

SECRETARY OF THE  
INTERIOR'S STANDARDS FOR  
REHABILITATION AND  
GUIDELINES FOR  
REHABILITATING HISTORIC  
BUILDINGS:

A federal document stating standards and guidelines for the appropriate rehabilitation and preservation of historic buildings.

SEMI-PUBLIC USES:

Churches, Sunday schools, parochial schools, colleges, hospitals, and other institutions of an educational, religious, charitable or philanthropic nature.

SPECIFIED ANATOMICAL  
AREAS:

1. Less than completely and opaquely covered:  
(a) human genitals, pubic region, (b) buttock, and (c) female breast below a point immediately above the top of the areola; and
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL  
ACTIVITIES:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse or sodomy;
3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

- STRUCTURE:** Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment to something having a fixed location on the ground, including, in addition to buildings, billboards, carports, porches, swimming pools, and other building features but not including sidewalks, drives, fences and porches without a roof or enclosed sides.
- STRUCTURE - HEIGHT OF:** The vertical height measured from the elevation of the curb to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of a gabled roof.
- SUPPLY YARDS:** A commercial establishment storing or offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods. Supply yards do not include the wrecking, salvaging, dismantling or storage of automobiles and similar vehicles.
- TOWNHOUSE(S):** A one-family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit and each unit is separated from another unit by a common wall.
- TRANSIENT:** Any individual residing or stopping in a city for less than thirty (30) days at any one time.
- YARD, FRONT:** An open, unoccupied space across the full width of the lot, extending from the front line of the building to the front property line of the lot.
- YARD, REAR:** An open, unoccupied space across the full width of the lot extending from the rear line of the building to the rear property line of the lot.

**YARD, SIDE:**

An open, unoccupied space extending from the front yard to the rear yard line between a building and the nearest side of the lot.

## **ARTICLE 7 - HISTORIC RESOURCES PROTECTION**

**701 STATEMENT OF INTENT:** The intent of this Article is to provide a comprehensive framework for the preservation of historic sites, objects, buildings, structures, and districts in the City of Erie, as provided by Article VI of the Pennsylvania Municipalities Planning Code. It is the further intent of this Article to support the purposes of Article 1, §27 of the Constitution of the Commonwealth of Pennsylvania.

**702 OVERVIEW OF PROVISIONS:** This Article provides for a Historic Overlay District (or Districts), for the City of Erie, which affects historic resources. Identified historic resources include, but are not necessarily limited to, historic structures, buildings, objects, or sites. This district(s) is (are) shown on the City of Erie Zoning Map as the Historic Overlay (HO) District. Owners of structures in the Historic Overlay District must comply with the provisions of this Article, as well as the provisions of the underlying zoning district.

**703 ZONING OVERLAY CONCEPT:** The “Zoning Map, City of Erie, Pennsylvania” may be amended to show one or more Historic Overlay Districts: An overlay zone may encompass one or more underlying zoning districts and imposes additional requirements above that required by the underlying zone. The HO District is designed for the purposes of historic preservation.

A. Historic Resources Map shall be kept on file at the office of the Zoning Officer. This map will be based upon comprehensive surveys and inventories of historic/cultural resources. The map may contain all, or portions, of the City. No request for a Historic Overlay District will be allowed until the necessary survey and inventory have been completed for the area in question. If the area under consideration does not appear on the Historic Resources Map, it shall be the obligation of the proposer(s) to present the necessary documentation, including a Historic Resources Inventory. The Zoning Officer shall consult with the Design Review Committee and other appropriate organizations to verify that the information presented is accurate, authentic and appropriate for the requested designation.

B. Notice. Notice will be given to all owners of properties classified as Identified Historic Resources, when their property is to be included in the HO District.

C. Revisions. The Historic Resources Map may be revised or amended from time to time by action of the City.

D. In considering the preparation of, or any revision, including additions, deletions, or changes to a Historic Resources map, the City may request a written recommendation from the Erie County Historical Society.

**704 IDENTIFIED HISTORIC RESOURCES:** Determination of the City's Identified Historic Resources shall be made by the City of Erie in accordance with:

Historic Resources Inventory. The City shall maintain an inventory of Identified Historic Resources shown on the Historic Resources Map, and shall update such inventory at such time(s) as the City revises the Historic Resources Map in accordance with this Article.

