Architectural Review Board By-Laws

City of Tallahassee Land Development Code, Ch. 2, Article III

DIVISION 4. ARCHITECTURAL REVIEW BOARD

Sec. 2-181. Establishment; membership.

There is hereby established the architectural review board. The members of the architectural review board shall be named jointly by the city commission and the county board of county commissioners. The membership shall be composed of: Two members from the Tallahassee Trust for Historic Preservation; the chair of the city-county planning commission or another member so designated by the chair; the director of the planning department or designee; two members who are members of the American Institute of Architects and

whose principal place of business or residence is in the county; and four members who are owners of property zoned as a historic preservation overlay zoning district. To the extent available, the ARB shall include owners of property as well as members from the disciplines of architecture, history, architectural history, planning, archaeology, or other fields related to historic preservation. All members shall have demonstrated special interest, experience, or knowledge in history, architecture, orrelated disciplines.

(Code 1984, ch. 27, §§ 4.5(A), 10.4(D)(3)a.; Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 97-O-0056, 10-22-1997; Ord. No. 01-O-28AA, § 4(4.5.A), 10-24-2001; Ord. No. 04-O-12, § 1, 1-28-2004)

Sec. 2-182. Terms of office.

Members of the architectural review board shall be appointed for a term of two years (staggered) except in the case of an appointment to fill a vacancy in which event the appointment shall be for the unexpired term only. Members of the architectural review board shall not serve more than two consecutive terms with the exception of the chairman of the planning commission or designee and the director of planning representatives. Vacancies on the architectural review board shall be filled within 60 calendar days.

(Code 1984, ch. 27, § 4.5(B); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 97-O-0056, § 3, 10-22-1997)

Sec. 2-183. Chairman and vice-chairman; staff.

The chairman and vice-chairman of the architectural review board shall be elected from the appointed members and shall serve for a two-year term. Election shall be in September of the odd numbered years. A member of the Tallahassee Preservation Board staff shall be executive secretary to carry out staff functions.

(Code 1984, ch. 27, § 4.4(B); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 97-O-0056, § 3, 10-22-1997)

Sec. 2-184. Purpose; procedures.

(a) The purpose of the architectural review board is to preserve the distinctive character of the historical areas and other specific structures and landmarks identified by the city or county commissions. To accomplish this purpose, the architectural review board shall approve, disapprove, or require modification to plans for buildings to be erected, constructed, altered, renovated, moved or razed, as they apply to the historic preservation overlay zoning district (HPOD). It may also assist the planning commission in determining areas suitable for the location into the overlay zoning district.

(b) In dispensing its responsibilities, the architectural review board shall be charged with the issuance of certificate of appropriateness for any development activity with regard to historical structures, landmarks or sites.

(c) Recognizing that neglect is one of the most serious causes of destruction of historic buildings and that preservation is a public purpose, the architectural review board is authorized and encouraged to periodically review the physical conditions of structures in the areas designated as a historic preservation overlay zoning district. If it finds serious neglect, that is, the structure does not meet the minimum building code requirement, the architectural review board is authorized and encouraged to
seek andencourage repair and/or restoration on the part of the owner.

(d) The architectural review board is an integral part of the review process for any project or application within a historic preservation overlay zoning district. In discharging its responsibilities, the architectural review board shall:

(1) Attend the preapplication conference with the land use administrator to establish any specific requirements due to the sensitive nature of the overlay district; to explain the certificate of appropriateness process as it relates to the application; to explain the review criteria and to disburse any additional forms or data needs.

(2) Assist the development review committee in its review of the project by attending appropriate development review committee meetings and providing input into the review of the
concept plan which is a part of the Type D review. The architectural review board shall recommend specific approval or conditions to the development review committee for the
planning commission's consideration. The architectural review board may accompany the land use administrator in presenting the recommendation, if requested by theplanning commission.

(3) The architectural review board shall be included in the Type B review process when a specific project is being proposed, individually or in the implementation phase of a planned
development project. The project shall not receive final approval until the architectural review board has issued a certificate of appropriateness.

(e) In addition, the architectural review board shall:

(1) Review and make recommendations on the listing of properties on the local register of historic places;

(2) Review changes, except for routine maintenance, to the exterior of properties zoned historic preservation overlay zoning district, and issue or deny certificates of appropriateness;

(f) When necessary to protect the character of property in the historic preservation overlay zoning district, the architectural review board may grant a variance in accordance with the following:

(1) A variance can be authorized only for setbacks, height, lot coverage, floor area ratio and relief from nonconforming status. Establishment or expansion of a nonconforming use shall not be allowed by variance nor shall a variance be granted because of the presence of nonconformities in the zoning district or adjoining districts. Any variance granted by the
architectural review board shall be deemed to be applicable to the affected land in perpetuity, regardless of ownership.

(2) Requests for variances to development standards shall be processed concurrently with an application for certificate of appropriateness.

(3) An applicant requesting variance to these development standards shall file such request in writing stating the explicit standard to be varied and the proposed standard to be applied to the project. Such request shall contain sufficient information to demonstrate compliance with the standards for granting a variance as provided in this subsection. The architectural review board shall grant a variance to the established development standards only upon demonstration that:

a. The variance will not be detrimental to the public good or to the surrounding properties; and b. The granting of the variance is consistent with the intent and the purpose of this
article and the comprehensive plan; and

c. There are exceptional topographic, soil, or other structural, historic, site or environmental conditions; or

d. There are unusual conditions which are not ordinarily found in the area; or

e. The strict application of this article will constitute a substantial hardship to the applicant.

(g) On behalf of the city and the county the architectural review board shall administer the federal certified local government program for historic preservation.
(Code 1984, ch. 27, §§ 4.5(C), 10.4(D)(3)b.; Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 97-O-0027AA, 7-8- 1997; Ord. No. 97-O-0062, §§ 1, 2, 1-14-1998)

Secs. 2-185--2-200. Reserved.