

# Memo

**To:** All Applicants  
**From:** Design Review Board  
**Date:** 12/30/2009  
**Re:** APPLICATION PROCESS

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Ladies and Gentlemen:

In addition to the required information on the attached application, please be advised that **color photographs are required with all applications** that are submitted for review. These photographs should follow certain criteria:

- 1.) Photos should clearly show the building at street level, showing the area that will be affected.
- 2.) Photos should also encompass the surrounding area, at street level, to reflect how other structures and/or infrastructure may be affected.
- 3.) If a change or addition is planned, a drawing "to scale" must be submitted, along with color photos of the existing structure or lot.
- 4.) If the application is requesting a new sign or modification to an existing sign, a photo of where it will be placed on the building, along with a rendering from the sign company doing the work must be attached. Samples of sign material and color must also accompany the application, or be brought to the meeting.

Please feel free to call Melinda Fisher at 740-774-1185 if you have any questions or require additional information.

**DESIGN REVIEW BOARD APPLICATION  
FOR CERTIFICATE OF APPROPRIATENESS  
CITY OF CHILLICOTHE**

35 South Paint Street  
(740) 773-8980 Office  
(740) 779-6476 Fax

Date Received: \_\_\_\_\_  
(By Building Inspector)

**MUST SUBMIT PRINTS, DRAWINGS, PHOTOGRAPHS AND MATERIAL SAMPLES TO EXPLAIN THE PROJECT WITH THIS APPLICATION.**

LOCATION OF PROPERTY

PROPERTY OWNER

OWNER'S ADDRESS

CITY STATE ZIP

TELEPHONE NUMBER

AUTHOR OF DRAWINGS

TELEPHONE NUMBER

CURRENT TYPE OF OCCUPANCY

TYPE OF PROJECT TO BE REVIEWED BY BOARD (CHECK WHERE APPLICABLE)

- |  |  |
|--|--|
| <input type="checkbox"/> CHANGE OCCUPANCY TYPE USE TO _____            |  |
| <input type="checkbox"/> EXTERIOR ARCHITECTURAL FEATURES               | <input type="checkbox"/> DEMOLITION OF STRUCTURE |
| <input type="checkbox"/> MAINTENANCE ONLY                              | <input type="checkbox"/> NEW CONSTRUCTION        |
| <input type="checkbox"/> LANDSCAPING                                   | <input type="checkbox"/> FENCES                  |
| <input type="checkbox"/> AWNINGS OR CANOPIES                           | <input type="checkbox"/> PARKING LOT PAVING      |
| <input type="checkbox"/> EXTERIOR PAINTING                             | <input type="checkbox"/> BUILDING WORK           |
| <input type="checkbox"/> WINDOWS OR DOORS                              | <input type="checkbox"/> SOFFIT & TRIM           |
| <input type="checkbox"/> SIGNAGE                                       | <input type="checkbox"/> LIGHTING                |
| <input type="checkbox"/> TREE REMOVAL                                  |  |
| <input type="checkbox"/> TYPE OF MATERIAL TO BE USED FOR PROJECT _____ |  |

(USE BACK OF THIS SHEET FOR FURTHER EXPLANATIONS)

**APPLICATIONS ARE DUE 14 DAYS PRIOR TO THE 3RD THURSDAY OF THE MONTH.  
THE BOARD MEETS THE 3RD THURSDAY OF THE MONTH AT 4:30 P.M.**

**AFTER APPROVAL HAS BEEN OBTAINED, PLEASE CONTACT THE BUILDING DEPARTMENT  
FOR THE REQUIRED PERMITS PRIOR TO COMMENCEMENT OF THE PROJECT.**

\_\_\_\_\_  
Applicant's Signature/Phone No.

\_\_\_\_\_  
Date

**APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT DRB MEETING.**

**City of Chillicothe  
Design & Review Board  
Sign Standards and Guidelines**

**Overview:** The DRB believes it is important to preserve the appearance and aesthetics of Chillicothe's historic downtown signage but also recognizes that materials used for signage construction continue to improve and evolve over time. Providing the integrity of display value is not compromised, the DRB will permit the usage of new materials available to the marketplace to include, but not be limited to, the material guidelines further identified below. However, nothing contained herein this Sign Standards and Guidelines should be construed as an applicant's absolute right to use any such new materials, as the final determination of integrity of display value shall be the sole and absolute discretion of the DRB in review of each individual application and how the proposed work blends with the neighboring building storefronts and the goals of the DRB.

