



City of Fredericksburg

Historic Review Board Meeting Agenda
Tuesday, August 13, 2024 ~ 5:00 PM
Law Enforcement Center
1601 E. Main Street
Fredericksburg, Texas 78624

David Bullion, Chair
Jessica Mittel, Vice Chair
Cyd Donnell, Member
Sharon Joseph, Member
Robin Cowsar, Member

Todd Eidson, Member
Sam Childers, Member
Joe Salinas, Jr., Member
Amy Slaughter, Member

The City of Fredericksburg Historic Review Board will meet in a regular session on Tuesday, August 13, 2024, at 5:00pm. [Link to City of Fredericksburg to watch video of meeting.](#)

Written Comments: to be submitted remotely:

1. Must be received by 2 p.m. on Tuesday, August 13, 2024.
2. Complete the Citizen Comment Form online at www.fbgtx.org; or
3. Email your comments to jmusgrove@fbgtx.org

Verbal Comments:

1. Sign up in-person between 4:30 p.m. and 5:00 p.m. at the Law Enforcement Center, 1601E. Main Street, in order to comment.

You will be limited to 3 minutes to speak.

1. CALL TO ORDER

2. ROLL CALL

3. EXECUTIVE SESSION

- A. Pursuant to Section 551.071 of the Texas Government Code, Consultation with an Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflicts with this Chapter and requires discussion of the item in closed session.

1. Consultation with City Attorney regarding legal requirements for municipal regulation of signs under current state and federal law

4. CHAIR'S STATEMENT

5. APPROVAL OF MINUTES

- A. July 2024, Regular Meeting Minutes

6. CONSENT AGENDA

- A. **2024-396** - *301 E Orchard* - Workshop, garage and garden shed
- B. **2024-487**- *206 S Lincoln* - Replace metal roof and Repaint home
- C. **2024-488**- *610 N Adams* - Build a Non-Attached Covered Patio in Backyard

7. CERTIFICATE OF APPROPRIATENESS APPLICATIONS

- A. **2024-275** - *409 E Main* - Mural on West Wall
- B. **2024-456**- *409 E Main* - Mural on East Wall
- C. **2024-253** - *522 W Main* - Mural
- D. **2024-335** - *701 W Main* - Re-rating to allow for Demolition of Outbuilding
- E. **2024 - 532** - *401 E College* - Demolish outbuilding and Construct New Accessory Dwelling Unit.

8. DISCUSSION ITEMS

- A. Director's Report
- B. Demo By Neglect
- i. *101 N Lincoln*
 - ii. *107 W San Antonio*
 - iii. *113 W San Antonio*
 - iv. *204 S Crockett*
 - v. *206 S Crockett*
 - vi. *216 W Schubert*
 - vii. *258 E Main*
 - viii. *311 E Travis*
 - ix. *312 W Main*
 - x. *413 W Creek*

9. ADJOURN

CERTIFICATION

This is to certify that I, Jan Musgrove, posted this Agenda before 4:30pm. on August 9, 2024, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Jan Musgrove

Jan Musgrove
Planner 1

**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**HISTORIC REVIEW BOARD
July 9, 2024
5:30 PM**

On this 9th day of July 2024, the Historic Review Board convened in regular session at the Law Enforcement Center located at 1601 E. Main Street, with the following members present to constitute a quorum:

PRESENT: DAVID BULLION
 JESSICA MITTEL
 ROBIN COWSAR
 JOE SALINAS
 AMY SLAUGHTER
 TODD EIDSON

ABSENT CYDNEY DONNELL
 SHARON JOSEPH
 SAM CHILDERS

ALSO PRESENT: ANNA HUDSON – Director of Development Services
 LETTY VACEK – City Secretary
 ELIZABETH YELVERTON - City Attorney Staff
 SHELBY COLLIER – Senior Planner
 JAN MUSGROVE – Planner 1

David Bullion called the meeting to order at 5:36 PM.

New Appointee, Todd Edison was sworn in by Letty Vacek, City Secretary.

MINUTES

David Bullion made a motion to approve the June 11th, 2024, Historic Review Board meeting minutes. Seconded by Amy Slaughter. All voted in favor and the motion was carried.

CONSENT AGENDA:

The items under the consent agenda are deemed by the Historic Preservation officer to be routine in nature and will be approved by one motion of the Board adopting the staff findings and recommendation as part of the approval. The items on the consent agenda will not be discussed. Any member of the board or the public that wishes to discuss an item on the consent agenda may request that it be removed and placed on the individual consideration agenda.

A. 2024-403 – 222 W Centre – Construction of 800 sq ft garage – Jessican Mittel made a motion to approve and Todd Eidson 2nd. All voted in favor and the motion was carried.

B. 2024-275- 409 E Main – Mural – Jessica Mittel requested that the item be removed from the Consent Agenda – 2nd by Amy Slaughter. All voted in favor and the item was moved.

PUBLIC COMMENT

APPLICATIONS

Application: 2024-262 – 202 S Crockett – Wood Window replacement with Vinyl Windows

Summary Presentation: Shelby Collier presented

Stated that unfortunately work had started and several of the original windows had been replaced already. Some of the original windows were still in place.

Staff Recommendation: Staff did not support the replacement of historic wood windows with vinyl windows and that the windows appeared to be in good condition and should be repaired rather than replaced.

Applicants Presentation: Mr. Joseph Snoe

Mr. Joseph Snoe, owner of the property located at 202 S Crockett spoke to how the vinyl windows came to be partially installed without a Certificate of Appropriateness. He mentioned that he had installed a new Air Conditioning unit several months ago and it simply was not able to keep up with the oppressive heat and was then told that the windows needed to be upgraded as this would help with utility bills and keep the home cool. Mr. Snoe mentioned that he would really appreciate it if the remaining six (6) windows sitting in his living room could be installed so that the job could be completed.

