

PETITION FOR DESIGNATION AS AN HISTORIC DISTRICT
City of Montgomery

I am a property owner in the proposed Historic District known as "Capitol Heights", a neighborhood more specifically described on the rear of this page. By signing this petition, I am asking that my neighborhood be designated a Historic District under the City's preservation ordinance, Municipal Ordinance No. 28-2004.*

This is a summary of the ordinance:

If sixty per cent (60%) of the homeowners in my neighborhood sign this petition, the Montgomery Historic Commission will consider the request for designation as a Historic District.

If the Historic Commission recommends the petition to the City Council, the Council then votes on it. If the Council approves, the neighborhood is "designated" as a Historic District. Council approval means that every house in the neighborhood is subject to the City's preservation ordinance.

If my neighborhood is "designated," construction, demolition and remodeling in my neighborhood must be approved by the Architectural Review Board (ARB.) No permit for building, demolishing, repairing or remodeling any structure within a Historic District shall be issued by the City unless plans have been approved by the ARB, or by the Circuit Court on appeal. This also applies to "landscaping" as defined below. It does not apply to interior changes of any kind.

The ARB's purpose is to preserve and protect buildings of historical and architectural value in the City's Historic Districts. Before a homeowner can demolish, repair, alter or construct any structure within a Historic District, the ARB must approve the homeowner's request**, and the homeowner must get a permit from the City's Chief Building Official. Fines for violating the ordinance can range from fifty dollars (\$50.00) to five hundred dollars (\$500.00).

Landscaping includes grading, paving, construction of walkways, driveways, pools, walls and fences, and all other surface additions and improvements. The ARB has no authority over the planting or removal of plant materials, other than removal of trees 12" or more in diameter. Removal of even such trees will be permitted unless removal would, in the judgment of the ARB, have a net material adverse impact on the character and appearance of the District.

The ARB has no jurisdiction over routine, necessary maintenance of a building or property where previously existing materials are to be replaced with identical materials, or where existing paint is to be replaced with paint of substantially the same color.