

## Historic Landmark Commission Meeting

Bastrop City Hall  
1311 Chestnut Street  
Bastrop, TX 78602  
(512) 332-8840



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### AGENDA –September 12, 2019, at 6:00 P.M.

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*Historic Landmark Commission meetings are available to all persons regardless of disability. If you require special assistance, please contact the Commission Secretary at (512) 332-8840, or write to 1311 Chestnut Street, Bastrop, TX 78602, or call Relay Texas through a T.D.D. (Telecommunication Device for the Deaf) at 1-800-735-2989 at least 48 hours in advance of the meeting.*

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#### 1. CALL TO ORDER

#### 2. CITIZEN COMMENTS

*At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the Board Secretary prior to the meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, the Commission cannot discuss issues raised or make any decision at this time. Issues may be referred to City Staff for research and possible future action.*

*To address the Commission concerning any item on the agenda, please submit a fully completed request card to the Board Secretary prior to the meeting.*

#### 3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 3A. Consider action to approve meeting minutes from the July 17, 2019 Historic Landmark Commission Regular Meeting.
- 3B. Consider action to approve meeting minutes with corrections from the June 19, 2019 Historic Landmark Commission Regular Meeting.
- 3C. Public hearing and consider action to recommend approval for Historic Landmark Designation for the property located on 0.292 acres of Building Block 11, North East ¼ subdivision, Lot 1, also known as 909 Farm Street, called the Ernest and Julia Hasler Home and forward to the next City Council meeting.
- 3D. Consider action on a Certificate of Appropriateness for changing the roof material and removal of a chimney 1706 Pecan Street that is a Designated Local Historic Landmark known as the Long House.

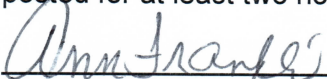
- 3E. Consider action on a Certificate of Appropriateness for an exterior addition to a street facing façade at 1101 Hill Street which is a National Register Structure known as the Minnie Wilkes House.
- 3F. Consider action to recommend the creation of the Iredell Historic District to the Planning & Zoning Commission and City Council for inclusion in the Bastrop Building Block Code (B3) in order to allow the city to review exterior building materials.
- 3G. Discussion on Certified Local Government requirements, including board resumes and Historic Resources Inventory.
- 3H. Review Chapter 14 – Zoning, Section 14.03.006 Incentives for historic landmarks and rebate and maintenance letters that were distributed in 2019.
- 3I. Review Historic Landmark Ordinance to determine requirements for Certificate of Appropriateness and how they apply to infill developments.
- 3J. Discussion on possible natural springs along the Colorado River.
- 3K. Consider action on a Certificate of Appropriateness for changing the roof materials for 1307 Church Street that is a National Register Structure, known as the Hall-Sayers-Perkins House/ R.L. Perkins House.

#### **4. UPDATES**

- 4A. Individual Requests from Historic Landmark Commissioners that particular items to be listed on future agendas (no group discussion allowed).

#### **5. ADJOURNMENT**

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, [www.cityofbastrop.org](http://www.cityofbastrop.org) and said Notice was posted on the following date and time: Friday, September 6, 2019 at 11:00 a.m. and remained posted for at least two hours after said meeting was convened.

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**MINUTES OF BASTROP HISTORIC LANDMARK COMMISSION MEETING July 17, 2019**

The Bastrop Historic Landmark Commission met in a Regular Meeting on Wednesday June 19, 2019 at 6:00 p.m. at Bastrop City Hall, located at 1311 Chestnut Street, Bastrop, Texas. Members present were:

Christine Cartwright	Present	Susan Long	Present
Dan Hays-Clark	Present	Janean Whitten	Present
Blake Kaiser	Present	Matthew Lassen	Present
Pat Crawford	Absent		

**CALL TO ORDER**

Chair Hays-Clark called the meeting to order with a quorum being present. 6:00 p.m.

**CITIZEN COMMENTS**

No citizen speakers.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

3A. Consider action to approve meeting minutes from the June 19, 2019 Historic Landmark Commission Regular Meeting.

**Commissioner Dan Hays-Clark requested that additional information be included on the meeting minutes for the June 19, 2019 Historic Landmark regular meeting. No motion was made.**

3B. Discussion on the new development at 921 Main Street.

**Jean Riemenschneider with the Bastrop Economic Development Corporation updated the Commission on the plans for the development at 921 Main Street**

3C. Discussion for Certified Local Government designation requirements and the required resumes for Commissioners.

**Assistant Planning Director, Jennifer C. Bills presented the steps and requirements to gaining Certified Local Government status**

3D. Presentation and discussion of Bastrop’s oldest fire hydrant.

**Assistant Planning Director, Jennifer C. Bills presented the historic information on file about the oldest fire hydrant in Bastrop.**

**Commissioners discussed the possibility of having the fire hydrant raised and having a plaque made for it.**

3E. Discussion on HB 2496 passed by the Texas State Legislature and the impact on future historic landmark designations.

**Assistant Planning Director, Jennifer C. Bills presented the impact that HB 2496 will have on the designation of historic landmarks. Effective immediately. Notable regulation is to send a notice to the property owner 15 days prior to meeting to inform them of the regulations that will effect them by becoming a designated Historic Landmark.**

3F. Discussion on HB 2439 passed by the Texas State Legislature and a governmental entity’s ability to regulate building products, materials and methods.

**Assistant Planning Director, Jennifer C. Bills presented the impact that HB 2439 will have on the ability of the City to regulate building products, materials and methods and the effect it will have on Certificate of Appropriateness, landmarks and the Commission. Effective September 1, 2019.**

**4. UPDATES**

4A. Individual Requests from Historic Landmark Commissioners that particular items to be included on future agendas (no group discussion allowed).

**Review Historic Landmark Ordinance to determine infill requirements for a Certificate of Appropriateness.**

**Councilman Bill Ennis will be the City Council representative to HLC beginning October 1, 2019.**

**Commission Chair Susan Long requested to discuss the historic Bastrop Springs at the September or October meeting.**

**Discuss letters sent to the designated historic landmarks that receive a rebate each year and revisit the maintenance requirement in the ordinance in order to receive the rebate.**

**Potentially the meeting day will be changed from the regularly scheduled third Wednesday of the month.**

**Chair Hays-Clark adjourned the meeting at 7:06 p.m. without objection.**

APPROVED:

ATTEST:

\_\_\_\_\_  
Dan- Hays-Clark, Chair

\_\_\_\_\_  
Susan Long, Vice-Chair

**MINUTES OF BASTROP HISTORIC LANDMARK COMMISSION MEETING  
June 19, 2019**

The Bastrop Historic Landmark Commission met in a Regular Meeting on Wednesday June 19, 2019 at 6:00 p.m. at Bastrop City Hall, located at 1311 Chestnut Street, Bastrop, Texas. Members present were:

Christine Cartwright	Present	Susan Long	Present
Dan Hays-Clark	Present	Janean Whitten	Present
Blake Kaiser	Present	Matthew Lassen	Absent
Pat Crawford	Absent		

**CALL TO ORDER**

Chair Hays-Clark called the meeting to order with a quorum being present. 6:07 p.m.

**CITIZEN COMMENTS**

No citizen speakers.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

3A. Consider action to approve meeting minutes from the February 20, 2019 Historic Landmark Commission Special Meeting.

**A motion was made by Commissioner Christine Cartwright to approve the meeting minutes for the February 20, 2019 Historic Landmark regular meeting, seconded by Commissioner Blake Kaiser. Motion passed unanimously.**

3B. Consider action to approve a Certificate of Appropriateness for an exterior addition to a street facing façade at 1101 Hill Street which is a National Register Structure known as the Minnie Wilkes House.

**A motion was made by Commissioner Christine Cartwright to postpone a decision until building plans are submitted in order for the Commission to see the impact on the historic structure. Seconded by Commissioner Blake Kaiser. Motion passed unanimously.**

3C. Discussion on the development at 921 Main Street.

**Jean Riemenschneider with the Bastrop Economic Development Corporation updated the Commission on the plans for the development at 921 Main Street.**

**4. UPDATES**

4A. Individual Requests from Historic Landmark Commissioners that particular items to be included on future agendas (no group discussion allowed).

**Review Historic Landmark Ordinance to determine infill requirements for a Certificate of Appropriateness.**

**Commissioner Long requested that the packet of information on file for the oldest fire hydrant in Bastrop be reviewed at the next meeting.**

**Commission Chair Hays-Clark requested to see the agenda for upcoming meetings of the Historic Landmark Commission prior to distribution and posting.**

**Chair Hays-Clark adjourned the meeting at 6:59 p.m. without objection.**

APPROVED:

ATTEST:

\_\_\_\_\_  
Dan- Hays-Clark, Chair

\_\_\_\_\_  
Susan Long, Vice-Chair



# STAFF REPORT

**MEETING DATE:** September 12, 2019

**AGENDA ITEM:** 3C

**TITLE:**

Public hearing and consider action to make a recommendation on a Historic Landmark Designation for the property located on 0.292 acres of Building Block 11, North East ¼ subdivision, Lot 1, also known as 909 Farm Street, called the Ernest and Julia Hasler Home and forward to the next City Council meeting.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**ITEM DETAILS:**

Site Address: 909 Farm Street (Attachment 1)  
Property Owner: Robert and Vicky Lindsey  
Current Use: Residence  
Existing Zoning: Downtown Form-Based Code: Neighborhood  
Designations: None

**BACKGROUND/HISTORY:**

The property owners at 909 Farm Street have requested the Historic Landmark Commission consider this property for local Historic Landmark designation. Once the Commission makes a recommendation, it will be placed on the next available City Council agenda for public hearing and consideration.

A project description, site layout, property history and current pictures of the property are attached for the Commission to review and determine if 909 Farm Streets meets two or more of the criteria in the policy explanation below.

**POLICY EXPLANATION:**

Chapter 14 – Zoning, Article 14.03.002

(b) *Criteria for historic landmark status.*

- (2) A structure or site also may be designated by the city as a historic landmark if it meets two (2) or more of the criteria set out below.
  - (A) Possesses significance in history, architecture, archeology, or culture;
  - (B) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history;
  - (C) Is associated with the lives of persons significant in our past;
  - (D) Embodies the distinctive characteristics of a type, period, or method of construction;
  - (E) Represents the work of a master designer, builder, or craftsman; or

(F) Represents an established and familiar visual feature of the city.

(c) *Process for designation of historic landmarks.*

- (1) Owners of property being considered for designation as a historic landmark shall be notified prior to the Commission hearing on the recommended designation. The Commission shall provide notice to property owners within two hundred (200) feet of the property and conduct a public hearing.
- (2) After consideration by the Historic Landmark Commission, a recommendation regarding designations shall be submitted the City Council to conduct a public hearing and consider the designations of a historic landmark. The adoption of the landmark shall be through a resolution.
- (3) Upon designation of a historic landmark, the City Council shall cause the designation to be noted as follows:
  - (A) Recorded in the official real property records of Bastrop County.
  - (B) Designated on the historic resource map of the city.
  - (C) Provide the property owner with a plaque and require the installation indicating the designation of the landmark as a city historic landmark.

86<sup>th</sup> Legislature House Bill 2496

Effective May 25, 2019 the Texas State Legislature adopted additional regulations municipalities must follow for designating historic landmarks. Most of the regulations are already present in the Bastrop Historic Landmark Preservation Ordinance. One additional requirement with which the city must comply is sending the property owner a statement the describes the impact of the designation to the property 15 days before the first hearing. Staff sent this letter on August 28, 2019.

**NOTIFICATION:**

Sixteen property owners within 200 feet 909 Farm Street were notified of the public hearing on August 28, 2019.

**RECOMMENDATION:**

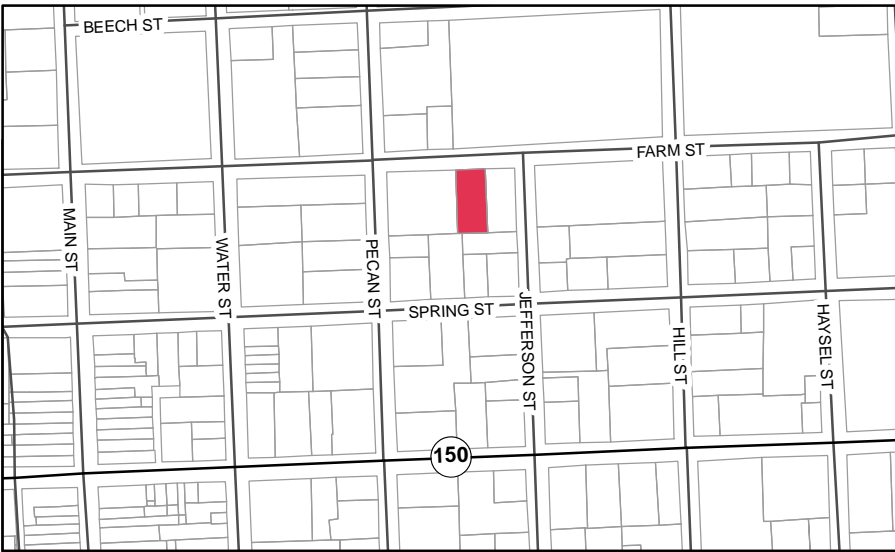
Hold public hearing and consider action to make a recommendation on a Historic Landmark Designation for the property located on 0.292 acres of Building Block 11, North East ¼ subdivision, Lot 1, also known as 909 Farm Street, called the Ernest and Julia Hasler Home and forward to the next City Council meeting.

**ATTACHMENTS:**

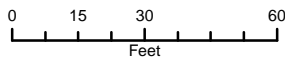
- Attachment 1 – Location Map
- Attachment 2 – Project Description and Site Layout
- Attachment 3 – Property History
- Attachment 4 – 2019 Property Pictures



# Attachment 1 Location Map



909 Farm Street



1 inch = 43 feet

## 909 Farm Street Historic Landmark Designation

Date: 8/28/2019

The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.



## **The Ernest & Julia Hasler Home (Project Description)**

### **Structure 1 – Residence at 909 Farm Street, Bastrop, TX 78602**

- 1) To qualify for Historic Designation
- 2) Full history attached with documents to support criteria below
- 3) Built 1909
- 4) Criteria met
  - a. Possesses significant history and architecture
  - b. Associated with events that have made a significant contribution to the broad pattern of local history
  - c. Associated with the lives of persons significant in Bastrop's past
  - d. Embodies the distinctive characteristics of type, period and method of construction
  - e. Represents an established and familiar visual feature of the city

### **Structure 2 – Detached Carriage House at 909 Farm Street, Bastrop, TX 78602**

- 1) To qualify for Historic Designation
- 2) Full history attached with documents to support criteria below
- 3) Built circa 1930
- 4) Criteria met
  - a. Possesses significant history and architecture
  - b. Associated with events that have made a significant contribution to the broad pattern of local history
  - c. Associated with the lives of persons significant in Bastrop's past
  - d. Embodies the distinctive characteristics of type, period and method of construction

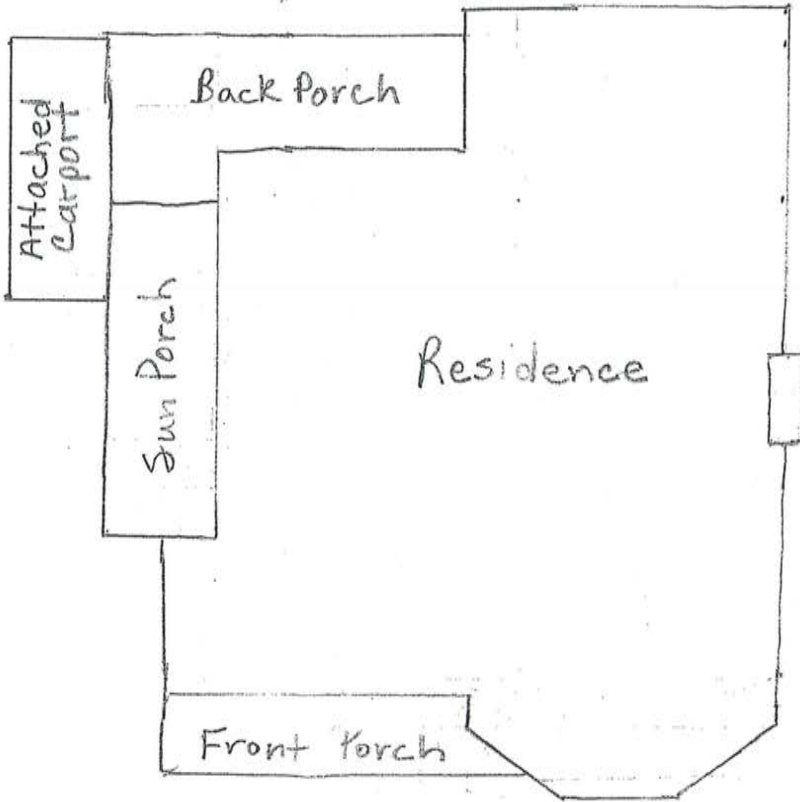
REAR

Detached  
Carriage House

909 FARM ST.  
BASTROP  
TEXAS  
78602

Fire Pit

Outdoor  
Kitchen



FRONT

## **The Ernest & Julia Hasler Home**

### **General Property Background**

Samuel B. Morris purchased the north half of Building Block 11, east of Main Street, from the City of Bastrop in 1852 and sold it to William W. Knowles for \$300 in April of 1853 (Bastrop, vol. H, p. 659). Knowles sold it to Adolph A. Erhard in 1855 for \$350 (Bastrop, vol. J, p. 337) who sold it to T. A. Hasler in 1885 for \$1,800 (Bastrop, vol. 7, p. 219).

### **T. A. & Mary Hasler**

Theodore Alexander Hasler (1848-1909) was born in Switzerland. He married Mary Bertha Hoppe (1853-1926) around 1872. Mary was born in Bastrop to German immigrants; she, too, had family ties to Switzerland.

T. A. & Mary Hasler purchased the north half of Building Block 11, east of Main Street, from Adolph A. Erhard in 1885. At the time they bought the property, it most likely had a small one story house on the western end (the corner of Pecan Street and Farm Street), no doubt the farmhouse-style in an extant family photograph. Here, T.A. and Mary settled down to raise two daughters and four sons. A successful merchant, Hasler, together with his wife, owned and operated a variety of family businesses, encouraged the involvement of their children in those businesses, and built homes for each of their children.

### **Ernest F. & Julia T. Hasler**

One of T.A. and Mary Hasler's sons, Ernest Fritz (or Fred) Hasler (1884-1938), married Julia Thersia Rabensburg (1886-1959) in 1904 and together they had 2 daughters, Bernice and Marie. Julia was the daughter of George and Bertha C. Bothe Rabensburg. George Rabensburg was the

son of German immigrants and also a Bastrop merchant. His wife, Bertha, had immigrated to Texas from Prussia when a young child; living in Bastrop with a brother and a sister before marrying George.

In 1909, Ernest and Julia built their house on Farm Street behind Ernest's parents' house, on the eastern side the property (the corner of Farm Street and Jefferson Street). Coincidentally, Ernest's father also died in 1909. Deed and probate records (Bastrop) show that this property was still owned by T.A. and Mary at the time of T.A.'s death and that the house was under construction and valued at \$800.

The original house plan was an "L" shape with a bay window at the front northwest corner, a porch on the front façade, and back porches along the backside of the "L," as seen on the January 1912 Bastrop Sanborn Insurance Map.

Mary, the Hasler family matriarch, passed away on December 27, 1926. Deed records (Bastrop vol. 82, p. 573-580) indicate that 4 of her 5 surviving children had outstanding debt notes owed to her at the time. Ernest's, the highest, was in the amount of \$2,500. This may have been related to an item in her will (Bastrop Probate, vol. Q, p. 166) where she left Ernest "a strip of land off of the East side of....[her] homestead tract, adjoining ..." Ernest's homestead tract "...of the width of eight feet, provided the said Ernest F. Hasler made an additional improvement by adding another room to his residence on the west of his house during her life time. Further along in the same record, there is mention that Ernest did indeed add on the room in Mary's lifetime and, thus, became the owner of the additional strip of land.

On the 1921 Sanborn Insurance Map the furthest southern room of the original "L" plan is missing, but the 1934 Sanborn Insurance Map shows it back in place with a new block of rooms that effectively turn the "L" floor plan to a large rectangular plan. Most likely this was the addition mentioned in Mary's will. By 1944, a new porch had been added at the front west side of the structure and additional interior space is shown on the southwest corner. Over the course of the last 109 years, the house has transformed into what is seen today (2018); however, the bay window and front façade have always remained in place. By the late 1930's, the floor plan consisted of a large central front foyer with a central hallway leading through to the back of the house. The adjoining east rooms were from north to south with two bedrooms and a bath. The adjoining west rooms included a living room, a dining room, a pantry and the kitchen. The back yard boasted pecan trees, a garden and sweet peas. The family would sit out at night in their beautiful back yard and walk back and forth to the houses of aunts, uncles and cousins. Jefferson Street was referred to as "the lane." There was a two car garage (carriage house) also on the property.

Ernest inherited the Hasler family's Pearl Beer distributorship, the liquor business, and the funeral business, all located in downtown Bastrop, from his parents. The funeral business was located near Main Street and Water Street, upstairs in the building that currently houses Colorado Winery.

Ernest and Julia's daughters married and raised their own families. Bernice Hasler (1909-1980) married Robert E. Jenkins (1912-1982) and became a beloved Bastrop school teacher. Her sister, Marie Hasler (1907-1999), married a young pharmacist named Harvard Irving McCleod (1903-1945), moved to Elgin, and had two children.

Tragically, Ernest Hasler was killed in an automobile accident on August 27, 1938 in Del Valle. Afterwards, Julia took over her husband's businesses. The funeral home continued to operate in its upstairs downtown location until World War II, when the lack of workers and demand for soldiers' living quarters resulted in Julia moving the business into her home. Her son-in-law, Robert E. Jenkins, helped with the Hasler family businesses. Julia, being widowed and living alone, remodeled the east side of the house to accommodate the businesses.

All rooms on the east side of the house, behind the sitting room, became Julia's private apartment consisting of, from north to south: Julia's bedroom, a bath, and a kitchen. Her front door was a door on the south wall of the sitting room and the apartment's back door was on the south wall of the kitchen. All circulation in the apartment was from room to room with no access to the central hallway or the west side of the house occupied by the business.

In 1945, daughter Marie's husband died of leukemia, so Marie moved back in with her mother at the Farm Street house with her two children. Julia, Marie, and Marie's daughter, Judy McCleod (b. 1934), all slept in Julia's single bedroom and Marie's son, Harvard, Jr. (1928-1993), stayed with an aunt and uncle who lived at the corner of Spring Street and Pecan Street. In 1946, Marie Hasler McCleod purchased the old Adolph A. Erhard House's Carriage House on Pecan Street, when Grady Murchison was moving out of it; and Marie moved there with her two children. Judy McCleod Bland, Julia's granddaughter, owned that house until 2017.

#### **General Property Ownership 1964-2016**

Ernest and Julia Hasler and their descendants owned the house on Farm Street for 55 years. The sisters, Marie and Bernice, inherited it from their mother when she died in 1959. They sold the house and the business in September 1964 to Carl and Margaret Cooper from Bell County for

\$30,000 (Bastrop, vol. 166, p. 579-581), who continued to operate a business there until Carl Cooper sold the property in 1971 to Homer Newby (Bastrop, vol. 199, p. 795, et seq.) and Colonial Services, Inc. took over the Newby business. Colonial Services, Inc. then sold the business to JPH Properties, Inc. of Lufkin in May 1990. Over the years more and more rooms were added onto the 1944 floor plan of the original structure, obscuring its original residential form and function from view.