Thomas Pasek, a representative of Texas Simple Solutions (Window company) spoke to how efficient and attractive the product was and that nineteen (19) windows were already in place, and that the originals had been destroyed.

David Bullion stated that the ordinance was extremely specific and that it did not allow for vinyl windows as a replacement for wood ones. Windows were the eyes into the home and it was a huge part of a historic home's character.

Jessica Mittel stated that it was unfortunate that the work had already been partially completed.

Anna Hudson said that she could provide a list of companies that did custom wood replacement window to Mr. Snoe and that she would get the applicant information on how to apply for Historic Preservation funds to help with the cost of replacing the vinyl installed windows.

Todd Eidson made a motion to deny 2024-262. Joe Salinas 2nd the motion. All voted in favor and the application was denied.

Application #2024-275 – 409 E Main – Mural

Summary: Shelby Collier presented

The applicant requests permission to paint a mural that is 12' x 8' in size and says 'Howdy Fredericksburg' on property located at 409 E Main Street. The property is a low-rated resource built in 1957 and is the current home of Ferris and Fletch Wine Co.

Staff Recommendation:

The Applicant has provided 3 options for consideration with Staff favoring option 1 with the most muted color palette of the three.

Applicants Presentation: Emery Ross presented

A Mural on the west side of the building and mentioned that she had submitted another COA application for a 2nd mural on the east side of the building.

Amy Slaughter asked if she could supply a list of the colors.

David asked if it would be painted on an existing surface. The applicant responded with yes, on the existing surface.

After much discussion and the fact that the applicant had submitted for a 2nd Mural, the board and the applicant agreed to table the discussion until August's board meeting. Jessica Mittel made the motion to table so that the applicant could come back with a color palette for both proposed murals. Todd Eidson 2nd the motion, all voted in favor, and the motion was carried.

Application #2024-253 – 522 W Main – Mural

Both the Applicant and the board agreed to table the motion until August's Board Meeting

Application: 2024-335- 701 W Main – Demolition of Outbuilding with Possible Re-Rating

The Applicant was not in attendance, after discussion about the ability to re-rate the property; the Lawyer present for the City mentioned that it could not be discussed or re-rated as the applicant was not present. The item was tabled for the next meeting to be heard on August 13, 2024.

Application: 2024-386- 606 W Creek – Building Addition

Todd Eidson – Recused himself and stepped away from the Dias.

Summary Presentation: Shelby Collier presented

The Application requests a Certificate of Appropriateness to construct a 229 Sq Ft addition over an existing concrete slab.

Staff Recommendation: Staff did not recommend approval of the addition as it results in the loss of the visual identity of the original bungalow as well as the addition's noncompliance with Sec. 3.3. (c).

Applicants Presentation: Laura Rice with Sierra Homes

Stated that the addition's sq footage had been reduced by half of the previous request. The bump out is to be located on the east wall and will be used as a sunroom. The roofline has been lowered.

David Bullion wanted to know what materials will be used in the construction.

Laura responded with mostly glass and French doors.

David Bullion mentioned that it did not detract from the historic Structure. Jessica Mittel agreed.

Jessica Mittel made a motion to approve 2024-386 as presented.

Joe Salinas 2nd the motion. All voted in favor and the motion was carried.

Application #2024-388 – 610 W San Antonio – Removal of Chimney

Summary Presentation: Shelby Collier presented

The Application requests a Certificate of Appropriateness to remove the existing chimney from property located at 610 W San Antonio

Staff Recommendation:

Staff do not support the removal of the chimney from the medium rated resource.

Applicants Presentation: Thomas Austin owner of 610 W San Antonio

The chimney is not part of the Historic part of the home. Removal of the exterior chimney bump out to make room internally for a larger Primary Bedroom suite. This was the third attempt to get approval to move forward with the renovation.

Todd Eidson wanted to know if the bump out would be removed.

David Bullion mentioned that the home appeared to have had several additions and that he had no issue with the removal of the chimney.

Anna Hudson stated that the chimney was not original to the historic home.

Jessica Mittle made a motion to approve the removal of the Chimney.

Todd Eidson 2nd the motion.

All voted in favor except for Amy Slaughter who voted in opposition.

Motion carried.

DISCUSSION ITEMS

A. Directors Report – Anna Hudson, Director of Development Services

Anna Hudson welcomed Todd Eidson to the Board and stated that Shelby Collier would be giving an update on Demo by Neglect.

The city received three (3) applications for the Historic Preservation Fund which has \$30,000.00 to spend on owner occupied historic homes in need of rehab. One of the applications met all the requirements, she mentioned that a committee will need to be established to evaluate the applications. Anna offered Mr. Snoe the opportunity to apply for a grant.

Shelby Collier commented on the Demo Neglect list:

311 E Travis – under construction looks great.

413 W Creek – under construction and have obtained a building permit.

107 W San Antonio still has had no movement, but Staff will be making a in person visit tomorrow.

She mentioned that there are 15 to 20 Demo by Neglect properties on the list and that there would be commentary on these properties at the August Board meeting.

David Bullion mentioned the Altdorf Shade structure and wanted to know if there had been an update?

Shelby responded with the owners were out of the country and she was sure that they would be on the August agenda.

Robin Cowsar asked about the how did the board get clarification on Murals and or signage? Anna responded that she would speak to Council and see if she could get the Board more definitive information on how to proceed with the Mural requests on next month's agenda.

Elizabeth Yelverton, TOASE council, commented that you can review how a mural looks not consider the content.

