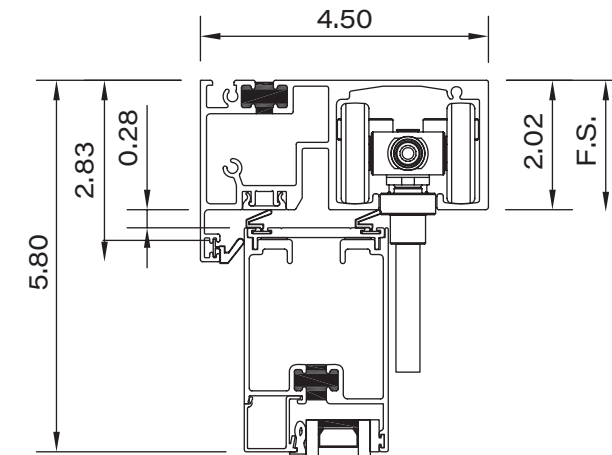
swing out with water barrier sill head load bi-fold



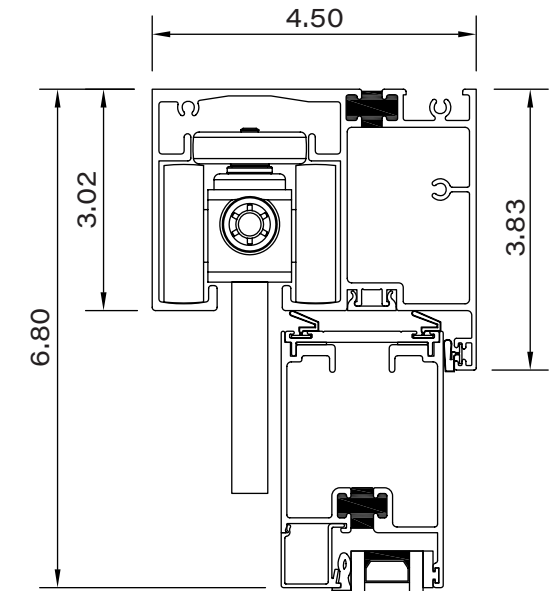
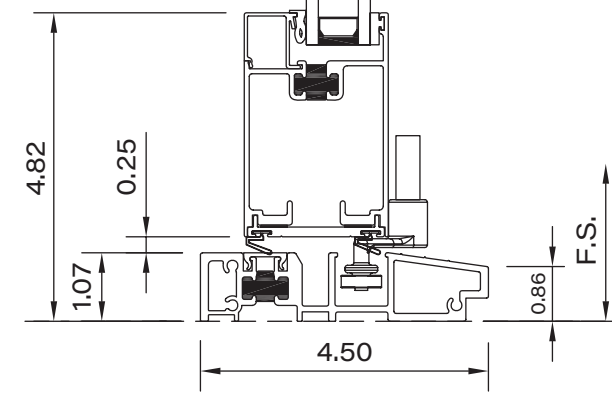
swing out with jamb head load bi-fold



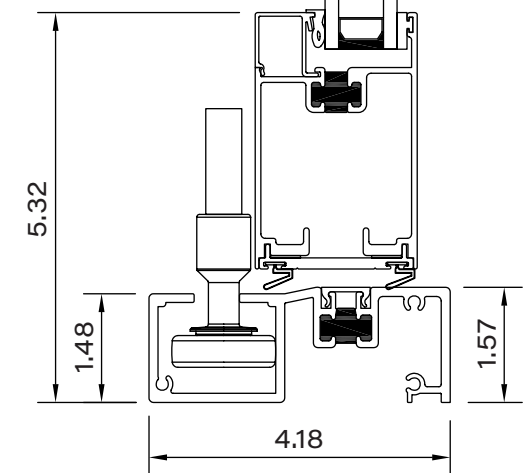
swing out at meeting stiles head load bi-fold



