

UNION COUNTY HISTORIC PRESERVATION COMMISSION
POST OFFICE BOX 282
MONROE, NORTH CAROLINA 28111

DESIGNATION PROCESS

1. The Union County Historic Preservation Commission considers properties for designation, either at the property owners request, or by the suggestion of the Commission.
2. If the property owner has not requested his property to be designated, he is contacted verbally and asked about letting us recommend the property for designation to the appropriate governing body. If he does not agree to the designation, the matter is dropped in most cases. If he agrees to the designation, he is asked to sign an agreement stating that he would like his property designated.
3. If the owner agrees to the designation, steps are taken to prepare the survey and research report. Consultants are sometimes hired to prepare all or part of the report.
4. When the report is completed, it is sent to the Preservation Planner with the State Historic Preservation Office at the N.C. Division of Archives and History for comments and suggestions.
5. After Archives comments on the report, the appropriate governing body is contacted to request that a joint public hearing be scheduled, so that the Union County Historic Preservation Commission can recommend the designation of the property. (Adjacent property owners will be notified.)
6. After the public hearing, the appropriate governing body then votes on the designation. If they approve the designation, an ordinance is drawn and it is files by their attorney at the Register of Deeds Office.
7. When the recorded ordinance is available, a package is prepared for the property owner containing copies of the following: a cover letter, correspondence with Archives, correspondence with the local governing body, the survey and research report, the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, the ordinance, procedures for obtaining a Certificate of Appropriateness, an Application for a Certificate of Appropriateness, and an application for property tax deferral.
8. The property is added to the list of locally designated properties.
9. Copies of the ordinance and the list of locally designated properties are given to the Union County Tax Assessor's Office and the Inspections/Zoning Department of the Appropriate governing body.

RULES OF PROCEDURE
UNION COUNTY HISTORIC PRESERVATION COMMISSION

1.0 PURPOSE

To establish procedures for organizing the business of the Union County Historic Preservation Commission, hereafter termed "Commission", and processing applications for certificates of appropriateness for (1) any changes in the external appearance of existing structures and any changes in designated features; (2) design of new structures; and (3) for demolition of existing structures.

2.0 GENERAL RULES

The Commission shall be governed by the terms of the ordinance creating the Union County Historic Preservation Commission as contained in the Code of Ordinances for the City of Monroe and for Union County and other municipalities that may adopt the ordinance, and by the terms of North Carolina General Statutes, Chapter 160A, Article 19, Part 3B, Sections 160A-399.1 through 160A-399.6 as they may be amended or revised.

3.0 JURISDICTION

The commission's jurisdiction for its activities shall be Union County and the municipalities contained therein.

4.0 MEMBERS, OFFICERS AND DUTIES

The Commission shall be composed of at least six (6) members, whose terms of office are set by the City Council of the City of Monroe and the Board of Commissioners of Union County and by other municipalities that choose to participate.

4.1 Chairman. A chairman shall be elected annually by the voting members of the Commission. The chairman shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Commission in session at the time. The chairman shall appoint any committees found necessary to investigate any matters before the Commission.

4.2 Vice-Chairman. A vice-chairman shall be elected annually by the Commission from among its voting members in the same manner as the chairman. The vice-chairman shall serve as chairman in the absence of the chairman, and at such times shall have the same powers and duties as the chairman.

4.3 Secretary. A secretary shall be elected annually by the Commission from among its voting members in the same manner as the chairman. The secretary, subject to the direction of the chairman of the Commission, shall oversee the keeping of keep all records, conduct all correspondence of the Commission, and generally supervise the clerical work of the Commission.

4.4 Treasurer. A treasurer shall be elected annually by the Commission from among its voting members in the same manner as the chairman. The treasurer shall be responsible for the finances of the Commission.

4.5 Elections. Election of officers shall be held at the first regular meeting in September of each calendar year. Members shall be notified by the Secretary in writing of the election of officers at least thirty (30) days prior to the regular September meeting.

