



EMERGENCY

DBS

AWB

City of Cincinnati

An Ordinance No. \_\_\_\_\_

- 2022

**DESIGNATING** the Benjamin Stewart Home located at 5540 Madison Road in the Madisonville neighborhood as a historic landmark.

WHEREAS, the Madisonville Community Council and PLK Communities (“Petitioners”) have applied to designate the structure commonly known as the Benjamin Stewart Home and located at 5540 Madison Road in the Madisonville neighborhood as a local historic landmark; and

WHEREAS, the Benjamin Stewart Home is a two and a half story American bond brick building that was constructed between 1837-1844 at the intersection of Madison Road and Stewart Road by Benjamin Stewart, a prominent businessperson who played an integral role in the development of Madisonville; and

WHEREAS, the land that contains the Benjamin Stewart Home was granted to Joseph Ward, the first permanent settler of Madisonville, by the U.S. government for his services in the Patriot Army during the Revolutionary War, and it was eventually sold by Ward to Benjamin Stewart; and

WHEREAS, the Benjamin Stewart Home is architecturally significant as one of the oldest standing examples of the Greek Revival architectural style in the Madison-Stewart Historic District containing features such as columns that mimic marble, entablatures, trim between the roof and columns, multi-paneled windows, pilasters, and doric columns on the covered front porch; and

WHEREAS, following a public staff conference, the Historic Conservation Board, at its regularly scheduled meeting on December 20, 2021, and upon considering the factors set forth in Cincinnati Municipal Code Section 1435-07-1, recommended designation of the Benjamin Stewart Home as a local historic landmark and further recommended adoption of conservation guidelines governing the maintenance, rehabilitation, and modification of the proposed historic landmark; and

WHEREAS, upon receipt of the recommendation of the Historic Conservation Board, the City Planning Commission, at its regularly scheduled meeting on February 4, 2022, and upon considering the factors set forth in Cincinnati Municipal Code Section 1435-07-2-B(c), recommended the designation of the Benjamin Stewart Home as a historic landmark and the adoption of conservation guidelines governing the maintenance, rehabilitation, and modification of the proposed historic landmark; and

WHEREAS, a committee of Council held a public hearing to review and consider the proposed designation following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1; and

WHEREAS, the Council finds that the Benjamin Stewart Home has historic significance pursuant to Cincinnati Municipal Code Section 1435-07-01(a)(2) for its association with the lives of persons significant in our past, particularly Joseph Ward and Benjamin Stewart; and

WHEREAS, the Council additionally finds that the Benjamin Stewart Home has historic significance pursuant to Cincinnati Municipal Code Section 1435-07-01(a)(3) because it embodies the distinctive characteristics of a type, period, and method of construction, namely the Greek Revival Style of architecture; and

WHEREAS, the Council finds that the historic designation of the Benjamin Stewart Home is in accordance with the *Plan Cincinnati* (2012) goal to “[p]reserve our natural and built environment” (p. 193); and

WHEREAS, the Council finds that the historic designation of the Benjamin Stewart Home conforms to the *Madisonville Neighborhood Business District Urban Renewal Plan* (2002) and its Strategy to “[e]mpower local development entities such as private developers, Madisonville Community Urban Redevelopment Corporation (MCURC), local church groups and other organizations and non-profits to renovate or upgrade existing vacant and underutilized properties throughout the neighborhood business district” (p. 14); and

WHEREAS, the Council considers the designation of the Benjamin Stewart Home as a historic landmark and the adoption of related conservation guidelines to be in the best interest of the City and the general public’s health, safety, and general welfare; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Council approves the Designation Report for the structure located at 5540 Madison Road (“Benjamin Stewart Home”), which report is attached hereto as “Exhibit A,” and specifically adopts as its own findings that the Benjamin Stewart Home, depicted on the attached “Exhibit B” and located on the real property more particularly described on the attached “Exhibit C,” has historic significance and qualifies in all respects for designation as a historic landmark under Chapter 1435 of the Zoning Code of the City of Cincinnati (“Zoning Code”); specifically, Council designates the Benjamin Stewart Home as a local historic landmark under Zoning Code Sections 1435-07-1-(a)(2) and 1435-07-1-(a)(3). By reference, Exhibits A, B, and C are incorporated herein and made a part hereof.

Section 2. That the Zoning Map of the City of Cincinnati is amended to superimpose over the existing underlying zoning district the designation of the Benjamin Stewart Home as a local historic landmark.

Section 3. That, pursuant to Zoning Code Chapter 1435, Council hereby adopts the “Benjamin Stewart Home Historic Conservation Guidelines,” attached hereto as “Exhibit D” and made a part hereof, which guidelines shall govern the preservation, rehabilitation, or modification of the Benjamin Stewart Home historic landmark.

Section 4. That the Clerk of Council is directed to promptly notify the Historic Conservation Board, the City Planning Commission, the Director of City Planning and Engagement, the Director of Buildings and Inspections, and the City Solicitor of the Benjamin Stewart Home historic landmark designation.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to ensure that any alterations or demolitions of the Benjamin Stewart Home are reviewed by the Historic Conservation Board pursuant to Cincinnati Municipal Code Chapter 1435, “Historic Preservation,” which is immediately necessary to preserve and protect the landmark’s historic significance.

Passed: \_\_\_\_\_, 2022

\_\_\_\_\_  
Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk



# EXHIBIT A

**Landmark Designation Request**

**Benjamin Stewart Home in Madisonville**

**5540 Madison Rd**

**Cincinnati, Ohio 45227**

**Submitted to:**

**Cincinnati Historic Conservation Office**

**By: Eric S. Stringer, PLK Communities**

**For the Benefit of**

**Madisonville Community Council**



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## **Introduction**

Prepared by Eric Stringer of PLK Communities for the Benefit of The Madisonville Community Council, this report represents the findings and recommendations for local Historic Landmark designation of the Stewart Home.

