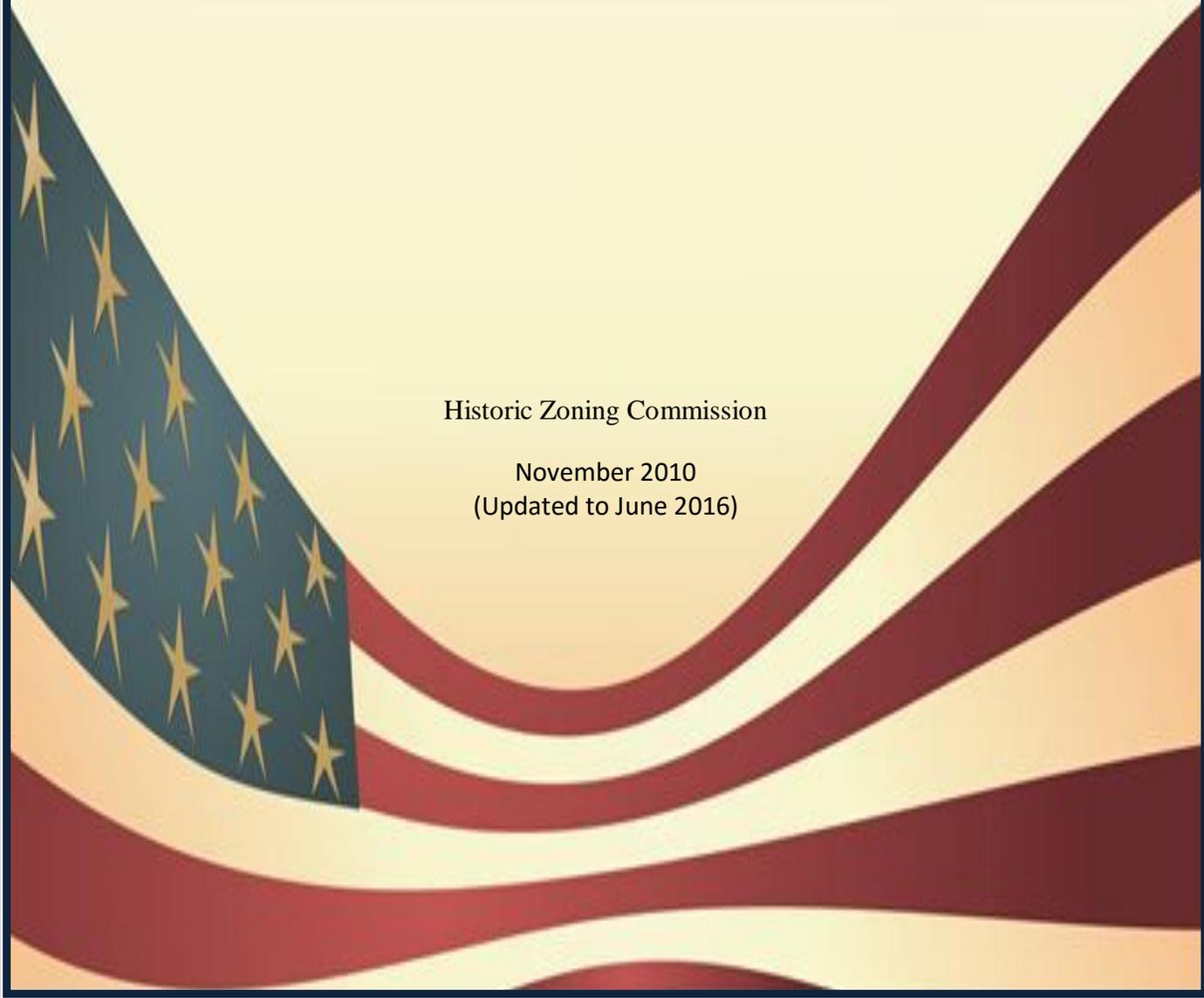
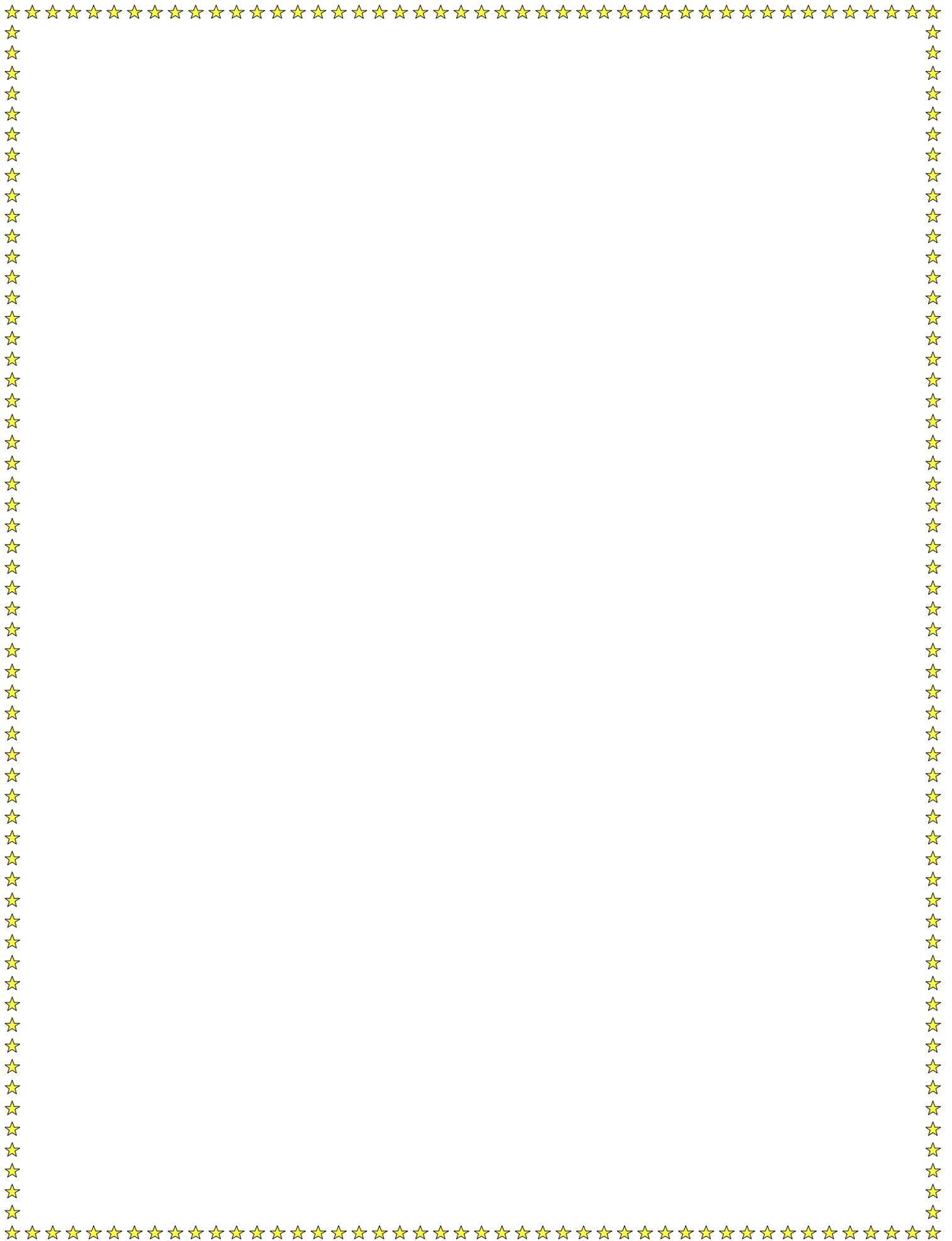