The adjoining lot, immediately to the west of the house and once part of the T.A. Hasler estate, also changed hands a number of times after Mary Hasler's death. At one time it was occupied by a florist shop owned and operated by Luther Henry and wife, Jerre Kragh Mouser (Bastrop, vol. 209, p. 19).

Mike and Cindy Lopez acquired the property and all of its structures from the Fannie May Corporation (Bastrop, vol. 2161, p. 79 & vol. 2248, p. 665). In 2012, they sold it to Scottie and Rhonda VanDiver who separated the original structure from its accumulation of "add-ons" and in 2014 repositioned it several feet to the west on the lot, in order to create an additional residential lot on the corner of the property at Farm and Jefferson Street.

### **Robert & Vicky Lindsey**

Robert and Vicky Lindsey moved to Bastrop and purchased the historical home in August of 2016 and continued work on its complete restoration.

The Lindseys have retained the original front elevation of the north facing home that included the bay window, front porch and much of the original home's footprint. They have lovingly maintained the original long-leaf pine floors, wood ceilings and interior shiplap walls. The



ceilings are 12' height and the original attic space has been converted into a second floor living space with two added bedrooms and a bath. The original central ceiling beam is now exposed and visible from the front foyer. A central staircase occupies much of the large original central front room of the house; while several walls and doors have been eliminated to create a more modern, open concept on the interior of this historic structure. The kitchen and bathrooms have been updated with special attention given to incorporating much of the original woodwork, unique features and trim work. Beautiful interior doors (27 and each unique), countless built-ins and some original glass in the restored rope and pulley windows still adorn the home. A sewing and craft room, laundry room, large master bath and rear porch have been included at the back of the house on the first floor. The sun porch on the east side of the home has been fully enclosed is adjacent to the single vehicle attached porte-cochere. The old detached garage was renovated and provides a current storage area with carports for two additional vehicles. An outdoor kitchen, fire pit, rainwater collection tank and exterior landscaping have all been added to enhance the property and provide green space in their yard.

### **Bibliography**

Bastrop County Historical Society Museum, Library & Archives

Bastrop County Deed Records

Sanborn Insurance Maps (Bastrop, 1912, 1921, 1934, & 1944)

Telephone Interview with Stephanie Jenkins, September 5, 2018, Notes with Sandra Chipley

Telephone Interview with Judy McCleod Bland, September 18, 2018, Notes with Sandra Chipley

[www.FindaGrave.com](http://www.FindaGrave.com)

[www.Ancestry.com](http://www.Ancestry.com)



## Marie and T. A. Hasler

[7maggie](#)

[7maggie](#) originally shared this on 16 Oct 2014

[https://www.ancestry.com/mediaui-viewer/tree/45442329/person/6363836967/media/f78a6709-65d7-45ac-a1b9-f0a55a5007c8?\\_phsrc=uSi1285&\\_phstart=successSource](https://www.ancestry.com/mediaui-viewer/tree/45442329/person/6363836967/media/f78a6709-65d7-45ac-a1b9-f0a55a5007c8?_phsrc=uSi1285&_phstart=successSource)



## Mary and Family

1812

Hasler House Bastrop TX

Top Row: Bruno, Annie Walter Middle Row: Ernest, Mary, Joe Bottom: Mary Bertha Hoppe Hasler

[SharonDavenport60](#)

[SharonDavenport60](#) originally shared this on 11 jul 2016

[https://www.ancestry.com/mediaui-viewer/tree/14153844/person/29566211320/media/e48ec9c3-d643-4c88-9601-c081de9913b1?\\_phsrc=uSi1283&\\_phstart=successSource](https://www.ancestry.com/mediaui-viewer/tree/14153844/person/29566211320/media/e48ec9c3-d643-4c88-9601-c081de9913b1?_phsrc=uSi1283&_phstart=successSource)

909 Farm Street - Front



909 Farm Street – East Side



909 Farm Street - Back



909 Farm Street – West Side



909 Farm Street – Carriage House - Front





909 Farm Street – Carriage House – East Side



909 Farm Street – Carriage House - Back



909 Farm Street – Carriage House – West Side





# STAFF REPORT

**MEETING DATE:** September 12, 2019

**AGENDA ITEM:** 3D

**TITLE:**

Consider action on a Certificate of Appropriateness for changing the roof material and removal of a chimney 1706 Pecan Street which is a Designated Local Historic Landmark known as the Long House.

**STA STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**ITEM DETAILS:**

Site Address: 1706 Pecan Street (Attachment 1)  
Property Owner: Rebekah Wilson Herrick  
Current Use: Residence  
Existing Zoning: Downtown Form-Based Code: Neighborhood  
Designations: Local Historic Landmark Designation

**BACKGROUND/HISTORY:**

The property at 1706 Pecan Street was building 1910 for the Higgins family. The Long family bought the house in the late 1930s and it is still held by the family. The property was designated as a Local Historic Landmark in 2009 (Attachment 2).



The applicant is requesting to remove the existing metal roof due to incorrect installation and deterioration, which is causing damage to the structure and replace with composite shingles. The type and color of shingles are show in Attachment 6.



They are also proposing removal of the existing chimney on the north side of the roof, which no longer connects to a fireplace within the structure.



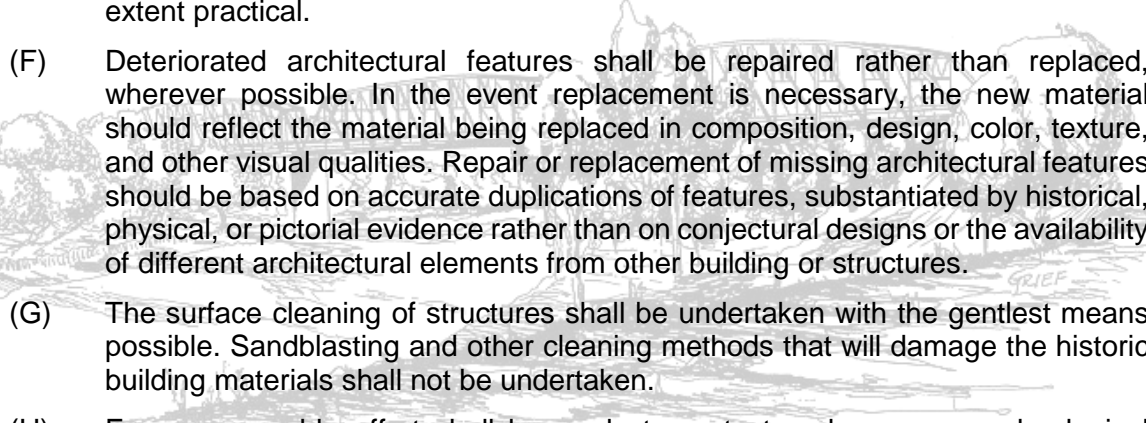
#### **POLICY EXPLANATION:**

When a Certificate of Appropriateness is required, no work can begin before the Historic Preservation Officer or the Commission has first issued a Certificate of Appropriateness. The Certificate of Appropriateness shall be in addition to and not in lieu of any permits required (i.e. building, sign, alcohol, etc.). The Building Official cannot approve any application for a sign or building permit to a structure and/or site that requires, but does not have a Certificate of Appropriateness.

#### Code of Ordinances Chapter 14 – Zoning

Per Section 14.03.003 (f) *Criteria of Approval of a Certificate of Appropriateness:*

- (1) In considering an application for a Certificate of Appropriateness, the commission shall be guided by any locally adopted design standards, and where applicable, the following from the *Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings*. Any adopted design standards and *Secretary of the Interior's Standards* shall be made to the property owners of historic landmarks.

- 
- (A) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.
- (B) The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (C) All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.
- (D) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (E) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object, or site shall be kept to the greatest extent practical.
- (F) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other building or structures.
- (G) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (H) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
- (I) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, color, material, and character of the property, neighborhood, or environment.
- (J) Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

**RECOMMENDATION:**

Consider action on a Certificate of Appropriateness for changing the roof material and removal of a chimney 1706 Pecan Street which is a Designated Local Historic Landmark known as the Long House.

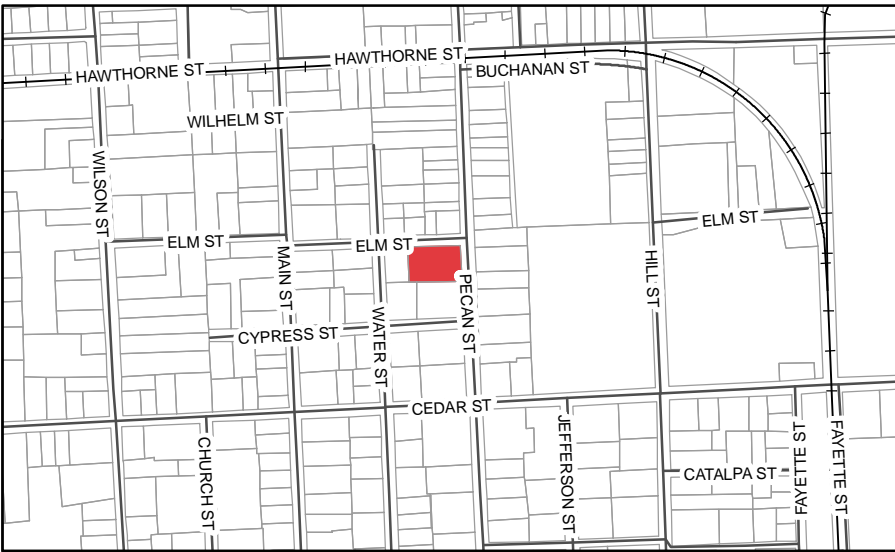
**ATTACHMENTS:**

- Attachment 1 – Location Map

- Attachment 2 – 1706 Pecan Historic Landmark Designation
- Attachment 3 – Applicant Request
- Attachment 4 – 1940 Property Photos
- Attachment 5 – 2019 Property Conditions
- Attachment 6 – Proposed Replacement Shingles



# Attachment 1 Location Map



## 1706 Pecan Street Certificate of Appropriateness



1 inch = 50 feet

Date: 9/4/2019

The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.







## HISTORIC LANDMARK COMMISSION

Bill Ennis  
*Chairman*

July 27, 2009

Dan Hays-Clark  
*Secretary*

Susan Long  
*Commissioner*

Rebekah Wilson Herrick  
9751 Girth Lane  
San Antonio, Texas 78254

Marilyn Whites  
*Commissioner*

Billy Maynard  
*Commissioner*

Lisa Dougherty  
*Commissioner*

Re: Historic Landmark Plaque for 1706 Pecan Street

Lisa Patterson  
*Commissioner*

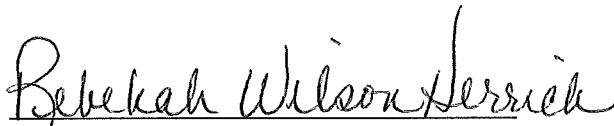
Dear Mrs. Herrick:

The City of Bastrop encourages historic preservation for the stabilization, rehabilitation and renovation of properties designated as Historic Landmarks. The City Council approved the application for the residential structure located at 1706 Pecan Street to be designated as an Historic Landmark on June 23, 2009. Therefore, we are proud to present you with this official City of Bastrop Historic Landmark plaque.

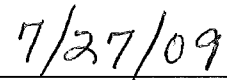
Please sign below that you have received the plaque and appropriate fasteners. If you have any questions, please call me at (512) 303-2390.

Sincerely,

Yvonne Pritchard  
Project Coordinator



Rebekah Wilson Herrick



Date Received



## HISTORIC LANDMARK COMMISSION

**Bill Ennis**  
*Chairman*

**Dan Hays-Clark**  
*Secretary*

**Susan Long**  
*Commissioner*

**Marilyn Whites**  
*Commissioner*

**Billy Maynard**  
*Commissioner*

**Lisa Dougherty**  
*Commissioner*

**Lisa Patterson**  
*Commissioner*

June 25, 2009

Rebekah Wilson Herrick  
9751 Girth Lane  
San Antonio, Texas 78254

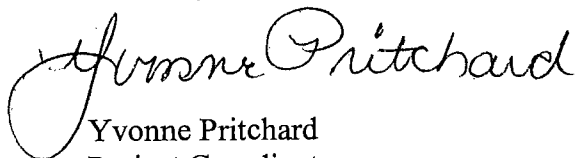
Re: Historic Landmark Plaque for 1706 Pecan Street

Dear Mrs. Herrick:

The City of Bastrop encourages historic preservation for the stabilization, rehabilitation and renovation of properties designated as Historic Landmarks. The City Council unanimously approved the application for the residential structure located at 1706 Pecan Street to be designated as an Historic Landmark on June 23, 2009.

Please let me know, at your convenience, when you (or your designated appointee) would like to pick up the official City of Bastrop Historic Landmark plaque and appropriate fasteners. Receipt of the plaque requires a signature and date. If you have any questions, please call me at (512) 303-2390.

Sincerely,

  
Yvonne Pritchard  
Project Coordinator



### Historic Landmark Application and Agreement

As owner(s) of a City of Bastrop Significant Landmark located on 1706 Pecan St.

Farm Lot 3 E M St. Acres 0.8340  
(legal description)  
commonly known as 1706 Pecan St. (street address).

I/we, Rebekah Wilson Herrick wish to have said property designated as a Historic Landmark.

By the signature(s) below, I/we, the property owner(s) hereby acknowledge that I/we have received a copy of the current Historic Landmark Preservation Ordinance (Ordinance #2007-30), and any amendments thereto; that I/we understand and agree to abide by the terms and obligations related to a Historic Landmark designation; and, in obtaining Historic Landmark status for this property, I/we agree to maintain said property in accordance with provisions governing Historic Landmarks in the Ordinance and the design guidelines governing same, as adopted by the Bastrop Historic Landmark Commission, as such ordinance and guidelines now exist or may exist in the future.

Furthermore, I/we understand that by entering into this agreement with the City of Bastrop, I/we will be entitled to all incentives specified within Ordinance 2007-30 and amendments thereto.

Rebekah Wilson Herrick 4/09/09  
Signature of Property Owner Date

Signature of Property Owner Date  
William Eino 6/17/09  
Signature for Historic Landmark Commission Date

APPROVED BY THE BASTROP CITY COUNCIL ON THE 23rd DAY OF June, 2009.

APPROVED:  
Terry Orr  
Terry Orr, Mayor

ATTEST:  
Teresa Valdez  
Teresa Valdez, City Secretary

**STANDARDIZED AGENDA RECOMMENDATION FORM**

CITY COUNCIL

DATE SUBMITTED: June 16, 2009

MEETING DATE: June 23, 2009

1. Agenda Item: **Approval of Historic Landmark designation for 1706 Pecan Street.**
  2. Party Making Request: Historic Landmark Commission
  3. Nature of Request: (Brief Overview) Attachments: Yes   X   No \_\_\_\_\_
  4. Policy Implication: \_\_\_\_\_
  5. Budgeted: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ N/A  
     Bid Amount: \_\_\_\_\_ Budgeted Amount: \_\_\_\_\_  
     Under Budget: \_\_\_\_\_ Over Budget: \_\_\_\_\_  
     Amount Remaining: \_\_\_\_\_
  6. Alternate Option/Costs: \_\_\_\_\_
  7. Routing: 

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	_____			
b)	_____			
c)	_____			
  8. Staff Recommendation:
  9. Advisory Board: XXXX Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None
- June 17, 2009 the Historic Landmark Commission voted unanimously to designate 1706 Pecan Street as a Historic Landmark.**
10. Manager's Recommendation: \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None
  11. Action Taken: \_\_\_\_\_  
 \_\_\_\_\_

# City of Bastrop

## Agenda Information



**City Council Meeting Date:**

**June 23, 2009**

**Project:**

Historic Landmark designation for 1706 Pecan Street

**Description:**

The property at 1706 Pecan Street is owned by Rebekah Wilson Herrick. The bungalow style house was built in 1910 for the Higgins family. History, provided by Rebekah Wilson Herrick is included.

**Background:**

Public hearings to designate the structure as a Significant Landmark were held May 13<sup>th</sup> at the HLC, May 28<sup>th</sup> at the P&Z and June 9, 2009 at City Council and approved as it met six of the seven criteria. The structure met criteria 1, 2, 3, 4, 5 and 6.

- (1) Possesses significance in history, architecture, archeology or culture.
- (2) Is associated with events that have made a significant contribution to the broad patterns of local, region, state or national history.
- (3) Is associated with the lives of person significant in Bastrop's past.
- (4) Embodies the distinctive characteristics of a type, period, or method of construction.
- (5) Represents the work of a master designer, builder or craftsman.
- (6) Represents an established and familiar visual feature of the city.
- (7) Is designated as a Recorded Texas Historic Landmark or State Archeological Landmark, or is included on the National Register of Historic Places.

The Historic Landmark designation entitles the owner to a rebate on a portion of the ad valorem taxes on the structure and an official City of Bastrop Historic Landmark marker to designate their structure.

The historic designation requires that a Certificate of Appropriateness, approved by the Historic Landmark Commission, be obtained prior to any construction, reconstruction, alteration, restoration, rehabilitation or relocation of any Historic Landmark. Any material change to fences or other exterior elements visible from the public right-of-way which affect the appearance and cohesiveness of the structure requires the approval of a Certificate of Appropriateness.

On June 17, 2009 the Historic Landmark Commission voted unanimously to designate 1706 Pecan Street as a Historic Landmark.

**City Contact:**

Yvonne Pritchard, Project Coordinator

**Attachments:**

Historic Landmark Application and Agreement, picture of the structure and history

# City of Bastrop



## Agenda Information

**Historic Landmark Commission**

**Date: June 17, 2009**

**Project:**

Historic Landmark designation for 1706 Pecan Street

**Description:**

The property at 1706 Pecan Street is owned by Rebekah Wilson Herrick. The bungalow style house was built in 1910 for the Higgins family. History, provided by Rebekah Wilson Herrick is included.

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Public hearings to designate the structure as a Significant Landmark were held May 13<sup>th</sup> May 28<sup>th</sup> and June 9, 2009 as it met six of the seven criteria. The structure met criteria 1, 2, 3, 4, 5 and 6.

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The historic designation requires a Certificate of Appropriateness, approved by the Historic Landmark Commission, for any construction, reconstruction, alteration, restoration, rehabilitation or relocation of any Historic Landmark. Any material change to fences or other exterior elements visible from the public right-of-way which affect the appearance and cohesiveness requires an approved Certificate of Appropriateness.

**City Contact:**

Yvonne Pritchard, Project Coordinator

**Attachments:**

Historic Landmark Application and Agreement, picture of the structure and history

## History of 1706 Pecan St. Bastrop, TX

The house at 1706 Pecan St. was built in 1910 by Mr. Peterson (Mr. Peterson's daughters, Esther Wright, Elsie Crawford, Ruth Peterson, are also longtime Bastropians) for the Higgins family. It was bought by Cecil and Ida Lou Long in the late 1930s when they moved to Bastrop. At the time Cecil Long owned a dairy and managed the Elkins 5 & 10 Store on Main St. Ida Lou Long taught in the public schools in Bastrop. They were both longtime contributors to Bastrop and Bastrop's way of life. They were very active in the community. Cecil Long was named Citizen of the Year several times and finally retired from First National Bank in 1993 after being the president and CEO of the bank board for many many years.

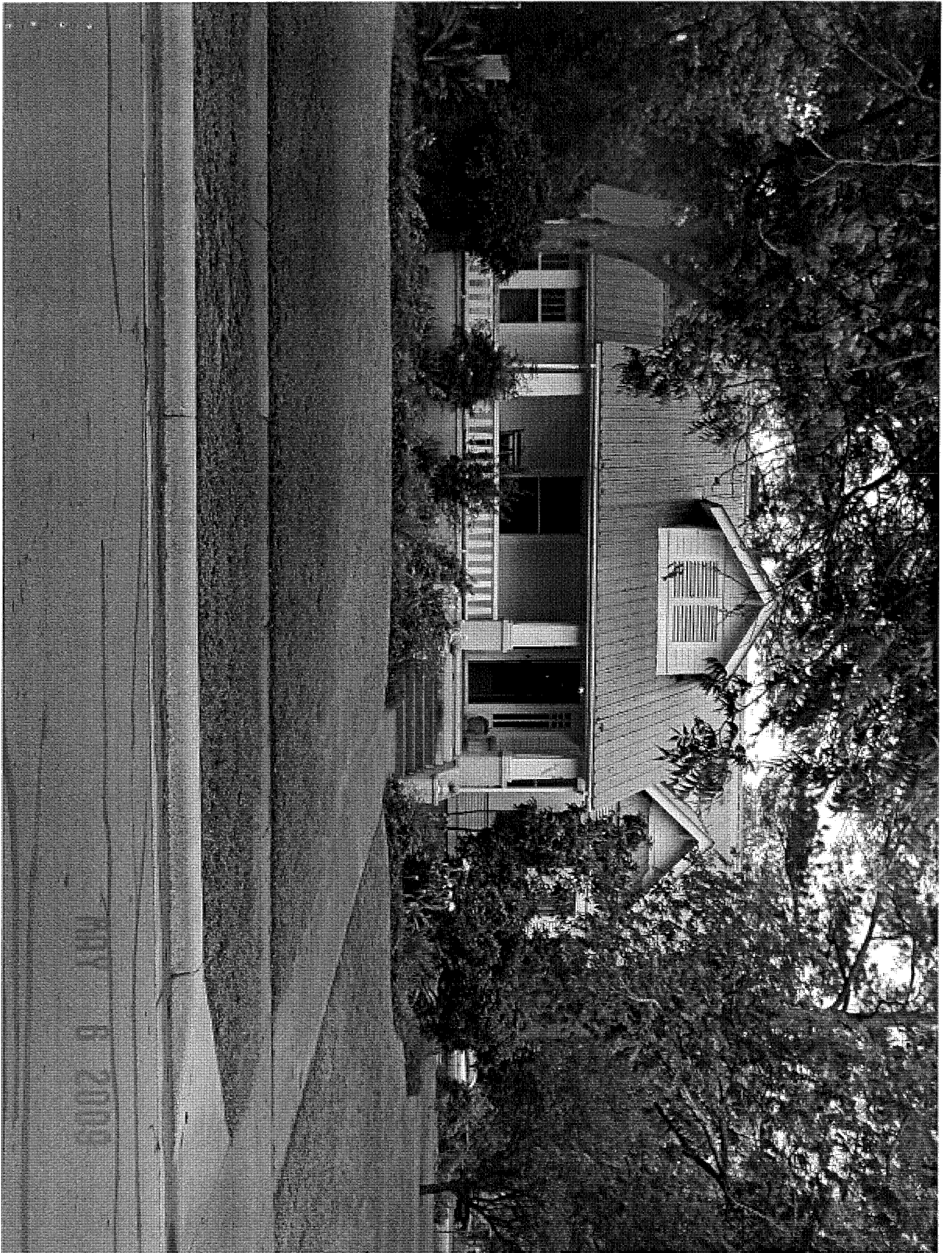
During WWII there were apartments on the property (concrete slabs are now used to park cars) to house soldiers stationed at Camp Swift. Some of the rooms in the main house were also rented to soldiers and their families. Also some of the Polish employees of Long's Dairy lived in the apartments located outside the house by the street. I believe it was in the 1950s that the apartments were torn down and the concrete slabs have been used for parking since then.

