

AN ORDINANCE TO CREATE AN HISTORIC BOARD OF REVIEW FOR THE TOWN OF VERNON, INDIANA

WHEREAS, the Town of Vernon, Indiana, desires to create an Historic Board of Review for areas located within the boundaries of the Town of Vernon, Indiana, to preserve and protect the historic or architecturally worthy buildings, structures, sites, monuments, street scapes, squares, and neighborhoods located therein.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN BOARD OF VERNON, INDIANA as follows:

1. PURPOSE: The purpose of the enactment of this Ordinance is to preserve and protect the historic or architecturally worthy buildings, structures, sites, monuments, street scapes, squares and neighborhoods of the Town of Vernon.

2. ZONING REGULATIONS: Zoning regulations that apply to the Town of Vernon are still in effect. If there is conflict between said zoning regulations and requirements of the Historic District the more restrictive requirements apply.

3. HISTORIC BOARD OF REVIEW: Pursuant to I.C. 36-7-11-1 Indiana Statutes Annotated et. seq. the Mayor of the Town of Vernon shall appoint a Historic District Board of Review, consisting of _____ members, which Board shall adopt rules to govern procedure. The Board shall have the functions, powers and obligations specifically granted by law.

4. HISTORIC SURVEY MAP: Historic Board of Review, created herein, shall conduct a survey to identify historic buildings, structures and places located within the Town of Vernon and based upon this survey submit an historic map to the Town Board of Vernon, Indiana, for its approval which map shall comply with the requirements of I.C. 36-7-11-6 Indiana Statutes Annotated.

5. CERTIFICATE OF APPROPRIATENESS: Upon designation of an area as a Historic District, a Certificate of Appropriateness issued by the Historic Board of Review shall be required before a permit is issued for, or alteration begins on, any of the following:

- a. Within all areas of the historic district:
 1. Demolition of any building;
 2. Moving any building;

3. Conspicuous change in the exterior appearance of an existing building classified as historic by additions, reconstruction, alteration, or maintenance involving exterior color change; or
4. Any new construction of a principal building or accessory building or structure subject to view from a public street; and

b. Within a primary area of the historic district:

1. Change in existing walls and fences, or construction of new walls and fences, if along a public street right-of-way; or
2. Conspicuous change in the exterior appearance of existing non-historic buildings by addition, reconstruction, alteration, or maintenance involving exterior color change, if subject to view from a public street.

6. APPLICATION FOR CERTIFICATE OF APPROPRIATENESS: Application for a Certificate of Appropriateness shall be made at the office of the Town of Vernon. Detailed drawings, plans or specifications shall not be required, but each application must be accompanied by such sketches, drawings, photographs, descriptions or other information showing the proposed exterior alterations, additions, changes or new construction as are reasonably required for the Board of Review to make a decision.

7. ACTION ON APPLICATIONS: The Board of Review shall act upon applications for Certificates of Appropriateness within thirty (30) days after the first filing thereof; otherwise the application shall be deemed to be approved and a Certificate of Appropriateness shall be issued. Nothing shall prohibit an extension of time where mutual agreement has been made, and the Board of Review may advise the applicant and make recommendations in regard to the Certificate of Appropriateness.

- a. Approval: If the Board approves the application, a Certificate of Appropriateness shall be issued and the applicant may proceed to acquire all other required permits necessary to undertake the proposed work.
- b. Disapproval: If the Board of Review disapproves the application, a Certificate of Appropriateness shall not be issued. The Board of Review shall state its reasons in writing, and shall advise the applicant that no other required permits may be issued nor any alteration proceed.

8. APPEALS: The purpose of this section is to preserve historic districts that are important to the education, culture, traditions, and economic values of the Town of Vernon, and to afford the Town, historical organizations, and other interested persons the opportunity to acquire or to arrange for the preservation of historic buildings.

