

BUILDING STANDARDS AND GUIDELINES

OF THE

CITY OF ELIZABETHTON

HISTORIC ZONING COMMISSION

ELIZABETHTON, TENNESSEE

INTRODUCTION

THESE STANDARDS AND GUIDELINES HAVE BEEN WRITTEN PRIMARILY FOR SENSITIVE OWNERS OF HISTORIC PROPERTIES AND FOR THOSE PROFESSIONALS WHO CONSCIENTIOUSLY INCLUDE HISTORIC PROPERTIES IN THEIR VARIOUS FIELDS OF WORK.

BUILDING CONSTRUCTION METHODS, MATERIALS AND STYLES ALL HAVE UNDERGONE MAJOR CHANGES WITH THE PASSING OF EACH DECADE SINCE THE MID 1800'S. OUR MODERN BUILDINGS ARE VERY DIFFERENT FROM 19TH AND EARLY 20TH CENTURY STRUCTURES.

MANY OF THOSE DIFFERENCES ARE READILY RECOGNIZED AND ARE VERY APPEALING. HOWEVER, OFTEN IMPORTANT DIFFERENCES ARE POORLY UNDERSTOOD BOTH BY PROPERTY OWNERS AND BY PROFESSIONALS.

THE UNDERSTANDING AND THE EXPECTATIONS OF BOTH PROPERTY OWNERS AND PROFESSIONALS CAN BE MUTUALLY AIDED BY FOLLOWING THESE STANDARDS AND GUIDELINES CLOSELY, AND BY THE FULL UTILIZATION OF OTHER VALUABLE RESOURCES AVAILABLE FROM THE HISTORIC ZONING COMMISSION.

THE BEST INTERESTS OF PROPERTY OWNERS ARE NEARLY ALWAYS CONSISTENT WITH COMMUNITY CONCERNS, WHICH ARE WELL EXPRESSED IN THE HISTORIC ZONING PROVISIONS OF ELIZABETHTON'S ZONING ORDINANCE.

IN ADDITION TO BEING OF VALUE TO PROPERTY OWNERS AND PROFESSIONALS, THE STANDARDS AND GUIDELINES OF THE COMMISSION ARE INTENDED TO GIVE OBJECTIVITY TO THE WORK OF THE HISTORIC ZONING COMMISSION AND THE BUILDING INSPECTOR. THEY REPRESENT AN IMPORTANT PART OF THE ONGOING EFFORT TO PRESERVE AND ENHANCE THAT UNIQUE QUALITY WHICH MAKES ELIZABETHTON A VERY SPECIAL TOWN.

THE GENERAL INTENT OF THE ELIZABETHTON HISTORIC ZONING COMMISSION IS AS FOLLOWS:

“TO PROMOTE THE EDUCATIONAL, CULTURAL, ECONOMIC AND GENERAL WELFARE OF THE PEOPLE AND SAFEGUARD THE CITY'S HISTORY AND HERITAGE AS EMBODIED AND REFLECTED IN HISTORIC DISTRICTS AND THEIR BUILDINGS;

TO FOSTER CIVIC PRIDE AND THE VALUE OF NOTABLE ACCOMPLISHMENTS OF THE PAST;

TO STRENGTHEN THE ECONOMY OF THE CITY;

TO PROTECT AND ENHANCE THE CITY'S ATTRACTIONS TO RESIDENTS, TOURISTS AND VISITORS AND SERVE AS SUPPORT AND STIMULUS TO BUSINESS AND INDUSTRY; AND,

TO ENHANCE THE VISUAL AND AESTHETIC CHARACTER, DIVERSITY AND INTEREST OF THE CITY.”

DEFINITIONS

CERTIFICATE OF APPROPRIATENESS – A DOCUMENT ISSUED BY THE HISTORIC ZONING COMMISSION CERTIFYING THAT THE COMMISSION HAS REVIEWED THE DESCRIBED PROPOSAL AND DETERMINED THAT IT MEETS ALL APPLICABLE STANDARDS OF THE COMMISSION. THIS CERTIFICATE MUST ALSO LIST ALL STANDARDS AND GUIDELINES FOLLOWED BY THE COMMISSION IN JUDGING THE PROPOSAL TO BE APPROPRIATE.

CETIFICATE OF APPROPRIATENESS, DENIAL OF – IF A PROPOSAL IS JUDGED BY A MAJORITY OF HISTORIC ZONING COMMISSIONERS TO BE INCONSISTENT WITH ANY ONE APPLICABLE STANDARD OF THE COMMISSION. IT SHALL NOT BE APPROVED AND THE APPLICATION SHALL BE DENIED. IN DENYING AN APPLICATION, THE COMMISSION MUST ENTER INTO ITS RECORD, THE STANDARD THAT WOULD BE VIOLATED BY THE PROPOSED PROJECT. THE COMMISSION MUST ALSO LIST ANY GUIDELINES FOLLOWED IN DENYING THE APPLICATION.

COMMISSION – THE HISTORIC ZONING COMMISSION OF ELIZABETHTON, TENNESSEE AS PROVIDED IN ARTICLE 12, HISTORIC ZONING PROVISIONS OF THE ZONING ORDINANCE OF THE CITY OF ELIZABETHTON.

REFERENCES:

“*A FIELD GUIDE TO AMERICAN HOUSES*” BY VIRGINIA & LEE McALESTER, NEW YORK: ALFRED A. KNOPF, PUBLISHER, 2004.

“*ARCHITECTURE IN TENNESSEE, 1768-1897*” BY JAMES PATRICK, KNOXVILLE, UNIVERSITY OF TENNESSEE PRESS, PUBLISHER, 1981.

THE HISTORIC ZONING COMMISSION MAY REQUIRE THAT AN APPLICANT FURNISH ADDITIONAL INFORMATION RELEVANT TO ITS DETERMINATION OF UNREASONABLE ECONOMIC HARDSHIP.

THE HISTORIC ZONING COMMISSION MAY RECEIVE AND CONSIDER STUDIES AND ECONOMIC ANALYSIS FROM OTHER CITY AGENCIES AND FROM PRIVATE ORGANIZATIONS RELATING TO THE PROPERTY IN QUESTION.

SHOULD THE COMMISSION DETERMINE THAT THE OWNER'S PRESENT RETURN IS NOT REASONABLE, IT MUST CONSIDER WHETHER THERE ARE OTHER USES CURRENTLY ALLOWED THAT WOULD PROVIDE A REASONABLE RETURN AND WHETHER SUCH A RETURN COULD BE OBTAINED THROUGH INVESTMENT IN THE PROPERTY FOR REHABILITATION PURPOSES.

THE HISTORIC ZONING COMMISSION SHALL REVIEW ALL THE EVIDENCE AND INFORMATION REQUIRED OF AN APPLICANT FOR THE CERTIFICATE OF ECONOMIC HARDSHIP AND MAKE A DETERMINATION WITHIN THIRTY (30) DAYS OF RECEIPT OF THE APPLICATION WHETHER THE DENIAL WILL DEPRIVE THE OWNER OF THE PROPERTY OF REASONABLE USE OF, OR ECONOMIC RETURN ON THE PROPERTY. WRITTEN NOTICE OF THE DETERMINATION SHALL BE PROVIDED IN THE SAME MANNER AS REQUIRED IN SECURING A BUILDING PERMIT.

STANDARDS

1. EVERY REASONABLE EFFORT SHALL BE MADE TO PROVIDE A COMPATIBLE USE FOR PROPERTY WHICH REQUIRES MINIMAL ALTERATION OF THE BUILDING, STRUCTURE, OR SITE AND ITS ENVIRONMENT, OR TO USE A PROPERTY FOR ITS ORIGINALLY INTENDED PURPOSE.
2. THE DISTINGUISHING ORIGINAL QUALITIES OR CHARACTER OF A BUILDING, STRUCTURE, OR SITE AND ITS ENVIRONMENT SHALL NOT BE DESTROYED. THE REMOVAL OR ALTERATION OF ANY HISTORIC MATERIAL OR DISTINCTIVE ARCHITECTURAL FEATURES SHALL NOT BE APPROVED.
3. ALL BUILDINGS, STRUCTURES AND SITES SHALL BE RECOGNIZED AS PRODUCTS OF THEIR OWN TIME. ALTERATIONS THAT HAVE NO HISTORIC BASIS AND WHICH SEEK TO CREATE AN EARLIER APPEARANCE SHALL NOT BE APPROVED.
4. DISTINCTIVE STYLISTIC FEATURES OR EXAMPLES OF SKILLED CRAFTSMANSHIP, WHICH CHARACTERIZE A BUILDING, STRUCTURE OR SITE, SHALL BE TREATED WITH SENSITIVITY.
5. DETERIORATED ARCHITECTURAL FEATURES SHALL BE REPAIRED RATHER THAN REPLACED, WHEREVER POSSIBLE. IN THE EVENT REPLACEMENT IS NECESSARY, THE NEW MATERIAL SHOULD MATCH THE MATERIAL BEING REPLACED IN COMPOSITION, DESIGN, COLOR, TEXTURE AND OTHER VISUAL QUALITIES. REPAIR OR REPLACEMENT OF MISSING ARCHITECTURAL FEATURES SHALL BE BASED ON ACCURATE DUPLICATIONS OF FEATURES SUBSTANTIATED BY HISTORIC, PHYSICAL OR PICTORIAL EVIDENCE RATHER THAN ON CONJECTURAL DESIGNS OR THE AVAILABILITY OF DIFFERENT ARCHITECTURAL ELEMENTS FROM OTHER BUILDINGS OR STRUCTURES.
6. SURFACE CLEANING OF STRUCTURES SHALL BE UNDERTAKEN WITH THE GENTLEST MEANS POSSIBLE. OTHER CLEANING METHODS THAT WILL DAMAGE THE HISTORIC BUILDING MATERIALS SHALL NOT BE UNDERTAKEN.
7. EFFORT SHALL BE MADE TO PROTECT AND PRESERVE ARCHAEOLOGICAL RESOURCES AFFECTED BY OR ADJACENT TO ANY PROJECT.
8. CONTEMPORARY DESIGN FOR ALTERATIONS AND ADDITIONS TO EXISTING PROPERTIES SHALL NOT BE DISCOURAGED WHEN SUCH ALTERATIONS AND ADDITIONS DO NOT DESTROY SIGNIFICANT HISTORICAL, ARCHITECTURAL OR CULTURAL MATERIAL, AND SUCH DESIGN IS COMPATIBLE WITH THE SIZE, SCALE, COLOR, MATERIAL AND CHARACTER OF THE PROPERTY, NEIGHBORHOOD OR ENVIRONMENT.
9. NEW ADDITIONS OR ALTERATIONS TO STRUCTURES SHALL BE DONE IN SUCH A MANNER THAT IF SUCH ADDITIONS OR ALTERATIONS WERE TO BE REMOVED IN THE FUTURE, THE ESSENTIAL FORM AND INTEGRITY OF THE STRUCTURE WOULD BE UNIMPAIRED.

