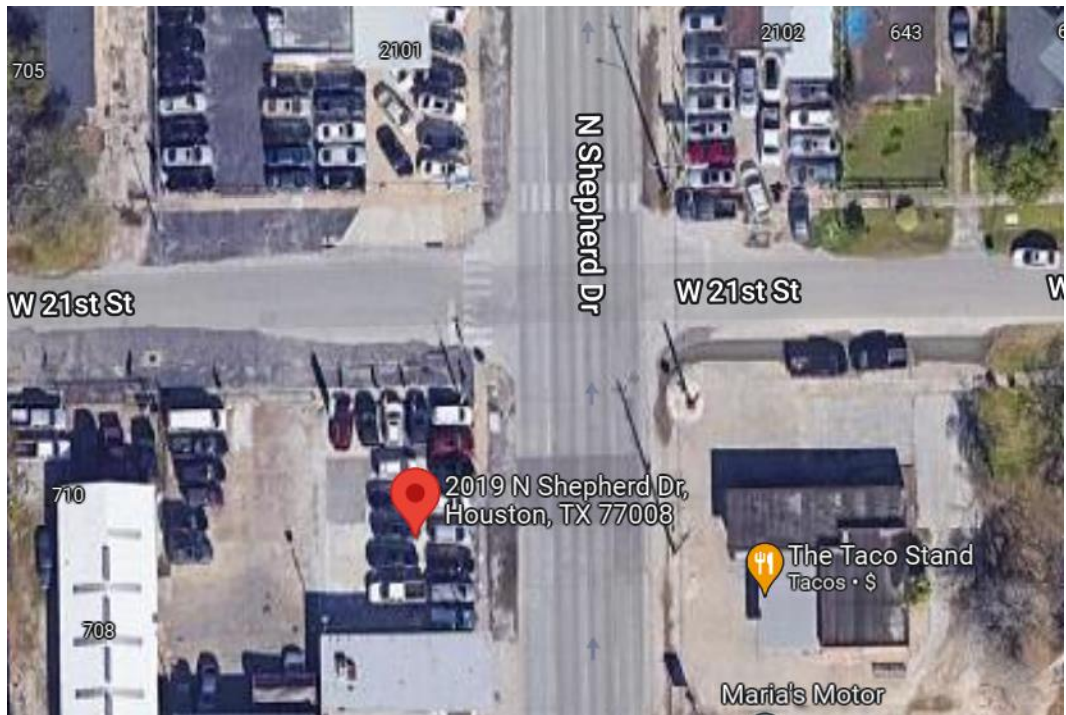


**CERTIFICATE OF NON-DESIGNATION**

**Application Date:** Month DY, YEAR

**Applicant:** Charlie Pendergraft, Owner; J Hal Caton, Agent

**Property:** 2019 N. Shepherd, currently vacant lot at southwest corner of N. Shepherd and W. 21<sup>st</sup> St.



**Public Comment:** None

**Recommendation:** Approval of Certificate of Non-Designation

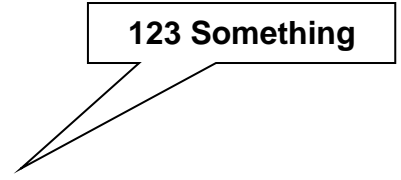
**HAHC Action:** -





**PROPERTY LOCATION**

Insert map.



**CURRENT PHOTO**

Size photo to 7" wide.

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**SECTION 33-228**

**Sec. 33-228. Certificate of non-designation.**

(a) The owner or owner's agent of any property may submit an application for a certificate of non-designation with respect to any building, structure, object, site, property or area that has not been designated as a landmark, protected landmark, or contributing structure in an historic district or an archaeological site. Applications shall be filed with the director and shall contain the following information:

- (1) The name, address and daytime telephone number of the owner and the applicant, if different from the owner;
- (2) The address and general description of the property that is the subject of the application;
- (3) A current photograph of the property that is the subject of the application; and
- (4) Information demonstrating whether the property is eligible for designation as a landmark or protected landmark or as a contributing structure in an historic district or an archaeological site.

The application for a certificate of non-designation shall be accompanied by a nonrefundable fee of \$25.00.

(b) The HAHC shall consider an application for certificate of non-designation at a regular meeting within 35 days of the date a complete application for the certificate is filed with the director or at a later time mutually agreed upon in writing by the director and the applicant. The HAHC may continue its consideration of an application for a certificate of designation to its next regular meeting upon finding that specific information is needed by the HAHC to enable it to reach its decision or upon agreement with the applicant for a continuance. If the HAHC does not act upon an application for a certificate of non-designation within the later of 70 days from the date the application is filed with the director or 35 days after the date mutually agreed on by the applicant and director for review of the application by the HAHC, the application shall be deemed approved, unless the applicant consents in writing to an extension to a specified date.

(c) The HAHC shall not grant the certificate of non-designation if it finds any of the following:

- (1) The building, structure, object, site, property or area is the subject of a pending application for designation as a landmark, protected landmark or archaeological site;
- (2) The building, structure, object, site, property or area is within an area that is the subject of a pending application for designation of an historic district;
- (3) The building, structure, object, site, property or area is eligible for designation as a landmark, protected landmark or archaeological site; or
- (4) The building, structure, object, site, property or area is located in an area that is eligible for designation as an historic district and meets the criteria for contributing structure if the area were to be designated as an historic district.

Otherwise, the HAHC shall grant the certificate of non-designation.

(d) The certificate of non-designation shall expire ten years after the date of its issuance and shall be evidence that the subject of the certificate of non-designation will not be subject to the provisions of this article for a period of ten years from the date of issuance of the certificate of non-designation. The certificate of non-designation shall run with the land and may not be transferred to any other building, structure, object, site, property or area.

(e) If the HAHC finds that the subject of an application does not qualify for a certificate of non-designation, the HAHC shall deny the application and shall notify the applicant in writing of the denial. If the HAHC denies the certificate of non-designation, the property shall be subject to the provisions of section 33-223 of this Code for the time specified therein.

(f) Following notice and an opportunity for hearing, the HAHC may revoke a certificate of non-designation that is found to have been issued in error.

(g) If the city council designates as a landmark or archaeological site a building, structure, object or site that is the subject of an unexpired certificate of non-designation, the designation shall not be effective until the expiration of the certificate of non-designation. If the city council designates an historic district, the designation shall not be effective with respect to an individual building, structure, object or site located within the historic district that is the subject of an unexpired certificate of non-designation until the expiration of the certificate of non-designation with respect to the individual building, structure, object or site.

**ATTACHMENT A**  
APPLICANT MATERIALS

**ATTACHMENT B**

PUBLIC COMMENT

OR

CIVIC ASSOCIATION COMMENT



Insert comment, scaled to be legible, fill page but do not exceed 7" wide. Size grey box to redact email addresses.