

# City of Bastrop

## Agenda Information Sheet:



**Historic Landmark Commission Meeting Date:**  
**Certificate of Appropriateness for 802 Main Street**

**March 16, 2016**  
**Agenda Item #5**

### **Project:**

The historic home located at 802 Main Street, known as the P. O. Elzner House, was designated as a City Historic Landmark May 25, 2010. The P. O. Elzner House is a Texas Medallion Building and is also listed on the National Register of Historic Places and was recorded as a Texas Historic Landmark in 1976.

The owner is requesting a four foot (4') black wrought iron fence with finials to replace the existing fence.

### **SECTION 41 FENCING, WALLS AND SCREENING REQUIREMENTS (from the City of Bastrop Zoning Ordinance)**

#### **41.3 FENCES IN RESIDENTIAL AREAS:**

C. Decorative fences that do not obstruct clear vision into the front yard (cannot be opaque) are permitted in front yards. Chain link, woven wire mesh or similar materials are not considered decorative fencing.

If the Certificate of Appropriateness is approved, the owner/contractor will be required to apply for a fence permit (there is no fee for this permit). A copy of the signed Certificate of Appropriateness Application and pictures of what the Historic Landmark Commission approved will be attached to the permit application.

(Ordinance 2000-53 adopted 6/13/00)

#### **Certificate of Appropriateness Section from the Ordinance:** **Sec. 14.03.004 Certificate of appropriateness**

(a) Requirement of certificate of appropriateness. No person shall carry out any construction, reconstruction, alteration, restoration, rehabilitation, or relocation of any historic landmark, nor shall any person make any material change in the signs, fences, or other exterior elements visible from a public right-of-way which affect the appearance and cohesiveness of any historic landmark without an approved certificate of appropriateness.

(b) Criteria for approval of a certificate of appropriateness. In considering an application for a certificate of appropriateness, the commission shall be guided by any 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.

(1) 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.

- (2) 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.
- (3) 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.
- (4) Changes which 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.
- (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object, or site shall be kept to the greatest extent practical.
- (6) 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.
- (7) 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.
- (8) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
- (9) 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.
- (10) 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.

(c) Certificate of appropriateness application procedure.

- (1) No building permit requiring a certificate of appropriateness shall be issued until such certificate of appropriateness has first been issued by the commission. The certificate of appropriateness required by this article shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the city. The building official shall deny any application for a building permit to a structure or a site that requires, but does not have, a certificate of appropriateness.
- (2) Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such a certificate. The application shall contain at a minimum:
  - (A) Name, address, telephone number of applicant, detailed description of proposed work.
  - (B) Location and photograph of the property changes.
  - (C) Elevation drawings, photographs, or illustrations of the proposed changes.
  - (D) Samples of materials to be used.
  - (E) 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.

(F) Any other information which the commission may deem necessary in order to visualize the proposed work.

(3) The commission shall review the application at a regularly scheduled meeting within thirty (30) days from the date the application is received, at which time an opportunity will be provided for the applicant to be heard. The commission shall approve, deny, or approve with modifications the permit, within forty-five (45) days after the review meeting, provided, both review and action may occur at the same meeting. In the event the commission does not act within seventy-five (75) days of the receipt of the application, a permit will be deemed granted.

(4) 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 sent to the applicant. Additional copies shall be filed as part of the public record on that property and dispersed to appropriate city departments, e.g., building inspection.

(5) An applicant for a certificate of appropriateness who is dissatisfied with the action of the commission, relating to the issuance and/or denial of a certificate of appropriateness shall have the right to appeal the commission's determination to the city council, by using the appeal process set forth in section 14.03.010 of this article.

(6) Property owners shall apply for and be issued a building permit within one (1) year from the date the commission grants the certificate of appropriateness, provided however, that the commission, at its sole discretion, may authorize an owner to have one extension of an additional six (6) months to obtain the necessary building permit, upon demonstration of a reasonable need for such an extension. The certificate of appropriateness shall expire if a building permit becomes null and void prior to the issuance of a certificate of occupancy.

(d) 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.

(Ordinance 2007-30, sec. 4, adopted 10/23/07)

**City Contact:**

Yvonne Pritchard, Project Coordinator, Planning and Development Department

**Attachments:**

Application for Historic Landmark Certificate of Appropriateness and pictures



APPLICATION FOR HISTORIC LANDMARK  
CERTIFICATE OF APPROPRIATENESS

Property Address: 802 main Street  
Legal Description: BB 16 WW Street - Acres +/- 1.125  
Structure(s) Being Altered or Added: Fencing - 4' wrought iron to replace existing  
Owner of the Property: KKG Bastrop Investments  
Mailing Address: 103 Chestnut Street  
Telephone Number: 832-231-7177 Email: khonsari88@gmail.com

This application shall include the following (incomplete applications will not be accepted):

- 1. A detailed description of the proposed work.
- 2. Location and photographs of the property changes, if available.
- 3. Elevation drawings, photographs or illustrations of the proposed changes must be submitted with application. Incomplete submittals will not be accepted.
- 4. Information regarding the materials to be used. *(The Landmark Commission may ask that samples be provided).*
- 5. If the proposal includes signs or lettering, detailed information regarding such signs or lettering must be provided. *(The Building Official must approve any proposed signs).*
- 6. Any other information which the Commission may deem necessary in order to visualize the proposed work.
- 7. Tax certificate showing taxes have been paid.

A Certificate of Appropriateness does not replace the requirement for obtaining other permits such as a building permit (including fences and driveways), site development permit or sign permit.

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_  
[Handwritten Signature] 2.29.2010

Signature of Agent (if any) \_\_\_\_\_ Date \_\_\_\_\_  
(If an Agent signs, a letter, signed by the owner, must be attached hereto granting authorization to the Agent to act on the owner's behalf.)

**Approved**

Historic Landmark Commission \_\_\_\_\_ Date \_\_\_\_\_

**Disapproved**

Historic Landmark Commission \_\_\_\_\_ Date \_\_\_\_\_  
City of Bastrop





