

PRESERVATION PLANNING FOR PHILOMATH, GEORGIA

by

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(Under the Direction of James K. Reap)

ABSTRACT

Philomath, an unincorporated community listed in the National Register of Historic Places, provides a case study of historic resource preservation in rural Georgia. The character of the community is composed of wooded agricultural land and over two hundred years of architectural heritage. A survey of historic resources, documentary research, and speaking with the residents, provides insight into the common challenges and opportunities for historic preservation in Philomath and similar communities. Identifying tools for historic preservation in Philomath and similar communities, which lack an active commercial center or an incorporated local government, allows for recommendations to enhance the stewardship of historic resources. Historic Preservation in these unique communities encourages benefits which are cultural, educational, aesthetic, inspirational, economic, and energy related. In light of limited resources, the role of the private and public sector, including local, state, and federal government, may be enhanced through increased awareness of the tools for preservation.

INDEX WORDS: character, historic district, Georgia, National Register of Historic Places, preservation planning, non-governmental organization, tax incentives.

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CHAPTER 1

INTRODUCTION

Subject

I was first introduced to the village of Philomath in Oglethorpe County during a pleasant road-trip on State Route 22 in northeast Georgia. While driving along, suddenly, out from a forest of trees burst historical signage and a very fine collection of nineteenth century Greek Revival style mansions, beckoning the preservationist. Tall Tuscan box-columns, peeling white paint, and old wooden signage stood out in contrast to the everyday strip mall and modern architecture that predominate suburban America today. My hunger for knowledge got the best of me and I decided to research this rural community, Philomath, meaning “Love of Knowledge”, which I later learned to be an unincorporated town and historic district listed in the National Register of Historic Places.



Figure 1: Drake-Arnold-Carter residence, c. 1844

A historic district is a concentration of historic buildings, structures, sites, and objects united historically or aesthetically by plan or physical development, and significant as a collection with particular historical, architectural, engineering, or archaeological distinction.¹ The historic character, or visual aspects and physical features that comprise the appearance of the historic buildings, is what initially drew my interest to Philomath. The assemblage of historic buildings, each having a distinctive character and unique identity, is reminiscent of the historic antebellum South. Some examples of character-defining elements include the overall shape of the building, its materials, craftsmanship, decorative details, interior spaces and features, as well as the various aspects of its site and environment.² Like an individual building, a historic district has a distinctive character comprised by the landscape and man-made features.

In researching the preservation of Philomath, the question ultimately became whether the integrity of the historic resources had been maintained. The National Park Service recognizes integrity as the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period.³ The preservation of a historic district depends on the integrity of historic resources, despite intrusions which may interrupt the evolved setting. In some cases, the integrity of historic districts and buildings that were once significant may diminish to the point where it becomes necessary to revoke designation as a historic resource.

¹ “*Questions and Answers About Historic Districts*”, South Carolina Department of Archives & History, 2010, Online at: <<http://shpo.sc.gov/properties/register/hdqanda.htm>>, Accessed June, 2010.

² Nelson, Lee H. *Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character*, National Park Service, Washington, DC, Sept, 1988, Online at: <<http://www.nps.gov/hps/tps/briefs/brief17.htm>>, Accessed April, 2010.

³ *Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines, Preservation Terminology*, National Park Service, Washington, DC, 1983, Online at: <http://www.nps.gov/history/local-law/arch_stnds_10.htm>, Accessed May, 2010.

While becoming more familiar with historic preservation in Philomath, challenges and opportunities began to present themselves. The historic resources and character of Philomath are unique; however, the challenges that Philomath residents face concerning historic preservation are similar to many other rural, historic towns and villages with historic resources that are present throughout Georgia and America today. Some of the common obstacles to historic preservation include a lack of awareness of the available tools for preservation, unidentified historic resources, demolition and neglect of historic structures, incompatible alterations or new construction, lack of funding for historic preservation, and the absence of an incorporated local government with a proactive historic preservation agenda.

One of the principal challenges facing historic preservation in Philomath is the community's unincorporated status. Today, unincorporated communities are quite prevalent in the rural areas of Georgia. The Georgia Township Act of 2007 established restrictive minimum standards for incorporation of a community into an official township. According to the US Census Bureau, Oglethorpe County boasts a population of over ten thousand people; however, each of the county's four incorporated towns has a population of less than one thousand people.⁴ Therefore, more than one-half of the population living within rural Oglethorpe County resides in an unincorporated area.

In unincorporated areas such as Philomath, the local governing authority is the county government, most often in the form of a board of commissioners. The commissioners in Oglethorpe County receive assistance in planning from other public agencies, including the

⁴ *State & County Quick Facts: Oglethorpe County, Georgia*, US Census Bureau, 2010, Online at: <<http://quickfacts.census.gov/qfd/states/13/13221.html>>, Accessed May, 2010.

Population for Oglethorpe County 1960 to 2000 Census, Northeast Georgia Regional Commission, 2010, Online at: <<http://www.negrc.org/pop/oglethorpecensus.html>>, Accessed May, 2010.

Northeast Georgia Regional Commission (NEGRC) and the Oglethorpe County Planning and Zoning Commission. However, the interests of historic preservation are apt to be marginalized in the absence of a county-wide preservation ordinance. A preservation ordinance allows for creation of a Historic Preservation Commission (HPC) which has a duty to make recommendations to the local government in support of the preservation of historic resources. In the absence of a preservation ordinance, the thrust for stewardship of historic resources has lain primarily in the private sector with individuals and non-governmental organizations. However, some of the most effective tools for historic preservation depend on the enactment of an historic preservation ordinance by the county government.

Philomath will likely remain unincorporated and the historic district will stay under the jurisdiction of the county government. Still, there are numerous preservation tools available in order to enhance the stewardship and attention paid to historic resources. In many cases, the tools are available and flexible; it is up to public and private entities to proceed with implementation as needed. Furthermore, engaging the community is often the key to increasing awareness of the various preservation tools. In my thesis, I identify available tools that could be applied for historic preservation in Philomath and develop a plan for implementation that will enhance stewardship in the community as it continues to change. The preservation tools outlined in the following chapters, if implemented, have potential to impact other communities, rural or urban, in Georgia and elsewhere.

Purpose

The purpose of this thesis is to evaluate the tools that have potential to protect the character of historic resources in Philomath, Georgia, in order to make recommendations that enhance historic preservation within the local community. This plan, designing a tool-set for historic preservation in Philomath, provides a template for application in similar communities. My research includes a description of the historic character of Philomath and two similar communities in Georgia, in order to identify preservation-related needs in unincorporated towns and how they may be addressed in the public and private sector.

After identifying the historic character, I critique the state of preservation in Philomath. This includes current tools and obstacles for historic preservation, along with potential tools for the future. While compiling a tool-set for historic preservation, I indicate their sector of operation including public or private; and on the local, state, or national level. By classifying the available instruments and identifying the individuals in the best role to implement them, the various tools can be set into motion to best achieve historic preservation of rural communities in Georgia.

Case studies of similar communities provide perspective and valuable insight as to how Philomath can best utilize the preservation tools in order to better manage their historic resources. The examples of unincorporated towns, Clinton and Apalachee, reflect communities which have experienced similar pressures and opportunities for historic preservation. Like Philomath, these communities represent towns with historic resources that are eligible or have been listed in the National Register of Historic Places. Educating these communities to the various opportunities for historic preservation, including tax incentives, grants, and the potential

role of local government, provides a way to advocate historic preservation for Philomath and other communities.

An additional need that has been unearthed as the result of research for this thesis includes Philomath's nomination to the National Register of Historic Places. The nomination, which was prepared in 1978, has since become insufficient in accurately representing the character and diversity of historic resources in the community. In one case, a historic resource was misrepresented. In addition, other buildings could now be recognized for their historic significance to the community. Hence, a purpose of this thesis is now to provide groundwork in the event that a revised nomination to the National Register of Historic Places could be submitted to address the current character of the changing historic district.

A final purpose that has evolved out of thesis research is to promote the many benefits of historic preservation, including economic and social, in order to lend support for Oglethorpe County's economic development. Oglethorpe County, a rural community in economic distress, suffers from an imbalance in the tax base and a lack of economic and commercial activity.⁵ The town hubs and local businesses, which endure despite the grim state of economic affairs, may thus experience a degree of revitalization in part due to a contribution to the local economy provided by historic preservation in Philomath. Through stewardship of cultural and historic resources, including a maintenance regime and resulting tourism revenues, historic preservation has the potential to generate commercial activity in Oglethorpe County.

⁵ *Joint City-County Comprehensive Plan, 2005-2025, Community Agenda for Oglethorpe County and the Cities of Arnoldsville, Crawford, Lexington, and Maxeys*, Northeast Georgia Regional Development Center, June, 2006, 29.

Methodology

During my study, I utilized different forms of research and resources in order to gather information for completing this thesis. Primarily, I relied on documentary research, historical maps, a survey of historic resources, and previous studies by graduates of the College of Environment and Design at the University of Georgia. Other research included: visiting communities, attending events, and speaking with local residents.

Upon expressing initial interest in the Philomath National Register historic district John Waters, Director of Graduate Studies in the Historic Preservation Department of the College of Environment and Design, provided initial contact information for Philomath resident and expert local historian Jim Carter. Mr. Carter commands extensive knowledge in the history of Oglethorpe County and the surrounding area. In addition, Mr. Carter is an active preservationist and community organizer, frequently providing assistance in local historic rehabilitation projects and supporting an assortment of community events and traditions in Philomath such as the annual Bar-B-Q, the Low County Boil, and the Christmas Singing.

Mr. Carter resides in the Drake-Arnold-Calloway residence, an 1840s Greek Revival style plantation home in Philomath. It was the historic setting and tall Tuscan box-columns of the Drake-Arnold-Calloway residence, now the Drake-Arnold-Carter residence, which first captured Jim's interest during the 1960s.⁶ Today, Mr. Carter is more than capable of providing an improvised walking tour, recounting a blow-by-blow description of the evolution of the National Register historic district and the community's architecture. Also serving as a useful liaison, Mr. Carter provided invitation to dinners and events hosted in the community which

⁶ Communicated by Philomath resident Jim Carter in March, 2010.

allowed for my introduction to the group of Philomath elders and organizers also knowledgeable of history and life in the small town.

A substantial amount of the research for this thesis included attending community events, conversations with the residents, and visiting historic communities. While researching Philomath, prominent figures from the Nash, Thaxton, and Bryan families were eager to contribute as my thesis research began to take form. Many conversations took place with residents at community events as well as outside professionals who are involved in the preservation field and aware of the history of preservation activities in Philomath. Members of local historic preservation commissions, planning and zoning officials, and university scholars, contributed to the research necessary in order to develop this study. By visiting other historic communities, including Apalachee and Old Clinton, the noted similarities and differences provided additional insight.

Engaging with the Philomath community, the residents, their lives, and their knowledge of historic preservation, allowed for a more accurate interpretation and evaluation of the potential stewardship of their historic resources. Private ownership, traditions, and community involvement provide a foundation for historic preservation in Philomath. Care is taken in planning alterations to the historic buildings. For example, during my visits to Philomath, Mr. Carter reflected on the collaboration and planning that was involved when Mr. John Buckman sought to alter the Glenn-Buckman residence, adding handicap-accessible features and increasing the living space.⁷ In addition, several members of the community continue to provide

⁷ Ibid.

John Buckman is a Philomath elder, President of the PCPA, and host of many community events.

labor, materials, and funding for the ongoing restoration of the historic Philomath church, cemetery, and historic commercial buildings that once represented a viable downtown.

Historical papers such as unpublished documents outlining the social history of Philomath, including church minutes and published editorials of the local newspaper, *The Oglethorpe Echo*, were shared by town residents. A collection of the various printed materials detailing the legacy of the community was developed. It became apparent that the town's documented history was not contained in any single location and that a repository of some sort could contribute to preserving the legacy of the small town.

In addition to the printed literature already in existence, I performed a survey which includes a photographic record and documentation of the historic sites, structures, and features in and around the Philomath National Register historic district. The original National Register nomination, provided by Gretchen Brock, National Register Coordinator at the State Historic Preservation Office, outlined the boundary and contributing resources of the Philomath historic district.⁸ The survey identified deteriorating structures that lay along the periphery. Though blighted, stabilization and rehabilitation of these buildings could allow for potentially enlarging the historic district in Philomath.

Documentary evidence contributes to interpretation of how the historic community has changed over time. The age of buildings identified in the survey was determined through deed research at the Oglethorpe County Courthouse, the records of the Oglethorpe County Board of Tax Assessors, and other documented sources. In addition, historical topographic and state highway maps revealed the original roadways and layout of the town, thus providing recognition

⁸ The Historic Preservation Division of the Department of National Resources is the State Historic Preservation Office (SHPO) in Georgia.

of structures and their location in the community prior to 1950. The maps, reliable in some cases, although not completely accurate in others, indicate the location of schools, churches, homes, barns, roads, and cemeteries that could aid in the development of a revised nomination to the National Register of Historic Places.

Finally, the publications of graduates from the UGA College of Environment and Design provided a springboard for gaining familiarity with additional case studies, the use of preservation tools, and research methods. Mr. Thomas Russell Butchko, Bachelor of Landscape Architecture (BLA, 1976), completed a Senior Terminus that provided a primary resource and foundation for interpreting the character and history of Philomath as of 1976.⁹ Ms. Gail Marlene Taylor Baldwin, Master of Historic Preservation (MHP, 1996), completed a thesis outlining grassroots preservation movements in unincorporated Georgia communities.¹⁰ Ms. Baldwin's case studies represent similar communities where problems and solutions for historic resource preservation were reflected in the use of the tools. In addition, the study provides a useful aid in gaining familiarity with the rural communities where historic resource protection is needed in Georgia today.

⁹ Butchko, Thomas Russell, *Philomath, Georgia – An Historical Plan*, Senior Terminus, School of Environment and Design, University of Georgia, 1976.

¹⁰ Baldwin, Gail Marlene Taylor, *Apalachee, Georgia: Preservation of Historic Resources in the Unincorporated Rural Community*, Masters Thesis, College of Environment and Design, University of Georgia, 1996.

