

# Town of Cumberland Gap

## Historic District Zone Information and Municipal Code

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The Town of Cumberland Gap was entered into the National Register of Historic Places on February 23, 1990.  
 (<http://focus.nps.gov/nrhp/AssetDetail?assetID=2bf63b6d-f16d-4621-9a39-67702c613e29>)  
 The Application for the Certificate of Appropriateness was adopted by the  
 Town of Cumberland Gap Board  
 of Mayor and Alderman on  
 December 3, 2007 and updated  
 November, 2015  
 The Town Ordinance, and the Application for Certificate of Appropriateness are available at the town hall and on the website:  
<http://townofcumberlandgap.com>.

## **INTRODUCTION**

The Cumberland Gap Historic District gained status when it was listed on the National Register of Historic Places. Eligibility was based upon: 1) the area's significance to Claiborne County's history as a late nineteenth and early twentieth century mining town and 2) the area's significance as an example of late nineteenth century town architecture in Claiborne County.

### **I. THE HISTORIC DISTRICT**

#### **A. Geographic Overview**

The Town of Cumberland Gap Historic District is located in the rural community of Cumberland Gap in north central Claiborne County in East Tennessee. The Town of Cumberland Gap is located near a pass or gap in the Appalachian Mountains and is built in the valley below the gap adjacent to Cumberland Gap National Park. The district is in a valley on the eastern approach to the Cumberland Gap. Towering on the north is the sheer wall of the Pinnacle; to the west is the Tri-State Peak, with the Cumberland Gap between. Poor Valley Ridge is to the east with a spur ridge from it thrusting into the district. From its origin at formerly Gap Cave, Gap Creek flows south through the town, joining a branch which follows the base of the Poor Valley Ridge Spur from the east. The town is located off U.S. Highway 25E and Highway 58 on the Virginia, Tennessee and Kentucky state lines. The central business district, intermixed with some housing and the adjacent residential area compose the Cumberland Gap Historic District.

#### **B. Historic Overview**

For over two hundred years, Cumberland Gap served as a significant passageway to the lands west of the Appalachian Mountains. Over 300,000 people traveled the Wilderness Road from 1775 to 1840. A small town comprised of trading posts, inns, taverns, stores, and blacksmiths developed on the Tennessee side of the Gap. The Town of Cumberland Gap, Tennessee, developed as the number of travelers along the Wilderness Road increased in the late eighteenth century. By the middle of the nineteenth century, the development of railroads and the popularity of other more direct western routes left the Wilderness Road largely abandoned. During the Civil War, both the North and the South used the town as a camp as their armies struggled over the rough and deteriorated Wilderness Road route. The movement of troops back and forth destroyed almost everything that remained of the original settlement as the armies took what they needed from the town and the surrounding countryside.

The cultural resources contained within the Cumberland Gap Historic District today document a later, yet still vitally significant chapter of Claiborne County history: the arrival of foreign capital. In the eyes of a group of English investors, the Cumberland Gap area was rich in coal, iron, and timber resources, and these were ready for the taking. In 1886, a group of British investors formed the American Association, Limited and purchased thousands of acres on both the Kentucky and Tennessee side of the Gap.

Middlesboro, Kentucky served as the headquarters of the company, and on the southern side of the town, the association created two company towns which survive today: Cumberland Gap and Harrogate. Of the two communities, Cumberland Gap was designated for the company's construction of the two-story brick, Queen Anne influenced American Association Building. It is located at the head of a reconfigured town plan that consisted of two primary streets: Colwyn (largely commercial) and Pennlyn (largely residential).

The town's relative isolation from the local major highway has resulted in the survival of a number of cultural resources which document the town's period of significance. Sadly, the same is not true for its once sister city Harrogate. Fires, the construction of a four lane highway through the town, and the forces of economic change mean that Harrogate shares none of the Cumberland Gap's qualities as a boom-bust company town of the turn of the century. The Town of Cumberland Gap is the best representative remaining in Claiborne County of the significance of the American Association and the mining and timber industry in the county's late nineteenth and twentieth century history.

The majority of resources in the Cumberland Gap Historic District were built between the 1890's and the 1930's and include several single-family and multiple-family dwellings, commercial buildings, public buildings, a church, and an unevaluated archaeological site.

### **C. Architectural Style**

The Town of Cumberland Gap is the best representative remaining in Claiborne County of the significance of the American Association and the mining and timber industry in the county's late nineteenth and early twentieth century history.

