



**Appeal of  
Decision by the  
Historic Preservation Commission  
to City Council**

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## MEMO

**To:** City Council  
**From:** Randy Mannino/David Hardegree  
**CC:** David Archer  
**Date:** October 3rd, 2022  
**City Council meeting:** October 6, 2022  
**Re:** COP22-17. 32 Cassville Road. Appeal of Historic Preservation Commission (HPC) decision denying perimeter fencing

On December 15<sup>th</sup>, 2020, the HPC reviewed an application with associated plans, COP20-32, by Hudson and Co, Inc. (John B. Hudson), for the demolition of several existing structures and the construction of a new house and amenities. The HPC held a public hearing in which many residents addressed the HPC and raised support and concerns over the application as noted in the meeting minutes. Mr. Hudson stated that the perimeter fencing was withdrawn from the application.

After consideration, the HPC voted to permit the demolition of the identified structures and to allow the house and associated amenities to be constructed with (2) conditions: 1) There be no fencing around the perimeter [of the property] and, 2) the approval is site plan specific.

Though Mr. Hudson stated the fence was withdrawn from the original application, the submitted site plan was not revised and did show a decorative perimeter fencing that was 6ft in height with brick columns that were also 6ft in height. Since the 2nd condition stated the approval is “site plan specific,” the fence could have been an approved item by default without the added condition.

By ordinance, all front yard fences are to be no taller than 4ft in height and must be non-opaque (Zoning ord. Sec. 4.16). The 6ft. fence did not comply with the zoning ordinance; therefore, a variance was required to allow a 6ft. fence in the front yard. The variance requirement was not mentioned in the case file or meeting minutes. The variance review requirement would have been grounds for denial, at least temporarily.

On September 20, 2022, the HPC reviewed an application, COP22-17, by Hudson and Co, Inc. for 1) the addition of a privacy fence along the western property line that encroached into the front yard along Charles Street, and 2) the removal of the perimeter fence condition on COP20-32. The site plan submitted with COP22-17 showed a reduction in height of the proposed perimeter fence and columns from 6ft. to 4ft. The fence would be non-opaque as demonstrated by the example submitted with the application. The perimeter fence would be compliant with the zoning ordinance, therefore, no variance would be required.

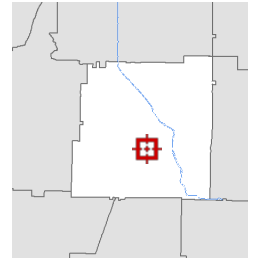
The HPC held a public hearing in which several residents addressed the HPC and raised concern over removal of the perimeter fence condition.

After consideration, the HPC voted to deny the removal of the perimeter fence condition established on COP20-32.

The privacy fence was approved pending approval by the BZA on October 13<sup>th</sup>. Case No., V22-19.



**Overview**



**Legend**

- Parcels
- Roads

<b>Parcel ID</b>	C002-0016-007	<b>Alternate ID</b>	32251	<b>Owner Address</b>	EVANS CALVIN H & TAMMY
<b>Sec/Twp/Rng</b>	n/a	<b>Class</b>	Residential		PO BOX 1505
<b>Property Address</b>	32 CASSVILLE RD	<b>Acreeage</b>	4.25		CARTERSVILLE, GA 30120
<b>District</b>	Cartersville				
<b>Brief Tax Description</b>	LL452-3 LD4				

(Note: Not to be used on legal documents)

Date created: 9/16/2022  
 Last Data Uploaded: 9/15/2022 10:41:01 PM

Developed by **Schneider**  
 GEOSPATIAL



# Cartersville Historic Preservation Commission CERTIFICATE OF PRESERVATION APPLICATION

## PROCEDURE

### Application Requirements

All Applications must be complete and include support materials listed on the reverse of this form and a \$25 non-refundable application fee.

### Application Deadlines

See 3rd page of application for application submittal deadlines.

### Application Representation

The applicant or authorized representative of the applicant should attend the public hearing to support the application.

### Building Permits Requirements

In Addition to a COP application, building permits must be acquired from the Community Development Department. Building permits will not be issued without proof of a COP.

### Deadline for Project Completion

After approval, the COP is valid for 18 months and void if construction does not begin within 6 months of approval.

Office Use Only	
Case Number	22-17
Date Received	8/29/22
Contributing	N. - 2021
Zoning	R-20
Legal Advertisement	9/13/22
Notified Adjacent	
HPC Hearing	9/20/22
HPC Decision	
COP Expiration	
Project Completion	
Tax Parcel	C002-006-007

\*Applicant: Hudson & Company, Inc

Project Address: 32 CASSVILLE ROAD

Mailing Address (if different than project address):

PO Box 367 Cartersville, GA 30120

Phone: 770-480-1598

Email: john@hudsoncompanyga.com

\*NOTE: If applicant is not the owner, as listed on the property deed, a letter from the owner authorizing the proposed work must be included along with the owners phone number and address.

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### Existing Building Type:

- Residential One, Two or Multi-family \_\_\_\_\_
- Commercial Garage, Storage \_\_\_\_\_
- Other \_\_\_\_\_

Brief Project Description (example: addition of sunroom, installation of fence):

### Type of Project (check all that apply)

- New building
- Addition to building
- Relocation of building(s)
- Demolition
- Fence(s), wall(s), landscaping
- Minor exterior change
- Major restoration, rehabilitation, or remodeling
- Other \_\_\_\_\_

Start Date: 11/2022

Anticipated Completion: 1/2023

Contractor/Consultant/Architect: Hudson & Company, Inc

### AUTHORIZATION

In consideration for the City of Cartersville's review of this application for a proposed change to a locally designated property, the applicant agrees to hereby indemnify and hold harmless the City and its' agents and employees from and against any and all claims, damages, and/or liability arising from or related to this application or any issuance of a permit hereunder.

Date 8/29/2022

Signature [Signature]



## APPLICATION CHECKLIST

The following list includes the support material necessary for review of a particular project.

### New Buildings and New Additions

- site plan
- architectural elevations
- floor plan
- landscape plan (vegetation not required)
- description of construction materials
- photographs of proposed site and adjoining properties

### Major Restoration, Rehabilitation, or Remodeling

- architectural elevations or sketches
- description of proposed changes
- description of construction materials
- photographs of existing building
- documentation of earlier historic appearances (restoration only)

### Minor Exterior Changes

- description of proposed changes
- description of construction materials
- photographs of existing building

### Site Changes – Parking areas, Drives, Walks

- site plan or sketch of site
- description of construction materials
- photographs of site

### Site Changes – Fences, Walls, Systems

- site plan or sketch of site
- architectural elevations or sketches
- description of construction materials
- photographs of site

### Site Changes – Signs

- specifications
- description of construction materials and illumination

### Demolition

Must include a complete plan for the new development.

- timetable
- demolition budget
- new construction budget
- evidence of adequate financing

**NOTE:** Only complete applications will be placed on the agenda for design review. Submit to:

City of Cartersville  
Planning and Development Department  
P.O. Box 1390  
Cartersville, GA 30120

## PROJECT DESCRIPTION

Include support materials and attach additional sheets if needed. If the proposed scope of work will involve more than one type of project, please divide the description.

[Example: (1) Addition to rear (2) New roof]

We are asking to allow a 6' wooden privacy fence to encroach into the front yard.

Fence would stop short of Charles St. property corner by approx. 60'. This point would near the the rear corner of the carriage house.

9/16/22: Install decorative iron fence and masonry columns around perimeter of property.

## PRECEDENCE OF DECISIONS

Each application will be considered on it's own merit with reference to the Secretary of the Interior's Standards and the Commission's published Design Standards. While the Historic Preservation Commission may consider past actions when making decisions on an Application for a Certificate of Preservation, it is not held by those decisions when considering new application that may appear similar in character.



EXAMPLE OF DECORATIVE PERIMETER FENCING. SUBMITTED 9/16/22.  
DISTRIBUTED TO HPC AT MEETING.

**SEE NEXT PAGE FOR INFORMATION THE COLUMNS.**

## David Hardegree

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**From:** John Hudson <john@hudsoncompanyga.com>  
**Sent:** Tuesday, September 20, 2022 2:45 PM  
**To:** David Hardegree  
**Subject:** [EXTERNAL] Re: 4' Ornamental Fence 32 Cassville

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

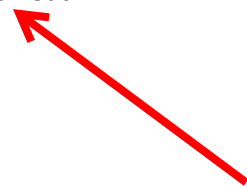
**CAUTION!** : This email originated from outside the City of Cartersville network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Sender:** [john@hudsoncompanyga.com](mailto:john@hudsoncompanyga.com)

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Painted brick. Approx 2'x2- 4' tall. Site plan shows them approx 40' apart along Cassville Road

John Hudson (JB), President  
Hudson & Company, Inc  
770-480-1598 - cell  
[john@hudsoncompanyga.com](mailto:john@hudsoncompanyga.com)



On Sep 19, 2022, at 11:48 AM, David Hardegree <dhardegree@cityofcartersville.org> wrote:

Do you have an example of these? I didn't see a detail in the 2020 submittals. Are they stone? brick? other? Dimensions- 2'x2'x4' ?

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**From:** John Hudson <john@hudsoncompanyga.com>  
**Sent:** Monday, September 19, 2022 11:34 AM  
**To:** David Hardegree <dhardegree@cityofcartersville.org>  
**Subject:** [EXTERNAL] Re: 4' Ornamental Fence 32 Cassville

**CAUTION!** : This email originated from outside the City of Cartersville network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Sender:** [john@hudsoncompanyga.com](mailto:john@hudsoncompanyga.com)

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Yes

John Hudson (JB), President  
Hudson & Company, Inc  
770-480-1598 - cell  
[john@hudsoncompanyga.com](mailto:john@hudsoncompanyga.com)

Historic Preservation Commission Meeting  
10 N. Public Square  
September 20, 2022  
5:30 P.M.

## **I. Opening Meeting**

Call to order by Chairman Frisbee at 5:30 PM

Present: Greg Frisbee, Becky Carr, Vandi White, Brad Galland, and Larry Gregory

Staff Present: David Hardegree, Samantha Fincher, Zack Arnold, and David Archer

Absent:

### **1. Approval of Minutes**

Chairman Frisbee called for a motion to approve the minutes of the last meeting.

Board Member Carr made a motion to approve the meeting minutes from August 16, 2022. Board Member White seconded the motion. Motion carried unanimously. Vote: 4-0.

### **2. COP22-16. 429 W Main St. Applicant: Bartow County Library System**

Chairman Frisbee called for the next item on the agenda. David Hardegree, Planning and Development Assistant Director, stated that in coordination with Art in Bartow, the Bartow County Library System is proposing a new amphitheater adjacent to School Street on the library property. The small performing arts and lecture space- a Performance Patio- will occupy approximately 30ft x 35ft. and will utilize the large library lawn as a seating area for performances and lectures. The structure will have a masonry floor with an approximate 8ft. wall enclosing the rear of the stage area along School St. The structure will be made of brick and concrete. Landscaping will enhance the structure. Steel beams are proposed for the roof structure to support the addition of audio/visual enhancements. A variance will be required for this project as the structure is proposed in the front yard along School Street. The variance will be heard at the Oct. 13 BZA meeting. (Case No. V22-20.)

Chairman Frisbee opened the floor for discussion.

Carmen Sims, Library Director, came forward to represent the application. Mrs. Sims stated they do not wish to have a roof on the structure as shown on the site and architectural plans. The performance patio anticipates having one event a month. All events are wrapped up by 9 PM.

Chairman Frisbee opened the public hearing.

Julia Jones, a resident of Fite/Tabernacle Street, came forward to oppose the performance patio.

Mr. Hardegree stated that he received a letter from Ed Kinsel, 115 Tabernacle St, with



reservations about the proposal.

With no one else to come forward, the public hearing was closed for discussion.

The Board Members were concerned with the design, placement, and impact of the surrounding residential area.

Mrs. Sims stated she would like to have a neighborhood meeting to address concerns with neighboring residents.

Mr. Hardegree made the suggestion of withdrawing the application and returning to the Historic Preservation Board after the neighborhood meeting.

Mrs. Sims withdrew the application without prejudice.

No action was taken by the Board.

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→ **3. COP22-17. 32 Cassville Rd. Applicant: Hudson & Co. LLC**

Chairman Frisbee called for the next item on the agenda. Mr. Hardegree stated he wished to break this item into two parts. The first request is a 6ft. wooden, privacy fence proposed to the left side and rear of the new house along the property line. The fence does extend approximately 100ft. past the front building façade along Charles Street creating a front yard encroachment of the privacy fence. The encroachment is well behind the 20ft. building setback as required by the zoning ordinance. A variance is also required for this encroachment and will be reviewed by the BZA on Oct. 13. (Case No. V22-19.)

Chairman Frisbee opened the floor for discussion.

JB Hudson, the Contractor, came forward to represent the application and answer questions from the Board. Mr. Hudson stated the proposed privacy fence would be double-faced.

Chairman Frisbee opened the floor for a public hearing; with no one to come forward, the public hearing was closed.

Board Member Gregory made a motion to approve the double-faced privacy fence. Board Member White seconded the motion. Vote: 4-0.

→ Mr. Hardegree returned to the Board and stated the second part of this request is to connect to a 4ft. decorative iron fence around the perimeter of the property. Masonry columns will be constructed approx. 40ft apart to anchor and support the decorative iron fencing. A 6 ft. decorative iron fence with masonry columns was proposed on COP20-32 but was eventually removed from consideration, as there was opposition to the fence. If the fence and masonry columns are not more than 4ft in height, as allowed by the zoning ordinance, the fence could be approved administratively. However, the motion to approve the site plan was made with a condition that there be no perimeter fencing. There are no guidelines for new fences and columns in the HPC design standards.

Chairman Frisbee opened the floor for discussion.

David Archer, City Attorney, stated the only thing forbidding the 4ft. decorative iron fence is the condition placed by the Historic Preservation Board.

Mr. Hudson came forward to represent the application and answer questions from the Board. Mr. Hudson stated brick piers are only proposed on the Cassville frontage, the original proposal was for a 6 ft. iron fence, and the new proposal is for a 4 ft. iron fence, and landscaping will be added.

Michael Tidwell, 23 Cassville Road, came forward to oppose the 4ft. iron fence.

Anne Warren came forward to oppose the 4ft. iron fence.

Becky Champion came forward to oppose the 4ft. iron fence.

With no one else to come forward, the public hearing was closed for discussion.

The Board Members agreed that the fence was out of character for the district.

Board Member Galland made a motion to deny the removal of the condition. Board Member Carr seconded the motion. Vote:4-0.

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## **STAFF OR COMMITTEE COMMENTS**

Mr. Hardegree stated that Stephanie Gargiulo and Justin Colt Kelley, located at 341 W Cherokee Ave (COP 22-09) have run into hardships, such as material delays. This has caused setbacks and changes to the approved plans. A formal application submittal will be provided at the next Historic Preservation Meeting; the applicants are encroaching on the end of their current lease and are requesting feedback on the proposed changes so they may continue to work towards obtaining the Certificate of Completion for this project.

Stephanie Gargiulo & Justin Colt Kelley, owners of 341 W Cherokee Ave, came forward to answer questions from the Board and provided an overview of the proposed changes.

The Board Members requested drawings and detailed descriptions of the changes. Mr. Frisbee urged the applicants to continue to work with Mr. Hardegree on a formal submittal.