The property has seen a few changes over the years. Additions were made to the main house such as the back door addition around the old cistern. A smaller house was brought in for Cecil Long's parents to live in until their deaths in the late 1950s. It is now used for a guest cottage/rental property.

There has also been a movie made in the house. ***In Broad Daylight*** was filmed in 1992 with Brian Dennehy and Cloris Leachman. There have been other film companies who have wanted to film movies in the house but the timing wasn't always conducive to the family's schedule.

There have been just two families to own the property. The Higgins' and the Long's. It has been in the Long family since the 1930s and I am the third generation to own the property.

Thank you,  
Rebekah Long Herrick  
9751 Girth Ln.  
San Antonio, TX 78254  
210-872-1841





Rebekah Herrick  
146 Abamillo Dr.  
Bastrop, TX. 78602

Re: 1706 Pecan St.  
Bastrop, TX. 78602

This project is to replace the metal roof which is currently on the house at 1706 Pecan St. The metal roof replaced the original roof in 1990 after a hail storm. The metal roof was not correctly installed, it does not extend past the roofline, and the screws which are supposed to keep the roof in place are coming out of the metal even after multiple repairs. Because of the condition and age of the roof and improper installation, I have had multiple water leaks and repair costs. There are also gaps in the roofline which allows leaves and other debris to blow into the attic.

I am also wanting to have the chimney which is located towards the back of the house removed. The chimney does not go to a fireplace anywhere in the house and bricks will occasionally fall off creating a safety hazard and liability.

I have spoken with a couple of roofing companies and they will not touch the roof because of its condition. They have to give a warranty for their repairs and they believe this roof is beyond repair and needs to be replaced.

I have included photos of the original roof dated in the 1940s as well as a photo of the chimney I would like to have removed.

Thank you,

Rebekah Herrick  
210-872-1841

## Proposal

Sunrise Roof & Gutter

122 Lake Front Dr.

Cedar Creek, Tx 78612

512 303 4044

Project: 1706 Pecan St. Bastrop, Tx / Herrick

We propose to remove the existing metal roofing material from the house and install a composition shingle roof.

This will include installing a radiant barrier decking material after the metal is removed. 5/8 inch OSB is to be used for decking. All necessary flashing alterations to accommodate the shingle roof are included.

After installing the decking, appropriate underlayment, flashing and shingles will be installed. Shingles are to be architectural/dimensional style – color to be selected by homeowner.

The removal and installation will take 3 – 4 days. Weather is a critical factor in the scheduling. Homeowner and contractor will be in agreement as to the schedule.

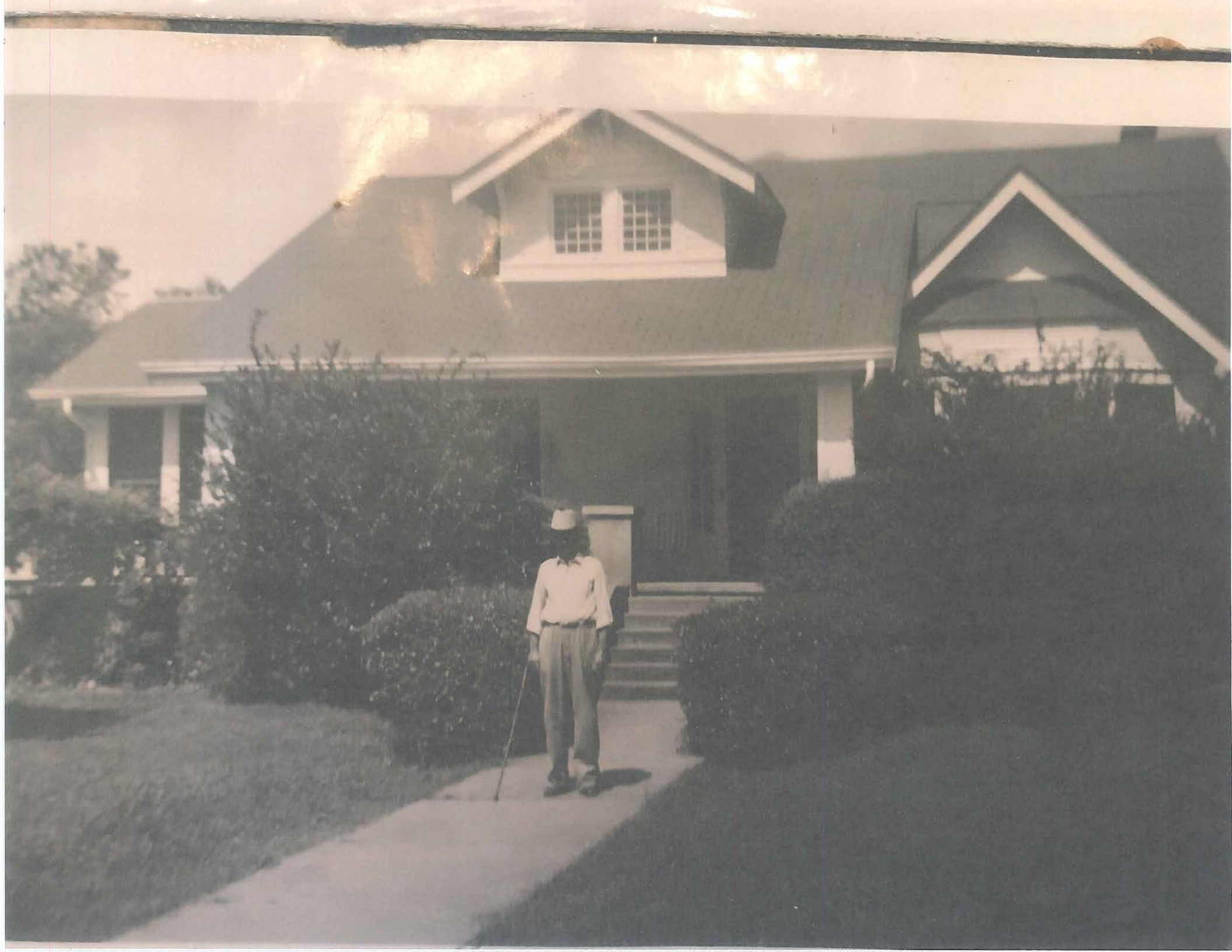
All debris associated with the removal and the installation is to be removed from the site by the contractor.

The proposed amount for labor and material to complete these tasks is \$14,800.00.

Respectfully submitted,

Tony Smith

Sunrise Roof & Gutter



D. C. - Bob - Lucella

1940 Studer S.A.TE









**ENERGY STAR®** is for roofs too.



Similar to the energy-efficient appliances in your home, roofing products can provide energy-saving qualities. Owens Corning™ Oakridge® Roofing Shingles in Shasta White can help reduce your energy bills when installed properly. These shingles reflect solar energy, decreasing the amount of heat transferred to a home's interior – and the amount of air conditioning needed to keep it comfortable. Actual savings will vary based on geographic location and individual building characteristics. Call 1-800-GET-PINK® or 1-888-STAR-YES for more information.

## Product Attributes

### Warranty Length\*

Limited Lifetime\* (for as long as you own your home)

### Wind Resistance Limited Warranty\*

110/130\*\* MPH

### Algae Resistance Limited Warranty\*

10 Years

### Tru PROtection® Non-Prorated Limited Warranty\* Period

10 Years

## Oakridge® Shingles Product Specifications

Nominal Size	13 <sup>1</sup> / <sub>4</sub> " x 39 <sup>3</sup> / <sub>8</sub> "
Exposure	5 <sup>5</sup> / <sub>8</sub> "
Shingles per Square	64
Bundles per Square	3
Coverage per Square	98.4 sq. ft.

## Applicable Standards and Codes

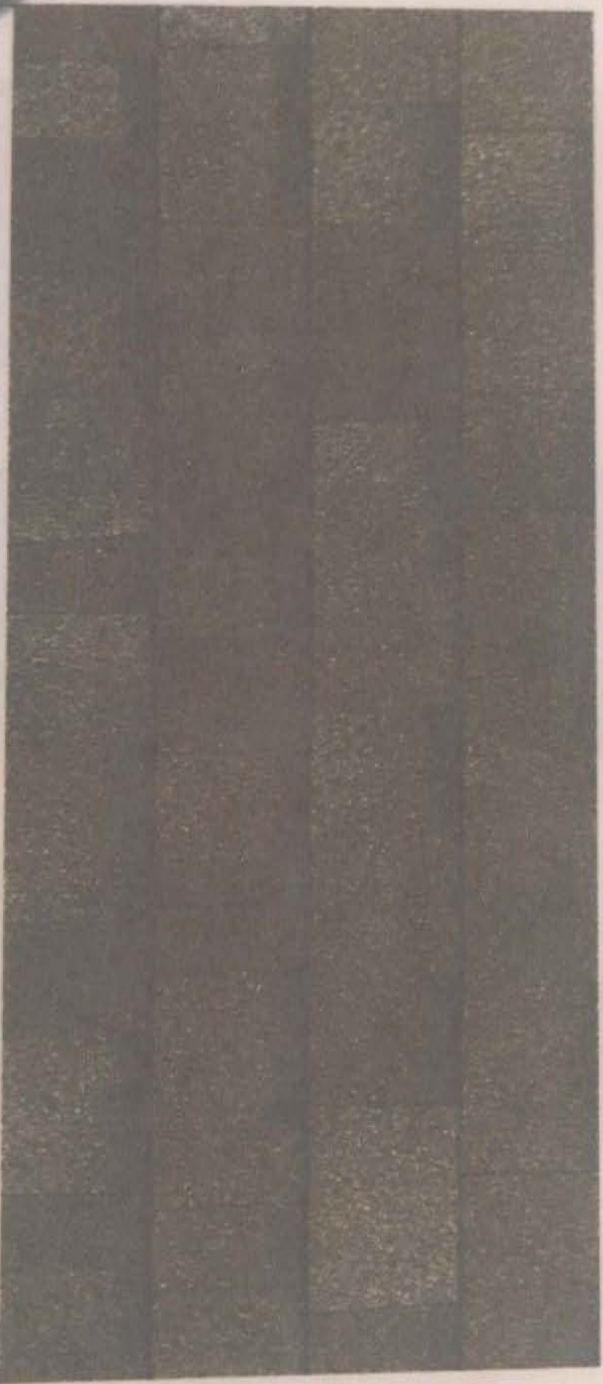
ASTM E 108, Class A Fire	ASTM D 3462
ASTM D 3161, Class F Wind	ASTM D 228
ASTM D 7158, Class H Wind	UL 790, Class A
ASTM D 3018, Type 1	



Teak'



Driftwood'



# Oakridge® Color Availability



Amber†  
Not Available in Service Area 8 or 11 (see map).



Desert Tan†



Brownwood†



Teak†



Driftwood†



Onyx Black†



Estate Gray†



Sierra Gray†  
Not Available in Service Area 8 or 11 (see map).



Shasta White†



Chateau Green†



# STAFF REPORT

**MEETING DATE:** September 12, 2019

**AGENDA ITEM:** 3E

**TITLE:**

Consider action on a Certificate of Appropriateness for an exterior addition to a street facing façade at 1101 Hill Street for an addition to a National Register structure known as the Minnie Wilkes House.

**STA STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**ITEM DETAILS:**

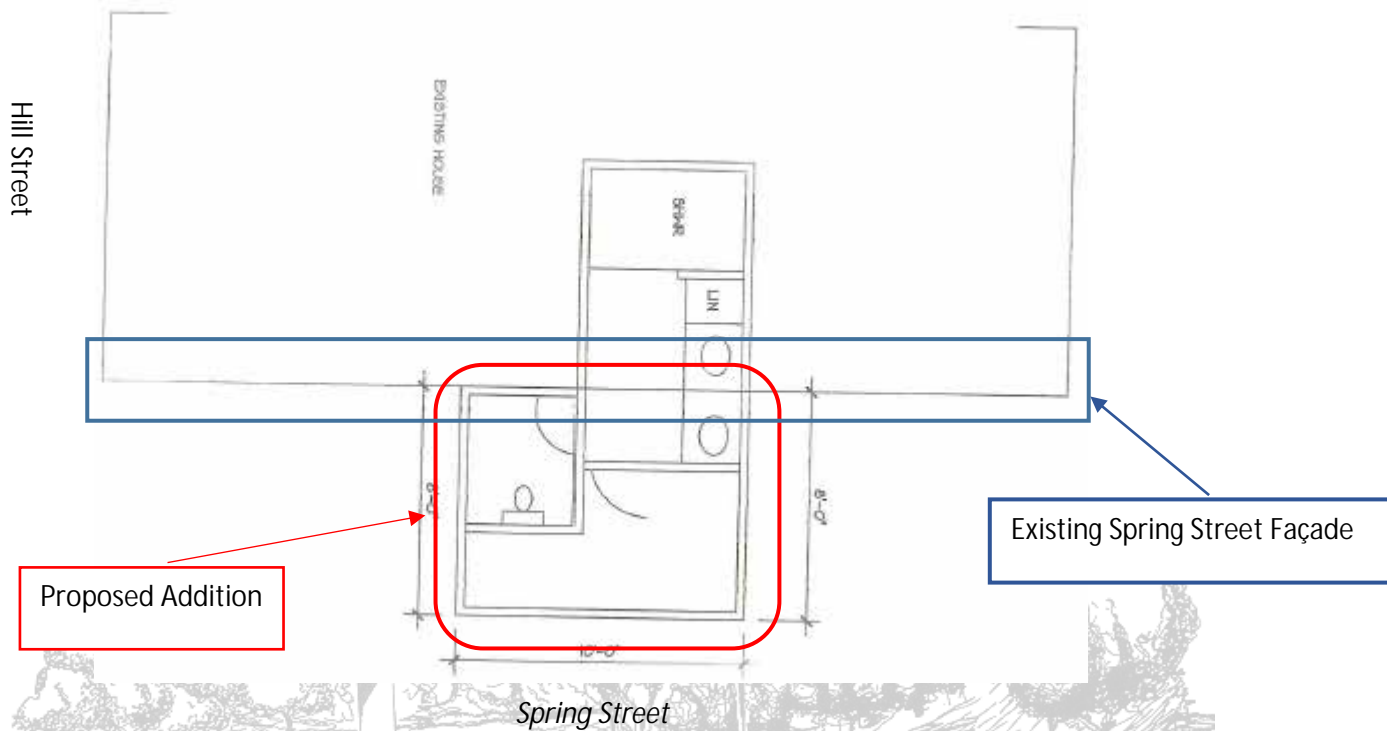
Site Address: 1101 Hill Street (Attachment 1)  
Property Owner: Joshua and Angela Coy  
Current Use: Residence  
Existing Zoning: Downtown Form-Based Code: Neighborhood  
Designations: National Register of Historic Places

**BACKGROUND/HISTORY:**

The property at 1101 Hill Street was built circa 1900 and is referenced as the Minnie Wilkes House. The structure's architectural style is Victorian, having a gabled roof with eave returns, front porch, porch eave brackets and two over two windows. The property was listed in the National Register of Historic Places in 1978.



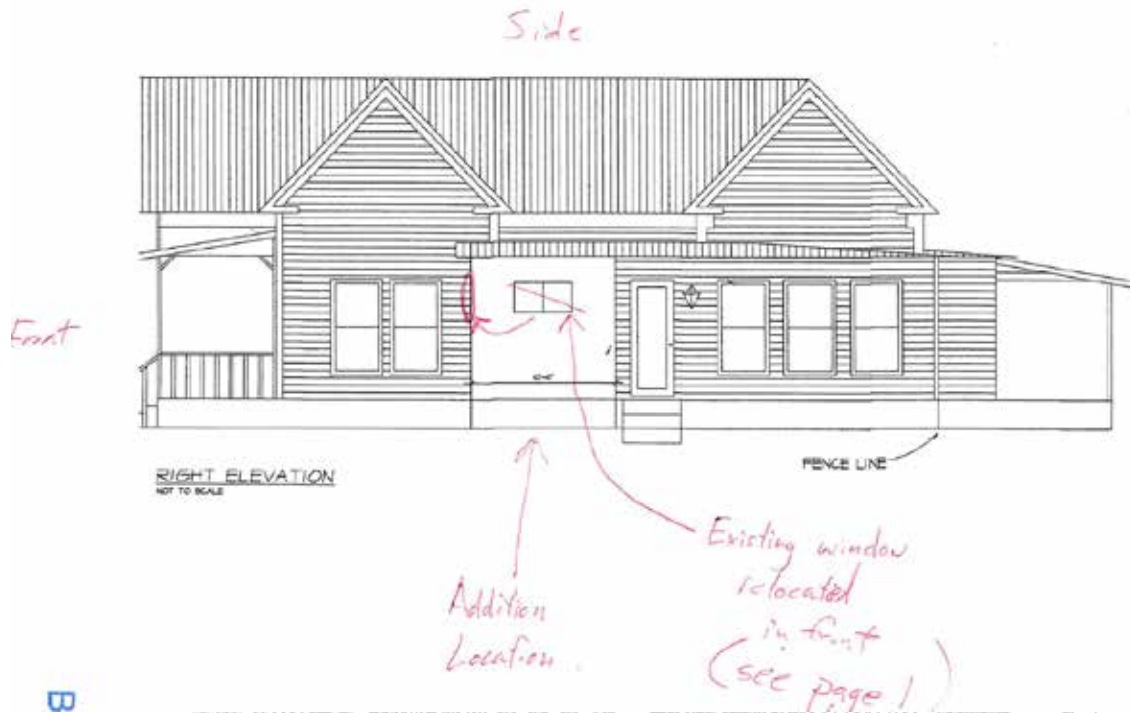
The property owner is requesting to add on to the structure on the southern elevation that faces Spring Street. The addition would extend the structure eight feet for a 10-foot portion of the façade.



This item was previously considered at the June 19, 2019 meeting. The Commission requested that the applicant submit additional information detailing where the addition would be located, showing how the roof will tie into the existing structure.

The applicant has provided exterior front and side elevations that show the proposed 10 foot by 8 foot addition (Attachment 6).





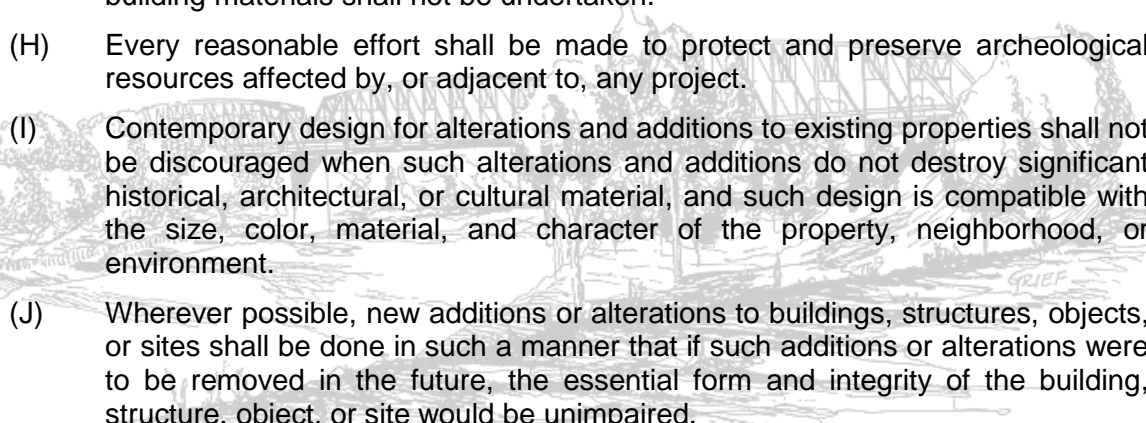
**POLICY EXPLANATION:**

When a Certificate of Appropriateness is required, no work can begin before the Historic Preservation Officer or the Commission has first issued a Certificate of Appropriateness. The Certificate of Appropriateness shall be in addition to and not in lieu of any permits required (i.e. building, sign, alcohol, etc.). The Building Official cannot approve any application for a sign or building permit to a structure and/or site that requires, but does not have a Certificate of Appropriateness.

Code of Ordinances Chapter 14 – Zoning

Per Section 14.03.003 (f) *Criteria of Approval of a Certificate of Appropriateness:*

- (1) In considering an application for a Certificate of Appropriateness, the commission shall be guided by any locally adopted design standards, and where applicable, the following from the *Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings*. Any adopted design standards and *Secretary of the Interior's Standards* shall be made to the property owners of historic landmarks.
  - (A) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.
  - (B) The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
  - (C) All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.

