Historic Landmark Property Nomination and Alterations

Packet

User’s Guide
Historic Landmark Properties Nomination Form
Statement of Historic Significance
Certificate of Appropriateness Form
Secretary of Interior’s Standards for Rehabilitation

Erie Historic Preservation Advisory Board
645 Holbrook Street, Erie, CO 80516
303-926-2770

This document is available www.erieco.gov
Government>Boards and Commissions>Historic Preservation>Nomination Procedure

“Historic Preservation is Sustainability”
Rev. 06/2017
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User’s Guide
The User’s Guide gives instructions to assist in submitting a Historic Landmark Properties Nomination Form and a Certificate of Appropriateness Form for exterior alterations.

The EXTERNAL aspects of structures are the ONLY elements preserved and protected by Landmark Nomination. The INTERNAL spaces and uses of structures are NOT covered by the processes and elements of Landmark Nomination.

Note: Ordinance No. 28-2010, Series of 2010. “Any real or perceived discrepancy between any part of this User’s Guide and any provision of the above Ordinance shall be resolved in favor of the Ordinance”.

Historic Property Surveys
Historical surveys are conducted by professional historians and historical architects contracted through matching grants with History Colorado. Final results are reviewed by History Colorado and the EHPAB. Survey data is documented as part of the official History Colorado Architectural Inventory and determinations are made as to the property’s official Local, State, or National historical register eligibility.

Landmarking Procedure
Contact a member of the Erie Historic Preservation Advisory Board (EHPAB) to see if the property being nominated has been previously surveyed.

If a Historic Property Survey has been completed:
- Obtain Survey document from EHPAB.
- Fill out and sign the Historic Landmark Properties Nomination Form.
- Attach Survey document to Historic Landmark Properties Nomination Form.
- Submit the Nomination Form with attached Survey to:

  Town of Erie
  Community/Planning Department
  Attn. Erie Historic Preservation Advisory Board
  645 Holbrook Street
  P.P. 750
  Erie, Colorado 80516
  (email) townclerk@erieco.gov

If a Historic Property Survey has NOT been completed:
- Your structure/site will be added to Erie Historic Resource Inventory and prioritized for a future Historical Property Survey.
- When you receive EHPAB notification that your Historical Property Survey has been completed, follow the steps above for a “completed Survey.”
Nomination Process of the Erie Historic Preservation Advisory Board
Reference, Section 3-3-8: B of Ordinance 28-2010. After the nomination is filed with the Office of Community Development, it will be forwarded to the Erie Historic Preservation Advisory Board. The EHPAB will review the nomination within 45 days, and in no more than 15 days after its conclusion, it must adopt its findings and conclusions. The time deadlines can be extended but only with the applicant’s agreement. A recommendation is made to the Board of Trustees that the application be approved, modified or disapproved. The EHPAB does not make the final decision on a nomination.

Nomination Process of the Board of Trustees
Reference, Section 3-3-8: C of Ordinance 28-2010. No more than 45 days after the EHPAB forwards the nomination to the Board of Trustees, a public hearing, will be held. This will allow the applicant to add any information or opinion to the original application as well as to comment on the findings and conclusions of the EHPAB. Other persons could also be allowed to comment. The Board of Trustees will then have from 30 to 45 days in which to reach a final decision. These periods can be extended by the Board of Trustees, but only with the applicant’s consent.

Official Notice of the Nomination
If the Board of Trustees designates the property as a historic landmark, this decision will be forwarded to the Community Development Director. The Applicant will be officially notified. A copy of the decision will be recorded in the records of either Boulder or Weld County. The Community Development Director will maintain a list of officially landmarked properties.

Certificate of Appropriateness
If a historically landmarked structure is to be modified with new construction or repair, the changes are to be done in a historically appropriate manner. A structure may be moved under certain conditions designed to maintain the historic character of the structure. A structure may be demolished for several reasons if it is no longer feasible or possible to maintain the integrity or safety of the structure. Decisions concerning these matters are made during the process of application for a Certificate of Appropriateness. When the owner applies for a building permit to accomplish any of the above outcomes, they must also apply for a Certificate of Appropriateness.

