

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

APPLICATION #: ZH20210034/COA2021011
APPLICANT: Northcrown Property- Dominic Sansalone
OWNER: Northcrown Property
ADDRESS: **139 E McMicken Ave**
PARCELS: 094-0007-0366
ZONING: CC-P
OVERLAYS: Over the Rhine Historic District
COMMUNITY: Over the Rhine
REPORT DATE: April 12, 2021
STAFF REVIEW: Beth Johnson, Urban Conservator

Details of Zoning Relief Required:

1. Sec. 1421-03- Accessory Nonresidential Structures. Accessory structures may not be located in the front or side yard. **A Locational Variance is required.**

Nature of Request:

The applicant is requesting zoning relief and a Certificate of Appropriateness for construction of 2 gazebos in the side yard/outdoor eating and drinking establishment located at 139 E. McMicken. The outdoor area had previously been granted a Conditional Use for the size of the outdoor area and for outdoor entertainment on May 20, 2019.

Existing Conditions:

The existing property is under construction for the new building that was approved on May 20, 2019. The property has a no build easement across the back of the lot serving as emergency egress for adjacent buildings, as well as a covenant that requires the eastern portion of the lot to remain green space for at least 5 years, expiring on February 8, 2025 (below image the green space for 5 years area is within green, existing building is in brown). The covenant does allow for beautification of which the proposed gazebos have been determined by the covenant holder (the Port) to fall under.

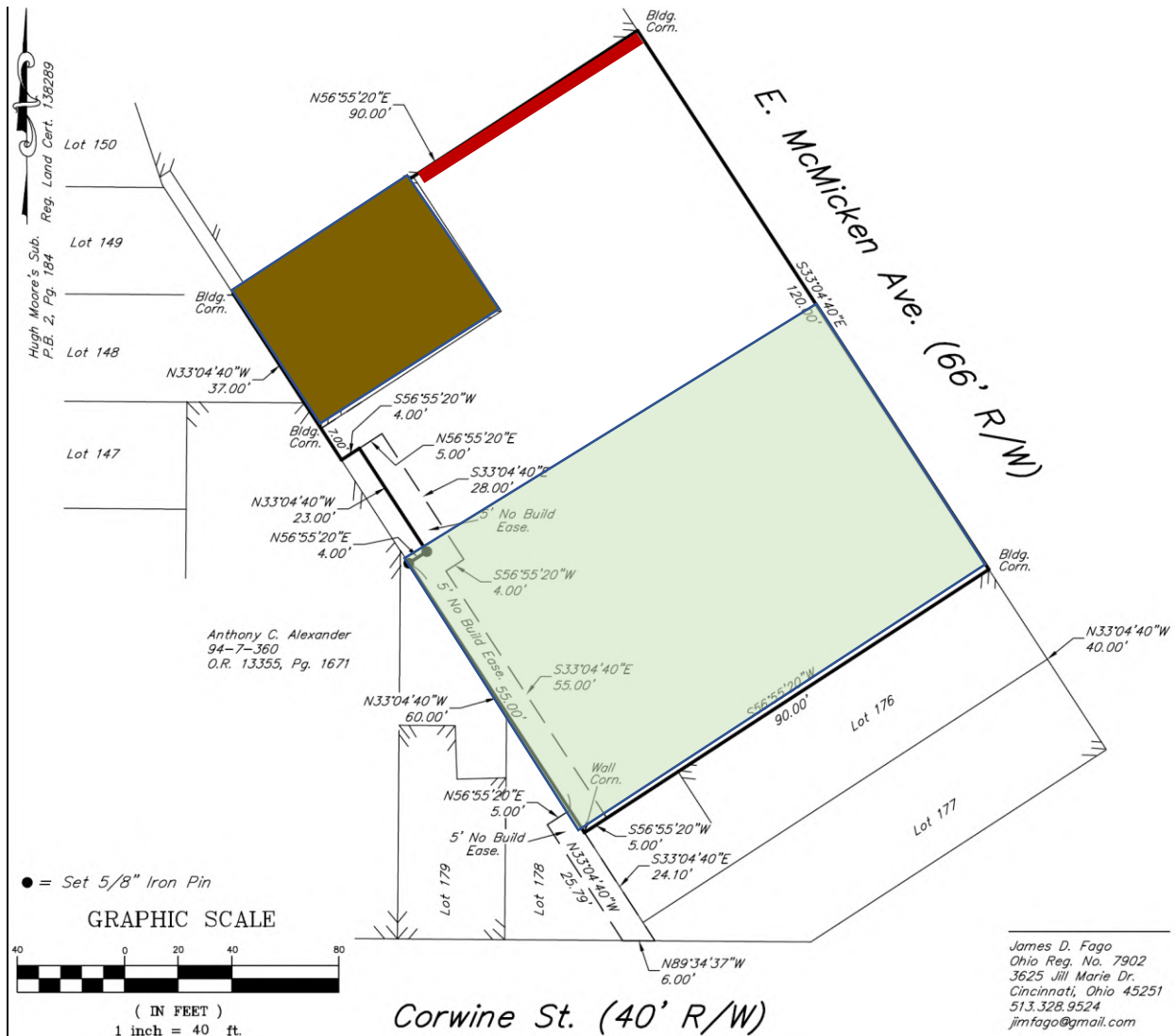


Figure 1: Mapping of Property Constraints

Legend - Artworks Mural- Red line; Existing Building- Brown; Required Green Space- Green

Proposed Conditions:

The proposal at 139 E McMicken Ave

1. Construct 2 gazebos on the green space/outdoor eating and drinking area of the property.

Previous Review: May 20, 2019: Conditional use for size of the outdoor area associated with an eating and drinking establishment, dimensional variance for the articulation of the building, and conditional use for outdoor entertainment. Certificate of Appropriateness for a new building and façade changes.

Building permits for the HCB approved project: 2018P10060



Figure 2: 139 E McMicken Ave. Pictures provided by Google Street Views.

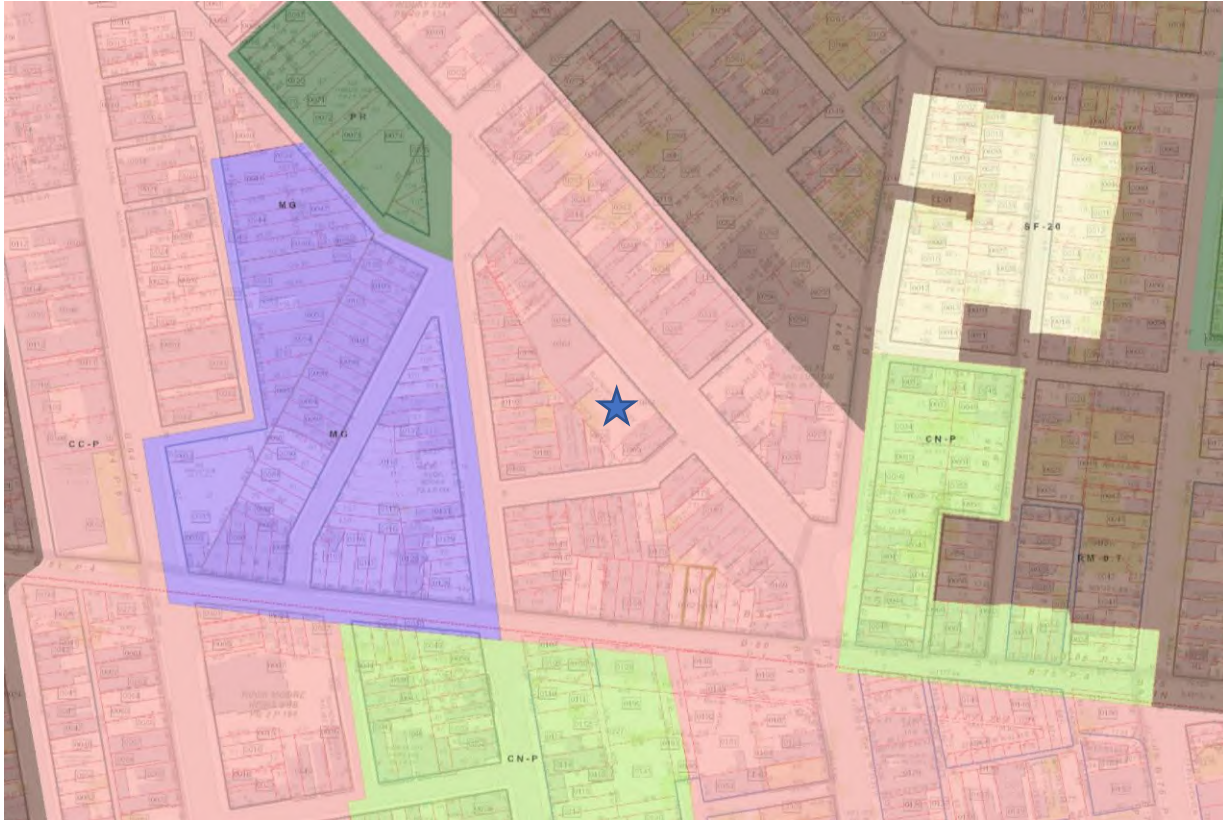


Figure 3: Map of 139 E McMicken Ave. Map provided by Cagis Maps

Applicable Zoning Code Sections:

Zoning District:	Section 1409	Commercial
Variance Requests:	Section 1421	Accessory Structures
Variance Authority:	Section 1445-07	
HCB authority:	Section 1435-05-4	
Variance Standard:	Section 1445-13	General Standards: Public Interest
	Section 1445-15	Standards for Variances
Overlays:	Section 1435	Historic Preservation
Historic District/Reg:		Over the Rhine Historic District
COA Standard:	Section 1435-09-2	COA; Standard of Review

Zoning Analysis:

The proposed project is asking for a locational variance to allow the accessory structures in the side yard within a commercial district.

Locational Variance

Per 1421-03(a) Accessory structures in Nonresidential areas are not permitted in the side yard.

§ 1421-03. - Accessory Nonresidential Structures.

Structures ancillary to a principal structure are considered accessory structures. This Section establishes regulations for nonresidential accessory structures. All accessory structures must be located, developed, and operated in compliance with the following:

(a)Location. Accessory structures, other than fences and walls, are not permitted in a front yard or a side yard.

Standards for Variances per Section 1435-05-4

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

The two gazebos are an appropriate and minimal addition to this property. As they do not attach to or connect to historic asset and will not be highly visible due to the construction of a wall along the sidewalk, they do not adversely affect the Historic District.

(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 applicants have already been approved for use of the area as an outdoor area for the establishment. While the denial of these would not result in

deprivation of all economically viable use, it does provide an opportunity for shade and cover within the area.

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.

This property does have a special condition in that side yard that these gazebos are proposed for has restrictive covenant on the property which does not permit building on the property for 5 years other than for beautification purposes. Also, this property does not have a rear yard due to the placement of the garage structure on the lot, which was an existing condition to this property prior to the redevelopment plans.

- (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 applicants are requesting simple gazebos within their previously approved outdoor area. This will aid in the enjoyment of the area to provide cover and shade so the outdoor area can be utilized in various weather situations.

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

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

The underlying zoning is CC-P. The proposed use of the subject property does conform to the base zoning.

- 2. **Guidelines.** The proposed work conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.
Staff is of the opinion the proposed work does substantially conform to the guidelines for the Over-the-Rhine Conservation District. (Refer to Certificate of Appropriateness review below)

- 3. **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 conforms to the comprehensive plan through providing infill development and conforms specifically to the Brewery Plan through

supporting the Brewery Heritage Trail at this site with the use and promotion of the existing mural.

4. **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.
Parking is not required for developments within the Urban Parking Overlay Zone.
5. **Buffering.** Appropriate buffering is provided to protect adjacent uses or properties from light, noise and visual impacts.
The property provides a solid fence at the rear for screening and a 50% opacity wall along the front for buffering as well. All are zoning compliant.
6. **Landscaping.** Landscaping meets the requirements of Chapter 1423, Landscaping and Buffer Yards.
A large portion of the project is landscaped due to the covenant, however there are no landscaping requirements.
7. **Hours of Operation.** Operating hours are compatible with adjacent land uses.
N/A
8. **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 gazebos are simple structures that will not be highly visible from the right of way.
9. **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.
N/A
10. **Adverse Effects.** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.
There are no anticipated adverse effects to the extent of access to fire, police or other public services.
11. **Blight.** The elimination or avoidance of blight.
The current property is an unimproved lot and is not considered a blighted property; however, it is an underused property that is not supporting the urban fabric, the architectural character of the neighborhood, or a walkable community. The reuse of the property and incorporation of accessory structures on the outdoor area improve the quality of the development.
12. **Economic Benefits.** The promotion of the Cincinnati economy.
The proposed work will increase the property value of the subject parcels.

13. **Job Creation.** The creation of jobs both permanently and during construction.
The proposed project will create temporary jobs during construction and will provide permanent jobs at the commercial space.
14. **Tax Valuation.** Any increase in the real property tax duplicate.
No increase is anticipated with the gazebo improvements.
15. **Private Benefits.** The economic and other private benefits to the owner or applicant.
The owner has an economic benefit to the proposed establishment.

Certificate of Appropriateness Review

The Over the Rhine Historic Conservation Design Guidelines do not directly address small accessory garden structures that are more in keeping with a site improvement. Staff recommends that the structure be reviewed under the general guidelines for site improvements as well as decks.

Site Improvements

A. Intent and General Guidelines

1. Site improvements, such as parking lots, parking pads, paving, fences, decks and trees should be in character with the contributing buildings in the district and should respond to the colors, textures, materials and scale found in the area of the improvement.

The gazebos are simple wood structures and of a scale that are simple and small in comparison to the neighboring buildings.

2. The design of any site improvement should be compatible with district buildings and not detract from the character of the district.

The gazebos are small structures in an existing approved open area that is bounded by a wall. The wall creates a street continuity but it also prevents high visibility to the gazebos.

3. The design of site improvements should capitalize on the unique character of the area and could incorporate elements from the district. Site improvements should enhance the experience of pedestrians in the district.

The unique characteristic of this property is a large open space within a dense urban area. Being able to have simple “garden” architecture in this space will enhance the experience for the visitors of the site.

4. Decks: *Wood decks should be stained or painted. Rooftop decks should not be highly visible from the principal façade. Metal balconies should not be discouraged.*

The gazebos are wood structures and are of an appropriate design, form and location.

Other Considerations:

Prehearing Results: April 14, 2021. No one attended the pre-hearing.

Recommendation:

I. ZONING RELIEF

The following recommendations are proposed for the project proposed at 139 East McMicken per application submitted by Northcrown Property dated 3/19/2021.

A. Sec. 1421-03- Accessory Nonresidential Structures. – APPROVE – Location Variance – to allow accessory structures in the side yard.

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

1. Such relief from literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property within the district or vicinity where property is located.
2. Approximately half of the property has a restrictive covenant that prevents any building from being built on it.

II. CERTIFICATE OF APPROPRIATENESS

A. APPROVE the application for a Certificate of Appropriateness for gazebos on the property per application submitted by Northcrown Property dated 3/19/2021 with the following conditions

1. The building permit must be issued within 2 years or the Certificate of Appropriateness will expire.

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

1. That the property owner and applicant have demonstrated by credible evidence that the proposal substantially conforms to the applicable guidelines for Site Improvements and Decks of the Over-the-Rhine Historic Conservation District.

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 *DOM*
- Adjudication/Denial Letter and this checklist *DOM*
- Certificate of Appropriateness Application Form *LPRM*
- A letter/narrative statement of intent and how the project meets the applicable Historic Conservation Guidelines
- Zoning Hearing Examiner Application Form *LPRM*
- 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

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.

ADJUDICATION/DENIAL LETTER

Date: March 19, 2021

Location: 139 E. McMicken

Request: Zoning Relief

Zoning District: CC-P/ OTR Historic District

The City of Cincinnati appreciates receiving information regarding your proposed project. The purpose of this letter is to inform you that your proposed project will require 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" sheet 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.** 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. 1421-03: Accessory Nonresidential Structures. Accessory structures may not be located in the front or side yard. A Locational 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 5th 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 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,



Douglas Owen

Zoning Plans Examiner

(p): 513-352-2441

(e): douglas.owen@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

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: 139 E McMicken Ave Cincinnati OH 45202
 Hamilton Co. Parcel ID No.: 094-0007-0366-00 Zoning District: CC-P Commercial Community pedestrian
 Historic District: Over the Rhine Overlay District: HISTORIC

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

Name: DOMINIC SANSAONE
 Contact Person (if legal entity): _____
 Address: 131 E McMicken Ave
 City: CINCI State: OH Zip Code: 45202
 Phone: 513-253-6773 E-mail: DOMINIC@NORTHCROWNPROPERTY.COM

PROPERTY OWNER INFO SAME AS ABOVE

Name: NORTHCROWN PROPERTY
 Contact Person (if legal entity): JEREMY MORSE
 Address: 131 E McMicken Ave
 City: CINCI State: OH Zip Code: 45202
 Phone: 513-307-5679 E-mail: Jeremy@NORTHCROWNPROPERTY.COM

CERTIFICATE OF APPROPRIATENESS (SELECT ALL THAT APPLY)

New Construction Alteration Demolition

Provide a very brief summary of the project:

Addition of secondary gazebo to greenspace

ZONING RELIEF Yes No

Provide a very brief summary of the zoning relief requested:

VARIANCE-SIDE YARD ACCESSORY STRUCTURE

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: _____

Boards@cincinnati-oh.gov

ZONING HEARING EXAMINER

Application for Zoning Relief

Office Use Only
Case Number: _____

Hearing Date: _____

Section 1. SUBJECT PROPERTY
 ADDRESS 139 E McMICKEN AVE COMMUNITY _____
 PARCEL ID(S) 094-0007-0366-DD HILLSIDE DISTRICT Yes No
 BASE ZONING CLASSIFICATION CC-P ZONING OVERLAY (if applicable) HISTORIC
 HISTORIC DISTRICT: No Yes: (name) OVER THE RHINE
 Non-Residential Project Residential Project (RCO) One -, Two -, and Three- Family Dwelling

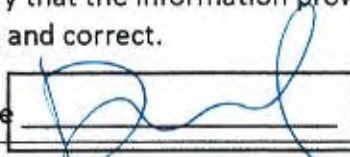
Section 2. APPLICANT
 NAME DOMINIC SANSALONE CONTACT PERSON (if legal entity) _____
 ADDRESS 131 E McMICKEN AVE CITY CINCI STATE OH ZIP 45202
 EMAIL DOMINIC@NORTHCROWNPROPERTY.COM RELATIONSHIP TO OWNER (if not owner) OWNER REPRESENTATIVE
 TELEPHONE 513-253-6773

Section 3. OWNER
 NAME NORTHCROWN PROPERTY CONTACT PERSON (if legal entity) JEREMY MOORE
 ADDRESS 131 E McMICKEN AVE CITY CINCI STATE OH ZIP 45202
 EMAIL jeremy@northcrownproperty.com RELATIONSHIP TO OWNER (if not owner) COO
 TELEPHONE 513-307-5677

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)
Adding secondary gazebo to greenspace

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 DOMINIC SANSALONE Signature  Date 3/19/2021

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 checked="" 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 existing and proposed 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 existing and proposed project, including parking and access, exterior lighting, landscaping, and signs involved in the application.
<input checked="" 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">• \$900.00 for Use Variances• Variances, including Special Exception, Conditional Use, Expansion or Substitution of Non-Conforming Use, Hillside & Urban Design Overlay and DD District are as follows: \$300.00 for Residential Projects (RCO) One -, Two -, and Three- Family Dwelling \$500.00 for Non-residential Projects (Non-RCO)

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.

§ 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 (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;
- (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.

Whenever a Certificate of Appropriateness is required pursuant to the provisions of this chapter, the Director of Buildings and Inspections may not issue a building permit until a Certificate of Appropriateness has been approved or approved with conditions. In the event that the standards in this Section 1435-09-2 conflict with any standards set forth in any conservation guidelines, the standards set forth herein shall govern and control.

(Ordained by Ord. No. 217-2012, § 1, eff. July 20, 2012; Emer. Ord. No. 141-2015, § 53, eff. July 1, 2015)

Re: Application for zoning variance for outdoor gazebos

March 19th, 2019

Project: 131 E. McMicken Ave, Cincinnati, Ohio 45202

Architect:

drawing dept, LLC
3217 Madison Road
Cincinnati, Ohio 45209

Owner/Client:

North Crown Property, LLC
131 East McMicken Avenue
Cincinnati, Ohio 45202

The proposed engineering change associated with 131 E McMicken does not comply with the City of Cincinnati Zoning Code for the following reason(s):

1421-03 Accessory Nonresidential Structures: Structures ancillary to a principal structure are considered accessory structures. This Section establishes regulations for nonresidential accessory structures. All accessory structures must be located, developed, and operated in compliance with the following:

(a)*Location.* Accessory structures, other than fences and walls, are not permitted in a front yard or a side yard.

While the new proposed addition does not conform to the zoning code as it relates to nonresidential structures in a side yard, the proposed work is in harmony with the general purposes and intent of the outdoor communal space as dictated by the original **approved variance and conditional use approval** .

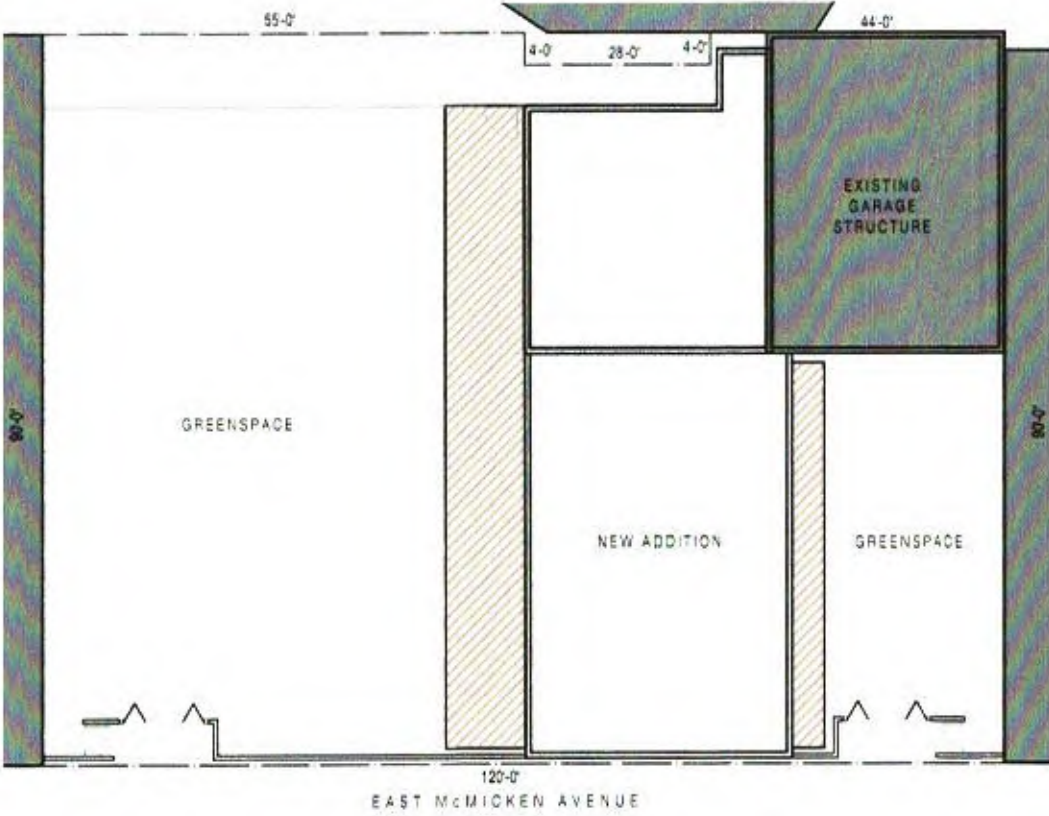
1. It is our opinion that the addition to a second wood gazebo will not have any adverse impact on the community at large, be detrimental to the public welfare, or negatively affect the use development value of this property or improvements permitted in the vicinity.
2. Please find attached an index of graphics, drawings and photographs that we believe supports the requested variance.

In summary, we request your favorable consideration based upon the demonstrated compliance with the intent of the zoning code as well as the public benefit of a continuing process of neighborhood economic improvement and greenspace beautification .

thank you

Dominic Sansalone

Director of Construction
Northcrown Construction
131 E McMicken
Cincinnati, OH
45202



SITE PLAN



Figure 1. Existing Site : Southeast Corner

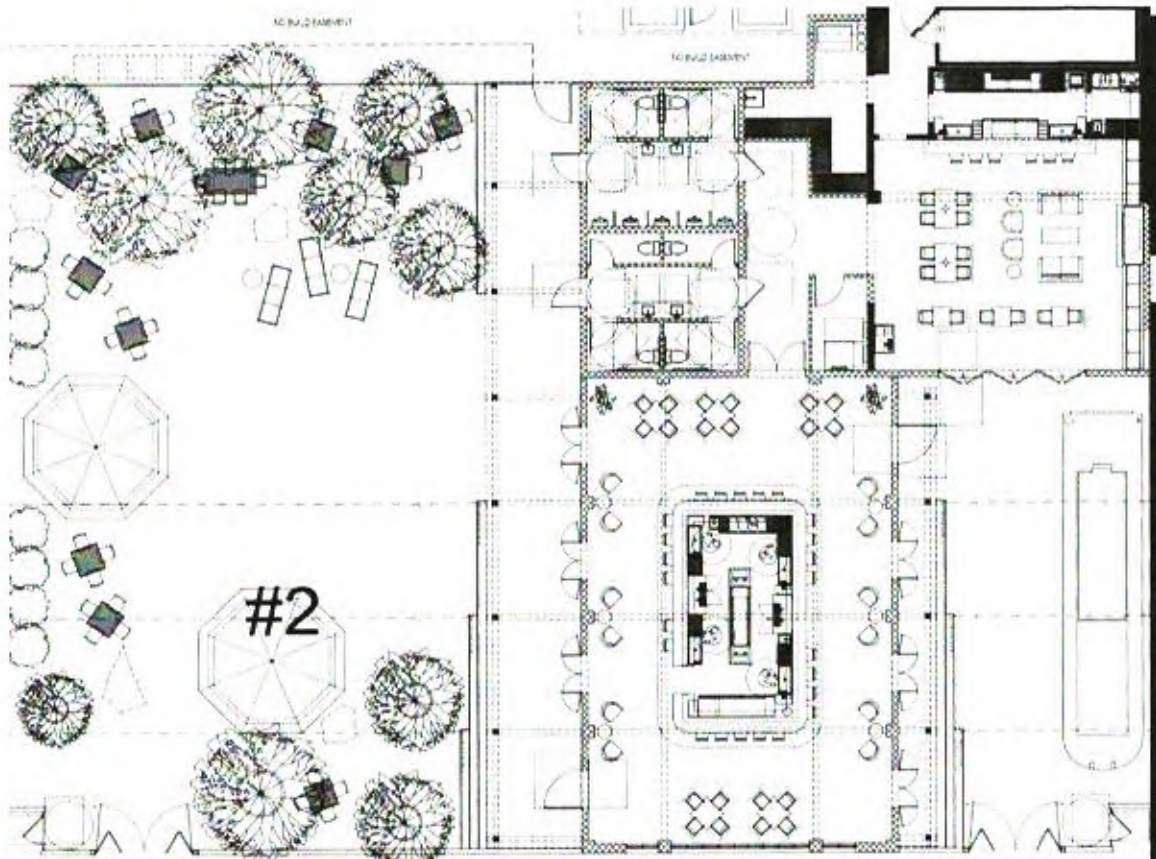


Figure 2. Updated Floor Plan



Figure 3. Street Elevation



Figure 4. Southeast corner



Figure 5. Looking Northwest

Property Report

Parcel ID
094-0007-0366-00

Address
139 MCMICKEN AVE

Index Order
Parcel Number

Tax Year
2020 Payable 2021

Property Information

Tax District 001 - CINTI CORP-CINTI CSD	Images/Sketches 	
School District CINCINNATI CSD		
Appraisal Area 01801 - OVER THE RHINE 01	Land Use 499 - OTHER COMM STRUCTURE	
Owner Name and Address NORTHCROWN PROPERTY LLC 131 E MCMICKEN AVE CINCINNATI OH 45202 (call 946-4015 if incorrect)	Mailing Name and Address NORTHCROWN PROPERTY LLC 131 E MCMICKEN AVE CINCINNATI OH 45202 (call 946-4800 if incorrect)	
Assessed Value 40,270	Effective Tax Rate 89.090432	Total Tax \$3,613.64
Property Description MCMICKEN AVE 0.246 AC S13 T3 FR2		

Appraisal/Sales Summary

Year Built	1940
Total Rooms	0
# Bedrooms	0
# Full Bathrooms	0
# Half Bathrooms	0
Last Transfer Date	4/11/2019
Last Sale Amount	\$0
Conveyance Number	199528
Deed Type	WE - Warranty Deed (EX)
Deed Number	
# of Parcels Sold	1
Acreage	0.246

Tax/Credit/Value Summary

Board of Revision	No
Rental Registration	No
Homestead	No
Owner Occupancy Credit	No
Foreclosure	No
Special Assessments	Yes
Market Land Value	74,200
CAUV Value	0
Market Improvement Value	40,860
Market Total Value	115,060
TIF Value	73,660
Abated Value	0
Exempt Value	0
Taxes Paid	\$1,864.65
Tax as % of Total Value	0.000%

Notes

** 2019 4/1 CG-PER B/S FOR TY 2020: VOID PARS 94-7-210,211,212,361 & 363/NEW PAR 366

Structure List

Structure Name	Use Code	Finished Sq. Ft.	Year Built
Structure 1	499 OTHER COMM STRUCTURE	1,200	1940

Commercial Appraisal Data

Section	Occupancy	Finished Area (sq. ft.)	Story Height	Stories
Section 1	326 Storage Garage	1,200	12	1

Improvements

Improvement	Measurements	Year Built
Asphalt	1500	1960

No Proposed Levies Found

Levies Paid on - 2020 Pay 2021 Tax Bill

Levy	Levy Type	Mills	Current Annual Tax	Estimated Annual Tax	Note
Cincinnati CSD - Emergency (\$48,000,000)	Renewal	7.34	\$304.04	\$295.58	C, D

This is an estimated levy payment based on the current value of your property. Actual tax amounts per tax year may vary based on changes in property valuation and based on whether a parcel receives any abatement, credit, or reduction during the levy period.

Effective for the tax year 2005, Ohio's biennial budget bill, Amended Substitute House Bill 66, signed by the Governor on June 30, 2005, terminates the 10 percent real property tax rollback for the commercial and industrial classes of property, and agricultural property used for the commercial production of timber.

Effective for the tax year 2013, Ohio's biennial budget bill, House Bill 59, signed by the Governor on June 30, 2013, terminates the 10 percent real property tax rollback and the 2.5 percent homestead credit on all additional or replacement levies passed at the November 5, 2013 election or after. As a result of this legislation, those same levies will not qualify for the stadium tax credit.

Existing and renewal levies, as well as levies passed at the May 7, 2013 and August 6, 2013 elections will qualify for the credits. Residential and most agricultural properties with qualifying levies will receive what is now the Non-Business Credit Rollback Factor. Owner occupied residential dwellings with qualifying levies will receive what is now the Owner Occupancy Credit Rollback Factor, as well as the stadium tax credit.

Transfer History

Year	Conveyance #	Selling Price	Transfer Date	Previous Owner	Current Owner
2019	199528	0	4/11/2019	NORTHCROWN PROPERTY LLC	NORTHCROWN PROPERTY LLC
2019	198550	0	4/1/2019	NORTHCROWN PROPERTY LLC	NORTHCROWN PROPERTY LLC

Value History

Tax Year	Assessed Date	Land	Improvements	Total	CAUV	Reason for Change
2020	8/22/2020	74,200	40,860	115,060	0	120 Reappraisal, Update or Annual Equalization
2020	2/18/2020	59,360	32,690	92,050	0	50 Changes to/from Exempt Property
2020	1/7/2020	59,360	32,690	92,050	0	130 Annual Maintenance on Splits & Combines

Board of Revision Case History

Case Number	Date Filed	Withdrawn	Complaints/Complaints Filed	Hearing Date/Time	Value Disallowed	Value Requested	Value Disputed by Dollar	Case Date Resolved
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*Once your hearing has been scheduled, you will receive a **Notice of Hearing** by certified mail, and the Scheduled Hearing Date and Time will be populated on this page.
 **A counter-complaint may be filed by a party with interest in the value of your property, such as the Board of Education, if you request a decrease of \$50,000 or more in market value.
 ***Please allow four to six weeks to receive your **Notice of Result** by certified mail and to see your result on this page. Your Notice will contain basic facts about appealing your Board of Revision decision, should you wish to do so.

