

# Certificate of Appropriateness Review Process

Historic Preservation Commission

## Contact Information

Town of Oakboro Phone: 704.485.3351  
 PO Box 610 Fax: 704.485.2439  
 Oakboro, NC 28129  
 Website: www.oakboro.com

## General

Following the designation of a local historic landmark, any exterior work (with the exception of routine maintenance) requires a certificate of appropriateness (COA). A COA is required in order to obtain a building permit, or any other permit granted for the purposes of constructing, altering, moving, or demolishing structures and is required whether a building permit or other permit is required.

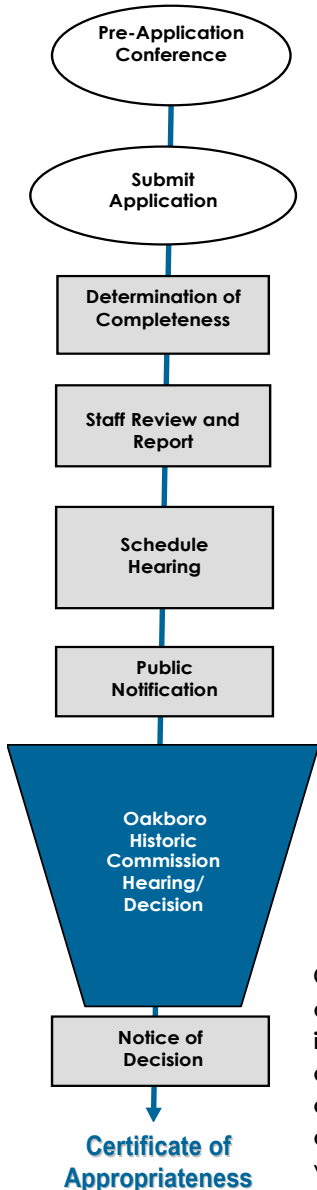
The Oakboro Historic Commission ("OHC") uses the Secretary of the Interior's Standards for Rehabilitation to determine whether an intended action is appropriate or inappropriate.

## Step 1: Application Submittal and Acceptance

The applicant must submit a complete application packet. A complete application packet consists of the following:

- Completed Certificate of Appropriateness Application
- Application Fee
- Supporting Documentation per submittal checklist
- 1 hard copy of the application and supporting documentation
- 1 PDF digital copy of the application and supporting documentation

On receiving an application, staff shall, within ten business days, determine whether the application is complete or incomplete. A complete application contains all of the information and material listed above, and is in sufficient detail to evaluate and determine whether it complies with appropriate review standards. If an application is determined to be incomplete, the applicant may correct the deficiencies and resubmit the application for completeness determination. Failure to resubmit a complete application within 45 calendar days after being determined incomplete will result in the application being considered withdrawn. Once an application is determined complete, it will be distributed to appropriate staff.



### Step 2: Staff Review and Action for Minor Work

Once an application is determined complete, it will be distributed to appropriate staff. Staff will review any COA applications for minor work and, if approved, issue a certificate of appropriateness. Minor work applications may be filed anytime.

Minor work is defined as those changes that do not involve substantial alterations, additions or removals that could impair the integrity of the historic landmark. Minor works include the ordinary maintenance or repair of any exterior feature provided such maintenance or repair does not involve a change in design, material, or appearance thereof. See examples of major work, minor work and routine maintenance attached to this application.

If staff determines that a minor work COA cannot be approved administratively, the application will be scheduled for a public hearing with the commission.

### Step 3: Public Hearing Scheduling and Public Notification for Major Work

Major work applications require review by the OHC. Staff shall ensure the public hearing is scheduled for a regularly scheduled Oakboro Historic Commission meeting or a meeting specially called for by the Oakboro Historic Commission. The required public hearing with the OHC shall be scheduled so there is sufficient time for a staff report to be prepared and for the public notification requirements to be satisfied under state law.

The application shall meet the following public notification requirements:

- **Mailed Notice**  
Staff shall be responsible for preparing and mailing a written notice at least 7 days before the public hearing. Notice shall be mailed to all adjacent property owners.