## **Background**

The owner PLK Communities, and Madisonville Community Council have an interest in the preservation of the property for the future. The building is architecturally and historically significant as a good example of The Greek Revival style that contributed to many homes of its era and is a significant structure in the Madison-Stewart Historic District in Cincinnati, OH. The building presently serves as the clubhouse and leasing offices for a townhome development.

## **Description of Property**

### **Site**

The Benjamin Stewart home at 5540 Madison Road sits along the line of latitude of 39° 09' 40", and line of longitude at 84° 23' 52". The home sits on a site that is 4.447 acres that it shares with multiple multi-family residential dwellings (noncontributing to landmark) that were built between 2020 and 2021.

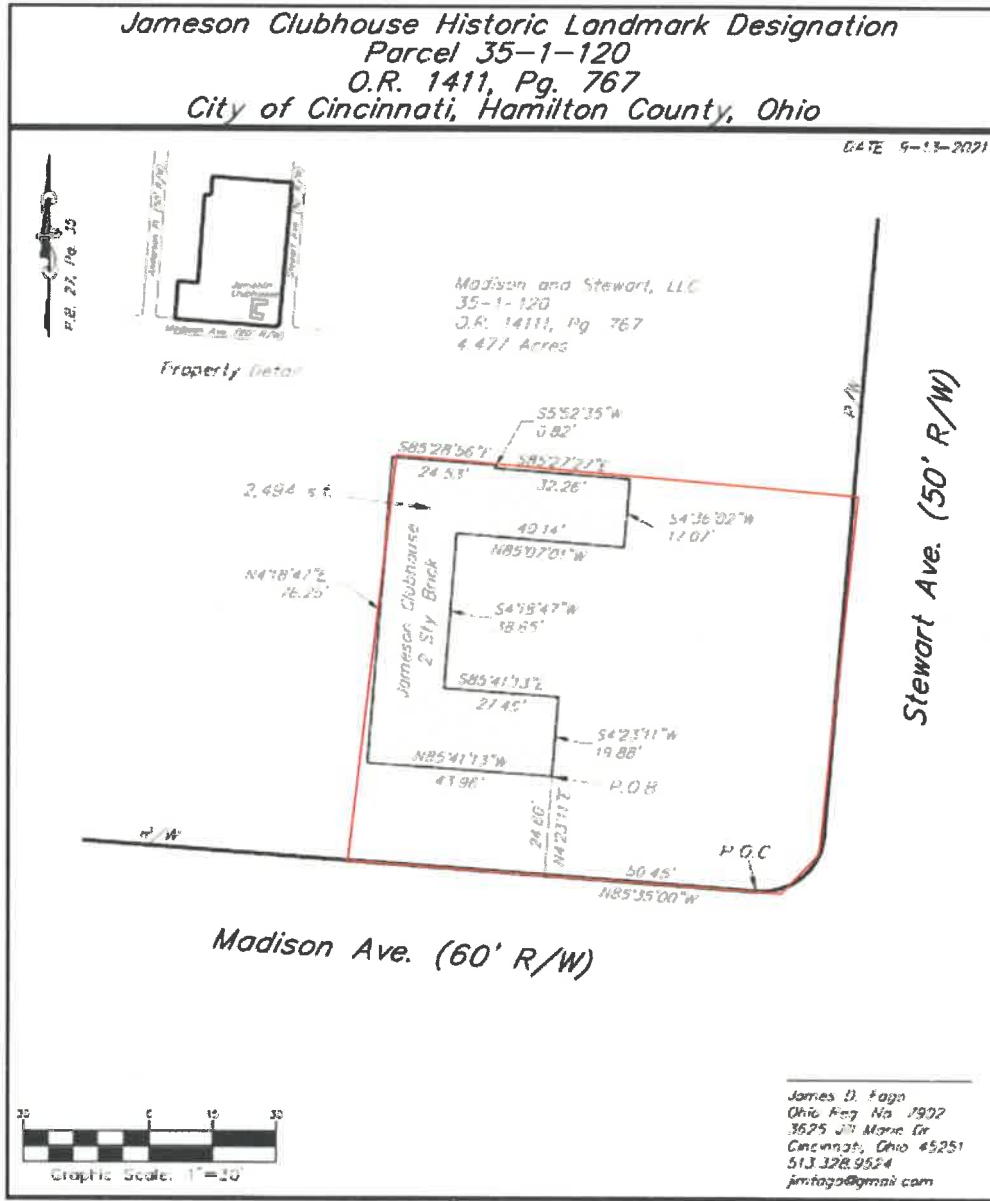
### **Legal Description**

Situate in Section 16, Town 4, Fractional Range 2, Columbia Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Madison and Stewart, LLC in O.R. 14111, Pg. 767 and being more particularly described as follows:



Commencing at the intersection of the west line Stewart Avenue, 50' R/W and the north line of Madison Avenue, 60' R/W; thence with the north line of said Madison Avenue, North 85°35'00" West, 50.45 feet to a point; thence leaving said Madison Avenue, North 04°23'11" East, 24.60 feet to the Place of Beginning; thence with the exterior of the existing Jameson Clubhouse the following ten courses; North 85°41'13" West, 43.96 feet to a point; thence North 04°18'47" East, 76.25 feet to a point; thence South 85°28'56" East, 24.53 feet to a point; thence South 05°52'35" West, 0.82 feet to a point; thence South 85°27'27" East, 32.26 feet to a point; thence South 04°36'02" West, 17.07 feet to a point; thence North 85°07'01" West, 40.14 feet to a point; thence South 04°18'47" West, 38.65 feet to a point; thence South 85°41'13" East, 27.45 feet to a point; thence South 04°23'11" West, 19.88 feet to the Place of Beginning. Containing 2,494 square feet of land more or less. Bearings based on P.B. 27, Page 35 H.C.R.O.. Subject to all legal highways, easements and restrictions of record. This description is based on a survey performed under the direction of James D. Fago, Ohio Reg. No. 7902.