Historic Downtown Manchester Review Standards

Historic Zoning Commission

November 2010
(Updated to June 2016)





Historic Downtown Manchester Review Standards

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INTRODUCTION

Over the last three-quarters of a century, design review has become an effective and popular way for American communities to preserve and protect the irreplaceable character of their historic districts. The City of Manchester's historic central district has a rich architectural heritage. Residential, commercial and industrial buildings reflecting a variety of styles combine to form the distinctive character of downtown.

On November 16, 2010, the City adopted a preservation ordinance, and, through it, designated the Downtown Historic District ("The District") as a way to protect our heritage, preserve the District's character and ensure that future changes are compatible with existing historic buildings. Historic Zoning is a form of overlay zoning established by government ordinance which provides for review by a historic zoning commission of all applications for **exterior** alterations, new construction, demolition and relocation within city ordinance-designated historic districts. Historic zoning protects buildings and property owners, enhances the attractiveness of the area to visitors and potential investors and preserves the unique character of the district. Historic zoning does not change or affect the use of the property. The provisions of historic zoning apply in addition to the existing zoning regulations, whether the land is zoned for residential, commercial office or other use.

After several public meetings, this set of simple, flexible review standards was drafted by the Historic Zoning Commission and adopted by the City of Manchester. These standards are used by the Historic Zoning Commission in reviewing the appropriateness of proposed changes in the district in order to protect and preserve the architectural and historical resources and visual qualities which make the area distinctive. **Existing buildings are "grandfathered in" and are not required to make changes to comply with historic zoning review standards until such time as a property owner decides to remodel, add to, demolish or relocate a structure.**

HISTORIC ZONING COMMISSION

Manchester's Historic Zoning Commission ("The Commission") is a municipally assigned board consisting of nine members appointed by the Mayor and approved by the Board of Aldermen. All members demonstrate expertise in history, architecture or principles of historic preservation through special interest, education or experience. The current Commission includes an alderman, two members of the regional planning commission, a surveyor, a civil engineer, an attorney and several members of the local historical society.

The Commission is responsible for protecting the character and integrity of the local historic district. To meet that responsibility, the Commission is empowered to review for appropriateness any **exterior** work undertaken within the District. **This does not refer to simple repairs, such as replacement of a broken window or refinishing a weathered door.**

Historic District property owners must apply for a Certificate of Approval (COA) before starting work that would result in a **change** to the structure's exterior. Applications are reviewed to determine whether or not the proposed changes meet the Commission's Design Standards ("The Standards"). These Standards are available from the Manchester Health and Codes Department at City Hall during regular business hours or can be downloaded from the City of Manchester's website at www.cityofmanchestertn.com.

A separate "**Reference Manual for Historic Structures,**" which includes maintenance and repair tips, is also available at the Health and Codes Department or can be downloaded from the City's website. This reference material provides more detailed guidelines to property owners and residents who wish to restore and maintain a structure with its original historic appearance.

The Historic Zoning Commission meets regularly on the first Thursday of each month at 4:30 p.m. in the City Hall Board Room. The public is welcome at these meetings and we invite you to join us and see what we do and how we do it. Our mailing address is:

Historic Zoning Commission
C/o Health and Codes Department
Manchester City Hall
200 W. Fort Street, Manchester, TN 37355

MISSION STATEMENT

The Historic Zoning Commission's primary purpose is to promote and encourage downtown business within the historic zone as well as maintaining the integrity of both commercial and residential historic structures and their significance. The key to a strong and beautiful downtown is to encourage building owners and potential renovators to invest in the historic buildings in order to protect our heritage, have a positive economic effect, and conserve irreplaceable community resources.

Members of Historic Zoning Commission 2011

Max Northcutt, Chairman
Kenny Sadler, Vice Chairman
Evans Baird
Patricia Berges, Secretary
Terri Buckner
Jim Cavendish
Gene Holmes
Jess Lewis
Mark Williams

Members of Historic Zoning Commission 2016

Lisa Moreland, Chairman
Evans Baird, Vice Chairman
Patricia Berges, Secretary
Ray Amos
Jim Cavendish (Honorary)
Roger Guess
Terri Hudson
Alderman Tim Pauley
Gary Trail
Scott van Velsor

POWERS AND DUTIES OF THE HISTORIC ZONING COMMISSION as set forth in Title 2, Chapter 4 of the Municipal Code of Ordinances (Change 13, March 22, 2011)

SECTION

- 2-401. Creation of a historic zoning commission.
- 2-402. Membership on the historic zoning commission.
- 2-403. Appointment to the historic zoning commission.
- 2-404. Term of appointment, removal and vacancies.
- 2-405. Election of officers, rules and meetings.
- 2-406. Conflict of interest.
- 2-407. Powers and duties of the historic zoning commission.
- 2-408. Additional powers and duties of the historic zoning commission.
- 2-409. Right of entry upon land.
- 2-410. Authority to designate historic district or zone.
- 2-411. Liability of historic zoning commission members.

2-401. Creation of a historic zoning commission; regional historic zoning commission.

