

Chapter 6: Application Process for Rehabilitation



In this chapter you will find:

Getting Started

Contributing vs. Non-contributing Properties

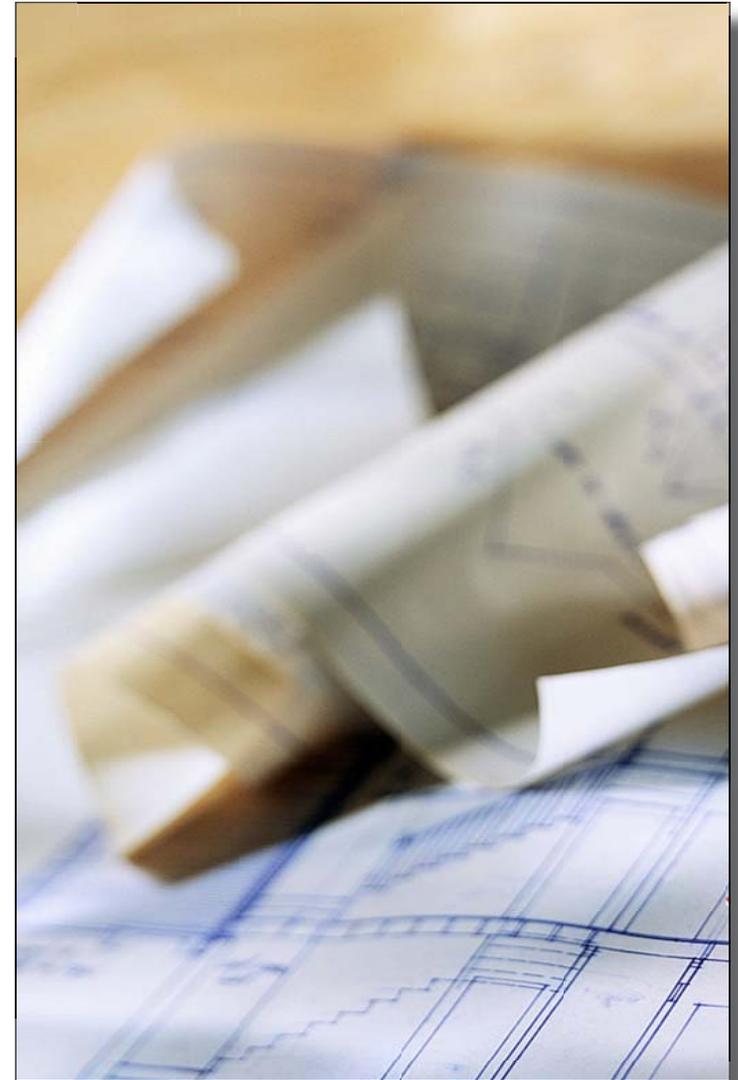
Certificate of Appropriateness (COA)

- The Application Process
- The COA Review Process
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Certificate of Economic Hardship

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COA Approval Matrix



APPLICATION PROCESS FOR REHABILITATION

APPLICATION PROCESS FOR REHABILITATION

Getting Started

Step #1 - Determine if the project needs to be reviewed administratively or by the Heritage Commission. Refer to the COA Matrix (located at the end of this chapter) for more details or contact the City's Preservation Division at (816) 325-7419.

Step #2 - Is the property contributing or non-contributing to a district? (Refer to the definition included in this chapter.) If the property is individually listed and outside of a district, proceed to Step #3.

Step #3 - How involved is the project? Will construction documents be needed (such as with an addition) or a simple specification (such as installation of a new door)? If there are any questions about what type of documentation you need, contact the City's Preservation Division for an informal, pre-application meeting.

Step #4 - Submit a completed COA application. Staff will contact you if more information is needed. If the project can be administratively reviewed, City staff will mail an approval letter to you. If the project requires Heritage Commission approval, a copy of the meeting agenda and staff report will be forwarded to you.



The following is a suggested checklist when preparing a COA application:

A pre-application meeting with staff is recommended, though not required).

- ✓ A completed COA Application with property owner's signature
- ✓ Photographs of the property with proposed improvement location marked
- ✓ Material specifications
- ✓ Material samples
- ✓ Construction documents and architectural drawings (new construction only)
- ✓ Engineering report and cost estimates (demolition only)
- ✓ Rehabilitation cost estimates (demolition only)
- ✓ Cost estimates for required materials vs. proposed materials (economic hardship application only)

Contributing vs. Non-contributing Properties

All properties within historic districts are classified as either “contributing” or “non-contributing” to a district. If a property is individually listed and located outside of a district this classification does not apply.

A contributing property is defined as a building (house) or structure (garage, barn, etc.) that adds to the historic significance of a district through its location, design, setting, materials, workmanship, feeling, and association. A contributing property is one that still reflects much of its historic appearance.