**Map Showing Designation Boundaries (See Below)**



## **Boundary**

The home is identified as parcel 035-1-120 of the Hamilton County Auditors Records. The historic home is set on the corner of Madison Road and Stewart Ave as the eastern boundary. Anderson Place is the next street to the west and Chandler Street is to the north.

## **Justification of Boundary**

The above-listed parcel is both the original and legally recorded boundary line for the property for which designation is being requested. The building occupies the parcel and the parcel designated for Landmark Designation is for the Stewart home only and no other structures.

## **Setting**

Located on the northwest corner of Madison Road and Stewart Avenue in Madisonville, the Benjamin Stewart home sits prominently on a small slope, roughly 15 feet from the street front. In its historic setting, the home may have been surrounded by similar residential dwellings and tucked away from the busy streets of downtown, but today Madison Road is a thoroughfare for commuters moving between Cincinnati's various neighborhoods and many businesses operate within a short vicinity of the property. Today, such businesses include MedPace, a publicly traded company with 2,800 employees, as well as a multitude of independent shops and restaurants.

## Statement of Significance

The Benjamin Stewart home according to one source, was built in 1833 from lumber that Stewart had floated down the Ohio River on flatboats<sup>1</sup>. However, it should be stated that this is a legend, as the deeds indicate that Stewart bought the land in 1844 from Jonathan Ward. Jonathan Ward bought the property from the state in 1837 and the house was built between 1837-1844 when the property was sold to Benjamin Stewart. The house is a two and a half story American bond brick building with an L-shaped floor plan. Constructed in the Greek Revival Style, this home is one of the oldest standing examples of this type of architecture in the district.

The Madison-Stewart District was designated by the National Register of Historic Places on May 29, 1975 (No. 75001419). The Stewart home sites prominently on the intersection of Stewart and Madison Road and is representative of an iconic architectural style as well as an anchor building to the historic district. Benjamin Stewart became a successful businessman in Cincinnati via his lumber enterprise and the home is on land that has been inhabited by Jonathon Ward, the grandson of Madisonville's first settler, Joseph Ward.

According to CZC 1435-07-1 (2) the home is associated with the lives of persons significant in our past and, (3) the Stewart home embodies the distinctive characteristics of a type, period, or method of construction (Greek Revival) that represents a significant and distinguishable entity. The request for Historic Landmark designation of the Stewart home also is consistent with the desire to have a prominent structure represented. The style of the home, as well said historic ownership, combine and fulfill the requirements to have such a building landmarked and to avoid the loss or demolition of the structure.

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<sup>1</sup>Busald, Ruth Ann, et. Al., *Images of America: Madisonville*, Charleston, Arcadia Publishers, 2012.

## **Historical Significance**

The designation of the Madison-Stewart district in 1975 reflects the desire and need to highlight and preserve our city's rich architectural and cultural landmarks. This home requested for Historic Landmark status has the attributes of not only reflecting a culturally significant style of building (Greek Revival), but also of a descendant of both the Revolutionary War and Madisonville's first permanent resident. Madisonville, named in honor of President Madison, was a settlement to the north of Columbia, where some settlers left due to being in a flood zone in the early 19<sup>th</sup> century. The Madison-Stewart district derives its name from Benjamin Stewart, whose residence being the most prominent in the district, as well as President Madison.

The first permanent settler of Madisonville was Joseph Ward. He and his three eldest sons were soldiers in the patriot army during the Revolutionary War. Born in New Jersey in 1784, Ward emigrated from New Jersey to Ohio in 1797. Originally, Ward arrived in the settlement of Columbia, but due to the flooding of the area, moved to a plot of land of what is now the neighborhood of Madisonville.

Joseph Ward and his two sons Nehemiah and Amos were granted land to them by the government for their services in the Revolutionary War. In all, Joseph and his wife Phebe had 9 children. Joseph Ward's grandson, Jonathan, would eventually live on the property that is the site of the Stewart home. According to records, the property would have been sold by Jonathan to Benjamin Stewart in 1844.

Benjamin Stewart, to whom the home is named after, was a prominent businessman of Madisonville. Stewart made a living from lumber, which is potentially where the legend that he made the home on Madison and Stewart from lumber he floated down the river. Stewart's daughter Sarah and his son in law James White, would also live in the home. The home would have a descendent of Benjamin Stewart living in it until the 1940's.

The Ward family extends back to the very beginning of Madisonville, and the home on Stewart and Madison Road is fully renovated and stands as a prominent fixture to this historic district. In 1911 the City of Cincinnati annexed the neighborhood of Madisonville and now Madisonville is one of fifty-two neighborhoods in the city, being situated to the east of the neighborhood of Oakley on the east side of the city.

### **Architectural Significance**

The Benjamin Stewart home has been characterized as being Greek Revival. The move from Georgian-Colonial style homes was an intended move and the early 19<sup>th</sup> century settlers wanted an architectural style that was distinct from their British ancestors. The Stewart home exemplifies the characteristics of Greek revival style in that it is constructed with several features such as columns to mimic marble, entablatures, trim between roof and columns, pilasters, and a covered front porch.