(1) The local legislative body shall create a historic zoning commission of no less than five (5) and no more than nine (9) members which shall consist of a representative of a local patriotic or historical organization; an architect, if available; a person who is a member of the local planning commission at the time of such person's appointment; and the remainder shall be from the community in general. The historic zoning commission shall be appointed by the chief executive of the county or municipality, subject to confirmation by the local legislative body. The terms of members of the historic zoning commission shall be five (5) years, except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member but not more than two (2) members shall expire each year. All members shall serve without compensation. The commission may adopt rules and regulations consistent with the provisions of this part. (1972 Code, § 1-1701, as replaced by Ord. #1224, March 2009, and amended by Ord. #1288, Nov. 2010)

2-402. Membership on the historic zoning commission. Membership on the historic zoning commission shall be composed of the following members:

- (1) One member of the Manchester Regional Planning Commission at the time of his appointment;
- (2) A representative of a local patriotic or historical organization;
- (3) An architect, if available;
- (4) A member of the Board of Mayor and Aldermen of the City of Manchester, and
- (5) The remaining members shall be residents or electors of the City of Manchester. (1972 Code § 1-1702, as amended by Ord. #1224, March 2009, and Ord. #1288, November 2010)

2-403. Appointment to the historic zoning commission. Members of the historic zoning commission shall be appointed by the mayor, subject to confirmation by the city council on the first Tuesday in September as current terms expire. (1972 Code § 1-1703)

2-404. Term of appointment, removal and vacancies. The members of the historic zoning commission shall serve for five (5) years and shall be staggered so that the term of at least one (1) member but not more than two (2) members shall expire each year.

The terms of the two (2) additional members created hereby shall expire in 2010; that the terms of the seats currently held by Terri Buckner and Jess Lewis shall expire in 2011; that the seats currently held by Max Northcutt and Evans Baird shall expire in 2012; that the seats currently held by Kenny Sadler and Jim Cavendish shall expire in 2013 and the seat currently held by Gene Holmes expires in 2014.

All members shall serve without compensation and may be removed from membership by the appointing authority for just cause. Any member being so removed shall be provided, upon request, a public hearing on the removal decision before the city council.

Vacancies on the historic zoning commission shall be filled for the unexpired term of those members whose position has become vacant in the manner herein provided for the appointment of such member. (1972 Code, § 1-1704, as amended by Ord. #1224, March 2009)

2-405. Election of officers, rules and meetings. The historic zoning commission shall elect from its members its own chairman and other officers deemed appropriate to carry out its purpose. The commission shall adopt rules of order and establish regular meeting dates. A majority of the membership shall constitute a quorum for the transaction of its business. The concurring vote of five (5) members of the commission shall constitute final action of the commission on any matter before it. (1972 Code § 1-1705, amended by Ord. No. 1288, November 2010)

2-406. Conflict of interest. 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 said commission shall be disqualified from participating in the discussion, decision or proceedings of the historic commission in connection therewith. (1972 Code, § 1-1706)

2-407. Powers and duties of the historic zoning commission. The historic zoning commission may submit and it shall review applications for amendments to this chapter designating historic sites or buildings for special historic districts. Such application shall be based upon at least the following criteria:

- (1) Historical and cultural significance;
- (2) Suitability for preservation;
- (3) Educational value; and
- (4) Cost of acquisition by City of Manchester, restoration, maintenance and repair, as applicable. (1972 Code § 1-1707)

2-408. Additional powers and duties of the historic zoning commission. It shall be the duty of the historic zoning commission to make the following determination with respect to the historic district:

- (1) Appropriateness of altering or demolishing any building or structure within the historic district. The commission may require interior and exterior photographs, architectural measured drawings of the exterior, or other notations of architectural features to be used

for historical documentation as a condition of any permission to demolish a building or structure.

- (2) Appropriateness of exterior architectural features including signs and other exterior fixtures of any new buildings and structures to be constructed within the historic district.
- (3) Appropriateness of front yards, side yard, rear yards, off-street parking spaces, location of entrance drives into the property, sidewalks along the public right-of-way, or signs which might affect the character of any building or structure within the historic district.
- (4) The general exterior design, arrangement, texture, material, color of the building or other structure in question and the relation of such factors to similar features of buildings in the immediate surroundings. However, the historic zoning commission shall not consider interior arrangement or design, except for internal window signs intended to be viewed from the outside of a building, nor shall it make any requirements except for the purpose of preventing extensions incongruous to the historic aspects of the surroundings. (1972 Code, § 1-1708)

2-409. Right of entry upon land. The commission, its members and employees, in the performance of its work, may enter upon any land within its jurisdiction and make examinations and surveys and place or remove public notices as required by this chapter, but there shall be no right of entry into any building without the consent of the owner. (1972 Code § 1-1709)

2-410. Authority to designate historic district or zone. As provided in Tennessee Code Annotated §13-7-405, the historic zoning commission may recommend to the Board of Mayor and Aldermen any areas deemed suitable to become a “historic district or zone” or “historic zoning overlap” as defined by Tennessee Code Annotated §13-7-404. Said areas shall receive such designation only upon ordinance properly enacted by the Board of Mayor and Aldermen. (as added by Ord. #1288, November 2010)

2-411. Liability of historic zoning commission members. Any historic zoning commission member acting within the powers granted by the chapter is relieved from all personal liability for any damage and shall be held harmless by the City of Manchester. Any suit brought against any member of the commission shall be defined by a legal representative furnished by the City of Manchester until the final termination of the procedure. (1972 Code, § 1-1710, as renumbered by Ord. #1288, Nov. 2010)

Section 14-621(2)

14-142

(2) Historic Zoning Overlap District.

(a) Intent of the historic district. It is the purpose of this chapter to provide for the identification, designation and regulation, for purposes of protection, preservation and continued use and enhancement, of those sites, structures with their appurtenances and environmental settings, and districts of historical, archaeological, architectural or cultural value to the City of Manchester. These requirements are adopted pursuant to the authority granted in Tennessee Code Annotated, § 13-7-401. The general intent of this provision includes, among others, the following specific purposes:

- (i) To preserve and protect the historic and/or architectural value of buildings or other structures;

- (ii) To regulate exterior design, arrangement, texture and material proposed to be used within the historic district to ensure compatibility;
- (iii) To create an aesthetic appearance which complements the historic buildings or other structures;
- (iv) To stabilize and improve property values;
- (v) To foster civic beauty;
- (vi) To strengthen the local economy; and
- (vii) To promote the use of historical districts for the education, pleasure and welfare of the present and future citizens of the City of Manchester.

(b) **Definitions.** For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

(i) "Alteration." Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

(ii) "Construction." The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

(iii) "Demolition." Any act that destroys the external walls in whole or in part of a structure.

(iv) "Demolition by neglect." The failure to provide ordinary and necessary maintenance and repair to a historic site or a historic resource within a historic district, whether by negligence or willful neglect, purpose or design, by the owner or any party in possession of such site.

