

ORDINANCE #916

AN ORDINANCE TO AMEND CHAPTER 12 OF THE CITY OF BROWNSVILLE'S MUNICIPAL ZONING ORDINANCE AND TO MAKE OTHER ADMINISTRATIVE AMENDMENTS TO THE MUNICIPAL ZONING ORDINANCE

WHEREAS, Section 13-7-204 of Tennessee Code Annotated permits the amendment of the Municipal Zoning Ordinance of the City of Brownsville; and,

WHEREAS, Brownsville's Historic Zoning Commission has recommended the adoption of new Historic District Design Guidelines for Commercial Uses and has retained the current Residential Guidelines thus making the guidelines currently in Chapter 12 redundant; and,

WHEREAS, the Brownsville Municipal Planning Commission has recommended the this amendment to the Zoning Ordinance described below in accordance with said section cited above; and,

WHEREAS, in accordance with Tennessee Code Annotated, Section 13-7-203 the legislative body held a public hearing to obtain citizen input into said amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF BROWNSVILLE.

SECTION 1 That Chapter 12 be amended in accordance with the following changes (strikethrough for deletions, bold for additions);

CHAPTER 12

PROVISIONS FOR HISTORIC DISTRICTS

12.01 Statement of Purpose

A. General Purpose and Intent

The Historical ~~and Cultural~~ Districts shall be an overlay on existing districts to designate areas, sites, and structures of sufficient historical and cultural significance to warrant public protection. These provisions are established in order that appropriate measures may be taken to ensure preservation of structures of historic value to Brownsville and Haywood County pursuant to the authority contained in Section 13-7-401 of Tennessee Code Annotated. The general intent includes the following specific purposes:

1. To preserve and protect the historical and/or architectural value of buildings, other structures, or historically significant areas;
2. To regulate exterior design, arrangement, texture, and materials, proposed to be used within the historic districts to ensure compatibility;
3. To create an aesthetic appearance that compliments the historic buildings or other structures;
4. To stabilize and improve property values;
5. To foster civic beauty;
6. To strengthen the local economy; ~~and,~~

7. Not to impose overly restrictive or expensive alteration or construction costs on property owners; **and,**
8. To promote the use of historic districts for the education, pleasure and welfare of the present and future citizens of Brownsville and Haywood County.

12.02 Zoning Map Amendments

A. Amendment Procedures

Any amendment to the Zoning Map of the City of Brownsville designating Historical and ~~Cultural~~ districts shall be subject to the following.

1. Chapter 9 Section 7 of the Official Zoning Ordinance; and,
2. Review by the Historic Commission.

The ~~Historic/Cultural~~ Districts, whose boundaries shall be shown on the zoning map or ~~on special overlays thereto~~ which are made a part of this Ordinance and noted by name on said maps, is a district in which no structure shall be constructed, altered, repaired, relocated or demolished unless the action complies with the requirements set forth in this Code.

A historic district shall be defined as a geographically definable area which possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and which meets one or more of the following criteria:

1. That it is associated with an event which has made a contribution to local, state, or national history; or,
2. That it includes structures associated with the lives of persons in local, state or national history; or,
3. That it contains structures or groups of structures which embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,
4. That it has yielded or may be likely to yield archaeological information important in history or prehistory; or,
5. That it is listed in the National Register of Historic Places.

12.03 Provisions Governing the Historic Zoning Commission

A. Appointment of Historic Zoning Commission

The Brownsville Historic Zoning Commission (BHZC) shall consist of seven (7) members appointed by the Mayor and confirmed by a majority vote of the Board of Alderman. The appointments to membership of the commission shall be so arranged that the terms of two (2) members shall be four (4) years, the terms of two (2) members shall be three (3) years, the terms of two (2) members shall be two (2) years, and the terms of one member shall be one (1) year. Members whose terms expire or their successors may be appointed for terms of four (4) years. All members shall serve without compensation. The Historic Zoning Commission shall consist of representative of a local historical or patriotic organization, an architect, if available, a member of the local planning commission, at the time of his/her appointment; and the remainder shall come from the community in general.

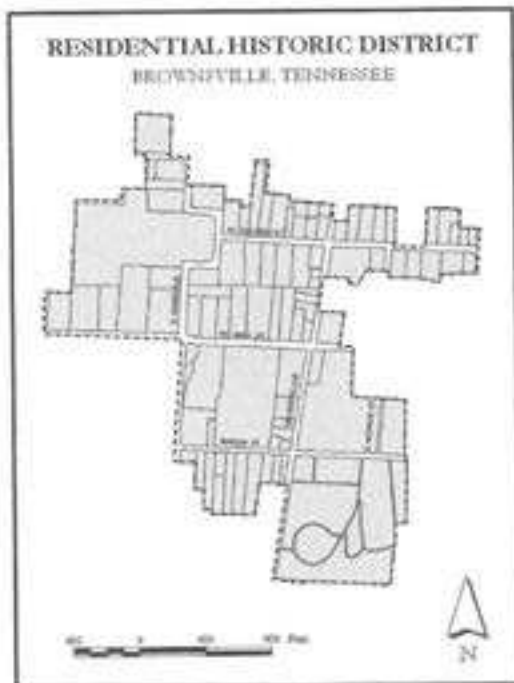
B. Powers and Duties of the Historic Zoning Commission

