

**CITY OF MIDDLETOWN
ARCHITECTURAL REVIEW BOARD
MINUTES**



DATE: Tuesday, October 4th, 2022
PLACE: Conference Room 3C, One Donham Plaza 45042
TIME: 5:00 PM

MEMBERS PRESENT: Monica Nenni Roger Daniel

STAFF PRESENT: James Metz, City Planner

OTHERS PRESENT:

CALL MEETING TO ORDER

Mr. Daniel called the meeting to order at 5:00 PM. Mr. Metz called the roll. All of the members were present and constituted a voting quorum.

APPROVAL OF MEETING MINUTES

Mr. Daniel stated that the first order of business would be to approve the meeting minutes from the July 19, 2022 meeting. Ms. Nenni called to approve the minutes. Mr. Daniel seconded the motion. The meeting minutes were approved unanimously.

CASE 4-22: 1820 GRAND AVENUE – NEW RESIDENTIAL ACCESSORY STRUCTURE

Mr. Daniel introduced the case as a request for a variance for the building located at 1820 Grand Avenue, Middletown, OH 45044.

James Metz, City Planner, presented the staff report.

Mr. Metz stated a request by Charles Moore for approval of a variance for the building material used on an accessory structure in an R-4 zoning district. The proposed building is a primarily metal accessory building built on a residential lot. The accessory building requires review and approval by the Architecture Review Board due to the structure not meeting the Middletown Development Code requirements.

Mr. Metz stated that per the Middletown Development Code, all accessory buildings over 200 square feet in area must have the same approximate color and material as the front of the existing primary building if visible from a public street. When the above provisions shall not be met, the materials shall be reviewed by the Architectural Review Board pursuant to section 1226.01 of the Middletown Development Code.

Mr. Metz explained that the Architectural Review Board has the ability to grant variances to the architectural standards provided that they find the following:

1. That the intent of the architectural standards is upheld;
2. That the applicant clearly demonstrates that the strict enforcement of the architectural standards causes an undue hardship; and
3. That an exceptional and extraordinary circumstances exist which would not be found

elsewhere in the community.

Mr. Metz stated that each staff report packet included the application submitted, the site plan, and property photos. Mr. Metz also stated that the applicant was present.

Mr. Metz concluded his staff report.

The board discussed the application and the history of the property. Councilwoman Nenni asked Mr. Metz if Mr. Moore is running an automotive business out of his residence. Mr. Metz said not to the best of his knowledge and that he would not be able to legally. Councilwoman Nenni asked Mr. Metz what the property currently looks like. Mr. Metz stated the last time he drove by the property was several weeks before this meeting at the time the application was submitted and there were 10-15 cars on the lot. Councilwoman Nenni stated that although she appreciates what the applicant is trying to accomplish this is still a residential neighborhood and for that reason, she will vote no.

Mr. Daniel asked if he owns both lots. Mr. Metz stated that he owns the adjoining lot which is the one for the garage to be built upon but he rents the adjoining property and resides there.

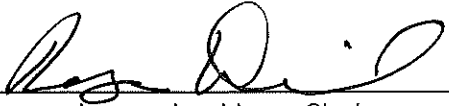
Mr. Daniel asked if we have a motion. Councilwoman Nenni made a motion to deny the variance. Mr. Daniel asked if we'd like to have the applicant resubmit for next month. Councilwoman Nenni stated that if the applicant were to have his property clear from all code enforcement violations. Councilwoman Nenni stated that in previously approved metal accessory structures the properties were in compliance with code enforcement. Mr. Daniel stated that the building would help the applicant come into compliance. Councilwoman Nenni stated that the cars shouldn't be there in the first place. Councilwoman Nenni asked Mr. Metz how many violation notices the applicant received. Mr. Metz stated he was unaware of the total amount but that the applicant has made progress cleaning up the site but that the property was still in violation.

Mr. Daniel seconded the motion. The motion was approved through roll unanimously.

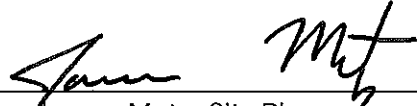
NEW/OLD BUSINESS

ADJOURNMENT

With no further business, Mr. Daniel made a motion for adjournment. The motion for adjournment passed unanimously and the meeting ended at approximately 5:23 PM.



Jeremy Loukinas, Chairman
Roger Daniel



James Metz, City Planner