(v) "Design guidelines." Standards adopted by the Manchester Historic Zoning Commission which preserve the historic, cultural, and architectural character of an area or of a structure.

(vi) "An economic hardship." An economic burden imposed upon the owner which is unduly excessive and prevents a realization of a reasonable rate of return upon the value of his property.

(vii) "Historic district." A group of historic resources which are significant as a cohesive unit and contribute to the historical, architectural, archaeological or cultural values within the City of Manchester and which has been so designated by the historic zoning commission.

(viii) "Historic landmark." Any individual historic resource that is significant and contributes to the historical, architectural, archaeological or cultural values within the City of Manchester and which has been so designated by the historic commission.

(ix) "Ordinary repair and maintenance." Any work, the purpose of which is to correct any deterioration or decay of or damage to a structure or any part thereof and to restore the same, as nearly as may be practicable, to its condition prior to such deterioration, decay or damage, using the same materials or those materials available which are as close as possible to the original.

(x) "Relocation." Any change of the location of a structure in its present setting or another setting.

(xi) "Structure." A nonmoveable work made up of interdependent and interrelated parts in a definite pattern of organization.

(c) **Boundaries of historical districts and landmarks.** Upon adoption of this zoning ordinance, the historic zoning commission shall delineate the boundaries of the historical district or landmark and have it approved by the Manchester City Board. After the boundary receives approval by the board, it shall be shown on the zoning map or as special overlays to the zoning map. Changes in the boundaries of the historical district or landmarks may occur after a recommendation by the historical zoning commission and approved by the board.

(i) **Historic district defined.** A historic district shall be defined as a geographically definable area which possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and which meets one (1) or more of the following criteria:

(A) That it is associated with an event which has made a significant contribution to local, state, or national history; or

(B) That it includes structures associated with the lives of persons significant in local, state, or national history; or

(C) That it contains structures or groups of structures which embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(D) That it has yielded or may be likely to yield archaeological information important in history or prehistory; or

(ii) **Landmark defined.** A historic landmark shall be defined as a building, structure, site or object, its appurtenance and the property it is located on, of high historical, cultural, architectural or archaeological importance and whose demolition or destruction would constitute an irreplaceable loss to the quality and character of Manchester and which meets one (1) or more of the following criteria:

(A) That is associated with an event which made a significant contribution to local, state, or national history;

(B) That is associated with the lives of persons significant in local, state, or national history;

(C) That embodies the distinctive characteristics of a type, period, or method of construction or that represents the work of a master or that possesses high artistic value;

(D) That has yielded or may be likely to yield archaeological information important in history of pre-history; or

(E) That is listed in the National Register of Historic Places.

(d) **Powers and duties of the historical zoning commission.**

(i) The historic zoning commission shall review applications regarding the reaction of historic districts and landmarks. The review of such applications shall be in accordance with the criteria set forth in subsection (d) above. The commission shall furnish to the city council, in writing, its recommendations regarding the creation of any recommendations of the commission prior to the establishment of such districts or landmarks.

(ii) Prior to the establishment of a historic district or landmark, and subsequent to adoption of the district or landmark, the historic zoning commission shall adopt for each such proposed district or landmark a set of review guidelines, which it will apply in ruling upon the granting or denial of a Certificate of Approval as provided for in this chapter. Such review

guidelines shall be consistent with the purposes of this chapter and with regulations and standards adopted by the Secretary of the Interior pursuant to the National Historic Preservation Act of 1966, as amended, applicable to the construction, alteration, rehabilitation, relocation or demolition of any building, structure or other improvement situated within a historic district or landmark which has been certified by the Secretary of the Interior as a registered historic district or landmark. Reasonable public notice and opportunity for public comment, by public hearing or otherwise, shall be required before the adoption of any such review guidelines.

(iii) It shall be the duty of the historic zoning commission to make the following determinations with respect to the historic districts or landmarks when applicable:

(A) Appropriateness of altering or demolishing any building or structure within the historic district or any landmark. The commission may require interior and exterior photographs, architectural measured drawings of the exterior, or other notations of architectural features to be used for historical documentation as a condition of any permission to demolish a building or structure; such photographs, drawings, etc., shall be at the expense of the property owner. (Ord. No. 1309, 9/20/11)

(B) Appropriateness of exterior architectural features, including signs and other exterior fixtures, of any new buildings and structures to be constructed within the historic district or of any landmark.

(C) Appropriateness of exterior design of any new extension of any existing building or structure within the historic district or of any landmark.

(D) Appropriateness of front yards, side yards, rear yards, off-street parking spaces, location of entrance drives into the property, sidewalks along the public right-of-way, and temporary, permanent or movable signs which might affect the character of any building or structure within the historic district or landmark

(E) Appropriateness of the general exterior design, arrangement, texture, material of the building or other structure in questions and the relation of such factors to similar features of buildings in the immediate surroundings and entire district. However, the historic zoning commission shall not consider interior arrangement or design.

(1) Historical or architectural value of the present structure;

(2) The relationship of the exterior architectural features of such structure to the rest of the structures, to the surrounding area, and to the character of the district;

(3) The general compatibility of exterior design, arrangement, texture, and materials proposed to be used; and

(4) To any other factor, including aesthetic, which is reasonably related to the purpose of this chapter.

(iv) The commission, its members and employees, in the performance of its work, may enter upon any land within its jurisdiction and make examinations and surveys and place or remove public notices as required by this zoning ordinance, but there shall be no right of entry into any building without the consent of the owner.

(v) 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 said commission shall be disqualified from participating in the discussion, decision, or proceedings of the historic zoning commission in connection therewith.

(e) Construction, alteration, repair, moving or demolition.

(i) There shall be no construction, alteration, remodeling, or change of color that affects the external appearance of a historic site without the prior approval of the historic zoning commission. Such approval shall be signified by a certificate of approval which shall be issued by the commission in such form as the commission shall deem advisable.

(A) Applications. Applications for certificate of approval shall be made at the office of the building inspector of the City of Manchester. The building inspector shall notify the historic zoning commission of such applications, which shall be in the form of preliminary scale drawings and specifications, and such other documents as are appropriate to acquaint the commission with the details of the proposed project. If the preliminary drawings and other data are sufficiently clear, the commission may grant final approval upon the basis of them. However, the commission shall have the power to require drawings signed by registered architects or engineers and such other documentation as required.