From the 1820's to 1860's, homes were being built in the Greek Revival style. Typical features included a gabled and/or low pitch roof, entry porch supported by square or round prominent columns. Greek Revival architecture was favored for its elegant yet simplistic style. One of the first published works on this style of architecture was James Stuart's *Antiquities of Athens and Other Monuments of Greece*, in 1762. Architects drew inspiration from the temples found throughout Greece and Italy and began incorporating these design features into their own buildings. The style would be referred to as the national style due to its popularity as a symbol of Democracy.

The features of the Benjamin Stewart home include the low-pitched roof as well as the Doric columns on the front porch and entryway. Another element that the home features are the multi paneled windows. The building was constructed in an L shape, and the chimneys were placed on the side and in the back of the building. Greek temples are usually built from marble or stone, so to replicate the light color, the wooden finishes would have been painted white due to the lack of resources to make homes from marble. The Stewart home also incorporates the use of entablatures at the roof trim. The entablature is the band of trim at the base of the roof.

While many homes built in the Greek Revival style have rather grand or large porticos, the Stewart house was built with a more modest portico, giving the home a refined yet modest look. The columns on the portico similarly were not built above the second story but were below the window trim line of the second story. The Doric columns similarly were the more simplistic of the three traditional styles: Doric, Ionian, and Corinthian.

## **Planning Considerations**

### **Consistency with CZC Chapter 1435, Historic Preservation**

The designation of the Stewart home meets the requirements of chapter 1435-07-1, a site of Historic Significance and chapter 1435-03, of the Cincinnati Zoning Code (Historic Conservation),

“To safeguard the heritage of the city by preserving districts and landmarks which reflect elements of its history, architecture and archeology, engineering or culture”

The documentation in this designation report provides conclusive evidence that all the required findings may be made for the proposed designation.

## **Research Methodology**

Research was conducted using various sources, both on-line and hard copy. Sources include the National Register of Historic Places Inventory-Nomination Form, the book *Images of America: Madisonville*, as well the Hamilton County Auditor and Recorder for deed and plat research.

## References

Records of the Hamilton County Auditor and Recorder.

Editorial Staff State History Publications, *Ohio Historic Places Dictionary, Volume 2.*, Ohio: Native American Books, 2008.

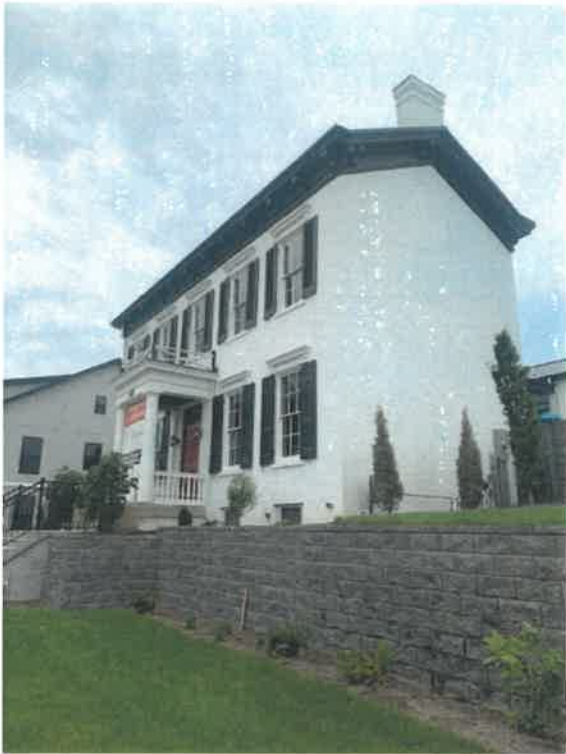
Busald, Ruth Ann, et. Al., *Images of America: Madisonville*, Charleston: Arcadia Publishers, 2012.

*The National Register of Historic Places, Volume 2.* Berkeley: United States Department of the Interior National Park Service, 1976.



**Recent Interior and Exterior Renovations**

**Exterior Remodeled in 2020**



**Original Staircase in foyer**



**Courtyard (East Facing)**



**Exterior Rear Entrance**



**Upstairs room with original fireplace and support beams.**



**Original hardwood floors restored in upstairs room, currently serves as guest lounge and co-working space for residents.**



