



**Architectural Review Board
July 13, 2023 6:00 PM**

1) Call to Order

The meeting was Called to Order by Chairperson Toney.

2) Roll Call of Members

Members present: Ms. Krosky, Mr. Heyer, Mr. Scott, Ms. Strasser, and Chairperson Toney

3) Approval of Minutes

Motion to approve the Minutes from the June, 2023 meeting by Ms. Krosky, second by Ms. Strasser; roll call: Krosky – Yes, Heyer – Yes, Scott – Yes, Strasser – Yes, Toney – Yes

4) Public Comments

There were no Public Comments.

5) Old Business

1. TABLED TO AUGUST 10, 2023
Application Number: BZAP-23-8
Address: 2691 E Main Street
Applicant: Sarah Montague
Owner: Matt Davis
Request: The applicant is seeking (per remand of the Board of Zoning and Planning) Architectural review and approval and a Certificate of Appropriateness for a 2 story addition to the front facade and building and site modifications.

2. CONSENT AGENDA ITEM
Application Number: ARB-23-10
Address: 266 S Stanwood
Applicant: Daniel Momot
Owner: Paul Lamb
Request: The applicant is seeking Architectural review and approval and a Certificate of Appropriateness for an addition and expansion of the existing sunroom.

Motion to approve the Consent Agenda (Application Numbers ARB-23-10 and ARB 23-14) by Ms. Krosky, second by Mr. Heyer; roll call: Strasser – Yes, Scott – Yes, Heyer – Yes, Krosky – Yes, Toney – Yes

Ms. Bokor stated all Board suggestions or conditions were accepted by the applicants.

3. CONSENT AGENDA ITEM
Application Number: ARB-23-14
Address: 205 S Cassingham
Applicant: Ken Williams
Owner: Jonathan and Kayla George
Request: The applicant is seeking Architectural review and approval and a Certificate of Appropriateness for an addition to the rear of the house.

Motion to approve the Consent Agenda (Application Numbers ARB-23-10 and ARB 23-14) by Ms. Krosky, second by Mr. Heyer; roll call: Strasser – Yes, Scott – Yes, Heyer – Yes, Krosky – Yes, Toney – Yes

6) New Business

4. Application Number: ARB- 23-17
Address: 2778 Bexley Park
Applicant: Eric Kramer
Owner: Ric and Kris Butler
Request: The applicant is seeking Architectural review and approval and a Certificate of Appropriateness to replace a one story room at the rear of the home with a sunroom.

The applicant was sworn in.

Ms. Bokor explained the room to be replaced is an addition and the applicant would like to remove the current room and build a glass four season porch with a pitched roof on the same foundation.

Ms. Rose stated she and Ms. Bokor have been working with the applicant to get appropriate documents; Ms. Bokor clarified that much of what had been submitted was not specific to the site and there had been confusion about what was to be submitted. The roof and trim will match the existing house. Ms. Bokor felt comfortable bringing this to the Board.

The applicant explained that the proposed addition won't be visible from the street or side. The current roof is flat and causing issues; the roof of the addition will have a gable to mitigate the current problems and an exterior door will be installed to make this area a nice porch.

The window will be dual pane sliders.

The fascia and gutter will not be as is in the renderings. This product is an engineered system.

Ms. Krosky stated she feels this will be a nice addition and thanked the applicant for the additional submittals.

The house itself will not be repainted and the new addition will be a close match to the current house.

Michael James was sworn in and explained the room will be the same color as the windows.

Mr. Heyer asked the applicant to work with the design consultant regarding the color.

The Findings of Fact and Decision of the Board for Application Number ARB-23-17 for property located at 2778 Bexley Park: The Architecture Review Board finds that the proposed one-story addition which will replace the existing one-story room addition at the rear of the principal structure is architecturally compatible with the existing structure and should be approved subject to final details be worked out with the Design Consultant.

The applicant understood the Findings of Fact.