1.0 GENERAL GUIDELINES

- 1.1 THE FORM AND DETAILING OF THOSE ARCHITECTURAL MATERIALS AND FEATURES THAT ARE IMPORTANT IN DEFINING THE HISTORIC CHARACTER OF THE STRUCTURE AND ITS ENVIRONMENT MUST BE IDENTIFIED, TAKING INTO CONSIDERATION AT LEAST THE FOLLOWING:
 - A. THE DOMINANT ARCHITECTURAL STYLE OF THE STRUCTURE.
 - B. THE DATE OR PERIOD OF ORIGINAL CONSTRUCTION.
 - C. THE DATES OR PERIODS OF ANY MAJOR CHANGES WHICH HAVE SIGNIFICANTLY AFFECTED OR CHANGED THE DOMINANT STYLE OF THE STRUCTURE.
 - D. ANY MATERIALS, FEATURES, ORNAMENTS OR OTHER CHARACTERISTICS THAT DIFFER FROM COMMONLY AVAILABLE CURRENTLY USED MATERIALS; AND THEREFORE, WHICH MAY REQUIRE NONSTANDARD OR SPECIALIZED SOURCES OR TREATMENT FOR PROPER REPAIRS, MAINTENANCE, RESTORATION OR REPLACEMENT.
 - E. THE HISTORIC CONTEXT OF THE BUILDING, SUCH AS LATE 19TH CENTURY COMMERCIAL, 1920'S RESIDENTIAL, 1950'S STORE/OFFICE COMBINATION, ETC.
 - F. THE PHYSICAL CONTEXT AND ENVIRONMENT OF THE BUILDING, INCLUDING ITS RELATIONSHIP WITH SURROUNDING STRUCTURES AND ITS IMPACT ON THE STREETScape, AS WELL AS ANY IMPORTANT CONTRIBUTING SITE FEATURES.
 - G. THE ORIGINAL AND HISTORIC USES OF THE BUILDING.
- 1.2 THE FORM AND DETAILING OF THOSE ARCHITECTURAL MATERIALS AND FEATURES IDENTIFIED UNDER GUIDELINE 1.1 MUST BE RETAINED, PRESERVED, PROTECTED AND MAINTAINED. ANY PROPOSAL, WHICH WOULD ALTER, DESTROY, REMOVE OR SUBSTANTIALLY CHANGE ANY OF THE ABOVE, SHALL NOT BE APPROVED BY THE COMMISSION EXCEPT AS SPECIFICALLY PERMITTED IN THE STANDARDS AND GUIDELINES OF THE COMMISSION.
- 1.3 ALL IMPORTANT HISTORIC MATERIAL MUST BE PROTECTED FROM POTENTIAL DAMAGE, WHICH MAY BE CAUSED BY WORK BEING DONE ON IT, OR ON ANY OTHER MATERIAL OR PART OF A STRUCTURE; FROM INADVERTENT DAMAGE SUCH AS PASSING PEDESTRIAN OR VEHICULAR TRAFFIC AND FROM INADEQUATE AND IMPROPER TEMPORARY SECURITY OR STORAGE.
- 1.4 ALL IMPORTANT HISTORIC MATERIALS MUST BE PROTECTED FROM DAMAGE OR DETERIORATION FROM NATURAL CAUSES INCLUDING HARMFUL EXPOSURE TO WATER, WIND OR OTHER NATURAL ELEMENTS.
- 1.5 APPROVED REPAIRS OF ALL CHARACTER DEFINING, IMPORTANT HISTORIC MATERIALS MUST BE DONE WITH THE LEAST DEGREE OF INTERVENTION POSSIBLE AND MUST BE COMPATIBLE WITH THE PHYSICAL CHARACTERISTICS OR THE ORIGINAL MATERIAL ACCORDING TO RECOGNIZED PRESERVATION METHODS. THE COMMISSION WILL NOT APPROVE REPAIR METHODS THAT ARE KNOWN TO DAMAGE OR TO SHORTEN THE SERVICEABLE LIFE OF IMPORTANT HISTORIC MATERIALS.
- 1.6 THE COMMISSION SHALL REVIEW THE LIST OF PROPOSED REPAIRS AND METHODS WHICH MUST BE CONSISTENT WITH THE STANDARDS AND GUIDELINES AND WITH COMMONLY ACCEPTED PRESERVATION PRACTICES. REPLACEMENTS MUST BE ACCURATE REPRODUCTIONS OF THE FORM OF THE ORIGINALS AND MUST BE PHYSICALLY COMPATIBLE WITH ANY MATERIAL OR PART OF THE STRUCTURE TO WHICH THEY ARE JOINED.

- 1.7 REPLACEMENTS MUST BE ACCURATE REPRODUCTIONS OF THE FORM OF THE ORIGINALS AND MUST BE PHYSICALLY COMPATIBLE WITH ANY MATERIAL OR PART OF THE STRUCTURE TO WHICH THEY ARE JOINED.
- 1.8 THE REPLACEMENT OF EXISTING CHARACTER DEFINING IMPORTANT HISTORIC MATERIALS SHALL BE APPROVED ONLY SUBJECT TO ALL OF THE FOLLOWING CONDITIONS:
 1. THAT THE EXISTING MATERIALS ARE NO LONGER SAFE AND/OR SERVICEABLE AND CANNOT BE REPAIRED/RESTORED TO A SAFE, SERVICEABLE CONDITION.
 2. THAT THE EXISTING MATERIALS ARE NOT TO BE SOLD OR TRANSFERRED TO ANOTHER BUILDING.
 3. THE EXISTING MATERIALS (OR SUITABLE SAMPLES) MUST BE PRESERVED AND/OR DOCUMENTED THOROUGHLY AND ACCURATELY AS PUBLIC RECORD SUFFICIENT FOR FUTURE REPRODUCTION AND/OR RESEARCH PURPOSES.
- 1.9 GUIDELINES 1.8 AND 1.9 MUST ALSO FULFILL THE REQUIREMENTS OF GUIDELINES 1.6 AND 1.7.

2.0 – MASONRY

- 2.1 ALL PROVISIONS OF SECTION 1.0, GENERAL GUIDELINES APPLY TO SECTION 2.0, MASONRY.
- 2.2 19TH CENTURY RED PAINTING AND PENCILLING (WHITE PAINTING OF MORTAR JOINTS) EVEN THOUGH BADLY WEATHERED, MUST BE IDENTIFIED AND PRESERVED WHEN PRESENT ON MANY OF ELIZABETHTON'S 19TH CENTURY BRICK BUILDINGS, AND MUST BE RESTORED IF REMOVED OR DAMAGED DURING ANY REPAIR WORK.
- 2.3 CLEANING MASONRY MAY BE APPROVED ONLY WHEN NECESSARY TO HALT DETERIORATIONS OR REMOVE HEAVY SOILING. CLEANING MUST BE CONSISTENT WITH COMMONLY ACCEPTED PRESERVATION TECHNIQUES AND MUST BE BY THE GENTLEST METHOD POSSIBLE AND MUST USE AS FEW CHEMICALS AS POSSIBLE. WATER PRESSURES MUST REMAIN SUFFICIENTLY LOW NOT TO DAMAGE ANY OF THE MASONRY SURFACES IN ANY WAY. ONLY NATURAL BRISTLE OR SOFT BRUSHES CAN BE USED. THE COMMISSION WILL NOT APPROVE THE USE OF WIRE BRUSHES OR OTHER ABRASIVE METHODS FOR THE CLEANING OF MASONRY. THE LONG TERM EFFECTS OF ALL METHODS AND CHEMICALS MUST BE CLEARLY AND REASONABLY ESTABLISHED. TEST SAMPLES SHALL BE REQUIRED PRIOR TO FINAL APPROVAL. ANY CLEANING MUST MEET THE PROVISIONS OF GUIDELINES 1.6 AND 1.7.
- 2.4 ALL ORIGINAL SOUND, STABLE AND USABLE STRUCTURAL UNITS (SUCH AS BRICKS, STONES, TERRA COTTA, PARTS OF PRECAST CONCRETE) MUST BE PRESERVED AND REUSED IF REMOVED IN THE PROCESS OF REPAIR.
- 2.5 ANY DAMAGED OR UNSOUND STRUCTURAL UNITS MUST BE REPAIRED, RESTORED OR REPLACED WITH COMPATIBLE UNITS WHICH HAVE SIMILAR OR IDENTICAL VISUAL, PHYSICAL AND DIMENSIONAL CHARACTERISTICS, INCLUDING TEXTURE AND COLOR (UNLESS COVERED BY A SURFACE COATING).
- 2.6 MORTAR REPLACEMENT OR REPAIRS MUST MEET ALL OF THE FOLLOWING CONDITIONS:
 - A. NEW MORTAR MUST DUPLICATE THE PHYSICAL CHARACTERISTICS (SUCH AS STRENGTH, COMPOSITION, AND TEXTURE) OF THE ORIGINAL MORTAR ACCORDING TO ACCEPTED PRESERVATION STANDARDS. UNDER NO CIRCUMSTANCES WILL THE COMMISSION APPROVE THE USE OF MODERN PORTLAND CEMENT MIXES WITH 19TH CENTURY MOLDED BRICKS.
 - B. NEW MORTAR MUST BE COMPATIBLE IN COLOR WITH ORIGINAL MORTAR EXCEPT WHERE OLDER MORTAR BEING MATCHED IS LIME MORTAR IN WHICH CASE THE SAND USED IN THE NEW MIX MUST BE OF A COLOR COMPATIBLE WITH THE SAND OF THE ORIGINAL MORTAR.
 - C. NEW/REPAIRED MORTAR JOINTS MUST MATCH THE ORIGINAL IN THE WIDTH AND PROFILE AND CONFIGURATION.
 - D. OLD MORTAR MUST BE REMOVED USING HAND TOOLS IN ORDER NOT TO DAMAGE STRUCTURAL UNITS SUCH AS BRICKS, STONES, TERRA COTTA OR PARTS OF PRECAST CONCRETE. SOUND MORTAR SHALL NOT BE REMOVED. UNDER NO CIRCUMSTANCES WILL THE COMMISSION APPROVE REMOVAL AND REPOINTING OF AN ENTIRE BUILDING SECTION JUST TO ACHIEVE A UNIFORM APPEARANCE.
 - E. ALL MORTAR REPAIRS MUST UTILIZE COMMONLY ACCEPTED TUCK POINTING TECHNIQUES AS DISTINCT FROM BRICK LAYING TECHNIQUES. REPAIRMEN MUST HAVE AND BE ABLE TO USE TUCK POINTING TOOLS AND MUST MEET THE SPECIFIC REQUIREMENTS OF GUIDELINE 1.7.
 - F. THE FACES OF ALL STRUCTURAL UNITS MUST BE LEFT MECHANICALLY CLEAN AND FREE OF DAMAGE. THE COMMISSION WILL NOT APPROVE ANY SPECIFICATIONS FOR WORK WHICH RELY ON CHEMICAL METHODS FOR CLEANING AFTER TUCK POINTING.
 - G. PROVISIONS MUST BE MADE FOR PROPER PREPARATION OF JOINTS TO BE REPAIRED, AS WELL AS FOR PROPER CURING OF NEWLY REPAIRED MASONRY.

- 2.7 ANY REPAIR WORK MUST DUPLICATE ORIGINAL BONDING PATTERNS.
- 2.8 ANY ORIGINAL, ORNAMENTAL OR FUNCTIONAL PLACEMENT OR ARRANGEMENT OF STRUCTURAL UNITS MUST BE FAITHFULLY DUPLICATED IN ALL VISIBLE DIMENSIONS IN ANY REPAIR OR REPLACEMENT WORK. THIS INCLUDES PILASTERS, CORBELS, PANELS, DENTILS, LINTELS, SILLS, GABLES, CORNICES AND OTHER PARTS OF MASONRY STRUCTURES. IT ALSO INCLUDES TEXTURES AND SPECIAL MOLDED PATTERNS.
- 2.9 NEW OR NONHISTORIC SURFACE TREATMENT SUCH AS WATER-REPELLENT COATINGS SHALL NOT BE APPROVED UNTIL AFTER ALL NEEDED REPAIRS HAVE BEEN PROPERLY COMPLETED, AND ALL OF THE REASONABLE METHODS OF WATER CONTROL HAVE BEEN TRIED AND FOUND INEFFECTIVE OR INADEQUATE IN ARRESTING DAMAGING WATER PENETRATION. THE COMMISSION MAY APPROVE ONLY CLEAR COATINGS, WHICH DO NOT CHANGE THE COLOR OR TEXTURE OF AN UNPAINTED SURFACE (SEE ALSO SECTION 9 OF THESE GUIDELINES). THE COMMISSION WILL APPROVE ONLY AIR PERMEABLE PRODUCTS FOR MASONRY COATINGS, AND MUST THOROUGHLY REVIEW THE PRODUCT DESCRIPTIONS AND SPECIFICATIONS PRIOR TO APPROVAL IN ORDER TO JUDGE THE APPROPRIATENESS OF THE PROPOSED CLEAR MASONRY COATING.
- 2.10 THE COMMISSION SHALL NOT APPROVE THE PAINTING, COATING OR COVERING OF PREVIOUSLY EXPOSED MASONRY SURFACES OR ORNAMENTS TO CREATE A NEW APPEARANCE.
- 2.11 THE COMMISSION SHALL NOT APPROVE THE UNCOVERING AND EXPOSURE OF MASONRY WHICH WAS NOT INTENDED ORIGINALLY TO BE EXPOSED.
- 2.12 STUCCO REPAIRS MUST MATCH ORIGINAL STUCCO IN STRENGTH, COMPOSITION, TEXTURE AND IN COLOR (UNLESS COVERED BY A SURFACE COATING). SEE ALSO GUIDELINE 1.8. ANY NEW STUCCO MUST BE APPLIED IN SUCH A WAY THAT IT CAN BE REMOVED WITH MINIMAL REPAIRS TO THE STRUCTURE BEHIND IT. STRUCTURAL UNITS SUCH AS BRICKS CANNOT BE PENETRATED IN THE PROCESS OF APPLYING STUCCO.
- 2.13 CONCRETE PAVEMENT MUST INCLUDE THE USE OF COLORING AGENTS IN ORDER TO SIMULATE AS MUCH AS POSSIBLE THE COLORS OF NEARBY OR ADJACENT CONCRETE.
- 2.14 CONCRETE FINISHES MUST MATCH NEARBY OR ADJACENT PATTERNS, OR EXISTING PATTERNS ELSEWHERE IN THE OVERLAY ZONE.