Payment Information

ROBERT A. COOPER, TREASURER		Tax District	
Mail Payments to:	Hamilton County Treasurer 138 E. Court Street, Room 402 Cincinnati, Ohio 45202	Tax Lien Pending	No
Tax District:	001 - CINTI CORP-CINTI CSD	Tax Lien Sold	No
Current Owner(s)	NORTHCROWN PROPERTY LLC	Full Rate	109.790000
Tax Bill Mail Address	NORTHCROWN PROPERTY LLC 131 E MCMICKEN AVE CINCINNATI OH 45202	Effective Rate	89.090432
		Non Business Credit	0.088077
		Owner Occupancy Credit	0.022019
		Certified Delinquent Year	
		Delinquent Payment Plan	No
		TOP (Treasurer Optional Payment)	\$0.00
		Note: May represent multiple parcels	

Taxable Value	
Land	25,970
Improvements	14,300
Total	40,270

Current Year Tax Detail

	Prior Delinquent	Adj. Delinquent	1st Half	Adj. 1st Half	2nd Half	Adj. 2nd Half
Real Estate			\$2,210.62		\$2,210.62	
Credit			\$416.78		\$416.78	
Subtotal			\$1,793.84		\$1,793.84	
Non Business Credit			\$0.00		\$0.00	
Owner Occupancy Credit			\$0.00		\$0.00	
Homestead			\$0.00		\$0.00	
Sales CR			\$0.00		\$0.00	
Subtotal	\$0.00	\$0.00	\$1,838.69	\$0.00	\$1,793.84	\$0.00
Interest/Penalty	\$0.00	\$0.00	\$186.47	\$0.00	\$0.00	\$0.00
Real Estate Paid	\$0.00		\$1,838.69		\$0.00	
Real Estate Owed	\$0.00		\$183.87		\$1,793.84	
Special Assess Paid	\$0.00		\$25.96		\$0.00	
Special Assess Owed	\$0.00		\$2.60		\$0.00	
Total Due	\$0.00		\$2,051.12		\$1,793.84	
Total Paid	\$0.00		\$1,864.65		\$0.00	
Unpaid Delq Contract	\$0.00		\$0.00		\$0.00	
Total Owed	\$0.00		\$186.47		\$1,980.31	

Special Assessment Detail for 55-060 CINCINNATI - Urban Community

	Prior Delinquent	Adj. Delinquent	1st Half	Adj. 1st Half	2nd Half	Adj. 2nd Half
Charge	\$0.00	\$0.00	\$25.96	\$0.00	\$0.00	\$0.00
Interest/Penalty	\$0.00	\$0.00	\$2.60	\$0.00	\$0.00	\$0.00
Paid	\$0.00		\$25.96		\$0.00	
Owed	\$0.00		\$2.60		\$0.00	

Payment Information for Current and Prior Year

Date	Half	Prior	1st Half	2nd Half	Surplus
2/17/2021	2 - 2020	\$0.00	\$1,864.65	\$0.00	\$0.00

Information believed accurate but not guaranteed. Treasurer disclaims liability for any errors or omissions

Tax Distribution Information

Market Value		Assessed Value (55%)		Tax Rate Information	
Land	74,200	Land	25,970	Full Tax Rate (mills)	109.790000
Building	40,860	Building	14,300	Reduction Factor	0.188538
Total	115,060	Total	40,270	Effective Tax Rate (mills)	89.090432
				Non Business Credit	0.088077
				Owner Occupancy Credit	0.022019

Tax Calculations

Full Year Tax Distribution

Gross Real Estate Tax	\$4,421.24	School District	\$410.44
- Reduction Amount	\$833.56	Township	\$0.00
- Non Business Credit	\$0.00	City/Village	\$1,239.09
- Owner Occupancy Credit	\$0.00	Joint Vocational School	\$0.00
- Homestead	\$0.00	County General Fund	\$16.37
Half Year Real Taxes	\$1,793.34	Public Library	\$13.19
- Sales Tax Credit	\$0.00	Family Service/Treatment	\$2.22
+ Current Assessment	\$25.96	HLTH/Hospital Care-Indigent	\$17.74
+ Delinquent Assessment	\$0.00	Mental Health Levy	\$15.19
+ Delinquent Real Estate	\$0.00	Developmental Disabilities	\$26.92
Semi Annual Net	\$1,819.80	Park District	\$6.74
		Crime Information Center	\$1.97
		Children Services	\$30.79
		Senior Services	\$10.25
		Zoological Park	\$2.93

This shows the most recent tax bill calculation which normally occurs in early December and May. However, adjustments or corrections may have been applied to the tax bill after the initial tax calculation. Go to the Payment Detail tab to view any corrections or adjustments occurring after the initial tax calculation.

Parcel Photo



View a larger version of this photo.

Special Assessments

Project	Ord/Res	Description	Certified	End Year	Payoff Amount
55-060		CINCINNATI - Urban Forestry	8/20/2019	2099	\$2.60

Related Parties

Name	Relationship	Status
NORTHCROWN PROPERTY LLC	Parcel Owner	Current

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

APPLICATION #: COA2021013/ ZH20210036
APPLICANT: Vincent Terry
OWNER: Sherman Morris
ADDRESS: **142 Mulberry Street**
PARCELS: 094-0005-0054-00
ZONING: RM-X
OVERLAYS: Over the Rhine Historic District and Hillside District
COMMUNITY: Over the Rhine
REPORT DATE: April 13, 2021

Nature of Request:

The applicant is requesting a Certificate of Appropriateness and related zoning relief for the construction of new single-family home on Mulberry Street on a currently vacant lot within the Hillside Overlay Zone and within the Over-the-Rhine Historic District.

Details of Zoning Relief Required:

- Per Section 1433-19(a), a rear yard setback of 37.25' is required. A Hillside Review is required for a proposed rear yard setback of 4.5'.
- Per Section 1433-19(a), a front yard setback of 17' is required. A Hillside Review is required for a proposed front yard setback of 5'.
- Per Section 1433-19(a), a right side yard setback of 8.5' is required. A Hillside Review is required for a right side yard setback of zero.
- Per Section 1433-19(a), the maximum height is limited to 35'. A Hillside Review is required for a maximum height of approximately 50'.
- Per Section 1433-19(g), cumulative excavation and fill is limited to 8'. A Hillside Review is required for cumulative excavation and fill of approximately 17.5'.

Existing Conditions:

142 Mulberry Street is a vacant parcel with an existing historic building to the east and west of the property. This block of Mulberry has a row of infill buildings with garage doors to the west and two infill buildings at 146-148 Mulberry were recently approved with garage doors on the front.

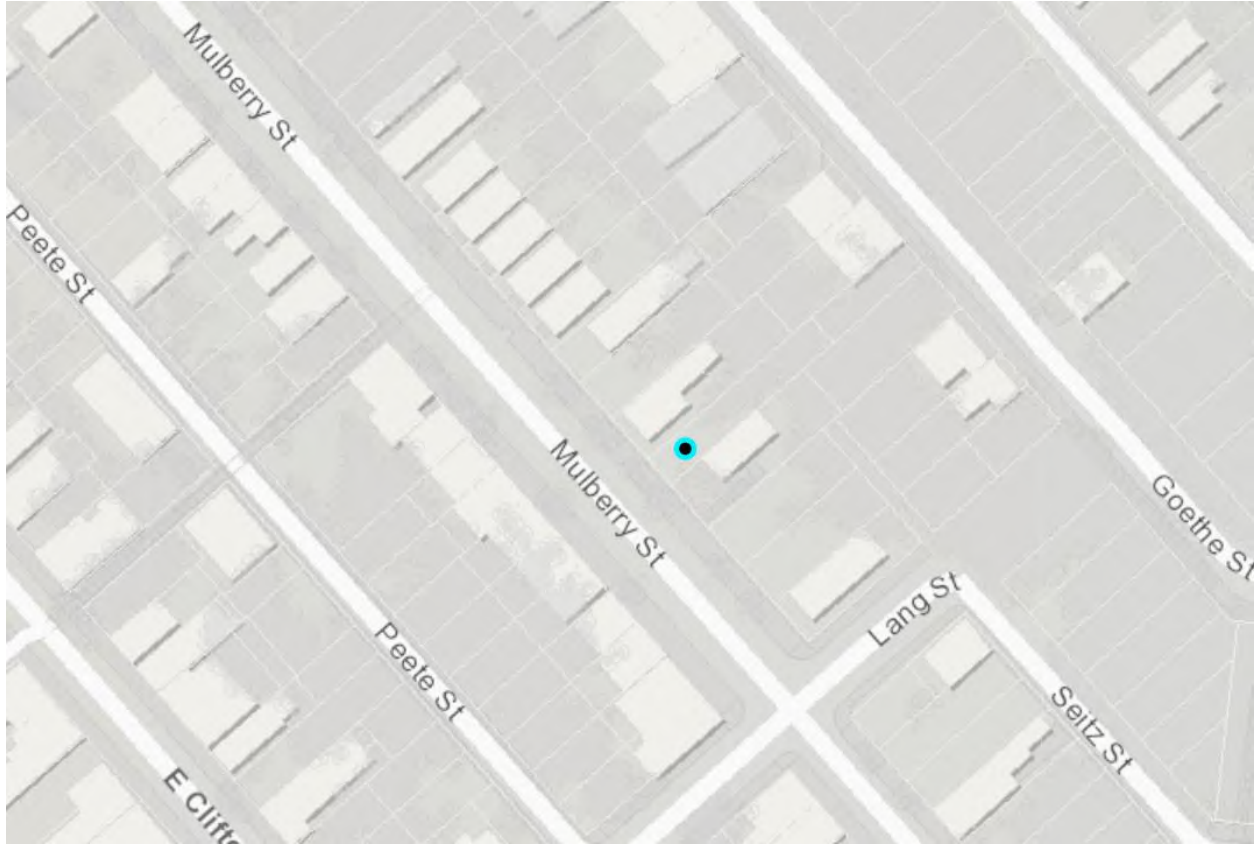


Figure 1: Map of 142 Mulberry Street. Map provided by Cagis Maps.



Figure 2: Street view of 142 Mulberry Street. 142 Mulberry Street is identified by the arrow. Image provided by Google Street views.

Proposed Conditions:

The proposal at 142 Mulberry Street includes:

- 1. Construct a single-family home.
- 2. The house will be clad in brick, stone and cement panel.
- 3. It will have a 3-story façade at the street with a fourth story set back from the street with a front roof deck.
- 4. The front of the building will have a base of 2 garage doors. The front door of the building will be located at the side of the building and accessed from a stairway.

Previous Review: NA

Applicable Zoning Code Sections:

Zoning District:	Section 1405	Residential
Variance Requests:	Section 1405	Development Standards
	Section 1433	Hillside District
Variance Authority:	Section 1445-07	
HCB authority:	Section 1435-05-4	
Variance Standard:	Section 1445-13	General Standards: Public Interest
	Section 1445-15	Standards for Variances
Overlays:	Section 1435	Historic Preservation
Historic District/Reg:		Over the Rhine Historic District
COA Standard:	Section 1435-09-2	COA; Standard of Review

Zoning Analysis:

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

- The setback requests and heights are for setbacks that are similar to neighboring properties and other properties in the vicinity.
 - The variances and proposed design are in the interest of Historic Conservation to help the proposal be contextual to the district.
- 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 RMX and it is within a Hillside Overlay Zone. The proposed use of the subject property does conform to the permitted uses within the zone. The setbacks (front, sides and rear) height and excavation do not conform to the averaging of the setbacks or heights of the of the properties located at 140 Mulberry Street and 144 Mulberry Street, or the allowed excavation per the Hillside Overlay standards. .*
- 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 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 through creating increased home ownership opportunities as well as providing for parking for the development.*

The Comprehensive Plan also calls for developments within Historic Districts to support the historic conservation efforts and as in staff's review the new infill is contextually sensitive and does not detract from the district.

- 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 as it will be creating a use on currently vacant parcels. The project is providing off street but will remove on-street parking spaces due to the curb cut.
- 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 a single-family house development is an appropriate use within a residential area of 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 are no proposed amendments under consideration that would impact this proposed project.
- j. **Adverse Effects.** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.
There is no anticipated adverse effect.
- k. **Blight.** The elimination or avoidance of blight.
This will provide a new use to a currently vacant and unimproved lot.
- 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 on the property.

- o. **Private Benefits.** The economic and other private benefits to the owner or applicant.
The owner has an economic benefit to the proposed project.
- p. **Public Benefits.** The public peace, health, safety or general welfare.
There is no anticipated detriment to the public peace, health, safety or general welfare of the public or neighbors.

Standards for Variances per Section 1435-05-4

- (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the Historic District of Historic Asset; or
The proposed work is compatible with the historic district and will provide an example of development that is contemporary in style while compatible with the historic district is scale, massing, and materials.
- (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 will not result in the deprivation of all economically viable uses as a single-family home could still be built within the Maximum Building Envelope but would be limited in size due to the size of the lot.

Standards for Variances per Section 1445-05-04

- (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 setback proposed at the front is more shallow than any of the other properties on this block of the north side of Mulberry Street, both historic and new construction, but the lot is an odd shaped lot that with a keyback at the rear creating limited space in the rear for setbacks.
Due to side setback averaging and the untypical large side setback at 144 Mulberry Street, the required relief for the right-side setback is larger than the overall required setback for the base zoning. This proposed setback is a zero lot line and is against a zero lot line setback building with a blank wall.
- (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 height request is overall is minimum request when measured to the ASL height. Both 144 Mulberry and 140 Mulberry have an elevated grade from the street with historic stone retaining walls. Their height is measured from the grade in front of the house not from the street level. As the proposal excavates the site and the new building sits at the street level the overall height is taller, but the building is just slightly taller with the ASL measurement than the two-neighborhood building.

The side setbacks are similar to the neighbors. Both neighboring properties have zero lot line developments on one side and it is common to have smaller and fairly limited side setbacks within this area.

§ 1433-23. - Hillside Development Standards.

The excess of 8 feet of cut into the hill for the project require HCB approval that the project is complying with the Hillside Development Standards.

In addition to the Base Development Requirements of § 1433-19, the Zoning Hearing Examiner must consider the following standards to ensure harmonious relationships with adjacent buildings and the hillside environment:

(a) Avoid cuts in the hillside if they would leave cliff-like vertical slopes and excessively high retaining walls.

The proposal cuts into the hill the minimum required for the basement/foundation and garage.

(b) Design buildings to fit into the hillside rather than altering the hillside to fit the buildings.

The design, including the excavation takes advantage of the hill by putting the majority of the cut at the front of the property which is generally flatter.

(c) Hillside development should be designed to minimize excavation required for foundations, parking and access drives

The provided excavation is the least required to provide a functional garage with a building in the proposed setbacks.

(d) Cluster new development to retain surrounding tree cover and minimize alterations to the existing topography.

NA

(e) Maintain a clear sense of the hillside brow by locating buildings back from the brow of the hill.

The building is set at the bottom of the slope.

(f) Site buildings so as to respect views from public viewing places within the HS District identified in a community plan or other documentation approved by the City Planning Commission.

The building does not disrupt public views.

(g)Where applicable, consider the guidelines contained in the "Cincinnati Hillside Development Guidelines" report to evaluate development applications.

NA

Certificate of Appropriateness Review

Staff recommends that the design substantially conforms to the New Construction section of Historic Conservation District Guidelines. The proposal sits between 2 historic buildings. Staff does have some conditions regarding reusing the existing stone on the property for the base of the building to mitigate the removal of the historic retaining wall.

In the intent section of the Rehabilitation Guidelines it states:

- 1. Ordinary repair and maintenance which does not change the appearance of the building shall not be reviewed.*
- 2. Existing features in good condition should be conserved, and damaged features should be repaired wherever possible.*
- 3. Replace badly damaged or missing features sensitively to harmonize with the character of the original feature. Replication is appropriate, but it is not essential.*
- 4. Completely new features and materials should be compatible with the building in design, color, detailing, texture, size and shape. By their nature adaptively reused buildings may require more flexible and creative design approaches.*

Reusing the historic material in the base would meet the above intent in that it would conserve and repair existing material but would adaptively reuse them in a creative way to create a higher sense of compatibility with the adjacent historic retaining walls.

On the plans A300 there is also a discrepancy on the plans between the side elevation and the rear elevation and the rear deck. On the side elevation the deck is shown but on the rear elevation the deck is not present. Staff will recommend that either option would be appropriate but the architect needs to select one prior to building permits being issued to make sure the elevations are accurate.

NEW CONSTRUCTION

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 currently vacant and 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 does not replicate the existing buildings, but uses materials, massing and rhythm to influence the design choices.

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 building has a strong base using garage doors and stone veneer and a strong lintel. While garage doors are not a historic aspect on buildings, as there has been infill along Mulberry this form and element has been introduced in this portion of the neighborhood on new construction projects. This infill has mostly been on the 300 and 100 blocks on Mulberry on the north side of the street. The south side of the street remains intact historic fabric that does not have garage door openings placed on historic facades.

The current proposal has stone veneer. Staff recommends that as a condition of approval the original stone wall is reused in the base to mitigate the removal of a historic stone retaining wall. This has been required on other infill buildings when a historic retaining wall remains on the front of the site.

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 with brick cladding and paired front punched openings on both the second and third floors. The windows are aligned vertically to give the façade a vertical emphasis.

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 of the front façade is defined by a paneled railing to the roof deck. The cornice line provides the railing for the roof deck that is just back of the cornice and a strong top element. The building has a setback/recess at the roof level to provide for an outdoor roof deck. From the front façade this is not highly visible but will be visible from the west and east on Mulberry Street.

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 roof form. This roof form is common in the neighborhood, especially on single family homes. The main distinction is the inclusion of a roof deck at the front and back that breaks the angle of the roof. While the front is visible from down the street on Mulberry Street the roof deck is not highly visible from the primary façade.

As there is a discrepancy between the elevations on A300, if a roof deck is not proposed for the rear, the roof form would still be appropriate.

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 substantially conform to the guidelines above. The windows are taller than they are wide and are in a paired punched opening format.*
2. *The windows have a limestone lintel at the top of the windows and a sill at the bottom providing definition and articulation.*

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 along Mulberry Street is closer to the street than any of the other buildings, historic or new construction. While a setback that would be similar to the building at 140 Mulberry Street of around 8.5 feet would be most appropriate, due to the site constrictions a shallow setback of 5 feet is acceptable. This portion of Mulberry Street has varying front setbacks and does not have one consistent front setback line.

The side setbacks are shallow or zero lot line setbacks from the property line. Residential properties often have slight setbacks. The setbacks are also needed for openings to allow light into the building.

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 lot is slightly more narrow than other lots within the block. The building is just over 20 feet wide. The building has a two-bay configuration. The bays are symmetrical on the façade creating a consistent rhythm on the building that reflects the rhythm on other buildings on the street.

One of the bays on historic buildings is typically an entrance bay with an entry door. Due to the narrow lot width and the desire to have a 2 car garage door the design did not allow for this. Having a side entrance, while not the dominant form in the district, is a form seen regularly throughout the district.

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 has many elements that help to create a strong vertical emphasis. The major elements include that the building is taller than it is wide and the vertical alignment of the windows.

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 appropriate to the site and the area. As the buildings are mostly three stories and three and a half stories tall, the building is a similar height to the rest of the buildings along the street as well as the buildings that are directly adjacent.

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 main building material on the front façade is a brick in 2 different colors, stone veneer at the base limestone stone sills, and cement fiber board as accent materials. As the cement fiber board is on the rear of at recessed portions it is a secondary material.

Other Considerations:

Prehearing Results: A prehearing was held on 4/14/21. No one was in attendance.

Comments Provided to Staff: NA

Recommendation:

I. ZONING VARIANCES

Based on the application for Zoning Relief for single-family home at 142 Mulberry Street per the application submitted by Vincent Terry and the plans dated 7/22/2020:

- A.** Per Section 1433-19(a), a rear yard setback of 37.25' is required. **APPROVE** a variance to Hillside Maximum Building Envelope for a rear yard setback of 4.5'.
- B.** Per Section 1433-19(a), a front yard setback of 17' is required. **APPROVE** a variance to Hillside Maximum Building Envelope to allow front yard setback of 5'.
- C.** Per Section 1433-19(a), a right-side yard setback of 8.5' is required. A Hillside Review is required for a right-side yard setback of zero. **APPROVE** a variance to Hillside Maximum Building Envelope to allow a zero-lot line set back for the right side yard.
- D.** Per Section 1433-19(a), the maximum height is limited to 35'. **APPROVE** a variance to Hillside Maximum Building Envelope to allow the proposed height of 50 feet.
- E.** Per Section 1433-19(g), cumulative excavation and fill is limited to 8'. A Hillside Review is required for cumulative excavation and fill of approximately 17.5'. **APPROVE** proposed excavation in excess of 8'.

- F. FINDING:** The Board makes this determination that per Section 1435-05-4:
 - 1. Such relief from literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to the property within the district or vicinity where property is located.
 - 2. Is necessary due to lot constraint issues on a smaller than normal lot.
 - 3. Is necessary to allow a property right others in the vicinity enjoy.

II. CERTIFICATE OF APPROPRIATENESS

- A. APPROVE** the application for a Certificate of Appropriateness for a single-family home at 142 Mulberry Street per the application submitted by Vincent Terry and the plans dated 7/22/202 with the following conditions:
 - 1. The building permits must be issued within two years of the decision date or the Certificate of Appropriateness shall expire.
 - 2. The stone from the historic retaining wall must be reused in the base of the building.
 - 3. The architect shall submit plans to the Urban Conservator that have a rear elevation, side elevation, and plans that are consistent in regards to the rear deck.
- B. FINDING:** The Board makes this determination per Section 1435-09-2:
 - 1. That the property owner has demonstrated by credible evidence that the

proposal substantially conforms to the applicable conservation guidelines.

2. The building while contemporary has taken its cues from the neighboring contributing buildings with a strong base, middle top, brick material, vertical emphasis, paired punched double hung windows, and a strong contextual rhythm.

ADJUDICATION/DENIAL LETTER

Date: March 5, 2021

Location: 142 Mulberry Street

Request: Infill/ demolition of historic wall

Zoning District: RMX/ Over the Rhine Historic District, Hillside Overlay Zone

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

There are concerns about the removal of the stone retaining wall as the guidelines state "Existing features in good condition should be conserved, and damaged features should be repaired wherever possible." The proposal removes a historic stone wall and historic iron fencing. You will need to demonstrate how this meets section 1435-09-2 (a) and (b).

All documents **that are checked** on the "Documents Required for Historic Conservation Board Review" sheet 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.** 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):

- Per Section 1433-19(a), a rear yard setback of 54.25' is required. A Hillside Review is required for a proposed rear yard setback of 4.5'.
- Per Section 1433-19(a), a front yard setback of 17' is required. A Hillside Review is required for a proposed front yard setback of 5'.
- Per Section 1433-19(a), a right side yard setback of 8.5' is required. A Hillside Review is required for a right side yard setback of zero.
- Per Section 1433-19(a), the maximum height is limited to 35'. A Hillside Review is required for a maximum height of approximately 50'.
- Per Section 1433-19(g), cumulative excavation and fill is limited to 8'. A Hillside Review is required for cumulative excavation and fill of approximately 17.5'.

The applications and documents required will be turned into the *Law Department- Office of Administrative Boards*. Their office is located on the 5th 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 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,



Douglas Owen

Zoning Plans Examiner

(p): 513-352-2441

(e): douglas.owen@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)
- Documentation of how the demolition of historic wall meets 1435-09 (a) and (b)
- _____
- _____

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

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
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: 142 Mulberry Street
 Hamilton Co. Parcel ID No.: _____ Zoning District: RMX-Residential Mixed
 Historic District: OTR Historic Distric Overlay District: OTR Hillside Overlay District

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

Name: Vicnent Terry
 Contact Person (if legal entity): Vincent Terry
 Address: 4551 South Shore Drive
 City: Cincinnati State: Ohio Zip Code: 45040
 Phone: 513-573-9972 E-mail: voterry7@aol.com

PROPERTY OWNER INFO SAME AS ABOVE

Name: Sherman Morris
 Contact Person (if legal entity): Sherman Morris
 Address: 140 Mulberry Street
 City: Cincinnati State: Ohio Zip Code: 45
 Phone: _____ E-mail: smcustomhomes@hotmail.com

CERTIFICATE OF APPROPRIATENESS (SELECT ALL THAT APPLY)

New Construction Alteration Demolition

Provide a very brief summary of the project:
2 Family Home requested to be built at 142 Mulberry Street. Per HCB & planning commission approval.

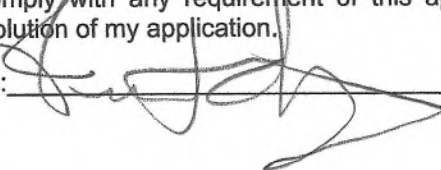
ZONING RELIEF Yes No

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: 3/5/11

§ 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 (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;
- (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.

Whenever a Certificate of Appropriateness is required pursuant to the provisions of this chapter, the Director of Buildings and Inspections may not issue a building permit until a Certificate of Appropriateness has been approved or approved with conditions. In the event that the standards in this Section 1435-09-2 conflict with any standards set forth in any conservation guidelines, the standards set forth herein shall govern and control.

(Ordained by Ord. No. 217-2012, § 1, eff. July 20, 2012; Emer. Ord. No. 141-2015, § 53, eff. July 1, 2015)



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

ZONING HEARING EXAMINER

Application for Zoning Relief

Office Use Only

Case Number: _____

Hearing Date: _____

Section 1. SUBJECT PROPERTY

ADDRESS 142 Mulberry COMMUNITY OTR - Mt. Auburn
PARCEL ID(S) 094-0005-0054 HILLSIDE DISTRICT: Yes No
BASE ZONING CLASSIFICATION OTR - Over The Rhine District ZONING OVERLAY (if applicable) RMX-Residential Mixed
HISTORIC DISTRICT: No Yes: (name) _____
 Non-Residential Project Residential Project (RCO) One -, Two -, and Three- Family Dwelling

Section 2. APPLICANT

NAME Vincent Terry CONTACT PERSON (if legal entity) VoTerry Architects
ADDRESS 4551 South Shore Drive CITY Mason STATE Ohio ZIP 45040
EMAIL Voterry7@aol.com RELATIONSHIP TO OWNER (if not owner) Architect
TELEPHONE 513-573-9972

Section 3. OWNER

NAME Sherman Morris CONTACT PERSON (if legal entity) Sherman Morris
ADDRESS 140 Mulberry Street CITY Cincinnati STATE Oh ZIP 45202
EMAIL SMCustomhomes@hotmail.com RELATIONSHIP TO OWNER (if not owner) _____
TELEPHONE 513-258-8233

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

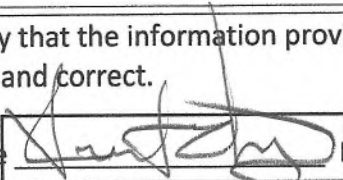
Section 5. BRIEF DESCRIPTION OF PROPOSED PROJECT (Do not write "see attached" or leave blank. You may attach a longer statement to this application if the space provided is insufficient to describe your proposed project)

The purpose of the is project is to build 2 family unit as well as remove an unstable retaining wall that is failing as well as the entry to the garage. These are the issues and purposes of the 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 VINCENT TERRY Signature  Date 3/5/21

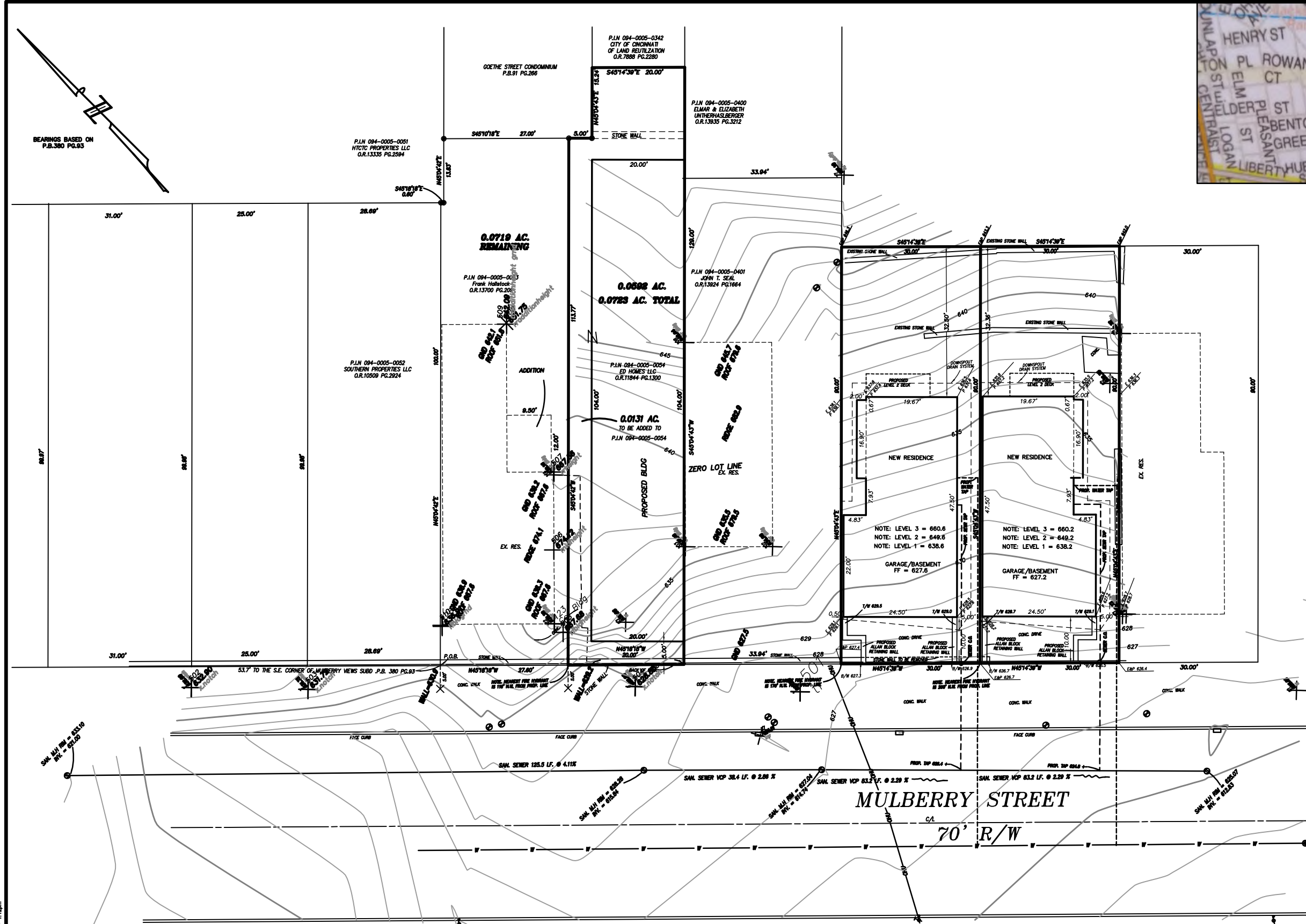
Section 8. ADDITIONAL DOCUMENTATION SUBMISSION REQUIREMENTS.

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"/>	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 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 <u>existing and proposed</u> 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 <u>existing and proposed</u> project, including parking and access, exterior lighting, landscaping, and signs involved in the application.
<input 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 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">• \$900.00 for Use Variances• Variances, including <i>Special Exception, Conditional Use, Expansion or Substitution of Non-Conforming Use, Hillside & Urban Design Overlay and DD District</i> are as follows: \$300.00 for Residential Projects (RCO) One -, Two -, and Three- Family Dwelling \$500.00 for Non-residential Projects (Non-RCO)

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.



LANG STREET
50' R/W

MULBERRY STREET
70' R/W

BEARINGS BASED ON
P.B.380 PG.93



ZONING:
ZONED RMX
HILLSIDE OVERLAY DISTRICT

SIGNATURE:
PLANNING COMMISSION _____

SITE PLAN
SECTION 13, TOWN 3, P.R. 2,
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a true and complete survey made under my supervision and all monuments have been set as shown.

