

Article XI

Appearance Review Commission

Sec. 1101 Establishment of the Appearance Review Commission

Pursuant to the Resolution of the Bath Township Board of trustees adopted on September 5, 1978, an Appearance Review Commission has been established; said Commission's purpose, membership, procedures, and duties are hereby established.

Sec. 1101-1 Purpose

The purpose of the Bath Township Appearance Review Commission shall be to review and make recommendations on a proposed project based on accepted and recognized architectural, landscaping, and building principals; design of the project; use of materials, finished grades, dimensions, orientation and location of primary and accessory buildings and structures; landscaping; and use areas to be created, moved, altered, remodeled, or repaired subject to the provisions of the Bath Township Zoning Resolution and the Bath Township Design Guidelines. The Commission shall consider and be aware of the development of adjacent, contiguous, and neighboring buildings and properties for the purposes of achieving safe, harmonious, and integrated development of related properties.

Upon request, the Commission shall act in an advisory capacity to recommend to any resident, official, board, or commission of the Township its determination on a proposed project. In fulfilling any such requests, the Commission may require drawings, plans, specifications, or studies to be submitted for evaluation and recommendation according to the provisions of this Article as well as other sections of this Zoning Resolution.

Sec. 1101-2 Membership

¹The Bath Township Appearance Review Commission shall be appointed by the Township Board of Trustees, and consist of five (5) members who are residents or operators of a business within the Township. Each member shall be appointed for a period of five (5) years and terms shall be so arranged that the term of one member shall expire each year. The Board of Township Trustees may appoint up to two (2) alternate members to the Appearance Review Commission for terms to be determined by the Board of Township Trustees. An alternate member shall take the place of an absent regular member according to procedures prescribed by a Resolution of the Board of Township Trustees. An alternate member shall meet the same appointment criteria as a regular member and shall serve until a successor is appointed and qualified. The Board of Township Trustees shall fill a vacancy occurring during the term of any member of the Bath Township Appearance Review Commission for the unexpired term.

¹ Amended January 5, 2002

The Commission shall be composed of persons with recognized ability as expert in matters of aesthetic judgment by virtue of training, education, or experience in the fields of architecture, landscape and land planning, real estate, art design, and/or engineering, and possessing qualities of impartiality and broad judgment.

Sec. 1101-3 Organization

The Appearance Review Commission shall annually elect a Chairman from its membership, shall appoint a Recording Secretary, and shall prescribe rules for the conduct of its affairs.

Sec. 1101-4 Quorum

The Appearance Review Commission shall require a quorum of three (3) members at its meetings, and a concurring vote of three (3) members shall be necessary to effect all actions and recommendations.

Sec. 1101-5 Meetings

The Appearance Review Commission shall meet at the call of its Chairman, Secretary, or two (2) other members and at such other regular times as the Appearance Review Commission may, by Resolution, determine. Written notice of all meetings shall be given, not less than forty eight (48) hours prior thereto, by delivering such notice at the regular place of residence of each member. All meetings shall be open to the public. A record of the Commission's Resolutions, findings, determinations, and recommendations shall be maintained by its Secretary.

Sec. 1101-6 Powers and Duties

The Appearance Review Commission shall make a recommendation to either the Board of Zoning Appeals, the Zoning Inspector or the property owner in accordance with the following procedures. In the case where a Zoning Permit is not required, the Appearance Review Commission shall make a recommendation to a property owner directly. In the case where a Zoning Permit is required (but the Board of Zoning Appeals approval is not required), a recommendation shall be made to the Zoning Inspector. In matters where approval by the Board of Zoning Appeals is required (as in the case of a site plan or conditional use approval), the Appearance Review Commission shall make its recommendation to the Board of Zoning Appeals. As a basis for its recommendations, the Appearance Review Commission:

- A. Shall consider all plans, drawings, and specifications for constructing, altering, repairing, moving or demolishing any building, sign, structure, or use within the Township.
- B. Determine whether said proposed work is of such design, material, or location that it will result in a substantial impairment or destruction of value in neighboring real estate, and whether the use of such proposed design, materials, and location, or substantially similar ones, are reasonably necessary to the

development of the property involved, and to recommend the approval, disapproval, or modifications of plans, drainage, and specifications accordingly. The Appearance Review Commission shall use the Bath Township Design Guidelines in evaluating proposed work and making recommendations.

- C. The Commission may request from the applicant such additional information, sketches, and data as may be reasonably requested. The Commission may call upon experts and specialists for testimony, opinions and recommendations regarding the proposals being reviewed. The costs of securing such advice shall be borne by the applicant, but in no event shall the costs exceed the sum of one thousand dollars (\$1,000.00), unless agreed to by the applicant. Funds for such advice or studies shall be placed on deposit with the Township Board of Trustees upon the request of the Appearance Review Commission.

All applications, plans and specifications referred to the Appearance Review Commission shall be considered and the Secretary of the Commission shall transmit the Commission's recommendation to the Board of Zoning Appeals and/or Zoning Inspector within thirty (30) days of their receipt. The applicant may agree to additional consideration time.

Sec. 1101-7 Review Criteria and Standards

In making any recommendations the Appearance Review Commission shall utilize the Bath Township Design Review Guidelines. The Bath Township Design Review Guidelines contain review criteria and architectural standards. The Bath Township Appearance Review Commission and the Bath Township Trustees adopt these Guidelines.