CHAPTER 2

PHILOMATH: HISTORY AND SIGNIFICANCE

Philomath is an early settlement in Oglethorpe County that has a long history of over 200 years. Prior to the arrival of settlers, the land was occupied by native Creek and Cherokee Indians. In the 1770s, a survey party accompanied by renowned botanist William Bartram carved a path through east Georgia, scouting tracts of land to be acquired from the Native Americans. The district's period of significance begins in the 1770's when two million acres of land were ceded by Native Americans in exchange for payment and to settle past debts.¹¹ This opened the area up to settlers from North Carolina and Virginia. Early families staking their claim in the dense forest established Woodstock, which later became known as Philomath.

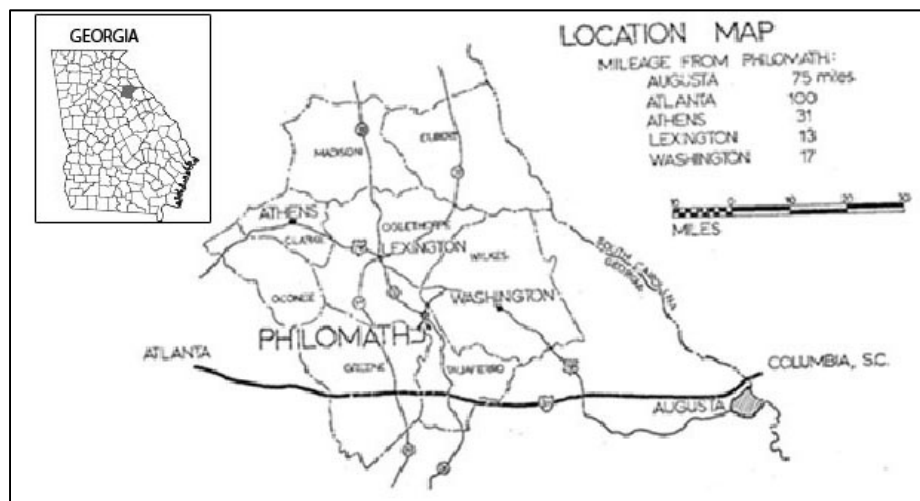


Figure 2: Oglethorpe County - Philomath, Georgia¹²

¹¹ De Vorsey, Louis, *The Indian Boundary in the Southern Colonies, 1763-1775*, The University of North Carolina Press, 1966, 166.

¹² Butchko, 3.

The trail that this early survey party carved, now known as the Bartram Trail, is a well-known cultural route that winds through several southern states and is recognized as a national recreational trail; however, the Bartram Trail remains a marginal tourist attraction for Oglethorpe County. Today, the Philomath association with the Bartram Trail is represented by a building which was constructed during the 1950s and has accommodated the Bartram Trail Society as a museum since the 1960s. The building and an acre of land were donated by late Philomath resident Dorothy Daniel Wright Normandy.¹³ The Bartram Trail Museum is located inside the Philomath National Register historic district, but sadly the building is rarely used. Today, the grounds are maintained by relatives of Ms. Normandy, the original donor of the property.



Figure 3: The Bartram Trail Society museum

A path leading east follows the Bartram Trail about a half-mile from the rear of the museum to the reputed site of the Bartram Buffalo Lick. A buffalo lick is a sweet outcropping of clay that attracts deer and other wildlife and makes for a rich hunting ground. The Bartram Buffalo Lick achieved notoriety centuries ago as an early landmark and source of legend among

¹³ Vaughn, Nelda; Vaughn, Virginia. *Philomath: "Love of Knowledge"*, Globe Studio Portraits and Paintings, Philomath, Georgia, 1972.

Native Americans.¹⁴ Bartram’s journals mention several licks including the “Bartram Buffalo Lick”, a site which has been included in Philomath’s nomination to the National Register of Historic Places. Other sites have since made the true location of the Bartram Buffalo Lick a matter of contention. Despite the controversy, historical signage identifying the Bartram Buffalo Lick as a popular feature of Philomath continues, while also attracting the occasional tourist.



Figure 4: “Bartram Buffalo Lick Located on Boundary of Ceded Lands 1773” (damaged)

Philomath’s location, set upon a two-lane stretch of highway corridor that receives only moderate use, is isolated within a scenic, natural setting. The edges of the historic district are rural and densely wooded, despite a few houses and churches that punctuate the first and last impression. Until the 1970s, there was more abundant grazing land in the immediate area around

¹⁴ Ibid.

Philomath. A portion of the grazing land has since been returned to forest or moderately developed for residential use.

Lying within a largely wooded and rural county, and in close proximity to the Oconee National Forest, Philomath has long been associated with the interests of logging. Much of the outlying area lies in the Broad River watershed¹⁵ and is privately owned by commercial pulpwood companies. Although, the likelihood of other industrial use is slight, the commercial pulpwood companies have potential to impact the visual and environmental qualities of the region. Clear cutting of nearby forests is a common practice, often requiring more than fifteen years for the recovery of the natural environment.¹⁶ Today, pulpwood farming remains a prominent use of the agricultural lands in Philomath.



Figure 5: Philomath country-side

¹⁵ *Broad River Watershed Association*, Online at: <<http://www.brwa.org/about/show/4>>, Accessed June, 2010.

¹⁶ Butchko, 27.

In the decades after settlement many farms sprang up around the area. Early designs from the late 1700s and several gracious, early to mid 1800s Greek Revival style mansions are the oldest inhabitable structures still standing to represent the agricultural past in Philomath. These early Greek Revival style mansions represent the plantation economy that developed in the area when cotton and agriculture were a way of life throughout the nineteenth and twentieth centuries.¹⁷ Numerous historic farms, barns, and other structures still operate on nearby side roads branching off of State Route 22 in the area outside of Philomath. These old buildings help maintain the historic and rural character of the county.



Figure 6: The Cox Log Cabin, c. 1780

The oldest structure in the community is the Cox Log Cabin which was moved across town to the property of Ms. Normandy in the 1970s to escape demolition.¹⁸ The moving of this

¹⁷ *History of Liberty Church, Wilkes County, Georgia*, Presbyterian Committee of Publication, 1904, 4.

¹⁸ Butchko, 12.

property from its ancestral setting has diminished its historic integrity. However, the Cox Log Cabin still remains a vestige of antiquated history in Philomath. Incongruous alterations to the original structure, including white clapboards and an asbestos shingle roof, muddle the historic character of the structure; however, these features communicate the evolution of the log cabin's use in Philomath until the present day. Residents in the community continue with the restoration of this privately owned historic resource.¹⁹ The Cox Log Cabin represents the oldest frontier days of Philomath and the patrimony of the earliest settlers.



Figure 7: The Globe, c. 1841

The historic character of Philomath includes several outstanding examples of antebellum plantation houses. The family of John J. Daniel, a prominent Captain of the Confederate Army, built several houses including The Globe, which many believe to be the site of the last

¹⁹ Communicated by Philomath resident Sue Ellen Buckman in March, 2010.

Confederate counsel of war meeting prior to the break-up of the Confederate government east of the Mississippi River.²⁰ Local oral histories recount the narratives of Jefferson Davis' 1865 flight from Richmond and the legendary Confederate gold lost in the forest of the area. Philomath lore also asserts that Davis may have dissolved the Confederate government from the balcony of The Globe.²¹ Like other historic communities, legends and folklore abound as a part of Philomath's long history. In any case, it is well recognized that Philomath played a part in events at the close of the Civil War during the spring of 1865.²² At the very least, the historic mansions offer a peek into the historic architecture and daily life of the past.

Most of the historic antebellum mansions are still occupied by well-known families in the community. Some of these houses have been rehabilitated, others have been renovated; however, they are still among the most significant aspects of the historic town. For present and past Philomath residents, the many unique features create a sense of distinction. Several individuals born here some sixty or seventy years ago have returned home to retire in tranquility amid the sleepy old town of their childhood.²³

Each house has a unique history dear to the long-time residents. For instance, the Bryan-Wolfe house, never completed, still boasts unfinished cedar trees that were cut from the yard of a neighbor and substituted as columns and supports for the cantilever roof because the intended box-columns of the front portico were never erected.²⁴

²⁰ Vaughn, 1.

²¹ Communicated by Philomath resident Sonny Bryan in March, 2010.

²² Communicated by Philomath resident Jim Carter in March, 2010.

²³ Communicated by Philomath resident Sonny Bryan in March, 2010.

²⁴ Ibid.



Figure 8: The Bryan-Wolfe residence, c. 1922

Even the town's name, meaning, "Love of Knowledge", is deeply rooted in the history of the community.²⁵ In 1848, an early pastor of the historic Philomath church, John W. Reid, established the well-known Reid Academy boarding school.²⁶ This well-respected and founding educator of the Reid Academy earned Philomath a distinguished reputation that reaches beyond the borders of the state. Historical records indicate that Robert Toombs and Vice President of the Confederacy, Alexander Stephens, traveled to Philomath to lecture at this boys school.²⁷ Though the Reid Academy itself has been lost, three of the Reid Academy student boarding-houses still remain in the town, thus providing physical monuments to the glory days of the academy in the mid 1800s. The former location of the Reid Academy, near the historic Philomath church, will likely remain as a site with potential archaeological significance.

²⁵ Nelms, Emily Nash, *Woodstock District: Philomath, Long May She Live*, Georgia Life, 1980.

²⁶ *History of Liberty Church, Wilkes County, Georgia*, Presbyterian Committee of Publication, 1904, 13.

²⁷ Vaughn, 1.



Figure 9: Historic Reid Academy student boarding-house, c. 1838

Philomath history asserts that the congregation of the historic Philomath church invited Joseph Wilson, the father of the twenty-eighth president, Woodrow Wilson, to minister in the mid 1800s. The Wilsons traveled all the way from Augusta, and Woodrow would later recall that his family enjoyed spending their vacations in Philomath.²⁸ During the summer of 2005, eight members of the community banded together for the purpose of preserving the historic Philomath church, now used for secular purposes. As a result, the Philomath Church Preservation Association (PCPA) was formed to enhance preservation in the community.²⁹

²⁸ Ibid.

²⁹ Communicated by Philomath resident Sue Ellen Buckman in March, 2010.



Figure 10: The historic Philomath church, c. 1892

The PCPA remains an active force in rehabilitating the old church, hosting community and fundraising events, and providing a source of inspiration and support for preservation in the community. This church, as one of the jewels of the community, provides a source of pride for residents who have contributed to its rehabilitation. The history and architectural features, both unique, are detailed with enthusiasm by the townsfolk who someday hope to utilize the restored church as a community center.³⁰ The rehabilitation of the historic church continues, under plans which include shutter, louver, and stained glass window repairs. There is also hope to acquire additional space for bathrooms and storage provided by a section of an old Oglethorpe County school-building which was moved from its place in Philomath.³¹ This represents an instance

³⁰ Communicated by Philomath resident John Buckman in March, 2010.

³¹ Communicated by Philomath resident Jim Carter in June, 2010.

where the goals of the PCPA have expanded beyond the historic church into greater aspects of the historic community.

Adjacent to the historic Philomath church, lays the historic Philomath Cemetery. At the cemetery are family plots dating from the 1850s, including a modest number of Confederate States of America (CSA) veterans. In 2006, the PCPA acquired the church due to a provision in the original deed allowing for ownership to revert from the congregation to the village elders if the congregation ever ceased to practice. Conversely, the cemetery is held in common by the town.³² Since 2009, the PCPA has provided a fund for maintenance at the cemetery.³³



Figure 11: Historic Philomath Cemetery CSA plot

While not contiguous with the Philomath historic district, two other cemeteries could be nominated as part of a “Multiple Property Submission” to the National Register of Historic Places.³⁴ Old Spring Hill Baptist Church Cemetery, dated from the late 1800s,³⁵ is located just

³² Communicated by Philomath resident John Buckman in March, 2010.

³³ Previously, Philomath resident Dr. David Echols had provided voluntary maintenance at the cemetery. Communicated by Philomath resident Sue Ellen Buckman in March, 2010.

³⁴ *National Register of Historic Places: Historic Contexts*, National Park Service, Washington, DC, 2002, Online at: <<http://www.nps.gov/history/NR/research/contexts.htm>>, Accessed June, 2010.

under a mile south of the historic district, down a dirt road and at the rear of the Old Spring Hill Baptist Church. This cemetery corresponds to a time in Philomath when an acre of land from the Barrow plantation was granted to former enslaved African Americans on which to build a church; previously, a brush arbor had provided a congregation point.³⁶ A second cemetery, the New Spring Hill Baptist Church Cemetery, dates from 1938 according to the earliest plot. This cemetery is located on the main road, adjacent to the New Spring Hill Baptist Church, and less than a mile east of the historic district. Mr. Hull, a long-time resident of Philomath, remembers the Old Spring Hill Baptist Church burned in the 1930s when a conflict divided the congregation and a new church and cemetery were established on the main road.³⁷



Figure 12: Old Spring Hill Baptist Church and Cemetery

Another structure with local significance in Philomath is Mr. Hull's home which he constructed in 1967.³⁸ Like many houses in Philomath, the method of construction is unique. He built the home of recycled parts which he acquired during his employment with the state.

³⁵ *A History of Old Spring Hill Baptist Church: Prepared by Dorothy Daniel Wright from Records of Reverend Alonzo Johnson*, (unpublished).

³⁶ Ibid.

³⁷ Communicate by Philomath resident Buster Hull in May, 2010.

³⁸ Ibid.

The significance of Mr. Hull's achievement cannot be overstated: For an African American to own his own land and home at that time was very rare.³⁹ Mr. Hull's home is set upon a hill, residing in an enclave near the New Spring Hill Baptist Church. The New Spring Hill Baptist Church was demolished and rebuilt in the 1970s.



Figure 13: Hull residence

Near the New Spring Hill Baptist Church and cemetery are two houses dating from about 1940.⁴⁰ These houses are located outside of the officially designated National Register historic district; however, they are significant in representing African American heritage in the community. One house sits uninhabited, once belonging to the first minister of the New Spring Hill Baptist Church.⁴¹ The first minister's house and a neighboring house are indicated on a 1963 Topographic Map, provided by the UGA Map Library, showing Philomath after the

³⁹ Ibid.

