

Lisa Craig is the Chief of Historic Preservation for the City of Annapolis, MD. The following article is based on her presentation of the same title at Forum 2012 in Norfolk, VA.

SECRETS BY LISA

TOP SECRET

Secrets of a Successful Application

By Lisa Craig

In actuality, the best thing about a successful application is that there are NO Secrets. This article reveals how a good application creates a transparent procedural process, supports the purpose of your historic district ordinance and leads to the ultimate goal for the historic property owner: project approval.

The key questions to address in reviewing both your historic district commission's application and the application process are:

1. How does a good **Certificate of Approval or Appropriateness** application process benefit the applicant, staff, commission, and public?
2. How can an applicant ensure their project is presented in a **concise, clear and consistent** manner?
3. How can the applicant/staff use the application to demonstrate the **project is compatible** with the historic district ordinance and design guidelines?
4. How does the applicant/staff respond to **public comments** that may or may not be relevant to the application?
5. How does the commission use the application to ensure a **clear and defensible decision**?
6. What is the process for **making changes** to your application and/or application process?

In addressing these key questions, the application process can be analyzed using what I refer to as the “Successful C’s:”

- **Certificate of Approval/Appropriateness** ☒ In many historic districts it’s called an application for a *Certificate of APPROVAL*.
- **Concise, clear & consistent** ☒ Work with the applicant to ensure that information presented to the commission meets these basic criteria:
 - Concise* means that when the application calls for product specification sheets, the essentials are provided, not 20 pages of irrelevant technical information.
 - Clear* means that if the intent is to replace siding, advise the owner to not use terms like “refurbish” or “renovate.”
 - Consistent* means that if the scope of work describes window repair, but the submitted plans show window replacement, the applicant must clarify the proposed treatment.
- **Compatible** relates to the applicable guidelines or standards for review. It means that when replacement-in-kind, a new addition, or restoration is proposed, the product specs and drawings reflect that fact per the applicable guidelines (e.g., “The new units shall duplicate the historic sashes, glass, lintels, sills, frames and surrounds in design, dimensions, and materials.”)
- **Comments** refer to the fact that any comments received from staff or the general public are shared with the applicant prior to the hearing to allow adequate time for applicant response.
- **Clear & defensible decision-making** is based on information provided in the application, which serves as the basis for the commission’s decision. Staff should instruct the applicant to use terminology and illustrate designs that respond to the commission’s design guidelines, the Secretary or the Interior’s Standards and the ordinance.
- **Changes to the application process** are highly encouraged to ensure consistency with the ordinance.

So, how easy is it for your customer to find the forms, procedures and review criteria for submission of their project? Frankly, doing some research yourself may give you a greater appreciation for the need to improve your own community’s commission web page. If it’s a challenge for you to navigate yours or any municipality’s website to locate an application, how do you think the applicant feels when searching for it? In Annapolis, there are at least three ways of locating the form on the City’s website. But none of those are less than six clicks from the City’s home page. So, who serves as a good model?

Searching a dozen municipal preservation programs in the country, I didn’t come up with an easily navigable example, but then I switched to some of the non-profit preservation organizations. My first try was with the Preservation Society of Charleston’s website. Within two clicks I had a direct link to the City of Charleston’s web page for the Department of Design, Development and Preservation, and with two more clicks, I had a Design Review Board application. This exemplifies the importance of the relationship between the city’s preservation regulatory body and the non-profit preservation advocacy organization. If your community is “challenged” by the limitations, policies or priorities established for your municipal government’s website, you may be able to ensure that the historic property owner has quick access to your historic preservation commission’s home page by partnering with your local preservation organization.

CONTACTING THE COMMISSION

Some communities have established a 311 webpage to allow applicants to post a question, receive an answer online, or request a follow-up phone call. A good example of that exists in Montgomery County, Maryland. But no matter the means of contact ☒ a phone call, an email or, yes, even a snail-mail letter ☒ communicating directly with HPC staff is often the next step. *[Note: What cannot be encouraged is direct communication between a property owner and a member of the Commission. This can be termed ex-parte contact and while Commission member names*

should be included on the government website, their contact information should not.]

I find that email can work just fine for simple requests (I need to paint my house, do I need the HPC's approval?). Many times, though, when someone says they want to do some basic repair work on their home, it can mean anything from replacing a damaged corner board to replacing all the windows on the front façade. A conversation with the property owner is often necessary to clarify both the process and the forms that are needed, including required permits and the feasibility of staff approval based on the project specifications.

Completing the

CERTIFICATE OF APPROVAL

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City of Annapolis
Department of Planning & Zoning
Historic Preservation Division
145 Gorman Street, 3rd Floor
Annapolis, MD 21401-2535
HisPres@annapolis.gov • 410-263-7961 • Fax 410-263-1129 7961 • MD Relay or 711 • www.annapolis.gov

FOR CITY USE ONLY
ADDRESS # _____
MAILING DATE _____

**HPC Public Hearing Application
for Certificate of Approval**

Building site address _____

Provide complete information below. Mailing addresses and telephone numbers are required.