Mr. Hardegree stated 32 Cassville Road has the right to appeal the Historic Preservation Board's decision to City Council.

Board Member Carr made a motion to nominate Board Member Galland as Vice-Chairman of the Historic Preservation Board. Board Member White seconded the motion. Vote: 4-0.

Mr. Hardegree announced he has received two applications for the Historic Preservation Board. Applications will be forwarded to the City Manager's Office for review.

Chairman Frisbee adjourned the meeting at 6:55 PM.

/s/ \_\_\_\_\_  
Greg Frisbee  
Chairman

DRAFT



**Cartersville Historic Preservation Commission**  
**10 N. Public Square**  
**P.O. Box 1390**  
**Cartersville, Georgia 30120**

September 23, 2022

Hudson & Company, Inc.  
PO Box 367  
Cartersville, GA 30120

RE: COP22-17. 32 Cassville Rd. Hearing Results Letter.

Mr. Hudson,

This letter confirms the outcome of your Certificate of Preservation (COP) application to the Cartersville Historic Preservation Commission (HPC) for property located at 32 Cassville Rd. On September 20th, 2022 the HPC **approved with a condition** the following task item per the HPC Application:

1. Allow a 6ft privacy fence, approximately 100ft. in length, to extend into the front yard near Charles St with a condition that the privacy fence have pickets on both sides.

**If you modify or make additions to the approved scope of work, you must reapply to the Historic Preservation Commission and receive approval before continuing the project.**

A variance is also required for the privacy fence. The variance, V22-19, will be reviewed by the Board of Zoning Appeals on Oct. 13<sup>th</sup> at 5:30pm.

On September 20th, 2022 the HPC **denied** the following per the HPC Application:

1. Remove the existing condition on the property originating from COP20-32 that prohibits the addition of a fence around the perimeter of the property.

You may appeal this decision to City Council within 30 days of the hearing date. Contact me for instructions.

If you have any questions, please contact me directly or by calling the City of Cartersville Planning Department at 770-387-5600.

Sincerely,

David Hardegree, AICP

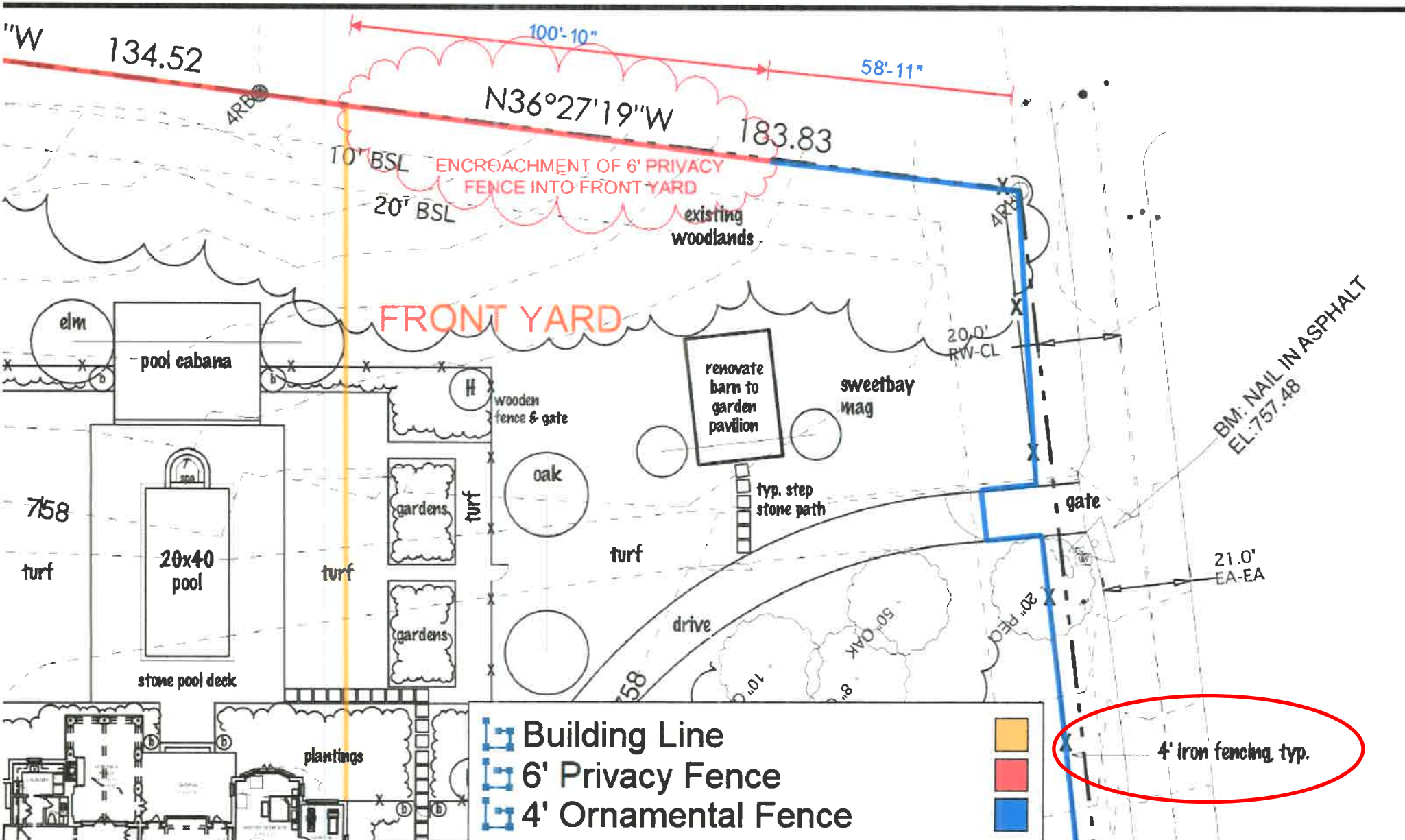
City Planner

O: 770-387-5614

[dhardegree@cityofcartersville.org](mailto:dhardegree@cityofcartersville.org)



36.00 x 24.00



-  Building Line
-  6' Privacy Fence
-  4' Ornamental Fence




 4' iron fencing, typ.

Sec. 4.16. - Fences and walls.

A. In all zoning districts:

1. No fence or wall shall constitute an obstruction to the vision for or create a hazard to vehicular traffic.
2. No fence or wall, including retaining walls, shall be constructed of exposed concrete block, tires, junk or other discarded materials.
3. The fencing standards as stated in this section shall not apply to fencing for detention ponds.
4. The wall standards as stated in this section shall not apply to retaining walls approved by the plan review process for planned developments.

 B. In all residential and commercial zoning districts:

-  1. Any fence or wall which extends into the front yard shall be ornamental or decorative, and shall not be opaque. Any such fence or wall may be constructed of brick, stone, wood, wrought iron, split rail, or other decorative material as approved by the zoning administrator.
-  2. Fences and walls shall not exceed four (4) feet in height in a front yard and shall not exceed eight (8) feet in height in a side or rear yard.
3. Chain-link fencing material may be used in the front yard with prior approval of a variance by the board of zoning appeals. No variance is required if chain link fencing material is used in a side or rear yard.
-  4. For a corner lot or double frontage lot, a screening or opaque fence may be installed to the rear of the principal structure at a maximum of eight (8) feet in height provided that the fence shall be located behind the required front yard setback and shall not be located adjacent to or abutting a collector or arterial street.
5. Razor wire (ribbon) shall be prohibited.

C. In all industrial zoning districts:

1. Fences or walls shall not exceed (8) feet in height in front, side and rear yards.

(Ord. No. 20-21, § 1, 4-1-2021)

Historic Preservation Commission Meeting  
10 N. Public Square  
December 15, 2020  
5:30 P.M.

## **I. Opening Meeting**

Call to order by Chairman Frisbee

Present: Greg Frisbee, Becky Carr, Jeff Glover, Vandi White, Brad Galland, Lynne Pritchett

Staff Present: Randy Mannino, Samantha Fincher, Meredith Ulmer, and Keith Lovell

Absent: Larry Gregory

### **1. Call to Order**

### **2. Approval of Minutes**

Chairman Frisbee called for a motion to approve the minutes of the last meeting. A motion to approve the meeting minutes from November 17, 2020 with the correction of the meeting date and the vote count was made by Board Member Glover and seconded by Board Member Carr. Motion carried unanimously. Vote: 5-0. Board Member Galland was absent during this time.

### **3. New Business:**

#### **A. COP20-32: 32 Cassville Rd Scope: Approval/denial of demolition and new construction plans**

Chairman Frisbee called for the next item on the agenda. Meredith Ulmer, Assistant City Planner gave an overview of the application. The applicant wishes to demolish the existing home, carport, smokehouse, and guest quarters. An effort will be made to save the carriage house. A new neoclassical style home, with Italianate and Palladian influences is proposed to be constructed on the site of the existing home.

John B. Hudson, owner of Hudson & Company, Inc. and applicant on behalf on Calvin and Tammy Evans came forward in favor of the application. Mr. Hudson explained that the home and accessory structures have been severely neglected. The home suffers from water problems, foundation, and structural issues. The entire mechanical system would need to be replaced. Mr. Hudson and Mr. Evans agreed that the cost to rehabilitate outweighed what could be ever be recouped. Therefore, felt the home and accessory structures needed to be demolished. Pictures of the homes existing condition were provided to the board. The proposed home will fit the neighborhood, size and scale. If unable to save the carriage house, a replica will be constructed in its place.

Chairman Frisbee opened the floor for discussion.

Preston Holloway, 223 W Cherokee Ave came forward against the application. Mr. Preston stated it would be shameful to demolish a home that has been in the neighborhood over 100 years feared if approved it would set a precedent. Homeowners of historic homes should anticipate spending more money to upkeep their property. An inspection of the home prior to purchase would have determined the need for repairs. It is the duty of the residents and Historic Preservation Board to preserve and protect the historic charm of the district.

Chip Shropshire, 39 Cassville Road came forward and stated he has lived in the area for 20 years and felt torn about the application. Mr. Shropshire was pleased with the new home proposal, but also feared a demolition would set a precedent.

Boyd Pettit, 37 Green Street came forward and stated he would love to believe that the home could be restored, but appreciates that the applicant has proposed to build a home that fits the neighborhood. Mr. Pettit thanked the Board for their service.

Becky Champion, 55 Cassville Road came forward against the demolition. She would like to see the home restored. Mrs. Champion thanked the Board for their service.

Calvin Evans, owner of 32 Cassville Road came forward in favor of his application. Mr. Evans stated he does not take lightly of the demolition request as he respects the historic value of the home. His original intent was to restore, but plans have shifted. The proposed home will be very similar to the current home and will keep the historic integrity. Mr. Evans thanked the board and his neighbors.

Chairman Frisbee stated demolition requests are the most difficult to consider and the Board is tasked with a difficult decision. Hardships, and the current condition of the home will be taken into consideration.

Chairman Frisbee opened the floor for the Commission.

Board Member Glover stated he is not thrilled with the demolition request. He would like to see more details of what it would take to restore.

Board Member Pritchett asked Mr. Evans if he has had a second opinion or a cost estimate of the repairs. Mr. Hudson stated he has not provided a cost estimate because it is impossible to predict all the variables that could be uncovered during a restoration.

Board Member Galland stated he walked through the property in the past and confirmed it was in rough shape.

Board Member White stated the once beloved home had lost its integrity over the years after all the additions and became a burden. The proposed home fits and doesn't take away from the historic charm.

The Board discussed that they would handle the application as two requests. The demolition, and whether the proposed home is compatible.



Keith Lovell, City Attorney reminded the Board they have 45 days to take action upon receiving application. The application was accepted November 20, 2020 so it may not be practical to hold another meeting within the 45 days due to the approaching holidays. If they feel as if they do not have enough information, they will need to deny the application and ask for a re-submittal.

Board Member White made a motion to approve the demolition of all structures on the property. Motion was seconded by Board Member Galland. Motion carried. Vote: 4-2. Board Member Carr and Glover opposed.

Mr. Hudson came forward and stated the proposed home will be influenced by the original time period. Not much dirt will be disturbed, as the new home will be in the same location. The current home is 5,700 square foot and the proposed home is 6,200.

→ Michael Tidwell, 23 Cassville Road came forward and stated it was a beautiful ← plan but was concerned with the proposed fence around the perimeter. Mr. Hudson said the fence was withdrawn from the original application submittal. The only fence on the property will be around the pool, because it is required.

Becky Champion came forward and asked if there was any language that could be added to the approval that would condition the approval to be site-plan specific.

→ Board Member Carr made a motion to approve the application as submitted with ← the condition that there will be no fencing around the perimeter and the approval is site plan specific. Motion carried. Vote:5-1. Board Member Glover opposed.

Mr. Lovell stated the applicant will need to make sure the site plan complies with zoning standards.

#### 4. Staff or Commission Comments


Mrs. Ulmer stated Lillie Read, Downtown Development Director will attend the next Historic Preservation Meeting to discuss an upcoming art project.

Mr. Mannino stated David Hardegree, City Planner is doing exceptionally well for the circumstances and hopes to return to work in January.

#### 5. Adjourn

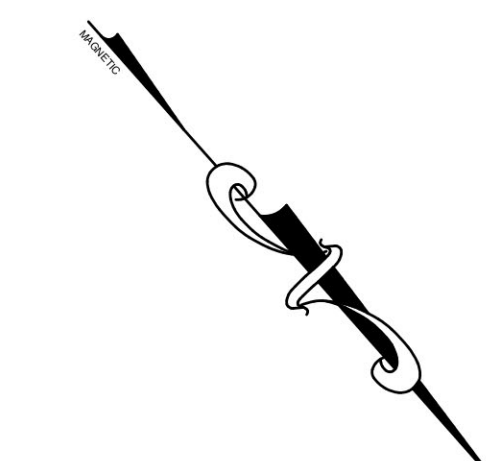
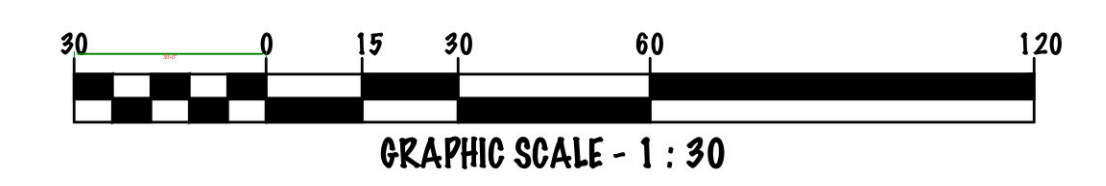
Chairman Frisbee adjourned the meeting at 7:15 p.m. The next scheduled Historic Preservation meeting is Tuesday, January 19, 2020 at 5:30 PM.

