

Sec. 25-1. - Architectural control commission approval required.

The city has created the Fitchburg Architectural Control Commission as provided in section 6-210. Except as provided below, the commission shall examine all applications for building permits required under the Code and, after review of the site plans for the proposed structure, addition or alteration, to determine whether or not a certificate of compliance shall be granted. The zoning administrator or building inspector is hereby authorized to provide architectural control for the following building permits, as interpreted by the zoning administrator or building inspector:

- (1) Building permits for single-family and two-family dwelling units.
- (2) Building permits for the minor replacement, repair or alteration of commercial or multi-family dwelling unit projects.
- (3) Building permits for agricultural buildings.

If the zoning administrator or building inspector chooses not to approve the application, the application shall be forwarded to the plan commission.

(Comp. Ords. 2009, §§ 13.01, 13.02; Ord. No. 2013-O-23, § 1, 9-24-2013)

Sec. 25-2. - Standards for issuance of certificate of compliance.

A certificate of compliance shall be granted if and only if the architectural control commission shall, by a majority vote, find that the following requirements have been met:

- (1) That the proposed structure, addition, or alteration will, based upon the submitted plans and specifications, comply with all applicable building and zoning ordinances;
- (2) That the proposed structure, addition, or alteration will conform to the general development of the zoning district within which it is to be erected and with the character of the district as established by the city's development plan;
- (3) That the exterior architectural appeal, including landscaping, and the functional plan of the proposed structure, addition, or alteration will not, when erected, be so at variance with or so similar to, the exterior architectural appeal and functional plan of structures already constructed or in the course of construction in the immediate neighborhood, or at variance with the character of the district established by the city's development plan, or any amendments or supplements, thereto, so as to cause substantial depreciation in the property values within said neighborhood or applicable district; and
- (4) That the exterior architectural appeal and functional plan of the proposed structure, addition, or alteration will not, within the discretionary judgment of the commission, be contrary to generally accepted design standards or to the underlying aesthetic values of the community, or in any manner contribute to decay or blight within the community.

(Comp. Ords. 2009, § 13.03)

Sec. 25-3. - Certificate required for issuance of building permit.

- (a) No building permit shall be issued by the building inspector unless and until the commission has granted a certificate that the proposed structure, addition, or alteration complies with the provisions of this chapter.
- (b) Where the commission fails to complete the action required herein within 21 days of the filing of the application for a building permit, the proposed structure, addition or alteration shall be deemed to be in compliance with this chapter and the building inspector shall issue a building permit if the proposed structure, addition, or alteration satisfies all other requirements of this Code and any other law or regulation applicable thereto.

(Comp. Ords. 2009, § 13.04)

Sec. 25-4. - Notice of rejection.

If the architectural control commission determines that the proposed structure does not comply with the requirements of this chapter, it shall reject the application and give written notice of the rejection and reasons therefore to the applicant and the building inspector.

(Comp. Ords. 2009, § 13.05)

Sec. 25-5. - Appeal.

A rejection of an application for a building permit may be appealed to the in accordance with the procedures provided in chapter 22.

(Comp. Ords. 2009, § 13.06)