

## **APPENDIX A**

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# CITY OF MARIETTA HISTORIC PRESERVATION ORDINANCE

FILE REFERENCE NO. 20041443  
ORDINANCE NO. \_\_\_\_\_

## AN ORDINANCE

Amending, the Municipal Code of the City of Marietta to add Article 7-8-9, Historic Preservation Ordinance.

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

### Section 1: ARTICLE 7-8-9: HISTORIC PRESERVATION ORDINANCE:

#### 7-8-9-010

**PURPOSE.** The purpose of creating this Historic Preservation Ordinance is to protect and enhance the historical and aesthetic attraction to tourists and visitors and thereby promote and stimulate business, and to provide for the protection, enhancement, perpetuation, and use of places, districts, sites, buildings, structures, and works of art having a special historic, architectural, cultural, or aesthetic interest or value.

#### 7-8-9-020

**DEFINITIONS.** This article specifically adopts and incorporates the definitions contained in O.C.G.A. §44-10-22 of terms used within this article as defined in that code section, including, but not limited to, the following:

- A. "Certificate of Appropriateness" means a document approving a proposal to make a material change in the appearance of a designated historic property or, within a designated historic district, of a structure, site, or work of art located within said district. The Certificate of Appropriateness must be obtained from the Commission before such material change may be undertaken.
- B. "Commission" means the Marietta Historic Preservation Commission created or established pursuant to O.C.G.A. §44-10-24, created within this article.
- C. "Contemporary building" means those buildings or structures other than historic.
- D. "Council" means the Marietta City Council and its members.
- E. "Designation" means a decision by the Council to designate a property or district within the City as a "historic property", or "historic district", and thereafter to prohibit all material changes, except as set forth herein, in appearance of such

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property, or within such district, prior to issuance of a certificate of appropriateness by the Commission.

- F. "Exterior architectural features" means the architectural style, general design, and general arrangement of the exterior of a building or other structure including, but not limited to, the kind or texture of the building material; the type and style of all windows, doors, and signs; and other appurtenant architectural fixtures, features, details, or elements relative to the foregoing which are visible from the public right-of-way.
- G. "Historic District" means a geographically definable area, urban or rural, which contains structures, features, sites, works of art or a combination thereof which:
  - 1. Has special character, historical, or aesthetic interest or value
  - 2. Represents one or more periods or styles of architecture typical of one or more eras in the history of the city, county, state, region, or nation;
  - 3. Causes such area, by reason of the aforementioned factors, to constitute a visibly perceptible section of the city
- H. "Historic Preservation Jurisdiction" means the area within the corporate area of the City of Marietta or area otherwise subject to the jurisdiction of the Council.
- I. "Historic Property" means a structure, site, or work of art including the adjacent area necessary for the proper appreciation or use thereof, deemed worthy of preservation by reason of its value to the city, county, state, or region for one or more of the following reasons:
  - 1. It is an outstanding example of a structure representative of its era;
  - 2. It is one of the few remaining examples of a past architectural style;
  - 3. It is a place or structure associated with an event or person of historic or cultural significance to the city, county, state, or region; or
  - 4. It is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the city, county, state, or region.
- J. "Housecleaning" means the upkeep of property that does not constitute a material change in appearance and includes such tasks as cleaning, minor repair, and general maintenance of property.
- K. "Material change in appearance" means a change that will affect the exterior architectural features of a historic property; or of any structure, site, or work of art within a historic district that can be seen from a street, sidewalk or area of public gathering; and may include any one or more of the following but shall not include exterior paint or paint color alterations:
  - 1. A reconstruction or alteration of the size, shape, or facade of a historic property that can be seen from a public street, public sidewalk or area of public gathering including relocation of any doors or windows or removal or alteration of any architectural features, details, or elements other than demolition unless it is required below;

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2. Demolition of a historic property, as defined herein;
3. Commencement of excavation of any historic property, as defined herein, or within a historic district, except for construction, repair and maintenance of underground utility, storm drain facilities, and other underground features;
4. A change in location of advertising visible from the public way on any historic property or within a historic district;
5. The erection, alteration, restoration, or removal of any building or other structure within a historic district, including but not limited to walls, fences, steps, pavements, or other appurtenant features, except (1) exterior paint alterations and paint color changes; (2) the alteration and removal of walls, fences, steps, pavements, or other appurtenant features that cannot be seen from a public street, public sidewalk, or other public gathering.

L. "Person" includes any natural person, corporation, or unincorporated association.

M. "Public Gathering" includes areas of assembly on public right-of-way, public parks, or other publicly owned properties designated for such use.

#### 7-8-9-030 - HISTORIC PRESERVATION COMMISSION

A. Creation and Composition. There is created the Marietta Historic Preservation Commission, as follows:

1. The City Council shall appoint all members of the Historic Preservation Commission who shall reside within the incorporated City limits. The composition of the Commission shall be as follows:
  - a. Each of the seven council members shall nominate one individual. Each member nominated will be subject to the approval of the majority of City Council. These seven members should have demonstrated a special interest, experience or education in history, architecture, or preservation. Unless no qualified persons are willing to serve, at least six members shall be professionals in the fields of history (including but not limited to urban planning, archeology, conservation, and historic preservation) or architecture (including landscape architecture).
  - b. If all or part of the current Historic Board of Review Downtown Marietta Historic District is placed in a Historic District covered by the Historic Preservation Commission, two additional members shall be included on the Commission. These two members shall be individuals that own property in the Historic Board of Review Downtown Marietta Historic District east of South Marietta Parkway and shall reside in the incorporated City limits. The two representatives from the Historic Board of Review Downtown Marietta Historic District are not required to meet the technical requirement required of other board members listed in subsection 7-8-9-030-A-1-a.
2. All members shall serve without compensation except for reimbursement of expenses as approved by the Council.

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3. All Commission members and anyone serving the Commission in a technical assistance/professional staff capacity shall attend at least one informational or educational meeting per year pertaining to historic preservation.
4. Members may be removed for cause after a hearing before the Council.

B. Term of Office. Commission members shall serve for a period of three years. No member may serve more than two (2) consecutive terms. In order to achieve staggered terms for purposes of continuity, initial appointments shall be as follows: three member shall be appointed for one year; three members shall be appointed for two years, and one shall be appointed for three years. The two members from the Downtown Marietta Historic District shall serve for three years.

C. Organization. The Commission shall select a chairperson who shall preside over the meeting. The Commission shall meet no less frequently than once a month

1. The Commission shall adopt Rules and Regulations, which do not conflict with the provisions of Chapter 10 of Title 44 of the Official Code of Georgia Annotated, which shall only be effective after submittal to and if approved by the City Council.
2. The City shall provide the technical, administrative, professional and clerical assistance as required by the Commission.
3. A majority of the voting members of the Commission shall constitute a quorum.
4. No Commission member shall participate in the discussion on or vote on any matter in which he or she may have a conflict of interest as defined within City Charter or Code or Official Code of Georgia Annotated. Any commissioner who owns an interest in property within the district may recuse himself or herself and shall be allowed to present the application as a private citizen without violating this code.
5. Meetings of the Commission shall be held the Thursday after the regular scheduled City Council meeting and at the call of the Chairperson and at such other times as majority of the Commission may determine. The Secretary shall inform all members of the Board at least forty-eight (48) hours in advance of any meeting.
6. During a public hearing, each side shall be allowed fifteen (15) minutes to present their argument. The Chairperson may request representatives from each side to speak for the entire group. If more than one speaker represents a group, the fifteen (15) minutes shall be divided among the various speakers. In no case, however, shall any group be allowed more than the allotted time no matter how many speakers represent the group unless extended by a majority vote of the Commission members present.
7. At the public hearing, the applicant or any other party may appear on his/her own behalf or be represented by agent or attorney. No cases shall be considered if the applicant or his/her agent does not appear and a new application must be filed for the Commission to reconsider the request.
8. Failure for any Commissioner to attend three (3) consecutive meetings without just cause shall be considered resignation from the Commission. Upon such resignation, resignation by other means, or other vacancies occurring in office, the

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Chairperson shall inform the City Council as promptly as possible, so that the City Council may appoint a replacement to fill the unexpired term.