Motion to approve the Findings of Fact by Ms. Krosky, second by Mr. Scott; roll call: Strasser – Yes, Scott – Yes, Heyer – Yes, Krosky – Yes, Toney – Yes

5. Application Number: ARB- 23-18
Address: 346 S Drexel
Applicant: Brad Date
Owner: Robert Schwab
Request: The applicant is seeking Architectural review and approval and a Certificate of Appropriateness to replace a Cedar Shake roof with asphalt shingles.

Chairperson Toney recused herself and asked Mr. Heyer to act as Chairperson.

Ms. Rose stated this case is before the Board as she became aware of a roof being replaced without approval or permit and she met the applicant on site on June 7, 2023. The job was stopped at that time and was not allowed to proceed any further. Ms. Rose explained this home had a cedar roof, which is one of three roof materials that must go through the Board for review or approval. The applicant is before the Board to make a case about the need to replace the roof with something different.

Ms. Bokor stated cedar roofs are valued in Bexley and are to be maintained as best possible, therefore, per City Council, staff can only approve a same-for-same replacement, which happened recently. But, Board approval would be required to change the material. Ms. Bokor did not have a lot of time to review this application prior to the meeting.

Ms. Rose stated that when one of these cases comes before the Board, the applicant typically shares the price to repair and replace the roof by an independent consultant.

Ms. Bokor received the supplementary materials from the applicant on the Tuesday prior to the meeting.

Ms. Rose said she does not have any photos of the prior roof as it had been torn off.

Kristin Rosin, legal counsel, Mr. Date, and Todd Cannon were sworn in.

Ms. Rosin spoke on behalf of the trust that owns the property, explaining that Mr. Date submitted the application on June 7, 2023. She asserted that the submittal came directly from the contractor and all of the information from the standard modification form was included, although probably not as organized as the Board would like to see it. She stated the subject roof was installed within the last seven years and was a cedar siding, not cedar shake, and was not installed with breather or slats; because of the lack of ventilation, it had started to rot. She asserted the remaining life was estimated at 5 years with annual maintenance required. She said the proposed architectural shingle will be in a cedar color and will have a life of 25 years. She indicated that an analysis of the neighborhood was included, and it was noted that there were 25 homes with asphalt shingles, 8 slate roofs, and one tile roof.

Mr. Canon stated that the type of cedar that was previously installed is great for siding, but not roofing. He asserted that there must be some type of ventilation system; the roof was removed from the garage without a ventilation system and the garage was in need of ventilation. He explained that a permit was not pulled because of the resignation of one of the contractors.

Mr. Canon stated that when priced out, the cedar shake shingle was about four times the expense. The garage was finished first and the contract came in to do the home and at that point it was revealed that there was no permit.

The timeline of the prior garage roof replacement was discussed. Ms. Rose explained the application at that time of the prior replacement was for a replacement with a new shake roof and the permit was for a shake roof. The applicant stated the roof wasn't shake, but was shingles.

Ms. Rosin explained that the homeowner is unavailable presently but Mr. Heyer clarified Ms. Rosin was acting as his representative.

Ms. Strasser asked for clarification of the timeline of events and Mr. Date testified as follows: the garage was the first project and the contract was on March 24, 2023; the job was completed in April. There was not a permit for that job. Phase two started without a permit; it was a change order but there was no permit for the house roof. The same type of material was on both the garage and the roof. Currently, the garage roof is replaced and the home roof is torn off with an underlay and tarp.

Ms. Krosky clarified that there is asphalt roofing on the garage; the color was displayed as it relates to new or weathered cedar shake. The garage has a Desert Tan color. Mr. Canon stated that cedar weathers in about two years due to pollen and if it starts to get black, it is not breathing.

Ms. Bokor stated she was unaware as to whether the garage was original to the property and would check. The applicant said that when he visited the home in March, the house looked nice and the garage almost looked like a new garage, like the roof was installed within the last 10 years. There was relatively new plywood underlayment but the roof looked like it was due for replacement.

It was stated that the applicant had not met the requirements for the paperwork submission.

