



EMERGENCY

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City of Cincinnati

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An Ordinance No. 54 - 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.

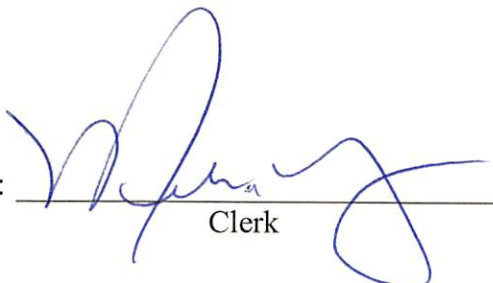
Section 2. That the Zoning Map of the City of Cincinnati is amended to superimpose over the existing underlying zoning district the designation of the Benjamin Stewart Home as a local historic landmark.

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.

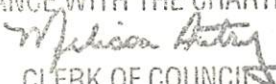
Section 4. That the Clerk of Council is directed to promptly notify the Historic Conservation Board, the City Planning Commission, the Director of City Planning and Engagement, the Director of Buildings and Inspections, and the City Solicitor of the Benjamin Stewart Home historic landmark designation.

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: MARCH 2, 2022

Attest:   
Clerk

  
Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 54-2022  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 3-15-2022  
  
CLERK OF COUNCIL