## City of Martin

# Historic Zoning Handbook

A Guide Prepared By The City of Martin Historic Zoning Commission

Revised January, 1996

## City of Martin

# Historic Zoning Handbook

A Guide Prepared By The City of Martin Historic Zoning Commission

Revised January, 1996

#### **Table of Contents**

|  | Page<br>No. |
|--|-------------|
| Foreword   | 1           |
| History Of The Historic Zoning Commission  | 2           |
| General Purposes Of Historic Districts   | 5           |
| Definition Of Historic District  | 5           |
| Historic District Designation Procedures   | 6           |
| Procedures To Obtain Approval For Exterior Alterations                               | 6           |
| Excerpts From The Zoning Ordinance of Martin, Tennessee                              | 7           |
| Design Guidelines  | 14          |
| Appendix A - Application To Petition For Historic Zoning Designation                 | 26          |
| Appendix B - Application For Certificate Of Appropriateness For Exterior Alterations | 27          |
| Appendix C - Certificate Of Appropriateness  | 30          |
| Appendix D - Martin Historic Zoning Commission By-Laws And Procedures                | 31          |
| Appendix E - References/Notes  | 37          |

#### **FOREWORD**

Today a "HISTORIC DISTRICT" usually means either an area locally designated through historic zoning, which this handbook is about, or an area listed in the National Register. Both are useful preservation tools, but they are very different.

Briefly, Historic Zoning is a form of overlay zoning established by government ordinance which provides for review by a historic zoning commission of all permit applications for new construction, demolition, relocation, and alterations within council-designated historic districts. The purpose of the review is to determine, based on design guidelines, the appropriateness of proposed work for the buildings and the character of each designed area in order to protect and preserve the historic resources and the visual qualities which make an area distinctive.

The National Register, on the other hand, is the federal government's list of our country's significant historic buildings and districts. The Register provides recognition and eligibility for tax advantages and grants (when such funds are available), but does not provide protection or place any restrictions or controls on property. A historic zoning district may be listed in the National Register, but this listing is not required for an area to be locally designated as a historic zoning district.

Historic Zoning protects buildings and property owners, has a positive economic effect, and conserves irreplaceable community resources. Historic zoning does not change or effect the use of property. When enacted, the provisions of historic zoning apply to an area in addition to the existing zoning regulations in that area, whether the land is zoned for residential, commercial, office or another use, because it is a type of "overlay" zoning.

### THE HISTORY OF THE HISTORIC ZONING COMMISSION OF THE CITY OF MARTIN, TENNESSEE

In the fall of 1983, the Martin Regional Planning Commission requested the services for Miss Cate Hamilton, Community Development Planner with the Northwest Tennessee Development District, to contact the University of Tennessee at Martin's History Department concerning a survey of the cultural heritage resources of Martin. Her report was to include an achievable plan for the implementation of historic district zones. Dr. Charles Ogilvie, of the UTM History Department, enlisted the aid of two senior history majors, Stephanie J. Mueller and Martha C. Wherry, to assist in the survey and preparation of such a plan.

The project began in December of 1983 and was concluded in June of 1984. A survey was made of the architectural resources in a geographical area composed of University, Oxford, Church, Mill, Olive, Lindell, Broadway, College, and Main Streets. Every building, structure, object, and open space was photographed and an historic-architectural inventory form was completed on each property within the survey area. The completed forms and photographs were studied and the properties evaluated for their age, architectural and historical significance, and potential for preservation. The report also included an historical overview of the City of Martin, an explanation of the benefits and advantages of historic zoning and recommendations for the implementation of the plan.

The report of Stephanie Mueller and Martha Wherry was published in June of 1984. It emphasized that historic district zoning would contribute significantly to awareness of Martin's important cultural heritage and lay the basis for future community development plans that would ensure the ability of Martin to progress economically while retaining the core of its proud past.

Miss Cate Hamilton, member of the Martin Planning Commission and State Planner Stan Harrison kept the Planning Commission informed of the survey as it was being conducted. She presented the plan in June of 1984 and the study was approved unanimously by the Planning Commission.

Although concerned citizens kept inquiring about historic zoning, no affirmative action was taken until April of 1986, when the Martin Planning Commission authorized State Planner Stan Harrison to prepare a sample ordinance for creation of a historical zone. Passage of the ordinance by the Commission, after a public hearing, would establish an historic zoning commission, which would adopt and enforce guidelines for preserving the integrity of structures within the new zones.

In early June of 1986, after a considerable amount of debate, the Martin Planning Commission decided to hold a public hearing on whether or not historical zoning

should be established in the City of Martin. The hearing was held June 26, attended by about thirty people, mostly from the Poplar and McComb Street areas. Many spoke in favor of historic zoning and no one spoke against it.

The Planning Commission, however, was not unanimous in its decision to create a historic zoning commission. Two of the members voted against it. The matter was passed on to the Martin City Board of Mayor and Aldermen which did not take action until October of 1986. At an informal session of the Board, concerned citizens urged the Board to accept the recommendation to the Planning Commission, and in regular session Mayor Virginia Weldon, Alderman Rex Pate, Bob Peeler, Willard Rooks, and Larry Taylor voted unanimously to create a five (5) or nine (9) member historic zoning commission.

By mid-October, Mayor Weldon appointed Dr. Jim Johnson, Professor of Mathematics and Computer Science at UTM, Chairman of the newly created Historic Zoning Commission. Others of the five (5) member group were Baxter Fisher, Chairman of the Planning Commission and a member of the UTM Engineering School faculty; Odell Jones, retired UTM Department of Engineering Chairman; Marvin Alexander, local realtor; and Virginia C. Vaughn, Weakley County Historian and retired Tennessee history teacher.

The organizational meeting of the Martin's Historic Zoning Commission (MHZC) was held at 5:00 PM, Tuesday, November 18, 1986 in the City Hall Chambers. Chairman Johnson conducted a meeting in which meeting date and times were established, priorities were evaluated, guidelines for procedures of business and length of members' terms were discussed. The time of meeting was set for 5:00 PM, the third Tuesday of each month at City Hall.

Mayor Weldon appointed terms for members in mid-December. Approved by the Board of Aldermen, they were: Jim Johnson, Chairman, 5 years, Baxter Fisher, 4 years, Odell Jones, 3 years, Marvin Alexander, 2 years, and Virginia Vaughn, 1 year. The length of terms was established as five (5) years, and reappointment was possible.