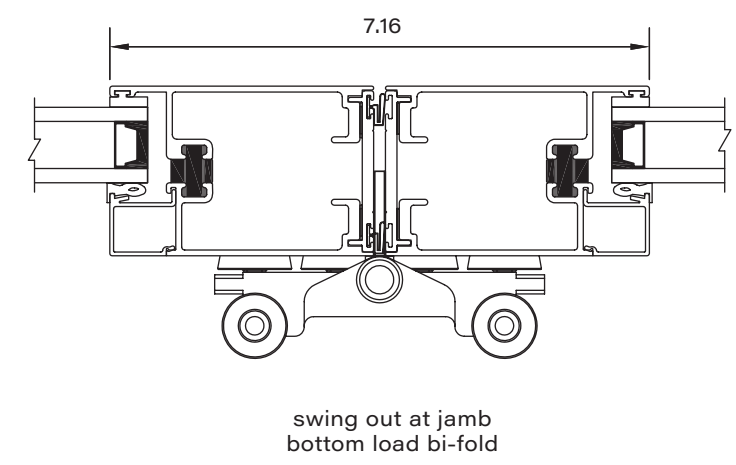
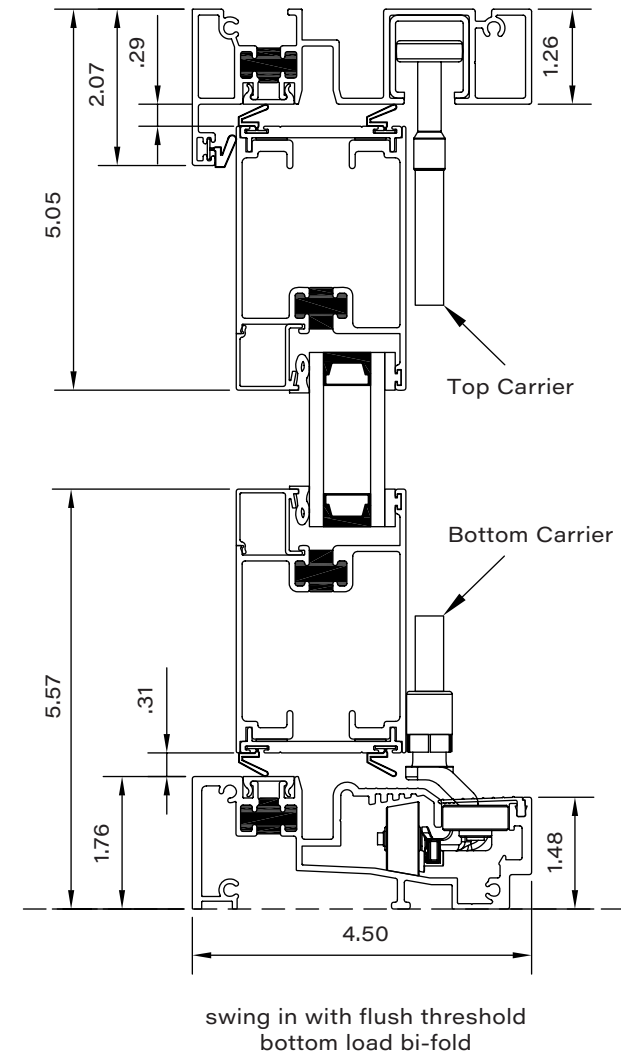
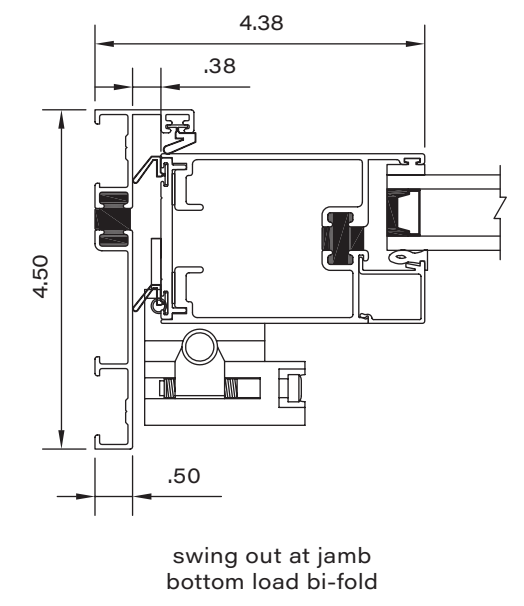
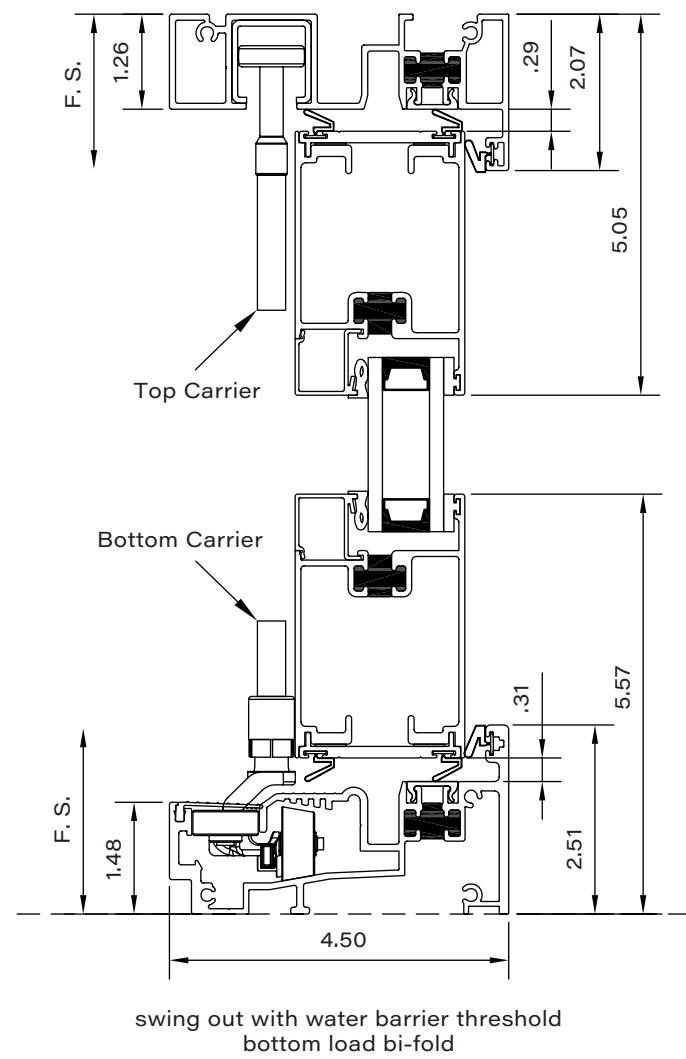
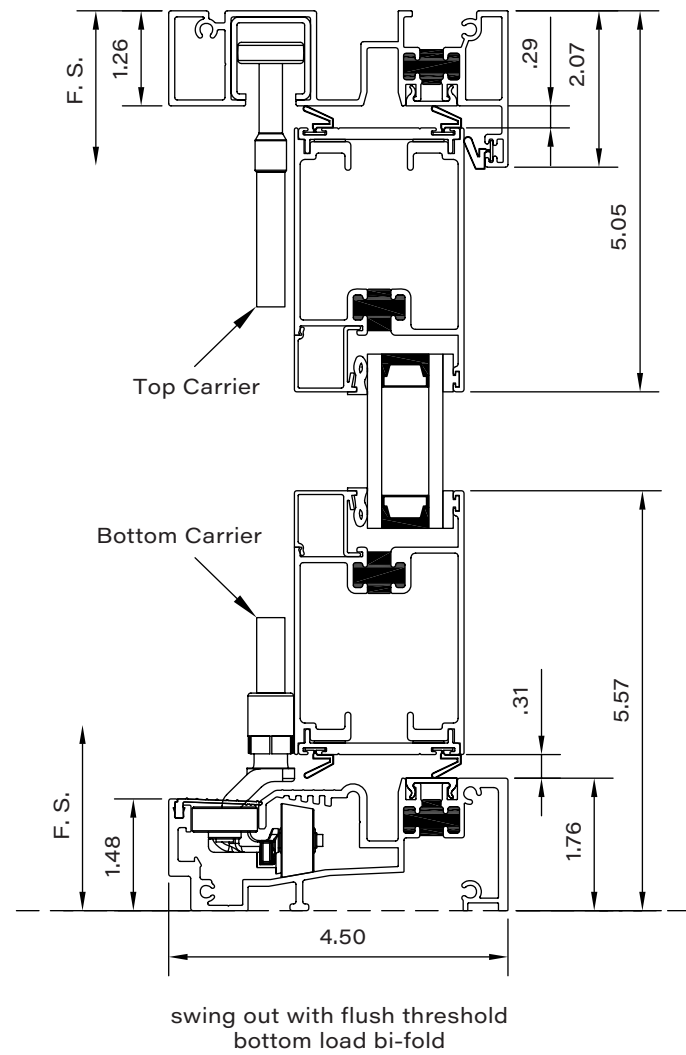
swing in with flush sill head load bi-fold