### Step 4: Public Hearing Procedures, and Decision-Making Body Review and Decision for Major Work

Staff will present the application and staff report to the Oakboro Historic Commission. The applicant must attend the public hearing to present evidence and answer any questions the commission or public may have about the application. The Oakboro Historic Commission shall conduct a quasi-judicial hearing that is subject to procedural rules set forth by the courts including having all persons who intend to present evidence to the board be sworn. Quasi-judicial public hearings are subject to the following:

- **Opportunity to Present Testimony and Evidence**  
Any affected party shall be afforded a reasonable opportunity to present testimony and evidence in support of or in opposition to the application, and to ask questions of the applicant and the applicant's representatives and county staff and county staff's representatives. At the discretion of the person chairing the body conducting the public hearing, an affected party may be granted an opportunity to ask questions of any other member of the public who has testified at the hearing.
- **Not Bound by Rules of Evidence**  
Except as otherwise provided in the North Carolina General Statutes, the board is not bound by the rules of evidence, or limited to consideration of evidence that is admissible in a court of law. The board may consider all testimony and evidence it deems competent and material to the application under consideration.

- **Cross Examination**

Any inquiry under cross-examination shall be limited to matters raised in the direct examination of the witness. No re-direct or re-cross shall be allowed unless requested by the applicant, an affected party, or the county – who shall state the desired area of inquiry – and approved by the person chairing the body conducting the hearing. If re-direct or re-cross is allowed, it shall be limited to questions of the witness on issues raised in the cross-examination.

- **Ex Parte Communication**

Ex parte communication between an applicant or an affected party and a member of the board reviewing or making a decision on the application is prohibited, and must be disclosed during the public hearing, if it concurs.

The Oakboro Historic Commission shall decide on the application based solely on the record of the application, as supplemented by arguments presented at the public hearing. The decision shall be one of the following:

- Approval of the COA;
- Approval of the COA with conditions;
- Disapproval of the COA;
- Deferral of the COA.

The OHC shall make findings of fact to be entered into the minutes.

A majority vote by the Oakboro Historic Commission members present shall decide the application. If the application is approved, a COA will be issued.

Certificates of Appropriateness are valid for 180 days from the date of issuance, or, in the case of a certificate for demolition, from the effective date. If the authorized work is not commenced within that period, or has been discontinued for more than 365 calendar days from the date of issuance, the certificate will immediately expire and the applicant will be required to reapply.

If the commission denies a certificate, a new application affecting the same property may be submitted, provided a substantial change is proposed in the plans.

An appeal of a final action by the commission may be made to the county board of adjustment.

This page left blank



Oakboro Historic Commission

OFFICIAL USE ONLY:	
Date Filed:	_____
Permit #	_____
Amount Paid:	_____

# Certificate of Appropriateness Application

## Contact Information

APPLICANT:	PROPERTY OWNER:
Name: _____	Name: _____
Address: _____ _____	Address: _____ _____
Telephone: _____	Telephone: _____
E-Mail Address: _____	E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: \_\_\_\_\_

**Project:**

- Major Works (HPC Review)                       Minor Works (Staff Review)

## Request

Landmark Name \_\_\_\_\_

Street Address: \_\_\_\_\_

Parcel Identification Number: \_\_\_\_\_

Describe clearly and in detail the nature of your project. Include exact dimensions for materials to be used (e.g. width of siding, window trim, etc.): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Acknowledgement

I understand that a Certificate of Appropriateness is required **before** work can begin as per North Carolina General Statute 160A-400.9. A Certificate of Appropriateness is required before any other necessary permits can be issued and that issuance of a COA does not relieve the requirement to obtain any County, State or Federal permit(s). I understand that work done without a Certificate of Appropriateness is a violation of the Oakboro Historic Commission (OHC) ordinance and could result in punitive actions.

Signature of Owner (Required) \_\_\_\_\_ Date \_\_\_\_\_

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Certificate of Appropriateness Submittal Checklist

Staff will use the following checklist to determine the completeness of your application. Only complete applications will be accepted.