/s/

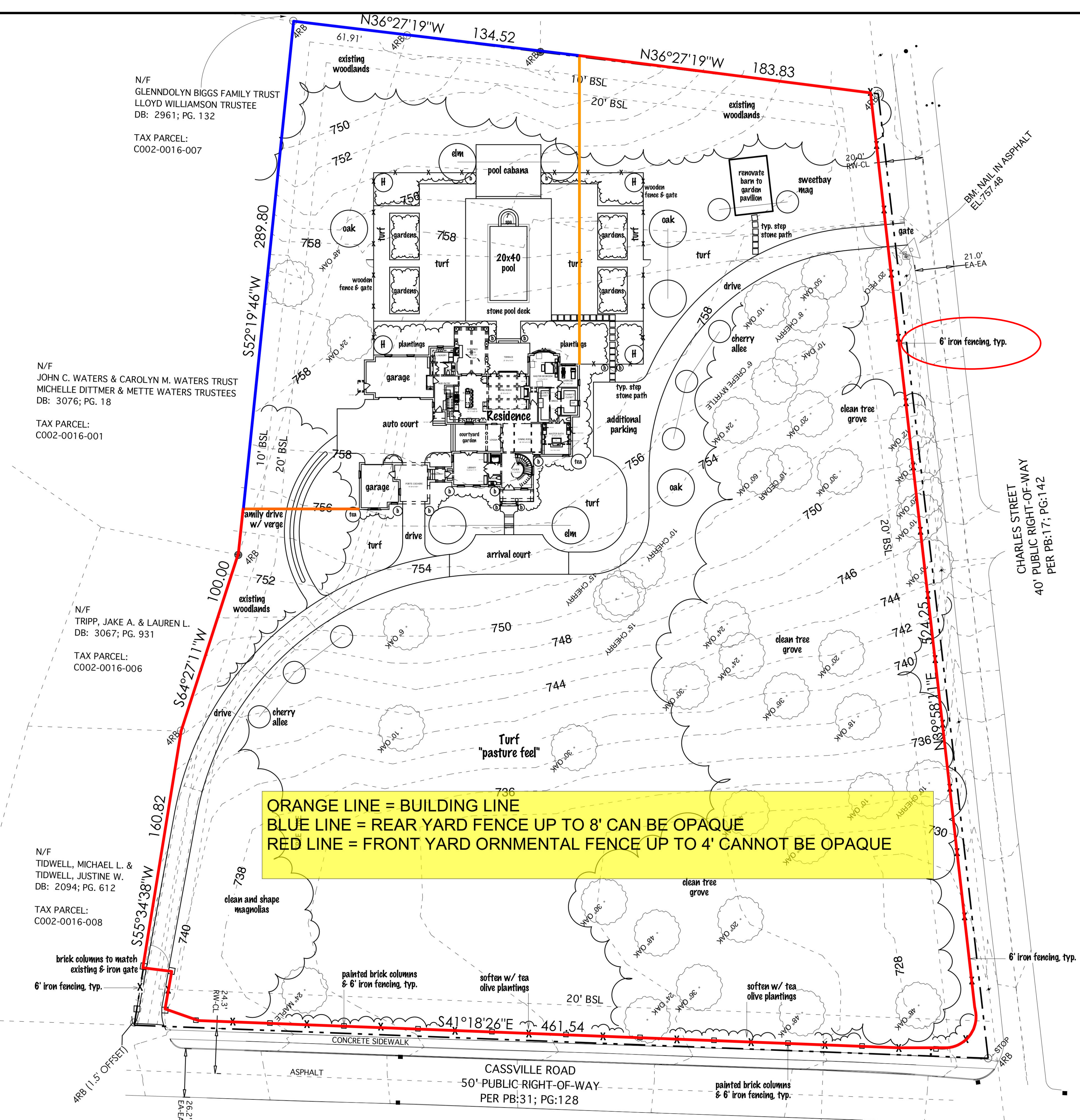
  
Greg Frisbee

Chairman





**General Notes:**  
 b = American boxwood  
 H = Holly  
 Tea = Tea olive  
 Driveway: to be concrete  
 Columns: painted brick to match house



\* Permits are the responsibility of the Owner.  
 \* Projects within stream buffers must acquire the appropriate variance/permit. (by Owner)  
 \* Contractor responsible for locating all utilities before start of any construction. (CALL SAFE DIG - CALL: 811)

**CAUTION**  
 THE UTILITIES SHOWN HEREIN ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE LANDSCAPE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE LOCATION, DEPTH AND TYPE OF UTILITIES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITH THE UTILITY COMPANIES BEFORE ANY CONSTRUCTION. ALL DAMAGE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

**Status:**  
 Preliminary Design (Not for construction)   
 Approved Design   
 Construction Document

GSWCC  
 #0000053152

This drawing, as a guide for service, is and will remain the property of the Landscape Architect. This document shall not be reproduced, published or used without the permission of the Landscape Architect. The Contractor is responsible for verification of all dimensions and existing conditions at this site before proceeding with all phases of his work. E. Graham Pittman is not responsible for any structure or hydrology, this plan is for conceptual purposes, only. It is the Contractor's responsibility to verify structure & hydrology with an Engineer or Consultant.  
 All Federal, State, Local Codes, Ordinances, Regulations, Etc. shall be considered as part of specifications for this drawing and shall take preference over anything shown, described or implied where same are a variance.

**Drawing Dates:**

11.18.2020			

Scale: 1 : 30



Georgia  
 #1102

**E. Graham Pittman, BLA, RLA**  
 Landscape Architect  
 email: graham.pittman@gmail.com  
 1217 John Douglass Drive, SW - Marietta, Georgia 30064 - Office/Mb: 770.480.9814

**Calvin & Tammy Evans Residence**  
 32 Cassville Road  
 Cartersville, Georgia  
 30120

**Overall Site Plan**  
 L-1  
 Evans - 32 Cassville Road, Cartersville Ga.





Cartersville Historic Preservation Commission  
10 N. Public Square  
P.O. Box 1390  
Cartersville, Georgia 30120

December 17, 2020

JB Hudson  
32 Cassville RD  
Cartersville, GA 30120

RE: COP20-32 – 32 Cassville RD

Mr. Hudson:

This letter confirms the outcome of your Certificate of Preservation (COP) application to the Cartersville Historic Preservation Commission (HPC) for property located at 32 Cassville RD. On Tuesday, December 15, 2020 the HPC **approved** the following items listed in the HPC Application:

1. Demolition of house, carport, smokehouse, and guest quarters.
2. Approval of proposed construction and landscape plans to be site plan specific.

**Please make sure to apply for demolition and building permits prior to any demolition or construction.**

**If you modify or make additions to the approved scope of work, you must reapply to the Historic Preservation Commission and receive approval before continuing the project.**

If you have any questions please contact me directly or by calling the City of Cartersville Planning Department at 770-387-5600.

Sincerely,

A handwritten signature in blue ink that reads "Meredith Ulmer".

Meredith Ulmer  
770-607-3947  
mulmer@cityofcartersville.org



**General**  
 b = American Holly  
 H = Holly  
 T = Tea olive  
 Driveway: ft  
 Columns: palm  
 match house



the responsibility of the Owner. The streamy buffers must acquire the variance/permit. (by Owner) responsible for locating all the start of any construction. PW - CALL: \$111

lary Design (Not for construction) and Designation Document

guide for service, it and will remain the property architect. This document shall not be reproduced, without the permission of the Landscape Architect responsible for verification of all dimensions and at this site before proceeding with all phases of his/it/their is not responsible for any structures or in its for conceptual purposes, only. It is the ability to verify structures & hydrology with an wet.

ocal Codes, Ordinances, Regulations, Etc. shall be of specifications for this drawing and shall take rthing shown, described or implied where same

811  
 Have signs installed. Call them you dig.

05W00  
 #000005#152

Drawing Dates:

11.18.2020				
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Scale: 1 : 30



**E. Graham Pittman, BLA, RLA**  
 Landscape Architect  
 email: graham.pittman@gmail.com

1217 John Douglas Drive, SW - Marietta, Georgia 30064 - Office/MB: 770.480.9814

**Calvin & Tammy Evans Residence**  
 32 Cassville Road  
 Cartersville, Georgia  
 30120

Overall Site Plan

L-1

Evans - 32 Cassville Road, G



On corner lots within all zoning districts (except the DBD district) no fence, shrubbery or other obstruction to the traffic sight vision, except utility poles or light or sign standards, shall exceed a height of three (3) feet within a triangular area formed by the intersection of the right-of-way lines of two (2) streets or a street intersection with a railroad right-of-way line, and a diagonal line which intersects the right-of-way lines at two (2) points, each twenty (20) feet distance from the intersection of the right-of-way lines, or, in the case of a rounded corner, from the point of intersection of their tangents; provided, however, signs, lights, or similar objects which are totally located at least ten (10) feet above the finished grade shall be permitted.

Sec. 4.13. - Uses prohibited.

If either a use or class of use is not specifically indicated as being permitted in a district, either as a matter of right, or as a special use, then such use, class of use, or structures for such uses, shall be prohibited in such district.

Sec. 4.14. - Zoning of annexed areas.

Areas annexed to the City of Cartersville subsequent to the adoption of this chapter shall be zoned R-20, unless other zoning is formally requested and approved with the annexation petition. Initial zoning of annexed property shall be charged the required fee for zoning amendments as stated herein.

Sec. 4.15. - Emergency shelters.

Emergency shelters for the purpose of protecting individuals from life-threatening weather storms or other emergencies shall be permitted as an accessory structure in all zoning districts and shall meet the setback requirements of such structures in the district.

Sec. 4.16. - Fences and walls.

No fence or wall shall constitute an obstruction to the vision for or create a hazard to vehicular traffic. In all residential zoning districts, fences and/or walls shall not exceed four (4) feet in height in a front yard and shall not exceed eight (8) feet in height in a side or rear yard. In all commercial zoning districts, fences and/or walls shall not exceed eight (8) feet in height in a side or rear yard.

In all residential and commercial zoning districts, any fence or wall which extends into the front yard shall be ornamental or decorative, and shall not be opaque. Any such fence or wall may be constructed of brick, stone, wood, wrought iron, split rail, or other decorative material as approved by the zoning administrator; provided that no fence or wall shall be constructed of exposed concrete block, tires, junk or other discarded materials, with the following exceptions:


1. Chain-link fencing material may be used with prior approval of a variance by the board of zoning appeals.
2. For a corner lot or double frontage lot in a residential zoning district, a screening or opaque fence may be installed to the rear of the principal structure at a maximum of eight (8) feet in height provided that the fence shall be located behind the required front yard setback and shall not be located adjacent to or abutting a collector or arterial street.
3. The fencing standards as stated in this section shall not apply to fencing for detention ponds.

In all residential and commercial districts, razor wire (ribbon) shall be prohibited. In all residential and commercial districts, no retaining wall shall be constructed of exposed concrete block.

Sec. 4.17. - Buffer and screening requirements.

Buffers or screening as required by this chapter are subject to review and approval by the zoning administrator. The following are required standards for buffers and shall be utilized by the zoning administrator in reviewing development plans:

1. Buffers shall be designated on the site plan and required plats as permanent buffer strip or area.

- (a) *Approval of alterations in historic districts or involving historic properties.* After the designation by ordinance of a historic property or of a historic district, no demolition or material change in the exterior appearance of such historic property, or of a structure, site, object, or work of art within such historic district, shall be made or permitted to be made by the owner or occupant thereof, until a certificate of preservation has been granted by the commission.
- (b) *Approval of new construction within designated districts.* After the designation by ordinance of a historic district, all new structures constructed within a designated historic district shall require a certificate of preservation which the commission shall issue if these structures conform in design, scale, building materials, setback, and landscaping features to the character of the district specified in the design criteria developed by the commission.
- (c) *Guidelines and criteria for certificates of preservation.* When considering application for certificates of preservation for historic districts and historic properties, the commission will develop design guidelines specifically for the City of Cartersville to use in evaluating applications for certificates of preservation. See section 9.25-34 for developing design guidelines.
- (d) *Submission of plans to commission.* An application for a certificate of preservation shall be accompanied by such drawings, photographs, plans, or other documentation as may be required by the commission. Applications involving demolition or relocation shall be accompanied by post-demolition or relocation plans for the site. An application for a certificate of preservation shall be accompanied by a non-refundable fee in the amount of twenty-five dollars (\$25.00).
- (e) *Commission reaction to application for certificates of preservation.*
  - (1) The commission shall approve or approve with conditions the application and issue a certificate of preservation if it finds that the proposed material change(s) in the appearance would not have a substantial adverse effect on the historic, or architectural significance of the historic property or historic district. In making this determination, the historic preservation commission shall consider, in addition to other pertinent factors, the historical and architectural significance, architectural style, general design arrangements, texture, and material of the architectural features involved, and the relationship thereof to the exterior architectural style, and pertinent features of the other structures, buildings, objects, or works of art in the immediate neighborhood.
  -  (2) The commission shall deny a certificate of preservation if it finds that the proposed new construction or material change(s) in the appearance of an existing structure(s) would have substantial adverse effects on the historic, or architectural significance of the historic property or the historic district. A certificate of preservation may not be denied on the basis of exterior paint color.
- (f) *Necessary action to be taken by commission upon rejection of application for certificate of*

*preservation.*

- (1) In the event the commission rejects an application, it shall state its reasons for doing so, and shall transmit a record of such actions and reasons, in writing, to the applicant. The commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if he or she so desires, may make modifications to the plans and may resubmit the application at any time after doing so.
- (2) In cases where the application covers a material change in the appearance of a structure, building, object, or work of art which would require the issuance of a building permit, the rejection of the application for a certificate of preservation by the commission shall be binding upon the building official or other administrative officer charged with issuing building permits, and in such a case, no building permit shall be issued.
- (g) *Public hearings on applications for certificates of preservation, notices, and right to be heard.* At least seven (7) days prior to review of an application for certificate of preservation, the commission shall take such action as may reasonably be required to inform the owners of any property likely to be affected by reason of the application, and shall give applicant and such owners an opportunity to be heard. In cases where the commission deems it necessary, it may hold a public hearing concerning the application.
- (h) *Interior alterations.* In its review of applications for certificates of preservation, the commission shall not consider interior arrangements, use, or finish having no effect on exterior architectural features.
- (i) *Technical advice.* The commission shall have the power to seek technical advice from outside its members on any application.
- (j) *Deadline for approval or rejection of application for certificate of preservation.*
- (1) The commission shall approve, approve with conditions, or deny an application for certificate of preservation within forty-five (45) days after the filing of a complete application by the owner or authorized agent of a historic property, or of a structure, site, object, or work of art located within a historic district. An application will not be considered filed until all required information is submitted with the application. Evidence of approval shall be a certificate of preservation issued by the commission. Failure of the commission to act with such forty-five (45) days shall constitute approval and no other evidence of approval shall be needed.
- (k) *Undue hardship.* Where, by reason of unusual circumstance, the strict application of any provision of this chapter would result in the exceptional practical difficulty or undue hardship upon any owner of a specific property, the commission, in passing upon applications, shall have the power to vary or modify strict adherence to said provisions, or to interpret the meaning of such 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 property, 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 chapter. An undue hardship shall not be a situation of the person's own making.

(l) *Requirements of conformance with certificates of preservation.*

(1) All work performed pursuant to an issued certificate of preservation shall conform to the requirements of such certificate. In the event work is performed not in accordance with such certificate, the building official shall issue a cease and desist order and all work shall cease.

(2) The city council shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in appearance of a designated historic property or historic district except those changes made in compliance with the provisions of this chapter or to prevent any illegal act or conduct with respect to such historic property or historic district.

(m) *Certificate of preservation void if construction not commenced.* A certificate of preservation shall become void unless construction is commenced within six (6) months of date of issuance. Certificates of preservation shall be issued for a period of eighteen (18) months and are renewable.