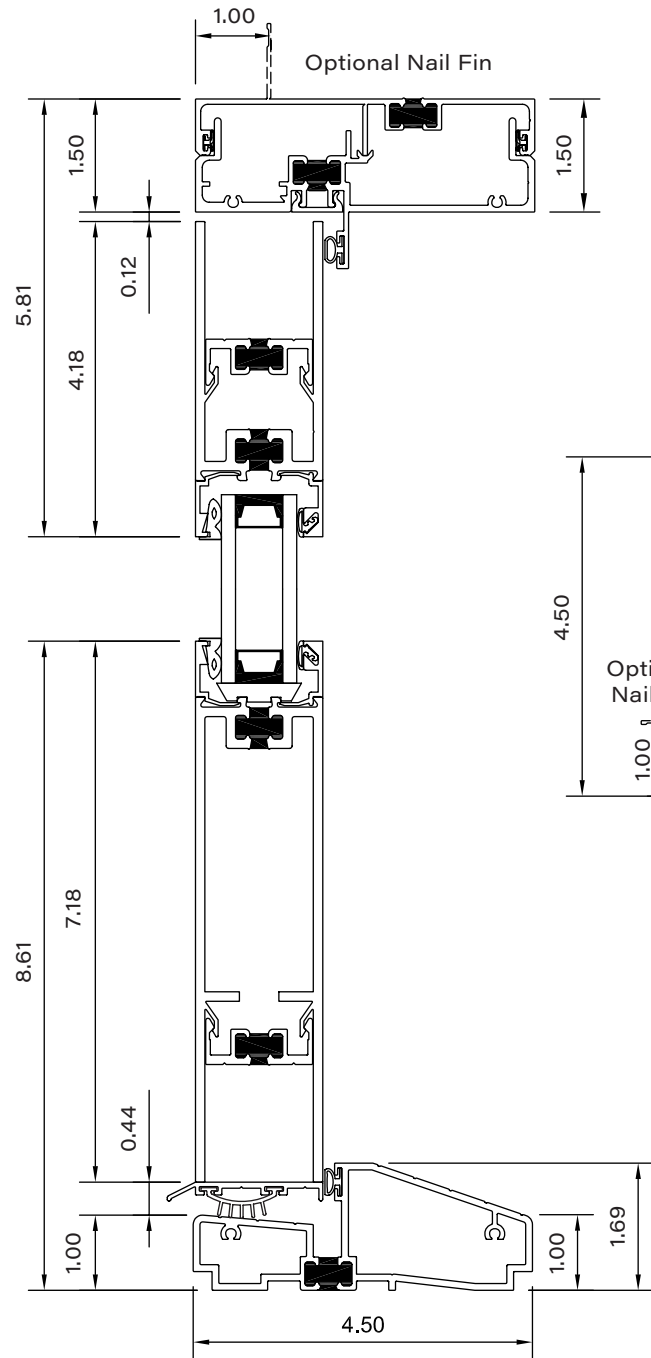
swing out with flush sill heavy duty head load bi-fold