The Erie Historic Preservation Advisory Board will review an application for a Certificate of Appropriateness within 60 days of the date of its filing. Within 30 days of ending its review, the Advisory Board will issue a written report of its findings and conclusions and recommend that the application be approved, modified and approved, or disapproved. These recommendations will be forwarded to the Board of Trustees.

Appropriateness: Procedures of the Erie Historic Preservation Advisory Board–Moving or Demolishing a Structure
In addition to the procedures for considering repairs and/or modifications, the Erie Historic Preservation Advisory Board may extend its review period by up to 90 days in the cases of moving or demolishing historic structures if the original application does not
meet the criteria for such actions. This period is invoked to encourage both the Advisory Board and the applicant to seek alternative solutions to the original application.

**Appropriateness: Procedures of the Board of Trustees**
The Board of Trustees will review an application for a Certificate of Appropriateness within 60 days of receipt of the Advisory Board’s report and recommendations. Within 30 days of ending its review, the Board of Trustees will reach a decision approving or denying the application. The Board of Trustees, when approving an application, may set a time limit in which the owner must apply for a building permit that is compatible with the Certificate of Appropriateness. If the Board of Trustees approves the application, the Community Development Director will issue the Certificate of Appropriateness to the owner. If the Board of Trustees denies the application, then no person may submit a new application for a Certificate of Appropriateness that is the same or substantially the same as the denied application for a period of one (1) year after the date of the denial.

**Criteria for Approval of Certificate of Appropriateness: Repairs and Modifications**
In reaching all decisions concerning applications for Certificates of Appropriateness of repairs and modifications, the Erie Historic Preservation Advisory Board and the Board of Trustees will apply the following criteria:

**A. For repairs, modification or new construction:**

1. The effect on the general historic and architectural character of the structure and property;
2. The architectural style, arrangement, texture and material used in the existing and proposed structures and their relation to and compatibility with other structures;
3. The size of the structure, its setbacks, location, and the appropriateness thereof when compared to existing structures and the site;
4. The compatibility of accessory structures and fences with the main structure on the site, and other structures;
5. The effects of the proposed work in creating, destroying or otherwise impacting the exterior architectural features of the structure upon which such work is done.
6. The condition of existing improvements and whether they are a hazard to public health and safety;
7. The effects of the proposed work on the protection, enhancement, perpetuation of the use of the property; and,
8. Compliance with the United States Secretary of the Interior’s “Standards for Rehabilitation.”
B. For relocating a structure:

1. Concerning the original site of the structure:
   a. Documentation showing the structure cannot be rehabilitated or reused on its original site to provide for any reasonable beneficial use of the property;
   b. The contribution the structure makes in its present setting;
   c. Whether plans are specifically defined for the site to be vacated, and have been approved by the Town Administrator;
   d. If the structure can be moved and re-sited without significant damage to its physical integrity, and the applicant can show the relocation activity is the best preservation method for the character and integrity of the structure; and,
   e. Whether a structural report submitted by a licensed structural engineer adequately demonstrates the soundness of the structure proposed for relocation.

2. Concerning the proposed new location of the structure:
   a. Whether the building or structure is compatible with its proposed site and adjacent properties, and if the receiving site is compatible in nature with the structure or structures proposed to be moved;
   b. The structure’s architectural integrity and its consistency with the character of the neighborhood;
   c. Whether the relocation of the structure would diminish the integrity or character of the neighborhood of the receiving site; and,
   d. If a relocation plan has been submitted and approved by the Town Administrator to ensure the safe relocation, preservation and repair of the structure, site preparation and infrastructure connections as provided in applicable codes of the town.

3. The town may require that you post a performance bond for the purpose of ensuring that the relocated structure is re-established on its new site according to town codes.