1. The Historic Zoning Commission shall review applications regarding the creation of Historic Districts. The review of such applications shall be in accordance with the criteria set forth in 12.04 of this Chapter. The Commission shall furnish to the Planning Commission, in writing, its recommendations regarding the creation of any Historic District.
2. Prior to the establishment of a Historic District, and subsequent to City Board adoption of the district the Historic Zoning Commission shall adopt for each such proposed District a set of **design review** guidelines, which it will apply in ruling upon the granting or denial of a certificate of appropriateness as provided for in this chapter. Such review guidelines shall be consistent with the purpose of this Chapter and with regulations and standards adopted by the Secretary of the Interior pursuant to the National Historic Preservation Act of 1966, as amended, applicable to the construction, alteration, rehabilitation, relocation or demolition of any building, structure, or other improvements situated within a Historic district which has been certified by the Secretary of the Interior as a registered Historic District. Reasonable public notice and opportunity for public comment, by public hearing or otherwise, shall be required before the adoption of any such review guidelines.
3. It shall be the duty of the Historic Zoning Commission to make the following determinations with respect to the Historic Districts when applicable.
 - (a) Appropriateness of altering or demolishing any building or structure within the Historic District. The Commission may require interior and exterior photographs, architectural measured drawings of the exterior, or other notations of architectural features to be used for historical documentation as a condition of any permission to demolish a building or structure, such photographs, drawings, etc. shall be at the expense of the applicant.
 - (b) Appropriateness of exterior architectural features, including signs and other fixtures of any new buildings and structures to be constructed within the historic district and the appropriateness of exterior design of any new extension or any existing building or structure within the historic district. Appropriateness of front yards, side yards, rear yards, off-street parking spaces, location of entrance drives into the property, sidewalks along the public right-of-way, which might affect the character of any building or structure within the historic district.
 - (c) Appropriateness of the general exterior design, arrangement, texture and material of the building or other structure in question and the relation of such factors to similar features of the buildings in the immediate surroundings and entire district.
 - (d) That all work to be undertaken in the Historic District complies with the applicable review guidelines, with primary consideration to be given to:
 - (1) Historical or architectural value of the present structure;
 - (2) The relationship of the exterior architectural features of such structure to the rest of the structures, to the surrounding area, and to the character of the District.
 - (3) The general compatibility of exterior design, arrangements, texture, and materials proposed to be used; and
 - (4) To any other factor, including aesthetic, which is reasonably related to the purpose of this section.
4. Right of Entry upon the Land – The Commission, its members and employees, in the performance of its work, may enter upon any land within its jurisdiction and make

examinations and surveys and place or remove public notices as required by this Ordinance, but there shall be no right of entry into any building without the consent of the owner.

5. Liability of Historic Zoning Commission Members – Any Historic Zoning Commission member acting within the power granted by this chapter is relieved from all personal liability for any damage and shall be held harmless by the City Board. Any suit brought against any member of the Commission shall be defended by a legal representative furnished by the City Board until the final termination of the procedure.
6. Submittal of Zoning Permit to the Historical Zoning Commission – The Zoning Administrator and/or Building Official shall not issue permits for construction, alteration, repair, demolition, or relocation of a building or structure within any Historical /Cultural district, without first submitting the request for such permit together with all plans, elevations, or other information as may be required to determine the appropriateness of the features to be passed upon by the Historic Zoning Commission.
7. Approval by the Historic Zoning Commission – Upon approval of any application, the Historic Zoning Commission shall forthwith transmit a report to the Zoning Administrator and/or Building Official stating the basis upon which such approval was made, and cause a Certificate of Appropriateness to be issued to the applicant. Upon failure of the Historic Zoning Commission to take final action within thirty (30) days after receipt of the application, the case shall be deemed approved, except when mutual agreement has been made for an extension of the time limit. When a Certificate of Appropriateness has been issued, a copy thereof shall be transmitted to the Zoning Administrator, and/or Building Official, who shall from time to time, inspect the construction or alteration of the exterior approved by such certificate, and report to the Historic Zoning Commission any work not in accordance with such certificate before issuing an Occupancy Permit.
8. Disapproval by the Historic Zoning Commission – In the case of disapproval of any application, the Historic Zoning Commission shall state the reasons, thereof, in a written statement to the applicant. Notice of such disapproval and a copy of the written statement of reasons, thereof, shall also be transmitted to the Zoning Administrator and/or Building Official.
9. Approval of Removal or Demolition – In the event a request to remove or demolish a building or structure within a Historic/Cultural District is submitted or such demolition is required, the building official receiving such request or initiating such action shall transmit a copy thereof to the Historic Zoning Commission and said Commission shall have a period of thirty (30) days from the date the application was filed to act upon the request. Upon failure of the Historic Zoning Commission to take action within thirty (30) days after the filing of an application, the case shall be deemed approved, except when mutual agreement has been made for an extension of the time limit.
10. Appeals from Decisions of the Historic Zoning Commission – Appeals from any decision of the Historic Zoning Commission may be taken to a court of competent jurisdiction as provided for by law.

12.04 Historic Districts



12.045 Design Guideline Principles

A. Purpose

Design guidelines are criteria and standards which the Brownsville Historic Zoning Commission must consider in determining the appropriateness of proposed work within a historic district.