9. The Commission may create a listing of material changes detailing specific instances when an Administrative Certificate of Appropriateness can be approved. The items on this list must be approved at a formal hearing of both the Historic Preservation Commission and the City Council.

D. Jurisdiction and Authority. The commission shall be authorized to:

1. Prepare and maintain an inventory of all property within its historic preservation jurisdiction having the potential for designation as historic property;
2. Recommend to the Council specific places, districts, sites, buildings, structures, or works of art to be designated by ordinance as historic properties or historic districts;
3. Review applications for Certificates of Appropriateness for historic resource protection and grant or deny the same in accordance with O.C.G.A. §44-10-28 and this article;
4. Recommend to the Council that the designation of any place, district, site, building, structure, or work of art as a historic property or as a historic district be revoked or removed;
5. Restore or preserve any historic properties acquired by the City as requested by City Council;
6. Promote the acquisition by the City of conservation easements in accordance with O.C.G.A. §44-10-1 through §44-10-8 (All conservation easements shall be in the name of the City of Marietta and shall be subject to acceptance by the City Council.);
7. Conduct educational programs on historic properties located within its historic preservation jurisdiction and on general historic preservation activities;
8. Make investigations and studies of matters relating to historic preservation as the City Council or Commission may from time to time deem necessary or appropriate for the purposes of this article, subject to approval of the City Council;
9. Seek out local, state, federal and private funds for historic preservation, and make recommendations to the Council concerning the most appropriate use of any funds acquired;
10. Consult with historic preservation experts in the Historic Preservation Division of the Department of Natural Resources, or its successor and the Georgia Trust for Historic Preservation, Inc;
11. Submit to the Historic Preservation Division of the Department of Natural Resources, or its successor a list of historic districts designated as such pursuant to OCGA § 44-10-26.
12. Participate in private, state and federal historic preservation programs and with the consent of Council enter into agreements to do the same.
13. The Commission shall employ persons, if necessary, to carry out the purposes of this article, subject to approval of the City Council. The Council must approve any expenditure for this purpose.

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E. Preservation of Historic Property.

1. Where such action is authorized by the Council and is reasonably necessary or appropriate for the preservation of a unique historic property, the Commission may enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise for the property or any interest therein.
2. The Commission shall monitor the condition of designated historic properties or properties within a designated historic district within the city to determine whether they are being allowed to deteriorate by neglect.

F. Records. The Director of the Planning and Zoning Department or his/her designee shall be secretary for the Commission and shall keep a record of all applications for Certificates of Appropriateness, all renewals thereof, and of all of its proceedings. Also, the City Clerk's Office shall keep a listing of the classification of all buildings within Historic Districts pertaining to their classification as either a historic building or a contemporary building and a copy of the minutes of the meetings.

7-8-9-040 ADOPTION OF A DESIGNATION ORDINANCE. No ordinance designating any property as historic property, or any ordinance designating any district as a historic district, nor any amendments thereto may be adopted by the Council, nor may any property be accepted or acquired as historic property by the Council, unless all procedural requirements have been met as set forth in this subsection.

A. In designating property as Historic Property or as a Historic District, the Council and Commission shall comply with the notice requirements set forth in 7-8-9-040.

1. Designation of Historic Property. Subject to Section B below, In designating a property as a historic property, the Commission shall set forth the name or names of the owners and occupiers of the property, and shall require that a Certificate of Appropriateness be obtained from the Commission prior to any material change in the appearance of the designated property, except as noted in City of Marietta Code Section 7-8-9-050. Prior to any designation of a historic property, the owner or owners of the private property shall be given the opportunity to concur in or object to the designation. If the owner of the private property does not consent to the proposed historic designation, the historic property cannot be listed as a historic property under this ordinance. Additionally, where the owner or owners of private property consent to the nomination, the rules and or guidelines under which they have consented to the designation may not thereafter be changed to be more restrictive without the consent of the owner or owners of the historic property.
2. Designation of Historic District. Subject to Section B below, Designation of a district as a Historic District shall include a description of the boundaries of the district, shall list each property located therein, shall set forth the name or names of the owners and occupiers of each property, and shall require that a Certificate of Appropriateness be obtained from the Historic Preservation Commission prior to any material change in the appearance of any structure, site, or work of art located within the designated historic district, except as noted in City of Marietta Code Section 7-8-9-050. Prior to any designation of a historic district, owners of

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private properties shall be given an opportunity to concur in or object to the designation. If at least sixty (60) percent of private property owners within a proposed district do not consent to the nomination, the area cannot be designated as a historic district. Additionally, where the sixty (60) percent of the private owners within a proposed district consent to the nomination, the rules and or guidelines under which they have consented to the designation may not thereafter be changed to be more restrictive without the consent of at least sixty (60) percent of the private property owners within that district.

- B. No ordinance designating any property as a historic property and no ordinance designating any district as a historic district nor any amendments thereto may be adopted by Council nor may any property be accepted or acquired as historic property by Council until the following procedural steps are taken:
1. The Commission shall, subject to City Council approval, make or cause to be made an investigation and shall report on the historic, cultural, architectural, or aesthetic significance of each place, district, site, building, structure, or work of art proposed for designation or acquisition. This report shall be submitted to the Division of Historic Preservation of the Department of Natural Resources or its successor which will be allowed 30 days to prepare written comments concerning the report;
  2. The Commission and Council shall hold a public hearing on the proposed ordinance and design guidelines. Notice of the hearings shall be published at least three times in the principal newspaper of general circulation within the municipality in which the property or properties to be designated or acquired are located; and written notice of the hearing shall be mailed to all owners and occupants of such properties. All the notices shall be published or mailed not less than ten nor more than 20 days prior to the date set for the public hearing; and
  3. Following the public hearing, Council may adopt the ordinance as prepared, adopt the ordinance with any amendments it deems necessary, or reject the proposal.
- C. Notice to Owner/Occupiers. Within thirty days immediately following the adoption of the ordinance the owners and occupants of each designated historic property and the owners and occupants of each structure, site, or work of art located within a designated historic district shall be given written notification of such designation by the Council, which notice shall apprise said owners and occupants of the necessity for obtaining a Certificate of Appropriateness prior to undertaking any material change, as set forth herein, in the appearance of the historic property designated or within the historic district designated.
- D. Approval of Guidelines. Design guidelines or preservation guidelines must be approved by both the Historic Preservation Commission and City Council at least one meeting prior to the establishment of a historic district or designation of a historic property that would be required to comply with said guidelines.
- E. Adoption into Zoning Map. The designated property or district shall be listed by the Planning and Zoning Director on the official zoning map of the City of Marietta or, in the absence of an official zoning map, the designated property or district shall be shown on a map of the City and kept as a public record in the City Clerk's Office to

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provide notice of such designation in addition to other notice requirements specified by this article.

