

MEMORANDUM

TO: The Alamance County Historic Properties Commission

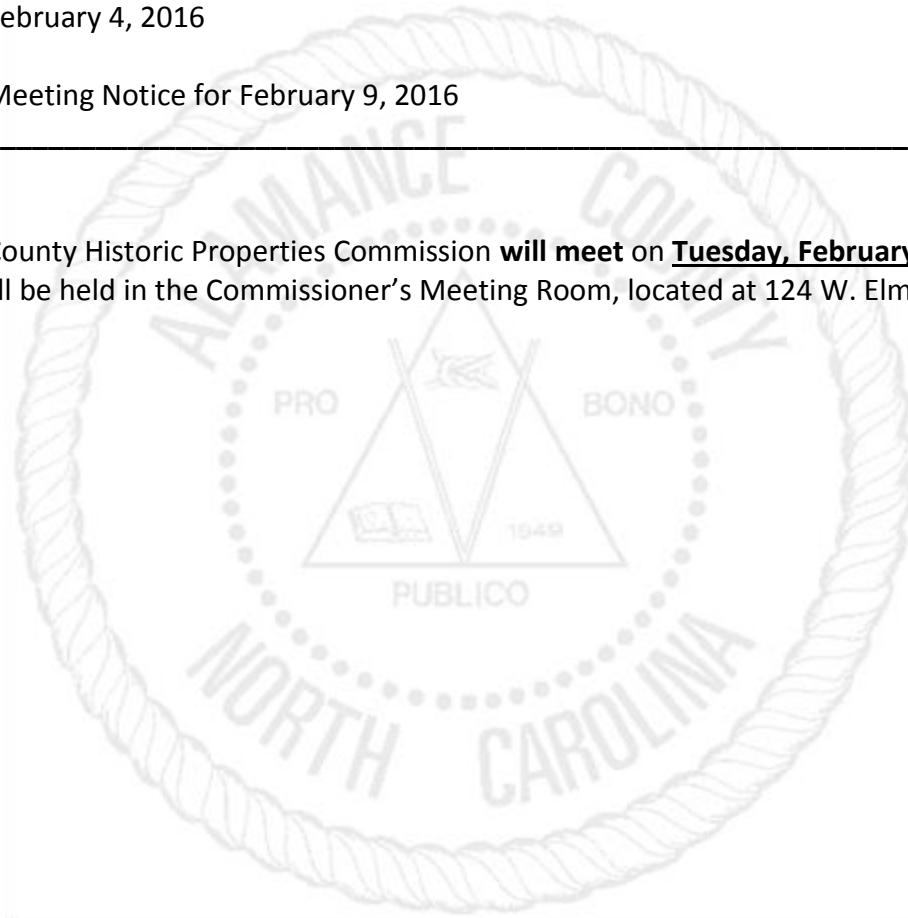
FROM: Jessica Dockery, Planner

DATE: February 4, 2016

SUBJECT: Meeting Notice for February 9, 2016

The Alamance County Historic Properties Commission **will meet** on **Tuesday, February 9, 2016** at 6 PM. This meeting will be held in the Commissioner's Meeting Room, located at 124 W. Elm Street, Graham.

Thank you.



Alamance County Historic Properties Commission

Tuesday, February 9, 2016

6 PM, Commissioners' Meeting Room
124 W. Elm Street, Graham, NC 27253

AGENDA

I. CALL TO ORDER

II. APPROVAL OF MINUTES

III. NEW BUSINESS

1. Marcus Orr's Application for HPC Membership
2. Request for Board of Commissioners Liaison
3. Proposed Ordinance Language Revisions

IV. OLD BUSINESS

1. By-Laws Revision Approval
2. Historic Preservation Fund Grant Application for Next Fiscal Year

IV. ANNOUNCEMENTS

1. Interest from Elon and Gibsonville in Inter-local Agreements
2. Rehabilitation Tax Credit Workshop Scheduled

V. ADJOURNMENT

Alamance County Historic Property Commission

Tuesday, January 12, 2016

6:00 PM, Commissioners' Meeting Room
124 W. Elm Street, Graham, NC 27253

Minutes

Board Members Present:

Rodney Cheek (Chair)
Laurie Smith (Vice-Chair)
Marti Friddle
Ravi Balan
John Braxton
Bryan Dalton

Board Members Absent:

Lea Abbott
Gale Pettiford

Staff Present:

Jessica Dockery, Planner

Public Present:

Bill Traynor
Cat Manolis
Wayne Tulloch Sr.
Christopher Clark
Ronny King

I. Call to Order

Rodney Cheek called the meeting to order at approximately 6:10 PM and roll was taken by staff.

II. Approval of Minutes

Motion to approve minutes: Mr. Braxton

Second: Ms. Friddle

Vote: Unanimous

III. New Business

1. *Election of Officers* –

Nominations for Chair: Rodney Cheek

Motion to Re-Elect Rodney Cheek as Chair: Ms. Friddle

Second: Mr. Balan

Vote: Unanimous

Nominations for Vice-Chair: Laurie Smith

Motion to Re-Elect Laurie Smith as Vice-Chair: Mr. Balan

Second: Mr. Dalton

Vote: Unanimous

2. *Certificate of Appropriateness Application for a 1-story Rustic Cabin at the Freedman-Boggs-Woody House* – Staff gave an overview of the application with the additional information that the materials would be wood for all trim, sheathing, windows, doors, porches, and foundation, and all roofs metal, including hoods. One of the neighbors present asked to see a copy of the plans and there was a brief discussion between the owner and the neighbors present to clarify the cabin’s location. Mr. Balan asked if the colors and details of the cabin would be differentiated from the historic house. Mr. Traynor, the owner, noted that the cabin will look like more like a mill house of the period rather than like anything on the property. The colors will also be different to help it disappear into the trees. Mr. Balan noted that this would meet the design guidelines in terms of standard 9. Mr. Balan also asked about the timeline for completion. Mr. Traynor and his contractor, Cat Manolis, suggested July depending on the weather.

Mr. Cheek recused himself due to a conflict of interest and Ms. Smith led the vote

Motion to approve the COA application: Mr. Balan

Second: Mr. Dalton

Vote: Unanimous

Staff asked for any other additional information that the Commission wished to include on the “Finding of Fact” form for the recorded before Ms. Smith signed the COA. Staff made those specified inclusions.

3. *Approval of 2016 HPC Meeting Calendar* – Mr. Dalton suggested not scheduling summer meetings. Staff and Mr. Cheek suggested keeping the meetings on the schedule with the option to cancel if there were no agenda items.

Motion to approve 2016 HPC Meeting Calendar as submitted: Mr. Dalton

Second: Ms. Smith

Vote: Unanimous

4. *Inter-local Agreement Letter Draft Approval* – There were no suggested revisions

Motion to approve draft letter: Ms. Friddle

Second: Mr. Dalton

Vote: Unanimous

5. *By-Laws Revisions* – Staff noted that the County legal department suggested some changes to the proposed revisions and explained those. During discussion it was decided that term limits should not be added to the by-laws. Minimum length of residency before acceptance on commission was discussed but was not taken up. Staff was instructed to make the changes as suggested, with the exception of adding term limits, and keeping in mind those items indicated in the email sent from the Legal Department.

A new draft will be sent in the next agenda packet for a vote of approval at the February 9 meeting.

6. *Farm Tour and Other Outreach* – Staff noted possibility of Century Farms tour but there are several other farm tours in the County and that may not be the best option for an event. Also noted an event at a historic farm was a possibility. Staff also noted that Cone Health would like to work with the HPC on a joint event that emphasized health as well as history. A bus tour, walking tour, or bike tour was discussed. Staff and commissioners will do more research.
7. *Hosting Tax Credit Workshop* – Commission was interested in hosting a rehabilitation tax credit workshop. There were some concerns about pulling together a list of owners of properties that may take the credit now or in the near future and whether we should attempt a large meeting yet. It was decided that staff will create an invitation list of local landmark, National Register, and Study List property owners and will notify the state that the HPC is interested in hosting a small workshop.
8. *Request for Rehabilitation Assistance from the Owner of the Puryear-Holt House* – Staff explained the house’s lack of landmark or National Register status, which might provide access to tax credits or breaks. The house has been altered and is an unlikely candidate for a marker. The Commission could not think of any way to assist the owner at this time.

IV. Old Business

1. *Adoption of the Secretary of the Interior Standards for Rehabilitation as Design Guidelines* – Staff cannot find a record of the adoption of the *Secretary of the Interior’s Standards for Rehabilitation* as the HPC’s design guidelines and requests that this be done as a formality.