B. General Guidelines for Rehabilitation of Existing Structures

1. Every reasonable effort shall be made to provide a compatible use for property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be encouraged.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the

material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
10. Where possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.
11. All design guidelines approved and adopted by the Historic Zoning Commission are hereby adopted by reference and shall apply only to the exteriors of buildings and to areas of lots visible from public rights-of-way.

~~12.05—Provisions Governing the Residential Historic District~~

~~A. Residential Historical/Cultural District is defined in Ordinance #2007-836 and is shown on a subsequent page:~~

~~B. Uses Permitted—The uses permitted in the use regulations of the underlying district in which the site, structure or area is located shall govern:~~

~~C. Uses Permitted as Special Exceptions~~

~~Following public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals, may permit as special exceptions:~~

~~1. Any use permitted in the use regulations of the district being overlaid:~~

~~2. Under certain limited conditions in the R-1, R-1a, R-2, and R-3 districts the following uses may be permitted as special exceptions after review and recommendation by the Historic Zoning Commission and approval by the Board of Zoning Appeals:~~

~~(a) Museums~~

~~(b) Bed and Breakfast Inns subject to the following conditions:~~

- ~~1. The use of the dwelling unit as a bed and breakfast inn shall be clearly incidental and subordinate to its use for residential purposes by its occupants.~~
- ~~2. No traffic shall be generated by such Bed and Breakfast Inn in greater volumes than would normally be expected in a residential neighborhood.~~
- ~~3. A minimum of one parking space per room to be occupied by guests shall be provided for in addition to any residential parking on premises.~~
- ~~4. The outside appearance of the dwelling unit shall maintain conformance with the general character of the neighborhood.~~
- ~~5. Signs advertising the Bed and Breakfast Inn shall not be permitted on the lot where it is located.~~

6. No more than three (3) rooms or fifteen (15%) percent of the dwelling unit to be used as the Bed and Breakfast Inn (whichever is the most restrictive) shall be allowed to be used for occupancy by guests at the Bed and Breakfast Inn.
7. Proprietors of the Bed and Breakfast Inn shall also be residents of the dwelling in which it is located and shall be the sole employees.
8. All area and yard requirements of the district must be met.
9. An accurately drawn plan shall be presented to the Board of Zoning Appeals at least ten (10) days prior to the meeting. The site plan shall show the location of the principal building, off-street automobile parking; the relationship to adjoining properties and surrounding land use; the existing zoning of the proposed site, any required screening, and any other information as may be required by the Brownsville Board of Zoning Appeals.
10. The Board of Zoning Appeals may also attach other conditions on the use of the structure or site which will be necessary to carry out the intent of the Zoning Ordinance.

(c) ~~Antique sales subject to the following conditions:~~

1. ~~The use of the dwelling for antique sales shall be clearly incidental and subordinate to its use of residential purposes by its occupants.~~
2. ~~No traffic shall be generated by the sales of antiques in greater volumes than would normally be expected in a residential neighborhood.~~
3. ~~No additional parking shall be provided or permitted on the site other than used by the occupants of the dwelling.~~
4. ~~The proposed use shall be located and conducted in the principal building only.~~
5. ~~The principals engaged in the proposed use shall be residents of the dwelling unit in which the proposed use is located.~~
6. ~~Not more than fifteen (15) percent of the total floor area in the dwelling unit shall be devoted to the proposed use.~~
7. ~~The proposed use shall not constitute primary or incidental storage facilities for a business, industrial, or architectural activity conducted elsewhere.~~
8. ~~No agricultural, materials, goods, or equipment indicative of the proposed use shall be visible from any public way.~~
9. ~~The proposed use shall not be advertised by the display of goods or signs on the lot on which the proposed use is located.~~
10. ~~The proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic or any nuisance of any kind which would tend to depreciate the residential character of the neighborhood in which the proposed use is located.~~

D. ~~General Principles~~

~~The design guidelines shall apply only to the exteriors of buildings and to areas of lots visible from public rights-of-way.~~

~~Proposals for exterior work to be done on public facades—front and street-related elevations shall be more carefully reviewed than that to be done on other facades.~~

Every reasonable effort shall be made to provide a compatible use for a property, requiring minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided.

All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

Deteriorated architectural features shall be repaired rather than replaced whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that damage historic building materials shall not be undertaken.

Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.

Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, size, scale, color, material, and character of the property, neighborhood, or environment.

Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

E. Alterations to Existing Buildings and Property

Alterations to Existing Buildings and Property is defined as "A change in building material; the addition or elimination of any architectural feature of a structure; a repair that reconstructs any part of an existing building; an addition that extends or increases floor area or height of any building; or construction of an appurtenance. Any change in physical appearance (excluding exterior painting) shall require a building permit. Permit fees for alterations, repairs or construction totaling less than \$5,000 will be \$15.00. Permit fees for

alterations, repairs or construction totaling \$5,000 or more will be assessed using the city's permit fee schedule.

The use of aluminum siding or other such trim work is not expressly prohibited or discouraged in the Residential District. The use of such, however, should utilize materials which met the character of the era in which a said structure was originally constructed in terms of color and other characteristics.

