

# **VILLAGE OF HARTVILLE CERTIFICATE OF APPROPRIATENESS APPLICATION**

The Certificate of Appropriateness review process is designed to preserve the distinct character of Hartville's designated historic properties and the integrity of its older neighborhoods.

## **What is a Designated Historic Property?**

A property that is listed in Hartville's Historical Business District.

## **Certificate of Appropriateness Application**

All owners of designated historic properties in Hartville are required to obtain a Certificate of Appropriateness before making any exterior changes to their property.

## **Standards and Guidelines**

The Architectural Review Board use the Standards specified in the Zoning Ordinance, Section 11, to determine the appropriateness of proposed exterior changes to the buildings and sites under their jurisdiction. A copy of the Village Code and/or your district guidelines can be obtained by calling the Village office at 330-877-9222.

## **Where to Begin**

- 1) Contact the Village Hall at 330-877-9222.
- 2) Obtain a copy of the Village Zoning Ordinance and the Secretary of the Interior's Standards, which explains the guidelines for your district and read them carefully.
- 3) Complete the application which pertain to your proposed project and sign the application.
- 4) Once the paperwork is returned to the Village Office, an Architectural Review Board meeting will be scheduled within 25 days upon receipt.
- 5) Notify all property owners abutting the property in question.
- 6) Attend the hearing to present your case to the Board. The applicant or the applicant's representative must be present at the hearing for a case to be heard.
- 7) If the project is approved, the Certificate will be available after the Chair signs it, typically two business days after the hearing.
- 8) Obtain the necessary permits through Stark County.
- 9) Display the Certificate where it is visible from the street.
- 10) Certificates expire in one year.

## **Where to Send Completed Applications**

The Village of Hartville  
202 W. Maple Street  
P.O. Box 760  
Hartville, OH 44632

## **Certificate of Appropriateness**

When the Architectural Review Board approves your proposal, a Certificate of Appropriateness will be issued. The Certificate is not a permit for work. The Certificate must be taken to the Stark County Building Department 330-451-1770, in order to obtain the proper permits and fees for the building.

## **The Secretary of the Interior's Standards for Rehabilitation**

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**VILLAGE OF HARTVILLE  
ARCHITECTURAL REVIEW BOARD  
202 W. MAPLE STREET  
HARTVILLE, OH 44632  
330-877-9222 Fax: 330-877-9778**

**CERTIFICATE OF APPROPRIATENESS APPLICATION**

Filing Date: \_\_\_\_\_ File No. \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Work/Cell Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Owner Name (if other than applicant): \_\_\_\_\_

Owner Address: \_\_\_\_\_

**Historic Property**

Street Address: \_\_\_\_\_

Lot Number: \_\_\_\_\_ Zoning District: \_\_\_\_\_

**Type of Change (check all that apply)**

- Alteration                       Repair                       Addition  
 New Construction               Demolition               Other

**Work being performed by:**

Architect or Engineer: \_\_\_\_\_ Phone: \_\_\_\_\_

Building Contractor: \_\_\_\_\_ Phone: \_\_\_\_\_

Other: \_\_\_\_\_ Phone: \_\_\_\_\_

**For Official Use Only**

Hearing Date: \_\_\_\_\_  
Approved / Denied

Notes: \_\_\_\_\_  
\_\_\_\_\_

**Required Attachments to this Application: Please note 11.4.2 section in the Historical Business District.**

- Site Plan
- Detail Drawing(s)
- Signage or Graphics
- Materials Sample(s)
- Elevations
- Other \_\_\_\_\_
- Photos/Brochures of Similar properties (4x6 or larger)
- Demolition: Removal of any building feature(s) or the razing of any structure(s). For all demolitions, the applicant must include a written reason for the demolition, the proposed reuse of the site, evidence of funding and a time frame for project initiation.