(n) *Recording of applications for certificates of preservation.* The commission shall keep a public record of all applications for certificates of preservation, and all of the commission's proceedings in connection with said application.

(o) *Acquisition of property.* The commission may, where such action is authorized by the city council and is reasonably necessary or appropriate for the preservation of a unique historic property, enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise, of the property or any interest therein.

(p) *Appeals.* Any person adversely affected by any determination made by the commission relative to the issuance or denial of a certificate of preservation may appeal such determination to the city council. Any such appeal must be filed with the city council within thirty (30) days after the issuance of the determination pursuant to section 9.25-34(j)(1) of this chapter. The city council may approve, modify, or reject the determination made by the commission, if the governing body finds that the commission abused its discretion in reaching its decision. Appeals from decision of the city council may be taken to the Superior Court of Bartow County in the manner provided by law for appeals from conviction for city ordinance violations.

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# JENKINS, BOWEN & WALKER, P.C.

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ATTORNEYS AT LAW

FRANK E. JENKINS, III  
BRANDON L. BOWEN  
ROBERT L. WALKER  
ERIK J. PIROZZI  
ELLIOT T. NOLL  
C. KIMBERLY PRINE  
MARK J. BLOUNT

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CARTERSVILLE, GEORGIA 30120-3350

TELEPHONE  
(770) 387-1373

FACSIMILE  
(770) 387-2396

www.jbwpc.com

September 30, 2022

**VIA HAND DELIVERY and**  
**E-MAIL: [धारdegree@cityofcartersville.org](mailto:धारdegree@cityofcartersville.org)**

*Honorable Mayor and Councilmembers*  
c/o Mr. David Hardegree, AICP  
City Planner  
City of Cartersville, Georgia

Re: Calvin and Tammy Evans, Appeal of HPC denial of perimeter fence

## NOTICE OF APPEAL

Dear Mayor Santini and Councilmembers,

This is to appeal the decision of the Historic Preservation Commission referenced in Mr. Hardegree's letter attached as Exhibit A, particularly the decision to prohibit the addition of a perimeter fence around a residential property. This matter was presented by JB Hudson on behalf of the property owners, Calvin and Tammy Evans, for the property at 32 Cassville Road. This appeal is brought to the Mayor and City Council pursuant to Section 9.25-34(p) of the City's Code. We ask that this matter be placed on the earliest available calendar of the Mayor and Council.

The Historic Preservation Commission erred in reaching its decision on September 20<sup>th</sup> for several reasons.

1. **The HPC failed to state reasons for its denial.** Section 9.25-34(f) requires that "in the event the commission rejects an application, it shall state its reasons for doing so, and shall transmit a record of such actions and reasons, in writing, to the applicant." In this case, the HPC did not state any reason for denial, and necessarily the hearing results letter does not state the reason for such action. This failure to state a decision is a denial of due process and a violation of the mandatory requirements of the City's Code. Without a stated or articulable reason, the decision was arbitrary, capricious and without substantial justification.
2. **The HPC failed to follow its own design guidelines.** My clients' proposed fence would be permissible as a matter of right in any other residential district in the City pursuant to the unambiguous language of Section 4.16 of the City Code (pertaining to fences and walls). The



only reason a permit was not issued as a matter of course was that this property is in Cherokee Cassville Historic District. The City's Code provides that the HPC "shall approve or approve with condition the application and issue a certificate of preservation if it finds that the proposed material change(s) in the appearance would not have a substantial adverse effect on the historic, or architectural significance of the historic property or historic district. In making this determination, the historic preservation commission shall consider, in addition to other pertinent factors, the historical and architectural significance, architectural style, general design arrangements, texture, and material of the architectural features involved, and the relationship thereof to the exterior architectural style, and pertinent features of the other structures, buildings, objects, or works of art in the immediate neighborhood."<sup>1</sup>

Likewise, "the commission shall deny a certificate of preservation if it finds that the proposed new construction or material change(s) in the appearance of an existing structure(s) would have substantial adverse effect on the historic, or architectural significant of the historic property or the historic district."<sup>2</sup> Thus, the HPC does not have carte blanche to approve or deny structures based upon their popularity; it must determine the application based on the proposed construction's similarity to and impact on the architectural style in the neighborhood. In making that decision, the HPC was required to and did adopt Design Standards, which I attach to this notice of appeal.<sup>3</sup> Specifically, the Code tells us "[w]hen considering application for certificates of preservation for historic districts and historic properties, the commission will develop design guidelines specifically for the City of Cartersville to use in evaluating applications for certificates of preservation."<sup>4</sup> "[A]ll new structures constructed within a designated historic district shall require a certificate of preservation which the commission shall issue if these structures conform in design, scale, building materials, setback, and landscaping features to the character of the district specified in the design criteria developed by the commission."<sup>5</sup> Note that the requirement that the decision of the HPC shall be guided by the architectural character of the neighborhood comes directly from Georgia law and the Historic Preservation Act.<sup>6</sup>

The design guidelines adopted by the City expressly contemplate fences comparable to the Evans' desired fence. My clients have proposed a wrought iron fence with masonry

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<sup>1</sup> Section 9.25-34(e)(1).

<sup>2</sup> Section 9.25-34(e)(2).

<sup>3</sup> Exhibit B, Design Standards for Structures Contributing to the Residential Historic Districts.

<sup>4</sup> Section 9.25-34(c).

<sup>5</sup> Section 9.25-34(b).

<sup>6</sup> See O.C.G.A. §44-10-28(b) ("The commission shall approve the application and issue a certificate of appropriateness if it finds that the proposed material change in appearance would not have a substantial adverse effect on the esthetic, historical, or architectural significance and value of the historic property or the historic district. In making this determination, the commission shall consider, in addition to any other pertinent factors, the historical and architectural value and significance; architectural style; general design, arrangement, texture, and material of the architectural features involved; and the relationship thereof to the exterior architectural style and pertinent features of other structures in the immediate neighborhood.")

columns. The design guidelines expressly discuss masonry and architectural metals as appropriate materials.<sup>7</sup> Moreover, the design guidelines include a picture of an appropriate fence, which is the front-yard fence of Rose Lawn, and it is architecturally comparable to my clients' proposed fence.<sup>8</sup> And Rose Lawn is just one of many homes in the Cherokee Cassville Historic District that have perimeter and front yard fences. Here are a few nearby examples:

208 W Cherokee Ave Wood fence that runs across the FRONT yard:



18 Wofford St Wood fence that runs across the FRONT yard:



<sup>7</sup> See Design Guidelines, pages 3-5.

<sup>8</sup> See Design Guidelines, page 6.

23 Cassville Rd CHAINLINK fence across the side and back that fronts Wofford St. This is a corner lot:



39 Cassville Rd CHAINLINK fence across the back that fronts Wofford St:





45 Cassville Rd Black Aluminum (wrought iron) that fronts Wofford St.



49 Cassville Rd CHAINLINK fence across the back that fronts Wofford St:



68 Cassville Rd. Masonry and wrought iron gated entry.



100 Cassville Rd. White wood perimeter fence.





September 30, 2022

Page 7 of 7

24 Cassville Road. Perimeter Masonry Wall



I have attached as Exhibit C a drawing of this Historic District identifying the subject property and other properties with comparable fences. My clients' proposed fence is both unambiguously consistent with the City's design guidelines and the fences and walls that are present throughout this Cherokee Cassville Historic District. The HPC's decision was therefore unconstitutionally arbitrary, capricious, lacking substantial justification, and contrary to both the City Code and State law.

Therefore, we respectfully request that the Mayor and Council place this matter on the next available calendar, reverse the HPC's denial, and protect my clients' ability to enjoy the same property rights as their neighbors.

Respectfully,

JENKINS, BOWEN & WALKER, P.C.

Brandon L. Bowen

Enclosures

cc: Mr. David Archer



**Cartersville Historic Preservation Commission  
10 N. Public Square  
P.O. Box 1390  
Cartersville, Georgia 30120**

September 23, 2022

Hudson & Company, Inc.  
PO Box 367  
Cartersville, GA 30120

RE: COP22-17. 32 Cassville Rd. Hearing Results Letter.

Mr. Hudson,

This letter confirms the outcome of your Certificate of Preservation (COP) application to the Cartersville Historic Preservation Commission (HPC) for property located at 32 Cassville Rd. On September 20th, 2022 the HPC **approved with a condition** the following task item per the HPC Application:

1. Allow a 6ft privacy fence, approximately 100ft. in length, to extend into the front yard near Charles St with a condition that the privacy fence have pickets on both sides.

**If you modify or make additions to the approved scope of work, you must reapply to the Historic Preservation Commission and receive approval before continuing the project.**

A variance is also required for the privacy fence. The variance, V22-19, will be reviewed by the Board of Zoning Appeals on Oct. 13<sup>th</sup> at 5:30pm.

On September 20th, 2022 the HPC **denied** the following per the HPC Application:

1. Remove the existing condition on the property originating from COP20-32 that prohibits the addition of a fence around the perimeter of the property.

You may appeal this decision to City Council within 30 days of the hearing date. Contact me for instructions.

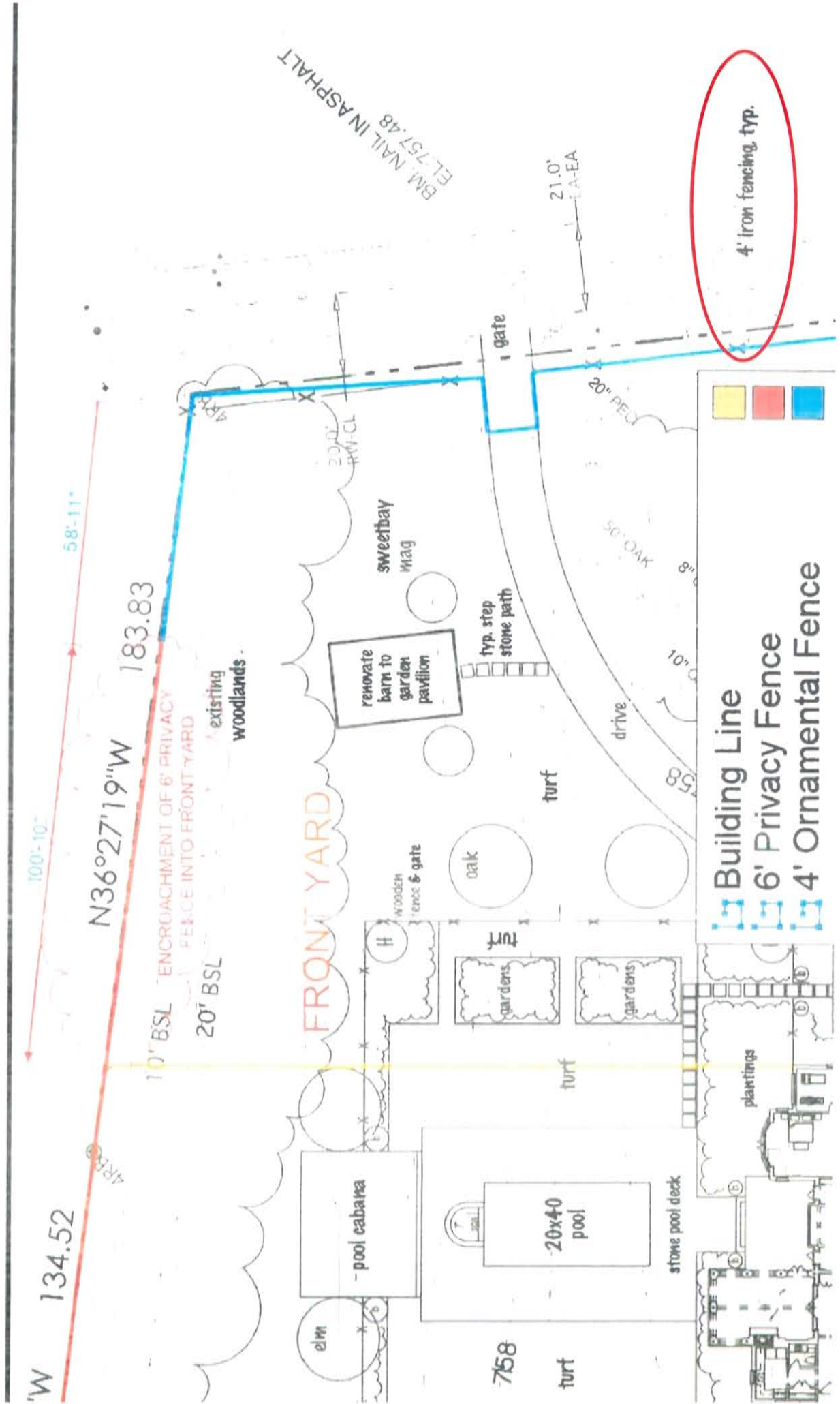
If you have any questions, please contact me directly or by calling the City of Cartersville Planning Department at 770-387-5600.

Sincerely,

A handwritten signature in blue ink that reads 'David Hardegree'.

David Hardegree, AICP  
City Planner  
O: 770-387-5614

[dhardegree@cityofcartersville.org](mailto:dhardegree@cityofcartersville.org)





← 24 Charles St Cartersville, Georgia



STOP 6' PRIVACY FENCE



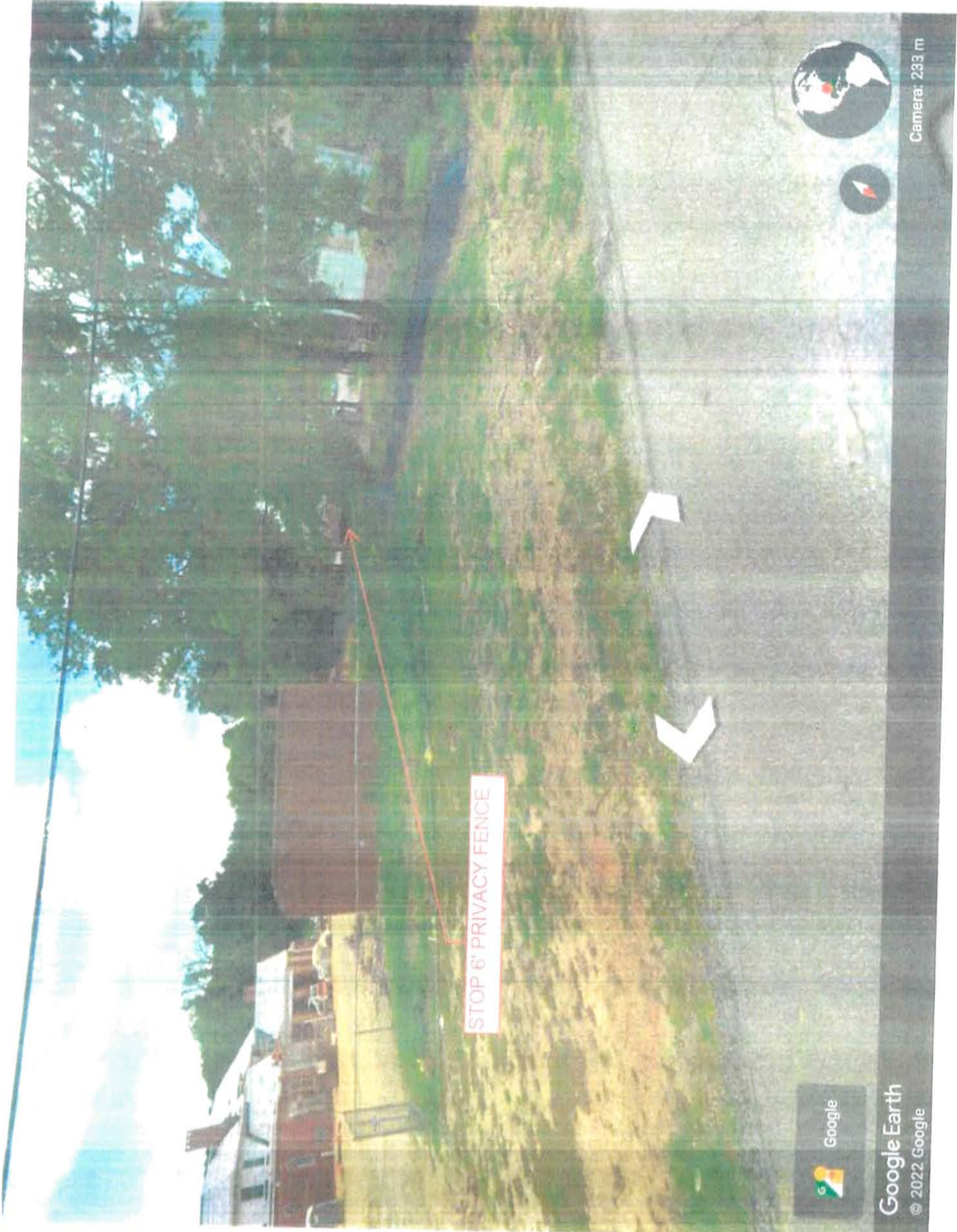
Google Earth

© 2022 Google



Camera: 233 m





STOP 6: PRIVACY FENCE



Google Earth  
© 2022 Google



Camera: 233 m










Sec. 4.16. - Fences and walls.

