

Chapter 26

Local Historic District

Part 1

Local Historic District

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Part 1**Local Historic District****§26-101. Designation of Districts.**

1. *Purpose.* Structures or districts with special historic, cultural, architectural or educational significance enhance the quality of life for all residents of the Borough of West Homestead, Allegheny County, and the Commonwealth of Pennsylvania. Accordingly, the purposes of the Local Historic District(s) are:

A. To protect that portion(s) of the Borough reflecting the cultural, economic, social, political, and architectural history of the Borough of West Homestead, Allegheny County, the Commonwealth of Pennsylvania, and the Nation.

B. To preserve property values, attract future residents, and strengthen the local economy.

C. To foster public education, awareness of local history, and civic pride in the beauty and accomplishments of the past.

D. To establish special development requirements and procedures to assure that new construction, reconstruction, alteration, rehabilitation, restoration, or demolition of buildings within the district(s) enhances the character of the district(s).

2. *Boundaries.* The boundaries of the local historic district are the same as the boundaries of the National Historic District as listed on the National Register of Historic Places. These boundaries are as follows:

A. Beginning at the point of intersection of the northerly right-of-way line of Seventh Avenue and the westerly right-of-way line of Mesta Street; thence northeastwardly along the northerly right-of-way line of Seventh Avenue to its point of intersection with the westerly right-of-way line of Howard Street; thence northwestwardly along the westerly right-of-way line of Howard Street to its point of intersection with the northerly right-of-way line of Sixth Avenue; thence northeastwardly along the northerly right-of-way line of Sixth Avenue and continuing along the northerly property line of Allegheny County Block & Lot System Parcel 130-N-130 to its point of intersection with the property line separating Allegheny County Block and Lot System Parcels 130N-130 and 130-N-150; thence southeastwardly along said property line to its point of intersection with the northerly right-of-way line of Seventh Avenue; thence northeastwardly along the northerly right-of-way line of Seventh Avenue to its point of intersection with the center line of Hays Street, which is also the municipal boundary line separating the Borough of West Homestead and the Borough of Homestead; thence southeastwardly along the center line of Hays Street to its point of intersection with the extended southerly right-of-way line of Hazel Way; thence southwestwardly along the southerly right-of-way line of Hazel Way to its point of intersection with the easterly property line of Allegheny County Block & Lot System Parcel 130N-23; thence southeastwardly along said property line to its point of intersection with the southerly property line of said parcel; thence southwestwardly along said property line to its point of intersection with the

westerly property line of said parcel; thence northwestwardly along said property line to its point of intersection with the southerly right-of-way line of Hazel Way; thence southwestwardly along the southerly right-of-way line of Hazel Way to its point of intersection with the easterly property line of Allegheny County Block & Lot System Parcel 131-A-76; thence southeastwardly along said property line to its point of intersection with the northerly right-of-way line of Ninth Avenue; thence southwestwardly along the northerly right-of-way line of Ninth Avenue to its point of intersection with the westerly property line of Allegheny County Block & Lot System Parcel 131A-76; thence northwestwardly along said property line to its point of intersection with the southerly right-of-way line of Hazel Way; thence southwestwardly along the southerly right-of-way line of Hazel Way to its point of intersection with the easterly right-of-way line of Sarah Street; thence southwardly and perpendicular to Sarah Street to the point of intersection of the westerly right-of-way line of Sarah Street and the southerly right-of-way line of Walnut Street; thence southwestwardly along the southerly right-of-way line of Walnut Street to its point of intersection with the easterly property line of Allegheny County Block & Lot System Parcel 131-A-218; thence southeastwardly along the easterly property line of said parcel to its point of intersection with the southerly property line of said parcel; thence southwestwardly along the said property line to its point of intersection with the westerly property line of said parcel; thence northwestwardly along said property line extended to its point of intersection with the northerly right-of-way line of Walnut Street; thence southwardly along the northerly right-of-way line of Walnut Street extended to its point of intersection with the southerly right-of-way line of an unnamed street that connects and is perpendicular to Laurel Street and Forest Avenue; thence southwestwardly along the southerly right-of-way line of said unnamed street to its point of intersection with the westerly right-of-way line of Shady Lane; thence southeastwardly along the westerly right-of-way line of Shady Lane to its point of intersection with the property line separating Allegheny County Block & Lot System Parcels 90-H-50 and 131-E-30; thence southwestwardly along said property line extended to its point of intersection with the westerly right-of-way line of Forest Avenue; thence southeastwardly along the westerly right-of-way line of Forest Avenue to its point of intersection with the property line separating Allegheny County Block & Lot System Parcels 131-E-7 and 131-E-12; thence southwestwardly along said property line a distance of 217.8 feet; thence northwestwardly a distance of approximately 117.2 feet to the point of intersection of the westerly property line of Allegheny County Block & Lot System Parcel 131-E-12 and the southerly property line of Allegheny County Block & Lot System Parcel 90-H-54; thence northwestwardly along the southerly property lines of Allegheny County Block & Lot System Parcels 90-H-54, 90-H-56, 90-H-64 and 90-H-74 extended to the point of intersection with the southerly right-of-way line of Doyle Avenue; thence southwestwardly along the southerly right-of-way line of Doyle Avenue to its point of intersection with the westerly right-of-way line of Calhoun Avenue; thence southeastwardly along the westerly right-of-way line of Calhoun Avenue to its point of intersection with the northerly right-of-way line of Conway (Mestaland) Avenue; thence southwestwardly along the northerly right-of-way line of Conway (Mestaland) Avenue to its point of intersection with the property line separating Allegheny County Block & Lot System Parcels 90-L-40 and 90-L-41; thence northwestwardly along said