The Board wanted to add several items to the agenda, such as the penalty fee structure, the tequila bar/water feature, the temporary fence at 102 W Austin and dark sky ordinance in relation to residential non STR properties were some of the topics. Shelby suggested that a special "Lunch and Learn" meeting might be a better way to address all of the items rather than in a monthly meeting.

ADJOURN

With nothing further to come before the Board, Jessica Mittel moved to adjourn. Amy Slaughter seconded the motion. All voted in favor and the meeting was adjourned at 7:24 PM.

PASSED AND APPROVED this the 13thth day of August 2024.

JAN MUSGROVE, PLANNER 1

DAVID BULLION, CHAIRPERSON



HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: CONSENT AGENDA

CAPTION: 2024-396 - 301 E Orchard - Workshop, garage and garden shed

SUMMARY:

The applicant has submitted a Certificate of Appropriateness application requesting permission to construct a workshop, garage and garden shed for property located at 301 E Orchard Street. The property is a low-rated property that was built in the 1940's with no predominant style.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

Application Number: 2024-396

Proposal: The request consists of an addition in the form of a 320 sq ft workshop, a 700 sq ft 2 story garage. The applicant also requests permission to construct a 192 sq ft garden shed with water tank on the roof at the rear of the property.

Address: 301 E Orchard

Rating: Low

Zoning: R1, Single Family Residential

Owner: Gary & Belinda McDonnell

Applicant: McDonnell Design

3.3 Additions The proposed addition connects to an existing addition and does not overpower the existing main structure (o), is visually cohesive as a unit (p), and the materials are limited to dutch lap wood siding and natural cedar board & batten (t). The addition consists of 320 sq ft workshop and a 700 sq ft garage.

3.4.1 Lot Coverage The property should maintain historic-site development patterns (c) and the proposed building footprint does not surpass that of the primary residence (g).

3.4.3 Accessory Buildings New accessory buildings should avoid impacting significant historic

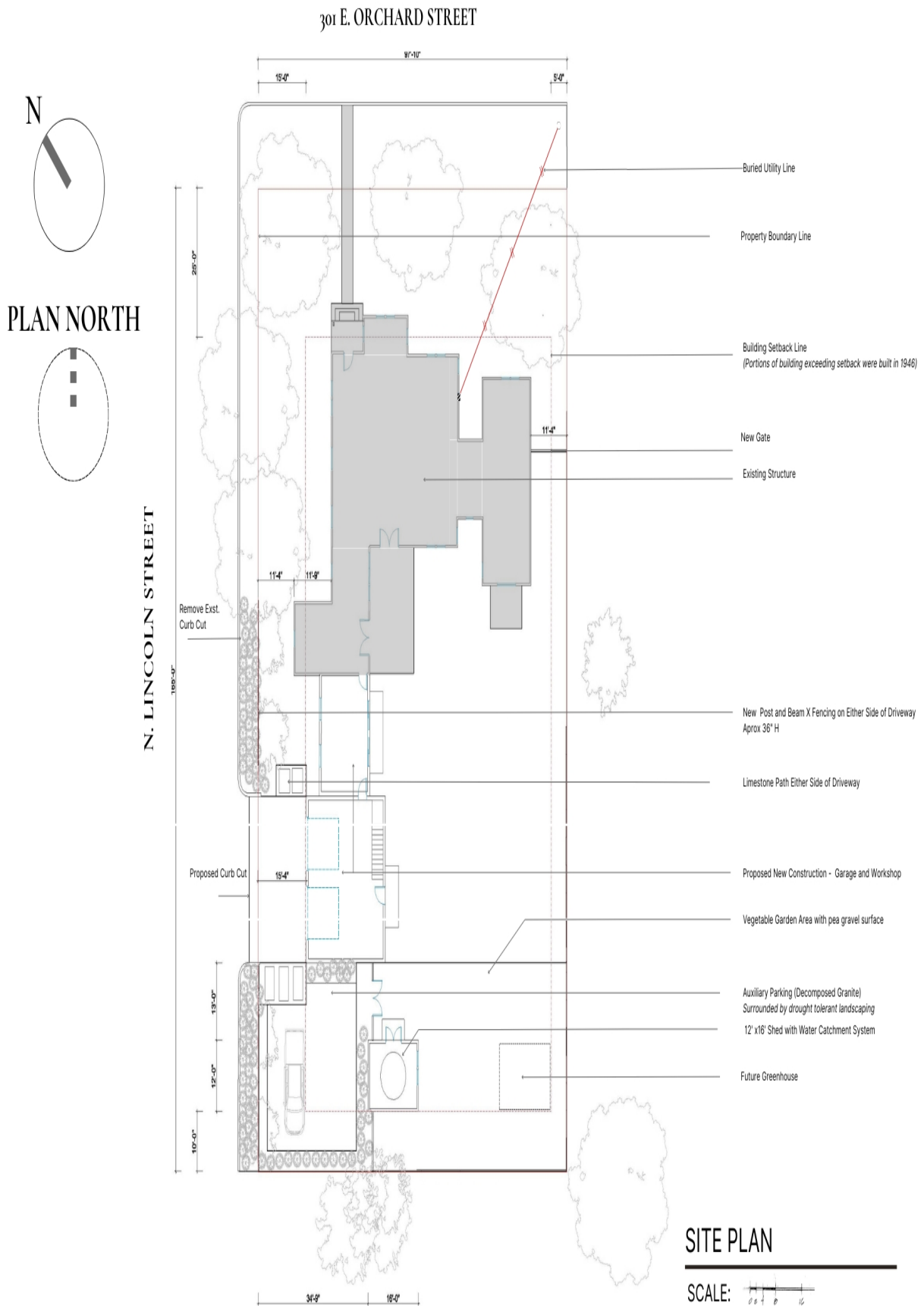
resources or site features (a) and the materials should be limited to 2 (i). At least one exterior material should match the primary building on the property. In addition, the color pallet must generally be in the same range as the primary building (k).

