

**ENACT****Isle of Hope Union Missionary Baptist Church, 8417 Ferguson Avenue  
HISTORIC PROPERTY DESIGNATION ORDINANCE**

AN ORDINANCE TO DESIGNATE A HISTORIC PROPERTY WITHIN THE UNINCORPORATED COUNTY, TO PRESCRIBE THE BOUNDARIES OF SUCH HISTORIC PROPERTY, TO REQUIRE A CERTIFICATE OF APPROPRIATENESS FROM THE CHATHAM COUNTY HISTORIC PRESERVATION COMMISSION PRIOR TO ANY MATERIAL CHANGE IN APPEARANCE OF THE PROPERTY, TO ESTABLISH DEVELOPMENT AND DESIGN STANDARDS, TO BE SHOWN ON THE OFFICIAL ZONING MAP OF THE COUNTY AND FOR OTHER PURPOSES.

The Board of Commissioners of Chatham County established the Chatham County Historic Preservation Ordinance in 2005;

Pursuant to its purposes under said Ordinance, the Metropolitan Planning Commission has recommended to the Board of Commissioners the establishment of a historic property in Chatham County;

The Commission's recommendation to the Board of Commissioners for the designation comes at the request of the property owner, after the Commission's conducting of a survey of the historic resource and a study of historic characteristics of the property recommended for designation, and after holding a public hearing on such designation;

The Metropolitan Planning Commission has prepared a report setting forth the physical description of the proposed historic property; the name of the owner(s) of the designated property; a statement of the historical, cultural, architectural and/or aesthetic significance of this area; a map showing the property boundaries; and representative photographs;

The Board of Commissioners upon consideration of the recommendation and report of the Metropolitan Planning Commission find that the proposed historic property is a building, structure, site, or object, including the adjacent area necessary for the proper appreciation or use thereof, worthy of preservation by reason of being an outstanding example of a structure representative of its era; is one of the few remaining examples of a past architectural style; is a place or structure associated with an event or persons of historical or cultural significance to the County of Chatham, State of Georgia, or the region; and/or is the site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the county, state, or region.

The Board of Commissioners hereby ordains as follows:

**SECTION ONE****Purpose**

In support and furtherance of its findings and determination that the historical, cultural and aesthetic heritage of the county is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity and general welfare of the people; and

In accordance with the ordinance to establish a Historic Preservation Commission in the county; to provide for the designation of historic properties; to provide for issuance of certificates of appropriateness; to provide for an appeals procedure; to repeal conflicting ordinances; and for other purposes;

The Board of Commissioners hereby declares it to be the purpose and intent of this ordinance to designate Isle of Hope Union Missionary Baptist Church as a historic property as an outstanding example of a structure representative of its era, as one of the few remaining examples of a past architectural style, and as a site of aesthetic interest that continues to contribute to the cultural or historical development and heritage of the county.

#### SECTION TWO

##### Designation of Historic Property and Boundary Description

There is hereby created and designated in and for Chatham County the Isle of Hope Union Missionary Baptist Church Historic Property with boundaries following the existing parcel boundaries of PIN 1-0377-07-009.

#### SECTION THREE

##### List of Property Owner(s)

The owner of the Historic Property located at 8417 Ferguson Avenue is Bush Fred Isle of Hope Baptist C/O Clarence Williams.

#### SECTION FOUR

##### Historic Property Boundaries on the Official Zoning Map

Upon designation, the Historic Property shall be shown on the Official Zoning Map of the county and kept as a public record to provide notice of such designation.

#### SECTION FIVE

##### Certificate of Appropriateness

Upon the effective date of this Ordinance, no material change in the appearance of any structure, site, or object within the designated Historic Property boundaries shall be made or be permitted to be made by the owner or occupant thereof, unless or until the application for a Certificate of Appropriateness has been submitted to and approved by the Preservation Planning Professional or the Chatham County Historic Preservation Commission.

#### SECTION SIX

##### Development Standards

The following standards from the Chatham County Historic Preservation Ordinance, Section V, I, shall be used to evaluate the appropriateness of alterations and new construction to the property. These standards are intended to be in addition to and not a replacement of existing zoning regulations, building codes, or other applicable regulations. Where there is a conflict, the most restrictive shall apply.

(1) Preservation of historic structures: An historic structure and any outbuildings, or any appurtenances related thereto visible from a public right-of-way, including but not limited to walls, fences, steps, and signs, shall only be altered, reconstructed, moved, or maintained in a manner that will preserve the historical and exterior architectural features of the historic structure or appurtenance thereto. Exterior architectural features shall include but not be limited to the architectural style, scale, general design, and general arrangement of the exterior of the structure, including the kind and texture of the building material, the type and style of all roofs, windows, doors and signs. In considering proposals for the exterior alterations of historic structures in a historic district and in applying the development standards, the documented original design of the structure may be considered.