property line extended to its point of intersection with the northerly right-of-way line of Doyle Avenue; thence southwestwardly along the northerly right-of-way line of Doyle Avenue a distance of approximately 430 feet; thence northwestwardly along an imaginary line perpendicular to Doyle Avenue to the point of intersection of the northerly right-of-way line of Eighth Avenue and the property line separating Allegheny County Block & Lot System Parcels 90-L-1 71 and 90-L-1 72, and continuing along said property line to its point of intersection with the northerly property line of Allegheny County Block & Lot System Parcel 90-L-171; thence northeastwardly along said northerly property line to its point of intersection with the westerly property line of Allegheny County Block & Lot System Parcel 90-L-170; thence northwestwardly along said westerly property line extended to its point of intersection with the northerly right-of-way line of Seventh Avenue; thence northeastwardly along the northerly right-of-way line of Seventh Avenue to its point of intersection with the westerly right-of-way line of Mesta Street, the point of beginning.

(Ord. 584, 4/10/2001, §1)

§26-102. Historical Architectural Review Board.

A Historical Architectural Review Board (HARB) is hereby created subject to the following requirements:

A. Membership.

(1) The Historical Architectural Review Board shall be a joint municipal board of the Boroughs of Homestead, West Homestead and Munhall. Members shall be appointed by the Borough Councils. It shall be composed of not less than 11 members. One member shall be a registered architect appointed at-large by the three Borough Councils; one member shall be a licensed real estate broker appointed at-large by the three Borough Councils; one shall be a building inspector or borough engineer of each of the three Boroughs; and the remaining six members shall be two persons from each of the three Boroughs who are residents of that Borough and who have knowledge of and interest in the preservation of historic districts.

(2) Each Board member shall serve a term of 3 years and may be reappointed for an unlimited number of terms by the Borough Councils. Board members shall serve without compensation, but shall be reimbursed for any personal expenditures in the conduct of HARB business.

(3) Board members are required to disqualify themselves from voting on any project in which their own financial interests are directly or indirectly involved.

B. Meetings.

(1) The Historic Architectural Review Board shall meet monthly at a regularly prescribed date and meeting place, and at other times as its chairperson may deem necessary. All meetings of the HARB shall be open to the public. A simple majority of the HARB shall constitute a quorum, and action taken at any meeting shall require the affirmative vote of a majority of the board members present.

(2) The HARB shall adopt such rules and regulations as it considers

necessary in the administration of its duties. It shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote. Indicating such fact. It shall keep records of its hearings and other official actions all of which shall be immediately filed with the Borough Secretary and shall be a public record.

(3) The HARB shall prepare an annual report of its activities and present it to the Borough Council(s) by February 1 of each year.

C. *Powers and Duties.* The HARB shall have the power and duty to:

(1) Coordinate local historic preservation efforts with those of the Pennsylvania History and Museum Commission and the National Trust for Historic Preservation.

