

# TOWN OF MAGNOLIA SPRINGS

## Historic Preservation Commission

### *Design Review Guidelines*



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## TABLE OF CONTENTS

<b>SECTION I. GENERAL .....</b>	<b>1</b>
Introduction.....	1
Working in Historic Districts.....	1
Routine Maintenance .....	1
Expedited Review Procedures .....	1
Major Work Projects.....	1
Process of Approval.....	1
Authority of the Commission.....	2
 <b>SECTION II. APPLICATION AND REVIEW PROCEDURES .....</b>	 <b>2</b>
Determine if the Project Requires Commission Approval.....	2
Meet with the Commission before Filing an Application .....	3
File an Applications .....	3
Review by Commission .....	3
Meet with the Commission .....	3
Determination of the Commission .....	4
Reconsideration of Applications .....	4
Expedited Review Process .....	5
Variances.....	5
Appeals of Decisions of the Commission .....	5
Certificate of Economic Hardship.....	5
Enforcement of Decisions of the Commission.....	6
Failure to Provide Ordinary Maintenance or Repair.....	6
 <b>SECTION III. GENERAL DESIGN GUIDELINES .....</b>	 <b>6</b>
Height.....	7
Scale.....	7
Massing.....	8
Directional Expression.....	8
Setback.....	9
Sense of Entry .....	9
Roof Shapes .....	10
Rhythm of Openings .....	10
Imitation .....	11
Additions to Existing Buildings .....	11
New Construction .....	12
Design Review Standards .....	12
Site Improvements .....	12
Standards for Site Improvements .....	13
Overall Continuity.....	13
Accessory Buildings, Structures and Appurtenances.....	13
Signage.....	13
Landscape and Plant Materials.....	13
Fences and Walls.....	13
Sidewalks, Drives, Parking and Paving .....	14
Exterior Lighting .....	14
Rehabilitation and Alteration .....	14

<b>SECTION IV. SECRETARY OF INTERIOR’S STANDARDS FOR REHABILITATION.....</b>	<b>15</b>
<b>SECTION V. MAGNOLIA SPRINGS STANDARDS FOR REHABILITATION AND ALTERATION .....</b>	<b>16</b>
Design Character.....	16
Repairing Original Features.....	16
Replacing Original Features.....	16
Existing Alterations.....	16
Materials .....	16
Trim and Ornament.....	17
Roofs .....	17
Windows .....	17
Storm Windows.....	18
Exterior Blinds and Shutters .....	18
Entrances and Doorways.....	18
Storm Doors.....	18
Porches.....	18
Signage.....	19
Foundations.....	19
Surface Cleaning.....	19
<b>SECTION VI. STANDARDS FOR ADDITIONS AND NEW CONSTRUCTION .....</b>	<b>19</b>
Standards for Additions .....	19
Original Design Character.....	19
Location .....	20
Materials.....	20
Standards for New Construction.....	20
Massing and Orientations.....	20
Form and Scale.....	20
Foundations .....	21
Signage.....	21
Materials.....	21
Color.....	21
Doors and Windows.....	21
Public and Common Areas and Facilities .....	21
Standards for Public and Common Areas and Facilities.....	21
<b>SECTION VII. SIGNS WITHIN A HISTORIC DISTRICT.....</b>	<b>22</b>
<b>APPENDIX – CLASSIFICATION OF WORK – GENERAL GUIDELINES .....</b>	<b>24-28</b>

## SECTION I. GENERAL

### **Introduction**

The Magnolia Springs Historic Preservation Commission is intended to meet several essential needs. For the community, it assures that Magnolia Springs' historic resources are maintained in a manner appropriate to the town's heritage. For property owners, residents and contractors, it provides primary guidance in the planning and design of projects that are sympathetic to the special character of the historic district—and that may, in turn, assure that property values are maintained and enhanced.

**Working in Historic Districts.** For all properties located in a designated Historic District, any exterior work is subject to review by the Magnolia Springs Historic Preservation Commission to ensure that the investments of all the property owners in the historic district are protected and enhanced. The review by the Commission and its staff is intended to be of assistance to the property owner to find reasonable and appropriate ways to ensure that the scale and character of the neighborhood is reinforced and enhanced by the new construction. This is done by means of issuance of Certificates of Appropriateness for work before it begins

**Routine Maintenance** (see Appendix) does not require issuance of a Certificate of Appropriateness. Routine maintenance includes repair or replacement where there is no change in the design, materials, or general appearance of the structure or grounds. Certificates of Appropriateness must be issued for all other projects, including demolition. Any repair or replacement where there is a change in the design, materials, or general appearance is defined as an alteration and requires a Certificate of Appropriateness before work may proceed.

**Expedited Review Procedures** are reviewed by a Commission member who has been assigned to refer the work, who will refer routine maintenance, minor work as listed in the Appendix and matters affecting immediate safety or welfare projects to the Commission for review only if in his or her judgment the change involves alterations, additions, or removals that are substantial, do not meet the guidelines, or are of a precedent-setting nature.

**Major Work projects** (see Appendix) are reviewed by the Commission. In general, major work projects involve a change in the appearance of a structure or site, and are more substantial in nature than routine maintenance or minor work projects. Such projects typically include new construction, expansion of a building footprint, or significant changes in landscape features.

**Process of Approval.** Before applying for building permits, or before applying for commercial or residential site plan approval, if required, a Certificate of Appropriateness application form must be completed and returned with any required attachments to the Commission staff. Applications requiring a review by the Commission must be received at least 10 business days prior to the next Commission meeting. Major Works are subject to a public hearing. This is a quasi-judicial hearing where no contact with the individual member of the Commission is allowed ahead of time. Only factual evidence in favor or opposed to the request may be presented at the hearing, and the Commissioners must make their decision based solely on the evidence provided at the hearing. Property owners may present evidence or have a representative speak for them.

## **Authority of the Commission**

Magnolia Springs Ordinances 2008-04 and 2008-09 and Section 11-68-1 through 11-68-15 of the Code of Alabama established the Magnolia Springs Historic Preservation Commission and provided that, for private and public properties alike pursuant to the above referenced laws:

1. The Commission may recommend buildings, structures, sites and districts to the Magnolia Springs Town Council for designation as historic properties or districts.
2. No building or structure in a historic district may be erected, demolished or moved, and no material change in the exterior appearance of an historic property (including signs and sites) shall be made or permitted to be made without first having received a Certificate of Appropriateness from the Commission. *Demolition by neglect and the failure to maintain an historic property or a structure in an historic district shall constitute a change for which a certificate of appropriateness is necessary.*
3. No new construction within a historic district shall commence without first having received a Certificate of Appropriateness from the Commission.

The Commission shall issue a Certificate of Appropriateness if it determines the proposed changes would not have a substantial adverse effect on the aesthetic, historic or architectural significance and value of the property or historic district. In making this determination, the Commission shall consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, general design arrangement, texture and materials of the architectural features involved and their relationship to the exterior architectural style and pertinent features of the other structures in the immediate neighborhood.

The Commission shall deny a Certificate of Appropriateness if it finds that the proposed changes would have a substantial adverse effect on the aesthetic, historic or architectural significance and value of the property or historic district.

The Commission shall not grant a Certificate of Appropriateness for demolition or relocation without reviewing at the same time specific post-demolition and/or post-relocation plans for the site.