- 
- (D) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (E) Distinctive stylistic features or examples of skilled craftsmanship which characterize, a building, structure, object, or site shall be kept to the greatest extent practical.
- (F) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other building or structures.
- (G) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (H) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
- (I) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, color, material, and character of the property, neighborhood, or environment.
- (J) Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

*The proposed addition will use the same style and materials that currently exist on the structure. No existing windows and doors will be removed. The construction materials and style will need to match the existing to blend with the historic architectural style.*

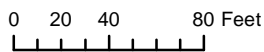
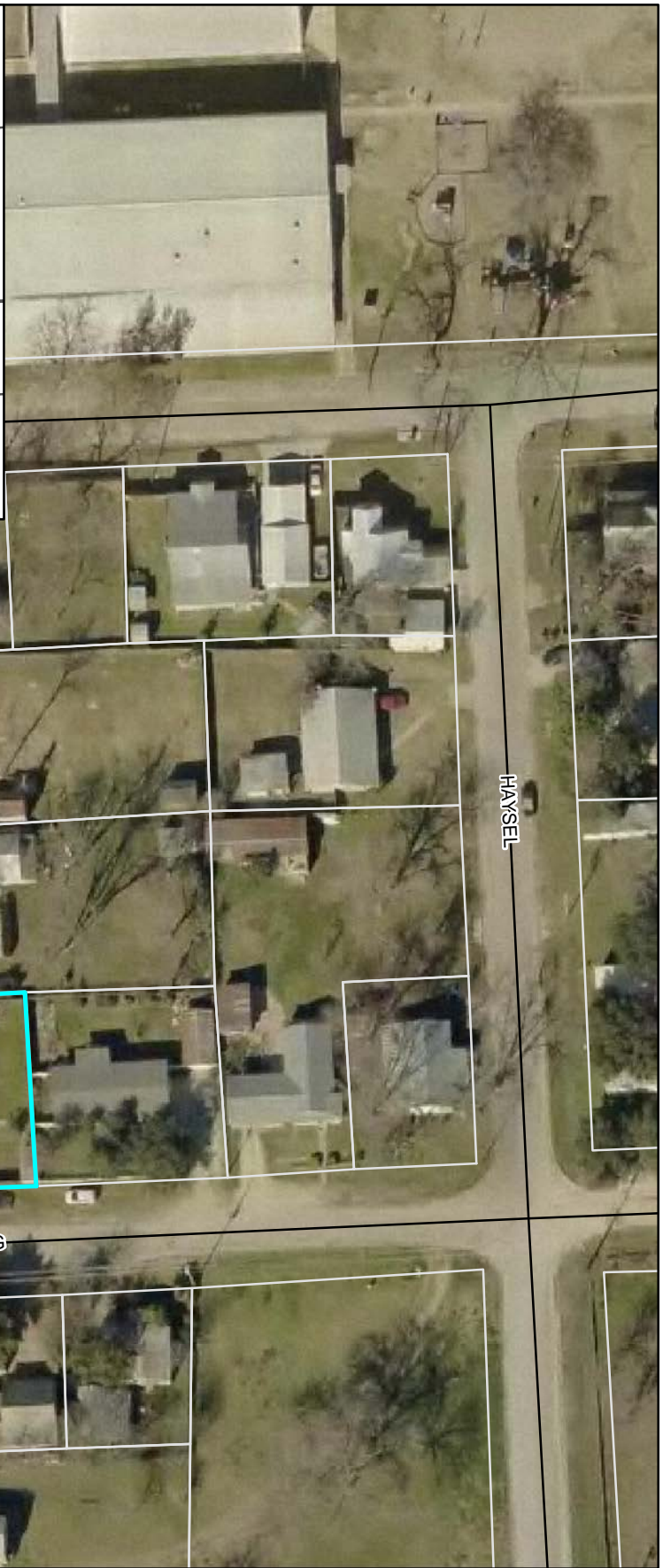
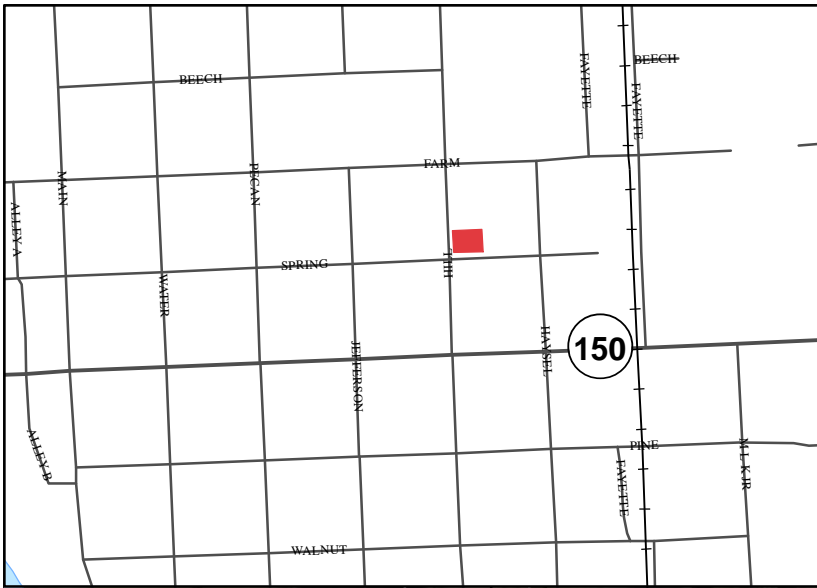
*The applicant will still have to submit building permits and a survey that shows the setbacks to meet Building and Zoning codes.*

**RECOMMENDATION:**

Consider action on a Certificate of Appropriateness with the conditions that the same exterior materials and construction style of the existing house be used on the addition.

**ATTACHMENTS:**

- Attachment 1 – Location Map
- Attachment 2 – Applicant Project Description
- Attachment 3 – Pictures of Existing Structure
  
- Attachment 4 – Proposed Addition
- Attachment 5 – 1101 Hill Street National Register of Historic Places Information



Location Map  
Certificate of Appropriateness  
1101 Hill St



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 6/12/2019

RE: Coy House, 1101 Hill Street

To whom it may concern,

Included in the paperwork is a request to extend the south side of the house by 8 feet (8' x 10' total addition) which fits the cities guidelines for setbacks. We recently purchased the house in April and the house currently does not have a master bathroom or closet. The addition would be built using the exact same material, such as wood siding and a metal roof. The one stained glass window would also be reused to keep the same historic visual look of the home currently.



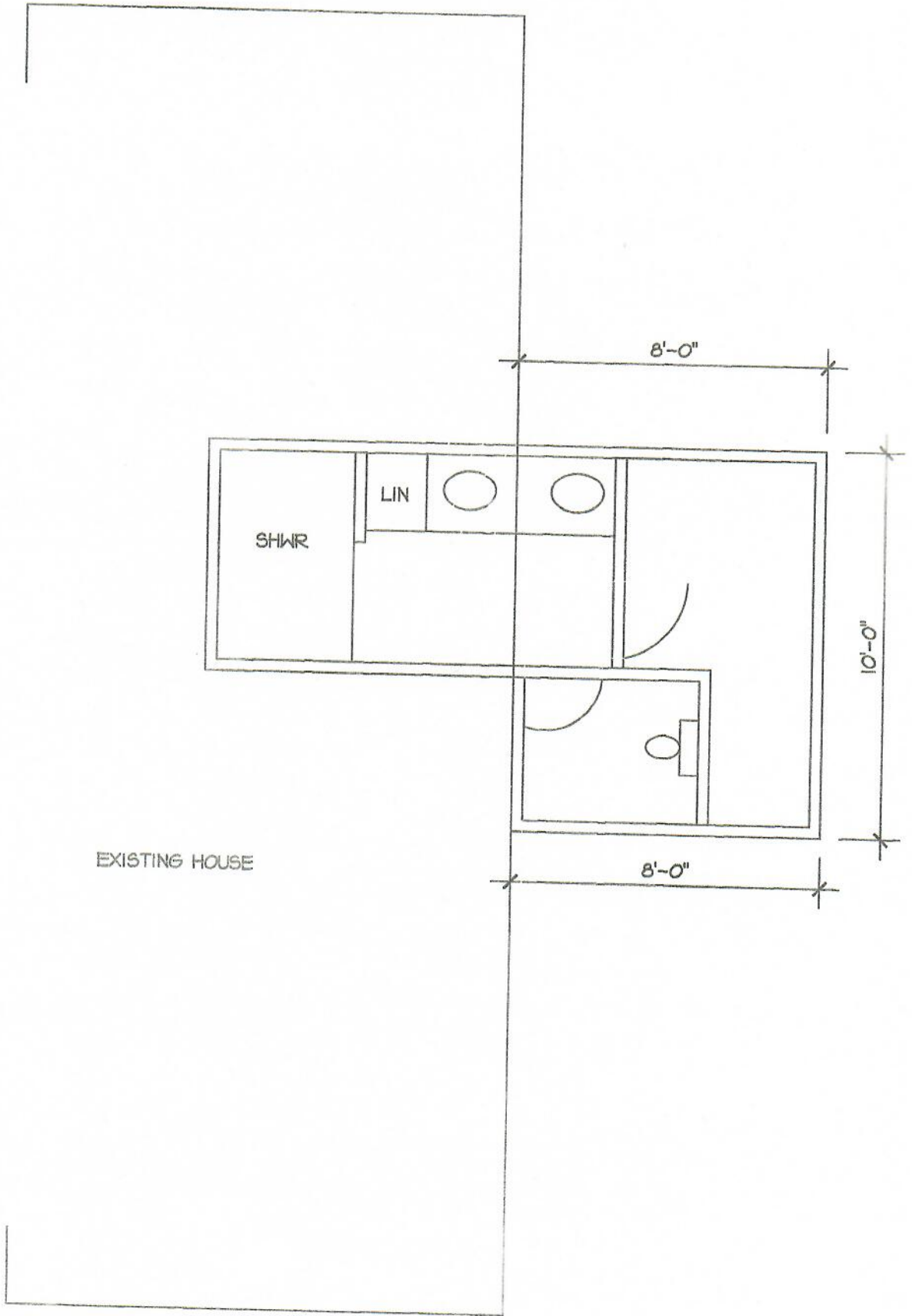


1101











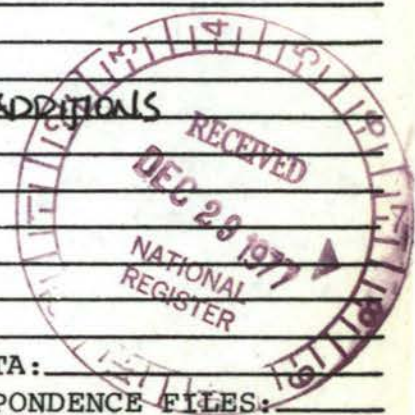
83

30

COUNTY QUAD BLOCK: BAS SE 31  
 CITY LOT: BA 8  
 NAME: MINNIE WILKES HOUSE COUNTY: BASTROP  
 ADDRESS: 1101 HILL CITY: BASTROP  
 ARCHITECT/BUILDER: \_\_\_\_\_ PERIOD: FDT  
 STYLE: VICTORIAN DATE: C. 1900's  
 OWNER: MRS. ROBERT MOORE THEME: AAV  
 SIGNIFICANCE: 1-STORY FRAME, SIMPLE VICTORIAN PLAN, GABLE ROOF  
W/ EAVE RETURNS, FRONT PORCH CONVERTED INTO SCREEN PORCH, PORCH  
EAVE BRACKETS, WINDOWS 2/2.

DESIGNATION: NR NHL THL HABS HAER OTHER: \_\_\_\_\_  
 ORIGINAL USE: RESIDENCE  
 PRESENT USE: RESIDENCE  
 PHYSICAL CONDITION: FAIR  
 altered/unaltered: E. SCREEN PORCH, REAR ADDITIONS  
 CONSTRUCTION: FRAME  
 roof material: CORRUGATED TIN  
 RELATIONSHIP TO SURROUNDINGS: \_\_\_\_\_

BIBLIOGRAPHIC DATA: \_\_\_\_\_  
 INFORMANT: \_\_\_\_\_  
 RECORDED BY: SK/MT PHOTOGRAPHIC DATA: \_\_\_\_\_  
 DATE: 12/18/76 SEE INFO/CORRESPONDENCE FILES: \_\_\_\_\_



	COUNTY	QUAD	BLOCK	BA	SE	31
	CITY		LOT	BA		8
NAME:	Minnie Wilkes House					
ADDRESS:	1101 Hill St.					
ARCHITECT/BUILDER:						
OWNER:	Mrs. Robert Moore					
	COUNTY:	Bastrap				
	CITY:	Bastrap				
	PERIOD:	EDT				
	DATE:	c. 1900's				
	THEME:	AAV				
	STYLE:	Victorian				
DESCRIPTION:	1-story frame, simple Victorian plan, gable roof, wide eave returns, front porch converted into screen porch, porch eave brackets, windows 4/2.					
SIGNIFICANCE:	This house is a typical example of a Victorian home in Bastrap.					
DESIGNATION:	NR	NHL	RTHL	HABS	HAER	OTHER: <b>A</b>
ORIGINAL USE:	Residence					
PRESENT USE:	Residence					
PHYSICAL CONDITION:	Fair					
Altered/unaltered:	Screen porch, rear additions					
CONSTRUCTION: wall:	Frame			roof:	Corrugated tin	
RELATIONSHIP TO SURROUNDINGS:						
ACREAGE/BOUNDARY DESCRIPTION:						
BIBLIOGRAPHIC DATA:						
INFORMANT:						
RECORDED BY:	SK, MY			PHOTOGRAPHIC DATA:		
DATE:	12 18 76			SEE INFO/CORRESPONDENCE FILES:		



# 9 MAJOR BIBLIOGRAPHICAL REFERENCES

See continuation sheet

## 10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY resource area is approx. 4,000 acres

UTM REFERENCES (no map available with UTM markings---Latitude & Long. below)

A	30					B					
	ZONE	EASTING	NORTHING				ZONE	EASTING	NORTHING		
C						D					
	ZONE	EASTING	NORTHING				ZONE	EASTING	NORTHING		

VERBAL BOUNDARY DESCRIPTION

(A) 30°05'30"/97°16'38" (B) 30°05'30"/97°20'30"  
 (C) 30°08'14"/97°16'38" (D) 30°08'14"/97°20'30"

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE

## 11 FORM PREPARED BY

NAME/TITLE Marie Deacon Landon, Historian Stan Klein, Draftsman  
Joe R. Williams, Project Director

ORGANIZATION \_\_\_\_\_ DATE \_\_\_\_\_

STREET & NUMBER \_\_\_\_\_ TELEPHONE \_\_\_\_\_

CITY OR TOWN \_\_\_\_\_ STATE \_\_\_\_\_

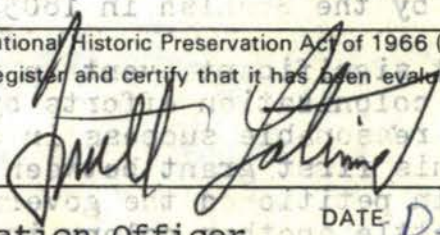
## 12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL  STATE  LOCAL

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE



TITLE Texas State Historic Preservation Officer

DATE Dec 13, 1977

FOR NPS USE ONLY	
I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER	
DIRECTOR, OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION	DATE <u>12/22/78</u>
ATTEST: <u>William Tolson</u>	DATE <u>12/20/78</u>
KEEPER OF THE NATIONAL REGISTER	

NAME: MINNIE WILKES HOUSE

ADDRESS: 1101 HILL

CO QUAD BLK BAS 31  
CITY LOT BA SE 8



VIEW: WEST ELEVATION

RECORDED BY: SK-MY

DATE: 12-18-76

Please refer to the map in the  
Multiple Property Cover Sheet  
for this property

Multiple Property Cover Sheet Reference Number: 64000828

Coy House  
1101 Hill Street



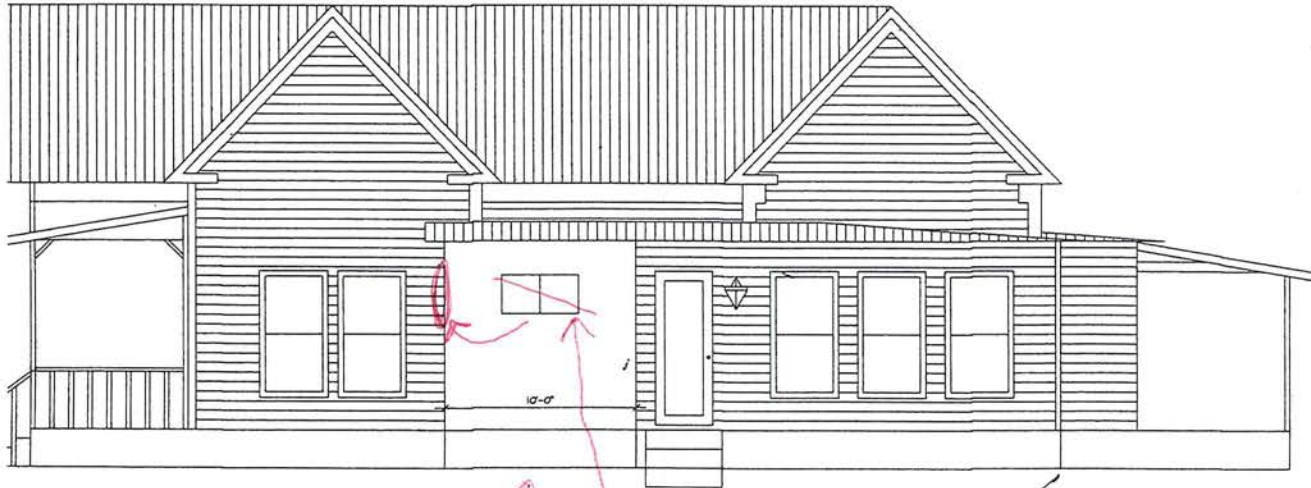
FRONT ELEVATION  
NOT TO SCALE

RECEIVED

AUG 26 2019

By 

Side



Front

RIGHT ELEVATION  
NOT TO SCALE

FENCE LINE

Addition  
Location

Existing window  
relocated  
in front  
(see page 1)

By

AUG 26 2013

RECEIVED



# STAFF REPORT

**MEETING DATE:** September 12, 2019

**AGENDA ITEM:** 3F

**TITLE:**

Consider action to recommend the creation of the Iredell Historic District to the Planning & Zoning Commission and City Council for inclusion in the Bastrop Building Block Code (B3) in order to allow the city to review exterior building materials.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**BACKGROUND/HISTORY:**

With the adoption of House Bill 2439 that went into effect on September 1, 2019, municipalities cannot restrict exterior building material outside of what is allowed in the last three cycles of national model codes (International Building Codes).

There are several categories for exceptions in which the city could enforce building material requirements.

(5) a building located in a place or area designated for its historical, cultural, or architectural importance and significance that a municipality may regulate under Section 211.003(b), Local Government Code, if the municipality:

(A) is a certified local government under the National Historic Preservation Act (54 U.S.C. Section 300101 et seq.); or

(B) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;

(6) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by a governmental entity, *if designated before April 1, 2019*;

(12) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section 442.014.

Under option 5 above, staff believes that the current Historic Landmark Preservation Ordinance meets the requirements of (B) that states the Historic Landmark Preservation Ordinance meets the requirements of the certified local government program, and staff are in the process of putting together the application requirements.

The B3 Code is based on the Farm Lots and Building Blocks shown on the 1920 Iredell Map, creating the downtown that you see today. The proposed Iredell Historic District covers the Farm Lot and Building Block area of the 1920 map (see attachment). Any property within the district would have to comply with the material requirements adopted with the B3 Code. These would be

administratively approved through the site development plan and building permit processes, which were how material requirements were enforced prior to the passage of HB 2439. Any National, State, or Locally Designated Historic Landmark would still have to receive a Certificate of Appropriateness.

The Bastrop Building Block (B3) code will be going to the Planning & Zoning Commission on September 26, 2019. The recommendation from the Historic Landmark Commission on this item will be forwarded with the proposed ordinance language that would create the district.

**POLICY:**

Consider action to recommend the creation of the Iredell Historic District to the Planning & Zoning Commission and City Council for inclusion in the Bastrop Building Block Code (B3) in order to allow the city to review exterior building materials.

**ATTACHMENTS:**

- Proposed Iredell Historic District area

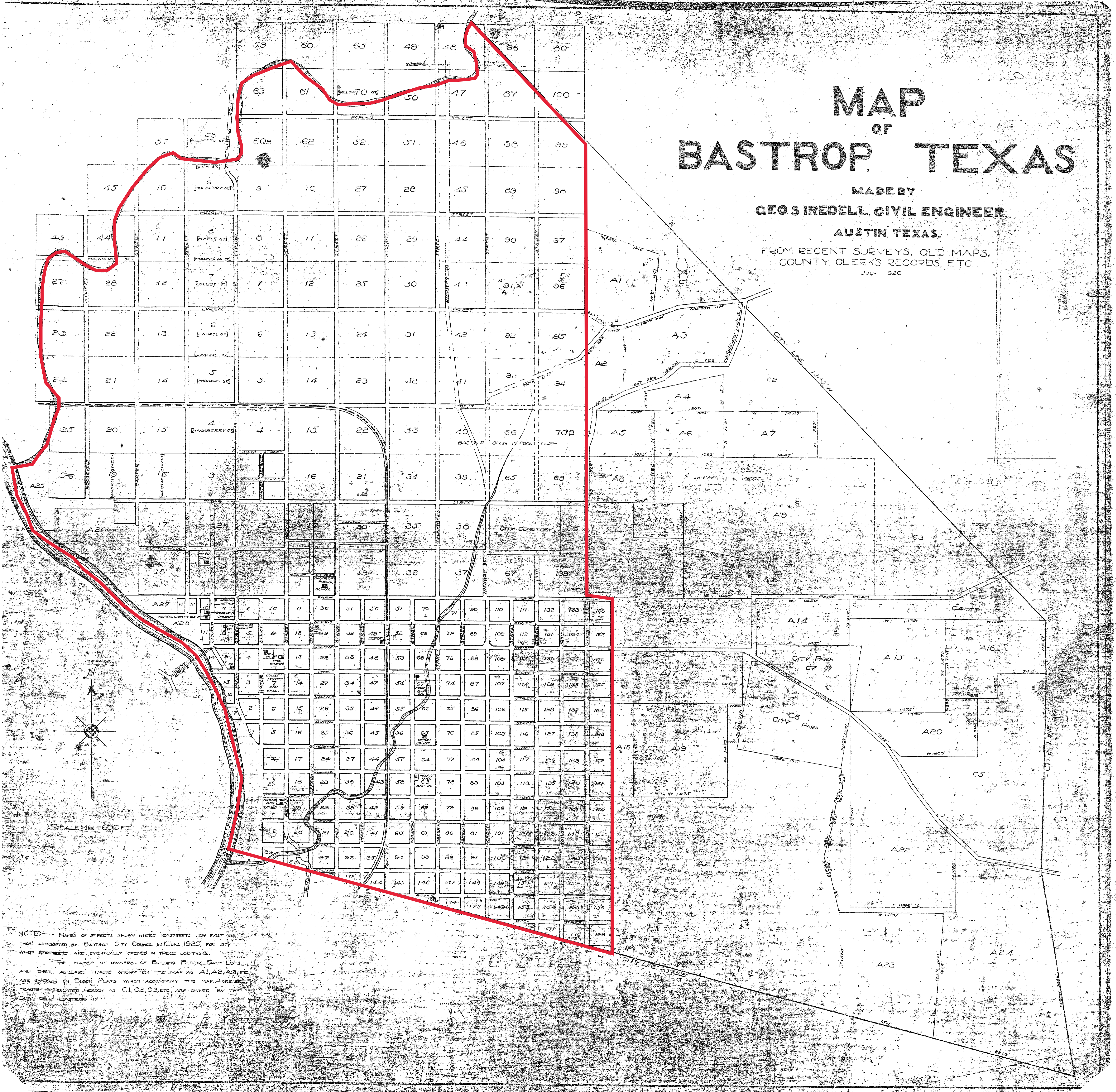


# MAP OF BASTROP, TEXAS

MADE BY  
GEO. S. IREDELL, CIVIL ENGINEER.

AUSTIN, TEXAS.

FROM RECENT SURVEYS, OLD MAPS,  
COUNTY CLERK'S RECORDS, ETC.  
JULY 1920.



NOTE:— NAMES OF STREETS SHOWN WHERE NO STREETS NOW EXIST ARE THOSE ADVERTISED BY BASTROP CITY COUNCIL IN JUNE, 1920, FOR USE WHEN STREETS ARE EVENTUALLY OPENED IN THESE LOCATIONS.  
THE NAMES OF OWNERS OF BUILDING BLOCKS, FARM LOTS AND OTHER ACRES ARE SHOWN ON THIS MAP AS A1, A2, A3, ETC. ARE SHOWN ON BLOCK PLATS WHICH ACCOMPANY THIS MAP. ACRES TRACTS INDICATED HEREON AS C1, C2, C3, ETC. ARE OWNED BY THE CITY OF BASTROP.

*7-12-20*





# STAFF REPORT

**MEETING DATE:** September 12, 2019

**AGENDA ITEM:** 3G

**TITLE:**

Discussion on Certified Local Government requirements, including board resumes and Historic Resources Inventory.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**BACKGROUND/HISTORY:**

The Texas Historical Commission (THC) has the Certified Local Government (CLG) Program, which is a local, state, and federal partnership designed to help cities and counties develop high standards of preservation. The program helps local communities by providing access to financial and technical services to further the identification, evaluation, designation and protection of buildings, sites, districts, structures, and objects. The Texas Historical Commission administers the program at the state level and the National Park Service is the responsible federal agency.