STAFF RECOMMENDATION:

The property is low rated, and the requested addition is in keeping with the Historic Design Guidelines 3.3 Additions, 3.4.1 Lot Coverage, and 3.4.3 Accessory Buildings, as is the requested garden shed. The proposed materials are appropriate, and the color pallet is compatible with the existing color scheme. Staff recommends approval.

ATTACHMENTS:

1. 2024-396 Site Plan
2. 2024-396 Floor Plan
3. 2024-396 Floor Plan Addition
4. West Elevation
5. 6
6. 7
7. 8
8. 9
9. 2018 survey 301 E Orchard



Notes:

MCDONNELL DESIGN

INTERIOR DESIGN &
PLANNING

belinda@belindamcdonnell.com
Mcdonnell.design
830.317.3390

stage:

Construction Documents

client:

Gary McDonnell

project:

Workshop + Garage Addition
301 E Orchard St, Fredericksburg, TX

title:

Site Plan

revision:

date:

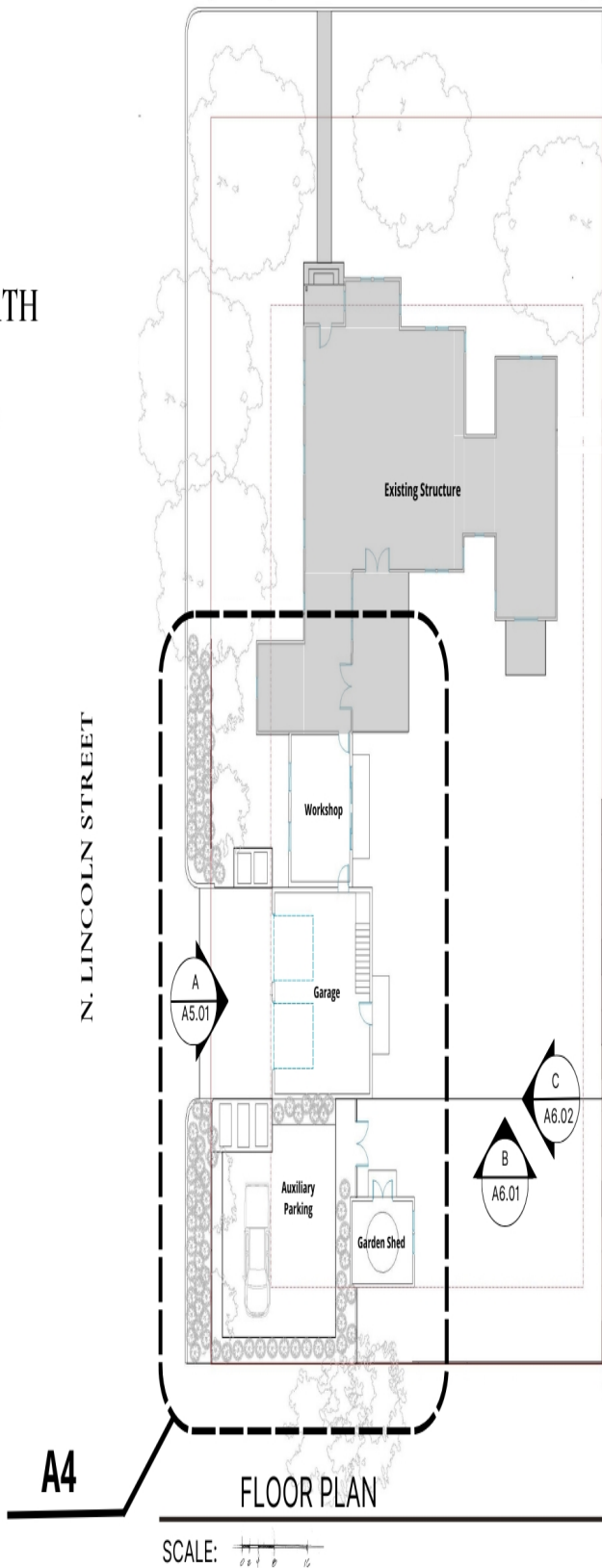
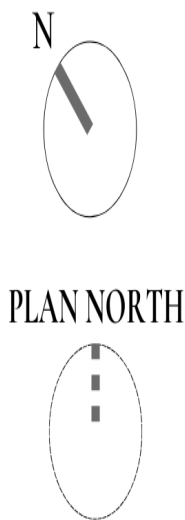
2024 06 17

scale:

1/16" = 1' - 0"

sheet:

A2



Aerial View Google maps

Notes:

MCDONNELL DESIGN INTERIOR DESIGN & PLANNING belinda@belindamcdonnell.com Mcdonnell.design 830.317.3390	stage:	Construction Documents	title:	Floor Plan
	client:	Gary McDonnell	revision:	
	project:	Workshop + Garage Addition 301 E Orchard St, Fredericksburg, TX	date:	2024 06 17
			scale:	1/16" = 1' - 0"
			sheet:	A3