#### 7-8-9-050. APPLICATION FOR CERTIFICATE OF APPROPRIATENESS.

- A. Certificates of Appropriateness are required before any of the following is commenced within the historic district except as set forth herein:
1. The demolition of any historic building;
  2. Any new construction of a principal building or accessory building or structure;
  3. Additions or changes adding to existing fences, steps, sidewalks, streets and paving, or construction of a new fence, steps, sidewalks, streets and paving, subject to view from a public street or walk;
  4. Except "housecleaning," maintenance, or material work on the exterior appearance of existing buildings by additions, reconstruction, alteration, or rehabilitation, subject to view from a public street or walk.
- B. Application Requirement. After the designation by ordinance of a historic property or of a historic district as set forth in 7-8-9-040, no material change in the appearance of the historic property or of a historic structure, site, or work of art within the historic district, as referenced in section 7-8-9-050-A, shall be made or be permitted to be made by the owner or occupant thereof unless and until application for a Certificate of Appropriateness has been submitted to and approved by the Commission, except as set forth herein.
1. Such application shall be accompanied by such drawings, photographs, plans, or other documentation showing the proposed exterior changes or new construction, where necessary. Detailed drawings shall not be required
  2. A fee of \$25.00 shall be required to be paid at the time of submission in order for applications to be considered filed for consideration by the commission that require public comment as indicated in section 7-8-9-060-A. No application shall be deemed filed until such fee has been paid. Applicants whose applications are initially denied but who file any subsequent application for substantially the same material change must pay the filing fee for each application but may request a refund of the subsequent application fees after final approval is obtained. Subsequent application fees may be refunded if the Commission finds that such application made a substantial effort to comply with the Commission's concerns or requests.
- C. Exemptions. The following shall be exempt from the provisions of this article:
1. The Department of Transportation and any contractors, including cities and counties, performing work funded by the Department of Transportation are exempt from this article.
  2. Local governments are exempt from the requirements of obtaining a Certificate of Appropriateness; provided, however, that local government shall notify the Commission 45 days prior to beginning an undertaking that would otherwise require a Certificate of Appropriateness and allow the Commission an opportunity to comment.

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### 3. Minor Repairs

- i. Minor repairs that do not alter the historic or architectural features existing on the building. Examples of items falling within this category, which do not require a Certificate of Appropriateness are the following:
    - a. The painting of existing surfaces where the surface was previously painted;
    - b. A change in color to a previously painted surface;
    - c. New roofs or caps on roofs which are not visible from public right-of-ways and which do not change the character of the roof;
    - d. Roof repair or replacement where the color is the same as the roof it replaced or grey or black or white
    - e. The replacement of HVAC where such replacement is in the same location and of the same scale (or slightly larger to accommodate higher energy efficient equipment) as that of the original equipment. Excluded from the exception in this paragraph are window units;
    - f. The replacement of gutters where the replacement is in the same location and of the same scale as that of the original equipment;
    - g. The replacement of awnings where the replacement is in the same location and of the same scale as that of the original equipment.
    - h. Housekeeping repairs.
  - ii. Items which are not exempt and which require a Certificate of Appropriateness include but are not limited to the following:
    - a. The replacement of historic windows (non historic windows would be exempt);
    - b. The painting of unpainted surfaces;
    - c. New gutters where none existed before;
    - d. New awnings where none existed before
  - iii. In the event an applicant is not certain about whether an item requires a Certificate of Appropriateness or not, an application shall be submitted to staff for review. In the event staff determines that they have the authority to approve the application because the change to the building is a minor repair, as defined in this section, then staff is given the authority to do so. In the event staff is not certain about whether the application would be considered a minor repair or a structural change then staff shall submit the application to the commission for consideration
- D. Effective Period. Once a certificate of appropriateness has been approved, the action permitted under the certificate shall be commenced within three years. However, if a project under consideration for a Certificate of Appropriateness is submitted in phases and may be commenced accordingly, each phase shall be good for successive period of three years (i.e. three years for the first phase, three years for the second phase, etc...). The Certificate of Appropriateness may be renewed prior to expiration of the terms set forth herein by application to the Commission for renewal. Said renewals shall be granted unless there are significant changes in the district that would be adverse to the granting of the renewal.

- E. Variances. Where, by reason of unusual circumstances, the strict application of any provision of this article would result in practical difficulty or undue hardship upon any owner of any specific property, the Commission, in passing upon applications, shall have the power to vary or modify strict adherence to the provisions or to interpret the meeting of the provision so as to relieve such difficulty or hardship; provided however, that such variance, modification, or interpretation shall remain in harmony with the general purpose and intent of the provisions so that the architectural or historic integrity or character of the property shall be conserved and substantial justice done. In granting variations, the Commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this article. Variances for undue hardship shall only be granted where the undue hardship arises from circumstances not caused, controlled, or contributed to by the owner or occupant.
- F. Appeals. Any person adversely affected by any determination made by the Commission relative to the issuance or denial of a Certificate of Appropriateness has 30 days to appeal such determination to the City Council. The Council or other governing body may approve, modify and approve, or reject the determination made by the Commission if the Council or other governing body found that the Commission abused its discretion in reaching its decision. Further appeal may be taken to the Superior Court in the manner provided by law for appeals from a conviction for municipal ordinance violations.
- G. Enforcement and Penalty for Violation.
  1. Once a certificate of appropriateness has been issued, the work must conform to the Certificate as issued. Failure to comply shall be grounds for the building inspector or the Commission to issue a cease and desist order.
  2. The City Council, Commission, or building inspector shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in the appearance of a designated historic property or district, except those changes made in compliance with the provisions of an ordinance adopted in conformity with this article, or to prevent any illegal act or conduct with respect to such historic property or historic district. Violations of any ordinance adopted in conformity with this article shall be punished in the same manner as provided by charter or local law for the punishment of violations under Zoning Ordinance subsection 718.08.
- H. Effect on Building and Demolition Permits. Any activity that does not require a building permit will not be required to obtain a Certificate of Appropriateness. Also, notwithstanding anything to the contrary contained herein, in cases where the application covers a material change in the appearance of a structure which would require the issuance of a building permit or demolition permit, the rejection of an application for a Certificate of Appropriateness by the Commission shall be binding upon the building inspector or other administrative officials charged with issuing such permits; and, in such case, no permit shall be issued

7-7-8-9-060 COMMISSION ACTIONS ON APPLICATIONS

- A. Public Comment. The Commission shall hold a public hearing at which each proposed Certificate of Appropriateness is discussed. Notice of the hearing shall be published in the principal newspaper of local circulation in the City and the City shall mail written notice of the hearing, to all owners and occupants of the subject property and adjacent properties. The written and published notice shall be provided at least 15 days prior to the public hearing

The Commission shall give the property owner and/or applicant an opportunity to be heard at the Certificate of Appropriateness hearing.

- B. Approval of Applications and Issuance of Certificates. The Commission shall approve the application and issue a Certificate of Appropriateness if it finds that the proposed material change in appearance would not have a substantial adverse effect on the aesthetic, historical, architectural or cultural significance and value of the historic property or the historic district. In making this determination, the Commission shall consider, in addition to any pertinent factors, the historical and architectural value and significance; architectural style; general design; arrangement, texture, and material of the architectural features involved; and the relationship thereof to the exterior architectural style and pertinent features of other structures in the immediate neighborhood.
1. Guidelines.
    - a. Where the definitions provided herein are not sufficient to make a determination on any application, the Commission shall follow the approved design/preservation guidelines established.
    - b. The Commission may also seek expert or technical advice but shall not bind itself or the City or the Council for payment without prior approval from the Council.
    - c. Nothing contained herein shall be construed as to prevent a new building being constructed in any Historic District.
  2. Prohibited Actions. The Commission shall not consider interior arrangement or uses having no effect on exterior architectural features in its review of applications nor is the interior of a building subject to this ordinance. The Commission has no authority to review such interior arrangements in its review of applications for Certificate of Appropriateness.
  3. Exempt Material Changes. Nothing in this article shall require a Certificate of Appropriateness or be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on a historic property, which maintenance or repair does not involve a material change in design, material, or outer appearance thereof, nor to prevent any property owner or occupant from making any use of his property not prohibited by other laws, ordinances, or regulations. Refer to Section 7-8-9-050-C for a listing of specific exemptions.