Motion to adopt the *Secretary of the Interior’s Standards for Rehabilitation*: Ms. Friddle

Second: Mr. Balan

Vote: Unanimous

2. *Vision, Mission, Goals, and Motto Statements* – Staff asked for any other revisions and barring any will create a final draft based on the last meeting’s discussion.
3. *Updates for the Eli Whitney Marker and Pat Bailey Plaque* – Mr. Cheek stated that there were no updates.
4. *Central High School Marker Update* – Staff reported that the marker for Central High School has been delivered to the County Maintenance building and a placement ceremony is tentatively scheduled for April 30.

V. Announcements

1. *Environmental Reviews for Cell Towers and Positive Train Control* – The information was submitted for the Commission’s information as many of the projects were outside the HPC jurisdiction or the cases were closed by the HPO before the County received word about them.
2. *2015 CLG Report* – The report has been submitted on time to the HPO
3. *Potential Applicant* – An application has been submitted and may be brought forward at the February HPC meeting.

VI. Adjournment

Motion to adjourn at approximately 7:02 PM

Motion: Ms. Friddle

Second: Mr. Braxton

Vote: Unanimous

Respectfully submitted

Jessica Dockery
Planner

Application for Committee Membership

Submission Date	2016-01-11 10:51:57
Date of Application	01/11/2016
Name of Applicant	Marcus Orr
Are you 18 years of age or older?	Yes
Mailing Address	724 Oakgrove Dr
Home Address	724 Oakgrove Dr
City	Graham
ZIP Code	27253
Home Phone Number	336-213-3209
Employer	Orange County
Employer Address	208 S Cameron St, Hillsborough, NC 27278
Work Phone Number	919-245-2172
E-mail Address	marcus.orr@gmail.com
Have you ever been convicted of a felony?	No
Are you a registered voter in Alamance County?	Yes
Educational Background	BA in History & Political Science, M.Div Counseling, MA Liberal/Global Studies
Are you currently serving on any other boards or committees in Alamance County?	Yes
If Yes, Please List	Graham Historical Museum Board of Directors
Please list any qualifications that you possess that would assist your service on this board or committee	Educational background includes a broad spectrum of coursework in historical studies and experience conducting primary source historical research involving Southern History.
Please list any volunteer or civic activities that you are involved in	Thomas M. Holt Masonic Lodge Greensboro Scottish Rite Greensboro York Rite Greensboro Allied Masonic Degrees
What impact do you hope to have by serving on this board or committee?	Help preserve and foster appreciation for the historic resources and character of Alamance County.
Ethnicity	White

Gender (Required by State)	Male
Number of Years as an Alamance County resident	36
Residence located in which area of county (Township / City / Area)	Graham
Additional Comments	My interest in this committee is largely influenced by the impressive work done by the committee and planning department staff to compile and update the Alamance County Architectural Inventory. I would love to join in this sort of work.
Board Applied For:	Historic Properties Commission
Date / Time	01/11/2016 10:24 AM

Alamance County

PLANNING DEPARTMENT
215 N. Graham Hopedale Rd.
Burlington, North Carolina 27217
Tel. (336) 570-4053

LIBBY HODGES
Planning Director

JESSICA DOCKERY
Planner

INFORMATIONAL MEMORANDUM

TO: Rodney Cheek, Historic Properties Commission Chair

FROM: Jessica Dockery, Planner

DATE: February 4, 2016

SUBJECT: Proposed Revisions to the *Ordinance to Establish a Historic Properties Commission for Alamance County*

Mr. Cheek,

In order to continue working to fully execute the adopted Planning Department work plan, staff recommends that the HPC review the *Ordinance to Establish a Historic Properties Commission for Alamance County* for possible revisions to the language.

Over the next few months, I would like to work with the HPC on this project before presenting its recommendations to our partner municipalities for their review, per the HPC inter-local agreements signed with these partners.

Below, I have included my own suggested revisions. These have not been reviewed by our legal staff and I have suggested typographical or minor revisions, for the most part, and only inserted comments where I think there could be discussion of more involved changes. I ask that the Commission review these suggestions but also closely scrutinize the Ordinance themselves to provide suggestions at the February and March meetings. It is hoped that a draft will be ready for review by our legal department by the April HPC meeting and ready for approval for forwarding to the municipalities by the May HPC meeting.

Please provide me with a written copy of your suggestions before or at the next two meetings to facilitate their incorporation and contact me if you have any questions.

Thank you,

Jessica Dockery
Planner

cc Historic Properties Commission
Libby Hodges, Planning Director
Ben Pierce, Assistant County Attorney

AN ORDINANCE TO ESTABLISH A HISTORIC PROPERTIES COMMISSION FOR ALAMANCE COUNTY

*Originally Adopted: May 3, 2004
Last Amended: February 6, 2006*

Section I. Preamble

WHEREAS the General Statutes of North Carolina, Section 160A-400.1-15 provides for the establishment and operation of Historic Properties Commissions; and

WHEREAS it has become necessary to safeguard the heritage of Alamance County and North Carolina by preserving property therein that embodies important elements of our cultural, social, economic, and political, or architectural history; and

WHEREAS in order to promote the use and conservation of such property for the education, pleasure, and enrichment of the residents of Alamance County and the State as a whole;

BE IT NOW THEREFORE ORDAINED, that the Board of County Commissioners does hereby establish The ALAMANCE COUNTY HISTORIC PROPERTIES COMMISSION hereinafter referred to as the “Historic Properties Commission” (HPC); and ordain that it be governed by the following provisions:

Section II. Purpose

The historical heritage of Alamance County is a valuable and important asset. By listing and regulating historic districts and landmarks, and acquiring historic properties, Alamance County seeks:

- (1) To safeguard the heritage of the County, including its municipalities, by preserving districts and landmarks therein that embody important elements of its culture, history, architectural history, or prehistory; and
- (2) To promote the use and conservation of such districts and landmarks for the education, pleasure, and enrichment of the residents of the County and State as a whole.

Section III. Historic Properties Commission

3.1 Creation and Appointment

There is hereby established, by authority of Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes, a joint historic properties commission to be known as the Alamance County Historic Properties Commission or “HPC.” The Commission shall consist of at least 11 members but no more than 15 members appointed by the Board of Commissioners of Alamance County. **The Commission shall elect a Chair and Vice-Chair annually.**

The jurisdiction of the Commission shall include the unincorporated areas of the County and the planning jurisdictions of the municipalities that adopt this ordinance. All members must reside within the Commission’s jurisdiction.

In making appointments to the Commission, the Board of Commissioners shall strive to appoint

members geographically representing all areas of the HPC's territorial jurisdiction, including but not limited to, participating municipalities. In making appointments to the Commission, the Board of Commissioners shall seek the advice of local governing bodies, such as State or local historical agencies, societies, or organizations it may deem necessary. The Commission may appoint advisory bodies and committees as appropriate.

3.2 Qualifications of Members

A majority of the members shall have demonstrated special interest, experience or education in history, architecture, archaeology, or related fields.

3.3 Terms

Beginning 24th October 1977, four members of said Commission shall serve an initial term of four years, and three members shall serve an initial term of three years, and three members shall serve an initial term of two years. After the expiration of said initial terms, the terms of office shall be for three years for each member of said Commission. Vacancies occurring for reasons other than expiration of term shall be filled as they occur for the period of the unexpired term. Active attendance at the meetings of the Commission is a prerequisite for membership of the Commission. Members are allowed up to three unexcused absences annually before disciplinary action will be taken.

3.4 Rules of Procedure

The Commission shall adopt rules of procedure necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. The rules of procedure adopted by the Commission shall at least provide for the selection of officers in the Commission, the time and place of its regular meetings and the calling of special meetings, the procedures for the conduct of public hearings, the conduct of voting, the forms to be used in applying for and issuing or denying Certificates of Appropriateness, and a list of minor works for which staff may issue Certificates of Appropriateness.

3.5 Powers and Duties

The Commission is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this ordinance and the N.C. General Statutes, including but not limited to the following:

- (a) Undertake an inventory of properties of historical, **prehistoric**, architectural, archaeological, and/or cultural significance.
- (b) Recommend to the local governing body with which the County has entered an agreement, individual buildings, structures, sites, areas, or objects within its zoning jurisdiction to be designated by ordinance as "historic landmarks," and areas within its zoning jurisdiction to be designated by ordinance as "historic districts."
- (c) Recommend to the local governing body that designation of any area as a historic district or part thereof, or of any building, structure, site, area, or object as a historic landmark, be revoked or removed for cause.
- (d) Review and act upon proposals for alteration or demolition of designated landmarks and for

alteration, demolition, or new construction within historic districts, pursuant to this ordinance.