Non-contributing properties are defined as a building or structure that lacks historic significance due to its young age (typically less than 50 years old) or shows significant loss of its original design, architectural features, or is physically deteriorated to the point that it is not feasible to rehabilitate the property to its historic appearance.

The City of Independence Preservation Division determines if a property is contributing or non-contributing to a district. Properties that are classified as historic and contributing to a district are typically reviewed more stringently than those that are non-contributing as any exterior improvement could potentially impact the overall historic appearance of the building and the district. As a result, it is always recommended to consult with the City’s Preservation Staff prior to beginning the application process. To determine if a property is “contributing” or “non-contributing,” call the Preservation Division at (816) 325-7419.

Certificate of Appropriateness (COA)

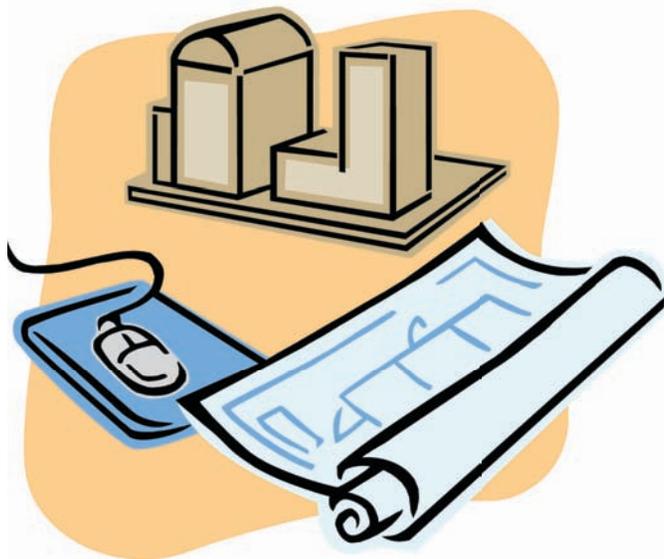
A Certificate of Appropriateness is not actually a physical certificate but an application submitted for approval to the Preservation Division and Heritage Commission that authorizes the alteration, construction, removal, or demolition of a locally designated historic landmark, or property within a historic or conservation district. Any project that involves exterior alterations, that can be seen from a public right-of-way, must be reviewed by the Heritage Commission prior to the issuance of a building permit. Approval by the Heritage Commission is also needed for designations, signage, and re-zoning of all historically designated properties. Minor repairs or alterations using the same materials may be reviewed administratively by the City’s Preservation Division. See the COA Matrix at the end of this chapter for more detailed information on the review requirements.

APPLICATION PROCESS FOR REHABILITATION

The Application Process

All exterior alterations, visible from either a public street and/or an alley, to locally designated historic properties require review by either City staff or the Independence Heritage Commission prior to beginning work. Preservation Division staff and the Heritage Commission base their design review decisions on the same set of principles for all properties in local historic districts, conservation districts, and for all local historic landmarks (individually listed properties), though buildings that possess a greater degree of architectural integrity, craftsmanship, and historic significance may have standards more strictly applied than those with lesser significance.* These standards are applied for all alterations, new construction, demolition, or repairs affecting the exterior appearance of the property.

*Refer to Chapter 4 for information about the Local Historic Landmarks and Districts. There are no conservation districts in Independence at this time, but can be implemented by the city at a later date. To find out information about their purpose and how they are organized, please refer to City of Independence Unified Development Ordinance.



NOTE: It is important to remember that any exterior changes to your property (alterations, changes to building materials, new construction, demolition, site improvements, etc.) are subject to review by the Heritage Commission before the project begins, regardless of whether or not a building permit is required.

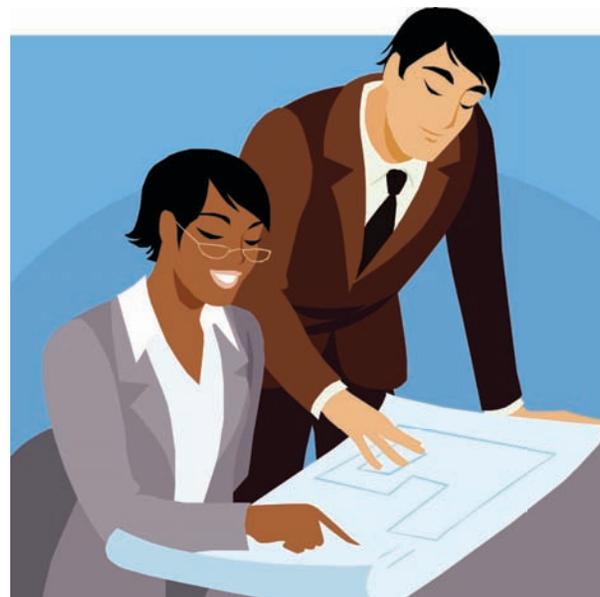
The COA Review Process

Projects requiring a Certificate of Appropriateness (COA) application are scheduled for review by the Heritage Commission at a monthly meeting held on the first Tuesday of each month at 6:00 p.m. in City Hall. Projects that require administrative review will be approved or denied within seven (7) business days of submittal.