**Original fireplace restored and redesigned in guest lounge.**





# Certified Sanborn® Map

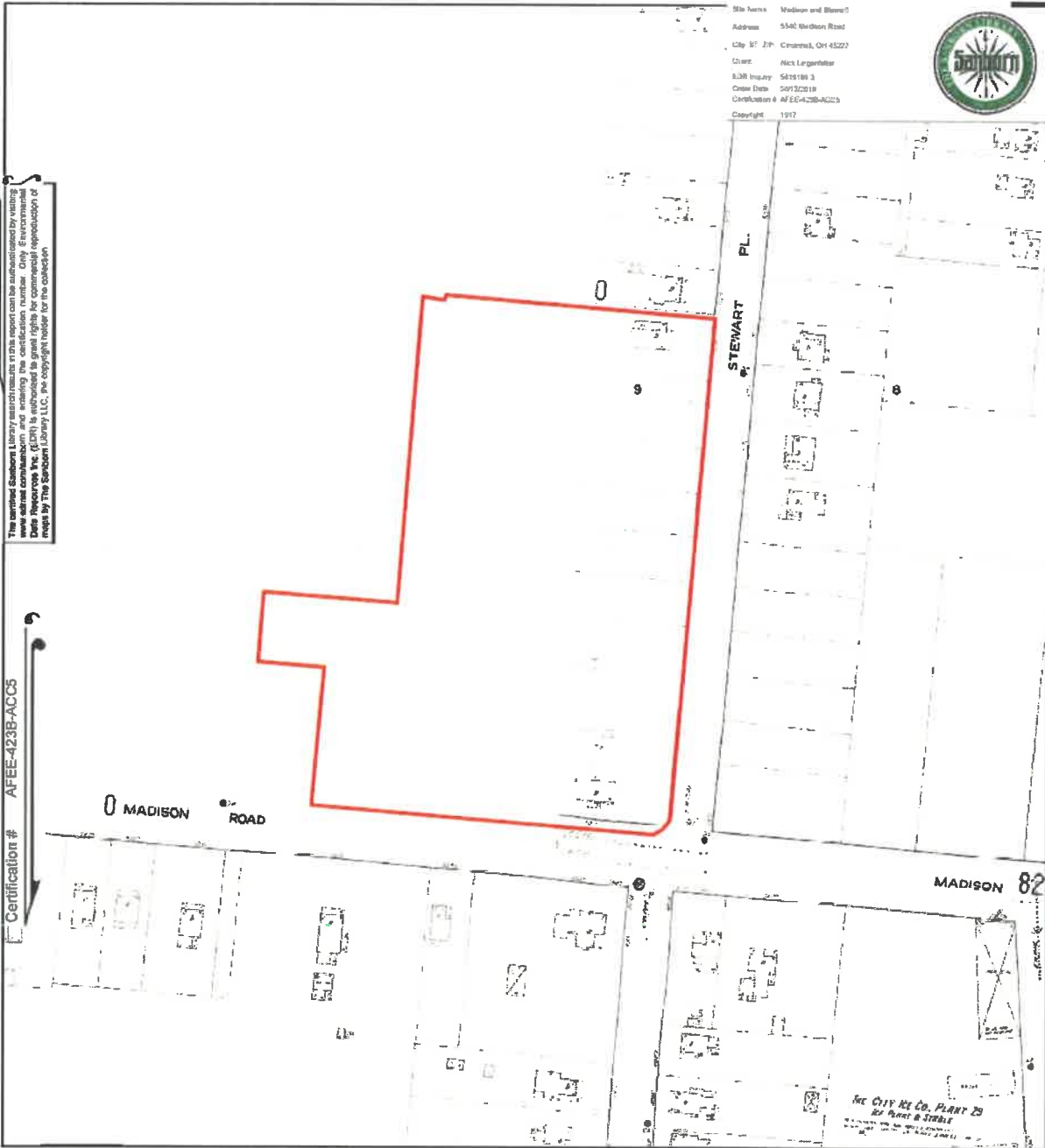
1917

Site Name: Madison and Stewart  
 Address: 5542 Madison Road  
 City: ST. ZEPHYRUS, OH 45227  
 Client: Nick Langanbiller  
 S.M. Inquiry: 5/15/2018  
 Order Date: 5/01/2018  
 Certification #: AFEE-423B-ACC5  
 Copyright: 1917

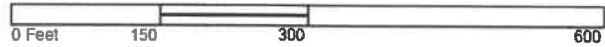


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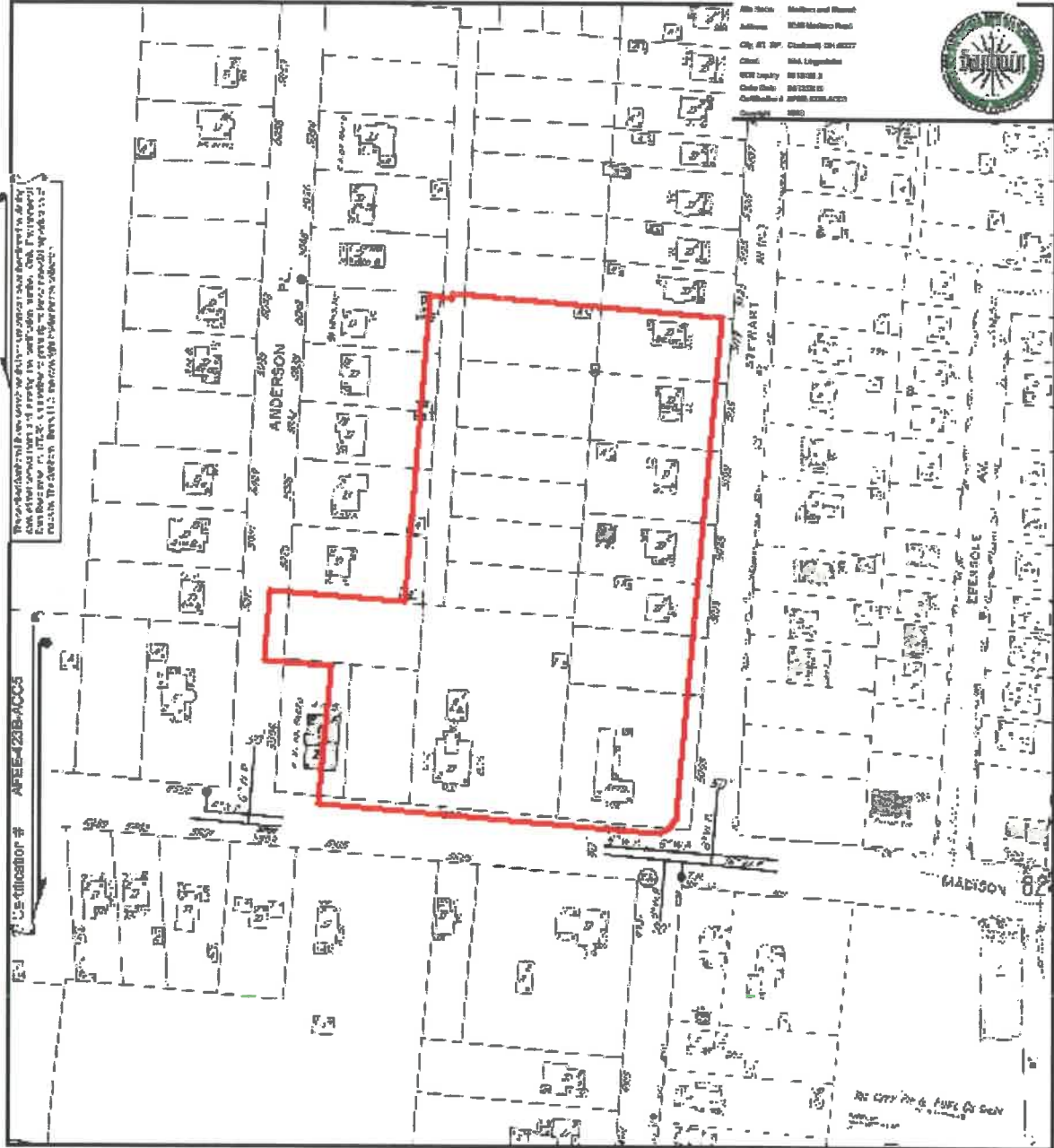
# Certified Sanborn® Map