**Materials of Construction:** Signs should be designed to provide a display value that compliments the buildings to which they are affixed and should be fabricated to provide a look of traditional materials of the period.

Possible sign construction materials may include, but are not limited to: Medium Density Overlay (MDO), High Density Urethane (HDU), Alumacorr, PVC Board, Omega Board, Coretec, Exterior or Marine Grade Plywood, and Solid Wood.

Vinyl products are generally discouraged but may be considered by the DRB if the requirements of this section are met and the applicant's sample material submitted with the application is an exact match to the DRB approved color palates.

**Color:** Color palates of Sherwin-Williams Victorian, Arts & Crafts, and Classical/Colonial are hereby approved for general use within the downtown historic district. Other palates or specific colors may be approved by the DRB in its sole and absolute discretion based on the merits of the individual application. However, any such approval should not be deemed an approved color or palate for use in any future application.

**Illumination:** Signs should be illuminated by direct or indirect lighting as deemed appropriate by the DRB in reviewing the applicant's signage proposal, building elevations, neighboring buildings and the merits of the individual application. Internal light signs are prohibited in the historic downtown area.

**National & Regional Identity Programs:** The DRB recognizes that multi-store regional and national chains may have a considerable marketing investment in a corporate sign and identity program that contains specific logos, colors and specifications that promote its business but do not conform to the DRB Sign Standards and Guidelines. Although the DRB will make the final determination of whether to approve or disapprove any application, it generally will recognize and approve the use of brand identity in applications submitted by regional and national chains either directly or through their franchisee, agent, or operator.

## **City of Chillicothe Design Review Board**

### **Exterior Color Palettes for use in the Historic Design Review District**

Sherwin Williams "Arts & Crafts" and "Victorian" color palettes (printed in 2001) have become outdated. These palettes have been used as a guide when directing applicants to acceptable exterior color choices for Chillicothe's Historic Design Review District. The members of the Design Review Board hereby offer the following palettes as acceptable exterior color choices going forward:

#### **Do It Best (Central Center) Hardware**

##### **Do It Best Exterior Colors**

- Architectural Style
  - Colonial
  - Modern Craftsman
  - Victorian
  - Cottage

##### **Historic Color Gallery**

- Exterior Statements

#### **Lowe's**

##### **Valspar Exteriors**

- American Classics

#### **Menards**

##### **Pittsburgh Paints –Exterior**

- Open Spaces
- Warm Retreats

#### **Sherwin Williams**

##### **Sherwin Williams Exterior Historic Colors**

- America's Heritage

**CHAPTER 1167**  
**(HDR) Historic Design Review District (Overlay)**

<p><b>1167.01 Purpose.</b></p> <p><b>1167.02 Definitions.</b></p> <p><b>1167.03 District boundaries.</b></p> <p><b>1167.04 Design Review Board.</b></p> <p><b>1167.05 Certificate of appropriateness required.</b></p> <p><b>1167.06 Procedure for certificate of appropriateness.</b></p> <p><b>1167.07 Criteria of evaluation of application for certificate of appropriateness.</b></p>	<p><b>1167.08 Demolition of structures.</b></p> <p><b>1167.09 Maintenance.</b></p> <p><b>1167.10 Procedure for listing properties.</b></p> <p><b>1167.11 Appeals.</b></p> <p><b>1167.99 Penalty.</b></p>
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**1167.01 PURPOSE.**

The City of Chillicothe downtown contains areas with unique and valuable historic, architectural and/or cultural structures. The preservation of these structures is directly linked to the cultural, social, and economic well-being of the community, and is best achieved by creating synergies with business and property owners in the District. The purposes of this chapter are:

- (a) To protect, preserve, and rehabilitate these structures and prevent intrusions and alterations within the established districts which would be incompatible with their established character, and
- (b) To encourage infill development and property improvement that respects the context of the existing built environment and reduce conflicts between new construction and existing development, and
- (c) To stabilize and enhance property values and economic value of identified structures, and
- (d) To promote economically viable reuse of historic structures within Chillicothe's historic downtown core, and
- (e) To promote and enhance the economic and physical vitality of downtown Chillicothe.

