



The Network an E-Newsletter for Ohio's Certified Local Governments

Ohio Historic
Preservation Office

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Aurora Digs Its Past

Ronald Low, Preservation Advisor to the Aurora Landmarks Commission, likes to say that the city's first inhabitants migrated not from New England but from Western Asia, that is if the findings of a CLG grant-funded archaeological dig are any indication. The dig yielded stone axes, flint chips and soapstone pipes typical of pre-historic people living in Ohio about 10,000 years ago.

Aurora was actually founded in 1799 by Captain Ebenezer Sheldon, who was employed by the Connecticut Land Company to survey, map and deed the 15,044 acres of land known as Township 5 in Range 9. Today, Aurora is a community of 14,000, located in northeastern Ohio in the state's Western Reserve region.

Aurora made its first public commitment to the preservation of its historic resources in 1974. That year the Aurora City Council created the Aurora Landmarks Commission, with the responsibilities of the Commission made part of the city's codified ordinances. The Commission's role is to serve in an educational and advisory capacity to all levels of city government.

Aurora's historic resources include two historic districts, Aurora Center and the Station District listed on the National



Gazebo, Aurora Center

Register of Historic Places and three individually listed properties. Using the Ohio Historic Inventory process, the Landmarks Commission has documented 249 properties fifty years or older.

Aurora became a Certified Local Government in 1987 and applied for and received five consecutive CLG grants. The first grant

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Mark Your Calendars

Indianapolis Forum, July 15-18, 2004 National Preservation Commission Training Workshop.

Specifically designed for preservation commissioners, architectural review boards, planning staff, elected officials, and preservationists.

Note to CLGs: Exact pricing is still being finalized. If you are considering applying for grant assistance to send commission members to Indianapolis and need additional information, please call NAPC at (706) 542-0169.

For more information:
www.arches.uga.edu/~nape

Year In Review

2003 was a very productive year for Ohio's CLG program. We added three new communities to the program Delaware, Canal Fulton and Toledo; began publication of our CLG e-newsletter, The Network; and successfully completed another round of CLG grants. We also responded to numerous requests for information about the program and are currently consulting with four potential CLG communities.

On behalf of the National Park Service and the Ohio Historic Preservation Office, thank you for your continued support of the Certified Local Government program and for strengthening historic preservation efforts in your communities. Please do not hesitate to contact me if our office can assist you with training for your commission or board members or help you in any way.

Happy New Year!

Glenn A. Harper, CLG
Manager



Aurora Digs Its Past

helped fund a Preservation Plan that guides the city's preservation efforts and activities. The last grant updated the plan in 2000. In between, Aurora has creatively used CLG grants to conduct the previously mentioned archaeological dig and to preserve and restore a one hundred year old sandstone sidewalk in the town center used by Aurora students to walk to the area's first centralized school (now the Town Hall).

The Aurora Landmarks

Commission also sponsors educational activities, including tours of historic houses and the very popular cemetery tours, with local actors portraying prominent Aurora citizens of the past who tell about their lives while standing next to their headstones. Future projects include streetscape improvements to allow for better pedestrian movement.

More information about historic Aurora can be found in the publication: *Aurora: From the Founding to*

the Flood 1799-1913, by Carol Bowman or on the web at <http://aurora.com>

Preserve America

On March 2, 2003, First Lady Laura Bush launched Preserve America, an initiative to encourage and support efforts to preserve and enjoy our cultural and natural heritage. The goals of the initiative include:

*A greater shared knowledge about the Nation's past

*Strengthened regional identities and local pride

*Increased local participation in preserving the country's irreplaceable cultural and natural heritage assets

*Support for the economic vitality of our communities

One element of the initiative, Preserve America Communities, recognizes exceptional efforts to use

cultural and natural resources to promote tourism, revitalize the community, create jobs, and educate the public.

Meeting Preserve America requirements is relatively easy for Certified Local Governments and other communities that have active historic preservation programs and that promote heritage tourism.

Communities must consult with the State Historic Preservation Office while developing the application and must send a copy of the completed application to the SHPO when it is submitted.

For more information about becoming a Preserve America Community and for access to the Preserve America Communities

2003/2004 Application go to the Preserve America web site:

www.preserveamerica.gov



It's The Law: The Constitutional Basis for Historic Preservation and its Legislation, Part II

As we noted in Part I, (See October/November issue of The Network), in 1896, the Supreme Court had rejected the argument that the condemnation of private property to protect an historic site (Gettysburg Battlefield) was not a valid "public purpose." The Court concluded that preservation of a monument important to the country's past was proper.

Though the Court did not consider regulations on aesthetic grounds, by the late 1800's and early 1900's state and local governments had begun to experiment with land use controls. Prior to this time government controls had been used only to regulate noxious entities such as slaughterhouses and tanneries.

