

**Draft June 23, 2009**

**{Deletions are in bold and are bracketed, like this line.}**

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# **Batesville Commercial Historic District DESIGN GUIDELINES**

**Batesville, Arkansas  
2009**

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# Introduction

Downtown Batesville represents not only the physical heart of the city, but its historical heart as well. City officials, as well as private citizens, place a high value on preserving the charm of Batesville's historic district. To this end, they began the process that produced this document.

Ordinance No. **2009-4-2**, adopted **28 April 2009**, establishes the purposes for the protection and preservation of the Historic District. These purposes are to:

- (a) effect and accomplish the protection, enhancement, and perpetuation of such areas and improvement of districts which represent or reflect elements of the City's cultural, social, economic, political, and architectural history;
- (b) safeguard the City's historic, aesthetic and cultural heritage, as embodied and reflected in such areas;
- (c) stabilize and improve property values in such districts;
- (d) foster civic pride in the beauty and accomplishments of the past;
- (e) protect and enhance the City's attractions to tourists and visitors;
- (f) strengthen the economy of the City; and
- (g) promote the use of historic districts and landmarks for the education, pleasure, and welfare of the people of the City.

The Batesville Historic District Design Guidelines contained herein exist to guide development in the established historic district in the downtown area of the city. The guidelines provide the basis for evaluation of design proposals brought before the Historic District Commission. They also serve as a guide to individual property owners or tenants wishing to make improvements on their buildings.

Such improvements may range from routine maintenance to new construction. This handbook, therefore, also outlines the procedure by which applicants may petition the Historic District Commission for a Certificate of Appropriateness for proposed improvements. Private property owners and tenants who propose to undertake improvements to a building in the Batesville Historic District must obtain such a certificate before obtaining a building permit.

## **Batesville Historic District Commission**

The Batesville Historic District Commission was established **28 April 2009** through Ordinance No. **2009-4-2** of the City of Batesville. The powers of the Historic District Commission, as established through Ordinance **2009-4-2**, include but are not limited to the following:

- (a) adopt and amend design review guidelines to be used when considering Certificate of Appropriateness applications, such actions always following a public hearing. These guidelines will be based upon the Secretary of Interior's Standards for Rehabilitation and adapted specifically to Batesville;
- (b) conduct surveys and studies of neighborhoods, areas, places, structures, objects and improvements within the City of Batesville for the purpose of determining those of distinctive historic, community, architectural, or archeological interest or value;
- (c) nominate buildings, structures, objects and historic districts to the National Register of Historic Places;
- (d) recommend to the City Council the adoption of Ordinances designating areas as having special historic community or architectural value as "historic district" and add these historic districts to the provisions of this Ordinance;
- (e) keep a register of all properties and structures that have been designated as historically significant including all information required for each designation;
- (f) obtain the services of qualified persons to direct, advise and assist the Historic District Commission;
- (g) request and receive any appropriate information, cooperation, assistance or studies from any City departments, boards, agencies or commissions and any joint city-county departments, boards, agencies or commissions;
- (h) advise and assist owners of historic properties within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the National Register of Historic Places;
- (i) promote the education and understanding of Batesville's heritage;
- (j) hold public hearings to review applications for certificates of appropriateness;
- (k) periodically review the Batesville Zoning Ordinance and recommend to the Planning Commission and the City Council any amendments appropriate for the protection and continued use of property within historic districts;
- (l) review and make recommendations to the Planning Commission on all conditional uses, rezonings, and variances that affect properties within historic districts;

- (m) testify before relevant boards and commissions on any matter affecting architecturally and/or historically significant properties;
- (n) destroy, exchange or otherwise dispose of in accordance with the law, any materials in its possession, except borrowed materials, which it may find to be worthless or surplus to its needs;
- (o) establish and make reasonable charges for furnishing copies of materials in its possession or for sales of historic memorabilia or signs;
- (p) expend any moneys arising from grants, contributions or gratuities, and receive bequests or donations of real or personal property and convert into money any such property which cannot be used in the form received, and expend the same for any of the functions performable by it;
- (q) cooperate with the Arkansas Historic Preservation Program, historical associations and other non-profit organizations devoted to the history of this city and state;
- (r) take such other action, not inconsistent with law, as it shall deem necessary in the performance of any of its functions; and
- (s) adopt (or amend) its own rules and regulations by a vote of not less than two thirds of all members present and voting.

# The Design Review Process

*No building or structure, including stone walls, fences light fixtures, steps, and paving or other appurtenant fixtures, shall be erected, altered, restored, moved, or demolished within an historic district until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to and approved by the historic district commission. Arkansas Code, Annotated, § 14-172-208 (a)(1).*

All physical improvements to the front or street façade of a property or business within the Historic District Boundary fall under **{the guidance of this handbook}** these Guidelines. There are, however, some exemptions as discussed in the next section.

## Exempted Improvements

**Ordinary Maintenance:** This category contemplates repairs that do not change the exterior appearance of the facade but only seek to maintain the structure. They also include repairs that do not significantly change the exterior appearance of the building but are necessary to remove deteriorating, unsafe or dangerous conditions.

