

REVIEW PROCEDURE FOR BUILDING OR ENVIRONMENTAL CHANGES TO DESIGNATED LANDMARKS.

Section 1213.10 of the Shaker Heights Zoning Code requires that a Certificate of Appropriateness must be obtained from the Landmark Commission when building or environmental changes are proposed for a property which has been designated a landmark or which is situated in a designated local landmark district.

Building changes include all additions and exterior alterations, demolition or removal to landmark structures as well as any auxiliary structure proposed for the site of a landmark structure. A Certificate of Appropriateness is not required for repainting, although the Commission strongly encourages landmark property owners to select historically appropriate color schemes. The Commission is available to advise owners about appropriate color schemes for their properties.

In addition to the provisions listed above, a Certificate of Appropriateness is also required for any new construction on vacant lots within a designated local landmark district.

Environmental changes include any physical change made to a site, including but not limited to, fences, retaining walls, signage and major landscaping, excluding minor changes to plan materials. The removal, change or addition of a non-plant landscaping element is considered an environmental change. Individual plant removals, replacements and additions, except significant trees, are not considered an environmental change. However, the removal, replacement or addition of a significant tree or many plants would be considered an environmental change.

A Certificate of Appropriateness is also required for streetscape improvements within a designated landmark district, including signage, decorative paving, and street furniture.

APPLICATION TO COMMISSION FOR A CERTIFICATE OF APPROPRIATENESS

Any application submitted to the Building Department or Planning Department for a building permit or approval of an environmental or building change will be forwarded within seven (7) days to the Landmark Commission, together with copies of all details, plans, elevations, specifications, and documents relating thereto. The applicant may file an application directly with the Landmark Commission at the same time that an application for a building permit or approval is filed.

INFORMATION REQUIRED FOR COMMISSION REVIEW:

The Landmark Commission may waive or modify the following requirements, or request additional information as necessary for Commission review. The application is not considered complete until all information required and requested is submitted.

- A. A completed application with sufficient contact information for the applicant and/or owner.
- B. Elevations of the proposed building or environmental change drawn to scale with sufficient details to show, as far as they relate to exterior appearances, the architectural design of buildings, including proposed materials, textures, and colors. **(THREE (3) FULL SIZE SETS OF PLANS AND SEVEN (7) SETS AT 11 X 17 SIZE ARE REQUIRED)**
- C. Color and/or material samples.
- D. A site plan, including all improvements affecting appearances such as walls, walks, terraces, plantings, accessory buildings, lights, signs, and other elements.
- E. In the case of Landmark District, applications may be supplemented by perspective or

isometric drawings or models showing the proposed environmental or building change in the context of the adjacent surroundings of the Landmark District.

- E. Color photographs of all sides of the Landmark construction or property, and color photographs of neighboring properties on both sides of the same block or square lying within a 200 foot radius of the Landmark structure or property under consideration.

LANDMARK COMMISSION MEETINGS:

The Landmark Commission holds regular monthly meetings and shall review applications received by the Planning Department twelve (12) or more days prior to its meeting. The Chair may call additional meetings as necessary. The Commission shall review applications for a building or environmental change using the following criteria:

- A. The change will not adversely affect any significant historical or aesthetic feature of the property and is appropriate and consistent with the spirit and purposes of the Shaker Heights Landmark Ordinance (Chapter 1213.10 of the City Zoning Code); or
- B. The change will remedy conditions imminently dangerous to life, health, or property, as determined in writing by Building, Fire, Housing Inspection or Health Departments.

If the Landmark Commission finds either or both of the above to exist, it shall grant permission for the building or environmental change and inform the applicant of its decision in writing. If the Commission should find that the building or environmental change would adversely affect any significant historical or aesthetic feature of the property or is inappropriate or inconsistent with the spirit and purposes of the Shaker Heights Landmark Ordinance, the Commission will deny the application and advise the applicant and Building Department in writing within sixty (60) days after receiving the application.

DESIGN STANDARDS:

The Landmark Commission has adopted the Secretary of the Interior's Standards for Rehabilitation as its standards for design review. Please refer to the Landmark Commission Design Guidelines. They have also adopted standards for window restoration and replacement (available in the Planning Department).

APPLICATION TO COMMISSION FOR A CERTIFICATE OF ECONOMIC HARDSHIP:

An applicant who has been denied a Certificate of Appropriateness may, within thirty (30) days of the denial, apply for a Certificate of Economic Harship. The Landmark Commission may solicit expert testimony or request that the applicant for a Certificate of Economic Hardship submit evidence concerning property value, cost estimates, income, expenses, and/or any other information that the Landmark Commission deems necessary to determine whether denial of the applicant constitutes an economic hardship. The level of documentation required may vary as is appropriate to each case.

PLEASE CONTACT CITY STAFF TO DISCUSS ITEMS SPECIFIC TO YOUR PROJECT.

FAILURE OF LANDMARK COMMISSION TO ACT IN A TIMELY MANNER:

If no action has been taken by the Landmark Commission on a complete application for a Certificate of Appropriateness or a Certificate of Economic Hardship within sixty (60) days after such complete application has been received by the Landmark Commission, the application shall be deemed granted, unless the time for consideration is extended by mutual agreement.

QUESTIONS:

The Shaker Heights Landmark Commission
c/o the Planning Department
3400 Lee Road
Shaker Heights, OH 44120
(216) 491-1430