Because of the town's economic structure, the commercial buildings of the historic district are primarily one and two-part commercial blocks, constructed of brick with storefront display windows and central, first floor entrances. The decorative features are almost always confined to simple window treatments and brick corbelling. Due to the town's size and its relationship with Middlesboro, it made little sense for a merchant to construct anything more grandiose. The town's largest commercial buildings are characterized by a horizontal division into two district zones. The division reflects different uses inside. The zone at the street level is designed for public uses, such as stores or banks while the upper zone is designed for more private spaces, such as offices or apartments. The one-part blocks have only a single story which is treated in much the same way as the lower zone of a two-part block. Also noteworthy is the American Association Building, built in 1890 in a vernacular Queen Anne residential style, but used for commercial purposes. The building's site at the head of Colwyn Street is symbolic of the dominant position the American Association held in the community's economic development.

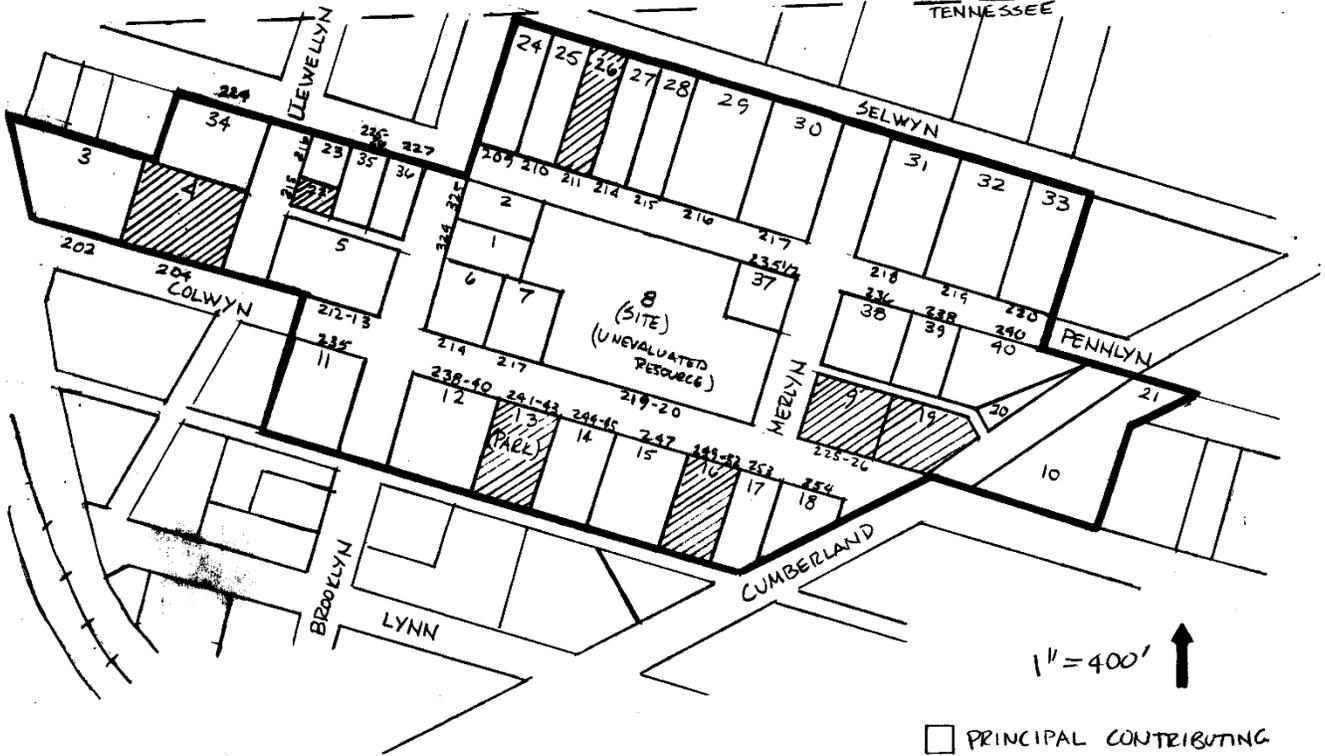
Residential buildings are primarily one and two story frame structures, with gable roofs and front porches predominating. Residences include a wide variety of late nineteenth and early twentieth century houses with Queen Anne and Craftsman detailing. The earliest houses in the district are primarily two-story gable and wing frame buildings with Queen Anne decorative features. The district also contains one, one-and-a-half, and two-story brick houses built in the 1890's and 1900's with asymmetrical floor plans, front porches, and Queen Anne detailing. Residences in the district built after the turn of the century include a wide variety of stylistic influences. Most are one and one-and-a-half stories with Craftsman elements prevailing. Stylistically the town's most dominant twentieth century influence is that associated with the Craftsman style, especially the bungalow. <sup>1</sup>