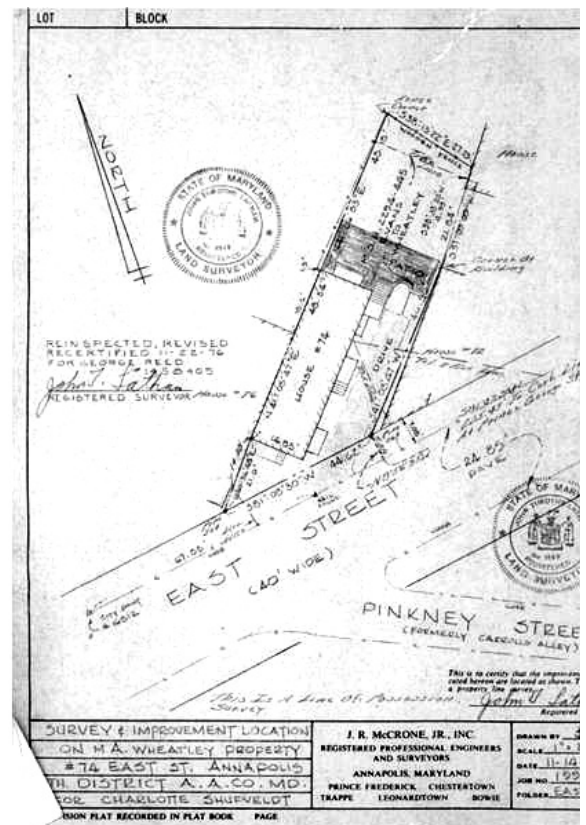
Property Owner Information		Contractor's Information	
Name _____	Name _____	Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____	Day phone _____ Cell _____	Day phone _____ Cell _____
E-mail _____	E-mail _____		
Applicant Information		Architect/Engineer Information	
Name _____	Name _____	Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____	Day phone _____ Cell _____	Day phone _____ Cell _____
E-mail _____	E-mail _____		

- Applicant/Agent to receive comments.
- Will you be applying for the Historic Preservation Tax Credit? Yes No
(The tax credit is limited to those expenses having to do with the exterior features of a structure and the total estimate of expenses per application must exceed \$5,000. Applications must be submitted prior to start of work. Please refer to the Annapolis City Code - Section - 6.04.230 - Historic Preservation Tax Credit which is attached to this application.)
- Are there any easements or deed restrictions for the exterior of this building or the site? Yes No
If yes, submit a letter from the easement holder stating their approval of the proposed work.
- A site plan to scale indicating property lines and lot dimensions, adjacent street and curb cuts, existing structures and locations for all existing and proposed exterior signs.
If signs are proposed please provide drawings indicating material, method of attachment, position on building, size and front lineal feet of building, size and position of all other signs on building, and a layout of the sign.
- Scaled drawings (1/4" to 1") for new construction, additions, and major alterations must be submitted. Drawings must include: plans, sections, elevations and details.
1 full size to scale set of 11" x 17" or larger plans & 14 reduced sets on 8" x 11" or 8" x 14" to scale.
- Printed color photographs or digital photos of existing conditions must be submitted in original packet. Photocopies of the photographs may be used in the remaining fourteen packets. Once your project is completed, photos of the completed work must be submitted to the Historic Preservation Staff within 60 days.

*The Annapolis COA application form.
(all photos credit: Lisa Craig)*

What information do you require from the applicant for your project review process? In Annapolis, the COA application requires the following basic information:

- Building site address
- Name and contact information (including email) for property owner and the applicant
- Intent to apply for the local historic property tax credit
- Disclosure of any preservation easement
- Description of the proposed scope of work
- Estimated cost of the project
- Signature of property owner or agent of property owner
- Applicant certification acknowledging accuracy of information presented and understanding that other permit requirements may apply
- Supplemental information including:
 - Site plan / boundary survey
 - Scaled drawings
 - Color digital photos
 - Cut sheets/product specifications
 - Other required permits



Supplemental information, such as a site plan or boundary survey, is critical to a complete application.

Having reviewed and/or completed the Certificate of Approval application, the applicant will contact the Historic Preservation office to review the procedure for submission. It is at that point where the staff has the first opportunity to work with the applicant to ensure a complete application submission. It's also the point at which the complexity of the project may require a meeting with Historic Preservation staff and/or other agency staff involved in the project review. This point of collaboration is often referred to as a "pre-application" process, which may also include building code officials, Planning & Zoning staff, the Fire Marshall, Public Works and Transportation Department Staff.

