

DEMOLITION. *[Section 31.10 of the Ames Municipal Code]*

Demolition is any act that destroys in whole or in part the exterior of a building or structure in a historic district; or, destroys in whole or in part a designated historic landmark.

Section 31.10. CERTIFICATE OF APPROPRIATENESS.

(1) Any act of alteration, demolition, new construction, or relocation, as defined herein, shall require a Certificate of Appropriateness as further described below.

Furthermore, every application for a building permit or a demolition permit affecting the exterior architectural appearance of a designated landmark or of any contributing structure within a designated historic district shall be accompanied by an application for a Certificate of Appropriateness. Applicants shall be required to submit plans, drawings, elevations, specifications, and other information as may be necessary to make decisions. The Building Official shall not issue the building or demolition permit until a Certificate of Appropriateness has been approved.

(5) Demolition. Demolition of existing principal structures that are contributing structures or of a historic landmark shall be strictly prohibited except in the following instance:

The structure cannot be used for the original intended purpose and/or no alternative reasonable use can be identified and the property owner can show evidence that an economic hardship will be created if the structure cannot be removed. To prove economic hardship, the applicant may submit where appropriate to the applicant's proposal, the following information to be considered.

(a) Estimate of the cost of the proposed demolition, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Commission for changes necessary for the issuance of a Certificate of Appropriateness.

(b) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the structures or structures on the property and their suitability for rehabilitation. (This shall be required only when the applicant's proposal is based on an argument of structural soundness.)

(c) Estimated market value of the property in its current condition; after completion of demolition; after any changes recommended by the Commission; and after renovation of the existing property for continued use.

(d) An estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.

(e) Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.

(f) If the property is income-producing, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.

(g) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two years.

(h) All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing, or ownership of the property.

(i) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two years.

(j) Assessed value of the property according to the most recent assessment.

(k) Real estate taxes for the previous two years.

(l) Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other.

Determination of Economic Hardship. The Commission shall review all the evidence and information required of an applicant and make a determination whether the denial of a Certificate of Appropriateness has deprived, or will deprive, the owner of the property of reasonable use of, or economic return on, the property. After reviewing the evidence, the Commission may deny the application, may approve a Certificate of Appropriateness for Demolition, or may table the application for a Certificate of Appropriateness for Demolition for a period of time not to exceed 30

days. The 30 day period will permit an opportunity for other alternatives to be evaluated. If a suitable alternative is not presented to the Commission within the 30 day period, the Certificate of Appropriateness for Demolition shall be approved.

In no instance will the Commission approve a Certificate of Appropriateness for demolition without approval of a redevelopment project and submittal by the applicant of a bond or cash escrow to guarantee completion of the approved project.

(6) Demolition of Contributing Garages.

No contributing garage structure may be demolished without first receiving approval by the Commission. The Commission may permit the demolition of a contributing garage structure only after considering the following factors and determining that either the garage is not a contributing garage or it is not practicable to be retained on site.

(a) Historical Significance. The Commission shall determine whether the garage contributes to the historic character of the house, or district, based upon historical and architectural research.

(b) Architectural Integrity. The Commission will consider if the architectural design of the structure has been altered and/or sufficient historic material has been removed in such a way that it compromises the overall integrity of the building. This may include a combination of the following:

- (i) Removal or alteration of original door and/or window openings;
- (ii) Removal or alteration of original garage/barn/pedestrian doors;
- (iii) Installation of artificial siding;
- (iv) Alteration of the original building footprint and/or roofline; and
- (v) Loss of original materials due to removal and/or deterioration.

(c) Functionality. The Commission will consider whether or not the structure can be put to any reasonable use. For example, a historic one-car garage may be too small to accommodate a modern-day vehicle, but may still function as a place for storage.

(d) Structural Condition. The Commission will consider if one or more significant structural problems exist and whether or not rehabilitation of that structure would result in most of the historic materials being replaced, resulting in essentially a new building. When assessing structural condition, the following factors may be considered:

- (i) Quality of original construction;
- (ii) Bowing walls;
- (iii) Lack of a foundation;
- (iv) Extensive siding repair;
- (v) Termite damage;
- (vi) Rotted wood; and
- (vii) Integrity of roof system.

(e) Location on the Property. The Commission may consider the building's location on the property and whether or not it is visible from the public street, or alley, when assessing the impact that demolition will have on a historic district. However, location alone typically does not justify demolition. If the contributing garage is insufficient in size for modern-day vehicles, efforts should be made to construct a new garage on another portion of the site, to accommodate the vehicles.