## **SECTION II. APPLICATION AND REVIEW PROCEDURES**

Applications for Certificates of Appropriateness shall be reviewed by the Commission and afforded a public hearing, with notice given as provided in the Commission's rules and procedures. The Commission shall approve or reject the application at the hearing and shall notify by mail the applicant, the chief building official of the Town of Magnolia Springs and all other persons having requested notice in writing. Such notification shall include any conditions agreed to by the applicant or, in the case of denial, reasons for same. The application and all supporting information provided to the Commission shall be maintained in the files of the Commission as a public record.

The following are the steps in the Certificate of Appropriateness application and review process:

### ***1. Determine if the Project Requires Commission Approval***

Other permitting agencies require a Certificate of Appropriateness from the Commission before they will act on any permit application in a designated local historic district. Therefore an applicant should contact the Commission as early as possible in the planning of the project.

## ***2. Meet with the Commission before Filing an Application***

The Commission may arrange a pre-application meeting, to include representatives from other affected boards, agencies, departments and commissions. This should be accomplished prior to design of any proposed changes to the exterior of a property to assist the applicant to determine what coordination with other agencies may be necessary. The meeting also will help determine the appropriate level of detail for the attachments to the application form—and information and material from other permitting agencies.

## ***3. File an Application***

If a Certificate of Appropriateness is required, the Commission will advise the applicant regarding completion of an application and in determining what documentation will be needed for the project to be evaluated. Because the circumstances of each application and each property are different, the necessary documentation can vary considerably. All proposed projects requiring a certificate of appropriateness shall include a completed application form. Most proposals will require some form of drawings, the detail determined by the scope of the project. For major work, as defined in the Appendix, involving new construction, additions, and significant exterior alterations, the application should include at least the following drawings:

a. Dimensioned site plans—one with existing site conditions, one with proposed site conditions—at a scale not less than 1"=10' showing the location of all buildings, boathouses, additions, drives, sidewalks, fences, exterior lighting, large trees, landscaping, and other site work in context with the same information (except lighting) on adjoining properties within fifty feet of the subject property.

b. Dimensioned exterior elevations of all sides of new buildings. For additions and other significant alterations, elevations should be provided of all sides of the building. Drawings for additions and alterations should include elevations of both existing and proposed construction ("before and after" elevations), with each condition labeled appropriately. All elevations should be at a scale not less than 1/4"=1', and all should be of sufficient detail, both graphic and written, to describe all exterior design features and materials to the satisfaction of the Commission. Note that the Commission may require exterior elevations to include elevations of adjacent buildings if, for example, there is concern the scale or massing of a proposed new building or alteration might adversely affect other nearby properties or the street or district as a whole.

The Commission may require other drawings, illustrations, photographs, descriptions, and/or specifications, as required on a case-by-case basis, when the Commission considers such additional information necessary to make informed decisions. For example, three-dimensional drawings (perspectives or isometrics), though not generally required, are recommended for additional clarity and may be required by the Commission as necessary on a case-by-case basis.

## ***4. Review by Commission***

Upon receiving an application for a Certificate of Appropriateness, the Commission will review the application material to ensure there is adequate information available to evaluate the proposal. Complete applications will be placed on the agenda of the next available monthly Commission meeting. These meetings are held on the first Thursday of each month, and application deadlines for each monthly meeting are 10 business days prior to each meeting.

## ***5. Meet with the Commission***

The Commission has prescribed the following typical project presentation format for public hearings to assure adequate information is available to the Commission and to the public:

1. Applicant (and company or representative, if applicable) introduction.

2. General overview of the proposed action.
3. Location of the project:
  - a) Address (and property name, if any);
  - b) Indication on the historic district map.
4. Introduction by staff of site and situation, to include an overview of:
  - a) Style of existing structure(s) and those adjacent;
  - b) Nature and significant aspects of the surrounding neighborhood;
  - c) Contribution of the property to the historic district.
5. Presentation by applicant or representative of proposed plans to materially change in appearance the subject property.
6. Report regarding conformity of proposed action to the Design Review Standards.
7. Comments by other interested parties.
8. Consideration by the Commission:
  - a) Questions by the Commission to applicant and others
  - b) Discussion by the Commission
  - c) Adoption of a Finding of Fact by the Commission
  - d) Commission review and discussion of the appropriateness of the proposed project.
9. Commission determination (motion, second, vote) regarding the application.

### **Determination of the Commission**

#### ***Approval or Approval with Conditions Accepted by the Applicants.***

The Commission shall approve or reject an application for Certificate of Appropriateness within forty-five (45) days after the filing thereof except when the time limit has been extended up to an additional forty-five (45) days by mutual consent of the applicant and the Commission. Once approval is granted by the Commission, a Certificate of Appropriateness will be issued by the Commission, and a building permit, if necessary, may be obtained by the applicant. Approval with conditions will require submittal and Commission approval of a revised set of plans prior to issuance of a Certificate of Appropriateness. Any changes to the plans approved by the Commission must be referred anew to the Commission. Should the Commission determine that any changes to the plans constitute a substantive difference from the approved plans; the project must be reviewed by the Commission as a new application.

***Denial.*** Should the Commission find that there is no way to accommodate a project proposal within the guidelines contained in state and local law or within the Design Review Standards, there may be no choice but to deny the application and to report the reasons for such denial on the application form. A denial by the Commission means that the proposed project cannot be undertaken.

### **Reconsideration of Applications**

The following is the order of business for reconsideration of applications that previously have been denied:

1. The Commission shall first have ascertained whether there has been a substantial change in the facts, evidence or conditions relating to the application in order for the application to be placed on the agenda for reconsideration.
2. The Commission shall deliberate whether there has been a substantial change in the facts, evidence or conditions relating to the application that would warrant reconsideration. If the Commission finds there has been a substantial change, it shall thereupon treat the request as a new application received at that time for consideration at the next meeting of the Commission. If the Commission finds there has not been a substantial change, then no application for the subject

property shall be accepted by the Commission for a period of six months from the date of such decision.

### **Expedited Review Procedures**

***Routine Maintenance.*** The Commission may receive applications for expedited approval of a Certificate of Appropriateness for routine maintenance and shall be entitled to grant such certificate upon ascertaining that the proposed work includes only ordinary maintenance or repair to exterior, architectural or environmental features to correct deterioration, decay or damage and does not involve a material change in design, material or outer appearance. Such expedited review shall not require an application for a Certificate of Appropriateness, a public hearing or notice to adjoining owners. (See appendix).

***Minor Work.*** The Commission on a case-by-case basis may approve those projects listed in the Appendix in the Minor Work category, provided that a complete application for a Certificate of Appropriateness, including exhibits and fees, is submitted, and that the proposal also meets all relevant current policies and standards adopted by the Commission. Such review and approval shall not require a public hearing or notice to adjoining owners.

***Matters Affecting Immediate Safety or Welfare.*** In instances where there is demonstrated a clear present and imminent danger to the public by the existence of any set of facts pertaining to a historic district, the Chairman and the Secretary may, upon their joint concurrence, grant an expedited Certificate of Appropriateness only to the extent necessary to remove the imminent danger. Such expedited review shall not require an application for a Certificate of Appropriateness, a public hearing or notice to adjoining owners.