By the end of 1986, the members of MHZC were becoming more aware of different architectural styles and were beginning to shape standards consistent with those in the Secretary of the interior's Standards for Rehabilitation.

During 1987, the MHZC established Standards, defined and approved an Historic Zoning ordinance, established Design Guidelines and defined different types of zones for Martin. The Ordinance and Standards were presented to the Planning Commission in October for their approval. These were accepted in December. In November of this year Virginia Vaughn was reappointed for a five (5) year term.

In 1988, Ms. Shain Dennison, Executive Director of Metropolitan Historic Zoning Commission of Nashville, conducted a workshop for MHZC members concerning historic zoning, surveyed the town, and submitted a report in regard to recommendations. Historical Zoning Guidelines were completed and the size of zones, established. A petition concerning the zoning of properties adjoining Poplar Street was accepted and approved. Martin's first historic zone was established by the action on January 17, 1969.

During 1988, Baxter Fisher resigned from the MHZC and was replaced by Stan Johnson of the Martin Planning Commission. Richard Kelly was appointed to succeed Marvin Alexander, whose two (2) year term had expired, and Janice Peeler was appointed to succeed Odell Jones' position, vacated by death.

In May of 1989, the City of Martin's Historic Zoning Commission was presented a Certificate of Merit from the Tennessee Historical Commission, Nashville as part of National Historical Preservation Week. The Certificate honored the local group for its efforts in preservation in the City of Martin.

(Written By Virginia C. Vaughn, references given at the end of handbook.)

#### GENERAL PURPOSES OF HISTORIC DISTRICTS

The historic district provisions are established to ensure preservation of structures of historic value. The general intent includes the following specific purposes:

- a. To preserve and protect the historical and/or architectural value of buildings, other structures, or historically significant areas;
- b. To regulate exterior design, arrangement, texture, and materials proposed to be used within the historic district to ensure compatibility;
- c. To create an aesthetic appearance which compliments the historic buildings or other structures;
- d. To stabilize and improve property values;
- e. To foster civic beauty;
- f. To strengthen the local economy; and
- g. To promote the use of historic districts for the education, pleasure, and welfare of the present and future citizens.

#### **DEFINITION OF HISTORIC DISTRICT**

A historic district is defined as a geographically definable area with 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 or more of the following criteria:

- a. It is associated with an event which has made a significant contribution to local, state, or national history; or
- b. It includes structures associated with the lives of persons significant in local, state, or national history; or
- c. It contains structures or groups of structures which embody the distinctive characteristics of a type, period, or method of construction, or 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. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
- e. It is listed in the National Register of Historic Places.

#### HISTORIC DISTRICT DESIGNATION PROCEDURE

- 1. OBTAIN A COPY OF THE FORM TO REQUEST AN AREA BE CONSIDERED AS A HISTORIC DISTRICT FROM THE MARTIN CITY HALL, OR USE THE FORM IN APPENDIX A.
- 2. COMPLETE THE FORM AND SUBMIT IT TO CITY HALL. IT SHOULD BE ACCOMPANIED WITH SIGNATURES OF INTERESTED PARTIES OF THE AREA.
- 3. THE HISTORIC ZONING COMMISSION WILL CONSIDER THE APPLICATION AT ITS NEXT REGULARLY SCHEDULED MEETING. IF IT IS APPROVED, THEN IT WILL BE FORWARDED TO THE PLANNING COMMISSION FOR THEIR ACTION.
- 4. IF APPROVED BY THE PLANNING COMMISSION IT WILL BE FORWARDED TO THE CITY BOARD FOR TWO READINGS BEFORE THE PUBLIC.
- 5. IF APPROVED BY THE CITY BOARD THEN THE AREA WILL BE CONSIDERED A HISTORIC DISTRICT AND SUBJECT TO THE GUIDELINES OF SAME.

### PROCEDURES TO OBTAIN APPROVAL FOR EXTERIOR ALTERATIONS

- 1. THE APPLICANT APPLIES TO THE CITY OF MARTIN THROUGH THE BUILDING INSPECTOR FOR A PERMIT TO DO THE CHOSEN WORK. (Use form of Appendix B)
- 2. THE BUILDING INSPECTOR SENDS THE APPLICANT TO THE CHAIRMAN OF THE HISTORIC ZONING COMMISSION.
- 3. THE HISTORIC ZONING COMMISSION CHAIR REVIEWS THE PLANS WITH THE APPLICANT AND THE RULES ON THE PERMIT APPLICANT IF THE WORK IS A ROUTINE ITEM OR CALLS A MEETING OF THE

COMMISSION AS SOON AS POSSIBLE WITHIN FOURTEEN DAYS TO ACT ON THE APPLICATION IF THE WORK IS MORE THAN A ROUTINE ITEM.

- 4. THE HISTORIC ZONING COMMISSION ISSUES A CERTIFICATE OF APPROPRIATENESS (form of Appendix C) TO THE APPLICANT IF IT APPROVES AND SENDS A COPY TO THE BUILDING INSPECTOR (NOTE: IF THE HISTORICAL ZONING COMMISSION DOES NOT APPROVE THEN IT WILL WRITE A STATEMENT OF REASONS FOR DISAPPROVAL AND SEND A COPY OF THE APPLICANT AND TO THE BUILDING INSPECTOR AND THE APPLICANT CAN MAKE AN APPEAL TO THE COURTS.)
- 5. THE BUILDING INSPECTOR INSPECTS ALL WORK AND ISSUES A CERTIFICATE OF ZONING COMPLIANCE WHEN WORK IS COMPLETED AS AUTHORIZED.

In cases of non-compliance, the City follows an established set of steps, proceeding until compliance has been reached. The steps are as follows:

- 1. Telephone the owner to alert him of the problem and to request a meeting to resolve the problem.
- 2. Send the owner a letter by certified mail stating the problem and requesting compliance within a specified time period.
- 3. Report the problem to the City Attorney who enforces compliance.

#### NOTES:

- 1. Issuance of a Stop Work Order, which means that all exterior work must stop until the order is lifted, may result in an issuance of an arrest warrant against any workmen on the site.
- 2. Issuance of a citation to appear in city court for non-compliance with a permit. If the court rules in favor of the City a fine of up to \$50.00 plus court cost per day is levied against the owner until the work is corrected.