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- C. Rejection of Applications. In the event the Commission denies an application it shall state its reasons for doing so at the meeting and shall transmit a record of such action and the reasons therefore, in writing, to the applicant within seven (7) days of the meeting. The Commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if so desired, may make modifications to the plan and may resubmit the application at any time after doing so.

- D. Time for Consideration. The Commission shall approve or reject an application for a Certificate of Appropriateness within 45 days after the filing thereof by the owner or occupant of a historic property or of a structure, site, or work of art located in a historic district. Evidence of approval shall be by a Certificate of Appropriateness issued by the Commission. Failure of the Commission to act within the 45-day period shall constitute approval, and no other evidence of approval shall be needed. The City shall provide confirmation of automatic approval to the applicant.

7-8-9-070 Continuances of Application(s) or Certificate(s) of Approval (Historic Board of Review).

Notwithstanding anything contained herein, any application for any Certificate of Approval previously granted in accordance with the code of the City of Marietta prior to the effective date of this ordinance (or issued after the effective date of this ordinance but for which an application as filed and pending prior to the effective date hereof) shall remain valid as set forth in the ordinance as of the date the application was filed and shall not be subject to this ordinance. Any Certificate of Approval granted or any application for a Certificate of Approval filed to or by the Historic Board of Review prior to its cessation and while the prior Historic Board of Review is in existence shall remain valid pursuant to this section and shall not be subject to this ordinance.

7-8-9-080 Severability. In the event that any portion of this ordinance be declared or adjudged invalid, unenforceable, or unconstitutional, such adjudication shall be applicable only to the affected language and all other provisions shall remain in full force and effect.

**Section 2:** It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

**Section 3:** This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

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# CERTIFICATE OF APPROPRIATENESS APPLICATIONS\*

## MARIETTA HISTORIC BOARD OF REVIEW CERTIFICATE OF APPROVAL APPLICATION FOR EXTERIOR CHANGES

Date: \_\_\_\_\_ Applicant: \_\_\_\_\_  
 Business Name: \_\_\_\_\_  
 Business Address: \_\_\_\_\_  
 Applicant's Mailing Address: \_\_\_\_\_  
 Applicant's Phone Number: \_\_\_\_\_

(Certificates of Approval are granted in accordance with the Marietta Comprehensive Development Code, Article 7-8-8, Historic District of the City of Marietta)

Certificate of Approval is sought for (**check one**):  
 Exterior Paint \_\_\_\_\_ Exterior Repair \_\_\_\_\_ Exterior Remodeling \_\_\_\_\_  
 Demolition \_\_\_\_\_ New Construction \_\_\_\_\_

Estimated Completion Date: \_\_\_\_\_

**Please provide with your application:**

The following information is required for new construction or demolition, including additions, or changes to the building façade. Please submit with your application:

- Building plans or proposed alterations and plans for re-use, if appropriate
- Plat drawn to scale and showing north arrow, district, land lot and parcel number, all property lines, location of buildings and other structures, creeks and easements, setback lines or other requirements indicating the areas for which the certificate is sought
- Photograph of existing building, if applicable

**For exterior paint, repair, remodeling and/or appurtenances, please submit with your application:**

- Color sample of paint
- Sketch of exterior of building as it is now and with proposed changes
- Measurements of proposed changes
- Samples or detailed descriptions of materials to be used

Property Owner's Name \_\_\_\_\_  
 Property Owner's Signature \_\_\_\_\_ Date: \_\_\_\_\_  
 Applicant's Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Return to Planning & Zoning Office, 205 Lawrence Street, Marietta, GA 30060**

**Phone: 770-794-5669 Fax: 770-794-5655 Email: nhiggins@mariettaga.gov**

CERTIFICATE OF APPROVAL  
 (To be completed by Historic Board of Review Chairperson)

Type of Certificate Requested:

New construction    Demolition    Repair/Remodeling    Appurtenances (i.e. walls, fences, etc.)

Action of Historic Board of Review:    Approved    Denied

Chairman: \_\_\_\_\_

Date Approved: \_\_\_\_\_

*\*Blank applications may be found at the Planning & Zoning Office located at 205 Lawrence Street or online at: <http://www.mariettaga.gov/departments/devsvcs/planzone/applications.aspx>.  
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## MARIETTA HISTORIC BOARD OF REVIEW CERTIFICATE OF APPROVAL APPLICATION FOR SIGNS & AWNINGS

Date: \_\_\_\_\_ Applicant: \_\_\_\_\_  
 Business Name: \_\_\_\_\_  
 Business Address: \_\_\_\_\_  
 Applicant's mailing address: \_\_\_\_\_  
 Applicant's phone number: \_\_\_\_\_

(Certificates of Approval are granted in accordance with the Marietta Comprehensive Development Code, Article 7-8-8, Historic District of the City of Marietta.)

Certificate of Approval is sought for (**check one**):

Sign \_\_\_\_\_ Awning \_\_\_\_\_

Estimated Completion Date: \_\_\_\_\_

**Please provide with your application:**

**For new or replacement exterior signs or awnings the following information is required. Please**

**check off or fill in each item as you complete it:**

- \_\_\_\_\_ Photo or sketch of existing building
- \_\_\_\_\_ Dimensions of building face: \_\_\_\_\_ ft. by \_\_\_\_\_ ft.
- \_\_\_\_\_ Sketch of proposed sign or awning
- \_\_\_\_\_ Dimensions of proposed sign or awning: \_\_\_\_\_ ft. by \_\_\_\_\_ ft.
- Sign to be installed:
  - \_\_\_\_\_ Flat on façade \_\_\_\_\_ Beside door
  - \_\_\_\_\_ At right angle \_\_\_\_\_ Above door/window
  - \_\_\_\_\_ Other: \_\_\_\_\_
- Awning to be installed:
  - \_\_\_\_\_ Ft. above sidewalk
  - \_\_\_\_\_ Above door \_\_\_\_\_ Above window(s)
  - \_\_\_\_\_ Paint chip/swatch of proposed color
  - \_\_\_\_\_ Fabric sample of proposed awning

Property Owner's Name \_\_\_\_\_  
 Property Owner's Signature \_\_\_\_\_  
 Applicant's Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

**Return to: Norma Higgins, 205 Lawrence Street, Marietta, 30060 ph: 770.794.3957**

**E-mail: [nhiggins@mariettaga.gov](mailto:nhiggins@mariettaga.gov)**

Application should be turned in at one week prior to the meeting at which it will be presented.

CERTIFICATE OF APPROVAL  
 (To be completed by Historic Board)

Type of Certificate Requested:

Sign \_\_\_\_\_ Awning \_\_\_\_\_

**Action of Historic Board of Review:    APPROVED    DENIED**

Chairman: \_\_\_\_\_

Date Approved: \_\_\_\_\_

## GEORGIA STATE PREFERENTIAL PROPERTY TAX ASSESSMENT PROGRAM

During its 1989 session, the Georgia General Assembly passed a statewide preferential property tax assessment program for rehabilitated historic property (Ga. Code Annotated Vol. 36, 48-5-2 – 48-5-7.2). This incentive program is designed to encourage rehabilitation of both residential and commercial historic buildings by freezing property tax assessments for eight and one-half years. The assessment of rehabilitated property is based on the rehabilitated structure, the property on which the structure is located, and not more than two acres of real property surrounding the structure. This program requires action by the Historic Preservation Division (HPD) of the Department of Natural Resources (DNR) through Rules 391-5-11 and by the appropriate local county tax commission.