### **Variances**

The Commission may authorize within an application in specific cases, a variance from the design standards such as will not be contrary to the public interest, where owing to special conditions applying to the property in question and not applicable generally to other buildings, structures or properties, a literal enforcement of the standard would result in unnecessary hardship, but where the spirit of the policies, guidelines and standards of the Commission shall be observed and substantial justice done. Such special conditions shall be limited to those which the Commission finds that the granting of the application for a variance is necessary, does not merely serve as a convenience to the applicant, and that the standard from which variance is sought would:

1. Result in peculiar, extraordinary or practical difficulties to the subject property (as opposed to the applicant); or
2. As applied to an existing building, structure or other condition on the property, serve to decrease the historic or aesthetic value or condition of the district in which the property is located.

### **Appeals of Decisions of the Commission**

Any person having a request for a Certificate of Appropriateness denied by the Commission may appeal such denial to the Circuit Court of Baldwin County, Alabama.

### **Certificate of Economic Hardship**

The purpose of the Certificate of Economic Hardship is to provide relief where the application for a Certificate of Appropriateness could otherwise impose a substantial economic hardship. The burden of proof rests with the applicant to show that the denial of the Certificate of Appropriateness will result in a substantial economic hardship. The applicant shall provide such information as may be reasonably required by the Commission to establish the owner's claim of substantial economic hardship.



### **Enforcement of Decisions of the Commission**

A Certificate of Appropriateness shall become void unless construction is commenced within six (6) months of date of issuance. Certificates of Appropriateness shall be issued for a period of eighteen (18) months and shall inure to the benefit of the applicants heirs and assign.

All work performed pursuant to an issued Certificate of Appropriateness shall conform to requirements of such certificate. In the event work is performed not in accordance with such certificate, the Commission shall investigate and take appropriate action.

The Town Council or the Commission shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in appearance of a designated historic property or historic district, except those changes made in compliance with the provisions of this ordinance or to prevent any illegal act or conduct with respect of such historic property.

### **Failure to Provide Ordinary Maintenance or Repair**

The Commission shall monitor the condition of historic properties and existing buildings in historic districts. Property owners in violation will be notified in writing by the Commission and will have thirty (30) days, in which to take the necessary measures required. In the event that the condition is not met in thirty (30) days, either the Commission or the Town of Magnolia Springs may institute a legal action or proceeding in a court of competent jurisdiction to prevent deterioration and/or require maintenance.

## **SECTION III. GENERAL DESIGN GUIDELINES**

The design of buildings is determined by the way in which various basic design concepts and elements are utilized: building orientation and setback, shape, proportion, scale/height, directional emphasis, massing, rhythm, architectural and site elements. These concepts form the basis for visual relationships among buildings, which in turn influence the ways in which the public perceives buildings.

When new work is added or a new structure is built among existing buildings, the level of success with which it relates to those existing buildings—and whether it contributes to or detracts from the area in which it is to be located—will be determined by the ways in which its design recognizes the prevailing design expression in the area of influence. The following identify and define several principal concepts of design and offer guidelines for referencing predominant design characteristics in evaluating the appropriateness of a proposed new building or addition.

The *illustrations* are intended only to point out the types of relationships between new buildings and existing buildings of importance and are not meant to serve as specific design solutions. The Commission reserves the right to amend or append these guidelines at any time. Accompanying the illustrations are written *guidelines*, such as the following:

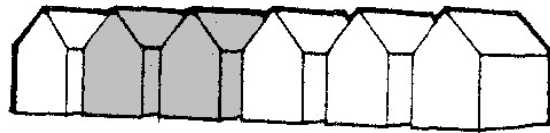
The Design Review Standard of the Magnolia Springs Historic Preservation Commission is composed of two separate, yet equally important, components: 1) the Design Review Guidelines discussed below, and 2) any other resources specifically listed in these Guidelines. The Design Review Guidelines listed below reflect general design principles which, when adhered to, will foster development that contributes to the architectural character of Magnolia Springs' Historic Districts. These principles, which may be applied uniformly too many different architectural styles, establish a repetition of forms and elements which create harmony and character in the Historic District.

The Design Review Standard, composed of the Design Review Guidelines, below, in conjunction with other Guidelines, are provided to assist the property owner and the Review Board in developing design solutions which satisfy Magnolia Springs' historic preservation ordinances. Town ordinances require that alterations to historic buildings shall not materially impair the architectural or historical value of the building or district. While Magnolia Springs' Historic Preservation Commission will attempt to uniformly apply these guidelines, each building is evaluated on a case by case basis, giving full consideration to its unique characteristics.

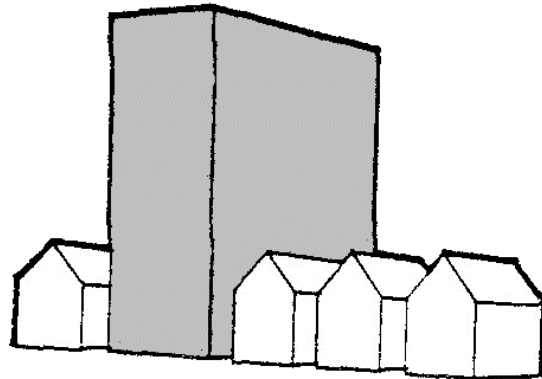
## Design Review Guidelines

### HEIGHT

**Consider** - Relating the overall height of new construction to that of adjacent structures. As a general rule, construct new buildings to a height roughly equal to the average height of existing buildings from the historic period on and across the street.

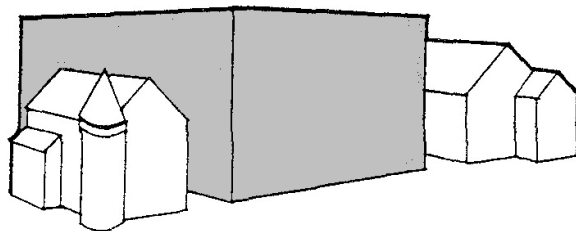


**Avoid** - New construction that greatly varies in height (too high or too low) from older buildings in the vicinity.



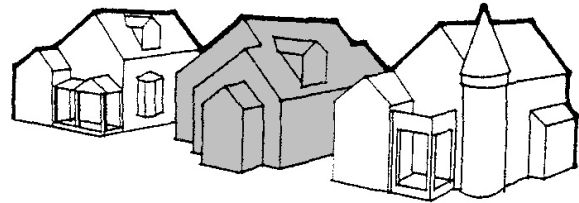
### SCALE

**Avoid** - Buildings that in height, width, or massing violate the existing scale of the area. The new building shown here disrupts the scale and rhythm of the streetscape, although it might be appropriate in a different location.

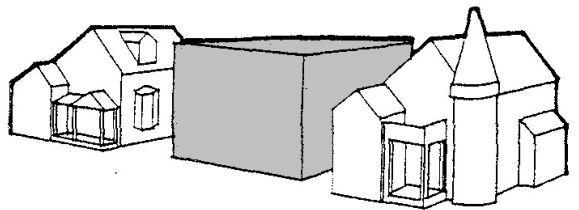


## MASSING

**Consider** - Breaking up uninteresting box-like forms into smaller, varied masses such as are common on most buildings from the historic period. Variety of form and massing are elements essential to the character of the streetscape in historic districts.