3.0 – WOOD

- 3.1 ALL PROVISIONS OF SECTION 1.0 GENERAL GUIDELINES APPLY TO SECTION 3.0 WOOD.
- 3.2 CLEANING METHODS THAT CHANGE THE SURFACE APPEARANCE OR TEXTURE OF WOOD SHALL NOT BE APPROVED.
- 3.3 PAINT PREPARATION METHODS THAT DAMAGE WOOD SURFACES SHALL NOT BE APPROVED. PAINT REMOVAL BY USE OF HEAT MUST BE BY ELECTRICAL HEAT ONLY. THE USE OF OPEN FLAMES OR TORCH FOR PAINT REMOVAL SHALL NOT BE APPROVED. A FIRE EXTINGUISHER MUST BE AVAILABLE ON THE JOB SITE DURING ANY PAINT REMOVAL EVEN THOUGH DONE BY THE USE OF ELECTRICAL HEAT.
- 3.4 STRIPPING HISTORICALLY PAINTED SURFACES TO BARE WOOD, THEN APPLYING CLEAR FINISHES OR STAINS SHALL NOT BE APPROVED.
- 3.5 REPAIRS OF EXISTING WOOD PARTS MUST BE IDENTICAL IN VISUAL APPEARANCE AND IN ALL VISIBLE DIMENSIONS, PROFILES AND PATTERNS WITH THE ORIGINAL. HOWEVER, DISTINCTIONS VISIBLE UNDER CLOSE INSPECTION BETWEEN THE ORIGINAL AND REPAIRS ARE TO BE ACCEPTED. FOR EXAMPLE, DIFFERENCES IN PLANING OR SAWING PATTERNS, DIFFERENCES IN PAINT LAYERS AND TEXTURES, AND WHEN APPROPRIATE EVEN ENCOURAGED, SO THAT THE REPAIRS CAN BE UNOBTRUSIVELY DISTINGUISHED FROM THE ORIGINAL, ESPECIALLY ON 19TH CENTURY AND EARLY 20TH CENTURY BUILDINGS.
- 3.6 UNDER NO CIRCUMSTANCES WILL THE COMMISSION APPROVE REMOVAL AND REPLACEMENT OF LARGE AREAS OF EXISTING MATERIALS JUST TO ACHIEVE A UNIFORM APPEARANCE.
- 3.7 REFINISHING OR REDRESSING HISTORIC WOOD SURFACES SUCH AS SANDING, SANDBLASTING, USING HIGH PRESSURE WATER OR USING DISK SANDERS OR OTHER MECHANICAL DEVICES OR MACHINES SHALL NOT DAMAGE THE EXISTING MATERIALS. EVEN IN THE PRESENCE OF ADJACENT REPAIRS, THE NEW MUST BE MADE TO MATCH THE OLD (CONSISTENT WITH GUIDELINE 3.5). THE ORIGINAL MUST NEVER BE MADE TO MATCH THE NEW.
- 3.8 ORNAMENTS AND MOLDINGS OF SOFTWOOD THAT ARE DIRECTLY EXPOSED TO RAIN MUST BE OF PRESSURE TREATED WOOD. EXAMPLES OF SUCH ORNAMENTS INCLUDE RAILS, SPINDLE, NEWELS, BRACKETS AND CORNICES. EXAMPLES OF SOFTWOODS THAT MUST BE PRESSURE TREATED INCLUDE, PINE, FIR AND POPLAR. IT MUST BE RECOGNIZED THAT EXTERIOR POPULAR USED IN THE 19TH CENTURY WAS PRIMARILY “HEART POPULAR”, WHICH IS MUCH MORE RESISTANT TO ROT THAN THE PRESENTLY AVAILABLE “SAP WOOD” IN POPLAR.
- 3.9 SPECIFICATIONS FOR ALL WOOD REPAIRS OR REPLACEMENTS MUST INCLUDE SAFEGUARDS AGAINST THE EFFECTS OF MOISTURE, SUCH AS WARPING, EXCESSIVE MOVEMENT AND ROT.
- 3.10 PLYWOOD, COMPOSITION BOARD, VINYL, ALUMINUM AND OTHER MODERN SHEET MATERIALS WILL NOT BE APPROVED AS SUBSTITUTES FOR SIDING BOARDS.
- 3.11 THE USE OF MODERN CONSOLIDANTS INCLUDING EPOXIES MAY BE APPROVED, PROVIDED THE PRODUCTS ARE USED IN ACCORDANCE WITH MANUFACTURER’S SPECIFICATION AND/OR IN ACCORDANCE WITH WELL ESTABLISHED GENERALLY ACCEPTED PRESERVATION PRACTICES. SEE ALSO GUIDELINES 1.6 AND 1.7.
- 3.12 SUBSTITUTE MATERIALS FOR ORNAMENTS AND PARTS, WHICH ARE HIGHLY EXPOSED TO DETERIORATION FROM WEATHER AND ARE SEEN ONLY FROM A DISTANCE, MAY BE APPROVED IF KNOWN TO BE DURABLE UNDER THE CONDITIONS OF PROPOSED USE.

- 3.13 ALUMINUM OR VINYL SIDING AND TRIM (OR OTHER SIMILAR MODERN SUBSTITUTE MATERIALS) MAY BE APPROVED FOR USE IN THE OVERLAY ZONE ONLY IF ALL THE FOLLOWING CONDITIONS ARE MET.
- A. STRUCTURE MUST HAVE BEEN BUILT DURING A TIME AND CONSISTENT IN STYLE WITH A TIME DURING WHICH SUCH MATERIALS WERE COMMONLY USED IN NEW CONSTRUCTION.
 - B. THE SUBSTITUTE MATERIAL CANNOT COVER ANY MATERIALS OR FEATURES THAT ARE IMPORTANT IN DEFINING THE HISTORIC CHARACTER OF THE STRUCTURE AS IDENTIFIED UNDER GUIDELINE 1.1.
 - C. THE STRUCTURE CANNOT BE AN OUTBUILDING THAT IS ACCESSORY TO ANOTHER BUILDING THAT DOES NOT MEET CONDITION 3.13 A (ABOVE).

4.0 METAL ROOFING AND OTHER ARCHITECTURAL METALS

- 4.1 ALL PROVISIONS OF SECTION 1.0 GENERAL GUIDELINES APPLY TO SECTION 4.0 METAL ROOFING AND OTHER ARCHITECTURAL METALS.
- 4.2 ALL REPAIRS ON METAL ROOFING MUST BE COMPATIBLE CHEMICALLY AND ELECTROLYTICALLY WITH THE COMPOSITION OF THE EXISTING METAL, WHICH MUST FIRST BE IDENTIFIED. MOST METAL ROOFS IN ELIZABETHTON ARE OF TWO BASIC COMPOSITIONS: ZINC-GALVANIZED SHEET STEEL (5-V AND EMBOSSED SHINGLES), AND TERNEPLATE, WHICH IS SHEET STEEL COATED WITH AN ALLOY OF TIN AND LEAD (STANDING-SEAM AND INTERLOCKING FLAT PAN ROOFS).
- 4.3 FASTENING METHODS USED IN ORIGINAL ROOF INSTALLATIONS MUST BE THOROUGHLY UNDERSTOOD AND IDENTIFIED. FASTENERS ARE STANDARDLY HIDDEN AND DO NOT PENETRATE EXPOSED SURFACES IN TERNEPLATE STANDING-SEAM AND FLAT PAN INSTALLATIONS AND IN GALVANIZED EMBOSSED SHINGLE INSTALLATIONS. UNDER NO CIRCUMSTANCES WILL THE COMMISSION APPROVE ANY REPAIRS THAT WOULD REQUIRE PENETRATION OF ANY OF THESE METAL SURFACES EXCEPT AS REQUIRED FOR HANGING GUTTER INSTALLATIONS. HOWEVER, FASTENERS ARE EXPOSED AT THE PEAKS OF THE V'S IN 5-V INSTALLATIONS. THEREFORE, THE COMMISSION WILL APPROVE REPAIRS, WHICH WOULD ADD FASTENERS (AND THEREFORE ADDITIONAL PENETRATIONS) IN A FASHION IDENTICAL TO ORIGINAL INSTALLATIONS IN 5-V ROOFING.
- 4.4 ALL PATCHES JOINED TO OLD METAL MUST BE OF THE SAME METAL AS THE OLD. UNDER NO CIRCUMSTANCES WILL THE COMMISSION APPROVE THE USE OF ALUMINUM FOR PATCHING/REPAIRING TERNEPLATE OR GALVANIZED STEEL. NEITHER WILL THE COMMISSION APPROVE GALVANIZED PATCHES FOR TERNEPLATE. THIS GUIDELINE IS INTENDED TO GUARD AGAINST CORROSION BY ELECTROLYTIC ACTION BETWEEN UNLIKE METALS.
- 4.5 CLEANING METHODS MUST REMOVE DIRT AND CORROSION WITHOUT DAMAGE TO SOUND METAL. EXCESSIVE BUILD-UP OF PREVIOUSLY APPLIED COATINGS MUST BE REMOVED PRIOR TO RECOATING WHEN FOUND TO BE CRACKING AND/OR SEPARATING FROM UNDERLYING METAL. PAINT REMOVAL BY USE OF HEAT MUST BE BY ELECTRICAL HEAT ONLY. THE USE OF OPEN FLAMES OR TORCH FOR PAINT REMOVAL SHALL NOT BE APPROVED. A FIRE EXTINGUISHER MUST BE AVAILABLE ON THE JOB SITE DURING ANY PAINT REMOVAL EVEN THOUGH DONE BY THE USE OF ELECTRICAL HEAT.
- 4.6 SURFACE COATINGS FOR METAL ROOFING MUST BE COMPATIBLE CHEMICALLY AND PHYSICALLY WITH THE METAL.
- 4.7 ASPHALT CONTAINING MATERIALS WILL NOT BE APPROVED FOR COATING OR PATCHING ON ANY METAL ROOFING. SUCH MATERIALS DO NOT ADHERE WELL TO METAL, HAVE DIFFERING COEFFICIENTS OF ELASTICITY, AND THEREFORE LOOSEN AND CRACK EASILY AND TRAP WATER WHEN USED ON SHEET METAL ROOFING. FURTHERMORE, ASPHALT-CONTAINING PREPARATIONS HASTEN CORROSION BY GIVING OFF SMALL AMOUNTS OF SULFURIC ACID DURING DECOMPOSITION.