⁴⁰ *Board of Tax Assessors for Oglethorpe County, Georgia*, Online at: <www.qpublic.net/ga/oglethorpe/>, Accessed March, 2010.

⁴¹ Communicated by Philomath resident Buster Hull in June, 2010.

construction of State Route 22. These historic resources remain as likely candidates for inclusion in an amended nomination to the National Register of Historic Places.

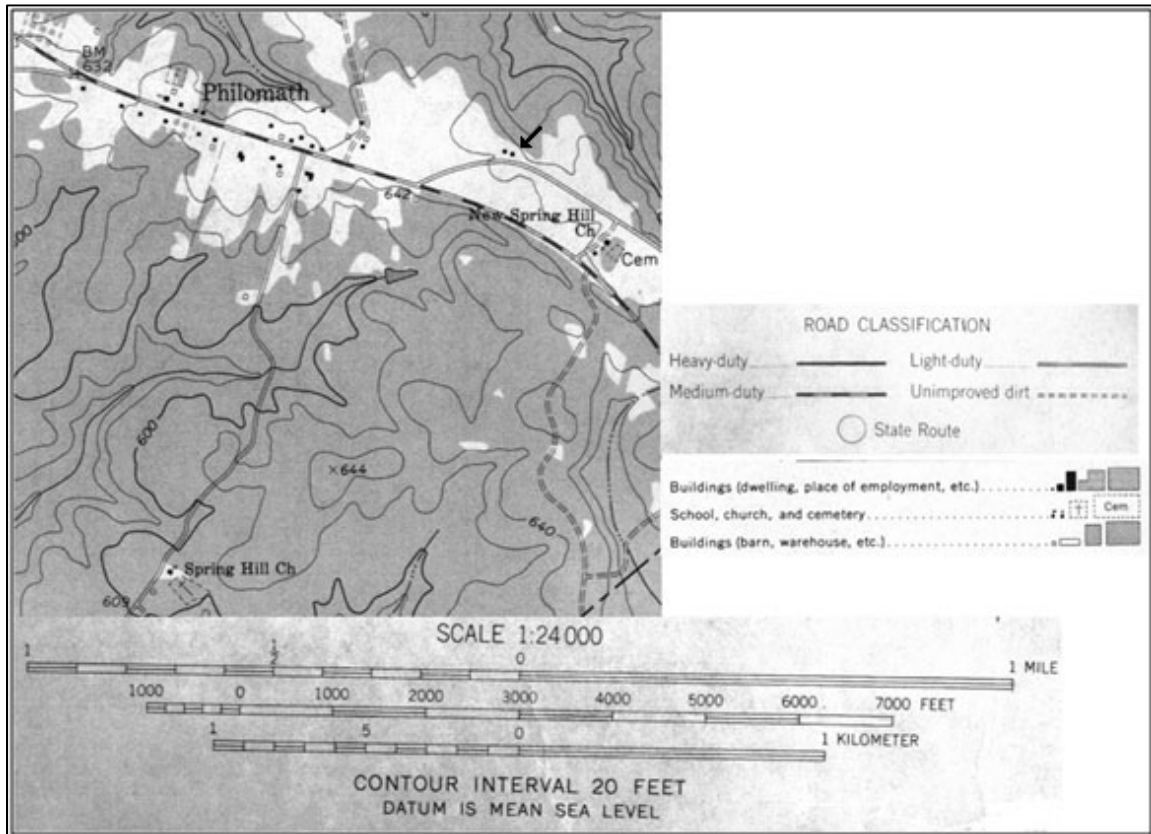


Figure 14: Topographic Map featuring Philomath (1963)⁴²

⁴² *Philomath Quadrangle, Georgia, 7.5 Series, Topographic (1963)*, Geological Survey, US Dept. of the Interior, 1966.



Figure 15: New Spring Hill Baptist Church first minister's house



Figure 16: House neighboring the first minister's house

Considerable interest in the preservation of Philomath exists among the community's residents. The residents most interested in preservation of the historic district are members of an older generation, whom in many cases, lived their childhood in Philomath sixty to seventy years

ago. Due to a lack of job opportunities in Oglethorpe County, most young people leave Philomath to attend college and to find employment. After many years away, former residents often return to Philomath to live out their retirement days in the peaceful, rural community. Those of a middle age who are able to live in Philomath and commute to work generally travel to either Athens or Augusta.⁴³

Although largely rural, many residents of Philomath welcome residential and commercial development, as long as it does not adversely affect the character of the historic district.⁴⁴ Yet, economic development in Philomath remains limited and likely a risky business venture. Economic opportunities are few and far between, despite the agricultural tradition which continues in the area. The potential for historic preservation to generate commercial activity, increase the sustainability of the community, and contribute to heritage tourism or education programs, will likely benefit the economic situation in the county and provide a prototype for other historic communities in Georgia.

⁴³ Communicated by Philomath resident Sonny Bryan in March, 2010.

⁴⁴ Communicated by Philomath resident John Buckman in March, 2010.

CHAPTER 3

SIMILAR CASE STUDIES

Case studies reveal the similarities and differences among Philomath and two other small, unincorporated communities that are also in need of historic resource protection. When highlighting common opportunities and potential implementation of tools for historic preservation, Apalachee and Old Clinton provide an excellent metric for comparison. Examination of these case studies reveals common obstacles to preservation as well as how the preservation tool-set can be implemented. The examples were prepared through visits to the historic communities, supplemented with research and the aid of past studies carried out by graduates of the College of Environment and Design at the University of Georgia.

The opportunity to compare and contrast Philomath with two recent case studies provides a focus for examination of the development of historic preservation movements in small, rural towns. The three towns are located in Georgia and are similar in that they are unincorporated, lack an active commercial district, and have historic resources that are now listed in the National Register of Historic Places.

In these towns, grassroots preservation movements initiated protections for the historic resources, thus revealing various challenges and opportunities of historic resource protection during the process. In all three examples, the preservation of historic resources had an effect on the wider community. The preservation tools used in Apalachee and Philomath address historic

resource protection without increased government regulation. Conversely, in Old Clinton a local preservation ordinance now regulates the appearance of the historic district.

Apalachee

Like many small rural villages in Georgia, Apalachee developed in the early half of the nineteenth century when the Georgia legislature granted several million acres of land to veterans of the Revolutionary War.⁴⁵ Named after an Indian chieftain and also the Apalachee River, the village is located in rural Morgan County, just south of Athens, Georgia. This early settlement was established a few decades after Philomath in the 1800s. Similarly, Apalachee is a historic agricultural community that developed while contributing to a southern economy rooted in cotton and, later, lumber and other agricultural business.

With architectural examples of Southern culture that developed through the post Civil War era, like most historical southern communities, Apalachee is home to a church, a cemetery, a school, store buildings, and historic homes. It was the rehabilitation of the c.1911 Apalachee school building which began in 1995 that provided the impetus for further preservation efforts and examination of the surrounding community.⁴⁶ The school's ongoing rehabilitation and use as a continuing education center is a symbol of heritage cherished by community members.⁴⁷ This catalytic trend for preservation is much like the experience in Philomath, where a community rallied behind the preservation of the historic Philomath church.

⁴⁵ Baldwin, 9.

⁴⁶ Ibid, 5.

⁴⁷ Ibid, 5.

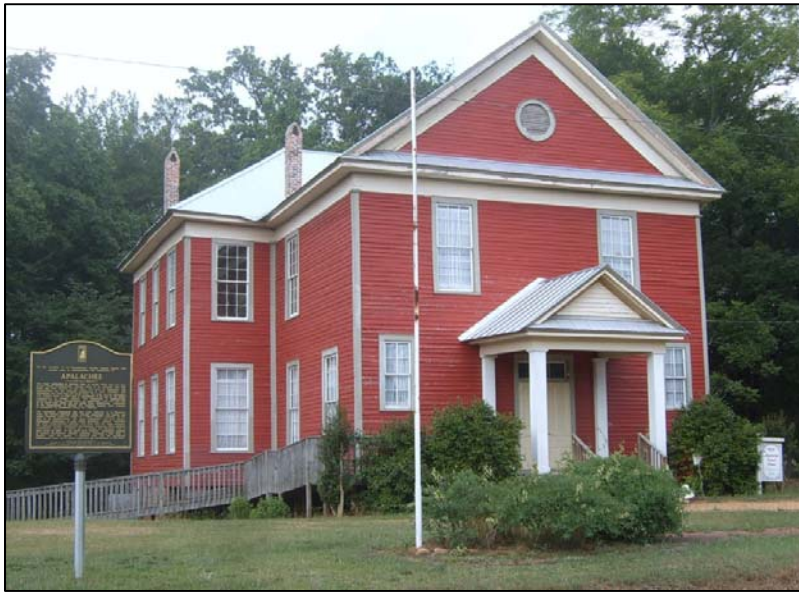


Figure 17: Apalachee School, c. 1911

In 2000, the school building was nominated to the National Register of Historic Places. However, numerous homes and other buildings remain undocumented and unprotected. As a common obstacle to historic preservation, undocumented historic properties are also apparent in Philomath. Today, neglected store buildings remain among the many opportunities for historic preservation in Apalachee.



Figure 18: Neglected store building in Apalachee

The impetus behind preservation in the towns is comparable as well. As in Philomath, leadership was the most compelling force for preservation in the Apalachee community.⁴⁸ Active community members initiated rehabilitation of the historic school building and instituted a community center at the school where a library of Apalachee memorabilia and manuscripts are archived. Similarly, historical markers were erected at both the school in Apalachee and the church in Philomath in order to commemorate the significance of each historic building.

While the heritage of the town is commemorated, a lack of funds increases the difficulty of preserving historic character. A common feature in rural communities is the use of efficiency buildings, commonly called Butler buildings. While economical to construct, these buildings are generally incompatible with the materials and character defining features of a historic district. As in Apalachee, the Philomath Volunteer Fire Department is housed in an efficiency building that is out of character with the historic setting. Communities with available funds are able to moderate the impact of incongruous development with the use of landscaping features, including vegetation screens and tree berms, as well as façade treatments of compatible materials. Zoning regulations and preservation ordinances could encourage landscape features and exterior materials that would help conceal incompatible development.

⁴⁸ Ibid, 117.



Figure 19: Incompatible modern development in Apalachee

The preservation themes that are apparent in Apalachee have the potential to inform the future efforts of Philomath and similar communities. As in Philomath, the unincorporated status of the community provides additional hurdles for preservation. This study is intended to help unincorporated communities overcome their weaknesses in historic resource protection, including a lack of awareness for historic preservation tools, undocumented historic resources, and a lack of protection for historic resources against character diminishing impacts.

Old Clinton

Old Clinton of Jones County is another historic community providing valuable comparisons to Philomath. Like Philomath, Old Clinton is unincorporated and retains historic integrity despite some modern development. Like Philomath, Old Clinton was listed on the National Register of Historic Places in the 1970s. While Old Clinton was nominated for national

significance rather than local significance, this distinction does not indicate a difference in the protection provided by National Register listing. Since its 1970's National Register listing, Old Clinton has compounded historic resource protection with additional tools for preservation.



Figure 20: Historic buildings in Old Clinton

A description of Old Clinton and its historic attributes, as described by the Preservation Planner who drafted a conservation plan in 1977, is included as follows:

With a population of 300, Clinton is a village in a pastoral setting. Its historical, architectural, and archaeological importance have been acclaimed by both state and national experts.

The mood of Clinton is hushed and relaxed, suited to pedestrian movement rather than vehicular traffic. Although some streets have been abandoned, enough of the original town plan exists to understand the pattern of the former streets. In almost all cases the streets that are no longer used are free from development and therefore could be reopened at least to foot traffic, thereby re-establishing the grid pattern of town.

The extant old houses remaining in Clinton are built of wood, though some early structures, now demolished, were also constructed of brick and granite. They are situated on banks facing the streets, quite near the edge of the streets. Eighteen structures remain which have been identified worthy of conservation. . . .

The most significant aspect and immediate appeal of Clinton is the vast amount of open space which surrounds the town. Heavily wooded now in some places, meadow-like in others, the land rolls and dips to creek bottoms, presenting vistas unchanged since the 18th century. Ancient cedars mark the sites of springs. . . .

There are also a considerable number of undeveloped blocks in Clinton, for which original structures have been identified. The filling in of these gaps would knit the fabric of Clinton together. The courthouse square remains, one-half covered by a Georgia Power sub-station, the other part is the site of a trailer. Proper treatment of this space would create a powerful center around which the community of Clinton would once again revolve.

Highway 129 severs the town in half and is a major factor affecting the Clinton resource and its uses. . . trailers (have been placed) throughout the town . . . modern houses have been erected.⁴⁹

Changing little in the last decades, Old Clinton clearly has a lot in common with Philomath, including the rural character of the town, intrusive modern construction, a collection of significant nineteenth century buildings, and natural, undeveloped land as a significant character defining feature. The two sleepy little towns reflect southern culture amid a changing historic community.

In the 1970s, the Old Clinton Historical Society emerged in Old Clinton. This non-profit organization is a prototype for historic preservation in similar communities having been established as a non-profit organization and having successfully written grants to fund historic preservation. In 1975, the organization employed a preservation planner to assist in publishing a useful report, the *Clinton Guide*, which outlined the character of the historic district.⁵⁰

In analyzing Old Clinton, based on significant historic features, the report concluded:

The essential quality of Clinton is found in two aspects of the town:

- The atmosphere of an old county-seat town of antebellum Georgia.
- The concept of an early nineteenth century county-seat of Georgia physically preserved in Clinton.

These features are the result of an unusual combination of factors that exist today (1975) in Clinton:

- The survival of a fair proportion of its antebellum structures.
- The original street pattern still partially in use and visible.
- A large number of archaeological sites relatively undisturbed.
- The town and its periphery largely undeveloped since the town's heyday.⁵¹

⁴⁹ *A Conservation Plan for the Village of Clinton, Georgia*, An unpublished document by Beth Lattimore Reiter, Historic Preservation Planner, Savannah, Georgia, June, 1977, 1/2.

Baldwin, 107.

⁵⁰ Ibid, 109/112.

