

# CERTIFICATE OF APPROPRIATENESS

## APPLICATION



OCTOBER 2018

### **Stafford County Department of Planning & Zoning**

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[www.staffordcountyva.gov](http://www.staffordcountyva.gov)

## **NOTICE**

Stafford County treats all applications and applicants equally. The County does not discriminate against religion, or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the laws of the United States and the Commonwealth of Virginia, no government may discriminate against any religion or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the Religious Land Use and Institutionalized Persons Act (“RLUIPA”), no government may apply its zoning or land use laws, or its policies and procedures in a manner that unjustifiably imposes a substantial burden on the religious exercise of a person, assembly, or institution.

RLUIPA also provides that no government may apply its zoning or land use laws in a manner that treats a religious assembly or institution on unequal terms with a non-religious institution or assembly.

Finally, RLUIPA provides that no government may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

Stafford County does not discriminate in its planning, permitting, utilities, and land use processes, practices, and policies. Stafford County treats all applications and applicants equally.

## The Certificate of Appropriateness (COA) Process

Stafford County Code Section 28-58 created Historic Resource Overlay Districts (HRODs) to protect the county's historic resources against destruction and encroachment. HRODs contain "buildings or places in which historic events have occurred or which have special public value because of notable architectural or other features relating to the cultural or artistic heritage of the county, the Commonwealth, or the nation." As such, these special places "should be preserved and maintained for the use, observation, education, pleasure and welfare of the people" of Stafford County.

Projects that may change the exterior appearance, form, or materials of a building, structure, or site located within any historic resource overlay district – including but not limited to projects that involve restoration, rehabilitation, additions to existing buildings or structures, new construction, demolition, or alteration of existing landscape – require a Certificate of Appropriateness (COA).

Each COA application is forwarded to the Stafford County Architectural Review Board (ARB) for consideration. The ARB reviews each application and makes a decision based upon the zoning ordinance, the *Stafford County Historic Resource Overlay District Guidelines*, and the *Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties*. In accordance with these guidelines, the ARB takes the following types of issues into account for each proposed project.

- Will the proposed project substantially alter exterior features of a historic resource?
- Is the proposed project compatible with the historic, architectural, or cultural character of the surrounding HROD?
- Will the proposed project improve or worsen the current state of preservation of a historic resource?
- What are the character-defining architectural features of the building or structure and does the proposed project take those features into consideration?
- How does proposed new construction compare with the general design, scale, and arrangement of existing buildings, structures, and other features?
- To what extent does the proposed project take historic textures and materials into account?
- Is the proposed project compatible with historic landscape features?
- Are the size, design, and orientation of proposed new or reconstructed structures compatible with the size, design, and orientation of historic structures in the HROD?
- To what extent may the denial of a certificate of appropriateness constitute a deprivation of a reasonable use of private property?

**Stafford County will not issue construction permits for projects that require a COA until a COA is approved.**

The ARB meets the first Monday of each month (subject to change) at the Stafford County Administration Center. A COA application must be submitted to the Department of Planning and Zoning at least 14 days prior to the next ARB meeting. **An applicant is not required to attend the ARB meeting; however, it is highly recommended.**

Based on its review of the application, the ARB may:

- approve an application,
- approve an application with conditions that mitigate adverse impacts,
- deny an application, or
- defer an application for up to sixty (60) days if additional information about the project is required.

If the ARB approves an application, it shall authorize the issuance of a COA. If the ARB denies an application, it shall notify the applicant in writing. If an application is denied, the applicant may resubmit a revised application.

Any owner or owners of real property within Stafford County, who are jointly or severely aggrieved by a decision of the ARB, may appeal the decision to the Board of Supervisors by filing a written petition with the Director of the Department of Planning and Zoning within thirty (30) days of that decision. The Board of Supervisors, after consultation with the ARB, may:

- reverse the decision of the ARB, in whole or in part, or
- may affirm the decision of the ARB.

An applicant who is severely aggrieved by a final decision of the Board of Supervisors may appeal to the Circuit Court of Stafford County for review of that decision by filing a petition at law within thirty (30) days of the final decision of the Board of Supervisors.

## **Minor Work Not Requiring a COA**

Minor work or actions deemed by the Director of the Department of Planning and Zoning as not having a permanent effect upon the character of the historic property or district are exempt from full review by the ARB. The Director or his or her designee will review minor work or actions. The term "minor work" shall include, but not be limited to:

- the repair or replacement of existing materials with substantially like materials on exterior surfaces or appurtenances (such as steps, gutters, chimneys, and windows), and
- exterior painting of non-masonry surfaces.

Please call the Department of Planning and Zoning staff at (540) 658-8668 if you have questions about what constitutes "minor work."