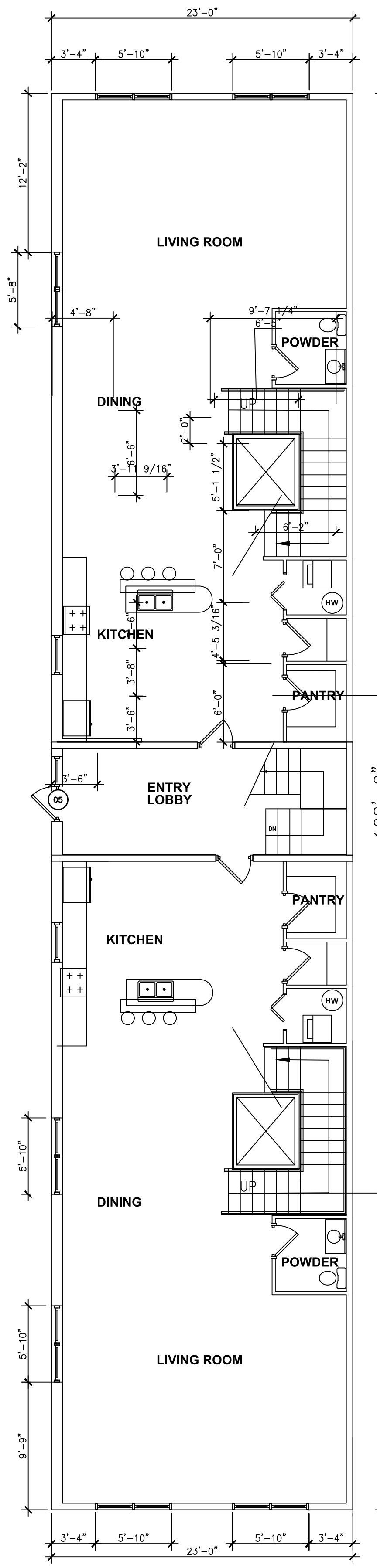
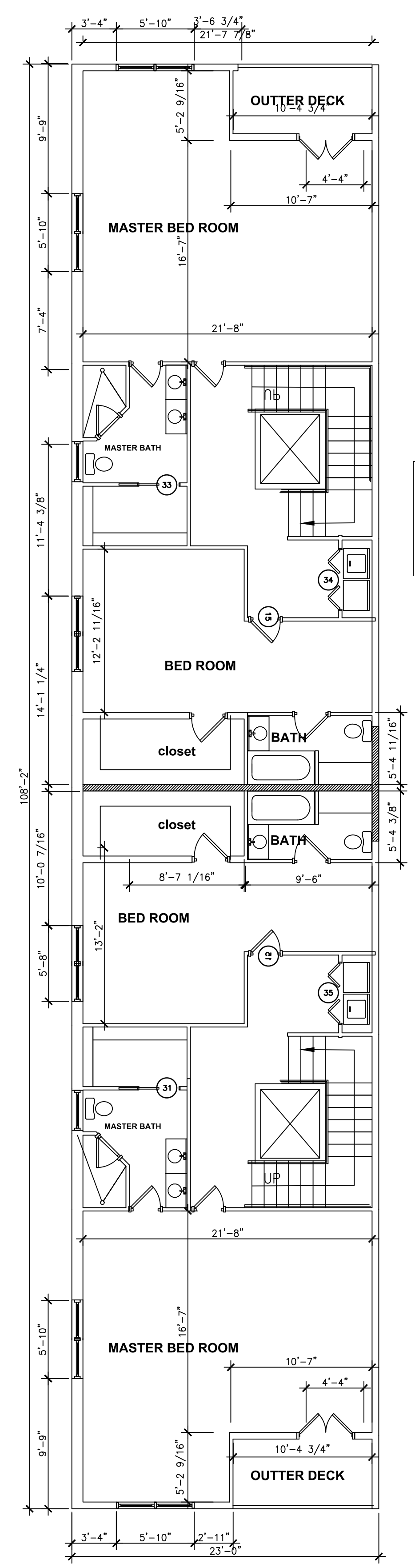
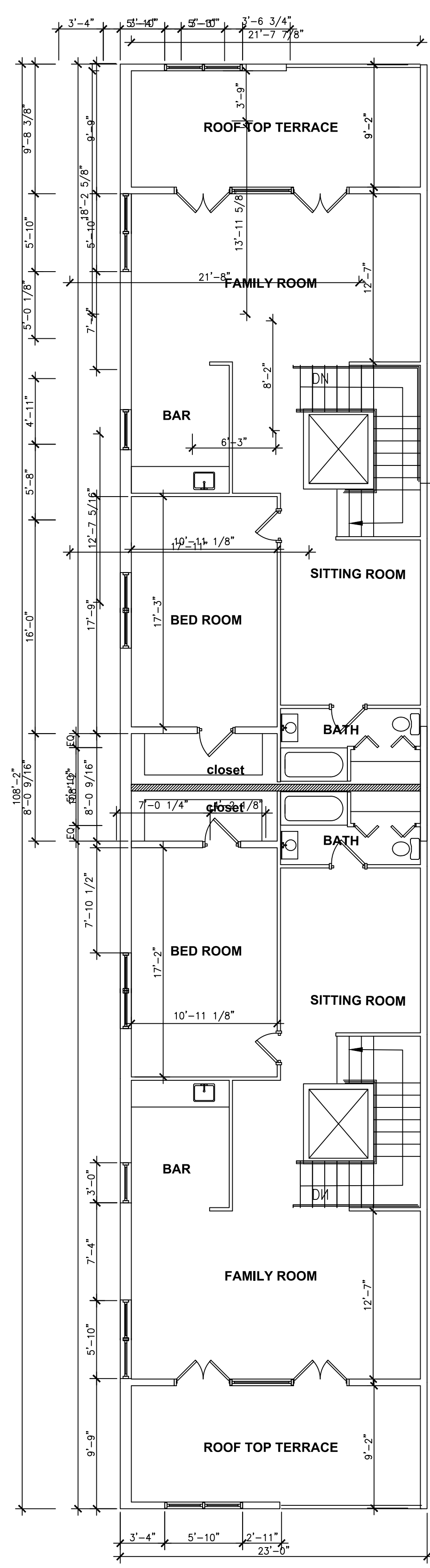
John C. Hewett
JOHN C. HEWETT
Registration Number 7550



PLAT OF SURVEY			
H & M SURVEYING SERVICES INCORPORATED 119 WEST MAIN STREET AMELIA, OHIO 45102 (513) 753-7959			
SCALE 1"=10'	DATE 9/25/20	JOB NO. 11559	DRWN. J.C.H.
			1

P:\15150941\Survey\15150941.dwg Mar 05, 2021 1:12pm

N
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B



NOTES

- UNO. WALLS ARE 2"x4" @ 16" O.C. MAX. (INT.) & 16" O.C. (EXT. & BRG) - PLMBG. WALLS ARE 2"x6".
- ALL FLOORS TO HAVE ACCEPTABLE SUB-FLOORING TO RECEIVE FINISH FLOOR COVERING.
- BATHROOM WALLS TO BE WATER RESISTANT DRYWALL AROUND 1ST AND 2ND FLOOR TUB.
- ALL DRYWALL TO BE 1/2" WITH 1/2" FIRE CODE 'C' IN GARAGE.
- ROOF TRUSS DESIGNED AND STAMPED BY A REG. STRUCT. ENG. IN THE STATE OF OHIO. APPLICANT SHALL SUBMIT TRUSS DESIGN DATA (i.e. FABRICATOR, TYPE, AND MANF. SEALED DRAWINGS) FOR BLDG. DEPT APPROVAL. PRIOR TO ANY FRAMING.
- LINEN CLOSET & PANTRY TO HAVE (5) VENTILATED SHELVES, CLOTHES CLOSETS TO HAVE (1) VENTILATED RACK.
- ALL HEADERS TO BE 2"x10" UNO.
- ALL LUMBER IN CONTACT W/CONC. OR EXPOSED, TO BE PRESSURE TREATED.
- WALL MOUNTED HANDRAILS MUST HAVE ENDS TURNED TO WALL. OPEN SIDED STAIRS MUST HAVE 36" RAILS W/AND MORE THAN 4"OC. BET. RAILING SPINDLES.
- ALL ANGLES ARE 90, 45, OR 135 DEG. UNO.
- ALL LUMBER TO BE #2 GRADE OR BETTER W/MIN. Fb DF 1450 P.S.I.
- SOIL TREATMENT TO PASS A (5) YEAR TEST AS CONDUCTED BY THE U.S. FOREST SERVICE. U.S. DEPT. OF AGRICULTURE.
- SMOKE DETECTORS TO BE WIRED (110V), W/BATTERY BACK-UP, TO SOUND SIMULTANEOUSLY.
- SLEEPING ROOMS TO HAVE AT LEAST 1 WINDOW WITH A MIN. NET CLEAR OPENING OF NOT LESS THAN 5.7 SQUARE FEET. MIN. HT. 24" MIN. WIDTH: 20"
- 3/4" ENGINEERED WOOD FLOORING IN ALL ROOMS DN 3/4" PLYWOOD SHEATHING FINAL CCLR AND STAIN BY DWNER WOOD BASE AT 5 1/4" STAINED FINAL COLOR BY ARCHITECT OR DWNER VINYL TILE FLOORING IN LAUNDRY ROOM RUBBER BASE DN 3/4" PLYWOOD SHEATHING RUBBER TREADS AND RISERS FOR ALL STAIRS. ALL LANDINGS TO HAVE VINYL TILE FLOORING RUBBER BASE.

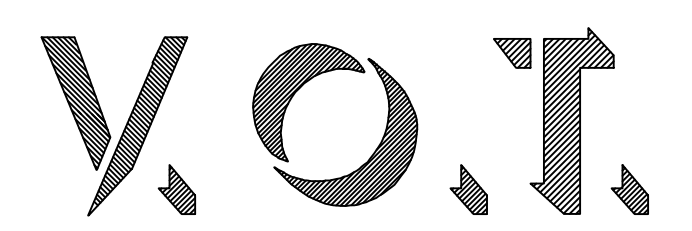
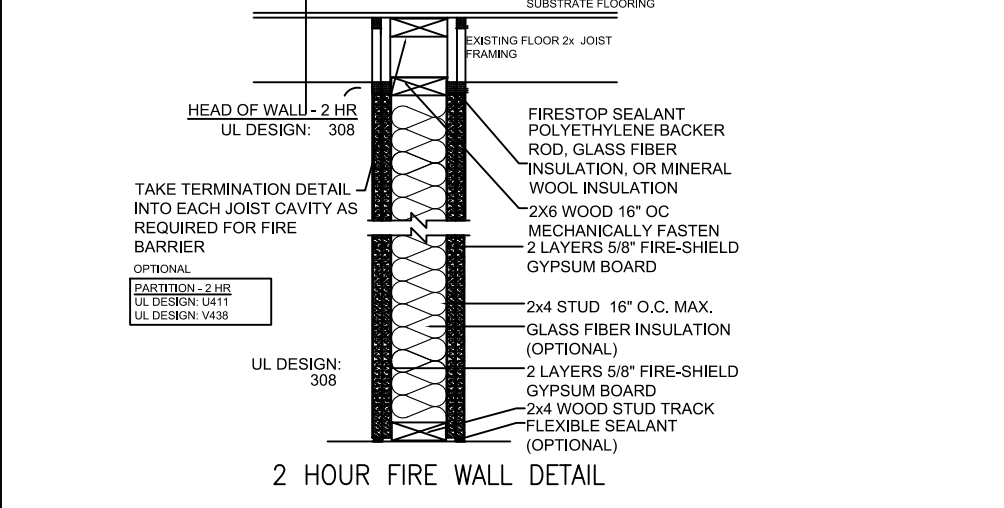
DOOR SCHEDULE

1	SINGLE 3'0"x6'8 4 PANEL DOOR PRE-FINISHED(HI GLAZG) DEADBOLT LOCK	PASSAGE LOCK
2	SINGLE 2'6"x6'8 4 PANEL DOOR PRE-FINISHED	PASSAGE
3	BIFOLD (2)2'0"x6'8 4 PANEL DOOR PRE-FINISHED	PASSAGE
4	SINGLE 2'6"x6'8 4 PANEL DOOR PRE-FINISHED	PASSAGE
5	SINGLE 3'0"x6'8 4 PANEL DOOR PRE-FINISHED(HI GLAZG) EXTERIOR HARDWARE	PRIVACY LOCK
6	SINGLE 2'10"x6'8 4 PANEL DOOR PRE-FINISHED	PASSAGE
7	DOUBLE 2'0"x6'8 4 PANEL DOOR PRE-FINISHED	PRIVACY LOCK
8	SINGLE 2'8"x6'8 4 PANEL DOOR PRE-FINISHED	PASSAGE
9	SINGLE 2'8"x6'8 4 PANEL DOOR PRE-FINISHED	PRIVACY LOCK
10	SINGLE 2'8"x6'8 4 PANEL DOOR PRE-FINISHED	PRIVACY LOCK
11	DOUBLE 4'10"x6'8 ALFRAME FRENCH DOOR PRE-FINISHED	PRIVACY LOCK
12	SINGLE 2'10"x6'8 4 PANEL DOOR PRE-FINISHED	PASSAGE
13	SINGLE 2'0"x6'8 4 PANEL DOOR PRE-FINISHED	PRIVACY LOCK
14	SINGLE 2'10"x6'8 4 PANEL DOOR PRE-FINISHED	PASSAGE
15	SINGLE 2'0"x6'8 4 PANEL DOOR PRE-FINISHED	PRIVACY LOCK
16	SINGLE 2'8"x6'8 4 PANEL DOOR PRE-FINISHED	PRIVACY LOCK

WALL LEDGEND

NEW 2x4 STUD WALL 16" oc WRAPPED IN 5/8" GYP. BD. WRAPPED WITH 1/2" GYP. BD. GREEN BOARD AT WET WALLS (BATH;KITCHEN; ETC)

NEW 2x4 STUD WALL 16" oc WRAPPED IN (2) LAYERS TYPE X 5/8" GYP. BD. U308 2 HOUR RATED



DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

Sherman Morris
TownHome New Construction
142 Mulberry Avenue

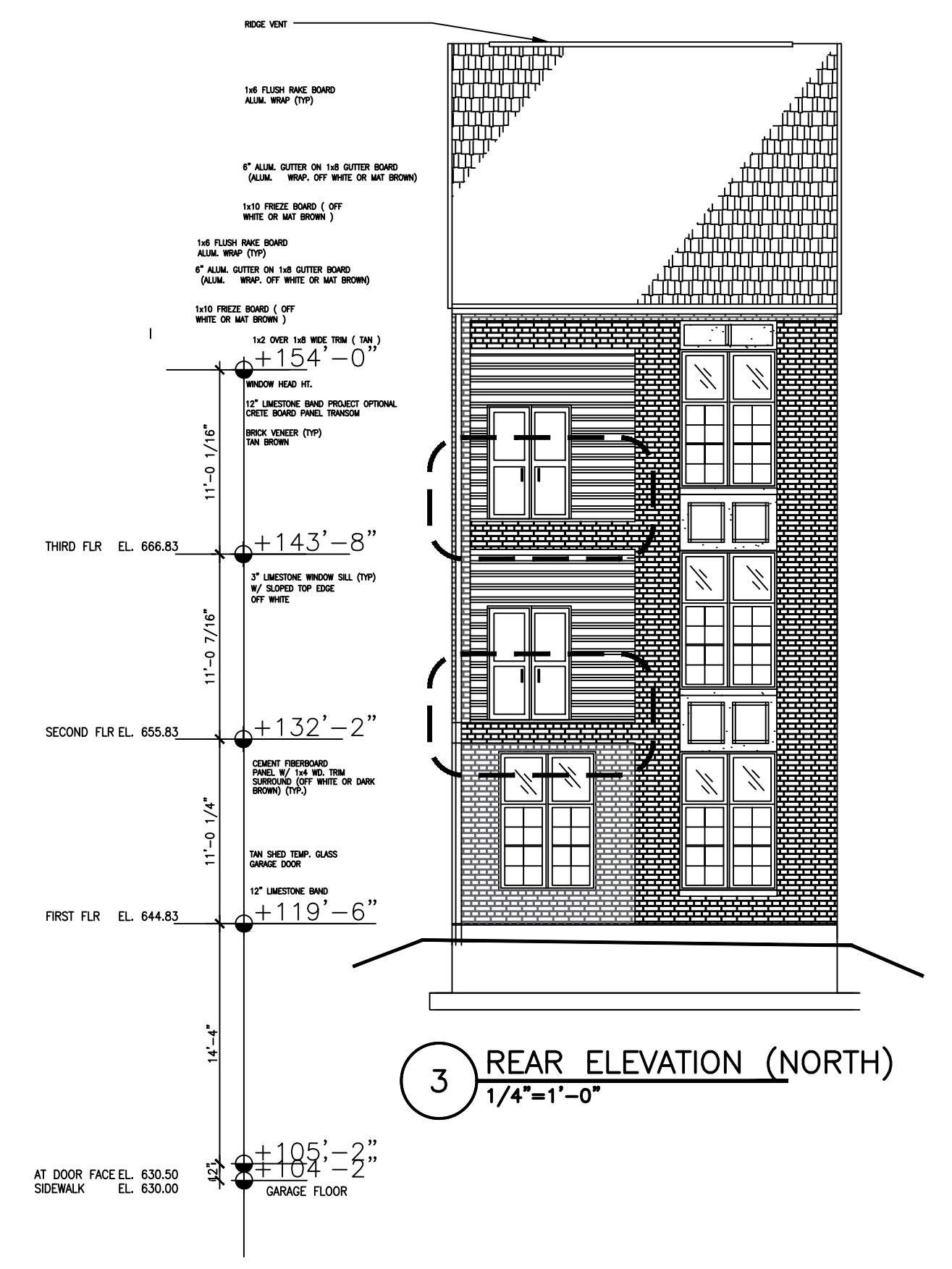
Cincinnati Ohio 45202

Proj. Manager
VOT
Drawn By
VOT
Checked By

Contract Date
7/22/2020
Proj. Number
V0202-4

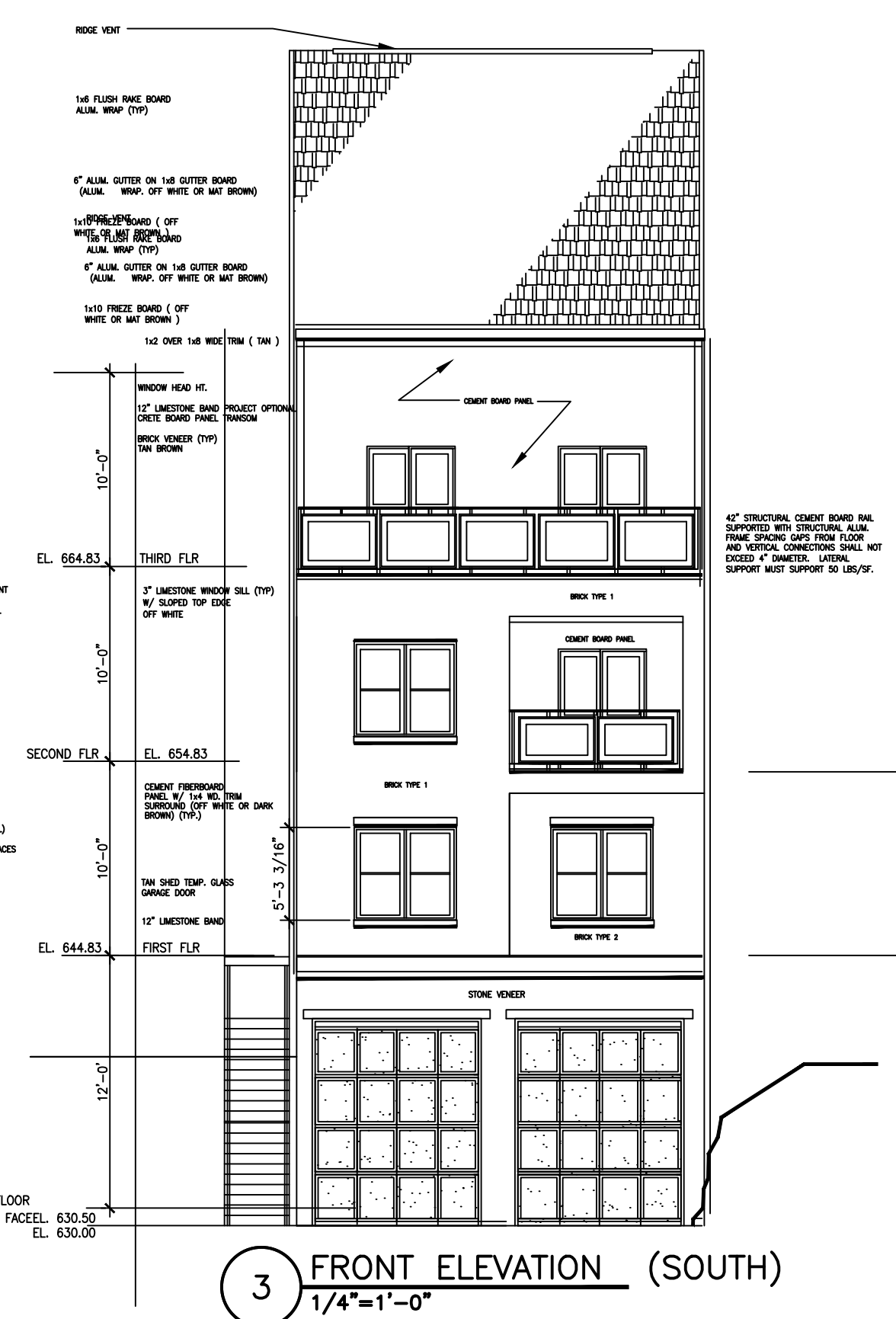
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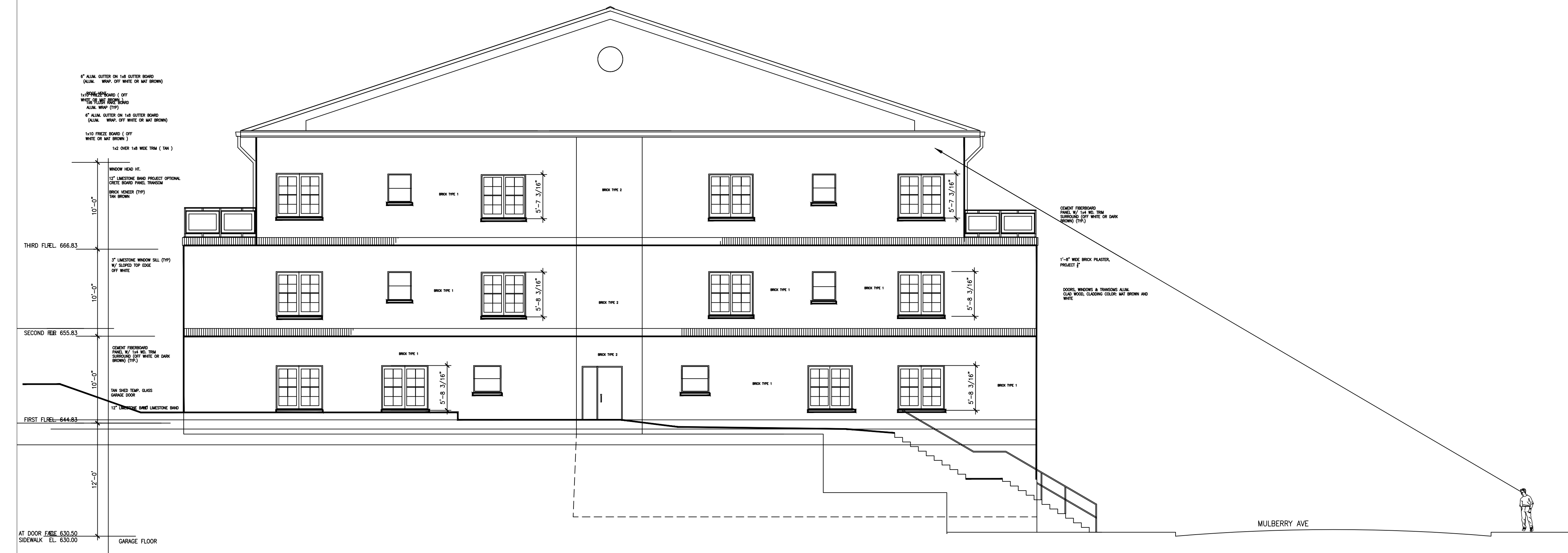


3 REAR ELEVATION (NORTH)
1/4"=1'-0"

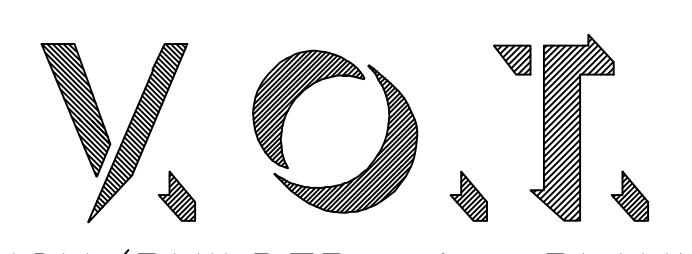
- GENERAL CONSTRUCTION NOTES
- ALL DIMENSIONS AT AND FROM TO FACE OF STUD OR CONCRETE, UNLESS NOTED OTHERWISE.
 - FOR SCALE DRAWING PURPOSES ONLY. THIS PRECEDENCE IN ALL CASES OVER THE SCALE.
 - PROVIDE SCHEDULE 40 CHANNEL IRONWORK ALONG EAVES - COMBINATION OF SECTION AND MEMBER APPLICATION FACTORS IN HOUSE AT EACH POINT OF HOUSE INCLUDING BROWLINE, THESE STRUCTURAL ALIENS SHALL VERTICAL PROTECTING AND TERMINATING AND BE SPACED AT 24" ON CENTER.
 - PROVIDE SPACING ALIENS A CORNER IRONWORK ALIENS - COMBINATION OF SECTION AND MEMBER APPLICATION FACTORS IN THE INTERIOR CORNER OF EACH SECTION AND THESE STRUCTURAL ALIENS SHALL VERTICAL PROTECTING TERMINATING.
 - PROVIDE SPACING ALIENS EACH SECTION FROM THESE SECTION/ALIENS SHALL BE DUAL-BENDING SINCE A CORNER MEMBER SHALL BE APPLICABLE TO HAVE BATTERY BACKUP AND BE INTERFERED WITH THE OTHER THE OTHERS, ALL WALLS.
 - PROVIDE A MINIMUM OF (3) 2#4 PINS UNDER ALL BEARING POINTS, UNLESS NOTED OTHERWISE.
 - ALL STRUCTURAL LUMBER TO BE SYP. F.
 - ROOFING SCHEDULE: (SHOWN OVER GARAGE)
 - OPENING SIZE: 12" DIA.
 - UP TO 2" DIA.
 - DOWN TO 1/2" DIA.
 - ALL DOORS TO HAVE 2" TYPED SPACER AND BE GLAZED AND WELDED.
 - PROVIDE TYPED SPACER IN ALL DOORS, WINDOW DOORS & ENCLOSURES, WINDOW WITH BELL BELLOW UP, SET ANY WINDOW WITHIN 2" OF A CORNER AND WINDOW WITH MORE THAN 8" OF GLASS, AND ANY WINDOW JOINTS TO A CORNER JOINT.
 - DOOR FACE OF SLAB IS INSTALLED IN HORIZONTAL POSITION SHALL BE PROVIDED WITH A MANUFACTURER'S LABEL INDICATING THE TYPED JOINT LOCATION OF THE GLASS AND GLASS CONTACT WITH BRICK & CONCRETE, WHICH IS TO BE MAINTAINED.
 - PROVIDE LATEST SIZES FOR ROOF AND FLOOR JOIST ON TRUSSES TO INSPECTOR PRIOR TO START OF FINISHING. LATEST SIZES MUST BE CHECKED BY A LICENSED PROFESSIONAL, CHECKS TO BE SPECIFIED BY THESE NOTES.
 - ALL TRUSSES SHALL BE FASTENED TO RESIST THE UPLIFT FORCES SHOWN ON THE TRUSS DRAWINGS BUT NEVER LESS THAN 7/8" DIA.
 - EACH GABLE END SECTION SHALL HAVE A WINDOW OF ONE WINDOW OR DOOR TO EXTEND WHICH WITH THE OTHER REQUIREMENTS OF OTHERS, FINISHES TO BE 2" DIA. CLEAR OPENING MINIMUM HEIGHT TO BE 2" DIA. CLEAR OPENING TO A MINIMUM OF 5.7' TYPED MINIMUM NET CLEAR HEIGHT OF 1" AND MINIMUM CLEAR WITH 1" SPACER.
 - ALL WINDOW AND DOORS TO BE PROVIDED WITH A MEANS TO ELIMINATE THE DRAINAGE OF WATER FROM THE WINDOW.
 - FOUNDATION NOT ASSIGNED FOR ALLOWED CAPACITY TO BE 1200 P.S.F.
 - CONCRETE FOUNDATION TO BE FINISHED AND FINISHED TO BE 1200 P.S.F.
 - ALL CONCRETE SHALL BE FINISHED TO BE 1200 P.S.F.
 - GLAZED TO HAVE A 1/2" DIA. SPACER.
 - PROVIDE SPACING ALIENS A CORNER IRONWORK ALIENS - COMBINATION OF SECTION AND MEMBER APPLICATION FACTORS IN THE INTERIOR CORNER OF EACH SECTION AND THESE STRUCTURAL ALIENS SHALL VERTICAL PROTECTING TERMINATING.
 - PROVIDE SPACING ALIENS EACH SECTION FROM THESE SECTION/ALIENS SHALL BE DUAL-BENDING SINCE A CORNER MEMBER SHALL BE APPLICABLE TO HAVE BATTERY BACKUP AND BE INTERFERED WITH THE OTHER THE OTHERS, ALL WALLS.
 - TOP BOARD UTILIZED AS THE BASE OR BRACKER FOR ANCHOR APPLICATION OF CONCRETE TIE OR OTHER OTHER ANCHORMENTS FROM METAL SHALL CHECKED BY 2" TYPED REINFORCING BARS.



3 FRONT ELEVATION (SOUTH)
1/4"=1'-0"



1 SIDE ELEVATION (WEST)
1/4"=1'-0"



DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

Sherman Morris
TownHome New Construction
142 Mulberry Avenue

Cincinnati Ohio 45202

Proj. Manager
VOT
Drawn By
VOT
Checked By

Contract Date
7/22/2020
Proj. Number
VOT200_1

A300

VotTerry Architects Inc.
Vincent B. Terry RA
No. 000111000

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- RIDGE VENT
- 1x6 FLUSH RAKE BOARD
ALUM. WRAP (TYP)
- 6" ALUM. GUTTER ON 1x8 GUTTER BOARD
(ALUM. WRAP, OFF WHITE OR MAT BROWN)
- 1x10 FRIEZE BOARD (OFF
WHITE OR MAT BROWN)
- 1x6 FLUSH RAKE BOARD
ALUM. WRAP (TYP)
- 6" ALUM. GUTTER ON 1x8 GUTTER BOARD
(ALUM. WRAP, OFF WHITE OR MAT BROWN)
- 1x10 FRIEZE BOARD (OFF
WHITE OR MAT BROWN)

FRONT ELEVATION (SOUTH)
1/4"=1'-0"

EXISTING HOME

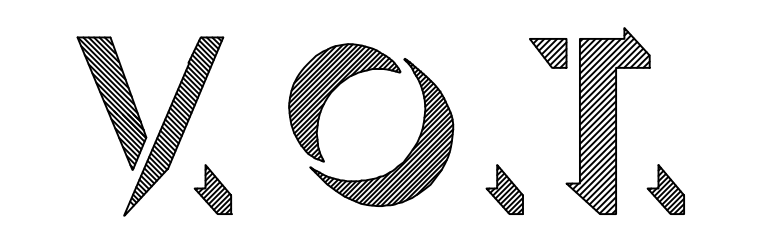
FRONT ELEVATION (SOUTH)
1/4"=1'-0"

PROPOSED HOME

FRONT ELEVATION (SOUTH)
1/4"=1'-0"

EXISTING HOME

MULBERRY STREET



DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

Sherman Morris
HOME ADDITION
140 Mulberry Avenue

Cincinnati Ohio 45202

Proj. Manager
VOT
Drawn By
VOT
Checked By

Contract Date
10/22/2020
Proj. Number
V2020-4

VotTerry Architects Inc.
Vincent D. Terry RA
OH. ARC 0614188

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V.O.T.

DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

Sherman Morris
TownHome New Construction
142 Mulberry Avenue

Cincinnati Ohio 45202

Proj. Manager
VOT
Drawn By
VOT
Checked By

Contract Date
7/22/2020

Voterry Architects Inc.
Vincent D. Terry RA
OH. ARC 0614188

Proj. Number
V2020-4

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142 Mulberry St

V.O.T.

DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

Sherman Morris
TownHome New Construction
142 Mulberry Avenue

Cincinnati Ohio 45202

Proj. Manager
VOT
Drawn By
VOT
Checked By

Contract Date
7/22/2020

Proj. Number
V2020-4

A304

LOUVER GARAGE DOORS

- faux-wood doors with Intellicons® polyurethane insulation. 18.4–20.4 R-value.
- Multiple door designs and window options. Many custom designs also available. See your Clopay Dealer for more information.
- Insulated glass options include clear, frosted, seeded, rain and obscure. See page 20 for specialty glass options.
- Attractive beveled edge, clip-in window grilles are removable for easy cleaning.
- Replaceable vinyl bottom weatherseal in a rust-resistant aluminum retainer helps seal out the elements.
- 10-ball nylon rollers for quiet operation.
- Heavy-duty 14 gauge steel hinges for long-lasting performance.
- Clopay's Safe-T-Bracket® prevents serious injury that could occur if the bottom bracket were removed with the garage door closed and under tension.
- Comes complete with spade lift handles and step plates. See page 21 for details.



Design 41



Design 46



Design 54

Clopay Ridge® Louver Design 46, shown in Black Finish with Louver Intellicons® Cladding and Intellicons® Overlay (Model CDR00046)

WINDOW/TOP SECTIONS



Window grille an Intellicons®. Windows available only on Louver Design 62. Standard window available in the following sizes only: 6" x 6", 6" x 8", 8" x 6", 10" x 6", 6" x 8", 12" x 6", 12" x 8", 12" x 12", 12" x 18", 18" x 12", 18" x 18", 18" x 24", 24" x 18", 24" x 24", 24" x 36", 36" x 24", 36" x 36", 36" x 48", 48" x 36", 48" x 48", 48" x 60", 60" x 48", 60" x 60", 60" x 72", 72" x 60", 72" x 72", 72" x 84", 84" x 72", 84" x 84", 84" x 96", 96" x 84", 96" x 96", 96" x 108, 108" x 96, 108" x 108, 108" x 120, 120" x 108, 120" x 120, 120" x 132, 132" x 120, 132" x 132, 132" x 144, 144" x 132, 144" x 144, 144" x 156, 156" x 144, 156" x 156, 156" x 168, 168" x 156, 168" x 168, 168" x 180, 180" x 168, 180" x 180, 180" x 192, 192" x 180, 192" x 192, 192" x 204, 204" x 192, 204" x 204, 204" x 216, 216" x 204, 216" x 216, 216" x 228, 228" x 216, 228" x 228, 228" x 240, 240" x 228, 240" x 240, 240" x 252, 252" x 240, 252" x 252, 252" x 264, 264" x 252, 264" x 264, 264" x 276, 276" x 264, 276" x 276, 276" x 288, 288" x 276, 288" x 288, 288" x 300, 300" x 288, 300" x 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12/2/2020 Pella Lifestyle Series Double-Hung Windows | Pella



LIFESTYLE SERIES DOUBLE-HUNG WINDOW FEATURES

Why Wood?

- Best limited lifetime warranty for wood windows⁴⁷
- Natural beauty and warmth
- Low-maintenance exterior aluminum cladding
- Exclusive wood protection

Performance Enhancements

- Exceptional energy efficiency
- Dual-pane glass
- Built-in security sensors available
- Durable interior and exterior finishes

<https://www.pella.com/ideas/windows/lifestyle-series/double-hung-windows/#prodetails>

2/17

Pella Lifestyle Series Double-Hung Windows | Pella

Lifestyle Series Wood Double-Hung

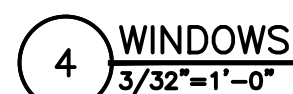


(Windows)

Windows feature two sliding sashes for more ventilation. This classic style ranges from traditional to modern. With the natural beauty of wood and the energy efficiency of dual-pane glass, Pella Lifestyle Series double-hung windows can be customized to meet your home's unique needs. They are available in a variety of energy-efficient options that will meet or exceed ENERGY STAR® guidelines.

PRO DETAILS

<https://www.pella.com/ideas/windows/lifestyle-series/double-hung-windows/#prodetails>



12/2/2020 Pella Lifestyle Series Double-Hung Windows | Pella

Your windows and patio doors arrive with Pella's low-maintenance exterior finish in the color of your choice. The finish resists fading and helps protect the exterior for years.

*Almond, Fossil and Iron Ore only available on Pella Lifestyle Series triple-pane products.

Exterior Finishes



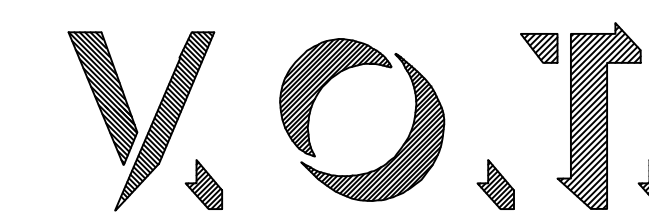
For Pros

Aluminum-Clad Exteriors

Aluminum-clad wood products are available with Pella's high performance EnduraClad® finishes to help keep your vision fresh and crisp for years.

- Durable, low-maintenance EnduraClad aluminum cladding with EnduraClad protective finish for most projects where resistance to fading, chalking, chemicals and abrasion is needed. Performance requirements of AAMA 2603.
- Seacoast EnduraClad protective finish for coastal projects with high salt exposure.

<https://www.pella.com/ideas/windows/lifestyle-series/double-hung-windows/#prodetails>



DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

Sherman Morris
TownHome New Construction
142 Mulberry Avenue

Cincinnati Ohio 45202

Proj. Manager

VOT

Drawn By

VOT

Checked By

VOT

Contract Date

7/22/2020

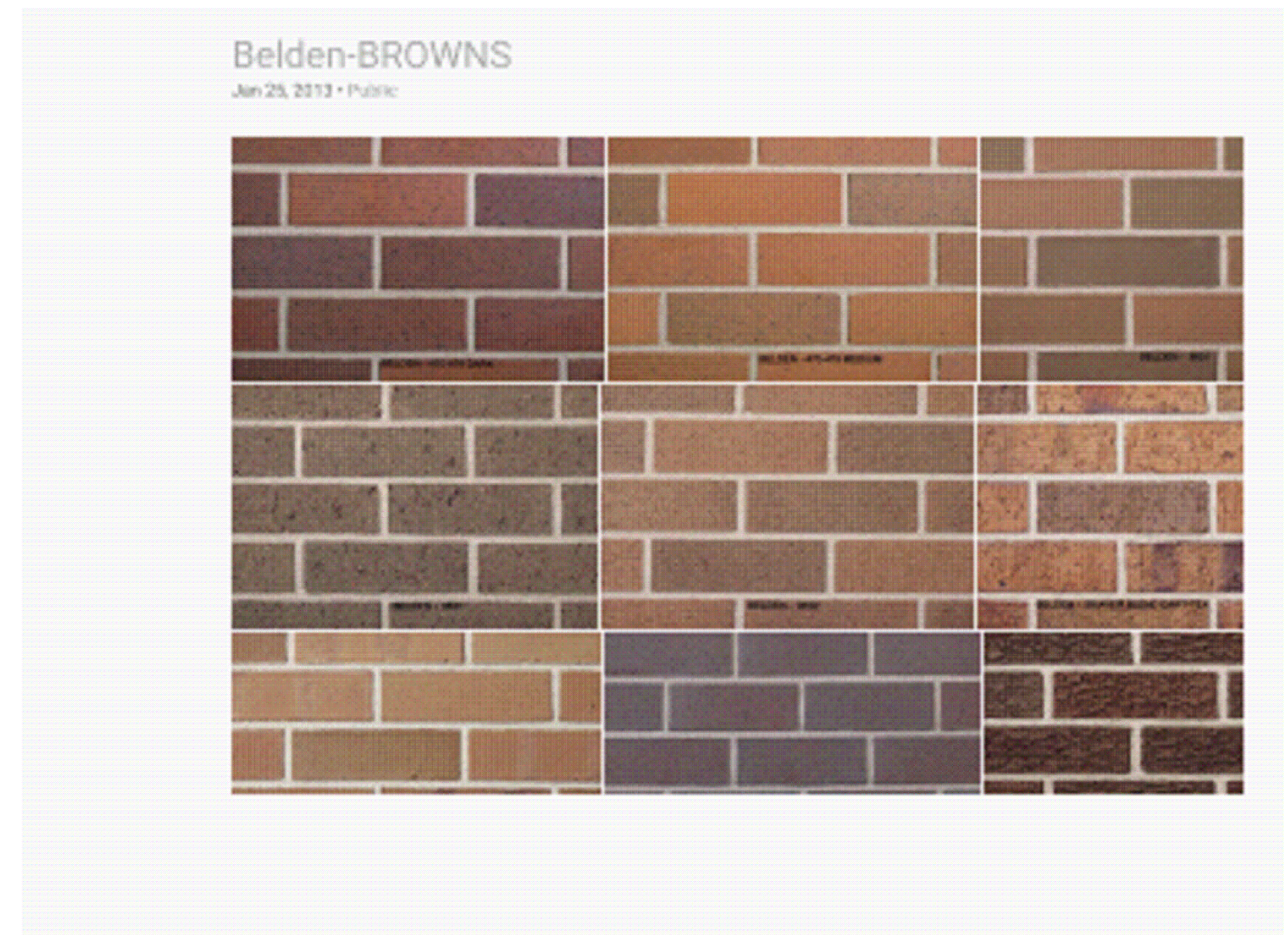
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V2020-4

Vottery Architects Inc.
Vincent D. Terry RA
OH. ARC 061408

A502

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HardiePlank®
Thickness 5/16 in
Length 12 ft planks

SELECT CEDARWELL® & 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	338	252	230	190
ColorPlus Pcs/Pallet	324	290	252	230	-
Pcs/Sq	25.0	20.0	16.7	14.3	12.5

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

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

BEADED CEDARWELL®		BEADED CEDARWELL® & BEADED SMOOTH	
Width	8.25 in	Width	8.25 in
Exposure	7 in	Exposure	7 in
Prime Pcs/Pallet	240	Prime Pcs/Pallet	210
ColorPlus Pcs/Pallet	210	ColorPlus Pcs/Pallet	14.3
Pcs/Sq	14.3	Pcs/Sq	14.3
STATEMENT COLLECTION™		STATEMENT COLLECTION™	
DREAM COLLECTION™	✓	DREAM COLLECTION™	✓
PRIME	✓	PRIME	✓

*9.25 in widths do not feature the dip-edge

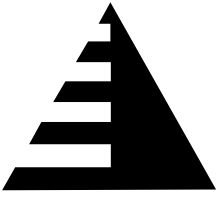
4 SIDING AND BRICK
3/32"=1'-0"

V.O.T.
DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

Sherman Morris
TownHome New Construction
142 Mulberry Avenue
Cincinnati Ohio 45202

Proj. Manager
VOT
Drawn By
VOT
Checked By
Contract Date
7/22/2020
Proj. Number
V2020-4

A503



ULTRA TECHNIC SERVICES, INC.

GEOTECHNICAL, ENVIRONMENTAL, FOUNDATION, SOILS and MATERIALS ENGINEERS

March 02, 2021

Vince Terry
4551 South Shore Drive
Mason, Ohio 45040

**RE: FOUNDATION RECOMMENDATION
PROPOSED STAIR CASE ADDITION
140-142 MULBERRY STREET
CINCINNATI, OHIO**

Dear Vince:

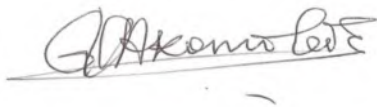
As requested, the writer performed a visual inspection of the existing stone retaining wall located in the front of the existing 3 story building at the above site and reviewed the previous geotechnical studies performed at nearby sites. We understand the this stone wall will be removed to give place for a stair case and a garage entry from Mulberry Street. The purpose of the inspection and review was to provide a general recommendation for the foundation support for the proposed stair case structure. The following paragraphs summarize the information obtained and the observations made and our recommendations:

Our previous study in the area indicated the presence of stiff clay (fill then natural) above shale and limestone bedrock. Bedrock in places was as shallow as about 5' in depth. Based on this subsoil conditions, we confirm that the proposed footing as designed should be suitable for supporting an allowable bearing pressure of 2,500 psf, which should be adequate for supporting the structure, provided it is founded on the undisturbed stiff clay. However, this information must be confirmed and the foundation installation approved by geotechnical personnel during construction.

We trust the above recommendations and comments meet your present needs and assure you of our best attention at all times. Please call the writer if you have any comments or questions.

Respectfully submitted,

ULTRA TECHNIC SERVICES, INC.



Olusegun G. Akomolede, PhD., MNSE, P.E.



President/Chief Geotechnical Engineer



Untitled Map

Write a description for your map.

Legend

-  142 Mulberry St
-  Cincinnati Baptist Church



Google Earth



© 2021 Google


6.58 ft

Untitled Map

Write a description for your map.

Legend

-  142 Mulberry St
-  Cincinnati Baptist Church

 142 Mulberry St

Mulberry St



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

APPLICATION #: COA2021012/ ZH20210035
APPLICANT: Vincent Terry
OWNER: Sherman Morris
ADDRESS: **140 Mulberry Street**
PARCELS: 094-0005-0034-00
ZONING: RM-X
OVERLAYS: Over the Rhine Historic District and Hillside District
COMMUNITY: Over the Rhine
UPDATE: April 23, 2021

Update:

After the writing and submission of Staff's report, the applicant submitted additional information including a valuation of the property after the garage door is installed and a cost estimate to fix the wall.

Staff has not had a chance to comprehensively review this or to submit the new information for evaluation of an economic hardship by the Department of Community and Economic Development.

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

APPLICATION #: COA2021012/ ZH20210035
APPLICANT: Vincent Terry
OWNER: Sherman Morris
ADDRESS: **140 Mulberry Street**
PARCELS: 094-0005-0034-00
ZONING: RM-X
OVERLAYS: Over the Rhine Historic District and Hillside District
COMMUNITY: Over the Rhine
REPORT DATE: April 13, 2021

Nature of Request:

The applicant is requesting a Certificate of Appropriateness and related zoning relief for the construction of an addition outside of the Hillside Maximum Building Envelope and a Certificate of Appropriateness for the removal of a historic stone wall and basement windows on the front façade to create a garage door opening. .

Details of Zoning Relief Required:

- Per Section 1433-19- Hillside Maximum Building Envelope (a) side yard setbacks of 3' minimum and 6' total are required based on the RMX base zoning since the adjacent properties are vacant. Dimensional Variances are required for proposed setbacks of zero (minimum) and 5.5' (maximum).

Existing Conditions:

140 Mulberry Street is a existing 2 family, 2 story brick building. The property is set back from the street with a historic retaining wall and steps at the front of the property. A basement is visible with above ground windows.

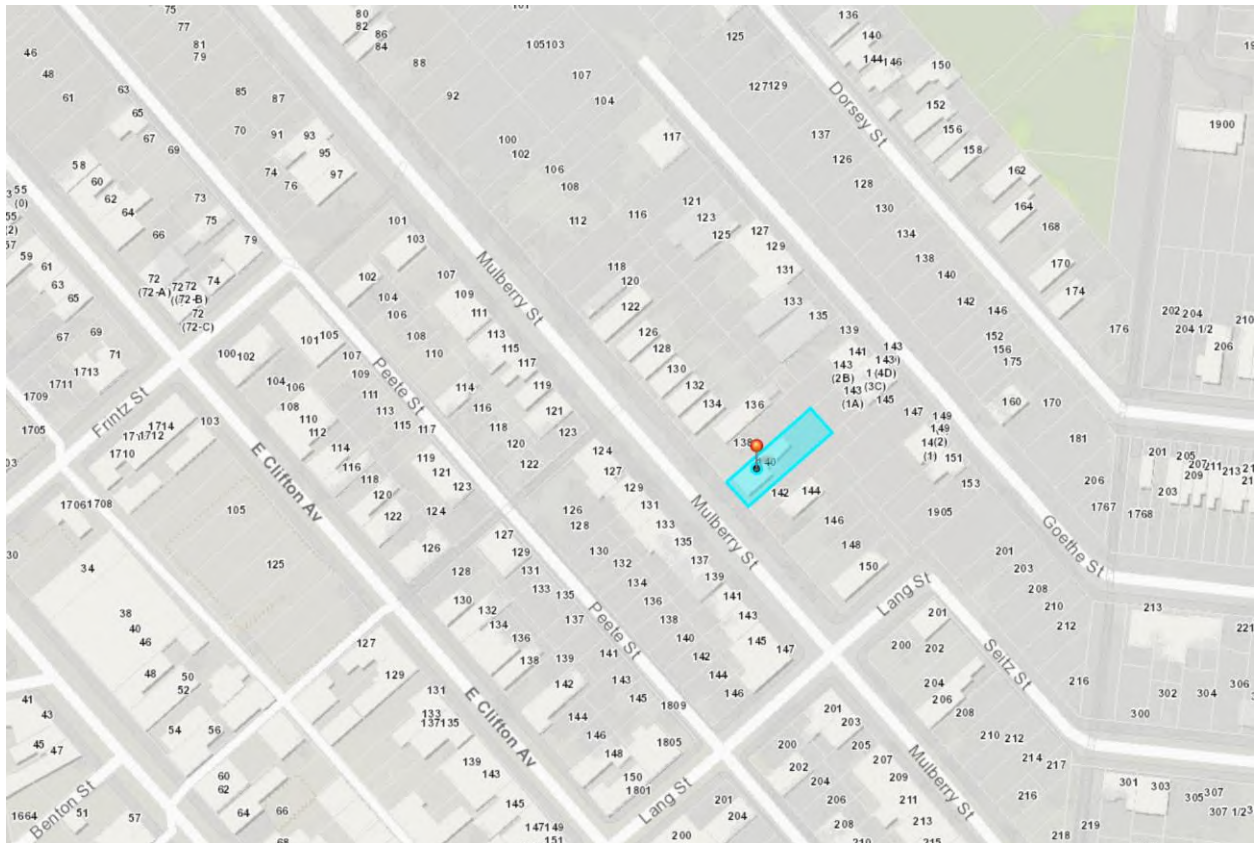


Figure 1: Map of 140 Mulberry Street. Map provided by Cagis Maps.



Figure 2: Street view of 140 Mulberry Street. Image provided by Google Street views.

Proposed Conditions:

The proposal is for a small addition at the rear in the key back portion the house and to remove the historic front retaining wall, fence, and 2 basement window openings to install a garage door opening.

Previous Review: NA

Applicable Zoning Code Sections:

Zoning District:	Section 1405	Residential
Variance Requests:	Section 1405	Development Standards
	Section 1433	Hillside District
Variance Authority:	Section 1445-07	
HCB authority:	Section 1435-05-4	
Variance Standard:	Section 1445-13	General Standards: Public Interest
	Section 1445-15	Standards for Variances

Overlays: [Section 1435](#) Historic Preservation
Historic District/Reg: Over the Rhine Historic District
COA Standard: [Section 1435-09-2](#) COA; Standard of Review

Zoning Analysis:

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

- The setback requests are for setbacks that are similar to neighboring properties and other properties in the vicinity.
- 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 RMX and it is within a Hillside overlay zone. The proposed use of the subject property does conform to the permitted uses within the zone. The side setbacks of the addition are outside of the Maximum Building Envelope which is the base zoning setbacks as both adjacent properties are currently vacant.
- 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 for the rear addition which requires zoning relief does 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 addition conforms to the Over the Rhine Comprehensive Plan through creating increased housing opportunities.
The Comprehensive Plan also calls for developments within Historic Districts to support the historic conservation efforts and in staff's review the addition is contextually sensitive and does not detract from the district.
- d. **Traffic.** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not overload the adjacent streets and the internal circulation system is properly designed.
Traffic will not be impacted as the use is not changing.
- 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 use is an existing use and is compatible with the neighborhood. The addition is compatible to the existing building and 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 are no proposed amendments under consideration that would impact this proposed project.
- j. **Adverse Effects.** Any adverse effect on the access to the property by fire, police, or other public services; access to light and air from adjoining properties; traffic conditions; or the development, usefulness or value of neighboring land and buildings.
There is no anticipated adverse effect.
- k. **Blight.** The elimination or avoidance of blight.
This property is not considered blighted.
- 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 on the property.
- o. **Private Benefits.** The economic and other private benefits to the owner or applicant.
The owner has an economic benefit to the proposed project.
- p. **Public Benefits.** The public peace, health, safety or general welfare.
There is no anticipated detriment to the public peace, health, safety or general welfare of the public or neighbors.

Standards for Variances per Section 1435-05-4

- (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the Historic District of Historic Asset; or
The proposed work for the addition is compatible with the historic district and will provide additional room for the use of the units in the house.

- (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 will not result in the deprivation of all economically viable uses as a single-family home could still be built within the Maximum Building Envelope but would be limited in size due to the size of the lot.

Standards for Variances per Section 1445-05-04

- (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 addition is in the rear of the building and the variances are due to the base zoning setbacks. The zero-lot line setback is an existing setback and the condition is not changing. The maximum proposed setback of 5.5 is not changing as well but a zoning relief is required as the addition is expanding the non-conforming setback.

- (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 side setbacks are similar to other properties within the district. Many properties have zero lot line or shallow side setbacks.

Certificate of Appropriateness Review

A Certificate of Appropriateness is required for the rear addition and for the removal of the historic front retaining wall, fence and basement windows for a garage door. The addition was evaluated under the Intent and General Guidelines for Additions and was found to substantially conform to the design guidelines. The garage door is a change to an existing building and was evaluated under the Rehabilitation section of the design guidelines. Staff is recommending that it does not substantially conform to the design 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.

- *The applicable new constructions guidelines are height, materials and windows.*
- *The height of the addition is lower the height of the existing building and is an appropriate height.*
- *The windows are a one over one format that that are positioned in columns across the face and is an appropriate placement for windows. The type of windows were not provided and staff will condition that they be historically appropriate windows to be approved by staff prior to the building permit being issued.*
- *The siding is a hardi-board siding panel and is an appropriate material for an addition that is not highly visible.*

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

The addition is within a similar scale to the building that is connected to and follows the roof angle of the building. The one over one windows are similar to the style of windows on the house.

3. Additions should not overpower the original building.

The addition is in the rear and not highly visible and does not overpower the original historic 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

A. Intent and General Guidelines These guidelines are intended to assure that rehabilitation will maintain significant features of buildings. The guidelines are not hard-and-fast rules, but are used by the Historic Conservation Board as a guide to assess the compatibility and the appropriateness of proposed changes. Reviews are limited to the exterior changes proposed for buildings; alterations made to the interior of buildings are not reviewed by the Historic Conservation Office.

2. Existing features in good condition should be conserved, and damaged features should be repaired wherever possible.

The front retaining wall is an existing historic feature and while it has signs of deterioration and rotation, the proposal is to remove the wall and not repair it. The engineering report does not come to the conclusion that the wall can not be rebuilt.

The historic fence and basement window openings are in good condition.

3. Replace badly damaged or missing features sensitively to harmonize with the character of the original feature. Replication is appropriate, but it is not essential.

The request is to remove the feature and not repair or replace is with a sensitive replacement.

4. Completely new features and materials should be compatible with the building in design, color, detailing, texture, size and shape. By their nature adaptively reused buildings may require more flexible and creative design approaches.

The request for use of the building is the existing use. The building is currently being used as a 2-family building. As parking is not required at this site, the garage is not a required feature for the use of this building.

B. Specific Guidelines

2. Door and Window Openings: Among the most important features of any building are its openings — its windows and doors. The size and location of openings are an essential part of the overall design and an important element in the building's architecture. Don't alter or fill-in original openings. Roll down shutters and metal bar systems installed on the exterior of the building that cover door and window openings are not appropriate.

The proposal is to remove existing window openings and to alter the size of the openings for a garage door. The proposal to remove the windows does not meet this guideline.

3. Door and Window Sash: Repair original doors and window sashes rather than replace whenever possible. If replacement is necessary, the new door or window sash should match the original in material, size and style as closely as possible. Synthetic replacement windows are generally discouraged. Consult with the Historic Conservation Office about acceptable replacement windows.

The proposal is to remove existing windows and to expand the openings to install a garage door. The new door does not match the window sash in size, material or style. The proposal does not meet this guideline.

As the proposal for the removal of front retaining wall, fencing, and original openings does not substantially meet the applicable guidelines for rehabilitation under 1435-09-(a), they are permitted under 1435-09(b) to establish that there is an economic hardship that would require this work to be performed.

In considering Economic Hardship claims the following test from 1435-09-02 has also been considered:

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;
No, as the applicant would still be able to continue using the building as a 2-family residential building without any required parking. The property's use as a 2-family is a legal non-conforming use.
- (ii) Will the reasonable investment-backed expectations of the property owner be maintained without approval of a Certificate of Appropriateness; and
The property was transferred to the current owner on 3/19/2021. This transfer occurred after staff had let the applicant/applicant's agent know the proposed work to remove the historic retaining wall and original window openings did not meet the design guidelines and would require an economic hardship claim to be approved. Emails from 11/24/2020 letting the applicant's agent know that the proposal did not meet the guidelines and from 12/10/2020 stating what would be required for an economic hardship claim for this work document these conversations.
- (iii) Whether the economic hardship was created or exacerbated by the property owner.
The current owner's agent had the wall inspected on 1/14/2021 and was aware that the wall was in need of repair. While the existing condition was not created by the property owner, they were aware of the need for repair.

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;
The property was recently purchased for \$225,000.

(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;
The property just transferred on 3/19/2021.

(cc) The feasibility of alternative uses for the property that could earn a reasonable economic return;
As the property was purchased for \$225,000 with the existing conditions, the repair of the wall should have been considered in the purchase price.

The applicant states in the narrative that it would take \$20,000 to demolish the wall, remove the existing windows, excavate the ground and install a garage door and it would take \$30,000 to repair the wall. Specific line item costs for the repair have not been provided. The difference between the 2 options is \$10,000.

Staff had listed an appraisal and line-item repair costs as part of requirements needed for an economic hardship evaluation on 12/10/2020 prior to the submittal. On 3/25/21, staff emailed the owner/applicant giving a list of additional information required including an appraisal and the line items cost for repair of the wall. On 3/30/2021 these were again listed as information that was needed. Staff had a phone conversation with the owner and architect and stated this was information that was needed on 3/31/2021. On 4/5/2021 an email was sent stating they would be providing the appraisal. On 4/6/2021 staff again requested a line item breakdown of costs associated with repair of the wall. As of the writing of this report appraisal have not been provided this information.

Urban Conservation Staff forwarded all information regarding the Economic Hardship received from the applicants to the Department of Community and Economic Development for review. They are in agreement with Urban Conservation Staff that the additional information requested is required to make an evaluation.

(dd) Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property;
The owner has not caused this condition to the wall, but they bought the property knowing that the proposal to remove historic material, alter original openings and add a garage door did not meet the historic design guidelines and that the wall was in need of repair.

(ee) Knowledge of landmark designation or potential designation at time of acquisition; and/or

The owner did know that this was in a local historic district.

(ff) Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

The applicant has not applied for historic tax credits. Unless the proposed work on the property is the adjusted basis, which is approximately \$132,000 per the Hamilton County auditor's website, the project would not be eligible.

Other Considerations:

Prehearing Results: A prehearing was held on 4/14/21. No one was in attendance.

Comments Provided to Staff: NA

Recommendation:

I. ZONING VARIANCES

Based on the application for Zoning Relief for an addition to a two-family home at 140 Mulberry Street per the application submitted by Vincent Terry and the plans dated 7/22/2020:

- A.** Per Section 1433-19, **Approve** setbacks outside of the Hillside Maximum Building Envelope to allow the proposed setbacks of zero (minimum) and 5.5' (maximum).
- B. FINDING:** The Board makes this determination that per Section 1435-05-4:
 - 1. Such relief from literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to the property within the district or vicinity where property is located.
 - 2. Is necessary due to lot constraint issues on a smaller than normal lot.
 - 3. Is necessary to allow a property right others in the vicinity enjoy.

II. CERTIFICATE OF APPROPRIATENESS

- A. Approve** the application for a Certificate of Appropriateness for the rear addition to an existing two-family home at 140 Mulberry Street per the application submitted by Vincent Terry and the plans dated 7/22/202 with the following conditions:
 - 1. The building permits must be issued within two years of the decision date or the Certificate of Appropriateness shall expire.
 - 2. The windows on the addition must be an approved window type. Windows are to be submitted to staff prior to the building permit being issued.

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

1. That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines.
2. The addition does not overpower the original building and differentiates itself with a change in materials.

C. Deny the application for a Certificate of Appropriateness for removal of a historic retaining wall and fence at the front of the property, removal/alteration of existing windows and the installation of a garage door on the front of a 2-family home at 140 Mulberry Street per the application submitted by Vincent Terry and the plans dated 7/22/202.

D. FINDING: The Board makes this determination 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.
2. The property owner has failed to establish that the denial of the above is an economic hardship.
3. The property owner bought the property with knowledge that the proposal did not meet the design guidelines.
4. The property owner bought the property with knowledge that the historic front wall was in need of repair.

ADJUDICATION/DENIAL LETTER

Date: February 23, 2021

Location: 140 Mulberry Street

Request: Addition and new garage door/demolition of historic wall

Zoning District: RMX/ Over the Rhine Historic District, Hillside Overlay Zone

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

There are concerns about the removal of the stone retaining wall as the guidelines state "Existing features in good condition should be conserved, and damaged features should be repaired wherever possible." The proposal removes a historic stone wall and historic iron fencing. You will need to demonstrate how this meets section 1435-09-2 (a) and (b).

All documents **that are checked** on the "Documents Required for Historic Conservation Board Review" sheet 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.** 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):

- Per Section 1405-07, side yard setbacks of 3' minimum and 6' total are required. Dimensional Variances are required for proposed setbacks of zero (minimum) and 5.5' (maximum).

The applications and documents required will be turned into the *Law Department- Office of Administrative Boards*. Their office is located on the 5th 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 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,



Douglas Owen

Zoning Plans Examiner

(p): 513-352-2441

(e): douglas.owen@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)
- Documentation of how the garage and demolition of historic wall meets 1435-09 (a) and (b)
- _____
- _____

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

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
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: 140 Mulberry Street
 Hamilton Co. Parcel ID No.: 094-0005-0054 Zoning District: RMX-Residential Mixed
 Historic District: Over The Rhine Overlay District: OTR

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

Name: Sherman Morris
 Contact Person (if legal entity): Vincent Terry
 Address: 4551 South Shore Drive
 City: Mason State: Ohio Zip Code: 45040
 Phone: 513-573-9972 E-mail: Voterry7@aol.com

PROPERTY OWNER INFO SAME AS ABOVE

Name: Sherman Morris
 Contact Person (if legal entity): _____
 Address: 140 Mulberry Street
 City: Cincinnati State: Ohio Zip Code: 45202
 Phone: 513-258-8233 E-mail: SMCustomhomes@hotmail.com

CERTIFICATE OF APPROPRIATENESS (SELECT ALL THAT APPLY)

New Construction Alteration Demolition

Provide a very brief summary of the project:
Small 2 story Addition on East Side of the existing home. Additional garage entry and new garage and driveway and street apron.

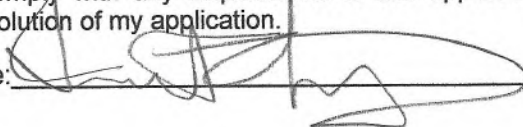
ZONING RELIEF Yes No

Provide a very brief summary of the zoning relief requested:
Zoning relief is not required.

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: 2/27/21

§ 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 (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;
- (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.