(2) New Construction: A decision by the Commission approving or denying a Certificate of Appropriateness for new construction of a building shall be guided by the following principles:

- a. New buildings shall be constructed to a height generally equal to the average height and proportions of the historic building to which it is visually related.
- b. The scale of new buildings shall be generally consistent with the size and proportions of the historic building to which it is visually related.
- c. The proportion of the width of new buildings to the width of their lot shall reflect the prevailing rhythm of historic building to which it is visually related.
- d. The front walls of new buildings shall be set back equal distance from the street right-of-way as adjacent historic buildings.
- e. The roof forms of new buildings shall be generally consistent with roof shapes, pitches, and materials of the historic building to which it is visually related.
- f. The façade pattern of new buildings shall generally reflect the rhythm of door and window openings established by the historic building to which it is visually related.

(3) Reconstruction, Alteration, or Renovation: A decision by the Commission approving or denying a Certificate of Appropriateness for the reconstruction, alteration, or renovation of a building shall be guided by the following principles:

- a. The architectural character of the building shall be retained and preserved. The removal of distinctive materials or alteration of features and external spatial relationships that characterize the building shall be avoided.
- b. Changes to the building that create a false sense of historical development, such as adding conjectural features or elements from other historic buildings shall not be constructed.
- c. Distinctive materials, features, finishes, construction techniques, or examples of craftsmanship that characterize the building shall be preserved.
- d. Where deterioration requires replacement of a distinctive building feature, the new feature shall match the old in design, color, texture, and where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.

(4) Relocation: A decision by the Commission approving or denying a Certificate of Appropriateness for the relocation of a building shall be guided by:

- a. the historic character and aesthetic interest the building contributed to its present setting;
- b. whether there are definite plans for the area to be vacated and what the effect of those plans on the character of the surrounding area will be;
- c. whether the building can be moved without significant damage to its physical integrity;
- d. whether the proposed relocation area is compatible with the historical and architectural character of the building.

(5) Demolition: A decision by the Commission approving or denying a Certificate of Appropriateness for the demolition of a building shall be guided by:

- a. the historic or architectural significance of the building;
- b. the importance of the building to the ambiance of the district;
- c. the difficulty or the impossibility of reproducing such a building because of its design, texture, material, detail, or unique location;
- d. whether the building is one of the last remaining examples of its kind in the district or county;
- e. whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the district would be;
- f. whether reasonable measures can be taken to save the building from collapse; and
- g. whether the building is capable of earning reasonable economic return on its value.

## SECTION SEVEN

### Design Guidelines and Criteria

The following standards shall be used, in addition to the Development Standards, to determine the appropriateness of alterations and new construction to the property:

#### (1) Purpose and Intent

- a. The intent of these guidelines and criteria is to supplement the Development Standards with specific review standards to preserve the individual character of the property.
- b. These standards are intended to protect the historic and aesthetic characteristics of the existing historic property.
- c. These standards are further intended to provide guidance as to appropriate new construction and additions on the historic property. They strive not to copy the architectural design of the past, but to create a set of contemporary standards that protect and complement existing historic structures.
- d. The Chatham County Historic Preservation Commission may, at its sole discretion, waive strict compliance and interpretation of these standards, provided that a proposed project is not detrimental to any historic resources and is deemed visually compatible by the Commission.
- e. The historic structure shall retain the most prominent position on the site, and new construction and/or additions shall be subordinate to the historic structure.
- f. Automobiles shall be accommodated in a way that is subordinate to and without detracting from the historic property or other structures.

#### (2) Applicability

- a. All material changes to the exterior appearance of any existing building visible from the public right-of-way shall be consistent with these standards.
- b. All new construction, including accessory structures, and additions visible from the public right-of-way shall comply with all of the standards of this section.

#### (3) Historic Structures

- a. Intent: The intent of these standards is to ensure that the historic character of the building is preserved to the maximum extent possible. Historic character may be defined as the historic features, materials, construction techniques, forms, and

placement either original to the building or changes that have acquired historic significance.

- b. Secretary of the Interior's Standards for Rehabilitation: For projects receiving federal funds, the Secretary of Interior's Standards for Rehabilitation shall take precedence over similar standards in this section.
- c. Preservation: The following standards shall be applied to assess the appropriateness of alterations to historic, character defining features:
  - i. The property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings or other time periods shall not be undertaken.
  - ii. If alterations or additions have acquired historic significance in their own right, they shall be retained and preserved.
  - iii. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved. All material changes to the historic structure shall retain all character-defining elements.
  - iv. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, materials, and other visual qualities. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
  - v. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  - vi. Exterior alterations shall not destroy historic materials that characterize the property.