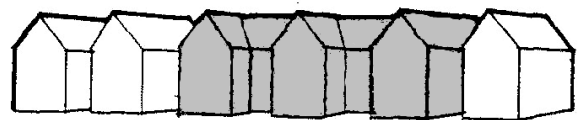


**Avoid** - Single, monolithic forms that are not relieved by variations in massing. Boxlike facades and forms are intrusive when placed in a streetscape of older buildings that have varied massing and façade articulation.



## DIRECTIONAL EXPRESSION

**Consider** - Relating the vertical, horizontal, or non-directional façade character of new buildings to the predominant directional expression of nearby buildings. Horizontal buildings can be made to relate to more vertical adjacent structures by breaking the facade into smaller masses that conform to the primary expression of the streetscape

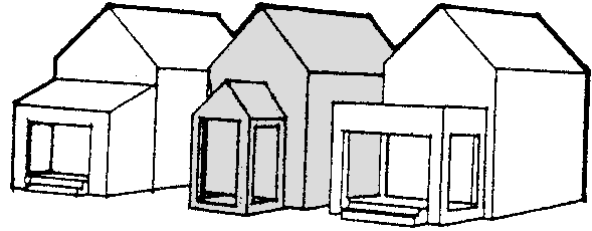


**Avoid** - Strongly horizontal or vertical facade expressions unless compatible with the character of structures in the immediate area. The new building shown does not relate well to either its neighbors or to the rhythm of the streetscape because of its unbroken horizontal facade.

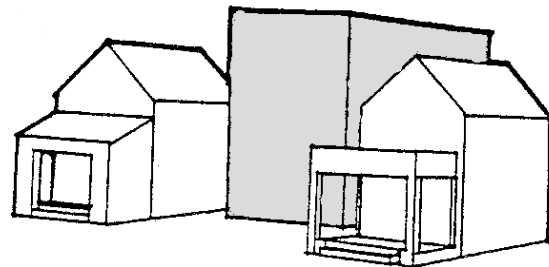


## SETBACK

**Consider** - Maintaining the historic facade lines of streetscapes by locating front walls of new buildings in the same plane as the facades of adjacent buildings. If exceptions are made, buildings should be set back into the lot rather than closer to the street. If existing setbacks vary, new buildings should conform to historic siting patterns.

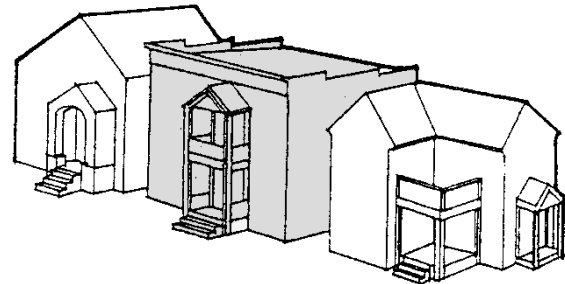


**Avoid** - Violating the existing setback pattern by placing new buildings in front of or behind the historic façade line. Avoid placing buildings at odd angles to the street, unless in an area where diverse siting already exists, even if proper setback is maintained.

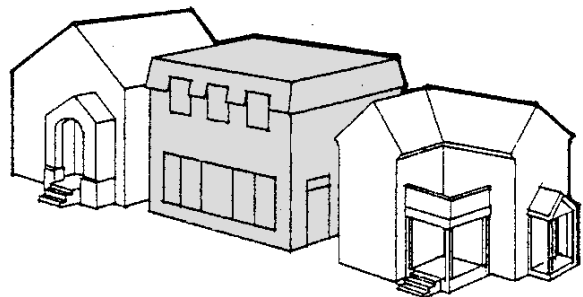


## SENSE OF ENTRY

**Consider** - Articulating the main entrances to the building with covered porches, porticos, and other pronounced architectural forms. Entries were historically raised a few steps above the grade of the property and were a prominent visual feature of the street elevation of the building.

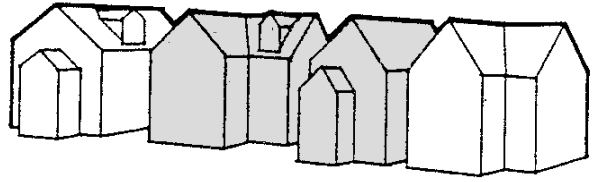


**Avoid** - Facades with no strong sense of entry. Side entries or entries not defined by a porch or similar transitional element result in an incompatible “flat” first floor façade

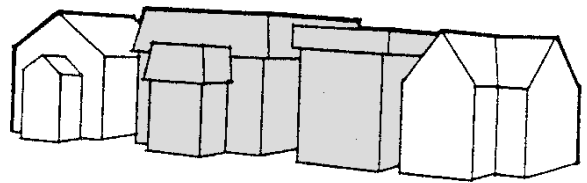


## ROOF SHAPES

**Consider** - Relating the roof forms of the new buildings to those found in the area. Although not entirely necessary, duplication of the existing or traditional roof shapes, pitches, and materials on new construction is one way of making new structures more visually compatible.



**Avoid** - Introducing roof shapes, pitches, or materials not traditionally used in the area.

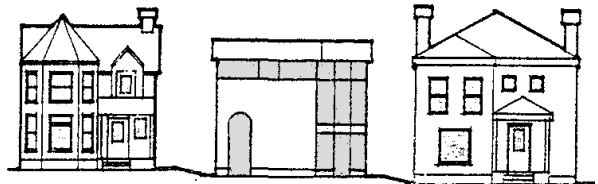


## RHYTHM OF OPENINGS

**Consider** - Respecting the recurrent alteration of wall areas with door and window elements in the facade. Also consider the width-to-height ration of bays in the facade. The placement of openings with respect to the facade's overall composition, symmetry, or balanced asymmetry should be carefully studied.

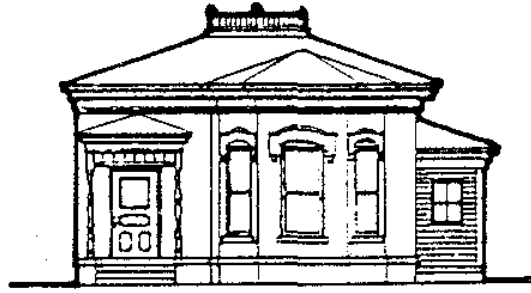


**Avoid** - Introducing incompatible facade patterns that upset the rhythm of openings established in surrounding structures. Glass walls and window and door shapes and locations shown in the example are disrespectful to the adjoining buildings.

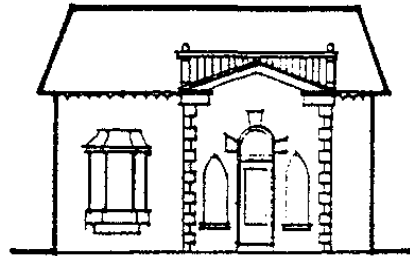


## IMITATIONS

**Consider** – Accurate restoration of or visually compatible additions to existing buildings, and, for new construction, architecture that represents our own time well, yet enhances the nature and character of the historic district.



**Avoid** - Replicating or imitating the styles, motifs, or details of older periods. Such attempts are rarely successful and, even if done well, present a confusing picture of the true character of the historical area.