- 4.8 POLYURETHANE CAULKS ARE KNOWN TO BE COMPATIBLE WITH METAL AND THEREFORE CAN BE APPROVED FOR USE AS TEMPORARY PATCHING MATERIAL. HOWEVER, THEY USUALLY LAST ONLY TWO TO FOUR YEARS. THEREFORE, REPAIRS THAT ARE MORE DEFINITIVE ARE ALWAYS ENCOURAGED.
- 4.9 ALL REPAIRS TO ANY OTHER ARCHITECTURAL METALS MUST BE CONSISTENT WITH THE ABOVE APPLICABLE GUIDELINES. THEY MUST BE CHEMICALLY AND ELECTROLYTICALLY COMPATIBLE (4.2, 4.4, 4.5 AND 4.6), AND CANNOT THREATEN OR DESTROY IMPORTANT OLDER METAL MATERIAL (4.3 AND 4.6).
- 4.10 THE COMMISSION WILL NOT APPROVE THE STRIPPING AND EXPOSING OF METALS THAT WERE ORIGINALLY INTENDED TO BE PROTECTED FROM THE ENVIRONMENT.

5.0 – ROOFS

- 5.1 ALL PROVISIONS OF SECTION 1.0 GENERAL GUIDELINES APPLY TO SECTION 5.0, ROOFS.
- 5.2 FOR METAL ROOFING SEE SECTION 4.0.
- 5.3 THIS SECTION APPLIES NOT ONLY TO ROOFS, BUT ALSO TO ANY OTHER PARTS OF BUILDINGS THAT EXTEND ABOVE ANY PART OF A ROOF, SUCH AS PARAPETS, CHIMNEYS, FINIALS, STEEPLES, CUPOLAS, DORMERS, CRESTING, LIGHTNING RODS AND WEATHER VANES.
- 5.4 ASPHALT SHINGLES MAY BE REPLACED BY SIMILAR MATERIALS AS NEEDED. COLORS AND PATTERNS MUST BE COMPATIBLE WITH THE COLOR SCHEME AND STYLE OF THE BUILDING.
- 5.5 FLAT ROOFS OR ROOFS COMPLETELY HIDDEN FROM VIEW MAY BE REPAIRED OR REPLACED ACCORDING TO STANDARD, COMMONLY ACCEPTED ROOFING PRACTICES PROVIDED THAT ALL HISTORIC MATERIALS ARE APPROPRIATELY PROTECTED AS PROVIDED IN GUIDELINES 1.3 AND 1.4.
- 5.6 ANY VISIBLE CHANGES, INCLUDING CHANGES IN STRUCTURAL DESIGN OR CONFIGURATIONS AND ADDITIONS TO ANY ROOF MUST BE COMPATIBLE WITH THE STYLE OF THE BUILDING AND MUST MEET THE CRITERIA OF APPLICABLE GUIDELINES IN SECTION 13.0, BUILDING ADDITIONS. ALSO SEE GUIDELINE 1.8.
- 5.7 ANY ATTIC VENTS MUST BE COMPATIBLE WITH THE STYLE OF THE BUILDING OR BE HIDDEN, UNOBTRUSIVELY AND SUBSTANTIALLY FROM VIEW. THE COMMISSION MAY REQUIRE THE USE OF FORCED AIR VENTILATION FOR STRUCTURES IN WHICH ADEQUATE, PASSIVE VENTILATION WOULD CAUSE LOSS OF OR DAMAGE TO HISTORICALLY IMPORTANT MATERIALS AND FEATURES AS IDENTIFIED UNDER GUIDELINE 1.1.
- 5.8 GUTTERS AND DOWNSPOUTS MUST BE COMPATIBLE WITH THE PERIOD AND STYLE OF THE BUILDING.
- 5.9 ALL REPAIRS, REPLACEMENTS OR REVISIONS OF ANY ROOFING OR DRAINAGE SYSTEM MUST INCLUDE ADEQUATE DRAINAGE FOR THE LONG TERM PROTECTION OF THE BUILDING FROM DAMAGE BY WATER AND/OR MOISTURE. FOR EXAMPLE, IN APPROVING NEW GUTTERING, THE COMMISSION MAY REQUIRE REVISIONS IN SURFACE/SUBSURFACE DRAINAGE IN ORDER TO PROTECT THE BUILDING FOUNDATIONS FROM THE WEAKENING EFFECTS OF RISING DAMP AND/OR FROM IMPACTING OF SUBSURFACE SOILS, WHICH MAY LEAD TO SETTLING OF ANY PART OF THE BUILDING.
- 5.10 ANY ROOFING REPAIRS OR REPLACEMENTS MUST INCLUDE ANY EXISTING PARAPET WALLS OR GABLES, THE TREATMENT OF WHICH MUST BE COMPATIBLE WITH THE COPING (TOP MATERIAL OF THE PARAPET WALL) AND STYLE OF THE BUILDING.
- 5.11 THE INTENT OF THIS GUIDELINE IS THAT CHIMNEYS SHALL BE REPAIRED AND PRESERVED. THE SAME APPLIES TO ANY OF THE DECORATIVE ELEMENTS EXTENDING ABOVE ANY PART OF A ROOF SUCH AS A PARAPET OR STEPPED GABLE, A CUPOLA, A STEEPLE, A FINIAL, CRESTING, WEATHER VANES, BALUSTRADES.
- 5.12 THE COMMISSION MAY REQUIRE THE REMOVAL OF ANY OBSOLETE UTILITY STRUCTURES SUCH AS ABANDONED TV ANTENNAS OR VENT PIPES AS A PART OF ANY APPROVED ROOF REPAIRS OR REPLACEMENTS.

- 5.13 PLUMBING VENTS SHOULD BE HIDDEN AS MUCH AS POSSIBLE. THE COMMISSION MAY REQUIRE THAT MULTIPLE VENTS BE COMBINED INTO ONE.
- 5.14 THE COMMISSION WILL NOT APPROVE INSTALLATION OF ANY TV ANTENNAS OR DISHES FOR RESIDENTIAL USE WHICH ARE ATTACHED TO THE STRUCTURE ANYWHERE IN THE OVERLAY ZONE. ANTENNAS AND DISHES MUST BE INSTALLED ON A FREE STANDING POST AND NOT BE VISIBLE FROM THE FRONT OF THE BUILDING.
- 5.15 ROOF MECHANICAL AND SERVICE EQUIPMENT SHALL ALWAYS BE AS UNOBSTRUSIVE AND INCONSPICUOUS AS POSSIBLE. THE COMMISSION MAY REQUIRE THAT SUCH EQUIPMENT BE SCREENED SO AS TO HAVE THE APPEARANCE OF AN ADDITION TO THE BUILDING DEPENDING ON THE LEVEL OF VIABILITY OF SUCH EQUIPMENT.

6.0 – WINDOWS

- 6.1 ALL PROVISIONS OF SECTION 1.0, GENERAL GUIDELINES APPLY TO SECTION 6.0, WINDOWS. THIS APPLIES TO ALL DETAILS OF WINDOWS AND WINDOW ACCESSORIES INCLUDING JAMBS, SASH, MUNTINS, PROFILES, GLAZING, SILLS, HOOD MOLDS, PANELED OR DECORATIVE JAMBS, MOLDINGS, REVEALS, SHUTTERS AND HARDWARE.
- 6.2 THE COMMISSION WILL NOT APPROVE THE PARTIAL OR COMPLETE BLOCKING IN OPENINGS OF, OR THE CUTTING OF NEW OPENINGS.
- 6.3 THE COMMISSION WILL NOT APPROVE THE INSTALLATION OF REPLACEMENT OR ADDITIONAL SASH OR WINDOW UNITS OF ANY KIND WHICH DO NOT FIT HISTORIC WINDOW OPENINGS.
- 6.4 THE COMMISSION WILL NOT APPROVE CHANGES IN GLAZING PATTERNS OR MUNTIN PATTERNS UNLESS THERE IS HISTORIC DOCUMENTATION THAT THE PROPOSED PATTERN WAS USED IN THE PARTICULAR BUILDING DURING THE PERIOD OF THE PRESENT EXISTING DOMINANT ARCHITECTURAL STYLE OF THE BUILDING. THE COMMISSION WILL NOT APPROVE SUCH CHANGES TO CREATE A NEW APPEARANCE OR TO MAKE THE BUILDING APPEAR OLDER.
- 6.5 ALL REPAIRS TO WINDOWS MUST MEET THE REQUIREMENTS OF SECTION 3.0, WOOD AND/OR GUIDELINES 4.9 AND 4.10 AS APPLICABLE.
- 6.6 CAULKING, WEATHER STRIPPING AND REPAIRS DESIGNED TO MAKE WINDOWS WEATHER TIGHT MUST NOT DAMAGE OR INCLUDE REMOVAL OF IMPORTANT HISTORIC MATERIALS OR FEATURES.
- 6.7 INTERIOR OR EXTERIOR STORM WINDOWS OR STORM SASH UNITS MUST MATCH EXISTING EXTERIOR SASH IN SIZE. ANY CROSS SUPPORTS OF EXTERIOR STORM WINDOWS, AND ANY MEETING RAILS OF INTERIOR OR EXTERIOR STORM SASH MUST BE SUPERIMPOSED ON MEETING RAILS OR SUPPORT RAILS OF EXISTING SASH. EXTERIOR STORM UNITS MUST MATCH THE COLOR OF EXTERIOR WINDOW TRIM. THE COMMISSION WILL NOT APPROVE EXTERIOR STORM UNITS WHICH WOULD SIGNIFICANTLY CHANGE THE DEPTH OF REVEAL, OR WHICH WOULD COVER ANY IMPORTANT MOLDING OR DECORATIVE FEATURES OF JAMBS. INTERIOR STORM UNITS ARE PREFERABLE TO EXTERIOR STORM UNITS WHEN POSSIBLE.
- 6.8 REPLACEMENT OF EXTERIOR SASH MUST MEET ALL REQUIREMENTS OF GUIDELINE 1.9. QUALIFIED REPLACEMENTS MAY INCLUDE DOUBLE GLAZING AND PRACTICAL CHANGES IN MUNTIN PROFILES, AS WELL AS MODERN WEATHER STRIPPING, SASH CARRIAGE AND BALANCING MECHANISMS AND MODERN HARDWARE.

7.0 – ENTRANCES AND PORCHES

- 7.1 ALL PROVISIONS OF SECTION 1.0, GUIDELINES APPLY TO SECTION 7.0, ENTRANCES AND PORCHES, INCLUDING ALL DETAILS OF EVERY PART OF DOORS, ENTRANCES AND PORCHES. SEE ALSO GUILLELINE 6.2 WITH REGARD TO OPENINGS.
- 7.2 THE COMMISSION WILL NOT APPROVE THE INSTALLATION OF REPLACEMENT OR ADDITIONAL DOORS OF ANY KIND WHICH DO NOT FIT HISTORIC DOOR OPENINGS.
- 7.3 ALL REPAIRS TO ENTRANCES AND PORCHES MUST MEET THE REQUIREMENTS OF ALL OTHER APPLICABLE SECTIONS OF THESE GUIDELINES WITH REGARD TO RESPECTIVE MATERIALS SUCH AS MASONRY, CONCRETE, WOOD AND METAL.
- 7.4 NEW OR REPLACEMENT PORCHES, STOOPS, STEPS OR RAMPS TO ENTRANCES ARE CONSIDERED BUILDING ADDITIONS AND MUST MEET THE REQUIREMENTS OF SECTION 13.0.
- 7.5 PORCHES MAY BE ENCLOSED WHEN REQUIRED BY NEW OR ADDITIONAL USES ONLY IF ALL OF THE FOLLOWING CONDITIONS ARE MET:
 - A. THE PORCH MUST RETAIN ITS CHARACTER AND DISTINCTION AS AN APPENDAGE TO THE BUILDING; IT CANNOT TAKE ON THE APPEARANCE OF AN ADDITION.

8.0 – STORE FRONTS

- 8.1 ALL PROVISIONS OF SECTION 1.0, GENERAL GUIDELINES APPLY TO SECTION 8.0, STORE FRONTS.
- 8.2 ALL REPAIRS TO STORE FRONTS MUST MEET THE REQUIREMENTS OF ALL OTHER APPLICABLE SECTIONS OF THESE GUIDELINES WITH REGARD TO RESPECTIVE MATERIALS SUCH AS MASONRY, CONCRETE, WOOD AND METAL.