(2) Sponsor public information activities, when deemed appropriate, publicizing historic preservation efforts, including speaking engagements, press releases, the preparation and publication of maps, brochures and descriptive materials in the Boroughs, etc.

(3) Conduct an inventory and classify historic resources according to the criteria in this Section.

(4) Recommend areas and buildings to the Borough Council(s) for designation as local historic districts.

(5) Review and make recommendations to the Borough Council(s) on applications for certificates of appropriateness pursuant to the requirements of this Section.

(6) Develop and recommend to the Borough Council(s) specific guidelines for each historic district prior to the establishment of such district, delineating specific criteria for the approval of certificates of appropriateness, in addition to the criteria listed in this Section.

(7) To recommend the establishment of an appropriate system of markers for selected historic and/or architectural sites, buildings and structures, including proposals for the installation and care of such historic markers.

(8) To advise owners of historic buildings on problems and issues of preservation, renovation, restoration, and maintenance.

(Ord. 584, 4/10/2001, §2)

§26-103. Classification of Historic Resources.

Historic resources included in a historic district may include: individual structures, or groups of structures, land, or land and structures in combination, provided that the resource has architectural or historical significance to the community.

A. *Classification of Historic Districts.* The following kinds of districts may be included as Historic Districts established by the Borough Council:

(1) *National Register Historic District.* An area listed as a historic district on the National register of Historic Places.

(2) *Local Historic District.* An area designated as a historic district by local ordinance which has been certified as significant by the Pennsylvania Historical and Museum Commission according to the provisions of the Historic

District Act (Act 167 of 1961).

B. *Classification of Structures within Historic Districts.* Within any Historic District, all principal structures shall be classified based on their contribution to the overall character and integrity of the district in the following categories:

(1) *Significant.* Structures that are outstanding examples of the architecture of the district or of major importance in the history of the district.

(2) *Contributing.* Structures that may lack individual significance, but which contribute to the overall historic or architectural character of the district.

(3) *Non-contributing or Intrusion.* Structures that do not contribute to the overall historic or architectural character of the district.

C. *Classification of Historic Resources not in Historic Districts.* Individual structures, groups of structures, land, or land and structures in combination, may be designated by the Borough Council(s) by ordinance as historic resources in the Historic District and shall be subject to the provisions of this Chapter. In designating properties not listed in historic districts for inclusion in a local Historic District, the following kinds of properties shall be eligible:

(1) Properties listed on the National Register of Historic Places or evaluated by the National Park Service or the Pennsylvania History and Museum Commission as eligible for listing on the National Register.

(2) Properties identified as having outstanding historic or architectural significance in a state historic resource survey or other competent inventory and with the recommendation of the HARB.

D. *Procedure for Designation.*

(1) The Historical Architectural Review Board shall have the responsibility of recommending to the Borough Council the adoption of ordinances designating sites or areas as local historic districts.

(2) Prior to the designation of any local historic district, the Historical Architectural Review Board shall submit to the Borough Council a report and recommendation on the historical and architectural significance of the site or area to be designated. Such report shall also attempt to provide an indication of the economic status of the property or properties under consideration for designation, including assessed value, recent real estate transactions or other appropriate data. The report shall also recommend the boundaries of any proposed historic district and recommend standards and guidelines for the approval of certificates of appropriateness in the proposed district.

(3) The recommendation of the Historical Architectural Review Board shall not become final until it is approved and adopted by the Borough Council.

(Ord. 584, 4/10/2001, §3)

§26-104. Allowable Uses.

1. *Permitted Uses.* All uses allowed as permitted uses in the appropriate zoning district shall be allowed in the Local Historic District, subject to the "certificate of appropriateness" requirements of §26-105, and the requirements of that zoning district.

2. *Conditional Uses.* Any uses allowed as conditional uses in the appropriate zoning districts shall be allowed as conditional uses in the local Historic District, subject to the requirements of this subsection and the "certificate of appropriateness" requirements of §26-105, below.

(Ord. 584, 4/10/2001, §4)

§26-105. Certificate of Appropriateness.

For all land and buildings located within a Local Historic District, a certificate of appropriateness must be approved by the Borough Council prior to the issuance of a building and/or demolition permit.