⁵¹ *The Report of the Planning Committee of the Old Clinton Historical Society*, Adopted by the Society on January 12, 1975, Provided by Adriane Wood, Director of Planning, Middle Georgia Regional Development Center. Baldwin, 113.

The significant features of Old Clinton are quite similar to that of Philomath. While integrity remains, these features provide a foundation for the town's listing in the National Register of Historic Places. Furthermore, the Old Clinton Historical Society sought additional protections for the character of Old Clinton to ensure its preservation.

The Old Clinton Historical Society, which employed a preservation planner to document the character of the historic town, initiated designation of an Old Clinton local historic district through support for a preservation ordinance. Subsequently, the local historic district was established offering the protection of a design review process, which is administered by the Jones County History and Heritage Commission. The integrity of the historic district is managed according to design guidelines established by the *Clinton Guide*, in order to regulate the appearance of the historic resources and architecture. Though the regulation of a design review process is not welcomed by every community, Old Clinton employs a level of protection which is exemplary for a small town with significant historic resources.



Figure 21: Tree berms mitigate the impact of the Georgia Power sub-station



Figure 22: Convenience store in Old Clinton subject to design guidelines

Furthering the stewardship of historic resources, commemorative monuments and distinctive signage celebrate the character and history of the town. A stone marker honors a significant historical figure who delivered an address in Old Clinton in 1825, while recipients of an award of life-membership in the Old Clinton Historical Society are memorialized at the town square. In addition, interpretive maps illustrate the historic structures in Old Clinton.



Figure 23: Old Clinton Historical Society commemorative marker



Figure 24: Interpretive map illustrates the layout of Old Clinton

While the heritage of Apalachee, Old Clinton, and Philomath are comparable, the tools used for historic preservation highlight their differences. Old Clinton's non-profit organization utilized grant funding to employ a preservation planner, whose work led to the added protection of a preservation ordinance. In Apalachee, the historic school-building was rehabilitated, listed in the National Register, and utilized as a community center for continuing education. In Philomath, the non-profit organization continues to rehabilitate the historic church for use as a community center, while grants and other tools for historic preservation remain untapped. Activities in Apalachee and Old Clinton suggest the potential for further preservation in Philomath.

CHAPTER 4

APPLICABLE TOOLS FOR PRESERVATION

Various tools exist to encourage the preservation of historic resources in Georgia's rural communities. Identifying the tools, which provide awareness, regulatory protection, or financial incentive, allows for planning and increased stewardship of historic resources in Philomath and similar communities. Working in conjunction, the tools have the potential to compound the many benefits of historic preservation, while addressing many common challenges and opportunities for historic resource protection. An assessment of the tools follows, allowing recommendations which could enhance the role of the public and private sectors in preserving the character of historic resources in the Philomath community.

National Register of Historic Places

Many historic resources in Philomath are documented and recognized in the National Register of Historic Places. The National Register is a program established by the National Historic Preservation Act (NHPA) of 1966 and intended to support public and private efforts that identify, evaluate, and protect historic resources.⁵² The National Register includes districts, sites, buildings, structures, and objects that are significant in American history, and which

⁵² *The National Register of Historic Places Brochure*, National Park Service, Washington, DC, 2002, Online at: <<http://www.nps.gov/history/Nr/publications/bulletins/brochure/>>, Accessed March, 2010.

provide cultural, educational, aesthetic, inspirational, economic, and energy benefits.⁵³ The goals of the National Register are to foster a nation-wide preservation ethic, promote a greater appreciation of America's heritage, and increase and broaden the public's understanding and appreciation of historic places.⁵⁴

The National Register of Historic Places encourages residents to care for their unique historical patrimony. It also affords a number of benefits for eligible historic properties including opportunities for specific preservation incentives, such as:

- Federal preservation grants for planning and rehabilitation;
- Federal investment tax credits;
- Preservation easements to nonprofit organizations; and,
- Possible State tax benefits and grant opportunities.⁵⁵

Eligibility for these benefits requires no additional obligations or restrictions on the part of a historic resource owner, in so far as use, treatment, transfer, or disposition.⁵⁶

A building that is determined to be contributing to a district's character and eligible for listing in the National Register of Historic Places must meet the standards for evaluating significance within registered historic districts, as established by the Secretary of the Interior:

1. A building contributing to the historic significance of a district is one which by location, design, setting, materials, workmanship, feeling and association adds to the district's sense of time and place and historical development.
2. A building not contributing to the historic significance of a district is one which does not add to the district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, feeling and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.

⁵³ *National Historic Preservation Act of 1966, As Amended Through 1992, Public Law 102-575*, National Park Service, Washington, DC, Online at: <<http://www.nps.gov/history/local-law/nhpa1966.htm>>, Accessed March, 2010.

⁵⁴ Ibid.

⁵⁵ *National Register of Historic Places Fundamentals*, National Park Service, Washington, DC, Online at: <<http://www.nps.gov/history/nr/listing.htm>>, Accessed March, 2010.

⁵⁶ Ibid.

3. Ordinarily buildings that have been built within the past 50 years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given or the historical attributes of the district are considered to be less than 50 years old.⁵⁷

Philomath was included in the National Register in 1979 and to this day many of the residents appreciate the quality of the historic district.

As one of only three historic districts in Oglethorpe County, listing in the National Register is relatively unique. Distinct signage at the edge of town presently commemorates this honorary recognition.

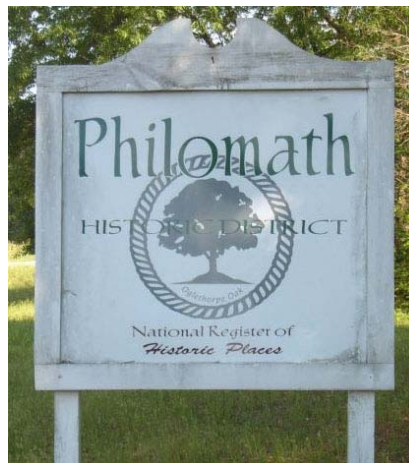


Figure 25: Signage for Philomath historic district

Prepared in 1978 by the State Historic Preservation Office, the nomination to the National Register of Historic Places is comprised of information pertaining to the significance and historic resources of Philomath. Since then, other buildings in and around Philomath have achieved significance and are in need of recognition. For this reason, it is not unusual to amend National Register nominations. In 1978, the Philomath National Register historic district nomination outlined an irregularly-shaped district with linear orientation set along a highway

⁵⁷ *Historic Preservation Tax Incentives*, National Park Service, Washington, DC, 2009, Online at: <<http://www.nps.gov/history/hps/tps/tax/brochure1.htm>>, Accessed March, 2010.

corridor. The following two figures indicate the significant historic properties and the few intrusions that were identified as a part of the National Register nomination.

PROPERTY OWNERS FOR PHILOMATH HISTORIC DISTRICT NOMINATION	
Parcel numbers correspond to those on the enclosed copy of the tax map. Addresses are all: Philomath, Georgia 30659, unless otherwise noted.	
<u>Parcel Number</u>	
1	Armour, W.M.
2	Bryan, Gordon
3	Armour, W.M.
4	Presbyterian Church
5	Partrain, Woodrow
6	Bryan, Mrs. R.G. and Mrs. Brantley, Vaughn
7	Normandy, Mrs. Dorothy Wright
8	Gallaspy, Mrs. Claudell
9	Wolfe, Albert
10	Armour, W.M.
11	Gallaspy, Mrs. Claudell
12	Glenn, Popie and Bessie
13	Gallaspy, A.B.
18	Callaway, Mrs. H.M.
26	Normandy, Mrs. Dorothy Wright
31	Woodstock Voting Precinct Oglethorpe County Commission Lovington, Georgia County-owned
32	Armour, Max H.
33	Vaughn, Mrs. Emily B.
34	Bryan, Gordon
35	Gallaspy, Mrs. Claudell
36	Partrain, Woodrow and Lousie
37	Nash, Mrs. Daisy H.
Source of information: Tax maps at Oglethorpe County Courthouse in Lexington, Georgia.	

Figure 26: Property owners for Philomath historic district nomination (1978)

INTRUSIONS PHILOMATH HISTORIC DISTRICT	
Parcel numbers correspond to those on the enclosed copy of the tax map.	
<u>Parcel Number</u>	
2	A trailer is located on this parcel.
6	A trailer is located on this parcel.
8	A United State Post Office trailer is located on this parcel to the east of the dotted line.
36	This parcel contains an early twentieth century general store and a gasoline station, as well as a trailer.

Figure 27: Intrusions: Philomath historic district (1978)

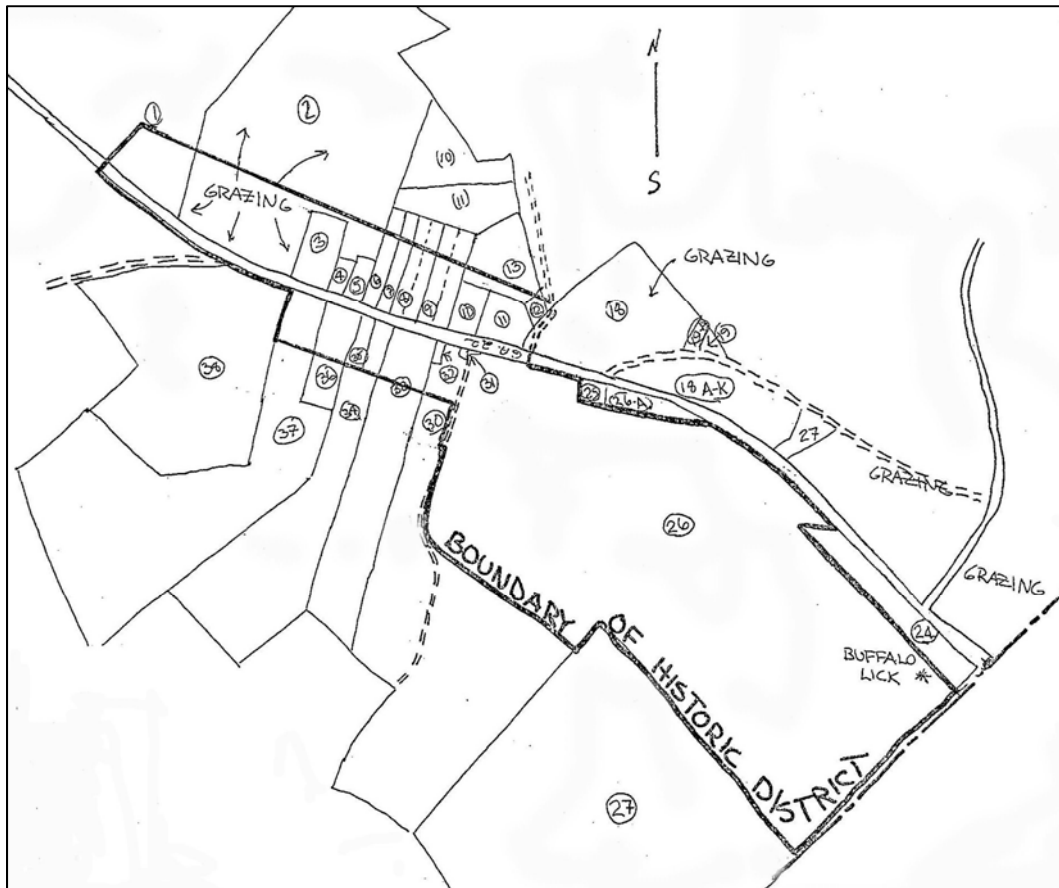


Figure 28: Oglethorpe County Board of Tax Assessors parcel map (1978)

Structures occupying the alcove between the main road and the unpaved road that is bordered by grazing land on the 1978 tax parcel map are not addressed in the original nomination. Today, these buildings represent the evolution of the Philomath community. Structures in this area exceed fifty years in age and retain significance for their association with the congregations of the Old and New Spring Hill Baptist Church. When the congregation of the Old Spring Hill Baptist Church divided in the 1930s, the first minister of the New Spring Hill

Baptist Church lived in one of the historic homes.⁵⁸ The home of the first minister was originally situated along the main roadway in Philomath.

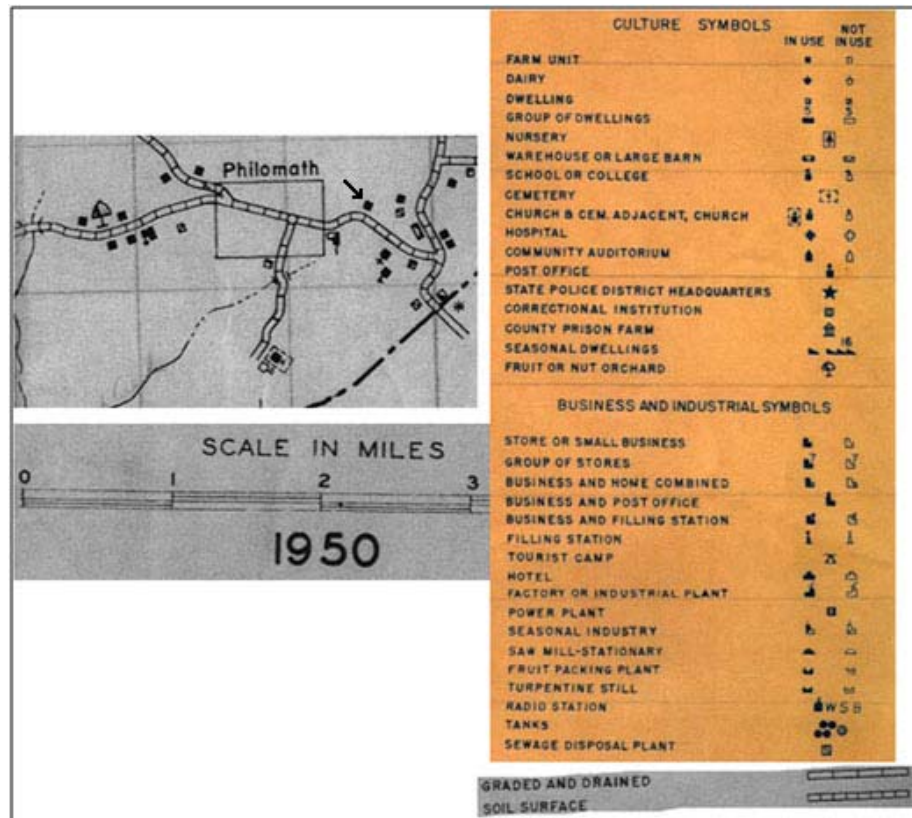


Figure 29: State Highway Map indicating original route through Philomath⁵⁹

Since the Philomath historic district was nominated to the National Register of Historic Places in 1978, additional structures including the first minister's house now meet the standards for historic significance as established by the Secretary of the Interior. A revised National Register nomination could recognize additional historic resources and allow a greater number of private property owners to be eligible for financial benefits.