9.0 – SURFACE COATINGS AND FINISHES

- 9.1 ALL SURFACE PREPARATION METHODS MUST MEET THE REQUIREMENTS OF GENERAL GUIDELINES 1.2, 1.3, 1.4 AND 1.5. WITH REGARD TO SPECIFIC MATERIALS FOR SURFACE PREPARATION GUIDELINES SEE 3.2, 3.3 AND 3.4 FOR WOOD; 2.2, 2.3 AND 2.9 FOR MASONRY; 2.10 AND 4.5 FOR METAL.
- 9.2 IT MUST BE ASSUMED THAT ALL PRE-1970 BUILDINGS IN ELIZABETHTON HAVE BEEN PAINTED IN THE PAST WITH LEAD PAINTS. THEREFORE, DEBRIS FROM PAINT PREPARATION MUST BE COLLECTED AND PROPERLY DISPOSED IN A MANNER CONSISTENT WITH CURRENT REGULATIONS REGARDING THE HANDLING OF LEAD AND CANNOT BE ALLOWED SIMPLY TO FALL TO THE GROUND AND CONTAMINATE SOILS.
- 9.3 ANY ORIGINAL OR HISTORIC SPECIAL EXTERIOR FINISHES, SUCH AS GRAINING, FANCY PAINTING, MARBLEIZING OR VARNISHING OF WOOD, AND SPECIAL PAINTINGS OF BRICKS AND/OR MORTAR AS DESCRIBED IN GUIDELINE 2.2, MUST BE IDENTIFIED, PROTECTED, PRESERVED AND WHEN POSSIBLE, REPAIRED.
- 9.4 ALL UNCOATED HISTORIC MATERIALS SUCH AS BRICK, STONE AND CONCRETE MUST BE THOROUGHLY PROTECTED FROM PAINT DEPOSITS FROM DRIPPING, SPRAYING, OVERFLOW OR FROM ANY OTHER CAUSE ACCIDENTAL OR OTHERWISE.
- 9.5 TRADITIONAL 20TH CENTURY WHITE MAY BE APPROVED FOR ALL STRUCTURES THAT HAVE BEEN PAINTED WHITE THROUGH MOST OF THE 20TH CENTURY.
- 9.6 OTHER COLOR SCHEMES MAY BE APPROVED WHEN SELECTED FROM COLOR PALETTES CONSISTENT WITH THE HISTORIC PERIOD OF THE DOMINANT STYLE OF THE BUILDING. DISTRIBUTION OF COLORS MUST ALSO BE STYLISTICALLY COMPATIBLE WITH THE DOMINANT STYLE OF THE BUILDING. THE COMMISSION ENCOURAGES THE USE OF COLOR SCHEMES BASED ON HISTORIC PAINT COLOR RESEARCH FOR SPECIFIC BUILDINGS.
- 9.7 THE COMMISSION WILL NOT APPROVE COLOR SCHEMES WHICH WOULD CHANGE THE DISTRIBUTION OF ACCENT COLORS IN A NON-HISTORIC FASHION OR WHICH WOULD UTILIZE COLORS NOT HISTORICALLY COMPATIBLE WITH THE DOMINANT STYLE OF THE BUILDING.
- 9.8 THE COMMISSION ENCOURAGES PREVIOUSLY PAINTED BRICK COLOR AND, WHEN POSSIBLE, TO INCLUDE THE WHITE PAINTING OF MORTAR JOINTS (PENCILLING). HOWEVER, 19TH CENTURY LIME-BASED RED PAINTING AND PENCILLING REQUIRE SPECIAL TREATMENT. MODERN PAINTS CANNOT BE USED TO RESTORE, REPAIR, OR IMITATE THAT TYPE OF DECORATIVE MASONRY TREATMENT.
- 9.9 ALL MODERN COATINGS MUST BE USED/APPLIED CONSISTENT WITH MANUFACTURER'S SPECIFICATIONS.
- 9.10 OPAQUE STAINS MAY BE PERMITTED WHEN USED ON STRUCTURES CONSISTENT IN STYLE AND PERIOD WITH THE HISTORIC USE OF OPAQUE STAINS. STAINS MAY ALSO BE PERMITTED WHEN USED IN SUCH A MANNER AS TO IMITATE PAINT.

10.0 – STRUCTURAL SYSTEMS

THE STRUCTURAL INTEGRITY OF A BUILDING IS NECESSARY FOR ITS PRESERVATION, SAFETY AND FUNCTION. MANY STRUCTURAL ELEMENTS ARE HIDDEN FROM VIEW ON THE INSIDE OF BUILDINGS OR BENEATH BUILDINGS. UNFORTUNATELY, SEVERAL OF ELIZABETHTON'S ANTIQUE BUILDINGS HAVE BEEN SIGNIFICANTLY WEAKENED, AND HAVE SAGGED OR MOVED SIGNIFICANTLY BECAUSE OF STRUCTURAL CHANGES MADE IN RETROFITTING OR IN ADAPTIVE REUSE PROJECTS. THEREFORE, STRUCTURAL MATTERS MUST BE REGULATED BY THE BUILDING DEPARTMENT, EVEN THOUGH THEY MAY BE ON THE INTERIOR. ALSO SEE SECTION 11.0 OF THE GUIDELINES.

- 10.1 THE COMMISSION WILL NOT APPROVE CHANGES IN A BUILDING, WHETHER ON THE INTERIOR OR THE EXTERIOR, WHICH MAY WEAKEN THE STRUCTURE EITHER IMMEDIATELY OR GRADUALLY.
- 10.2 STRUCTURAL CHANGES OR REPAIRS SHALL FOLLOW GUIDELINES 1.2, 1.3, 1.4, 1.5 AND 5.9).
- 10.3 ALL IMPORTANT HISTORIC CHARACTER DEFINING STRUCTURAL ELEMENTS, AS DEFINED IN GUIDELINE 1.1, MUST BE RETAINED AND SUPPORTED OR REPAIRED AND NOT REPLACED.
- 10.4 THE COMMISSION MAY REQUIRE APPROPRIATE PROFESSIONAL CONSULTATION PRIOR TO APPROVING CHANGES IN A STRUCTURE, WHICH MAY OVERLOAD OR OTHERWISE WEAKEN THE STRUCTURE.

11.0 – INTERIOR SPACES

THE REGULATION OF INTERIOR SPACES IS NOT WITHIN THE JURISDICTION OF THE HISTORIC ZONING COMMISSION EXCEPT WITH REGARD TO STRUCTURAL CONCERNS. (SEE SECTION 10.0 OF THESE GUIDELINES).

HOWEVER, MANY INTERIOR ELEMENTS REPRESENT IMPORTANT HISTORIC CHARACTER DEFINING FEATURES IN MOST HISTORIC BUILDINGS.

THE ZONING COMMISSION MAKES IT A POLICY TO POINT OUT IMPORTANT CHARACTER DEFINING INTERIOR FEATURES TO PROPERTY OWNERS, AND TO OFFER RECOMMENDATIONS WITH REGARD TO THE PROTECTION, PRESERVATION AND REPAIR OF THOSE INTERIOR FEATURES AS A PART OF ITS EDUCATIONAL FUNCTION.

PROPERTY OWNERS ARE ENCOURAGED TO SEEK THE ASSISTANCE OF DESIGN PROFESSIONALS.

12.0 – UTILITIES

- 12.1 UTILITY INTAKES SUCH AS ELECTRICAL POWER, TELEPHONE, GAS AND CABLE LINES, BOXES AND METERS, AND OTHER ASSOCIATED EQUIPMENT MUST BE HIDDEN FROM VIEW AS MUCH AS POSSIBLE. THEY CANNOT DISRUPT OR DAMAGE THE PHYSICAL OR VISUAL INTEGRITY OR CONTINUITY OF IMPORTANT HISTORIC CHARACTER DEFINING MATERIALS OR PARTS OF BUILDINGS AS DEFINED IN GUIDELINE 1.1. ALL NEW SERVICES SHALL BE UNDERGROUND, AND WHERE POSSIBLE, IN ALL RENOVATION AND REMODELING WORK, SERVICE SHALL ALSO BE UNDERGROUND.
- 12.2 EXTERIOR MECHANICAL EQUIPMENT MUST BE HIDDEN FROM VIEW AS MUCH AS POSSIBLE. INCONSPICUOUS LOCATIONS MUST BE SELECTED AND THE COMMISSION MAY REQUIRE SCREENING OF MECHANICAL EQUIPMENT, WHICH CANNOT OTHERWISE BE MADE UNOBSTRUSIVE BY VIRTUE OF LOCATION.
- 12.3 WIRES, PIPES AND OTHER UTILITY AND MECHANICAL CONVEYANCE LINES OR COMMUNICATION/CONTROL WIRES MUST BE HIDDEN FROM VIEW.
- 12.4 FOR BUILDING STRUCTURAL CONSIDERATIONS SEE SECTION 10.0 OF THESE GUIDELINES.

13.0 – BUILDING ADDITIONS

- 13.1 BUILDING ADDITIONS INCLUDE NOT ONLY INCREASES IN THE SIZE OF BUILDINGS BUT ALSO (AS IN GUIDELINE 1.8), THE SUBSTITUTION OR ADDITION OF ANY INADEQUATELY DOCUMENTED MISSING PARTS OR MATERIALS NO MATTER HOW SMALL.
- 13.2 ALL ADDITIONS MUST BE COMPATIBLE WITH THE EXISTING BUILDING IN SIZE, SCALE, MATERIAL AND COLOR, AND MUST BE SUBORDINATE TO THE EXISTING BUILDING AND DESIGN, SIZE AND POSITION.
- 13.3 NEW DESIGNS FOR ADDITIONS MUST BE A FAITHFUL IMITATION IN MATERIAL, COLOR, TEXTURE, RATIO OF OPENINGS TO SOLID WALLS, ORNAMENTS AND ALL DIMENSIONS AND PROFILES OF FEATURES OR DESIGN ELEMENTS.
- 13.4 THE COMMISSION WILL NOT APPROVE AN ADDITION THAT WOULD REQUIRE THE SACRIFICE AND REMOVAL OF IMPORTANT HISTORIC CHARACTER DEFINING FEATURES AND MATERIALS AS DEFINED IN GUIDELINE 1.1.

14.0 – OUTBUILDINGS AND OTHER SITE STRUCTURES

- 14.1 OUTBUILDINGS AND ACCESSORY BUILDINGS MUST BE CONSISTENT WITH THE STYLE AND DOMINANT PERIOD OF THE RELATED PRIMARY STRUCTURE AND MUST BE SUBORDINATE TO THE PRIMARY STRUCTURE.
- 14.2 OTHER SITE STRUCTURES MUST NOT DETRACT FROM THE PRIMARY STRUCTURE VISUALLY BY VIRTUE OF SIZE, PLACEMENT, STYLE OR COLOR AND CANNOT INTRODUCE A FALSE SENSE OF HISTORY OR IDENTITY.