<sup>1</sup> Source for Section I: National Register of Historic Places Registration Form, Town of Cumberland Gap

# THE HISTORIC DISTRICT

CUMBERLAND GAP HISTORIC DISTRICT  
CUMBERLAND GAP, CLAIBORNE COUNTY, TN

VIRGINIA  
~~KENTUCKY~~  
TENNESSEE



1" = 400' ↑

- PRINCIPAL CONTRIBUTING
- ▨ PRINCIPAL NON-CONTRIBUTING

The Historic District is regulated by the City Code, Title 14 Chapter 15. Any major upgrades to properties in the Historic District is required a building permit with detailed information required by paragraph 14-1303.

Any new construction, maintenance or repairs that change the outside appearance of the property or building also needs a Certificate of Appropriateness (COA) approved by the HZC before beginning any work.

We recommend contacting the HCZ during the initial planning stages to discuss how the changes meet the Historic Ordinance.

## **Title 14 Chapter 15**

### CHAPTER 15

#### HISTORIC ZONING COMMISSION

##### SECTION

- 14-1501. Historic zoning commission established.
- 14-1502. Procedure.
- 14-1503. Historic zoning commission powers and duties.
- 14-1504. Jurisdiction.
- 14-1505. The Historic District.
- 14-1506. Design procedure.
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- 14-1509. Architectural style.
- 14-1510. Design guidelines for existing structures.
- 14-1511. Design guidelines for new construction.
- 14-1512. Guidelines for streetscapes.
- 14-1513. Building relocation.
- 14-1514. Building demolition.
- 14-1515. Amendment.
- 14-1516. Enforcement.

**14-1501. Historic zoning commission established.** In accordance with title 13, chapter 7, part 4 of Tennessee Code Annotated, a historic zoning commission is hereby established. The historic zoning commission shall consist of a representative of a local patriotic or historic organization; an architect, if available; and a member of the Cumberland Gap Municipal Planning Commission. The remaining members and chair shall be appointed by the Mayor of the Town of Cumberland Gap from the community in general and shall be confirmed by the board of mayor and alderman. Appointments to membership on the historic zoning commission shall be arranged so that the term of one (1) member

shall expire each year and his successor shall be appointed, or member whose term expires can be reappointed, in a like manner for a five (5) year term. All members shall serve without compensation. (1979 Code, § 11-1301, as renumbered by Ord. #9-2005, Oct. 2005, and Ord. #10-2013, Dec. 2013, replaced by Ord. #17-2015, Jan. 2016, and amended by Ord. #6-2018, Dec. 2018 *Ch7\_01-07-19*)

**14-1502. Procedure.** Meetings of the historic zoning commission shall be held at the call of the chairman or by the majority of the membership. All meetings of the commission shall be open to the public. The commission shall keep minutes of its procedures showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. (1979 Code, § 11-1302, as renumbered by Ord. #9-2005, Oct. 2005, and Ord. #10-2013, Dec. 2013, and replaced by Ord. #17-2015, Jan. 2016)

**14-1503. Historic zoning commission powers and duties.** The historic zoning commission shall have the following powers:

(1) To request detailed construction plans and related data pertinent to thorough review of any proposal before the commission.

(2) The historic zoning commission shall within thirty (30) days following availability of sufficient data, direct the granting of a building permit with or without conditions or direct the refusal of a building permit providing the grounds are stated in writing.

(3) Upon review of the application for a building permit in the H-1 Historic District, the historic zoning commission shall give prime consideration to:

(a) Historical and/or architectural value of present structures;

(b) Relationship of exterior architectural features of such structures to the remainder of the structures of the surrounding area;

(c) The general compatibility of exterior design, arrangement, texture, and materials proposed to be used with existing structures in the H-1 Historic District;

(d) To any other factor which is deemed pertinent.

