

HISTORIC LANDMARK & CERTIFICATE OF APPROPRIATENESS FREQUENTLY ASKED QUESTIONS

What Is The Historic Districts And Landmarks Ordinance?

In February of 1987, the Chesterfield County Board of Supervisors amended the County Code to include Article XXIII, to enable the Board of Supervisors to designate historic landmarks, landmark sites, and historic districts. The ordinance also established the Preservation Committee, a group of seven persons with interests and expertise in historic preservation, to assist the Board in the administration of the preservation ordinance.

Who can nominate a county landmark?

Any of the following may make application for designation of a landmark or landmark site: the property owner, the Board of Supervisors, the Planning Commission, a contract purchaser with the owner's written consent, or the owner's agent. To nominate an historic district, 60% of the owners of all lots within the proposed district must sign an application.

How is a landmark designated by the county?

First, application for landmark status must be received by the Planning Department. Then, the Planning Commission and the Preservation Committee meet jointly in a public hearing to review the application. The public hearing provides interested parties a chance to voice their opinion regarding landmark status. The property owner is encouraged to comment on the proposal at the public hearing. After the Board of Supervisors reviews independent reports from the Planning Commission and the Preservation Committee, a final public hearing is held and a majority vote of the Board of Supervisors is required to enact landmark designation.

What is the function of the Preservation Committee?

The Preservation Committee reviews and comments on applications for historic sites or districts. Once a local landmark has been designated by the Board of Supervisors, the Preservation Committee reviews all changes (other than routine maintenance) to the exterior of the building or site. The Preservation Committee also serves to educate Chesterfield County property owners about proper treatment of historic buildings.

How are exterior changes reviewed?

The property owner must submit an application to the Planning Department before exterior changes take place. The application is reviewed for adherence to The Secretary of the Interior's Standards for Rehabilitation. Once the proposed plans have been approved by the Preservation Committee, then a Certificate of Appropriateness is issued.

What are the Secretary of the Interior's Standards for Rehabilitation?

The Standards were written pursuant to the Tax Reform Act of 1976 to ensure that property owners who wish to receive tax credits for rehabilitation, perform the work in a way which preserves the historical integrity of the building. Since that time, thousands of localities

have adopted these Standards to ensure that the characteristics which make historic buildings significant within the community are retained. A detailed copy of the Standards is available for landmark property owners at <http://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>

What if I disagree with the decision of the Preservation Committee?

The property owner may follow a specified appeal process directed to the Board of Supervisors. Even the decision of the Board of Supervisors may be appealed to the Circuit Court.

I'm not going to tear down my house. Why should I have to be subject to Preservation Zoning?

A property owner's interest in preserving the historic building or site cannot extend into the unforeseeable future. The current property owner may wish to use local landmark status as a legal means of protecting the future quality of the county's dwindling historic resources. Without local landmark status the historic resource has no protection.

Does the ordinance prevent demolition?

The Chesterfield County preservation ordinance postpones demolition until alternatives are researched. For example, the Preservation Committee and the Planning Department will work with the property owner to find a buyer or suggest adaptive uses, such as integrating the historic property into an owner's development plan.

Will the Preservation Committee force me to restore my property?

Property owners are encouraged to prevent deterioration of historic landmarks. However, through the administration of the preservation ordinance, the Preservation Committee will only review exterior renovations which are planned by the owner.

What about routine maintenance?

Routine maintenance includes basic repairs to a building using the same materials and matching original dimensions. Examples may include patching and painting sections of rusted metal roofing, repairing old windows with new sash cords, and replacing several broken porch posts with matching posts. Major exterior changes involving complete replacement or a change in materials or dimensions would not be considered routine maintenance. Major changes also include any new additions to historic buildings. Changes that would be reviewed by the Preservation Committee may include complete replacement of old wood windows with new thermopane windows, demolishing a deteriorated porch, or designing the addition of a new family room. The Preservation Committee will help the property owner determine what changes would come under their review.

Will the Preservation Committee tell me what color to paint my house?

Other communities with preservation ordinances have found that color is a highly subjective decision and is easily reversible. Therefore, color changes shall be considered routine maintenance and not reviewed by the Preservation Committee.

I don't know how to go about restoring my old house. How can the Preservation Committee help me?

Members of the Preservation Committee include a preservation professional, an architect, a contractor, and historical society members. Their goal is to educate the public so that each person who encounters an old building will take an interest in preserving it. The Preservation Committee will be happy to answer technical questions about preserving old buildings and make site visits to discuss rehabilitation plans. In addition, the state historic preservation agency maintains technical assistance files as a public service for those with questions about the maintenance and repair of old buildings.

What incentives are available to encourage me to restore my property?

In October of 1987, the Board of Supervisors passed a taxation ordinance for county landmark property owners only. The ordinance allows a seven-year exemption from taxation of the increased assessment of real estate that has been substantially rehabilitated. Further details about this incentive are available from the Planning Department (804) 748-1778 or the Assessor's Office at (804) 748-1321, <http://www.chesterfield.gov/content.aspx?id=2422>.