3.—Guidelines for Alterations

- (a) Additions—Additions are areas that increase the living or working space of a structure. This does not include the addition of architectural elements. Generally, an addition should be situated at the rear of a building in such a way that it will not disturb either front or side public facades. Additions should follow the guidelines for new conditions.
- (b) Roofs—Original roof pitch and configuration should be maintained. The original size and shape of dormers should be maintained. Dormers generally should not be introduced where none existed originally. Original roof materials and color should be retained. If replacement is necessary, original materials should be used. Asphalt shingles may be substituted for original roofing when it is not economically feasible to replace or repair with original materials or when the original roof is beyond repair. The color and texture of asphalt shingles should be appropriate to the architectural style and period of the house.
- (c) Porches—Original details and shape—outline, roof height, and roof pitch—should be retained. Original porch materials and architectural details should be maintained. If different materials are substituted, they should be appropriate to the architectural style and period of the house. The enclosing of front porches is inappropriate. The enclosing of side porches may be considered appropriate if the visual openness and character of the original porch is maintained.
- (d) Windows—The original size and shape of windows should be maintained. The original number and arrangement of panes should be maintained. The characteristic window shape in the area is vertically rectangular—higher than it is wide. Horizontal windows and picture windows are generally not appropriate. New window openings should not be introduced unless they match the existing window configuration and their placement harmonizes with the existing rhythm of openings. Original windows should not be filled in. All buildings with boarded windows have six (6) months after the legislative passage of this ordinance to remove the boards and replace the windows with glass or architectural shutters.
- (e) Doors—The original size and shape of door openings should be maintained. Original transoms, side lights, and doors should be maintained. Replacement doors should be compatible with original doors in terms of style and material. Flush doors are generally inappropriate. Generally, new door openings should not be introduced on facades visible from the street. Original door openings should not be filled in. All buildings with boarded doors have six (6) months after the legislative passage of this ordinance to remove the boards and install doors.
- (f) Architectural Details—Original details should not be removed. The replacement of irreparable details should be with close visual approximations of the originals. The replacement of missing original details should be based on accurate duplication, or should be close visual approximations of the originals, based on

historic, physical, or pictorial documentation. Architectural details of any period or style not original to the building should not be introduced. Changes that have taken place in the course of time which are evidence of the history and development of a building and its environment may have acquired significance in their own right; their significance should be recognized and respected.

- (g) **Materials**—Original building materials include wood, brick, stone, terra cotta, and stucco. Original roof materials include slate, metal, and, on twentieth-century buildings, asphalt shingles. Original building and roofing materials should be retained. If replacement is necessary, it should be with original materials appropriate to the architectural style and period of the house.
- (h) **Masonry**—Masonry repointing should be done with care to match the original mortar color. The use of portland cement should be avoided when repointing old brick. Original tooling configuration and joint width should be maintained. Cleaning should be done with the gentlest means possible. Since sandblasting causes severe damage to brick and mortar, its use should be avoided. The painting of brick is inappropriate unless it is mismatched or so deteriorated that it cannot withstand weather. If painting is necessary, original, natural colors should be used. Painting of stone is inappropriate.
- (i) **Wood**—Wood siding should be retained. Original siding should not be covered or replaced with a material or texture not original to the building. Replacement wood siding should be consistent with the original in size, direction, and lap dimension. Original wall shingles should be maintained.
- (j) **Color**—The BHZC does not review and regulate paint colors on wood. However, the BHZC will advise on appropriate historic paint colors.
- (k) **Appurtenances**—Appurtenances related to a building (fences, walls, street lamps, steps, paving, sidewalks, and signs) should be visually compatible with the environment to which they are related.
- (l) **Fences**—Low retaining walls in front yards should be kept where they exist. Introduction of retaining walls where none existed should be avoided. New or reclaimed iron fencing may be appropriate for properties with pre-1900 houses. Iron fencing is generally not appropriate for later houses. Wood picket fences are appropriate in front of rear yards of houses. Board fences, usually taller, with wider boards set close together, are appropriate only around rear yards. Chain link or woven fences are generally inappropriate for front or visible side yards. They may be used in rear yards. If a portion of a rear fence is visible from the street, it should be camouflaged.
- (m) **Signs**—The appearance, size, position, and method of attachment, texture of materials, color, and design of signs shall be in keeping with the collective characteristics of the structures surrounding the property on which the sign will be located. Off-site signs shall not be permitted. Business signs shall be limited to one (1) sign for each street frontage per premise and if placed in the yard shall not be over five (5) feet in height. The maximum area of any sign located in a historic residential district shall be two (2) square feet; the maximum area of any sign in a historic commercial district shall be sixteen (16) square feet. No sign that flashes, blinks, revolves, or is put in motion by the atmosphere shall be permitted. No visible bulbs, neon tubing, luminous paints, or plastics will be permitted as a part

of any sign. Buildings and signs may be illuminated by remote light sources, provided that these light sources are shielded to protect adjacent properties. Signs attached to the structure shall not cover any architectural detail. Real estate signs shall be removed not more than ten (10) days after the closing of a sale of a house or lot.

- (n) Landscaping—All aspects of site development should be sympathetic to the character of landscape development, types of plants, and spatial treatment of adjacent properties.
- (o) Lighting—Original light fixtures should be retained. Recessed or ceiling-mounted fixtures not visible from the street are appropriate.

F. New Construction

1. Definition—The construction of any freestanding structure on any lot.
2. General Principles—These guidelines shall apply only to the exteriors of buildings and to areas of lots visible from public rights-of-way. The public facades—front and street-related elevations—of proposals for new buildings shall be more carefully reviewed than other facades.