## Additions to Existing Buildings

New additions to existing buildings are common, but there are certain guidelines that should be followed in order to respect the architectural integrity of the individual building and the district as a whole. Property owners considering making an addition to an existing building should ask themselves three questions:

1. Does the proposed addition preserve significant existing materials and features?
2. Does the proposed addition preserve the character of the building and the surrounding context?
3. Does the proposed addition protect the significance of the building by making a visual distinction between old and new?

*Guideline: Additions to existing buildings should not be placed on the main façade(s) of a building. Locate the proposed addition away from the principal public view, ideally to the rear or side of the building. Additions that are flush with the front façade of the building are highly discouraged. Respect the proportions of the building to which it is being added so the addition does not dominate its environment. Whenever possible, an addition should be made so that at a later date it could be removed without compromising the character of the building.*

*Guideline: Additions should respect the design characteristics and architectural integrity of original buildings. However, the Commission recommends that the design of the addition should be clearly differentiated so that the addition is not mistaken for part of the original building.*

*While the addition should be compatible, it is acceptable and appropriate for the addition to be clearly discernable as an addition rather than appearing to be an original part of the building. The Commission recommends providing some differentiation in material, color, and/or detailing and setting additions back from the existing building's wall plane. The new addition should be designed so that a minimum of existing materials and character-defining elements are obscured, damaged or destroyed.*

*Guideline: In most cases, an added structure should be located to the rear of the existing building, where it will have little or no impact on the streetscape. If the new building will be visible from the street, respect the established setbacks and orientations of the buildings in the area. Landscaping is also an important component. For example, a concrete or brick plaza adjacent to the sidewalk is incompatible with an area dominated by grassy lawns.*

## **New Construction**

After identifying the area of influence and assessing the prevailing character of the development within that area, the next step is to begin the design of the project. Each project is unique and needs to be taken on a case-by-case basis to meet the needs of the owner while at the same time protecting the character of the property and area. There are some general concepts, however, that can assist with the design of the new development.

*Guideline. New construction should reference and not conflict with the predominant site and architectural elements of existing properties in the area of influence.*

To be compatible with its context, new construction should respect established design patterns within the area of influence. Following are some additional guidelines for new construction.

*Guideline: New construction should reference predominant design characteristics that make an area distinctive in order to achieve creative and compatible design solutions that are more than just mere imitations of existing buildings. However, new construction is not limited to historical styles.*

## **Design Review Standards**

To provide specific guidance regarding practical review and approval of applications for a Certificate of Appropriateness, the Commission has prepared and adopted these design review standards. The Commission strives to apply these standards, tempered by their underlying philosophy, to each application for a Certificate of Appropriateness application, evaluating each application on a case by case basis, giving full consideration to the unique circumstances and characteristics presented.

The standards are organized into several sections, beginning with those pertaining to site design (which the Commission shall apply in its review of all applications). Sections following deal with rehabilitation and alterations, additions, new construction, and elements of public streets and common open spaces. If a contributing structure is relocated within the district, all design review standards for rehabilitation, alterations and additions shall apply. If a non-contributing structure is relocated within the district, all design review standards for new construction shall apply. It should be noted that the standards are necessarily general so they may be used by the Commission as a guide to decisions in a variety of circumstances. In this way, each application for a Certificate of Appropriateness may be considered on its own merits, fully aware of the individual nature of each property and its context within the historic district.

## **Site Improvements**

Site improvements are critical to the character of the district, regardless of the contributing or noncontributing nature of the structures in any particular part of the district. Much of the character of an historic district is

attributable to the continuity of its open space, distinctive tall shade trees and richly textured lawns and landscape planting. Outbuildings, walks, driveways, and parking areas also play an important part in defining not only the setting for individual structures, but also the district as a whole.

### **Standards for Site Improvements**

The following standards for site improvements shall be applied to all construction in the district, including rehabilitation, alterations, additions, or new construction.

#### ***Overall Continuity***

1. Maintain the overall continuity of the district and its aspect and character, especially as viewed from public rights-of-way. Building Orientation and Setbacks
2. Maintain the pattern and orientation of building entrances in the district.
3. Maintain the pattern and alignment of buildings established by setbacks of nearby contributing buildings.

#### ***Accessory Buildings, Structures and Appurtenances***

1. Locate garages and other accessory structures to the rear of the main building.
2. Place site and building appurtenances to the side and rear of the main building, and screen service and mechanical and electrical equipment and trash containers and permanent dumpsters from public view with walls, fences, or plant materials.
3. Locate handicapped ramps to the side or rear of the main building, insofar as practicable and in conformance with the Americans with Disabilities Act, designed and constructed so the required slope is confined to as small an area as practicable and installed so as to be removed without damage to the structure.

#### ***Signage***

Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures and in a manner to focus only on the intended audience.

#### ***Landscape and Plant Materials***

1. Design and install landscape plantings to maintain the overall continuity and aspect of the district. Look at patterns that exist and work with those patterns.
2. Maintain and/or enhance the historic plant materials, mindful of the differences in scale and types of landscaping relative to the size, age and use of the buildings, insofar as practicable.
3. Specify and locate trees to avoid conflict with or damage to buildings, sidewalks and driveways.
4. When appropriate, retain and preserve the building and landscape features that contribute to the overall historic character of the district, including trees, gardens, yards, arbors, groundcovers, fences, accessory buildings, patios, terraces, fountains and fish ponds, while respecting significant vistas.
5. Retain and preserve the historic relationship between buildings and landscape features on the site. It is not recommended to alter the topography substantially through grading, filling or excavation.
6. Replace seriously diseased or severely damaged trees or hedges with new tree or hedge of equal or similar species.

#### ***Fences and Walls***

1. Design fences and walls to maintain the overall continuity of the district as viewed from public rights-of-way.
2. Complement the buildings and do not detract from their character and relation to their neighbors with the design, scale, placement, and materials of fences, walls, and gates.
3. Locate fences and walls no closer to the street than the side yard setback of any structure adjacent to a side street.
4. Do not exceed the average height of fences and walls of comparable type and location found on adjacent properties, generally not to exceed six feet.



5. Present the finished side of all fences to the exterior of the property being fenced.
6. Relate scale, height, materials and level of ornateness of the design of new fences and walls to that of the existing structure and/or its neighbors.

**Examples of Appropriate Fence Materials and Styles:**

Wood picket  
Wood slat  
Wood lattice  
Iron  
Brick  
Stone  
Stucco over masonry  
Historically appropriate wire  
Aluminum that appears to be iron

**Examples of Inappropriate Fence and Styles:**

Chain link  
Stockade  
Post and rail  
Unstoccoed concrete block  
Masonite  
Plastic  
Plywood or asbestos panels

***Sidewalks, Drives, Parking and Paving***

1. Use only materials that have historic precedent in the district, taking care to preserve historic paving materials by saw cutting when inserting new materials or repairing damaged areas.
2. Situate, design and install paving materials of a color and texture and in a manner to be compatible with the historic character of the property and its neighbors.
3. Screen new parking areas through use of low walls, iron fences or landscape plantings, mindful of the need to maintain the overall continuity of the district as viewed from public rights-of-way.
4. Locate driveways to the side and rear of the main building.
5. Extend all driveways at least to the rear of the main building.
6. Install residential driveways in a manner and width compatible with those historically installed, and generally not wider than ten feet.
7. Install no parking between the front face of the primary structure and the front right of way line of the property.
8. Set back from the front property line all parking a distance that will maintain the pattern and alignment of primary building setbacks in the neighborhood.
9. Minimize the presence and appearance of all parking areas visible from a public street through site planning and design.