(4) In no case shall the commission grant variances from the terms of this chapter. (1979 Code, § 11-1303, as renumbered by Ord. #9-2005, Oct. 2005, and Ord. #10-2013, Dec. 2013, and replaced by Ord. #17-2015, Jan. 2016)

**14-1504. Jurisdiction.** The historic zoning commission shall have exclusive jurisdiction relating to historic or architectural matters. Anyone aggrieved by any final order or judgment of the commission may have such order or judgment reviewed as specified in chapter 14 and/or in the courts by procedures of certiorari as provided in the Tennessee Code Annotated, §§ 27-9-102 and 27-9-103. (1979 Code, § 11-1304, as renumbered by Ord. #9-2005, Oct. 2005, and Ord. #10-2013, Dec. 2013, replaced by Ord. #172015, Jan. 2016, and amended by Ord. #6-2018, Dec. 2018 *Ch7\_01-07-19*)

**14-1505. The Historic District; geographic overview.** The central business district, intermixed with some housing and the adjacent residential area compose the Cumberland Gap Historic District. It consists of two (2) primary streets: Colwyn (largely commercial) and Pennlyn (largely residential). The district is as illustrated on the map attached to Ord. #17-2015.<sup>1</sup> (1979 Code, § 11-1305, as renumbered by Ord. #9-2005, Oct. 2005, and Ord. #10-2013, Dec. 2013, and replaced by Ord. #17-2015, Jan. 2016)

**14-1506. Design procedure.** (1) Historic zoning commission responsibilities. The Historic Zoning Commission (HZC) is responsible for reviewing changes in the exterior facades visible from the street. HZC reviews new construction and relocated buildings to ensure compatibility with existing buildings in the district. No structure can be demolished until reviewed by the HZC. The HZC reviews setbacks, building shape and height, facades, window and door proportions and groupings, overhangs, roofline, streetscape, signage and landscaping. Form and proportion shall harmonize with existing design elements in the district.

The HZC recommends that property owners and builders meet with the HZC at the pre-design stage to familiarize the HZC with the site and discuss the guidelines. A Certificate of Appropriateness (COA) from the HZC as well as approval from planning and zoning commission and the board of mayor and alderman is required before construction or renovation begins. The COA is available at town hall. (as added by Ord. #17-2015, Jan. 2016)

**14-1507. Building and fire codes.** Applicants shall comply with all town-adopted building and fire codes. (as added by Ord. #17-2015, Jan. 2016)

**14-1508. Certificate of Appropriateness (COA).** (1) After applying and getting approval from the planning and zoning commission for a building permit, the property owner or authorized agent must apply to the historic zoning commission for a Certificate of Appropriateness (COA) before beginning any work on exterior changes or any new construction. A complete application for certificate of appropriateness shall be received at town hall on or before the first Tuesday of the month and approval of the application will be issued or denied at the next scheduled meeting of the historic zoning commission or within thirty (30) days, except when the time line has been extended by written mutual agreement between the property owner and the HZC. Inaction of the HZC on a completed application after thirty (30) days will result in an application's default approval.

(2) The chairman for the HZC, or town hall, shall notify the applicant of the result of the application at the scheduled meeting or by registered mail (on or before thirty (30) days after receipt of a complete application) and shall file a copy with town hall for planning and zoning. If an application is denied, such notice shall include the reasons for

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<sup>1</sup> Ord. #17-2015 is available in the recorder's office.

such actions as defined in the design guidelines. If the applicant is available at the HZC meeting the result can be noted in the minutes and a copy given to the applicant. (as added by Ord. #17-2015, Jan. 2016, and amended by Ord. #6-2018, Dec. 2018 ***Ch7\_01-07-19***)

**14-1509. Architectural style.** The town's largest commercial buildings in the historic district are characterized by a horizontal division with the upstairs being more private spaces such as apartments or offices, thus residential. And the downstairs is a commercial zone such as stores or banks. (as added by Ord. #17-2015, Jan. 2016)

**14-1510. Design guidelines for existing structures.** (1) Essential principles. In reviewing applications for certificates of appropriateness for existing structures, the HZC shall consider the historic and architectural significance of the structure. In its review, the HZC shall also take into account the following elements to ensure that the exterior form and appearance of the structure is consistent with the historic character of the district:

- The height of the building in relation to the average height of the nearest adjacent and opposite buildings
- The setback and placement on the lot of the building in relation to the average setback and placement of the nearest adjacent and opposite buildings
- Exterior construction materials, including textures and patterns
- Architectural detailing, such as doors, windows, lintels, cornices, brick bond, and foundation materials
- Roof shapes, overhangs, forms, and materials
- Proportions, shapes, positioning and locations, patterns and sizes of any elements of fenestration (an opening in a structure, such as a door or window)
- General form and proportions of buildings and structures
- Appendages, fixtures and other features such as lighting
- Architectural scale
- The rhythm of doors and windows
- The size, location, number, and materials of signage
- The type, materials, and character of the streetscape

In considering the appropriateness of alterations to existing buildings, the HZC shall be guided by the following principles:

- Avoid removing or altering original historic material or distinctive architectural features: if original and in good shape, it should not be removed or altered.
- Repair rather than replace wherever possible. If replacing, replicate the original based on existing materials. Do not invent something that "might have been."
- When extensive replacement is necessary for severely deteriorated material and replication to exactly match the original is not feasible, the new work should match the character of the original in terms of scale, texture, design, and composition.

