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Robert Van Peursesem

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ROBERT VAN PEURSEM

Historic Districts, the Historic Commission and You

An historic district is an area designated for the protection of historic sites, buildings, landmarks, and neighborhoods that serve as a visible reminder of the history and cultural heritage of the area.

Local residents typically create historic districts in an effort to protect these landmarks, to foster civic pride, and to enhance the attractiveness of the community. Historic districts are typically created at a local level but will often be recognized at a state and national level as well. Local historic district designation and the National Register historic district program are, however, two significantly different programs that are independent of each another.

The National Register of Historic Places is a federal program administered by the National Park Service in partnership with the state governments that lists properties individually or as part of a National Register district. The State Historic Preservation Officer (SHPO) of each state administers the program for that state. In Alabama, the executive director of the Alabama Historical Commission (AHC) serves as the SHPO. The AHC is responsible for conducting state-wide surveys of historic properties, coordinating nominations of eligible properties to the National Register, and conducting environmental reviews of federal and state projects. The National Park Service makes the final decision on a property's eligibility for and listing on the National Register.

A district listing on the National Register of Historic Places is primarily honorary, acknowledging that the district has met established criteria used to determine whether it is worthy of preservation for its historic value. National Register listing does not restrict or obligate the property owner in the use of the property unless the owner is seeking federal benefits such as tax credits or grants. These types of

benefits are described elsewhere in this publication, and are usually limited to income-producing properties. However, National Register recognition provides some overview protection from federally funded or licensed programs that could adversely impact an historic property.

A locally designated historic district is one that is established by the local government as worthy of preservation and that is in compliance with specified criteria regarding its historic character. The criteria may or may not follow the same standards as the National Register requirements, depending upon the local municipality. Alabama law enables local governments to designate historic sites and districts and to establish preservation commissions to promote and protect such sites. Upon a positive recommendation from the local planning commission, the proposal to become an historic district requires a public hearing at the historic preservation commission. Then the city council adopts an ordinance designating the district. In Huntsville and Madison, the local districts are initiated by a majority of the residents within a neighborhood petitioning the city council and local historic preservation commission to form such a district.

Local preservation commissions have the option of establishing architectural review boards to review proposed changes within the district. The preservation commissions of Huntsville and Madison serve as the review boards for their respective districts. Residents within these districts must obtain a certificate of appropriateness from the review board before making any exterior changes to their property. **This pertains not only to structural changes and additions, but also to cosmetic changes such as exterior paint color, roofing, door and window replacement, fencing, and major landscaping renovations.** All projects involving exterior demolition require a certificate of appropriateness. By this process, the commission can ensure that the changes being proposed are appropriate to the special character of the district.

The process of obtaining a certificate of appropriateness sounds far more daunting than it actually is. The commissions typically meet monthly, and have an applica-



CERTIFICATE OF APPROPRIATENESS

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tion deadline of two weeks prior to the meeting in order to properly advertise the meeting agenda. The applicant can simply fill out the appropriate form obtained from the local inspection department and prepare enough information to convey the scope of the proposed project. That information packet typically will need to include a dimensioned site plan showing buildings, driveways and walks, fences and property lines; dimensioned floor plans and exterior elevations indicating existing and proposed construction as well as proposed building materials; and photographs of the existing conditions as well as examples of materials and design

details to be incorporated into the project. Typically, the more visual information you provide, the fewer questions the commission will have. The commission must have a visual record of the submission.

Architectural review is typically conducted with the aid of standards or guidelines. These guidelines assist the review committee in evaluating what impact the proposed addition, renovation or demolition will have on the historic character of the property as well as the district. At the conception of many historic districts, the guidelines tend to be very general in nature. As the district matures and, it is hoped, prospers, these general guidelines will need to be modified to address the new issues facing historic preservation as these landmarks adapt to meet the needs of modern society. Huntsville is currently going through such an evolution of its guidelines and hopes to have revised standards in 2003. An independent preservation consultant has been hired to update the standards with the help and input from district residents and local preservation enthusiasts.

Residents within an historic district who are planning any exterior modifications

should consult with the local inspection department to determine the requirements for a certificate of appropriateness. In most cases, a certificate is required before a building permit will be issued. In Huntsville, a building permit is required for all structural projects, and any construction over \$250 in value, with some minor exceptions for carpeting, cabinet work and painting. Madison has a \$1,000 limit with similar exceptions. Madison County currently does not have a local designated historic district requiring architectural review, but it does have a building permit requirement through its inspection department for all modifications of \$10,000. **Failure to obtain the necessary permits and certificates of appropriateness may result in a citation from the inspection department punishable as a misdemeanor and a \$500 fine. Current legislation is under consideration to make this type of violation renewable on a daily basis until the violation is corrected, making it a \$500-per-day fine.**