Work classified as exempted will include but not necessarily be limited to, such activities as are listed below.

- Replacing unsafe electrical or plumbing fixtures if unable to be repaired.
- Repointing masonry. (See recommendations on p. 12.)
- Replacing deteriorated awnings with materials of the same size, texture and color.
- Replacing broken window glass.
- Replacing deteriorated gutters and downspouts.
- Painting or replacing an existing sign of the same size and/or color.
- Repainting surfaces already painted.
- Changing exterior paint color.
- Replacing or repairing exterior trim.
- Changing the name of an owner or business on a previously approved sign when no other changes to the size, style, materials or color, are involved.

The Historic District Commission requires no approvals for Ordinary Maintenance. The Historic Preservation Officer (or in his/her absence, the city Code Enforcement Officer) shall determine whether work is Ordinary Maintenance. If the officer and the property owner disagree, an appeal may be made to the HDC.

Existing Conditions: projects involving only Ordinary Maintenance shall not require further changes to existing conditions that do not yet conform to these Guidelines.

The property owner or tenant should consult other city agencies that might have authority. For example, the Commission does not administer building or life-safety codes: however, those apply to buildings within the district.

**Public Safety:** These guidelines do not prevent any steps short of demolition which the Batesville Building Official certifies is required for public safety because of an unsafe or dangerous condition. Demolition requires a certificate of appropriateness.

## **Procedure for Obtaining a Certificate of Appropriateness:**

1. Obtain and complete an application for a Certificate of Appropriateness from the City of Batesville.
2. Include any additional information and documentation required for a Certificate of Appropriateness.
3. Review the application and information with the **{city staff}** Historic Preservation Officer.
4. File all completed material with the **{city staff}** Historic Preservation Officer 20 days prior to the next meeting of the Batesville Historic District Commission. The Historic Preservation Officer will provide the next available date and set that date for a public hearing to review the application.
5. Appear, or have a representative appear, at the public hearing to present the request and answer questions.
6. The **{city staff}** Historic Preservation Officer shall, upon approval by the Commission, issue the certificate of appropriateness and retain the application and submitted information in the Historic District Commission's files.

## **Processing of a Certificate of Appropriateness:**

1. The **{city staff}** Historic Preservation Officer (HPO) acting for the Historic District Commission will determine what properties will be affected by the changes proposed in the Certificate of Appropriateness application.
2. The **{city staff}** HPO will send, by mail, postage prepaid, to the applicant and to the owners of all such affected properties, a notice of the hearing to be held by the Historic District Commission on the proposed application.
3. The **{city staff}** HPO, acting for the Historic District Commission, will publish a Notice of Public Hearing at least once in the newspaper, a minimum of 10 days prior to the hearing.
4. At the public hearing, the Commission will hear from the applicant concerning the proposed application.
5. The Commission will then hear all other persons desiring to present information regarding the application.
6. The Commission may request additional information before making a decision.
7. Once it has all the information it feels necessary, the Commission will determine if the restoration, rehabilitation, renovation, preservation, alteration, construction, moving or demolition proposed is appropriate to the District.

8. If the Commission determines the proposal is appropriate, it will issue a Certificate of Appropriateness notify the applicant promptly.
9. If the Commission determines that a Certificate of Appropriateness should not be issued, it shall place the reasons for such decision in its records and provide a copy to the applicant.

**Basis for Determination:**

In making the determination concerning the Certificate of Appropriateness, the Commission shall consider the following criteria.

1. The Commission will consider the spirit and intent of the authorizing ordinance that set up the Historic District Commission provide a general basis for evaluating applications.
2. The Commission shall consider the architectural or historic value or significance of the building in question and its relationship to the surrounding area. The survey prepared for the National Register application classified individual structures as to whether they were “contributing” or “non-contributing” to the value of the district as a National Register designee. The Commission may take these classifications into account when evaluating an application for a Certificate of Appropriateness. The classification of a building as “non-contributing” however, does not automatically imply that the application of the design guidelines is less important.
3. The Commission shall consider the general compatibility of proposed changes to the guidelines contained herein. The design guidelines, however, are simply that: guidelines. They are not regulations nor do they represent legal requirements. The individual applicant may submit any additional supporting documentation that would assist the Commission in determining appropriateness. Alternative, or even contemporary, design shall not be excluded from consideration.
4. The applicant is free to provide any other information, visual or aesthetic, considered pertinent to the consideration.
5. When evaluating the general compatibility of alterations to the exterior of any building in the district, the Commission shall consider, but not be limited to, the following factors within the building’s area of influence.
  - a. Siting
  - b. Height
  - c. Proportion
  - d. Roof Area
  - e. Rhythm
  - f. Entrance Area
  - g. Wall Areas
  - h. Detailing
  - i. Facade
  - j. Scale
  - k. Massing
6. The Commission shall hear from the applicant regarding the proposed improvements.