### What properties are eligible?

- The property must be listed or eligible for listing in the Georgia Register of Historic Places either individually, or as a contributing building within a historic district.

### Requirements to Participate

- 1) The cost of rehabilitation must meet the substantial rehabilitation test. This test is met by increasing the fair market value of the building by the following percentages. The county tax assessor is the official who makes this determination.
  - Residential (owner-occupied residential property): rehabilitation must increase the fair market value of the building by at least 50%
  - Mixed-Use (primarily owner-occupied residential and partially income-producing property): rehabilitation must increase the fair market value of the building by at least 75%
  - Commercial and Professional Use (income-producing property): rehabilitation must increase the fair market value of the building by at least 100%
- 2) The property owner must obtain preliminary and final certification of the project from HPD.

- 3) Rehabilitation must be in accordance with the Department of Natural Resources' Standards for Rehabilitation and must be completed within two years.

### ***Application Process***

The Rehabilitated Historic Property Application is a two-part process: Part A and Part B, with supplemental information and amendments when necessary. The program is designed to review projects before work begins; therefore, the earlier application materials are submitted to HPD for review, the better.

### ***Part A – Preliminary Certification***

Part A is submitted to HPD to determine if the property is listed or eligible for listing in the Georgia Register of Historic Places, and to determine if the proposed work meets the Standards for Rehabilitation. Ideally this is submitted to HPD before rehabilitation begins. An application-processing fee of \$50.00 must accompany the Part A (Preliminary Certification). A cashier's check, money order, or official bank check, made payable to the Georgia Department of Natural Resources, are the only acceptable forms of payment. Personal checks are not accepted. The fee is non-refundable. Once all application materials are submitted, HPD has 30 days to review and comment on the rehabilitation project. After the review, HPD mails the applicant the signed preliminary certification form. The applicant is then responsible for filing the Part A certified form with the county tax assessor to initiate the assessment freeze period beginning the following tax year for two years.

### ***Part B – Final Certification***

Part B is submitted to HPD after the project is completed and must be certified by HPD and submitted to the tax assessor within two years of filing the Part A preliminary certification form. Once all application materials are submitted, HPD has 30 days to review and certify the rehabilitation project. HPD is the final certification authority concerning all state rehabilitation applications.

## GEORGIA STATE INCOME TAX CREDIT PROGRAM

After HPD reviews the Part B application and approves the rehabilitation, the certified Part B form is mailed to the applicant. The applicant is then responsible for filing the Part B certified form with the county tax assessor in order to maintain the assessment freeze for an additional 6 ½ years. In the ninth year, the assessment will increase 50% of the difference between the value of the property at the time the freeze was initiated and the current assessment value. In the 10th year, the property tax assessment will increase to the 100% current assessment value.

### **Amendments**

Amendments are submitted to HPD when there is a change in the scope of work submitted in the Part A application. Two federal tax incentive programs (Public Law 99-514) currently apply to preservation activities: the Rehabilitation Investment Tax Credit (RITC) program, and the charitable contribution deduction.

For more information, visit our Web site at [www.gashpo.org](http://www.gashpo.org) and click on Tax Incentives or contact Ced Dolder, Tax Incentives Coordinator, at 404-651-5566 or [ced.dolder@dnr.state.ga.us](mailto:ced.dolder@dnr.state.ga.us)

Send all completed applications and supplemental information to:

Historic Preservation Division  
Georgia Department of Natural Resources  
Attention: Tax Incentives Coordinator  
34 Peachtree Street, NW  
Suite 1600  
Atlanta, GA 30303-2337

In May 2002, the Georgia state income tax credit program for rehabilitated historic property was signed into law (O.C.G.A. Section 48-7-29.8). The Georgia Department of Natural Resources' Historic Preservation Division (DNR-HPD) and the Georgia Department of Revenue are administering the program. Owners of historic residential and commercial properties who plan to start a substantial rehabilitation on or after January 1, 2004 were eligible to apply for the credit. The program, amended effective January 1, 2009, provides owners of historic residential properties, who complete a DNR-approved rehabilitation the opportunity to take 25% of the rehabilitation expenditures as a state income tax credit, capped at \$100,000. (If the home is located in a target area, as defined in O.C.G.A. Section 48-7-29.8, the credit may be equal to 30% of rehabilitation expenditures, also capped at \$100,000.) For any other income producing, certified structure, the credit is 25% of rehabilitation expenditures, with the cap at \$300,000. This includes rental residential properties. The credit is a dollar for dollar reduction in taxes owed to the State of Georgia and is meant to serve as an incentive to those who own historic properties and wish to complete a rehabilitation. The amended program's percentages and caps become effective for projects completed after January 1, 2009.

### **What properties are eligible?**

- The property must be eligible for or listed in the Georgia Register of Historic Places. To find out if a property qualifies, please contact the Historic Preservation Division's National Register specialist at 404-651-5911.

### **Does the rehabilitation have to be reviewed and approved?**

Yes, the rehabilitation must meet DNR's Standards for Rehabilitation. The Department of Natural Resources' Historic Preservation Division reviews all projects to certify that the project meets the Standards according to DNR Rules 391-5-14. The rehabilitation project must be completed after January 1, 2009.

### **How much does a project have to cost to qualify?**

Every project must meet the substantial rehabilitation test and the applicant must certify to the Department of Natural Resources that this test has been met. The substantial rehabilitation test is met when the qualified rehabilitation expenses exceed the following amounts:

- 1) For a historic home used as a principal residence, the lesser of \$25,000 or 50% of the adjusted basis of the building
- 2) For a historic home used as a principal residence in a target area, \$5,000
- 3) For any other certified historic structure, the greater of \$5,000 or the adjusted basis of the building

**At least 5% of the qualified rehabilitation expenditures must be allocated to work completed to the exterior of the structure.** Acquisition costs and costs associated with new construction are not qualified rehabilitation expenses.

### **Department of Revenue Substantial Rehabilitation Worksheet**

Since it is the applicant's responsibility to certify that the substantial rehabilitation test has been met when a project is complete, it is recommended that the applicant determine if this test will be easily met before a project starts. The Georgia Department of Revenue developed a worksheet, included in the application packet, in order to help applicants determine if a rehabilitation project will meet the substantial rehabilitation test. After the project is complete, applicants will officially certify on the Part B application that the substantial rehabilitation test has been met.

### **Application Process**

The Rehabilitated Historic Property Application is a two-part process: Part A and Part B, with supplemental information and amendments when necessary. The program is designed to review Part A Preliminary Certification applications before rehabilitation work begins; therefore, the earlier application materials are submitted to HPD for review, the better. Early submission of projects allows HPD to consult with the applicant if necessary and to comment on projects in a meaningful way in hopes of bringing them into conformance with the Standards.

### **Part A – Preliminary Certification**

Part A is submitted to HPD to determine if the property is listed or eligible for listing in the Georgia Register of Historic Places and to determine if the proposed work meets the Standards for Rehabilitation. Ideally this is submitted to HPD before rehabilitation begins. An application-processing fee of \$50.00 must accompany the Part A (Preliminary Certification). If you are also participating in the Georgia Preferential Property Tax Assessment program, the total fee for both programs is \$75.00. A cashier's check, money order, or official bank check, made payable to the Georgia Department of Natural Resources, are the only acceptable forms of payment. Personal checks are not accepted. The fee is non-refundable. Once all application materials are submitted, allow at least 30 days for HPD to review and comment on the rehabilitation project. After the review, HPD mails the applicant the signed Part A preliminary certification form. Rehabilitation work should be completed within 24 months, or 60 months for a phased project.