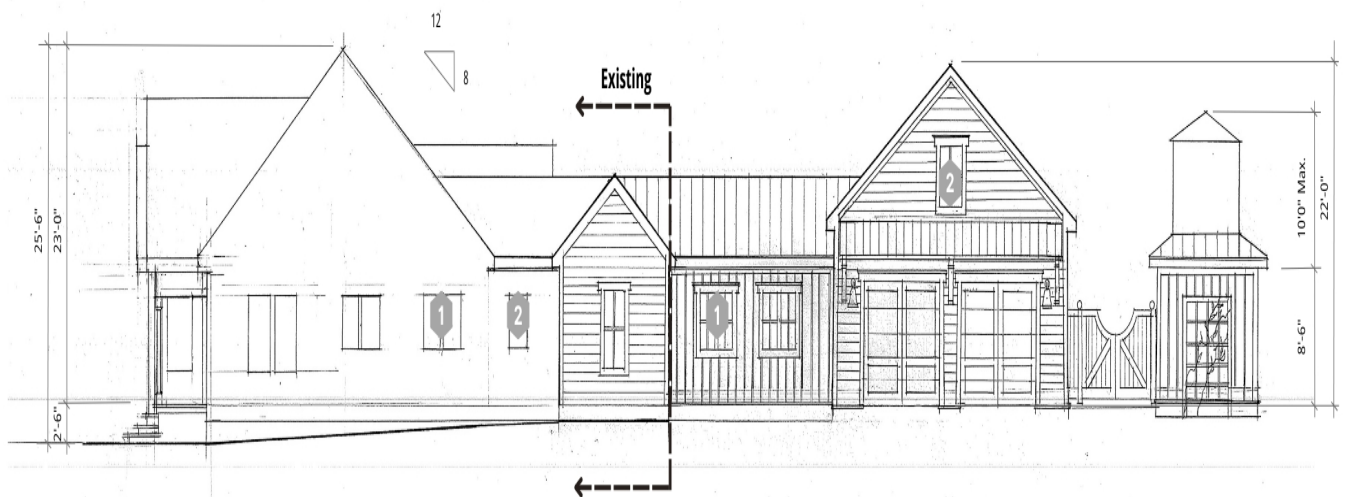


This architectural site plan illustrates the layout of a property with various structures and parking areas. The plan includes the following elements and dimensions:

- Existing Structure:** Located at the top of the plan, with a width of 27'-8" and a depth of 13'-9".
- Workshop:** Situated below the Existing Structure, measuring 15'-2" in width and 19'-5" in depth. It has a door width of 8'-1" and a window width of 8'-0".
- Garage:** Located below the Workshop, measuring 26'-8" in width and 23'-6" in depth. It has a door width of 9'-0" and a window width of 9'-0".
- Stairs:** A set of stairs labeled "UP" is located between the Workshop and the Garage, with a width of 3'-6" and a depth of 13'-4".
- Auxiliary Parking:** Located at the bottom left, measuring 24'-6" in width and 15'-0" in depth. It contains a car icon.
- Garden Shed:** Located at the bottom right, measuring 12'-0" in width and 16'-0" in depth. It contains a circular feature.
- Other Dimensions:**
 - Overall width of the property: 27'-11".
 - Overall depth of the property: 27'-8".
 - Distance between Workshop and Garage: 3'-7".
 - Distance between Garage and Auxiliary Parking: 9'-0".
 - Distance between Garage and Garden Shed: 19'-6".
 - Distance between Garden Shed and Existing Structure: 13'-9".

SCALE:

A4



.01
A5

WEST ELEVATION

N. Lincoln Street

SCALE:



Notes:

1. Windows at workshop to be casement to match existing kitchen windows.
2. Double hung window at attic to match existing at laundry room.

MCDONNELL DESIGN

INTERIOR DESIGN & PLANNING

belinda@belindamcdonnell.com
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830.317.3390

stage:

Construction Documents

client:

Gary McDonnell

project:

Workshop + Garage Addition

301 E Orchard St, Fredericksburg, TX

title:

Elevation - West

revision:

None

date:

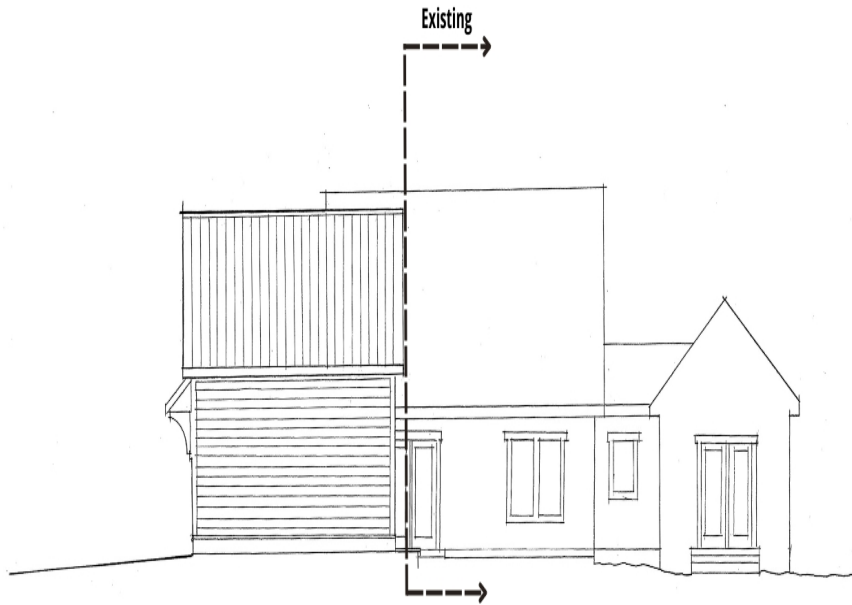
2024 06 17

scale:

1/8" = 1' - 0"

