

## Eureka Springs Historic District Commission Philosophy of Design Review

The design guidelines apply to residential as well as commercial structures located in the Eureka Springs Historic District. They are based on The U.S. Secretary of the Interiors Standards for the Treatment of Historic Properties, and on the specific needs of the community.

The principal approach in design guidelines is the emphasis on preservation over complete restoration. This view is illustrated through the use of such words as REPAIR, RETAIN, MAINTAIN and PROTECT. It is important to REPAIR original materials rather than replace them; RETAIN original landscape features like stone retaining walls; MAINTAIN the original wood siding because it is integral in displaying historic character, and PROTECT the original setting of the house to protect its integrity.

The primary facade of buildings is emphasized in the design guidelines. Primary facades are those readily visible from the street or sidewalk such as the front and sides of a building. Primary facades are the areas generally given the greatest amount of detail and decoration and largely define the architectural character of the property.

While providing a framework and philosophy for design review by the Eureka Springs Historic District Commission, these design guidelines describe solutions for rehabilitation, which might best preserve the character of the Eureka Springs Historic District. The guidelines are the general guide that will be used by the Eureka Springs Historic District when reviewing applicants for a Certificate of Appropriateness (COA). It is recommended that people planning to do rehabilitation, new construction, or an addition contact the

staff of the Eureka Springs Historic District Commission early in the planning process.

The guidelines apply to the exterior only. Although interior space is not insignificant, only the part of the built environment visibly accessible to the public is subject to the guidelines for preservation. Decisions regarding the interior of private property are strictly reserved to the owner.

### The Secretary of the Interior's Standards for the Treatment of Historic Properties

The Standards that follow were originally published in 1977, revised in 1990, 1995 as part of Department of the Interior regulations (36 CFR Part 67, Historic Preservation Certifications). They pertain to historic buildings of all materials, construction types, sizes and occupancy, related landscape features and the building's site and environment as well as attached, adjacent or related new construction.

The Standards are intended to promote responsible preservation practices that help protect our nation's irreplaceable cultural resources.

### U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
  
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
  
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
  
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
  
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
  
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old design in color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary, and physical evidence.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
  
8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
  
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
  
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## The Application Process

The Eureka Springs Historic District was named to the National Park Service National Register of Historic Places in 1970, using the city limits of the time as boundaries. In 1978, ordinances were enacted to create the Historic District Commission (HDC) and authorized this commission to provide design review to all projects affecting the exteriors of all properties within the District

The design review process is initiated when a property owner whose property lies within the Eureka Springs Historic District (see map on page1) applies for a Building Permit. A Building Permit is required for any type of construction, demolition, or modification to the exterior of a structure or property. The Building Permit for exterior work cannot be issued until a Certificate of Appropriateness (COA) has been issued by the Eureka Springs Historic District Commission.

Work undertaken in the Eureka Springs Historic District must conform to all codes and requirements of the Eureka Springs Municipal Code. Particular care will be taken to insure that the Eureka Springs Historic District Commission's preservation guidelines and city building codes are not in conflict. Your work may also require approval by the Planning Commission or Board of Zoning Adjustment. The Building Inspector, City Clerk or Certified Local Government (CLG) Coordinator can assist you with coordinating your applications with multiple reviewing authorities.

The Commission approves or disapproves applications based on the design guidelines in this manual and any additional guidance from the Department of Interior or the Arkansas Historic Preservation Program as needed. The Guidelines are standards for the Commission to use in determining the architectural compatibility of proposed changes. They also are a guide for rehabilitation, appropriate new construction, and other neighborhood projects. The Guidelines are based on design principles and preservation standards used by the U.S. Department of the Interior as well as historic district commissions across the country.

The following procedure must be followed in undertaking work on buildings or property in the Eureka Springs Historic District:

Does Your Project Require Approval?

A COA is required for any alteration of the exterior of any part of a structure; for new construction; for relocation; for routine maintenance; sidewalks, fences, streetscapes, signage; demolition or any project that will impact the visual integrity of the Eureka Springs Historic District. If you have a question about work you are about to begin, you may call the CLG Coordinator, City Clerk, or Building Inspector to determine if your project is subject to a COA.

## Project Levels

The HDC has divided projects into three levels. Applications have a checklist for each level.

### Level I – Signs

All signs attached to, projected from or hanging from any structure, wall or surface within the historic district must be approved by the HDC for its design. Signs must also conform to the ES Municipal Code, Chapter 7.84.

### Level I – Other projects

Minor impact projects including roofing repair or re-roofing, painting surfaces of structures, and repairs to buildings or built features such as structure, walls, fences, paving, foundations, etc., which have a material or color change or exterior lighting.