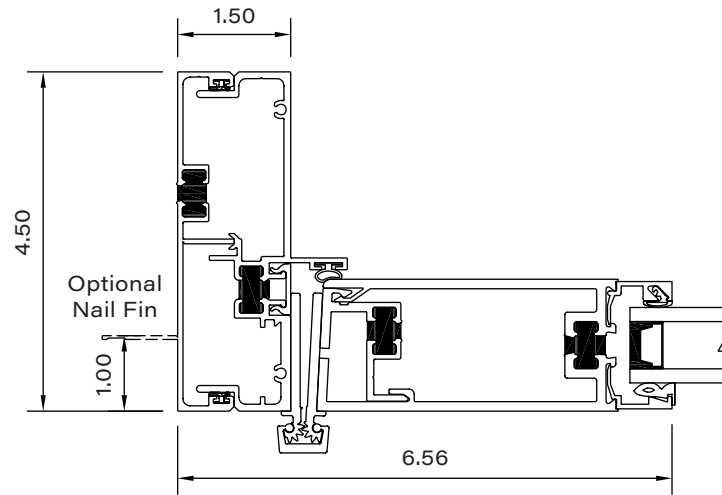
# Series 9500 Bi-Fold Door



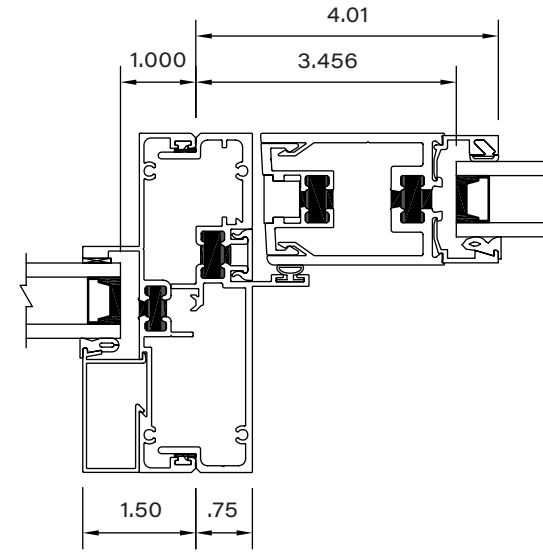
# Series 900 Hinged Door



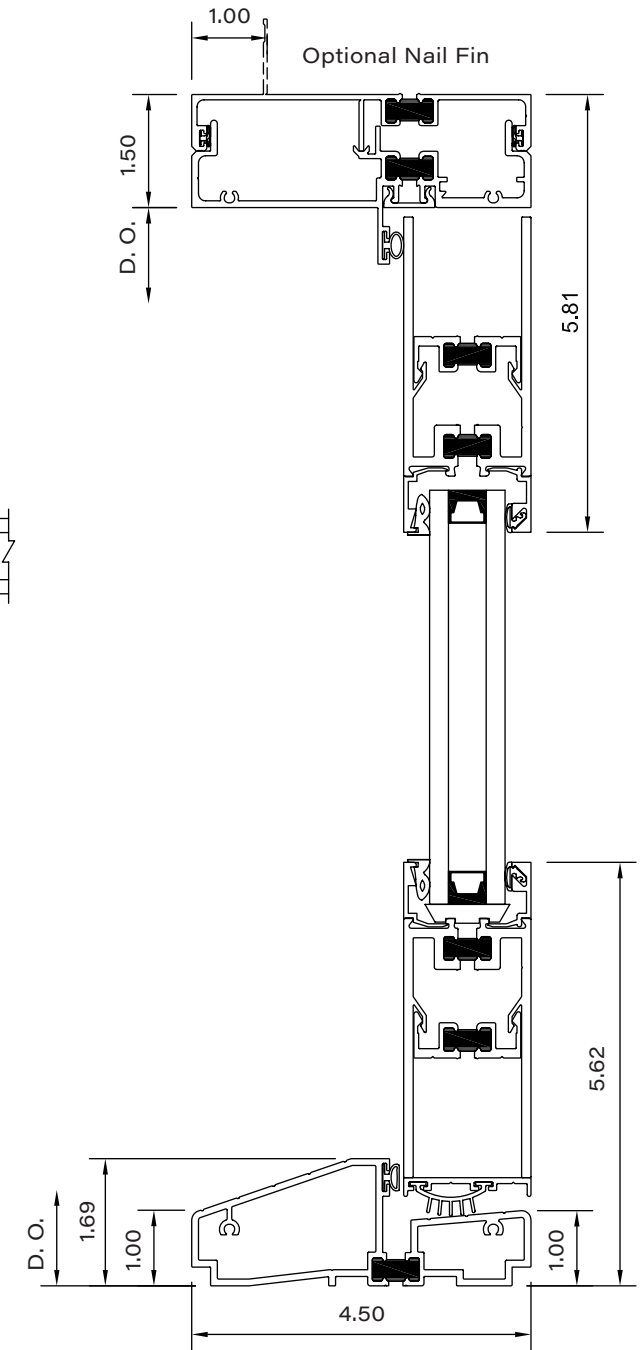
medium stile at swing out



medium stile at swing out

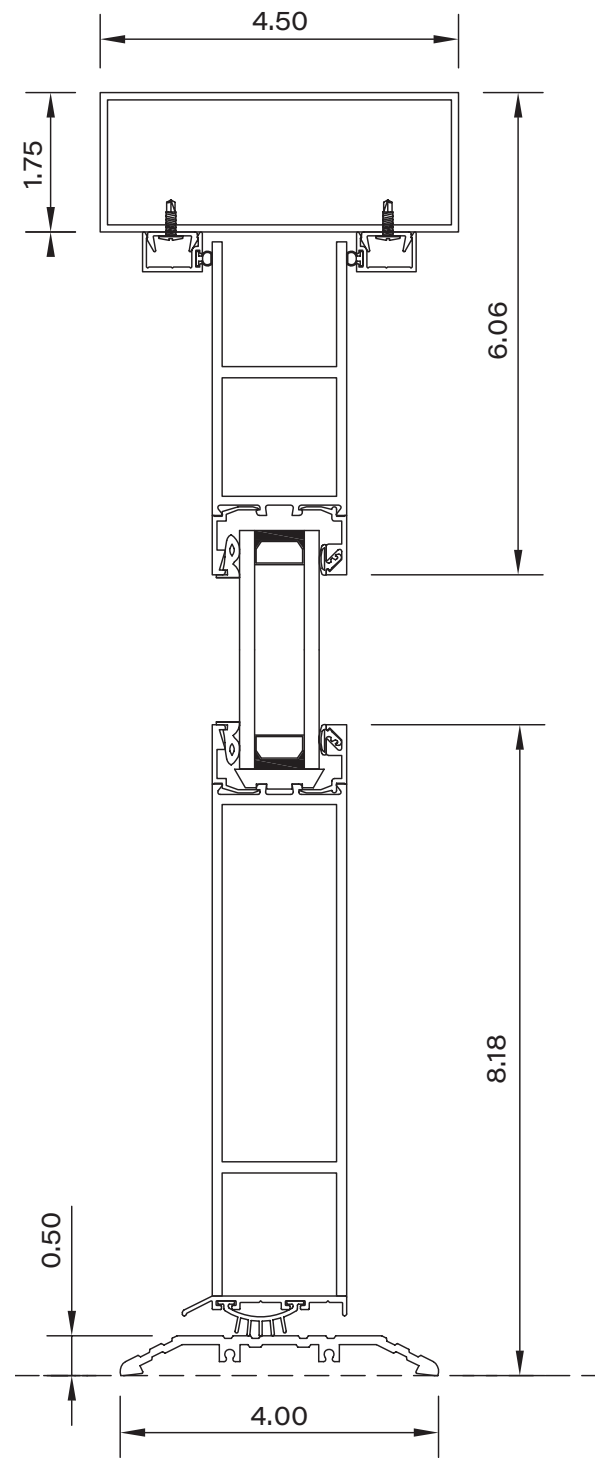


narrow stile at swing out

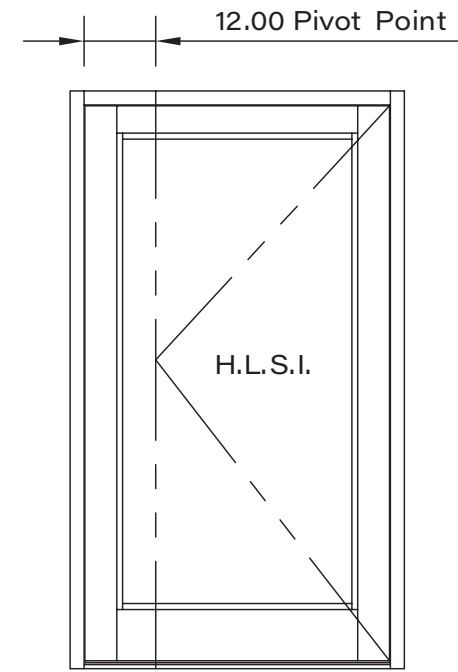