***Exterior Lighting***

1. Design, install, and maintain exterior lighting to focus only on intended areas within the property, and to avoid invading surrounding areas.

***Rehabilitation and Alteration***

The primary objectives of rehabilitation in the district should be to preserve all important, character-defining architectural materials and features of the structure, designed and executed in a manner that provides for a

safe and efficient contemporary use compatible with the particular location within the district. To assure these objectives are met, there should be prepared for any rehabilitation effort an overall plan for rehabilitation that contains strategies for:

1. Protection and maintenance of historic features that survive in generally good condition.
2. Repair of historic materials and features that may be deteriorated.
3. Replacement of historic materials and features with new materials where deterioration is so extensive that repair is not possible.

To provide overall guidance to property owners, the Commission has adopted the following Secretary of the Interior's Standards for Rehabilitation as general guidelines for planning, design, and execution of all rehabilitation projects, taking into reasonable consideration economic and technical feasibility.

#### **SECTION IV. SECRETARY OF THE INTERIORS STANDARDS FOR REHABILITATION**

1. A property shall be used for its historical 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 the replacement of a distinctive feature, the new one 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 historical materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological 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 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.

## **SECTION V. MAGNOLIA SPRINGS STANDARDS FOR REHABILITATION AND ALTERATION**

In addition to the above standards, the following local standards shall be applied to all rehabilitation or alteration of contributing buildings and structures in the district.

### ***Design Characters***

1. Respect the original design character of the structure.
2. Express the character of the structure - do not attempt to make it appear older or younger than it is.
3. Do not obscure or confuse the essential form and character of the original structure.
4. Do not allow alterations to hinder the ability to interpret the design character of the historic period of the district.

### ***Repairing Original Features***

1. Avoid removing or altering any historic material or significant architectural features.
2. Preserve original materials and details that contribute to the historic significance of the structure.
3. Do not harm the historic character of the property or district.
4. Protect and maintain existing significant stylistic elements.
5. Minimize intervention with historic elements.
6. Repair, rather than replace, deteriorated architectural features.
7. Use like-kind materials, and utilize a substitute material only if its form and design conveys the visual appearance of the original.
8. Disassemble historic elements only as necessary for rehabilitation, using methods that minimize damage to original materials, and use only methods of reassembly that assure a return to the original configuration.

### ***Replacing Original Features***

1. Base replacement of missing architectural elements on accurate duplications of original features, substantiated by physical or pictorial evidence.
2. Use materials similar to those employed historically, taking care to match design, color, texture, and other visual qualities.
3. Employ new design that relates in style, size, scale and material wherever reconstruction of an element is not possible due to lack of historical evidence.

### ***Existing Alterations***

1. Preserve older alterations that have achieved historic significance in themselves in the same manner as if they were an integral part of the original structure.

### ***Materials***

1. Maintain original materials and finishes.

2. Retain and repair original siding, generally avoiding the use of synthetic siding.
3. When replacement is required, use like-kind materials that conform to the original in profile and dimension, unless such materials are not available.

***Trim and Ornament***

1. Maintain historic trim and ornament in place.
2. Replace missing original trim and ornament with like-kind materials whose designs, proportions and finishes match those of the original.

***Roofs***

1. Preserve the original roof form, pitch and overhang of all structures, and use roof materials appropriate to the form and pitch of the roof.
2. Preserve the character of the original roofing materials and details.
3. Retain elements such as chimneys, skylights, and light wells that contribute to the style and character of the structure.
4. Place appurtenances such as antennae, satellite dishes, and solar collectors only on roof surfaces that are not visible from public rights-of-way.

**Examples of Appropriate Roof**

**Materials:**

- Slate
- Tile
- Metal
- Wood shingle
- Cement fiber shingle
- Asphalt or fiberglass shingle
- Built-up or membrane on slopes greater than 3-and-12 where hidden by parapets

**Examples of Inappropriate Roof**

**Materials**

- Corrugated fiberglass
- Asphalt roll roofing
- Build-up or membrane on slopes greater than 3-and-12

***Windows***

1. Maintain the original number, location, size, and glazing pattern of windows on primary building elevations.
2. Maintain historic window openings and proportions.

**Appropriate:**

- Wood sash windows in double-hung, single-hung and casement styles
- Steel, if original to structure

**Inappropriate:**

- Aluminum or vinyl
- Snap-in or artificial muntins
- Reflective or tinted glass

### ***Storm Windows***

1. Permit storm windows and screens so long as they do not obscure windows with inappropriate materials, finishes, colors or other elements.

#### **Appropriate:**

Wood  
Metal with baked enamel  
or anodized finish  
to match sash color

#### **Inappropriate:**

Mill finish aluminum  
Vinyl

### ***Exterior Blinds and Shutters***

1. Use exterior blinds and shutters only as appropriate to the style, proportion and character of the structure, and sized to cover the window.

#### **Appropriate:**

Wood: louvered or solid panel  
Fabric awnings

#### **Inappropriate:**

Plastic blinds  
Metal awnings (unless original)

### ***Entrances and Doorways***

1. Maintain the historic character of the building entrance.
2. Retain historic doors and openings, together with any moldings, transoms or sidelights.

#### **Appropriate:**

Wood panel  
Wood panel with glass lights  
Leaded glass with lead cams

#### **Inappropriate:**

Metal

### ***Storm Doors***

1. Permit storm doors and screens so long as they do not obscure doors with inappropriate materials, finishes, colors or other elements.

#### **Appropriate:**

Wood  
Metal with baked enamel  
or anodized vinyl finish to  
match frame color

#### **Inappropriate:**

Mill finish aluminum

### ***Porches***

1. Maintain and repair historic porches to reflect their historic period and the relationship to the structure.
2. Use materials that blend with the style of the structure. Balustrades of stairs should match the design and materials of the porch.
3. Do not permit enclosure of front porches. Where rear or side porches are to be enclosed, the enclosure shall preserve the original configuration of columns, handrails and other important architectural elements.

### ***Signage***

1. Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures.

### ***Foundations***

1. Keep cellar and crawl space vents open so that air may flow freely, being sure to retain any vents that are original to the building.
2. Ensure that land is graded so that water flows away from the foundation and, if necessary, install drains around the foundation.

#### **Examples of Appropriate Foundations:**

Stucco piers or infill  
Brick piers or infill  
Wood lattice  
Vertical picket  
Stoccoed concrete block

#### **Examples of Inappropriate Foundations:**

Metal infill  
Plywood panels  
Mineral board panels infill  
Unfinished concrete block  
Imitation brick or stone  
Vinyl lattice

### ***Surface Cleaning***

1. Use no abrasive cleaning methods on exterior surfaces, such as those involving grit, sand, high-pressure water blasting, or mechanical sanding.
2. Use only those cleaning techniques that have proved effective while having little or no adverse impact on the underlying materials (these include low-pressure water cleaning and gentle chemical washes, scrubbing with a brush and detergent, and hand sanding and scraping to remove paint).