The standards of this chapter must be met in addition to the established requirements and standards of the underlying zoning district and/or other lawfully adopted regulations. The Ohio Building Code shall prevail in the event of conflicting language or provisions within this chapter. (Ord. 23-12. Passed 3-26-12.)

### **1167.02 DEFINITIONS.**

As used in this chapter, the following words shall be defined as follows:

- (a) "Alteration" means any action to change, modify, reconstruct, remove or demolish any exterior features of an existing structure or site within the Historic Design Review District. For the purpose of this item, ordinary maintenance to correct any deterioration, decay or damage to a structure or premises and to restore the structure as nearly as practicable, is excluded from the definition of "alteration", provided such work does not involve a change in color or type of building materials, except windows which may be replaced with newer materials available, so long as the street view of the window size and design is unchanged.
  - (b) "Applicant" means any person, persons, association, organization, partnership, unit of government, public body or corporation who applies for a Certificate of Appropriateness in order to undertake an environmental change within the District.
  - (c) "Architectural Character" means the architectural style, general design, and general arrangement of the exterior of a building or other structure including the type and texture of the light fixtures, signs and other appurtenant fixtures. In the case of an outdoor advertising sign, "exterior features" means the style, material, size and location of the sign.
  - (d) "Certificate of Appropriateness" means a certificate authorizing any environmental change within an established Historic Design Review District.
  - (e) "Concept Review" means that process of allowing a person to meet with the Design Review Board to receive nonbinding feedback on a proposed alteration prior to submitting a formal application for a certificate of appropriateness.
  - (f) "Design Review Board" means the Design Review Board of the City of Chillicothe.
  - (g) "District" means a Historic Design Review District(s) as may be established by City Council, pursuant to Section 1167.03.
  - (h) "Environmental Change" means the construction, alteration, demolition or removal of any property subject to the provisions of this chapter.
  - (i) "Listed Property" means any property not within a design review district that is identified and protected under this chapter as if it were in a district.
  - (j) "Owner" means the owner of record, according to records maintained by the Ross County Auditor, and the term shall include the plural as well as the singular.
  - (k) "Preserve" or "Preservation" means the process, including maintenance, of treating an existing building to arrest or slow future deterioration, stabilize the structure and provide structural safety without changing or adversely affecting the character of appearance of the structure.
- (Ord. 23-12. Passed 3-26-12.)

### **1167.03 DISTRICT BOUNDARIES.**

- (a) The Historic Design Review District shall consist of areas to be identified and designated by City Council under separate ordinance. The designation of such areas shall be made by Council after obtaining a recommendation from the Design Review Board and the Planning Commission, and holding a public hearing. Prior to that hearing, at least one (1) notification shall be given in a newspaper of general circulation in the City.

(b) For the purposes of this chapter, the boundaries of the Historic Design Review District shall be identified as follows: Beginning at a point at the intersection of the West right of way line of North Walnut Street (or the west right of way line of Yoctangee Boulevard), as applicable, and the North right of way line of West Water Street; thence easterly along the North right of way line of Water Street to its intersection with the East right of way line of North Mulberry Street; thence southerly along the East right of way line of Mulberry Street to its intersection with the South right of way line of East Fifth Street; thence westerly along the South right of way line of Fifth Street to its intersection with the West right of way line of South Walnut Street; thence northerly along the West right of way line of Walnut Street to the point of beginning.

(c) The Historic Design Review District includes all new or existing developable lots and parcels with or without structures located within or bordering the described boundary rights of way that face any of the road rights of way located within or bordering the boundary and includes all lots and parcels located contiguous to but outside the bounding rights of way including all structures are located within a distance of 125 feet or from any bounding road right of way. The Historic Design Review District specifically includes the lots and parcels with or without structures that are located at the north west corner of West Water Street and North Walnut Street, the north east corner of East Water Street and North Mulberry Street, the southeast corner of South Mulberry Street and East Fifth Street and the southwest corner of South Walnut Street and West Fifth Street.

(Ord. 23-12. Passed 3-26-12.)