## Application Instructions

Contact the staff of the Stafford County Department of Planning and Zoning to discuss proposed changes to the property, building, or historic feature. **If the staff determines that the project will require a COA, the applicant must complete the following tasks.**

1. Complete the attached application form.
2. If the applicant is not the property owner, the applicant must provide a signed and notarized statement from the owner indicating that the applicant has permission to apply for a COA.
3. Provide at least five (5) photographs of the existing conditions of the project area and the architectural materials in question. Applicants may submit prints (4"x 6") or digital images.
4. Provide six (6) paper copies or one (1) digital file of both a site plan and elevation views. Site plans and elevation views should be drawn to scale, show both existing conditions and proposed changes to the property, and include the following information:
  - (a) location and dimensions of improvements
  - (b) existing and proposed grades
  - (c) exterior materials and colors on elevation views
  - (d) exterior lighting (location and style)
  - (e) landscaping (including species to be planted)
  - (f) fences, sidewalks, and parking areas
  - (g) signs

The site plan and elevation views do not have to be prepared by a licensed professional. Simple sketches that give an accurate and clear representation of the property and the proposed improvements are sufficient, as long as the sketches are to scale.

5. Pay the \$25.00 filing fee plus the 2.75% technology fee for a total of \$25.69. Please make checks payable to the County of Stafford.
6. Submit all application materials and the application fee to the Department of Planning and Zoning at least 14 days prior to the next ARB meeting (check with the Department of Planning and Zoning for schedules).

Once the Department of Planning and Zoning receives a complete application and the application fee, staff will let you know when the Architectural Review Board (ARB) will review your application. Applicants are encouraged to attend the ARB meeting so that the ARB members can discuss the project with the applicant.



**Project Checklist**

Fill out all that apply to the proposed project.

*Project Location within the Historic Property (check all that apply)*

- Primary Building/Structure  
Original construction date(s) (example: "1877" or "circa 1880")  
\_\_\_\_\_
  
- Secondary Building/Structure  
Original construction date(s) (example: "1901" or "circa 1900")  
\_\_\_\_\_
  
- Other (please describe) \_\_\_\_\_

*Project Dimensions*

- If ground disturbance will be required (e.g., for new additions, new secondary buildings, foundation repairs, etc.), indicate the footprint and depth of the area to be disturbed (example: 20' L x 14' W x 4' D): \_\_\_\_\_

*Project Type (check all that apply)*

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li><input type="checkbox"/> Change in existing material(s) or configuration(s) on the exterior<ul style="list-style-type: none"><li><input type="radio"/> Roofing</li><li><input type="radio"/> Chimneys</li><li><input type="radio"/> Gutters/flashing</li><li><input type="radio"/> Solar Panels</li><li><input type="radio"/> Siding/finishes</li><li><input type="radio"/> Masonry</li><li><input type="radio"/> Windows</li><li><input type="radio"/> Doors</li><li><input type="radio"/> Foundation</li></ul></li><br/><li><input type="checkbox"/> New construction/additions<ul style="list-style-type: none"><li><input type="radio"/> Roofing</li><li><input type="radio"/> Chimneys</li><li><input type="radio"/> Gutters/flashing</li><li><input type="radio"/> Solar Panels</li><li><input type="radio"/> Siding/finishes</li><li><input type="radio"/> Masonry</li><li><input type="radio"/> Windows</li><li><input type="radio"/> Doors</li><li><input type="radio"/> Foundation</li></ul></li></ul> | <ul style="list-style-type: none"><li><input type="checkbox"/> Reconstruction</li><li><input type="checkbox"/> Demolition</li><li><input type="checkbox"/> Relocation</li><li><input type="checkbox"/> Sign(s)</li><li><input type="checkbox"/> Landscaping/Fencing</li><li><input type="checkbox"/> Lighting</li><li><input type="checkbox"/> Other (please describe)<br/>_____</li></ul> |
|--|--|

*Work Will Be Performed By*

- Architect or Engineer (provide name & address):

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- Building Contractor (provide name & address):

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- Other (provide name & address) :

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*Tax Credit and Permit Information (check all that apply)*

- I plan to apply for a federal rehabilitation tax credit for this project.  
(See <http://www.nps.gov/tps/tax-incentives.htm> for more information.)
- I plan to apply for a state rehabilitation tax credit for this project.  
(See [http://www.dhr.virginia.gov/tax\\_credits/tax\\_credit.htm](http://www.dhr.virginia.gov/tax_credits/tax_credit.htm) for more information.)
- I have applied for another Stafford County permit, approval, grant, or license regarding the proposed project. Please list all applied for:

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*Required Attachments to this Application*

- Site plan
- Elevation(s)
- Detailed drawing(s) or sketch(es) of replacement features and materials
- At least five (5) photographs of the project area, including general views and detailed views
- Manufacturer's specification sheets or material sample(s) of replacement materials (samples may be presented at the ARB meeting)
- If the applicant is not the owner, a signed, notarized letter from the property owner consenting to the proposed project
- For properties under easement from a conservation or historic preservation organization, a signed letter from the easement holder approving the proposed project



**Please read and initial the following statements**

- \_\_\_\_\_ I am the owner of this property, or I am acting on behalf of the owner(s) of this property and have attached a signed and notarized letter from the owner(s) indicating their knowledge of this application.
  
