

4



CHAPTER 4 DEMOLITIONS & RELOCATION

Demolition is forever, and once a building is gone it takes away another piece of the City's character. Demolition of a historic building or resource that has most of its original design and features should only be an action of last resort.

Chapter 4 outlines the process for determining if demolition or relocation is an appropriate choice. Guidelines also describe recommendations for the documentation of buildings prior to demolition as well as building deconstruction so that historic materials may be salvaged for reuse.

HARC or the Historic Preservation Officer can delay or deny requests for demolition while seeking solutions for preservation and rehabilitation.

4.1 Demolition or relocation of any resource which has historical and/or architectural significance shall not be considered unless one or more of the following conditions exist and if, by a finding of HARC or the HPO, the proposed demolition or relocation will materially improve or correct these conditions:

A. The resource constitutes a hazard to the safety of the public or the occupants, as determined by the Building Official.

The historic resource has been deemed hazardous to safety or health by the City of Georgetown. Upon such a determination the Historic Preservation Officer shall, to the extent feasible, collect documentation of the structure, including a property history, to determine if the loss of the structure would require mitigation through a written record of the property. This record is to be archived with other, similar documents of historic properties. The Historic Preservation Officer shall also determine whether monies or resources are available to either correct the identified deficiencies in the property, or to develop a plan for corrective action or stabilization, including consultation with design professionals on project feasibility.

B. The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.

The Historic Preservation Officer must be included in early meetings with the City to assist in the development and design to determine whether viable options exist to retain the property in the new design. It should be noted in determining the “substantial benefit” to the community that the beauty, charm and reputation of Georgetown is rooted in its Historic Character. Destroying that authentic character for a new improvement should be carefully considered when determining benefit.

C. Retention of the resource will cause undue financial hardship to the owner

When a governmental action, an act of God, or other events beyond the owner’s control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.

As evidence that an unreasonable economic hardship exists, the owner may submit the following information:

C.1 For all structures and property:

- The past and current use of the structures and property;
- The name and legal status (e.g., partnership, corporation) of the owners;
- The original purchase price of the structures and property;
- The assessed value of the structures and property according to the two most recent tax assessments;
- The amount of real estate taxes on the structures and property for the previous two years;
- The date of purchase or other acquisition of the structures and property;
- Principal balance and interest rate on current mortgage and the annual debt service on the structures and property, if any, for the previous two years;
- All appraisals obtained by the owner or applicant within the previous two years in connection with the owner's purchase, financing or ownership of the structures and property;
- Any listing of the structures and property for sale or rent, price asked and offers received;
- Any consideration given by the owner to profitable adaptive uses for the structures and property;
- Any replacement construction plans for proposed improvements on the site;
- Financial proof of the owner's ability to complete any replacement project on the site, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution; and
- The current fair market value of the structure and property as determined by a qualified appraiser.
- Any property tax exemptions claimed in the past five years.

C.2 For income producing structures and property:

- Annual gross income from the structure and property for the previous two years;
- Itemized operating and maintenance expenses for the previous two years; and
- Annual cash flow, if any, for the previous two years.

C.3 Additional Information

In the event that the Historic & Architectural Review Commission (HARC) determines that any additional information described above is necessary in order to evaluate whether an unreasonable economic hardship exists, the HPO shall notify the owner. Failure by the owner to submit such information to the HPO within 15 days after receipt of such notice, which time may be extended by HARC, may be grounds for denial of the owner's claim of unreasonable economic hardship.

C.4 Low-Income Homeowners.

When a low-income resident homeowner is unable to meet the requirements set forth in this section, HARC, at its own discretion, may waive some or all of the required information and/or request substitute information that the resident homeowner may obtain without incurring any costs.

4.2 HARC should consider the following when evaluating proposals to demolish or relocate historic resources:

- 1.** Does the resource proposed for demolition or relocation have architectural and/or historical significance?
- 2.** What would be the effect on surrounding buildings of demolition or relocation of the resource?
- 3.** What would be the effect on the Overlay District as a whole of demolition or relocation of the resource?
- 4.** What would be the effect on safeguarding the heritage of the City of the demolition or relocation?
- 5.** What has been the impact of any previous inappropriate alterations?
- 6.** Is the demolition solely a matter of convenience?
- 7.** Has the owner offered the property for sale?
- 8.** Has the owner asked a fair price?
- 9.** Has the property been marketed for a reasonable time?
- 10.** Has the property been advertised broadly in a reasonable manner?
- 11.** Has the owner sought the advice of a professional experienced in historic preservation work?
- 12.** What would be the effect of open space in that location if the lot is to be left vacant?

4.3 Loss of Historic Significance or Integrity

- A.** If, based on the evidence presented, HARC or HPO finds that the structure or property is no longer historically, culturally, architecturally or archaeologically significant they may make a determination of approval of the demolition. In making this determination, HARC or the HPO must find that the owner has established that the structure or property has undergone significant and irreversible changes which have caused it to lose the historic, cultural, architectural or archaeological significance, qualities or features which qualified the structure or property for such designation.
- B.** Additionally, HARC or the HPO must find that such changes were not caused either directly or indirectly by the owner, and were not due to intentional or negligent destruction or a lack of maintenance rising to the level of a demolition by neglect.
- C.** HARC shall not consider or be persuaded to find loss of significance based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate).

4.4 Order of Last Resort

Only as a last resort should a historic structure be considered for demolition.

- A.** Where a structure must be razed, then a record shall be made of it prior to demolition. This shall include:
 - 1.** Applicants shall document buildings, objects, sites or structures which are intended to be demolished with two bound copies and one digital copy of the property photos, property ownership, records of notable persons or events and any other information pertinent to the property history bound into a single document with table of contents. All photos shall be clear and high resolution so that the design, appearance, character, materials and condition of the structure are clear. Applicants may also provide copies of the digital photos.
 - 2.** The applicant shall provided a measured set of drawings that includes floor plans and elevations with dimensions.
 - 3.** Applicants shall also prepare for the historic preservation officer a salvage strategy for reuse of building materials deemed viable by the HPO for other preservation and restoration activities.
- B.** The required archive record and/or salvage plan of the property for inclusion in the City's records must be submitted to the City prior to the issuance of the Certificate of Appropriateness.
- C.** See the Unified Development Code for provisions related to proposed demolition and/or relocation of historic structures.

4.5 Relocation of a Historic Structure

Moving historic buildings is usually undertaken to save them from demolition or to fulfill the objectives of a preservation or revitalization plan. Often these two objectives complement each other; a historic building or structure threatened with demolition or surrounded by a setting that is incompatible can be relocated into a compatible environment and rehabilitated to a compatible use.

A. No contributing historic structure shall be moved out of the historic overlay district unless an archive record is first made according to the criteria in Section 4.4. Contributing historic structures should only be approved for relocation outside of the historic overlay districts when relocation is the only feasible option aside from demolition.

B. No contributing historic structure shall it be repositioned on its lot unless there is historic evidence of a different location on the lot.

C. A structure being moved into the historic districts should be compatible in style. The Downtown and Old Town Districts contain architectural styles that span from National Folk to Victorian to Ranch Style. Several of the houses have agricultural buildings associated with them including barns and smaller outbuildings. Some residences have small garages that housed early automobiles. Generally, the styles commonly seen in the districts and discussed in Chapters 1 and 3 would be appropriate.

D. Upon approval of the relocation, the building will be considered protected and contributing to the historic overlay districts and subject to review and approval as directed in the UDC.

E. The proposed siting for a relocated main building shall be consistent with the surrounding structures and context.

This page intentionally left blank.