

## **REVIEW AND APPROVAL PROCESS: Applying for a Certificate of Appropriateness**

The Rocky Mount Historic Preservation Commission (HPC), requires that a Certificate of Appropriateness be obtained prior to any exterior change to any local landmark, existing property within a local district, or new construction within a local district. A Certificate of Appropriateness issued by the Historic Preservation Commission certifies that a project meets the guidelines and standards for historic development. A building permit that includes exterior work cannot be issued for a local historic district or local landmark property until either the Historic Preservation Commission or its staff has first issued a Certificate of Appropriateness for the proposed project. Exterior work that does not require a building permit must still receive a Certificate of Appropriateness before work begins.

The Historic Preservation Commission and its staff work with all historic property owners, residents and business owners to ensure that the review and approval process is timely and clear. The HPC's goal is not to prevent positive change and growth in Rocky Mount's designated local historic districts and local landmarks, but to help manage positive growth in a manner that preserves the qualities that draw people to these neighborhoods. Every effort is made to find ways to accommodate the growth and development needs of property owners within the guidelines established by the HPC, as well as in state and local law.

The outline below will help you through the steps of the HPC application and review process.

### **1. Determining If Your Project Requires Historic Preservation Commission Approval**

Contact the HPC staff as early as possible in the planning of your project.

NOTIFICATION MUST BE GIVEN TO THE HISTORIC PRESERVATION

COMMISSION STAFF BEFORE BEGINNING ANY EXTERIOR WORK.

Under the terms of the Rocky Mount Historic Preservation Ordinance, no local landmark or property within a local district can be altered or improved until the owner consults with the staff of the Commission to determine if a Certificate of Appropriateness is required.

### **2. Filing a Certificate of Appropriateness Application**

If a Certificate of Appropriateness is required, then the staff will assist you in completing an application and in determining what additional documentation will be needed in order for your project to be evaluated.

Because the circumstances of each application and each property owner are different, the necessary documentation can vary from proposal to proposal.

All proposals will require a completed application form. Most proposals will require some form of drawings, the detail of which will be determined by the scope of the project. A checklist is attached, which you and the HPC staff can use to determine what will be required to adequately document your project.

For projects that require HPC review received by the HPC staff, then the Commission is required by law to make reasonable effort to inform all adjacent property owners of the upcoming HPC review of each project proposal. This allows anyone potentially affected by a project the opportunity to comment on that project. "Adjacent" is defined as all parcels within one hundred feet in all directions from the property line, ignoring streets and alleys.

### 3. **Review by HPC Staff**

Upon receiving an application for a Certificate of Appropriateness, HPC staff will review the application material to ensure that there is adequate information available to evaluate the proposal. If additional information is needed or if there is a question about some part of the material, staff may contact you for clarification or additional information. Once all the necessary information is in place, your application will undergo one of two types of review.

#### **A. Administrative Approval**

Projects that can be defined as minor works can be reviewed and approved by staff. Under normal circumstances, such reviews usually take no more than five working days. In order to receive an administrative approval, project proposals must fall within the policy guidelines in this manual. Projects that staff judges to be outside the guidelines will be referred to the full Historic Preservation Commission for review.

#### **B. Referral to The Full Historic Preservation Commission**

Projects that are not eligible for administrative approval will be placed on the agenda of the next available monthly Historic Preservation Commission meeting. These meetings are held on the fourth Tuesday of each month, and application deadlines for each monthly meeting are twenty-four days prior to each meeting. HPC application deadlines

and meeting dates are updated each year. A current annual schedule is available by calling the HPC office at 972-1100.

#### **4. Design Review**

Some types of projects must undergo a pre-approval meeting with a committee of the HPC before they can be forwarded to full Commission for consideration. The purpose of this Design Review Committee meeting is to allow applicants to receive some preliminary comments in order to make any changes to their plans, if they wish, that will maximize the likelihood of receiving the approval of the HPC for the project. These informal meetings are designed for open discussion with commission members and staff and serve as problem-solving sessions for both the applicant and for Commission members.