Mr. Scott stated this is a complicated decision for the Board because there are a variety of portions to this case and stated that in his opinion, the garage is done, and even though the roof has already been removed, what will be allowed to proceed: will there be a requirement for cedar or allowing a new asphalt roof? If the roof was still on the building, would a removal and shingles be approved? He explained that he would prefer—but cannot mandate—cedar. Furthermore, he questioned why a tan roof would be placed on a modernized house.

Ms. Bokor explained that the required pictures and a history of the roof maintenance were not included in the submission.

Ms. Strasser said that in her view, if the applicant had come to the Board prior to beginning the project, she would have voted that the roof be replaced with cedar, not asphalt. She explained her position that other homes with asphalt shingles on the street is irrelevant because the home has historically had a cedar roof.

Acting Chairperson Heyer said his first reaction is that there is not enough information to make a proper judgment due to lack of quality evidence, including photographs and an understanding of what is under the roof. He said he has a concern that this job was done without a permit and is in progress; he explained that he does not think

there is enough information to make a judgment based solely on the given testimony. He explained that if the applicant wanted a vote, he would vote no. However, he stated that if the applicant wanted to provide evidence about the condition, such as samples from the existing roof or photos, there would be something to that.

Ms. Rosin discussed what was included in the submission and stated that the Board has sworn testimony under oath, which is evidence that the roof was failing. She stated that the roof was shingle which only lasts for ten years, and furthermore it wasn't installed properly. She explained nothing contradicts the sworn testimony and the choice before the Board to have the applicant install a shingle roof to only last for ten years, have the applicant upgrade to the type of roof the previous applicant applied for but that wasn't installed—which Ms. Rosin does not believe is proper—or have the applicant install an asphalt roof. Ms. Rosin discussed the utility of requiring the applicant to install something that will only last ten years, stated it is not proper to require an upgrade to something four times the cost, and mentioned the asphalt roof keeps in line with the neighborhood as there are other asphalt roofs nearby. She explained that no amount of pictures or research will change the fact that these are the three options the Board has before it and stated the applicant cannot provide pictures or samples that will satisfy the Board.

Ms. Bokor explained the caveat that she only received the materials on Tuesday and has not had adequate time to pull together all of the materials or information.

Acting Chairperson Heyer explained the only request before the Board is replacing a cedar shake roof with asphalt shingles. Ms. Rosin wanted to make the correction that it is cedar shingle, not cedar shake, as per the testimony.

Mr. Fishel explained that the Board can accept, reject, or question any testimony and mentioned corroborated or expected corroborating information as well as the missing information from the file because the project started without approval. Mr. Fishel explained there are legitimate factors to take into consideration as the Board makes their decision.

Ms. Rose explained that when she was first on site, she did not notice the typical factors that inhibit a cedar roof like foliage falling onto the site. She also stated that Mr. Date explained that the owner did not like the shaded look of the shingle.

Mr. Heyer clarified that this vote is solely about the approval of the current roof being replaced in favor of asphalt shingles in a Desert Tan color.

Ms. Rosin explained they are happy to work with Staff to give Staff more time to look at the archives. She explained her concern that the roof is tarped so they want to work expeditiously.

Ms. Bokor explained she and Ms. Rose work quickly and that she may know of people who can get further information.

Ms. Rosin shared her concern that this information from contractors will not be sworn testimony which leads her to concerns about the integrity of this process.

Mr. Fishel stated that the burden of proof is on the applicant and if the Board does not feel there's adequate information in the record to support the burden of proof, they can make the determination based on what is currently before them. He explained that perhaps more information would shed light and allow the Board to make a more informed decision. The fact that there may be conversations between staff and contractors is common practice in this board and other boards like it and there is nothing inappropriate going on to taint this process. Mr. Fishel said he does not feel he is hearing Staff has done anything differently than usual except that they are trying to do more because this project was handled without a permit.

Ms. Rosin suggested it would be improper for Staff to have conversations without the applicant also being able to have the conversations, as the applicant does not have the names of prior contractors so they cannot reach out to get the information. However, the applicant is happy to work with Staff. Ms. Rosin said it would be unfair to the applicant to get, use, and vet information and perhaps submit supplemental information, but the applicant would like to work with the Board and vice versa.