# Economic Hardship

## General

The Commission may determine that failure to issue a Certificate of Appropriateness in a specific instance would involve a substantial economic hardship **{to the applicant}** on the property. In making such a determination, the following guidelines shall apply.

1. It shall be incumbent on the applicant to demonstrate economic hardship to the Commission as specified in Section 9 of Ordinance #2009-4-2.
2. If the property in question is a significant historic and community resource, the Commission may invoke up to a 90 day delay of the proposed work. During this period of delay, the applicant, working with the architectural service of Main Street Arkansas, shall develop suitable alternatives to the proposed work to present to the Commission. If the applicant fails such, the Commission may consider this failure in its deliberations.
3. If, **{after the end of}** within the 90 day delay period, no reasonable use can be found or economic return can be obtained and there has been no substantial detriment to the district, the Commission may issue a Certificate of Economic Hardship approving the proposed work. If the Commission finds otherwise, it shall deny the application for Certificate of Economic Hardship, and record in its records the reasons therefore.

# Standards

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

## The Secretary of the Interior's Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documents and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## The Building Exterior: Guidelines

The buildings exterior should, after treatment, contribute to the historic character of the district. It should reflect the time period in which it was constructed and form an integral part of the district in general. The following general guidelines are recommended.

1. Do the building no harm. Before removing, defacing, or altering any element that may pose historical significance, ask for an opinion from the Historic District Commission.
2. Help maintain a coherent image of the historic district. Relate the improvements to other buildings to the greatest extent possible. The building is not only part of a historic district, but also part of a streetscape, shopping district, and potential tourist attraction.
3. Use the historic character of the building to attract and keep customers. Don't hide historical features. Don't try to "modernize" the environment.
4. Maintain a sense of balance. Much of the appeal of a historic area rests in an orderly and harmonious appearance. **{Remember that if every personal whim of each business owner were manifested in the façade of the business, the result could be a level of chaos that could repel, rather than attract, tourists and customers. Try to reduce clutter in window displays.}**
5. Don't negatively impact a neighbor's ability to attract business.
6. It is preferable to preserve by maintenance rather than to repair original features of the building.
7. It is preferable to repair rather than to reconstruct.
8. It is preferable to restore by reconstruction of original features rather than to remove or remodel.

# Masonry: Guidelines

The majority of the buildings in the Historic District have some form of masonry on their facades. It is important that the treatment of various masonry surfaces within the district remains consistent. While the style and period of various surfaces may vary, the preservation guidelines should not.

## General

1. Masonry includes brick, stone, concrete, stucco, and terra-cotta.
2. Masonry surfaces and architectural elements are the most common types found in the commercial district and are vital to its historic character.
3. Masonry features such as brick cornices and piers, stone window hoods, and terra-cotta brackets must be preserved and maintained properly. Although masonry is one of the most durable historic building materials, it is also very susceptible to damage by improper maintenance or repair techniques and harsh or abrasive cleaning methods.

The following methods for preservation and repair of masonry features are appropriate:

## Appropriate

### Repointing Masonry

1. Masonry walls and other surfaces should be repaired by repointing the mortar joints where there is evidence of deterioration such as disintegrating mortar, cracks in mortar joints, loose bricks, damp walls or damaged plaster work.
2. Old mortar joints should be duplicated in strength, composition, color and texture.
3. Old mortar joints should be duplicated in width and joint profile.
4. Sealant should be used only when it can be determined that its use will not change the appearance of the masonry nor will it trap moisture that will contribute to further deterioration.

### Cleaning Masonry

1. Cleaning masonry should only be done when necessary to halt deterioration or remove heavy soiling.
2. Masonry surfaces should be cleaned with the gentlest means possible, such as low pressure water and masonry detergents, using natural bristle brushes.

3. When it is determined that cleaning is necessary, a test should be carried out on a small area of the masonry surface to observe the effects of the cleaning method in order to select the gentlest method possible.

## **Painting Masonry**

1. Masonry that has historically been unpainted should not be painted, nor should paint be removed from historically painted masonry.
2. Masonry which has been painted after original construction can either be repainted or the paint can be removed with appropriate chemical removers.

## **Removing/Repairing Old Stucco**

Some buildings in the district have had stucco applied over masonry surfaces at some point following original construction. These surfaces may be treated in one of two ways:

- a. The preferred treatment is removal of the stucco and restoration of the original masonry surface.
- b. If removal is not feasible and the stucco surface has itself become historic, the stucco may be repaired by filling cracked areas or replacing and failed areas, blending the new stucco with the remaining old stucco.

## **Not Appropriate**

Painting masonry surfaces that have not been painted previously.

Sandblasting masonry surfaces using dry or wet grit or other abrasives. Sandblasting destroys the hard, protective outer layer of the brick and stone and accelerates deterioration. The damage caused by sandblasting is irreversible.

Applying new stucco or stucco-like material to historic buildings where it has not already been applied.