#### EXCERPTS FROM THE ZONING ORDINANCE OF MARTIN, TENNESSEE (ARTICLE VIII., SECTION B.)

1. Intent of Historic Districts:

It is the intent of this district to protect and preserve historic and/or architectural value; create an aesthetic atmosphere; strengthen the economy; protect and enhance the city's attraction to tourists and visitors and the support and stimulus to business and industry thereby provided; and promote the education and patriotic heritage of the present and future citizens of the community. In order to achieve this intent a quality of significance in American history, architecture, archeology and culture shall be present in the sites, buildings and structures of Historic Districts that:

- a. are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. are associated with the lives of persons significant in our past; or
- c. 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. have yielded, or may be likely to yield, archeological information.

#### 2. Uses Permitted:

The uses permitted and the area regulations of the existing district in which the site, structure, or area is located shall govern.

3. How Zoning Map Amended to Designate Historical Districts:

Any amendments to the Zoning to the Zoning Map of the City of Martin designating historic districts shall be subject to the provisions of Article XIII of the Martin Zoning Ordinance.

#### 4. Administration:

- a. No building permit for construction, major alteration or rehabilitation, moving, or demolition to be carried on within the H-D District shall be issued by the Building Inspector until it is submitted to and receives approval in writing by the Historical Zoning Commission.
- b. Administration shall be by the office of the Building Inspector and the Historic Zoning Commission and all items regulated within the H-D District shall be submitted to the Historic Zoning Commission (through the office of the Building Inspector) for its review.

- c. Within ninety (90) days of designation of a Historic District, the Historic Zoning Commission shall prepare and submit to the Martin City Board design review guidelines which shall be used by the Historic Zoning Commission in the consideration of any application for certificate of appropriateness applied for under this ordinance. No application may be considered by the Historic Zoning Commission until such time as said guidelines have received the approval of the City Board.
- d. Building Permit Procedures All alterations, additions or new construction which previous to the establishment of this H-D District, required that application be made for a Building Permit shall continue to require that application be made for a Building Permit, and approval obtained before the work on such alterations, additions, or new construction can begin. In addition it shall be required that application be made in the same manner for any work, including but not limited to, alterations, additions, demolition, removal, or new construction which alters or contributes to the exterior appearance of existing structures.
  - (1) Applications for building permits with the District shall be made to the office of the Building Inspector and all such applications shall be referred directly to the Historic Zoning Commission. The Historic Zoning Commission shall have board powers to request detailed construction plans and related data pertinent to through review of any application.
  - (2) Upon receiving an application for a Building Permit the Historic Zoning Commission shall, within thirty (30) days following the availability of sufficient data, issue to the office of the Building Inspector a letter stating its approval with or without attached conditions or disapproval with the grounds for disapproval stated in writing.
  - (3) The office of the Building Inspector shall additionally review applications for Building Permits (which have received written approval from the Historic Zoning Commission) in the same manner review is made of Building Permit applications outside of the District, and final issuance or rejection shall additionally be based upon the adopted Building codes of the City of Martin. The fee charged for Building Permits within the District shall conform to existing fee schedules for Building Permits in any other zoning district within the City of Martin.

#### 5. Historic Zoning Commission:

- a. Creation and Appointment In accordance with Tennessee Code Annotated 13-716, a Historic Zoning Commission is hereby established. The Board of Mayor and Aldermen shall create a nine (9) member Historic Zoning Commission which shall consist of a representative of a local patriotic or historic organization; an architect, if available; a member of the Planning Commission, at the time of his appointment; and the remaining members shall be appointed form the community in general. Historic Zoning Commission members shall be appointed by the Mayor, subject to confirmation by the Martin City Board. Appointments to membership on the Historic Zoning Commission shall be arranged so that the term of no more than two members shall expire each year and their successor shall be appointed in like manner in terms of five (5) years. All members shall serve without compensation. The members of the Commission shall elect a Chairman yearly from among themselves to preside over meetings.
- b. Meetings of the Historic Zoning Commission shall be held on the third Tuesday of each month or at the call of the Chairman or the majority of the membership. All meetings of the Commission shall be open to the public. The commission shall give notice of the place, date, and time of any hearings which are called under the provisions of this ordinance, by publication in an official newspaper or newspaper of general circulation at least three (3) days immediately prior thereto. At least five (5) members of the Commission 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. The commission shall keep minutes of its procedures showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact.
- c. Powers and Duties The Historic Zoning Commission shall have the following powers:
  - (1) To request detailed construction plans and related data pertinent to thorough review of any proposal before the Commission.
  - (2) The Historic Zoning Commission shall within thirty (30) days following availability of sufficient data, direct the granting of a building permit with or without conditions or direct the refusal of a building permit providing the grounds for refusal are stated in writing.
  - (3) Upon review of the application for a building permit, the Historic Zoning Commission shall give prime consideration to:

- (a) historic and/or architectural value of present structure;
- (b) the relationship of exterior architectural features of such structures to the rest of the structures of the surrounding area;
- (c) the general compatibility of exterior design arrangement, texture and materials proposed to be used.
- (d) to any other factor, including aesthetic, which is deemed pertinent.
- (4) Additional powers and duties.
  - (a) It shall be the duty of the Historic Zoning Commission to make the following determination with respect to the historic district approved guidelines. Any approved changes by the Commission shall be published in the local newspaper within seven (7) days.
    - (1 Appropriations 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, such photographs, drawings, etc... shall be at the expense of the applicant.
  - (b) Appropriateness of the exterior architectural features including signs and other exterior fixtures of any new buildings and structures to be constructed within the Historic District.
  - (c) Appropriateness of exterior design of any new extension of any existing building or structure within the historic district.
  - (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, which might affect the character of any building or structure within the

historic district.

(e) The general compatibility of exterior design, arrangement, texture, and material 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, nor shall it make any requirements except for the purpose of preventing extensions incongruous to the historic aspects of the surroundings.

#### (2) Right of Entry Upon Land

The Commission, its members and employes, 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 ordinance, but there shall be no right of entry into any building without the consent of the owner.