To become a CLG a local government must:

- ✓ Enforce state or local legislation that protects historic properties
- ✓ Establish a qualified review commission composed of professional and lay members
- ✓ Maintain a system for surveying and inventorying historic properties
- ✓ Provide for public participation in the historic preservation process, including recommending properties to the National Register of Historic Places.

Submission requirements to become a CLG Community:

- ✓ A copy of the local historic preservation or landmark ordinance, including any and all amendments to same;
- ✓ A list, with appropriate location maps, of locally historic designated landmarks with statements of significance for each property or district;

*Attached are sample of draft pages of the Historic Resources Inventory, which will include the address, type of designation, statement of significance, and current picture of every historic property (local, state, national).*

- ✓ A list, with appropriate location maps, of Recorded Texas Historic Landmarks, State Archeological Landmarks, and any individual properties and/or districts identified and/or listed in the National Register of Historic Places with statements of significance for each property or district;
- Resumes of the designated historic preservation officer and members of the historic preservation review commission, board, or committee, indicating their**

**qualifications, credentials, or expertise in fields related to historic preservation; and,**

*Staff has checked with the City Secretary and the previous resumes submitted with Commission applications are not available. The resumes need to speak to experience with historical structures or knowledge of Bastrop history. The Commission members are appointed to specific places required by the Ordinance.*

*Christine Cartwright  
Janean Whitten  
Dan Hays-Clark  
Susan Long  
Matthew Lassen  
Pat Crawford  
Blake Kaiser*

*County Historical Society Member  
General Resident  
Design Professional  
Owner of a Commercial Historical Structure  
Planning & Zoning Commission Representative  
Owner of a Historical Residential Structure  
Real Estate Professional*

*Please have the resumes submitted to staff by September 27, 2019.*

- A copy of the local preservation plan, if available, or a statement of goals and objectives for the preservation program.

After certification, each CLG must provide an annual report to the THC.

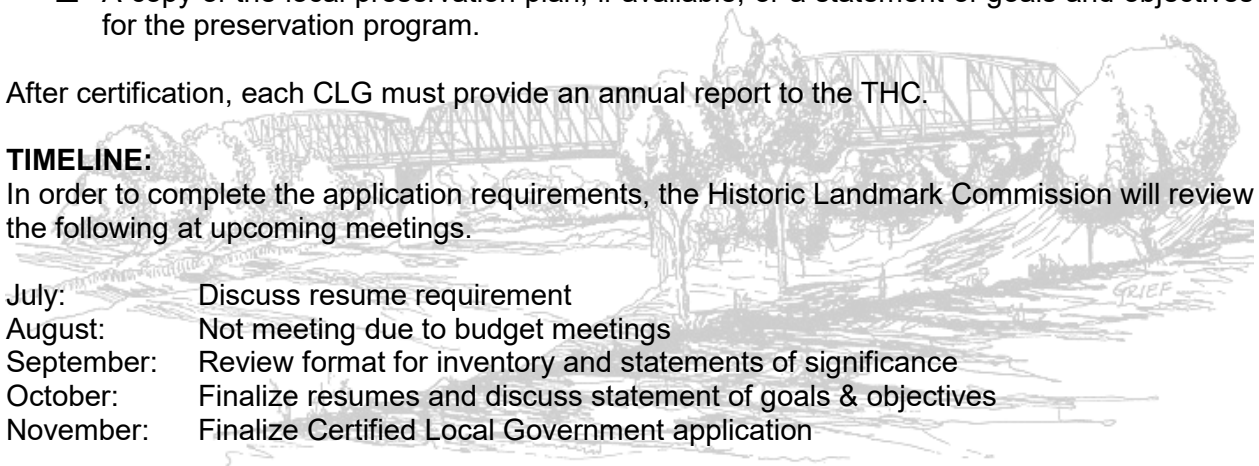
**TIMELINE:**

In order to complete the application requirements, the Historic Landmark Commission will review the following at upcoming meetings.

July: Discuss resume requirement  
August: Not meeting due to budget meetings  
September: Review format for inventory and statements of significance  
October: Finalize resumes and discuss statement of goals & objectives  
November: Finalize Certified Local Government application

**ATTACHMENTS:**

- Current Local Historic Resources Map
- State and National Resources Map
- Sample Draft Pages on the Historic Resource Inventory




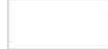






# City of Bastrop Historic Resource Map

## Local Designations

### Legend

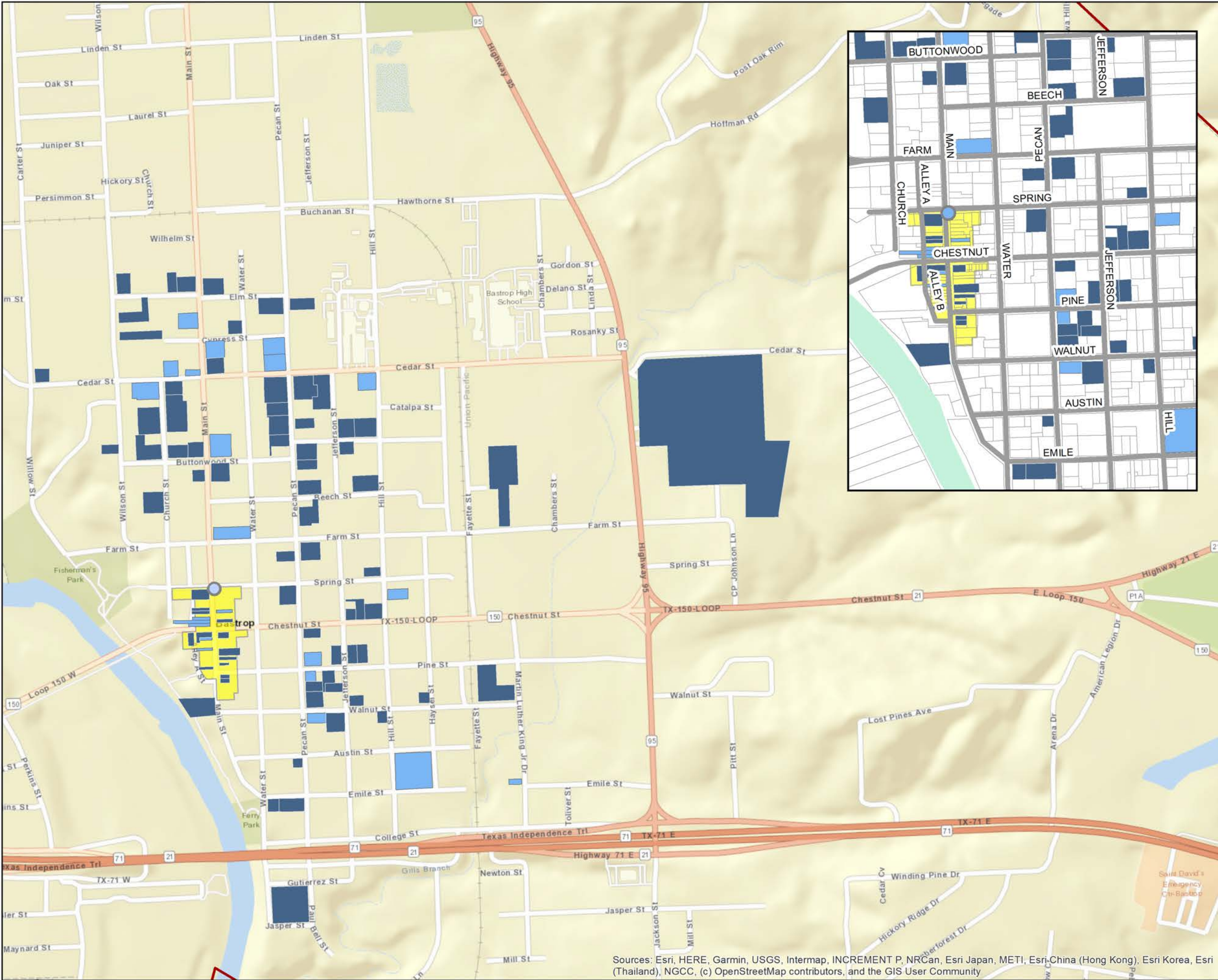
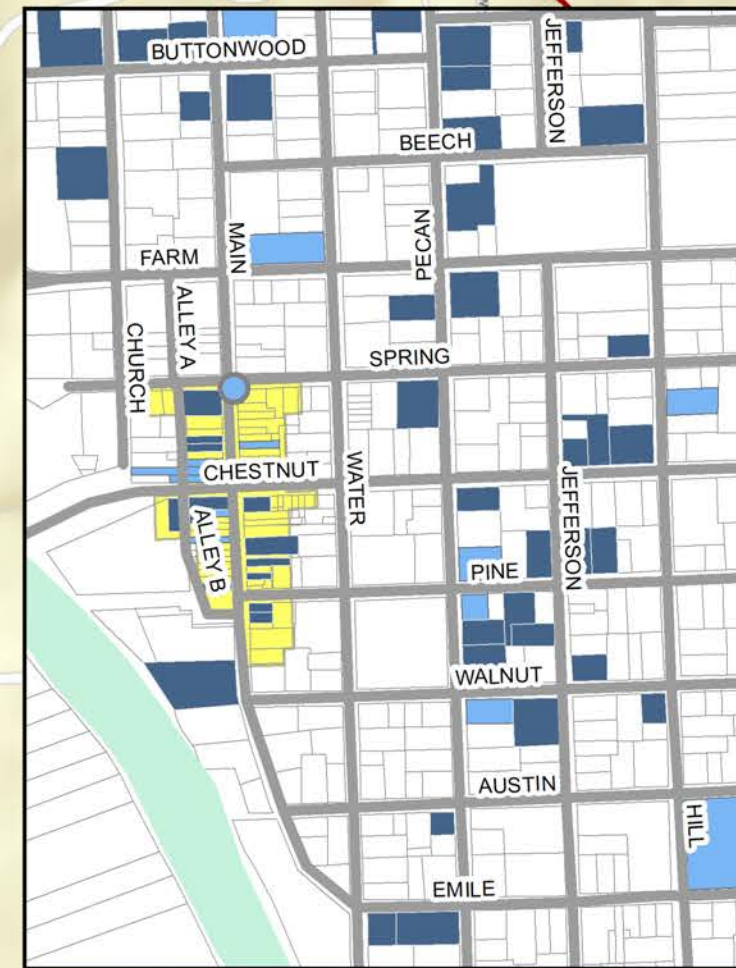
-  Significant Fire Hydrant
-  Historic Designation
-  Significant Only
-  Parcels
-  Bastrop City Limit
-  Nationally Registered District

N 0 750 1,500 Ft.



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Updated: 9/5/2019



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

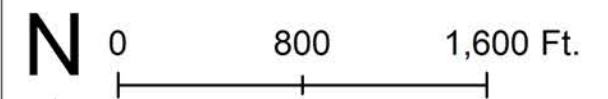


# City of Bastrop Historic Resource Map

## State & National Designations

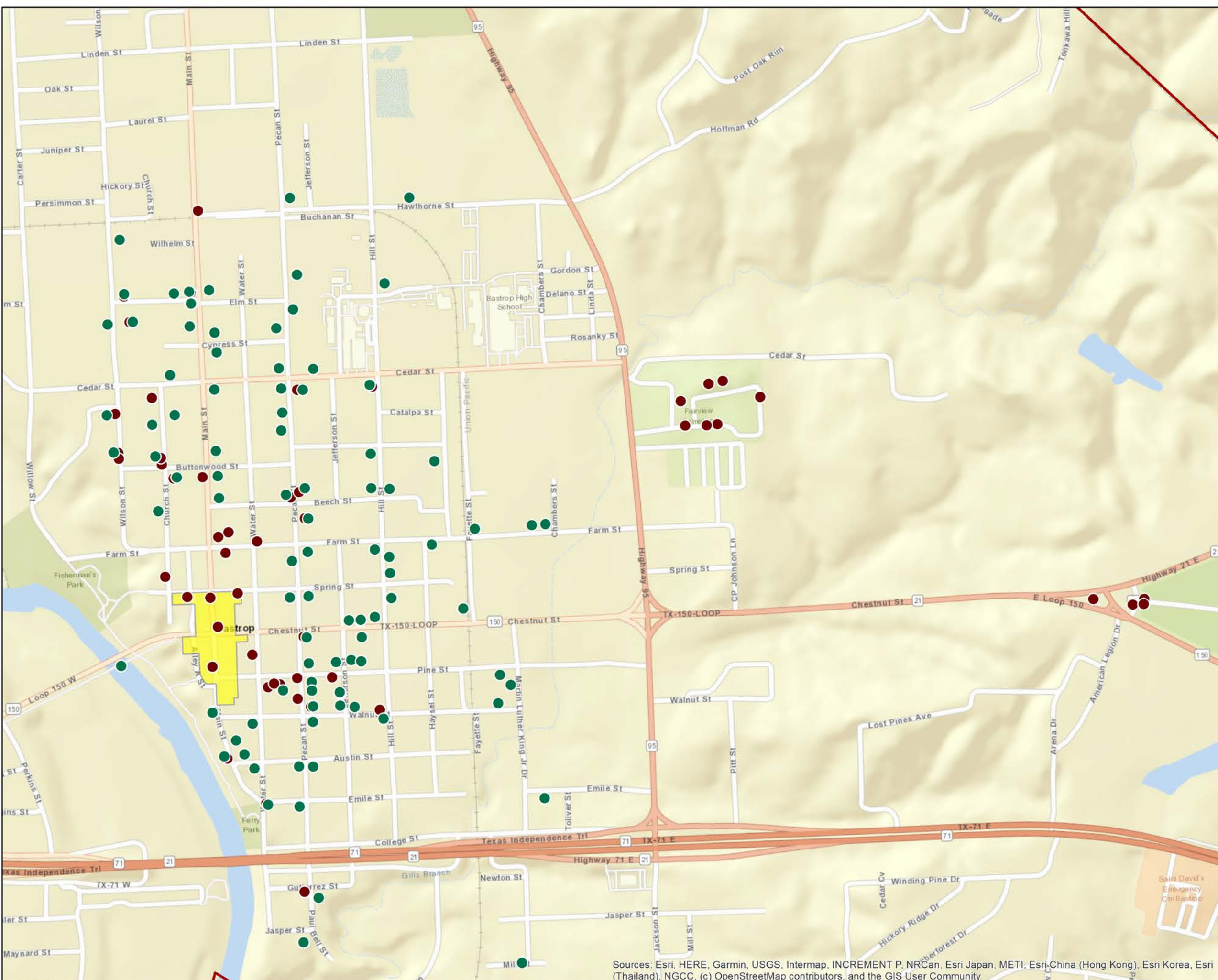
### Legend

-  Nationally Registered Properties
-  State Historical Markers
-  Bastrop City Limit
-  Nationally Registered District



The accuracy and precision of this cartographic data is limited and should be used for information/planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

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# 1014 Main St. "Man" Bell Building

**Date Built:** 1913  
**Historic Designations:**  
Bastrop Significant  
Bastrop Historic  
Texas Historic



## **Significance Statement:**

In 1906, the building burned down and the lot was purchased and rebuilt in 1913 by "Man" Bell. Three generations of the Bell family have owned this building. Andrew and Julia Batts owned a saddle/harness shop in the previous building prior to Bell rebuilding it. Bell's son Henry Newton Bell, Jr. inherited the building. He was a WWII veteran, member of the American Legion, and a 50-year Mason.



# 1208 Church St. H. B. Combs House

**Date Built:** Unknown

**Historic Designations:**

- Bastrop Significant
- Bastrop Historic
- National Historic



**Significance Statement:**

2-story frame with double hipped roof and projected two-story portico offset to the right. Distyle portico with fluted Ionic columns with entablature and cornice, projected eave, raised pediment with windows within gable, Neoclassical 2nd floor porch and side portico, and one central chimney.





# STAFF REPORT

**MEETING DATE:** September 12, 2019

**AGENDA ITEM:** 3H

**TITLE:**

Review Chapter 14 – Zoning, Section 14.03.006 Incentives for historic landmarks and rebate and maintenance letters that were distributed in 2019.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**BACKGROUND/HISTORY:**

Chapter 14 – Zoning, Section 14.03.006 Incentive for historic landmarks provides tax rebates based on the value of the property designated a Local Historic Landmark. The ordinance was updated in 2018 to remove the minimum and maximum percentage of rebate, to instead allow the amount budgeted by City Council to be allocated by value. It also moved the rebate distribution to after July 31<sup>st</sup> of each year, as a review of tax bills revealed that some residents are on payment plans that are not fully due until the end of July.

City Council also adopted maintenance standards (Attachment 1). Staff performed an inspection of all 79 Historic Landmarks in June. On July 1, 2019 staff sent nine letters, seven of which had maintenance issues to fix. One of these seven was for an address that was not readily visible, which while a Building Code requirement, is not listed in the maintenance standards and a follow up letter was sent stating that this was recommendation and would not affect the 2018 rebate (Attachment 2).

Property owners were given until August 15<sup>th</sup> to correct the deficiencies, two of which have been resolved. Four did not receive checks due to outstanding repairs (two of which had also not paid taxes), one did not for delinquent taxes and the ten properties are tax exempt. On August 29<sup>th</sup>, 64 rebate checks were mailed out with the attached letter (Attachment 2).

**ATTACHMENTS:**

- Attachment 1: Section 14.03.006 Incentives for historic landmarks
- Attachment 2: 2018 Maintenance Letters
- Attachment 3: 2018 Rebate Check Letters

Sec. 14.03.006 - Incentives for historic landmarks.

- (a) *Continuation of existing incentives.* All properties previously granted an incentive (refund of city taxes) under section 14.03.002 of the Bastrop Code of Ordinances as of the date of ordinance no. 2018-03 shall be eligible to maintain the incentive and are specifically saved from repeal; however, the City Council may modify or end the program at any time at the city's discretion. A list of all properties subject to the incentive, along with the determination of what historic elements are to be included in the valuation of the incentive, shall be maintained on file in the city's Historic Preservation Officer's and the City Secretary's office.
- (b) *New applications for incentives.* To encourage historic preservation, the city may offer an incentive to owners of local historic landmarks to encourage the stabilization, rehabilitation and renovation of properties designated as historic landmarks. The incentives may include:
- (1) Historic landmark marker. Owners of qualifying historic landmarks will be presented with an official historic landmark marker to designate the structure, with the cost of the marker borne by the city.
  - (2) Property tax refund. Owners of qualifying historic landmarks may be eligible for a refund of a portion of their city property taxes, provided under paragraph (c) below.

An owner seeking inclusion in the incentive program shall submit an application to the Historic Preservation Officer to determine whether the property meets the criteria for a local historic landmark. Incentives will be granted upon the favorable recommendation of the Historic Landmark Commission and approval by the City Council.

- (c) *Calculation of refund incentives.* The amount of the refund shall be based on a uniform percentage of the assessed value of the contributing structures, determined by the City Council, each budget year, which can be financed by the amount of general funds appropriated for such refunds. Refunds shall be based on the assessed value of the historic improvements only and shall exclude the value of the underlying land or any noncontributing structures. Refunds will be based on taxes paid in full by July 31. Eligibility for such refund shall require compliance with all requirements of this article.
- (d) *Required maintenance standards.* To be eligible to receive the annual refund, all buildings and the exterior premise of a historic landmark property shall be properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the following minimum standards:
- (1) *Roof.* The roof shall not have any missing or broken shingles, significant buckling, warping, or peeling of the surface and must be clear of vegetation. There shall be no signs of decay, dry rot or structural integrity issues in the roof structure.
  - (2) *Exterior walls.* The exterior walls shall not have any missing boards, bricks or other materials. No signs of cracks, dry rot or decay should be evident. Except for materials that have been designed to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained to be kept clean and free of flaking, loose, or peeling paint or covering.
  - (3) *Foundations.* The foundation shall not have any significant cracking, shifting, or erosion. For pier and beam foundations, skirting should be in good condition and have no missing sections. The foundation shall be in good condition and not have missing foundation supports or signs of sagging.
  - (4) *Exterior doors.* Doors shall be maintained to be structurally sound, fit within frames to be weatherproof, and have hardware that is in good condition.
  - (5) *Windows.* Windows shall be fully supplied with window glass, which is glazed and is without cracks or broken panes, shall have sashes in good condition, which fit within the frames, and maintained to exclude adverse weather elements from entering the structure.



- (6) *Porches.* Every porch shall be maintained to be free of missing, defective, rotting or deteriorated foundations, supports, floors and steps, to be safe to use and kept in sound condition and in good repair.
- (7) *Stairways.* Stairways shall be maintained free of rotted or deteriorated supports. Handrails and/or railings shall be firmly fastened and maintained in good conditions.
- (8) *Accessory structures.* All structures accessory to the dwellings, including detached garages, shall be maintained to be structurally sound, neatly maintained and in good repair.
- (9) *Fences and walls.* If any fence, retaining wall, or similar structure is not found to be in a good state of structural repair, it shall be removed, replaced or repaired as required.
- (10) *Landscaping.* All landscaping shall be maintained in a presentable appearance. Any landscaping or vegetation that is causing damage to the structure must be removed.
- (11) *Decorative features.* Any other decorative elements of the site shall be maintained in good repair with property anchorage and in a safe condition.

If a historic landmark property has been determined by the Historic Preservation Officer, the building official, and Code Enforcement Official to be inadequately maintained, the property owner will be notified in writing and given thirty (30) days to correct the deficiencies. If the repairs are not completed and standards are not met, the incentive will not be paid. An aggrieved property owner may appeal that determination to the City Council.

- (e) *Loss of incentives.* No owner, owner's agents, contractors and/or representatives shall alter or totally or partially destroy any historic landmark subject to incentives under this section without first obtaining a Certificate of Appropriateness or demolition permit in accordance with the terms of this article. If a historic landmark subject to incentives is altered or totally or partially destroyed without a Certificate of Appropriateness, the owner shall be required to restore the structure to its original state, within a reasonable period of time as established by the Commission but in no case longer than one hundred eighty (180) calendar days from the date of any notice of violation provided to the property owner. No incentives will apply during the time that the owner is restoring the property. Failure to restore the historical landmark to its pre-destruction condition shall subject the owner to the penalties set forth in this article and the owner shall:
  - (1) No longer be entitled to the incentives set forth herein; and
  - (2) Immediately remit to the city monies in an amount equal to the total city tax revenues that were refunded in the current and prior years because of the incentives, plus interest calculated at an annual rate as established by the then-current Texas Private Prompt Payment Act.

If an owner has obtained a Certificate of Appropriateness for demolition or relocation under section 14.03.004, then the incentive for the structure will cease immediately upon the demolition or relocation, but no remittance of past refunds is required.

- (f) *Transferability of incentives.* The benefits of the incentive program relating to historic structures under this section are transferable and run with the property.

(Ord. No. [2018-03](#), § 1(Exh. A), 4-24-18)



July 1<sup>st</sup>, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards

Greetings Property Owner,

We thank you for your continued participation in our local Historic Landmark Preservation Initiative.

As explained in last year's correspondence, the Bastrop City Council passed a new Historic Landmark Preservation ordinance in 2018, which requires that all properties receiving the refund must follow local preservation and maintenance standards. The list of maintenance standards can be found in the City's Code of Ordinances Ch.14 Zoning—Article 14.03.006---Incentives for Historic Landmarks (attached).

As a result, staff inspects every locally designated property each year. The inspections are to ensure the historic property is properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the minimum standards established in the code. If the issues below are resolved this will not affect your rebate next year. This year you will still receive your rebate.