# Wood and Siding: Guidelines

## General

1. Wood is a common material for architectural features such as cornices brackets, bulkheads, store fronts, and window framing. These features are important in defining the overall historic character of the building and the district.
2. Wood requires proper maintenance and the preservation of wooden architectural elements is of particular importance in rehabilitation projects.

## Protecting Wood

1. Retain coatings such as paint that help protect wood from moisture and harmful light rays. Paint removal should be considered only where there is paint surface deterioration and as a part of an overall maintenance program that involves repainting or applying other appropriate protective coatings.
2. Paint should be removed with the gentlest of methods possible when it is necessary to do so. Wood surfaces should never be sandblasted.

## Repair and Replacement of Wood

1. Deteriorated or damaged wood architectural elements shall be repaired rather than replaced whenever possible.
2. Replacement of deteriorated wood features should be limited to patching or piecing-in only the irreparable portions whenever possible, rather than removing the entire feature and replacing it with new material to create a uniform or “improved” appearance.

# Architectural Metals: Guidelines

## General

Architectural metals include cast iron, steel, pressed tin, zinc, copper and aluminum. There are not many examples of architectural metals in the Batesville Historic District. For any that are visible, the following general guidelines are recommended.

## Cleaning Architectural Metals

1. Architectural metals should be cleaned when necessary to remove corrosion prior to repainting or applying other appropriate protective coatings.
2. Cleaning shall be done with the gentlest methods possible. Particular care must be taken when cleaning soft metals such as lead, tin, copper and zinc. Sandblasting is acceptable only for cast iron, and then great care should be taken to protect all surrounding materials.
3. Any ferrous metal surface should be kept painted to protect from rust. Other metals may be treated with protective coatings that do not alter the historic aspect of the metal.

## Replacing Missing Pieces

1. Missing pieces or parts damaged beyond repair can often be fabricated; however, they may also be recast in aluminum or fiberglass from existing pieces or, when necessary, substituted by wooden pieces.
3. Dissimilar metals should be buffered from each other to avoid the potential problem of electrolysis.

## Not Appropriate

1. Changing the historic finish or color of architectural metals.
2. Applying paint to metals such as copper, bronze or stainless steel that are meant to be exposed. Aluminum window and door frames may be painted in order to blend with other materials.
4. Removing the patina of historic metal, particularly copper. The patina may provide a protective coating to such metals.

# Pigmented Structural Glass: Guidelines

## General

1. Pigmented structural glass, marketed under the names Carrera glass, Sani Onyx, and Vitrolite, became a popular commercial construction material in the 1930s and 40s. Pigmented structural glass veneer played a major role in the growth of the Art Deco, Streamline, and Modern styles of the early twentieth century.
2. The material found its way onto nineteenth century traditional storefronts as designers updated older buildings in the “modern” style. As examples of the architecture of the 1930s and 40s, some of these “modernized” structural glass storefronts have acquired historical significance in their own right.
3. Although pigmented structural glass rarely deteriorates, failure of the mechanical support system which bonds the glass to the wall is almost always the cause of cracking, slipping, and loss.
4. Every effort should be made to preserve and maintain historically significant examples of structural glass.

## Repair of Structural Glass

1. Cracked or open joints should be repointed, particularly where glass meets concrete.
2. Any glass pane that can be repaired should not be replaced.
3. If the bonding material has deteriorated, the glass panels should be carefully removed and reattached using fresh hot-melt asphalt (traditional bonding material).

## Substitute Materials

If replacement glass cannot be found to replace missing or irreparable panels, a compatible substitute may be considered if it conveys the same visual appearance as the historic material, i.e. color, size, and reflectivity.

## Removal

If structural glass added after original construction must be removed, the original façade should be restored as closely as possible.

# Paint and Paint Color: Guidelines

## Painted Surfaces

1. Repainting of surfaces already painted does not require a Certificate of Appropriateness. However, building owners may find these suggestions helpful:
  - A. The color scheme used on a building should be appropriate to the building's time period, architectural style, material of construction, and relationship to surrounding buildings.
  - B. Bright, garish, and non-complementary colors may be considered inappropriate.
  - C. Colors should accentuate the architectural details of the buildings.
2. With a Certificate of Appropriateness, paint may be removed from surfaces where it was not originally applied. In removal, only the gentlest methods should be used. Sandblasting is never appropriate.

## Unpainted Surfaces

Surfaces heretofore unpainted—e.g., masonry, architectural metals, and structural glass—should not be painted.

## Roofs: Guidelines

### Appropriate

1. The functional and decorative features of roofs are important in defining the overall historic character of the building; they should be preserved and retained. This includes the roof's shape, decorative features, roofing materials, size, color and pattern.
2. When required for new use, mechanical and service equipment on the roof such as air conditioning, transformers, or solar collectors should be installed so that they are inconspicuous from the **{public right-of-way} building's street level** and do not damage or obscure character-defining structures.
3. Roof vents, plumbing vents, etc., should be located where they are not visible from the street and do not damage or obscure character-defining features.