4.6 Attendance at Meetings. Should a member fail to attend three (3) consecutive meetings of the Commission, and should there be no adequate excuse for such absences, the Chairman, with the concurrence of a majority of the entire Commission, shall recommend to the City Council or Board of Commissioners whichever governing authority is represented by the absent member, that a vacancy be declared and that the vacated position be filled.

4.7 Matters Involving Commission Member. No Commission member shall take part in the hearing, consideration or determination of any matter in which that Commission member has a financial interest as provided for N.C.G.S. 14-234.

5.0 MEETINGS

5.1 Regular Meetings. Regular meetings of the Commission shall be held as determined in the first September meeting ~~on the first Tuesday of each month at 4:30 o'clock pm.~~ Meetings may be held at some other convenient time or place if directed by the Chairman in advance of the meeting.

5.2 Special Meetings. Special meetings of the Commission may be called at any time by the Chairman. At least forty-eight (48) ~~twenty-four (24)~~ hours notice of the time and place of special meetings shall be given by the Secretary or by the Chairman, to each member of the Commission; provided that this requirement may be waived by action of a majority of all the members.

5.3 Cancellation of Meetings. Whenever there is no business for the Commission, the Chairman may dispense with a regular meeting by giving notice to all the members not less than forty-eight (48) ~~twenty-four (24)~~ hours prior to the time set for the meeting.

5.4 Quorum. A quorum shall be a majority of voting ~~consist of four (4) voting~~ members of the Commission.

5.5 Conduct of Meetings. All meetings shall be open to the public. The order of business at regular meetings shall be as follows; (a) roll call; (b) reading of minutes of previous meeting; (c) report of committees; (d) unfinished business; (e) consideration of applications; (f) new business; (g) adjournment.

6.0 APPLICATION PROCEDURES

6.1 Filing of Application. An application must be filed with the Secretary at least twenty (20) working days prior to the next meeting of the Commission, accompanied by sketches, drawings, photographs, specifications, descriptions, etc. of the proposed project.

6.2 Notice to Neighboring Property. Using stamped self-addressed envelopes supplied by the applicant, the Secretary shall notify by mail, not less than ten (10) days one (-)- week-one prior to the meeting at which the matters is to be heard, the affected property owners within 100 feet on all sides of the subject property.

6.3 Review Sub-Committee. It shall be the policy of the Commission in regard to applications involving new structures or extensive alterations and/or additions to existing structures that a sub-committee of the Commission shall be available to meet with representatives of the persons or organization involved in the pending coming application at any early stage in the design process in order to advise them informally concerning the Commission's guidelines, the nature of the area where the proposed construction is to take place, and other relevant factors. This sub-committee, collectively and individually, shall refrain from any indication of approval or disapproval, but shall not, for that reason, be barred from a reasonable discussion of the applicant's proposals. No advice or opinion given, or reported as having been given, by any member of the sub-committee at such an informal meeting shall be in any way official or binding upon the Commission at any time.

6.4 Public Hearings. In cases where the Commission deems it necessary, it may hold a public hearing concerning an application or other matter properly before it.

6.5 Time for Decision. The commission must issue or deny a certificate of appropriateness within sixty (60) days after the filing of the application, except when the time limit has been extended by mutual agreement between the applicant and the Commission or when the application is for the demolition of a historic structure.

6.6 Approved Application. If an application is approved, the Secretary for the Commission shall transmit a certificate of appropriateness in letter form, clearly describing the nature of the work which has been approved. The Secretary shall attach a copy of the minutes of the meeting at which approval was granted and a placard form of a certificate of appropriateness to be displayed on the project. A copy of this information shall be forwarded to the Inspections Department which is responsible for its enforcement.

6.7 Denied Applications. If an application is denied, a copy of the minutes of the meeting and written reasons for denial shall be made available to the applicant.