A. *Activities Requiring a Certificate.* With the exception of the uses and activities described in paragraph .B a certificate of appropriateness will be required for the following:

(1) The erection of any building or structure, including signs, within the local Historic District.

(2) The reconstruction, alteration or restoration of the exterior of any building or structure within the local Historic District.

(3) The razing, demolition or movement of any building or structure within the local Historic District.

B. *Exempt Activities.* A certificate of appropriateness shall not be required for alterations to building interiors or for normal repairs and maintenance to building exteriors, such as repainting, provided such repair and maintenance activity does not include any change in color or any structural alterations.

C. *Application Requirements.* Applications for certificates of appropriateness required by this Section shall be made to the Zoning Officer on forms provided, together with architectural sketches, elevations and other information described on the application form.

D. *Notice of Public Meetings.* Prior to considering any application for a certificate of appropriateness required by this Section, the Historical Architectural Review Board shall provide public notice of the date, time and location of the public meeting at which the Board shall consider the application for any such certificate. Such notice shall appear at least one time in a newspaper having general circulation in the Borough, and shall appear no less than 7 days prior to the date of such public meeting.

E. *Recommendation by the Historic Architectural Review Board.* Within 30 days after the public meeting to consider the application for a certificate of appropriateness, the Historical Architectural Review Board shall submit its written recommendation to the Borough Council.

F. *Action by the Borough Council.* After receipt of the recommendation from the Historical Architectural Review Board, or if no recommendation is received, then 60 days after the public meeting, the Borough Council shall at its next regularly scheduled Council meeting either:

(1) Issue the certificate of appropriateness.

(2) Issue the certificate of appropriateness subject to reasonable

conditions.

(3) Deny the certificate of appropriateness.

G. *Notice of Decision.* The Borough Council shall notify the applicant of its decision in writing and, in the case of a denial, specify the reasons therefor in writing and will send a copy to the Pennsylvania Historical and Museum Commission. In the letter of disapproval, it shall indicate what changes in plans and specifications are necessary to meet the conditions for protecting:

(1) The distinctive historical character of the district.

(2) The architectural integrity of the building or structure.

(*Ord. 584, 4/10/2001, §5*)

§26-106. Criteria for Review.

The recommendation and decision on an application for a certificate of appropriateness shall be based on the following standards as is applicable to the particular activity and/or use of the property and the buildings thereon:

A. *Standards for New Construction.* New construction in the local Historic District will be certified as appropriate if it is compatible with the scale and basic design elements of adjacent and neighboring buildings which are classified as significant and contributing and with distinguishing site design elements of the district. The intent is not to require or encourage new buildings to look like old buildings, but to assure pleasing and harmonious relationships between old and new that will maintain and strengthen the architectural character of the historic district. The following design elements shall be considered in the evaluation of the appropriateness of new construction:

(1) *Building Height.* New buildings should be constructed to a maximum height that is within 10% of the average height of neighboring buildings.

(2) *Elevation Proportion.* The relationship between the height and width of the front elevation of a new building should be within 10% of the average proportions of adjacent buildings.

(3) *Proportion of Openings.* The relationship of height to width of windows and doors of a building should be within 10% of the proportions of windows and doors of adjacent buildings.

(4) *Spacing of Windows and Doors.* The spacing of windows and doors in the front facade of a building should be similar to adjacent buildings.

(5) *Horizontal Lines.* Header and sill lines of a building should be located at similar heights or elevation as the horizontal lines of adjacent buildings.

(6) *Spacing of Buildings on Street.* Setbacks and side yards of new buildings should be similar to those on adjacent parcels. Placement of sidewalks and projection of porches should be similar to adjacent buildings.

(7) *Roofs.* The shape, style and material of the roof of a new building should be similar to the roofs of adjacent and surrounding buildings.

(8) *Building Materials.* Building materials should be compatible with materials commonly used within the historic district.

(9) *Color.* The predominant color of a building and the color of its trim

should be compatible with the colors of surrounding buildings.

(10) *Architectural Details.* The use of specific architectural elements and details such as porches, dormers, cornices, brackets, quoins, balustrades and the like may be used to strengthen the relationship of new construction to the existing architecture of the district. However, such detailing is not sufficient to assure appropriateness if the structure is not related to its surroundings in terms of massing, rhythm and proportions.