A. In all zoning districts:

1. No fence or wall shall constitute an obstruction to the vision for or create a hazard to vehicular traffic.
2. No fence or wall, including retaining walls, shall be constructed of exposed concrete block, tires, junk or other discarded materials.
3. The fencing standards as stated in this section shall not apply to fencing for detention ponds.
4. The wall standards as stated in this section shall not apply to retaining walls approved by the plan review process for planned developments.

 B. In all residential and commercial zoning districts:

-  1. Any fence or wall which extends into the front yard shall be ornamental or decorative, and shall not be opaque. Any such fence or wall may be constructed of brick, stone, wood, wrought iron, split rail, or other decorative material as approved by the zoning administrator.
-  2. Fences and walls shall not exceed four (4) feet in height in a front yard and shall not exceed eight (8) feet in height in a side or rear yard.
3. Chain-link fencing material may be used in the front yard with prior approval of a variance by the board of zoning appeals. No variance is required if chain link fencing material is used in a side or rear yard.
-  4. For a corner lot or double frontage lot, a screening or opaque fence may be installed to the rear of the principal structure at a maximum of eight (8) feet in height provided that the fence shall be located behind the required front yard setback and shall not be located adjacent to or abutting a collector or arterial street.
5. Razor wire (ribbon) shall be prohibited.

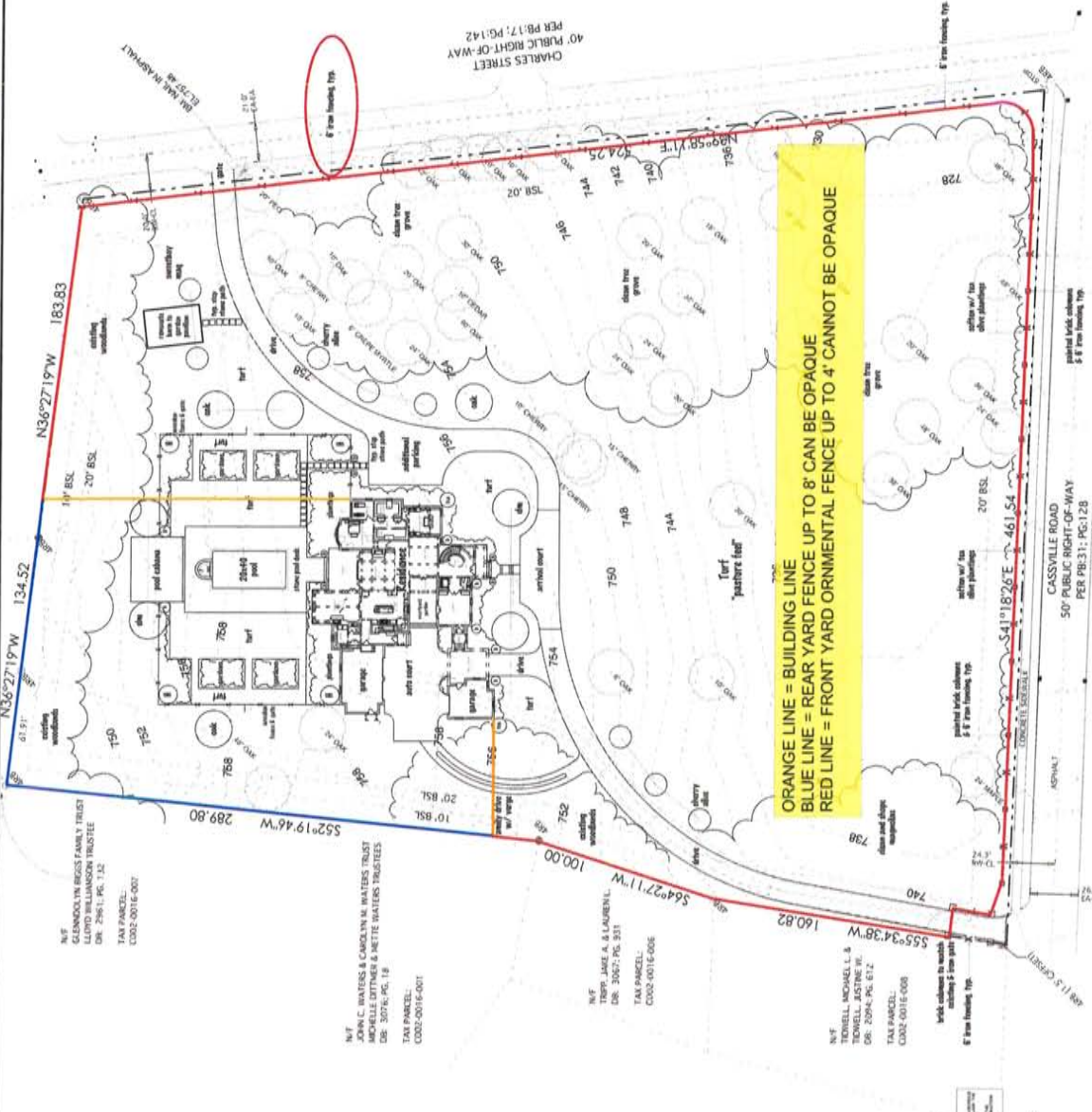
C. In all industrial zoning districts:

1. Fences or walls shall not exceed (8) feet in height in front, side and rear yards.

(Ord. No. 20-21, § 1, 4-1-2021)



**General Notes:**  
 1 - American hollywood  
 2 - Holly  
 3 - Tea olive  
 4 - Primrose - to be concrete  
 5 - Concrete painted brick to match house



N/F  
 GLENKOLVIN BIGGS FAMILY TRUST  
 LLOYD BELLAMISON TRUSTEE  
 DB: 296-1, PL: 1, S2  
 TAX PARCEL:  
 CO02-0016-002

N/F  
 JOHN C. WATERS & CAROLYN M. WATERS TRUST  
 MICHELLE DITTMER & NETTE WATERS TRUSTEES  
 DB: 307-6, PL: 18  
 TAX PARCEL:  
 CO02-0016-001

N/F  
 TRIPP JAKE A. & LAUREN L.  
 DONNA J. JUSTICE TR.  
 DB: 306-7, PL: 931  
 TAX PARCEL:  
 CO02-0016-006

N/F  
 TRONELL MICHAEL L. &  
 DONNA J. JUSTICE TR.  
 DB: 306-8, PL: 932  
 TAX PARCEL:  
 CO02-0016-008



GSWPC  
 0000005152

Printing Date:  
 11.18.2020

Scale: 1 : 50

**Permits are the responsibility of the Owner.**  
 • Permits within stream buffers must acquire the appropriate variance/permit. (by Owner)  
 • Contractor responsible for locating all utilities before start of any construction.  
 • CALL 811 SAFE DIG - CALL 811

**NOTES:**  
 Preliminary Design for construction  
 Approval Design  
 Construction Document

This drawing, as a guide for services, is not intended to be used for any other purpose. The Contractor is responsible for verification of all dimensions and existing conditions at the site before proceeding with all phases of the project. This plan is for conceptual purposes only. It is the Contractor's responsibility to verify structures & topography with an Engineer or Consultant.  
 All material, methods, techniques, equipment, etc. shall be the responsibility of the contractor. The contractor shall be responsible for any and all conditions, described or implied, which may be a variance.



1217 John Pughan Pkwy, SW - Marietta, Georgia 30064 - Office/No: 770-448-8914  
 email: graham.pittman@gmail.com

**E. Graham Pittman, P.L.A., R.L.A.**  
 Landscape Architect

**Calvin & Tammy Evans Residence**  
 32 Cassville Road  
 Cartersville, Georgia  
 30120

**Overall Site Plan**  
 L-1  
 Evans - 32 Cassville Road, Cartersville Ga.

Historic Preservation Commission Meeting  
10 N. Public Square  
December 15, 2020  
5:30 P.M.

## **I. Opening Meeting**

Call to order by Chairman Frisbee

Present: Greg Frisbee, Becky Carr, Jeff Glover, Vandi White, Brad Galland, Lynne Pritchett  
Staff Present: Randy Mannino, Samantha Fincher, Meredith Ulmer, and Keith Lovell  
Absent: Larry Gregory

### **1. Call to Order**

### **2. Approval of Minutes**

Chairman Frisbee called for a motion to approve the minutes of the last meeting. A motion to approve the meeting minutes from November 17, 2020 with the correction of the meeting date and the vote count was made by Board Member Glover and seconded by Board Member Carr. Motion carried unanimously. Vote: 5-0. Board Member Galland was absent during this time.

### **3. New Business:**

#### **A. COP20-32: 32 Cassville Rd Scope: Approval/denial of demolition and new construction plans**

Chairman Frisbee called for the next item on the agenda. Meredith Ulmer, Assistant City Planner gave an overview of the application. The applicant wishes to demolish the existing home, carport, smokehouse, and guest quarters. An effort will be made to save the carriage house. A new neoclassical style home, with Italianate and Palladian influences is proposed to be constructed on the site of the existing home.

John B. Hudson, owner of Hudson & Company, Inc. and applicant on behalf on Calvin and Tammy Evans came forward in favor of the application. Mr. Hudson explained that the home and accessory structures have been severely neglected. The home suffers from water problems, foundation, and structural issues. The entire mechanical system would need to be replaced. Mr. Hudson and Mr. Evans agreed that the cost to rehabilitate outweighed what could be ever be recouped. Therefore, felt the home and accessory structures needed to be demolished. Pictures of the homes existing condition were provided to the board. The proposed home will fit the neighborhood, size and scale. If unable to save the carriage house, a replica will be constructed in its place.

Chairman Frisbee opened the floor for discussion.

Preston Holloway, 223 W Cherokee Ave came forward against the application. Mr. Preston stated it would be shameful to demolish a home that has been in the neighborhood over 100 years feared if approved it would set a precedent. Homeowners of historic homes should anticipate spending more money to upkeep their property. An inspection of the home prior to purchase would have determined the need for repairs. It is the duty of the residents and Historic Preservation Board to preserve and protect the historic charm of the district.

Chip Shropshire, 39 Cassville Road came forward and stated he has lived in the area for 20 years and felt torn about the application. Mr. Shropshire was pleased with the new home proposal, but also feared a demolition would set a precedent.

Boyd Pettit, 37 Green Street came forward and stated he would love to believe that the home could be restored, but appreciates that the applicant has proposed to build a home that fits the neighborhood. Mr. Pettit thanked the Board for their service.

Becky Champion, 55 Cassville Road came forward against the demolition. She would like to see the home restored. Mrs. Champion thanked the Board for their service.

Calvin Evans, owner of 32 Cassville Road came forward in favor of his application. Mr. Evans stated he does not take lightly of the demolition request as he respects the historic value of the home. His original intent was to restore, but plans have shifted. The proposed home will be very similar to the current home and will keep the historic integrity. Mr. Evans thanked the board and his neighbors.

Chairman Frisbee stated demolition requests are the most difficult to consider and the Board is tasked with a difficult decision. Hardships, and the current condition of the home will be taken into consideration.

Chairman Frisbee opened the floor for the Commission.

Board Member Glover stated he is not thrilled with the demolition request. He would like to see more details of what it would take to restore.

Board Member Pritchett asked Mr. Evans if he has had a second opinion or a cost estimate of the repairs. Mr. Hudson stated he has not provided a cost estimate because it is impossible to predict all the variables that could be uncovered during a restoration.

Board Member Galland stated he walked through the property in the past and confirmed it was in rough shape.

Board Member White stated the once beloved home had lost its integrity over the years after all the additions and became a burden. The proposed home fits and doesn't take away from the historic charm.

The Board discussed that they would handle the application as two requests. The demolition, and whether the proposed home is compatible.



Keith Lovell, City Attorney reminded the Board they have 45 days to take action upon receiving application. The application was accepted November 20, 2020 so it may not be practical to hold another meeting within the 45 days due to the approaching holidays. If they feel as if they do not have enough information, they will need to deny the application and ask for a re-submittal.

Board Member White made a motion to approve the demolition of all structures on the property. Motion was seconded by Board Member Galland. Motion carried. Vote: 4-2. Board Member Carr and Glover opposed.

Mr. Hudson came forward and stated the proposed home will be influenced by the original time period. Not much dirt will be disturbed, as the new home will be in the same location. The current home is 5,700 square foot and the proposed home is 6,200.

→ Michael Tidwell, 23 Cassville Road came forward and stated it was a beautiful ← plan but was concerned with the proposed fence around the perimeter. Mr. Hudson said the fence was withdrawn from the original application submittal. The only fence on the property will be around the pool, because it is required.

Becky Champion came forward and asked if there was any language that could be added to the approval that would condition the approval to be site-plan specific.

→ Board Member Carr made a motion to approve the application as submitted with ← the condition that there will be no fencing around the perimeter and the approval is site plan specific. Motion carried. Vote:5-1. Board Member Glover opposed.

Mr. Lovell stated the applicant will need to make sure the site plan complies with zoning standards.

#### 4. Staff or Commission Comments

Mrs. Ulmer stated Lillie Read, Downtown Development Director will attend the next Historic Preservation Meeting to discuss an upcoming art project.

Mr. Mannino stated David Hardegree, City Planner is doing exceptionally well for the circumstances and hopes to return to work in January.

#### 5. Adjourn

Chairman Frisbee adjourned the meeting at 7:15 p.m. The next scheduled Historic Preservation meeting is Tuesday, January 19, 2020 at 5:30 PM.