⁵⁸ Communicated by Philomath resident Buster Hull in May, 2010.

⁵⁹ *General Highway Map: Oglethorpe County Georgia*, State Highway Department of Georgia, 1950.

Georgia properties listed in the National Register of Historic Places are also listed on the Georgia Register; however, not vice versa. The State Historic Preservation Office (SHPO), also established by the National Historic Preservation Act of 1966, administers the Georgia Register of Historic Places program. Through identification, the Georgia Register ensures that historic resources will be taken into account during the planning of state assisted projects.⁶⁰ Like the National Register, the Georgia Register provides no additional restrictions on private property rights, while allowing eligibility for financial incentives, including the state property tax abatement and a state income-tax credit for rehabilitation work that meets preservation standards.

In addition, the Georgia SHPO employs a Certified Local Government (CLG) Coordinator prepared to assist local governments in pursuing CLG status with the National Park Service. Local governments of all sizes may become *certified* to incorporate historic preservation principles into local government planning initiatives.⁶¹ CLGs receive special status and funding opportunities for committing to a historic preservation agenda. Special funding may support archaeological and historic resource surveys, National Register nominations, design guidelines, brochures and education materials, Historic Structures Reports, and preservation plans.

Certified Local Governments implement a comprehensive historic preservation program, while ensuring a greater degree of historic resource protection. The minimum goals for eligibility as a CLG include:

⁶⁰ *Georgia Register of Historic Places: Recognizing and Preserving Our historic Properties*, Historic Preservation Division, Georgia Department of Natural Resources, December, 2009, Online at: <http://gashpo.org/assets/documents/ga_reg_fs.pdf>, Accessed April, 2010.

⁶¹ *Certified Local Government Program*, National Park Service, Washington, DC, 2010, Online at: <http://www.nps.gov/history/hps/clg/become_clg.html>, Accessed March, 2010.

- Establish a qualified historic preservation commission.
- Enforce appropriate state or local legislation for the designation and protection of historic properties. In most cases this is done in the form of a local ordinance.
- Maintain a system for the survey and inventory of local historic resources.
- Provide for public participation in the local historic preservation program, including participation in the National Register process.
- Follow any additional requirements as outlined in the State's Procedures for Certification.⁶²

As a Certified Local Government, Oglethorpe County could administer a comprehensive historic resource program in unincorporated areas of the county.

Properties listed in the National Register of Historic Places are protected by a review process known as Section 106. This review process monitors adverse impacts on historic resources which are the result of any project or undertaking that is licensed, sponsored, or funded by the federal government. Section 106 is an advisory process and does not ensure that historic properties will remain protected. Although the National Register provides opportunities and recognition for historic properties, it is not a regulatory tool.

Historic Preservation Ordinance

The Georgia Historic Preservation Act (GHPA) of 1980 established the historic preservation ordinance as a means for historic resource protection by local governments. A preservation ordinance is a uniform procedure used by local governments in the state to provide for the protection, enhancement, perpetuation, and use of buildings, sites, structures, objects, and districts that have a special historical, cultural, or aesthetic interest or value.⁶³ The GHPA provides a legal foundation allowing cities and counties to enact a preservation ordinance

⁶² Ibid.

⁶³ *The Georgia Historic Preservation Act*, (Ga. L., 1980, p. 1723, §2).

creating a historic preservation commission according to minimum standards governing the commission's operation. Minimum standards assert the smallest commission size as three members, maximum length of term as three years, and qualifications of members to include having demonstrated a special interest, experience, or education in history or architecture.⁶⁴ Minimum standards, rather than optimal, allow fulfillment of the requirements by smaller and less populated communities.

The powers and duties of a historic preservation commission, as outlined by the GHPA, include the following:

1. Research and prepare an inventory of eligible properties for designation;
2. Recommend to the local governing body historic property or districts to be designated;
3. Review applications for a certificate of appropriateness;
4. Recommend to the local governing body when designation of a historic resource should be revoked;
5. Restore or preserve any historic properties acquired by the local governing body;
6. Promote acquisition of façade and conservation easements by the local governing body;
7. Conduct an educational program on historic properties within the historic preservation jurisdiction;
8. Investigate and study matters of historic preservation on behalf of the local governing body;
9. Seek out State and Federal funds for historic preservation and recommend appropriate use;
10. Consult with experts from the State Historic Preservation Office and the Georgia Trust for Historic Preservation, Inc.; and
11. Submit to the Historic Preservation Section of the DNR a list of designated properties.⁶⁵

Following designation of a historic resource as a local landmark or historic district, preservation commissions manage a design review process.

The design review process regulates the character of locally designated historic resources and generally addresses four basic areas of concern:

1. Rehabilitation and maintenance of an existing building;

⁶⁴ *Ibid*, (Ga. L., 1980, p. 1723, §4).

⁵² Waters, John C., *Maintaining a Sense of Place*, Institute of Community and Area Development, University of Georgia, 1983, 26-28.

2. New construction, either as an addition to an existing building or a new structure on vacant land;
3. Signs and landscaping features; and,
4. Demolition and relocation.⁶⁶

The basis of design review is a historic resource survey which provides documentation of the natural and man-made features that comprise the unique character of the historic resources.⁶⁷

Design guidelines inform property owners how their applications for a certificate of appropriateness (COA) will be evaluated. A COA is a document evidencing approval by an historic preservation commission of a proposal to make a material change in the appearance of a designated historic property.⁶⁸ Typically, a COA is required prior to receiving a building permit, ensuring that design, scale, building materials, and landscaping, conform to the historic character as specified in the design guidelines.⁶⁹ When a COA application is denied, a preservation commission may suggest alternative plans for modification. Violations, as with any other validly enacted municipal or county ordinance, are classified as a misdemeanor and often with a compounding fine.

By enacting a local preservation ordinance meeting the requirements of the Georgia Historic Preservation Act and by designating a local historic district in Philomath, the county could provide a powerful tool for the preservation of Philomath's historic resources and aesthetic quality.

⁶⁶ Ibid, 50/67

⁶⁷ Ibid, 49.

⁶⁸ The Georgia Historic Preservation Act, (Ga. L. 1980, p. 1723, §3).

⁶⁹ Waters, 67.

Tax Incentive Programs

As a preservation tool, tax incentive programs could provide a financial advantage for the owners of historic resources in Philomath. State and local tax programs vary according to their location, while federal tax incentive programs generally target historic buildings which are income-producing. Currently in Philomath, residential historic properties which undergo a substantial rehabilitation, and undeveloped agricultural land, are the most likely to benefit from the tax incentive programs preservation tool. The following table identifies the available tax incentive programs which have the potential to encourage preservation of the historic resources in Philomath:

Table 1: Tax Incentive Programs and Requirements

Tax Incentive	Requirements
Landmark Historic Property Tax Assessment Freeze	For income-producing buildings; does not require rehabilitation; Historic Preservation Ordinance required.
State Rehabilitated Historic Property Tax Assessment Freeze	For residential or income-producing properties; substantial rehabilitation required.
State Rehabilitation Income Tax Credit	For residential or income-producing properties; substantial rehabilitation required. Also applies to interiors.
Federal Historic Rehabilitation Income Tax Credit	For income-producing properties; substantial rehabilitation required.
Conservation Use Assessment	For Agricultural and Forest lands from ten to two thousand acres; requires a ten year restrictive covenant.

Local jurisdictions that have enacted a comprehensive historic preservation program including a preservation ordinance can adopt a property-tax assessment freeze program, pursuant to the state's Landmark Historic Property Act (LHPA) of 1990.⁷⁰ The landmark preferential tax

⁷⁰ Zoeckler, Robert L., *The Tax Abatement Program for Historic Properties in Georgia*, Georgia State Bar Journal, Volume 28, No. 3, February, 1992, 129.

abatement program helps to retain the character of a building or area through design review, while providing tax benefits and recognition for the exceptional quality of a historic resource. To qualify, the local government must certify the property as a “landmark historic property”, demonstrating exceptional architectural, historic, or cultural significance to the local community.⁷¹

The **Landmark Historic Property Tax Assessment Freeze** does not require rehabilitation, but is an award for highly important historic properties of “landmark” quality and lying within a jurisdiction that has enacted a comprehensive historic preservation program.⁷² The qualifying property must be income-producing and listed in the Georgia or National Register of Historic Places.⁷³ The tax benefit applies to the landmark and not more than two acres of the surrounding land, while additional land is assessed for tax purposes as otherwise provided by law.⁷⁴

A historic property receiving a tax assessment freeze is awarded a preferential tax treatment based on the frozen fair market value at the time of classification for a period of eight years. In the ninth year, the historic property is taxed at half of the difference between the freeze value and the current assessed property value; and in the tenth year, the property is taxed at its current fair market value.⁷⁵ Subsequent historic rehabilitation projects may utilize the tax assessment freeze program back to back with the state’s Rehabilitated Historic Property Tax Assessment Freeze program.

⁷¹ *Landmark Historic Property Act*, OCGA § 48-5-7.3, Online at: <<http://law.justia.com/georgia/codes/48/48-5-7.3.html>>, Accessed May, 2010.

⁷² Zoeckler, 131.

⁷³ Ibid, 131.

⁷⁴ Ibid, 132.

⁷⁵ Ibid, 131.

The **State Rehabilitated Historic Property Tax Assessment Freeze** is a program encouraging the rehabilitation and adaptive use of historic properties. This tax incentive is available to property used in residential, mixed-use, commercial, and/or other purposes. To be eligible for the tax freeze, several requirements must be met:

- The property must be listed in, or eligible for, the Georgia Register of Historic Places or the National Register of Historic Places;
- The rehabilitation work must meet preservation standards established by the Secretary of the Interior and the SHPO, and be completed within two years; and,
- The property must meet the “substantial rehabilitation test” or fair-market value thresholds as determined by the local tax assessor.⁷⁶

Though requiring substantial rehabilitation, the State’s historic rehabilitation tax incentives have the most potential to make a significant impact on contributing residential properties in Philomath.

A “substantial rehabilitation” must meet qualified expenditures, as follows:

- For a historic home used as a principle residence, the lesser of \$25,000 or 50% of the adjusted basis of the building;
- For a historic home used as a principle residence in a target area, \$5,000;
- For any other certified historic structure, the greater of \$5,000 or the adjusted basis of the building. At least 5% of the qualified rehabilitation expenditures must be allocated to work completed to the exterior of the structure. Acquisition costs and costs associated with new construction are not qualified rehabilitation expenses.⁷⁷

The substantial rehabilitation test also applies for the State’s Rehabilitation Income Tax Credit program, information on which follows.

The **State Rehabilitation Income Tax Credit** program, available since 2002, benefits owners of residential and commercial properties, including rental property. This program is

⁷⁶ *Historic Preservation Tax Incentives*, National Park Service, Washington, DC, 2009, Online at: <<http://www.nps.gov/history/hps/tps/tax/brochure1.htm>>, Accessed March, 2010.

⁷⁷ *Georgia State Income Tax Credit Program for Rehabilitated Historic Property*, Historic Preservation Division, Georgia Department of Natural Resources, December, 2009, Online at: <http://www.gashpo.org/Assets/Documents/State_tax_credit_fs.pdf>, Accessed March, 2010.

available to properties listed in the Georgia Register or National Register of Historic Places. The program provides owners the opportunity to take twenty-five percent of the “substantial rehabilitation” expenditures as a state income tax credit, capped at \$100,000.⁷⁸ This also provides an opportunity to rehabilitate interiors and possibly return to service any historic buildings that have sat uninhabited. This program is frequently used in conjunction with the State’s Rehabilitated Historic Property Tax Assessment Freeze and with the Federal Historic Rehabilitation Income Tax Credit program (see below).⁷⁹

On the national level, **Federal Historic Rehabilitation Income Tax Credits** are available for rehabilitation of income-producing buildings. The available programs include:

- Twenty percent tax credit for the *certified rehabilitation* of *certified historic structures*; and,
- Ten percent tax credit for the rehabilitation of *non-historic, non-residential buildings* built before 1936.⁸⁰

To be eligible for either incentive, the rehabilitation must involve a depreciable building and must meet Federal standards for tax relief in regard to a “substantial rehabilitation”.

- Federal recognition of a “substantial rehabilitation” is one occurring ordinarily within a two-year period, and in excess of \$5,000 or the adjusted basis of the building and structural components.
 - The adjusted basis is the purchase price, minus the cost of land, plus improvements already made, minus depreciation already taken.
- A depreciable building is one put to a use other than for the owner’s private residence, such as rental housing, commercial use, or agricultural use.⁸¹

An exception to the two-year “substantial rehabilitation” rule includes the phased rehabilitation.

A “phased rehabilitation” is developed in distinct pre-planned phases, over the course of sixty

⁷⁸ Ibid.

⁷⁹ Communicated by Ced Dolder, Tax Incentives Coordinator at the Georgia SHPO, in June, 2010.

⁸⁰ *Historic Preservation Tax Incentives*, National Park Service, Washington, DC, 2009, Online at: <http://www.nps.gov/history/hps/tps/tax/brochure1.htm>, Accessed March, 2010.

⁸¹ Ibid.

months rather than twenty-four, and meets the requirement of a substantial rehabilitation; that is, in excess of \$5,000 or the adjusted basis of the building.⁸²

Federal rehabilitation tax credit projects are reviewed, including related demolition and new construction, and approved only if the project meets *The Secretary of the Interior's Standards for Rehabilitation*. Once the tax credits are used by the property owner, the owner must hold the building for a full five years after completing the rehabilitation, or pay back the credit.⁸³ During this period, the SHPO verifies that the rehabilitated historic property adheres to the certified application. In cases of a violation, the tax credits may be revoked.⁸⁴ Governments, churches, and non-profit organizations are already tax-exempt and thus, are not eligible for the program.