### Level II

Medium impact projects involving changes to the building or site that do not increase or decrease the shape, contour or size of the building or site features. Examples are: changes to doors or windows (including placement), work or changes to porches, sidewalks and driveways, fences, restoring missing building trim, small outbuildings less than 20 square feet or 2% of the area covered by the main building (whichever is smaller), roof penetrations such as dormers, skylights, chimneys and vents, re-roofing in materials that do not reasonably duplicate original

roofing, and permanent landscaping features such as benches, walls, steps, water features and walkways.

Level II applications must have written permission from property owner if different from applicant. Fences also require a certified registered survey.

Level III

Major impact projects involving changes to the size or volume of a building, alterations in the contour of the roofline or changes to the footprint of the building. It also includes addition or removal of stories, new construction, demolition or changes that alter the architectural style of the structure. Level III applications must have written permission from the property owner if different from the applicant. Level III projects must have a sign announcing a public hearing conspicuously posted on the property 12 days prior to the meeting at which the application will be heard.

The Certificate of Appropriateness and Application

Complete and submit an application form. There are two types of approval for COA applications, Administrative and by the Commission. There is no charge or fee to obtain a COA. Applications are available at City Hall and on the city's web site.

A list of current HDC Commissioners, forms, meeting agendas, FAQs and related information is available on the city's web site: [www.cityofeurekasprings.org](http://www.cityofeurekasprings.org).

All applications require supporting documentation that assist Commissioners in determining the appropriateness of your project. The list of required documentation is on the application. You may call City Hall to determine what documentation is needed for your application.

Administrative Approvals

The CLG Coordinator or City Clerk is authorized to approve the following applications:

Level I – Maintenance, painting, and roofing with no material or color change.

The application procedure and required documentation is the same as for an approval by the full Commission.

### Commission Approvals

All other applications are to be approved by the Commission. Completed application and supporting documentation must be delivered to City Hall to be placed on the agenda for the next available meeting. The cut-off for applications is noon, 14 days prior to the meeting, usually the Thursday following a regularly scheduled meeting. Supporting documentation must be received by noon on the Monday preceding the meeting. Regularly scheduled meetings are held the first and third Wednesday of each month at 6:00 p.m., in the Council Chambers at City Hall, 44 S. Main Street. Annual schedule is available at City Hall or on the city's website.

Applications for proposed Level II and Level III must have the signature of the property owner if different than the applicant or a signed letter of agreement to the proposed work. Level III applications must have a sign announcing a Public Hearing conspicuously posted on the property 12 days prior to the HDC meeting at which the application will be heard. The sign is provided by the HDC, but posting is the responsibility of the applicant. The sign must be returned.

### The Public Hearing

After submission, your application will be scheduled for the next regular meeting of the Commission.

The Commission may approve, disapprove or defer the application pending further information or changes. In some cases, the

Commission may approve your application contingent on certain conditions that must be met before the permit is issued.

Your attendance (or that of a representative) at the scheduled meeting is recommended in case clarification on your application is needed, or your application may be deferred.

### Building Permit

No building permit will be issued if the Certificate of Appropriateness has been denied. Appeals of the Eureka Springs Historic District Commission decisions may be made to the Commission itself or to the Chancery Court of Carroll County, Arkansas.

### Work Time Frame

For COAs and building permits to remain valid, work must be completed within twelve (12) months. If plans change while work is in progress, contact the commission staff before undertaking a change or deviation from the COA. Expired COAs may be extended for one six-month period provided there have been no changes to the approved plan. This may be done administratively by the CLG Coordinator or City Clerk. After approval and extension, if work is not completed, application must be made for another COA. Work begun, but not completed in the work time frame, will be considered to be in violation without another COA.

Without approval, the work will be considered a violation (a misdemeanor with fines up to \$500.00, with each day the violation continues constituting a separate offense.)

## The Real Work of Preservation

It is individual property owners who do the real work of preservation by keeping their buildings in good repair and through their efforts to renovate, restore and preserve structures in ways that are honest to their style and history. Such honesty is completely at home with making Eureka Springs' historic commercial and residential districts comfortable and appropriate to today's way of life.

## How You and the Historic District Commission Help Each Other

The Eureka Springs Historic District Commission's overall goal is to preserve and protect our town, not to complicate the lives of property owners. Our shared heritage -- the visual and architectural characteristics of the Eureka Springs Historic District -- is precious. It cannot be found anywhere else in America, nor can it be duplicated or faked. If our historic structures' exteriors are altered without thought to their original style or to the town's architectural heritage, we have stolen from our community's future. Preservation is not only for us but also for those in the past and the future. We must take the long view, working together as partners and stewards of this community, which is sited in that timeless, uniquely Eureka Springs' intersection of past and present.