Do not try to make the building look older than it really is. Rehabilitation work should fit the character of the original building.

- The building may contain clues to guide decisions during rehabilitation. Original detailing may be covered with later materials or there may be physical evidence of what the original work was like and where it was located.

- A later addition to an old building, or a non-original facade or storefront may have gained significance over the years. Do not assume it is not historically significant just because it is not part of the original building.

- If no evidence of original materials or detailing exists, alterations should be simply detailed and new in design, yet fit the character of the building.

(2) Facades. Property owners shall preserve original facades, including windows, doors, transoms, and decorative architectural details by maintaining or restoring rather than replacing and base reproduction for replacement of missing elements on historic evidence such as photographs. If no evidence exists, property owners shall use similar examples from adjacent structures.

Original foundation materials and design shall not be concealed with concrete block, plywood panels, corrugated metal, or other non-original materials.

(3) Paint and paint colors. Unpainted masonry should be left unpainted. For other areas needing painting, acceptable paint colors are those listed in historic preservation literature.

(4) Screen and storm doors.

- Screen and storm doors shall be correctly sized to fit entrance openings. Door openings shall not be enlarged, reduced, or shortened for new door installation.

- New screen doors, in full-view, shall be wood or complementary materials. Structural members shall align with those of the original door.

- Rear and side entrances may be enhanced by adding simple signage, awnings, and lighting that is related to those of the front elevation. New windows and doors may be added when needed if in keeping with the size, design, materials, proportions, and location of the originals.

(5) Windows.

- Original windows shall be preserved in their original location, size, and design and with original materials and numbers of panes when available.

- Non-original windows shall not be added to primary facades or to secondary facades where readily visible.

- Windows of modern manufacturing are acceptable at the rear or sides of dwellings that are not readily visible from the street.

- Windows shall be repaired with materials to match the era. If repair is not feasible, replacement shall be with new windows to resemble the original in materials and dimensions.

- Decorative glass windows shall be similar to those in original location, in size, and design, and with their original materials and glass pattern and shall be repaired rather than replaced. If repair is not feasible, replacement shall be with new decorative glass windows to resemble the original in materials and dimensions. Consultation with a glass specialist is recommended when extensive repairs are needed.
  - Screens shall be correctly sized to fit the window opening including arched windows. Screens shall be wood or complementary materials and fit within frames, not overlap the frames. Screen window panels shall be full-view design or have the meeting rail match that of the window behind it.
  - Storm windows should be of wood or aesthetically complementary materials
  - Storm windows shall be sized and shaped to fit the window opening and shall be full-view design or with the central meeting rail at the same location as the historic window. Storm windows with built-in screens are acceptable. Interior storm windows are acceptable.
  - Window shutters that are original to the building shall be maintained, but shall not be added unless they are consistent with a historical look. Shutters shall be of louvered or paneled wood construction and shall fit the window opening so that if closed, they would cover the opening. Vinyl or aluminum construction shutters are not permissible unless they have dimensions and textures that are compatible with historic dwellings.
- (6) Porches.
- Porches on front and side facades shall be maintained in their original design and with original materials and detailing unless changes are approved by HZC.
  - Porches shall not be removed if original to the building.
  - Porches shall be repaired or replaced to match the original in design, materials, scale, and placement.
  - Porch staircases and steps original to a property shall be retained in their original location and configuration.
  - Porches on the fronts of buildings shall not be enclosed with wood, glass, or other materials that would alter the porch's open appearance.
  - Porches may be screened if the structural framework for the screen panels is minimal and the open appearance of the porch is maintained. Screen panels shall be placed behind the original features such as columns or railings. Screen panels shall not hide decorative details or result in the removal of original porch materials.
  - Porches with open areas in the foundation may be filled-in as traditional for the type and style of the house, or with decorative wood-framed skirting, vertical slats, or lattice panels.