Since construction in a historic district has usually taken place continuously from the late nineteenth and early twentieth century's, a variety of building types and styles result which demonstrate the changes in building tastes and technology over the years. New buildings should continue this tradition while complementing and being compatible with other buildings in the area.

Reconstruction may be appropriate when it reproduces facades of a building which no longer exists and which was located in the historic district if the building would have contributed to the historical and architectural character of the area; if it will be compatible in terms of style, height, scale, massing, and materials with the buildings immediately surrounding the lot on which the reproduction will be built; and if it is accurately based on pictorial documentation.

Because new buildings usually relate to an established pattern and rhythm of existing buildings, both on the same and opposite sides of a street, the dominance of that pattern and rhythm must be respected and not disrupted.

New construction should be consistent with existing buildings along a street in terms of height, scale, setback, and rhythm; relationship of materials, texture, details, and color; roof shape; orientation; and proportion and rhythm of openings.

3. Guidelines for New Construction

- (a) Height—New buildings shall be constructed to the same number of stories and to a height which is compatible with the height of adjacent buildings.
- (b) Scale—The size of a new building, its mass in relation to open spaces and its windows, doors, openings, and porches should be visually compatible with the surrounding buildings.
- (c) Setback and Rhythm of Spacing—The setback from front and side yard property lines established by adjacent buildings must be maintained. When a definite rhythm along a street is established by uniform lot and building width, infill new buildings should maintain the rhythm.
- (d) Relationship of Materials, Texture, Details, and Material Color—The relationship and use of materials, texture, details, and material color of a new building's public

facades shall be visually compatible with and similar to those of adjacent buildings, or shall not contrast conspicuously.

- (e) ~~Roof Shape~~—The roofs of new buildings shall be visually compatible, by not contrasting greatly with the roof shape and orientation of surrounding buildings.
- (f) ~~Orientation~~—The site orientation of new buildings shall be consistent with that of adjacent buildings and shall be visually compatible. Directional expression shall be compatible with surrounding building, whether that expression is vertical, horizontal, or non-directional.
- (g) ~~Proportion and Rhythm of Openings~~—The relationship of width to height of windows and doors, and the rhythm of solids to voids in new buildings shall be visually compatible with the surrounding buildings.

~~4. Additions to Existing Buildings~~

~~New additions to existing buildings should be kept to a minimum and should be compatible in scale, materials and texture; additions should not be visually jarring or contrasting.~~

~~Additions should not be made to the public facades of existing buildings. Additions may be located to the rear of existing buildings in ways which do not disturb the public facades.~~

~~The creation of an addition through enclosure of a front facade porch is inappropriate and should be avoided.~~

~~5. Outbuildings~~

~~Garages and storage buildings should reflect the character of the existing house and surrounding buildings and should be compatible in terms of height, scale, roof shape, materials, texture, and details.~~

~~The location and design of outbuildings should not be visually disruptive to the character of the surrounding buildings.~~

~~4. Appurtenances~~

~~Appurtenances related to new buildings, including driveways, sidewalks, lighting, fences, and walls, shall be visually compatible with the environment of the existing buildings and sites to which they relate.~~

~~G. Demolition~~

~~Definition—The tearing down of a building.~~

~~General Principle—Since the purpose of historic zoning is to protect historic properties, the demolition of a building which contributes historically or architecturally to the character and significance of the district is inappropriate and should be avoided.~~

~~Demolition may be inappropriate:~~

- ~~1. If a building is of such architectural or historical interest and value that its removal would be detrimental to the public interest;~~
- ~~2. If a building is of such old, unusual or uncommon design and materials that it cannot be reproduced or be reproduced without great difficulty and expense; or,~~
- ~~3. If its proposed replacement would make a less positive visual contribution to the district, would disrupt the character of the district, or would be visually incompatible.~~

Demolition may be appropriate:

1. If a building has lost its architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
2. If a building code does not contribute to the historical or architectural character and importance of the district and its removal will result in a more positive, appropriate visual effect on the district; or,
3. If the denial of the demolition will result in an economic hardship on the applicant as determined by the BHZC.

12.06 — Provisions Governing the Business Square Historic District

- A. The Business Square Historical/Cultural District is defined in Ordinance #2007-836 and is shown on the following page.
- B. Uses Permitted—The uses permitted in the use regulations of the underlying district in which the site, structure or area is located shall govern.
- C. Uses Permitted as Special Exceptions—Any use permitted in the special exception regulations of the underlying district in which the site, structure or area is located shall govern.
- D. Alterations to Existing Buildings and Property—Alterations to Existing Buildings and Property is defined as “A change in building material; the addition or elimination of any architectural feature of a structure; a repair that reconstructs any part of an existing building, an addition that extends or increases floor area or height of any building, or construction of an appurtenance. Any change in physical appearance (including exterior painting) shall require a building permit. Permit fees for alterations, repairs or construction totaling less than \$5,000 will be \$15.00. Permit fees for alterations, repairs or construction totaling \$5,000 or more will be assessed using the city’s permit fee schedule.

1. General Principles

These guidelines shall apply only to the exteriors of buildings and to areas of lots visible from public rights-of-way.

Proposals for exterior work to be done on public facades—front and street-related elevations—shall be more carefully reviewed than that to be done on other facades.

Every reasonable effort shall be made to provide a compatible use for a property, requiring minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided.