The following types of projects are required to go before the Design Review Committee before they can be forwarded to the full Historic Preservation Commission:

- Additions to front or side elevations of existing buildings;
- Additions to the rear of existing buildings that are substantially visible from a street;
- All new construction;
- Significant changes to previously approved plans.

Any applicant may request to meet with the Design Review Committee to get advice in the preparation of a project. Design Review Committee meetings are held roughly two weeks prior to each monthly meeting of the Historic Preservation Commission, and revised plans are due into the HPC office one week after the Committee meeting.

#### **5. Meeting with the Historic Preservation Commission**

The Rocky Mount Historic Preservation Commission meets the fourth Tuesday of each month at 7:00 p.m. in the second floor conference room at Rocky Mount Municipal Building at 300 South Franklin Street. The members of the HPC will review each application according to the following procedure:

##### **I. Presentation of Application by HPC Staff**

- A. Presentation on Property and Outline of Proposal
- B. Description of project using slides, plans, etc.
- C. Comment by Staff on effect of the project on property and/or district's integrity

D. Recommendations and/or suggestions

## **I. Presentation by the Applicant**

### **III. Comments by Other Interested Parties**

- A. Comments by Proponents
- B. Comments by Opponents
- C. Synopsis of comments received by HPC staff

## **I. Consideration by the Commission**

- A. Questions by the HPC to Applicant, Staff and Others
- B. Closed Discussion by the Commission
- C. Adoption of a Findings of Fact by the Commission
- D. Final Vote by the Commission

The Historic Preservation Commission may approve, defer, or deny an application for a Certificate of Appropriateness.

### **A. Approval**

Once approval is granted by the HPC, a Certificate of Appropriateness will be issued by staff, and a building permit, if necessary, can be obtained. It is important to remember that any changes to the plans approved by the HPC must be referred to the Commission's staff. If staff determines that the change to the plans results in a substantive difference from the approved plans, the project must go back before the Commission for reconsideration.

### **B. Deferral**

Occasionally, the Commission will be faced with a proposal that may need some adjustments before final approval can be granted that are beyond what can be resolved in the setting of a formal Commission meeting. In such cases, the HPC may defer final action on the application in order for the applicant and HPC staff to work together to resolve any outstanding issues prior to a final vote.

### **C. Denial**

If the Historic Preservation Commission finds that there is no way to accommodate a project proposal within the guidelines contained in state and local law or within their published guidelines, there may be no choice but to deny the application. A denial by the HPC means that the proposed project cannot be carried out. A denied application cannot be re-submitted to the HPC for a period of six months unless there has been

some "substantial change of circumstance" in City or HPC policy or regarding the property itself. The Historic Preservation Commission will make all determinations on re-submissions on a case-by-case basis, according to information provided by the applicant.

#### Appeals of Decisions of the Historic Preservation Commission

Any party aggrieved by a decision of the Rocky Mount Historic Preservation Commission has the right to appeal the Commission's decision to the Rocky Mount Board of Adjustment (RMBA). An appeal must be filed within thirty days of the applicant being notified in writing by the HPC staff of the Commission's ruling.

The RMBA will make a decision on the action of the Historic Preservation Commission based on the record of the Commission meeting. The RMBA cannot consider information or testimony that was not available to the HPC at the Commission's meeting. The responsibility of the Board of Adjustment is to review the record of the meeting and determine if the members of the Historic Preservation Commission followed proper procedure in reaching its conclusion, and that their conclusion was supported by both the information before the HPC and current HPC policy.

After a ruling by the Board of Adjustment on an appeal from the Historic Preservation Commission, the HPC and the appellant both have the right under state and local law to file an appeal from the RMBA to the Superior Court of the county in which the property is located.

Further details on the appeal process can be found in Section 2.178 of the Rocky Mount Historic Preservation Ordinance. Call the Rocky Mount Planning and Development Department at 972-1100 for more information.

**The Rocky Mount Historic Preservation Commission  
The Rocky Mount Planning and Development Department  
Post Office Box 1180  
Rocky Mount, North Carolina 27802-1180**