Specifically, your property at 508 Pecan Street showed some damage to the shutters on the front of the main building and some repoint work needed on the existing out building.

As always, Staff, Council, and the Historic Landmark Commission are proud that this incentive for acquiring designated landmark status and properly maintaining the historic character of your property, remains available to residents. Thank you for helping our community highlight our historic resources and preserve our unique sense of place for many years to come.

If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Again thank you for your investment in Bastrop and for your willingness to preserve our "Uniquely Bastrop" character.

Sincerely,

Jennifer Bills  
Assistant Planning Director, AICP, LEED-AP

PLANNING & DEVELOPMENT



July 1<sup>st</sup>, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards

Greetings Property Owner,

We thank you for your continued participation in our local Historic Landmark Preservation Initiative.

As explained in last year's correspondence, the Bastrop City Council passed a new Historic Landmark Preservation ordinance in 2018, which requires that all properties receiving the refund must follow local preservation and maintenance standards. The list of maintenance standards can be found in the City's Code of Ordinances Ch.14 Zoning—Article 14.03.006---Incentives for Historic Landmarks (attached).

As a result, staff inspects every locally designated property each year. The inspections are to ensure the historic property is properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the minimum standards established in the code. If the issues below are resolved by August 15, 2019 this will not affect your 2018 rebate.

Specifically, your property at 919 Main Street has some damage at the bottom of the wooden columns facing Main Street.

As always, Staff, Council, and the Historic Landmark Commission are proud that this incentive for acquiring designated landmark status and properly maintaining the historic character of your property, remains available to residents. Thank you for helping our community highlight our historic resources and preserve our unique sense of place for many years to come.

If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Again thank you for your investment in Bastrop and for your willingness to preserve our "Uniquely Bastrop" character.

Sincerely,

Jennifer Bills  
Assistant Planning Director, AICP, LEED-AP

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PLANNING & DEVELOPMENT

1311 Chestnut Street • PO Box 427 • Bastrop, Texas 78602 • 512.332.8840 •  
[www.cityofbastrop.org](http://www.cityofbastrop.org)



July 1<sup>st</sup>, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards

Greetings Property Owner,

We thank you for your continued participation in our local Historic Landmark Preservation Initiative.

As explained in last year's correspondence, the Bastrop City Council passed a new Historic Landmark Preservation ordinance in 2018, which requires that all properties receiving the refund must follow local preservation and maintenance standards. The list of maintenance standards can be found in the City's Code of Ordinances Ch.14 Zoning—Article 14.03.006---Incentives for Historic Landmarks (attached).

As a result, staff inspects every locally designated property each year. The inspections are to ensure the historic property is properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the minimum standards established in the code. If the issues below are resolved by August 15, 2019 this will not affect your 2018 rebate.

Specifically, your property at 930 Main Street has some metal missing underneath the platform at the top of the exterior, metal staircase that leads to the second story door. This is visible from Chestnut Street. Since this appears to be a structural safety concern, please contact the Building Official, David Brasich, to outline a plan to repair the staircase.

As always, Staff, Council, and the Historic Landmark Commission are proud that this incentive for acquiring designated landmark status and properly maintaining the historic character of your property, remains available to residents. Thank you for helping our community highlight our historic resources and preserve our unique sense of place for many years to come.

If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Again thank you for your investment in Bastrop and for your willingness to preserve our "Uniquely Bastrop" character.

Sincerely,

Jennifer Bills  
Assistant Planning Director, AICP, LEED-AP

PLANNING & DEVELOPMENT

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1311 Chestnut Street • PO Box 427 • Bastrop, Texas 78602 • 512.332.8840 •  
[www.cityofbastrop.org](http://www.cityofbastrop.org)



July 1<sup>st</sup>, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards

Greetings Property Owner,

We thank you for your continued participation in our local Historic Landmark Preservation Initiative.

As explained in last year's correspondence, the Bastrop City Council passed a new Historic Landmark Preservation ordinance in 2018, which requires that all properties receiving the refund must follow local preservation and maintenance standards. The list of maintenance standards can be found in the City's Code of Ordinances Ch.14 Zoning—Article 14.03.006---Incentives for Historic Landmarks (attached).

As a result, staff inspects every locally designated property each year. The inspections are to ensure the historic property is properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the minimum standards established in the code. If the issues below are resolved by August 15, 2019 this will not affect your 2018 rebate.

Specifically, your property at 1004 Pine Street had some damage to the front, wooden steps. Additionally, the columns need to be repainted.

As always, Staff, Council, and the Historic Landmark Commission are proud that this incentive for acquiring designated landmark status and properly maintaining the historic character of your property, remains available to residents. Thank you for helping our community highlight our historic resources and preserve our unique sense of place for many years to come.

If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Again thank you for your investment in Bastrop and for your willingness to preserve our "Uniquely Bastrop" character.

Sincerely,

Jennifer Bills  
Assistant Planning Director, AICP, LEED-AP



July 1<sup>st</sup>, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards

Greetings Property Owner,

We thank you for your continued participation in our local Historic Landmark Preservation Initiative.

As explained in last year's correspondence, the Bastrop City Council passed a new Historic Landmark Preservation ordinance in 2018, which requires that all properties receiving the refund must follow local preservation and maintenance standards. The list of maintenance standards can be found in the City's Code of Ordinances Ch.14 Zoning—Article 14.03.006---Incentives for Historic Landmarks (attached).

As a result, staff inspects every locally designated property each year. The inspections are to ensure the historic property is properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the minimum standards established in the code. If the issues below are resolved by August 15, 2019 this will not affect your 2018 rebate.

Specifically, your property at 1010 Main Street is missing some ceiling tiles underneath the second story patio where repair is required.

As always, Staff, Council, and the Historic Landmark Commission are proud that this incentive for acquiring designated landmark status and properly maintaining the historic character of your property, remains available to residents. Thank you for helping our community highlight our historic resources and preserve our unique sense of place for many years to come.

If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Again thank you for your investment in Bastrop and for your willingness to preserve our "Uniquely Bastrop" character.

Sincerely,

Jennifer Bills  
Assistant Planning Director, AICP, LEED-AP

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[www.cityofbastrop.org](http://www.cityofbastrop.org)



June 28<sup>th</sup>, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards

Greetings Property Owner,

We thank you for your continued participation in our local Historic Landmark Preservation Initiative.

As explained in last year's correspondence, the Bastrop City Council passed a new Historic Landmark Preservation ordinance in 2018, which requires that all properties receiving the refund must follow local preservation and maintenance standards. The list of maintenance standards can be found in the City's Code of Ordinances Ch.14 Zoning—Article 14.03.006---Incentives for Historic Landmarks (attached).

As a result, staff inspects every locally designated property each year. The inspections are to ensure the historic property is properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the minimum standards established in the code. If the issues below are resolved by August 15, 2019 this will not affect your 2018 rebate.

Specifically, your property at 1022 Main Street has some missing wood on the front awning and a loose light box in the top right corner of your building near the roof. Cornice repair is required.

As always, Staff, Council, and the Historic Landmark Commission are proud that this incentive for acquiring designated landmark status and properly maintaining the historic character of your property, remains available to residents. Thank you for helping our community highlight our historic resources and preserve our unique sense of place for many years to come.

If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Again thank you for your investment in Bastrop and for your willingness to preserve our "Uniquely Bastrop" character.

Sincerely,

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July 1<sup>st</sup>, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards

Greetings Property Owner,

We thank you for your continued participation in our local Historic Landmark Preservation Initiative.

As explained in last year's correspondence, the Bastrop City Council passed a new Historic Landmark Preservation ordinance in 2018, which requires that all properties receiving the refund must follow local preservation and maintenance standards. The list of maintenance standards can be found in the City's Code of Ordinances Ch.14 Zoning—Article 14.03.006---Incentives for Historic Landmarks (attached).

As a result, staff inspects every locally designated property each year. The inspections are to ensure the historic property is properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the minimum standards established in the code. If the issues below are resolved, this will not affect your rebate next year. This year you will still receive your rebate.

Specifically, your property at 1208 Church Street has some minor damage to the upstairs patio. If you are looking at the building from the street, the right cornice underneath the patio has some slight damage. Also, the day of the inspection, we were unable to find an obvious address. A clear address sign is required for wayfinding and emergency services.

As always, Staff, Council, and the Historic Landmark Commission are proud that this incentive for acquiring designated landmark status and properly maintaining the historic character of your property, remains available to residents. Thank you for helping our community highlight our historic resources and preserve our unique sense of place for many years to come.

If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Again thank you for your investment in Bastrop and for your willingness to preserve our "Uniquely Bastrop" character.

Sincerely,

Jennifer Bills  
Assistant Planning Director, AICP, LEED-AP

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July 15, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards Clarification  
1208 Church Street

Dear Mr. and Mrs. Liriano,

This letter is meant to clarify the concerns of posted addresses, or lack of posted addresses, affecting Historic Landmark Property Tax Refunds. Posted addresses or a lack of posted addresses are not a criteria for determining if a property receives a rebate, nor will they prohibit a property from receiving a rebate. During historic landmark property inspections, Staff noted addresses that were not clearly visible solely as a public safety concern. For residential properties, it is recommended that addresses be in numbers/letters at least 4 inches tall in a color that contrasts with the background that they are posted on. If addresses are not clearly visible, it can delay emergency service response time. No action is required, but is recommended.

You will still need to address the repair of the north east corner on the second story balcony to meet the required maintenance standards (see attached).

If you have additional concerns, please contact Matt Jones, Director of Planning and Development. The Planning and Development Department oversees the Historic Landmark program. Mr. Jones' phone number is 512-332-8844 and his email is [mjones@cityofbastrop.org](mailto:mjones@cityofbastrop.org).

We apologize for the confusion on this issue.

Sincerely,

Jennifer C. Bills  
Assistant Planning Director, AICP, LEED-AP



PLANNING & DEVELOPMENT



July 1<sup>st</sup>, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards

Greetings Property Owner,

We thank you for your continued participation in our local Historic Landmark Preservation Initiative.

As explained in last year's correspondence, the Bastrop City Council passed a new Historic Landmark Preservation ordinance in 2018, which requires that all properties receiving the refund must follow local preservation and maintenance standards. The list of maintenance standards can be found in the City's Code of Ordinances Ch.14 Zoning—Article 14.03.006---Incentives for Historic Landmarks (attached).

As a result, staff inspects every locally designated property each year. The inspections are to ensure the historic property is properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the minimum standards established in the code. If the issues below are resolved by August 15, 2019 this will not affect your 2018 rebate.

Specifically, your property at 1402 Hill Street shows signs of structural damage and decay. Dry rot, cracks in the exterior yard wall, damage to exterior wood of the house, and cracks in the front columns were noted.

As always, Staff, Council, and the Historic Landmark Commission are proud that this incentive for acquiring designated landmark status and properly maintaining the historic character of your property, remains available to residents. Thank you for helping our community highlight our historic resources and preserve our unique sense of place for many years to come.

If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Again thank you for your investment in Bastrop and for your willingness to preserve our "Uniquely Bastrop" character.

Sincerely,

Jennifer Bills  
Assistant Planning Director, AICP, LEED-AP

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July 1<sup>st</sup>, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards

Greetings Property Owner,

We thank you for your continued participation in our local Historic Landmark Preservation Initiative.

As explained in last year's correspondence, the Bastrop City Council passed a new Historic Landmark Preservation ordinance in 2018, which requires that all properties receiving the refund must follow local preservation and maintenance standards. The list of maintenance standards can be found in the City's Code of Ordinances Ch.14 Zoning—Article 14.03.006---Incentives for Historic Landmarks (attached).

As a result, staff inspects every locally designated property each year. The inspections are to ensure the historic property is properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the minimum standards established in the code. If the issues below are resolved by August 15, 2019 this will not affect your 2018 rebate.

Specifically, we were unable to find an obvious address at your property at 1501 Church Street. A clear address sign is required for wayfinding and emergency services.

As always, Staff, Council, and the Historic Landmark Commission are proud that this incentive for acquiring designated landmark status and properly maintaining the historic character of your property, remains available to residents. Thank you for helping our community highlight our historic resources and preserve our unique sense of place for many years to come.

If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Again thank you for your investment in Bastrop and for your willingness to preserve our "Uniquely Bastrop" character.

Sincerely,

Jennifer Bills  
Assistant Planning Director, AICP, LEED-AP



July 15, 2019

RE: 2018 Historic Property Tax Refund & Maintenance Standards Clarification  
1501 Church Street

Dear Ms. Long,

This letter is meant to clarify the concerns of posted addresses, or lack of posted addresses, affecting Historic Landmark Property Tax Refunds. Posted addresses or a lack of posted addresses are not a criteria for determining if a property receives a rebate, nor will they prohibit a property from receiving a rebate. During historic landmark property inspections, Staff noted addresses that were not clearly visible solely as a public safety concern. For residential properties, it is recommended that addresses be in numbers/letters at least 4 inches tall in a color that contrasts with the background that they are posted on. If addresses are not clearly visible, it can delay emergency service response time. No action is required, but is recommended.

If you have additional concerns, please contact Matt Jones, Director of Planning and Development. The Planning and Development Department oversees the Historic Landmark program. Mr. Jones' phone number is 512-332-8844 and his email is [mjones@cityofbastrop.org](mailto:mjones@cityofbastrop.org).

We apologize for the confusion on this issue.

Sincerely,

Jennifer C. Bills  
Assistant Planning Director, AICP, LEED-AP



**Chapter 14 Zoning—Article 14.03.006---Incentives for Historic Landmarks of the City’s Municipal Code of Ordinances states:**

(a) *Continuation of existing incentives.* All properties previously granted an incentive (refund of city taxes) under section 14.03.002 of the Bastrop Code of Ordinances as of the date of ordinance no. 2018-03 shall be eligible to maintain the incentive and are specifically saved from repeal; however, the City Council may modify or end the program at any time at the city's discretion. A list of all properties subject to the incentive, along with the determination of what historic elements are to be included in the valuation of the incentive, shall be maintained on file in the city's Historic Preservation Officer's and the City Secretary's office.

(b) *New applications for incentives.* To encourage historic preservation, the city may offer an incentive to owners of local historic landmarks to encourage the stabilization, rehabilitation and renovation of properties designated as historic landmarks. The incentives may include:

(1) Historic landmark marker. Owners of qualifying historic landmarks will be presented with an official historic landmark marker to designate the structure, with the cost of the marker borne by the city.

(2) Property tax refund. Owners of qualifying historic landmarks may be eligible for a refund of a portion of their city property taxes, provided under paragraph (c) below.

An owner seeking inclusion in the incentive program shall submit an application to the Historic Preservation Officer to determine whether the property meets the criteria for a local historic landmark. Incentives will be granted upon the favorable recommendation of the Historic Landmark Commission and approval by the City Council.

(c) *Calculation of refund incentives.* The amount of the refund shall be based on a uniform percentage of the assessed value of the contributing structures, determined by the City Council, each budget year, which can be financed by the amount of general funds appropriated for such refunds. Refunds shall be based on the assessed value of the historic improvements only and shall exclude the value of the underlying land or any noncontributing structures. Refunds will be based on taxes paid in full by July 31. Eligibility for such refund shall require compliance with all requirements of this article.

(d) *Required maintenance standards.* To be eligible to receive the annual refund, all buildings and the exterior premise of a historic landmark property shall be properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the following minimum standards:

(1) *Roof.* The roof shall not have any missing or broken shingles, significant buckling, warping, or peeling of the surface and must be clear of vegetation. There shall be no signs of decay, dry rot or structural integrity issues in the roof structure.



(2) *Exterior walls.* The exterior walls shall not have any missing boards, bricks or other materials. No signs of cracks, dry rot or decay should be evident. Except for materials that have been designed to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained to be kept clean and free of flaking, loose, or peeling paint or covering.

(3) *Foundations.* The foundation shall not have any significant cracking, shifting, or erosion. For pier and beam foundations, skirting should be in good condition and have no missing sections. The foundation shall be in good condition and not have missing foundation supports or signs of sagging.

(4) *Exterior doors.* Doors shall be maintained to be structurally sound, fit within frames to be weatherproof, and have hardware that is in good condition.

(5) *Windows.* Windows shall be fully supplied with window glass, which is glazed and is without cracks or broken panes, shall have sashes in good condition, which fit within the frames, and maintained to exclude adverse weather elements from entering the structure.

(6) *Porches.* Every porch shall be maintained to be free of missing, defective, rotting or deteriorated foundations, supports, floors and steps, to be safe to use and kept in sound condition and in good repair.

(7) *Stairways.* Stairways shall be maintained free of rotted or deteriorated supports. Handrails and/or railings shall be firmly fastened and maintained in good conditions.

(8) *Accessory structures.* All structures accessory to the dwellings, including detached garages, shall be maintained to be structurally sound, neatly maintained and in good repair.

(9) *Fences and walls.* If any fence, retaining wall, or similar structure is not found to be in a good state of structural repair, it shall be removed, replaced or repaired as required.

(10) *Landscaping.* All landscaping shall be maintained in a presentable appearance. Any landscaping or vegetation that is causing damage to the structure must be removed.

(11) *Decorative features.* Any other decorative elements of the site shall be maintained in good repair with property anchorage and in a safe condition.

If a historic landmark property has been determined by the Historic Preservation Officer, the building official, and Code Enforcement Official to be inadequately maintained, the property owner will be notified in writing and given thirty (30) days to correct the deficiencies. If the repairs are not completed and standards are not met, the incentive will not be paid. An aggrieved property owner may appeal that determination to the City Council.

(e) *Loss of incentives.* No owner, owner's agents, contractors and/or representatives shall alter or totally or partially destroy any historic landmark subject to incentives under this section without first obtaining a Certificate of Appropriateness or demolition permit in accordance with the terms of this article. If a historic landmark subject to incentives is altered or totally or partially destroyed without a Certificate of Appropriateness, the owner shall be required to restore the structure to its original state, within a reasonable period of time as established by the Commission but in no



case longer than one hundred eighty (180) calendar days from the date of any notice of violation provided to the property owner. No incentives will apply during the time that the owner is restoring the property. Failure to restore the historical landmark to its pre-destruction condition shall subject the owner to the penalties set forth in this article and the owner shall:

- (1) No longer be entitled to the incentives set forth herein; and
- (2) Immediately remit to the city monies in an amount equal to the total city tax revenues that were refunded in the current and prior years because of the incentives, plus interest calculated at an annual rate as established by the then-current Texas Private Prompt Payment Act.

If an owner has obtained a Certificate of Appropriateness for demolition or relocation under section 14.03.004, then the incentive for the structure will cease immediately upon the demolition or relocation, but no remittance of past refunds is required.

(f) *Transferability of incentives.* The benefits of the incentive program relating to historic structures under this section are transferable and run with the property.

(Ord. No. 2018-03, § 1(Exh. A), 4-24-18)





August 30, 2019

RE: 2018 Historic Property Tax Refund

Greetings Property Owner,

Enclosed you will find your refund for [ADDRESS]. Staff, City Council, and the Historic Landmark Commission are delighted that an incentive for acquiring designated landmark status and properly maintaining the historic character of your property is available to Bastrop residents. Please note the ordinance that was updated in 2018 distributes the refunds based on your property's annual value. Funding for this program is annually approved by the City Council in the City's operating budget. The refunds for the 2018 tax year are determined by the Fiscal Year 2019 budget allocations. The updated ordinance amendments also ensure that all properties receiving the refund follow local preservation and maintenance standards.

Staff has conducted a visual survey of all properties and notified property owners with maintenance issues to be corrected this year in order to receive a refund. Possible maintenance issues that may become worse in the future were also noted in correspondence but did not affect this year's refund. The next round of inspections will happen in June 2020, and then refunds will be issued in August 2020.

The Bastrop City Council adopted amendments to Chapter 14 of the Bastrop Code of Ordinances, Article 14.03 - "Historic Landmark Preservation" which were presented by the Historic Landmark Commission. These changes were made to allow the City to apply for Certified Local Government Status, a local, state and federal government partnership for historic preservation from the Texas Historical Commission as identified in the City's Work Plan. Attaining CLG status will enable the City of Bastrop to better leverage our historic resources and preserve our unique sense of place for many years to come. We are currently still pursuing this designation and plan to apply in the Fall of 2019.

If you are interested in more information about these changes, you can find a copy of the updated ordinance on the City's website at <https://www.cityofbastrop.org/page/plan.home>. Section 14.03.006 – Incentives for Historic Landmarks that covers the rebate program is attached.

Again thank you for your investment in Bastrop, and for your willingness to preserve our "Uniquely Bastrop" character. If you are interested in more information or have questions about the Historic Preservation Ordinance, please give the Planning Department a call at 512-332-8840 and we will be happy to answer your questions.

Sincerely,

Jennifer C. Bills  
Assistant Planning Director, AICP, LEED-AP

Enclosures: Rebate Check, Section 14.03.006 – Incentives for Historic Landmarks

PLANNING & DEVELOPMENT



# STAFF REPORT

**MEETING DATE:** September 12, 2019

**AGENDA ITEM:** 3I

**TITLE:**

Review Historic Landmark Ordinance to determine requirements for Certificate of Appropriateness and how they apply to infill developments.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**BACKGROUND/HISTORY:**

The Commission has request the opportunity to discuss specific requirements are addressed in the Historic Landmark Ordinance, specifically what qualified as a historic landmark, Certificates of Appropriateness, how infill development is reviewed and which properties receive incentives.

**POLICY:**

Chapter 14 – Zoning, Article 14.03 Historic Landmark Preservation, first adopted in 1996 and updated in 2018, contains all of the regulations for designating historic landmarks, historic districts, and certificates of appropriateness for changes to landmarks or districts. The full article is attached.

**ATTACHMENTS:**

- Attachment 1 - Chapter 14 – Zoning, Article 14.03

## ARTICLE 14.03 - HISTORIC LANDMARK PRESERVATION<sup>[1]</sup>

Footnotes:

--- (1) ---

**Editor's note**— Ord. No. [2018-03](#), § 1(Exh. A), adopted April 24, 2018, repealed art. 14.03, §§ 14.03.001—14.03.010 and enacted a new art. 14.03 as set out herein. Former art 14.03 pertained to similar subject matter and derived from Ord. No. 2007-30, adopted October 23, 2007 and Ord. No. 2014-2, adopted March 25, 2014.

Sec. 14.03.001 - General.

(a) *Purpose and intent* . The City Council hereby declares that as a matter of public policy the protection, enhancement, and perpetuation of sites, landmarks or districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that the city represents the unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural, and cultural resources that constitute their heritage. This article is intended to:

- (1) Protect and enhance the landmarks, which represent distinctive elements of the city's historic, architectural, and cultural heritage;
- (2) Foster civic pride in the accomplishments of the past;
- (3) Protect and enhance the city's attractiveness to visitors, thereby supporting and stimulating the economy;
- (4) Insure the harmonious, orderly, and efficient growth and development of the city;
- (5) Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the city;
- (6) Encourage stabilization, restoration, and improvements of such properties and their values.

(b) *Definitions* . The following definitions shall apply to this article.

*Alteration* . Any change, demolition or modification to a structure or site designated as a historic landmark or located in a local historic district including, but not limited to, the following:

- (1) Exterior changes to or modification of any buildings or structures, architectural details or visual characteristics.
- (2) Construction of new structures.
- (3) Disturbance, placement or removal of exterior objects that affect the exterior qualities of the property.

