

APPLICATION TO REMOVE HEIGHT RESTRICTION IN CBD

CONTRIBUTING RESOURCES

City of Wilmington Planning and Development

P.O. Box 1810 | 929 N. Front St., Wilmington, NC 28402, Telephone 910.254.0900 | Fax 910.341.3264

Removal of height restriction in the central business district

When demolishing a contributing building listed on the National Register of Historic Places in the CBD, the build-back height is restricted. To retain all allowable building height, a property owner may apply to remove the height restriction.

1. An applicant petitioning to remove height restrictions in the CBD shall demonstrate that the historic building retains little or no significance according to each of the five categories in Table 18-597 of the Land Development Code (see page 3 of the application). A building shall be considered to have retained little or no significance if, when scored in each category, it scores a combined total of six or fewer points.
2. Individual buildings on recombined lots shall be scored individually.
3. Appeals of the decision of the Historic Preservation Commission (HPC) shall be to the Board of Adjustment.
4. Applications that receive an unfavorable recommendation from the planning commission may be appealed within 30 days of the date of the action of the Planning Commission. Such appeals shall be to the city council by filing with the city clerk a written notice stating the action of the planning commission and the reasons for the appeal.
5. Within 5 business days of submitting an application, applicants shall be responsible for providing payment for adjacent property owner notification in the amount of \$0.85 per required notice. Adjacent properties are those abutting the site and those immediately across the street. Planning staff will provide the applicant with a list of adjacent property owners and confirmation that notices were mailed.
6. A pre-application meeting (Sec. 18-566) is required prior to submission of all application types.
7. Signs will be required to be posted onsite by the applicant (see posted notice form).

Property information

Street address:

Tax parcel number(s):

Within CBD-HDO (Historic District Overlay)

Outside of the CBD-HDO

Application review process

- Within the CBD-HDO:
 - The HPC shall review and approve or deny a request to remove the height restriction.
 - A certificate of appropriateness is required for demolition and new construction.
- Outside of the CBD-HDO:
 - The HPC shall review an application and forward a cursory recommendation to the Planning Commission.
 - The Planning Commission shall review the application, hold a public hearing, and forward a formal recommendation to the city council.
 - City council shall hold a public hearing and approve or deny a request to remove the CBD height restriction.

REQUEST TO REMOVE HEIGHT RESTRICTION IN CBD



City of Wilmington Planning and Development Department

P. O. Box 1810, 929 N. Front St., Wilmington, NC 28402 | Telephone: (910) 254-0900 | FAX: (910)341-3264

Section A. APPLICANT INFORMATION

Name:

Mailing address:

Phone:

Email:

Architectural style:

Year built:

Required submittal items:

- Application
- Tax map
- Payment of \$0.85 per adjacent property owner to be notified of the request
- Photographs
- Score sheet with applicant's proposed score
- Narrative (must include facts to show property has little or no significance in one or more of the following categories listed in Table 18-597 Page 3 of application: cultural significance, architectural style, architectural integrity, structural integrity)
- Engineering report, if applicable

Date of pre-application meeting:

If the applicant is not the property owner, a signed agent form is required. (page 4)

Applicant signature:

Date:

Return application to:

City of Wilmington Planning and Development Department
929 N. Front St., 1st Floor, Wilmington, NC 28401

1. Applications will be reviewed for completeness by staff prior to being accepted. Applications that are dropped off or mailed in cannot be accepted without prior approval from the planning director.
2. Checklists for each type of request are provided with each application package. If the application does not contain all required items on the checklist, it will be considered incomplete and shall not be accepted.
3. Upon determination by staff that an application is complete, it will be officially accepted. Staff will complete an acceptance form, and both staff and the applicant must sign the form. The application is not considered officially accepted until this form is signed by both the planner and the applicant. A copy of the signed form will be given to the applicant, and a copy will be placed in the project file at the time of acceptance. Staff will not hold materials for incomplete applications.
4. Application fees must be paid at the time an application is submitted for acceptance.
5. To allow time to process fees, applications will not be accepted after 4:00 p.m. each day. On the deadline day for submittals, applications will not be accepted after 1:00 p.m.

INTERNAL USE ONLY – DATE RECEIVED:

PLANNER:

CASE FILE#:

FEE PAID:

HEIGHT RESTRICTION REVIEW

Category	Points awarded in ½-point increments (minimum-maximum)	Review Criteria	Applicant Proposed Score
Cultural Significance	0-3	<p>The building is associated with events or the lives of persons who have made a significant contribution to local, state, or national history.</p> <p>The building represents the work of a well-known or highly regarded builder, architect, or other person who was involved in the concept, planning, construction, or use of the building.</p>	
Architectural integrity	0-3	<p>The building has maintained the integrity of its original architectural form.</p> <p>Changes made to the building over 50 years ago have acquired architectural significance.</p>	
Architectural style	0-4	<p>The building has a distinctive, defined architectural style.</p> <p>The building has superior craftsmanship or a degree of uncommonness for the period in which it was constructed.</p> <p>The building is the last or the oldest example of a particular building type or construction method.</p> <p>The building is one of a group that represents a stylistic type or has distinctive characteristics that are significant because of their commonality during a period of history.</p>	
Structural integrity	0-3	<p>The building shall be given a score of 3 points for structural integrity unless the applicant has provided a report of structural inadequacy prepared and sealed by a structural engineer licensed in North Carolina. The report shall be based on the requirements of the most current version of the North Carolina Rehab Code, North Carolina Existing Buildings Code, or Chapter 34 of the North Carolina Building Code, rather than the North Carolina Building Code for New Construction. by their commonality during a period of history.</p>	

Agent Form

This form is required if the applicant is not the property owner.

I,

the undersigned owner, do hereby appoint

to act on my behalf for the purpose of petitioning the city of Wilmington Historic Preservation Commission to remove the contributing status on the property described in the attached application.

I do hereby covenant and agree with the city of Wilmington that said person (agent) has the authority to do the following acts for or on behalf of the owner:

- 1) To submit a proper application and the required supplemental materials;
- 2) To appear at public meetings to give testimony and make commitments on behalf of the owner, and
- 3) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of the Application to Remove the Contributing Historic Structure Status under the city of Wilmington Land Development Code Section 18-597 (D).

This appointment agreement shall continue in effect until final disposition of the application submitted in conjunction with this appointment.

Property Owner Information: (must be signed by owner)

Owner's Name:

Owner's Address:

Owner's City, State, Zip:

Owner's Phone:

Owner's Email Address:

Owner's Signature:

Date Signed by Owner:

Designated Agent Information:

Agent's Name:

Agent's Address:

Agent's City, State, Zip:

Agent's Phone:

Agent's Email Address:

Agent's Signature:

Date Signed by Agent: