



City of Cartersville Historic Preservation Commission COP Application Staff Report
Case: COP23-28

HPC Meeting – 12-19-23

Application Information

Address: 108 W. Main St.
 Applicant: Contract Builders, Inc.
 Historic District: Cherokee – DBD
 Zoning: DBD
 Setbacks: Front= oft. Side= oft. Rear= oft.

Brief Description: Applicant proposes to paint unpainted brick on front façade (after-the-fact).

Applicable Guidelines to Consider- Sec. 9.25-52. Downtown Business District Historic District

Residential Design Guidelines	
<i>Part One: Maintaining, Repairing, Replacing Structures Contributing to a Historic District.</i>	
A. Wood	K. Utilities and Energy Retrofit
B. Masonry	L. Accessibility, Health, and Safety Considerations
C. Architectural Metals	M. Aesthetic Recommendations
D. Paint	
E. Roofs	
F. Exterior Walls	PART TWO: New Construction
G. Driveways, Walkways, and Off-Street Parking	
H. Lighting	PART THREE: Relocation
I. Windows and Doors	
J. Entrances, Porches and Balconies	PART FOUR: Demolition
Commercial Design Guidelines (Historic Downtown Business District)	
<input checked="" type="checkbox"/>	PART ONE: General Guidelines for Structures Contributing to the District.
<input type="checkbox"/>	PART TWO: Guidelines for New Construction –

Project Description:**Task List:**

1. Paint unpainted brick on front facade (after-the-fact).

History of the Property- No Public information available from Bartow County Tax assessor's records. GHRS states structure was built c.1900.

Previous COP on file:

None

Analysis of the COP:

The structure is Historic, Contributing.

Staff was informed of the painting activities occurring at this location on Oct. 3rd. The same day, staff visited the site and spoke with Ms. Nila Absher, CEO, requesting that work stop until HPC could review the scope of work. At this point, the awning and wall sign had been removed and one coat of paint has been applied to the unpainted brick on the front façade.

Ms. Absher complied and instructed the painters to stop work until the HPC could review.

The east side and south side (rear) exterior walls were previously painted. Some repainting of these walls had begun, but was also stopped. There is no ordinance violation for painting painted brick or other painted masonry surfaces.

Staff did note that the paint being applied was a breathable, masonry paint.

The front facade of the building is likely not the original c.1900 facade, but rather something that resembles the commercial trends of the 1940s-1950s with the large, angled display windows, aluminum window trim and angled entryway. It's possible that the front facade brick is not the soft, hand fired brick from c. 1900.

The owner of the building, Judge Barry Green, Bartow County Probate Court, requested to have the application reviewed at the December HPC meeting, so he could attend.

The applicant proposes to paint the unpainted brick on the front of the structure (Main St side). See *Sec. 9.25-52, Downtown Business District Historic District, Part 1 item 9, Exterior Walls, sub item (A)*:

- A. *Painting, sealing or applying other types of coatings to unpainted masonry is prohibited without Commission approval. One shall not sandblast exterior surfaces. Use the gentlest means possible to clean exterior materials. When repointing brick or other masonry walls, one shall use a historic mortar mix (softer than modern mixes), matching the original mortar joints.*

The commission may grant a variance to permit the painting of unpainted brick per *Ord. Sec. 9.25-34 (k), Undue Hardship*.

Commissioners Work Sheet**Materials:**

	Existing Materials	Materials to be Used
Roof		
Siding	Brick/ painted brick	
Windows		
Doors		
Exterior Lighting		
Foundation		
Decking		
Steps		
Porches		
Ornamentation	---	

Notes:

I move to (approve, approve w/ conditions, or deny) the application for (state proposed changes) at (address) (as submitted, or with the following conditions). I find (compliance or noncompliance) with the guidelines referenced in the staff report and those brought up during discussion.

Other Applicable ordinance sections:

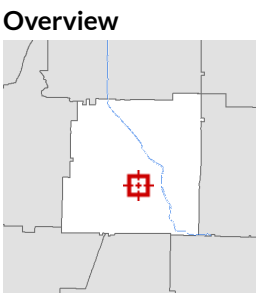
Sec. 9.25-34. Application to preservation commission for certificate of preservation.

- (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 of 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.

(Ord. No. 19-01, § IV, 5-17-01; Ord. No. 47-04, § 6, 6-17-04)



- Legend**
- Parcels
 - Structural Numbers**
 - Abandoned or Inactive
 - Active
 - Proposed
 - <all other values>
 - Roads

Parcel ID	No Data Found	Alternate ID	n/a	Owner Address	n/a
Sec/Twp/Rng	n/a	Class	n/a		
Property Address		Acres	n/a		
District	n/a				
Brief Tax Description	n/a				

(Note: Not to be used on legal documents)

Date created: 12/14/2023
 Last Data Uploaded: 12/13/2023 9:04:06 PM





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.

<u>Office Use Only</u>	
Case Number	<u>CP23-28</u>
Date Received	<u>10/17/23</u>
Contributing	<u>Y c 1900</u>
Zoning	<u>DBO</u>
Legal Advertisement	<u>12/12</u>
Notified Adjacent	_____
HPC Hearing	<u>12/15/23</u>
HPC Decision	_____
COP Expiration	_____
Project Completion	_____
Tax Parcel	<u>Not Planned</u>

*Applicant: 'Contract Builders Inc.

Project Address: 108 West Main Street, Cartersville, GA 30120

Mailing Address (if different than project address):
P.O. Box 2592, Cartersville, GA 30120

Phone: 770-740-0055 Office 404-886-3909 Cell

Email: jabsher@contractbuildersinc.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.

OBJECT

- | | |
|--|--------------------------------|
| <input type="checkbox"/> Residential | One, Two or Multi-family _____ |
| <input checked="" type="checkbox"/> Commercial | Garage, Storage _____ |
| <input type="checkbox"/> Other | _____ |

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

Painting

INFORMATION

Type of Project (check all that apply)

- | |
|--|
| <input type="checkbox"/> New building |
| <input type="checkbox"/> Addition to building |
| <input type="checkbox"/> Relocation of building(s) |
| <input type="checkbox"/> Demolition |
| <input type="checkbox"/> Fence(s), wall(s), landscaping |
| <input type="checkbox"/> Minor exterior change |
| <input type="checkbox"/> Major restoration, rehabilitation, or remodeling |
| <input type="checkbox"/> Other <u>Paint front of Building + other sides that are already painted</u> |

Start Date: TBD

Anticipated Completion: 2 to 3 Day after work begins

Contractor/Consultant/Architect: Contract Builders

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 10/17/23

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]

Paint front of building and other sides that are already painted

PRECEDENCE OF DECISIONS

Each application will be considered on its 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.

Nila Absher

To: Nila Absher
Subject: RE: Front



Nila Absher

To: Nila Absher
Subject: RE: Side



Nila Absher

To: Nila Absher
Subject: RE: Back

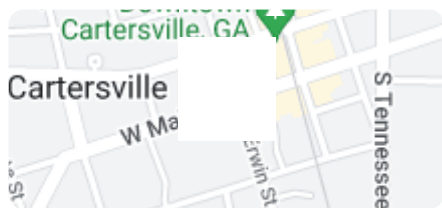




Cartersville, Georgia
Google Street View
Jun 2022 See more dates

Google

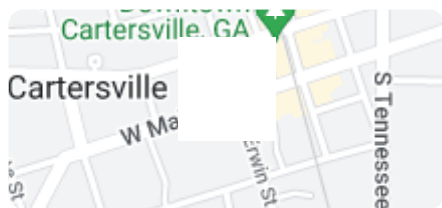
Image capture: Jun 2022 © 2023 Google





Cartersville, Georgia
Google Street View
Jun 2022 See more dates

Image capture: Jun 2022 © 2023 Google



Images taken 10-3-23



Oct 3, 2023 at 12:08:22
108 W Main St
Cartersville GA 30120
United States



Oct 3, 2023 at 12:16:02
101 S Erwin St
Cartersville GA 30120
United States



Oct 3, 2023 at 12:16:11
108 W Main St
Cartersville GA 30120
United States