(e) Report violations of this ordinance, or other ordinances affecting historic landmarks and properties within historic districts, to the local official responsible for enforcing this ordinance.

(f) Act as, establish, or designate a group, body, or committee to give advice to owners of historic landmarks or property within a historic district concerning the treatment of the historic and visual characteristics of their property, such as color schemes, gardens and landscape features, minor decorative elements, and for the informal review of major additions and new construction.

(g) Conduct an educational program on historic landmarks and districts within the county.

(h) Publish information, or otherwise inform the public about any matters pertinent to its purview, duties, organization, procedures, responsibilities, functions, or requirements.

(i) Cooperate with state, federal, and local governments in pursuing the purposes of this ordinance. The local governing body, or the Commission when authorized by the appropriate local governing body, may contract with the State, or the United States of America, or any agency of either, or with any other organization, provided the terms are not inconsistent with the state or federal law.

(j) Communicate with other boards or commissions in Alamance County or with agencies of the County, or other governmental units to offer or request assistance, aid, guidance, or advice concerning matters under its purview or of mutual interest.

(k) Prepare and recommend the official adoption of a historic preservation element as part of the County's comprehensive plan and a municipality's comprehensive plan, at the request of the local governing body.

(l) Accept funds to be used for preservation purposes that are granted to the Commission by private individuals, organizations, and local governing bodies.

(m) Acquire by any lawful means the fee or any lesser included interest, including options to purchase, to any historic landmarks, land to which historic buildings or structures may be moved, or properties located within historic districts; hold, manage, preserve, restore, and improve the interest; and exchange or dispose of the interest by public or private sale, lease, or otherwise, subject to covenants or other legally binding restrictions which will secure appropriate rights of public access and promote the preservation of the property. All lands, buildings, structures, sites, areas, or objects acquired by funds appropriated by a local governing body shall be acquired in the name of the local government unless otherwise provided by the local governing body.

(n) Restore, preserve, and operate such historic properties.

(o) Enter, at reasonable times, upon private lands and make examinations or surveys as necessary to the performance of its official duties. However, no member, employee, or agent of the Commission may enter any private building or structure without the express consent of the owner or occupant thereof.

(p) Negotiate at any time with the owner of a building, structure, site, area, or object for its acquisition or its preservation, when such action is reasonably necessary and appropriate.

(q) Take steps, during the period of postponement of demolition or alteration of any historic landmark or property within a historic district, to ascertain what the local governing body can or may do to preserve such property, including consultation with private civic groups, interested private citizens, and other public boards or agencies, and including investigation of potential acquisition by the local governing body when the preservation of a given historic property is clearly in the interest of the general welfare of the community and such property is of certain historic and architectural significance.

(r) Propose to the local governing body changes to this or any other ordinance, and propose new ordinances or laws relating to historic landmarks and districts or relating to a total program for the protection and/or development of the historic resources of Alamance County, the municipalities therein, and their environs.

(s) Organize itself and conduct its business, including any meetings or hearings necessary to carry out the purposes of this ordinance.

(t) Assist agencies, individuals, civic groups, special interest groups, or other government entities with the erection of Historic Markers and assist in their design and efforts to maintain historical accuracy of the event or occasion that marker signifies.

4.0 Historic Landmarks

4.1 Adoption of an Ordinance of Designation

Upon Compliance with the procedures set out in Section 4.4, the local governing body may adopt and, from time to time, amend or repeal an ordinance designating one or more historic landmarks. The ordinance shall include information which shall:

(a) List the name or names of the owner or owners of the property;

(b) Describe each property designated in the ordinance, including the approximate area of the property so designated;

(c) Describe those elements of the property that are integral to its historical, prehistoric, architectural, archaeological, and/or cultural significance;

(d) Provide for each designated historic landmark, a suitable sign or plaque indicating that the landmark has been so designated; and ???

(e) Any other information the local governing body deems necessary within the authority of this ordinance and the general statutes.

4.2 Criteria for Designation

In order for any building, structure, site, area, or object to be designated in an ordinance as a historic landmark, the Commission must find that the property is of special significance in terms of its history, prehistory, architecture, archaeology, and/or cultural importance, and that it possesses integrity of design, setting, workmanship, materials, feeling, and/or association.

4.3 Inventory

Comment [JD1]: Has this been done in the past? Do we have a specific design for these? Who pays for them? The inter-local agreements state that the county will cover all of the costs of preservation but maybe we should change that and have new agreements signed that ask for assistance with plaques?

The Commission shall use an inventory of buildings, structures, sites, areas, or objects of historical, **prehistoric**, architectural, and archaeological significance in the county as a guide to the identification, assessment, and designation of historic landmarks. The Commission shall update the inventory from time to time.

4.4 Required Procedures for Designation

A local governing body may not adopt or amend an ordinance designating a historic building, structure, site, area, or object, or acquire any landmark, until the steps prescribed by this ordinance and its subsections have been taken, including rules of procedure and guidelines for the altering, restoring, moving, or demolishing properties designated as historic. **Designation procedures may be initiated at the request of a property owner or the Commission may contact property owners to determine interest in designation.**

4.4.1 Designation Reports

The Commission shall make, or cause to be made, an investigation and report that includes all the information contained in this Section. Applications prepared by owners will be judged by the same criteria as those prepared by the Commission.

- (a) The name of the property to be considered for designation – both common and historic names, if they can be determined;
- (b) The name and address of the current property owner;
- (c) The location of the property proposed to be designated historic, including the street address **and parcel identification number (GPIN)**;
- (d) The date of construction and of any later alterations, if any;
- (e) An assessment of this significance of the site or structure pursuant to Section 4.2;
- (f) An architectural or archaeological description of the area of the site or structure proposed to be designated, the report shall contain a description of those features;
- (g) A historical discussion of the site or structure within its type, period, and locality;
- (h) A photograph that clearly depicts the property proposed to be designated and supplementary photographs showing facades, details and siting; and
- (i) A map showing the location of the property **and area to be designated**, including any outbuildings and appurtenant features.

4.4.2 Review by the Department of **Natural and Cultural Resources**

A report accepted by the Commission shall be submitted to the North Carolina Department of **Natural and Cultural Resources**, Office of Archives and History or its successor agency, for comments pursuant to G.S. 160A-400.6, as amended from time to time. The Department of **Natural and Cultural Resources** or its successor agency, acting through the State Historic Preservation Officer, shall either upon request of the Department or at the initiative of the

Commission, be given an opportunity to review and comment upon the substance and effect of the designation of any landmark pursuant to this ordinance.

4.4.3 Consideration of the Report

Once the designation report has been prepared, either by the Commission or by the owner, and is deemed by the Commission staff to meet the provisions of subsection 4.4.1, the Commission shall consider the report. The Commission may accept it, amend it, or recommend further study.

Prior to final action on a designation report, the Commission shall indicate the extent to which the landmark meets the criteria for designation in Section 4.2.

The Commission should consider any comments received in writing from the Department of **Natural and Cultural Resources** or its successor agency. If the Department does not submit its written comments or recommendations in connection with any proposed designation within thirty days following receipt of the report, the Commission and the local governing body shall be relieved of any responsibility to consider such comments. After the expiration of the thirty (30) day comment period given the Department of **Natural and Cultural Resources**, the Commission may recommend to the local governing body that the property be designated as a historic landmark.

4.4.4 Submission to the Governing Body

The Commission shall forward its recommendation to the local governing body. The Commission shall submit a copy of the designation report, any written comments received from the Department of **Natural and Cultural Resources**, and if the recommendation is for approval, a proposed ordinance of designation, to the local governing body.

4.4.5 Public Hearing

When a proposed ordinance of designation is submitted, the Commission and the local governing body shall hold a joint public hearing or separate public hearings on the proposed ordinance. Reasonable notice of the time and place thereof shall be given.

4.4.6 Adoption of a Designation Ordinance

Following the required public hearing, the local governing body shall consider the designation report, the Commission's recommendation, the Department of **Natural and Cultural Resource's** comments, and the comments made at the public hearing, and may adopt the ordinance as proposed, adopt the ordinance with amendments, or reject the ordinance.

4.5 Actions Subsequent to Approval

Upon adoption of the ordinance:

- (a) Commission staff shall send the owner(s) of the landmark, as identified by current tax records, written notice of such designation within thirty (30) days of adoption of the ordinance by certified mail, return receipt requested.