### **Amendments**

Amendments are submitted to HPD when there is a change in the scope of work described in the Part A application. This allows a certain amount of flexibility as the project continues to be developed.

### **Part B – Final Certification**

Part B is submitted to HPD after the project is complete. Once all application materials are submitted, allow at least 30 days for HPD to review and certify the rehabilitation project. After HPD reviews the Part B application and approves the rehabilitation, the certified Part B form is mailed to the applicant. The applicant is then responsible for filing the DNR certified Part B application with the appropriate schedule when filing the State of Georgia income tax forms. The DNR-approved Part B application certifies to the Department of Revenue that a certified rehabilitation has been completed in accordance with DNR's Standards, and that the owner has certified that the substantial rehabilitation test has been met.

## HISTORIC PRESERVATION FEDERAL TAX INCENTIVE PROGRAMS

Two federal tax incentive programs (Public Law 99-514) currently apply to preservation activities: the Rehabilitation Investment Tax Credit program (RITC), and the charitable contribution deduction. The RITC effectively reduces the costs of rehabilitation to an owner of a historic income-producing property. The charitable contribution deduction is a donation of the historic value of a structure and is available to owners of residential and income-producing properties.

### **Rehabilitation Investment Tax Credit (RITC)**

The RITC program provides an opportunity to owners of certified historic structures, who undertake a certified rehabilitation, a federal income tax credit equal to 20% of the qualified rehabilitation expenses. Only properties utilized for income-producing purposes can take advantage of the credit.

#### **To be eligible for the 20% tax credit:**

- The building must be listed, or eligible for listing, in the National Register of Historic Places, either individually or as a contributing building within a historic district.
- The project must meet the “substantial rehabilitation test.” This test means that the cost of the rehabilitation must be greater than the adjusted basis of the property and must be at least \$5,000. Generally, projects must be finished within two years.
- After the rehabilitation, the building must be used for an income-producing purpose for at least five years.
- The rehabilitation work itself must be done according to The Secretary of the Interior’s Standards for Rehabilitation; these are common-sense guidelines for appropriate and sensitive rehabilitation.

All rehabilitation tax credit projects must be reviewed by the Georgia Historic Preservation Division (HPD) and certified by the National Park Service (NPS). A property owner interested in participating in the RITC program must submit the Historic Preservation Certification

Application and supporting documentation to HPD for review and comment. After HPD reviews the work, the project is forwarded to NPS for final certification. The application has three parts: Part 1 requests documentation that the building is a historic structure, listed or eligible for listing in the National Register of Historic Places. Part 2 requests a detailed description of the rehabilitation work supplemented with before rehab photographs and proposed floor plans. The Part 2 should be submitted to HPD before work begins to ensure compliance with the Standards. Part 3 is the Request for Certification of Completed Work. This application is submitted after the rehabilitation is complete and requests photo-documentation of the rehabilitation in compliance with the Standards for Rehabilitation.

There is also a 10% federal income tax credit available to property owners who rehabilitate non-historic buildings built before 1936.

#### **To be eligible for the 10% tax credit:**

- The building must be built before 1936 and be non-historic. A non-historic building is one that is not listed in the National Register, either individually or as a contributing building within a historic district. If the property is located in a National Register Historic District, a Part 1 must be submitted and reviewed by HPD and NPS for certification of non-historic significance.
- A building must meet the physical wall retention test. At least 50% of the building’s walls existing before the rehab must remain as external walls, at least 75 % of the external walls must remain in place as either external or internal walls, and 75% of the internal structure must remain in place.
- The project must meet the “substantial rehabilitation test.” This test means that the cost of the rehabilitation must be greater than the adjusted basis of the building and must be at least \$5,000. Generally, projects must be finished within two years.
- The building must be used for non-residential, income-producing purposes for at least five years after the rehabilitation. Therefore, properties used for residential rental income are excluded.

**Rehabilitation work under the 10% tax credit program is not subject to review by any state or federal agency. If the above criteria are fulfilled, then the 10% rehabilitation tax credit can be claimed as an investment credit on an owner's federal income tax return.**

### **Charitable Contribution Deduction**

The charitable contribution deduction is taken in the form of a conservation easement and enables the owner of a "certified historic structure" to receive a one-time tax deduction. A conservation easement ensures the preservation of a building's facade by restricting the right to alter its appearance. Qualified professionals should be consulted on the matters of easement valuations and the tax consequences of their donation.

#### **To be eligible for the charitable contribution deduction:**

- The property must be listed in the National Register of Historic Places, either individually or as a contributing building within a historic district. If a property is located in a National Register Historic District, a Part 1 must be submitted to HPD for review and certification by NPS.

***For more information on what Historic Preservation Tax Incentives are available to you, visit the Georgia State Historic Preservation Office web site at [www.gashpo.org](http://www.gashpo.org) and click on Tax Incentives. You may also contact the Tax Incentives Coordinator or Specialist at 404-656-2840.***



*Before Rehabilitation, Courtesy of South Carolina Department of Archives & History*



*After Rehabilitation*

*The federal historic rehabilitation tax credit helped make possible the rehabilitation of the mid-nineteenth century Rose's Hotel in York, SC. The project, which invested over \$1.4 million in the local economy and created 14 residential units and 4 office spaces, has brought new life to the downtown.*

## PRESERVATION BRIEFS

Preservation Briefs provide information and advice regarding a variety of rehabilitation projects, and are an invaluable free source of information for individuals. They may be obtained from the Georgia Historic Preservation Division, or are available online at <http://www2.cr.nps.gov/tps/briefs/presbhom.htm>. Listed below are the currently available Preservation Briefs.

1. The Cleaning and Waterproof Coating of Masonry Buildings
2. Repointing Mortar Joints in Historic Brick Buildings
3. Conserving Energy in Historic Buildings
4. Roofing for Historic Buildings
6. Dangers of Abrasive Cleaning to Historic Buildings
7. The Preservation of Historic Glazed Architectural Terra-Cotta
8. Aluminum and Vinyl Siding on Historic Buildings
9. The Repair of Historic Wooden Windows
10. Exterior Paint Problems on Historic Woodwork
11. Rehabilitating Historic Storefronts
12. The Preservation of Historic Pigmented Structural Glass
13. The Repair and Thermal Upgrading of Historic Steel Windows
14. New Exterior Additions to Historic Buildings: Preservation Concerns
15. Preservation of Historic Concrete: Problems and General Approaches
16. The Use of Substitute Materials on Historic Buildings
17. Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character
18. Rehabilitating Interiors in Historic Buildings
19. The Repair and Replacement of Historic Wooden Shingle Roofs
20. The Preservation of Historic Barns
21. Repairing Historic Flat Plaster - Walls and Ceilings
22. The Preservation and Repair of Historic Stucco
23. Preserving Historic Ornamental Plaster
24. Heating, Ventilating, and Cooling Historic Buildings: Problems and Recommended Approaches
25. The Preservation of Historic Signs
26. The Preservation and Repair of Historic Buildings
27. The Maintenance and Repair of Architectural Cast Iron
28. Painting Historic Interiors
29. The Repair, Replacement, and Maintenance of Historic Slate Roofs
30. The Preservation and Repair of Historic Clay Tile Roofs
31. Mothballing Historic Buildings
32. Making Historic Properties Accessible
33. The Preservation and Repair of Historic Stained and Leaded Glass
34. Applied Decoration for Historic Interiors: Preserving Composition Ornament
35. Understanding Old Buildings: The Process of Architectural Investigation
36. Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes
37. Appropriate Methods for Reducing Lead: Paint Hazards in Historic Housing
38. Removing Graffiti from Historic Masonry
39. Managing Moisture Problems in Historic Buildings
40. Preserving Historic Ceramic Tile Floors
41. The Seismic Retrofit of Historic Buildings
42. The Maintenance, Repair and Replacement of Historic Cast Stone