(B) Consideration of applications. All applications for certificates of approval received by the building inspector ten (10) days prior to the next regularly scheduled meeting of the historic zoning commission shall be considered by the commission at the next meeting date. Any applications not granted final approval shall be considered at the next regular meeting before which the application submits whatever documentation required by the commission at its preliminary consideration of the project.

(C) Approval or disapproval. Within thirty (30) days following the availability of sufficient data and documentation, the historic zoning commission shall issue its certificate of approval with or without attached condition or refuse to grant a certificate of approval. If the commission should refuse to grant a certificate of approval, it shall state its grounds for refusal in writing and communicate such grounds to the applicant.

(ii) No historic site may be demolished or partially demolished without the prior approval of the historic zoning commission. Any application to demolish or partially demolish a structure in the historic district shall be forwarded to the historic zoning commission.

(f) Moratorium on alteration or demolition. The commission shall have the power to require a one hundred eighty (180) day moratorium on any request to demolish or alter any structures covered by this zoning ordinance. If no action has been taken or no provisions made for acquiring or restoring the structure within this period of time, the proposed demolition or alteration shall be deemed to have been approved by the commission.

(i) Demolition by neglect. Structures located within a historic district which contribute architecturally or historically to the character and importance of the district and all landmarks shall be preserved against decay and deterioration by the owner or such other person or persons who may have legal custody and control thereof. The owner or other person having custody and control, in keeping with the city's housing standards, shall repair any exterior or interior portions of such building, sites, structure, or object which is becoming deteriorated, decayed, or damaged and tending to cause the structure to fall into a state of disrepair.

(ii) The historic zoning commission, on its own initiative, may file a petition with the building inspector requesting that he proceed under the public safety and housing regulations

to require correction of defects or repairs to a structure covered under §14-620(2) above, so that such structure shall be preserved and protected in accordance with the purposes of this zoning ordinance.

(iii) If any structure covered by §14-620(2) above, shall have to be demolished as a public safety hazard and the owner of the structure shall receive two or more notices from the building inspector of building neglect in violation of this zoning ordinance and other city ordinances no application for a permit for a project on the property may be considered for a period of two (2) years from the date of demolition of the structure. Additionally, no permit for a curb cut needed for the operation of a surface parking lot shall be granted by any city office during this period.

(g) Regulation of Signs (Ordinance No. 1483, June 6, 2016). In addition to the requirements applicable to all signs found elsewhere in this Code, signs in the Historic Zoning District shall meet the following standards:

- i. Signs should be easily seen and clearly understandable without being inconsistent in color, size or intensity with surrounding architectural features, glaring, garish, loud or lurid.
- ii. Materials and design should relate to the architectural features of the building, the storefront and/or other buildings, signs and storefronts in the area.
- iii. No sign may be located on a structure so that it obscures any architectural features such as a cornice (unless the sign consists of individual letters) or be oversized in proportion to the building.
- iv. The registered trademark of a specific commodity shall occupy no more than fifteen (15) percent of the area of a sign, unless the said commodity is the major business conducted on the premises.
- v. The primary business sign may bear lettering only to the name and kind of business and the year the business was established.
- vi. No support for a sign shall extend above the cornice line of a building to which the sign is attached.
- vii. The following signs shall **not** be permitted, constructed, erected or maintained:
 - a) Signs which incorporate any manner of flashing, moving or intermittent lighting, excluding public service signs showing time and temperature;
 - b) Any signs which no longer advertise a business or product previously sold unless it is of cultural, esthetic or historical significance to the Historic District;
 - c) Portable signs;
 - d) Signs erected so as to obstruct any door window or fire escape on a building;
 - e) Roof signs;
 - f) Vertical, windless banner flags;
 - g) Large wall signs painted on the side of buildings which are taller than the surrounding buildings, unless they are of aesthetic or historical significance.
- vii. The sign may be only one square foot of sign area per linear foot of building frontage used by tenant. Where a building fronts on more than one street, the aggregate footage for each frontage shall be calculated and used separately. At

- no time shall the sign obscure architectural features or be oversized in proportion to the building.
- viii. Tops of wall signs for street level establishments may not protrude above the tops of second story windowsills.
 - ix. V-shaped “sandwich” signs or free-standing sidewalk signs may be used up to a maximum of 2’6” wide and 3’6” tall. They must be removed at close of business day, secured against wind and maintained in good condition.
 - x. Internally illuminated, electronic programmable, neon and changeable copy signs that flash, change color, or scroll are prohibited in the Historic District.
 - xi. Handwritten signs are prohibited unless approved on an individual basis by the Historic Zoning Commission. Acceptable colors may be obtained from the Historic Zoning Commission.
 - xii. Banner signs are approved for temporary use no longer than 60 days.
 - xiii. Businesses that have moved to another location must remove any and all signage within 90 days after the move or close of the business.
 - xiv. Approved awning signs are permitted provided they blend in with the architecture of the building. Awnings should enhance the building’s design, but should not be the dominant feature. Awning lettering that is a maximum of 25% of the awning face may be used for signage regardless of the building façade.
 - a) MATERIAL – Canvas, cloth and metal awnings are permitted. Material used should be of high quality, colorfast and sun fade resistant. Vinyl, plastic and wood are not allowed.
 - b) COLOR – Awning colors are generally limited to a single field color with a single contrasting color for the lettering. Acceptable colors may be obtained from the Historic Zoning Commission.
 - c) LOCATION – Awning must be placed in a traditional location above doors and windows only.
 - xv. Signs exempt from this Ordinance:
 - a) No solicitation;
 - b) Hours of operation, open or closed;
 - c) Address numbers;
 - d) No trespassing and security signs;
 - e) Flags or insignias: Flags of the United States, State of Tennessee, governmental flags or insignias of governmental entities are not counted as signage. Vertical, windless banner flags are not permitted in the Historic District.
 - f) Special sale signs: Merchants can display temporary advertising signs on the inside of their windows provided they do not cover more than 33% of the window area. Special sale signs may be displayed for no more than 2 weeks at a time, 5 times per day. They should be removed within 3 days after the event.
 - g) Public necessity signs such as Restrooms, Credit Cards Accepted and Smoking Prohibited.
 - h) Special event signs: Flyers, banners and poster of upcoming events may be displayed 1 month prior to the event and remove within 5 days after the event.

- i) Historical signs and markers;
- j) For sale / rent / help wanted.
- xvi. Non-compliance with sign standards will be subject of a fine of up to \$50 per day of violation or injunction in appropriate cases. Enforcement of this ordinance shall be by the City of Manchester Codes Department.
- xvii. Owners will have 60 days to comply after approval of this ordinance.

