



City of Battle Creek

Community Services – Planning and Zoning Division

10 N. Division Street, Ste. 117 • Battle Creek, Michigan 49014

Phone (269) 966-3320 • www.battlecreekmi.gov

HISTORIC DISTRICT COMMISSION Information and Procedures

A local historic district is a historically significant area that is protected by historic district ordinance under the authority of Michigan P.A 169 of 1970. The purpose of the districts are to safeguard the heritage of the City by preserving the resources located within the districts, foster civic beauty, strengthen local economy, and encourage property owners and residents to participate in preservation activities. The City of Battle Creek has designated four Local Historic Districts in order to preserve the architectural, historical, and/or cultural resources of the community. Proposed modifications affecting the exterior appearance of buildings (except minor classes of work) and property improvements within a historic district require approval from the Historic District Commission (HDC).



PRE-APPLICATION RECOMMENDATIONS

Prior to submitting an application to the Historic District Commission for review it is recommended that an applicant consult with Planning Department staff to discuss the proposed work and application requirements. It is further recommended that the applicant contact the Inspections Department at (269) 966-3382 to discuss any possible requirements of the building, plumbing, mechanical, electrical, and/or fire code.

APPLICATIONS TO THE HISTORIC DISTRICT COMMISSION

Typically, any exterior changes to a structure require an application to the Planning Department to ensure that modifications and improvements do not compromise the historical integrity of the building or district in which it is located. Staff will determine if the proposed work is considered a “minor class of work” requiring only administrative staff approval, or if it will require approval by the Historic District Commission. Projects involving repairs or rehabilitations require a Certificate of Appropriateness issued by the Historic District Commission and demolition requests require a Notice to Proceed.

Certificate of Appropriateness (repair/rehab)

In order to be approved for a Certificate of Appropriateness, a project shall conform to each of the following standards. As outlined in chapter 1470.09 “Review of Applications” of the City of Battle Creek Codified Ordinances, the Historic District Commission shall follow the U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. These standards can be found at the following website:

http://www.nps.gov/hps/tps/standguide/rehab/rehab_standards.htm

Please note that the above website also contains guidelines concerning specific building improvement projects, i.e. window repair vs. replacement, masonry repair, cleaning methods, and general maintenance.

The commission shall also consider the following:

- (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.
- (2) The relationship of any architectural features of the resource to the rest of the resource and the surrounding area.
- (3) The general compatibility of the design, arrangement, texture and materials proposed to be used.
- (4) Other factors, such as aesthetic value that the Commission finds relevant.

Lastly, the Historic District Commission shall review the plans for compliance with the preservation standards adopted by the Historic District Commission set forth in Chapter 1470.17 as follows:

- (a) Every reasonable effort shall be made to provide a compatible use for a resource which requires minimal alteration of the building, structure or site and its environment, or to use the resource for its originally intended purpose.
- (b) The distinguishing original qualities or character of a resource and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.
- (c) All resources shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.
- (d) Changes which may have taken place in the course of time are evidence of the history and development of a resource and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a resource shall be treated with sensitivity.
- (f) Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material

being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other resources.

- (g) The surface cleaning of resources shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic materials shall not be undertaken.
- (h) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
- (i) Contemporary design for alterations and additions to existing resources shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and when such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (j) Whenever possible, new additions or alterations to resources shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the resource would be unimpaired.

Notice To Proceed (demolition)

Demolition is irreversible, and therefore the Historic District Commission encourages creative rehabilitation and adaptive re-use solutions be considered before demolition of a structure is proposed. There may be situations in which the quality and/or condition of a structure make demolition an appropriate solution. Demolition of properties within a Historic District shall be permitted through the issuance of a Notice to Proceed by the Commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the Historic District Commission to be necessary to substantially improve or correct any of the following conditions:

- (1) The resource constitutes a hazard to the safety of the public or to the structures and occupants.
- (2) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community, and the applicant proposing the work has obtained all necessary planning and zoning approvals and financing and environmental clearances.
- (3) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God or other event beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the Historic District, have been attempted and exhausted by the owner.
- (4) Retaining the resource is not in the interests of the majority of the community.

SUBMITALL REQUIREMENTS

In general, the completed application must be submitted to the Planning Department at least three weeks prior to a scheduled Historic District Commission meeting. Meeting dates and application deadlines can be found on the city website, or by calling the department. In order for the application to be accepted, the following items must be submitted with the completed application:

- 1. An affidavit authorizing an applicant to act on behalf of the owner if the petitioner is not the owner.
- 2. Property Site Plan:

- a) For residential occupied properties, applicants shall submit a drawing of the property indicating existing and proposed property features, including but not limited to any structures, drives, fences, decks/patios, etc. The dimensions of all existing and proposed features shall be labeled, as well as property dimensions. Distances between existing and/or proposed buildings and property lines shall also be included on the drawing. Indicate location of any proposed building additions subject to review by the HDC.
- b) Non-residential properties that propose any revisions from an approved site plan will require a new site plan submittal, per Ch. 1294 of the Zoning Ordinance. If the requested project will NOT result in changes to the property including buildings (new or additions), parking, landscaping, etc. the applicant shall submit a drawing as specified in 2a.
3. Photographs of the property and structure, including all four elevations of the building, historical photographs of the property and structure (check the Willard Library 1940 picture file), and street photos of structures adjacent to the property. Photographs shall be mounted, and labeled, on an 8 ½ x 11 sheet of paper.
4. **For Certificate of Appropriateness applications only:**
 - a) Provide one set of drawings that explain exactly what is being proposed including details of the project, specifications, and product information as needed. All drawings should be to scale.
 - b) Provide specific information on all materials proposed for the project including manufacturer names, illustrations, specifications, and samples. Material information should be submitted with this application and all samples should be brought to the meeting.
5. **For Notice to Proceed applications only:**
 - a) Labeled photographs of the interior and exterior of the structure proposed for demolition
 - b) Estimates for the complete repair of the property and estimates for demolition of the property OR
 - c) Documentation that the demolition is needed in order to further a major improvement program that has community wide benefit OR
 - d) Any other supporting documentation that demonstrates compliance with any of the above standards for issuance of a Notice to Proceed.

REVIEW PROCESS

At the time the application is submitted, you will be given the date of the Historic District Commission meeting at which your request will be discussed, and once prepared, an applicant will be mailed a meeting agenda and staff report specific to the application.

The Historic District Commission meets once a month, on the second Monday of each month at 4:00 pm, and are conducted in the Commission Chamber (Rm 301) of City Hall. **Please call or email to verify the date of the meetings. It is possible that some months may have required a different meeting date to accommodate holidays or other events.** There is no fee to make application to the Historic District Commission.

At the meeting the applicant is asked to present their request. The Historic District Commission will discuss the request, possibly asking additional questions of the applicant and/or staff. The Historic District Commission may postpone a decision pending additional information that is needed in order to make a decision. They may also approve, approve with conditions, or deny the request based on the standards listed above. **The applicant or a representative is highly encouraged to attend the meeting to present your request and answer any questions.**

ADDITIONAL CONSIDERATIONS

Staff will be available to review applications for completeness and advise applicants in the preparation and submittal of their application. For complex projects, such as building additions, applicants may consider seeing the advice and expertise of an architect familiar with historic preservation.

Please ensure that the application fully details the proposed work that warrants review by the Historic District Commission. The Certificate of Appropriateness or Notice to Proceed is based upon the contents of the submitted application. Any future proposed exterior change must be reviewed with the Planning Department to ensure consistency with the approved work, and may be subject to additional review by the Historic District Commission.

QUESTIONS

Please contact the Planning Department if you have any additional questions regarding the Historic District Commission, the application, or other requirements.



City of Battle Creek

Department of Planning and Community Development
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HISTORIC DISTRICT COMMISSION

Application for (check all that applies)

- Certificate of Appropriateness (for repairs or rehab projects)
 Notice to Proceed (for demolition requests)

Petition No. _____

Date Received: _____

APPLICANT**

NAME: _____

ADDRESS: _____

PHONE: _____ FAX: _____

EMAIL: _____

OWNER (if different from applicant)

NAME: _____

ADDRESS: _____

PHONE: _____ FAX: _____

EMAIL: _____

****If the applicant is not the property owner, a letter signed by the owner agreeing to the application to the Historic District Commission must be included with the application.**

SUBMITTAL REQUIREMENTS/EXISTING CONDITIONS

Address(es) of property for which the request is being sought: _____

Current use of the property: _____

List existing structures on the property and the approximate age of each. _____

Please list all activities/proposed work for the property area and how the proposed work relates to the building as a whole.

Indicate in which manner the proposed work will result in changes to the size and/or appearance of the features outlined in this application.

Does the work proposed include maintenance/repair of existing features of the structure, or will it create new features that do not currently exist?

Please indicate the existing building materials of the following structural features and the proposed materials if that feature is included as part of the application.

	Existing Materials	Proposed Materials (if applicable)
Roof	<hr/>	<hr/>
Windows	<hr/>	<hr/>
Siding	<hr/>	<hr/>
Foundation	<hr/>	<hr/>
Other _____	<hr/>	<hr/>

For Notice To Proceed requests only:

What options have you explored for the repair or relocation of the structure proposed for demolition?

SUBMITTAL REQUIREMENTS

As outlined in "HDC, Information and Procedure", each request requires supplementary items that thoroughly describe the existing structure and proposed project. These items are to be submitted with the completed application; incomplete applications will not be forwarded to the Historic District Commission.

APPLICANT SIGNATURE

By signing this application, the applicant hereby declares that all answers given herein are true to the best of their knowledge, and confirms that all information required for Historic District Commission review has been submitted. Furthermore, the applicant confirms that they have thoroughly read the "Historic District Commission, Information and Procedures" and agrees to comply with all requirements and procedures outlined therein.

Name _____ Date _____