### Not Appropriate

1. Creating a false historical appearance because the replaced feature is based on insufficient historical, pictorial, and physical documentation.
2. Introducing a new roof feature that is not compatible in size, scale, material, and color.
3. Installing mechanical, communication or service equipment so that it damages or obscures character-defining features or is conspicuous from the public right-of-way.
4. Failing to clean and maintain gutters and downspouts properly so that water and debris collect and cause damage to roof fasteners, sheathing, and the underlying structure.
5. Permitting a leaking roof to remain unprotected so that accelerated deterioration of historic building materials – masonry, wood, plaster, paint, and structural members – occurs.

# Exterior Walls: Guidelines

## General

Exterior wall should reflect the original history of the structure in a modern setting. Improvements should identify and retain the features of the historic period

## Appropriate

1. Materials original to the building, such as wood siding or masonry, should be repaired rather than replaced.
2. Original walls should be preserved.
3. If an addition is necessary, cover and protect from damage rather than remove existing elements or materials so that if, in the future, the addition is removed, the original material will be there undamaged.
4. If replacement is determined to be necessary due to severe deterioration, it should be replaced with an element of the same design, size, texture, material, and color as the original.

## Not Appropriate

1. Removing original doors, windows, siding, masonry or other elements which are historic.
2. Replacing an original element with one that does not replicate the originals in design, size, texture, material, and color.
3. Using substitute siding materials and trim to cover or replace original wood.
4. Attaching materials of an addition directly to the original wall materials causing damage to it.
5. The closing of an opening such as a window or door **{thus changing}** which changes the character of the façade.
6. Making new openings such as doors or windows **{thus changing}** which change the character of the façade.

# Windows: Guidelines

## General

Windows carry great visual and functional importance, yet they are the most frequent victims of neglect and insensitive alterations that are visually and physically destructive. Careful consideration is required when windows are repaired or replaced. The functional and decorative components of windows that should be preserved, maintained, or duplicated include frames, sash, muntins, mullions, glass, sills, heads, hood molds, jambs, and moldings.

## Appropriate

1. Any windows that are blocked in should be opened up and restored to their original appearance.
2. Original windows should be preserved when possible. If windows must be replaced, the new windows should have the same size and appearance as the original windows.
3. Storm windows are not discouraged. If they are to be applied, they should match the size and style of the original windows and should not obscure their original components.

## Not Appropriate

1. Residential features should not be used on commercial structures, nor should materials which create a false historical appearance.
2. The size and shape of original openings should not be altered.
3. Original windows should never be blocked in.

# Awnings: Guidelines

## General

Awnings are an important design element in the traditional storefront. They provide protection from the sun and weather and add color to the streetscape. Awnings should be carefully designed so as not to be out of scale of character with the historic district.

Replacement of existing awnings with new ones of similar design and size does not require a Certificate of Appropriateness.

Installation of awnings where they do not yet exist and replacing existing awnings with those of different size and construction from those already on the building does require a Certificate of Appropriateness and should follow these guidelines:

## Appropriate

1. Awnings should remain within proper scale with the building to achieve visual balance.
2. Canvas awnings are generally suitable for late 1800s and early 1900s buildings. They are also a suitable contemporary addition for many older buildings.
3. Metal awnings and flat metal canopies are suitable for some early to mid 1900s buildings and may have been used on such storefronts inserted into an older building. Their appropriate use depends on a balance of factors including the existing styles of the storefronts and upper stories.
4. If awnings were not an historical element of the structure, they may be removed entirely if they become worn.

## {Not Appropriate

1. **Awnings should not obscure the architectural features of the buildings.}**

## Entrances: Guidelines

Entrances and porches are quite often the focus of historic buildings, particularly on primary elevations. Together with their functional and decorative features such as doors, steps, balustrades, pilasters, and entablatures, they can be extremely important in defining the overall character of a building. (From Secretary of the Interior's Standards.)

### Appropriate

1. The original entrance site to the building should be defined and maintained.
2. The original proportions and functional and decorative features of an entrance defining the historic character of the building should be retained and maintained.
3. If an entire entrance to a building must be replaced, physical evidence should be used as a model to reproduce original features, proportions, and relationship of the elements comprising the new entrance or portion of an entrance.
4. If replacing all or part of an entrance is necessary, the same kind of material or a compatible substitute should be used as replacement material.
5. When access to upper floors requires a new, additional street entrance, that entrance should be consistent with the existing main street entrance in design and materials.
6. When new use of a historic building makes the historic entrance inappropriate (e.g., office use of a building formerly used for retail), the new entrance should maintain a reasonably historic appearance and be approved by the architectural service of Main Street Arkansas.

### Not Appropriate

1. Replacing an entrance when not necessary due to deterioration or missing parts.
2. Creating new main entrances to replace historic entrances to the main floors of existing buildings except as described in #6 above.
3. Creating a "false" entrance that does not relate to the historic character of the building.