#### (3) Liability of Historic Zoning Commission Members.

Any Historic Zoning Commission member acting within the powers granted by the ordinance is relieved from all personal liability for any damage and shall be held harmless by the City government. Any suit brought against any member of the Commission shall be defended by a legal representative furnished by the city government until the termination of the procedure.

#### (4) Jurisdiction

The Historic Zoning Commission shall have exclusive jurisdiction relating to historic matters. Anyone who may be aggrieved by any final order or judgement of the commission may have said order or judgement reviewed by the courts by the procedures of statutory certifiers as provided for in the Tennessee Code Annotated, Sections 27-902 and a27-930.

#### (5) 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 Zoning Commission in connection therewith.

#### (6) Maintenance and Repair of Improvements:

Every person in charge of an improvement in a historical district shall keep in good repair all of the exterior portions of such improvements and all interior portions thereof which, if not so maintained may cause or tend to cause the exterior portions of such improvements to deteriorate, decay or become damaged or otherwise to fall into a state of disrepair.

#### (7) Remedying of Dangerous Conditions:

In any case where a city enforcement agency shall order or direct the construction, removal, alteration, or demolition of any improvement in a historic district for the purpose of remedying conditions determined to be dangerous to life, health, or property, nothing contained in this chapter shall be construed as making it unlawful for any person, without prior issuance of a letter of approval pursuant to this ordinance, to comply with such order of direction. However, the enforcement agency shall give the Commission notice of any proposed order or direction which affects or may affect the exterior appearance of any structure, or site, on or in the environs of a historic district. The Commission shall be afforded adequate opportunity to review and provide written comments upon any action proposed by an enforcement agency within a historic district prior to the initiation of any said action.

#### (8) Injunctive Powers and Penalties:

- (a) Where it appears that the owner or person in charge of an improvement on a landmark site or preservation site threatens or is about to do or is doing any work in violation of the ordinance, the City Attorney for the City of Martin shall, when directed by the Mayor or City Board, forthwith apply to an appropriate court for an injunction against such violation of this ordinance. If an order of the court enjoining or restraining such violation does not receive immediate compliance, the City Attorney shall forthwith apply to an appropriate court to punish said violation pursuant to law.
- (b) A violation of this ordinance is punishable by a fine of not

less than two dollars (\$2.00) and not exceeding fifty (\$50.00) dollars. Every day of violation may be held to constitute a separate offense.

#### **DESIGN GUIDELINES**

#### 1. PURPOSE

Design guidelines are criteria and standards which the Historic Zoning Commission must consider in determining the appropriateness of proposed work within a historic district.

Appropriateness of work must be determined in order to accomplish the goals of historic zoning, as outlined in this section as follows:

- a. to preserve and protect the historical and/or architectural value of building or other structures;
- b. to regulate exterior design, arrangement, texture, and materials proposed to be used within the historic district to ensure compatibility,
- c. to create an aesthetic appearance which complements the historic buildings or other structures;
- d. to stabilize and improve property values;
- e. to foster civic beauty;
- f. to strengthen the local economy; and
- g. to promote the use of historic districts for education, pleasure, and welfare of the present and future citizens of Martin, Tennessee.

#### 2. ALTERATIONS TO EXISTING BUILDINGS AND PROPERTY

- a. Definition: A change in building material, the addition or elimination of any architectural feature of a structure; repair that reconstructs any part of an existing building; an addition that extends or increases floor area or height of any building; or construction of an apparentness.
- b. General Principles: These guidelines shall apply to the exteriors of buildings and to areas of lots visible from right-of-way.

- c. Proposals for exterior work to be done on public facades (front and street related elevations) shall be more carefully reviewed than that to be done on other facades.
  - d. Every reasonable effort shall be made to provide a compatible use for a property, requiring minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
  - e. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal of alteration of any historic material or distinctive architectural features should be avoided.
  - f. All buildings, structures, and sites shall be recognized as products of their own. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
  - g. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
  - h. Distinctive stylistic features or examples of skilled craftmanship which characterize a building, structure, or site shall be treated with sensitivity.
  - i. Deteriorated architectural features shall be repaired rather than replaced whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
  - j. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that damage historic building materials shall not be undertaken.
  - k. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
  - 1. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy

significant historical, architectural, or cultural materials; and when such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

m. Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations where to be removed in the future, the essential from and integrity of the structure would be unimpaired.

#### 3. GUIDELINES FOR ALTERATIONS

#### a. Additions:

- (1) Additions are areas that increase the living or working space of a structure. This does not include the additions of architectural elements.
- (2) Generally, an addition should be situated at the rear of a building in such a way that it does not disturb either front or side public facades.
- (3) Additions should follow the guidelines for new construction.

#### b. Roofs:

- (1) Original roof pitch and configuration should be maintained.
- (2) A roof style does more than simply keep the rain out. Because it is a dominant element, the shape and height of a roof define and emphasize the architectural character of a structure.

#### c. Windows:

- (1) The original size and shape of windows should be maintained.
- (2) The original number and arrangement of panes should be maintained.
- (3) The characteristic window shape in the area is vertically rectangular higher than it is wide. Horizontal windows and picture windows are generally not appropriate.
- (4) Windows and screens should be appropriate in appearance to the original design. (Blind stop storm windows, painted to match sash

color, may be appropriate).

- (5) Shutters, unless appropriate to the style of the building, should not be introduced. Shutters should fit an opening in height and width so that if they were closed, the opening would be covered.
- (6) New window opening should not be introduced unless they match the existing window configurations and their placement harmonizes with the existing rhythm of openings.
- (7) Original windows should not be filled in.

#### d. Doors:

- (1) The original size and shape of door openings should be maintained.
- (2) Original transoms, side light, doors should be maintained.
- (3) Replacement doors should be compatible with original doors in terms of style and material. Flush doors are generally inappropriate.
- (4) Storm and screen doors are to be appropriate in appearance to the original design. (Blind stop, full view storm doors, painted to match the door frame are appropriate).
- (5) Generally, new door opening should be introduced on facades visible from the street.
- (6) Original door opening should not be filled in.

#### e. Architectural Details:

- (1) Original details should not be removed.
- (2) The replacement of irreplaceable details should be with close visual approximations of the originals.
- (3) The replacement of missing original details should be based on accurate duplication, or should be close visual approximations of the originals, based on historic, physical, or pictorial documentation.
- (4) Architectural details of any period or style not original to the building should not be introduced.