- (b) The Commission shall file one copy of the ordinance and any subsequent amendments thereto, in the office of the Register of Deeds of Alamance County. The Register of Deeds shall index each historic landmark according to the name of the owner in the grantee and grantor indexes. The Commission shall pay a fee for filing and indexing.
- (c) **A copy of the ordinance shall be given to the Alamance County Inspections Director.**
- (d) In the case of a landmark lying within the zoning jurisdiction of a municipality, **a copy** of the ordinance shall be kept on file in the office of the municipal clerk and be made available for public inspection at any reasonable time. A copy shall also be given to the municipality's Inspections Director.
- (e) All tax maps maintained by Alamance County shall clearly indicate the designation of a building, structure, site, area, or object as a historic landmark for as long as the designation remains in effect.
- (f) The Commission staff shall notify the tax assessor of Alamance County of the landmark designation. The assessor shall consider the designation and any recorded restriction on the landmark in appraising it for tax purposes.

4.6 Denied Applications

If the local governing body denies a designation report, a copy of the minutes of the meeting at which such a decision to deny the report was **made shall** be mailed to the owner of the property proposed for designation.

5.0 Historic Districts

5.1 Adoption of an Ordinance of Designation

No historic district may exist without an ordinance designating it as such. Upon compliance with the procedures contained in Section 4.4, the local governing body, within its jurisdiction, may **adopt, amend, or repeal** an ordinance designating one or more historic districts.

5.2 Criteria for Designation

In order for any area to be designated in an ordinance as a historic district, the Commission must find that the area is of special significance in terms of its history, prehistory, architecture, archaeology, and/or cultural importance, and that it possesses integrity of design, setting, workmanship, materials, feeling, and/or association.

5.3 Inventory

The Commission shall use an inventory of buildings, structures, sites, areas, or objects of historical, **prehistoric**, architectural, and archaeological significance in the county as a guide for the identification, assessment, and designation of historic districts. The Commission shall update the inventory from time to time.

5.4 Required Procedure for Designation

A local governing body may not adopt or amend an ordinance designating a historic district, nor may the local governing body or the Commission accept any district until the steps prescribed by this Section have been taken.

5.4.1 Designation Report

The Commission shall prepare or review an investigation and report describing the significance of the buildings, structure, features, sites, or surroundings included in any such proposed district, and the description of the boundaries of such district. Such report shall be referred to the local governing body or the local planning agency for its review and comment according to procedures set forth in the zoning ordinance of the corresponding jurisdiction.

5.4.2 Review by the Department of Cultural Resources

All designation reports shall be submitted to the North Carolina Department of **Natural and Cultural Resources** by the Commission. The Department of **Natural and Cultural Resources** or its successor agency, acting through the State Historic Preservation Officer, shall, either upon the request of the Department or at the initiative of the Commission be given an opportunity to review and comment upon the substance and effect of the designation of any district.

If the Department does not submit its written comments or recommendations in connection with any proposed designation within thirty (30) days following receipt of the report, the Commission and the local governing body shall be relieved of any responsibility to consider such comments. After the expiration of the thirty (30) day comment period given the **Department**, the Commission may recommend to the local governing body that the area be designated as a historic district.

5.4.3 Review by Other Groups

The local governing body may also, in its discretion, refer the designation report and proposed boundaries to any local preservation commission or other interested body for its recommendations prior to taking action to amend the zoning ordinance.

5.4.4 Adoption of a Designation Ordinance

On receipt of these reports and recommendations, the local governing body may proceed in the same manner as would otherwise be required for the adoption or amendment of any appropriate zoning ordinance provisions.

5.5 Revisions to Districts

With respect to any changes in the boundaries of an adopted historic district subsequent to its initial establishment, the requirements and procedures contained in Section 5.0 shall apply.

6.0 Certificate of Appropriateness

6.1 Required

From and after the designation of a historic landmark or district, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor above-ground utility structure, nor any type of outdoor advertising sign shall be erected, altered, restored, moved, or demolished on such landmark, or

within such district until after an application for a Certificate of Appropriateness as to exterior features has been submitted to and approved by the Commission. In adopting an ordinance establishing a historic district, the local governing body shall provide that no building permit or other permit granted for the purposes of constructing, altering, moving, or demolishing structures shall be issued unless the Commission has first issued a Certificate of Appropriateness authorizing the construction, alteration, moving, or demolition. Any building permit or such other permit not issued in conformity with this section shall be invalid. In approving a Certificate of Appropriateness, the Commission may attach reasonable conditions necessary to carry out the purposes of this ordinance. A Certificate of Appropriateness shall be required whether or not a building permit is required.

For purposes of this ordinance, “exterior features” shall include the architectural style **or character**, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building or other structure, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, “exterior features” shall mean the style, material, size, and location of all such signs. In adopting an ordinance establishing a historic district, the local governing body may provide that “exterior features” also include historic signs, color, and significant **streetscape**, landscape, archaeological, and natural features of the area. The Commission shall take no action under this moving, or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or other significant features which would be incongruous with the special character of the landmark or district.

6.2 Review Guidelines

Prior to the designation of any historic landmark or district, the Commission shall prepare and adopt the guidelines, not inconsistent with Part 3B Article 19 of Chapter 160A of the N.C. General Statutes for altering, restoring, moving, or demolishing of property designated as historic. It is the intention of these guidelines to ensure, insofar as possible, that changes in designated landmarks or properties located within designated districts shall be in harmony with the reasons for designation.

6.3 Limitations on Interior Review

Notwithstanding this ordinance, jurisdiction of the Commission over interior spaces shall be limited to specific interior features of architectural, artistic, or historical significance in publicly-owned landmarks, and of privately-owned historic landmarks for which consent for interior review has been given by the owner. If an owner’s consent for interior review has been filed in the office of the Alamance County Register of Deeds and indexed according to the name of the owner of the property in the grantee and grantor indexes, such consent shall bind future owners and/or successors in title. The ordinance establishing the historic designation shall specify the interior features to be reviewed and the specific nature of the Commission’s jurisdiction over those features.

6.4 Certain Changes Not Prohibited

Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a historic landmark or property located within a district that does not involve a change in design, material, or outer appearance thereof. Nor shall this ordinance be construed to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature when a building inspector or similar official certifies to the

Commission that such action is required for the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent a property owner from making any use of his property not prohibited by other statutes, ordinances, or regulations. Nothing in this ordinance shall be construed to prevent the maintenance of or, in the event of an emergency, immediate restoration of any existing above-ground utility structure without approval by the Commission.

Comment [JD2]: This has been challenged in several communities, especially in regards to tree pruning by utility companies or placement of equipment. Utilities can be required to coordinate with local commissions to ensure streetscapes and other historic properties are not adversely affected.

6.5 Administrative Approval for Minor Works Allowed

The Commission staff may issue a Certificate of Appropriateness for minor works, as listed in the Commission’s Rules of Procedure. Minor works shall include and are defined as those exterior changes that do not involve substantial alterations, additions, or removals that could impair the integrity of the property and/or district as a whole.

No application for a minor works Certificate of Appropriateness may be denied without formal action by the Commission.

6.6 Delay in Demolition of Designated Properties

Except as provided below, the Commission may not deny an application for a Certificate of Appropriateness authorizing the demolition of a designated historic landmark or property located within a district. However, the Commission may delay the effective date of such a certificate for a period of up to 365 days from the date of approval. The Commission may reduce the period of delay where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period, the Commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the property, as provided in subsection 3.5(q).

The Commission may deny an application for a Certificate of Appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Office to have statewide significance, as defined in the criteria of the National Register of Historic Places, unless the Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

If the Commission has voted to recommend designation of a property as a landmark or designation of an area as a district, and final designation has not been made by the local governing body, the demolition or destruction of any building, site, or structure located on the property of the proposed landmark or in the proposed district may be delayed by the Commission for a period of up to 180 days or until the local governing body takes action on the designation, whichever occurs first. Should the governing body approve the designation prior to the expiration of the 180 day delay period, an application for a Certificate of Appropriateness for demolition must then be filed; however, the maximum delay period of 365 days shall be reduced by the period of delay while the designation was pending.

Comment [JD3]: This is not in the statute. What is the source for this?

6.7 Demolition by Neglect

Demolition by neglect of any designated historic landmark or property located within a district shall constitute a violation of this ordinance. The local governing body may take appropriate actions to prevent demolition by neglect, provided such actions include appropriate safeguards to protect the property owner from undue hardship.

Comment [JD4]: I think we should consider a Demolition by Neglect ordinance as this is a big problem in Alamance County. Hillsborough has one that they have used and so far no law suits so perhaps we could model ours on theirs? Either way, this language is too vague.

6.8 Required Procedures

6.8.1 Submittal for Application

An application for a Certificate of Appropriateness shall be obtained from and, when completed, filed with the Commission staff. Applications for Certificates of Appropriateness shall be considered by the Commission at its next regularly scheduled meeting, provided they have been filed, complete in form and content, at least 10 working days before the meeting; otherwise consideration shall be deferred until the following meeting.

