

Council takes action. If appropriate action is not taken by the owner, the Zoning Administrator shall initiate appropriate legal action for a violation of the UDO.

- C. **Public Safety Exclusion.** Nothing in this UDO shall prevent the razing or demolition of any building or structure without consideration of the ARB, which is in such an unsafe condition that it would imminently endanger life or property, and protection from such condition is provided for in the statewide building code and/or other applicable ordinances. However, such razing or demolition shall not be commenced without written approval of the Zoning Administrator and Zoning Administrator verifying the conditions necessitating such action.

### 3.17.6 Types of Improvements

- A. **Minor Modifications.** Minor modifications do not require ARB review and recommendation. For minor modifications, no application for a Certificate of Appropriateness is required. The following constitute a minor modification:
1. Replacement or reconstruction of architectural features (shutters, trim, gutters, siding, roofing, porches, windows, etc.) using similar materials;
  2. Addition or deletion of storm doors or storm windows and window gardens, or similar appurtenances;
  3. Addition or deletion of television and radio antennas; or skylights and solar collectors, except on the primary façade;
  4. Construction of off-street loading or parking areas containing three spaces or less;
  5. Replacement of missing or broken window panes, roofing slates, tiles, or shingles, and outside doors, window frames, or shutters where no substantial change in design or material is proposed; and
  6. Any similar action which in the written determination of the Zoning Administrator will have no more effect on the character of the district than those activities listed above.
- B. **Major Modification.** Major modifications do require ARB review and recommendation. Application for a Certificate of Appropriateness is not required for a major modification. Major modifications are deemed to have a permanent effect upon the character of the Historic District, and include, but are not limited to, the following:
1. Application of a substitute siding material over wood siding;
  2. Installation of replacement windows of a substitute material;
  3. Addition or deletion of a window or door opening;
  4. Original painting of a masonry surface;
  5. Any change or alteration of the exterior architectural style of a structure, including removal or rebuilding of porches, opening, dormers, window sash, chimneys, columns, structural elements, stairways, terraces, and the like;
  6. Addition or removal of one or more stories or alteration of a roof line;
  7. All signs;
  8. Addition or deletion of awnings, canopies, and similar appurtenances;

9. Any other major actions not specifically covered by the terms of this section but which, in the written determination of the Zoning Administrator, would have a substantial effect on the character of the historic district.
- C. Tax Credit Requires Certificate of Appropriateness. If the owner is seeking a real estate tax exemption, the ARB shall take action on the application and either approve, disapprove, or approve with conditions. If the proposal is approved, the Board shall issue a Certificate of Appropriateness which indicates the approved modifications and any conditions of approval. If the application is disapproved, the Board shall indicate in writing, the reasons for such action and suggest conditions under which the application may be approved. Failure by the Board to issue a certificate of appropriateness shall disqualify an owner from receiving the tax exemption benefits. The ARB Board shall review the proposal for compliance with the review criteria provided in this UDO and shall make recommendations to the owner. If the proposal is approved, the Board shall issue a Certificate of Appropriateness which indicates the approved modifications and any conditions of approval. If the application is disapproved, the Board shall indicate in writing, the reasons for such action and suggest conditions under which the application may be approved. Failure by the Board to issue a certificate of appropriateness shall disqualify an owner from receiving the tax exemption benefits.
  - D. Improvements that Require Certificate of Appropriateness. The following improvements also require ARB review and recommendation.
    1. Demolition;
    2. New construction, addition, movement, or relocation. Construction of a new building, new accessory building, an addition which increases the square footage of the building, or the movement or relocation of an existing structure. This includes any addition to or alteration of a building which increases the square footage of the building or otherwise alters substantially its size, height, contour, or outline; and
    3. Reconstruction over 50%