1950

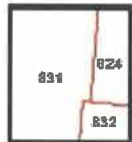
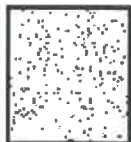
File No.     Map No. and Sheet  
 Address     520 Madison Road  
 City, St. or    Cleveland OH 44115  
 Cont.         M.A. Loggins  
 EDR Inquiry    800.828.2  
 Order Only    800.828.1  
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Volume 8, Sheet 832  
 Volume 8, Sheet 831  
 Volume 8, Sheet 824



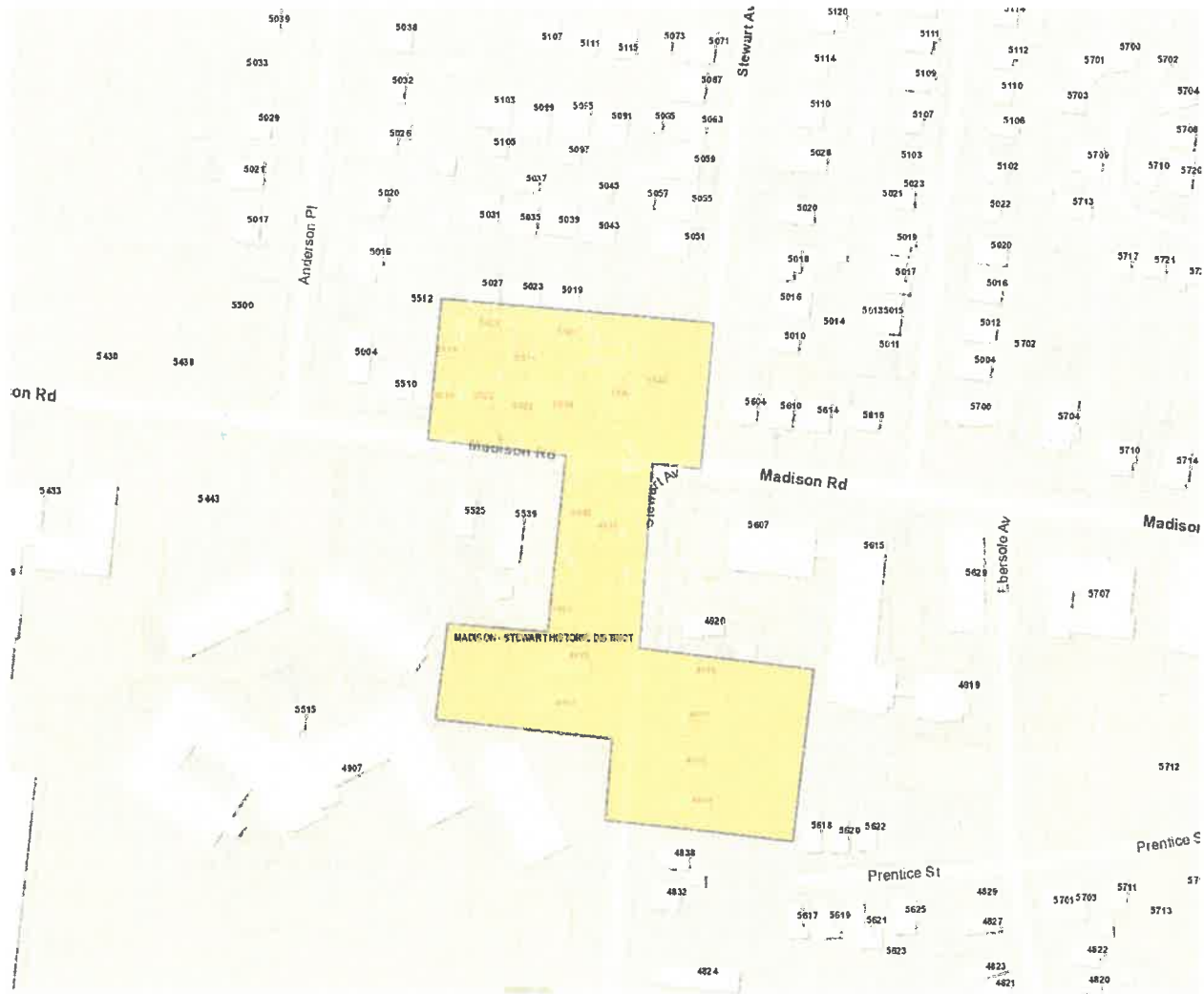
# Neighborhood of Madisonville, Cincinnati, OH