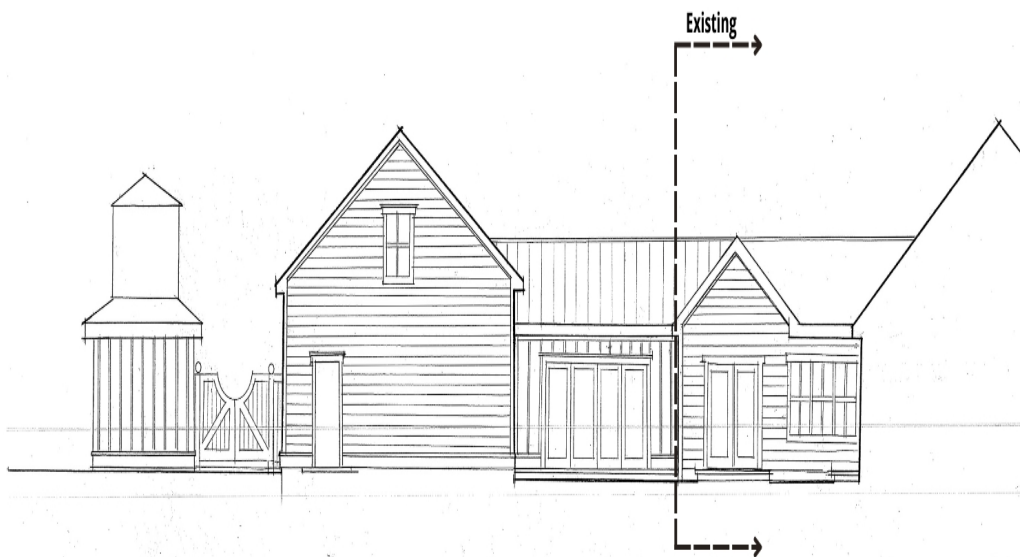
sheet:

A5



.01
A6

SOUTH ELEVATION



.02
A6

WEST ELEVATION

N. Lincoln Street

SCALE:

Notes:

MCDONNELL DESIGN
INTERIOR DESIGN & PLANNING

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stage: Construction Documents
client: Gary McDonnell
project: Workshop + Garage Addition
301 E Orchard St, Fredericksburg, TX

title: Elevations South + West
revision: None
date: 2024 06 17
scale: 1/8" = 1' - 0"

sheet:

A6



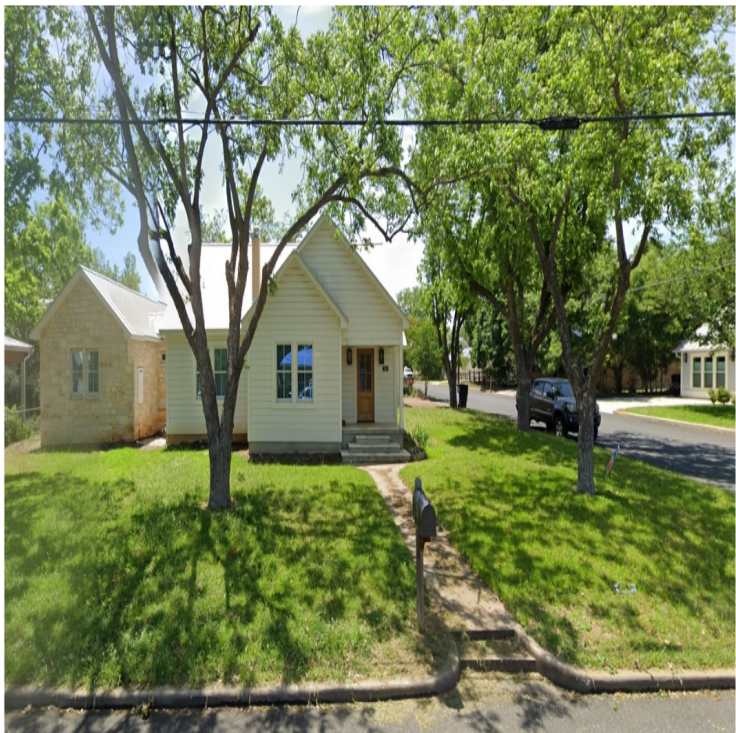
NEIGHBORING STRUCTURES - Diagram

N. Lincoln St. Looking East Towards N. Sycamore St.

Notes:	MCDONNELL DESIGN INTERIOR DESIGN & PLANNING belinda@belindamcdonnell.com Mcdonnell.design 830.317.3390	stage:	Construction Documents	title:	Elevation - West	sheet: A7
		client:	Gary McDonnell	revision:	None	
		project:	Workshop + Garage Addition	date:	2024 06 17	
			301 E Orchard St, Fredericksburg, TX	scale:	1/8" = 1' - 0"	



View from the corner of E. Orchard St. and N. Lincoln St.



Google Street View of the front of the home from E. Orchard St.



Google Street View of the west side of the home from N. Lincoln St.

Notes:

MCDONNELL DESIGN INTERIOR DESIGN & PLANNING belinda@belindamcdonnell.com Mcdonnell.design 830.317.3390	stage: Construction Documents Gary McDonnell project: Workshop + Garage Addition 301 E Orchard St, Fredericksburg, TX	title: Exterior Images revision: date: 2024 06 17 scale:	sheet: A8
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View of home from N. Lincoln. Workshop addition to be to the right (south) of structure.



View of backyard from N. Lincoln. View of two story structures beyond on N. Sycamore.



View from southwest of property where workshop and garage are to be located.



View of existing structure from south - during garden construction.



View of existing structure from southeast - post garden construction.