The same COA application is used for either administrative review by the Preservation Division staff or Heritage Commission review. There is no fee for COA applications reviewed by staff, however, a minimal fee is required for all COA applications reviewed by the Heritage Commission. COA applications are available in the Community Development Department, located on the second floor of City Hall and on-line at: http://www.indepmo.org/comdev/HP_Applications.aspx. Hard copies can also be requested by calling the Preservation Division at (816) 325-7419.

In order to be placed on the agenda, a complete application must be submitted, including a project description and all supporting documentation. This may include, but is not limited to: photographs, specification sheets, materials samples, a site plan, and/or architectural drawings. A pre-application meeting with City staff is highly recommended prior to the application submittal. Once submitted, the Preservation Manager will determine whether all of the documentation needed to clearly understand the proposal has been submitted. COA applications must be submitted in advance of the Heritage Commission meeting in order to comply with the 15 day public notification mandated by City Code. For an updated list of application deadlines, go to: http://www.indepmo.org/comdev/HP_Applications.aspx.

Upon receipt of a completed COA application, Preservation Division staff will prepare a staff report and recommendation based upon the proposal and the review criterion established by the Unified Development Ordinance. The application and staff report will then be presented to the Heritage Commission at their monthly meeting.



APPLICATION PROCESS FOR REHABILITATION

ADMINISTRATIVE REVIEW

Administrative review is required of smaller projects that could impact the appearance of historic resources. These improvements/alterations may include:

- Construction of a deck
- Installation of decorative shutters
- Installation of doors that are not visible from the street
- Installation of fences or gates using traditional, historic materials
- Installation of a pool
- Roof replacement with the same materials
- Screening-in of existing porches
- Replacement of sidewalks and stairs with the same materials

HERITAGE COMMISSION REVIEW

The following are some examples of major exterior projects that require a Certificate of Appropriateness from the Heritage Commission:

- Re-location or demolition of any building
- Additions to existing buildings
- New construction including detached garages, sheds, barns, etc.
- Site improvements such as new sidewalks, driveways, and retaining walls, where no such amenity was previously located
- Fully enclosing, adding, or removing porches
- Installation/removal of siding
- Changes in exterior building materials (i.e. roofing, siding, window trim)
- Installation of dormers
- Removal of mature trees
- Installation of new/replacement windows, doors, or storm windows

Decisions by the Heritage Commission & Appeals

The Heritage Commission can either approve, approve with conditions, continue a review request, or deny a COA request. If approved, building permits, on hold due to the required Commission review, will be approved by City staff and a letter stating the approval will be mailed to the property owner for their records within seven (7) calendar days.

If continued to a different meeting date, the Heritage Commission will request additional information from the property owner and set a new meeting date to discuss this new information.

If a COA is denied, a letter stating the reasons for the denial will be mailed to the property owner within seven (7) calendar days of the Heritage Commission meeting. This letter will state the reasons for denial, including recommendations for possible changes which would cause the Heritage Commission to re-consider its finding. A re-hearing of the application can be granted if new evidence is submitted within 30 days of receipt of the letter.

Expiration of Approvals

A Certificate of Appropriateness approved administratively or by the Heritage Commission will become void unless work commences within six (6) months of the date of issuance and is completed within 18 months, unless a request for an extension has been approved by the Heritage Commission.

Appeals

Applicants who have been denied a Certificate of Appropriateness may appeal the decision to the City Council. Appeals must be filed within 15 days from the date of denial by the Heritage Commission. The City Council will act within 30 days after receiving the appeal by holding a new evidence hearing. The City Council may approve or disapprove the decision of the Heritage Commission. (Refer to the City of Independence Unified Development Ordinance for more information about this process).

Certificate of Economic Hardship

A Certificate of Appropriateness for Economic Hardship is an application reviewed by the Heritage Commission based on the financial burden placed on the property owner to replace historic materials in-kind or to retain a building outright when requesting demolition. In making a determination of economic hardship, the Heritage Commission will consider any evidence showing that the owner failed to maintain or protect the property, or performed or permitted any acts to harm the property. This evidence may be used as a basis to deny the application.