The Federal Historic Rehabilitation Income Tax Credit is available to contributing buildings which undergo a *certified rehabilitation*, or a rehabilitation of a contributing structure that is approved as being consistent with the historic character of the property and, where applicable, the district in which it is located.⁸⁵ *Certified* status guarantees that the character of the historic resource is protected.

To be eligible for the twenty percent credit under the Federal Historic Rehabilitation Income Tax Credit program, a project must meet basic IRS requirements:

Qualified rehabilitation expenditures include costs of the work on the historic building, as well as architectural and engineering fees, site survey fees, legal expenses, development fees, and other construction-related costs, if such costs are added to the property basis and are reasonable and related to the

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Ibid.

services performed. They do not include acquisition or furnishing costs, new additions that expand the building, new building construction, or parking lots, sidewalks, landscaping, or other related facilities.⁸⁶

The Federal tax credit is available for properties rehabilitated for commercial, industrial, agricultural, or rental residential purposes, but it is not available for properties used exclusively as the owner's private residence. Ideally, the application process is completed before work begins to ensure that the Secretary of the Interior's standards are upheld and so that the SHPO may better assist in the process.

The ten percent credit under the Historic Rehabilitation Income Tax Credit program is available to assist with rehabilitation of income-producing, non-historic or non-contributing buildings placed in service before 1936. The property must be depreciable and the work done must be substantial. The building must be put to use in an otherwise non-residential fashion; rental-housing does not qualify.⁸⁷

The ten percent credit includes standards for retaining the original fabric of the building:

- At least 50% of the buildings external walls existing at the time the rehabilitation began must remain in place as external walls at the work's conclusion, and
- At least 75% of the buildings existing external walls must remain in place as either external or internal walls, and
- At least 75% of the buildings internal structural framework must remain in place.⁸⁸

Buildings in service before 1936 and located in a historic district are generally presumed to be historic and are thus ineligible for the ten percent rehabilitation tax credit.

In the past, Philomath's rural location has limited economic activity. There have been very few businesses within a ten mile radius for many years and commercial use, such as a bed-and-breakfast, general store, or historic house tours program, has not been implemented. An

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Ibid.

increase of economic activity may allow for the use of tax incentives for income-producing properties, including the Federal twenty percent rehabilitation tax credit and the local Landmark Historic Property tax assessment freeze programs.

To date, the only tax incentive utilized for preservation in Philomath is the local property-tax deduction for **Conservation Use Assessment**. Conservation use assessment applies to tracts of land from ten to two thousand acres, providing a benefit to private owners who maintain the natural character and undeveloped use of the land.⁸⁹ Eligibility depends on whether a parcel is in good-faith agricultural or forest production. This would include producing plants, trees, fowl or animals, or the production of aquaculture, horticulture, floriculture, forestry, dairy, livestock, poultry and apiarian products.⁹⁰ Now, used for forestry, row-cropping, raising chickens, and grazing cattle,⁹¹ agriculture has been the tradition of the land for more than two centuries.

Conservation use assessment applies a renewable, ten-year restrictive covenant to a parcel of land, ensuring temporary protection of the character of the environment while the private property owner receives a tax benefit.⁹²

Conservation use property is assessed at 40% of current use value which gives a reduced assessment to the owner of this type of property when compared to other property assessed at 40% of fair market value. This favorable tax treatment is designed to protect these property owners from being pressured by the property tax burden to convert their land from agricultural use to residential or commercial use, hence the name “conservation use” assessment.⁹³

An owner who breaches a conservation use agreement must repay the tax authorities twice the savings received over the life of the covenant up to the point that it was breached.

⁸⁹ *Title 48, Revenue and Taxation*, OCGA § 48-5-7.4 (2008), Online at: <<http://www.morganga.org/Portals/0/TA/48-5-7,4%20.pdf>>, Accessed April, 2010.

⁹⁰ *Ibid.*

⁹¹ Communicated by Philomath resident Sonny Bryan in March, 2010.

⁹² *Local Government Services Division 2009 Conservation Use Values*, Georgia Department of Revenue, 2009, Online at: <www.etax.dor.ga.gov/ptd/cas/cuse/values/2009/LGS_Conervation_Use_Values_2009.pdf>, Accessed March, 2010.

⁹³ *Ibid.*

In the map below, hatched areas indicate the parcels of land that are receiving the property tax deduction for conservation use assessment.



Figure 30: Parcel map indicating conservation use assessment

The hatched area covers a high proportion of the land that extends from the fringe of the National Register historic district. These parcels are to remain in agricultural or forestry production for the life of the ten-year agreement. In Philomath, at least three additional parcels of land are large enough to receive the property tax deduction for conservation use assessment, thereby providing incentive for maintaining the natural, undeveloped character of the land.

Conservation Easements

While local and state tax incentive programs have the most potential to support the preservation of historic resources in Philomath, the ultimate protection can be achieved with a conservation easement. Essentially, an easement is:

a non-possessory interest of a holder in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic, or open-space values of real property; assuring its availability for agricultural, forest, recreational, or open-space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archeological, or cultural aspects of real property.⁹⁴

As a private legal tool, conservation easements allow for a contractual agreement providing protection for a historic resource against the pressures for development in an area.

Drafted in 1981, the Uniform Conservation Easement Act (UCEA) established the conservation easement as the most effective long-term protection for historic property in private ownership.⁹⁵ In order to derive tax benefits however, federal tax law requires that an easement be granted in perpetuity.⁹⁶ Still, an easement may be extinguished in the case of changed conditions affecting the property or its environs, the holder of the conservation easement ceases to exist, or for other reasons not anticipated at the time of the easements creation.⁹⁷ Typically, the financial incentive of a perpetual conservation easement is a property tax assessment that is equal to the reduction in the property value represented by the value of the easement and a charitable income tax deduction for the value of the easement.

⁹⁴ *Georgia Uniform Conservation Easement Act*, Georgia Code § 44-10-1, Online at: <www.dca.state.ga.us/intra_nonpub/Toolkit/OtherResources/GaUnfmConsEsmntAct.pdf>, Accessed March, 2010.

⁹⁵ Coughlin, Thomas, *Easements and Other Legal Techniques to Protect Historic Houses in Private Ownership*, Historic House Association of America, Washington, DC, 1981, 6.

⁹⁶ *Uniform Conservation Easement Act: With Prefatory Note and Comments*, National Conference of Commissioners on Uniform State laws, American Bar Association, Chicago, IL, 1982.

⁹⁷ *Ibid.*

While residents develop a strong connection with their historic community, conservation easements generally protect historic building facades and scenic view sheds from two commonly recurring threats:

1. Future owners of historic property might, in the course of “improvements,” unwittingly destroy historically or architecturally important elements of the structure or its historic setting.
2. Gradual (or rapid) appreciation of land values, with attendant tax increases due to inflation and development pressures, may compel demolition, substantial structural alteration or subdivision of historic property, against the wishes of the property owner and his family. This is especially true in cases where undeveloped historic property is included in a decedent’s estate. Federal Estate Taxes are computed based on the “highest and best use” test, the value at which the property could be sold for its most intense use, rather than its actual, current or “historic” use... inclusion of underdeveloped historic property in a decedent’s estate at its speculative value can compel a forced sale for development, because neither the decedent, his estate, nor his heirs has the cash needed to pay the Estate Taxes.⁹⁸

The advantage of a conservation easement is that the character of a historic property will remain protected in perpetuity, despite changing ownership or the pressure for development.

Conservation easements generally require that a property owner receive approval from a qualified easement holder or third party enforcer in order to make alterations to a historic property. The Georgia Uniform Conservation Easement Act (GUCEA) of 1992 identifies a “qualified holder” to be composed of:

1. A governmental body empowered to hold an interest in real property under the laws of this state or the United States; or
2. A charitable corporation, charitable association, or charitable trust, the purposes or powers of which include retaining or protecting the natural, scenic, or open-space values of real property; assuring the availability of real property for agricultural, forest, recreational, or open-space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archeological, or cultural aspects of real property.⁹⁹

In addition to the legal relationship established between an easement holder and a private property owner, a third party may be involved in monitoring an easement.¹⁰⁰

⁹⁸ Coughlin, 2.

⁹⁹ *Georgia Uniform Conservation Easement Act*, Georgia Code § 44-10-1, Online at: <www.dca.state.ga.us/intra_nonpub/Toolkit/OtherResources/GaUnfmConsEsmntAct.pdf>, Accessed March, 2010.

¹⁰⁰ Many organizations require easement donors to contribute a tax deductible “easement maintenance fund” to help support the cost of monitoring and enforcing the easement.

Provision for a “Third-party right of enforcement”, is a right provided to a third party to enforce any terms of a conservation easement granted to a governmental body, charitable corporation, charitable association, or charitable trust, which, although eligible to be a holder, is not a holder.¹⁰¹ In Philomath, the PCPA, as a non-profit public charity, has the potential for performing the role of easement holder or third-party right of enforcement.

Conservation easements are under-utilized in Philomath due to many reasons, including relatively few easement opportunities, a lack of awareness for the benefits of a conservation easement, and an apprehension for private property regulation. The burdens of a preservation easement are relatively minor. Easements restrict alterations to significant features of a protected house and grounds, and also include periodic inspections by the easement holder.¹⁰² For most, this means little change compared to the benefits including the satisfaction of knowing that the property is permanently protected against the most serious threats: uncontrolled alterations of historically important architectural elements and forced, incompatible development to the property’s “highest and best use”.¹⁰³

At the annual Bar-B-Q in April of 2009, a local farmer expressed his opposition to private property restrictions. Rather than tie-up the use of his land for so long, he can lease the property to hunters at \$10 an acre per year.¹⁰⁴ Through this strategy the farmer could retain development rights and better afford the property taxes. However, conservation easements are surprisingly flexible, generally allowing a variety of recreational activities including hunting. Furthermore, state legislation in the GUCEA contains an amendment provision allowing for

¹⁰¹ Ibid.

¹⁰² Coughlin, 12.

¹⁰³ Ibid, 12.

¹⁰⁴ Communicated by local resident Billy Walker in November, 2009.

further customization of easements. The GUCEA provides that, “a conservation easement may be created, conveyed, recorded, assigned, released, modified, terminated, or otherwise altered or affected in the same manner as other easements”.¹⁰⁵

Many easement contracts are drafted with a customized amendment provision making the agreement more attractive for both grantor and holder, while furthering the conservation purpose of the easement.¹⁰⁶ Often, a trade-off affecting the permitted level of residential development is a concern. “A conservation easement can be used to control the number, location, and design of buildings, thus ensuring that a quality development plan is maintained in perpetuity. Used in this manner, an easement may be able to enhance the value of each lot created.”¹⁰⁷

Currently, conservation easements are the strongest available tool for preserving the character of the Philomath historic district. Charitable, non-profit organizations including the PCPA, or a historic preservation commission, have the potential to perform easement holder or third party right of enforcement responsibilities. The Georgia State Historic Preservation Office or nearest National Trust Regional Office should be able to identify additional preservation organizations operating a nearby easement program.

Non-Governmental Organization

In July 2005, at the suggestion of long-time resident Ms. Sue Ellen Buckman, the Philomath community began to organize in order to rehabilitate the historic church at the center

¹⁰⁵ *Georgia Uniform Conservation Easement Act*, Georgia Code § 44-10-1, Online at: <www.dca.state.ga.us/intra_nonpub/Toolkit/OtherResources/GaUnfmConsEsmntAct.pdf>, Accessed March, 2010.

¹⁰⁶ *Ibid.*

¹⁰⁷ *How to Protect Your Land*, Rondout-Esopus Land Conservancy, NY, 2010, Online at: <<http://www.relandconservancy.org/EasementQA.htm>>, Accessed June, 2010.

of town.¹⁰⁸ The church had sat unused for more than three decades, now a community initiative would support its preservation. Later that summer, the Philomath Church Preservation Association (PCPA), a non-profit public charity, was established to gather support from the local community in order to rehabilitate the historic Philomath church.¹⁰⁹

The following year the PCPA acquired the church. A provision in the original deed allowed ownership to revert to the village elders when the congregation ceased to practice.¹¹⁰ Soon after, local newspapers including *The Oglethorpe Echo* and *The Athens Banner Herald* published news articles about the PCPA's project and the organization began to raise charitable funds through donations and fundraising events.¹¹¹ The community reinstituted the annual Pork & Chicken Bar-B-Q, an event first held over a century ago.¹¹² Other events sponsored by the organization include a Low-Country Seafood Boil and a Christmas Church Singing. These community events raise funds through ticket sales, donations, and sale of holiday charms and Christmas ornaments.

The PCPA has recently begun providing maintenance for the Philomath cemetery, previously kept up by volunteer efforts.¹¹³ Enlarging the focus of the organization has stirred interest in broadening the mission of the PCPA. Currently the mission is to organize exclusively to raise charitable funds for preservation of the historic Philomath church with several members providing donations of time, labor, and materials.¹¹⁴ Additional funding is needed for the ongoing restoration to afford attention to the shutters, the louvers, and improvement of the

¹⁰⁸ Communicated by Philomath resident Sue Ellen Buckman in March, 2010.

¹⁰⁹ Ibid.

¹¹⁰ Communicated by Philomath resident Johnny Buckman in March, 2010.

¹¹¹ Ibid.

¹¹² The annual Pork & Chicken Bar-B-Q was mentioned in *The Oglethorpe Echo* over a century ago.

¹¹³ Communicated by Philomath resident Sonny Bryan in March, 2010.