narrow stile swing-in condition

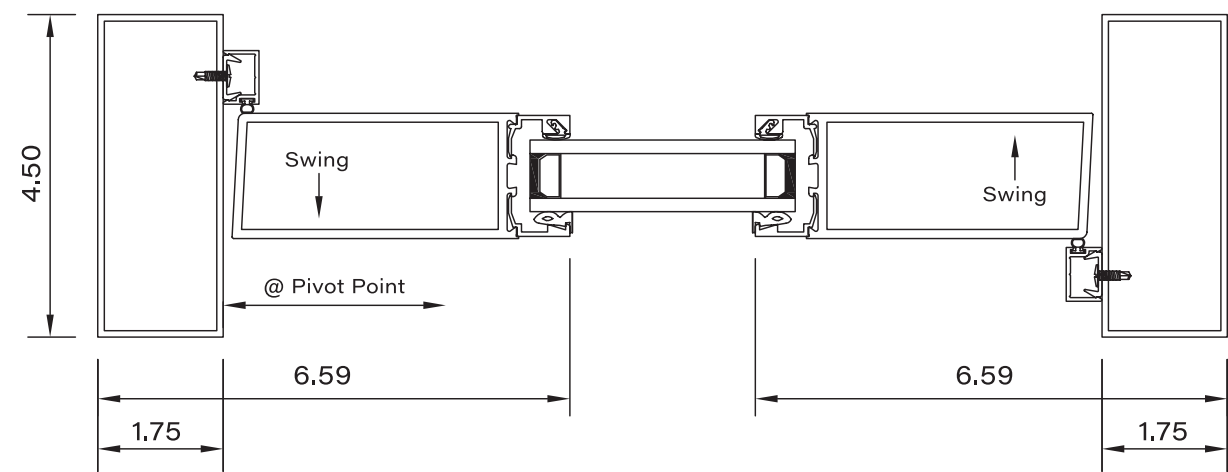
# Series 980 Pivot Door



medium stile at swing in



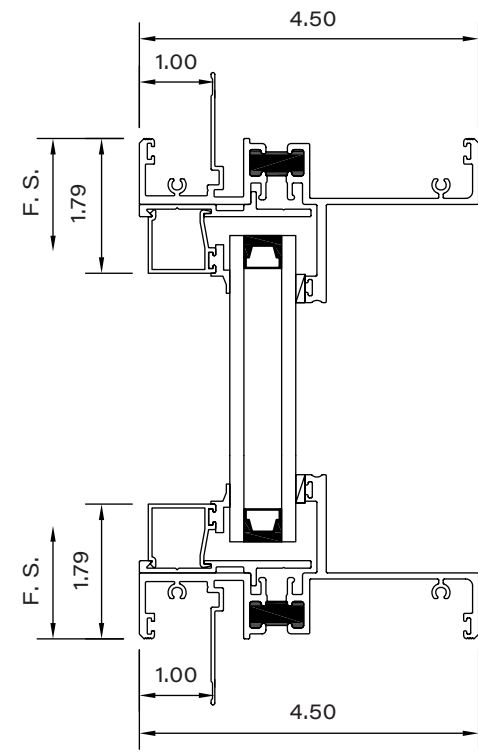
multiple pivot points are available



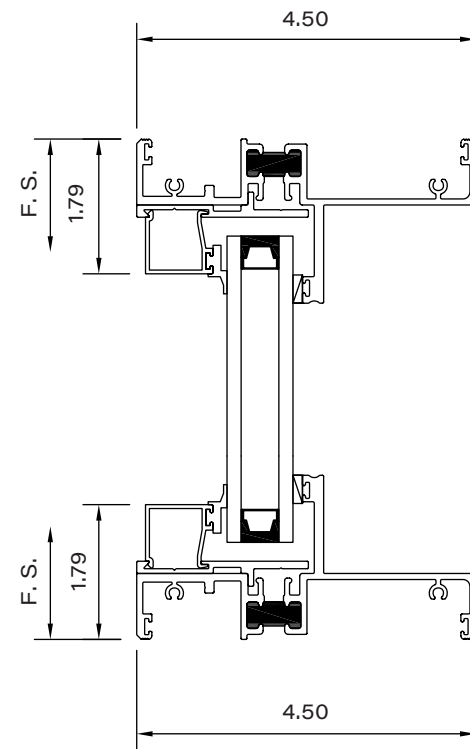
swing in - floor plan view



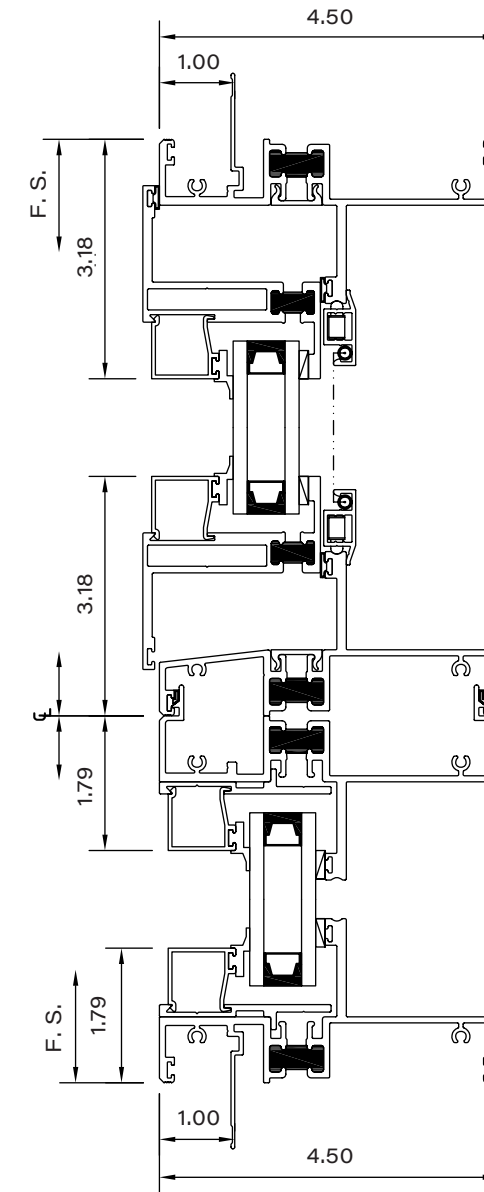