6.8.2 Contents of Application

The Commission shall, by uniform rule in its Rules of Procedure, require information as is reasonably necessary to determine the nature of the application. An application for a Certificate of Appropriateness shall not be considered complete until the required information is included. An incomplete application shall not be accepted.

Nothing shall prevent the applicant from filing with the application additional relevant information bearing on the application.

6.8.3 Notification of Affected Property Owners

Before considering an application for a Certificate of Appropriateness, the Commission shall notify by mail the owners of any adjacent property. The mailed notices are for the convenience of the property owners and occupants and any defect or their omission therein shall not impair the validity of issuing a Certificate of Appropriateness, or any following action.

6.8.4 Hearing

When considering an application, the Commission shall give the applicant and owners of any property likely to be materially affected by the application, an opportunity to be heard.

6.8.5 Commission Action on Application

When considering the application, the Commission shall apply the review guidelines required by Section 6.0, and shall, before final action of the application, make findings of fact indicating the extent to which the application is or is not in compliance with the review criteria.

The Commission's action on the application shall be approval, approval with **conditions**, deferral, or disapproval.

6.8.6 Reasons for Commission's Actions to Appear in Minutes

The commission shall cause to be entered into the minutes of its meeting the reasons for its actions, whether it be approval, approval with **conditions**, deferral, or denial. The minutes shall also contain a summary of any citation to the evidence, testimony, studies, or other authority upon which it based its decision.

6.8.7 Time Limits

If the Commission fails to take final action upon any application within ninety (90) days after the complete application is submitted to the Commission staff, the application shall be deemed to be approved as submitted. This time period may be extended upon mutual agreement between the Commission and the applicant.

A Certificate of Appropriateness shall expire six months after the date of issuance, or in the case of a demolition Certificate of Appropriateness, the effective date, if the work authorized by the certificate has not been commenced. If the work has been discontinued for a period of twelve months after commencement, the permit shall immediately expire.

Comment [JD5]: Is this for demo work or any work?

6.8.8 Submission of New Application

If the Commission denies a Certificate of Appropriateness, a new application affecting the same property may be submitted only if substantial change is made in plans for the proposed construction, reconstruction, alteration, restoration, or moving.

6.8.9 Appeals of the Commission's Decision

An appeal may be made to the governing board of the corresponding jurisdiction regarding the Commission's action in approving or denying any application for a Certificate of Appropriateness. Written notice of intent to appeal must be sent to the Commission, postmarked within twenty (20) days following the Commission's decision, unless oral notice of appeal is made to the Commission during the meeting at which the decision is rendered. Appeals must be filed with the governing board of the corresponding jurisdiction within 60 days following the Commission's decision. Appeals shall be in the nature of certiorari. The governing board's decision in any such case may be appealed to the Superior Court of Alamance County.

6.9 Ordinance to Apply to Publicly Owned Buildings and Structures

Designated historic buildings, structures, sites, areas, or objects owned by State of North Carolina or any of its political subdivisions, agencies, or instrumentalities shall be subject to the regulations imposed by this ordinance, in accordance with North Carolina General Statute 160A-400.9(f).

6.10 Remedies

In case any building, structure, site, area, or object designated a historic landmark, or any property located within a historic district, is about to be demolished as the result of deliberate neglect or otherwise, materially altered, remodeled, or removed, except in compliance with this ordinance, the local governing body, the Commission, or other party aggrieved by such action may institute any appropriate action or proceedings to prevent such unlawful demolition, material alteration, remodeling, or removal, to restrain, correct or abate such violation, or to prevent any illegal act or conduct with respect to such historic property.

Comment [JD6]: What are these?

7.0 Conflict with Other Laws

Whenever the provisions of this ordinance are in conflict with any other statute, charter provision, ordinance, or regulation of the local governing body, the more restrictive ordinance or regulation shall govern.

This Ordinance shall be effective from and after the adoption thereof, that is May 3rd, 2004.

Chairman

Vice Chairman

Commissioner

Commissioner

Commissioner

Alamance County Historic Properties Commission

By-Laws and Meeting Procedures

Article I Meetings

Section 1.1 Purpose

The Alamance County Historic Properties Commission is charged with safeguarding the heritage of the county by preserving property that embodies important elements of its cultural, social, economic, and political, or architectural history.

The commission has these main functions:

- To make recommendations to the local governing board to designate selected properties as historic landmarks.
- To make recommendations to the local governing board to designate selected areas as historic districts.
- To review and act upon applications by property owners to make changes to locally-designated historic landmarks or properties in a locally-designated historic district, to ensure that inappropriate changes are not made.
- To educate the public about the county's history and the value of its preservation.
- To advise and assist the county government in preservation planning.

Section 1.2 Annual Meetings

The annual meeting of the Alamance County Historic Properties Commission shall be in the January. At each annual meeting, the Commission shall elect members to the office of Chair and Vice-Chair. The Commission shall also adopt a meeting schedule for the entire year; including the meeting date of the annual meeting for the next calendar year.

Section 1.3 Regular Meetings

Regular meetings of the Alamance County Historic Properties Commission shall take place on the second Tuesday of each month. Meetings will be held at 6:00 PM at the Alamance County Office Building located at 124 W. Elm Street in Graham, North Carolina, in the Board of County Commissioners room.

Section 1.4 Special Meetings, Change of Meeting Date, Time, or Location

In the event that a special meeting of the Alamance County Historic Properties Commission is necessary, Commission members shall be notified, either verbally or in writing, no less than forty-eight (48) hours prior to the time of the meeting.

Notification of any change in meeting date, time, or location shall be done in accordance with applicable North Carolina General Statutes which regulate such notification. While not required by Statute, reasonable efforts should be made to post such changes on the County website.

Section 1.5 Quorum

No votes or official action may be taken at any Historic Properties Commission meeting without the presence of a quorum of members. A quorum shall consist of a majority of sitting members.

Section 1.6 Lack of Quorum

In the event that there is a lack of a quorum, the Chair shall adjourn the meeting. Unless otherwise directed by the Chair at the meeting, all agenda items shall be placed on the next regular meeting agenda.

Section 1.7 Order of Proceedings

All Historic Properties Commission meetings shall follow, in general, the following order of proceedings:

1. Call to order
2. Roll Call
3. Approval of Minutes
4. Public Comments
5. New Business
6. Old Business
7. Announcements
8. Adjournment

The Chair of the Historic Properties Commission may, at their discretion, make changes to the order of the agenda to accommodate the public.

Section 1.8 Public Comments

Anybody that attends a Historic Properties Commission meeting shall have the opportunity to make public comments on any agenda item. Prior to speaking, each person shall give their name and address for the minutes of the meeting. Time limitations may be placed on speakers, at the discretion of the Chair, based upon the number of those wishing to address the Commission.

Section 1.9 Disruptions

Disruptions or disruptive behavior during a Historic Properties Commission meeting shall not be tolerated. All disruptive behavior shall be enforced pursuant to N.C.G.S. 143-318.17 which states:

"A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor."

Section 1.10 General Rules of Procedure

All meetings shall follow the general guidelines for procedure:

1. All Historic Properties Commission members shall be recognized by the Chair prior to asking questions of Staff or citizens.
2. Staff shall direct all comments to the Chair and request recognition before addressing the Board on any issue.
3. Prior to opening the floor for discussion among the members of the Commission, the Chair may, at their discretion, solicit comments from the public.
4. Prior to taking any motions, the Chair shall open the floor for discussion among the members of the Commission.
5. No vote may be taken without a motion and a second. In the event that a motion fails to garner a second, the motion shall be considered dead and reported as such in the minutes of the meeting.
6. All votes shall require a simple majority to carry.

Article II Officers

Section 2.1 Officers

The officers of the Alamance County Historic Properties Commission shall consist of a Chair and a Vice-Chair, each of whom shall serve for a term of one year.

Section 2.2 Election of Officers

The officers of the Historic Properties Commission shall be elected for the ensuing year at the annual meeting of the Historic Properties Commission. Elections will be determined by a simple majority.

Section 2.3 Duties of Officers

The duties and powers of the officers of the Historic Properties Commission shall be as follows:

- a. Chair:
 1. To preside over the Commission at all meetings.
 2. To call special meetings in accordance with these By-Laws.
 3. To sign all official documents of the Historic Properties Commission.
- b. Vice-Chair:

1. During the absence, disability, or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

Section 2.4 Clerk to the Historic Properties Commission

The Planner shall serve as the Clerk to the Historic Properties Commission. The clerk shall be responsible for the following:

1. Preparing all agenda packets for the Historic Properties Commission.
2. Ensuring that accurate minutes of the meeting are taken and reported.
3. Maintaining an archive of agendas and minutes for public review.