/s/   
Greg Frisbee  
Chairman



Cartersville Historic Preservation Commission  
10 N. Public Square  
P.O. Box 1390  
Cartersville, Georgia 30120

December 17, 2020

JB Hudson  
32 Cassville RD  
Cartersville, GA 30120

RE: COP20-32 – 32 Cassville RD

Mr. Hudson:

This letter confirms the outcome of your Certificate of Preservation (COP) application to the Cartersville Historic Preservation Commission (HPC) for property located at 32 Cassville RD. On Tuesday, December 15, 2020 the HPC **approved** the following items listed in the HPC Application:

- 1. Demolition of house, carport, smokehouse, and guest quarters.**
- 2. Approval of proposed construction and landscape plans to be site plan specific.**

**Please make sure to apply for demolition and building permits prior to any demolition or construction.**

**If you modify or make additions to the approved scope of work, you must reapply to the Historic Preservation Commission and receive approval before continuing the project.**

If you have any questions please contact me directly or by calling the City of Cartersville Planning Department at 770-387-5600.

Sincerely,

A handwritten signature in blue ink that reads 'Meredith Ulmer'.

Meredith Ulmer  
770-607-3947  
mulmer@cityofcartersville.org



**General**  
 1. A. Mature  
 B. Young  
 C. 1st - 1st C

**Primary:**  
 1. Calceol  
 2. Marsh



NO. 1  
 TRIP, JANE & LAUREN  
 DB: 2007-PC-931  
 TAX PARCEL:  
 0002-0015-006

NO. 2  
 TONELL, MICHAEL &  
 FOWELL, JUSTINE W  
 DB: 2004-PC-612  
 TAX PARCEL:  
 0002-0015-006

NO. 3  
 TONELL, MICHAEL &  
 FOWELL, JUSTINE W  
 DB: 2004-PC-612  
 TAX PARCEL:  
 0002-0015-006



82002  
 +5050257172

**Drawing Date:**  
 11.18.2020

<p>responsibility of the Owner          for the project. The Owner          shall be responsible for          obtaining all necessary          permits and approvals          from the appropriate          authorities. The Owner          shall also be responsible          for the construction          of the project.</p>	<p><b>Project Name:</b> (for construction)  <b>Project:</b>  <b>Site:</b></p>
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**Calvin & Tammy Evans Residence**  
 32 Cassville Road  
 Columbus, Georgia  
 31912

**E. Graham Pittman, B.L.A., R.L.A.**  
 Landscape Architect  
 email: graham.pittman@gmail.com  
 1117 John F. Taylor Drive SW, Macon, Georgia 31206, (706) 852-2828



**Drawing Date:**  
 11.18.2020

**Overall Site Plan**

Evans - 32 Cassville Road (



- (a) *Approval of alterations in historic districts or involving historic properties.* After the designation by ordinance of a historic property or of a historic district, no demolition or material change in the exterior appearance of such historic property, or of a structure, site, object, or work of art within such historic district, shall be made or permitted to be made by the owner or occupant thereof, until a certificate of preservation has been granted by the commission.
- (b) *Approval of new construction within designated districts.* After the designation by ordinance of a historic district, all new structures constructed within a designated historic district shall require a certificate of preservation which the commission shall issue if these structures conform in design, scale, building materials, setback, and landscaping features to the character of the district specified in the design criteria developed by the commission.
- (c) *Guidelines and criteria for certificates of preservation.* When considering application for certificates of preservation for historic districts and historic properties, the commission will develop design guidelines specifically for the City of Cartersville to use in evaluating applications for certificates of preservation. See [section 9.25-34](#) for developing design guidelines.
- (d) *Submission of plans to commission.* An application for a certificate of preservation shall be accompanied by such drawings, photographs, plans, or other documentation as may be required by the commission. Applications involving demolition or relocation shall be accompanied by post-demolition or relocation plans for the site. An application for a certificate of preservation shall be accompanied by a non-refundable fee in the amount of twenty-five dollars (\$25.00).
- (e) *Commission reaction to application for certificates of preservation.*
  - (1) The commission shall approve or approve with conditions the application and issue a certificate of preservation if it finds that the proposed material change(s) in the appearance would not have a substantial adverse effect on the historic, or architectural significance of the historic property or historic district. In making this determination, the historic preservation commission shall consider, in addition to other pertinent factors, the historical and architectural significance, architectural style, general design arrangements, texture, and material of the architectural features involved, and the relationship thereof to the exterior architectural style, and pertinent features of the other structures, buildings, objects, or works of art in the immediate neighborhood.
  - (2) The commission shall deny a certificate of preservation if it finds that the proposed new construction or material change(s) in the appearance of an existing structure(s) would have substantial adverse effects on the historic, or architectural significance of the historic property or the historic district. A certificate of preservation may not be denied on the basis of exterior paint color.
- (f) *Necessary action to be taken by commission upon rejection of application for certificate of*

*preservation.*

- (1) In the event the commission rejects an application, it shall state its reasons for doing so, and shall transmit a record of such actions and reasons, in writing, to the applicant. The commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if he or she so desires, may make modifications to the plans and may resubmit the application at any time after doing so.
  - (2) In cases where the application covers a material change in the appearance of a structure, building, object, or work of art which would require the issuance of a building permit, the rejection of the application for a certificate of preservation by the commission shall be binding upon the building official or other administrative officer charged with issuing building permits, and in such a case, no building permit shall be issued.
- (g) *Public hearings on applications for certificates of preservation, notices, and right to be heard.* At least seven (7) days prior to review of an application for certificate of preservation, the commission shall take such action as may reasonably be required to inform the owners of any property likely to be affected by reason of the application, and shall give applicant and such owners an opportunity to be heard. In cases where the commission deems it necessary, it may hold a public hearing concerning the application.
- (h) *Interior alterations.* In its review of applications for certificates of preservation, the commission shall not consider interior arrangements, use, or finish having no effect on exterior architectural features.
- (i) *Technical advice.* The commission shall have the power to seek technical advice from outside its members on any application.
- (j) *Deadline for approval or rejection of application for certificate of preservation.*
- (1) The commission shall approve, approve with conditions, or deny an application for certificate of preservation within forty-five (45) days after the filing of a complete application by the owner or authorized agent of a historic property, or of a structure, site, object, or work of art located within a historic district. An application will not be considered filed until all required information is submitted with the application. Evidence of approval shall be a certificate of preservation issued by the commission. Failure of the commission to act with such forty-five (45) days shall constitute approval and no other evidence of approval shall be needed.
- (k) *Undue hardship.* Where, by reason of unusual circumstance, the strict application of any provision of this chapter would result in the exceptional practical difficulty or undue hardship upon any owner of a specific property, the commission, in passing upon applications, shall have the power to vary or modify strict adherence to said provisions, or to interpret the meaning of such 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 property, 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 chapter. An undue hardship shall not be a situation of the person's own making.

(l) *Requirements of conformance with certificates of preservation.*

- (1) All work performed pursuant to an issued certificate of preservation shall conform to the requirements of such certificate. In the event work is performed not in accordance with such certificate, the building official shall issue a cease and desist order and all work shall cease.
- (2) The city council shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in appearance of a designated historic property or historic district except those changes made in compliance with the provisions of this chapter or to prevent any illegal act or conduct with respect to such historic property or historic district.

(m) *Certificate of preservation void if construction not commenced.* A certificate of preservation shall become void unless construction is commenced within six (6) months of date of issuance. Certificates of preservation shall be issued for a period of eighteen (18) months and are renewable.

(n) *Recording of applications for certificates of preservation.* The commission shall keep a public record of all applications for certificates of preservation, and all of the commission's proceedings in connection with said application.

(o) *Acquisition of property.* The commission may, where such action is authorized by the city council and is reasonably necessary or appropriate for the preservation of a unique historic property, enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise, of the property or any interest therein.

(p) *Appeals.* Any person adversely affected by any determination made by the commission relative to the issuance or denial of a certificate of preservation may appeal such determination to the city council. Any such appeal must be filed with the city council within thirty (30) days after the issuance of the determination pursuant to section 9.25-34(j)(1) of this chapter. The city council may approve, modify, or reject the determination made by the commission, if the governing body finds that the commission abused its discretion in reaching its decision. Appeals from decision of the city council may be taken to the Superior Court of Bartow County in the manner provided by law for appeals from conviction for city ordinance violations.





## DESIGN STANDARDS FOR STRUCTURES CONTRIBUTING TO THE RESIDENTIAL HISTORIC DISTRICTS

Effective Date: April 1, 2004  
Revised March 5, 2020

### INTRODUCTION

The following Residential Design Standards are intended to identify the character-defining features of a site or structure used in determining the compatibility of the proposed alteration, repair, renovation, rehabilitation or restoration of an existing structure or the construction of a new structure regarding the appropriateness of the size, location, materials, style, rhythm, and any other quality deemed as contributing to the character of a historic property or structure as determined by the Historic Preservation Commission (Commission).

For items not addressed by the following standards or guidelines, the Commission will refer to the U.S. Department of the Interior, Secretary of the Interior Standards for the Treatment of Historic Properties, latest edition, for guidance.

In filing for a Certificate of Preservation all standards shall be complied with and so demonstrated on said application and supporting documentation. Guidelines, as indicated herein, may or may not be demonstrated in the application or supporting documentation for a Certificate of Preservation. Maintenance recommendations, if any, are included for informational purposes only and are not required to be included in an application for a Certificate of Preservation and, as such, shall not be considered by the Commission in reviewing said applications.

#### *Generally:*

1. It is not appropriate to introduce structures or contemporary equipment such as satellite dishes, solar collectors, playground equipment, heating and air units, storage units, and swimming pools, in locations that compromise the historic character of the building or site. Locate such features unobtrusively, and screen them from view.
2. When planning to alter the topography of a site substantially through grading, filling, or excavation, one shall contact the Cartersville Planning and Development Department to confirm that the proposed changes comply with the city building code and development regulations.
3. When remodeling historic structures or constructing new structures in historic districts, care shall be taken in retaining and preserving the historic relationship between buildings and related features of the district, to include but not be limited to, site topography, retaining walls, foundation plantings, hedges, walkways, driveways, parking lots, trees, gardens, yards, arbors, ground cover, fences, accessory buildings, patios, terraces, and significant vistas and views.

## **PART ONE—MAINTAINING, REPAIRING, AND REPLACING EXISTING STRUCTURES**

### **A. Wood:**

1. Repair historic wooden features using the recognized preservation methods for patching, consolidating, splicing, and reinforcing.
2. If replacement of a deteriorated detail or element of a wooden feature is necessary, replace only the deteriorated detail or element in kind rather than the entire feature. Match the original detail or element in design, dimension, texture, and material. Use compatible substitute materials only if using the original material is not feasible.
3. If replacement of an entire wooden feature is necessary, replace it in kind, matching the original in design, dimension, detail, and texture. Use compatible substitute materials only if using the original material is not feasible.
4. If a wooden feature is completely missing, replace it with a new feature based on accurate documentation of the original feature or a new design compatible in scale, size, material, and texture with the historic building and district.
5. One shall not clean wooden features and surfaces with destructive methods such as sandblasting, power washing, and using propane or butane torches. Clean using gentle methods such as low-pressure washing with detergents and natural bristle brushes. Chemical strippers can be used only if gentler methods are ineffective.
6. One shall not strip historically painted surfaces down to bare wood and apply clean stains or finishes to create a natural wood appearance.
7. One shall not replace painted wooden siding that is sound with new siding to achieve a uniformly smooth wooden surface.
8. One shall not replace or cover wooden siding, trim, or window sashes with contemporary substitute materials such as aluminum, masonite or vinyl without approval from the Commission. However, in order to maintain continuity, material for additions, as well as out buildings, shall closely match the house.
9. One shall not introduce wooden features or details to a historic building to create a false historic appearance.
10. Preserve wooden features that contribute to the overall historic character of a building and site, including such functional and decorative elements as siding, shingles, cornices, architrave, brackets, pediments, columns, balustrades, and architectural trim.
11. During rehabilitation and/or repair which requires a Certificate of Preservation, the following standards shall be observed.
  - a. When retaining and cleaning painted surfaces, it is required that the gentlest means possible be used. It is further required that historic structures be painted only when the paint film is damaged or deteriorated.
  - b. Protect and maintain wooden surfaces and features through appropriate methods. Inspect for and repair signs of moisture damage, mildew, and fungal or insect infestation. Keep wooden joints properly sealed or caulked to prevent moisture infiltration.
  - c. Treat traditionally unpainted, exposed wooden features with chemical preservatives to prevent or slow their decay and deterioration.
  - d. Retain protective surface coatings, such as paint, to prevent damage from ultraviolet light and moisture.

Examples of appropriate wooden structures:



These examples of wooden brackets, column capitols, dentils and bargeboard have been well maintained and are appropriate for the historical district.



## **B. Masonry:**

1. Retain and preserve masonry features that contribute to the overall historic character of a building and a site, including walls, foundations, roofing materials, chimneys, cornices, quoins, steps, buttresses, piers, columns, lintels, arches, and sills.
2. Protect and maintain historic masonry materials, such as brick, terra cotta, limestone, granite, stucco, slate, concrete, cement block, and clay tile, and their constructive features, including bond patterns, corbels, water tables, and unpainted surfaces.
3. Repair historic masonry surfaces and features using recognized preservation methods for piecing-in, consolidating, patching damaged or deteriorated masonry. One shall not apply a waterproof coating to exposed masonry.
4. Repoint masonry mortar joints if the mortar is cracked, crumbling, or missing or if damp walls or damaged plaster indicate moisture penetration.



5. Before repointing, carefully remove deteriorated mortar using hand tools. Replace the mortar with new mortar that duplicates the original in strength, texture, and composition. Match the original mortar joints in width and profile.
6. If replacement of a deteriorated detail, module, or element of a masonry feature or surface is necessary, replace only the deteriorated portion in kind rather than the entire surface or feature. Use compatible substitute materials only if using the original material is not technically feasible.
7. If replacement of a large masonry surface or entire feature is necessary, replace it in kind, with matching, substitute materials only if using the original material is not technically feasible.
8. If a masonry feature is completely missing, replace it with a new feature based on accurate documentation of the original feature or a new design compatible with the scale, size, and material of the historic building and district.
9. One shall not paint, coat, or waterproof unpainted masonry surfaces. Do not sandblast exterior surfaces. Use the gentlest means possible to clean exterior materials.
10. During rehabilitation and/or repair which requires a Certificate of Preservation, the following standards shall be observed:
  - a. Inspect surfaces and features for signs of moisture damage, vegetation, structural cracks or settlement, deteriorated mortar, and loose or missing masonry units.
  - b. Provide adequate drainage to prevent water from standing on flat, horizontal surfaces, collecting on decorative elements or along foundations and piers, and rising through capillary action.
  - c. Clean masonry only when necessary to remove heavy soiling or prevent deterioration. Use the gentlest means possible.
  - d. Repaint painted masonry surfaces when needed.
  - e. Test any cleaning technique, including chemical solutions, on an inconspicuous sample area well in advance of the proposed cleaning to evaluate its effects. One shall not clean masonry features and surfaces with destructive methods, including sandblasting, high-pressure water blasting, and power washing.