7.0 CONSIDERATION OF APPLICATIONS

Any party may appear in person or by agent or attorney at the meeting. All persons addressing the Commission shall be sworn. The order of business for consideration of applications for certificates of appropriateness shall be as follows:

- (a) The Chairman, or such person as he/she shall direct, shall give a preliminary statement describing the application.
- (b) The applicant shall present the argument in support of the application.
- (c) Persons opposed to granting the application shall present the arguments against the application.

- (d) Statements or arguments submitted by any official, commission, or department of any government entity, or state agency, or any local historical, preservation, or neighborhood association shall be presented as directed by the Chairman
- (e) The Chairman or such person as he shall direct shall summarize the evidence which has been presented, giving all parties an opportunity to make objections or corrections.
- (f) The commission shall thereafter proceed to deliberate whether to grant the application or to deny it.

The Commission may, in its discretion, view the premises and obtain additional facts concerning an application before arriving at a decision. All decisions of the Commission shall be supported by appropriate findings of fact, and where necessary, shall be accompanied by such conditions reasonable under the circumstances.

In considering applications, witnesses may be called and factual evidence may be submitted, but the Commission shall not be limited to consideration of such evidence as would be admissible in a court of law.

8.0 RECONSIDERATION OF APPLICATIONS WHICH HAVE BEEN DENIED

The order of business for reconsideration of applications for Certificates of Appropriateness which previously have been denied shall be as follows:

(a) The Chairman shall entertain a motion from a member of the Commission that the applicant be allowed to present evidence in support of the the request for reconsideration. Such evidence shall be limited to that which is necessary to enable the Commission to determine whether or not there has been a substantial change in the facts, evidence or conditions relating to the application; provided, however, the the applicant shall be given the opportunity to present any other additional supporting evidence, if the Commission decides to reconsider the application.

(b) After receiving the evidence, the Commission shall proceed to deliberate whether or not there has been a substantial change in the facts, evidence or conditions relating to the application which would warrant reconsideration. If the commission finds that there has been such a change, it shall thereupon treat the request as a new application received at that time.

9.0 MODIFICATIONS OF APPLICATIONS

An approved or pending application for a certificate of appropriateness may be modified by a written request from the applicant to the Commission. Such a request shall include a description of the proposed change and shall be accompanied by elevations, plans or sketches, where necessary. If the Commission finds that the modification constitutes a substantial change which might affect surrounding property owners, it shall request that applicant notify affected property owners following the procedures set out in Section 6.2 before taking action on the modification. The Commission shall thereupon treat the request in the same manner as any other application as outlined in Section 6.0.

10.0 VOTE

The vote of a majority of those members present shall be sufficient to decide matters before the Commission, provided a quorum is present.

11.0 APPEALS

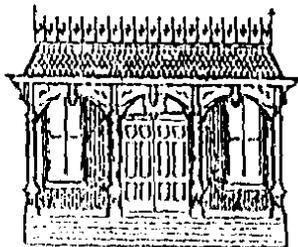
Appeals from decisions of the Commission shall be made to the Board of Adjustment by any aggrieved party within thirty (30) days of the approval by the commission of the minutes containing the decision being appealed.

12.0 AMENDMENTS

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than a majority four ~~(4)~~ ~~voting~~ members of the Commission, provided that such amendment shall have first been presented to the membership in writing at least one (1) week prior to the meeting at which the vote is taken. Read, approved and adopted by the Commission the fourth day of February, 2003.

Chairman

Secretary



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APPLICATION FOR HISTORIC LANDMARK DESIGNATION

1. Name of Property to be Designated as a Historic Landmark or Property:

2. Physical Address of Property:

3. General Description of Property:

4. Name and Address of Property Owner(s) (Please Print):

(1) _____

(2) _____

PLEASE ACCEPT THIS APPLICATION FOR DESIGNATION OF THE
PROPERTY AS DESCRIBED ABOVE AS A HISTORIC LANDMARK.

Signature of Owner/Co-Owner

Date

Signature of Owner/Co-Owner

Date