Whenever a Certificate of Appropriateness is required pursuant to the provisions of this chapter, the Director of Buildings and Inspections may not issue a building permit until a Certificate of Appropriateness has been approved or approved with conditions. In the event that the standards in this Section 1435-09-2 conflict with any standards set forth in any conservation guidelines, the standards set forth herein shall govern and control.

(Ordained by Ord. No. 217-2012, § 1, eff. July 20, 2012; Emer. Ord. No. 141-2015, § 53, eff. July 1, 2015)



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

ZONING HEARING EXAMINER

Application for Zoning Relief

Office Use Only
 Case Number: _____

Hearing Date: _____

Section 1. SUBJECT PROPERTY

ADDRESS 140 Mulberry Street COMMUNITY OTR - Mt. Auburn
 PARCEL ID(S) 094-0005-0054 HILLSIDE DISTRICT: Yes No
 BASE ZONING CLASSIFICATION _____ ZONING OVERLAY (if applicable) RMX-Residential Mixed
 HISTORIC DISTRICT: No Yes: (name) OTR - Over The Rhine District
 Non-Residential Project Residential Project (RCO) One -, Two -, and Three- Family Dwelling

Section 2. APPLICANT

NAME Vincent Terry CONTACT PERSON (if legal entity) _____
 ADDRESS 4551 South Shore Drive CITY Mason STATE Ohio ZIP 4504
 EMAIL Voterry7@aol.com RELATIONSHIP TO OWNER (if not owner) Owner's Architect
 TELEPHONE _____

Section 3. OWNER

NAME Sherman Morris CONTACT PERSON (if legal entity) _____
 ADDRESS 140 Mulberry Street CITY Cincinnati STATE Ohio ZIP 45202
 EMAIL SMCustomhomes@hotmail.com RELATIONSHIP TO OWNER (if not owner) _____
 TELEPHONE 513-258-8233

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)

The purpose of the is project is to provide 2 family unit as well as remove an unstable retaining wall that is failing as well as the entry steps to the front door that is unstable and separating form the front porch. These are the issues and purposes of the 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 Vincent Terry Signature  Date 2 / 6 / 1

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"/>	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 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 existing and proposed 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 existing and proposed project, including parking and access, exterior lighting, landscaping, and signs involved in the application.
<input 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 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">• \$900.00 for Use Variances• Variances, including <i>Special Exception, Conditional Use, Expansion or Substitution of Non-Conforming Use, Hillside & Urban Design Overlay and DD District</i> are as follows: \$300.00 for Residential Projects (RCO) One -, Two -, and Three- Family Dwelling \$500.00 for Non-residential Projects (Non-RCO)

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 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.

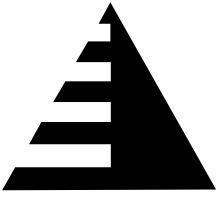
As required by Section 6 of the Zoning Hearing Examiner Application, applicants must provide a written statement explaining how their proposed project meets the following standards for development permission in a Hillside Overlay District:

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.**



ULTRA TECHNIC SERVICES, INC.

GEOTECHNICAL, ENVIRONMENTAL, FOUNDATION, SOILS and MATERIALS ENGINEERS

March 02, 2021

Vince Terry
4551 South Shore Drive
Mason, Ohio 45040

**RE: FOUNDATION RECOMMENDATION
PROPOSED STAIR CASE ADDITION
140-142 MULBERRY STREET
CINCINNATI, OHIO**

Dear Vince:

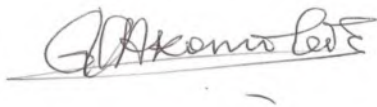
As requested, the writer performed a visual inspection of the existing stone retaining wall located in the front of the existing 3 story building at the above site and reviewed the previous geotechnical studies performed at nearby sites. We understand the this stone wall will be removed to give place for a stair case and a garage entry from Mulberry Street. The purpose of the inspection and review was to provide a general recommendation for the foundation support for the proposed stair case structure. The following paragraphs summarize the information obtained and the observations made and our recommendations:

Our previous study in the area indicated the presence of stiff clay (fill then natural) above shale and limestone bedrock. Bedrock in places was as shallow as about 5' in depth. Based on this subsoil conditions, we confirm that the proposed footing as designed should be suitable for supporting an allowable bearing pressure of 2,500 psf, which should be adequate for supporting the structure, provided it is founded on the undisturbed stiff clay. However, this information must be confirmed and the foundation installation approved by geotechnical personnel during construction.

We trust the above recommendations and comments meet your present needs and assure you of our best attention at all times. Please call the writer if you have any comments or questions.

Respectfully submitted,

ULTRA TECHNIC SERVICES, INC.



Olusegun G. Akomolede, PhD., MNSE, P.E.

President/Chief Geotechnical Engineer

March 31, 2021 Rev. Apr. 5th

Vincent O. Terry RA
4551 South Shore Dr
Mason, Ohio 45040

Beth Johnson, AICP | Urban Conservator
City of Cincinnati | Buildings & Inspections
Permit Center | 805 Central Avenue, Suite 500 | Cincinnati, OH 45202
513-352-4848 (p) | 513-352-2378 (f) | beth.johnson@cincinnati-oh.gov--

Location: 142 Mulberry Street.

For: New Residential Development
Economic hardship claiming structural instability and Financial Model

Dear Ms. Johnson,

Concerning Referenced address and submission permit no. 2020P10106 at address 140 Mulberry and next door lot, 142 Mulberry Street. It is our hope to seek your approval for alterations and demolition of existing hazards at this site. In order to conserve the integrity of the Historic asset we require your reasonable review of these conditions and credible evidence of economic hardship and existing structural instability.

Without the above information staff cannot assess the validity of an economic hardship claim and would not be able to make a finding or recommendation to the board that would support the removal of historic material.

1. Structural engineering report for the wall: The steps is 26" wide and does not confirm to existing code and the wall is leaning about 5 to 6 inches due to ongoing lack of drainage provision in the stone wall across the lots. The steps going up to the house is also pulling away from the house and is subject to failure. It is recommended that the wall and stairs be removed or replaced.
The house in study, including the retaining wall in question, was reportedly constructed in 1878, about 143 years ago. The wall was up to about 6 to 7' high and was installed with steps to allow access from the street to the house. The wall appeared aged and to show significant deterioration. Severe cracking in places and visual evidence of rotational failure was observed in the wall which had caused edges of the steps leading from the sidewalk to the front door landing to be crushed. Therefore the requiring the owner to remove the wall or increase additional hazard insurance for the home. This cost is can be avoid if a better solution was provided. We are convinced that reusing the 144 year old stone as veneer facing the new steps and the basement level garage level will significantly compliment the Mulberry street's Hillside overlay and OTR historic district.
2. Report/analysis of what it would take and cost to fix/rebuild the wall: The Owner's estimated cost for repairs are \$30,000.00 to rebuild the wall
3. Line item cost for the construction of the garage: The estimated cost for the garage is \$20,000.00.
- See attached document.
4. Documentation of what the increase to property value would be with the garage:
There will be increased in the appraisal value of the home with the add of new garage directly assessable from the lower level at street grade. Additional information from an appraiser can be obtained at a later date.



(b) Factors to also consider concerning 1435-09-2 – Certificates of Appropriateness; Standards for Review:

(i) Will all economically viable use of the property be deprived without approval of a Certificate of Appropriateness;

Answer: The economic viability of this home is uncertain. The new wall and garage will increase attractiveness and viability of the resident.

(ii) Will the reasonable investment-backed expectations of the property owner be maintained without approval of a Certificate of Appropriateness; and

Answer: Without approval of this application it is possible that the conditions will be tragically unsafe conditions and potential failure still exist. Repair will remove this possibility and minimize the investment cost.

(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:

Answer: The economic hardship was not exacerbated by the property owner.

(aa) A property's current level of economic return;

Answer: See attached for all owner's income cost analysis. Current property income is \$ 0.00 and the anticipated income is \$1,500.00 month. (Apr. 5th)

(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;

Answer: See attached for all owner's income cost analysis.



Duke Energy has also documented this wall as a hazard to their gas meter shown above and would like to move the meter and/or the wall.

(cc) The feasibility of alternative uses for the property that could earn a reasonable economic return;

Answer: Residential is the only use, there is no reasonable alternative.

(dd) Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property;

Answer: There has not been neglected due to relevantly recent purchase of the property.

(ee) Knowledge of landmark designation or potential designation at time of acquisition; and/or

Answer: N/A

(ff) Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

Answer: Great funding is not available.

DEVELOPMENT PERMISSION IN A HILLSIDE OVERLAY DISTRICT:

Cincinnati Municipal Code 1433-19

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.

Response:

(a) *Maximum Building Envelope.* A new building or a building alteration, addition or repair must be contained within the maximum building envelope.

Response: Drawings submit display compliance with building code within maximum building envelope allowances.

(b)*Height Versus Width*. Buildings proposed on top of the hillside must be taller than wider to accentuate the vertical dimension.

Response: Drawings submit display compliance with building height being must taller that the width in keeping with the community.

(c)*Stepping*. Buildings proposed below or above the brow of the hill must be staggered or stepped in depth and width to match topography and slope.

Response: Drawings submitted demonstrate that there will be no change in this stepping hillside requirement. This project is existing to remain.

(d)*Maximum Retaining Wall Height*. Retaining walls may not exceed eight feet in height.

Response: We are only provide stair supporting walls to front entry. There are know new retaining walls being proposed.

(e)*Rooftop Utilities*. Rooftop utilities and mechanical equipment should be avoided. If rooftop utilities and mechanical equipment are necessary, screening and sound control must be provided to integrate them into the rooftop.

Response: There are no rooftop units or utilities being proposed as part of this project.

(f)*Landscaping of Pervious Surfaces*. All pervious surfaces remaining after completion of construction must be landscaped in trees, shrubs, grass or other ground covers to promote hillside stability and reduce excessive water runoff.

Response: All remaining side yard, back yard will remain as is, shrubs, grass etc.

(g)Excavation and fills should not exceed eight feet in cumulative height. Excavation and/or fill of any height or cumulative amount that is not tied to a specific development is expressly prohibited. Regardless of height, documentation must be provided to show the excavation and/or fill is necessary to support a specific development and a staff review is required to determine conformance with all requirements of this chapter.

Response: The only excavation required will be in the front yard to replace stair entry and provide drive to garage.

(h)The preliminary geotechnical evaluation should address relative hillside stability.

Response: Structural Engineering reported has been completed and attached with this submittal.

Cincinnati Municipal Code 1433-23

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 the proposed project is in harmony with adjacent buildings and the hillside environment is found in Cincinnati Municipal Code 1433-23.

Response:

(a) Avoid cuts in the hillside if they would leave cliff-like vertical slopes and excessively high retaining walls.

Response: Existing resident home will remain in place as is. There will be no hillside cut.

(b)Design buildings to fit into the hillside rather than altering the hillside to fit the buildings.

Response: The hillside will remain in place. No removal of existing hillside is being proposed.

(c)Hillside development should be designed to minimize excavation required for foundations, parking and access drives.

Response: The only excavation proposed is at the base of the lot in front of the existing home for the single car driveway and garage entry into the existing basement. Proposed drawings attach demonstrate this.

(d)Cluster new development to retain surrounding tree cover and minimize alterations to the existing topography.

Response: There is no cluster development being proposal. The existing tree in Right of way can remain.

(e)Maintain a clear sense of the hillside brow by locating buildings back from the brow of the hill.

Response: Proposed addition set within the enter corner of the L-shape resident therefore not effecting the existing hillside brow in the back or side yards.

(f)Site buildings so as to respect views from public viewing places within the HS District identified in a community plan or other documentation approved by the City Planning Commission.

Response: This project consist of an existing building to remain. The addition is the rear.

(g)Where applicable, consider the guidelines contained in the "Cincinnati Hillside Development Guidelines" report to evaluate development applications.

Response: not applicable, this is an existing building to remain.

Sincerely Submitted,

Vincent Terry

Thank you for your business[SM Custom Homes] [140 Mulberry St., Cincinnati, OH 45202 [513-258-8233]
[smcustomhomes@hotmailcom]



Christine A. Sandusky
Certified Residential Appraiser
Phone: 513-505-6633
Email: casandusky.aag@gmail.com

April 21, 2021

Sherman Morris
SM Custom Homes
833 W Galbraith Rd
Cincinnati, OH 45231

Dear Mr. Morris,

At your request for a current market value appraisal for a front entry built-in garage addition to the property at 140 Mulberry Street, Cincinnati, OH 45202, the following value opinion has been developed in accordance with the Uniform Standards of Appraisal Practice. An exterior inspection was completed on April 21, 2021, and a complete work file is on file at the office of Action Appraisal Group, LLC.

Garages are considered to be a premium amenity in this urban neighborhood. Recent sales of nearby homes with a one car garage, as compared to similar homes with no garage, clearly demonstrates that a one car garage contributes approximately \$33,380 in value.

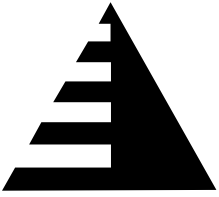
In addition, you have requested the contributory value of repairing the front retaining wall, which is currently sloping away from the home and towards the street. It is difficult to extract an accurate value for this item alone due to the lack of market data. However, it should be noted that replacing the front retaining wall is not likely to have any significant effect on market value, as this type of issue is generally considered a maintenance issue, rather than a feature or amenity. Thus, the typical buyer will just expect that it be in good functioning order. It is the opinion of the appraiser that the removal of the retaining wall and the addition of a garage will have a significantly greater impact on both marketability and market value than repairing or replacing the retaining wall.

If you have any questions or need further information, please contact me at the number above.

Thank you,

A handwritten signature in blue ink that reads "Christine A. Sandusky". The signature is written in a cursive style.

Christine A. Sandusky
ACR 2007002627



ULTRA TECHNIC SERVICES, INC.

GEOTECHNICAL, ENVIRONMENTAL, FOUNDATION, SOILS and MATERIALS ENGINEERS

January 14, 2021

Vince Terry

**RE: RETAINING WALL INSPECTION
140-142 MULBERRY STREET
CINCINNATI, OHIO**

Dear Vince:

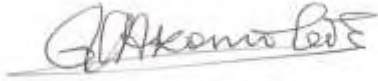
As requested, the writer performed a visual inspection of the existing stone retaining wall located in the front of the existing 3 story building at the above site and reviewed the Hamilton County Auditor's record for the history of the house and the retaining wall. The purpose of the inspection and review was to assess the structural integrity of the wall. The following paragraphs summarize the information obtained and the observations made:

The house in study, including the retaining wall in question, was reportedly constructed in 1878, about 143 years ago. The wall was up to about 6 to 7' high and was installed with steps to allow access from the street to the house. The wall was constructed to retain the ground between the basement wall of the house and the street. It is understood that the existing basement level is about 2' below the street/the base of the wall. Thus, the wall appeared aged and to show significant deterioration. Severe cracking in places and visual evidence of rotational failure was observed in the wall which had caused edges of the steps leading from the sidewalk to the front door landing to be crushed. Patching of the crushed steps and other cracks can easily be observed. Although, the wall appeared to have performed significantly well for its age, being a stone wall and with the level of cracking and other structural distress observed, it is difficult to guarantee any long-term safety of the wall. Since the goal is to replace this wall with a new structurally sound wall, we are strongly in agreement with this goal. We therefore specifically recommend that the wall be removed and be replaced with a suitably designed reinforced concrete wall. Some stone facing may be considered for the concrete wall to maintain the existing stone look.

We trust the above recommendations and comments meet your present needs and assure you of our best attention at all times. Please call the writer if you have any comments or questions.

Respectfully submitted,

ULTRA TECHNIC SERVICES, INC.



Olusegun G. Akomolede, PhD., MNSE, P.E.

President/Chief Geotechnical Engineer


Dusty Rhodes, Hamilton County Auditor

generated on 8/23/2020 9:03:09 PM EDT

Property Report

Parcel ID 094-0005-0053-00
 Address 140 MULBERRY ST
 Index Order Parcel Number
 Tax Year 2019 Payable 2020

Property Information

Tax District 001 - CINTI CORP-CINTI CSD	School District CINCINNATI CSD	
Appraisal Area 01801 - OVER THE RHINE 01	Land Use 520 - TWO FAMILY DWLG	
Owner Name and Address HAILSTOCK FRANK 140 MULBERRY ST CINCINNATI OH 45202 (call 946-4015 if incorrect)	Mailing Name and Address HAILSTOCK FRANK 140 MULBERRY ST CINCINNATI OH 45202 (call 946-4800 if incorrect)	
Assessed Value 51,440	Effective Tax Rate 83.385380	
Property Description 140 MULBERRY ST 32.60 X 114 IRR PT LOT 66 REEDERS SUB		

Appraisal/Sales Summary

Year Built	1878
Total Rooms	9
# Bedrooms	4
# Full Bathrooms	3
# Half Bathrooms	1
Last Sale Date	6/29/2018
Last Sale Amount	\$0
Conveyance Number	175775
Deed Type	QE - Quit Claim Deed (EX)
Deed Number	
# of Parcels Sold	1
Acreage	0.085

Tax/Credit/Value Summary

Board of Revision	YES(12)
Rental Registration	Yes
Homestead	No
Owner Occupancy Credit	No
Foreclosure	No
Special Assessments	Yes
Market Land Value	36,760
CAUV Value	0
Market Improvement Value	110,200
Market Total Value	146,960
TIF Value	0
Abated Value	0
Exempt Value	0
Taxes Paid	\$1,967.65
Tax as % of Total Value	2.576%

Notes

1) 9/13/07 bor #06-91583 decrease to 56,100 2) 8/28/12 bor 11-506814 no change

Structure List

Structure Name	Finished Sq. Ft.	Year Built
140 MULBERRY	2,748	1878

Residential Appraisal Data

Attribute	Value	Attribute	Value
Style	Conventional	Stories	2.5
Grade	Average	Year Built	1878
Exterior Wall Type	Brick	Finished Square Footage	2,748
Basement Type	Part Basement	First Floor Area (sq. ft.)	1,145
Heating	Base	Upper Floor Area (sq. ft.)	1,603
Air Conditioning	Central	Half Floor Area (sq. ft.)	0
Total Rooms	9	Finished Basement (sq. ft.)	0
# of Bedrooms	4		
# of Full Bathrooms	3		
# of Half Bathrooms	1		
# of Fireplaces	0		
Basement Garage - Car Capacity	0.0		

No Proposed Levies Found

No Passed Levies Found

This is an estimated levy payment based on the current value of your property. Actual tax amounts per tax year may vary based on changes in property valuation and based on whether a parcel receives any abatement, credit, or reduction during the levy period.

Effective for the tax year 2005, Ohio's biennial budget bill, Amended Substitute House Bill 66, signed by the Governor on June 30, 2005, terminates the 10 percent real property tax rollback for the commercial and industrial classes of property, and agricultural property used for the commercial production of timber.

Effective for the tax year 2013, Ohio's biennial budget bill, House Bill 59, signed by the Governor on June 30, 2013, terminates the 10 percent real property tax rollback and the 2.5 percent homestead credit on all additional or replacement levies passed at the November 5, 2013 election or after. As a result of this legislation, those same levies will not qualify for the stadium tax credit.

Existing and renewal levies, as well as levies passed at the May 7, 2013 and August 6, 2013 elections will qualify for the credits. Residential and most agricultural properties with qualifying levies will receive what is now the Non-Business Credit Rollback Factor. Owner occupied residential dwellings with qualifying levies will receive what is now the Owner Occupancy Credit Rollback Factor, as well as the stadium tax credit.

Transfer History

Year	Conveyance #	Selling Price	Sale Date	Previous Owner	Current Owner
2018	175775	0	6/29/2018	ED HOMES LLC	HAILSTOCK FRANK
2011	26901	69,000	10/11/2011		ED HOMES LLC

Transfer History					
				HAILSTOCK BETH M	
2006		0	4/24/2006	SECRETARY OF HOUSING AND URBAN DEVELOPMENT THE	HAILSTOCK BETH M HAILSTOCK BETH M
2005		0	11/8/2005	KASHERSKY WILLIAM D & REBECCA L	SECRETARY OF HOUSING AND URBAN DEVELOPMENT THE
1994	8507	62,000	6/23/1994	FULMER JAMES W	KASHERSKY WILLIAM D & REBECCA L
1993	879	25,000	1/22/1993	POOL FRANK S FINNELL WILLIAM	FULMER JAMES W
1976	0	0	2/26/1976	COX ALLEN	FINNELL WILLIAM
1976	0	0	2/17/1976	SEE OWNERSHIP CARD	COX ALLEN

Value History						
Tax Year	Assessed Date	Land	Improvements	Total	CAUV	Reason for Change
2017	11/15/2017	36,760	110,200	146,960	0	120 Reappraisal, Update or Annual Equalization
2011	8/28/2012	12,030	88,280	100,310	0	40 Changes by Board of Revision, Tax Appeals, Courts
2011	9/5/2011	12,030	88,280	100,310	0	120 Reappraisal, Update or Annual Equalization
2010	2/9/2011	13,060	44,170	57,230	0	70 All ReClassified Real Property
2008	9/27/2008	13,060	44,170	57,230	0	120 Reappraisal, Update or Annual Equalization
2006	9/13/2007	12,800	43,300	56,100	0	40 Changes by Board of Revision, Tax Appeals, Courts
2005	9/19/2005	12,800	59,700	72,500	0	120 Reappraisal, Update or Annual Equalization
2002	10/8/2002	12,900	42,100	55,000	0	120 Reappraisal, Update or Annual Equalization
1999	11/6/1999	11,600	37,700	49,300	0	120 Reappraisal, Update or Annual Equalization
1996	1/1/1996	4,000	26,000	30,000	0	110 Miscellaneous

Board of Revision Case History								
Case Number	Date Filed	Withdrawn	**Counter Complaint Filed	*Hearing Date/Time	Value Challenged	Value Requested	Value Decided by BOR	***Date Resolved
2011506814	4/6/2012	No		8/13/2012 9:20 AM	100,310	69,000	100,310	8/28/2012
2006091583	4/4/2007	No		7/31/2007 9:10 AM	72,500	68,000	56,100	9/13/2007

*Once your hearing has been scheduled, you will receive a **Notice of Hearing** by certified mail, and the Scheduled Hearing Date and Time will be populated on this page.

**A counter-complaint may be filed by a party with interest in the value of your property, such as the Board of Education, if you request a decrease of \$50,000 or more in market value.

***Please allow four to six weeks to receive your **Notice of Result** by certified mail and to see your result on this page. Your Notice will contain basic facts about appealing your Board of Revision decision, should you wish to do so.

Payment Information

ROBERT A. GOERING, TREASURER		Tax Overview	
Mail Payments to:	Hamilton County Treasurer 138 E. Court Street, Room 402 Cincinnati, Ohio 45202	Tax Lien Pending	No
Tax District:	001 - CINTI CORP-CINTI CSD	Tax Lien Sold	No
Current Owner(s)	HAILSTOCK FRANK	Full Rate	113.120000
Tax Bill Mail Address	HAILSTOCK FRANK 140 MULBERRY ST CINCINNATI OH 45202	Effective Rate	83.385380
		Non Business Credit	0.085868
		Owner Occupancy Credit	0.021467
		Certified Delinquent Year	
		Delinquent Payment Plan	No
		TOP (Treasurer Optional Payment)	\$0.00
		Note: May represent multiple parcels	
Taxable Value			
Land	12,870		
Improvements	38,570		
Total	51,440		

Current Year Tax Detail						
	Prior Delinquent	Adj. Delinquent	1st Half	Adj. 1st Half	2nd Half	Adj. 2nd Half
Real Estate			\$2,909.45		\$2,909.45	
Credit			\$764.78		\$764.78	
Subtotal			\$2,144.67		\$2,144.67	
Non Business Credit			\$184.16		\$184.16	
Owner Occupancy Credit			\$0.00		\$0.00	
Homestead			\$0.00		\$0.00	
Sales CR			\$0.00		\$0.00	
Subtotal	\$0.00	\$0.00	\$1,960.51	\$0.00	\$1,960.51	\$0.00
Interest/Penalty	\$0.00	\$0.00	\$0.00	\$0.00	\$196.05	\$0.00
Real Estate Paid	\$0.00		\$1,960.51		\$0.00	
Real Estate Owed	\$0.00		\$0.00		\$2,156.56	
Special Assess Paid	\$0.00		\$7.14		\$0.00	
Special Assess Owed	\$0.00		\$0.00		\$0.00	
Total Due	\$0.00		\$1,967.65		\$2,156.56	
Total Paid	\$0.00		\$1,967.65		\$0.00	
Unpaid Delq Contract	\$0.00		\$0.00		\$0.00	
Total Owed	\$0.00		\$0.00		\$2,156.56	

Special Assessment Detail for 55-060 CINCINNATI - Urban Forestry						
	Prior Delinquent	Adj. Delinquent	1st Half	Adj. 1st Half	2nd Half	Adj. 2nd Half
Charge	\$0.00	\$0.00	\$7.14	\$0.00	\$0.00	\$0.00

Special Assessment Detail for 55-060 CINCINNATI - Urban Forestry

Interest/Penalty	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Paid	\$0.00		\$7.14		\$0.00	
Owed	\$0.00		\$0.00		\$0.00	

Payment Information for Current And Prior Year

Date	Half	Prior	1st Half	2nd Half	Surplus
1/31/2020	1 - 2019	\$0.00	\$1,967.65	\$0.00	\$0.00
6/20/2019	2 - 2018	\$0.00	\$0.00	\$1,962.07	\$0.00
1/30/2019	1 - 2018	\$0.00	\$1,969.11	\$0.00	\$0.00
6/20/2018	2 - 2017	\$0.00	\$0.00	\$1,890.01	\$0.00
1/31/2018	1 - 2017	\$0.00	\$1,896.39	\$0.00	\$0.00
8/8/2017	1 - 2017	\$0.00	\$1,461.84	\$1,601.00	\$0.00
6/24/2016	2 - 2015	\$0.00	\$0.00	\$1,181.79	\$0.00
2/1/2016	1 - 2015	\$1,323.25	\$1,188.17	\$0.00	\$0.00

Information believed accurate but not guaranteed. Treasurer disclaims liability for any errors or omissions

Tax Distribution Information

Market Value		Assessed Value (35%)		Tax Rate Information	
Land	36,760	Land	12,870	Full Tax Rate (mills)	113.120000
Building	110,200	Building	38,570	Reduction Factor	0.262860
Total	146,960	Total	51,440	Effective Tax Rate (mills)	83.385380
				Non Business Credit	0.085868
				Owner Occupancy Credit	0.021467

Tax Calculations

Half Year Tax Distributions

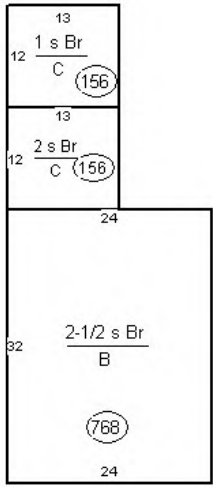
Gross Real Estate Tax	\$5,818.90	School District	\$0.00
- Reduction Amount	\$1,529.56	Township	\$0.00
- Non Business Credit	\$368.32	City/Village	\$0.00
- Owner Occupancy Credit	\$0.00	Joint Vocational School	\$0.00
- Homestead	\$0.00	County General Fund	\$0.00
Half Year Real Taxes	\$1,960.51	Public Library	\$0.00
- Sales Tax Credit	\$0.00	Family Service/Treatment	\$0.00
+ Current Assessment	\$0.00	HLTH/Hospital Care-Indigent	\$0.00
+ Delinquent Assessment	\$0.00	Mental Health Levy	\$0.00
+ Delinquent Real Estate	\$0.00	Developmental Disabilities	\$0.00
Semi Annual Net	\$1,960.51	Park District	\$0.00
		Crime Information Center	\$0.00
		Children Services	\$0.00
		Senior Services	\$0.00
		Zoological Park	\$0.00

This shows the most recent tax bill calculation which normally occurs in early December and May. However, adjustments or corrections may have been applied to the tax bill after the initial tax calculation. Go to the Payment Detail tab to view any corrections or adjustments occurring after the initial tax calculation.

Parcel Photo



Parcel Sketch

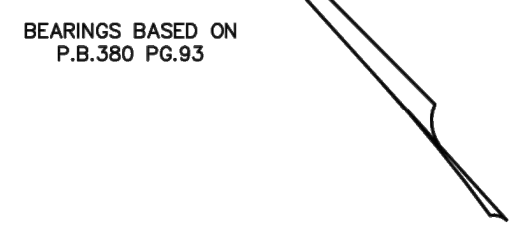
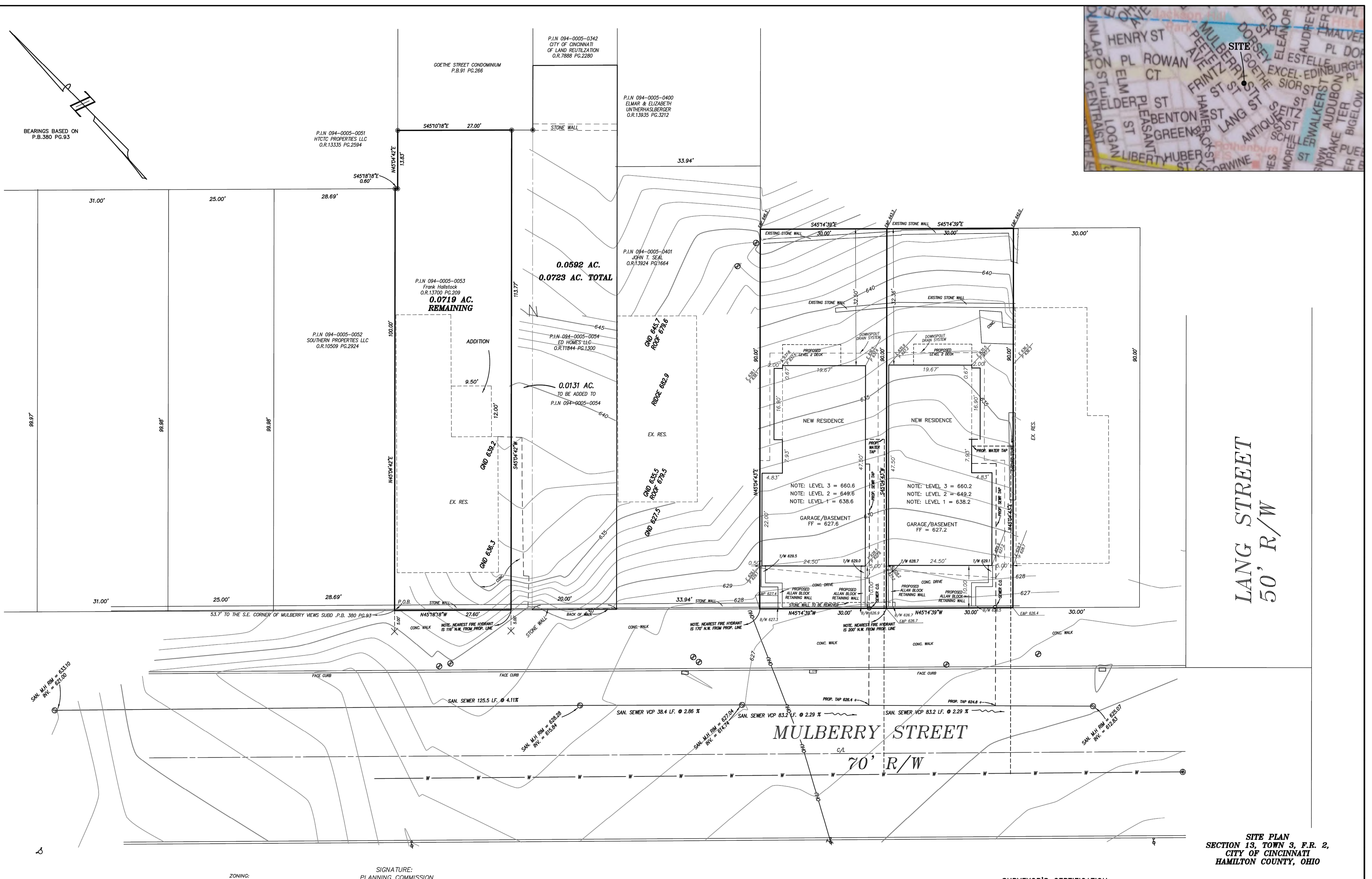


Special Assessments

Project	Ord/Res	Description	Certified	End Year	Payoff Amount
55-060		CINCINNATI - Urban Forestry	8/20/2019	2099	\$0.00

Related Names

Name	Relationship	Status
HAILSTOCK FRANK	Parcel Owner	Current



LANG STREET
50' R/W

MULBERRY STREET
70' R/W

ZONING:
ZONED RMX
HILLSIDE OVERLAY DISTRICT

SIGNATURE:
PLANNING COMMISSION _____



SURVEYOR'S CERTIFICATION
I hereby certify that this plat represents a true and complete survey made under my supervision and all monuments have been set as shown.
John C. Hewett
JOHN C. HEWETT
Registration Number 7550

SITE PLAN
SECTION 13, TOWN 3, F.R. 2,
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

PLAT OF SURVEY				
H & M SURVEYING SERVICES INCORPORATED 119 WEST MAIN STREET AMELIA, OHIO 45102 (513) 753-7959				
SCALE	DATE	JOB NO.	DRWN.	1
1"=10'	9/25/20	11559	J.S.J.	1

V.O.T.

DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

Sherman Morris
TownHome New Construction
142 Mulberry Avenue

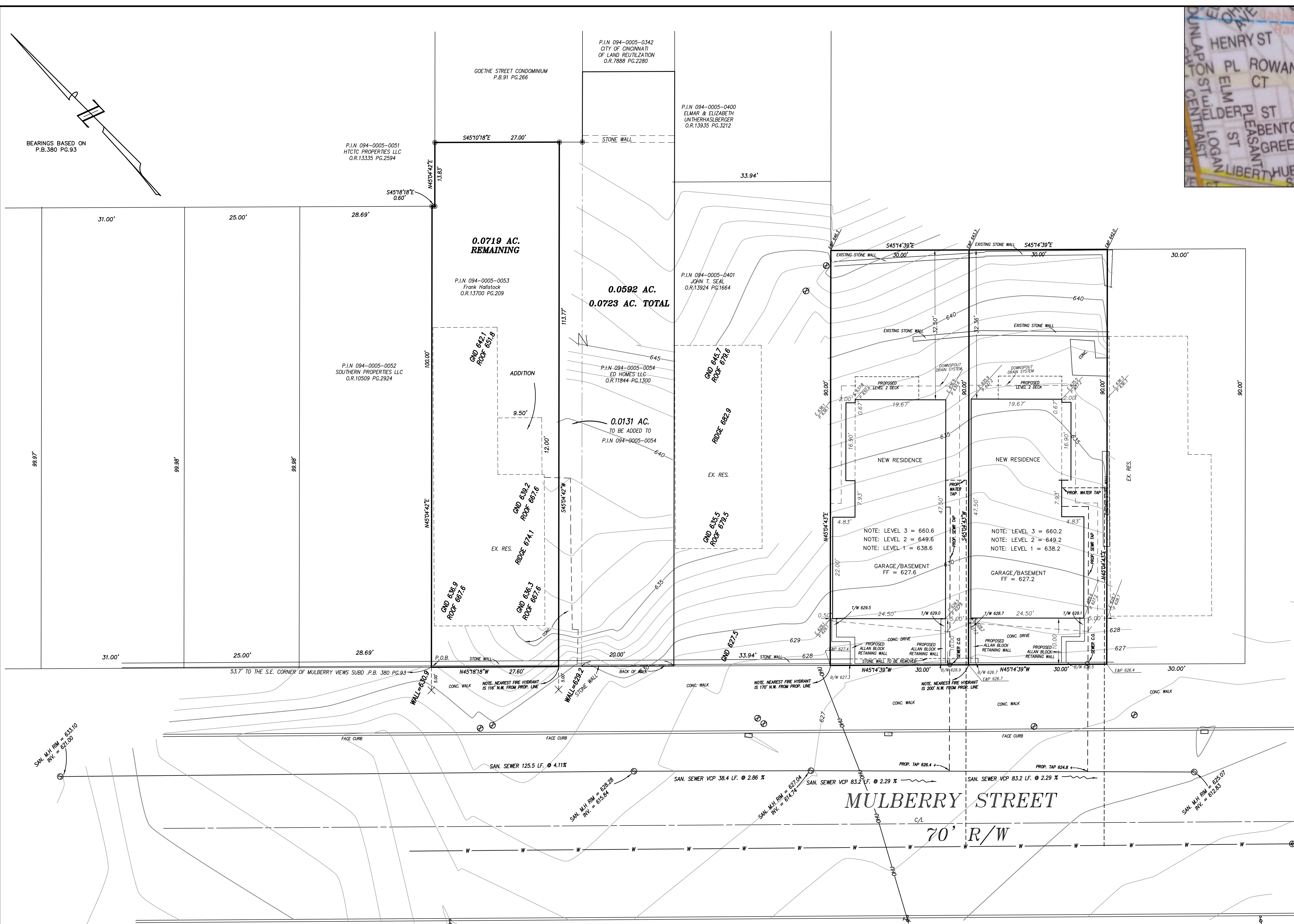
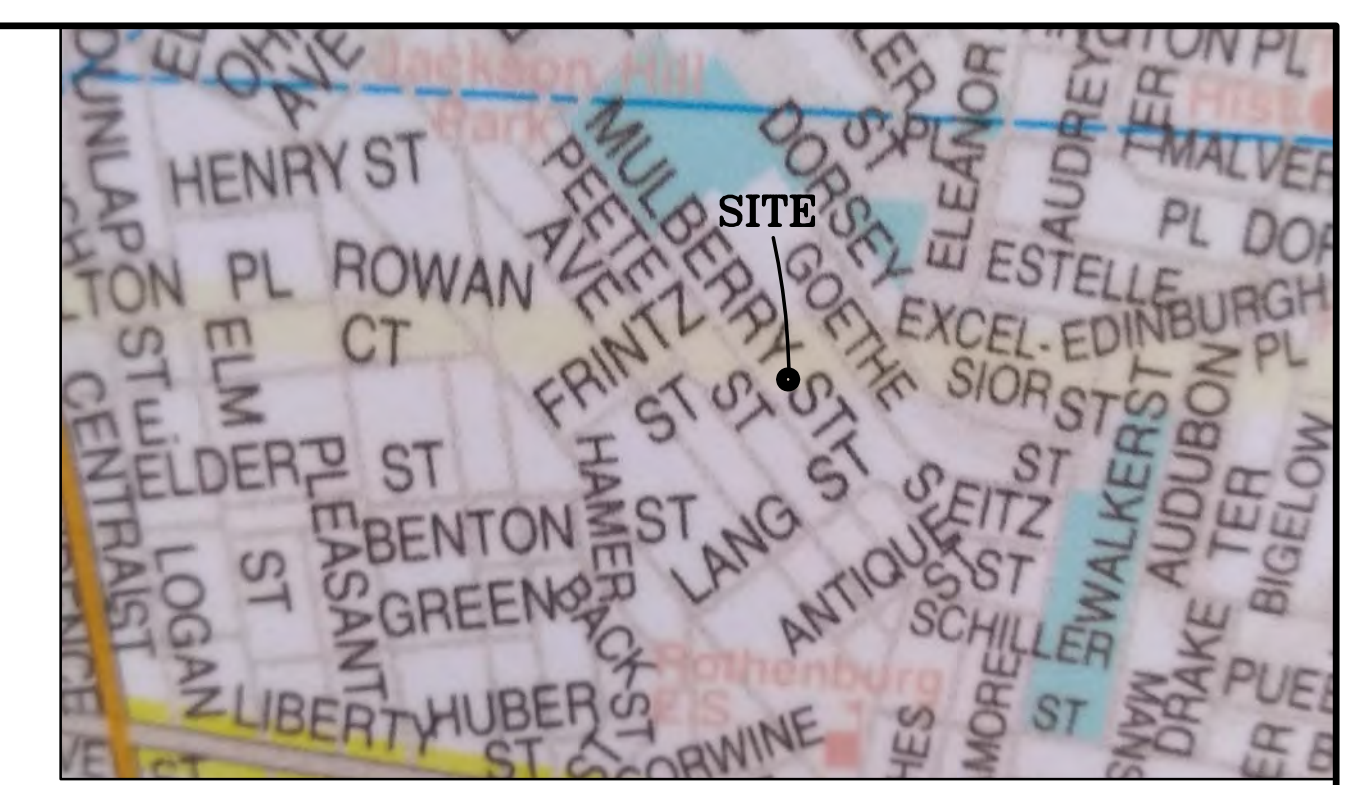
Cincinnati Ohio 45202

Proj. Manager
VOT
Drawn By
VOT
Checked By

Contract Date
7/22/2020
Proj. Number
V2020-4

VoTerry Architects inc.
Vincent D. Terry RA
DH ARC 061418B
Expiration: 12/31/2021

A001



SITE PLAN
SECTION 13, TOWN 3, F.R. 2,
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

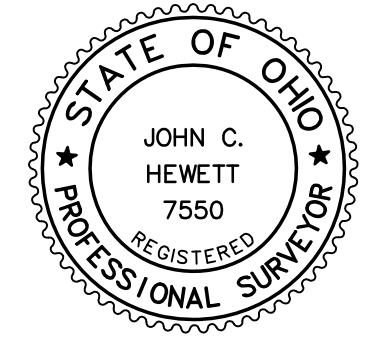
ZONING:
ZONED RMX
HILLSIDE OVERLAY DISTRICT

SIGNATURE:
PLANNING COMMISSION _____

SURVEYOR'S CERTIFICATION

I hereby certify that this plat represents a true and complete survey made under my supervision and all monuments have been set as shown.

John C. Hewett
JOHN C. HEWETT
Registration Number 7550



PLAT OF SURVEY

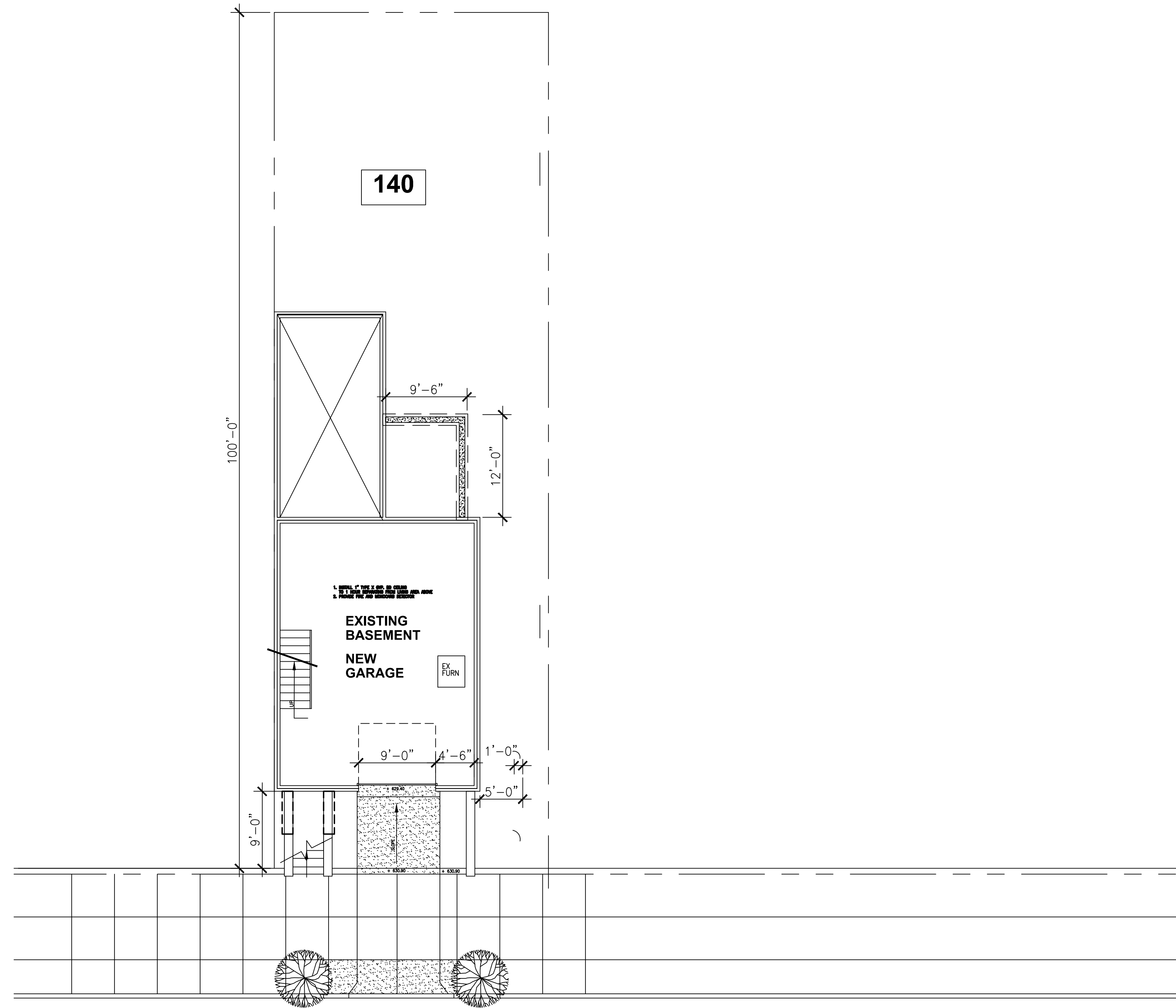
H & M SURVEYING
SERVICES INCORPORATED
119 WEST MAIN STREET AMELIA, OHIO 45102
(513) 753-7959

SCALE 1"=10'	DATE 9/25/20	JOB NO. 11559	DRWN. D.E.J.	1
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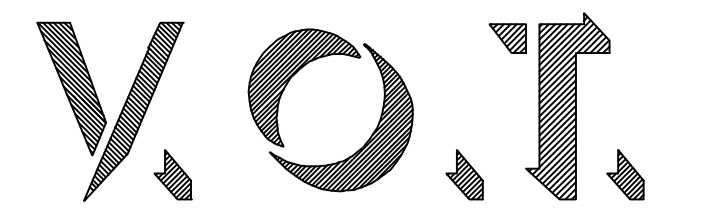
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2 SITE PLAN (2)
A102



DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

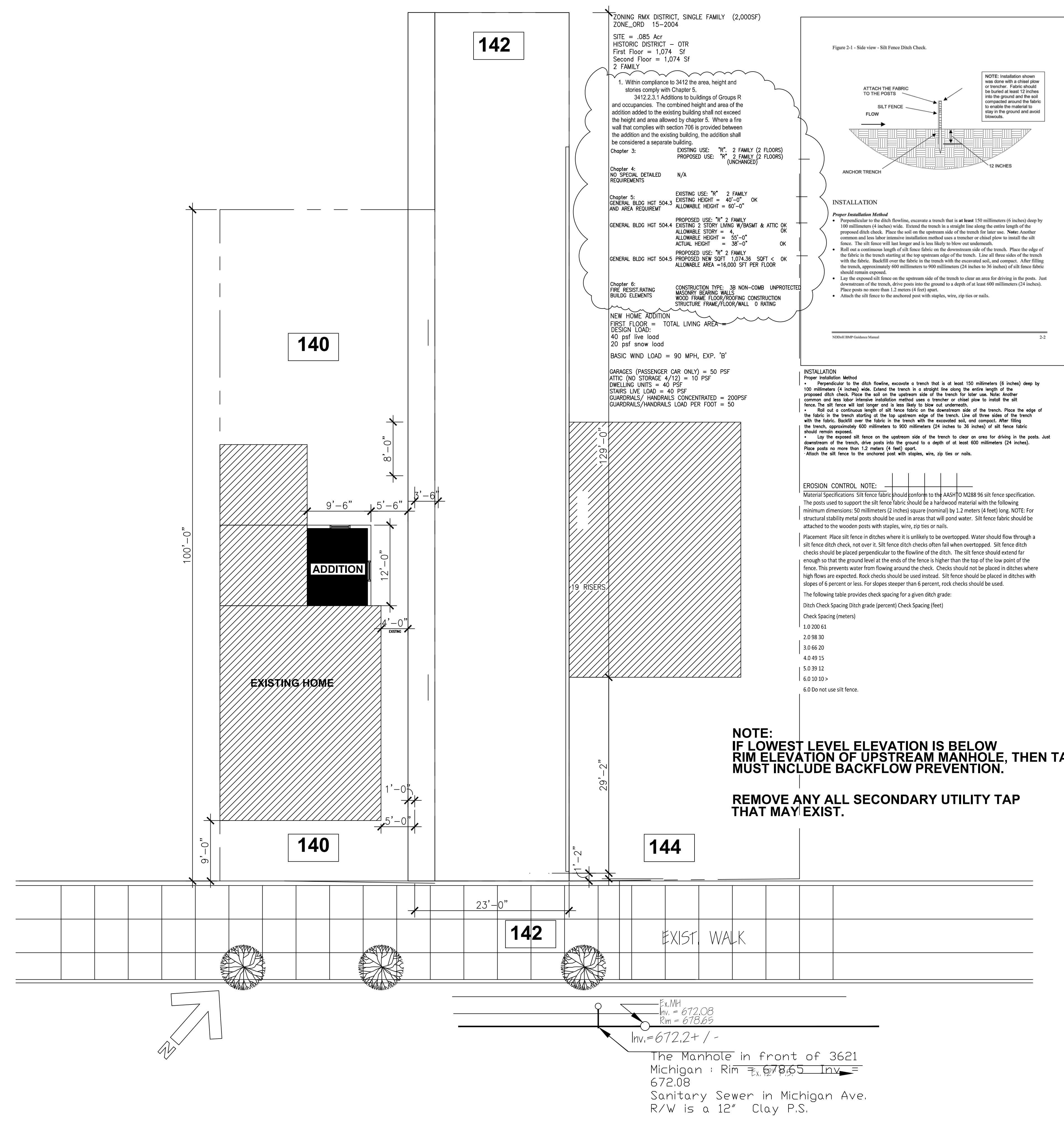
Sherman Morris
HOME ADDITION
140 Mulberry Avenue

Cincinnati Ohio 45202

Proj. Manager
VOT
Drawn By
VOT
Checked By
Contract Date
10/22/2020
Proj. Number
V2020-1

A102

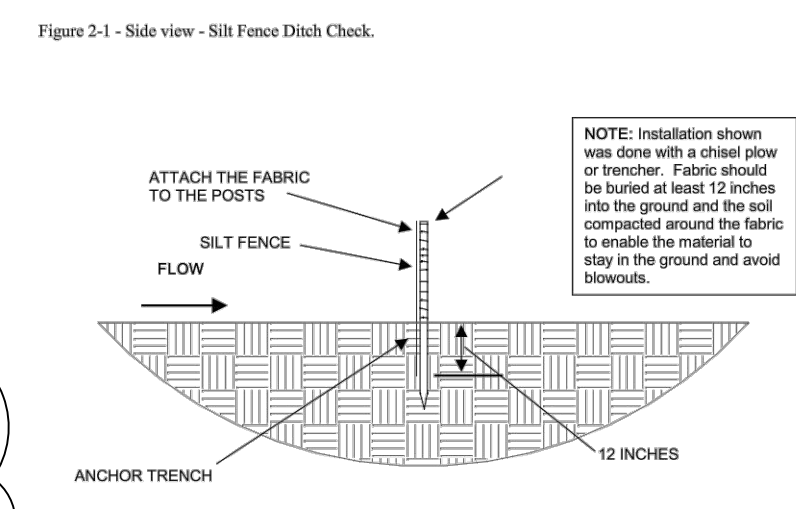
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ZONING RMX DISTRICT, SINGLE FAMILY (2,000SF)
ZONE_ORD 15-2004
SITE = .085 Acr
HISTORIC DISTRICT - OTR
First Floor = 1,074 SF
Second Floor = 1,074 SF
2 FAMILY

1. Within compliance to 3412 the area, height and stories comply with Chapter 5.
3412.2.3.1 Additions to buildings of Groups R and occupancies. The combined height and area of the addition added to the existing building shall not exceed the height and area allowed by chapter 5. Where a fire wall that complies with section 706 is provided between the addition and the existing building, the addition shall be considered a separate building.
Chapter 3: EXISTING USE: "R", 2 FAMILY (2 FLOORS)
PROPOSED USE: "R", 2 FAMILY (2 FLOORS) (UNWRANGLD)
Chapter 4: NO SPECIAL DETAILED REQUIREMENTS N/A
Chapter 5: EXISTING USE: "R", 2 FAMILY
GENERAL BLDG HGT 504.3 EXISTING HEIGHT = 40'-0" OK
AND AREA REQUIREMENT ALLOWABLE HEIGHT = 60'-0"
PROPOSED USE: "R", 2 FAMILY
GENERAL BLDG HGT 504.4 EXISTING 2 STORY LIVING W/BKMT & ATTIC OK
ALLOWABLE STORY = 4, ALLOWABLE HEIGHT = 55'-0"
ACTUAL HEIGHT = 38'-0" OK
GENERAL BLDG HGT 504.5 PROPOSED NEW SQFT 1,074.36 SQFT < OK
ALLOWABLE AREA = 16,000 SQFT PER FLOOR
Chapter 6: CONSTRUCTION TYPE: 3B NON-COMB UNPROTECTED
FIRE RESISTING MASONRY BEARING WALLS
WOOD FRAME FLOOR/ROOFING CONSTRUCTION
STRUCTURE FRAME/FLOOR/WALL 0 RATING

NEW HOME ADDITION
FIRST FLOOR = TOTAL LIVING AREA
DESIGN LOAD:
40 psf live load
20 psf snow load
BASIC WIND LOAD = 90 MPH, EXP. 'B'
GARAGES (PASSENGER CAR ONLY) = 50 PSF
ATTIC (NO STORAGE 4/12) = 10 PSF
DWELLING UNITS = 40 PSF
STAIRS LIVE LOAD = 40 PSF
GUARDRAILS / HANDRAILS CONCENTRATED = 200PSF
GUARDRAILS/HANDRAILS LOAD PER FOOT = 50



INSTALLATION
Proper Installation Method
• Perpendicular to the ditch flowline, excavate a trench that is at least 150 millimeters (6 inches) deep by 100 millimeters (4 inches) wide. Extend the trench in a straight line along the entire length of the proposed ditch check. Place the soil on the upstream side of the trench for later use. Note: Another common and less labor intensive installation method uses a trencher or chisel plow to install the silt fence. The silt fence will last longer and is less likely to blow out underneath.
• Roll out a continuous length of silt fence fabric on the downstream side of the trench. Place the edge of the fabric in the trench starting at the top upstream edge of the trench. Line all three sides of the trench with the fabric. Backfill over the fabric in the trench with the excavated soil, and compact. After filling the trench, approximately 600 millimeters to 900 millimeters (24 inches to 36 inches) of silt fence fabric should remain exposed.
• Lay the exposed silt fence on the upstream side of the trench to clear an area for driving in the posts. Just downstream of the trench, drive posts into the ground to a depth of at least 600 millimeters (24 inches). Place posts no more than 1.2 meters (4 feet) apart.
• Attach the silt fence to the anchored post with staples, wire, zip ties or nails.

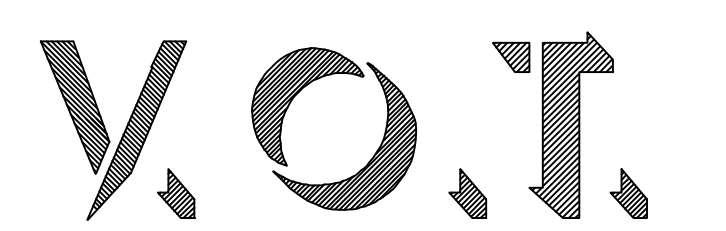
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EROSION CONTROL NOTE:
Material Specifications: Silt fence fabric should conform to the AASHTO M288 96 silt fence specification. The posts used to support the silt fence fabric should be a hardwood material with the following minimum dimensions: 50 millimeters (2 inches) square (nominal) by 1.2 meters (4 feet) long. NOTE: For structural stability metal posts should be used in areas that will pond water. Silt fence fabric should be attached to the wooden posts with staples, wire, zip ties or nails.
Placement: Place silt fence in ditches where it is unlikely to be overtopped. Water should flow through a silt fence ditch check, not over it. Silt fence ditch checks often fail when overtopped. Silt fence ditch checks should be placed perpendicular to the flowline of the ditch. The silt fence should extend far enough so that the ground level at the ends of the fence is higher than the top of the low point of the fence. This prevents water from flowing around the check. Checks should not be placed in ditches where high flows are expected. Rock checks should be used instead. Silt fence should be placed in ditches with slopes of 6 percent or less. For slopes steeper than 6 percent, rock checks should be used.
The following table provides check spacing for a given ditch grade:
Ditch Check Spacing Ditch grade (percent) Check Spacing (feet)
Check Spacing (meters)
1.0 200 61
2.0 98 30
3.0 66 20
4.0 49 15
5.0 39 12
6.0 30 10
6.0 Do not use silt fence.

NOTE:
IF LOWEST LEVEL ELEVATION IS BELOW RIM ELEVATION OF UPSTREAM MANHOLE, THEN TAP MUST INCLUDE BACKFLOW PREVENTION.
REMOVE ANY ALL SECONDARY UTILITY TAP THAT MAY EXIST.

Ex. MH
Inv. = 672.08
Rim = 678.65
Inv. = 672.2+/-
The Manhole in front of 3621 Michigan: Rim = 678.65 Inv. = 672.08
Sanitary Sewer in Michigan Ave. R/W is a 12" Clay P.S.