¹¹⁴ Communicated by Philomath resident John Buckman in March, 2010.

stained glass windows.¹¹⁵ At the same time, the PCPA hopes to someday utilize the church as a community center along with an Oglethorpe County school building, which was moved from its site in Philomath providing space for bathrooms and storage.¹¹⁶

In the past, the PCPA has applied for three grants to assist in rehabilitation of the historic Philomath church, which have all been denied.¹¹⁷ Although a secular organization, in one case the word “church” in the title of the PCPA complicated the attainment of grant funding. While grants to secular organizations with church in their name are permitted, it is a sensitive issue because it allows for competition between religious organizations.¹¹⁸ Appropriately renaming the organization the Philomath Community Preservation Association may alleviate this difficulty while allowing the PCPA to retain the acronym.

Secondly, while having completed all other steps needed for establishment as a 501 (c)3 non-profit corporation, including established bylaws, election of officers, and certification with the IRS as a public charity, the PCPA’s pending registration with the state as a corporation could be adding difficulty to obtaining grant funding.¹¹⁹ Pursuant to OCGA §§ 43-17-3, “all organizations that solicit contributions from the public for charitable purposes are required to register with the state”.¹²⁰

¹¹⁵ Communicated by Philomath resident Sue Ellen Buckman in March, 2010.

¹¹⁶ Communicated by Philomath resident John Buckman in June, 2010.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ *Corporations Search*, Georgia Secretary of State, Online at: <http://corp.sos.state.ga.us/corp/soskb/csearch.asp>, Accessed June, 2010.

¹²⁰ *Charitable Organization Registration Information*, Georgia Secretary of State, 2008, Online at: http://sos.georgia.gov/securities/charitable_organization.htm, Accessed June, 2010.

Operating on the county level, a local for-profit organization with the potential to support preservation efforts in Philomath is the Oglethorpe Historic Society, Inc.¹²¹ Their mission, “to promote knowledge and appreciation of history and historic preservation”, is best achieved by simply saving what history can be saved.¹²² Dozens of people from Oglethorpe County and the surrounding area are involved, including residents of the Philomath historic district.

For the last decade, the Oglethorpe Historic Society has focused on two primary objectives:

1. A focus on publications, such as books and compilations, including histories, genealogies, marriage and death records, available to people and libraries, thus providing a source of fundraising; and,
2. A historic preservation focus involving grant funding to stabilize the Old Jail in Lexington and return it to its nineteenth century appearance for use as a visitor’s center and museum.¹²³

The Oglethorpe Historic Society provides a forum for residents of the community to gather and appreciate the heritage of the county, while the publications can help disseminate knowledge of historic preservation. Some support might be forthcoming from this organization, but its for-profit status could limit its usefulness to Philomath.

On the state level, the Georgia Trust for Historic Preservation is a non-profit organization with the potential to impact historic resources in Philomath. The mission of the organization is “to promote an appreciation of Georgia's diverse historic resources and provide for their protection and use to preserve, enhance and revitalize Georgia's communities”.¹²⁴ Through encouraging stewardship and the reuse of Georgia’s historic buildings, the Georgia Trust

¹²¹ *Corporations Search*, Georgia Secretary of State, Online at: <<http://corp.sos.state.ga.us/corp/soskb/csearch.asp>>, Accessed June, 2010.

¹²² Communicated by the Oglethorpe Historic Society’s long-term President, Tom Gresham, in June, 2010.

¹²³ Ibid.

¹²⁴ *The Georgia Trust*, Online at <www.GeorgiaTrust.org/about/mission.php>, Accessed June, 2010.

promotes an appreciation for historic resources along with the economic and social benefits of preservation. The main goals of the Georgia Trust include the following:

- To inform Georgians about their state's historic resources and diverse cultural heritage;
- To increase the number of historic buildings, places and related landscapes that are protected, preserved and actively used across the state;
- To broaden awareness of the enormous economic impact of preservation as an essential tool for community revitalization and quality of life enhancement;
- To provide preservation information and technical assistance for projects;
- To preserve, restore and manage historic properties of exceptional significance for public enjoyment and education; and,
- To use an understanding of Georgia's past to better prepare for Georgia's future.¹²⁵

The goals and objectives of the Georgia Trust help guide Georgia toward a sustainable future with a healthier environment.

One of the tools that the Georgia Trust uses to complete its mission is the Revolving Fund for Endangered Properties. The purpose of the fund, which has operated since 1990, is to provide effective alternatives to demolition or neglect of significant historic properties by promoting their rehabilitation.¹²⁶ The Revolving Fund accepts property donations and acquires an option to purchase on endangered historic properties in order to find a suitable buyer who is interested in maintaining the historic integrity of the structure. Often, when a sale is made, restrictive covenants are utilized to ensure that the property will be rehabilitated and maintained. Subsequently, the fund is replenished.

In addition, the Georgia Trust operates an easement program allowing owners of architecturally significant structures to donate a conservation easement. These easements require the owner of a historic property to maintain the resource in a certain physical condition, and to

¹²⁵ Ibid.

¹²⁶ Ibid.

refrain from making alterations to the property without prior review, consultation, and approval by the Georgia Trust. The easement also carries with it financial benefits for the property owner that include income, estate, gift, and property tax advantages.¹²⁷

Non-governmental organizations at all levels – local, county, and state – have the potential to contribute significantly to the preservation efforts in Philomath.

Grants

A grant is an award of financial assistance that takes place between a grantor and a grantee. There are a number of state and federal grants available to support historic preservation in Philomath. Some common sources of information about grants include the Northeast Georgia Regional Commission (NEGRC), State Historic Preservation Office, and the National Trust for Historic Preservation. In most cases, grants for preservation are available to local governments and non-profit organizations. However, there are also grants available to private historic homeowners to support the rehabilitation of historic buildings. Surprisingly, there are even grants available to communities not listed on the National Register of Historic Places.

Operating on the local level, the NEGRC provides information and assistance for available grant opportunities. Available grant information includes the Georgia Heritage Grant Program, the Historic Preservation Fund (HPF) Grant Program, and the Historic Landscape and Garden Grant Program. The Historic Landscape and Garden Grant Program is available from The Garden Club of Georgia in order to provide seed money for preservation projects that

¹²⁷ Ibid.

benefit the public.¹²⁸ A majority of grants are available on a matching basis, requiring 40-50% of the funds for the project to be provided from another source.

Operating on the state level, the Georgia SHPO administers state and federally funded grant programs including Preserve America grants, HPF grants, and Georgia Heritage Grants. In 2010, the focus of Preserve America Grants was assisting Georgia's cities and towns in promoting their community landmarks through heritage tourism.¹²⁹ The HPF Grant Program is available to Certified Local Governments (CLGs) with a proven commitment to historic preservation. HPF grants can fund pre-development or development activities including surveys, National Register nominations, design guidelines, brochures, historic structures reports, and preservation plans.¹³⁰ Georgia Heritage Grants, funded by revenue from preservation license plate sales, provide seed money for the preservation of historic properties and archaeological sites throughout Georgia.¹³¹

On the national level, The National Trust for Historic Preservation manages a national endowment for investing and assisting with preservation in rural areas, towns, and cities. The endowment allows the National Trust to provide non-profit organizations and public agencies with matching grants from \$500 to \$5,000 for preservation planning and educational efforts, and/or intervention funds for preservation emergencies.¹³² Another fund administered by the

¹²⁸ *Historic Preservation Grants*, Planning Department, Northeast Georgia Regional Commission, 2010, Online at: <<http://www.negrc.org/departments/planning/grants.hp.asp>>, Accessed June, 2010.

Communicated by Burke Walker, Local Government Services Coordinator at the NEGRRC, June, 2010.

¹²⁹ *Grants Items*, Historic Preservation Division, Georgia Department of Natural Resources, Online at: <<http://www.gashpo.org/content/displaynavigation.asp?TopCategory=200>>, Accessed June, 2010.

¹³⁰ *Historic Preservation Fund Grant*, Historic Preservation Division, Georgia Department of Natural Resources, Online at: <<http://www.gashpo.org/content/displaycontent.asp?txtDocument=40>>, Accessed June, 2010.

¹³¹ *Georgia Heritage Grant Program*, Historic Preservation Division, Georgia Department of Natural Resources, Online at: <<http://www.gashpo.org/content/displaycontent.asp?txtDocument=38>>, Accessed June, 2010.

¹³² *National Trust Preservation Funds*, National Trust for Historic Preservation, Washington, DC, 2009, Online at: <<http://www.preservationnation.org/resources/find-funding/grants/>>, Accessed June, 2010.

National Trust is the Peter H. Brink Leadership Fund. This fund supports leadership and promotes effectiveness of staff and board members of preservation organizations in order to allow them to effectively fulfill their mission for historic preservation.¹³³ This grant may support guest speaker honoraria in order to mentor existing preservation organizations toward networking and strengthening historic preservation programs in the community.

Community Education Programs

Education programs may take many forms and provide various functions. A series of brochures, flyers, homeowner's manuals, guest speakers and even word of mouth may enlighten residents to the tools and opportunities for historic resource protection. Whatever the choice, a community education program should increase awareness and enhance the appeal of preservation for its intended audience. Education programs lay the groundwork for future preservation efforts, without which little success in implementing preservation tools can be found.

While the Georgia Historic Preservation Act of 1980 empowers a preservation commission to administer community education programs, a community organization may take the lead as well. Grant funding is available to help support such an effort. The Northeast Georgia Regional Commission (NEGRC) meets with local government and non-profit organizations in order to discuss education programs and funding sources.¹³⁴

¹³³ *The Peter H. Brink Leadership Fund*, National Trust for Historic Preservation, Washington, DC, 2009, Online at: < <http://www.preservationnation.org/resources/find-funding/grants/the-peter-h-brink-leadership.html>>, Accessed June, 2010.

¹³⁴ Communicated by Burke Walker, Local Government Services Coordinator at the NEGRC, in June, 2010.

A community developing an educational program for historic resource protection should consider the five fundamental questions:

1. What do we have of historic significance?
2. Why are these resources important?
3. Do these resources need protection and, if so, in what ways are they threatened?
4. How have others protected historic resources and will those methods work in our area?
5. What shall we do to protect the historic resources of our area?¹³⁵

Education programs could increase involvement and awareness in support of a historic preservation agenda.

An educational program can disseminate information about historic preservation, including preservation goals of the community, available tax incentive programs, and architectural rehabilitation and maintenance techniques. In addition, educational programs may increase political and citizen support for a historic preservation ordinance, including educational sessions and workshops involving representatives of the SHPO, regional planners, and the National Alliance of Preservation Commissions (NAPC) in nearby Athens.¹³⁶ In addition, an education program may be incorporated as a part of a festival day commemorating Philomath's history, while utilizing a guest-speaker to increase the public appeal of the event.

The PCPA has the potential to provide leadership through administering an educational campaign focused on preservation. The community events sponsored by the PCPA allow the opportunity to support an awareness program, while creating an avenue for community engagement and participation. Such a program could provide the cornerstone for historic

¹³⁵ Waters, John C., *Maintaining a Sense of Place*, Institute of Community and Area Development, University of Georgia, 1983, 41.

¹³⁶ *National Alliance of Preservation Commissions (NAPC)*, Online at: <www.uga.edu/napc>, Accessed March, 2010.

resource protection and knowledge of the preservation tools, including awareness of the incentives available for properties listing in the National Register of Historic Places.

Preservation Plan

Simply put, a preservation plan outlines a community's action plan for future preservation activity.¹³⁷ Including goals and priorities, each preservation plan is distinctively crafted to a unique set of needs and will vary depending on the stage of development, the size of the community, awareness of local historic resources, the number of historic resources, and existing protections and incentives for preservation in the community.¹³⁸ Support for a preservation plan represents a proactive approach towards historic resource protection.

There are many reasons for a community with historic resources to have a preservation plan, including the following:

1. To state clearly the goals of historic preservation in the community;
2. To comply with state zoning or planning enabling legislation requiring local governments to have comprehensive plans and requiring that there be a mandatory (or optional) historic preservation element in that plan;
3. To let current and future property owners and residents know in advance how the community intends to grow and what the community wants to protect;
4. To help provide a legal defense against lawsuits alleging unfair treatment of property owners or arbitrary decisions by government;
5. To eliminate uncertainty or confusion about the purpose, meaning, and content of an existing local historic preservation ordinance;
6. To form the basis for adoption of a new historic preservation ordinance or to strengthen the legal basis of an existing historic preservation ordinance;

¹³⁷ *Planning: Measuring Progress*. National Alliance of Preservation Commissions, The Alliance Review. December, 2005, 4.

¹³⁸ White, Bradford J., *Preparing a Historic Preservation Plan*, American Planning Association, Planning Advisory Service, 1994, 1.

7. To ensure consistency, or eliminate inconsistency, between various local government policies that affect the community's historic resources;
8. To educate and inform citizens about their heritage and its value to the community;
9. To create an agenda for future preservation activities and to create a way to measure progress in protecting historic resources;
10. To provide a basis for interim protection of historic resources while steps are taken to adopt a formal preservation ordinance to protect those resources;
11. To comprehensively address issues relating to tourism, zoning, traffic patterns, and design that affect historic resources;
12. To encourage economic development through preservation of historic resources; and,
13. To strengthen the political understanding of and support for historic preservation policies.¹³⁹

Developed by the Georgia SHPO, *Georgia's State Historic Preservation Plan 2007-2011: Building a Preservation Ethic*, is the state-level, stand-alone historic preservation plan.

The state historic preservation plan recognizes the need to identify historic resources, and supports a collaborative effort between the University of Georgia and the Georgia SHPO to maintain a Natural, Archaeological, and Historic Resource Geographic Information System (NAHRGIS) database, as a system for the survey and inventory of historic resources in Georgia.¹⁴⁰ The most recent survey of historic resources in Philomath occurred in 1996 under the direction of a private consultant.¹⁴¹ A request to the SHPO by the NEGRC could provide for an updated survey and a recent inventory of historic resources that are eligible for listing in the National Register of Historic Places.

To date, no stand-alone, local preservation plan has been prepared for Oglethorpe County. As illustrated in the Clinton example, hiring a private consultant to prepare a local preservation plan for the community is one useful option. This would support awareness of

¹³⁹ Ibid, 2/3.

¹⁴⁰ *Georgia's State Historic Preservation Plan 2007-2011: Building A Preservation Ethic*, Historic Preservation Division, Georgia Department of Natural Resources, 2010, Online at: <http://gashpo.org/Assets/Documents/HPD_2007_2011_Plan_low_res.pdf>, Accessed June, 2010.