Early efforts to extend state police powers beyond health and safety issues to regulating neighborhoods and buildings included successful attempts to limit building height in Baltimore and Boston. This expansion of zoning powers corresponded with a broader concept of preservation and the expanded role of the federal government in protecting the nation's historic and cultural resources.

Aesthetics and Government Involvement

Architecturally motivated preservation and a growing interest in the educational value of historic sites began to take root. William Sumner Appleton's Society for the Preservation of

New England Antiquities (SPNEA) was among the first organizations to promote the aesthetics of architecture as a basic preservation criteria. The first significant government involvement was the passage of the Antiquities Act in 1906 and the creation of the National Park Service in 1916. The Antiquities Act was passed in response to the wholesale destruction of prehistoric Indian remains and artifacts in the southwest United States. Vandalism and trafficking in artifacts was specifically outlawed and stiff penalties were established. The President was also given the power to declare by public proclamation historic landmarks, historic and prehistoric structures and other objects of historic or scientific interest to be national monuments. This somewhat forgotten act was in the spotlight a few years ago when President Clinton used these powers to designate numerous new landmarks before the end of his term.

Zoning

Zoning has been defined as the division of a geographical area within a city or county, into districts, with each district having regulations that mandate predetermined uses of property and permitted types of buildings or structures.

Early zoning attempts were primarily economic in nature and usually applied to territories or groups of property. Zoning was not popular in the early 1900's.

By 1926, over one-half of the state courts had found that zoning regulations were unconstitutional interference's with private property. Court decisions centered on the argument that these types of regulations constituted an unconstitutional taking of a person's property (See Part I for definition of "taking") because they prevented an owner from making use of his property in any manner he wished.

Ohio in the Spotlight

The first landmark case in favor of zoning was Village of Euclid v. Ambler Realty Company, (1926). In this United States Supreme Court case the Euclid, Ohio zoning ordinance was found not to be an unconstitutional taking of private property even though it prevented a realty company from using its property for commercial development. The company had argued that the prohibition had lowered the property value by almost 90 percent. However, the Court reasoned that the regulation was permissible (reasonable and not discriminatory) and without compensation because both the burdens and benefits of the regulation were shared by all nearby property owners.

The First Preservation Legislation

During the 1920's and 1930's a number of communities developed land use laws. However, only a few passed preservation laws, New Orleans, 1925, Charleston,



It's The Law: The Constitutional Basis for Historic Preservation and its Legislation, Part II

1931 and San Antonio, 1939. After World War II, Alexandria and Williamsburg, Virginia, Winston-Salem, North Carolina, Georgetown, Washington, D.C., Natchez, Mississippi, and Beacon Hill, Nantucket and Salem, Massachusetts followed with similar legislation. Of course it is no coincidence this is a list of who's who among America's most historic cities. There were several common factors among these communities and their ordinances.

*Compliance was voluntary

and based on cooperation and negotiation.

*All of the cities were trying to attract tourists to well-known historic districts or locations as a means of raising much-needed revenue. They understood the importance of preserving their historic architecture in achieving this goal.

*Most early ordinances referenced historical and architectural considerations as a reason for preservation but rarely used these factors as the primary legal

basis of the legislation.

*The regulations usually applied to entire areas and not single structures, thereby conforming to the requirement of mutuality of burden and benefit required by the Euclid case.

*The ordinances often imposed architectural controls and prohibited demolitions or alterations without prior approval.

Next Issue: The Evolution of Modern Historic Preservation Regulations

Columbus Arts Center Benefits from CLG Grant

A Columbus landmark, the Ohio State Arsenal, now the Columbus Recreation and Parks Department's Cultural Arts Center, recently underwent rehabilitation work funded in part with a CLG grant to the city of Columbus. Constructed in 1861 and listed on the National Register of Historic Places, the building underwent a major renovation in 1978 when it became the Arts Center. Since then people of all skill levels have used the center to create with their hands and develop their artistic potential. The Center offers a wide variety of classes, workshops, programs, and special events, serving a diverse audience throughout Columbus and Central Ohio. The recent rehabilitation work included foundation repair, replacement of deteriorated brick and tuck-pointing of deteriorated mortar and repair and repainting of windows and sills.





Fast Facts: about Ice Dams

by Mariangela Pfister

Fast Facts are publications of the Ohio Historic Preservation Office

Fall in Ohio can give building owners a wake up call to prepare their buildings for the next few months.

As part of this preparation, it is important to give your house or commercial building a "check-up." Are your gutters and downspouts clear? Is your flashing sound and your roof tight? Are your storm windows in place? Have you checked the insulation in your attic? Did a red flag go up with this last question?