## **SECTION VI. STANDARDS FOR ADDITIONS AND NEW CONSTRUCTION**

An exterior addition to a historic building can significantly alter its appearance and thereby adversely affect both adjacent properties and the character of the entire district. Additions to existing structures in the district have a responsibility to complement and reflect the design, scale and architectural type of the original structure. Before an addition is planned, every effort should be made to accommodate the new use within the existing structure. When an addition is necessary, it should be designed and constructed so that it will complement the original and not confuse the viewer or detract from the character-defining features of the building.

It should be noted that all additions shall be designed and constructed in accord with the following standards and with the standards for new construction that follow.

### **STANDARDS FOR ADDITIONS**

The following standards shall be applied to all construction in the district that involves additions to existing buildings and structures.

#### ***Original Design Character***

1. Maintain the size, scale, materials, and character of additions, including their foundations, in a manner compatible with the main building and its context.
2. Design and construct additions in such a manner that, if the change were to be removed in the future, the essential form and integrity of the original structure would not be impaired.
3. Limit the size of additions to those that do not visually overpower the existing structure.

4. Do not allow additions to hinder the ability to interpret the historic character of the structure or district.

***Location***

1. Maintain the pattern created by the repetition of building fronts, bays and sections in the particular area of the district.
2. Locate additions so they will not obscure or damage significant architectural features, ornament or detail.
3. Place additions to the side or rear, or set back slightly from the building front.

***Materials***

1. Use materials that are inspired by and compatible with those of the general character of the original structure.
2. Do not obscure window proportions with inappropriate storm windows.

**STANDARDS FOR NEW CONSTRUCTION**

New construction has an obligation to harmonize with the historic character and scale of the district. Designs for infill and other new construction must be designed with the surroundings in mind. The setback, scale, mass, and size of a structure are as important as the style or decorative details. However, style, decoration, building materials and landscape treatment and planting shall be utilized in the design to provide the attributes necessary for new construction to be compatible with the district, while creating a distinctive character for the new structure.

The following standards shall be applied to all new construction, including additions, in the district.

***Massing and Orientation***

1. Respect the site planning, massing and building orientation precedents set by nearby similar-size contributing buildings of the district.
2. Align the facade of the new building with the predominant setbacks of nearby buildings within the district.
3. Orient the main entrance of the building in a manner similar to established patterns in the particular part of the district.

***Form and Scale***

1. Design new buildings to be compatible with and appear similar to contributing buildings in that particular part of the district, yet retain enough of the individuality in form, scale, or level of complexity to avoid confusing the viewer as regard to the age of the new structure.
2. Design new buildings to respect the overall relationship of height to width of surrounding contributing structures.
3. Proportion new construction to the size of the lot in a manner similar to typical examples of contributing structures within the particular part of the district.
4. Provide features on new construction that reinforce the scale and character of the surrounding area by including elements such as porches, porticos, and decorative features, as appropriate.

5. Use roof forms and pitches appropriate for and that harmonize with those used historically in the particular part of the district.
6. Design all new garage(s) and outbuilding(s) to be compatible with the style of the major buildings on the property and scaled to be subordinate to the main building and the lot.

#### ***Foundations***

1. Use foundations that harmonize with those in the surrounding part of the district.

#### ***Signage***

1. Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures and in a manner to focus only on the intended audience.

#### ***Materials***

1. Use materials and finishes for all major building surfaces, including roofs, that are similar to those employed historically in the particular location in the district and appropriate to their form and location.

#### ***Color***

1. Choose colors that blend with and complement the overall color schemes of the district, keeping the number of colors appropriate to the style of the architecture.

#### ***Doors and Windows***

1. Design new construction so that the rhythm, patterns, and ratio of solid to void (walls to windows and doors) on public facades are compatible with those of adjacent contributing buildings.
2. Design new construction so that the size and proportion (ratio of width to height) of window and door openings of primary facades are similar to and compatible with those on facades of adjacent contributing buildings.
3. Use doors and windows whose size, proportions and degree of setback from the exterior wall are similar to those of historic designs used in the district.

#### ***Public and Common Areas and Facilities***

1. The public rights-of-way and other parts of the public realm are critically important in helping to define the unique character of an historic district. The following standards are aimed at retaining important character-defining features, expanding their use as the opportunity arises, and making additional improvements to open space and streetscape trees and landscape planting that will complement the historic character of the district.

#### ***Standards for Public and Common Areas and Facilities***

1. The following standards shall be applied to all installation, maintenance or modification of streetscapes, street furnishings, signage, trees and landscape planting within the public rights-of-way and properties owned or maintained by the Town of Magnolia Springs.
2. Maintain the overall continuity of the district and its character.
3. Maintain and enhance over time the canopy effect of mature deciduous shade trees, and replace damaged or missing trees with appropriate species, especially indigenous, hardy species that require minimal maintenance.



4. Retain and enhance historic plant materials, mindful of the differences in scale and types of landscaping relative to various parts of the district and to the size, age and use of the buildings, in so far as practicable.
5. Design fences and walls to maintain the overall continuity of the district as viewed from public rights-of-way and properties owned or maintained by the Town of Magnolia Springs.
6. Do not exceed the average height of fences and walls of comparable type and location found on adjacent properties.
7. Use only materials that have historic precedent in the district, taking care to preserve historic paving materials by saw cutting when inserting new materials or repairing damaged areas.
8. Situate and design paving in a manner and of material, color and texture to be compatible with the historic character of the property and its neighbors.
9. Screen new parking areas through use of low walls, iron fences or landscape plantings, mindful of the need to maintain the overall continuity of the district, and especially as it may be viewed from public rights-of-way and properties owned or maintained by the Town of Magnolia Springs.
10. Design, install, and maintain exterior lighting to maintain the character of the district and to direct light only on intended areas.
11. Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures and in a manner to focus only on the intended audience.
12. Screen service, mechanical, and electrical equipment and trash containers and permanent dumpsters from public view with walls, fences, or plant materials that conform to all pertinent provisions set forth elsewhere in these standards.

## **SECTION VII. SIGNS WITHIN A DESIGNATED HISTORIC DISTRICT**

Retain and preserve original signs that contribute to the overall historic character of the building or district.

Introduce new signage that is compatible in material, size, scale and character with the building or the district. Design signage to enhance the architectural character of a building.

If desired install small identification signs and historic plaques for residential buildings so that no architectural features or details are obscured or damaged.

Construct new signs of traditional sign materials, such as wood, stone, and metal. Avoid introducing incompatible sign material such as plastic, in the historic districts.

Mount flush signboards in appropriate locations on facades so that no architectural details or features are obscured or damaged. On masonry buildings, holes for fasteners should be placed in the mortar joints, not the masonry units.

Install freestanding signs in appropriate locations on low standards or grown bases

Consider screening the base of ground signs with plantings to enhance its appearance.

Light signs in a manner compatible within the historic character and the pedestrian scale of the historic district. Internally illuminated awnings and signs are not appropriate in the historic districts.

For commercial and institutional buildings, design signs to be integral to the overall building facade. Avoid covering a large portion of the facade, or front yard or any significant architectural features with signage.

Temporary signs, including sales adverting, banners, and real estate signs should be located so as not to damage or obscure significant architectural features, and shall be removed upon completion of work, sale, campaign etc. The maximum number of allowable signs shall be one per street frontage.