Compliance. Any change or alteration of to a historic resource in the HO District shall occur only in full compliance with the terms of this Article.

Should the Historic Overlay District be revised as a result of legislative or administrative action or a judicial decision, the zoning requirements and other regulatory measures applicable to any properties deleted therefrom shall be those of the underlying zoning district without consideration of this Article.

**705 PROVISIONS WHICH APPLY TO ALL STRUCTURES  
EXISTING OR PROPOSED WITHIN THE HISTORIC OVERLAY  
DISTRICT:**

A. Changes to Identified Historic Resources.

1. Alterations, modifications, removal, or demolition of Identified Historic Resources in on the Historic Overlay District shall not be approved nor a building permit issued until such action has been reviewed by the Zoning Officer.

2. The Design Review Committee shall advise the Zoning Officer on matters relating to applications in the HO District. The Committee shall have twenty-one (21) days to make its recommendations from the date the Zoning Officer forwards a copy of such application(s) required under this Article.

3. The provisions of this Article shall not be construed to prevent the ordinary maintenance or repair of any building, structure, site, or object where such work does not require a permit and where the purpose and effect of such work is to correct any deterioration or decay of, or damage to, a building, structure, site, or object and to restore the same to its condition prior to the occurrence of such deterioration, decay, or damage.

4. No building, site, structure, or object located in whole or in part within the Historic Overlay District shall be erected, and the Zoning Officer shall issue no permit for such action, until a permit is obtained from the City. The City shall pass upon the appropriateness of exterior architectural features only where they can be seen from a public street or way, and shall consider the general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings and structures in the district.

## 706 APPLICATION PROCEDURES:

### A. Application for Permit.

1. The application for a permit required to obtain a building, or other permit, or as required before exterior alteration to any building or structure located within a Historic Overlay District may begin, shall be filed with the Zoning Officer, together with the required filing fee.

The application shall include:

- (1) a site plan at a scale of one (1) inch to forty (40) feet;
- (2) schematic architectural drawings of the proposed construction or changes, at a scale of one (1) foot to one quarter (1/4) inch; and
- (3) elevations drawn to scale showing alterations as seen from public right-of-ways; and
- (4) a certification by an architect that the construction, alteration, modification, or rehabilitation proposed by the application is consistent with Section 706 of this Article.

### B. Standards of Appropriateness. The standards to be used by the City in determining the appropriateness of any proposed action shall be those contained in §707 of this Article.

## 707 STANDARDS AND CONSIDERATIONS FOR ARCHITECTURAL REVIEW:

A. Rehabilitation Standards. The Secretary of Interior's *Standards for Rehabilitation*, presented in this Subsection, should guide any applicant for a building permit and will be considered by the City in the review of such application.

1. A property shall be used for its current purpose or be placed in a new use consistent with the underlying district.
2. The historic character of the property shall be retained and preserved. The removal of historic materials or alterations of features and spaces that characterize a property shall be avoided.
3. Each property shall 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 architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. New materials, exterior alterations, or related construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

9. New additions and adjacent or related new construction shall 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.

B. Consideration for Design Review. Among the criteria used in evaluating any proposed reconstruction, alteration, or restoration of an Identified Historic Resource, or construction of a new building, structure, or object, the City shall consider the following, where relevant:

1. Mass (height, bulk, nature of roof line)
2. Proportions (height to width)
3. Consistency with architectural style with nearby structures within the HO District.
4. Nature of yard space
5. Extent of landscaped areas versus paved areas

6. The nature of facade opening (doors and windows), including size, locations, and proportions
7. Type of roof (flat, gabled, hip, gambrel, mansard, etc.)
8. Nature of projections (porches, etc.)
9. Nature of the architectural details and style
10. Nature of the materials
11. Color
12. Texture
13. Ornamentation
14. Signs

## **708 VIOLATIONS, PENALTIES, AND ENFORCEMENT**

- A. **Violations and Penalties.** Any person who violates the terms of this Article shall be subject to the fines and penalties imposed by this Ordinance.