15.0 – NEW CONSTRUCTION

- 15.1 ALL NEW CONSTRUCTION MUST BE IN COMPLIANCE WITH THE PROVISIONS OF THE CURRENT BUILDING CODE ADOPTED BY THE CITY OF ELIZABETHTON.
- 15.2 NEW STRUCTURES THAT IMITATE BUILDING STYLES COMMONLY ASSOCIATED WITH OTHER AREAS OUTSIDE ELIZABETHTON WILL NOT BE APPROVED BY THE COMMISSION WHETHER SUCH STYLES ARE TRADITIONAL OR CONTEMPORARY. FOR EXAMPLE, THE COMMISSION WILL NOT APPROVE A NEO-COLONIAL HOUSE OR A WILLIAMSBURG STYLE BUILDING. NEITHER WILL THE COMMISSION APPROVE A BEACH COTTAGE OR AN ALPINE COTTAGE.
- 15.3 NEW STRUCTURES MAY INCLUDE REPRODUCTIONS OF EARLIER STRUCTURES PROVIDED THERE IS ADEQUATE DOCUMENTATION OF FORM AND DETAIL OF THE EARLIER STRUCTURE TO PERMIT A FAITHFUL REPRODUCTION. THE COMMISSION WILL NOT APPROVE MERE IMITATIONS (AS DISTINCT FROM FAITHFUL REPRODUCTIONS) OF EARLIER STYLES, WHICH WOULD GIVE A FALSE SENSE OF TIME AND IDENTITY TO THE NEW STRUCTURE.
- 15.4 DESIGNS FOR NEW STRUCTURES SHALL INCLUDE CONTEMPORARY INTERPRETATIONS OF VARIOUS TRADITIONAL BUILDING ELEMENTS FOUND IN ELIZABETHTON'S OVERLAY ZONE.
- 15.5 THE MAXIMUM HEIGHT OF THE PROPOSED STRUCTURE MUST BE WITHIN 10% OF THE AVERAGE HEIGHT OF THE EXISTING ADJACENT BUILDINGS OR OF BUILDINGS LOCATED WITHIN 600 FEET OF THE PROPOSED STRUCTURE. THE MINIMUM HEIGHT MUST BE ONE STORY.
- 15.6 VISIBLE MASSING OF ANY NEW BUILDING INCLUDING RATIOS OF HEIGHT TO WIDTH MUST BE CONSISTENT WITH ADJACENT EXISTING BUILDINGS OR BUILDINGS LOCATED WITHIN 600 FEET OF THE PROPOSED NEW STRUCTURE.
- 15.7 THE RELATIONSHIPS OF WIDTH AND HEIGHT OF DOORS AND WINDOW OPENINGS AND RHYTHMS OF OPENINGS TO SOLID WALLS MUST BE CONSISTENT WITH THE STYLE OF THE PROPOSED STRUCTURE, AND WITH EXISTING ELIZABETHTON STRUCTURES, WHICH ARE FULLY VISIBLE FROM THE SITE OF THE PROPOSED STRUCTURE.
- 15.8 THE EXISTING RHYTHM OF BUILDING SETBACKS AND MASSING, AND OF OPEN SPACES BETWEEN STRUCTURES MUST BE MAINTAINED CONSISTENT WITH THE PORTION OF THE TOWNSCAPE FULLY VISIBLE FROM THE SITE OF THE PROPOSED STRUCTURE.
- 15.9 ROOF SHAPES MUST BE CONSISTENT WITH EXISTING BUILDINGS FULLY VISIBLE FROM THE SITE OF THE PROPOSED STRUCTURE.
- 15.10 THE EXISTING RHYTHM OF ENTRANCES AND PROJECTIONS (SUCH AS AWNINGS, STOOPS OR PORCHES) MUST BE MAINTAINED CONSISTENT WITH THE PORTION OF THE TOWNSCAPE FULLY VISIBLE FROM THE SITE OF THE PROPOSED STRUCTURE.

- 15.11 PREDOMINANT VISIBLE MATERIALS AND TEXTURES IN NEW STRUCTURES MUST BE VISUALLY COMPATIBLE WITH EXISTING PREDOMINANT MATERIALS USED ON OTHER STRUCTURES IN ELIZABETHTON, WHICH INCLUDE WOOD SIDING, BRICK, STUCCO, STONE AND LOG. FOR EXAMPLE, THE COMMISSION WILL NOT APPROVE GLASS WALLS (EVEN IF GLASS SHEETS ARE NOT CONSIDERED OPENINGS), CONCRETE WALLS FOR BUILDINGS, OR CLADDING WHICH HAS AN APPEARANCE CLEARLY NOT PREVIOUSLY USED IN THE OVERLAY ZONE, SUCH AS INTENTIONALLY ROUGHENED WOOD SIDING OR MACHINED LOGS.
- 15.12 COLORS SIMILAR TO THOSE OF NATURAL MATERIALS AND COLORS, EXISTING ON OTHER STRUCTURES WITHIN THE OVERLAY ZONE AS SEEN FROM THE SITE OF THE PROPOSED STRUCTURE MAY BE APPROVED. HOWEVER, THE COMMISSION RESERVES THE RIGHT TO DISAPPROVE COLOR SCHEMES PROPOSED FOR NEW CONSTRUCTION, WHICH IN THE JUDGEMENT OF A MAJORITY OF COMMISSIONERS, WOULD DRAW EXCESSIVE ATTENTION TO THE NEW STRUCTURE OR OTHERWISE DISRUPT THE EXISTING VISUAL CONTINUITY AND HARMONY OF THE AFFECTED TOWNSCAPE.
- 15.13 ARCHITECTURAL DETAILS MAY INCLUDE CONTEMPORARY INTERPRETATIONS OF VARIOUS TRADITIONAL BUILDING ELEMENTS FOUND IN ELIZABETHTON. FOR EXAMPLE, ROOF SLOPES, GABLE CONFIGURATIONS, CORNICE MASSING AND SCALES OF OPENINGS ALL MAY BE DUPLICATED FROM EXISTING STRUCTURES. HOWEVER, BRACKET DETAILS AND MOLDINGS CANNOT BE DUPLICATED BUT MUST BE REINTERPRETED UNLESS USED ON A REPRODUCTION STRUCTURE. (SEE 15.2).
- 15.14 THE CONTEXT OF VISUAL CONTINUITY OF THE TOWNSCAPE IN SUCH ELEMENTS AS CONTINUOUS WALLS, SITE ACCESSORIES AND LANDSCAPING MUST BE MAINTAINED BY THE PROPOSED STRUCTURE.
- 15.15 THE CONTEXT OF THE DIRECTIONAL CHARACTER OF BUILDING AND ELEVATION PLACEMENT MUST BE MAINTAINED RELATIVE TO ADJACENT STRUCTURES AND WHERE APPLICABLE, TO THE GRID OF THE ORIGINAL TOWN PLAN. FOR EXAMPLE, THE COMMISSION WILL NOT APPROVE THE DIAGONAL PLACEMENT OF A STRUCTURE RELATIVE TO ADJACENT EXISTING BUILDINGS OR RELATIVE TO THE ORIGINAL GRID IF THE SITE OF THE PROPOSED STRUCTURE IS ON THE GRID OF THE ORIGINAL TOWN. THE CONTEXT OF EXISTING PREDOMINANT HORIZONTAL AND VERTICAL ELEMENTS MUST ALSO BE MAINTAINED IN THE PART OF THE TOWNSCAPE AFFECTED BY THE PROPOSED STRUCTURE.
- 15.17 SECTION 14.0, OUTBUILDINGS AND OTHER SITE STRUCTURES OF THESE GUIDELINES ALSO APPLY TO SECTION 15.0, NEW CONSTRUCTION.
- 15.18 SEE ALSO GUIDELINES 2.13 AND 2.14, CONCRETE PAVEMENT AND FINISHES.
- 15.19 PROPOSED MODERNIZATION AND EXTENSIVE EXTERIOR REMODELING OF AN EXISTING BUILDING SHALL BE CONSIDERED NEW CONSTRUCTION AND MUST MEET ALL OF THE APPLICABLE GUIDELINES OF SECTION 15.0, NEW CONSTRUCTION.

16.0 – DEMOLITION

- 16.1 THE COMMISSION WILL NOT APPROVE THE DEMOLITION OF ANY STRUCTURE IN THE OVERLAY ZONE, WHICH IS DESIGNATED AS CONTRIBUTING TO THE CHARACTER OF THE OVERLAY ZONE ACCORDING TO THE COMMISSION'S PROPERTY DESIGNATION CRITERIA. THE COMMISSION MUST REVIEW ANY PROPERTY DESIGNATION COMMITTEE MUST REVIEW ANY PROPERTY FOR WHICH A CONTRIBUTING OR NON-CONTRIBUTING DESIGNATION HAS NOT BEEN MADE BEFORE THE COMMISSION WILL CONSIDER APPROVAL OF ITS DEMOLITION.
- 16.2 THE COMMISSION MAY APPROVE THE DEMOLITION OF A NON-CONTRIBUTING STRUCTURE IF THE EXISTING BUILDING IS NO LONGER SAFE AND/OR SERVICEABLE AND CANNOT BE REPAIRED/RESTORED TO A SAFE, SERVICEABLE CONDITION, AND IF DEMOLITION OF THE STRUCTURE WOULD NOT LEAVE A GAP IN THE AFFECTED TOWNSCAPE, WHICH WOULD DISRUPT THE EXISTING VISUAL CONTINUITY AND RHYTHM OF THE AFFECTED TOWNSCAPE.
- 16.3 IF DEMOLITION OF AN OTHERWISE QUALIFYING NON-CONTRIBUTING STRUCTURE WOULD LEAVE A GAP IN THE AFFECTED TOWNSCAPE, OR OTHERWISE DISRUPT THE RHYTHM AND VISUAL CONTINUITY OF THE AFFECTED TOWNSCAPE, THEN THE COMMISSION MAY APPROVE SUCH DEMOLITION ONLY PROVIDED THAT THERE IS A CLEAR ASSERTION OF OBLIGATION ON THE PART OF THE OWNER TO REPLACE THE STRUCTURE WITH A NEW STRUCTURE, THE PLAN OF WHICH MUST MEET ALL APPLICABLE GUIDELINES IN SECTION 15.0. THE PLANS FOR ANY SUCH REPLACEMENT STRUCTURE MUST BE APPROVED BY THE COMMISSION PRIOR TO ISSUING A DEMOLITION PERMIT FOR THE EXISTING NON-CONTRIBUTING STRUCTURE.

17.0 – EXTERIOR LIGHTING

- 17.1 DEFINITION: EXTERIOR LIGHTING IS DEFINED AS PUBLIC OR PRIVATE LIGHTING OF ANY KIND THAT INCREASES THE NIGHT TIME VISIBILITY OF THE EXTERIOR OF ANY BUILDING OR SITE INSIDE THE OVERLAY ZONE.
- 17.2 PROMINENT, CONSPICUOUS AND ORNAMENTAL LIGHT FIXTURES MUST BE CONSISTENT WITH THE STYLE AND DOMINANT PERIOD OF THE RELATED PRIMARY STRUCTURE OR NEIGHBORHOOD.
- 17.3 UTILITARIAN FIXTURES MUST BE HIDDEN FROM VIEW AS MUCH AS POSSIBLE.
- 17.4 LIGHT SOURCES MUST BE CONSISTENT WITH THE DOMINANT EXISTING LIGHT SOURCES ASSOCIATED WITH THE PRIMARY STRUCTURE OR THE SURROUNDING NEIGHBORHOOD. FOR EXAMPLE, LIGHT SOURCES MOST COMMONLY IN USE IN 1996 IN THE CENTRAL BUSINESS DISTRICT ARE INCANDESCENT AND HIGH PRESSURE SODIUM VAPOR.
- 17.5 LIGHT FIXTURES AND SOURCES OF ILLUMINATION CANNOT DISRUPT OR DAMAGE THE PHYSICAL OR VISUAL INTEGRITY OR CONTINUITY OF IMPORTANT HISTORIC CHARACTER DEFINING MATERIALS OR PARTS OF BUILDINGS AS DEFINED IN GUIDELINE 1.1.
- 17.6 BUILDING MOUNTED LIGHTS INTENDED FOR SITE LIGHTING MUST LIGHT THE BUILDING AS WELL AS THE SITE. FOR EXAMPLE, THE COMMISSION WILL NOT APPROVE THE USE OF BUILDING MOUNTED FLOODLIGHTS THAT ARE GLARING TO THE PUBLIC AND THAT PLACE THE BUILDING IN SHADOWS.
- 17.7 LIGHT SOURCES MUST BE POSITIONED SO THAT DIRECT GLARE AND REFLECTIVE LIGHT IS MINIMIZED.
- 17.8 LIGHT SOURCES MUST BE POSITIONED SO THAT THE GLARE DOES NOT POSE A DANGER TO THE SAFE MOVEMENT OF PEDESTRIANS OR VEHICULAR TRAFFIC.

ECONOMIC HARDSHIP

UNREASONABLE ECONOMIC HARDSHIP: THE INABILITY OF AN OWNER TO OBTAIN A REASONABLE RETURN OR A REASONABLE BENEFICIAL USE FROM A RESOURCE AS REQUIRED BY THE UNITED STATES SUPREME COURT IN *PENN TRANSPORT COMPANY vs. NEW YORK CITY*, 438 U.S. 104 (1978), AND SUBSEQUENT DECISIONS. THE APPLICANT MUST PROVIDE FINANCIAL PROOF OF OWNER/APPLICANT'S INABILITY TO COMPLETE THE PROJECT.