# Series 670 Hinged Window Line



fixed vertical section  
1" nail-fin frame

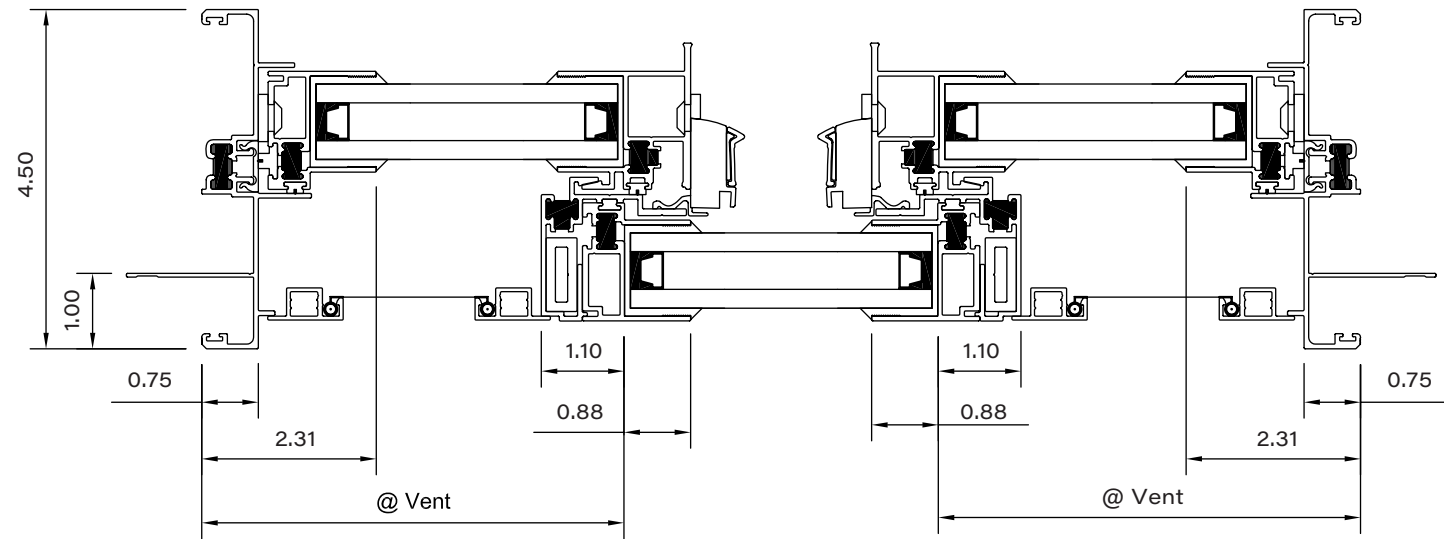


fixed vertical section  
equal leg block frame

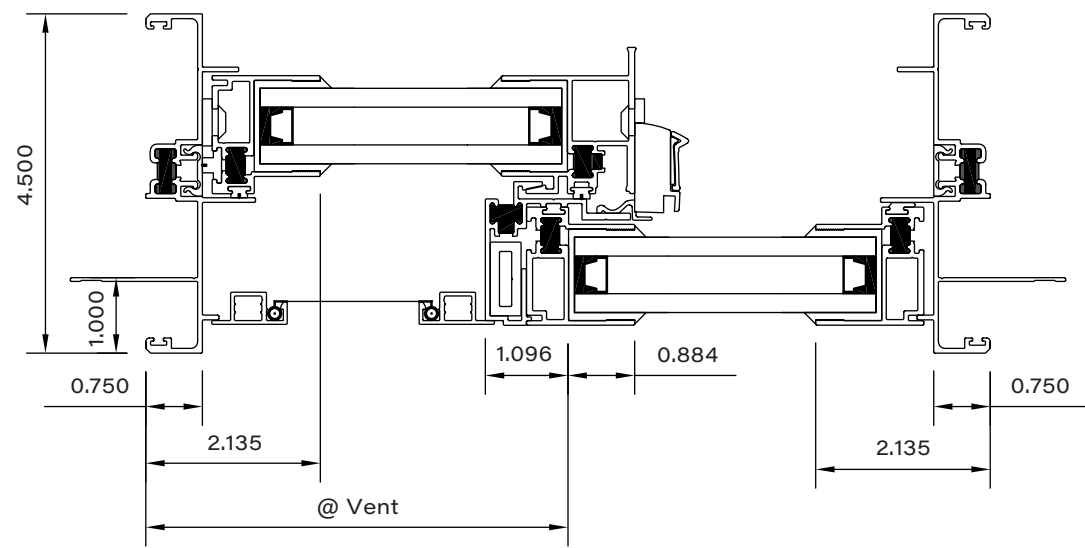


hinged over fixed vertical section  
1.00" nail-fin frame

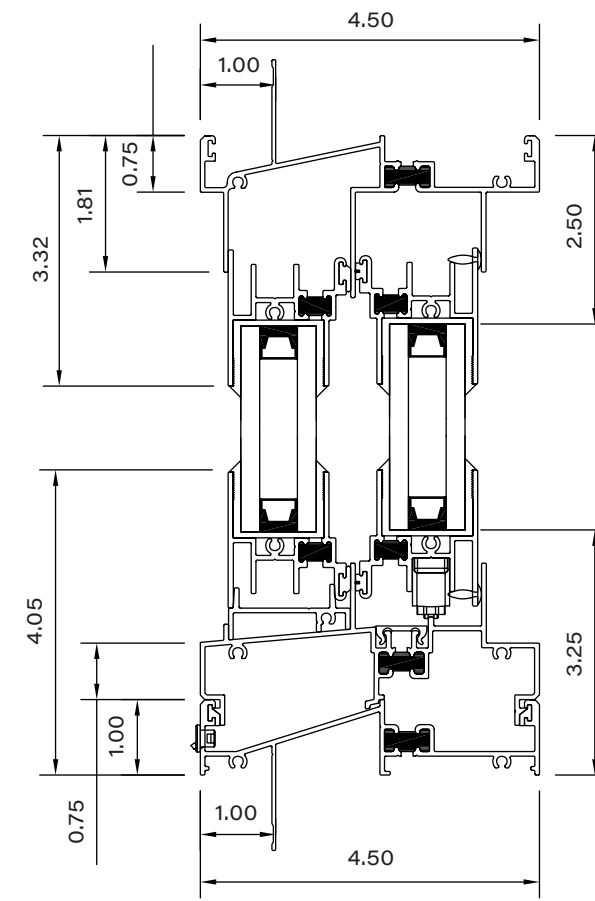
# Series 610 Single-Hung and 620 Sliding Window