(5) Changes that have taken place in the course of time which are evidence of the historic development of a building and its environment may have acquired significance in their own right; their significance should be recognized and respected.

#### f. Materials:

Original building materials include wood, brick, stone, terra cotta, and stucco. Original roof materials include slate, metal, and on twentieth century buildings, asphalt shingles.

Original building and roofing materials should be retained. If replacement is necessary, it should be with original materials or close visual approximations of the original.

#### (1) Masonry:

- (a) Masonry repointing should be done with care to match the original mortar color. The use of portland cement should be avoided when repointing old brick.
- (b) Original tooling configuration and joint width should be maintained.
- (c) Cleaning should be done with the gentlest means possible. Since sandblasting causes sever damage to brick and mortar, its use should be avoided.
- (d) The painting of brick is inappropriate unless it is mismatched or so deteriorated that it cannot withstand weather. If painting is necessary, original, natural colors should be used.
- (e) Painting of stone is inappropriate.
- (2) Wood siding should be retained if feasible. Replacement should be consistent with the original in size, direction, and lap dimension.

#### g. Color:

The Martin Historical Zoning Commission (MHZC) does not regulate paint colors on wood. However, the Martin Historical Zoning Commission

maintains information on and will advise on appropriate historic paint colors.

#### h. Appurtenanaces:

Appurtenanaces related to a building (fences, walls, street lamps, steps, paving, sidewalks, and signs) should be visually compatible with the environment to which they are related.

#### (1) Fences:

- (a) Low retaining walls in front yards should be kept where they exist. Introduction of retaining walls where none existed should be avoided.
- (b) New or reclaimed iron fencing may be appropriate for properties with pre-1900 houses. Iron fencing is generally not appropriate for later houses.
- (c) Wood-picket fences are appropriate in front or rear yards of houses.
- (d) Board fences, usually taller, with wider boards set close together, are appropriate only around rear yards.
- (e) Chain link or woven fences are generally inappropriate for front or visible side yards. They may be used in rear yards. If a portion of a rear fence is visible from the street, it should be camouflaged with hedge or vine.

#### (2) Signs:

- (a) The appearance, size, position, method of attachment, texture of materials, color, and design of signs shall be in keeping with the collective characteristics of the structures surrounding the property on which the sign will be located.
- (b) No sign that flashes, blinks, revolves, or is put in motion by the atmosphere shall be permitted. No visible bulbs, neon tubing, luminous paints, or plastics will be permitted as a part of any sign.
- (c) Buildings and signs may be illuminated by remote light sources, provided that these light sources are shielded to

protect adjacent properties.

- (d) Signs attached to the structure shall not cover any architectural detail.
- (e) Real estate signs shall be removed within ten (10) days after the closing of a sale of a house or lot.

#### (3) Landscaping:

All aspects of site development should be sympathetic to the character of landscape development, types of plants, and spatial treatment of adjacent properties.

#### (4) Lighting:

- (a) Original style light fixtures should be retained.
- (b) Recessed or ceiling mounted fixtures not visible from the street are appropriate.

#### 4. NEW CONSTRUCTION

- a. Definition: The construction of any freestanding structure on any lot.
- b. General Principles: These guidelines shall apply only to the exteriors of buildings and to areas of lots visible from public right-of-way.
  - (1) The public facades front and street-related elevations of proposals for new buildings shall be more carefully reviewed than other facades.
  - (2) Basic roof types include shed, gable, hipped, gambrel, and mansard. The gable roof, featuring two simple planes, is the type most familiar to home buyers of the 20th century. A variation of this type is the shed, or "half gable" roof, which was most often used in the past for outbuildings but is now frequently used for contemporary houses, often incorporating a clerestory-window for extra light.
  - (3) A hipped roof features four planes that slope down to meet the four sides of the house. The hipped roofs create extra space and shed rain more effectively than other roof types.

- (4) The gambrel roof is designed with a double pitch, its lower part featuring s steep slope and its upper part a gentle slope. The steep lower slope actually functions as a wall for an upper floor.
- (5) The mansard roofs are similar in construction to gambrel roofs, but feature eight (8) sides instead of four.
- (6) The original size and shape of dormers should be maintained. Dormers generally should not be introduced where none existed originally.
- (7) Original roof materials and color should be retained. If replacement is necessary, original materials should be used. Other shingles may be substituted for original roofing when it is not economically feasible to replace or repair with original materials or when the original roof is beyond repair. The color and texture of shingles should be appropriate to the architectural style and period of the house.

#### c. Porches:

- (1) Original details and shape outline, roof height, and roof pitch should be retained.
- (2) Original roof materials and architectural details should be maintained. If different materials are substituted, they should be a close visual approximation of the original.
- (3) The enclosing of front porches is inappropriate.
- (4) The enclosing of side porches may be considered appropriate if the visual and character of the original porch is maintained.
- (5) Since construction in a historic district has usually taken place continuously from the late nineteenth and early twentieth centuries, a variety of building types and styles result which demonstrate the changes in building tastes and technology over the years. New buildings should continue this tradition while complementing and being compatible with other buildings in the area.
- (6) Reconstruction may be appropriate when it reproduces facades of a building which no longer exists and which was located in the historic district if: the building would have contributed to the historical and

architectural character of the area; if it will be compatible in terms of style, height, scale, massing, and materials with the buildings immediately surrounding the lot on which reproduction will be built; and if it is accurately based on pictorial documentation.

- (7) Because new buildings usually relate to an established pattern and rhythm of existing buildings, both on the same and opposite sides of a street, the dominance of the pattern and rhythm must be respected and not disrupted.
- (8) New construction should be consistent with existing buildings along a street in terms of height, scale, setback, and rhythm; relationship of materials, texture, details, and color; roof, shape; orientation; and proportion and rhythm of openings.

#### d. Guidelines for New Construction:

- (1) New buildings must be constructed to the same number of stories and to a height which is compatible with the height of surrounding buildings.
- (2) The size of a new building: its mass in relation to open spaces; its windows, doors, openings, and porches should be visually compatible with the surrounding buildings. When a definite rhythm along a street is established by uniform lot and building width, infill new buildings should maintain the rhythm.
- (3) The relationship and use of materials, texture, and details of a new building's public facades shall be visually compatible with and similar to those of adjacent buildings, or shall not contrast conspicuously.
- (4) The roofs of new buildings shall be visually compatible, but not contracting greatly with the roof shape and orientation of surrounding buildings.