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## **PRESERVATION RESOURCES ON THE INTERNET**

Advisory Council on Historic Federal Preservation-an independent Federal agency created by the National Historic Preservation Act of 1966 (NHPA), and is the major policy advisor to the Government in the field of historic preservation-www.achp.gov

American Memory-source of primary source materials relating to the history and culture of the United States with more than seven million digital items from more than 100 historical collections-[www.memory.loc.gov](http://www.memory.loc.gov)

American Planning Institute-organized to advance the art and science of planning and to foster the activity of planning - physical, economic, and social - at the local, regional, state, and national levels-[www.planning.org](http://www.planning.org)

Association for the Preservation of Civil War Sites-non-profit organization that acts to preserve and protect Civil War battlefields by directly purchasing the property or negotiating protective easements-[www.acpws.com](http://www.acpws.com)

Center for Community Design and Preservation at the UGA College of Environment and Design-provides professional design service to communities throughout the South by contracting with governmental agencies, non-profit organizations, civic groups, and other funding sources to carry out projects-[www.sed.uga.edu/pso](http://www.sed.uga.edu/pso)

Cyberbia-Cyberbia contains a comprehensive directory of Internet resources relevant to planning, architecture, urbanism, and other topics related to the built environment-[www.cyberbia.org](http://www.cyberbia.org)

Georgia Department of Natural Resources, Historic Preservation Division-state governmental agency that promotes the preservation and use of historic places for a better Georgia-[www.gashpo.org](http://www.gashpo.org)

Georgia Trust for Historic Preservation-nonprofit organization that strives to promote an appreciation for Georgia's diverse historic resources and provide for their protection and use, to preserve and revitalize Georgia communities-[www.georgiitrust.org](http://www.georgiitrust.org)

Heritage Preservation-a key partner in Save America's Treasures, a national program to save our nation's past-[www.heritagepreservation.org](http://www.heritagepreservation.org)

Historic American Buildings Survey/Historic American Engineering Record/Historic American Landscape Survey (HABS/HAER/HALS)-federal program that documents important architectural, engineering, industrial, and cultural landscape sites throughout the United States and its territories-[www.cr.nps.gov/habshaer](http://www.cr.nps.gov/habshaer)

National Alliance of Preservation Commissions-a non-profit organization that builds strong local preservation programs through education, training, and advocacy-[www.uga.edu/napc/](http://www.uga.edu/napc/)

National Conference of State Historic Preservation Officers-a professional association of the State government officials who carry out the national historic preservation program as delegates of the Secretary of the Interior pursuant to the National Historic Preservation Act-[www.ncshpo.org](http://www.ncshpo.org)

National Archive and Records-a collection that documents the rights of American citizens, the actions of federal officials, and the national experience-[www.nara.gov](http://www.nara.gov)

# Glossary

**Accessory Structure** - A subordinate structure detached from but located on the same lot as a principle building. The use of an accessory structure must be identical and accessory to the use of the principle building. Accessory structures include garages, decks, and fences.

**Adaptive Use** - Recycling an old building for a use other than that for which it was originally constructed.

**Addition** - A non-original element placed onto an existing building, site or structure.

**Alteration** - Any act or process that which the exterior architectural appearance of a building.

**Appropriate** - Suitable to or compatible with what exists. Proposed work on historic properties is evaluated for “appropriateness” during the design review process.

**Architectural Style** - Showing the influence of shapes, materials, detailing or other features associated with a particular architectural style.

**Architectural Return** - a point that provides a definitive continuous visual break in a facade, e.g. a corner board or jog in a building’s footprint.

**Ashlar** - A dressed or squared stone and the masonry built of such hewn stone. It may be coursed, with continuous horizontal joints or random, with discontinuous joints.

**Baluster** - A turned or rectangular upright supporting a stair handrail or forming part of a balustrade.

**Balustrade** - An entire railing system including a top rail and its balusters, and often a bottom rail.

**Bay** - One unit of a building that consists of a series of similar units; commonly defined as the number of vertical divisions within a building facade.

**Brace** - A diagonal stabilizing member of a building frame.

**Bracket** - A projecting support used under cornices, eaves, balconies, or windows to provide structural support.

**Capital** - The uppermost part of a column or pilaster.

**Casement** - A hinged window frame that opens horizontally like a door.

**Certificate of Appropriateness** - A document giving approval to work proposed by the owner of a property located within a locally designated historic district or designated as a local landmark. Specific conditions, set forth by the Historical Commission and to be followed during the project, may be specified in the document. Possession of a Certificate of Appropriateness does not remove any responsibility on the part of the property owner to acquire a building permit prior to beginning the project.

**Certified Local Government (CLG)** - A program that is a mechanism to formally involve local governments in the national historic preservation program. Most states have procedures that extend CLG status to communities that adopt a preservation ordinance and establish a preservation commission.

**Character** - Those individual qualities of buildings, sites and districts that differentiate and distinguish them from other buildings, sites and districts.

**Chevron** - A V-shaped decoration generally used as a continuous frieze or molding that is typical of the Art Deco style.

**Clapboard** - A long, narrow board with one edge thicker than the other, overlapped to cover the outer walls of frame structures.

**Classical** - Of, or pertaining to, the architecture of ancient Greece and Rome.

**Column** - A vertical support of round section that in classical architecture consists of three parts: base, shaft, and capital.

**Commercial Building Type** - A definition based on the composition of a commercial building's primary facade. Most commercial facades are divided into major divisions or elements that are used to define the building type.

**Compatible** - Not detracting from surrounding elements, buildings, sites or structures; appropriate given what already exists.

**Component** - An individual part of a building, site or district.

**Contemporary** - Of the current period; modern.

**Contiguous** - Next to, abutting, or touching and having a boundary, or portion thereof, which is common or coterminous.

**Contributing** - Contributes to the architectural or historic significance of a historic district. (A "contributing building" in a historic district is one that may be of limited individual significance but nevertheless functions as an important component of the district.)

**Context** - The setting in which a historic element or building exists.

**Corbel** - A projection or one of a series of projections, each stepped progressively farther forward with increasing height; anchored in a wall, story, column, or chimney.

**Corinthian Order** - The slenderest and most ornate of the classical Greek orders of architecture, characterized by a slim fluted column with bell-shaped capital decorated with stylized acanthus leaves.

**Cornice** - A molding at the edge of a roof.

**Deck** - A structure, without a roof, directly adjacent to a principle building, which has an average elevation of 30 inches or greater from finished grade.

**Demolition** - Any act or process that destroys a structure in part or in whole.

**Dentil** - A small rectangular block used in a series below the cornice.

**Doric Order** - A classical order most readily distinguished by its simple, unornamented capitals and tablets with vertical grooving, called triglyphs, set at regular intervals in the frieze.

**Dormer Window** - An upright window lighting the space in a roof.

**Double-Hung Sash Window** - A window with two sashes, one above the other, arranged to slide vertically past each other.

**Drip Line** - An imaginary vertical line that extends from the outermost branches of a tree's canopy to the ground.

**Eave** - The projecting lower edges of a roof overhanging the wall of a building.

**Element** - An individual defining feature of a building, structure, site or district.

**Engaged Column** - A column partially built into a wall, not freestanding.

**Entablature** - The horizontal part of an architectural order, supported on columns, composed of architrave, frieze, and cornice.