On front porches, columns and railings shall be consistent with historic designs in the district. Balusters and railings shall be appropriate for the building's style and period. Porch staircases and steps added to a building shall have posts, balusters, treads and risers to match original porch construction.

(7) Roofs.

- Roofs shall be retained in their original shape and pitch with original features such as cresting, chimneys, finials, cupolas, etc.
- Replacement gutters and downspouts shall not result in the removal of significant architectural features on the building. Gutters and downspouts of boxed or built-in type shall be repaired rather than replaced if possible.
- Original roof materials such as metal shingles or metal sheet roofing shall be retained. Slate, asphalt, or fiberglass may be substituted if the original roof material is not available or economically feasible.
- The color of new asphalt or fiberglass shingles shall be colors complementary to the historic district's time period.
- Dormers, roof decks, balconies, or other additions shall not be added on fronts of dwellings, but may be added on the rear or sides of dwellings if not readily visible from the front.

(8) Maintenance. In considering the appropriateness of alterations to existing buildings, the HZC requires specific methods of material maintenance:

- Never sandblast. Cleaning dirt or old paint from a building shall be done by the gentlest means possible. No method to clean the brick or masonry surface shall be used that destroys the outer patina or "crust" of the brick and exposes the soft inner core which can lead to deterioration. Low-pressure water, detergent, and natural bristle brushes are adequate.
- Existing metal shall be maintained. If the metal needs to be stripped, use only a chemical paint remover designed, for that purpose, not dry grit blasting.
- Preserve cast iron by maintaining and restoring original cast iron columns and pilasters. Original cast iron columns or pilasters shall not be concealed or obscured.
- In general, do not seal historic brick and masonry.
- Brick shall be clean and free of vines, ivy and other plant material.
- Deeply recessed and crumbling mortar joints shall be re-pointed. Re-pointing masonry walls shall be done with a soft lime-based mortar mix rather than Portland cement. The mortar color, texture, type, and size of joint shall match the original.
- When it is necessary to replace brick, it shall match the original in color and size. If mismatched brick is unavoidable, painting is acceptable.
- Previously painted surfaces shall be repainted rather than chemically cleaned.

Re-point mortar, if necessary, before repainting the brick.

- Wood siding shall match other historic homes in the district. If replacement is necessary, wood siding and shingles shall be replaced with new siding or shingles to match the original in size, placement, and design. Synthetic replacement materials such as vinyl, masonite, or aluminum are not acceptable. Siding shall not be of wood-based materials such as particleboard, gyp board, or pressboard.
- If possible, cracks in wood siding shall be repaired with appropriate material.
- Wood siding may be insulated if the addition of insulation does not result in alterations to the siding. Plugs or holes for blown-in insulation are not acceptable.
- Removal of asbestos siding shall follow hazardous material guidelines.

(as added by Ord. #17-2015, Jan. 2016)

**14-1511. Design guidelines for new construction.** (1) Essential principles. The construction or erection of any structure within the district, including additions to existing buildings and new construction that utilizes existing party walls is subject to review by the Historic Zoning Commission (HZC) pursuant to the historic zoning ordinance. New construction shall compliment and harmonize with other buildings in the district and shall be consistent in terms of height, scale, rhythm, texture, and other design characteristics. Pre-fabricated structures are not allowed in the historic district unless a specific design is approved by the historic committee.

(2) New commercial buildings shall:

- Be compatible in height with adjacent buildings.
- Have exterior wall construction of materials consistent with those in the area.
- Be aligned with adjacent buildings along the street and conform to existing setbacks.
- Be of similar width and scale and have similar proportions as adjacent buildings.
- Be oriented toward the primary street on which it is sited.
- Have roof forms consistent with adjacent buildings.

(3) Commercial building additions.

- Are acceptable at the rear of buildings. Rear additions shall be compatible with the original building in scale, proportion, rhythm of openings, and size.
- Such as rooftop or additional stories shall not be constructed unless the addition will not be readily visible from the street or other pedestrian viewpoints. Roof additions shall be set back from the main facade.
- Shall be of exterior materials similar to the existing building.

Shall be built as to result in minimal removal of original walls and details from the rear of the building and shall try to connect the addition with the original building through existing door or enlarged window openings.

(4) Residential building additions shall:

- Be located at the rear of dwellings, not on the front or readily visible areas of the sides of dwellings.
- Be secondary (smaller and simpler) than the original dwelling in scale, design, and placement.
- Be of a compatible design in keeping with the original dwelling's design, roof shape, materials, color, and location of window, door, and cornice heights, etc.
- Not imitate an earlier historic style or architectural period.
- Be constructed to avoid extensive removal or loss of historic materials and to not damage or destroy significant original architectural features.
- Impact the exterior walls of the original dwelling as minimally as possible.