142 MULBERRY ROAD



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Cincinnati Ohio 45202

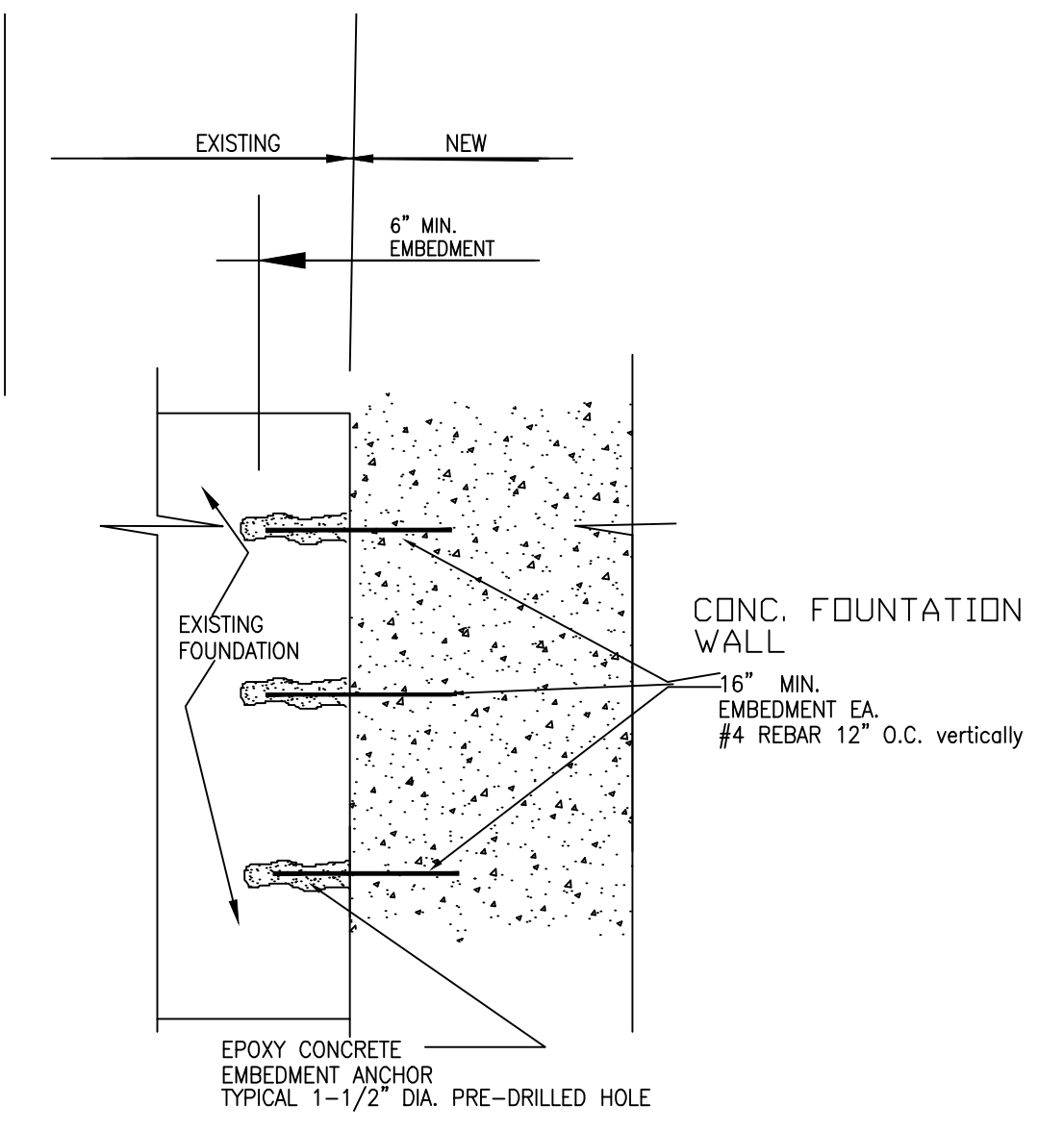
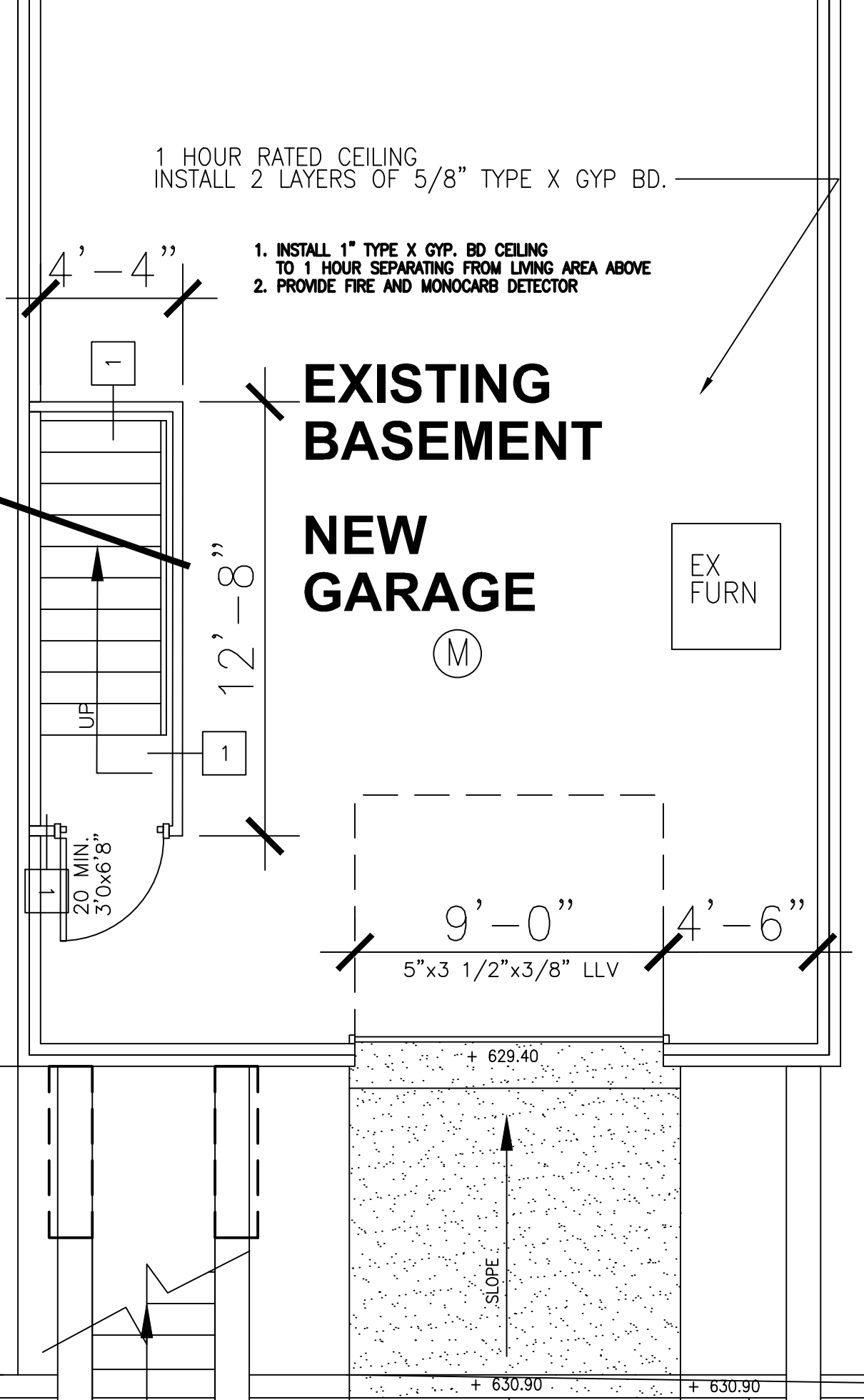
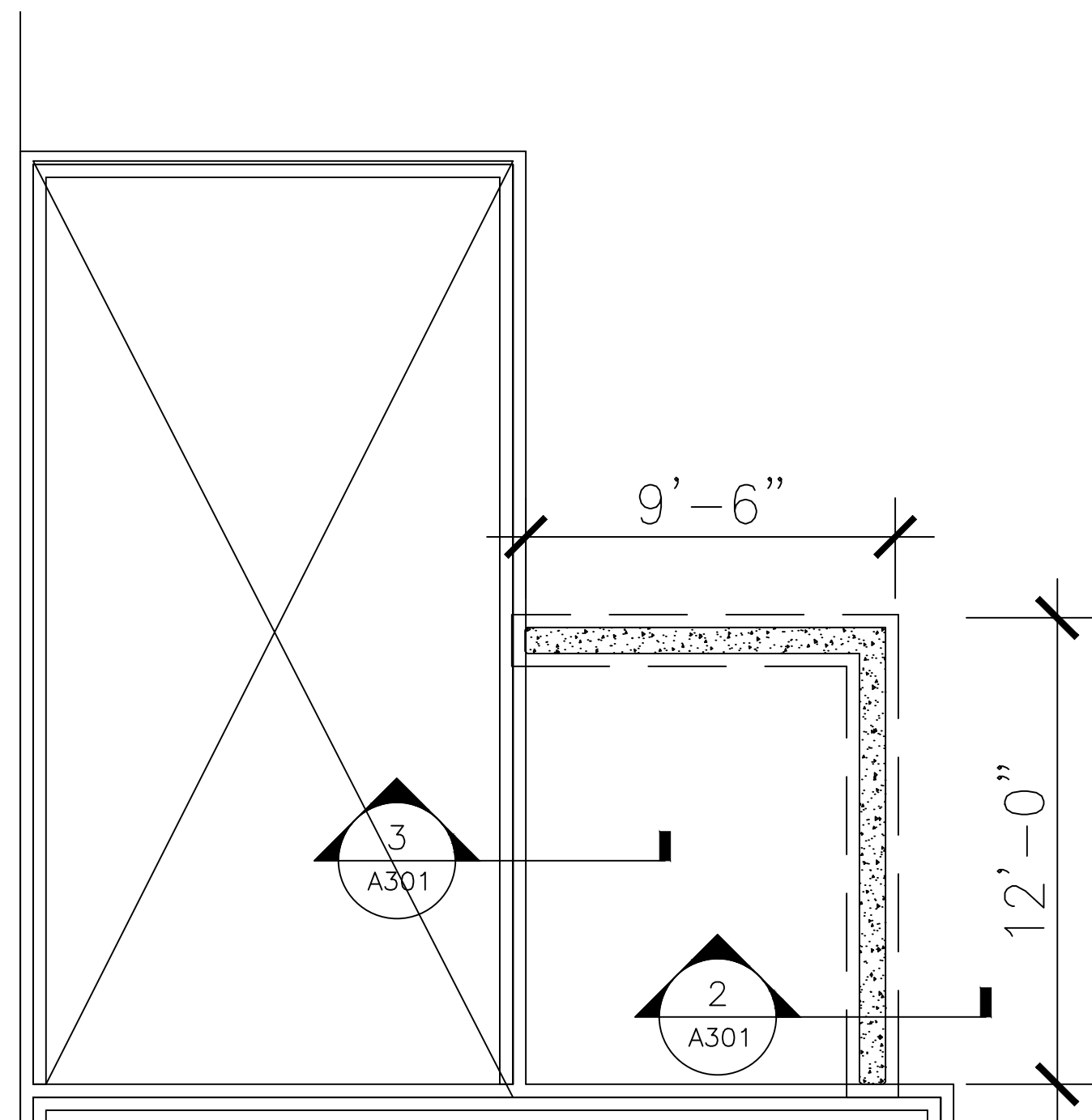
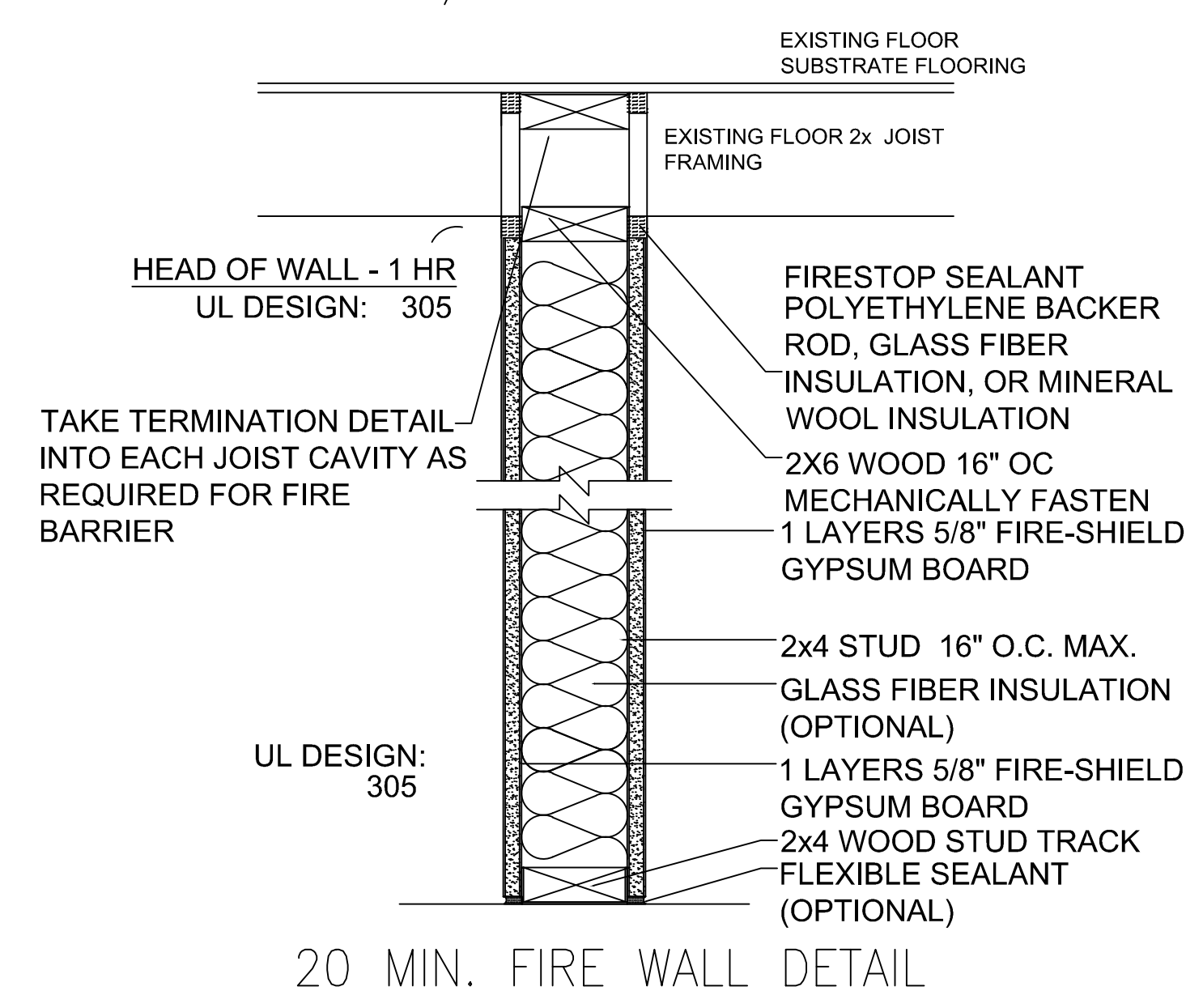
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V2020-4

VoTerry Architects Inc.
Vincent D. Terry RA
OH, ARC 0614188
Ex. 12/21/2021

A101

NEW 2x STUD WALL 16" oc WRAPPED IN 2 LAYERS TYPE X 5/8" GYP. BD.



3 DETAIL @ NEW WALL ABUTTMENT
A201

ELECTRICAL NOTES:

- ELECTRICAL CONTRACTOR SHALL PROVIDE CIRCUITING FOR OUTLETS AND FIXTURES PER THE NATIONAL ELECTRIC CODE.
- PROVIDE NEW 400 AMP SERVICE
- ELECTRIC METERS SHALL BE LOCATED IN BASEMENT.
- THESE DRAWINGS SHOW GENERAL LOCATIONS OF PROPOSED ITEMS. ELECTRICAL CONTRACTOR SHALL PROVIDE NECESSARY DETAIL LAYOUT. WIRING AND DISTRIBUTION SERVICE DRAWINGS TO BE SUBMITTED FOR ELECTRICAL PLAN REVIEW AND PERMIT BY ELECTRICAL CONTRACTOR.
- SMOKE DETECTOR IONIZATION&PHOTO-ELECTRIC MODEL #4260-102 BY AUTO-CALL OR EQUAL. INTERCONNECT SMOKE DETECTORS SMOKE DETECTORS SHALL BE LOCATED AS SHOWN AND SHALL ALARM
- CARBON MONOXIDE DETECTORS AND ALARMS BY AUTO-CALL OR EQUAL. INTERCONNECT SMOKE DETECTORS CARBON MONOXIDE DETECTORS SHALL BE LOCATED AS SHOWN.

REINFORCED MASONRY:

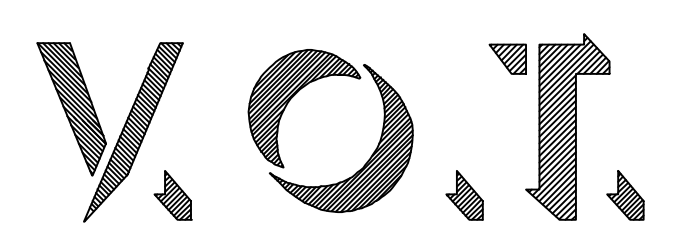
MATERIAL -PARTIALLY REINFORCED WALL SHALL BE LOAD BEARING ASTM C-90 BLOCK
-COREFELLS SHALL BE GROUT OR PEA-GRAVEL CONCRETE WITH ULTIMATE COMPRESSIVE STRENGTH OR 2500 PSI MINIMUM
-MORTAR SHALL BE TYPE M
-REBAR LAP SPLICES SHALL BE 40 BAR DIAMETER

LOOSE LINTEL SCHEDULE:
IF LINTELS ARE NOT SHOWN ON DRAWINGS, THE FOLLOWING TABLE APPLIES:

SPAN LIMITS	ANGLE SIZE PER 4" WALL THICKNESS
0'-0" TO 4'-0"	3 1/2"x3 1/2"x5/16"
4'-1" TO 5'-6"	4"x3 1/2"x5/16" LLV
5'-7" TO 7'-6"	5"x3 1/2"x5/16" LLV
7'-7" TO 9'-6"	5"x3 1/2"x3/8" LLV

ANGLES EXPOSED TO WEATHER SHALL BE MINIMUM 3/8" THICKNESS.

TABLE I (IMPORTANCE FACTOR, I)
-CATEGORY III RESIDENTIAL BUILDINGS AND STRUCTURE WHERE THE PRIMARY



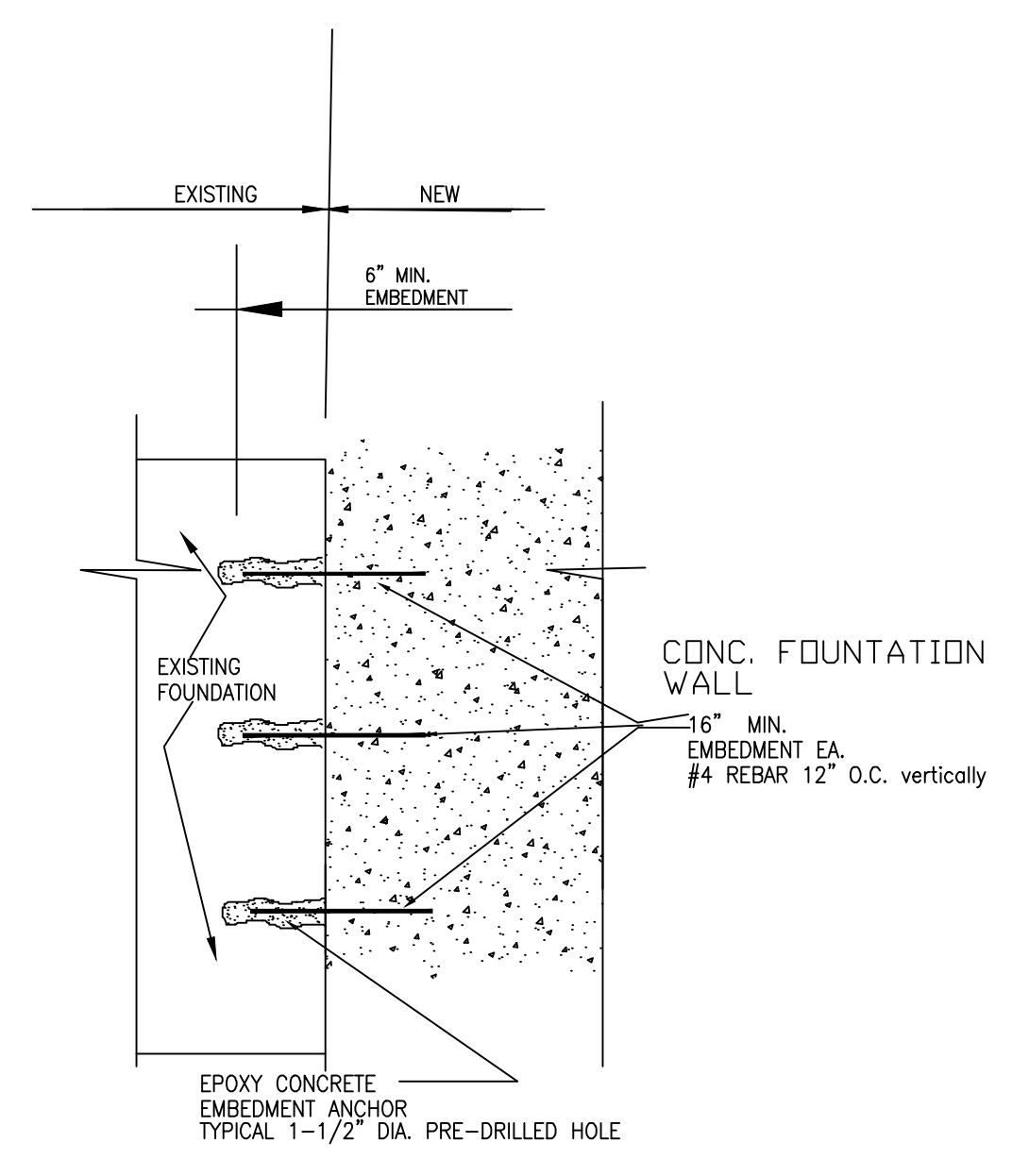
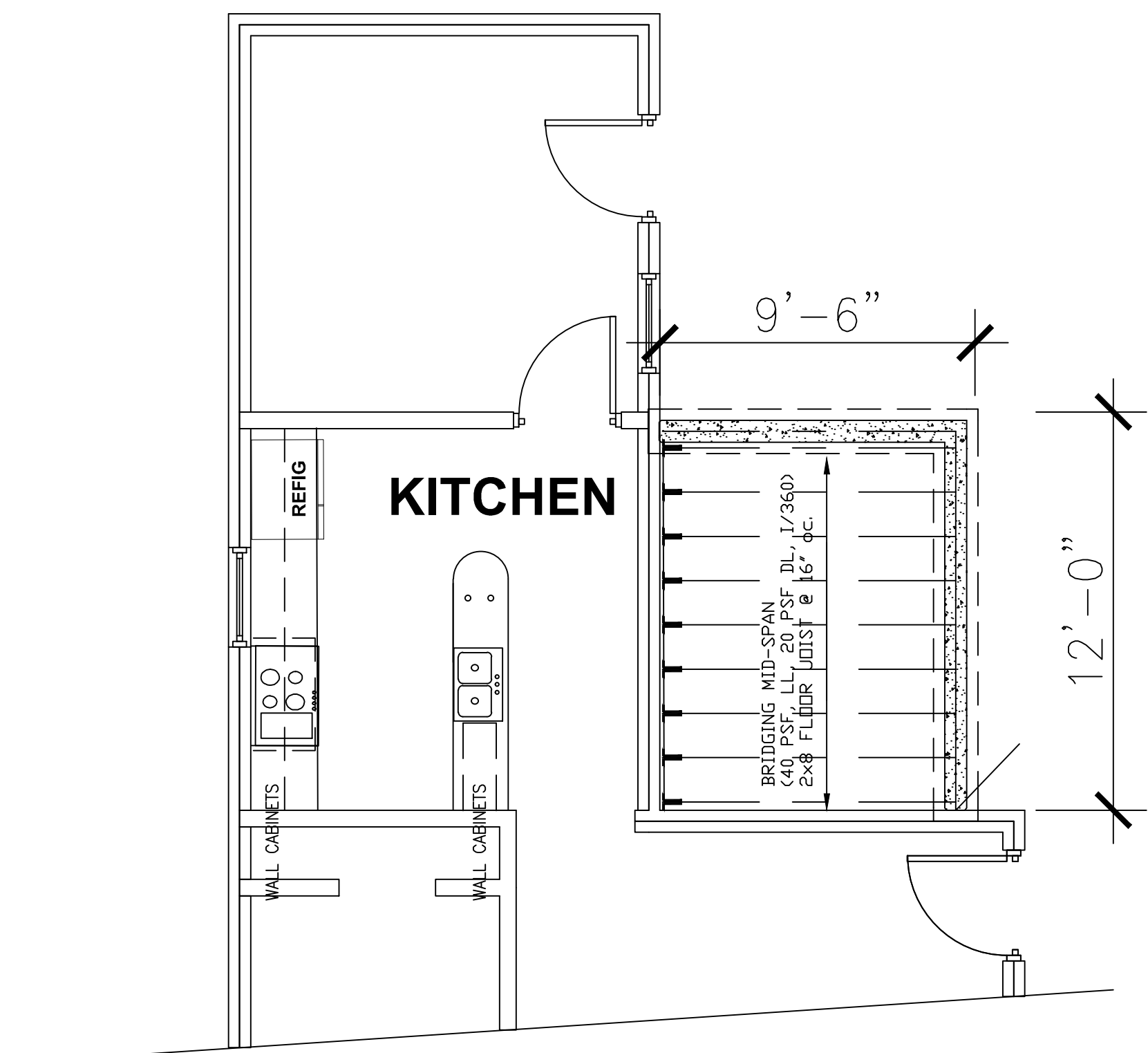
DESIGN/BUILDER & PLANNERS
4551 SOUTH SHORE DRIVE
MASON, Ohio 45040
(513) 573-9972

Sherman Morris
HOME ADDITION
140 Mulberry Aveune

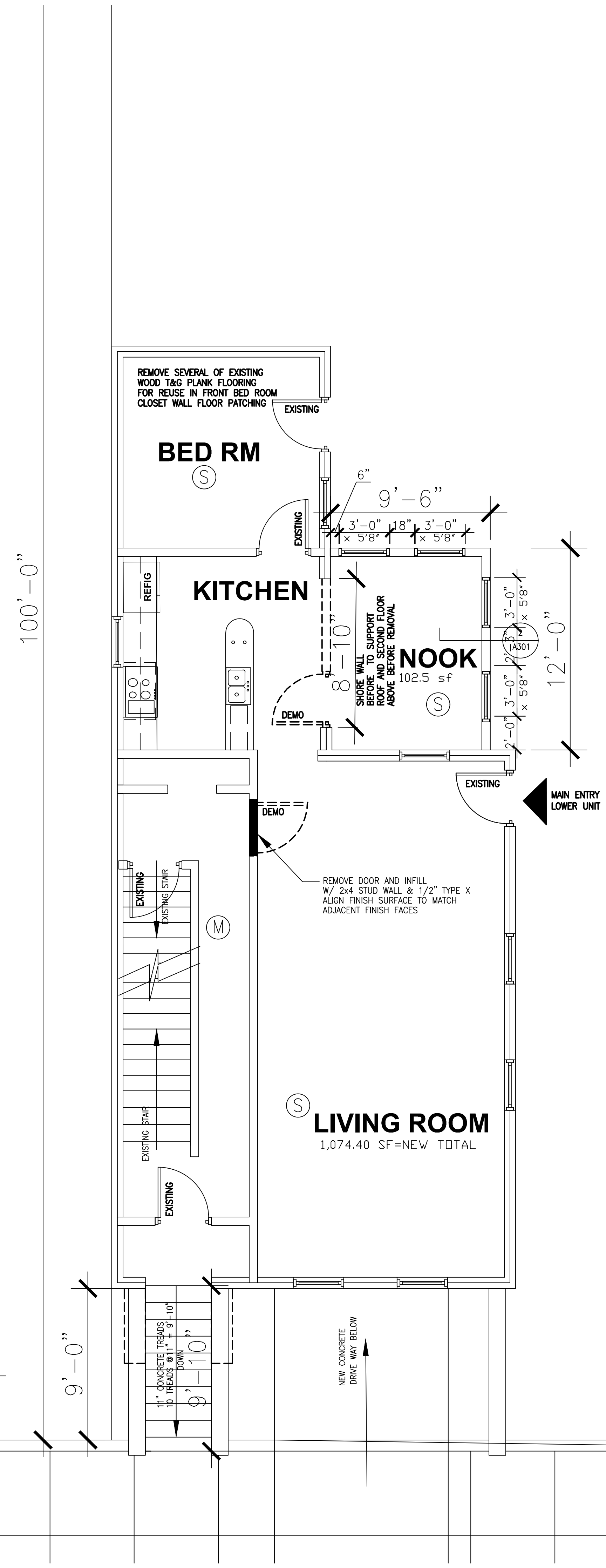
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A200

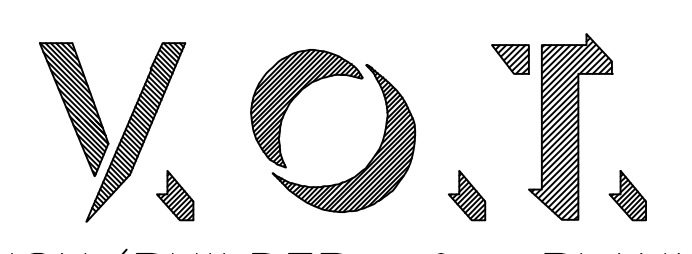


3
A201
DETAIL @ NEW WALL ABUTMENT



ELECTRICAL GENERAL NOTES:

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WINDOW EMERGENCY EGRESS REQUIREMENT

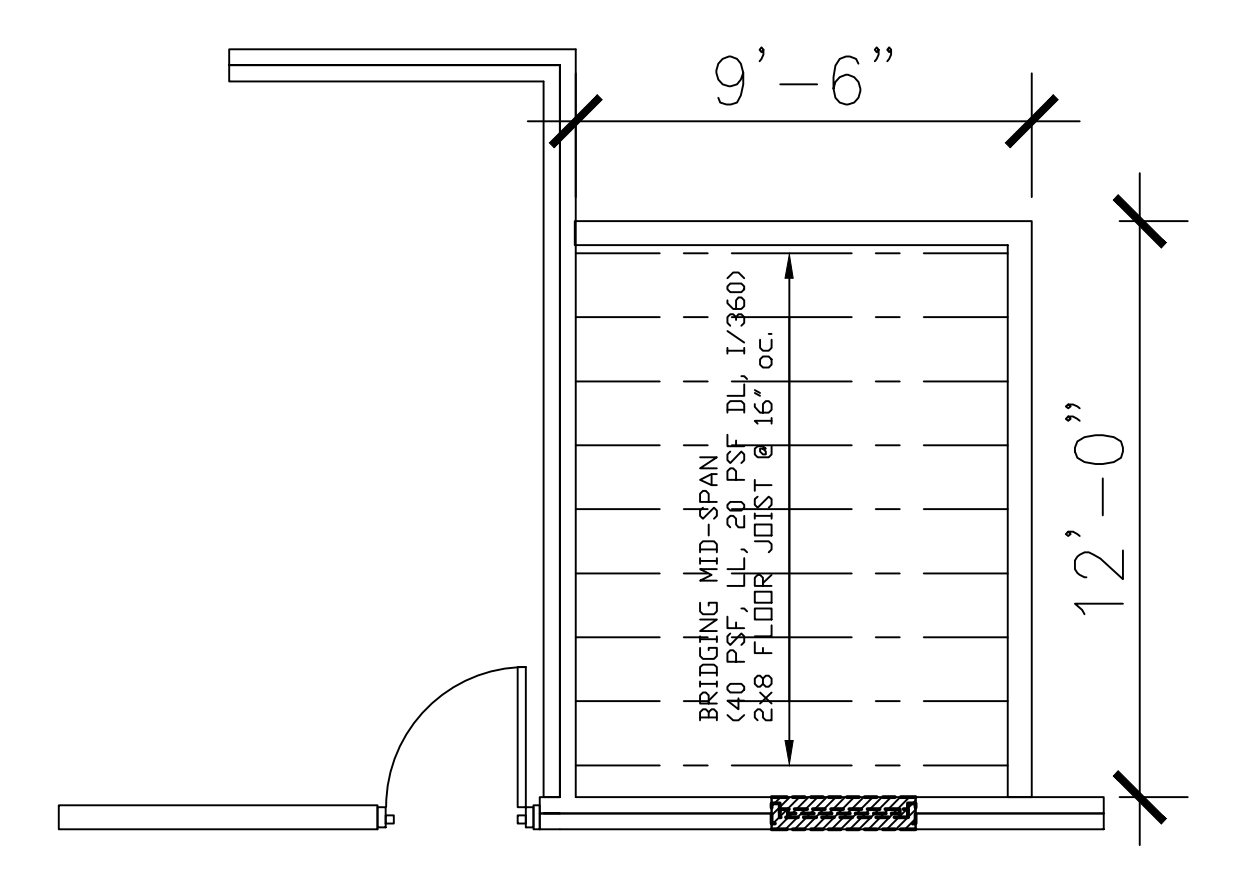
MINIMUM EMERGENCY ESCAPE EQUALS 5.7 SQ FT.
 MINIMUM WIDTH EQUALS 20" PROVIDED 39" MIN. OK
 MINIMUM HEIGHT OPENING EQUALS 22" PROVIDED 68/2" 34" OK

GENERAL NOTES

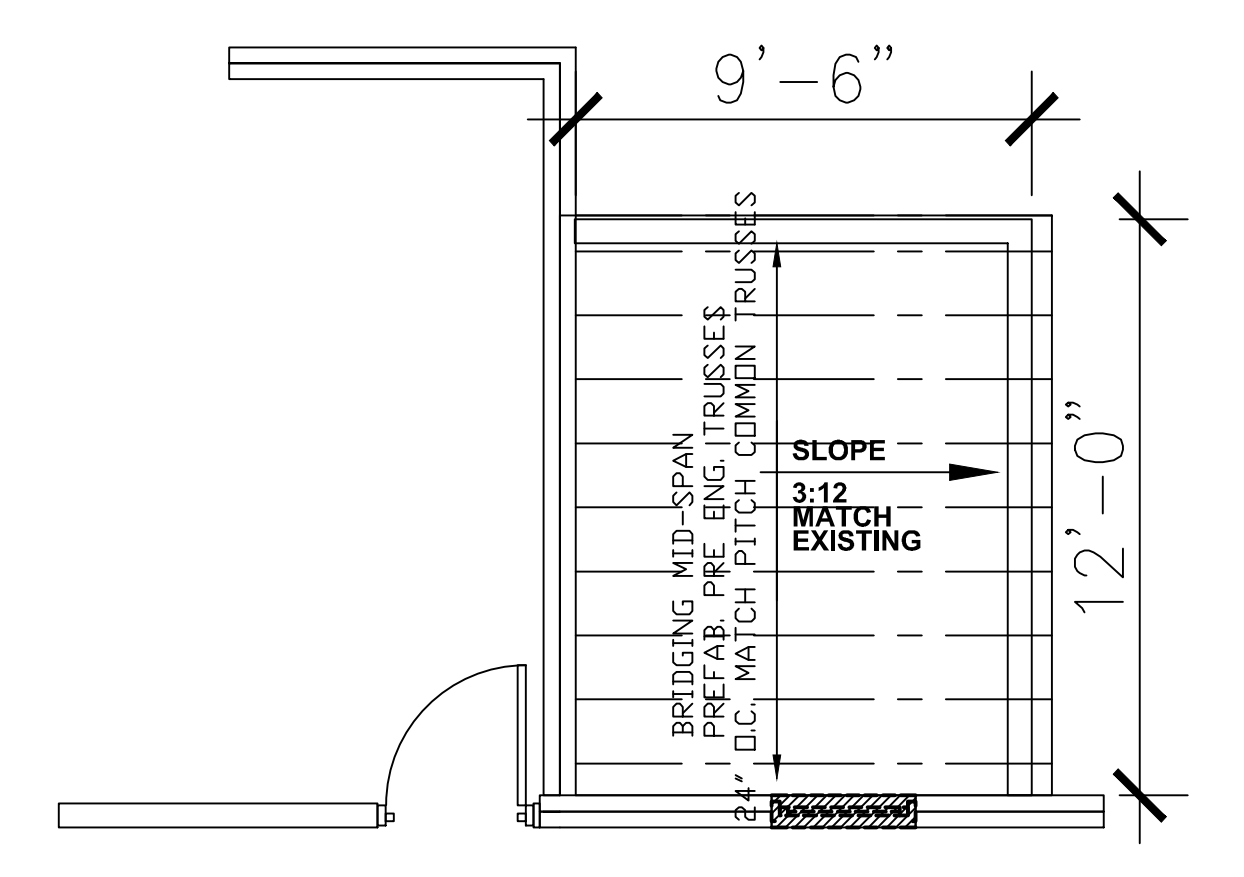
1. ALL FLOORS TO HAVE ACCEPTABLE SUB-FLOORING TO RECEIVE FINISH FLOOR COVERING. PATCHED ALL HOLES AROUND NEW POST AND DEMOLISHED WALLS
2. ALL HEADERS TO BE 2-2"x8" U.N.D.
3. ALL LUMBER IN CONTACT W/CONC., OR EXPOSED, TO BE PRESSURE TREATED.
4. R-19 BATT INSULATION
5. R-30 BATT INSULATION IN ROOF/CEILING JOIST SPACE
6. U.N.D., WALLS ARE 2"x4" @ 16" O.C. MAX. (INT.) & 16" O.C. (EXT. & BRG.) - PLMBG. WALLS ARE 2"x6".
7. ALL FLOORS TO HAVE ACCEPTABLE SUB-FLOORING TO RECEIVE FINISH FLOOR COVERING.
8. BATHROOM WALLS TO BE WATER RESISTANT DRYWALL AROUND 1ST AND 2ND FLOOR TUB.
9. ALL DRYWALL TO BE 1/2" WITH 1/2" FIRE CODE "C" IN GARAGE.
10. LINEN CLOSET & PANTRY TO HAVE (5) VENTILATED SHELVES. CLOTHES CLOSETS TO HAVE (1) VENTILATED RACK.
11. ALL LUMBER IN CONTACT W/CONC., OR EXPOSED, TO BE PRESSURE TREATED.
12. WALL MOUNTED HANDRAILS MUST HAVE ENDS TURNED TO WALL. OPEN SIDED STAIRS MUST HAVE 36" RAILS W/NO MORE THAN 4" O.C. BET. RAILING SPINDLES.
13. ALL ANGLES ARE 90, 45, OR 135 DEG. U.N.D.
14. ALL LUMBER TO BE #2 GRADE OR BETTER W/MIN. Fb OF 1450 P.S.I.
15. 3/4" ENGINEERED WOOD FLOORING IN ALL ROOMS ON 3/4" PLYWOOD SHEATHING FINAL COLOR AND STAIN BY OWNER WOOD BASE AT 5 1/4" STAINED FINAL COLOR BY ARCHITECT OR OWNER
16. VINYL TILE FLOORING IN LAUNDRY ROOM RUBBER BASE ON 3/4" PLYWOOD SHEATHING
17. RUBBER TREADS AND RISERS FOR ALL STAIRS. ALL LANDINGS TO HAVE VINYL TILE FLOORING. RUBBER BASE

