

CHAPTER 8

A. OVERVIEW

Historic buildings are irreplaceable community assets: and once they are gone, they are gone forever. With each successive demolition, the integrity of the affected district is further eroded. Therefore, the demolition or moving of any contributing building in an historic district should be considered very carefully before approval is given.

Hopewell’s preservation zoning requires that a property owner follow the same procedures for the demolition and/or moving of a structure in the historic district as would

apply to new construction or alteration/restoration of an existing structure in the district; i.e. **the owner must make application for a Certificate of Appropriateness for demolition.**

The Architectural Review Board will consider the following criteria before rendering a decision. These criteria are drawn directly from the City of Hopewell Zoning Ordinance, ARTICLE XIV-B, TOURIST/HISTORIC (TH-1), Sections L, P, and O. The ordinance is printed in its entirety in the APPENDIX of this publication.



This 19th Century Cottage at 500 Prince Henry was razed in the mid-1980s

**B. CRITERIA FOR GRANTING A
CERTIFICATE OF
APPROPRIATENESS**

**(Taken from City of Hopewell Zoning
Ordinance, Article XIV-B of the
Tourist/Historic District, TH-1)**

1. Before a certificate of appropriateness is issued for the erection, reconstruction, alteration or restoration of a building or structure in the Historic District, the review board shall consider:

a. The historical or architectural value and significance of the building or structure and its relationship to or congruity with the historic value of the land, place and area in the district upon which it is proposed to be located, constructed, reconstructed, altered, or restored.

b. The appropriateness of the exterior architectural features of such building or structure to such land, place or area and its relationship to or congruity with the exterior architectural features of other land, places, areas, buildings or structures in the district and environs.

2. Before a certificate of appropriateness is issued for the demolition of a building or structure which exists in the Historic District, the review board shall consider:

a. Is the building of such architectural or historic interest that its removal or disturbance would be to the detriment of the public interest?

b. Is the building of such interest or significance that it could be made into a national, state or local historic shrine?

c. Is the building of such old and unusual or uncommon design, texture and/or

material that it could not be reproduced, or could be reproduced only with great difficulty and/or expense?

d. Would retention of the building help preserve the historic character of the district?

e. Would retention of the building help preserve a historic interest in a place or an area of the city?

f. Would retention of the building promote the general welfare by maintaining and increasing real estate values; generating business; creating new positions; attracting tourists, students, writers, historians, artists and artisans; attracting new residents; encouraging study and interest in American history; stimulating interest and study in architecture and design; educating citizens in American culture and heritage; and making the city a more attractive and desirable place in which to live?

3. The review board shall not consider detailed designs, interior arrangements, or features of a building or structure which are not subject to public view from a public street, public way, or other public place, except to the extent necessary to do so for the purpose of preventing the location, construction, reconstruction, alteration or repair of a building or structure that will be incongruous with the preservation and protection of the historic aspects, settings and environment of the district and other buildings, structures, land, places of areas therein.

C. APPEALS FROM ARCHITECTURAL REVIEW BOARD

Any applicant aggrieved by a final decision of the Architectural Review Board shall have the right to appeal such decision to the Hopewell City Council, provided that such appeal is filed within a period of thirty (30) days after the review board has made its decision. The filing of the petition shall stay the review board's decision pending the outcome of the appeal to the City Council. Any applicant aggrieved from any final decision of the City Council shall have the right to appeal to the circuit court for review by filing a petition at law, setting forth the alleged illegality of the action of the governing body, provided such petition is filed within thirty (30) days after the final decision is rendered by the governing body. The filing of the said petition shall stay the decision of the governing body pending the outcome of the appeal to the court, except that the filing of such petition shall not stay the decision of the governing body if such decision denies the right to raze or demolish a historic landmark, building or structure. The court may reverse or modify the decision of the governing body, in whole or in part, if it finds upon review that the decision of the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the governing body.

D. ADDITIONAL OR CONCURRENT RIGHT TO DEMOLISH BUILDINGS IN THE HISTORIC HOPEWELL DISTRICT

In addition to the right of appeal hereinabove set forth, the owner of a building or structure, the demolition of which is subject to the provisions of this Article, shall as a matter of right, be entitled

to demolish such building or structure provided that:

1. He has applied to the board of review for such right.
2. That the owner has, for the period of time set forth in the time schedule hereinafter contained and a price reasonably related to its fair market value, made a bona fide offer to sell such building or structure and the land pertaining thereto to any person, government or agency thereof or political subdivision or agency thereof which gives reasonable assurance that it is willing to preserve and restore the building or structure and the land pertaining thereto.
3. That no bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such building or structure and the land pertaining thereto prior to the expiration of the applicable time period set forth in the time schedule hereinafter contained. Any appeal which may be taken to the court from the decision of the review board, whether instituted by the owner or by any other proper party, notwithstanding the provisions heretofore stated regarding a stay of the decision appealed from, shall not affect the right of the owner to make a bona fide offer to sell referred to in this paragraph. No offer to sell shall begin more than one (1) year after the final decision of the review board. The time schedule for offers to sell shall be as follows:

Property Valued At:	Minimum Offer to Sell Period
Less than \$25,000	3 months
\$25,000 - \$39,999	4 months
\$40,000 - \$54,999	5 months
\$55,000 - \$74,999	6 months
\$75,000 - \$89,999	7 months
\$90,000 – or more	12 months

E. CRITERIA FOR RELOCATION OF EXISTING BUILDINGS

The moving of any building from its original site should be avoided if at all possible. Once a building has been moved from its original site, it loses its association with the site, and thus loses its place in time from which it evolved.

Buildings and neighborhoods in sections of City Point developed in an evolutionary manner, usually with close associations to persons and periods of growth.

The moving of a building should be considered only after it is determined that should it remain at its original site it would meet sure demolition. All other avenues should be explored if the purpose is the preservation of the structure. Should there be no other option to save a building from demolition, careful plans should be undertaken to find a suitable site for the structure. If the site is within a historic district, the building must harmonize with the character of the neighborhood and be compatible with existing surrounding structures.

The following general standards should be applied in decisions made by the ARB with regard to moving buildings.

Public Purpose

- The public necessity of the proposed move.
- The public purpose or interest in land or buildings to be protected.

Significance and Character

- The age and character of a historic structure, its condition, and its probable life expectancy.

Setting

- The existing character of the setting of the structure or area and its surrounding.
- The view of the structure or area from a public street or road.
- Whether or not the structure will be relocated to another site within the historic district.
- Whether or not the proposed relocation would have a negative or positive effect on other sites or structures within the historic district.

Chapter 8: DEMOLITION AND RELOCATION OF HISTORIC STRUCTURES

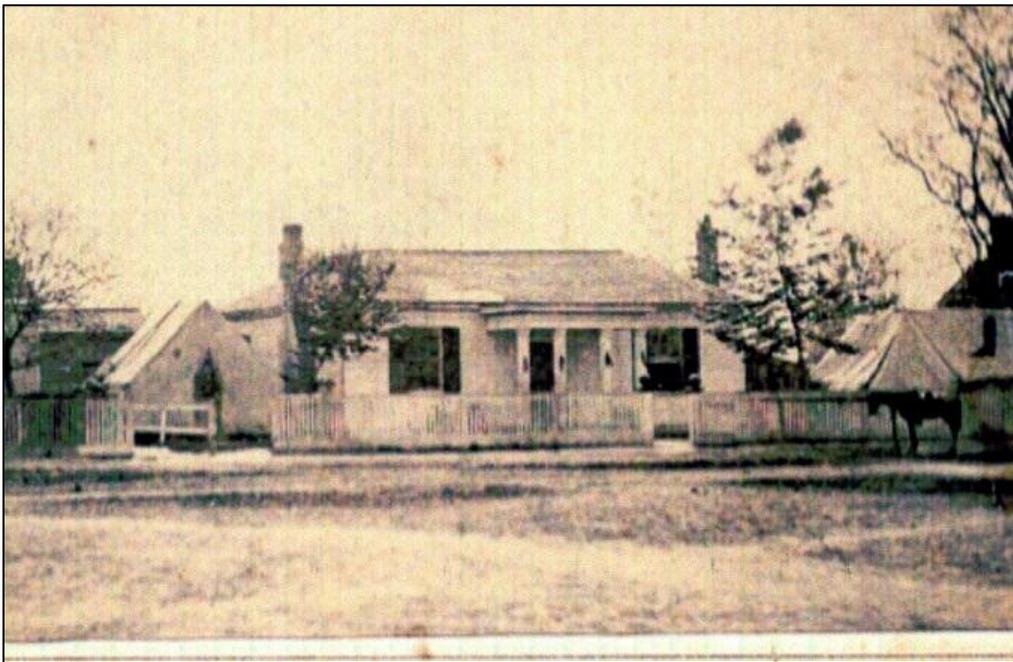
- Whether or not the proposed relocation would provide new surroundings that would be compatible with the architectural aspects of the structure.

Building Condition

- Whether or not the proposed relocation would have a detrimental effect on the structural soundness of the building.

Alternatives

- Whether or not the proposed relocation is the only practical means of saving the structure from demolition.



603 Brown Avenue is an interesting example of a relocation that occurred in the City Point Historic District in the early 20th century. The present long side of 603 originally fronted Brown Avenue, as reflected in the 1864 photograph above. The house was rotated in 1928 to make room for 605 Brown which the owner, Henry Munt, City Point Postmaster, built for speculative purposes. The original entrance was sealed. An original side entrance is now the front door. The photo in the upper right reflects its present day appearance.