(Please discuss appropriate photographs/materials with the Architectural Review Board prior to application submission)

**Description of Proposed Work: (attach extra sheets as needed)**

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**Please read and initial the following statements:**

- \_\_\_\_\_ I am the owner of this property, or
- \_\_\_\_\_ I am acting on behalf of the owner(s) of this property and have attached a letter from the owner(s) indicating their knowledge of this application.
- \_\_\_\_\_ The information on this application represents an accurate description of the proposed work. I have omitted nothing that might affect the decision of the Historic Architect Review Board.
- \_\_\_\_\_ I will attend (or send a representative to attend) the public hearing of this application before the Historic Architect Review Board.
- \_\_\_\_\_ I understand that issuance of a Certificate of Appropriateness is not an authorization to begin work.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

## 11 "H-1" HISTORICAL BUSINESS DISTRICT

11.1 **Purpose:** The purpose of the Historical Business District is to maintain a high character of community development, to protect and preserve the property values and to protect real estate from impairment or destruction of value for the general community welfare by regulating the exterior architectural characteristics of structures through the hereafter defined Historical Business District. It is the further purpose of this district to recognize and preserve the distinctive historical and architectural character of this community which has been greatly influenced by the architecture of an earlier period in this community's history. These purposes will be served by the regulation of exterior design, use of materials, the finish grade line, landscaping and orientation of all structures hereinafter altered, constructed, reconstructed, erected, enlarged or remodeled in the hereinafter defined Historical Business District.

11.2 **Principal Permitted Uses:** The uses permitted in any B1 or B2, R1, R2, or R3 district, except that residential occupancy is not permitted on the ground floor facing the main street at the front of the building.

A "Zoning Use" permit is required for the commencement of the specific uses set forth within the B-1 and B-2 Business Districts and said 'Zoning Use' permit is, also required for a change of existing permitted use to another permitted use.

11.3 **District Boundaries:** The Historical Business District boundaries are the lots fronting on the following streets:

11.3.1 South Prospect South to Sunnyside on the West and the boundary between lots 12 and 13 on the East side.

11.3.2 West Maple to Robson and Lake.

11.3.3 Lake Street North to Keyser and Erie.

11.3.4 North Prospect Northeast to the railroad tracks.

11.3.5 East Maple East to the railroad tracks.

11.4 **Application and Notice:**

11.4.1 Whenever a structure, as defined by this Zoning Ordinance, whether public or private, within the above described district is proposed to be constructed or erected and whenever an existing structure is proposed to be altered, reconstructed, enlarged or remodeled, if such alteration, reconstruction, enlargement or remodeling involves the exterior design, material, finish grade line, landscaping or orientation of the structure, an application for certificate of appropriateness shall be filed with the Zoning Inspector.

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11.4.2 The application shall be accompanied by a site plan and building elevations drawn to scale indicating at a minimum, the lot dimensions, size, shape, and dimensions of the structure, the location and orientation of the structure on the lot and the actual or proposed building setback lines. In addition, the application shall be accompanied by a detailed narrative description of the proposed design or change of design, use of materials, finish grade line, landscaping and orientation of the structure. Applications for structures to be constructed or remodeled, which remodeling would increase or decrease the total gross building area by fifty percent (50%) or more, shall be accompanied by appropriate, relevant colored elevations showing at a minimum, the design, use of materials, finish grade line, landscaping and orientation of buildings and any significant architectural features. In addition, the Board of Architectural Review may require submission of colored perspectives or architectural renderings in applications where the Board feels it is required.

11.4.3 Upon receipt of an application for a certificate of appropriateness, which is accompanied by the material required by the provision of subsection 11.4.2 hereof, the Zoning Inspector shall place the application on the agenda for the Board of Architectural Review at its next regular meeting following ten (10) days from the date the application is filed. The Zoning Inspector shall further cause to be published in a newspaper of general circulation within the Village of Hartville, a public notice of the scheduled hearing date of the application together with a general description of the nature of the application. The applicant shall be notified by mail of the date of the hearing.

In addition, there shall be a notice posted on the subject property stating that an application has been filed and the date, time and place of the hearing.

11.5 **Board of Architectural Review:** The Board of Architectural Review shall consist of three (3) members who shall be appointed by the Mayor and approved by the Village Council. One member must be a degreed Architect, registered by the State of Ohio and in good standing, whom may or may not be a resident of the Village of Hartville. The other two members shall be residents of the Village of Hartville, not concurrently holding an elected office or appointment to either the Zoning Board of Appeals or Planning Commission.

11.6 **Certificate of Appropriateness Standards for Review:**

11.6.1 The Board of Architectural Review, in deciding whether to issue a certificate of appropriateness, shall determine that the application under consideration promotes, preserves and enhances the distinctive historical village character of the community and would not be at variance with existing structures within that portion of the district in which the structure is or is proposed to be located as to be detrimental to the interests of the District as set forth in this Zoning ordinance. The intent of this ordinance is to preserve the historical character of the downtown as depicted by a number of structures built in the 1800's. The structures are examples of Georgian, Greek Revival, Colonial Revival, and Queen Anne architecture which date from the

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early 1800's. (See Appendix "A" at the end of this section). The Board shall assure that any renovation or restoration of existing structures shall meet the US Secretary of the Interior's standards for Rehabilitation, as listed at the end of this section. In conducting its review, the Board shall make examination of and give consideration to the elements of the application including, but not necessarily limited to:

- 11.6.1.1 **Height**, with respect to impact upon any adjacent structures, height limitations found elsewhere within this Zoning book and capable of fire protection.
- 11.6.1.2 **Building massing**, which shall include the relationship to the viewer's and pedestrian's visual perspective.
- 11.6.1.3 **Window Treatment**, which shall include the size, shape and materials of the individual window units and the overall harmonious relationship of window openings. Consideration will be given to returning to original condition, windows covered over or reduced in size by previous renovation and also the introduction to window space such devices as awnings, air conditioners, fans and signs.
- 11.6.1.4 **Exterior detail and relationships**, which shall include all projecting and receding elements of the exterior, including but not limited to, porches and overhangs and the horizontal or vertical expression which is conveyed by these elements.
- 11.6.1.5 **Roof**, including the type, form and material composing the roof, as well as the shape and symmetry of the roof area, eaves, gutters and down spouts.
- 11.6.1.6 **Materials**, texture and color, which shall include a consideration of material compatibility among various elements of the structure. Colors shall be appropriate to the period during which the structure was built.
- 11.6.1.7 **Compatibility of design and materials**, which shall include the appropriateness of the use of exterior design details. Particular attention shall be given the use of appropriate or inappropriate siding material and materials covering over features significant to the integrity of the structure.
- 11.6.1.8 **Landscapes design and plant materials**, which shall include lighting and the use of landscape details to highlight architectural features, screen or soften undesirable views, and to provide a buffer between parking areas or sidewalks.

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- 11.6.1.9 **Pedestrian environment**, which shall include the provision of features which enhance pedestrian's visual perspective.

No vending machines of any type shall be placed within Village sidewalk right-of-way. Property owners shall not cause any object or structure to be placed within the sidewalk right-of-way without prior approval of the Board of Review.

All sidewalk furniture, including, but not limited to, benches and trash receptacles, shall be of conforming style. No such items shall be placed within the sidewalk right-of-way without prior approval of the Board of Review.

- 11.6.1.10 **Signage**, which shall include the appropriateness of signage to the building and vicinity. All signs shall be clearly legible. All new signs shall be mounted flush to the building front and of colors appropriate to the Historical Business District. Signs not attached to buildings shall be considered individually in their merits by the Board of Architectural Review. All signs must be set back beyond the sidewalk right-of-way. Installation of all signs shall be approved in advance by the Board of Review and in addition must be in conformance to the Village Sign zoning regulations.

- 11.6.1.11 **New Structures** All new structures within the Historical Business District shall be of architectural style similar to structures in the immediate vicinity. Complete plans for all new structures shall be submitted to the Architectural Board of Review for approval.

- 11.6.2 In conducting its inquiry and review, the Board may request from the applicant such additional information, sketches and data as it shall reasonably require. It may call upon experts and specialists for testimony and opinion regarding the matters under examination. It may recommend to the applicant changes in the plans that it considers desirable and may accept a voluntary amendment to the application to include or reflect such changes. The Board shall keep a record of its proceedings and shall append to the application copies of information, sketches and data needed to clearly describe any amendment to the application.

- 11.6.3 When its review is concluded, the Board will determine by a vote of its members, whether the application shall be approved. If approved by two (2) or more of its members, the Board shall return the application and appended material to the Zoning Inspector with the instruction that the certificate of appropriateness be issued, provided all other requirements for a building permit and zoning use permit, if applicable, are met. The certificate of appropriateness shall be valid for one (1) year from the date of approval, or such extension as may be granted by the Board. If not approved, the Board shall return the application and appended material to the applicant with a notice that the certificate of appropriateness shall not be issued because the application did not meet the criteria and standards set forth herein.