When building additions, existing door and window openings shall be used for connecting the addition to the dwelling.

(5) New primary residential buildings (principal structures).

- Shall maintain, not disrupt, the existing pattern of surrounding historic buildings along the street.
- Primary facades and main entrances shall be oriented toward the street in any new construction.
- Front and side yard setbacks shall match the block setbacks (see Planning and Zoning codes).
- Porches shall have roof forms of gable, hipped, or shed design and at least cover the entrance. Porches shall have columns and railings with balusters that are traditional in design and compatible with the overall character of the building.
- Window shape and proportions shall be historic in design.
- Wood construction is preferred for windows, but aesthetically complementary materials are acceptable when sized for historic window openings. Dark tinted windows, reflective glass and coatings for windows are not acceptable on front or readily visible sides of buildings.
- Height of foundations shall be similar to foundation heights in the area. Foundation heights may increase along the sides or at the rear of a building if necessary to follow slope contours.
- New construction shall continue the appearance of stone, brick, or cast concrete. Poured concrete, concrete block, and split-faced concrete are acceptable foundation materials. Stucco or other finishes may be required to provide a textured surface.

Porch heights and depths shall be consistent with those of adjacent dwellings.

- New brick construction shall closely match typical mortar and brick color tones found in the Town of Cumberland Gap's historic dwellings. Artificial laminate type siding materials (e.g. artificial brick veneer, stone, etc.) are prohibited.

- The details and textures of building materials shall be applied in a manner consistent with traditional construction methods and compatible with surrounding structures.

- Replications are new buildings that closely imitate historic dwellings typically found in the locally designated districts. Replications are acceptable if they are consistent with historic dwellings in their overall form and plan, porch design and placement, window and door treatments, roof forms, and architectural details.

(6) New secondary residential buildings (accessory structures).

- Garages, sheds and other outbuildings shall be smaller in scale than the dwelling.

- Outbuildings shall be simple in design but reflect the general character of the associated dwelling. For example, use gable roof forms if the dwelling has a gable roof; hipped roof forms if the dwelling has a hipped roof, etc.

- Outbuildings shall be built at traditional locations including at rear lot lines, adjacent to side streets, and at the rear of a dwelling.

- New secondary structures shall be compatible with the associated dwelling in design, shape, exterior materials, and roof shape. (as added by Ord. #17-2015, Jan. 2016)

**14-1512. Guidelines for streetscapes.** (1) Signs and graphics. Signs and graphics shall follow the provisions of the Town of Cumberland Gap's codes.

- Internally illuminated or neon signs are normally not acceptable.

- New signs shall be of traditional materials such as wood, glass, copper or bronze. Sandblasted and painted wood signs are appropriate.

- Signs shall not cover or obscure architectural features. Appropriate sign locations include upper facade walls, hanging or mounted inside windows, hanging or projecting from the face of the building with mounting brackets and hardware anchored into mortar.

(2) Driveways and parking lots. All driveways and parking lots, including landscaping shall comply with the Town of Cumberland Gap's codes. In the historic district:

- Driveways and parking lots shall not be sited in front yards. Parking lots shall be located in rear yards. If side yard or adjacent lot parking is required, the parking lot's edge landscape screening shall not extend past the front wall of adjacent buildings.

Driveways in side yards should be of brick, gravel, concrete, textured asphalt, or concrete molded to look like period materials.

- The HZC requires that parking lots include a minimum of twenty percent (20%) green spaces and be screened with trees, shrubs, hedges, and/or fences at edges.

(3) Sidewalks and walkways.

- Original sidewalks and walkways shall be preserved. Imitation of original or early sidewalks materials, details, dimensions, and placement is appropriate.
- Preexisting stone retaining walls shall be maintained, repaired or reconstructed.

(4) Fences.

- Original cast or wrought iron fences shall be preserved. Iron fences may be added around late 19th and early 20th century structures.
- Hedges and shrubs are acceptable alternatives for fences.
- Chain link, louver, concrete block, shadowbox or stockade fences are not acceptable in front yards or visible side yards.
- Painted or stained wood picket, baluster, wrought iron, or similar historic material fences are appropriate.
- The HZC requires historical period fences, if fences are used.

(5) Lighting.