(h) Determination of economic hardship. Each application for removal or demolition shall be considered, taking into account economic hardship. The commission may, after reasonable notice, set an application for public hearing and may considered any or all of the following:

(i) Estimate of the cost of the proposed redevelopment, alteration, demolition or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the commission for changes necessary for the issuance of a Certificate of Approval.

(ii) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structure of the property and their suitability for rehabilitation.

(iii) Estimated market value of the property in its current condition; after completion of the proposed redevelopment, alterations, demolition, or removal; after any changes recommended by the commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use.

(iv) 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 or reuse of the existing structure on the property.

(v) 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 applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.

(vi) 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.

(vii) Any other information considered necessary by the commission to a determination as to whether the property does yield or may yield a reasonable return to the owners.

Request for reconsideration shall be taken up at a public hearing with reasonable notice and consideration given to any or all of the factors listed above.

(h) Jurisdiction and appeals. Appeals from any decision of the historic zoning commission shall be taken to the Board of Zoning Appeals of the City of Manchester. Any property owner aggrieved by its decision may appeal to the board of mayor and aldermen within thirty (30) days of the decision of the board of zoning appeals. Any property owner aggrieved by the board of mayor and aldermen's decision may have such order, judgment or decision reviewed by the courts by the procedure of statutory certiorari as provided in title 27, chapter 8.

Nothing in this chapter shall be interpreted as giving the commission any authority to consider, review, examine or control the use of property classified as a historic zoning district or landmark. Use shall be controlled solely by the zoning controlling such property prior to its classification as a historic district or landmark or as may be rezoned by subsequent amendments.

All subdivided developments having zero lot line buildings shall have a subdivision plat containing all subdivided lots approved by the planning commission prior to any building permit being issued. The subdivision plat shall list all recorded easements and covenants that will exist between the lots.

(i) The provisions of this part shall be enforced by the Health and Codes Department (1972 Code, § 11-609 and §§ 11-609.1 – 11-609.2, as amended by Ord. #904, Nov. 2000, and Ord. #1288, Nov. 2010)



HISTORIC DOWNTOWN MANCHESTER REVIEW STANDARDS

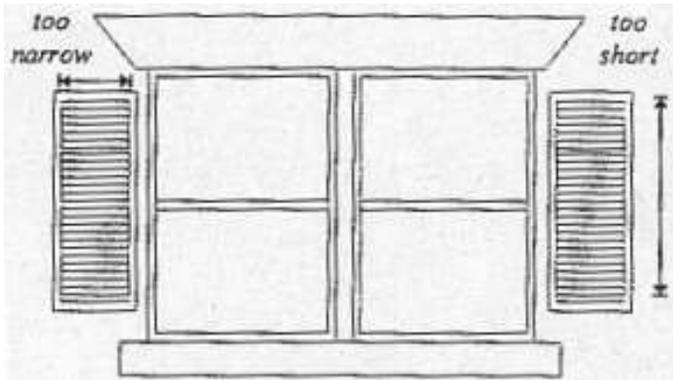
These standards apply only to newly constructed and renovated EXTERIORS of buildings.

EXTERIOR WALLS AND TRIM

- Encourage use of exterior and trim materials which are compatible with the historic nature of the area.

WINDOWS AND DOORS

- Encourage use of windows and doors that match the architectural style of the historic building.
- Encourage use of shutters which are proportionate to the size and shape of the window and at least *appear* to be functional.



Functional shutters fit window.

ENTRANCES, PORCHES, BALCONIES, AWNINGS and CANOPIES

- Encourage entrances, porches, balconies, awnings and canopies that match the architectural style of the building and its surroundings.

STOREFRONTS

- Encourage storefronts that follow traditional patterns and fit in cohesively with neighboring structures.

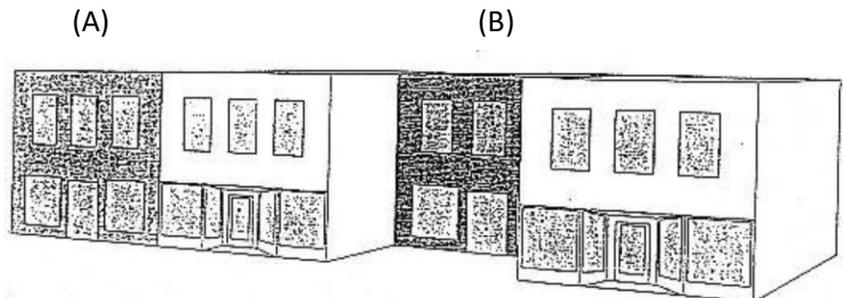
ROOFS

- Encourage roof design and materials that preserve the integrity of the building's original style, shape and materials.

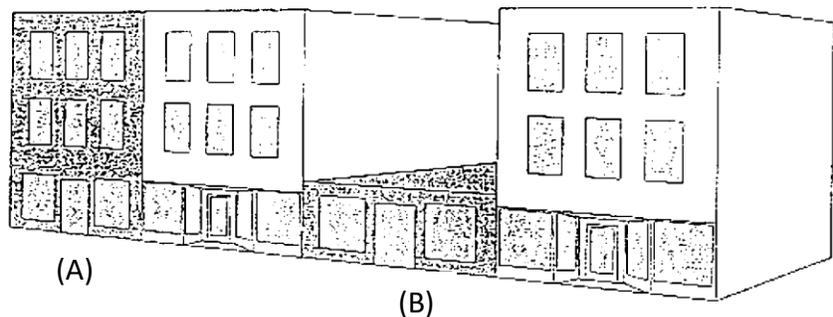
NEW CONSTRUCTION

- Encouraged to be compatible with the historic nature of adjacent buildings, with regard to setback, height and orientation.

New building (A) follows the traditional setback of its historic neighbors while new building (B) disrupts the pattern by recessing its façade wall from the sidewalk line.



New Building (A) conforms to the height of the block, while New Building (B) disrupts the pattern.



ADDITIONS

- Are encouraged to enhance a building's historic character and be harmonious with other historic buildings in the surrounding area.

DEMOLITION

- Of a structure in a historic area is an irreversible step. Careful deliberation is recommended as to possible alternatives and possible adverse effect on other historic structures.

SIGNS

- See Section (G) - Regulation of Signs

RELOCATION

- Of a structure within a historic district or neighborhood results in a loss of integrity of setting and historic context, and all other preservation options should be cautiously weighed before this action is taken. Relocation is still a preferable option to demolition, but compatibility of the structure to the new location should also be carefully assessed.