Mr. Heyer clarified that there would be collaboration.

Mr. Fishel clarified he heard Ms. Rosin say there is taint to this process in an effort to undermine whatever decision might be made for the purposes of a later appeal. He stated that later, Staff should share this type of information and to imply otherwise is unsupported by practice he's seen.

Mr. Heyer explained the applicant can request to go for a vote or to table and he feels getting more information would be important.

The applicant requested a Table.

Ms. Strasser said she would like to have, to the extent possible, further corroboration that the roof was covered with a shingle, not a shake, and to hear from an impartial third party that shingle is an inferior product that only lasts ten years. She would like to understand why replacing it with a like product is not possible.

It was confirmed that currently, the roof is gone and stated there are photographs that were taken at some point during the process.

Mr. Heyer stated that the Board has a history of tabling because they want to give the applicant the benefit of being able to provide information that they feel is lacking so the Board can make a proper decision via vote; the Board is looking to show good faith to the applicant.

Ms. Bokor stated she would like to stress the point that the Desert Tan color is not something she would approve if she were to approve asphalt shingles and she stressed that is something that should be thought through if everything else falls into place.

Mr. Scott stated a cut sheet or physical sample would be beneficial in providing evidence and said Desert Tan would not be approved by him.

Ms. Bokor said there is not an approved list of material colors and explained that a dark color would better fit the color scheme.

Mr. Fishel explained that if the majority of the Board voted against a Table, that they would have to vote on the original application.

Motion to Table this application to the August 10, 2023 ARB Meeting by Ms. Krosky, second by Mr. Scott; Strasser – Yes, Krosky – Yes, Scott – Yes, Heyer – No

6. Application Number: ARB- 23-19
Address: 35 S Gould
Applicant: James Knox
Owner: Meredith and Jonathan Stout
Request: The applicant is seeking Architectural review and approval and a Certificate of Appropriateness for a porch and deck addition(s) at the rear of the home.

Mr. Knox was sworn in.

Ms. Bokor said this project showed the site plan and an image of the split level home. She said the site is tricky in the back and there are a few things she has questions on. She also indicated concern about the size of the column in the back and asked about a vent free gas fireplace. Mr. Knox said he believes there will be landscaping near the open lattice work in the back.

Mr. Stout was sworn in and said that underneath the sunroom will be closed off but the deck will have landscaped hydrangeas.

Mr. Heyer wanted to know about the height under the deck; it will be six feet which is currently what the deck is now, although this goes down to three feet on the second elevation. In reality, this will be a little bit higher because it will be flush with a new door. There is a step down to the first deck so the height of the skirting will be a little

less. Underneath the deck will be about four feet; Mr. Heyer asked if there could be screening. Mr. Stout said that space underneath will be used for storage. Mr. Heyer stated it would be nice to have lattice or vertical boards behind the landscaping.

Mr. Scott stated that because this is screened by the fence, his previous concern about visibility is gone. It was explained that the vertical pine will be supported by stringer boards and under the joist band there will be vertical skirting. The vertical pine will be flush to the building above; he recommended protecting and supporting the pine.

Ms. Krosky agreed with Mr. Scott's comment about the skirting and Ms. Bokor's comment about the alignment of the column, windows, and doors. She suggested working with Ms. Bokor on these.

This will be custom built and there is some flexibility on door size, etc.

Chairperson Toney explained she has the same concerns as other Board members and feels comfortable having the applicant work with Ms. Bokor.

The Findings of Fact and Decision of the Board for Application Number ARB-23-19 for property located at 53 S. Gould: The Architecture Review Board finds that the proposed porch and deck additions are architecturally compatible with the existing structure and approve a Certificate of Appropriateness with the condition that the applicant work out the door alignment and skirting with the Design Consultant.

The applicant understood the Findings of Fact.