#### e. Guidelines for Additions to Existing Buildings:

- (1) New additions to existing buildings should be kept to a minimum and should be compatible in scale, materials, and texture; additions should not be visually jarring or contrasting.
- (2) Additions should not be made to the public facades of existing

buildings. Additions may be located to the rear of existing buildings in ways which do not disturb the public facades.

(3) The creation of an addition through enclosure of a front facade porch is inappropriate and should be avoided.

#### f. Guidelines for Outbuildings:

- (1) Garages and storage buildings should reflect the character of the existing house and surrounding buildings and should be compatible in terms of height, scale, roof shape, materials, texture, and details.
- (2) Garages, if visible from the street, should be situated on the lot as historically traditional for the new neighborhood.
- (3) The location and design of outbuilding should not be visually disruptive to the character of the surrounding buildings.
- (4) The location and design of outbuildings should not be visually disruptive to the character of the surrounding buildings.

#### g. Guidelines for Appurtenances:

Appurtenances related to new buildings, including driveways, sidewalks, lighting, fences, and walls, shall be visually compatible with the environment of the existing buildings and sites to which they relate.

#### 5 DEMOLITION:

a. Definition: The tearing down of a building.

#### b. General Principle:

Since the purpose of historic zoning is to protect historic properties, the demolition of a building which contributes historically or architecturally to the character and significance of the district is inappropriate and should be avoided.

#### c. Guidelines:

- (1) Demolition is inappropriate:
  - (a) if a building is of such architectural of historical interest

and value that its removal would be detrimental to the public interest;

- (b) if a building is of such old or unusual or uncommon design and materials that it could not be reproduced or be reproduced without great difficulty and expense; or
- (c) if its proposed replacement would make a less positive visual contribution to the district, would disrupt the character of the district, or would be visually incompatible.

#### (2) Demolition is appropriate:

- (a) if a building has lost it architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
- (b) if a building does not contribute to the historical or architectural character and importance of the district and its removal will result in a more positive, appropriate visual effect on the district: or
- (c) if the denial of the demolition will result in an economic hardship on the applicant as determined by the MHZC in accordance with the historic zoning ordinance.

#### 6. RELOCATION:

a. Definition: The moving of a building in a district from one site to another.

#### b. General Principles:

- (1) The moving of an existing building which retains architectural and historical integrity and which contributes to the architectural and historical character of the district should be avoided.
- (2) The moving out of the district of a building which does not contribute to the historical and architectural integrity of the district or which has lost architectural integrity due to deterioration and neglect shall be appropriate if its removal or the proposal for its replacement will result in a more positive, appropriate visual effect on the district.

#### c. Guidelines for Relocation:

- (1) Relocated buildings must be carefully rebuilt to retain and maintain original architectural details and materials.
- (2) A building may be moved into the district if it maintains a sense of architectural unity in terms of style, height, scale, massing, materials, texture, and setback with existing buildings along the street.
- (3) A building may be moved from one site to another in the district if:
  - (a) the integrity of location and setting of the building in its original location has been lost or is seriously threatened;
  - (b) the new location will be similar in setting and siting;
  - (c) the building will be compatible with the buildings adjacent to the new location in style, height, scale, materials, and setback, and
  - (d) the relocation of the building will not result in a negative effect on the site and surrounding buildings from which it will be removed.

#### APPENDIX A

#### APPLICATION TO PETITION FOR HISTORIC ZONING DESIGNATION

| TO: | THE MARTIN HISTORIC ZONING COMMISSION |
|-----|---------------------------------------|
|     | CITY HALL, MARTIN, TENNESSEE          |

WE, THE UNDERSIGNED PROPERTY OWNERS DO HEREBY PETITION THE MARTIN ZONING COMMISSION TO RECOMMEND TO THE BOARD OF MAYOR AND ALDERMEN THAT CHANGES BE MADE IN THE ZONING MAP AND/OR TEXT, AS FOLLOWS:

THE REASONS FOR THE REQUEST ARE AS FOLLOWS:

PROPERTY OWNERS' MAP AND PARCEL NUMBER, LOCATION OF EACH PROPERTY AND THE MAILING ADDRESS OF EACH ATTACHED:

| SIGNATURES O | F THOSE REQUEST | TING: |  |  |
|--------------|-----------------|-------|--|--|
|              |                 |       |  |  |
| Date:        |                 |       |  |  |

#### APPLICATION FOR CERTIFICATE OF APPROPRIATENESS FOR EXTERIOR ALTERATIONS MARTIN HISTORIC ZONING COMMISSION

I (we) the undersigned do hereby respectfully make application for a Certificate of Appropriateness for the following plans and proposals to be undertaken within the boundaries of the Historic District.

| PROPERTY LOCATION:_   |  |
|---|--|
| PROPERTY OWNER:   |  |
| OWNER'S ADDRESS:  |  |
| Type of Work (check):   | Exterior Alteration or Repair  New Construction  Demolition of Structures  Relocation of Structures  Other (Specify below)   |
| (See page 2 of this a   | pplication for additional information to be submitted.)  |
| Signature of Applicant:   |  |
| Address:  | ·  |
| Phone:  |  |
| The application, including a fourteen days prior to the n Commission. The Commi 6:30 PM in C. E. Weldon | all additional information, must be filed no later than next regular scheduled meeting of the Historic Zoning ission meets on the third Tuesday of each month at a Library. Property owners are urged to attend the information submitted with an application must be Zoning Commission. |
| Date Received at Martin Ci  | ity Hall: Received By:   |
| Date Approved:  | Approved By:   |

#### ADDITIONAL INFORMATION TO BE SUBMITTED WITH APPLICATION

#### I. EXTERIOR ALTERATIONS OR REPAIR:

Describe clearly and in detail all work to be done. Include the following item where appropriate:

- A. Sketches, photographs, specifications, manufacturer's illustrations or other description or proposed changes to the building facade or roof, new additions, or site improvements. Drawings will be required for major changes in design for such items as roofs, facades, porches, or prominent architectural features.
- B. Color of brick or stone and type of mortar to be used for masonry work.
- C. Description of proposed materials including colors when the original material will not be retained.
- D. Site information including the location of driveways, parking areas, walls, fences, out buildings, or other landscape features of note where major site improvements are proposed.