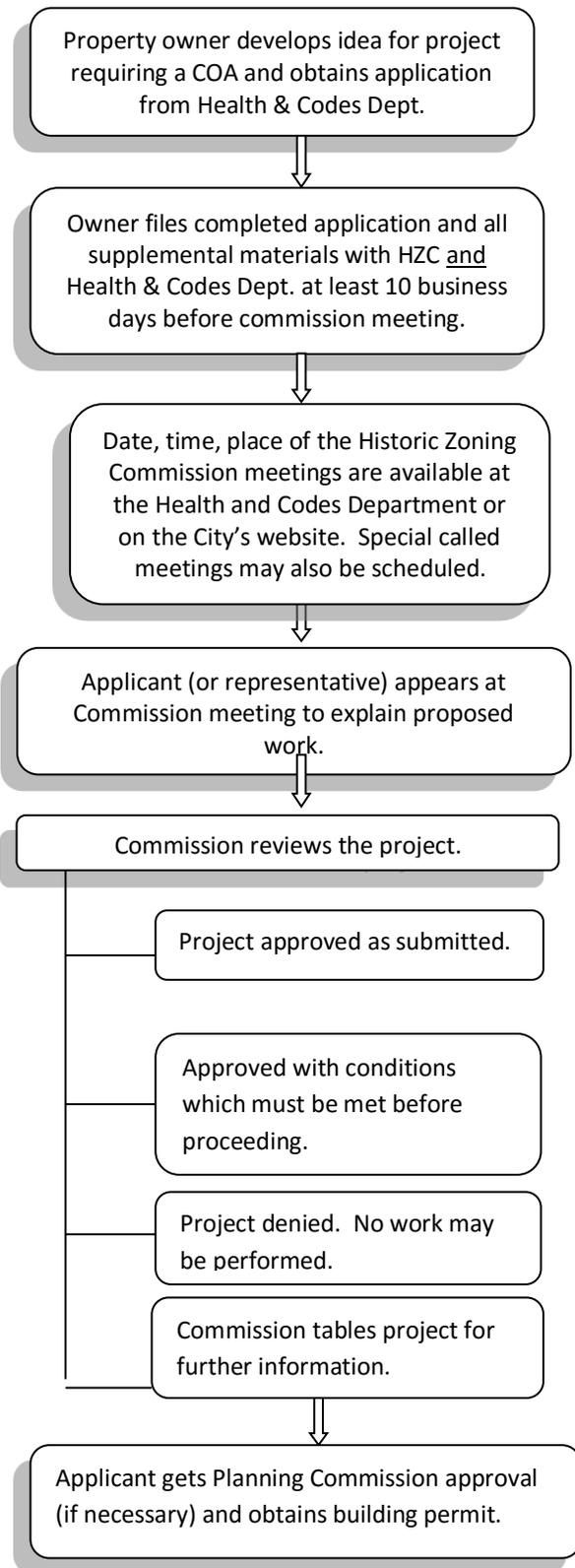
APPEALS PROCESS

In the event that the Historic Zoning Commission and an applicant are unable to come to agreement on proposed changes to a structure within the historic district, the applicant may appeal to the Manchester Board of Zoning Appeals for a review and decision. If the applicant and the Board of Zoning Appeals cannot come to an agreement, the applicant may appeal to the Mayor and Board of Aldermen for a final resolution of the matter. Any property owner aggrieved by the board of mayor and aldermen's decision may have such order, judgment or decision reviewed by the courts by the procedure of statutory certiorari as provided in Title 27, chapter 8.

ENFORCEMENT

Enforcement of the Historic Downtown Review Standards is managed by the Manchester Health and Codes Department.

CERTIFICATE OF APPROVAL (C.O.A.)



Property owners within the local Historic District are required to obtain a Certificate of Approval before beginning any type of **exterior** construction, alteration or demolition. The historic district is an overlay zoning that acts as an addition to other zoning laws and codes. For example, property owners must obtain COAs prior to obtaining building permits, but they are not exempt from needing a building permit if it is normally required.

Applications for COAs are processed through the Historic Zoning Commission. Application forms may be obtained from the Health and Codes Department, or may be downloaded from the City of Manchester website at

www.cityofmanchestertn.com.

Applications must be submitted at least ten (10) business days before a regularly scheduled meeting of the Historic Zoning Commission in order to be included on that meeting's agenda. (Special called meetings may be scheduled if necessary.) **Historic Zoning Commission meetings are held on the first Thursday of each month at 4:30 p.m. in the City Hall Board Room.** The HZC Chairman will furnish copies of the application to commission members for review in advance of the meeting.

If you cannot appear in person at the meeting, you may duly authorize someone to appear for you by contacting the Commission and completing the necessary application form. A sample of that form is included at the end of this booklet. All applications must be complete to be considered by the Historic Zoning Commission. An application must include all facts necessary for a full understanding of the applicant's intentions and provide specific information regarding the work so that the Commission can determine if there will be

any damage or detrimental change to the historic character of the building and/or district.

The commission shall make a timely decision about the application and promptly notify the applicant.

Once the COA has been approved, the property owner may proceed to obtain a building permit. If work to be done also requires Planning Commission approval, applicant shall contact the Health and Codes Department to arrange for Planning Commission review. Not all work requiring a COA will require a building permit or Planning Commission approval. This information can be obtained from the Health and Codes Department. When a COA, Planning Commission approval (if required), and a building permit are issued, the property owner may begin work.

REFERENCES:

1. Manchester City Code, Chapter 4 Section 2.401-411; 14.142-149 (incl. 14-621)
2. Tennessee Historical Commission Design Guidelines
3. City of McMinnville, Tennessee Historic District Design Guidelines
4. City of Sparta, Tennessee Design Review Guidelines, Sparta Historic Commercial District
5. City of Franklin, Tennessee Commercial Building Guidelines
6. City of Murfreesboro, Tennessee Historic Zoning Commission Rules of Procedure
7. National Center for Cultural Resources ITS Number 27, Interpreting The Secretary of the Interior's Standards for Rehabilitation
8. National Trust Publication, Maintaining Community Character: How to Establish a Local Historic District, by Pratt Cassity
9. National Trust Publication, Design Review in Historic Districts, by Rachel S. Cox
10. Manchester City Ordinance No. 1483, June 6, 2016

Manchester Historic Zoning Commission
APPLICATION FOR CERTIFICATE OF APPROVAL

Name of Owner _____ Phone _____

Address _____

Location of Property (Address, Lot & Parcel No.) where work is to be performed _____

Age of Structure _____ Listed on National Register? Yes No

Current use _____

Description of Work: See Page 3 of this application for additional information to be submitted with application.
All information submitted will be retained by the Manchester Historic Zoning Commission.