C. For demolition of a structure:

1. For total demolition:
   a. The structure proposed for demolition is not structurally sound despite evidence of the owner’s efforts to maintain the structure;
   b. The structure cannot be rehabilitated or reused on site to provide beneficial use of the property;
   c. The structure cannot be practically moved to another site in the town; and,
   d. The applicant demonstrates that the proposal mitigates to the greatest extent possible that:
      1) Any impacts that occur to the visual character of the neighborhood where demolition is proposed to occur;
2) Any impact on the historic importance of the structure or structures located on the property and adjacent properties; and,
3) Any impact to the architectural integrity of the structure or structures located on the property and adjacent properties.

2. For partial demolition:
   a. The partial demolition is required for the renovation, restoration or rehabilitation of the structure; and,
   b. The applicant has mitigated, to the greatest extent possible, and at the applicant’s own cost:
      1) Impacts on the historic importance of the structure or structures located on the property;
      2) Impacts on the architectural integrity of the structure or structures located on the property.

Exemptions for Economic Hardship and for Health and Safety Hardship
If the Board of Trustees denies an application for a Certificate of Appropriateness, the owner of the landmarked structure may request an exemption either for economic hardship or for health and safety hardship.

A. Economic hardship:
The exemption can be granted if the owner can demonstrate that he is unable to obtain a reasonable return on his investment.

B. Health and safety hardship:
The exemption can be granted if the owner can demonstrate that to apply the criteria for appropriateness would cause a situation that would be substantially inadequate to meet the owner’s needs because of health or safety issues that were not created by action or inaction of the owner.

Process of the Board of Trustees for Determining Exemptions
The owner may request an exemption based on the above criteria by applying to the Board of Trustees, submitting documentation of his reasons. The Board of Trustees will proceed to review and make decisions on exemptions using the same processes as it uses for review of original applications for certificates of appropriateness. No consideration by the Erie Historic Preservation Advisory Board is needed.

Colorado Income Tax Credits
From July 1, 2015 through December 31, 2019, Colorado will offer taxpayers two different programs that offer income tax credit for the rehabilitation of qualified historic properties. The Colorado Job Creation and Main Street Revitalization Act of 2014 (CRS 39-22-514.5) offers a 20 – 30 percent tax credit for the rehabilitation of a qualified commercial (income-producing) property, as well as a 20 – 25 percent credit for the rehabilitation of a qualified residential (owner-
occupied) property. The Historic Preservation Tax Credit Act of 1990 (CRS 39-22-514) offers a 20 percent tax credit for the rehabilitation of any qualified historic property. Download further information and application forms from the following web site:

http://www.historycolorado.org/oahp/preservation-tax-credits
HISTORIC LANDMARK PROPERTY NOMINATION FORM

Address of Property

Historic Name of Property: (if applicable)

Owner(s) of Property Site/object

NOTE: Only the owner(s) of properties can nominate the property. (Resolution 11-113 3-3-8) If there are multiple owners, list the principal owner first for contact purposes. List all owners of interests in the property and use the exact name(s) as it appears on the Title that is recorded in Boulder or Weld County.

Mailing Address City State Zip

Phone Cell Email

Structure(s) on the Property being nominated

NOTE: List all that are applicable: i.e., house, barn, garage, commercial building, church etc. Exclude structures not part of the nominated structure but are now located on the property (site).

Description of Property (site):

1. Legal: Lot Block Subdivision
   (If applicable, attach a separate sheet with a metes and bounds description)

2. Describe fences, ground features, streams, wells, septic tanks, drainage ditch, leech field, swale, etc. Date any manmade features.
Use of Property:

Historic: ________________________________________________

Current: ________________________________________________

Year of Construction: ________

Years(s) of Exterior Remodeling (if known): _______________

Signature of Applicant/s_____________________________________

Date______________________________________________

Email digital PDF (or postal mail/deliver in person) completed form with signature and attachments to:

Town of Erie c/o Community Development Department
Attn: R. Martin Ostholthoff
645 Holbrook St.
P.O. Box 750
Erie, CO 80516
mostholthoff@erieco.gov
# Certificate of Appropriateness Application Form

**Property Address:**

**Applicant:** ___________________________  
**Owner:** ___________________________

**Mailing Address:** ___________________________  
**Mailing Address:** ___________________________

**Phone:** ___________________________  
**Phone:** ___________________________

**E-Mail:** ___________________________  
**E-Mail:** ___________________________

**Please check if this is primary contact person** ☐  
**Please check if this is primary contact person** ☐

**Description of Proposed Work:**

___________________________________________

___________________________________________

**Type of Work:** (Check all that apply)

☐ New Construction: Construction of a new building, additions, garages, sheds, etc.