- Original fixtures should be preserved, if possible.
- Light fixtures may be introduced to the exterior of a building when compatible in period, scale and style and mounted on porch ceilings or adjacent to entrances.
- Security lights shall be small, simple, and mounted on the rear or sides of buildings.
- Early American freestanding fixtures, based on traditional designs early, to mid- 20th century, are appropriate.

(6) Utility and mechanical systems. HVAC units, dumpsters and large trash receptacles shall be located inconspicuously at the rear or sides of buildings. In new construction, wall or window air conditioning units, water, gas or electric meters, electric conduit and any other utility or mechanical systems shall not be located on front facades.

(7) Solar panels. Solar panels, when used, shall be located on rear sections of the roof, behind dormers or gables or other areas not visible from the street. Freestanding solar panels shall be located at rear yards or on side facades not readily visible from the street. If side yard locations are readily visible, landscaping, fencing, or lattice panels shall effectively screen freestanding panels.

(8) TV satellite dishes. Satellite dishes shall be located discretely and not visible from the front of the structure. (as added by Ord. #17-2015, Jan.

2016)

**14-1513. Building relocation.** Moving buildings into any locally designated district shall be acceptable if compatible with the district's architectural character through style, period, height, scale, materials, setting, and placement on the lot.

Moving existing buildings that contribute to the historic and architectural character of the districts shall be avoided unless demolition is the only other alternative. Moving outbuildings from one location to another on the same lot is acceptable if the relocation is approved by the HZC and meets zoning regulations. (as added by Ord. #17-2015, Jan. 2016)

**14-1514. Building demolition.** (1) Demolition shall be inappropriate under any of the following conditions:

- A building, object, or structure is of such architectural or historical interest and value that its removal would be detrimental to the public interest and the residents of town.
- The proposed reuse or new construction would diminish or detract from the predominant character of the district.
- A building, object, or structure is of such old, unusual, or uncommon design and materials that it could not be reproduced without great difficulty and expense.
- A proposed replacement or lack of replacement would make a less positive visual contribution to the district, would disrupt the character of the district, or would be visually incompatible.
- The demolition of a building, object, or structure would negatively impact the character, streetscape, or other buildings, objects, or structures in the district.

(2) Demolition shall be appropriate under any of the following conditions:

- The town, county, or state has ordered demolition for the public safety because of an unsafe or dangerous condition that constitutes an emergency.
- The demolition is required by a final and non-appealable order or ruling of a court, governmental body, or agency having appropriate jurisdiction, and such order or ruling does not allow for the restoration and continued use of the applicable building, object, or structure.
- A building, object, or structure that does not contribute or does not have the potential to contribute to the importance of the historic district may be removed.

(3) Requirements for demolition. A certificate of appropriateness as well as written permission by planning and zoning commission and board of mayor and alderman is required to demolish a structure in the historic district, whether the structure is classified as contributing or noncontributing. (as added by Ord. #17-2015, Jan. 2016)

**14-1515. Amendment.** Property owners within the community may recommend amendments to these guidelines to the HZC. (as added by Ord. #17-2015, Jan. 2016)

**14-1516. Enforcement.** Work performed without obtaining a COA, or in conflict of an approved COA is a violation of the town's zoning ordinance and is subject to a stop work order and/or a fifty dollar (\$50.00) fine. Each day's continuance of a violation is considered a separate offense. (as added by Ord. #17-2015, Jan. 2016)

Certificate of Appropriateness  
Historic Zoning Commission  
Town of Cumberland Gap, TN  
Application for Changes in the Historic Zone

Thank you for investing in the Historic District of Cumberland Gap.

Within the Historic District, all renovations, new construction, maintenance, and repairs **that change the outside appearance** of a property must meet the requirements of Zoning Ordinance, Title 14 Chapter 15.

Regardless of the extent of the job, **a Certificate of Appropriateness (COA) is required for all exterior work that alters the appearance of existing buildings, homes, and structures in the Historic District.**

In addition, all **new construction, structural changes, and major plumbing or wiring projects** require a building permit from the building inspector. The building permit process requires approval from the following entities, in this order:

- 1) Planning and Zoning Commission (PZC), and when appropriate, review and final approval from the building inspector
- 2) A Certificate of Appropriateness (COA) from the Historic Zoning Commission

Applicant \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

If different from above, what is the location of property in the Historic District?

\_\_\_\_\_  
\_\_\_\_\_

The Historic Zoning ordinance is available in the City Hall.  
Have you read the Historic Zoning Ordinance Title 14 Chapter 15?

Yes    No