It is very important that your house is well insulated and also well ventilated. The two things sound contradictory, don't they? In fact, they go hand in hand.

A building that is well vented and able to breathe is a healthy building overall for its occupants as well as for the structure. Well vented buildings allow air to pass through and circulate. This keeps the building dry, allows it to hold paint better, and lengthens the life of the roof, insulation, windows and wood.

Attics are the first place to check for adequate ventilation. Gable end vents that allow for cross circulation are good, as are small, unobtrusive soffit vents.

The key with soffit vents is to make certain they are kept free of insulation on the inside and are not painted over on the outside.

Roof vents are also a good choice, if kept unobtrusive. Another good place to circulate some air is in the basement. On a dry day, even if it's a cold one, crack two opposing windows to allow for cross ventilation in the basement.

Okay, now you've determined that your building can breathe.

Your next step is to check and see whether your insulation is doing its job. A quick way to check the effectiveness of your insulation is to go outside the day or two after a decent snow.

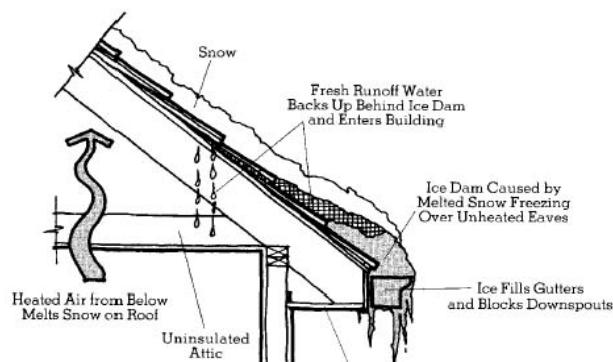
Is there snow on your roof? If there is, your insulation is probably doing its job.



Dangerous icicles that have formed along unheated eaves.

Good insulation in the attic will keep the warm air in your building, where it belongs, and not allow it to go through the roof where it will melt the snow.

Some melting is bound to occur around your vents and chimney; otherwise, a well insulated roof will keep the snow on the roof, until the sun or warm temperatures melts it away. Be sure that you use a vapor barrier with your insulation, and that it is laid closest to the warm side. This will keep moisture that comes from everyday living (breathing, showering, cooking, doing laundry,



Ice Dams, Old Building Owners Manual, Judith L. Kitchen, 1983



Fast Facts: about Ice Dams

watering plants, etc.) away from your rafters and roof, extending the life of both. What are the dangers of inadequate ventilation and insulation? There are a few, including high energy costs, but for the sake of this article, we'll focus briefly on the dangers of ice and snow dams.

When there is no insulation or insufficient insulation in your attic, that snow I was talking about earlier, will melt as the heat from your building rises through the roof.

When the water reaches your eaves, which are generally the coldest part of your roof, the water may freeze again.

As a result, ice dams and icicles form along your roof line. This is a problem for a couple of reasons.

First of all, this ice build-up can clog your gutters and downspouts, not allowing them to do their jobs in carrying water away from your structure.

Sometimes water is even forced back into your building causing moisture damage. And secondly, the buildup of ice and snow can become extremely heavy. In fact, the weight can damage the eaves as well as cause stress on the rest of the



Snow dams that formed on a poorly insulated roof.

roof structure and drainage system.

So, it's important to make sure that you have enough insulation for the size of your building. Also make certain that it's distributed evenly across the entire space and that your attic is sufficiently vented.

A general rule of thumb is that you'll need one square foot of ventilation for every 150 square feet of attic floor space. As previously discussed, there are many types of venting systems, just as there are many types of insulation materials, the most common of which include batt and blown fiberglass insulation and cellulose insulation.

Again, the key to using any insulation, is to make certain you have a vapor

barrier. Enjoy your historic building, and stay warm this winter!

For more information about Ice Dams, contact the Ohio Historic Preservation Office.

Mariangela Pfister is Historian in the Ohio Historic Preservation Office. She holds a master's degree in history from The Ohio State University.

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Certificates Recognize Ohio's CLGs

The Ohio Historic Preservation Office will now award a certificate to your community in recognition of its status as a Certified Local Government. Certificates are mounted in a handsome black frame and include the seal of the Ohio Historical Society. They are signed by Rachel M. Tooker, State Historic Preservation Officer. For those communities that have been part of the program for several years, you may wish to consider receiving the certificate in recognition of the number of years as a CLG.

If your community would like to receive a certificate in recognition of its status as a Certified Local Government please contact Glenn Harper, CLG Manager, 614/298-2038, or gcharper@ohiohistory.org. Glenn will be happy to award the certificate at an appropriate city or village council meeting or event or can mail the certificate directly to you.