¹⁴¹ *Natural, Archaeological, and Historic Resources GIS (NAHRGIS)*, Online at: <<https://www.itos.uga.edu/nahrgis/>>, Accessed June, 2010.

historic resources in the community, recognition of historic resources on the local and national level, and design guidelines to protect local historic resources. Potential sources of funding for a privately-funded preservation plan include local preservation organizations and civic-minded businesses;¹⁴² other potential sources of funding include the state government.

Usually, it is the historic preservation commission or local preservation advocacy group that takes the lead in pushing for adoption of a local preservation plan. In addition, a task force or community committee could advocate a local preservation plan at monthly public hearings of the Planning and Zoning Commission or at Community Participation workshops for developing the comprehensive plan. However, a preservation plan is no simple matter; it requires funding, time, and people for implementation and ongoing administration.

Comprehensive Plan

The NEGRC is responsible for developing regional planning objectives, including a comprehensive plan for Oglethorpe County in compliance with minimum planning standards created by the state. The standards require that a comprehensive plan must include three components:

1. A Community Assessment in the form of an objective report providing information about the issues, opportunities, character and patterns of development in the community;
2. A Community Participation Program that describes the local government's strategy for ensuring adequate public involvement in the plan; and,

¹⁴² *Planning: Measuring Progress*. National Alliance of Preservation Commissions, The Alliance Review. December, 2005, 7.

3. A Community Agenda that includes the community's vision for the future, as well as a strategy for achieving this vision.¹⁴³

In addition to the three components, the traditional comprehensive plan has four basic characteristics:

1. It is future oriented, establishing goals and objectives that will be attained incrementally over time;
2. Planning is continuous, as a set of policies that are periodically amended to adjust to changing conditions;
3. The plan is realistic, based on current and anticipated conditions; and,
4. Planning is comprehensive, including goals for historic preservation.¹⁴⁴

Although not a requirement, a comprehensive plan could be informed by a state or local historic preservation plan, or vice versa.

Comprehensive plans are mandated by Georgia law and are established to provide guidance in light of planning and policy initiatives. The standards and procedures of the Georgia Planning Act of 1989 (OCGA 12-2-8) require that local comprehensive plans, at a minimum, address the following issues: land use, economic development, community facilities, population, housing, and natural and historic resources.¹⁴⁵ These issues, in light of limited resources, create difficulties in planning and implementation which are ironed-out in periodic five-year updates to the plan.

In many states, including Georgia, a preservation element is required as a part of the comprehensive plan.

The most effective preservation plan is adopted as an element of the comprehensive plan complete with goals, definition of historic character, summary of past preservation efforts, survey of historic resources, explanation of legal basis, discussion of the relationship between historic preservation and other land-use

¹⁴³ *Standards and Procedures for Local Comprehensive Planning: Local Planning Requirements*, Georgia Department of Community Affairs, 2005, Online at: <<http://www.dca.state.ga.us/development/PlanningQualityGrowth/programs/downloads/MinimumStandardsAdopted.pdf>>, Accessed June, 2010.

¹⁴⁴ *Planning: Measuring Progress*. National Alliance of Preservation Commissions, The Alliance Review. December, 2005, 4/5.

¹⁴⁵ White, 46.

and growth management authority, explanation of public-sector responsibilities, discussion of incentives, summary of the relationship between historic preservation and local education programs, and a statement of an agenda for future action.¹⁴⁶

In essence, the preservation element of the comprehensive plan directs the policy of the local government towards the preservation of historic resources.

The preservation component of the Oglethorpe County comprehensive plan provides protection for natural and cultural resource areas, including the following objectives:

1. Promote clustered development patterns that retain a higher percentage of tree-cover and reduce the potential for negative impacts on environmentally sensitive areas;
2. Preserve the rural character and the opportunity for agricultural and forestry activities to remain a vital part of the community;
3. Protect environmentally sensitive areas throughout the county from the encroachment of incompatible development;
4. Promote the adaptive reuse and rehabilitation of historic structures as an economic development tool;
5. Encourage state and federal recognition of significant cultural resources; and,
6. Seek funding opportunities for the rehabilitation and reuse of county facilities as cultural resources.¹⁴⁷

These objectives underline the significance of cultural, historic, and natural resources, while promoting conservation in order to strengthen the economic and social benefits that accompany historic preservation.

The Community Participation Program ensures adequate public involvement in development of the comprehensive plan and provides an opportunity for residents in Philomath to get involved. Visioning workshops allow representatives with an intimate knowledge of the community to help shape the goals and objectives in the plan; this could increase support for educational programs about local historic resources and encourage enactment of a historic preservation ordinance.

¹⁴⁶ Ibid, 1.

¹⁴⁷ *Joint City-County Comprehensive Plan, 2005-2025, Community Agenda for Oglethorpe County and the Cities of Arnoldsville, Crawford, Lexington, and Maxeys*, Northeast Georgia Regional Development Center, June, 2006, 33/34.

Already, the comprehensive plan identifies Philomath as a National Register historic district, encouraging that all development adjacent and within Philomath should be compatible with the character of the historic district.¹⁴⁸ Incorporated within the plan, elements from the zoning ordinance protect historic character and contribute to a planned development pattern. Infill is promoted to maximize the use of existing infrastructure and minimize the conversion of undeveloped land at the village periphery.¹⁴⁹ This supports preservation of open-space viewsheds and limits the amount of land consumed by new development. While compact development around the Philomath village center is encouraged, zoning and the comprehensive plan aim to balance growth with environmental quality.

Zoning

Although private property regulations are controversial and often perceived as government interference with individual rights, zoning can be helpful for preserving cultural areas.¹⁵⁰ Zoning allows for government to regulate the character and use of land, while providing an element of organization in the community that supports planning and other activities.¹⁵¹ Incorporated within the Oglethorpe County comprehensive plan, zoning is administered by the Planning and Zoning Commission according to the county zoning ordinance enacted in 2005.

¹⁴⁸ Ibid, 17.

¹⁴⁹ Ibid, 18.

¹⁵⁰ Blanco, Caroline; Hutt, Sherry; [et al], *Cultural Property Law: A Practitioner's Guide to the Management, Protection, and Preservation of Heritage Resources*, American Bar Association, 2004, 81.

¹⁵¹ Communicated by Mary Cook, Planning and Zoning Administrator for Oglethorpe County, in March, 2010.

Generally speaking, there are two parts to a zoning ordinance. The first part is a map that divides the county into a number of zones. The second part is the text, which specifies in detail what may be constructed and to what use structures may be put in each zone.¹⁵² The zoning ordinance establishes district classifications which regulate the development and use of the individual parcels of land, including their impact on historic resources. Whether in a modern or traditional architectural style, the zoning ordinance encourages development that is compatible with county standards and which protects the historic character of Philomath, while supporting future growth plans. The zoning classifications in Philomath are shown in the following Figure.

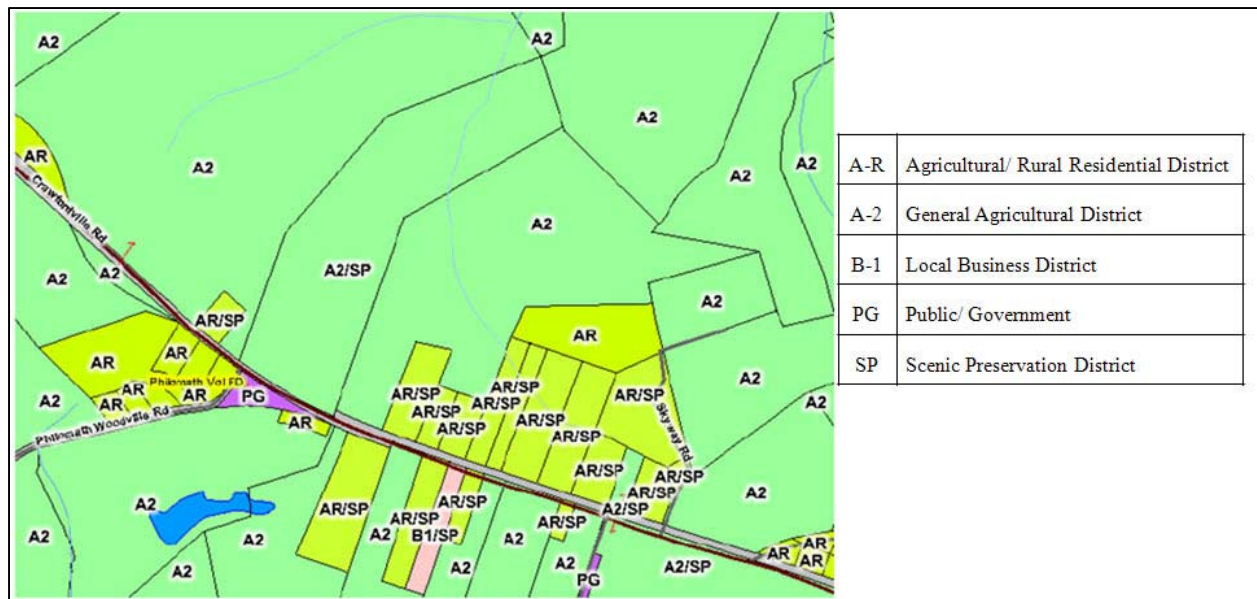


Figure 31: Philomath zoning classifications (2010)

The majority of parcels that are occupied by a historic building are classified with the base-zoning district of (AR) Agricultural/Rural Residential District or (A2) General Agricultural District. The AR classification is intended to preserve the scenic and rural characteristics of the county and discourage higher development of low-density, single-family residential lots of less

¹⁵² Levy, John M., *Contemporary Urban Planning, Eight Edition*, Pearson Prentice Hall, NJ, 1988, 141.

than five acres.¹⁵³ The A2 classification is designed to preserve farmland and promote agricultural uses related to timber and crop production, horticultural uses, or limited livestock operations (typically associated with pasture land).¹⁵⁴

The (SP) Scenic Preservation District overlay is attached to the base zoning of many parcels occupied by a historic resource. The purpose of the SP classification is to protect and maintain the unique character of significant rural, natural, historic, and scenic areas that have been identified as such, without unreasonably denying the rights of the owner. SP zoning ensures compatibility between development and historic resources including the use, location, size, design, and materials, of buildings, landscaping, accessory structures, signage and parking.¹⁵⁵ Scenic Preservation District overlay classifications provide conservation for the natural and historic quality of the environment in the absence of a preservation ordinance.

The three zoning districts which are utilized in Philomath provide a planning tool that encourages preservation of natural and historic resources. The restrictions limit the issuance of a building permit, while ensuring that new and existing development remains compatible with the historic resources. As one of the few protections currently preserving the historic character of the Philomath, zoning restrictions lessen the likelihood that intrusions, incongruous development, and incompatible alterations will diminish the integrity of the historic district. Familiarity with the zoning tool allows residents to remain aware of the general regulations on the individual parcels of land.

¹⁵³ *Joint City-County Comprehensive Plan, 2005-2025, Community Agenda for Oglethorpe County and the Cities of Arnoldsville, Crawford, Lexington, and Maxeys*, Northeast Georgia Regional Development Center, June, 2006, 3.

Communicated by Mary Cook, Oglethorpe County Planning and Zoning Administrator, in June, 2010.

¹⁵⁴ *Ibid*, 6.

¹⁵⁵ *Section 715: [SP] Scenic Preservation District*, Oglethorpe County Zoning Ordinance, Provided by Mary Cook, Oglethorpe County Planning and Zoning Administrator, in March, 2010.

CHAPTER 5

CONCLUSION AND RECOMMENDATIONS

Tools for historic preservation are necessary to sustain the character of the Philomath historic district. With support provided by private and public entities, the opportunities and obstacles for historic preservation can be identified and addressed. Through increased awareness and appropriate planning, Philomath and similar communities can best prepare for character diminishing impacts which have affected historic communities in the past.

Preserving the historic character of Philomath is important. Rooted in the community, the PCPA has the opportunity to provide leadership in historic resource protection. While the community events are currently tied to fundraising for the rehabilitation of the historic Philomath church, these events could support community outreach and the goals of a broader vision. Awareness of the tools for historic preservation is a key factor in achieving the related benefits, including financial incentives and preservation of the Philomath historic district.

While all of the tools for historic preservation have an advantage, enactment of a local preservation ordinance has the most potential to widely impact historic resource protection in Oglethorpe County. As the basis for a comprehensive historic preservation program, the opportunities provided by a preservation ordinance allow a variety of preservation activities in unincorporated areas, including increased recognition and support for local historic resources.

The preservation of historic resources in Philomath could be enhanced with the following recommendations:

1. Reorganize the PCPA to serve as a non-profit community-focused preservation organization.

- A. Revise the title, mission, and goals of the PCPA.
- B. Register with the Secretary of State and Internal Revenue Service as a charitable, 501 (C)3 non-profit corporation.
- C. Solicit members and donations to fund PCPA programs.
- D. Publicize community events.
- E. Continue pursuing grant opportunities.

2. Develop a preservation advocacy program for PCPA, to include:

- A. Initiation of an awareness campaign regarding its goals and objectives.
- B. The benefits of a preservation ordinance.
- C. Tax incentive and conservation easement opportunities.
- D. The need for an expanded National Register listing.
- E. Develop community events focused on a preservation agenda.
 - i. Utilize community events as an opportunity for community outreach.
- F. Produce a handbook on tools for preservation.

3. Initiate a campaign for a county preservation ordinance, seeking Philomath as its initial historic district designation.

- A. PCPA should develop supportive educational programs for the Philomath historic district, once designated.
 - i. Conduct an education program on local historic properties.

4. Develop Preservation Plans.

- A. Support Philomath representation at Community Participation workshops for development of comprehensive planning objectives.
- B. Expand coverage of issues related to Philomath in the county's comprehensive plan.
- C. Secure a stand-alone preservation plan for Philomath.

As the Philomath historic district continues to change, tools for preservation encourage the stewardship of historic resources in the community. Maintaining the unique historic qualities of Philomath ensures that the community will continue to provide inspiration and other benefits for future generations to come.

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