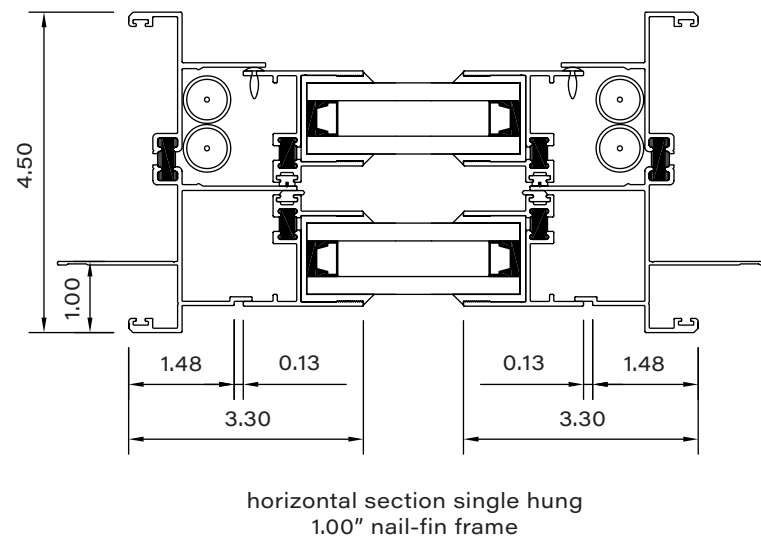
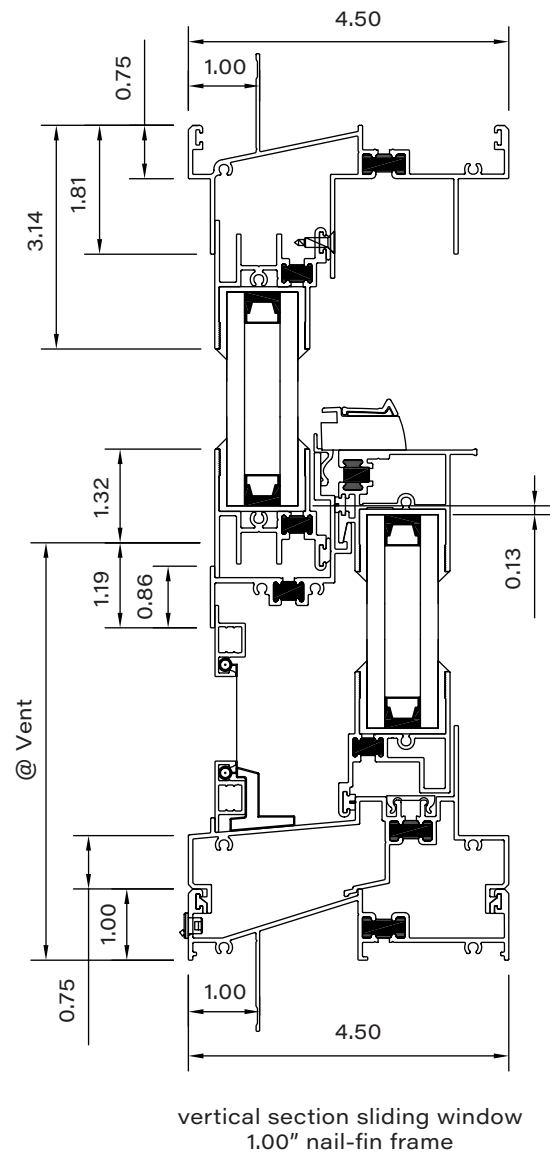
horizontal section XOX slider  
1.00" nail-fin frame



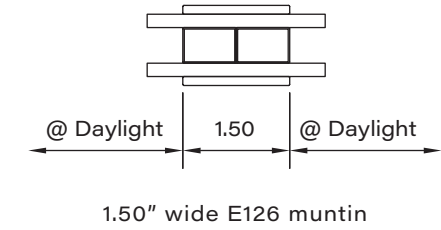
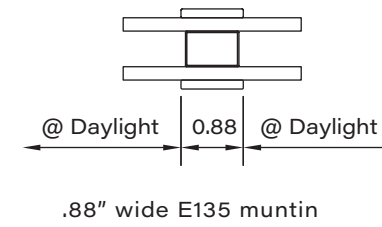
horizontal section XO slider  
1.00" nail-fin frame



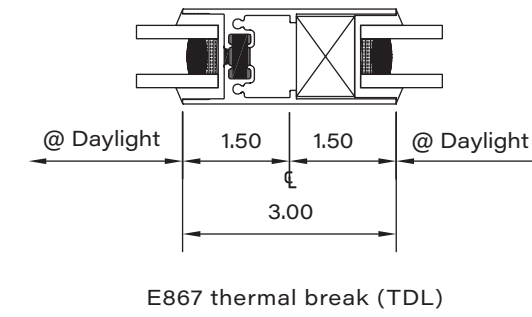
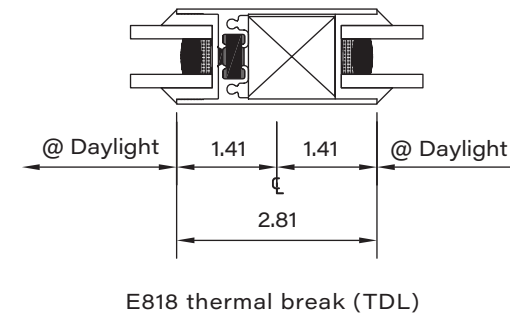
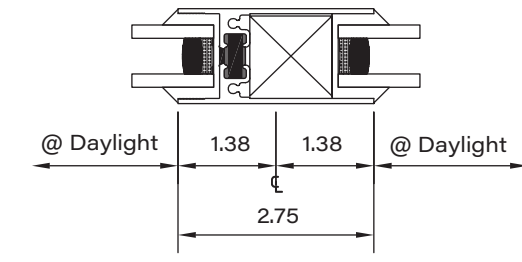
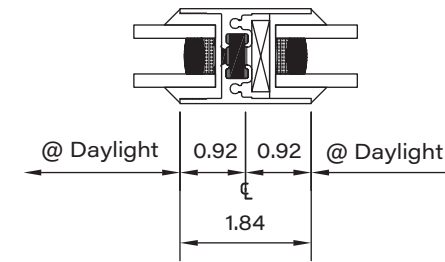
vertical section sliding window  
1.00" nail-fin frame