#### (4) Additions

- a. Intent: These standards are intended to provide guidance as to appropriate additions on the historic property. They are intended to protect the integrity of the historic structure while allowing new or expanded uses of the structure.
- b. Additions Standards: The following standards shall be applied to assess the appropriateness of additions to the property:
  - i. Additions shall not destroy historic materials that characterize the property.
  - ii. New work shall be differentiated from the old and shall be compatible with the massing, size, scale, materials, and architectural features to protect the historic property.
  - iii. Additions shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property would be unimpaired.
  - iv. Additions shall be subordinate to the historic building and not obscure any character-defining features.
  - v. Additions shall not be on the front of the historic structure.
  - vi. Additions should comply with the above standards as well as standards for new construction.

(5) New Construction

- a. Intent: These standards are intended to provide guidance as to appropriate new construction on the historic property. They are intended not to promote copies of the architectural design of the past, but to encourage contemporary designs that protect and complement existing historic structures.
- b. New Construction Standards: The following standards shall be applied to assess the appropriateness of all new construction (including accessory structures, garages, etc.) on the property:
  - i. Location: Accessory structures shall be situated to the side or rear of the main structure.
  - ii. Height and Mass: The height and mass of the historic structure shall not be exceeded by any accessory structure on the same lot.
  - iii. Foundation:
    1. Materials: Foundations shall be constructed of brick, stucco over concrete block piers, or wooden posts.
    2. Configuration: Foundation shall approximate the height of the piers of the historic structure. The space between piers may be filled with wood lattice, brick, or stucco over concrete block but it must be recessed at least three inches behind the front edge of the pier so that the piers are clearly visible and differentiated.
  - iv. Exterior Walls:
    1. Materials: Walls shall be constructed of wood or concrete-based, smooth face, wood simulated horizontal lap siding. They should be of a smooth or rough-sawn finish. Vinyl and aluminum siding shall not be permitted.
    2. Configuration: Blank wall areas shall not exceed 15 feet in vertical direction and 30 feet in the horizontal direction along any street.
  - v. Windows:
    1. Materials: Window casings and sashes shall be made of wood or clad wood material. Window glass shall be transparent with no dark tints or mirror effects. Simulated divided light windows shall be permitted on new construction provided that the muntin is 7/8" or less, and there is a spacer bar in between double panes of glass. Between-the-glass muntins shall not be permitted.
    2. Configuration: Windows shall be taller than they are wide, except for accent windows, which may be round or other shapes. Windows shall be double-hung, awning or casement. Fenestration pattern shall be similar to historic fenestration pattern.
    3. Shutters: Exterior shutters shall consist of a durable wood species or PVC as approved by the Commission. They shall be sized to fit the window, and operable (able to be closed over the window).
  - vi. Doors/Entrances:
    1. Materials: Doors shall be of glass, wood, clad wood or steel (without wood grain simulation). Doors shall not have a decorative cut-glass or half-moon inset.

## vii. Roof:

1. Materials: Roofs shall be constructed of standing seam metal, v-crimp, or architectural asphalt or similar shingles.
2. Configuration: Gable and hip roofs shall be symmetrically pitched between 4:12 and 8:12. Shed roofs, and porch roofs, subordinate and attached to the primary structure, shall be pitched between 2:12 and 6:12. Skylights, roof decks, pergolas and roof vents shall be permitted only on the roof plane opposite the public right-of-way façade, or when screened from public view. Eaves shall extend no less than 12 inches beyond the supporting walls. Soffits shall be placed perpendicular to the building wall, not sloping in plane with the roof. Applied mansard roofs shall not be permitted.

## viii. Mechanical Equipment and Refuse:

1. Configuration: Air compressors, mechanical pumps, water heaters, water softeners, utility meters, utility boxes, air conditioners and other similar types of equipment shall be placed in rear and side yards, and screened from view if visible from the public right-of-way. Roof mounted equipment shall not be visible from the public right-of-way. Refuse storage areas shall be located within a building or shall be screened from the public right-of-way.

- ix. Lighting: Materials, design and placement of light fixtures shall be compatible with the historic structure and not dominate the site.

## (6) Moving Structures

- a. Intent: Moving historic structures is considered detrimental to the historic significance of a property because significance is embodied in location, context and setting as well as the structure itself. Moving a property may destroy the relationship between the property and its surroundings, associations with historic events and persons, potential archaeological resources, and historic features such as landscaping, foundations, and chimneys. It may also create a false sense of historic development. However there are exceptional circumstances in which a move may be necessary.
- b. Moving Structures Standards: The following standards shall be applied to assess the appropriateness of moving a historic structure:
  - i. Location: The new location shall be in as close proximity as possible to the original location and shall approximate the historic character and development of the original site. Buildings shall not be moved out of a designated historic property or district.
  - ii. Condition: The historic structure shall be in sufficient condition to move without causing significant damage to the structure.