# Storefronts: Guidelines

## General

1. Most traditional facades in the district had a well-defined opening that contained the original storefront. This storefront opening is bounded on either side by piers or pilasters, on top by the lower edge of the upper façade, and on the bottom by the sidewalk. Most original storefronts have been altered or replaced and, although some replacements are done properly, many ignore the building's traditional storefront boundaries, proportions and materials.
2. These storefronts look pasted-on or conflict with the original overall design. As a result, the building appears disjointed, unattractive, and without historic character. Buildings with inappropriately altered storefronts clash with each other visually, damaging the overall historic character of the entire district; therefore, the proper design of the storefront is a high priority concern.

## Storefront Design

### Appropriate

1. The storefront must fit within its original opening and not extend past its traditional boundaries, maintaining a clear distinction between the first floor and upper floors.
2. Storefront materials should be simple and unobtrusive. The lower story of the storefront should be composed mostly of glass, creating a visual openness, balanced by more wall and less glass on the upper façade.
3. Transom windows that are blocked in or covered should be opened up and restored to their original appearance.
4. There should be a setback between the actual storefront and property line of 4 to 12 inches.
5. Contemporary design is acceptable; however, it should be based on the traditional storefront design and must have the traditional proportions, particularly in the ratio of windows to wall area.

### Not Appropriate

1. Inauthentic historical designs should be avoided. Colonial design elements, for example, are not acceptable.
2. In addition, inauthentic materials that give a false historic appearance should never be used in the storefront. A mansard roof with wood shingles, for example, or rough textured wood siding or fake bricks or stone or gravel aggregate materials are not acceptable.

## Utilities Retrofit: Guidelines

### Appropriate

1. Minimizing the visual impact of mechanical and electrical equipment.
2. Utilizing screening such as lattice panels and planting to screen utilities.
3. Screening utility connections and boxes such as telephone, gas meters, and cable, etc.
4. Locating standpipes and other service equipment so that they will not impact the historic façade materials.

### Not Appropriate

1. Locating {**window or**} through-the-wall air condition units on the building's {**front**} street façade(s).
2. Cutting channels into or removing historic façade materials to locate utility lines.
3. Locating utility lines on the front façade.
4. Locating satellite dishes, antennas, or other communication devices so that they are visible at the building's street level.

# Accessibility Considerations: Guidelines

## General

Historic properties have some exemptions from the Americans With Disabilities Act and subsequent regulations. Property owners should acquaint themselves with these exemptions.

## Appropriate

1. Identifying the historic building's character-defining spaces, features, and finishes so that accessibility code-required work will not result in their damage or loss.
2. Working with local disability groups, access specialists, and historic preservation specialists to determine the most appropriate solution to access problems.
3. Providing barrier-free access that promotes independence for the disabled person to the highest degree practicable, while preserving significant historic features.
4. Designing new or additional means for access that are compatible with the historic building and its setting.

## Not Recommended

1. Undertaking code-required alterations before identifying those spaces, features, or finishes which are character-defining and must be preserved.
2. Altering, damaging, or destroying character-defining features in attempting to comply with accessibility requirements.

# Health and Safety Considerations: Guidelines

## Appropriate

1. Identifying the historic building's character-defining spaces, features, and finishes so that safety code-required work will not result in their damage or loss.
2. Complying with health and safety codes in such a manner that character-defining spaces, features, and finishes are preserved.
3. Upgrading historic stairways and elevators to meet health and safety codes in a manner that assures their preservation, i.e. so that they are not damaged or obscured.
4. Installing sensitively designed fire suppression systems, such as sprinkler systems that result in retention of historic features and finishes.
5. Placing a code-required stairway or elevator that cannot be accommodated within the historic building in a new exterior addition. Such an addition should be on an inconspicuous elevation.

## Not Appropriate

1. Undertaking code-required alterations before identifying those spaces, features, or finishes which are character-defining and must be preserved.
2. Altering, damaging, or destroying character-defining features and finishes while making modifications to a building to comply with safety codes.
3. Using fire-retardant coatings if they damage or obscure character-defining features.
4. Radically changing, damaging, or destroying character-defining spaces, features, or finishes when adding a new code-required stairway or elevator.
5. Constructing a new addition to accommodate code-required stairs and elevators on character-defining elevations highly visible from the street; or where it obscures, damages, or destroys character-defining features.

# Energy Retrofit: Guidelines

## Appropriate

1. Initial plans for energy conservation in the Historic District should concentrate on those historic elements that provide energy conservation. Such elements include skylights, awnings, shutters and plantings, where appropriate.
2. If it is determined that retrofitting measures are necessary, then such work needs to be carried out with particular care to ensure that the building's historic character is retained.
3. Utilize the inherent energy conserving features of a building by maintaining windows and awnings in good operable condition for natural shade and ventilation.
4. Improving thermal efficiency with weather-stripping, storm windows, caulking, interior shades, and if historically appropriate, blinds and awnings.

## Not Appropriate

1. Removing historic shading devices rather than keeping them in an operable condition.
2. Replacing historic multi-paned sash with new thermal sash utilizing false muntins.
3. Installing interior storm windows if that would allow moisture to accumulate and damage the window.
4. Replacing windows or transoms with fixed thermal glazing or permitting windows and transoms to remain inoperable rather than utilizing them for their energy conserving potential.