New Construction Demolition Exterior Alteration or Repair

(Check all items below that apply)

- | | |
|---|---|
| <input type="checkbox"/> Architecture features (decorative ornamentation) | <input type="checkbox"/> Material changes (wood, brick, metal) |
| <input type="checkbox"/> Awnings or Canopy | <input type="checkbox"/> Retaining walls |
| <input type="checkbox"/> Deck | <input type="checkbox"/> Roofing (any alterations) |
| <input type="checkbox"/> Door | <input type="checkbox"/> Shutters |
| <input type="checkbox"/> Façade (elements or materials) | <input type="checkbox"/> Sidewalks |
| <input type="checkbox"/> Fence | <input type="checkbox"/> Siding (any alteration or addition) |
| <input type="checkbox"/> Guttering | <input type="checkbox"/> Signs (size _____) |
| <input type="checkbox"/> Light Fixture | Lighted? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Paint | <input type="checkbox"/> Windows and frames |
| <input type="checkbox"/> Parking Lots (paving, landscaping) | <input type="checkbox"/> Other (if not listed above) |
| <input type="checkbox"/> Porch (columns, flooring, trim, etc.) | _____ |

ARCHITECT _____ Phone No. _____

Address _____

CONTRACTOR _____ Phone No. _____

Address _____

Who will represent the owner before the Historic Zoning Commission? (Representative should have the authority to commit owner to make changes that may be suggested or required by the Historic Zoning Commission. **Someone must be present at the meeting to answer questions.**)

_____ Phone No. _____

Relationship to Owner: Lessee Contractor Architect Other (explain) _____

Address _____

I have read and understand the information provided on pages 2 and 3 of this application concerning the **Certification of Appropriateness** application process.

_____ Date: _____

(Signature of Applicant)

TO BE COMPLETED BY STAFF

Application Received by _____ Date _____
Health & Codes Department

Scheduled for Historic Zoning Commission Meeting on _____ date.

Copies of application furnished to commission members _____ by _____
(date)

(Commission Secretary)

During the Historic Zoning Commission meeting, **changes by the applicant** to the original application and accompanied by plans, drawings, photographs, and notes:

Signature of owner/agent _____ Date _____

ACTION TAKEN:

(1) _____ Application approved

(2) _____ Application disapproved

(3) _____ Application approved with the following conditions:

I hereby agree to the conditions above. _____ (Initials of Applicant or Agent)

(4) _____ Application tabled pending further information listed below:

CERTIFICATE OF APPROVAL

Date issued _____

Signature of Commission Chairman

Expiration date _____

Mailed () or Delivered () to Applicant _____ by _____
(date) (Signature)

(29 July 2016)

INFORMATION TO BE SUBMITTED WITH YOUR APPLICATION

(Attach the following information for each category of work proposed)

Exterior Alterations or Repairs

List and describe in detail all work to be done for each item checked on the front page of the application. Include the following materials when appropriate:

- Include sketches, photographs, specifications, manufacturer's illustrations or other descriptions of proposed changes to the building's exterior. Major alterations to architectural features require detailed drawing plans.
- Provide **photos** and descriptions of existing original materials. Also include **photos**, descriptions and dimensions of proposed work (samples of new materials may be requested).

New Construction

Describe the nature of the proposed project. Include the following materials when appropriate:

- Site plan with measured distances (include landscaping).
- Elevation drawings at ¼ inch scale of each affected façade and specification which clearly show the exterior appearance of the project.
- Samples or other description of materials to be used.
- Drawing or other description of site improvements such as fences, sidewalks, lighting, pavement, decks, etc.
- **Photos** of proposed site and adjacent properties.

Demolition of Structures

- Describe the structure's condition, historical significance and reason for demolition (include **photos** of structure).
- Describe the proposed reuse of the site including information required for the new construction of a structure.
- Any applicant denied a Certificate of Approval seeking to demolish a landmark or contributing structure can apply for a Certificate of Economic Hardship within (30) days after the review of the application. For more information, contact the City of Manchester Health & Codes Department.

Public Hearings

- The Historic Zoning Commission shall hold a regular public hearing **at 4:30 p.m. in City Hall Board Room on the first Thursday of each month** and shall be in accordance with the provisions of the "Sunshine Law."
- **Deadlines:** Application must be completed and submitted to the Manchester Health & Codes Department by 12:00 p.m. (noon) ten days prior to the meeting.
- **The owner or representative must attend the hearing.** (Representatives must be documented on the application.) If there is no one to present the application, it **will not** be considered for a Certificate of

Approval. Applicants will need to contact the Health & Codes Department in order for the application to be reviewed at the next meeting of the Historic Zoning Commission.

- Each applicant will have five minutes to present the proposed work to the Historic Zoning Commission. It should be concise and to the point.
- **Certificate of Notification**: A letter will be sent to notify the owner (and/or representative) of the date, time and place of the hearing. Public notifications will be posted in the local newspaper, the Manchester Times.
- **Certificate of Final Decision**: A letter with an attached signed application will notify each applicant of the Historic Zoning Commission's final decision for a Certificate of Approval.
- **Appeals Process for Historic Zoning Commission**: Anyone who may be aggrieved by any final order or judgment of the Historic zoning commission may have such order reviewed by the Judicial Circuit Court. Such party shall, within (60) days for the entry of order, file a petition with the Circuit Court.

Please Note:

Prior to any installation of signage or construction on a structure, a building or sign permit will need to be obtained from the Manchester Health & Codes Department. Failure to obtain the proper permit will result in delay of project and additional permit fees.

There will be two (2) inspections prior to final completion of the Certificate of Approval, one near midway of the project and the other at completion of the project. Please allow up to (2) working days' notice for these inspections. You may call (931) 728-4652 to schedule an inspection. Upon satisfactorily completing the project according to the application, the owner will receive a copy of the Historical Zoning Commission approved Certificate of Approval in the mail.

COA Expiration - If the requested changes are not completed within six months after approval by the Historic Zoning Commission, the application must be resubmitted.

SUBMIT APPLICATION:

Please complete these forms and submit them **AT LEAST TEN (10) WORKING DAYS PRIOR** to the regularly scheduled meeting of the Historic Zoning Commission.

Historic Zoning Commission
Manchester Health and Codes Department
City Hall – 200 W. Fort Street
Manchester TN 37355

(931) 728-4652
Fax: (931) 728-8273