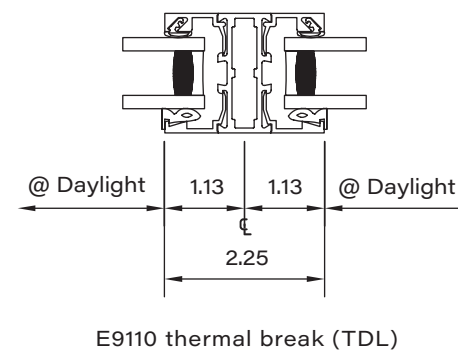
## simulated divided lite Series 600, 610, 620, 670, 900 & 980



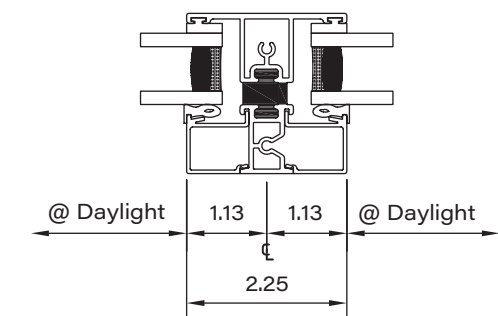
## true divided lite Series 600 Multi-Slide Door & Sliding Glass Door



## true divided lite Series 900 Hinged Door, Series 980 Pivot Door & Series 9500 Bi-Fold Door



Series 900 Hinged Door & Series 980 Pivot Door



Series 9500 Bi-Fold Door

# Aluminum Frame Finishes & Wood Grains

Dark Bronze Anodized

Warmtone

Cinnamon Toast

Vertical Grain Fir

Satin Anodized

Bison Biege

Anigre

Cherry

Western White

Autumn Night

Maple

Red Oak

Navajo White

Briar

Sapele

Walnut

Stonish Biege

Hillside Bronze

Pine

White Oak





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# Contemporary Black Aluminum & Gray Tinted (See Through) Glass Garage Door

[Click for Fast Quote](#)

- **Custom Sizes & Other Aluminum Colors Available**
  - **Garage Doors are delivered complete including tracks, springs & hardware**
  - **Lead Time: 4-5 Weeks**
  - **\$249 Flat Rate Shipping to any residential or commercial address nationwide**
- \* \$75 for each additional door
- \* Shipments to Alaska and Hawaii, please contact us for a quote




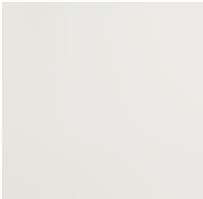


Black Anodized Aluminum & Gray Tinted Glass (See Through) Garage Door				
Heights Up To				
Width	7'	8'	9'	10'
8'	\$2090	\$2240	\$2560	\$2720
9'	\$2170	\$2330	\$2675	\$2825
10'	\$2440	\$2590	\$2970	\$3150
12'	\$2680	\$2840	\$3240	\$3490

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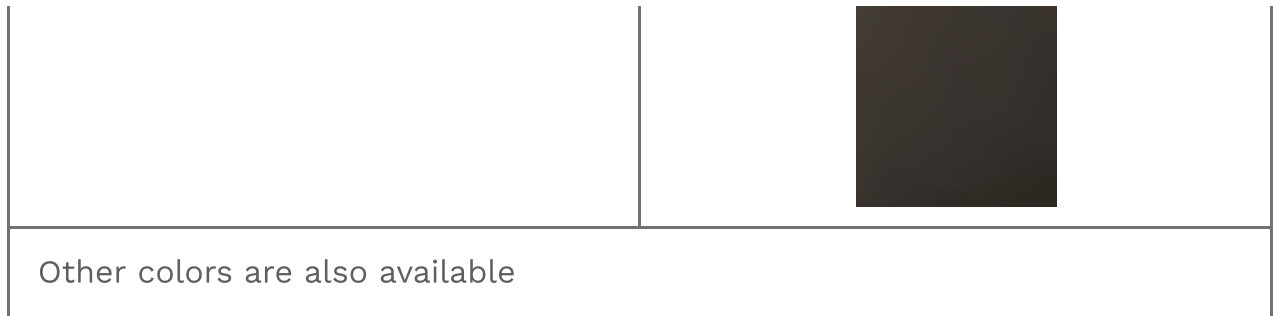
16'	\$3440	\$3690	\$4245	\$4507
18'	\$4990	\$5350	\$6170	\$6710

The perfect choice to modernize any home the glass garage doors not only transforms garages; it can also be used as an interior loft partition or a versatile patio door to seamlessly merge indoor and outdoor living spaces. At the press of a button, the garage doors are automatically raised, allowing traffic to flow during gatherings. Closed, they create an attractive wall of windows, adding a panoramic view to any living space. Many window options are available to control the degree of light transmission and privacy. Insulated glass is also available for increased energy efficiency.



Aluminum Color Options	
Clear Anodized Aluminum (Natural Color)	
White Powder Coat Aluminum	
Black Anodized Aluminum	
Dark Bronze Anodized Aluminum	



**Specifications:**

1. **Aluminum Finish: Natural Anodized Aluminum**
2. **Frame Thickness: 2-1/8" Rust-proof Aluminum Frame**
3. **Frame Color Options: Natural Anodized Aluminum, Powder Coat White. (Other Colors are available for additional cost: Anodized Dark Bronze, Anodized Black, Powder Coat Black and Powder Coat Brown)**
4. **Glass Thickness: 1/8" Thick Gray Tinted (See Through) Glass**
5. **Custom Capabilities: Size, Finish, Glass**
6. **Maintenance Level: Low**
7. **Packaging: Loose**
8. **Project Type: New construction and replacement**

**Track and Hardware Details:**

1. **Spring Type: Torsion, Oil Spring**
2. **Track Size: 2" Flag & Jamb Bracket Jamb**
3. **Track Mount: Bracket**
4. **Track Lift: Standard (High Lift or Low-Lift available for additional cost)**
5. **Track Radius: 12" or 15"**
6. **Packaging: Loose**
7. **Rollers: Heavy-duty steel ball bearing rollers with nylon tires provide quiet operation**
8. **No lock hole**



## Construction



- 2" thick extruded commercial-grade aluminum frame provides durability, low maintenance and corrosion resistance
- Tongue and groove section joints and bottom weather seal provide additional protection against the elements
- ClearView Aluminum Strut System does not restrict viewing area and adds strength and durability to doors 16' to 24' wide
- Wind load options available to meet local building codes
- Attractive, modern exterior handles (2) included
- Available in 21" and 24" section heights; 18" for odd height doors
- Available in 1" width increments up to 24'

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