ELECTRICAL NOTES

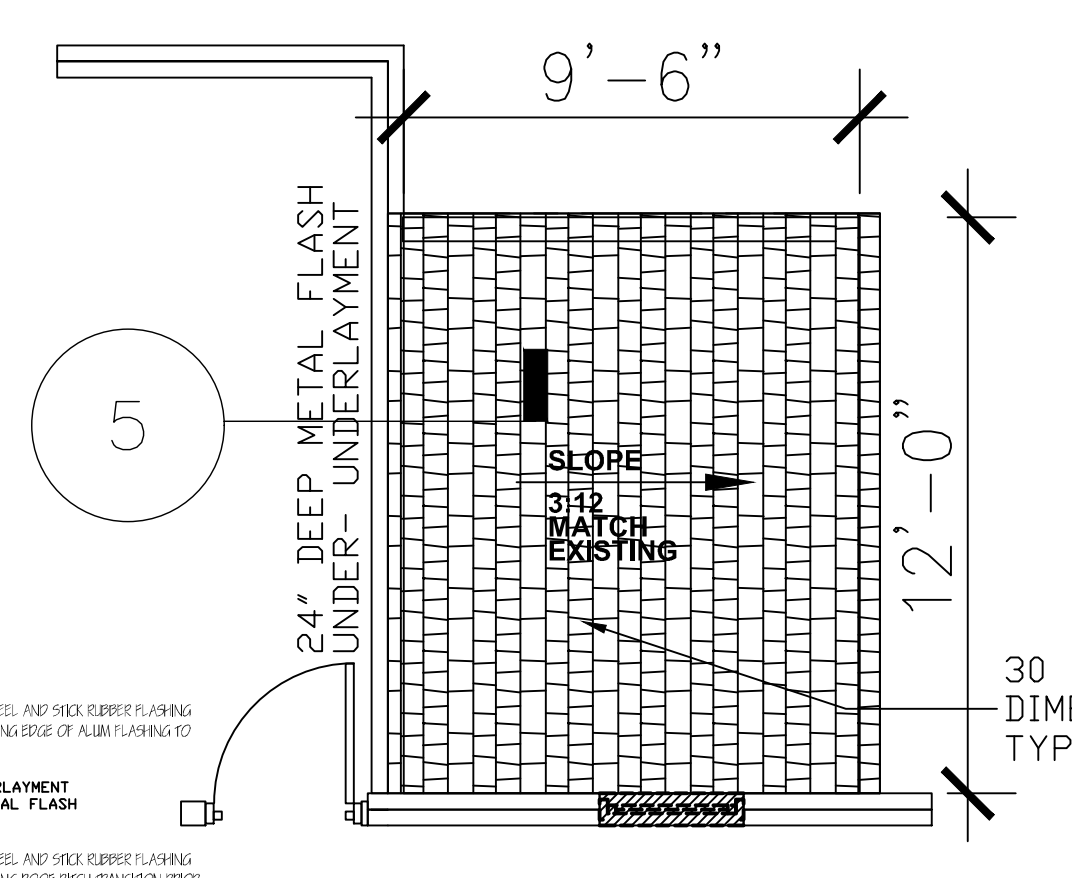
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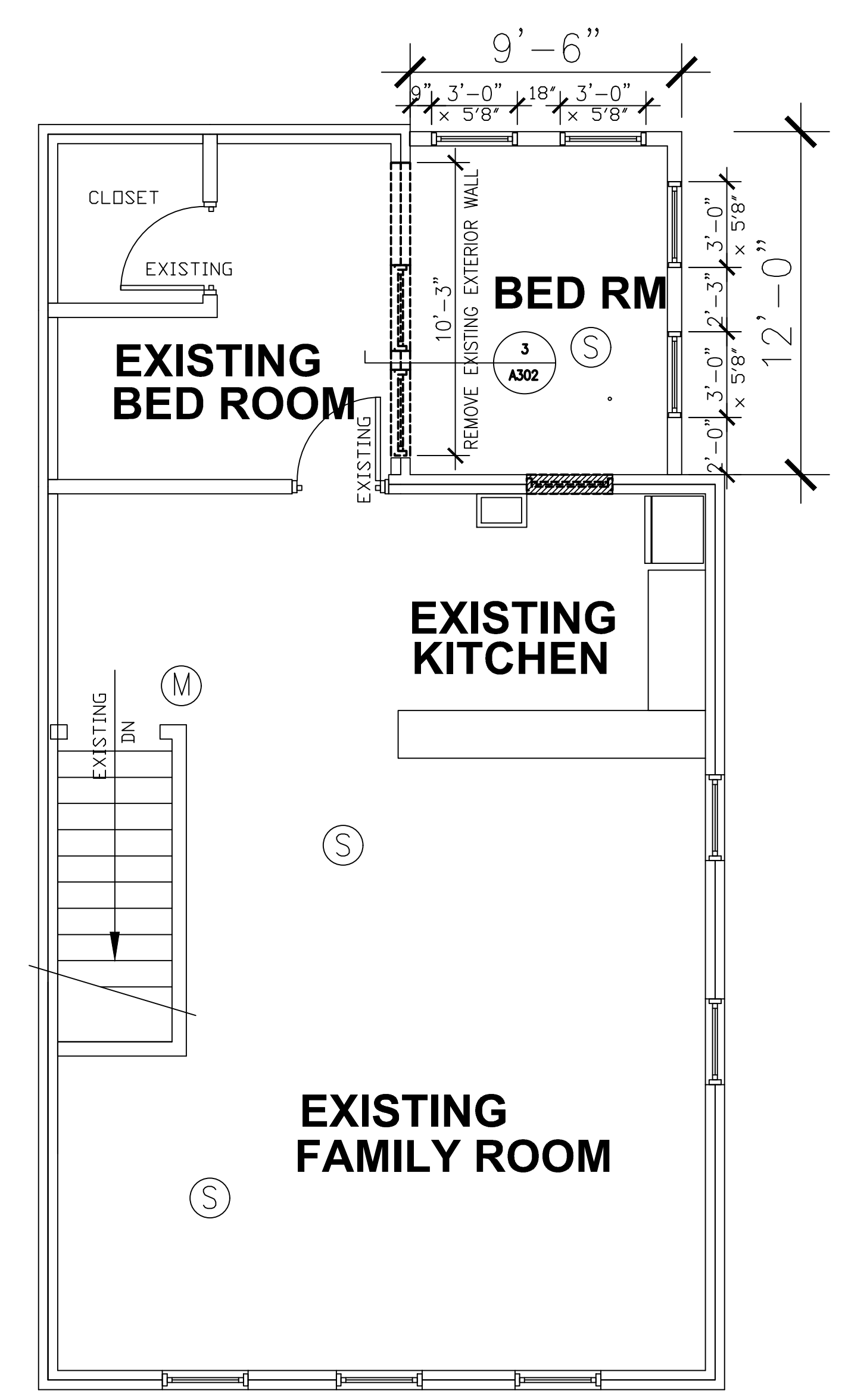
2 SECOND FRAMING PLAN
1/4" = 1'-0"



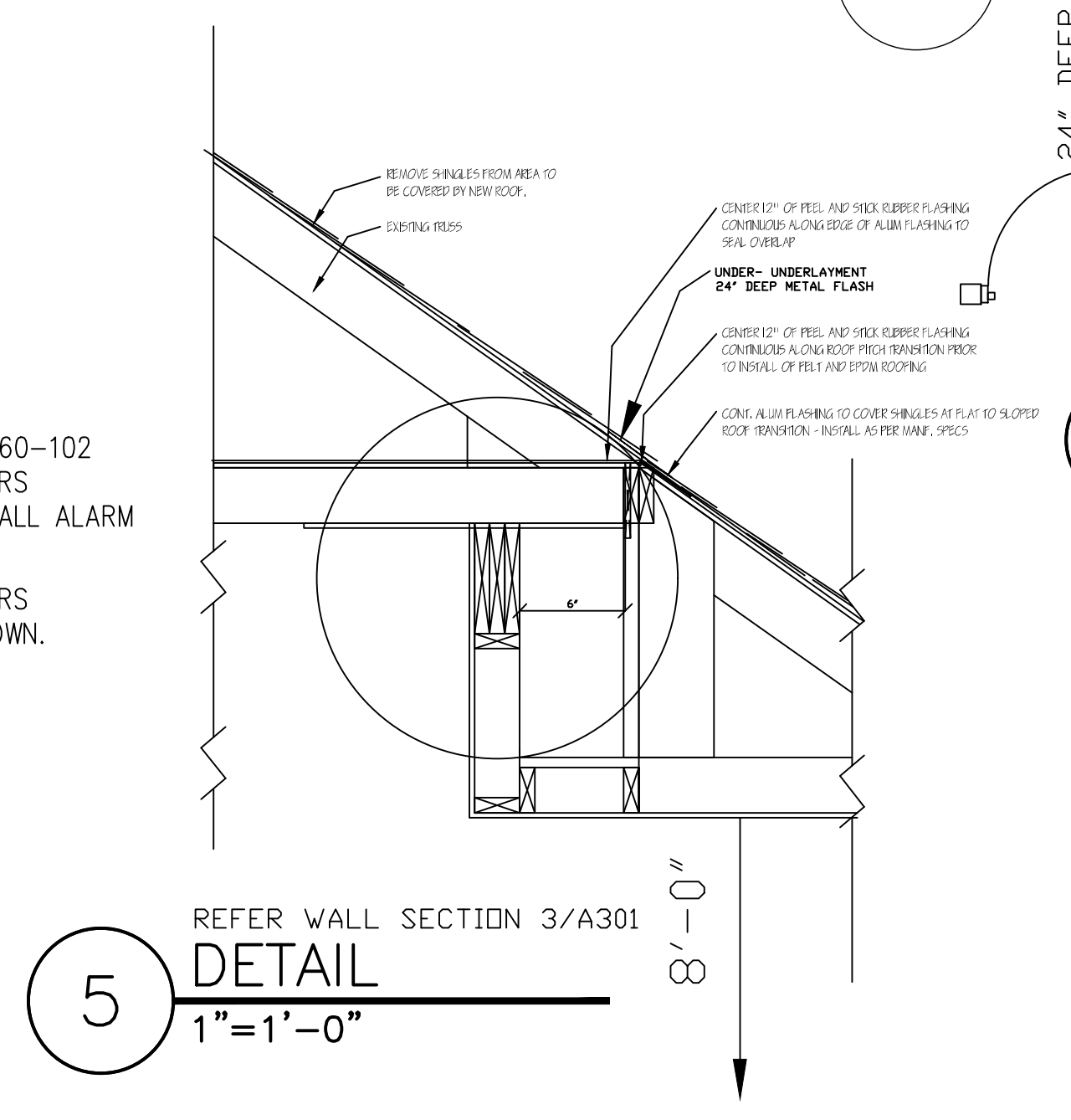
3 ROOF FRAMING PLAN
1/4" = 1'-0"



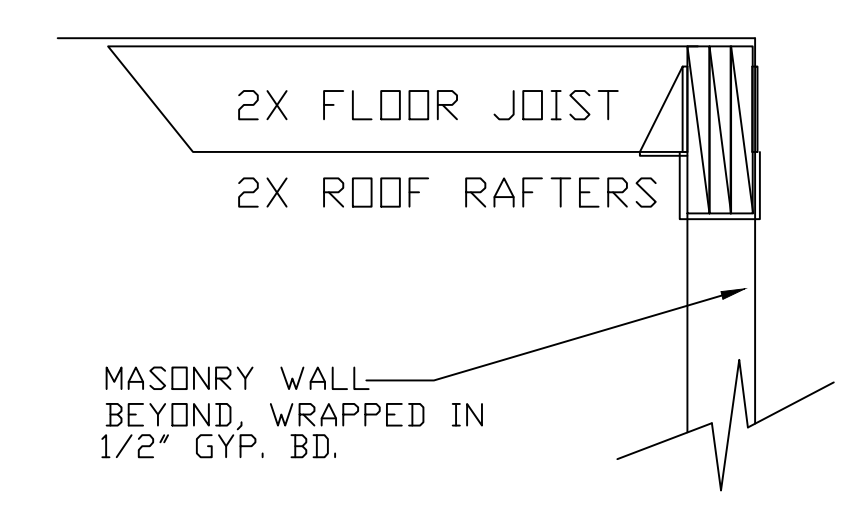
4 ROOF PLAN
1/4" = 1'-0"



1 SECOND FLOOR PLAN
1/4" = 1'-0"

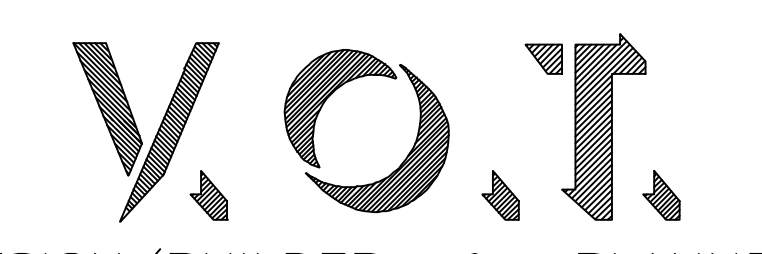


5 REFER WALL SECTION 3/A301
DETAIL
1" = 1'-0"



6 FRAMING DETAIL

INSTALL NEW
3-2x12 SUPPORT BEAM
SOUTHERN YELLOW PINE SELECT
BENDING STRESS 1721psi
ACTUAL DEFLECTION .433"
OR
SOUTHERN YELLOW PINE NO.1
Fb+ 2000psi



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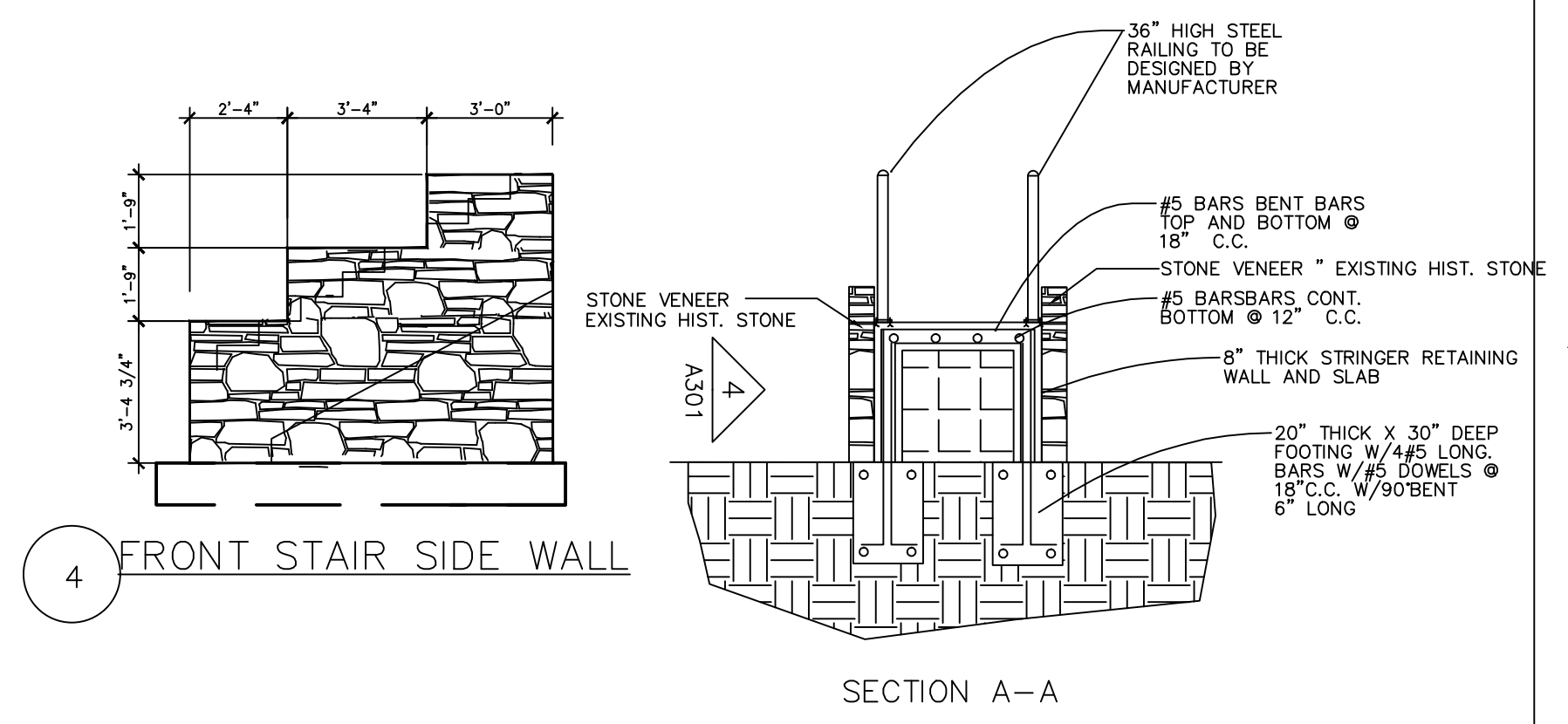
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2 SIDE ELEVATION (EAST)

1 REAR ELEVATION (NORTH)



4 FRONT STAIR SIDE WALL

SECTION A-A

GENERAL CONCRETE STAIR FOUNDATION CONSTRUCTION NOTES

CODES AND SPECIFICATIONS

- OHIO STATE BUILDING CODE, LATEST EDITION.
- ACI 301-16, SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS, UNLESS NOTED OTHERWISE.
- ACI 318-14, BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE
- ACI 308R-16, GUIDE FOR COLD WEATHER CONCRETING.
- ACI 331-02, SPECIFICATIONS FOR MASONRY CONSTRUCTION

SOILS LOCATION:

- RAMP FOOTING TO BEAR TO UNDISTURBED STIFF CLAY

RAMP FOOTINGS MUST BE EXTENDED INTO STIFF CLAY AS SHOWN ON DRAWINGS

CONCRETE

- MATERIALS FOR REINFORCED CONCRETE PIERS:
 - a. COMPRESSIVE STRENGTH OF CONCRETE TO BE 4000 PSI @ 28 DAYS.
 - b. NON-AIR ENTRAINMENT, ADMIX PER ASTM C494, MID RANGE WATER REDUCER, TYPE A, 4" SLUMP +/-1", MINIMUM CEMENT CONTENT 520 LBS
- CONCRETE FOR RETAINING WALLS AND RAMP:
 - a. COMPRESSIVE STRENGTH TO BE 4000 PSI @ 28 DAYS, MIN. 6% AIR ENTRAINMENT, SAME ADMIX AS FOR WALLS. PLACED BY TREMIE.
- WATER CAN BE ADDED TO CONCRETE AT JOB-SITE ONE TIME, PER ASTM C 94, TO BRING SLUMP UP TO 4", +/-1"

REINFORCING STEEL

- STEEL BARS ARE TO BE GRADE 60 AND TO MEET ASTM C 615, AND FREE OF RUST.

CONSTRUCTION

FOOTING TO POURED HEAT AGAINST THE EXCAVATION WALL. CONCRETE TO BE PLACED ON THE SAME DAY EXCAVATION IS MADE

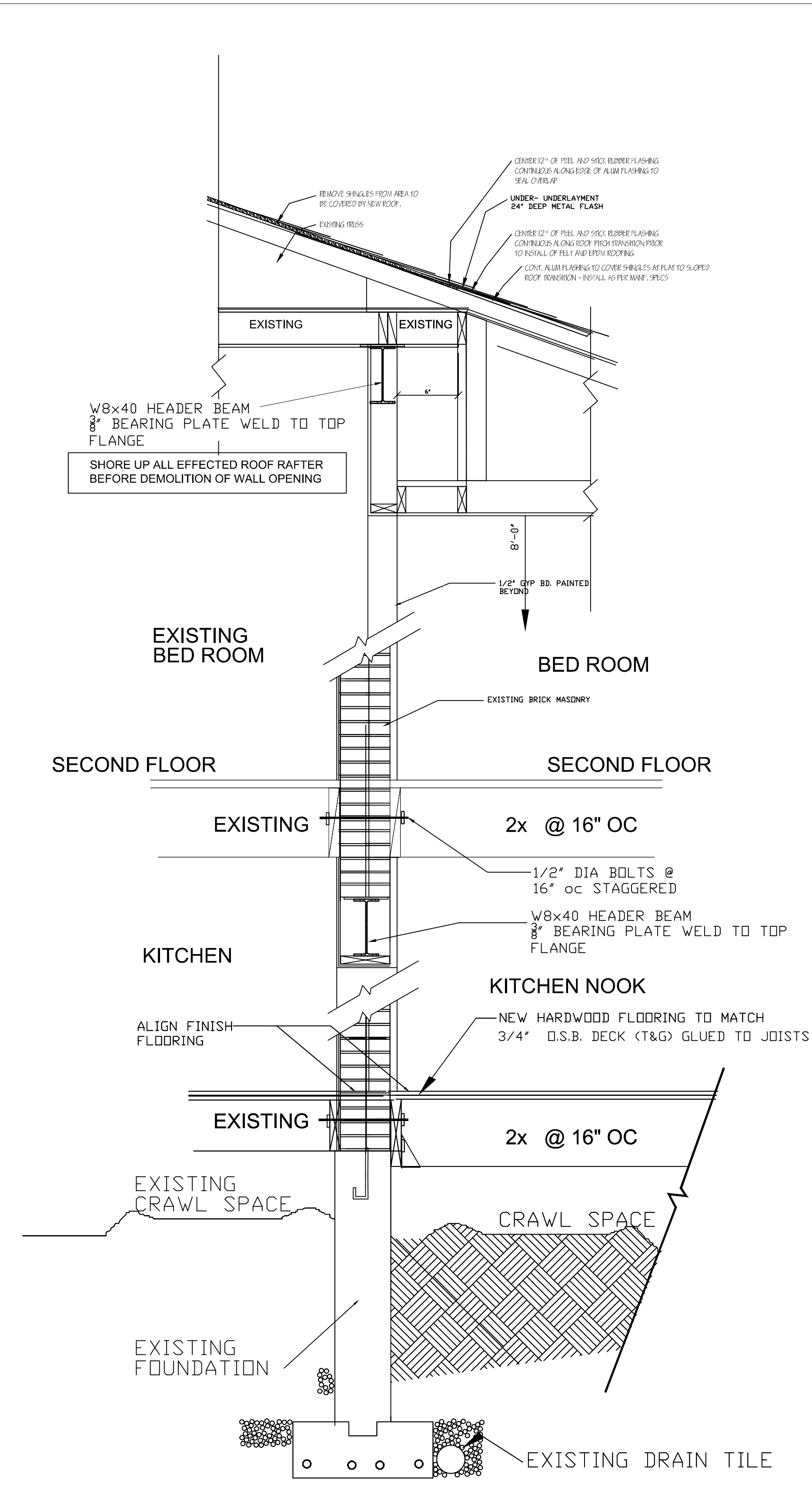
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 MASON, Ohio 45040
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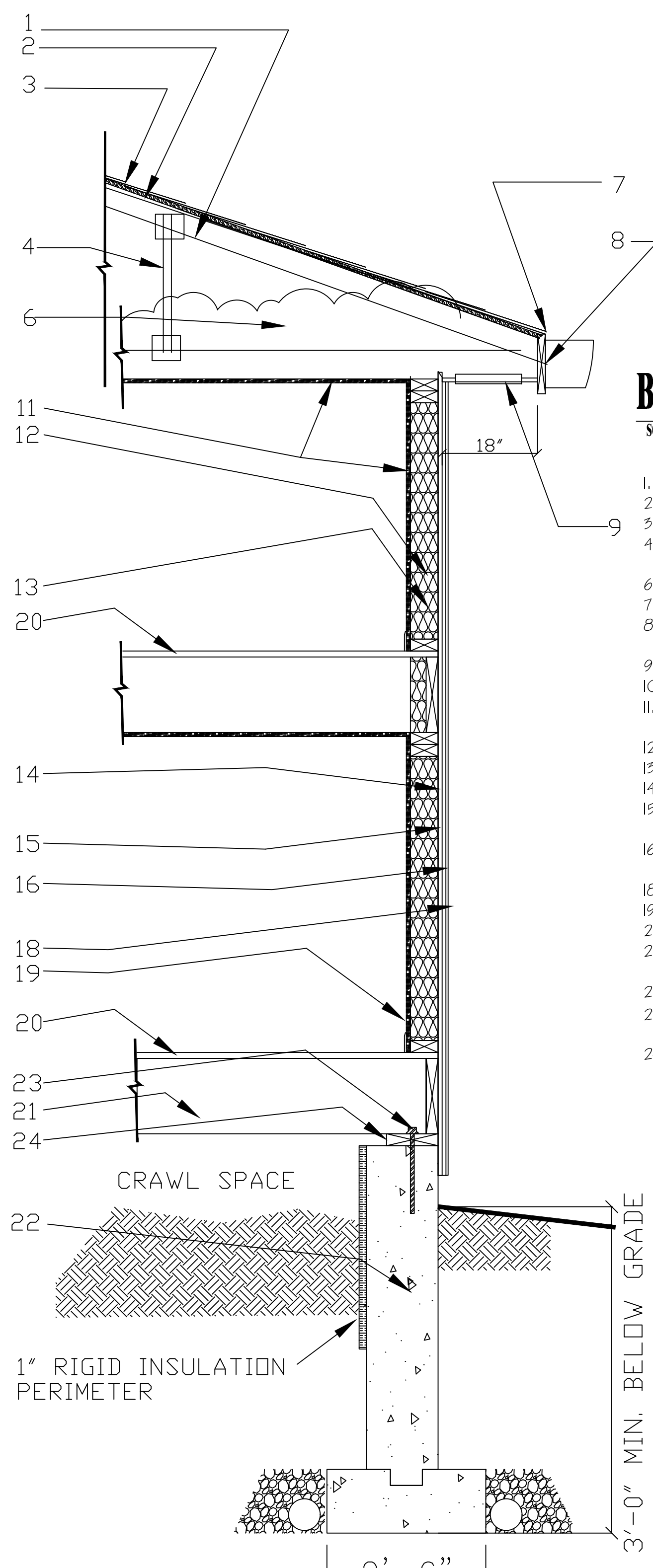
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 Vincent D. Terry RA
 Ch. ARC 0614168
 Expiration 12/31/2021

A300



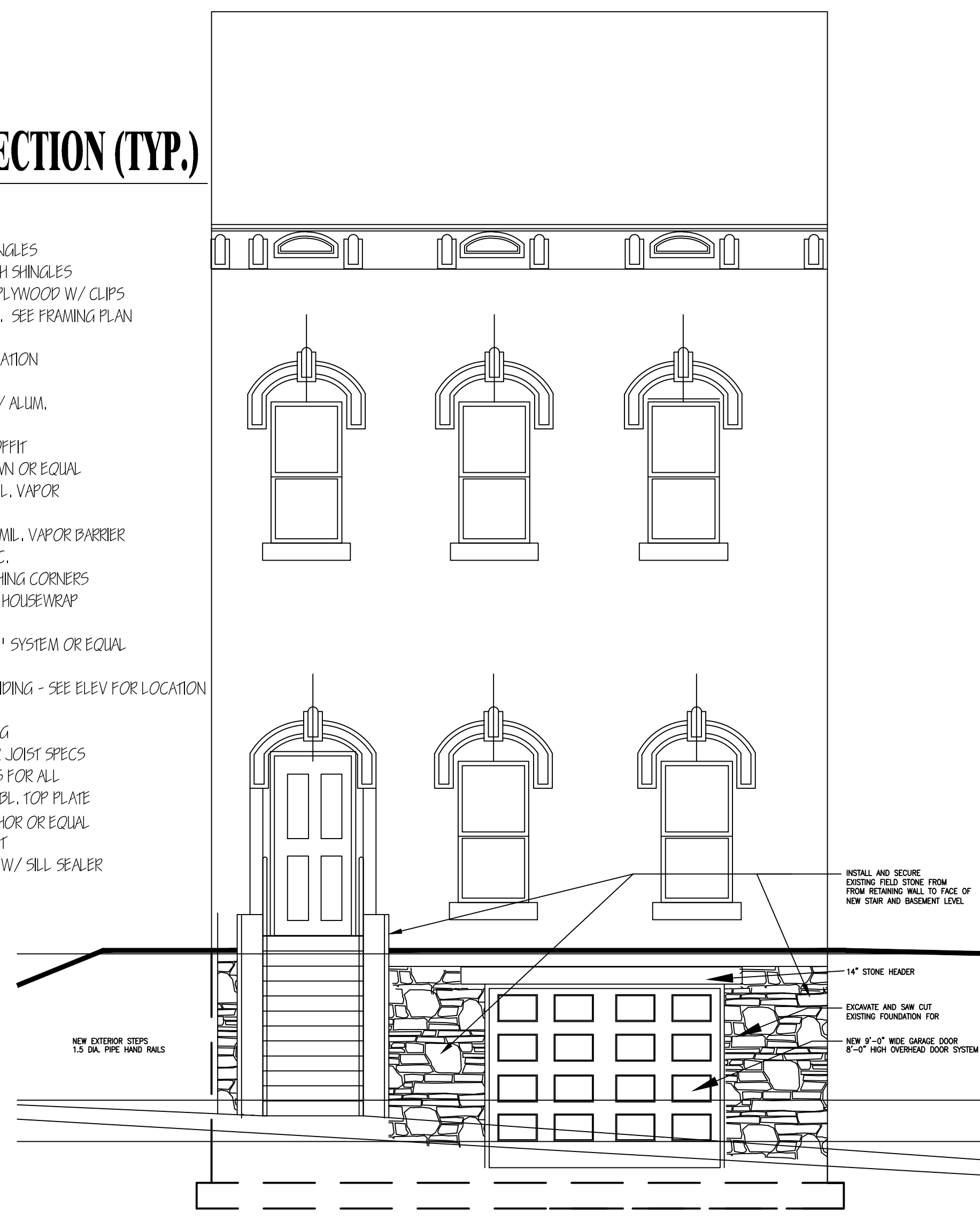
3 SECTION @ EXISTING BLDG
SCALE: 3/4" = 1'-0"



2 WALL SECTION @ ADDITION

BUILDING SECTION (TYP.)
SCALE: 1"=1'-4"

1. ASPHALT FIBERGLASS SHINGLES
2. 15# ROOF FELT BENEATH SHINGLES
3. 1/2" APA SPAN RATED PLYWOOD W/ CLIPS
4. ROOF TRUSSES 24" O.C. SEE FRAMING PLAN
6. R-30 FIBERGLASS INSULATION
7. DRIP EDGE CONT.
8. 1"X8" GUTTERBOARD W/ ALUM. GUTTER & DOWNSPOUT
9. CONT. VINYL VENTED SOFFIT
10. 1-SIMPSON HZ-5 TIEDOWN OR EQUAL
11. 1/2" DRYWALL W/ 6 MIL. VAPOR BARRIER ON STUDS
12. R-15 INSULATION W/ 6 MIL. VAPOR BARRIER
13. 2"x4" STUDS @ 16" O.C.
14. 1/2" PLYWOOD SHEATHING CORNERS
15. COVER SHEATHING WITH HOUSEWRAP AS PER MANF. SPECS
16. "DRY-VIT OUTSULATION" SYSTEM OR EQUAL AS PER MANF. SPECS
18. PRE-FIN HARDYBOARD SIDING - SEE ELEV FOR LOCATION
19. BASEBOARD TRIM
20. 1/2" O.S.B. DECK T&G
21. SEE FRAMING PLAN FOR JOIST SPECS. INSTALL JOIST HANGERS FOR ALL
22. 2"x6" @ 16" o.c. W/ DBL. TOP PLATE
23. "TITAN" 3/8"X10" ANCHOR OR EQUAL W/ 8" MIN. EMBEDMENT
24. 2"x6" P.T. SILL PLATE W/ SILL SEALER



1 FRONT ELEVATION SOUTH

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A301