APPLICATION FOR A CERTIFICATE OF HARDSHIP SHALL BE MADE IN A FORM PREPARED BY THE HISTORIC ZONING COMMISSION. THE HISTORIC ZONING COMMISSION SHALL SCHEDULE A PUBLIC HEARING CONCERNING THE APPLICATION AND PROVIDE A NOTICE IN THE SAME MANNER AS THE COMMISSION'S REGULAR MEETINGS ARE ADVERTISED, AND ANY PERSON MAY TESTIFY AT THE HEARING CONCERNING ECONOMIC HARDSHIP IN THE SAME MANNER AS LIKewise PROVIDED.

WHEN A CLAIM OF UNREASONABLE ECONOMIC HARDSHIP IS MADE DUE TO THE EFFECT OF THIS ORDINANCE, THE OWNER OF RECORD MUST PRESENT EVIDENCE SUFFICIENT TO PROVE THAT AS A RESULT OF THE HISTORIC ZONING COMMISSION'S ACTION, HE IS UNABLE TO OBTAIN A REASONABLE RETURN OR A REASONABLE BENEFICIAL USE. THE OWNER OF RECORD SHALL SUBMIT BY AFFIDAVIT TO THE COMMISSION FOR ITS REVIEW AT LEAST THE FOLLOWING INFORMATION:

- A. DATE THE PROPERTY WAS ACQUIRED BY ITS CURRENT OWNER.
- B. AMOUNT PAID FOR THE PROPERTY AND THE PARTY FROM WHOM PURCHASED, INCLUDING A DESCRIPTION OF THE RELATIONSHIP, IF ANY, BETWEEN THE OWNER OF RECORD OR APPLICANT AND THE PERSON FROM WHOM THE PROPERTY WAS PURCHASED, AND ANY TERMS OF FINANCING BETWEEN THE SELLER AND BUYER.
- C. FORM OF OWNERSHIP OR OPERATION OF THE PROPERTY, WHETHER SOLE PROPRIETORSHIP, FOR PROFIT OR NOT FOR PROFIT CORPORATION, LIMITED PARTNERSHIP, JOINT VENTURE OR OTHER.
- D. MORTGAGE HISTORY OF THE PROPERTY, INCLUDING CURRENT MORTGAGE. REMAINING BALANCE ON ANY MORTGAGE OR OTHER FINANCING SECURED BY THE PROPERTY AND ANNUAL DEBT SERVICE, IF ANY, FOR THE PREVIOUS TWO (2) YEARS.
- E. CURRENT MARKET VALUE OF THE PROPERTY. ESTIMATED MARKET VALUE OF THE PROPERTY IN ITS CURRENT CONDITION; AFTER COMPLETION OF THE PROPOSED CONSTRUCTION, ALTERATION, DEMOLITION OR REMOVAL; AFTER ANY CHANGES RECOMMENDED BY THE HISTORIC ZONING COMMISSION; AND IN THE CASE OF A PROPOSED DEMOLITION AFTER RENOVATION OF THE EXISTING PROPERTY FOR CONTINUED USE.
- F. EQUITY IN CURRENT USE AND IN ALTERNATIVE USES.
- G. PAST AND CURRENT INCOME AND EXPENSE STATEMENTS FOR A TWO-YEAR PERIOD. IF THE PROPERTY IS INCOME PRODUCING, THE ANNUAL GROSS INCOME FROM THE PROPERTY FOR THE PREVIOUS TWO (2) YEARS; ITEMIZED OPERATING AND MAINTENANCE EXPENSES FOR THE PREVIOUS TWO (2) YEARS; AND DEPRECIATION DEDUCTION AND ANNUAL CASH FLOW BEFORE AND AFTER DEBT SERVICE, IF ANY, DURING THE SAME PERIOD.
- H. PAST CAPITAL EXPENDITURES DURING OWNERSHIP OF CURRENT OWNER.
- I. APPRAISALS OF THE PROPERTY OBTAINED WITHIN THE PREVIOUS TWO (2) YEARS BY THE OWNER OR APPLICANT IN CONNECTION WITH THE PURCHASE, FINANCING OR OWNERSHIP OF THE PROPERTY.
- J. INCOME AND PROPERTY TAX FACTORS AFFECTING THE PROPERTY.
- K. ESTIMATE OF THE COST OF THE PROPOSED CONSTRUCTION, ALTERATION, DEMOLITION OR REMOVAL, AND AN ESTIMATE OF ANY ADDITIONAL COST THAT WOULD BE INCURRED TO COMPLY WITH THE RECOMMENDATIONS OF THE HISTORIC ZONING COMMISSION FOR CHANGES NECESSARY FOR THE ISSUANCE OF A BUILDING PERMIT.
- L. IN THE CASE OF A PROPOSED DEMOLITION, AN ESTIMATE FROM AN ARCHITECT, DEVELOPER, REAL ESTATE CONSULTANT, APPRAISER, OR OTHER REAL ESTATE PROFESSIONAL EXPERIENCED IN REHABILITATION AS TO THE ECONOMIC FEASIBILITY OF REHABILITATION OR REUSE OF THE EXISTING STRUCTURE ON THE PROPERTY.

POLICIES AND PROCEDURES
ELIZABETHTON HISTORIC ZONING COMMISSION

Any property owner or tenant may appear in person or by agent or by attorney before the Historic Zoning Commission at any duly convened regular meeting, or at any special meeting called for the specific purpose of reviewing the application in question. Any tenant, agent or attorney appearing before the Commission should be prepared to demonstrate to the satisfaction of the Commission that they have the authority to represent the property owner.

All applications and presentations must be clear and must be supported by appropriate photographs, drawings, illustrations, models and/or samples for the commissioners to have an accurate understanding of what is being proposed.

The Commission may, at its discretion, view the premises and obtain additional facts concerning any application before arriving at a decision.

Proposals may be altered during any presentation by mutual agreement between the Commission and the property owner or the owner's duly appointed representative(s).

The Commission may, at its discretion, request additional information and/or professional consultation.

Modification of an application already considered by the Commission, whether approved or denied, shall be treated as a new application.

The Commission may require notification of neighboring property owners who, in the judgement of the Commission, may be affected by any proposal presented, in order to give those property owners an opportunity to be present at the Commission meeting.

Affected property owners shall be notified by mail not less than seven (7) days prior to the meeting at which the matter is to be heard.

The Commission may schedule a public hearing prior to granting approval for Certificate of Appropriateness for any proposal, which in its judgment may have a general impact on the historic zone, the City or the community as a whole.

PROCEDURES FOR REVIEW OF HISTORIC ZONING COMMISSION OF PERMIT APPLICATIONS:

1. Permit applications and building inspector. All permit applications for exterior alterations, new construction, relocation or demolition within the historic district shall be referred to the Historic Zoning Commission, together with all plans, elevations or other information as may be necessary to determine the appropriateness of the features to be considered for approval.

2. Historic Zoning Commission review. The Historic Zoning Commission shall meet upon notification by the Director Planning and Development of the filing of a complete application for Certificate of Appropriateness involving property in the Historic Zone. At such meeting, the Historic Zoning Commission shall apply the applicable design guidelines for historic zone to determine the appropriateness of the proposal and approve or disapprove the application with or without attached conditions or defer the application.

3. Approval. Upon approval of an application of Certificate of Appropriateness, the Historic Zoning Commission shall forthwith issue a Certificate of Appropriateness to the applicant and notify the building inspector of the approval.

4. Disapproval. In case of disapproval by the Historic Zoning Commission of any application for Certificate of Appropriateness, the Historic Zoning Commission shall state the reasons therefore in a written statement to the applicant, in terms of design, arrangement, texture, color, material and the like the property involved. Notice of such disapproval and a copy of the written statement of reasons therefore shall also be transmitted to the building inspector.

5. Economic hardship in cases of demolition. In cases involving demolition, the Historic Zoning Commission may take into account hardships in addition to other review guidelines. The Historic Zoning Commission may, after reasonable notice to the applicant and the public, set an application for demolition for public hearing and may consider any or all of the following:

- (a) Estimate of the cost of proposed redevelopment, alteration, demolition or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the Historic Zoning Commission for changes necessary for the issuance of a Certificate of Appropriateness.
- (b) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.
- (c) Estimated market value of the property in its current condition; after completion of the proposed redevelopment, alteration, demolition or removal; after any changes recommended by the Historic Zoning Commission; and in case of proposed demolition, after renovation of the existing property for continued use.
- (d) In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.
- (e) Amount paid for the property, the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicants and the persons from whom the property was purchased, and any terms of financing between the seller and the buyer.

- (f) If the property is income producing, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; and depreciation deduction and annual cash flow before and after debt service, if any during the same period.
- (g) Any other information considered necessary by the Historic Zoning Commission to be a determination as to whether the property does or may yield a reasonable return to the owners.

6. Expiration Certification of Appropriateness. A Certificate of Appropriateness automatically expires one year after being issued. If the proposed work has not been substantially completed by the time of certification expiration, the proposal must be resubmitted to the Commission as though it were a new application for Certificate of Appropriateness. In reviewing the reapplication, the Commission must take into consideration the criteria for the original approval, as well as any new information or conditions that may have come to light by the time of the reapplication.

7. Expediting approvals of limited routine building maintenance. The building inspector may approve the issuing of a building permit for certain limited types of routine maintenance projects within the historic zone without prior approval by the entire Commission. Such expedited approvals must comply with the following conditions:

- (a) The Commissioner with whom the building inspector consults shall be one of three Commissioners designated in the minutes of the Commission as expediting commissioners.
- (b) In reviewing an application for expediting approval, the building inspector and the expediting commissioner must review the specifications for the proposed work, as well as the scope and impact of the work on the building in question.
- (c) Any work which may have an impact on the structural integrity of the building; or which may change the exterior appearance of the building; or which may modify historic fabric of the building must be referred to the entire Commission for review.
- (d) Any application for repair or maintenance of earlier work that may be currently inconsistent with the Standards and Guidelines of the Commission must be referred to the full Commission for review.
- (e) Expedited approval shall be denied and the application referred to the full Commission if either the building inspector or the expediting commissioner disapproves of the proposed project or deems it wise to submit the application for full Commission review.
- (f) All expedited approvals are to be reported to the entire Commission at the next regular meeting and are to be entered into the minutes of the Commission in order for the Commission to monitor continuously the administration of expedited approvals by the building inspector and the expediting commissioners.

- (g) The following is a list of the types of work which may receive expedited approval:
1. Roof maintenance or replacement, when materials of identical composition are used and when existing roof material clearly is not important historically.
 2. The replacement of built-up asphalt or similar roofing with more modern or successor materials designed for use on flat or nearly flat roofs not visible from the right-of-way.
 3. Gutters and downspouts that are consistent with the Commission's Guidelines, when material of identical style and color is used.
 4. Painting of exterior surfaces when identical colors are to be used and when methods of preparation clearly will not damage important historic materials.
 5. Minor carpentry repairs that use like materials of like design, configuration and dimension.
 6. Glass replacement and window glazing.
 7. Fence repairs that use materials of identical composition, design and color.
 8. The placement of utility equipment that is clearly consistent with the Commission's Guidelines, Section 12.
- (h) This method of expediting approvals of limited routine building maintenance is intended to assist property owners when time is of the essence and when delay of the proposed work for review by the entire Commission would create an undue hardship for the property owner. It is not intended, and should never be used to discourage appropriate review by the entire Commission or to circumvent the duties of the Commission.

8. Application and Review Procedures for Demolition within the Overlay District.

All demolition proposals within the overlay require an application for a Certificate of Appropriateness. The review process consists of at least two public meetings, and is structured to give ample time to the applicant, the community and the Commission to obtain information and study the proposal thoroughly. Review procedures are as follows:

- (a) Application is submitted twenty-one (21) days before a scheduled regular meeting. Applications must be documented as outlined below. Incomplete applications will not be reviewed.
- (b) First public meeting is held to determine the architectural and historical significance of the structure and its contribution to the overlay and to determine whether or not additional information is required. The applicant and/or property owner must attend the meeting and present the application to the Commission. Public comment will be taken.