Examples of masonry:



### C. Architectural Metals

1. Retain and preserve architectural metal features that contribute to the overall historic character of a building and a site, including such functional and decorative elements as roofing, flashing, cornices, railings, hardware, casement windows, and fences.
2. Retain and preserve architectural metals, such as copper, tin, brass, cast iron, wrought iron, lead, and terneplate, which contribute to the overall historic character of the district.
3. If replacement of deteriorated detail or element of an architectural metal feature is necessary, replace only the deteriorated portion in kind rather than the entire feature. Match the original detail or element in design, dimension, texture, and material. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
4. If replacement of an entire architectural feature is necessary, replace it in kind, matching the original feature in design, dimension, detail, texture, and material. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
5. If an architectural metal feature is completely missing, replace it with a new feature based on accurate documentation of the original design or a new design compatible in scale, size, and material with the historic building and district.
6. Repair deteriorating architectural metal features and surfaces using recognized preservation methods for splicing, patching, and reinforcing.
7. One shall not introduce architectural metal features or details to a historic building in an attempt to create a false historical appearance.
8. One shall not patch metal roofs or flashing with tar or asphalt products.
9. During rehabilitation and/or repair which requires a Certificate of Preservation, the following standards shall be observed:
  - a. Protect and maintain architectural metal surfaces and features through appropriate methods:
    1. Inspect for signs of moisture damage, corrosion, structural failure or fatigue, galvanic action, and paint film failure.
    2. Provide adequate drainage to prevent water from standing on flat, horizontal surfaces and collecting on decorative elements.
    3. Clear metal roofs and gutters of leaves and debris.
  - b. Retain protective surface coatings, such as paint and lacquers, to prevent corrosion.
  - c. Clean when necessary to remove corrosion or to prepare for recoating. Use the gentlest effective method.
  - d. Repaint promptly when paint film deteriorates.
  - e. Clean soft metals, including lead, tin, terneplate, and copper, with chemical solutions after pretesting them to ensure that they do not damage the metal surface. It is not appropriate to clean soft metal surfaces with destructive methods like grit blasting.
  - f. Clean hard metals such as cast iron, wrought iron, and steel using the gentlest means possible. Consider low-pressure glass bead blasting only if hand scraping and wire brushing have been ineffective.



Architectural metals were historically utilized for several building features, including roof materials, fences, and porches.





**D. Paint:**

1. Preserve and protect original exterior building surfaces and site features that were painted by maintaining a sound paint film on them.
2. One shall not paint brick, stone, copper, bronze, concrete, or cement block surfaces that were historically unpainted. Do not sandblast exterior surfaces. Use the gentlest means possible to clean exterior materials.
3. One shall not replace painted wooden siding that is sound with new siding to achieve a uniformly smooth wooden surface.
4. One shall not remove paint films through destructive methods such as sandblasting, water blasting, power washing, or the use of propane or butane torches.
5. During rehabilitation and/or repair which requires a Certificate of Preservation, the following standards shall be observed:
  - a. Protect and maintain previously painted exterior surfaces in appropriate ways:
    1. Inspect painted surfaces for signs of discoloration, moisture damage, mildew, and dirt buildup.
    2. Clean painted surfaces to avoid unnecessary repainting. Use the gentlest means possible.
    3. Remove deteriorated and peeling paint films to the first sound paint layer before repainting. Use the gentlest means possible, such as hand scraping and hand sanding. Use electric heat guns and plates with caution and only if gentler methods are ineffective.
    4. Ensure that surfaces to be repainted are clean and dry, and that any exposed wood or metal surface has been primed so that new paint will bond properly.
  - b. Repaint previously painted surfaces with compatible paint.

**E. Roofs:**

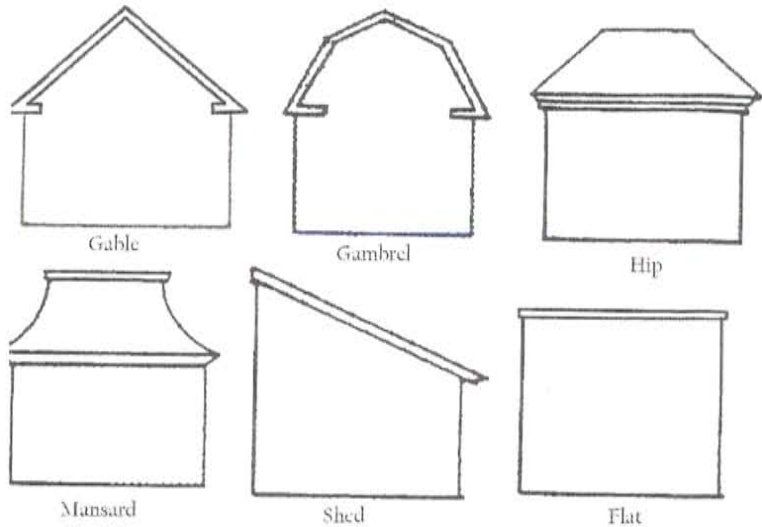
1. Retain and preserve roofs and roof forms that contribute to the overall historic character of a building, including their functional and decorative features, such as roofing materials, cresting, dormers, chimneys, cupolas, and cornices, unless approved by the Commission. 17
- 17
2. If replacement of a partially deteriorated roof feature is necessary, replace only the deteriorated portion in kind to match the original feature in design, dimension, detail, and material. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
3. If full replacement of a deteriorated historic roofing material or feature is necessary, replace it in kind, matching the original in scale, detail, pattern, design, and material. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
4. If a roof feature is completely missing, replace it with a new feature based on accurate documentation of the original feature or a new design compatible in scale, size, and material, with the historic building and district.

5. One shall not remove a roof feature that is important in defining the overall historic character of a building rather than repair and replace it.
6. If new gutters and downspouts are needed, install them so that no architectural features are lost or damaged. Retain the shape of traditional half-round gutters and downspouts if replacing them.
7. One shall not replace concealed, built-in gutter systems with exposed gutters.
8. One shall not introduce new roof features such as skylights, dormers, or vents if they will compromise the historic roof design, or damage character-defining roof materials or the character of the historic district.
9. One shall not install ventilators, solar collectors, antenna, skylights, or mechanical equipment in locations that compromise character defining roofs or on roof slopes prominently visible from the street.
10. One shall not install exposed tarpaper rolls as a finished roofing material or roofing tar as a replacement for valley flashing.
11. One shall not patch any roofing or flashing with tar or asphalt product.
12. During rehabilitation and/or repair which requires a Certificate of Preservation, the following standards shall be observed:
  - a. Protect and maintain the metal, wooden, and masonry elements of historic roofs through appropriate methods:
    1. Inspect for signs of deterioration and moisture penetration.
    2. Clean gutters and downspouts to ensure proper drainage.
    3. Replace deteriorated flashing as necessary.
    4. Reapply appropriate protective coats to metal roofs as necessary.
    5. Maintain adequate ventilation of roof sheathing to prevent moisture damage.
    6. Ensure that roofing materials are adequately anchored to resist wind and water.
    7. Re-fasten loose (or replace damaged) shingles, slates, or tiles.
  - b. Repair historic roofs and their distinctive features through recognized preservation methods for resetting or reinforcing.





Principal Roof Types



## F. Exterior Walls:

1. Retain and preserve exterior walls that contribute to the overall historic form and character of a building, including their functional and decorative features, such as cornices, foundations, bays, quoins, arches, water tables, brackets, and entablatures.
2. Retain and preserve exterior wall materials that contribute to the overall historic character of a building, including brickwork, stucco, stone, wooden shingles, wooden siding, asbestos siding, and metal, wooden, or masonry trim work.
3. Repair exterior wall surfaces, details, and features using recognized preservation repair methods for the surface material or coating.
4. If the replacement of a deteriorated detail or element of an exterior wall is necessary, replace only the deteriorated portion in kind rather than the entire feature. Match the original in design, dimension, detail, texture, pattern, and material. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
5. If replacement of an entire exterior wall or feature is necessary because of deterioration, replace it in kind, matching the original in design, dimension, detail, texture, and material. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
6. If an exterior wall or feature is completely missing, replace it with a new wall or feature based on accurate documentation of the original or new design compatible with the historic character of the building and the district.
7. One shall not introduce new features such as window or door openings, bays, vents, balconies, or chimneys to character-defining exterior walls if this will compromise the architectural integrity of the building.



8. One shall not remove or cover any material detail associated with exterior walls, including decorative shingles, panels, brackets, bargeboards, and corner boards unless supported by historic documentation.
9. One shall not cover historic wall material, including wooden siding, wooden shingles, stucco, brick, and stonework, with coatings or contemporary substitute materials.
10. It is not appropriate to introduce features or details to an exterior wall that would create a false historical appearance.

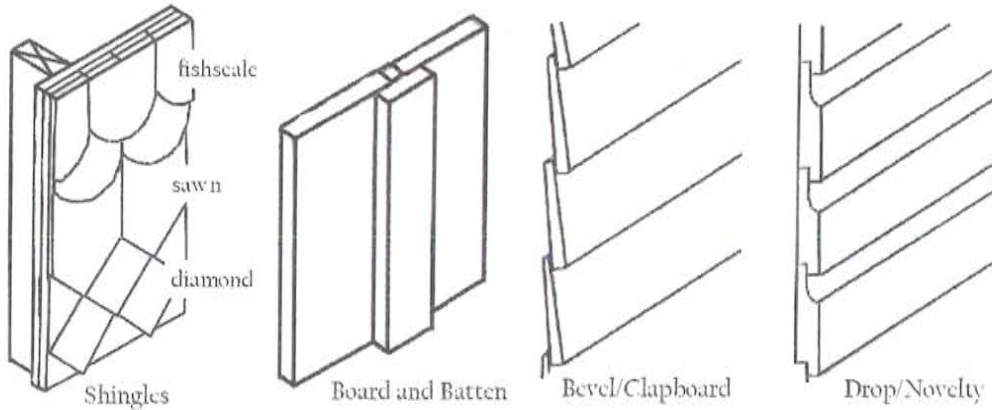
#### Examples of appropriate exterior walls



#### Examples of inappropriate exterior walls



### Wood Exterior Cladding Types



### G. Driveways, Walkways, and Off-Street Parking:

During rehabilitation and/or repair which requires a Certificate of Preservation the following standards shall be observed:

- Driveways, walkways and off-street parking should be gravel, brick, concrete, or paved with appropriate textured asphalt.
- Care should be taken not to injure nearby trees by intruding on the root areas.
- Design new driveways, walkways to be compatible in location, spacing, configuration, and dimension with existing walkways and driveways that contribute to the overall historic character of the district.
- One shall not locate new parking areas where they are visible from the street, or to significantly alter the proportion of built area to yard area.
- One shall not locate parking where it will obstruct the principal structure.







#### H. Lighting:

During rehabilitation and/or repair which requires a Certificate of Preservation, the following standards shall be observed:

- a. Lighting of walkways, driveways and off-street parking shall retain and preserve mechanically sound exterior fixtures that contribute to the overall historic character of a building, site or streetscape.
- b. If replacing missing or deteriorated historical exterior fixtures, replace with fixtures that are similar in appearance, scale, and material to the original.
- c. The introduction of indiscriminate permanent area lighting, illuminating facades of houses with harsh floodlight, or creating a runaway effect with multiple footlights along front walks is not allowed unless approved by the Commission.

Appropriate residential lighting





## **I. Windows and Doors:**

1. Retain and preserve windows that contribute to the overall historic character of a building, including their functional and decorative features, such as frames, sash, muntins, sills, heads, moldings, surrounds, hardware, shutters, and blinds.
2. Retain and preserve doors that contribute to the overall historic character of a building, including their functional and decorative features, such as frames, glazing, panels, sidelights, fanlights, surrounds, thresholds, and hardware.
3. If replacement of a deteriorated window or door feature or detail is necessary, replace only the deteriorated feature in kind rather than the entire unit. Match the original in design, dimension, and material. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
4. If replacement of a deteriorated window or door unit is necessary, replace the unit in kind, matching the design and dimension of the original sash or panels, pane configuration, architectural trim, detailing, and materials. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
5. If a window or a door is completely missing, replace it with a new unit based on accurate documentation of the original or a new design compatible with the original opening and the historic character of the building.
6. Replace deteriorated or missing wooden shutters with historically appropriate wooden shutters sized to fit the opening. Do not introduce shutters on a historic building if no evidence of earlier shutters exists.
7. If additional windows and doors are necessary for a new use, install them on a rear or non-character-defining facade of the building, but only if they do not compromise the architectural integrity of the building. Design such units to be compatible with the overall design of the building, but not to duplicate the original.
8. One shall not remove original doors, windows, shutters, hardware, and without approval from the Commission.
9. One shall not remove any detail material associated with windows and doors, such as stained glass, beveled glass, textured glass, or tracery, unless supported by historic documentation.
10. One shall not use snap-in muntins to create false divided-light appearance.
11. One shall not replace clear glazing with tinted or opaque glazing.
12. During rehabilitation and/or repair which requires a Certificate of Preservation, the following standards shall be observed:
  - a. Protect and maintain the wood and metal elements of historic windows and doors through appropriate methods:
    1. Inspect regularly for deterioration, moisture damage, air infiltration, paint failure, and corrosion.
    2. Clean the surface using the gentlest means possible.
    3. Limit paint removal and reapply protective coatings as necessary.
    4. Reglaze sash as necessary to prevent moisture infiltration.
    5. Weather-strip windows and doors to reduce air infiltration and increase energy efficiency.
  - b. Repair historic windows and doors and their distinctive features through recognized preservation methods for patching, consolidating, splicing, and reinforcing.

- c. If desired, introduce narrow-profile exterior or interior storm windows so that they do not obscure or damage the existing sash and frame. Select exterior storm windows with a painted or baked-enamel finish that is compatible with the sash. For double-hung windows, operable storm window dividers should align with the existing meeting rail.
- d. If desired, introduce full-light storm doors constructed of wood or aluminum that do not obscure or damage the existing door and frame. Select storm doors with a painted, stained, or baked-enamel finish that is compatible with the existing door. Bare aluminum storm doors are not appropriate.
- e. If desired and where historically appropriate, install fabric awnings over window, door or porch openings with care to ensure that historic features are not damaged or obscured..