Article III Voting and Conflicts of Interest

Section 3.1 Commissioner Preparation

Each Historic Properties Commission member will familiarize himself or herself with the applications under consideration.

Section 3.2 Conflicts of Interest

No Historic Properties Commission member may deliberate or vote on any matter in which they have a direct financial interest or may benefit from. In the event that a Commission member does have a conflict of interest, the Commission member shall request recusal from the Chair. Recusal must occur before deliberation of an agenda item begins. Once recused, the member may not take part in any discussion regarding the issue being considered.

Section 3.3 Voting

Each Historic Properties Commission member may cast one vote on any given item. A simple majority is necessary for any motion to carry.

Section 3.4 Decision Making

The COA review process carried out by the Historic Properties Commission requires judgment of each application based on the design guidelines as well as historical, archival, and archaeological information about the property.

Article IV Board Membership

Section 4.1 General

All Historic Properties Commission members shall be appointed by the Alamance County Board of Commissioners in accordance with the Alamance County Historic Properties Ordinance. The

Historic Properties Commission shall consist of at least eleven (11) members but no more than fifteen (15).

Section 4.2 Terms

In accordance with the Alamance County Historic Properties Commission Ordinance, Commission members shall serve three (3) year terms, with the opportunity for reappointment at the end of term.

Section 4.3 Requirements for Appointment

All members must reside in Alamance County. The majority of members shall have demonstrated special interest, experience, or education in history, architecture, archaeology, or a related field.

Section 4.4 Recruitment

The Alamance County Historic Properties Commission may utilize a number of means to recruit new members to fill positions of members who resign. Such means should include advertisement on the County website and, if necessary, in the local newspaper.

Interested parties will be required to fill out a Commission Membership application, which includes a brief summary of their qualifications or special interest. Applications will be kept on file in the Planning Department for a period of two (2) years.

Section 4.5 Review of Applications

Applications for the Historic Properties Commission will be reviewed by the Planner to determine basic eligibility based on residency. If eligible, applications will be given to the Historic Properties Commission when a position becomes available for review at a regular meeting. The Historic Properties Commission will then make a formal recommendation of appointment to the Board of Commissioners.

Section 4.6 Meeting Attendance

All Historic Properties Commission members are expected to attend monthly Historic Properties Commission meetings. If a member has more than three (3) unexcused absences in a calendar year, the Chair of the Historic Properties Commission may request disciplinary action, including but not limited to removal from the Commission. A Commission member will be granted an excused absence if they inform planning staff at least twenty-four (24) hours prior to the meeting that they cannot attend. Any and all removals must be approved by the Alamance County Board of Commissioners.

Section 4.7 Vacancies Due to Resignation, Death, Disability, etc.

In the event that a Historic Properties Commission vacancy occurs due to resignation, death, disability, relocation out of the County, or any other reason other than normal expiration of term,

the Planner shall immediately make the Clerk to the Board Commissioners aware of the vacancy. Attempts to fill the position shall begin with applications that are kept on file by the Clerk to the Historic Properties Commission. If a replacement cannot be found in applications that are kept on file, active recruitment shall begin pursuant to Section 4.4 of these By-Laws.

Should such a vacancy be the office of Chair, the Vice-Chair will become the Chair and a new Vice-Chair will be elected at the next regular meeting.

Article V Miscellaneous

Section 5.1 Communication to the Commission

All communications to the Commission, including applications, petitions, emails (when specifically directed to the Commission or appropriate for the Commission's information, at the reasonable discretion of Staff), or other referrals, shall be directed to the Planning Department and shall thereafter be provided to the Commission.

Section 5.2 Board Requests

All requests for information (maps, ordinances, etc.) from the Planning Staff by a Historic Properties Commission member shall be directed to the Planner. Any response by the Planner shall be directed to the Historic Properties Commission as a whole.

Section 5.3 Amendments

The Historic Properties Commission may adopt, amend, repeal, or alter, in whole or in part, these By-Laws by a majority vote at any regular meeting, provided that any changes requested have been placed on the Commission's regular meeting agenda.

Adopted by the Alamance County Historic Properties Commission on this the 9 day of February, 2016.

Chair

Attest, Planner

Alamance County

PLANNING DEPARTMENT
215 N. Graham Hopedale Rd.
Burlington, North Carolina 27217
Tel. (336) 570-4053

LIBBY HODGES
Planning Director

JESSICA DOCKERY
Planner

INFORMATIONAL MEMORANDUM

TO: Rodney Cheek, Historic Properties Commission Chair

FROM: Jessica Dockery, Planner

DATE: February 4, 2016

SUBJECT: Revisions to COA and local designation documents

Mr. Cheek,

I recently revised and created several documents relating to Certificates of Appropriateness and local designation. These changes are meant to put us on firmer legal ground if any of your decisions are appealed.

I made revisions to the COA Application and have revised the "Finding of Fact" form to include the *Secretary of the Interior's Standards for Rehabilitation*, for reference when citing pertinent design guidelines during deliberations. I have also created a COA notification letter for adjacent property owners that will be sent before COA applications are presented.

In addition, I created a cover letter and certificate, which state what work was approved and any conditions added by the HPC, to send to COA applicants upon approval. The certificate will be posted with the building permits on site. The cover form and a copy of the COA application will be also be put on file with the Inspections Department for their use during inspections of the site. The COA guidelines remain the same.

Finally, I have changed the landmark designation application and review form to be more specific about the information needed from the applicant and for the staff research of the property.

These revised documents are attached for your information. Please contact me if you have any questions or comments.

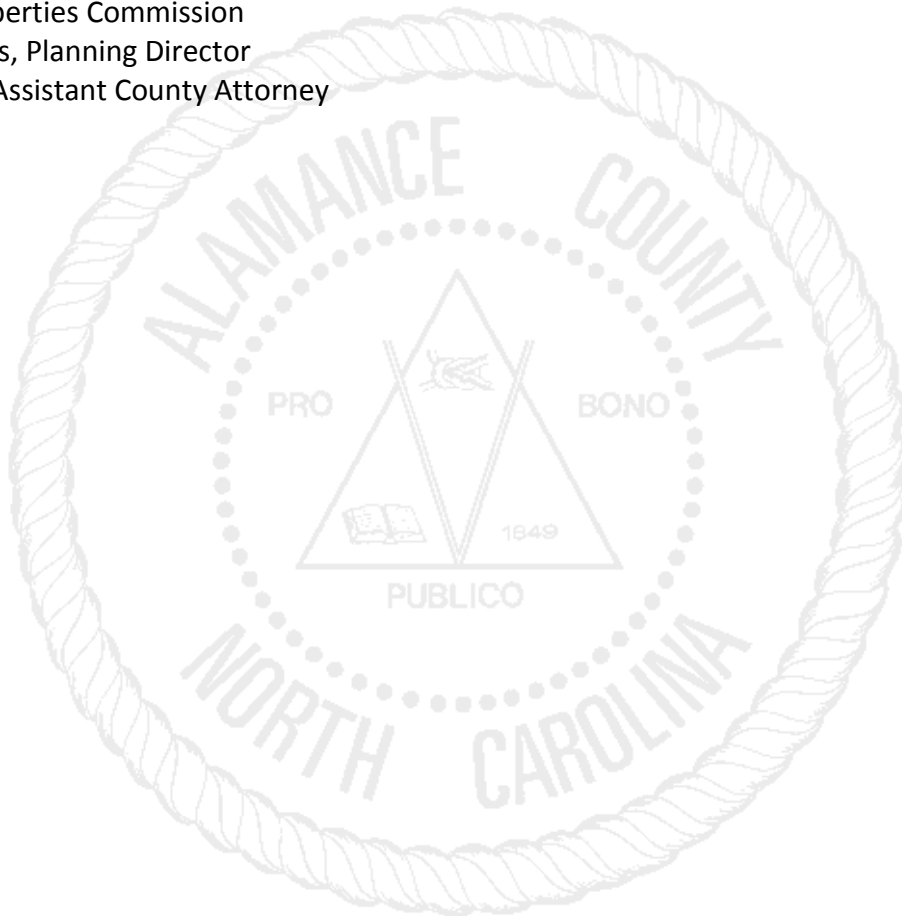
Alamance County

PLANNING DEPARTMENT
215 N. Graham Hopedale Rd.
Burlington, North Carolina 27217
Tel. (336) 570-4053

Thank you,

Jessica Dockery
Planner

cc Historic Properties Commission
Libby Hodges, Planning Director
Ben Pierce, Assistant County Attorney



Parcel ID Number

Address of Project



ALAMANCE COUNTY HISTORIC PROPERTIES COMMISSION

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

I (we) the undersigned do hereby and respectfully make application for a Certificate of Appropriateness for the following plans and proposals.