While the details of the application are important to the COA process, for the application process to be truly successful, the building permit must be issued. In some cities, that may mean the staff needs to go a step beyond and help property owners or applicants navigate beyond pre-development into the development process — connecting them to (but not endorsing) professionals experienced in working in the historic district with an emphasis on checking references, directing them to other agencies or non-profit organizations that can help with financing or business development programs, and finally engaging the community in the final outcome — for example, a new business opening in the Main Street Historic District.

WORKING TOWARD APPROVAL

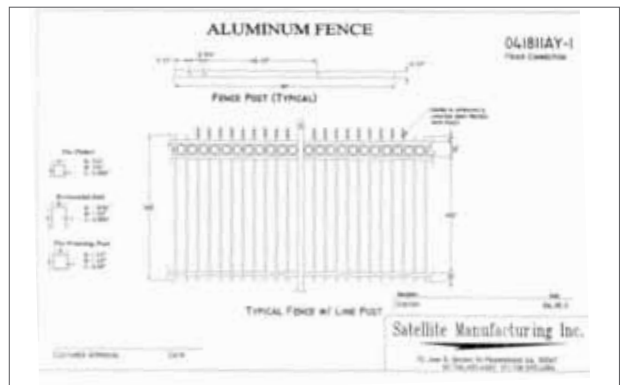
So, back to what the commission and the staff should consider to be the end goal: getting the applicant's project to approval. If staff has done an effective job of customer service — guiding the applicant to the appropriate forms, following up with a discussion on the particulars of the project, providing clarity on completing the application, connecting the applicant to other reviewing agencies, and issuing a supportive staff report based on compliance with the design review criteria — then the result should be a complete application.

How to Ensure Quality in the APPLICANT'S SUBMISSION

For the applicant's project to be presented in a clear, concise and consistent manner, drawings must be understandable. If the application clearly states scaled drawings are required for a public hearing, make sure the applicant understands what a scaled drawing is. For example, most fence companies can provide such a drawing, but if the applicant is working with a contractor who can't provide a drawing, it may put the applicant at a disadvantage either because staff feels the application is not complete or because the HPC is not clear as to the true dimensions and method of installation. It's critical that staff ensure there is consistency between one application and another as it relates to drawings, product specifications, site plans, etc., prior to submission to the HPC .



Staff availability for customer service will ensure a smoother application process!



Consistency in drawings and product specifications is key to a complete application.

PROJECT COMPATIBILITY

How does the application demonstrate the **project is compatible** with the historic district ordinance and design guidelines? Staff is in the best position to understand the process, past precedent for approvals, and the commission's approach to interpretation of the ordinance and guidelines. Therefore, staff should encourage the applicant to communicate with them through whatever means is convenient ☒ email, phone, in-person meeting ☒ well before the application deadline. It may also mean communicating not just with the applicant, who may be the architect, contractor or an owner's tenant, but the property owner. When communication with the property owner's agent becomes more frustrating than fruitful, contact the owner directly.

SIX STEPS

to a Better Application Process:

- 1) If the applicant is unclear as to the necessary information for the submission, then provide examples of other project applications similar that have met the standards.
- 2) Provide information about professionals experienced in working in the historic district.
- 3) Discuss the specific guidelines the commission will consider.
- 4) Provide examples of acceptable product specs/drawings or photographs.
- 5) Coordinate project approval with local zoning requirements.
- 6) Encourage early submittal of the application for your review and identification of items necessary to complete the application ☒ .g., product specifications that show material, method of installation, and dimensions.

Encouraging and Responding to

PUBLIC COMMENT

In Annapolis, the general public may submit comments on an application to the Commission both prior to and during the hearing. Additionally, all relevant City review staff provide comments which are available to the public 11 days prior to the hearing. The applicant is provided with those comments and may submit additional information or revisions up to five days prior to the hearing in response to the comments. Staff also discusses with the applicant which comments are relevant to the application and the design review criteria. In this way, the applicant and the Commission are equally aware of what the criteria are for consideration of the application, notwithstanding any comments received that are not substantive to the Design Guidelines being addressed or are not addressed in the Historic District Zoning ordinance.

CHANGE IS INEVITABLE

Making changes to your application and clarifying procedures for review are sometimes necessary. In some cases the changes may be significant (creating a new form) while other times it may mean adding one question (e.g., easements on the property). Consider changing your application and/or review process when there are inconsistencies with the historic district zoning ordinance, changes to city permitting procedures and applications, or a need for legal wording or new preservation tools such as easements and historic tax credits.

Remember, a successful application is no secret. A good application process benefits the applicant, staff, commission, and public if it is presented in a concise, clear and consistent manner; demonstrates how the project is compatible with the Historic District Ordinance and Design Guidelines; ensures timely staff and public comments relevant to the application; provides the commission with the basis for clear and defensible decision-making; and can always be made better with changes initiated by staff or the commission that support consistency with the ordinance, procedures and other permit processes.■