## (7) Demolition

- a. Intent: Demolishing historic structures permanently destroys the historic fabric of Chatham County is detrimental to the public interest. However there are circumstances in which demolition is the only viable option.
- b. Demolition Conditions: The following circumstances are the only situations in which a Certificate of Appropriateness for the demolition of a historic structure shall be issued:

- i. The demolition is required to alleviate a threat to public health or public safety; and/or
    - ii. The demolition is required to avoid exceptional practical difficulty or undue hardship upon any owner of the property. The determination of economic hardship shall require the application to provide evidence sufficient to demonstrate that the application of the standards of this section deprives the applicant of reasonable economic return on the subject property.
  - c. Demolition Application Requirements: Except for buildings and structures or parts of structures determined by the Director of the Department of Building Safety and Regulatory Services to pose an immediate threat to public safety, all demolition applications for historic structures shall include the following information:
    - i. Name and address of the owner(s) of the property.
    - ii. A report from a licensed structural engineer in the State of Georgia with demonstrated experience in renovation, restoration or rehabilitation, as to the structural soundness of the building and its adaptability for continued use, renovation, restoration or rehabilitation. Any dangerous conditions should be identified.
    - iii. Appraised fair market value of the property from a qualified professional appraiser. The appraisal must include a full market sales report to include comparable sales.
    - iv. Amount paid for the property. Remaining balance on any mortgage or other financing secured by the property and annual debt service for the previous two years.
    - v. If the property is income producing, the annual gross income from the property for the previous two years; the itemized operating and maintenance expenses for the previous two year; and depreciation deduction and annual cash flow before and after debt service for the previous two years. The Commission may require details of past rental history.
    - vi. Price asked and offers received within the previous two years. Most recent assessed values of the property and real estate taxes (if applicable). Include evidence of listing for sale.
    - vii. Economic incentives and/or funding available to the applicant through federal, state, local or private programs.
    - viii. Information documenting the construction date, history and development of the property.
- (8) Site: The following standards are intended to be in addition to and not to replace all requirements in the "Islands Area Community Plan," "Southeast Chatham County Community Plan," the Chatham County Zoning Ordinance, the Storm Water Management Ordinance, and other applicable regulations.
  - a. Paving: The following standards shall be applied to assess the appropriateness of all new paving:
    - i. Materials: Use of pervious paving is encouraged.
    - ii. Configuration: Paved areas shall be kept to a minimum. Breaking up large areas of paving into smaller, landscaped islands of paving is encouraged. Landscaped islands shall be required when the footprint of the paving exceeds 1500 square feet. When required, the landscaped area shall be at least 5% of the total area of paving.



- iii. Location: Paved parking areas shall be located to the side and rear of the historic structure.
  - iv. Exemptions: Paved walkways less than 6' in width are exempt from review.
  - b. Fencing and Garden Walls: The following standards shall be applied to assess the appropriateness of all new fences and garden walls:
    - i. Materials: Walls and fences facing a public street shall be constructed of the material of the primary building; provided however, iron fencing or extruded aluminum may be used.
    - ii. Configuration: Fencing in front of the primary structure shall be no more than 36 inches in height. Fencing along the side and rear of the primary structure shall be no more than eight feet in height.
  - c. Pools: The following standards shall be applied to assess the appropriateness of all new pools:
    - i. Location: Pools shall be located to the side or rear of the main structure.
- (9) Undue Hardship: When, by reason of unusual circumstances, the strict application of any provision listed above would result in exceptional practical difficulty or undue economic hardship upon any owner of a specific building, the Commission, shall have the power to vary or modify strict adherence to said provisions, or to interpret the meaning of said provisions, so as to relieve such difficulty or hardship; provided such variances, modifications or interpretations shall remain in harmony with the general purpose and intent of said provisions, so that the architectural or historical integrity, or character of the building, shall be conserved and substantial justice done. In granting variances, the Commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this Ordinance. An undue hardship shall not be a situation of the person's own making.

**SECTION EIGHT**

Effective Date

This Ordinance shall become effective on \_\_\_\_\_, 20\_\_.

THEREFORE BE IT RESOLVED, that the Chatham County Board of Commissioners does hereby ordain, resolves, and enacts the foregoing Maridon Historic Property Designation.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Date of Implementation: \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED:

CHATHAM COUNTY BOARD OF COMMISSIONERS

BY: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
COUNTY CLERK