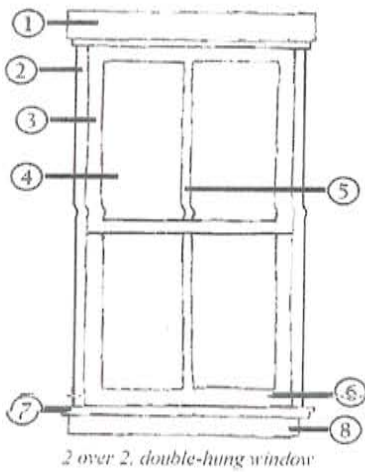
Example of appropriate doors:



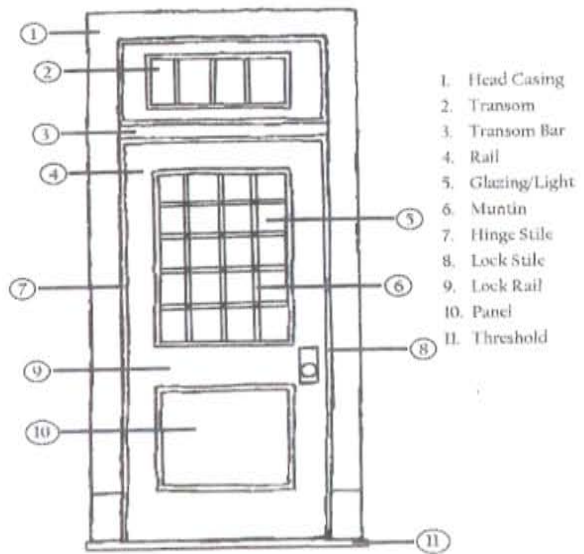
Example of appropriate windows:



Window Components



- |                  |           |
|------------------|-----------|
| 1. Head          | 5. Muntin |
| 2. Casing        | 6. Rail   |
| 3. Stile         | 7. Stool  |
| 4. Glazing/Light | 8. Sill   |



- |                  |
|------------------|
| 1. Head Casing   |
| 2. Transom       |
| 3. Transom Bar   |
| 4. Rail          |
| 5. Glazing/Light |
| 6. Muntin        |
| 7. Hinge Stile   |
| 8. Lock Stile    |
| 9. Lock Rail     |
| 10. Panel        |
| 11. Threshold    |

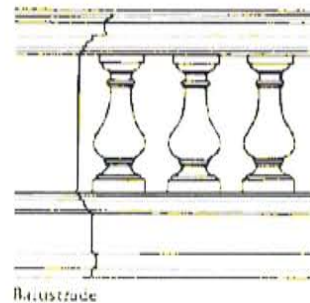


## J. Entrances, Porches, and Balconies:

1. Retain and preserve entrances, porches, and balconies that contribute to the overall historic character of a building, including such functional and decorative elements as columns, pilasters, piers, entablatures, balustrades, sidelights, fanlights, transoms, steps, railings, floors, and ceilings.
2. When repairing historic entrances, porches, balconies and their distinctive features and materials, use recognized preservation methods for patching, consolidating, splicing, and reinforcing.
3. If replacement of a deteriorated detail or element of an entrance, porch or balcony feature is necessary, replace only the deteriorated detail or element in kind rather than the entire feature. Match the original in design, dimension, and material. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
4. If replacement of an entire entrance, porch or balcony feature is necessary because of deterioration, replace in kind, matching the original in design, dimension, detail, texture, and material. Use compatible substitute materials as determined by the Commission only if using original materials is not technically feasible.
5. If a feature or an entire entrance, porch or balcony is missing, replace it with a feature based on accurate historic documentation or a new design compatible with the historic character of the building and the district.
6. One shall not enclose a front porch or balcony without approval from the Commission.
7. One shall not remove any detail material associated with entrances and porches, such as graining, spindle-work, beveled glass, or beaded board, unless supported by historic documentation.
8. One shall not remove an original entrance or porch or add a new entrance or porch on a primary facade.
9. One shall not introduce features or details to a historic entrance, porch or balcony that would create a false historical appearance.



- Porch Components
- |                   |                |
|-------------------|----------------|
| 1. Rafter         | 7. Top Rail    |
| 2. Cornice        | 8. Bottom Rail |
| 3. Column Capital | 9. Pier        |
| 4. Column         | 10. Newel      |
| 5. Column Base    | 11. Riser      |
| 6. Baluster       | 12. Tread      |



Examples of appropriate entrances, porches and balconies



Examples of inappropriate entrances, porches, and balconies



These front steps need to be replaced.



This porch has been enclosed which takes away from the historic character of the house.



## K. UTILITIES AND ENERGY RETROFIT:

1. If a new mechanical system is needed, install it so that it causes the least amount of alteration to the building's exterior facades, historic building fabric, and site features.
2. Increase the thermal efficiency of historic buildings by observing appropriate traditional practices, such as weather stripping and caulking, and by introducing energy-efficient features, such as awnings, operable shutters, and storm windows and doors, where appropriate.
3. Retain and preserve the inherent energy-conserving features of historic buildings and their sites, including shade trees, porches, awnings, and operable windows, transoms, shutters, and blinds.
4. Locate portable window air-conditioning units on rear facades or inconspicuous side facades.
5. During rehabilitation and/or repair which requires a Certificate of Preservation, the following standards shall be observed:
  - a. If desired, introduce narrow-profile exterior or interior storm windows so that they do not obscure or damage the existing sash and frame. Select exterior storm windows with a painted or baked-enamel finish that is compatible with the sash. For double-hung windows, operable storm window dividers should align with existing meeting rails.
  - b. If desired, introduce full-light storm doors constructed of wood or aluminum that do not obscure or damage the existing door or frame. Select storm doors with a painted, stained, or baked-enamel finished that is compatible with the existing door. Bare aluminum storm doors and storm windows are not appropriate.
  - c. If desired and where historically appropriate, install fabric awnings over window, door or porch openings with care to ensure that historic features are not damaged or obscured.
  - d. In general, the introduction of underground utility lines to reduce the intrusion of additional overhead lines and poles is encouraged. However, in trenching, take care to avoid archaeological resources and the roots of trees.

Inconspicuous utility units



View from road



View from side



Inappropriate Examples:



**L. ACCESSIBILITY, HEALTH, AND SAFETY CONSIDERATIONS:**

1. In considering changes to a historic building, review accessibility and life safety code implications to determine if the proposed change is compatible with the building's historic character and setting or will compromise them.
2. Meet accessibility and life-safety building code requirements in such a way that the historic building's character-defining facades, features, and finishes are preserved.
3. Determine appropriate solutions to accessibility with input from the Commission, historic preservation specialists and local disability groups.
4. Introduce new or additional means of access that are reversible and that do not compromise the original design of a historic entrance or porch.
5. Work with code officials to explore alternative methods of equal or superior effectiveness in meeting safety code requirements while preserving significant historic features.
6. Locate fire doors, exterior fire stairs, or elevator additions on side or rear facades. Design such elements to be compatible in character, materials, scale, proportion, and finish with the historic building.

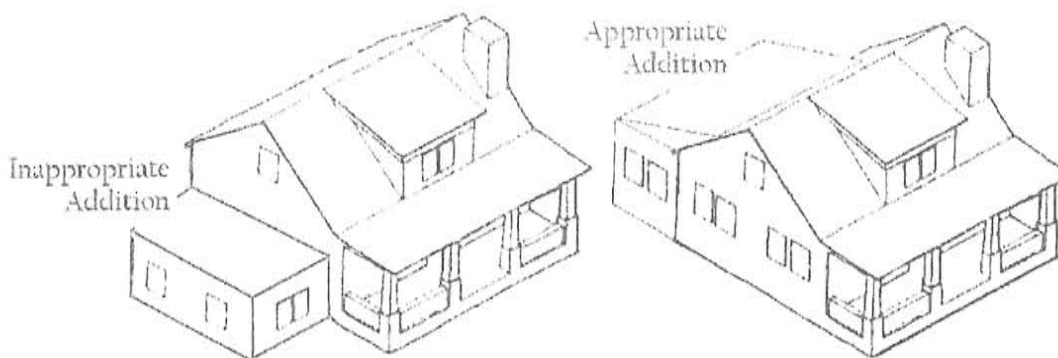


*Locate accessibility and safety features in areas that do not compromise the architectural*

**M. Aesthetic recommendations:**

1. Survey in advance and limit any disturbance to the site's terrain during construction to minimize the possibility of destroying unknown archaeological resources.
2. Protect large trees and other significant site features from immediate damage during construction and from delayed damage due to construction activities, such as loss of root area or compaction of the soil by equipment. It is especially critical to avoid compaction of the soil within the drip lines of trees.
3. Limit the size and scale of an addition in relationship to the historic building so that it does not diminish or visually overpower the building.

**Addition Location:**



Even though this addition is an appropriate location, it does not match the historic character of the house. To improve this, the new addition would need to be covered with rock, rather than siding.



## **PART TWO—ADDITIONS AND NEW BUILDING CONSTRUCTION**

### **A. *Additions to historic buildings:***

1. Design an addition to be compatible with the historic building in mass, materials, and relationship of solids to windows and doors in the exterior walls, yet make the addition discernible from the original.
2. One shall not construct an addition if it will detract from the overall historic character of the principal building and the site, or if it will require the removal of a significant building element or site feature.
3. One shall not construct an addition that significantly changes the proportion of built mass to open space on the individual site.
4. Construct new additions so that there is the least possible loss of historic fabric and so that the character-defining features of the historic building are not destroyed, damaged, or obscured.
5. Design new additions so that the overall character of the site, site topography, character-defining site features, trees, and significant district vistas and view are retained.
6. Locate a new addition on an inconspicuous elevation of the historic building, usually the rear one.



New home that blends in well with the historic district.

### **B. *New building construction:***

1. New site construction shall be compatible with surrounding buildings that contribute to the overall character of the historic district in terms of orientation, and distance from adjacent buildings.
2. Design new construction so that the overall character of the site, site topography, character-defining site features, trees, and significant district vistas and views are retained.
3. Evaluate in advance and limit any disturbance to the site's terrain during construction to minimize the possibility of destroying unknown archaeological resources.
4. Design new buildings to be compatible with surrounding buildings that contribute to the overall character of the historic district in terms of height, form, size, scale, massing, proportion, and roof shape.



5. Design the proportion of the proposed new building's front facade to be compatible with the front facade proportion of surrounding buildings.
6. Design the spacing, placement, scale, orientation, proportion, and size of window and door openings in proposed new construction to be compatible with surrounding buildings that contribute to the special character of the historic district.
7. Select windows and doors for proposed new building that are compatible in material, subdivision, proportion, pattern, and detail with the windows and the doors of surrounding buildings that contribute to the special character of the historic district.
8. Select materials and finishes for proposed new buildings that are compatible with historic materials and finishes found in surrounding buildings that contribute to the special character of the historic district in terms of composition, scale, module, pattern, detail, texture, finish and sheen.
9. Design new buildings so that they are compatible with, but discernible from, historic buildings in the district.

*Recommendations:*

1. Protect large trees and other significant site features from immediate damage during construction and from delayed damage due to construction activities, such as loss of root area or compaction of the soil by equipment. It is especially critical to avoid compaction of the soil within the drip line of trees.

### **PART THREE—RELOCATION OF STRUCTURES**

1. Before moving a historic structure, document its original setting and context. Use photographs, site plans, or other graphic or written statements to record existing site conditions.
2. Enlist contractors experienced in moving historic buildings to do the following:
  - a. Determine the structural condition of the property before the move.
  - b. Coordinate the move with the utility companies and appropriate city departments.
  - c. Protect the structure from vandalism or weather damage before, during and after the move.
  - d. Minimize structural damage during the move.
3. Relocate a structure within the historic district only if it is determined to be architecturally compatible with the adjacent buildings according to the guidelines for new construction.
4. Relocate a structure on a site within a historic district according to new construction guidelines for siting, orientation, plantings, and other pertinent aspects of site and setting.
5. Ensure that the relocation of a structure will not diminish or damage existing historic district buildings or the overall character of the district. Pay particular attention to the tree canopy along the route of the move.
6. Provide the HPC with site plan information for the proposed site features and plantings of the new setting, including information on accessory buildings, driveways, site lighting, and parking areas.
7. If the original site of the structure to be relocated is within a historic district, before the move, submit to the Commission a site plan for proposed site features and plantings of the original site after the relocation.

8. Protect significant site features of the original site, the new site, and the route of the move during relocation.

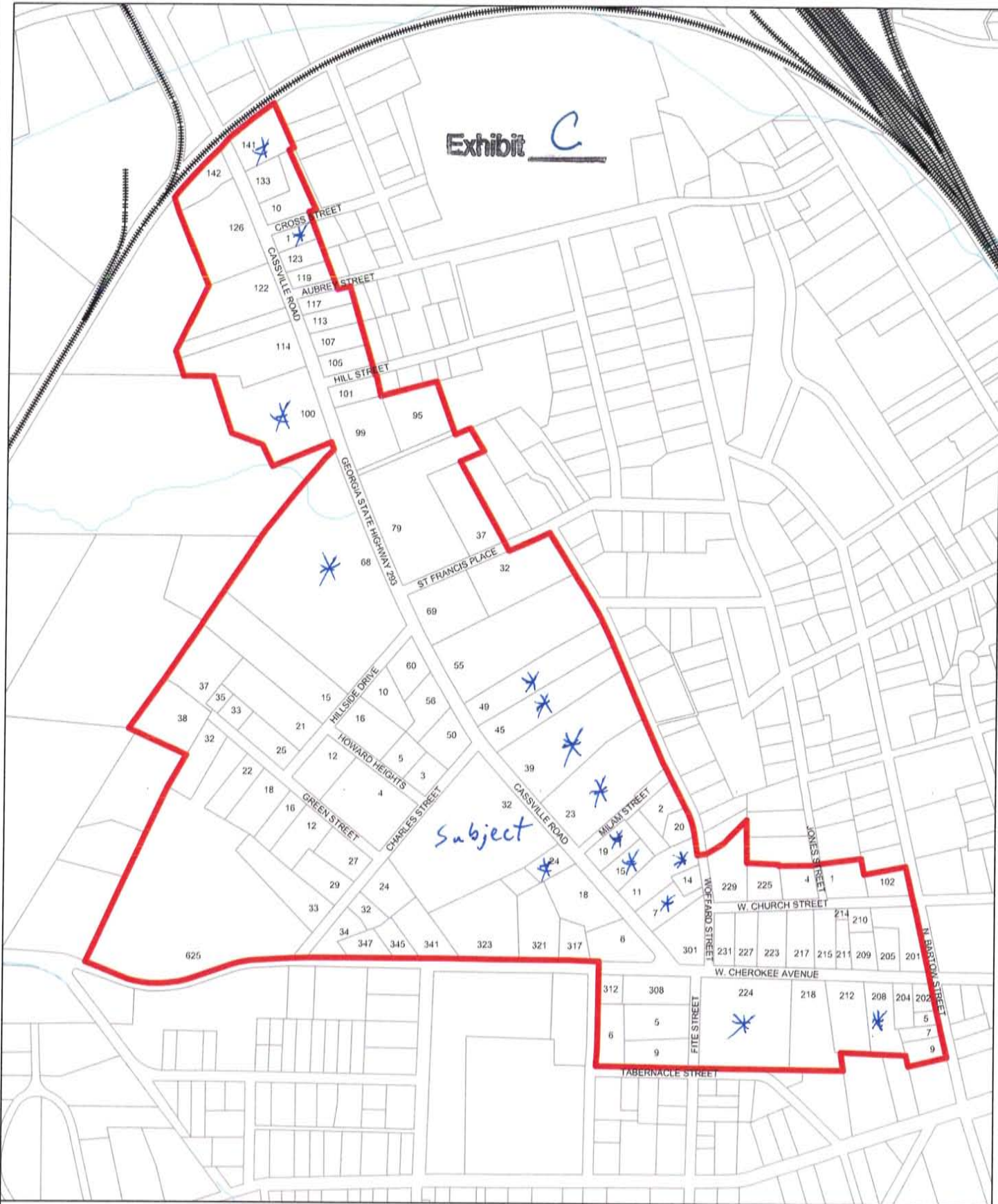
#### **PART FOUR—DEMOLITION**

1. Before demolition, submit a site plan to the Commission illustrating proposed site development or plantings to follow demolition.
2. During demolition, ensure the safety of any adjacent properties and historic resources. Also, during and after demolition, protect the trees on the site from damage due to compaction of the soil by equipment or materials.
3. After demolition, clear the site promptly and thoroughly.
4. After demolition, plant or develop the site promptly as approved in the proposed site plan.





Exhibit C



City of Cartersville

# Cherokee - Cassville Historic District