#### II. NEW CONSTRUCTION:

Describe the nature of the proposed project. Include the following items where appropriate:

- A. Site plan with measured distances.
- B. Elevation drawings of each facade and specifications which clearly show the exterior appearance of the project.
- C. Photograph of the proposed site.
- D. Landscape plan.
- E. Color schedule, if possible.
- F. Samples or other description of materials to be used.
- G. Drawings or other description of site improvements: fences, walls, walks, lighting, pavement, patios, decks, etc.

#### III. DEMOLITION OF STRUCTURES:

- A. Describe the structure and give the reason for the demolition. Include a photograph.
- B. Describe the proposed reuse of the site.

#### IV. RELOCATION OF STRUCTURES:

- A. Give the reason for relocation. Include a photograph. If the structure is to be relocated within the District, describe any proposed changes.
- B. Describe any site features which will be altered or may be disturbed including foundation, walls, and driveways.

## CERTIFICATE OF APPROPRIATENESS MARTIN HISTORIC ZONING COMMISSION CITY HALL

#### MARTIN, TENNESSEE

| dated, signed by<br>involving the alterations at   |                                 |
|--|---------------------------------|
| involving the alterations at   |                                 |
| The approved exterior work (or new construction or                                       | demolition) is:                 |
|  |                                 |
|  |                                 |
|  |                                 |
|  |                                 |
|  |                                 |
|  |                                 |
|  |                                 |
|  |                                 |
|  |                                 |
|  |                                 |
| Any changes from the work described above will nec<br>Martin Historic Zoning Commission. | cessitate further review by the |
|  |                                 |
| Chair Martin Historic Zoning Commission  | Date                            |

#### MARTIN HISTORIC ZONING COMMISSION BY-LAWS AND PROCEDURES

#### I. PURPOSE

To establish procedures for processing applications for Certificates of Appropriateness for (1) any changes in external appearance of existing structures; (2) design of new structures; and (3) for demolition of existing structures within the Martin Historic District.

#### II. GENERAL RULES

The Martin Historic Zoning Commission shall be governed by the terms of the Martin Historic Zoning Ordinance as contained in the Zoning Ordinances for the City of Martin, Tennessee.

#### III. JURISDICTION

The City's jurisdiction for requiring Certificates of Appropriateness as required by the Martin Historic Zoning Ordinance shall be delineated on the official zoning map on file at City Hall.

#### IV. MEMBERS, OFFICERS, AND DUTIES

- A. The Commission shall be composed of nine (9) members, including an architect if available, a member of the Planning Commission at the time his/her appointment and a member of a local historical group. The members shall be appointed by the Mayor and approved by the Board of Aldermen. The majority of the members shall have demonstrated special interest, experience, or education in history or architecture.
- B. Chairperson. A chairperson shall be elected by the voting members of the Historic Zoning Commission. His/her term shall be for one year, and he/she may serve for no more than two (2) consecutive terms. The Chairperson 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 chairperson shall appoint any committees found necessary to investigate any matters before the Commission.
- C. Vice-Chairperson. A Vice Chairperson shall be elected by the Commission from among its members in the same manner as the chairperson and shall be

eligible for re-election. He/she shall serve as acting Chairperson in the absence of the Chairperson, and at such time he/she shall have the same powers and duties as the Chairperson.

- D. Secretary. A secretary shall be elected by the Commission for among its members in same manner as the chairman and shall be eligible for re-election. The Secretary, subject to the direction of the Chairperson of the Commission, shall keep all records and shall conduct all correspondence of the Commission. The Secretary shall be responsible for minutes and taping of the Commission meeting for the permanent record when necessary.
- E. Committees. Committees may be created by the Chairperson with the approval of the Commission members. At least one Commission members must be appointed to a committee, however, members of the community may serve on a committee. The Commission may create a Design Review Committee to serve as a counsel to the public for the Commission to expedite questions in design review. Three (3) members of the Commission must be appointed to the Design Review Committee.
- F. Elections. Terms of officers shall begin in November. Members shall be notified of the election of officers at least thirty (30) days prior to the regular November meeting.
- G. Terms of Appointments. Members shall be appointed to serve terms of five (5) years. Vacancies shall be filled for the unexpired term only.
- H. Attendance at Meetings. Any member of the Commission who misses more than three (3) consecutive regular meetings or more than half the regular meetings in a calendar year shall lose his/her status as a member of the Commission and shall be replaced or reappointed by the Board. Absence due to sickness, death, or other emergencies of a like nature shall be recognized as excused absences, and shall not affect the member's status on the Commission except that in the event of a long illness or other such cause for prolonged absence, the member shall be replaced. When a member has exceeded the maximum number of unexcused absences, the Secretary shall notify the full Commission and the Board of Mayor and Aldermen.
- I. Applications Involving Members. No Commission member shall take part in the hearing, consideration or determination of any case in which he/she is a party or has a financial interest.
- J. No Commission member shall vote on any matter deciding an application or a request to reconsider unless he or she shall have attended the

Commission's previous deliberations on such application, or shall otherwise have the approval of the Chairperson to vote on such matter. The Chairperson's approval shall be contingent on the assurance by the member that he/she has familiarized himself/herself with the application and the minutes of any meetings at which the application was discussed.

- K. No Commission member shall in any manner discuss any application with any parties prior to the Commission's deliberations on such application, except as specified elsewhere in the Commission's By-Laws and Procedures.
- L. Members of the Commission shall not express individual opinions on the proper judgement of any application with any person prior to the determination of that application except in accordance with these rules. Violation of this rule shall be cause for dismissal from the Commission.
- M. Each member of the Commission shall thoroughly familiarize himself/herself with all statutes, laws, the ordinance, by-laws and procedures relating to Historic Zoning.
- N. Members of the Commission may be removed by the Board of Mayor and Aldermen for just cause.