**Madison-Stewart Historic District**

**Benjamin Stewart home located at 5540 Madison Road**

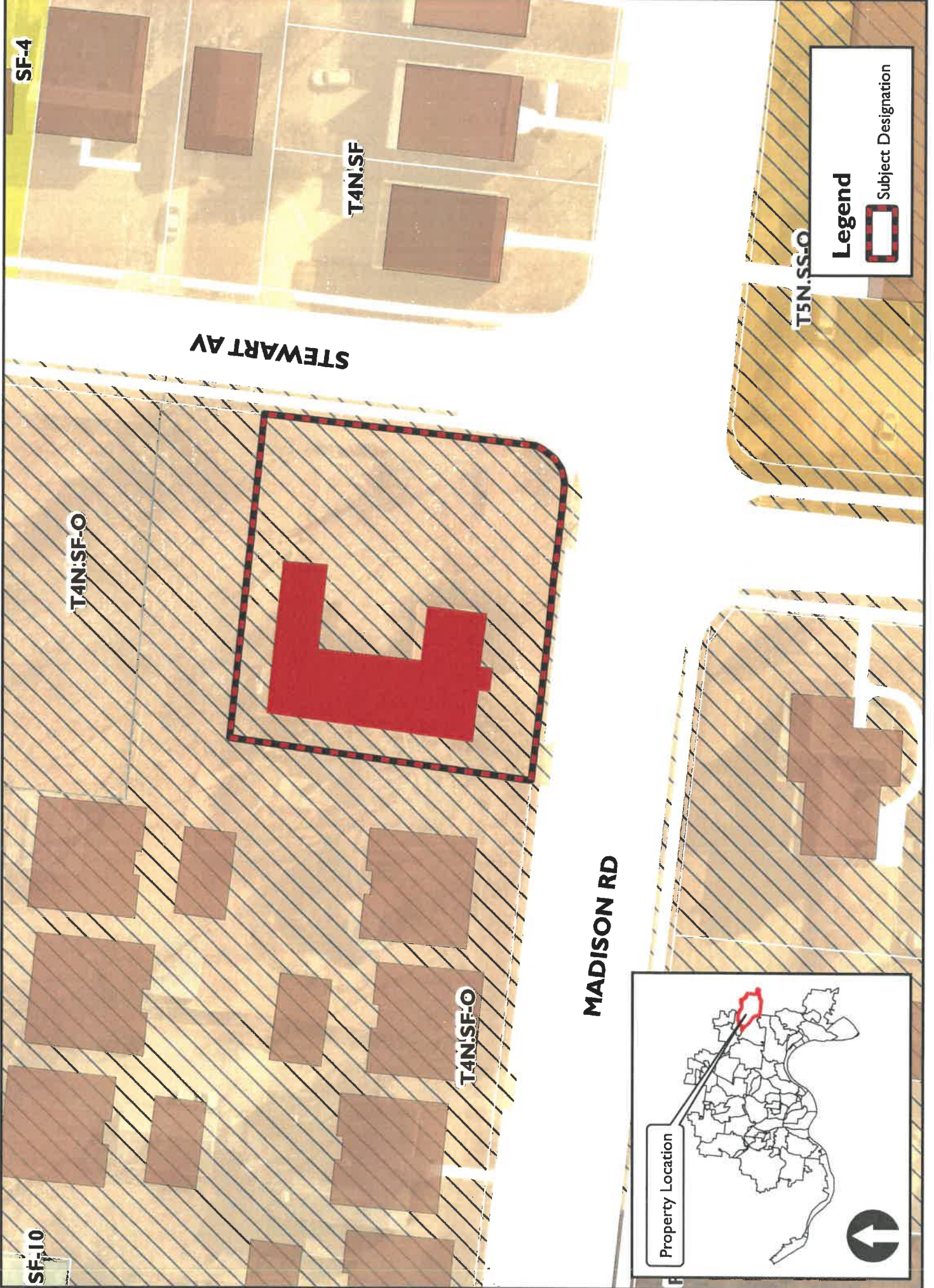
**Latitude 39° 09' 40", Longitude 84° 23' 52"**





# EXHIBIT B

# Proposed Local Landmark Designation of the Benjamin Stewart Home at 5540 Madison Road in Madisonville



# EXHIBIT C

**Legal Description:**

Situated in the City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Beginning at the intersection between the centerlines of Madison Road and Stewart Avenue; thence, northwardly with the centerline of Stewart Avenue for approximately 27-feet to the point of intersection with the easterly extension of the south parcel line of Parcel 120, HCAP Book 35, Page 1; thence westwardly along the easterly extension of the south parcel line of said parcel for approximately 36.1-feet, **THE POINT OF THE BEGINNING**; thence westwardly along the south parcel line of said parcel for approximately 99-feet; thence northwardly, at a 90-degree angle, for approximately 103.6-feet; thence eastwardly, at a 90-degree angle, for approximately 111.1-feet to the point of intersection with the east parcel line of Parcel 120, HCAP Book 35, Page 1; thence, southwardly along the east parcel line of said parcel, following the southeast curve of said parcel to the point of intersection with the south parcel line of Parcel 120, HCAP Book 35, Page 1, **THE POINT OF THE BEGINNING**.

Containing approximately 10,890 square feet of land.

# EXHIBIT D

## **Historic Conservation Guidelines**

### **Benjamin Stewart Home, Madisonville, Cincinnati, OH**

#### **Rehabilitation**

##### **General Terminology**

Within these guidelines, the “Stewart-Ward Home” refers to the building located at 5540 Madison Road, Cincinnati, OH 45227.