- \_\_\_\_\_ I have reviewed the Historic Resource Overlay District zoning ordinance, the *Stafford County Historic Resource Overlay District Guidelines*, and the *Secretary of the Interior’s Standards and Guidelines for the Treatment of Historic Properties*.
  
- \_\_\_\_\_ The information on this application represents an accurate description of the proposed work. I have omitted nothing that might affect the decision of the Architectural Review Board.
  
- \_\_\_\_\_ I understand that approval of this application by the Stafford County Architectural Review Board does not constitute approval of other required federal, state, or local permit applications.
  
- \_\_\_\_\_ I understand that issuance of a Certificate of Appropriateness is not an authorization to begin work; other permits or permissions may also need to be obtained before work can begin.
  
- \_\_\_\_\_ I have attached the application fee of \$25.69 in the form of a check made payable to the County of Stafford.
  
- \_\_\_\_\_ I agree to supply the Department of Planning and Zoning with two (2) additional photographs (4”x 6” prints or digital images) of appropriate representative views of the proposed work when the work is completed.

**FEE \$25 PLUS 2.75% TECHNOLOGY FEE (\$0.69) GRAND TOTAL \$ 25.69**

**This application was received** \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ **Planner** \_\_\_\_\_  
Date

**This application is complete** \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ **Planner** \_\_\_\_\_  
Date

STAFFORD COUNTY  
 Department of Planning and Zoning  
**CERTIFICATE OF  
 APPROPRIATENESS**



RECEIVED BUT NOT OFFICIALLY SUBMITTED  
 DATE: \_\_\_\_\_ INITIALS \_\_\_\_\_

OFFICIALLY SUBMITTED  
 DATE: \_\_\_\_\_ INITIALS \_\_\_\_\_

|   |                               |
|---|-------------------------------|
| <b><u>PROJECT INFORMATION</u></b>   | <b><u>PROJECT #</u></b> _____ |
| PROJECT NAME _____  | SECTION _____                 |
| ADDRESS (IF AVAILABLE) _____  | TOTAL SITE ACREAGE _____      |
| TAX MAP /PARCEL(S) _____  | ZONING DISTRICT _____         |
| LOCATION OF PROJECT _____   |                               |
| <b>Please select ONE (1) of the following as the PRIMARY CONTACT PERSON</b> |                               |

|                               |   |
|-------------------------------|---|
| <b><u>APPLICANT/AGENT</u></b> | Primary Contact Person <input type="checkbox"/> |
| NAME _____                    | COMPANY _____                                   |
| ADDRESS _____                 | CITY _____ STATE _____ ZIP _____                |
| PHONE NUMBER _____            | FAX NUMBER _____ EMAIL ADDRESS _____            |

|  |   |
|--|---|
| <b><u>OWNER (Provide attachments if multiple owners)</u></b> | Primary Contact Person <input type="checkbox"/> |
| NAME _____   | COMPANY _____                                   |
| ADDRESS _____  | CITY _____ STATE _____ ZIP _____                |
| PHONE NUMBER _____   | FAX NUMBER _____ EMAIL ADDRESS _____            |

|   |   |
|---|---|
| <b><u>PROFESSIONAL (Engineer, Surveyor, etc.)</u></b> | Primary Contact Person <input type="checkbox"/> |
| NAME _____  | COMPANY _____                                   |
| ADDRESS _____   | CITY _____ STATE _____ ZIP _____                |
| PHONE NUMBER _____                                    | FAX NUMBER _____ EMAIL ADDRESS _____            |

## Owner's Consent

### STATEMENT OF UNDERSTANDING:

I, as owner/co-owner of the property subject to this application, do hereby certify that I have read and understood the requirements for Certificate of Appropriateness review and application approval, as provided under the Stafford County Zoning Ordinance, Chapter 28, Section 58 of the Stafford County Code.

\_\_\_\_\_  
Signature of Owner/Co-Owner

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner/Co-Owner

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

I, as applicant or agent for the owner(s) of the property subject to this application, do hereby certify that I have read and understood the requirements for Certificate of Appropriateness review and application approval, as provided under the Stafford County Zoning Ordinance, Chapter 28, Section 58 of the Stafford County Code.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

COMMONWEALTH OF VIRGINIA  
COUNTY OF \_\_\_\_\_, to wit:

The forgoing statement of understanding was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, by \_\_\_\_\_ owner/applicant.

My commission expires: \_\_\_\_\_

Registration number: \_\_\_\_\_

Notary Public: \_\_\_\_\_

Print Name: \_\_\_\_\_