All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

Deteriorated architectural features shall be repaired rather than replaced whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that damage historic building materials shall not be undertaken.

Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, size, scale, color, material, and character of the property, neighborhood, or environment.

(MAP MOVED)

Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

E. Alterations and New Construction

1. Definitions

Alteration is defined in 10.05 Section D.

New Construction is defined as the construction of any freestanding structure on any lot.

2. General Principles

These guidelines shall apply only to the exteriors of buildings and to areas of lots visible from public rights-of-way.

The public facades—front and street-related elevations—of proposals for new buildings shall be more carefully reviewed than other facades.

Since most construction in a historic district has usually taken place continuously from the late nineteenth and early twentieth centuries, a variety of building types and styles result which demonstrate the changes in building tastes and technology over the years. New buildings should continue this tradition while complementing and being compatible with other buildings in the area.

Reconstruction may be appropriate when it reproduces facades of a building which no longer exists and which was located in the historic district if the building would have contributed to the historical and architectural character of the area; if it will be

compatible in terms of style, height, scale, massing, and materials with the buildings immediately surrounding the lot on which the reproduction will be built; and if it is accurately based on pictorial documentation:

Because new buildings usually relate to an established pattern and rhythm of existing buildings, both on the same and opposite sides of a street, the dominance of that pattern and rhythm must be respected and not disrupted.

New construction should be consistent with existing buildings along a street in terms of height, scale, setback, and rhythm; relationship of materials, texture, details, and color; roof shape; orientation; and proportion and rhythm of openings.

Original windows should not be filled in. Boarded windows are not allowed in the Business Square District. All buildings with boarded windows have six (6) months after the legislative passage of this ordinance to remove the boards and replace the windows with glass or architectural shutters.

Original door openings should not be filled in. Boarded up doors are not allowed in the Business Square District. All buildings with boarded doors have six (6) months after the legislative passage of this ordinance to remove the boards and install doors.

The approved colors for building exteriors are on file with the Building Inspector. Any other color must be approved by the BHZC.

Metal awnings are prohibited.

Signage must be compatible with the historic district and must be approved the building inspector.

3. Guidelines for New Construction

All new construction within the Business Square District shall have brick or drivit veneer public facades. Brick or drivit veneer shall constitute at least thirty (30) percent of the public façade. Building fronts shall have no more than forty (40) percent glass coverage. Backs of buildings which face a street must be constructed with the same type of material used on the front of the building. The use of aluminum siding or other such trim work is prohibited in the Business Square District. Any other proposed material, public façade coverage or glass coverage shall be reviewed by the BHZC.

(a) Height—New buildings shall be constructed to the same number of stories and to a height which is compatible with the height of adjacent buildings.

(b) Scale—The size of a new building, its mass in relation to open spaces and its windows, doors, openings, and porches should be visually compatible with the surrounding buildings.

(c) Setback and Rhythm of Spacing—The setback from front and side yard property lines established by adjacent buildings must be maintained. When a definite rhythm along a street is established by uniform lot and building width, infill new buildings should maintain the rhythm.

(d) Relationship of Materials, Texture, Details, and Material Color—The relationship and use of materials, texture, details, and material color of a new building's public facades shall be visually compatible with and similar to those of adjacent

buildings or shall not contrast conspicuously. Approved colors are on file with the City of Brownsville's Building Inspector.

- (e) ~~Roof Shape~~—The roofs of new buildings shall be visually compatible, by not contrasting greatly with the roof shape and orientation of surrounding buildings.
- (f) ~~Orientation~~—The site orientation of new buildings shall be consistent with that of adjacent buildings and shall be visually compatible. Directional expression shall be compatible with surrounding building, whether that expression is vertical, horizontal, or non-directional.
- (g) ~~Proportion and Rhythm of Openings~~—The relationship of width to height of windows and doors, and the rhythm of solids to voids in new buildings shall be visually compatible with the surrounding buildings.
- (h) ~~Additions to Existing Buildings~~—New additions to existing buildings should be kept to a minimum and should be compatible in scale, materials and texture; additions should not be visually jarring or contrasting. Additions should not be made to the public facades of existing buildings. Additions may be located to the rear of existing buildings in ways which do not disturb the public facades.
- (i) ~~Outbuildings~~—Outbuildings are prohibited.
- (j) ~~Appurtenances~~—Appurtenances related to new buildings including sidewalks, lighting and walls, shall be visually compatible with the environment of the existing buildings and sites to which they relate.

F.—Demolition

1.—Definition—The tearing down of a building.

2.—General Principle—Since the purpose of historic zoning is to protect historic properties, the demolition of a building which contributes historically or architecturally to the character and significance of the district is inappropriate and should be avoided. Buildings in the Business Square district sharing a common wall shall be required to submit a written assessment and recommendation to the City of Brownsville's Building Inspector prior to demolition of a common wall.

3.—Guidelines

(a) Demolition is inappropriate:

- (1) If a building is of such architectural or historical interest and value that its removal would be detrimental to the public interest;
- (2) If a building is of such old or unusual or uncommon design and materials that it could not be reproduced or be reproduced without great difficulty and expense;
- or
- (3) If its proposed replacement would make a less positive visual contribution to the district, would disrupt the character of the district, or would be visually incompatible.