#### **1167.04 DESIGN REVIEW BOARD.**

(a) Establish and Appointment of Board Members. The Design Review Board is hereby established consisting of seven (7) citizens of Ross County at least five of which shall reside or own property in the City. Each member shall be appointed by the Mayor and approved by City Council for terms of two (2) years, and may be reappointed for consecutive terms. Current members on the Design Review Board at the time of the adoption of this chapter may continue to serve until the end of their current term(s). At least one (1) member of the Design Review Board shall also be a member of the Planning Commission as designated by Planning Commission, and one (1) member shall be a member of Council as designated by Council. At least three (3) members of the Design Review Board appointed by the Mayor, shall be residents, business owners, or property owners in the District at the time of the member's appointment. In appointing members, the Mayor shall consider a potential member's qualifications which may include demonstrated experience in redevelopment of owned District property, active participation in business organization (such as the Chamber of Commerce, Downtown Merchants Association, or similar) within the District, professional training, experience in the fields of historic preservation, architecture, design, or related disciplines.

(b) Organization and Meetings. Upon initial appointment of a new Design Review Board, the Mayor shall appoint a temporary chair, who shall call the first meeting of the new Design Review Board. The first meeting shall take place no later than 60 days subsequent to the Council approval of the Design Review Board, at which time the members shall meet and elect a chairperson, vice chairperson, and secretary. The Design Review Board shall not hold less than six (6) meetings per year.

(c) Quorum. Four (4) members of the Design Review Board shall constitute a quorum. The concurring vote of four (4) members shall be necessary to pass any motion or action.

(d) Vacancies. The Mayor shall fill vacancies on the Design Review Board within 60 days of the position becoming vacant. Such appointments shall fill the remainder of the term vacated by the original appointee.

(e) Concept Reviews. The Design Review Board may assist owners by conducting nonbinding concept reviews before an application for any certificate of appropriateness, if requested by the owner.

(f) Duties and Procedures. The Design Review Board shall have such duties and powers as necessary to administer the requirements of this chapter and as may be specified by City Ordinance. The Design Review Board shall adopt its own procedural rules and guidelines. (Ord. 23-12. Passed 3-26-12.)

#### **1167.05 CERTIFICATE OF APPROPRIATENESS REQUIRED.**

No environmental change shall be made to any property within the Historic Design Review District until a Certificate of Appropriateness has been properly applied for and issued by the Design Review Board. No zoning certificate or building permit shall be issued by the Zoning Inspector for any environmental change as defined in Section 1167.02(h), now or hereafter in the Historic Design Review District or otherwise subject to the process as specified in this article, unless a Certificate of Appropriateness has been authorized by the Design Review Board. (Ord. 23-12. Passed 3-26-12.)

#### **1167.06 PROCEDURE FOR CERTIFICATE OF APPROPRIATENESS.**

(a) The application for a Certificate of Appropriateness shall be made on such forms as prescribed by the Zoning Inspector, along with such plans, drawings, specifications and other materials as may be needed by the Design Review Board to make a determination. At a minimum, such information shall include the following:

- (1) A site plan showing building outlines, dimensions, and landscaping.
- (2) A complete description of the proposed environmental change.
- (3) A photo of the building front or elevation drawing of same.

(b) Applications for a Certificate of Appropriateness shall be filed with the Zoning Inspector at least ten (10) days prior to the meeting of the Design Review Board, except a demolition request which shall be filed with the Zoning Inspector at least thirty (30) days prior to the meeting of the Design Review Board.

(c) The Design Review Board shall determine whether the proposed environmental change will be appropriate to the preservation of the environmental, architectural or historic character of the Historic Design Review District, pursuant to the criteria specified in Section 1167.07.

(d) In determining the appropriateness of a specific environmental change, the Design Review Board shall conduct a public hearing on the project and /or solicit input from consultants that may be procured and hired by the City for that purpose.

(e) If no action is taken by the Design Review Board within ninety (90) days from the date of application, or the date of the public hearing pursuant to subsection (d) hereof, the Certificate of Appropriateness shall be issued as a matter of law.



(f) If the work described in any approved Certificate of Appropriateness has not been completed within six (6) months from the date of issuance thereof, said approved certificate shall expire. Further work as described in the expired certificate shall not proceed unless and until a new Certificate of Appropriateness has been obtained or an extension has been granted by the Design Review Board. (Ord. 23-12. Passed 3-26-12.)