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**11.7 Preservation of Property upon Demolition of a Structure**

**11.7.1** Whenever a structure within the Historical Business District "H-1" is proposed to be demolished, an application for a certificate of appropriateness shall be filed with the Village of Hartville Zoning Inspector as provided in this article. In considering such application, the Board of Architectural Review shall limit its inquiry to the proposal for grading, landscaping and other design treatment of the property once the structure has been removed.

**11.7.2** Nothing in this article shall be construed to prevent the demolition of a structure whether public or private, within the District.

**11.8 Repair or Maintenance Exception**

Nothing in the article shall be construed to prevent any ordinary repair or maintenance of an exterior architectural feature or any ordinary planting and landscaping now in the District.

**11.9 Appeals**

The Board of Architectural Review shall decide all applications for architectural review not later than thirty (30) days after the first hearing thereon.

**11.9.1** Any person, firm or corporation, or any officer, department, board or agency of the Village who has been aggrieved by any decision of the Board involving an application for architectural review approval may appeal such decision to the Village of Hartville Zoning Board of Appeals, by filing notice of intent to appeal with the Zoning Inspector within ten (10) days from the date of the decision, setting forth the facts of the case.

**11.9.2** The Zoning Board of Appeals shall conduct a public hearing on the request for appeal, the hearing shall be held not later than sixty (60) days after a final decision has been rendered by the Board of Architectural Review. The Zoning Board of Appeals, by a majority vote of its members, shall decide the matter. The decision by the Zoning Board of Appeals will then be presented to Village Council for approval. Council may overturn a negative decision by the Zoning Board of Appeals by a minimum of 80 percent of the full council.

**11.9.3** If no notice of intent to appeal is filed with the Zoning Inspector within the period specified in subsection (11.9) hereof, the Zoning Board of Appeals may at the option of a majority of its members and not later than ten (10) days following the expiration of the appeal period, elect to review any architectural review decision of the Board of Architectural Review. The Zoning Board of Appeals shall schedule a public hearing on the matter which shall not be

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held more than sixty (60) days after a final decision was rendered by the Board of Architectural Review. At a public hearing, the Zoning Board of Appeals may by a majority vote of its members, shall decide the matter and its decision shall be final.

### 11.10 **Penalty:**

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or land in violation of any regulation adopted by Council. Any person, firm or corporation violating any regulation thereto shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than five hundred (\$500.00) dollars. Every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.

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### **The Secretary of the Interior's Standards for Rehabilitation (for reference)**

- 1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
  - 2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
  - 3) Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
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### **Appendix A for Article 11**

(Several pictures of buildings representing the representative architectural styles will be included in the final ordinance.)

**ORDINANCE NO. 1-07.09**

ORDINANCE NO. 1-7.09 amending the Village of Hartville Zoning Ordinances by adding Article 11 for the creation an Historical Business District within the Village, and declaring it to be an emergency.

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HARTVILLE,  
STARK COUNTY, OHIO:**

**Section 1: Findings and Determinations.** This Council finds and determines the following matters:


- (a) The Village desires to amend its zoning ordinances to create an Historical Business District within which it can regulate exterior architectural characteristics in order to maintain a high character of community development, protect and preserve property values, and protect real estate from impairment or destruction of value for the general community welfare.
- (b) A public hearing regarding the zoning amendments was properly advertised and held on October 17, 2006.
- (c) All formal actions of this Council relating to the enactment of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22, Ohio Revised Code.

**Section 2: Amendment of Zoning Ordinances.** The Village's zoning ordinances are amended to include an Article 11 which is attached as Exhibit A.

**Section 3: Statement of Emergency.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Village, and for the further reason that the immediate effectiveness of this Ordinance is necessary to timely place in effect the amended zoning ordinances of Village.

**Section 4: Effective Date.** Provided that this Ordinance receives the affirmative vote of two-thirds of the members elected or appointed to Council, it will take effect and be in force immediately upon its passage; otherwise, it will take effect and be in full force at the earliest period allowed by law.

Dated: APRIL 3, 2007

  
MAYOR

ATTEST:

  
CLERK-TREASURER