Applicant's Name _____

Applicant's Address _____

Applicant's Telephone Number _____

Applicant's Email Address _____

Property Owner (if different than applicant) _____

Property Owner's Address _____

Property Owner's Telephone Number _____

Property Owner's Email Address _____

TYPE OF WORK (Check)

Exterior Alteration

New Construction

Demolition of Structures

Other _____

SUBMITTAL REQUIREMENTS: The following documents and plans are required to accompany your COA application in order for it to be deemed complete. The Historic Properties Commission will not accept incomplete applications. Attach as many loose sheets as necessary. Do not use staples, glossy paper or binders. Planning staff will determine when all submittal requirements have been met.

All applications must include the following documents and plans (Provide 3 folded copies and a digital file if larger than 11x17):

Narrative describing clearly and in detail the proposed work

Existing and proposed plans, with dimensions, of changes to the building (these can be hand-drawn sketches if not changing the building footprint or new construction).

Site plan, including the location of all walls, fences, outbuildings, driveways, parking areas, large trees, or other landscape features of note where major site improvements are proposed, if changing building footprint, or new construction.

Scaled architectural plans (if changing building footprint or new construction)

Parcel ID Number

Address of Project

- Elevations of each façade that clearly show the exterior appearance of new construction.
- List of existing *and* proposed exterior materials (Siding, trim and fascia, roof and foundation materials, windows, shutters, awnings, doors, porch and deck flooring, handrails, columns, patios, walkways, driveways, fences and walls, and signs, etc.). Samples of proposed materials are encouraged when original materials are not to be retained.
- Landscaping plans (if appropriate)
- Optional: Photographs, material samples, any other documents, plans, or drawings that will help to clarify the proposal

More information on the Historic Properties Commission and Certificate of Appropriateness application process can be found on the Alamance County Planning Department website:

<http://www.alamance-nc.com/planning/>

Applicant and Owner Acknowledgement

I acknowledge that I am aware that Historic Properties Commission Design Guidelines are the criteria by which my proposal will be evaluated for compatibility, and that the guidelines are available on the Alamance County Planning Department website and in the Planning Department. I understand my presence is expected at the HPC meeting where this application will be reviewed.

Applicant's Signature

Date

Property Owner's Signature

Date

Return to: Alamance County Planning Department
215 N. Graham Hopedale Rd.
Burlington, NC 27217
336-570-4053

Parcel ID Number

Address of Project

DEPARTMENT STAFF USE ONLY:

Staff Report:

Applicant Name: _____

Property Owner Name: _____

Information from Historic Inventory:

Original date of construction: _____

Description of property:

Applicable Design Guidelines:

Other reviews needed?:

Alamance County Building Permit Mebane Building Permit Ossipee Building Permit N/A

Certificate of Appropriateness Decision:

Application for a Certificate of Appropriateness has been:

Approved Denied

Conditions (if applicable):

HPC Staff Signature

Date

Alamance County

PLANNING DEPARTMENT
215 N. Graham Hopedale Rd.
Burlington, North Carolina 27217
Tel. (336) 570-4053

LIBBY HODGES
Planning Director

JESSICA DOCKERY
Planner

NOTIFICATION OF APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

December 28, 2015

Dr. William Harrison
Alamance-Burlington School System
1712 Vaughn Rd.
Burlington, NC 27217

Dear Dr. Harrison,

This letter is to notify you that an application has been received by the Alamance County Historic Properties Commission (HPC) for work related to a locally designated historic landmark. You are being contacted because you are listed as the owner of xxx (GPIN# xxx). This work requires approval of a Certificate of Appropriateness by the HPC prior to construction.

Property: Freeman-Boggs-Woody House, 5768 Church Road (GPIN# 9709378087)

Description of Work: The application requests permission to construct of a one-story rustic cabin to the southeast of the house.

Meeting Date, Time and Location: January 12, 2016, at 6 PM, Commissioners' Meeting Room, 124 W. Elm Street, Graham.

Adjacent property owners are invited to attend the meeting and may comment during the meeting. Comments may also be submitted in writing no later than January 7, 2016.

If you have any questions, please call our offices 336-570-4054. The application may be viewed at the Alamance County Planning Office or online at <http://www.alamance-nc.com/planning/boards/historic-properties-commission/>.

Sincerely,

Jessica Dockery
Planner
Alamance County Planning Department



HISTORIC PROPERTIES COMMISSION FINDINGS OF FACT

Property Name: _____

Property Address: _____

Date of COA Application: _____

Please refer specifically to the design guidelines when determining the effect on the historic property and the historic district (if applicable):

1. Height:

2. Setback, placement on lot, orientation:

3. Exterior materials and color:

4. Architectural details:

5. Roof shapes, forms, materials and color:

6. Fenestration (proportions, shapes, locations and details of windows and doors):

7. General form and proportion of buildings and structure:

8. Appurtenant fixtures and other features such as lighting and signs:

9. Structural condition and soundness:

10. Use of local or regional architectural traditions:

11. Effects of trees and other landscape elements (including fences, walls, walks, etc):

12. Historic or architectural significance:

Secretary of the Interior's Standard for Rehabilitation

- 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.*
- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*
- 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.*
- 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.*
- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.*
- 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*
- 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.*
- 8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*
- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*
- 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Summary and Conclusion(s): Based upon the foregoing facts, we find that the proposed work is consistent with the Design Guidelines and a Certificate of Appropriateness is granted.

Chair, Historic Properties Commission

Date



Alamance County
Historic Properties Commission
**CERTIFICATE OF
APPROPRIATENESS**

Issue Date: 1/19/2016 Expiration Date: 7/19/2016

Improvements to the property located at **5768 Church Rd., Graham (Freeman-Boggs-Woody House)** have been:

Reviewed by the Alamance County Historic Properties Commission

or

Approved by Alamance County Planning Department staff

and are in compliance with the design guidelines of the Alamance County Historic Properties Commission and the Ordinance to Establish a Historic Properties Commission For Alamance County.

Description of Approved Work: Construction of a one-story rustic cabin to the southeast of the house

Conditions: All sheathing, trim, porches, windows, and doors, as well as the foundation will be wood

This Certificate of Appropriateness must be posted on the jobsite in a conspicuous and accessible location with any other applicable construction permits.



Alamance County Planning Department
215 N. Graham Hopedale Rd.
Burlington, NC 27217
Phone: (336) 570-4053

ALAMANCE COUNTY LOCAL DESIGNATION APPLICATION GUIDELINES

Designation as a local landmark or local historic district applies to individual properties, which may be buildings, structures, sites, or objects, or a cohesive collection of resources that together make up a historic district. Local designation is an honor; the recognition signifies that the property or historic district is important to the heritage and culture of the community.

Definitions of Resource Types That May be Designated

- **Buildings** are constructed mainly to shelter human activity. Examples include houses, churches, schools, stores, office buildings, factories, barns, government buildings, etc.
- **Structures** are constructed for a purpose other than human shelter. Examples include bridges, tunnels, dams, fences, prehistoric earthworks, lighthouses, windmills, etc.
- **Sites** are the location of a significant event, occupation, activity, or a building or structure (even if the building or structure is in ruins or gone). The site must have historical significance regardless of the value of any building or structure now existing. Examples include battlefields, shipwrecks, cemeteries, ruins, natural features, or designed landscapes, etc.
- **Objects** are structures that are relatively small and simple, or primarily artistic in nature. An object is associated with a specific setting or environment. Examples include statues, monuments, fixed outdoor sculptures, fountains, boundary markers, etc.
- **Districts** possess a significant concentration, connection, or continuity of sites, buildings, structures, or objects that are linked historically or aesthetically. Examples include college campuses, residential areas, commercial districts, farms, industrial complexes, etc.

Application Process

- **Complete the application:** Forms may be obtained from the Alamance County Planning Department website: <http://www.alamance-nc.com/planning>. Incomplete applications will not be processed.
- **Submit the completed application by the deadline:** 12 PM, ten (10) days prior to the monthly Alamance County Historic Properties Commission (HPC) meeting. Applications submitted after the deadline will be held until the next deadline for processing.

Applications may be returned, in person or by mail to:

Alamance County Planning Department
215 N. Graham Hopedale Rd.
Burlington, NC 27217

- **Presentation of the application at the following HPC meeting:** The applicant, or their representative, **should attend** the meeting, scheduled for the second Tuesday of the month at 6:00 PM in the County Commissioners Meeting Room, 124 W. Elm Street, Graham, to answer any questions the HPC may have.