The Commission shall first determine whether the structure proposed for demolition is: (1) contributing to the significance of the overlay and valuable to the City, State or Nation; (2) valuable for the period of architecture it represents; or (3) non-contributing to the significance of the overlay. The Commission will evaluate the structure according to the property designation criteria. If desired, the Commission may call upon expert witnesses to assist in the evaluation. Applicants may also present testimony as to the significance of the structure.

Next the Commission shall determine whether sufficient information has been submitted with the application to allow thorough review (see “Documentation Requirements” below), and whether alternatives to demolition have been considered. If the Commission finds that the documentation is sufficient and alternatives to demolition have been considered, it will schedule the application for review at the next regular meeting. All property owners within 200’ feet of the property shall be notified of the meeting. If additional information is needed, then the matter will be continued until the additional information is submitted.

- (c) The Commission shall review the application in light of the review criteria listed below in the next regular Commission meeting. The applicant and/or property owner must attend and public comment will be taken.

If the structure is contributing, the Commission votes on whether the proposal meets the review criteria outlined below. If so, it may be approved as submitted, or with conditions. If not, the Commission will not approve the demolition application.

If the structure is non-contributing, the Commission votes whether to approve, approve with conditions or to deny the application for demolition, using the secondary review criteria outlined below.

At the second meeting, the Commission will also review any claim of economic hardship.

- (d) A written resolution will be issued within fourteen (14) calendar days of the vote to approve or disapprove the application, describing the Commission’s decision and the reasons behind the decision. All standard conditions of approval listed below and any additional conditions of approval must be met before a Certificate of Appropriateness is issued. If an application is denied, a new application for demolition may not be submitted unless it is substantially different than the denied application. A change in the ownership of the property does not in itself constitute a substantial change in a demolition application.

Standard Conditions of Approval. The following condition(s) must be met before the issuance of a Certificate of Appropriateness and demolition permit:

- (a) The applicant must post a bond with the Director Planning and Development in the amount of 100% of the total projected cost, including demolition, landscaping and all phases of new construction when applicable. Written documentation of estimated cost must be provided with the bond. The bond will be refunded to the applicant upon issuance of the Certificate of Occupancy. If the project is abandoned at any stage prior to issuance of a Certificate of Occupancy, the City shall retain the right to cash the bond after written notification to the owner in order to secure an/or stabilize the property.

Review Criteria. At the second public meeting, the Commission shall use the following criteria for review, based on whether the structure has previously been determined to be contributing or non-contributing to the significance of the overlay.

Contributing Structures. If a structure is deemed contributing, then the Commission shall consider whether the application meets part one of the following criteria:

Part One:

- (a) If the structure is deemed valuable to the City, State or Nation, such that its loss will be a great loss, the structure must constitute a hazard to public safety in order for the Commission to approve demolition. The Commission may approve demolition only if the hazard cannot be eliminated by economic means available to the owner, including sale of the property to any purchaser willing to preserve the structure.
- (b) If the structure is deemed valuable for the period of architecture which it represents, or to the overlay as a whole, then at least one of the following requirements must be met for the Commission to approve demolition:
 - 1. Retention of the structure constitutes a hazard to public safety, which hazard cannot be eliminated by economic means available to the owner, including the sale of the structure on its present site to any purchaser willing to preserve the structure.
 - 2. Preservation of the structure would cause an undue and unreasonable financial hardship to the owner, taking into account the financial resources available to the owner including sale of the structure to any purchaser willing to preserve the structure.

If part one of the review criteria has been met, then the Commission will consider whether the application meets any or all of part two of the review criteria in deciding whether to approve or deny the application. If the application does not meet part one of the review criteria, the Commission will not approve the demolition application.

Non-Contributing Structures. If a structure is deemed non-contributing, the Commission may consider any part or all of part two of the review criteria above in deciding whether to issue a Certificate of Appropriateness for demolition.

Documentation Requirements. The following information must be submitted to the Commission twenty-one (21) days before a scheduled meeting for review of the demolition application. Incomplete applications will not be scheduled for review.

- (a) A completed application form for a Certificate of Appropriateness signed by the applicant and the property owner, describing existing conditions and proposed changes.
- (b) List of the names and addresses of all abutting property owners, derived from the most current records of the City Recorder. "Abutter" is defined as any property whose lot lines touches the front, side or rear lot lines of the subject property, since streets are common property lines; properties across the street are included as abutters. Properties on a corner should include the three opposite corner properties as abutters, in addition to those sharing side or rear lot lines.
- (c) A site plan, to scale, showing the location of the structure proposed to be demolished in relation to other structures on the property, property lines and structures on abutting properties.
- (d) A written report from an engineer licensed in the State of Tennessee and/or the Building Inspector of the City of Elizabethton, as to the structural soundness of the building and its adaptability for rehabilitation. Any dangerous conditions should be identified.
- (e) A written description of how the site will be developed, including a basic site plan and a description of any proposed replacement structure. Although detailed site plans and elevations are not required for an application to be submitted, the Commission may require them at a later date.

- (f) A summary account of all alternatives to demolition that have been considered and feasibility of each.

The Commission may also require any or all of the following additional documentation before reviewing a demolition application:

Architectural Data. A detailed description of how the site will be developed. The description must include a detailed site plan and, if a replacement structure is proposed, schematic plans and elevation drawings.

Demolition Alternatives. An itemized breakdown of the feasibility of all possible alternatives to demolition, and reasons why such alternatives were rejected, including:

- (a) Sale of the structure on the present site to a party willing to preserve the structure.
- (b) Sale of the structure for removal and preservation on a new site. Consider the likelihood of a party willing to buy the structure for removal and feasibility of removal in both economic and practical terms.
- (c) Public or quasi-public agencies having any potential use of the structure, or knowing of potential users or purchasers.
- (d) The availability of financial programs that could assist in the rehabilitation and preservation of the structure.
- (e) Alternative uses for the structure that would allow its preservation.

Financial Data

- (a) Form of ownership of property, including the names and addresses of the owners. If the owner is an organization, governmental entity, or corporation, include the name, address and telephone number of a contact person.
- (b) The remaining balance on any mortgage or other financing secured by the property and the annual debt service for the past three years.
- (c) Three written bids for the cost of the proposed demolition compared to the cost of stabilizing or “mothballing” the structure and compared to the cost of rehabilitating the structure.
- (d) The fair market value of the property as determined by a qualified professional expert.
- (e) The amount paid for the property, the date of purchase and the name of seller, including the relationship between the applicant and owner of record and the party from whom the property was purchased.
- (f) The price asked for the property and any offers received in the previous three years.

- (g) If the property is commercial or income-producing: the gross annual income from the property for the for the last three years, the itemized operating and maintenance expenses for the previous three years, the depreciation deduction and annual cash flow before and after debt service for the previous three years.
- (h) If making a claim of economic hardship, such financial information will be required as is listed in the Commission By-Laws, Section 11-1010 (5) “Economic Hardship.”

9. Meetings:

- (a) Regular meetings shall be scheduled on the fourth Monday of each month.
- (b) Called meetings may be at the request of a majority of the Commission members or at the discretion of the chairman in order to maintain the timely review and processing of applications. A called meeting shall be conducted in the same manner as a regular meeting.
- (c) The Commission may meet as needed in various locations throughout the historic zone in order to inspect subject properties of Certificates of Appropriateness applications that are currently before the Commission.
- (d) All meetings are open to the public at all times, and must be advertised publicly and announced in compliance with the Open Meeting Law Tennessee Code Annotated Section 8-44-101 through 8-44-106, and consistent with current policies and practices of the City Council, in advertising and announcing their meetings.
- (e) The agenda for each regular meeting of the Historic Zoning Commission shall be set seven (7) days prior to the date of the meeting and the date shall be advertised publicly and announced as part of meeting advertisements and announcements as required in paragraph (d) above.
- (f) Applicants shall submit completed applications and all supporting materials to Director Planning and Development at least twenty-one calendar (21) days prior to the regular meeting when the application is to be heard.

Meeting agendas will include the following:

1. Call To Order
2. Welcome Visitors
3. Approval of Minutes of Previous Meeting
4. Scheduled Business
5. Other Business
6. Adjournment

The Property Designation Committee should have no less than three members. At least one-third of the committee's members should come from outside the Historic Zoning Commission. Every effort should be made for an architect to serve on the committee.

A file is to be maintained for each property. The file should contain all property designation worksheets and reports for each property, photographs of the property taken at the time of each review, any available documentation of the property's age, and any other available contributing information about the property.

Property Designation Criteria. Properties that meet three or more of the following criteria shall be designated as contributing.

- (a) Property is a natural feature having an association with an event or person significant to the history of Elizabethton, the State of Tennessee, or the United States, or which is significant because of size, condition, uniqueness, location or setting.
- (b) Property includes an outbuilding embodying or providing for a given use, period, style and/or setting.
- (c) Property is a historical or cultural resource, which was constructed prior to 1945.
- (d) Property is a building or buildings which embody distinguishing characteristics of an architectural type or style or are representative of a recognized architect's or craftsman's work that is not substantially altered.
- (e) Property is key focal point in the visual quality or character of the neighborhood, street, area or zone.
- (f) Property is a historical or cultural resource that is identified with a person or persons who significantly contributed to the cultural history or development of Elizabethton, the State of Tennessee or the United States.
- (g) Property is a historical or cultural resource that is the site of a significant historic event.
- (h) Property is a historical or cultural resource representing patterns of Elizabethton's 18th and/or 19th centuries and subsequent cultural and economic development.

10. Conflict of Interest. Under “Call to Order” the chairman shall ask, “does any commissioner have a conflict of interest with any item on the agenda?” In response to that question, any commissioner having conflict of interest must so state and identify the particular agenda item about which he or she may have a conflict of interest. When that item comes before the Commission of consideration, the commissioner having a conflict of interest must then leave the table and not act as a commissioner while that item is being considered by the Commission.

All disclosures of conflict of interest shall be entered into the minutes of the meeting of Historic Zoning Commission in which such conflicts of interest are disclosed.

Being a Historic Zoning Commissioner is a trust conferred by the public by the Mayor and City Council. The duties of a commissioner must, therefore, be exercised with fairness and impartiality. A commissioner, in carrying out his or her duties, must devote himself or herself with complete energy, loyalty and singleness of purpose to the general public interest. Broadly speaking, a conflict of interest may be defined as use of a public office to advance private interests at the expense of the public interest. [Cranston, Regulating Conflicts of Interest of Public Officials: A Comparative Analysis, 12 Vand. J. Trans. L.215 (1975)].

A conflict of interest shall exist if a commissioner is directly interested in the subject property or proposal. “Directly interested” means any proposal before the Commission that may affect any contract with the commissioner personally or with any business in which the commissioner is a sole proprietor, a partner, or the person having the controlling interest. “Controlling interest” includes an individual with the ownership or control of the largest number of outstanding shares or percentage owned by any single individual ownership group, corporation or company. [Tenn. Code Annotated § 12-4-101 (a) (1)]

A conflict of interest shall also exist if a commissioner is indirectly interested in the subject property or proposal. “Indirectly interested” refers to a pecuniary interest which means any proposal in which the commissioner would expect to receive or already has received gifts, that could be construed as an attempt to influence a commissioner’s vote, or payment for goods or services the commissioner has provided or is to provide in connection with the proposal under consideration. [Tennessee Attorney General’s Opinion - 96-043 (June 4, 1996)]

Any member of the Historic Zoning Commission who shall have a direct or indirect interest in any property which is the subject matter of, or affected by, a decision of the Commission shall be disqualified from participating in the discussion, decision, or proceedings of the Historic Zoning Commission in connection therewith.

A commissioner is entitled, as any other citizen, to present his or her proposal to the Commission but may not participate in the Commission’s debate or vote in his or her own application.

It is also important to the City of Elizabethton for the commissioners to be aware of the appearance of impropriety. For this reason alone, commissioners may wish to abstain from debating and voting on issues in which the public trust may be undermined by his or her participation in that issue.