# Certificate of Appropriateness Submittal Checklist

Date Received: \_\_\_\_\_ HPC Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Applicant/Property Owner: \_\_\_\_\_

Certificate of Appropriateness Submittal Checklist		
1	Complete COA application.	
2	Application Fee	
3	Site Plan. The site plan must include: the property location, all structures (existing and proposed), setback dimensions, driveways, etc.	
4	Elevations. Building elevations must include dimensions, material notes, window and door details, topography, foundation height, porch details, and other relevant information as requested. For additions, the existing structure and proposed addition must be clearly shown. The plans must clearly identify the building elements to be demolished with dashed lines.	
5	Photographs of existing conditions. All photographs are required to be a PDF digital copy (ex. Compact Disk or USB Flash Drive). For buildings and structures, include all facades and at least one photo of all other contributing and non-contributing resources, as well as at least one photo show the main building or structure within its setting. For objects, include a view of the object within its setting, as well as a variety of representative views. For sites, include overall views and any significant details.	
6	Drawings of proposed work and description of materials. These drawings might include architectural detail plan drawings and elevation drawings showing proposed work. Show dimensions on all drawings.	
7	1 hard copy of ALL documents	
8	1 PDF digital copy of all plans AND documents (ex. Compact Disk or USB Flash Drive)	

For Staff Only

**Pre-application Conference (optional)**

Pre-application Conference was held on \_\_\_\_\_ and the following people were present:

\_\_\_\_\_  
\_\_\_\_\_

**Comments**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exterior work items are divided into three categories: **Routine Maintenance**, **Minor Works**, and **Major Works**.

**Routine Maintenance** does not require a certificate of appropriateness because no irreversible or significant change is made to the landmark. Examples of routine maintenance include:

- painting using the same colors or a shade variation of the same color;
- replacing broken window glass;
- caulking and weather-stripping;
- installation of window air conditioners in the rear or side of the building;
- replacement of missing or deteriorated siding, trim, roof shingles, roofing materials, porch flooring, steps, etc., as long as replacement materials match the existing;
- installation of gutters or downspouts that are made of copper or painted to match building trim color;
- repairs to impervious surfaces, fencing, and walls with matching materials;
- installation of floodlights or entrance door lights;
- minor landscaping;
- temporary signs;
- interior work with no exterior changes.

**Minor Works** require a certificate of appropriateness; however, this work can be approved on behalf of the Oakboro Historic Commission by the Zoning Enforcement Officer. Minor works may be referred to the OHC if staff determines that the changes involve substantial alterations, additions, or removals that could impair the integrity of the landmark or district. No application for minor works shall be denied by without deliberation by the Oakboro Historic Commission. Examples of minor works include:

- painting previously painted surfaces with an appropriate change of colors;
- installation of storm windows and doors which match the structure;
- installation of mechanical equipment;
- re-roofing with material of a different color than the existing color;
- installation of foundation vents and foundation access doors;
- installation of soffit vents, roof vents, and gable end vents;
- installation of exterior lighting fixtures;
- installation of temporary structures for handicapped access;
- removal of deteriorated accessory buildings which are not original to the site;
- upgrading utilities to bring them up to code;
- major landscaping projects;
- removal of dead or storm-damaged trees;
- installation of historic identification signs or other appropriate advertising signs.

**Major Works** require a certificate of appropriateness be approved by the Oakboro Historic Commission. In general, major works projects involve a change in the appearance of a structure, and are more substantial in nature than routine maintenance or minor works projects. Examples of major works include:

- painting of previously unpainted surfaces;
- new exterior construction or additions to buildings;
- demolition of any part of a primary structure;
- moving of structures on, off, or within a property;
- change or addition of architectural details when there is a change in design or material from the original;
- resurfacing buildings with new materials;
- replacement or change of windows, sashes, shutters, or doors with materials different from existing;
- re-roofing with different material;
- installation of permanent structures for handicapped access;
- addition of new accessory buildings;
- construction of driveways, parking areas, sidewalks, utilities, fencing, or walls;
- tree removal except those that are dead or storm-damaged;
- any item not listed as routine maintenance or minor works as determined by the Zoning Enforcement Officer.