**Ex Parte Communication** - Some form of communication between one party to a proceeding (e.g., an applicant for a permit) and a public official with some responsibility for making a decision affecting that proceeding occurring outside the formal decision-making process and without the knowledge of the other party to the proceeding.

**Facade** - That portion of any exterior elevation on the building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.

**Fanlight** - A window, often semi-circular, over a door, with radiating muntins suggestive of a fan.

**Frieze** - The middle horizontal member of a classical entablature, above the architrave and below the cornice.

**Footprint** - The horizontal area as seen in plan, measured from the outside of all exterior walls and supporting columns. It includes residences, garages, covered carports, and accessory structures, but not trellises, patios, and areas of porch, deck, and balcony less than 30 inches from finished grade.

**Gable** - The vertical triangular shape at the end of a building formed by a double sloping roof.

**Grade** - The average level of the finished surface of the ground adjacent to the exterior walls of the building.

**Header** - The end of a brick, sometimes glazed.

**High Style** - A completely authentic or academically correct interpretation of an architectural style; a “textbook” example of one particular style and not a composition of several different styles.

**Historic District** - A geographically definable area designated as possessing a concentration, linkage, or continuity of sites, buildings, structures, or objects of historic, archaeological, architectural or aesthetic value.

**Historic Preservation** - identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, and reconstruction, or any combination of the foregoing activities.

**Historic Restoration** - Requires that the re-creation duplicate the appearance at some previous point in time as closely as current scholarship allows.

**Historic Site** - A site worthy of protection or preservation, designated as historic for its historic, archaeological or aesthetic value.

**Historic Structure** - A structure worthy of preservation, designated as historic for its historic, archaeological, architectural or aesthetic value.

**Impervious Surface** - Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

**Infill** - New construction within a historic district, generally situated on the site of a demolished structure but possibly on a site never previously developed.

**Infill Development** - The construction of a building on a vacant parcel located in a predominantly built up area.

**Interpretive Restoration** - Less scholarly than a historic restoration, it involves keeping all of the original architectural features intact and reconstructing missing elements as faithfully as budget allows.

**Ionic Order** - A classical order distinguished by a capital with spiral scrolls, called volutes.

**Keystone** - The central voussoir of an arch shaped in a wedge form.

**Knee Brace** - A non-structural diagonal member used as exterior ornamentation, extending from the facade to the eave of a building.

**Landmark** - A building, structure, object or site worthy of preservation, designated as historic for its historic, archaeological, architectural or aesthetic value.

**Light** - A section of window, the pane or glass.

**Lintel** - A horizontal structural or ornamental member over an opening, which generally carries the weight of the wall above it.

**Maintenance** - Routine care for a building, structure or site that does not involve design alterations.

**Mixed-Use Developments** - are a combination of residential and nonresidential uses within the same building or complex of buildings within a planned development.

**Modillion** - A small curved and ornamented bracket used to support the upper part of the cornice.

**Mothballing** - The process of stabilizing and securing a historic building against further deterioration due to weather and/or vandalism.

**Mullion** - A vertical member separating and often supporting windows, doors, or panels in a series.

**Muntin** - A secondary framing member to hold panes within a window, window wall, or glazed door.

**Neglect** - The failure to care for a property in such a manner as to prevent its deterioration. Neglect is often not intentional, but may lead to very serious deterioration of materials and even structural systems.

**New Construction** - The construction of a new element, building, structure or landscape component; new construction involves the introduction of designs not original to the building, structure or site.

**Noncontributing** - Does not contribute to the architectural or historic significance of a historic district. (Some noncontributing resources are not yet fifty years of age, and therefore do not meet the age requirement for contributing resources. Other noncontributing resources may be historic but have lost their architectural integrity due to extensive changes or alterations.)

**Order** - A definite arrangement of column, capital, and entablature, each having its own set of rules and ornamental features. The five classical orders are Tuscan, Doric, Ionic, Corinthian, and Composite.

**Palladian Window** - A window of large size, characteristic of neoclassical styles, divided by columns or piers, resembling pilasters, into three lights, the middle of which is taller and wider than the others, and is roundheaded.

**Parapet** - A wall section rising above the roofline.

**Pediment** - The triangular gable end of the roof above the horizontal cornice.

**Pilaster** - A flat-faced representation of a column projecting from a wall.

**Porch** - A covered but unenclosed projection from the main wall of a building that may or may not use columns or other ground supports for structural purposes.

**Portico** - A porch or covered walk consisting of a low-pitched roof supported on classical columns and finished in front with an entablature and a pediment.

**Porte Cochere** - A large covered entrance porch through which vehicles can pass.

**Preservation** - The process of taking steps to sustain the form, details and integrity of a property essentially as it presently exists. Preservation may involve the elimination of deterioration and structural damage, but does not involve reconstruction to any significant degree.

**Pressed Metal** - Thin sheets of metal molded into decorative designs and used to cover interior walls and ceilings and on the exterior of some 20th century commercial structures.

**Quasi judicial** - The action, discretion, etc., of public administrative officers or bodies, who are required to investigate facts, or ascertain the existence of facts, hold hearings, and draw conclusions from them, as a basis for their official action, and to exercise discretion of a judicial nature.

**Quoins** - Heavy blocks, generally of stone or wood, cut in emulation of stone and used at the corners of buildings to reinforce and ornament walls.

**Reconstruction** - The process of reproducing the exact form of a component, building, structure or site that existed at some time in the past.

**Recycling** - The process of restoring, rehabilitating, renovating, remodeling, or adapting an old building so that it can be used by another generation.

**Rehabilitation** - The process of returning a building to a state of utility while retaining those elements essential to its architectural, historical and/or aesthetic significance.

**Remodeling** - Changing the appearance and style of a structure by removing or covering over original details and substituting new materials and forms.

**Renovation** - The process of making a structure usable again where there is a greater proportion of new materials and elements introduced into the building.

**Repair** - Any minor change to a property that is not construction, removal, demolition or alteration and that does not change exterior architectural appearance.

**Retaining Wall** - A wall or similar structure devised used at a grade change to hold the soil on the up-hillside from slumping, sliding, or falling.

**Restoration** - The process of returning a building to its appearance at an earlier time (though not necessarily to its original appearance). Restoration involves the removal of later additions and the replacement of missing components and details.

**Right-Of-Way** - A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a street, trail, water line, sanitary sewer, and/or other public utilities or facilities.

**Riser** - The vertical part of a step or stair.

**Sash** - A window frame that opens by sliding up or down.

**Setback** - The minimum distance by which any building or structure must be separated from a street right-of-way or lot line.

**Setting** - The immediate physical environment of a building, structure, site or district.

**Side Lights** - A vertical line of small glass panes flanking a doorway.

**Significant** - Possessing importance to a particular building, structure, site or district; essential to maintaining the full integrity of a particular building, structure, site or district.

**Site** - A place or plot of land where an event occurred or where some object was or is located.

**Stabilization** - Maintaining a building as it exists today by making it weather-resistant and structurally safe.

**Streetscape** - All physical elements that may be viewed along a street.

**Structure** - Anything constructed or erected which has, or the use of which requires, permanent or temporary location on or in the ground, or which is attached to something having a permanent location on the ground, including, but not limited to, the following: buildings, gazebos, signs, billboards, tennis courts, radio and television antennae and satellite dishes (including supporting towers), swimming pools, light fixtures, walls, fences and steps.

**Topography** - The physical land surface relief describing the terrain elevation and slope.

**Vernacular** - Based on regional tradition and utilizing regional materials.

**Water Table** - A sloping horizontal surface, of brick or stone, on an exterior wall, usually at the foundation level.