Signs directing users to an accessible entrance or parking space should be installed to avoid damaging or obscuring significant architectural features, while conforming to Accessibility Standards (ADAAG).

**APPENDIX: CLASSIFICATION OF WORK – GENERAL GUIDELINES**

	Type of Work	Routine Maintenance	Minor Work (Staff)	Major Work (THPC)	Inspection Required
1.	New Construction or Additions to primary building, including exterior paint significantly different from the existing colors			X	X
2.	Demolition of any structure			X	X
3.	Demolition of any part of a structure			X	X
4.	Relocation of buildings			X	X
5.	Alteration/Removal of Archeologically Significant Features			X	X
6.	Alteration/Removal of Contributing Historical Features			X	X
7.	Repair/Replacement of existing Accessory Structures or Buildings when there is no change in design, materials, or general appearance	X			
8.	Alteration of existing Accessory Structures of Buildings		X		
9.	Additions to existing Accessory Structures or Buildings			X	X
10.	New Accessory Structures or Buildings			X	X
11.	Removal of existing Accessory Structures or Buildings which are not architecturally or historically significant			X	X
12.	Removal of existing Accessory Structures or Buildings which are architecturally or historically significant			X	X
13.	Repair or Replacement of Architectural Details when there is no change in design, materials, general appearance, or exterior paint color (s)	X			
14.	Alterations/Addition/Removal of Architectural Details		X		
15.	Repair/Replacement of Awnings, Canopies, or Shutters when there is no change in design, materials, or general appearance	X			
16.	Alteration/Addition/Removal of existing Awnings, Canopies or Shutters		X		
17.	Installation of New Awnings, Canopies, or Shutters		X		
18.	Alteration/Addition/Removal of Carports			X	X
19.	Construction of New Carports			X	X
20.	Construction/Alteration/Removal of Chimneys			X	X

**APPENDIX: CLASSIFICATION OF WORK – GENERAL GUIDELINES**

	Type of Work	Routine Maintenance	Minor Work (Staff)	Major Work (THPC)	Inspection Required
21.	Repair/Replacement of Decks when there is no change in design, materials, or general appearance	X			
22.	Alteration/Addition/Removal of Doors		X		Case by case basis
23.	Installation of new doors		X		Case by case basis
24.	Installation/Alteration/Removal of storm doors		X		Case by case basis
25.	Repair/Replacement of existing driveways when there is no change in design, materials, or general appearance	X			Case by case basis
26.	Alteration/Addition/Removal of existing driveways		X		X
27.	Construction of new driveways		X		X
28.	Repair/Replacement of existing fences, walls, hedges or other screen plantings when there is no change to design, materials, or general appearance	X			
29.	Construction of new fences, walls, hedges or other screen plantings		Side and rear yards	Front yard	X
30.	Removal of existing fences, walls, hedges or other screen plantings		Side and rear yards	Front yard	X
31.	Repair/Replacement of exposed foundations when there is no change in design, materials, or general appearance	X			
32.	Alteration of exposed foundation		X		Case by case basis
33.	Repair/Replacement of gutters and downspouts when there is no change in design, materials, or appearance	X			
34.	Installation/Addition/Removal of gutters and downspouts		X		Case by case basis
35.	Installation of house numbers and mailboxes		X		
36.	Repair/Replacement of exterior lighting fixtures when there is no change in design, materials or general appearance	X			
37.	Installation/Alteration/Removal of exterior lighting fixtures		X		

**APPENDIX: CLASSIFICATION OF WORK – GENERAL GUIDELINES**

	Type of Work	Routine Maintenance	Minor Work (Staff)	Major Work (THPC)	Inspection Required
38.	Repairs/Replacement, including repainting to existing masonry when the color and composition of the mortar match the original, and new brick stone matches the original	X			
39.	Construction/Alteration/Removal of Masonry		X		X
40.	Installation/removal of mechanical equipment, such as heating and air conditioning units		X		
41.	Repair/Replacement of existing parking lots when there is no change in design, materials, or general appearance	X			
42.	Alteration/Removal of existing parking lots		X		
43.	New construction of/Addition to parking lots			X	X
44.	Repair/Replacement of existing patios when there is no change in design, materials, or general appearance	X			
45.	Alteration/Addition/Removal of existing patios		X		Case by case basis
46.	Construction of new patios		X		X
47.	Alteration of existing porches			X	X
48.	New construction/Addition/Removal of porches			X	X
49.	Repair/Replacement of sloped roof coverings when there is no change in design, materials, or general appearance	X			
50.	Alteration of sloped roof coverings			X	X
51.	Repair/Replacement/of flat roof coverings when there is no change in design, materials, or general appearance	X			
52.	Alteration of flat roof coverings		X		
53.	Alteration of roof form to prevent damage to the resource			X	X
54.	Installation of satellite dishes and/or television antennas		X		Case by case basis

**APPENDIX: CLASSIFICATION OF WORK – GENERAL GUIDELINES**

	Type of Work	Routine Maintenance	Minor Work (Staff)	Major Work (THPC)	Inspection Required
55.	Repair/Replacement of signs when there is no change in design, materials, or general appearance	X			
56.	Installation/Alteration/Removal of signs		X		Case by case basis
57.	Repair/Replacement of exterior stairs and steps when there is no change in design, materials, or general appearance	X			
58.	Alteration/Addition/Removal of exterior stairs and steps			X	X
59.	Construction of new exterior stairs and steps			X	X
60.	Repair/Replacement of exterior surfaces when there is no change in design, materials, or general appearance	X			
61.	Alteration/Addition/Removal of exterior surfaces			X	X
62.	Repair to existing swimming pools when there is no change in design, materials, or general appearance	X			
63.	New Construction/Alteration/Addition to swimming pools			X	X
64.	Removal of swimming pools		X		
65.	Installation/Alteration/Removal of temporary features that are necessary to ease difficulties associated with a medical condition		X		Case by case basis
66.	Repair/Replacement of existing vents and ventilators when there is no change in design, materials, or general appearance	X			
67.	Installation/Alteration/Removal of vents and ventilators		X		Case by case basis
68.	Repair/Replacement of existing walks when there is no change in design, materials, or general appearance	X			
69.	Alteration/Addition/Removal of existing walks		X		Case by case basis
70.	Construction of new walks		X		X
71.	Walls (see Fences)				

**APPENDIX: CLASSIFICATION OF WORK – GENERAL GUIDELINES**

	Type of Work	Routine Maintenance	Minor Work (Staff)	Major Work (THPC)	Inspection Required
72.	Repair/Replacement of windows when there is no change in design, materials, or general appearance	X			
73.	Alteration/Removal of existing windows			X	X
74.	Installation of new windows			X	X
75.	Installation/Alteration/Removal of storm windows		X		Case by case basis
76.	Caulking and weather stripping windows when there is no change in design, materials, or general appearance	X			
77.	Repair/Replacement of other features not specifically listed when there is no change in design, materials, or general appearance	X			
78.	Addition/Alteration/Removal of other features specifically listed		X		
79.	Changes to previous Certificates of Appropriateness		Most Changes	Changes deemed by staff to be substantial in nature	
80.	Renewal of expired Certificate of Appropriateness		X		
81.	Emergency installation of temporary features to protect a historic resource (that do not permanently alter the resource): six month duration, replacement with in-kind reconstruction or an approved Certificate of Appropriateness				