#### V. MEETINGS

- A. Regular meetings of the Commission shall be held on the 3rd (third) Tuesday evening of each month at 6:30 PM in the C. E. WEldon Library; providing, that meetings may be held at some other convenient place in the City if directed by the Chairperson in advance of the meeting.
- B. A meeting can be cancelled by the Chairperson by contacting the members twenty four (24) hours prior to the scheduled meeting.
- C. Special Meetings. Special meetings of the Commission may be called at any time by the Chairperson. At least seventy-two (72) hours notice of the time and place of special meetings shall be given by the Chairperson to each member of the Commission; provided that this requirement may be waived by emergency request by action of a majority of all the members.
- D. Quorum. A quorum shall consist of fifty percent (50%) of the Commission.
- E. Conduct of Meetings. All meetings shall be open to the public. The order of business at regular meetings shall be as follows:

- a. call to order;
- b. roll call;
- c. reading and approval of the minutes of the previous meetings;
- d. report of committees;
- e. unfinished/old business;
- f. new business;
- g. motion to adjourn
- F. Review Criteria. In reviewing the application for Certificates of Appropriateness, the Commission shall take into account the historic and architectural significance of the structure. In its review, the Commission shall also take into account the following elements to ensure that the exterior form and appearance on the structure is consistent with the historic and visual character of the District:
  - 1. The height of the building in relation to the average height of the nearest adjacent and opposite building.
  - 2. The setback and placement on lot of the buildings in relation to the average setback and placement of the nearest adjacent and opposite buildings.
  - 3. Exterior construction materials, including textures and patterns.
  - 4. Architectural detailing, such as lintels, cornices, brick bond, and foundation materials.
  - 5. Roof shapes, forms, and materials.
  - 6. Proportions, shapes, positioning and locations, patterns and sizes of any openings in the facade.
  - 7. General form and proportions of buildings and structures.
  - 8. Appurtenant fixtures and other features such as lighting.
  - 9 Structural condition and soundness.
  - 10. Architectural Scale.

The Commission may designate more formal design criteria as it deems necessary, such as shall be found in the Martin Historic Commission Design Guidelines

- G. Consideration of Applications. Any party shall appear in person or have a designated agent or attorney at the meeting. The order of business for consideration of applications for Certificate of Appropriateness shall be as follows:
  - 1. The Chairperson, or such person as shall direct, shall give a preliminary statement concerning the application.
  - 2. The applicant shall present the argument in support of his/her application.
  - 3. Persons opposed to granting the application shall present the arguments against the application.
  - 4. Statements or arguments submitted by any Official, Commission, or Department of the City of Martin shall be presented as directed by the Chairperson.
  - 5. The Chairperson or such person as he shall direct shall summarize the evidence which has been presented, by giving all parties an opportunity to make objections or corrections;
  - 6. 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 any application before arriving at a decision. All decisions of the Commission shall be based on the Martin Historic Zoning Commission's Design Guidelines.

#### VI. APPLICATION PROCEDURES

A. Application (Certificate of Appropriateness) must be filed with the City of Martin Building Inspector seven (7) days prior to the regular monthly meeting date (third Tuesday of each month).

It is recommended that the applicant apply simultaneously for the building permit and an application for a certificate of Appropriateness. It is the sole responsibility of the applicant to obtain a Certificate of Appropriateness before applying for a building permit.

B. The agenda for the Commission meetings where Certificates of

Appropriateness will be discussed; shall be published in the local newspaper at least three (3) days prior to the Commission meeting.

- C. It shall be the policy of the Commission in regard to application involving new structure or extensive alterations and/or additions to existing structures that a committee of the Commission shall be available to meet with representatives of the persons or organizations involved in the forthcoming application at some early state 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 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 committee at such an informal meeting shall be in any way official or binding upon the Martin Historic Zoning Commission at any time. Notice of the need for such a conference should be given applicants when applying.
- D. The Commission must issue or deny a Certificate of Appropriateness within thirty (30) days after the hearing of an application, except when the time limit has been extended by mutual agreement between the applicant and the Commission. Incomplete applications will not be considered for a Certificate of Appropriateness.
- E. The Secretary of the Commission shall notify the applicant of the disposition of the application by personal service or by certified mail and shall file a copy of the decision with the City of Martin Building Inspector. If an application is denied, such notice shall include the reasons for such actions as defined in the Design Guidelines.

#### VII. APPEALS PROCESS

The Commission shall have exclusive jurisdiction relating to historic matters. Anyone who may be aggrieved by any final judgement of the Commission may appeal to General Sessions Court for a review of the judgement as provided for in the Tennessee Code Annotated, Section 27-9-102 and 27-9-103.

#### VIII. AMENDMENTS

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than fifty percent (50%) of the members of the commission, provided that such amendment shall have presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken.

#### A. REFERENCES:

- 1. Historic District Zoning Study, City of Martin, June 1994.
- 2. Minutes of the Historic Zoning Commission from November 16, 1989 through June 20, 1989.
- 3. Minutes of the Martin Planning Commission April 26, 1984, June 28, 1984, and April 24, 1986.
- 4. The Courier, Tennessee Historical Commission, Vol. XXIII, No. 3, June 1989.
- 5. The Dresden Enterprise, June 04, 1966.
- 6. The Jackson Sun, March 13, 1989.
- 7. The Weakley County Press, April 29, July 01, October 07, October 14, November 04, 1986, December 10, 1987, May 10, June 21, September 22, December 13, December 28,1988, January 09, January 19, February 14, May 18, and June 29, 1989.
- 8. Several pages from the Historic Zoning Handbook by the Metropolitan Historic Zoning Commission of Nashville, Tennessee, were used with the permission of Ms. Shain Dennison, Executive Director.

#### B. NOTES:

- 1. Martin Historic Zoning Commission meets every third Tuesday of each month at 6:30 pm in the City of Martin at C. E. Weldon library.
- 2. The City Board meets every second Monday of each month at 7:00 pm in the City of Martin Court Room.
- 3. The City of Martin Planning Commission meets every fourth Thursday of each month at 7:00 pm in the City of Martin Court Room.
- 4. The phone number of City Hall is (901) 587-3126.
- 5. The phone number of the Building Inspector is (901) 587-3126.

| C3  |  |   |   |   |
|-----|--|---|---|---|
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
| *   |  |   |   |   |
|     |  |   |   | , |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   | • |
| *   |  |   |   |   |
| •   |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
| •   |  |   |   |   |
| . • |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   | • |   |
|     |  | , |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |
|     |  |   |   |   |