*Architectural element*. The unique details and component parts that combined, form the architectural style of a structure, building or object.

*Certificate of Appropriateness*. A document evidencing the approval of the Historic Landmark Commission, signed and dated by the Chairperson of the Historic Landmark Commission, for alteration, installation, relocation, excavation, restoration, modification, rehabilitation, change, demolition, construction, removal, or improvement of a historic landmark or of a building or property located within a local historic district.

*Construction*. The act of adding an addition to an existing building, structure or object or the erection of a new principal or accessory building, structure or object on any lot, parcel or site.

*Contributing structure.* A building, structure, property or object within a local historic district which has not been designated a historic landmark under this article, but which adds to the historical integrity or architectural qualities that make the local historic district significant.

*Demolition.* An act or process which: (1) destroys a lot, parcel or site or building, structure or object in its entirety, (2) destroys a part of a lot, parcel or site or building, structure or object and permanently impairs its structural, historic or architectural integrity, (3) removes the building, structure or object or any part thereof from the original lot, parcel or site without the requisite Certificate of Appropriateness and/or moving permit, or (4) removes architectural elements and features from the exterior of a building, structure or object.

*Design guidelines.* Architectural and style guidelines adopted by the city that encourage and promote the existing historical features of the city and detail those alterations, installations, relocations, excavations, restorations, modifications, rehabilitations, changes, demolition, construction, removal, or improvement of a historic landmark or of a structure or site located within a local historic district that are deemed compatible and appropriate for the area. If local design guidelines have not been adopted, *The Secretary of the Interior's Standards for the Treatment of Historic Properties* shall be used as the design guidelines.

*Historic district.* A geographically defined neighborhood or area that has a significant historical, architectural, or cultural significance to the overall character and identity of the city.

*Historic landmark.* A site, and/or all structure(s), located *thereon*, that have been designated by the city through criteria established within this article.

*Inventory.* A list of properties that have been identified and evaluated as meeting specified criteria of significance as a contributing or non-contributing historic structure or site.

*Non-contributing structure.* A structure within a designated local historic district that is not considered to be of historical significance or which does not possess significant physical features, historical associations, or historical architectural qualities.

*Ordinary maintenance.* This generally refers to activities relating to a property that would be considered ordinary or common for maintaining the property, such as a) repair using the same material and design as the original and does not require structural modifications; b) repainting; c) reroofing, using the same type; or d) repair of sidewalks and driveways.

*Overlay zones.* A set of zoning requirements that is described in the ordinance text, is mapped, and is imposed in addition to those of the underlying district. Development within the overlay zone must conform to the requirements of both zones or the more restrictive of the two (2).

*Preservation.* The stabilization of an historic building, its materials and features in their present condition to prevent future deterioration. Preservation focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time.

*Reconstruction.* The act or process of reassembling, reproducing or replacing by new construction, the form, detail and appearance of property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work or by reuse of original materials.

*Rehabilitation.* The act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.

*Removal.* Permanently moving a structure or feature from its current location.

*Relocation.* Any change of the location of a structure in its present location to another location within the city limits.

*Restoration.* The act or process of accurately recovering the form and details of a building, structure or object or lot, parcel or site and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacements of missing earlier work.

*Sign.* Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. The foregoing enumeration of signs shall not be considered exclusive. The term "sign" shall include all other devices or structures as may reasonably be included under it, whether attached or unattached. The definition excludes all governmental flags and signs of governmental entities.

*Significant historic landmark.* A designation established under Ordinance 2007-30 for a site or structures.

*Site.* The location of a significant event, a prehistoric or historic occupation or activity, building or structure, whether standing, ruined, or vanished, where the location itself possesses historical, cultural, architectural or archeological value regardless of the value of any existing structure.

*Structure.* Something built or constructed, such as a building, bridge, monument, or statue.

(c) *Historic landmark commission created.* There is hereby created a commission to be known as the city historic landmark commission.

- (1) The commission shall consist of seven (7) members, residents of the city, to be appointed by the mayor with approval by the City Council as follows; every effort will be made to find professionals who meet the criteria below:
  - (A) One (1) shall be an architect, planner, or representative of a design profession;
  - (B) One (1) shall be a representative elected by the county historical society;
  - (C) One (1) shall be a licensed real estate professional;
  - (D) One (1) shall be an owner of an historic commercial structure or property;
  - (E) One (1) shall be an owner of an historic residential structure or property;
  - (F) One (1) shall be a member from the city's Planning and Zoning Commission;
  - (G) One (1) shall be a general resident of the city.

However, if specified professionals above cannot be appointed, City Council will consider other types of professionals.

- (2) All commission members, regardless of background, shall have a known and demonstrated interest, competence, or knowledge in historic preservation within the city.
- (3) Commission members shall serve for a term of three (3) years, with the exception of the member who is serving on the commission as the Planning and Zoning Commission representative, and that member shall serve for a term that is concurrent with that member's Planning and Zoning Commission term.
- (4) Each seat on the commission will be assigned a "place." Commission members' terms of service shall be "staggered," so that the entire membership of the commission will not be subject to replacement at any single point in time.
- (5) In the event of a vacancy on the commission, an individual appointed to fill the vacancy will serve only the remaining term of the individual who is being replaced by the appointee, so that the staggering of terms shall remain intact.
- (6) Attendance requirements for the commission members are set forth in section 1.02.002(b).
- (7) The commission shall be empowered to:
  - (A) Prepare rules and procedures as necessary to carry out the business of the commission, which shall be ratified by the City Council.
  - (B) Approve or disapprove Certificates of Appropriateness, demolition or removal of historic structures, and economic hardship applications.

- (C) Conduct surveys and maintain an inventory of significant historic, architectural, and cultural landmarks.
  - (D) Make recommendations to the City Council on the designation of historic landmarks, historic districts, contributing and non-contributing structures.
  - (E) Make recommendations for properties to the National Register of Historic Places.
  - (F) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
  - (G) To assist the City Council in the adoption of design guidelines for the exteriors of historic landmarks, properties located inside of historic districts, and contributing and non-contributing structures, to address architectural and general design elements of structures, including acceptable materials for construction; appropriate architectural character, scale, and detail; acceptable appurtenances or additions to new or existing structures; and acceptable textures and ornamentation.
  - (H) Prepare and submit annually to the City Council a report summarizing the work completed during the previous year.
  - (I) To perform any other functions requested by City Council.
- (8) The commission shall meet at least monthly, if business is at hand. Special meetings may be called at any time by the Chair, or on the written request of any two (2) commission members.
- (d) *Appointment of historic preservation officer* . The city's Planning Director or other city staff designated by the City Manager shall serve as Historic Preservation Officer. This officer shall have as a principal duty the administration of this article and the coordination of the city's various efforts and programs that further historic preservation.

(Ord. No. [2018-03](#), § 1(Exh. A), 4-24-18)

Sec. 14.03.002 - Categories of preservation.

- (a) *Establishment of categories*. There shall be two (2) categories of preservation for historically, culturally, architecturally or archaeologically significant properties in the city, as follows:
  - (1) Historic landmarks;
  - (2) Local historic districts, which may contain historic landmarks and contributing structures or sites; and non-contributing structures or sites.
- (b) *Criteria for historic landmark status*.
  - (1) A structure or site is considered a local historic landmark if it is designated as a Recorded Texas Historic Landmark or State Archeological Landmark, or is included on the National Register of Historic Places.
  - (2) A structure or site also may be designated by the city as a historic landmark if it meets two (2) or more of the criteria set out below.
    - (A) Possesses significance in history, architecture, archeology, or culture;
    - (B) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history;
    - (C) Is associated with the lives of persons significant in our past;
    - (D) Embodies the distinctive characteristics of a type, period, or method of construction;
    - (E) Represents the work of a master designer, builder, or craftsman; or
    - (F) Represents an established and familiar visual feature of the city.

(c) *Process for designation of historic landmarks.*

- (1) Owners of property being considered for designation as a historic landmark shall be notified prior to the Commission hearing on the recommended designation. The Commission shall provide notice to property owners within two hundred (200) feet of the property and conduct a public hearing.
- (2) After consideration by the Historic Landmark Commission, a recommendation regarding designations shall be submitted the City Council to conduct a public hearing and consider the designations of a historic landmark. The adoption of the landmark shall be through a resolution.
- (3) Upon designation of a historic landmark, the City Council shall cause the designation to be noted as follows:
  - (A) Recorded in the official real property records of Bastrop County.
  - (B) Designated on the historic resource map of the city.
  - (C) Provide the property owner with a plaque and require the installation indicating the designation of the landmark as a city historic landmark.

(d) *Process for removal of historic landmarks designation.*

- (1) Designated historic landmarks shall retain such designation until such time as the City Council, upon receipt of an application from the owner, approves the withdrawal. The procedures for a removal of designation of a historic landmark shall follow the same process as the designation process.
  - (A) Criteria for approving removal:
    - i. The original criteria that was met to receive the designation is no longer applicable for reasons not attributable to the acts or omissions of the owner or occupant.
    - ii. The site or structure has been rendered unreasonably irreparably altered by an Act of God.
- (2) The required majority for City Council approval for removal of designation shall be two-thirds ( $\frac{2}{3}$ ) of the full membership.

(e) *Criteria for creation of a historic district.* An area of the city may be considered for designation as a historic district if it:

- (1) Contains properties and an environmental setting which meet one (1) or more of the criteria for designation of a historic landmark; or
- (2) Constitutes a distinct section of the city that possesses a unique historical, architectural, archeological or cultural significance.

(f) *Process for the designation of local historic district.*

- (1) These provisions pertaining to the designation of local historic districts constitute a part of the official zoning map of the city.
- (2) Upon recommendation of the Historic Landmark Commission and the Planning and Zoning Commission, the City Council may establish, after following all required legal procedures, one (1) or more historic districts. The Historic Landmark Commission shall prepare, or cause to be prepared, and adopt, design guidelines for each individual district, including standards for new and/or infill construction. If there is more than one (1) district, and the Historic Landmark Commission finds that design guidelines for one (1) district are appropriate for another district, they may adopt the same guidelines.
- (3) An inventory of all contributing and non-contributing structures located within a historic district to be prepared and the record of the status of each structure within each historic district shall be maintained in city records.

- (4) Owners of property located within an area considered for designation as a local historic district shall be notified prior to the public hearing(s) on the recommended designation. The adoption of a local district will be processed according to the same procedures required for a zoning amendment. At the public hearing(s), owners, interested parties, and technical experts may present testimony or documentary evidence that will become part of a record regarding the historic, architectural, or cultural importance of the proposed local historic district.
  - (5) Upon designation of a local historic district, the City Council shall cause the designation to be recorded as follows:
    - (A) Recorded in the official real property records of Bastrop County,
    - (B) Designated on the historic resource map of the city.
  - (6) Designated historic districts shall retain such designation until such time as the City Council, upon receipt of an application and formal request made by at least fifty one percent (51%) of the owners of real property located within the historic district petitions for removal. The procedures for a removal of designation of a local historic district shall follow the same process as the designation process.
    - (A) Criteria for approving removal.
      - i. The original criteria that was met to receive the designation is no longer applicable for reasons not attributable to the acts or omissions of the owner or occupant.
      - ii. The site or structure has been rendered unreasonably irreparably altered by an Act of God.
  - (7) The required majority for City Council approval for removal of designation shall be two-thirds ( $\frac{2}{3}$ ) of the full membership.
- (g) Any existing structure or site designated as a significant landmark or a historic landmark under Ordinance No. 2007-30 are specifically saved from repeal and shall retain such designation until such time that those designated landmarks are redesignated in accordance with the processes and procedures under this article. As soon as practical following adoption of this article, the city shall begin the process to designate any landmarks deemed appropriate for consideration as historic landmarks in accordance with the processes and procedures contained within this article.
- (h) *Relationship of designations to zoning.*
- (1) If there is any conflict between the design guidelines and any provision of the zoning ordinance, the most restrictive regulation shall apply.
  - (2) If there is any conflict between the provisions of this section and any other provision of the zoning ordinance, the most restrictive regulation shall apply, in the absence of a specific directive to the contrary.

(Ord. No. [2018-03](#), § 1(Exh. A), 4-24-18)

Sec. 14.03.003 - Certificate of Appropriateness.

- (a) *Requirement for Certificate of Appropriateness.* No person, firm, corporation or other organization shall carry out any project that includes the construction, reconstruction, alteration, restoration, rehabilitation, relocation or demolition of any historic landmark or any structure, site or sign within a historic district, nor shall any person make any material change to any structural exterior elements or architectural features visible from a public right-of-way which affect the appearance and cohesiveness of any historic landmark or any structure or site within a historic district without prior approval of a Certificate of Appropriateness.
- (b) *Certificate of Appropriateness exemptions.* A Certificate of Appropriateness shall not be required for the following:



- (1) Ordinary maintenance, as defined in this article.
  - (2) Interior construction or alterations provided the alterations do not alter the exterior wall of the building.
  - (3) New, modifications or removal of existing awnings (to include changes in color), canopies, exterior paint color or exterior lighting that are attached to a single-family or two-family residential structure provided the alterations do not alter the exterior wall of a building designated as a historic landmark.
  - (4) Demolition of a building or structure that the building official has declared a dangerous structure in accordance with article 3.12 of this article, as amended, or determined that demolition is necessary for the preservation of the public health, safety and welfare.
    - (A) Should the building official declare a building a dangerous structure or determine that demolition is necessary for the preservation of public health, safety and welfare, the building official shall coordinate with the Historic Preservation Officer and property owner to identify historic and significant architectural features that are unique to the building or structure, era or district and that may be salvaged.
    - (B) The Historic Preservation Officer shall create a record of the building or structure to be demolished through archival-quality photo-documentation, drawings, and other information similar to those required by the Historic American Buildings Survey. The list of identified historic and significant architectural features to be salvaged shall also be made part of this record.
  - (5) New fence, railing or wall that is consistent with the historic district's characteristics and applicable guidelines.
  - (6) Site landscape alterations and other hardscape features provided that these do not alter a building or structure designated as a historic landmark or that is a contributing historic structure to the historic district.
- (c) *Certificate of Appropriateness application procedure.*
- (1) When a Certificate of Appropriateness is required, no work can begin before the Historic Preservation Officer or the Commission has first issued a Certificate of Appropriateness. The Certificate of Appropriateness shall be in addition to and not in lieu of any permits required (i.e. building, sign, alcohol, etc.). The building official cannot approve any application for a sign or building permit to a structure and/or site that requires, but does not have a Certificate of Appropriateness.
  - (2) The owner or owner's agent shall file an application, as provided by the city, for such a certificate. The application shall contain at a minimum:
    - (A) Application fee as established in appendix A—Fee Schedule;
    - (B) Contact information for the applicant and/or owner;
    - (C) A detailed description of all proposed work;
    - (D) Location and photographs of existing conditions;
    - (E) Elevation drawings, photographs, or illustrations of the proposed changes;
    - (F) Samples of materials to be used;
    - (G) If the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the sign's location on the property;
    - (H) Any other information that the city may deem necessary in order to visualize the proposed work; and

- (l) The Historic Preservation Officer shall review the submission and determine if the application is complete. If the application does not meet the requirements to be approved administratively, the application will be forward to the Historic Landmark Commission for consideration at their next available meeting agenda.
- (d) *Administrative approval of a Certificate of Appropriateness.*
- (1) A Certificate of Appropriateness may qualify for administrative approval by the Historic Preservation Officer if the proposed project meets all of the following conditions:
    - (A) All of the standards identified in the design guidelines for the specific district in which it is located are met;
    - (B) There will not be a change in materials or design of the structure or site;
    - (C) There is no increase in the height of an existing structure or site;
    - (D) The neighborhood compatibility standards established within the design guidelines for the specific district in which it is located are met;
    - (E) There is no demolition of any structure or site; and
    - (F) The proposed structure or site is not designated as a historic landmark.
  - (2) The Historic Preservation Officer may elect to present a Certificate of Appropriateness to the Historic Landmark Commission for review and consideration.
  - (3) If the Historic Preservation Officer does not approve a Certificate of Appropriateness, the application may be forwarded to the Historic Landmark Commission for review and consideration at the request of the applicant.
- (e) *Historic Landmark Commission approval of Certificate of Appropriateness.*
- (1) The Commission shall review an application for a Certificate of Appropriateness at a regularly scheduled or special meeting within forty-five (45) days from the date the application is deemed administratively complete for review, at which time an opportunity will be provided for the applicant to be heard. The Commission shall approve, deny, or approve with conditions or modifications the permit, within thirty (30) days after the review meeting, provided however, both review and action may occur at the same meeting. In the event the Commission does not act within sixty (60) days from the date the application is deemed administratively complete for review, a permit will be deemed approved.
  - (2) All decisions of the Commission shall be in writing. The Commission's decision shall state its findings pertaining to the approval, denial, or modification of the application. A copy shall be provided to the applicant and a copy shall be maintained in the files of the Planning and Development Department and distributed to other appropriate city departments.
  - (3) An applicant for a Certificate of Appropriateness who is dissatisfied with the action of the Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to appeal the determination to the City Council. The applicant has fifteen (15) calendar days from date of the Commission action to file for the appeal. The appeal request will be placed on the next available City Council agenda. To be considered, the appeal shall set forth in writing the grounds for such appeal and shall provide the city with any pertinent evidence and all related documentation related to the appeal. The City Council shall use the adopted approval criteria for the appeal review.
  - (4) A Certificate of Appropriateness shall expire two (2) years from the date of approval if the proposed scope of work has not been completed. If a building permit for approved work has been issued, the Certificate of Appropriateness will expire two (2) years from the permit issue date. The Commission, upon determination of a reasonable need, may authorize one (1) extension of an additional six (6) months to obtain a building permit for the work in which the Certificate of Appropriateness was approved upon showing of just cause by the applicant.
- (f) *Criteria of approval of a Certificate of Appropriateness.*

- (1) In considering an application for a Certificate of Appropriateness, the commission shall be guided by any locally adopted design standards, and where applicable, the following from the *Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings*. Any adopted design standards and *Secretary of the Interior's Standards* shall be made to the property owners of historic landmarks.
  - (A) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.
  - (B) The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
  - (C) All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.
  - (D) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
  - (E) Distinctive stylistic features or examples of skilled craftsmanship which characterize, a building, structure, object, or site shall be kept to the greatest extent practical.
  - (F) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other building or structures.
  - (G) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
  - (H) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
  - (I) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, color, material, and character of the property, neighborhood, or environment.
  - (J) Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.
- (g) *Consideration of previously denied application.* A new application for a Certificate of Appropriateness for a structure or site that was previously denied a similar Certificate of Appropriateness shall not be considered if the Historic Landmark Commission or the City Council, on appeal, for the structure or site within one (1) year from the date of the final decision. If there has been a substantial change in the conditions affecting the structure or site or the proposed project is substantially different from the previous application, the city may find that are sufficient to warrant consideration prior to the one (1) year period.
- (h) *Enforcement.*
  - (1) All work performed pursuant to a Certificate of Appropriateness issued under this article shall conform to any conditions or requirements included therein. It shall be the duty of the building

inspector or his designee to inspect periodically any such work to assure compliance. In the event work is not being performed in accordance with the Certificate of Appropriateness, the building official or his designee shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop-work order is in effect.

- (2) A stop-work order may be lifted following submission and approval of plans for corrective action or work, or other plans to bring the project into compliance with the conditions or requirements of the Certificate of Appropriateness or other approvals.

(Ord. No. [2018-03](#), § 1(Exh. A), 4-24-18)

Sec. 14.03.004 - Certificate of Appropriateness required for demolition or relocation.

- (a) *Certificate of Appropriateness for demolition or relocation required.* A permit for demolition, removal, or relocation for any historic landmark or any structure or site within a local historic district shall not be granted by the city without the review and approval of a Certificate of Appropriateness by the Historic Landmark Commission in accordance with the provisions of this article.
- (b) *Procedure for Certificate of Appropriateness for demolition.*
  - (1) An application for a Certificate of Appropriateness shall contain the following minimum information:
    - (A) Application fee as established in appendix A—Fee Schedule;
    - (B) Owner and agent contact information;
    - (C) A detailed description of the reason the proposed demolition is necessary;
    - (D) Location of the proposed demolition;
    - (E) Evidence of the existing conditions of the property which justify the need for demolition;
    - (F) A detailed description of the methods of demolition including the process and procedure for removal of all debris and how surrounding properties will be protected during the demolition process;
    - (G) Any other information that the city may deem necessary in order to determine the need for the proposed demolition.
  - (2) The Commission shall hold a public hearing on the application within forty-five (45) days after the date a complete application is filed with the city. The applicant, property owner, and all property owners located within two hundred (200) feet of the property proposed to be demolished shall be mailed a written notice ten (10) days prior to the hearing.
  - (3) When considering the Certificate of Appropriateness for demolition, the commission shall consider the following:
    - (A) The historic value of the structures or site;
    - (B) The state of repair of the structures or site;
    - (C) The existing and potential usefulness, including the economic usefulness, of the structures, buildings or objects on the lot, parcel or site;
    - (D) The reasons for preserving the structures, buildings or objects on the lot, parcel or site;
    - (E) The character of the neighborhood;
    - (F) Any other factors the Commission deems appropriate when considering the proposed demolition.

- (4) When considering the Certificate of Appropriateness for relocation, the commission shall consider the following:
  - (A) The style of construction and compatibility with the local historic district;
  - (B) The historic value and structural state of the structure;
  - (C) The historic value of the site;
  - (D) The reasons for preserving the structure on an alternate site;
  - (E) The character of the neighborhood;
  - (F) Any other factors the Commission deems appropriate when considering the proposed demolition.
- (5) If the Commission determines, that the evidence supports the demolition, removal or relocation of the structure or if the Commission determines that the interest of preserving historic values will not be adversely affected by such demolition, removal or relocation that the interest of preserving historical values can best be served by the removal of the structures, buildings or objects, it shall issue a Certificate of Appropriateness for demolition of the structures or site.
- (6) If no action has been taken by the Commission within sixty (60) days of original receipt by the Commission of the application, the Certificate of Appropriateness for demolition shall be deemed approved by the Commission.
- (7) Any applicant who is dissatisfied with the action of the Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to appeal the determination to the City Council. The applicant has fifteen (15) calendar days from date of the Commission action to file for the appeal. The appeal request will be placed on the next available City Council agenda. To be considered, the appeal shall set forth the grounds for such appeal and shall provide the city with any pertinent evidence and all related documentation related to the appeal. The City Council shall use the adopted approval criteria for the appeal review.

(Ord. No. [2018-03](#), § 1(Exh. A), 4-24-18)

Sec. 14.03.005 - Failure to maintain resulting in demolition by neglect.