(b) Demolition is appropriate:

- (1) If a building has lost its architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
- (2) If a building does not contribute to the historical or architectural character and importance of the district and its removal will result in a more positive, appropriate visual effect on the district; or;

(3) ~~If the denial of the demolition will result in an economic hardship on the applicant as determined by the BHZC,~~

SECTION 2 That Chapter 12 becomes Chapter 7;

SECTION 3 That Chapter 7 becomes Chapter 8;

SECTION 4 That Chapter 10 becomes Chapter 9;

SECTION 5 That Chapter 11 becomes Chapter 10;

SECTION 6 That Chapter 8 becomes Chapter 11;

SECTION 7 That Chapter 9 becomes Chapter 12;

SECTION 8 That the new Chapters 7 thru 12 are renumbered according and that any reference to these Chapters or contained sections be properly referenced;

SECTION 9 That the new Chapter 12 include the following "and Legal Status" in the chapter title;

SECTION 10 This Ordinance shall take effect from and after its passage, the health safety and welfare of the City requiring it.

Passed First Reading: _____
Date

Public Hearing: _____
Date

Passed Second Reading: _____
Date

Bill Rawls, Mayor

Attest:

Lisa Brooks, City Clerk



Property Assessor • Haywood County

11 SOUTH LAFAYETTE AVE. • BROWNSVILLE, TN 38012 • (731) 772-0432

DARE T. SIMPSON
Assessor of Property

RECEIVED
JUN 01 2015

CITY OF BROWNSVILLE

CITY OF BROWNSVILLE CHANGE OF ASSESSMENT CERTIFICATION

I hereby certify the change shown below to be correct for the 2013 Tax Year and authorize the Clerk to make this change in the tax book.

Property Owner: 123 Market Inc DBA Market Place

Address: 1110 N. McLemore Ave Brownsville, TN 38012

Map: 066K I Parcel: 015.00 P/I P S/I: 001

Property Address: 1110 N. McLemore Ave. Lot Size/Acreage _____

Reason for Change: Correction of error-Double Assessed-Incorrect Group I , should be Group K, already on tax roll

Prior Assessment:	750	Taxes:	\$14
New Assessment:	0	Taxes:	\$0

Referred

Classification: Commercial TP Updated Classification: _____

Date: 18-May-15 By: Dare T. Simpson, Assessor of Property
Dare T. Simpson, Assessor of Property

cc/dts: Property Owner:
Clerk:
File:
Card:

Assessor's Responsibility – By state law, it is the responsibility of the Assessor to locate, identify, and appraise, (at fair market value,) all property subject to ad valorem taxes, maintain property value roll equity and process allowable exemptions. The Assessor has no jurisdiction or responsibility for budgets, tax rates, or amount of taxes paid. These matters are handled by the various taxing authorities performing services, such as the County Government, City Governments, and other taxing districts.



WEST TENNESSEE DELTA HERITAGE CENTER

I-40 at Exit 56 · 121 Sunny Hill Cove · Brownsville, Tennessee 38012

June 1, 2015

May 2015

	Attendance	Gift Shop	Donations
January 2015	1270	\$1,040.57	\$ 0.00
February 2015	718	\$ 775.25	\$ 0.00
March 2015	1812	\$1,211.70	\$620.00
April 2015	2053	\$2,782.84	\$243.00
May 2015	5547	\$3114.67	\$549.00

Center Activities

- May 6: Tour, Madison County Parks & Recreation
- May 7: Tour, Rose Hill Middle School, Jackson
- May 7: Hosted Henry County Chamber for National Tourism Week
- May 7: Tour, Girls Scouts
- May 12: Tour, Bolivar Central High
- May 14: Hosted WT Blues Society Annual Meeting
- May 15: Hosted, Humanities TN Reception
- May 21: Hosted Exit 56 Poster Unveiling & Partner Reception
- May 23: Exit 56 Blues Fest
- May 26: Hosted TN ECD Listening Tour
- May 29-31: Hatchie BirdFest

Director's Activity:

- May 4: Attended Americana Music Triangle TN Launch, Franklin, TN
- May 5: Radio appearance Jammin Jackson, 97.7 FM Community Focus program
- May 7: Participated in TN Association of Museums Board Conference call
- May 8: Attended Americana Music Triangle Launch, Clarksdale MS
- May 9: Participated in Hatchie NWR 50th Anniversary
- May 18: Guest on Brownsville Radio for Exit 56 Blues Fest
- May 20: Guest on WBBJ Channel 7 TV for blues Fest
- May 21: Met with Tourism Commissioner/ Welcome Center listening tour
- May 28: Guest Brownsville Radio for Hatchie BirdFest

Volunteers:

298 hours - Adult Volunteers 8 hours - Student Volunteers

Inquiries/Requests:

163 - Information inquiries/leads from TN Vacation Guide ad

Social Media Sites/Stats:

Website (2015) 5,631 page views | 3,536 unique visitors | 3,079 1st time users | 457 returning visitors

Facebook: WTDHC - 1253 Exit 56 BF - 707 H. BirdFest - 221 TinaTurnerHD - 1685

Twitter Followers: 674

Instagram Followers: 168

Sonia Outlaw-Clark, Director

Phone: 731.779.9000 · Fax: 731.779.9001 · Cell: 731.780.5144 · E-mail: soutlawclark@bellsouth.net

Brownsville City Board Meeting
Tuesday, June 9, 2015
Main Street Brownsville Report
By
Mary Ann Sharpe, Director

Committee Updates:

Design:

- Hanging baskets and flower pots have been moved to the district: court square, Dunbar Carver and CP Boyd gazebo. I have received very positive comments on them.
- Working with Clinton Neal on fundraiser. More information to follow.