#### **1167.07 CRITERIA OF EVALUATION OF APPLICATION FOR CERTIFICATE OF APPROPRIATENESS.**

In considering the appropriateness of any proposed environmental change, including landscaping or exterior signage, the Design Review Board shall consider the following:

- (a) The visual and functional components of the building and its site shall be generally compatible with the historic context of its surroundings. Such components shall include, but not be limited to, building height, massing and proportion, roof shape and slope, landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.
- (b) The distinguishing original qualities or character of a historic building, structure, site and/or its environment shall be preserved and the removal or alteration of any historic material or distinctive architectural environmental features should be avoided when possible.
- (c) All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance inconsistent or inappropriate to the original integrity of the building shall be discouraged.
- (d) Whereas changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment, if these changes are deemed to have acquired significance, then this significance shall be recognized and respected.
- (e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.
- (f) Significant architectural features which have deteriorated shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the applicant shall provide evidence that new material matches the material being replaced in composition, design, texture, and other visual qualities as closely as possible. Repair or replacement of architectural features should be based on accurate duplication of the feature, and if possible, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or availability of different architectural elements from other buildings or structures.
- (g) The surface cleaning of masonry structures shall be undertaken with methods designed to minimize damage to historic building materials. Blast cleaning with natural aggregate material and other cleaning methods that will damage the historic building materials should be avoided.
- (h) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, material and character of the property, neighborhood or environment.
- (i) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired. Additions to the least significant and least visible of historic properties should be given priority over other designs.

- (j) Reconstruction or rehabilitation within the Historic Design Review District shall, when possible, conform to the distinguishing, original exterior qualities or character of the structure, its site, and its environment.
- (k) The design of new structures and of additions to existing structures, including new site improvements, shall take into account the architectural style, general design, arrangement, texture, color and material of other structures and premises within the individual precinct.
- (l) All new structures and all reconstruction or remodeling of existing structures within the Historic Design Review District shall, when possible, utilize natural traditional exterior materials such as brick, stone, masonry and/or wood. The use of contemporary materials, such as aluminum and other similar metals, fiberglass and plastic for exterior surfaces on architecturally significant structures shall not be approved unless the applicant provides evidence that the use of such materials would be consistent with existing traditional materials and the overall integrity and longevity of the structure.
- (m) All signs within the Historic Design Review district shall conform to the Design Review Board's design guidelines for signs and to the material standards of this Section; be of such size, scale, style color and design that reflect the era during which the structure was built, and shall conform to the requirements of this chapter. Sign size and shape shall also correspond to the existing proportions of period structures, and signs shall not be permitted to cover, "blank-out" or close existing window and doorway openings or otherwise hide important architectural features.
- (n) The proposed action is consistent with design guidelines for the Historic Design Review Board District, as may be subsequently prepared for and adopted by the Design Review Board.
- (o) Exceptions. Under exceptional circumstances as the Design Review Board may determine, the Board may approve environmental changes that consist of decorative lighting, signs or other changes that do not strictly conform to the design guidelines if the environmental change does not interfere with the historical character of the streetscape and/or is in the best interest of the District and City of Chillicothe, as determined by the Design Review Board.  
(Ord. 23-12. Passed 3-26-12.)

#### **1167.08 DEMOLITION OF STRUCTURES.**

(a) Whenever a structure within the Historic Design Review District is proposed to be demolished, partially demolished, or removed, the application for the Certificate of Appropriateness shall clearly set forth the intent to demolish. Pursuant to Section 1167.06(d), the Design Review Board shall schedule a public hearing on the application to occur not more than thirty (30) days from the date the application is filed. Public notice shall be served no later than twenty (20) days in advance of the public hearing. The Design Review Board shall take action within ninety (90) days from the date of the public hearing.

The Design Review Board shall grant the demolition and issue a Certificate of Appropriateness when the applicant submits suitable evidence that one (1) or more of the following conditions exists:

- (1) The structure contains no features of architectural and historic significance contributing to the character of the Historic Design Review district within which it is located.

- (2) The reasonable economic use for the structure as it exists or as it might be preserved is of such minimal level, and the reuse value of the property without the structure is of such level that there exists no feasible and prudent alternative to demolition.
- (3) Deterioration has progressed to the point where it is not economically feasible to preserve and reuse the structure consistent with the standards of Section 1167.07.