The Review Process

Requests for a Certificate of Economic Hardship are made by filing an application with the Independence Heritage Commission. Using the same basic application and review process as a COA, the Heritage Commission will make a determination either supporting or denying the claim of economic hardship based on criterion established under the Unified Development Ordinance. Along with the application form, the owner is asked to submit additional documentation to justify a hardship claim, such as: cost estimates, structural evaluations, market value, and real estate tax figures. Based on the information provided with the application, the Heritage Commission will either approve or deny the request for the Certificate of Economic Hardship.

Approval of a Certificate of Economic Hardship does not supercede compliance with the requirements of other City ordinances and regulations, and does not guarantee the issuance of building permits. If new evidence is provided, that was not available at the time the application was reviewed, a request for re-hearing may be submitted to the Heritage Commission within 30 days from the date of notification of the Commission's original determination.

Appeals

Applicants who have been denied a Certificate of Economic Hardship may appeal the decision to the City Council. Appeals must be filed within 15 days from the date of denial by the Heritage Commission. The City Council will act within 30 days after receiving the appeal by holding a new evidence hearing. The City Council may approve or disapprove the decision of the Heritage Commission.

Routine Maintenance and Painting

Many improvements that are considered reversible and would not negatively impact the look of the building, require no approval at all. For instance, painting and in-kind repair (repair using the same materials and the same details and finishes) do not require a Certificate of Appropriateness. Examples of work that do not require approval are:

- Driveway repairs
- Exterior or interior painting (same or different color)
- Foundation repairs
- Roof repairs
- Installation of the same type of lighting or repair of that exterior lighting
- Window repairs
- Re-pointing masonry walls
- In-kind repair of siding (wood repaired with wood)



Please refer to the City's COA Matrix on the next several pages for more specific details on what type of improvement requires COA approval.

APPLICATION PROCESS FOR REHABILITATION

COA APPROVAL MATRIX

ACTION	CONTRIBUTING			NON-CONTRIBUTING		
	No Approval	Administrative	Commission	No Approval	Administrative	Commission
Additions			X			X
Accessory structures (sheds, garages, etc.), visible/not visible from the street			X			X
Awnings, new installation			X			X
Awnings, color change		X			X	
Deck, visible/not visible from the street		X			X	
Decorative shutters		X			X	
Demolitions, part/all of building or structure			X		X	
Doors, visible from the street			X		X	
Doors, not visible from the street		X			X	
Driveways, repair	X			X		
Driveways, in-kind replacement		X			X	
Driveways, new materials/location			X			X
Equipment (antennas, satellite dishes, etc.)			X			X
Exterior siding (clapboard, stucco, brick, etc.) in-kind repair	X			X		
Exterior siding (clapboard, stucco, brick, etc.) replacement with new materials			X		X	
Fences or gates, historic materials		X			X	
Foundation, repair	X			X		
Fountains, visible from the street			X			X
Landscaping (mature trees), visible from the street			X			X
New Construction (infill)			X			X
Paint, color change	X			X		
Pool		X			X	
Porch, new construction			X			X
Relocation of building/structure			X			X
Re-pointing, repair	X			X		

APPLICATION PROCESS FOR REHABILITATION

COA APPROVAL MATRIX, CONT.

ACTION	CONTRIBUTING			NON-CONTRIBUTING		
	No Approval	Administrative	Commission	No Approval	Administrative	Commission
Retaining walls			X		X	
Roof, repair	X			X		
Roof replacement in-kind		X			X	
Roof replacement with new materials			X			X
Screen-in existing porches		X			X	
Screened-in porches-new construction			X			X
Sidewalks, repair	X			X		
Sidewalks, in-kind replacement		X			X	
Sidewalks, new materials/location			X			X
Signs/plaques			X			X
Site lighting, repair/replacement in-kind	X			X		
Site lighting, new			X			X
Steps/stairs, repair	X			X		
Steps/stairs, in-kind replacement		X			X	
Steps/stairs, new materials/location			X			X
Storm windows, replacement in-kind	X			X		
Storm windows, new materials			X			X
Trim (scrollwork, fascia, porch details, etc.) repair/replacement in-kind		X		X		
Trim (scrollwork, fascia, porch details, etc.) new materials/design			X			X
Windows, visible/not visible from the street, repair	X			X		
Windows, visible/not visible from the street, replacement in-kind		X			X	
Windows, visible/not visible from the street, new materials			X			X

Repairs are defined as minimal replacement of original architectural feature in order to stabilize the materials. Examples include fixing cracks in concrete, replacing a portion of rotted wood on a soffit, addressing a broken window sash with wood putty or consolidator.

In-kind replacement is defined as any changing out of similar materials that consist of less than 50% of the overall architectural feature.

New construction consists of the replacement of 50% or more of the original architectural feature or the creation of a new feature.

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