##### **Intent and General Guidelines**

The following general approaches are recommended:

1. **Repair and maintenance:** Ordinary repair and maintenance of like and kind for matching the original construction, where visible, and that does not change the appearance of the buildings, is acceptable under these guidelines. Rehabilitation may include preservation, restoration, reconstruction, or a combination of these, as appropriate and reasonable for the building.
2. **Maintenance:** Existing visible features that contribute to the building’s overall character and are in good condition should be maintained, preserved, or conserved, where possible. Damaged visible features which can be repaired should be repaired whenever possible.
3. **Replacements:** Replacements of significant features damaged beyond repair, deteriorated beyond reasonable repair, or missing significant features should sensitively harmonize with the characteristics or the original feature. Replication is appropriate but not required.

##### **Specific Guidelines**

The following specific approaches to exterior elements, features, and visible components are recommended:

1. **Materials:** Materials for significant features on primary façades visible from the street that are badly damaged, deteriorated beyond reasonable repair, or missing should be replaced with materials or components that closely match the style, shape, color, treatment, and texture of the element replaced. Composition, type of joint, size of units, visible measures,

placement, and detailing should be appropriate for the building. Synthetic materials, where closely matching the existing characteristics, may be utilized.

2. **Masonry Repointing:** Repointing of deteriorated and/or missing mortar shall match the existing historic as close as possible. Elements of the new repointing mix shall be consistent with the existing mortar in formulation, aggregate size, texture, color, and method of application. It is recommended that test patches be applied adjacent to existing mortar and allowed to dry. An assessment should be made of new repointing mix with respect to varied constituents to be matched. The sample that closely matches the original mortar should be used for the repointing. Refer to Preservation Brief for general approach to undertaking masonry repointing.
3. **Masonry Cleaning:** Sandblasting diminishes the integrity of building materials. It is not an approved cleaning method. Should cleaning of exterior materials be undertaken, no harm should result from the approach taken to do the work. If cleaning of building materials is undertaken, use the gentlest method possible to accomplish good results. Scrubbing with a bristle brush and a mild non-ionic detergent is recommended. Should this method be found ineffective, the use of approved chemical cleaning application can be used only after test patches have determined the gentlest means with respect to composition of cleaning agent, method of application, and cleaning results.
4. **Water-Repellent Coatings:** Use of water-repellent coatings on historic buildings is not permitted. The problem of water infiltration into a building is associated with structural or maintenance issues. Water-repellent coatings compound problems because the coating encapsulates moisture and does not allow it to evaporate naturally.
5. **Window and door openings:** Window and door openings are important features of these buildings. The size and location of openings are an essential part of the overall design and an important feature of these buildings' architecture. Original wall openings on primary façades should not be altered or filled. On secondary façades, original wall openings should not be significantly altered without consideration of the impact to the overall character of the original design.
6. **Window replacement:** new windows should be appropriate in material, scale, configuration, style, and size.
7. **Ornamentation:** Significant architectural features including brick and stone detailing elements should be preserved or conserved. Do not make replacements or substitutions of different size, scale, design, or incompatible materials. Replacement ornamentation should closely match originals in character, scale, configuration, style, size, texture, and color. Some synthetic materials, including fiberglass castings or composite materials, may be considered.
8. **Roofs:** Chimneys, parapets, and other architectural features that define the buildings' roofline should be maintained. New asphalt shingles are acceptable for the roof.

9. **Painting:** Repainting existing features that were historically painted is acceptable. Existing exterior elements that were historically not painted, such as brick, stone, and terra cotta, should be left unpainted. Use colors that are appropriate to the buildings' age, history, and style.
10. **Outside attachments:** Exterior light fixtures should be appropriate for the building's style and should be simple and contemporary.
11. **Awnings:** Awnings are acceptable provided they adhere to the National Park Service Preservation Brief 44 for the use of awnings on historic buildings.
12. **Signs:** Signs should be designed for clarity, legibility, and compatibility with the building or property on which they are located. Signs should not cover or obscure architectural features. Temporary signage is permitted without review by the Historic Conservation Board.

## **Additions and Exterior Alterations**

### **Intent and General Guidelines**

1. **Additions:** Additions should follow new construction guidelines, codes, and regulations. Any addition should be compatible in character with the original building, with sensitivity to existing massing and scale, site, and appearance within the building's existing context. Additions should be sympathetic, may be complementary, but need not be imitative in design. Additions should be designed to relate architecturally, not overwhelming the original building.
2. **Alterations:** Alterations should follow construction guidelines for alterations, codes, and regulations. Alterations should not change or alter significant features.
3. **Appropriateness:** The appropriate addition and alteration design solutions should include:
  - a. How well the proposed design for the addition or alteration relates to the original building and neighboring buildings.
  - b. How closely the proposed addition or alteration meets the specific intentions of these guidelines.

## **Site Improvements**

### **Intent and General Guidelines**

1. Site improvements, such as improvement and/or alteration to existing paving, fences, and landscaping should be in keeping with the character of the building and not detract from its setting or architectural character.
2. The design of any new site improvement construction should be in keeping with the character of the existing building and not detract from its setting or architectural character.



3. Any design of site improvements should capitalize on the unique setting and location of the Stewart-Ward home. The existing views towards the facades should be maintained as an important visual contribution to the integrity of the building.

### **Demolition**

Any demolition, alterations, or modifications to the Stewart-Ward home, and minimum maintenance requirements, are governed by Section 1435-09: Alterations and Demolitions; Certificates of Appropriateness; Minimum Maintenance, of the Cincinnati Zoning Code, ordained by Ordinance No. 217-2012, §1, effective July 20, 2012. Any updates, modifications, or amendments to this section of the Cincinnati Zoning Code or legislation that supersedes Chapter 1435 of the Cincinnati Zoning Code which is established as the "Historic Preservation Code," shall be considered the governing law.