Application Review

Before recommending that a property or district be designated, the HPC must determine that it has historic, prehistoric, or architectural significance **and** shows integrity of design, setting, workmanship, materials, feeling, or association.

Criteria for Significance:

To have historic, prehistoric, or architectural significance, a property or district must meet **at least** one of these criteria:

- It is associated with events that have contributed significantly to the county's history
- It is associated with the life of a person significant to the county's history
- It embodies the distinctive characteristics of a type, period, or method of construction
- It represents the work of a master or possesses high artistic value
- It has yielded or is likely to yield important historical or prehistoric information

Effects of Local Designation

Local designation of properties and districts has these consequences:

- An owner of a local landmark or a property within a local historic district cannot **substantially** change its exterior features or move or demolish the property without an approved **Certificate of Appropriateness (COA)** from the Alamance County Historic Properties Commission. An application for a COA may be obtained from the Alamance County Planning Department website: <http://www.alamance-nc.com/planning>
- The owner of a designated **local landmark** may apply for an annual fifty percent (50%) property tax deferral for as long as the property's important historic features are retained.



Alamance County Planning Department
215 N. Graham Hopedale Rd.
Burlington, NC 27217
Phone: (336) 570-4053

ALAMANCE COUNTY LOCAL DESIGNATION APPLICATION

This application initiates consideration of a property or district for local designation by the Alamance County Historic Properties Commission (HPC) and the Alamance County Board of Commissioners (BOC). It enables evaluation of the resource to determine if it qualifies for designation. The evaluation is made by the HPC, which makes its recommendation to the BOC. Procedures for administration by the HPC are outlined in Sections 4 and 5 of the Ordinance to Establish a Historic Properties Commission for Alamance County.

Please type if possible. Use 8-1/2" x 11" paper for supporting documentation and if additional space is needed. All materials submitted become the property of the HPC and cannot be returned.

1. Name of Property/District (For landmarks, if historic name is unknown give current name or street address):

Historic Name: _____

Current Name: _____

2. Location:

Township: _____

Address: _____

GPIN #: _____ (Can be obtained from <http://www.alamance-nc.com/newgis/>)

3. Legal Owner of Property (If more than one, list primary contact. For districts, leave blank):

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone #: _____ E-Mail: _____

4. Applicant/Contact Person (If other than owner):

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone #: _____ E-Mail: _____

5. General Data/Site Information:

Date of Construction and major additions/alterations:

Number, type, and date of construction of outbuildings:

Approximate lot size or acreage to be designated:

Architect, builder, carpenter, and/or mason:

Original Use:

Present Use:

6. Classification:

A. Category (check all that apply):

Building(s) Structure(s) Object(s) Site(s) District

B. Ownership (check all that apply):

Private Public: Local State Federal

C. Number of contributing and non-contributing resources on the property/in the district:

	Contributing	Noncontributing
Buildings		
Structures		
Objects		
Sites		

D. Previous survey/field documentation? (If so, when and by whom?):

E. National Register of Historic Places Status:

Check One:

National Register-listed <input type="checkbox"/> Date:	Removed <input type="checkbox"/> Date:
Determined Eligible <input type="checkbox"/> Date:	Determined Not Eligible <input type="checkbox"/> Date:
Nomination Not Requested <input type="checkbox"/>	NC Study List <input type="checkbox"/> Date:

* Significant changes in integrity since listing should be noted in section 10.B below

7. Are the interior spaces being included for designation (if individual property)? Yes No
If so, describe (also see Section 8.A):

8. Supporting Documentation (Attach to application on separate sheets. Please type or print):

A. *Digital Photographs:*

For landmark designations, the digital photo set must include **at least** one photo of each elevation of the primary building, **at least** one photo each of all other resources on the property, views of the setting of the resources(s), detail views of character-defining architectural details, and representative interior views. If interior spaces of the property are being considered for designation, please also include several views of character-defining interior details (ex. mantels, woodwork, or decorative painting) and provide a floor plan to locate the features to be designated and reviewed for COAs.

For local historic district designations, streetscape views showing the layout and character of primary streets in the district and one photo of each resource within the boundaries should be included.

All digital images should be printed two to a page, with photo captions describing each view shown, and a heading providing the name of the photographer and the date the photos were taken. All digital images must also be submitted on a CD-R in JPG or TIF format.

B. *Boundary Map:*

For landmark designations, please include a map showing the location of the property. A sketch map is acceptable but should note street names and the address number. Any other structures on the property should also be shown. A tax map with boundaries marked is preferred, and can be found at: <http://www.alamance-nc.com/newgis/>.

District maps should include all street names, all address numbers, and a clear boundary line for the district.

All maps should be legible, include a "North" arrow, be on a piece of paper no larger than 11" x 17", and be labeled with the property or district name.

C. *Property Description:*

Describe the exterior architectural features, additions, and alterations to individual properties, as well as significant outbuildings and landscape features. If the owner is including interior features in the designation for the purpose of design review protection, describe them in detail and note their locations.

The overall layout and general character of a district should be provided, including street patterns, typical setbacks, the presence of, or lack of sidewalks or street plantings, typical height and massing, or commonly found architectural styles or forms.

D. *Historic Significance:*

Note any significant events, people, and/or families associated with the property or district. Include a statement regarding the architectural significance of the property or district, if any. Please include a bibliography of sources. Include a one to two paragraph summary of those elements of the property or district that are integral to its historic, prehistoric, architectural, archaeological, and/or cultural importance.

SUPPLEMENTAL INFORMATION

Alamance County shall in no manner be responsible for providing a verbatim transcript of public hearings. If a verbatim transcript is required, the applicant or party requesting said transcript shall be responsible for arranging, producing, and payment of all expenses for the production of said transcript. All public hearings shall adhere to state laws regarding same as well. Signing this application indicates the applicant's understanding and acceptance of this policy.

This application may be withdrawn by written request from the applicant if such request is received prior to submission of the HPC public hearing notice to the newspaper. After submission of the public hearing notice to the newspaper, an application may only be withdrawn by action of the HPC at the public hearing pursuant to the applicant's written or in-person request.

SIGNATURES

Signature of Applicant:

I/we the undersigned, do hereby certify that all information given above is true, complete and accurate to the best of my/our knowledge, and do hereby request the Alamance County Historic Properties Commission take action as sought by this application. I/we also acknowledge that the application may designate the interior, interior features and details, and exterior, including the land. Any substantial alterations of the designated property will require a Certificate of Appropriateness issued by the Alamance County HPC.

(Applicant Print Name)

(Applicant Signature)

(Date)

(Applicant Print Name)

(Applicant Signature)

(Date)



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ALAMANCE COUNTY LOCAL DESIGNATION APPLICATION REVIEW TRACKING SHEET

Name of Property/District under Consideration: _____

Address: _____

GPIN #: _____

Staff Recommendation: Approval Denial

HPC Meeting Date: _____

HPC's Recommendation: Approval Denial

NC SHPO Review:

Date Sent: _____ Date Returned: _____ (*Attach Review*)

Publishing Date for Public Hearing: _____ Posted Date: _____

Date of Written Notice to Applicant & Surrounding Property Owners: _____

By action of the Alamance County Historic Properties Commission This: Local Landmark Historic District

Designation Request Has Been: Approved Denied

Chairman, HPC:

Print: _____ Sign: _____ Date: _____

Planning Staff:

Print: _____ Sign: _____ Date: _____

Motto:

Identify, Educate, and Preserve

Mission Statement:

The mission of the Alamance County Historic Properties Commission (HPC) is to identify, assess, and designate historic landmarks that embody the rich heritage, culture, and history of the county.

Vision Statement:

The HPC seeks to safeguard the heritage of the county by preserving districts and landmarks that embody important elements of its culture, history, architectural history, or prehistory, for the education, pleasure, and enrichment of residents of the county and state.

Goals Statement:

The HPC will safeguard important elements of the county's cultural, social, political, and architectural history; educate the community about the history of Alamance County and historic preservation; form new partnerships with other agencies/companies to promote and raise awareness of historic preservation in the county; and promote the utilization of historic preservation as an economic tool, through business and tourism stimulation.

- In 2016, the HPC will coordinate with Cone Health to host a walking or biking tour that highlights historic built resources in the county while promoting healthy living.
- In 2016, the HPC will form a committee to plan a countywide architectural survey update and will explore funding options, including applying for a Historic Preservation Fund grant through the NC Historic Preservation Office
- In 2016, the HPC will reach out to all of the county's incorporated municipalities to form inter-local agreements for historic preservation functions in an effort to encourage further preservation efforts across the county.
- In 2016, the HPC will host or co-host a Rehabilitation Tax Credit workshop to educate residents about the program and encourage their use by owners of eligible properties.