- (a) *State of demolition by neglect.* No owner or person, firm, corporation or other organization with an interest in real property that is designated as a historic landmark, a structure or site that has been certified, registered or designated by any federal, state or other authorized body/entity as having historical significance, or any structure or site that is located within a local historic district, shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Commission, produce a detrimental effect upon the character of a historic landmark, the district as a whole, or the life and character of the property itself. Examples of such deterioration include:
  - (1) Deterioration of exterior walls or other vertical supports.
  - (2) Deterioration of roofs or other horizontal members.
  - (3) Deterioration of exterior chimneys.
  - (4) Deterioration or crumbling of exterior stucco or mortar.
  - (5) Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors.
  - (6) Deterioration of any feature creating a hazardous condition which could lead to the claim that demolition is necessary for the public safety.
- (b) *Demolition by neglect hearing procedure.*

- (1) Upon notification to the Commission of such a state of disrepair, the Commission shall notify the owner in writing, informing the owner of the violation and the specifics of the alleged deterioration, requesting that the owner appear before the Commission for determination of the existence of detrimental deterioration.
  - (2) If, after a public hearing before the Commission, the Commission determines that the deterioration has produced a detrimental effect as described in subsection A of this section, the owner shall cure the deterioration by restoration or other appropriate actions within a reasonable period of time as determined by the Commission but in no case longer than one hundred eighty (180) calendar days from the determination by the Commission. The owner must comply with all requirements of requesting a Certificate of Appropriateness from the Commission. Failure of the owner to cure the deterioration within the time specified by the Commission shall cause the property owner to be subject to penalties as defined in section 14.03.009, which may be assessed civilly or in municipal court.
- (c) Any applicant who is dissatisfied with the action of the Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to appeal the determination to the City Council. The applicant has fifteen (15) calendar days from date of the Commission action to file for the appeal. The appeal request will be placed on the next available City Council agenda. To be considered, the appeal shall set forth the grounds for such appeal and shall provide the city with any pertinent evidence and all related documentation related to the appeal. The City Council shall use the adopted approval criteria for the appeal review.

(Ord. No. [2018-03](#), § 1(Exh. A), 4-24-18)

Sec. 14.03.006 - Incentives for historic landmarks.

- (a) *Continuation of existing incentives.* All properties previously granted an incentive (refund of city taxes) under section 14.03.002 of the Bastrop Code of Ordinances as of the date of ordinance no. 2018-03 shall be eligible to maintain the incentive and are specifically saved from repeal; however, the City Council may modify or end the program at any time at the city's discretion. A list of all properties subject to the incentive, along with the determination of what historic elements are to be included in the valuation of the incentive, shall be maintained on file in the city's Historic Preservation Officer's and the City Secretary's office.
- (b) *New applications for incentives.* To encourage historic preservation, the city may offer an incentive to owners of local historic landmarks to encourage the stabilization, rehabilitation and renovation of properties designated as historic landmarks. The incentives may include:
  - (1) Historic landmark marker. Owners of qualifying historic landmarks will be presented with an official historic landmark marker to designate the structure, with the cost of the marker borne by the city.
  - (2) Property tax refund. Owners of qualifying historic landmarks may be eligible for a refund of a portion of their city property taxes, provided under paragraph (c) below.

An owner seeking inclusion in the incentive program shall submit an application to the Historic Preservation Officer to determine whether the property meets the criteria for a local historic landmark. Incentives will be granted upon the favorable recommendation of the Historic Landmark Commission and approval by the City Council.

- (c) *Calculation of refund incentives.* The amount of the refund shall be based on a uniform percentage of the assessed value of the contributing structures, determined by the City Council, each budget year, which can be financed by the amount of general funds appropriated for such refunds. Refunds shall be based on the assessed value of the historic improvements only and shall exclude the value of the underlying land or any noncontributing structures. Refunds will be based on taxes paid in full by July 31. Eligibility for such refund shall require compliance with all requirements of this article.

- (d) *Required maintenance standards.* To be eligible to receive the annual refund, all buildings and the exterior premise of a historic landmark property shall be properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the following minimum standards:
- (1) *Roof.* The roof shall not have any missing or broken shingles, significant buckling, warping, or peeling of the surface and must be clear of vegetation. There shall be no signs of decay, dry rot or structural integrity issues in the roof structure.
  - (2) *Exterior walls.* The exterior walls shall not have any missing boards, bricks or other materials. No signs of cracks, dry rot or decay should be evident. Except for materials that have been designed to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained to be kept clean and free of flaking, loose, or peeling paint or covering.
  - (3) *Foundations.* The foundation shall not have any significant cracking, shifting, or erosion. For pier and beam foundations, skirting should be in good condition and have no missing sections. The foundation shall be in good condition and not have missing foundation supports or signs of sagging.
  - (4) *Exterior doors.* Doors shall be maintained to be structurally sound, fit within frames to be weatherproof, and have hardware that is in good condition.
  - (5) *Windows.* Windows shall be fully supplied with window glass, which is glazed and is without cracks or broken panes, shall have sashes in good condition, which fit within the frames, and maintained to exclude adverse weather elements from entering the structure.
  - (6) *Porches.* Every porch shall be maintained to be free of missing, defective, rotting or deteriorated foundations, supports, floors and steps, to be safe to use and kept in sound condition and in good repair.
  - (7) *Stairways.* Stairways shall be maintained free of rotted or deteriorated supports. Handrails and/or railings shall be firmly fastened and maintained in good conditions.
  - (8) *Accessory structures.* All structures accessory to the dwellings, including detached garages, shall be maintained to be structurally sound, neatly maintained and in good repair.
  - (9) *Fences and walls.* If any fence, retaining wall, or similar structure is not found to be in a good state of structural repair, it shall be removed, replaced or repaired as required.
  - (10) *Landscaping.* All landscaping shall be maintained in a presentable appearance. Any landscaping or vegetation that is causing damage to the structure must be removed.
  - (11) *Decorative features.* Any other decorative elements of the site shall be maintained in good repair with property anchorage and in a safe condition.

If a historic landmark property has been determined by the Historic Preservation Officer, the building official, and Code Enforcement Official to be inadequately maintained, the property owner will be notified in writing and given thirty (30) days to correct the deficiencies. If the repairs are not completed and standards are not met, the incentive will not be paid. An aggrieved property owner may appeal that determination to the City Council.

- (e) *Loss of incentives.* No owner, owner's agents, contractors and/or representatives shall alter or totally or partially destroy any historic landmark subject to incentives under this section without first obtaining a Certificate of Appropriateness or demolition permit in accordance with the terms of this article. If a historic landmark subject to incentives is altered or totally or partially destroyed without a Certificate of Appropriateness, the owner shall be required to restore the structure to its original state, within a reasonable period of time as established by the Commission but in no case longer than one hundred eighty (180) calendar days from the date of any notice of violation provided to the property owner. No incentives will apply during the time that the owner is restoring the property. Failure to restore the historical landmark to its pre-destruction condition shall subject the owner to the penalties set forth in this article and the owner shall:

- (1) No longer be entitled to the incentives set forth herein; and
- (2) Immediately remit to the city monies in an amount equal to the total city tax revenues that were refunded in the current and prior years because of the incentives, plus interest calculated at an annual rate as established by the then-current Texas Private Prompt Payment Act.

If an owner has obtained a Certificate of Appropriateness for demolition or relocation under section 14.03.004, then the incentive for the structure will cease immediately upon the demolition or relocation, but no remittance of past refunds is required.

- (f) *Transferability of incentives.* The benefits of the incentive program relating to historic structures under this section are transferable and run with the property.

(Ord. No. [2018-03](#), § 1(Exh. A), 4-24-18)

Sec. 14.03.007 - Economic hardship.

- (a) *Economic hardship application procedure.*

- (1) After receiving written notification from the commission of the denial of a Certificate of Appropriateness, or an application to demolish, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the commission makes a finding that hardship exists.
- (2) When a claim of economic hardship is made due to the effect of this article, the owner must prove that:
  - (A) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
  - (B) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
  - (C) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
- (3) The applicant shall consult in good faith with the commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be shown to the commission.
- (4) The commission shall hold a public hearing on the application within sixty (60) days from the date the application is received by either the building inspector or the preservation officer. Following the hearing, the commission has thirty (30) days in which to prepare a written recommendation to the building inspector or other official. In the event that the commission does not act within ninety (90) days of the receipt of the application, a permit may be granted by the building inspector.
- (5) All decisions of the commission shall be in writing. A copy shall be sent to the applicant by certified mail and a copy filed with the city clerk's office for public inspection. The commission's decision shall state the reasons for granting or denying the hardship application.
- (6) An applicant submitting a hardship application who is dissatisfied with the decision of the commission relating to the approval or denial of such application shall have the right to appeal the commission's decision to the City Council. The applicant has fifteen (15) calendar days from date of the Commission action to file for the appeal. The appeal request will be placed on the next available City Council agenda. To be considered, the appeal shall set forth the grounds for such appeal and shall provide the city with any pertinent evidence and all related documentation related to the appeal. The City Council shall use the adopted approval criteria for the appeal review.



(Ord. No. [2018-03](#), § 1(Exh. A), 4-24-18)

Sec. 14.03.008 - Penalties.

Any person, firm, association of persons, corporation or other organization violating the provisions of this article shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed the amount set out in appendix A—Fee Schedule, article A14.01 of the Bastrop Code of Ordinances. Each day that a violation continues shall be deemed a separate and distinct offense. Violations of this article may be enforced civilly and/or in municipal court, at the city's discretion.

(Ord. No. [2018-03](#), § 1(Exh. A), 4-24-18)



# STAFF REPORT

**MEETING DATE:** September 12, 2019

**AGENDA ITEM:** 3I

**TITLE:**

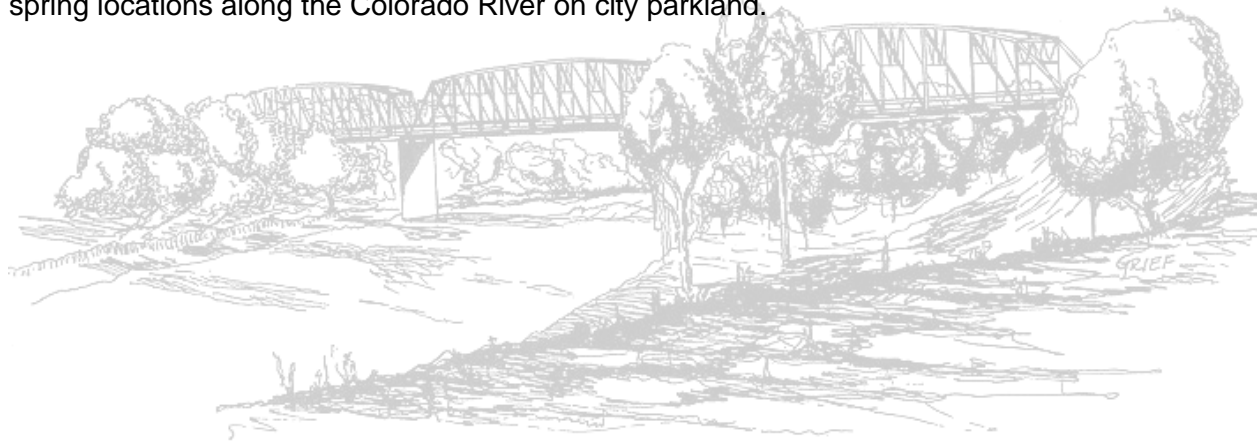
Discussion on possible natural springs along the Colorado River.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**BACKGROUND/HISTORY:**

The Historic Landmark Commission requested at their last meeting this item to discuss possible spring locations along the Colorado River on city parkland.





# STAFF REPORT

**MEETING DATE:** September 12, 2019

**AGENDA ITEM:** 3K

**TITLE:**

Consider action on a Certificate of Appropriateness for changing the roof materials for 1307 Church Street that is a National Register Structure, known as the Hall-Sayers-Perkins House/ R.L. Perkins House.

**STA STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**ITEM DETAILS:**

Site Address: 1307 Church Street (Attachment 1)  
Property Owner: Lucian & Eliza Perkins  
Current Use: Residence  
Existing Zoning: Downtown Form-Based Code: Neighborhood  
Designations: Texas Historic and National Register

**BACKGROUND/HISTORY:**

The applicant is requesting to remove the wood shingle roof and replace with a metal roof.



Additional information will be distributed before the meeting.

**POLICY EXPLANATION:**

When a Certificate of Appropriateness is required, no work can begin before the Historic Preservation Officer or the Commission has first issued a Certificate of Appropriateness. The

Certificate of Appropriateness shall be in addition to and not in lieu of any permits required (i.e. building, sign, alcohol, etc.). The Building Official cannot approve any application for a sign or building permit to a structure and/or site that requires, but does not have a Certificate of Appropriateness.

Code of Ordinances Chapter 14 – Zoning

Per Section 14.03.003 (f) *Criteria of Approval of a Certificate of Appropriateness:*

- (1) In considering an application for a Certificate of Appropriateness, the commission shall be guided by any locally adopted design standards, and where applicable, the following from the *Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings*. Any adopted design standards and *Secretary of the Interior's Standards* shall be made to the property owners of historic landmarks.
  - (A) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.
  - (B) The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
  - (C) All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.
  - (D) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
  - (E) Distinctive stylistic features or examples of skilled craftsmanship which characterize, a building, structure, object, or site shall be kept to the greatest extent practical.
  - (F) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other building or structures.
  - (G) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
  - (H) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
  - (I) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, color, material, and character of the property, neighborhood, or environment.

- (J) Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

**RECOMMENDATION:**

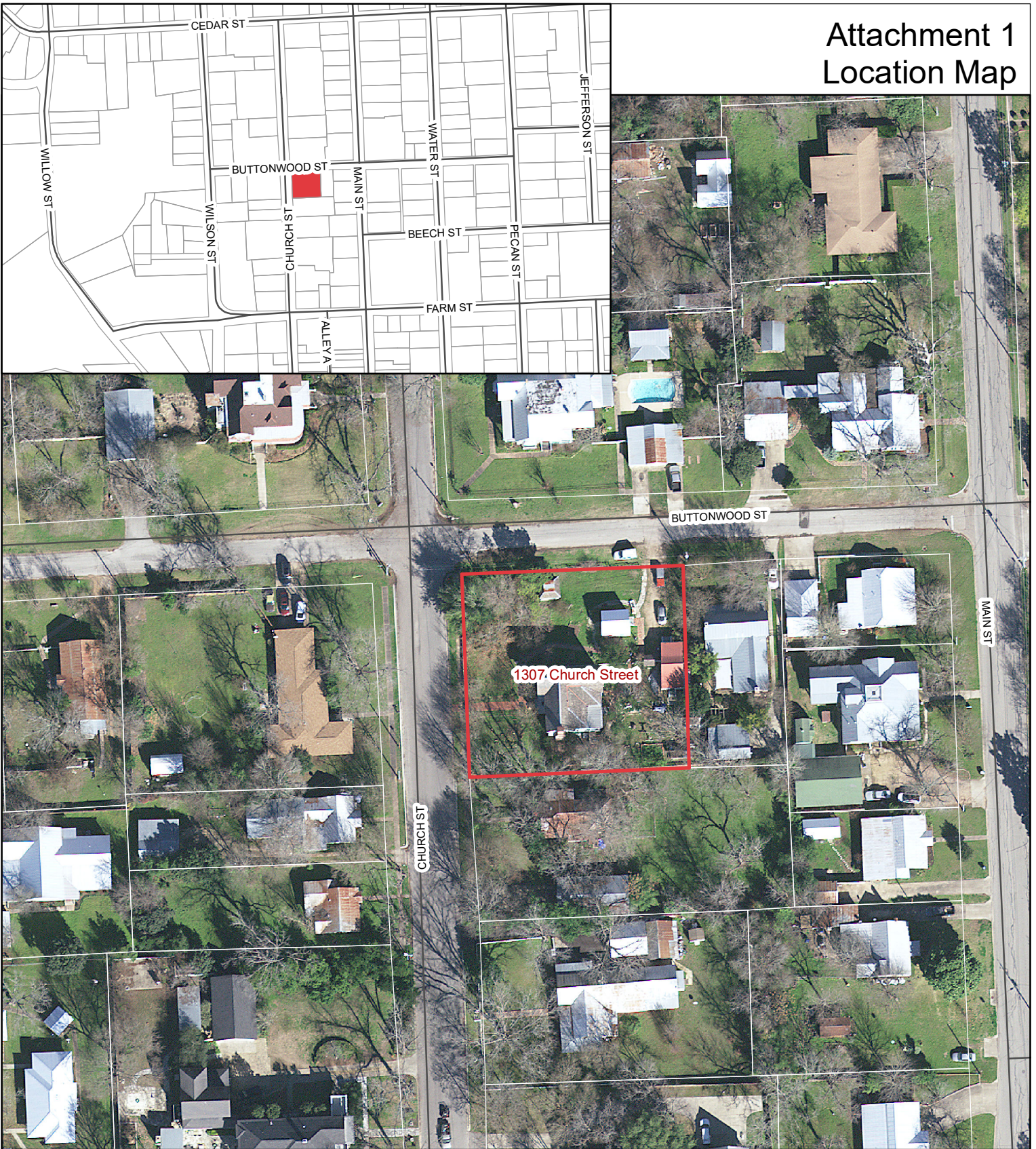
Consider action on a Certificate of Appropriateness for changing the roof materials for 1307 Church Street that is a National Register Structure, known as the Hall-Sayers-Perkins House/ R.L. Perkins House.

**ATTACHMENTS:**

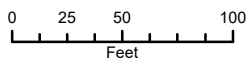
- Attachment 1 – Location Map
- Attachment 2 – 1307 Church National Register Documentation



# Attachment 1 Location Map



## 1307 Church Street Certificate of Appropriateness



1 inch = 87 feet

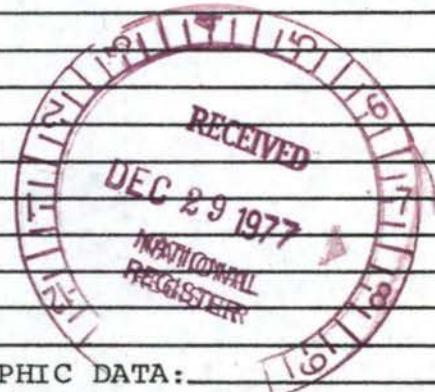


Date: 9/5/2019

The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

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COUNTY QUAD BLOCK: BAS NW E-1  
 CITY LOT: BA 13  
 NAME: HALL-SAYERS-PERKINS HOUSE COUNTY: BASTROP  
 ADDRESS: 1307 CHURCH ST. CITY: BASTROP  
 ARCHITECT/~~BUILDER~~: N.B. TANNER PERIOD: AEC / LSS / FDT  
 STYLE: VARIOUS DATE: 1832 / 1851 / 1910  
 OWNER: MAJ. R.L. PERKINS <sup>Bx 118</sup> THEME: AAPA / AAGR / AAV  
 SIGNIFICANCE: ORIG. 1832 "DOG TROT" HSE, HAND PEGGED CONST. BY TANNER FOR C.K. HALL, 1851 GRK. REV. CHANGE BY DR. DAVID SAYERS WHOSE SON JOSEPH WAS TEXAS GOVERNOR, CHANGED AGAIN TO VICTORIAN HSE. IN 1910, DIST. BY GRK. REV. DOOR W/ SIDE LTS.  
 DESIGNATION: NR NHL  HABS HAER OTHER: \_\_\_\_\_  
 ORIGINAL USE: RESIDENCE  
 PRESENT USE: SAME  
 PHYSICAL CONDITION: GOOD  
~~Altered~~unaltered: VARIOUS PERIODS  
 CONSTRUCTION: WOOD FRAME  
 roof material: WOOD SHINGLE  
 RELATIONSHIP TO SURROUNDINGS: \_\_\_\_\_  
 BIBLIOGRAPHIC DATA: \_\_\_\_\_  
 INFORMANT: MRS. KLEBER TRIGG  
 RECORDED BY: \_\_\_\_\_ PHOTOGRAPHIC DATA: \_\_\_\_\_  
 DATE: 12-1-69 SEE INFO/CORRESPONDENCE FILES.



COUNTY BAS BLOCK BAS NW E-1  
 CITY QUAD LOT: BA NW E-1  
13

NAME: Hall-Sayers-Perkins House  
 ADDRESS: 1307 Church St.

COUNTY: Bastrop  
 CITY: Bastrop  
 PERIOD: AEC/LSS/FDT  
 DATE: 1832/1851/1910  
 THEME: AAPA/AAGR/AAV  
 STYLE: various

ARCHITECT/BUILDER: N. B. Tanner  
 OWNER: Maj. R. L. Perkins  
Bx. 118

DESCRIPTION: Hand pegged "dog trot" house changed in 1851 to Greek Revival. Then, changed in 1910 to Victorian structure. Distinguished by Greek Revival door with side lights.

SIGNIFICANCE: Boyhood home of Joseph Sayers, U.S. Congressman and Governor of Texas 1822 to 1803. This house has undergone three stylistic alterations since its original completion in 1832.

DESIGNATION: NR NHL  RTHL HABS HAER OTHER: H, A

ORIGINAL USE: Residence

PRESENT USE: Same

PHYSICAL CONDITION: Good

altered/unaltered: Various periods

CONSTRUCTION: wall: wood frame roof: wood shingle

RELATIONSHIP TO SURROUNDINGS: \_\_\_\_\_

ACREAGE/BOUNDARY DESCRIPTION: \_\_\_\_\_

BIBLIOGRAPHIC DATA: \_\_\_\_\_

INFORMANT: Mrs. Kleber Trigg

RECORDED BY: \_\_\_\_\_ PHOTOGRAPHIC DATA: \_\_\_\_\_

DATE: 12-1-69 SEE INFO/CORRESPONDENCE FILES.



# 9 MAJOR BIBLIOGRAPHICAL REFERENCES

See continuation sheet

## 10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY resource area is approx. 4,000 acres

UTM REFERENCES. (no map available with UTM markings---Latitude & Long. below)

A	30					B					
	ZONE	EASTING	NORTHING				ZONE	EASTING	NORTHING		
C						D					
	ZONE	EASTING	NORTHING				ZONE	EASTING	NORTHING		

VERBAL BOUNDARY DESCRIPTION

(A) 30°05'30"/97°16'38" (B) 30°05'30"/97°20'30"  
 (C) 30°08'14"/97°16'38" (D) 30°08'14"/97°20'30"

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

## 11 FORM PREPARED BY

NAME/TITLE Marie Deacon Landon, Historian Stan Klein, Draftsman  
Joe R. Williams, Project Director  
 ORGANIZATION \_\_\_\_\_ DATE \_\_\_\_\_  
 STREET & NUMBER \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
 CITY OR TOWN \_\_\_\_\_ STATE \_\_\_\_\_

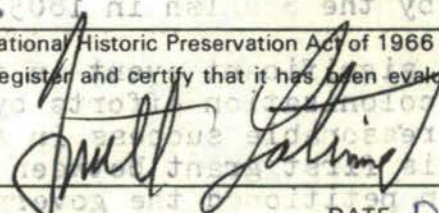
## 12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL  STATE  LOCAL

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE



TITLE Texas State Historic Preservation Officer

DATE Dec 13, 1977

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER



DATE 12/22/78

DIRECTOR, OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

KEEPER OF THE NATIONAL REGISTER

ATTEST William Tolson

DATE 12/20/78

KEEPER OF THE NATIONAL REGISTER

NAME: HALL-SAYERS-PERKINS HOUSE

ADDRESS: 1307 CHURCH STREET

CO \_\_\_\_\_ BLK BAS E-1  
CITY QUAD LOT BA NW 13



VIEW: Southwest Oblique

RECORDED BY: \_\_\_\_\_

DATE: 12-1-69

Please refer to the map in the  
Multiple Property Cover Sheet  
for this property

Multiple Property Cover Sheet Reference Number: 64000828