☐ Renovation work: includes, but is not limited to, all exterior changes to an existing building, windows, doors, roofing, etc.

☐ Sitework: Adding landscape features (walks, patios, fencing, retaining walls, etc.)

☐ Signage: Installation of a sign on a building or site.

☐ Demolition: Removal of any building feature(s) or the razing of any structure(s).

☐ Other: ___________________________

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**Owner’s Signature:** ___________________________  
**Date:** __________

By signing this application, I acknowledge that I have reviewed the proposed scope of work and am Responsible for compliance with any Certificate of Appropriateness or Overlay Permit issued for this project. (Owner’s Original signature is required for all applications.

**Applicant’s Signature:** ___________________________  
**Date:** __________

I hereby certify that the proposed work is accurately described and authorized by the owner of record, and I am acting on behalf of the owner to make this application as the authorized agent.

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→ See next page for Certificate of Appropriateness Submission Requirements
Submission Requirements for Certificate of Appropriateness Form

Your application may require certain drawings. Each application is different and, therefore, may have different drawing requirements. These drawings will help the Historic Preservation Advisory Board (HPAB) understand your proposal. A board member of the HPAB can meet with you to determine which items in the checklist below should be submitted for the Board review.

Once it is determined what should be submitted, the application should be sent to the Community/Planning Department, along with those items, by the application deadline. Additional materials may be requested at any point during the process to insure the HPAB has adequate information for review. If materials requested fail to be submitted by the deadline, the application will be excluded from the agenda and will not be placed on the agenda until all requests are satisfied.

**New Construction/Room Additions**
- All Elevations
- Floor plans
- Site plans
- Wall Section
- Detailed drawings for items such as cornice and gutter construction, porch railing, window trim, dormers and doors.
- Drawings showing new structure in relation to adjacent structures and/or existing building.

**Rehabilitation**
- Elevations of any façade when new elements are applied.
- Detail drawings of any new elements.
- Photos of rehabilitation area.

**Site Changes**
- Site plan showing any changes (fences, pools, landscaping, etc.)
- Dimension and details of any fence or any other such site elements.

**Demolition**
- Digital photos

**Notes**

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Certificate of Appropriateness Form, Page 2 of 3
For Erie Historic Preservation Advisory Board (EHPAB) Office Use Only

Building Address: ________________  Date __________________

Received: __________________________

Referral

Referral to EHPAB  Meeting Date: ________________
Referral to Board of Trustees  Meeting Date: ________________

Comments: ____________________________________________
_____________________________________________________

EHPAB Recommendation  Date: ________________
Received________________________

☐ Approve  ☐ Approve with Conditions
Comments: ____________________________________________
_____________________________________________________

Decisions By:

EHPAB-Date: __________________________

Board of Trustees-Date_______________________

Final Action

☐ Approve  ☐ Approve with Conditions  ☐ Disapprove

__________________________________________
Community/Planning Department Office Staff

__________________________________________
Date
The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building’s site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each 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, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

6. 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, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. 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.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
Illustrated Guidelines for Rehabilitating Historic Buildings

Rehabilitation Standards and Guidelines
http://www.nps.gov/tps/standards/rehabilitation.htm

Four Approaches to the Treatment of Historic Properties
http://www.nps.gov/tps/standards/four-treatments.htm

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings: Choosing an Appropriate Treatment for the Historic Building
http://www.nps.gov/tps/standards/four-treatments/standguide/overview/choose_treat.htm

Preservation Briefs
http://www.nps.gov/tps/how-to-preserve/briefs.htm

Preservation Tech Notes
http://www.nps.gov/tps/how-to-preserve/tech-notes.htm

Cultural Landscapes
http://www.nps.gov/tps/how-to-preserve/cultural-landscapes.htm