# **Additions to Historic Buildings: Guidelines**

## **Appropriate**

1. Finding alternatives to additions where possible by converting unused interior spaces.
2. Designing additions so that existing historic features are not hidden or obstructed.
3. Locating an attached exterior addition at the rear or on an inconspicuous side of a historic building wherever possible
4. Limiting the size and scale of and addition in relationship to the historic building.
5. Designing an addition so that it is compatible with the historic building yet also identifiable as new.
6. Designing the addition so it is also compatible with other historic building in the vicinity.

## **Not Appropriate**

1. Expanding the size of the historic building by constructing a new addition when the new use could be met by altering non-character-defining interior space.
2. Attaching a new addition so that the character-defining features of the historic building are obscured, damaged, or destroyed.
3. Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character
4. Designing and constructing new additions that result in the diminution or loss of the historic character of the resource, including its design, materials, workmanship, location, or setting.
7. Using the same wall plane, roof line, cornice height, materials, siding lap or window type to make additions appear to be a part of the historic building.
8. Constructing additional stories so that the historic appearance of the building is radically changed.

# New Construction: Guidelines

## Design Elements

1. Width: New buildings should reflect the characteristic rhythm of facades along street.
2. Height: The variations of building heights occur within two stories. The height of new buildings should be within one story of the surrounding buildings.
3. Alignment: Maintain the alignment of facades at the property line.
4. Entrances: The entrances to the buildings are recessed, creating a coherent pattern along the sidewalk. This pattern of recessed entrances should be maintained.
5. Windows: The shapes of upper level windows repeat forming a pattern continued throughout the district; these windows often align vertically as well as horizontally creating a rhythm along the street. Window frames, transoms, and first-floor display windows align horizontally along the block, as well, creating strong visual ties between the buildings. First floors, which have large areas of glass and small areas of opaque materials, are clearly separated visually from the upper floors, which reverse the pattern: small areas of glass, predominance of solid wall.
  - (a) Maintain the horizontal alignment of the transom and display windows of the first floor.
  - (b) Maintain the pattern created by upper-story windows, considering rhythm, and horizontal and vertical alignment.
  - (c) Maintain the clear distinction between first floor and upper floors. First floor should have large areas of glass, and upper floors should have an emphasis on the solid wall, with less window area.
6. Materials.
  - (a) Brick and native stone are the primary building materials used in the district, although other masonry materials, as well as wood, metal, and structural glass, are present in substantial quantities.
  - (b) The present distribution of materials should be considered when choosing materials for new construction.
  - (c) New buildings and additions should use materials that are compatible in size, scale, texture, and color with the existing materials. Wood shake, for example, is not an appropriate material unless historically documented.

# Demolition: Guidelines

## General

Preferably, demolition within the Batesville Historic District will occur infrequently. There are situations, as described below, in which demolition may be appropriate. In any event, the Commission shall review applications involving demolition carefully. When the Commission determines that a demolition is inappropriate, it may defer action until it has had an opportunity to explore alternatives involving actions such as, but not limited to, the following.

1. The Commission may encourage the owner to seek sources of funding for preservation and restoration activities if lack of such funds is the reason for the request to demolish.
2. The Commission may require the owner to seek architectural assistance from Main Street Arkansas.
3. The Commission may recommend adaptive use changes.
4. The Commission may encourage the owner to find a purchaser for the property who would maintain the building in a suitable and acceptable manner.
5. When possible, the Commission may encourage the owner to move the building to another appropriate location.
6. The Commission may explore other solutions that might be deemed advisable and in keeping with the spirit and intent of the Historic District Ordinance.

## Appropriate Demolition

Conditions in which demolition may be appropriate include, but may not be limited to the following.

1. A structure has been damaged by fire or natural forces beyond repair.
2. A structure contributes little or nothing to the character of the Historic District and demolition is proposed in order to provide land for a new development that would enhance the historic character of the district.
3. Demolition is confined to an addition to an existing building and the addition itself is not historically significant.
4. The structure poses an immediate danger to the health, safety and welfare of persons and properties within the district.
5. Demolition is necessary to expose or restore the original architecture of the structure.

## **Demolition by Neglect**

The owner or other person having legal custody of any building or structure within a historic district must keep the structure properly maintained and repaired. Failure to do so may be deemed by the Commission to constitute Demolition by Neglect and may subject the property owner to be cited for violation of the Historic District Ordinance No. 1698). The owner bears responsibility for repairing a structure if it is found to have deteriorated. Conditions warranting such repairs include the following.

1. The deterioration of exterior walls or other vertical supports
2. The deterioration of any external chimneys
3. The deterioration of roofs or other horizontal members
4. The deterioration or crumbling of exterior plasters or mortar
5. The ineffective waterproofing of exterior wall, roofs, foundations, including broken windows or doors
6. The peeling of paint, rotting holes and other forms of decay
7. The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, ancillary structures, and landscaping, and
8. The deterioration of any features so as to created or permit the creation of any hazardous or unsafe condition(s).

If the Commission determines that any structure is subject to Demolition by Neglect, it will notify the property owner of any violations. The Commission will also provide a time period for remedy of the violation and will inform the owner of the consequences of failure to remedy the violation.

## **Appeals**

A property owner dissatisfied with a decision made by the Historic District Commission may appeal that decision to the body established by the Batesville City Council to hear appeals of decisions made by city councils, boards, and commissions. Further appeal may be made to circuit court.

## Definitions

Unless specifically defined below, words or phrases shall have the same meaning they have in common usage.

**ADAPTIVE USE** - Rehabilitation of a historic structure for use other than its original use such as a residence converted into offices.

**ADDITION** - New construction added to an existing building or structure.

**ALTERATION** - Any project involving change of or addition to an existing building.

**AREA OF INFLUENCE** - The affected area to be notified for a public hearing as determined by a specific type of construction, alteration, restoration, moving or demolition as described in the individual categories found in the guidelines for review adopted by the Historic District Commission.

**BUILDING** - Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels.

**CERTIFICATE OF APPROPRIATENESS** - A document awarded by the Historic District Commission allowing an application to proceed with a proposed rehabilitation, renovation, preservation, alteration, demolition, or new construction in a designated area or site, following a determination of the proposal's suitability according to applicable criteria.

**CERTIFICATE OF ECONOMIC HARDSHIP** - A certificate issued by the Historic District Commission waiving the requirement for a Certificate of Appropriateness due to significant financial constraints of the property owner.

**CHARACTER** - The qualities and attributes of any structure, site, street or district.

**CONTEMPORARY** - Reflecting characteristics of the current period. Contemporary denotes characteristics, which illustrate that a building, structure or detail was constructed in the present or recent past rather than being imitative or reflective of a historic design.

**DETAILING** - Architectural aspects that, due to particular treatment, draw attention to certain parts or features of a building.

**DEMOLITION** - Any act, which destroys in whole or in part a building or structure.

**DEMOLITION BY NEGLIGENCE** - The destruction of a building or structure through abandonment or lack of maintenance.

**DESIGN GUIDELINES** - Criteria developed by preservation commissions to identify design concerns in an area and to help property owners ensure that rehabilitation and new construction respect the character of designated buildings and districts.

ELEMENT - A material part or detail of a site, structure, street, or district.

ENTRANCE AREA - The area of access to the interior of the building including the design, location, and materials of all porches, stairs, doors, transoms, and sidelights.

EXTERIOR ARCHITECTURAL FEATURES - The architectural style, design and general arrangement of the exterior of a structure, including the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs and other appurtenant fixtures.

FACADE - A face of a building.

HEIGHT - The vertical distance as measured through the central axis of the building from the elevation of the lowest finished floor level to the highest point of the building.

HISTORIC DISTRICT - A geographically definable area with a significant concentration of buildings, structures, sites, spaces, or objects unified by past events, physical development, design, setting, materials, workmanship, sense of cohesiveness or related historical and aesthetic associations. The significance of a district may be recognized through listing in a local, state, or national register and may be protected legally through enactment of a local historic district ordinance administered by a Historic District Commission.

MASSING - Volume, magnitude or overall size of a building.

ORDINARY MAINTENANCE - Those improvements, which do not change but simply upgrade a structure.

OWNER OF RECORD - The person, corporation, or other legal entity listed as owner on the records of Independence County.

PRESERVATION - The maintenance of a property without significant alteration of its current condition.

PROPORTION - Relationship of height to width of the building outline as well as individual components.

PUBLIC NOTICE - The classified advertisement of an event, such as a preservation commission meeting, that is published in the local newspaper and posted in the city government building in order to notify the general public of the upcoming event.

REHABILITATION - The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

RESTORATION - The process of returning a building to its condition at a specific time period, often to its original condition.

**RHYTHM** - A harmonious or orderly recurrence of compositional elements at regular intervals, including the location of doors and the placement of windows, symmetrically or asymmetrically and their relative proportion.

**ROOF AREA** - The outside covering of a building or structure extending above the vertical walls including the form, material, and texture of the roof, including the slope, pitch, and spacing of roof covering. Roof area also includes but is not limited to size, design, number and location of dormers; the design and placement of cornices; and the size, design, material, and location of chimneys.

**SCALE** - The relative dimension, size, degree or proportion of parts of a building to one another or group of buildings.

**SITING** - Location of a building in relationship to the legal boundaries and setbacks, adjacent properties, and the natural conditions of the site.

**STRUCTURE** - Any improvement on the land that extends above ground level.

**TEXTURE** - The visual or tactile surface characteristics created by shape, arrangement and distribution of the component materials.

**WALL AREAS** - The vertical architectural member used to define and divide space. This includes but is not limited to kind, texture, and exposure of wall sidings and trims and the location, number, and design of all window and door openings.