

Subdivision IV. - Architectural Review Board

Sec. 10-2.361. - Establishment.

- (a) There is hereby established the architectural review board. The members of the architectural review board shall be named by the city commission and the Board of County Commissioners. The membership shall be composed of: two members from the Tallahassee Trust for Historic Preservation, Inc.; the chairperson of the planning commission or other member of the planning commission designated by the chairperson; the director of the planning department or designee; two members who are members of the American Institute of Architects and whose principal place of business or residence is in the county; and four owners of property having historic preservation zoning. All appointed members shall be residents or property owners in the county.
- (b) To the extent available, the architectural review board shall include owners of property as well as members from the disciplines of architecture, history, architectural history, planning, archaeology, or other fields related to historic preservation. All members shall have demonstrated special interest, experience, or knowledge in history, architecture, or related disciplines.

(Code 1992, § 10-2.361; Ord. No. 07-20, § 2, 7-10-2007)

Sec. 10-2.362. - Terms of office.

- (a) The eight appointed members shall serve a term of three years. In the case of an appointment to fill a vacancy the appointment shall be for the unexpired term only. Members shall not serve more than two full consecutive terms, inclusive of the initial two- or three-year terms; however, the chairperson of the planning commission or designee and the director of the Tallahassee-Leon County Planning Department shall serve during their tenure. Vacancies on the architectural review board shall be filled within 60 days.
- (b) The chairperson and vice-chairperson of the architectural review board shall be elected in September from the appointed members and shall serve for a one-year term. The historic preservation officer or designee shall serve as executive secretary to carry out staff functions.

(Code 1992, § 10-2.336; Ord. No. 07-20, § 2, 7-10-2007)

Sec. 10-2.363. - Powers and duties.

- (a) The purpose of the architectural review board is to preserve the distinctive character of the historical areas and other specific structures and landmarks identified by the Board of County Commissioners. To accomplish this purpose, the architectural review board shall approve, disapprove, or require modifications to plans for buildings to be erected, constructed, altered,

renovated, moved, or razed, as they apply to the historic preservation overlay zoning district (HPOD). It may also assist the planning commission in determining areas suitable for the location into the overlay zoning district.

- (b) The architectural review board shall be responsible for the following:
- (1) To review and make recommendations on the listing of properties on the local register of historic places.
 - (2) To review changes, except for routine maintenance, to the exterior of properties on the local register of historic places, and issue or deny certificates of appropriateness.
 - (3) When necessary to ensure the protection of the character of property listed in the local register of historic places, to waive appropriate local government regulations specifically regarding setbacks, off-street parking, height, lot coverage, lot size, and floor area ratio requirements. The architectural review board may also waive local government requirements concerning nonconformities, excluding uses.
 - (4) On behalf of the city and county, to administer the federal certified local government program for historic preservation.
- (c) In dispensing its responsibilities, the architectural review board shall be charged with the issuance of certificate of appropriateness for any development activity with regard to historic structures, landmarks or sites.
- (d) Recognizing that neglect is one of the most serious causes of destruction of historic buildings and that preservation is a public purpose, the architectural review board is authorized and encouraged to periodically review the physical conditions of structures in the areas designated as HPOD. If it finds serious neglect, that is, the structure does not meet the minimum building code requirement, the architectural review board is authorized and encouraged to seek and encourage repair and/or restoration on the part of the owner. If all else fails, the trustees of the historic Tallahassee preservation board may request the county to use its power of condemnation to condemn the building in its deteriorated condition so as to acquire and preserve such structure.
- (e) The architectural review board is an integral part of the review process for any project or application within an HPOD. In discharging its responsibilities, the architectural review board shall:
- (1) Attend the preapplication conference with the County Administrator or designee to establish any specific requirements due to the sensitive nature of the overlay district; explain the certificate of appropriateness process as it relates to the application; explain the review criteria and disburse any additional forms or data needs.
 - (2) Assist the Board of County Commissioners in its review of the project by attending appropriate meetings and providing input into the review of the concept plan. The architectural review board shall recommend specific approval or conditions to the Board of

County Commissioners for consideration. The architectural review board may accompany the County Administrator or designee in presenting the recommendation, if requested by the Board of County Commissioners.

- (3) The architectural review board shall be included in the review process when a specific project is being proposed, individually or in the implementation phase of a planned unit development project. The project shall not receive final approval until the architectural review board has issued a certificate of appropriateness.

(Code 1992, § 10-2.363; Ord. No. 07-20, § 2, 7-10-2007)

Sec. 10-2.364. - Appeal of architectural review board decisions.

Any person aggrieved by a decision reached by the architectural review board may appeal the decision to the planning commission by filing written notice setting forth the grounds for the appeal with the planning department within ten days of the architectural review board decision. Such appeal shall be heard in accordance with the by-laws of the planning commission and notice requirements of this code. The decision of the planning commission shall be advisory and transmitted to the Board of County Commissioners for final determination.

(Ord. No. 07-20, § 2, 7-10-2007)