- a. Whenever a property owner shows that a building classified as historic is incapable of earning an economic return on its value, as appraised by a qualified real estate appraiser, and the Board of Review fails to approve the issuance of a Certificate of Appropriateness for the purpose of demolition, such building may be demolished, provided, however, that before a demolition permit is issued, notice of proposed demolition shall be given for a period fixed by the Board of Review based on the classification of the building on the approved map, but not less than sixty (60) days nor more than one (1) year. Notice shall be posted on the premises of the building or structure proposed for demolition in a location clearly visible from the street. In addition, notice shall be published in a newspaper of general local circulation at least three (3) times prior to demolition, the final notice of which shall not be less than fifteen (15) days prior to the scheduled date of demolition, and the first notice of which shall be published no more than fifteen (15) days after the application for a permit to demolish is filed. The Board of Review may, at any time during such stay, approve a Certificate of Appropriateness in which event a permit shall be issued without further delay and demolition may proceed.
- b. A decision of the Board of Review is subject to judicial review the same as if it were a decision of a State Agency.

9. PROTECTIVE MAINTENANCE: Historice buildings shall be maintained to meet the applicable requirements established under statute for buildings generally.

10. RELOCATION OF HISTORIC BUILDINGS: A building or structure classified as historic, or any part thereof, or any appurtenance related thereto including but not limited to stone walls, fences, light fixtures, steps, paving and signs shall only be moved, reconstructed, altered or maintained in a manner that will preserve the historical and architectural character of the building, structure or appurtenance. Further, a historic building shall not be relocated on another site unless it is shown that the preservation on its existing site is not consistent with the above objectives.

11. DEVELOPMENT STANDARDS: The following standards shall apply to construction or alteration within areas designated as deserving primary protection in Historic Districts:

- a. Non-historic buildings: The construction of a new building or structure, and the moving, reconstruction, major maintenance or repair involving a color change conspicuously affecting the external appearance of any existing non-historic building, structure, or appurtenance thereof within the primary area shall be generally of such design, form, proportion, mass, configuration, building material, fixture, color and location on a lot as will be compatible with other buildings in the Historic District and particularly with buildings designated as historic and with squares and places to which it is visually related.

b. **Visual Compatibility Factors:** Within the primary area, new construction and existing buildings and structures and appurtenances thereof which are moved, reconstructed, materially altered, repaired or changed in color shall be visually compatible with buildings, squares and places to which they are visually related generally in terms of the following factors:

1. **Height:** The height of proposed buildings must be visually compatible with adjacent buildings.
2. **Proportion of building's front facade:** The relationship of the width of a building to the height of the front elevation must be visually compatible to buildings, squares, and places to which it is visually related.
3. **Proportion of opening within the facility:** The relationship of the width of the windows to the height of windows in a building must be visually compatible with buildings, squares, and places to which it is visually related.
4. **Rhythm of solids to voids in front facades:** The relationship of solids to voids in the front facade of a building must be visually compatible with buildings, squares, and places to which it is visually related.
5. **Rhythm of spacing of buildings on streets:** The relationship of a building to the open space between it and adjoining buildings must be visually compatible to the buildings, squares, and places to which it is visually related.
6. **Rhythm of entrances and porch projection:** The relationship of entrances and porch projections to sidewalks of a building must be visually compatible to the buildings, squares, and places to which it is visually related.
7. **Relationship of materials, textures, and color:** The relationship of the materials, texture, and color of the facade of a building must be visually compatible with the predominant materials used in the buildings to which it is visually related.
8. **Roof shapes:** The roof shape of a building must be visually compatible with the buildings to which it is visually related.
9. **Walls of continuity:** Appurtenances of a building, such as walls, wrought-iron fences, evergreen landscape masses, and building facades, must form cohesive walls of enclosure along the street, if necessary to insure visual compatibility of the building to the buildings, squares, and places to which it is visually related.
10. **Scale of a building:** The size of a building, and the building mass of a building in relation to open spaces, windows, door openings, porches, and balconies must be visually compatible with the buildings, squares, and places to which it is visually related.


11. Directional expression of front elevation: A building must be visually compatible with the buildings, squares, and places to which it is visually related in its directional character, including vertical character, horizontal character, or non-directional character.

PASSED BY THE TOWN BOARD OF THE TOWN OF VERNON, INDIANA,

THIS 8th DAY OF MARCH, 1985.



Linda Hazelwood, Mayor
Town of Vernon, Indiana



ATTEST: Patricia Bailiff
Clerk-Treasurer
Town of Vernon, Indiana