

APPLICATION TO REMOVE HEIGHT RESTRICTION IN CBD

CONTRIBUTING RESOURCES

City of Wilmington
Planning and Development

PO Box 1810 | 929 N. Front Street
Wilmington, NC 28402
Telephone 910.254.0900 | Fax 910.341.3264

Removal of height restriction in the central business district

When demolishing a building listed as contributing on the National Register of Historic Places in the CBD, build-back height is restricted. To retain all allowable building height, a property owner may make an application 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 application). A building shall be considered to have retained little or no significance if, when scored in each category, 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 notice in writing stating the action of the planning commission and the reasons for the appeal.
5. List of property owners, their mailing addresses, and the tax parcel number of the properties within 300 feet of the subject property, including property owner(s) directly opposite the request, but separated by a street right of way (staff will provide list);
6. Set of envelopes addressed to the property owners as described above - envelopes must be unsealed, stamped, and bear the return address of the Planning and Development Department.
City of Wilmington Planning and Development Department
PO Box 1810
Wilmington, NC 28402-1810
7. **A pre-application meeting (Sec. 18-566) is required prior to submission of all application types.**
8. **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

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
- List of properties within 300 feet and one (inside the HDO) or two (outside the HDO) sets of stamped, addressed envelopes
- 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 Street, 1st Floor
Wilmington, NC 28402

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 PM each day. On the deadline day for submittals, applications will not be accepted after 1:00 PM.

INTERNAL USE ONLY	DATE RECD: _____	PLANNER: _____
CASE FILE #: _____	FEE PAID \$: _____	

HEIGHT RESTRICTION REVIEW

<i>Category</i>	<i>Points awarded in 1/2-point increments (minimum-maximum)</i>	<i>Review Criteria</i>	<i>Applicant Proposed Score</i>
<i>Cultural Significance</i>	0-3	<p><i>The building is associated with events or the lives of persons that have made a significant contribution to local, state, or national history.</i></p> <p><i>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.</i></p>	
<i>Architectural integrity</i>	0-3	<p><i>The building has maintained the integrity of its original architectural form.</i></p> <p><i>Changes made to the building over 50 years ago have acquired architectural significance.</i></p>	
<i>Architectural style</i>	0-4	<p><i>The building has a distinctive, defined architectural style.</i></p> <p><i>The building has superior craftsmanship or a degree of uncommon for the period in which it was constructed.</i></p> <p><i>The building is the last or the oldest example of a certain building type or method of construction.</i></p> <p><i>The building is one of a group of buildings that represent a stylistic type or have distinctive characteristics that are significant by their commonality during a period of history.</i></p>	
<i>Structural integrity</i>	0-3	<p><i>The building shall be given a score of three points for structural integrity unless the applicant has provided a report of structural inadequacy prepared and sealed by a structural engineer licensed in the state of 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.</i></p>	

Agent Form

This form is required is the applicant is anyone other 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)

Name: _____ Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Email address: _____

Owner signature: _____ Date: _____

Designated agent information:

Name: _____ Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Email address: _____

Agent signature: _____ Date: _____