Promotion:

- Promoting events and businesses in the Main Street District- Currently preparing for the first International Riders and Rockabilly Music & Cultural Festival-July 16th-July 19th-Summer Jamz.
- Working to add business information to the MSB website.

Economic Restructure:

- Standing meetings the 2nd Monday of every month at 5:15, Teknor Apex.
- Offering support for two incubator businesses. Met with Ron Acree recently to discuss business plan, feasibility statement, etc...

Organization:

- Heritage Tour themes have been selected and given to Encore. Waiting to hear back from them. Heritage Tour committee is made up of Rhonda Thompson, Susan Sills, Almata Ellis, Tom Callery and Mary Ann Sharpe.

Director Report:

- New board members approved: Joey Conner, Greg Emery, Tim Chapman and Diana Jarrett. Mayor Smith has elected Janice Rogers as county representative. Jim McAdams has agreed to be the Main Street Brownsville/Chamber of Commerce liaison. Hayden Hooper, Jo Matherne and Sharon Hayes terms will expire June 30, 2015. New officers' effective July 1, 2015.
- New board orientation is June 15th @ 5:15, MSB office.
- Tennessee Main Street Program and Tennessee Downtowns CDBG commercial façade grant deadline is July 17th. Melissa Davis at SWTDD has been contacted to write the grant. Discussions are underway as to which buildings to target for the next round. Property owners will be contacted and given the opportunity to participate.
- Creative Placemaking Grant available. Looking at different buildings and ideas as to how MSB would qualify and use this money if awarded.

Main Street Brownsville Mission Statement

To enrich the quality of life for citizens of Haywood County by revitalizing the economy, enhancing the historical charm, and preserving the architectural and cultural heritage of Brownsville's Main Street district.

BROWNSVILLE POLICE DEPARTMENT
Chris W Lea, Chief of Police
118 North Lafayette Ave
Brownsville, Tennessee 38012

MONTHLY ACTIVITIES FOR MAY 2015

MONTHLY PATROL DIVISION TOTALS

Reports:	186
Arrest:	56
Citation:	69
Warning:	68
Calls For Service:	957

DRUG ACTIVITY / ARREST REPORT

Number of Arrest:

Adults:	05
Juveniles:	00

CRIMINAL INVESTIGATIONS

New Cases:	11
Arrests:	02
Closed Administratively:	00

JUVENILE SERVICE DIVISION

Calls For Service:	01
Reports:	01
Arrest:	01
Court Cases:	01

NARCOTICS DIVISION

Seized \$2,000.00 cash
115 Grams of Crack Cocaine

COMMUNITY EVENTS

Conducted 5 programs at the elementary schools
2 cookouts at Eastside School
Participated in the Hands Across the Border press conference in Jackson
Participated in Click it or Ticket Campaign
Participated in 1 Neighborhood Watch Meeting
Participated in several community meetings and gatherings:
Iola Street Safety Day
Relay for Life
Blues Festival
Ward 1 Clean Up Day

CITY OF BROWNSVILLE-FIRE DEPT.

POB. 375
19 W. FRANKLIN
BROWNSVILLE, TN 38012

Phone (731) 772-1396
Fax (731) 772-1275

FIRE CALLS

COUNTY MAY 2015

STRUCTURE - 0
VEHICLE - 4
ACCIDENTS - 16
ALARMS - 2
GRASS - 0
MEDICAL - 0
EXTRICATION - 0
HAZARDOUS MATERIALS - 0
FATALITIES - 0
DUMPSTERS - 0
TOTAL COUNTY CALLS - 22

CITY

DUMPSTER - 0
STRUCTURE - 3
VEHICLE - 0
ACCIDENTS - 5
ALARMS - 3
GRASS - 0
HAZARDOUS MATERIALS - 0
MEDICAL - 0
EXTRICATION - 0
RESCUE - 0
FATALITIES - 0
TOTAL CITY CALLS - 11

TOTAL # CALLS FOR THE MONTH OF MAY 2015 = 33

6 EDUCATION & PREVENTION PROGRAMS WITH 701 CONTACTS.

MONTHLY REPORT

MAY2015

To whom it may concern:

One our biggest projects every spring is planting flowers on the court square .We keep the beds mulched and weeded year-round.

The curbs of these flower beds around the court square were designed in a poor manner .Public Works men removed and replaced the curbs on both sides of the square at a suitable distance so the truck damage was eliminated.

To keep our uptown looking clean and beautiful, the Mayor gave us permission to clean up the old bank drive –thru terrace on the corner of Jackson Ave and East Main across the street from Smith Lumber Company.

We have spent several days with asphalt, patching utility cuts and potholes. The winter weather caused a lot of damage this year. The Sanitation Dept. purchased their new garbage truck .This is the big one that empties all the trains and dumpsters .The roll-offs are going well.

The cemeteries,highways , and islands around town are being cut weekly .

Bobby Mayer

Thank You For All You Do

City of Brownsville
Employee Appreciation
Cookout

Friday, June 12, 2015

11:00 a.m.—1:00 p.m.

City Hall Parking Lot