(b) Failure to Submit Plans. The Certificate of Appropriateness for demolition as issued shall contain enforceable deadlines and design commitments for the site. A Certificate of Appropriateness for demolition shall not be issued unless the Design Review Board has been presented with suitable plans for the replacement design for the site after demolition consistent with the intent of the Historic Design Review District along with enforceable deadlines for completion of work. (Ord. 23-12. Passed 3-26-12.)

#### **1167.09 MAINTENANCE.**

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any property within the Historic Design Review District, provided such work involves no change in material, design, texture, or exterior appearance; nor shall anything in this chapter be construed to prevent any change, including the construction, reconstruction, alteration or demolition of any building, structure, or feature which in the view of the Zoning Inspector is required for the public safety because of an unsafe, insecure or dangerous condition. (Ord. 23-12. Passed 3-26-12.)

#### **1167.10 PROCEDURE FOR LISTING PROPERTIES.**

(a) Property Listing Initiated by Owner. The Historic Design Review District shall be as described in Section 1167.03 and is intended to be generally the same as the district as it existed under former Chapter 1197. The owner of a property may initiate the listing of the property under this Chapter 1167. If the owner applies for the listing of the property, the Design Review Board may approve the listing of the property if the Board finds that the property qualifies as being historic or architecturally significant as defined by federal regulations. The rules in Section 1167.03(c) in regard to contiguous, bordering, or facing properties shall not apply to individually listed properties.

(b) Property Listing Initiated by Design Review Board.

- (1) The Board shall notify the owner of the property of the proposal to list the property and shall furnish the reasons and supporting data for the Board's proposal.
- (2) The Board shall schedule a public hearing on the proposed listing and cause a written notice to the owner and any other person having a legal interest in the property of record of the date, time and place of the hearing. The Board shall cause a legal notice to be published in a newspaper of general circulation in the City of Chillicothe setting forth the nature of the hearing, the property involved, and the date, time and place of the public hearing.
- (3) If, after the public hearing conducted in accordance with the Procedure for a Certificate of Appropriateness set forth in Section 1167.06(d), the Board finds that the property is of considerable importance to the community and that the listing will conform to the purpose and intent of this chapter, as set forth in Section 1167.01, the Board shall identify the reasons that the property should be listed and shall promptly transmit its findings and recommendation to the Planning Commission.

- (4) Within 30 days of receipt of the findings and recommendation of the Design Review Board, the Planning Commission shall review the same in a public meeting and shall submit to City Council a recommendation to approve or disapprove the listing along with its findings and the recommendation submitted by the Board.
- (5) Council shall give due consideration to the findings and recommendations of the Design Review Board, as well as such views as may have been expressed by persons participating in the hearing before the Review Board, in addition to the recommendation of the City Planning Commission, in making its determinations with respect to the proposed designation of any areas, signs, places, buildings, structures, works of art and other similar objects as Listed Properties. Council shall hold a public hearing on any such proposed designation. After a public hearing, Council may designate such areas, places, buildings, structures, works of art and other similar objects as a Listed Property.
- (6) After the decision by Council, the Review Board shall notify any owner or any person having a legal or equitable interest in such property of the decision by Council.  
(Ord. 23-12. Passed 3-26-12.)

#### **1167.11 APPEALS.**

Any applicant aggrieved by any decision of the Design Review Board may appeal the decision to the Board of Zoning Appeals within thirty (30) days of the decision of the Design Review Board. Such appeal shall be taken by the filing of a written appeal to the Board of Zoning Appeals with copy to the Design Review Board, setting forth the grounds for the appeal. The Board of Zoning Appeals may reverse, remand, or modify the decision of the Design Review Board and shall state the reasons for such reversal, remand or modification.  
(Ord. 23-12. Passed 3-26-12.)

#### **1167.99 PENALTY.**

Whoever constructs, reconstructs, alters, modifies or fails to maintain any exterior architectural or environmental feature now or hereafter within the Historic Design Review District in violation of this chapter, shall be deemed to be guilty of a misdemeanor, subject to the penalties specified in Chapter 1123. Upon notification by the Design Review Board of an apparent violation, the Zoning Inspector shall investigate such case and, if such violation exists, shall commence actions as necessary to process such violation, and shall report to the Design Review Board as to the results of the investigation and the appropriate actions taken.  
(Ord. 23-12. Passed 3-26-12.)