Motion to approve the Findings of Fact by Mr. Scott, second by Ms. Strasser; roll call: Krosky – Yes, Strasser – Yes, Heyer – Yes, Scott – Yes, Toney – Yes

7. Application Number: BZAP-23-20
Address: 2572 Brentwood
Applicant: Kiernan Smith
Owner: Marion Handler
Request: The applicant is seeking a recommendation to the Board of Zoning and Planning for Architectural review and approval and a Certificate of Appropriateness to replace an existing garage with a 782 square foot garage.

Ms. Bokor explained this applicant is seeking a recommendation to the BZAP. She stated this garage could be replaced and said the applicant would like to put, in its place, a garage with a flexible space that does not have any of the amenities for living space. Ms. Rose stated the variance is being sought due to size, as 684 square feet is the standard garage size in the zoning district. This project meets all of the requirements for where it sits on the lot.

Mr. Smith was sworn in and stated the garage is getting close to being derelict; there has been wind damage, the existing roofing is out of date, and it has been partially ripped off. He explained the original garage is showing age. He stated the additional one-car portion of the garage may have been added after the original building and that the house has been updated to have black framed windows with a new roof. The goal is to rebuild the garage and propose a gabled roof which fits the context of the neighborhood. The north and east walls will stay where they are, but this will have it grow into the back yard. There will not be plumbing in the flex space and Mr. Smith explained some of the amenities. They are planning on matching the existing structure.

It was reiterated that the applicant is requesting a variance for square footage based on lot size; the existing garage is at 660 square feet and is already non conforming and the revised garage will be about 25% larger than what is allowable and 18.5% larger than the existing structure. The applicant feels this will be an improvement to the neighborhood.

Ms. Strasser asked about an exterior lighting plan and Mr. Smith said it hasn't come up but is something they can add. It was explained that the drive in is from the front and there is no rear access and the applicant desires to keep it that way.

Ms. Krosky asked the applicant to consider having the garage door be the same color as the doors and windows. She said she agrees with what Ms. Strasser said in terms of lighting.

Mr. Heyer said the existing garage doesn't have anything on the alley; he asked if there was consideration to break up the monotony of the long facade, such as a recess for recycling totes or another type of detail. Ms. Strasser said she agrees. Mr. Smith said that it is curious that there is no alley access and he imagines it is part of security. Various options were discussed. It was suggested that winter-hardy greenery may help with the variance request. It was stated that eave and ridge heights are within the requirements.

Mr. Scott said he supports the appropriateness for scale due to the way the garage is layed out. Mr. Scott also pointed out that there are strategic design details in the alley. He said it is important for him to see how the applicant will address the alleyways and would have liked to see the other side in the renderings and how the alley can be addressed. It was explained that the vinyl siding on the garage will match the vinyl siding on the house. Mr. Scott said he would like to see additional details and stated the lighting is a critical aspect because it accentuates liviness, is architecturally significant, and that the features can be used as an architectural element. The garage door types have not yet been specified, and Mr. Scott said he thinks materials other than white may be appropriate. There was a discussion of how the money was being spent on the project. Mr. Scott pointed out Bexley's Design Guidelines and

encouraged the applicant to look at them as well as the boxed eave in the drawing. Mr. Heyer highly recommended not wrapping soffits and eaves and vinyl.

Chairperson Toney reiterated Mr. Scott's comments. She also suggested details to the long garage wall facing the alley.

The applicant understood the process of working with Ms. Bokor before going to the BZAP.

The Findings of Fact and Decision of the Board for Application Number BZAP-23-20 or property located at 2572 Brentwood: The Architecture Review Board recommends to the Board of Zoning and Planning for approval for a Certificate of Appropriateness with conditions or modifications as follows:

- 1) The applicant add detail or change to break up the wall along the alley
- 2) Garage door style be studied and provided
- 3) Eave detail to be modified to a straight rake
- 4) Show lighting

The applicant understood the Findings of Fact.

Motion to approve the Findings of Fact by Ms. Krosky, second by Mr. Scott; roll call: Scott – Yes, Heyer – Yes, Krosky – Yes, Strasser – Yes, Toney – Yes

7) Other Business

There was no other business.

8) Adjourn

The meeting was adjourned.