(11) *Landscaping.* The use of plant materials that are traditional in the district should be encouraged. Similarly encouraged is the use of paving and fence materials that are traditional in the district.

B. *Standards for Rehabilitation.* Except as provided in subsection 6.C. below, the following "Standards for Rehabilitation" shall be used by the Historical Architectural Review Board when determining if a rehabilitation project is appropriate. These standards are a section of the Secretary of the Interior's "Standards for Historic Preservation Projects," and appear in Title 36 of the Code of Federal Regulations, Part 1208 (formerly 36 CFR, Part 67).

(1) Every reasonable effort shall be made to provide a compatible use for a 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 features 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 recognized and respected.

(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 replaces, 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 feature 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) 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.

C. *Standards for Additions to Non-Contributing Structures.* The appropriateness of additions to non-contributing structures in local historic districts shall be judged primarily in terms of their visual impact on nearby properties. Additions should generally be certified as appropriate if their size is minor in relation to the total structure and if they do not significantly increase the visual appearance of incompatibility between the non-contributing structure and neighboring structures which are contributing or significant.

D. *Standards for Signs.* All signs within the Local Historic District shall comply with the sign regulations which are applicable in the underlying zoning district, unless excepted under the provision of this subsection hereunder, and with the additional special standards for signs contained elsewhere in the Borough's Zoning Ordinance [Chapter 27].

(1) A sign which meets the requirements of the applicable district must still be certified as appropriate in relation to the specific building on which it is to be located and in terms of compatibility with signs in the surrounding area; compliance with the applicable zoning district requirements does not guarantee approval of a certificate of appropriateness.

(2) The Historical Architectural Review Board may recommend and the Borough Council may issue a certificate of appropriateness for a sign which is not permitted by the regulations of the applicable zoning district if the proposed sign is shown to be historically accurate by documentation acceptable to the HARB.

E. *Standards for Demolition or Relocation of Structures.*

(1) In the case of a building to be razed, demolished, or moved, the Historical Architectural Review Board and the Borough Council shall consider the extent to which the loss of the building will detract from the local Historic District and the purposes of this Section; and the public benefit to be gained by preserving the building or district in comparison to any loss or hardship to be suffered by the property owner.

(2) If the initial recommendation of the Review Board is against the proposed demolition, a period of 90 days shall be provided during which the Review Board shall attempt to negotiate with the applicant in order to achieve an acceptable alternative to the proposed demolition. If agreement is not reached by the end of the 90-day period, the Review Board shall transmit its negative recommendation to the Borough Council which shall issue or deny a certificate of appropriateness based on its consideration of all of the informa-

tion presented. If the Borough Council authorizes issuance of a permit for demolition after a negative recommendation from the Review Board, a permit shall not be issued for 10 days, during which time the Historical Architectural Review Board may request, and the Borough Council may order that issuance of a permit be delayed for an additional 90 days in order to allow documentation of the resource prior to its destruction.

(Ord. 584, 4/10/2001, §6)

§26-107. Demolition by Neglect.

1. *Condition.* No person owning any building or structure within the local Historic District shall permit or cause such building or structure to suffer demolition by neglect.

2. *Definition.* "Demolition by neglect" exists where there is:

A. Deterioration of exterior walls or other vertical supports, roofs or other horizontal members, and external chimneys, such that the structural integrity of the building may be threatened or compromised.

B. Ineffective waterproofing of exterior walls, roofs and foundations causing or contributing to the deterioration specified in subsection .1 above.

C. Significant rotting and other forms of decay.

D. Creation of any hazardous or unsafe condition or conditions.

(Ord. 584, 4/10/2001, §7)

§26-108. Enforcement.

1. *Code Enforcement Officer.* The Code Enforcement Officer shall have such power to institute a proceeding at law or in equity to enforce the provisions of this Chapter as is provided elsewhere in the Code of Ordinances of the Borough.

2. *Fines.* The Borough Council shall establish and update by resolution a schedule of fees and a collection procedure relating to this Chapter.

A. Any person demolishing or razing or causing the demolition or razing of all or part of any building or structure without first obtaining a Certificate of Appropriateness in accordance with this Chapter shall be fined.

B. Any person permitting or causing demolition by neglect shall be subject to a fine per day for every day that said condition remains unabated or uncorrected after having received written notice of such condition from the Borough.

(Ord. 584, 4/10/2001, §8)