Notes:

MCDONNELL DESIGN
INTERIOR DESIGN & PLANNING

belinda@belindamcdonnell.com
Mcdonnell.design
830.317.3390

stage: Construction Documents
client: Gary McDonnell
project: Workshop + Garage Addition
301 E Orchard St, Fredericksburg, TX

title: Exterior Images, cont.
revision:
date: 2024 06 17
scale:

sheet:

A9

LOCATION AND GEOGRAPHIC INFORMATION

ADDRESS 301 E ORCHARD ST**LAT/LON** 30.276198 -98.86571**ALTERNATE ADDRESS** N/A**PARCEL #** 2051**LEGAL DESCRIPTION** GROBE BLK 1 LOT 4-PT & 5-PT**OWNER NAME** MCDONNELL, GARY L & BELINDA K**2017 GCAD VALUATION** \$228,1

PROPERTY INFORMATION AND SIGNIFICANCE

PREVIOUS DOCUMENTATION / DETERMINATION None**2018 RECOMMENDATION** ☐ Local landmark ☐ NRHP indiv. eligible ☐ High ☐ Medium ☒ Low ☐ within rec. district expansion**If recommended eligible:** **CRITERIA (local)** N/a**CRITERIA (NRHP)** N/a**HISTORICAL INFORMATION**

Not present on 1924 Sanborn, not visible on 1938 historic aerial; visible on 1948 and 1963 historic aerials.

PHYSICAL DESCRIPTION

YR. BUILT 1946**YR. SOURCE** CAD**TYPE** Building**FORM** Irregular**PRIMARY STYLE** No style**CURRENT FUNCTION** Domestic: Single dwelling**SECONDARY STYLE** No secondary style**HISTORIC FUNCTION** Domestic: Single dwelling

**VISIBLE
ANCILLARY
RESOURCES**

1. none

ALTERATIONS Addition to rear/side elevation
Windows replaced – all
Door (primary) replaced; wall cladding replaced; roof replaced with incompat. material
Primary door opening moved
Roofline altered

**GENERAL
NOTES**

SOURCES Sanborns; historic aerials





ADDITIONAL/HISTORICAL PHOTOS

301 E ORCHARD ST SURVEY ID#





2011 image of the resource from Google StreetView

ADDITIONAL/HISTORICAL PHOTOS

301 E ORCHARD ST

SURVEY ID#



HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: CONSENT AGENDA

CAPTION: 2024-487- 206 S Lincoln - Replace metal roof and Repaint home

SUMMARY:

The applicant requests a Certificate of Appropriateness to replace the metal roof on property located at 206 S. Lincoln due to hail damage as well as repaint the resources with the current color palette.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

206 S Lincoln is a High rated property in the Queen Anne style that is the current home of Jack And Adams Bicycles. The roof of the property was damaged due to recent hail storms and the applicant requests permission to replace the roof with in kind materials as well as repaint the resource with the current color palette.

Application Number: 2024-487

Address: 206 S Lincoln

Rating: High

Zoning: CBD, Central Business District

Owner: DHJ Holding, LP

Applicant: Holly Allen

3.2.3 Roofs and Roof Features It is required that the historic roof be maintained (including all features) unless they are deteriorated beyond repair (b). If deteriorated beyond repair, replacement roofing materials should resemble the dimensions, profile, appearance and configuration of the historic material (f). Furthermore, the existing roof is metal, therefore, the if replacement is deemed acceptable, the replacement roof should match the existing dimensions, turned or crimped joints, and ridge capping (i). There is a small portion of the roof that is cedar shake and should be replaced in kind.

3.2.6 Exterior Walls When considering paint colors one should refer to the period-appropriate paint

palettes in Appendix G when selecting exterior wall colors (h).

Appendix G References a Victorian Palette from Harrison Brothers and Company Inc that provides several appropriate colors for the High rated Queen Anne resource.

STAFF RECOMMENDATION:

The property is a High-rated resource and it is best to maintain original materials whenever possible, however, if the Board finds that the roof is damaged beyond repair, a replacement roof should match the existing dimensions, turned or crimped joints, and ridge capping 3.2.3 (i). As for painting, the existing colors of the resource are appropriate.

ATTACHMENTS:

1. 2024-487 Photo
2. 2024-487-insurance roof pictures
3. Adopted-2021-Historic-District-Design-Guidelines-and-Standards



Insured: Allen
Property: 206 Lincoln
Fredericksburg, TX

Claim Number:

Policy Number:

Type of Loss:

Date of Loss:
Date Inspected:

Date Received:
Date Entered: 6/23/2024 9:57 PM

Price List: GAAT8X_JUN21
Restoration/Service/Remodel
Estimate: ALLEN-JOSH-PHOTOS

Recap of Taxes

Recap by Room

Estimate: ALLEN-JOSH-PHOTOS

Total			0.00	100.00%

Recap by Category

Items	Total	%
Subtotal	0.00	0.00%



1

1-20240623_150810

Date Taken: 6/23/2024

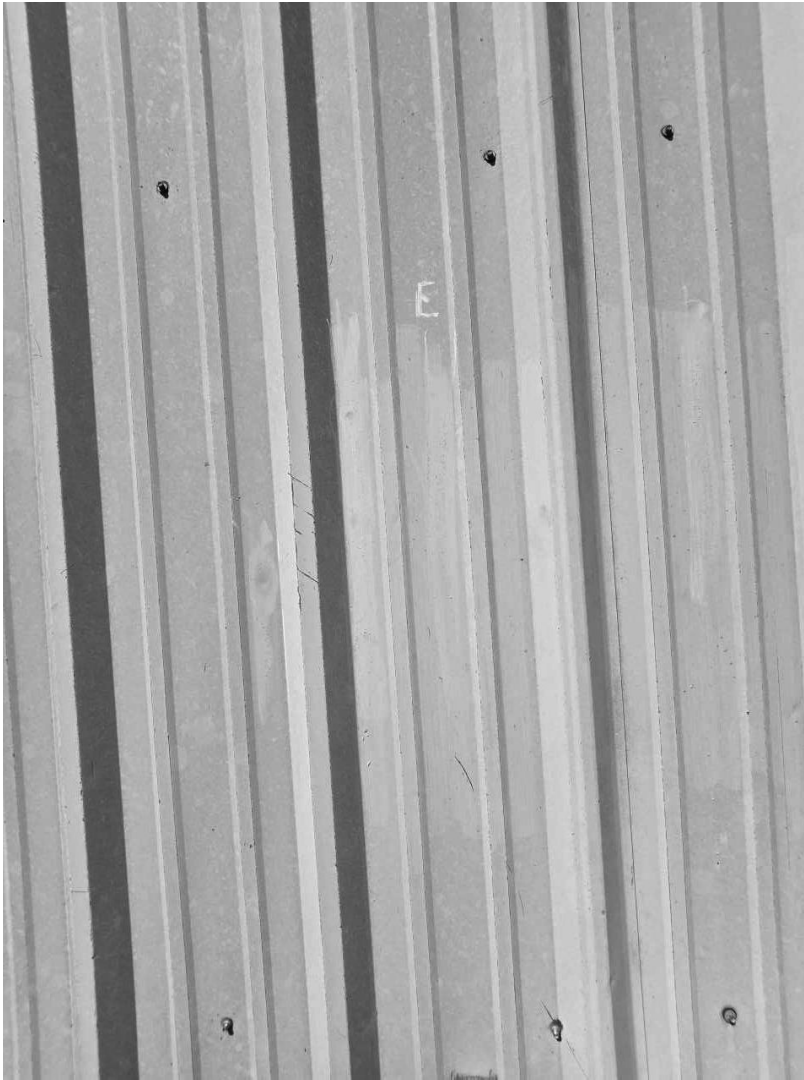


2 2-South
Hail damage to metal roof

Date Taken: 6/23/2024



3 3-20240623_151652 Date Taken: 6/23/2024
Hail damage to metal roof



4

4-20240623_151658

Date Taken: 6/23/2024

Hail damage to metal roof



5

5-20240623_151722

Date Taken: 6/23/2024

Hail damage to metal roof

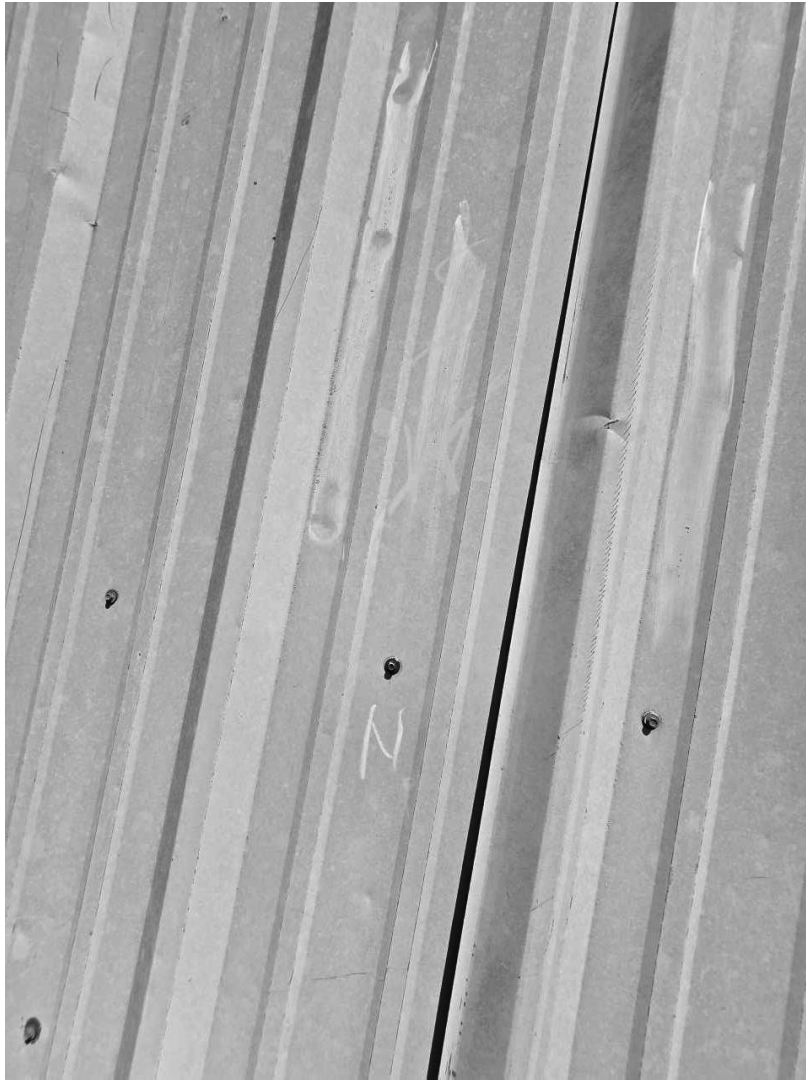


6

6-20240623_151724

Date Taken: 6/23/2024

Hail damage to metal roof



7

7-20240623_151744

Date Taken: 6/23/2024

Hail damage to metal roof



8

8-20240623_151752

Date Taken: 6/23/2024

Hail damage to metal roof



9

9-20240623_151755

Date Taken: 6/23/2024

Hail damage to metal roof



10 10-20240623_151817 Date Taken: 6/23/2024
Hail damage to cedar shake



11 11-20240623_151825

Date Taken: 6/23/2024

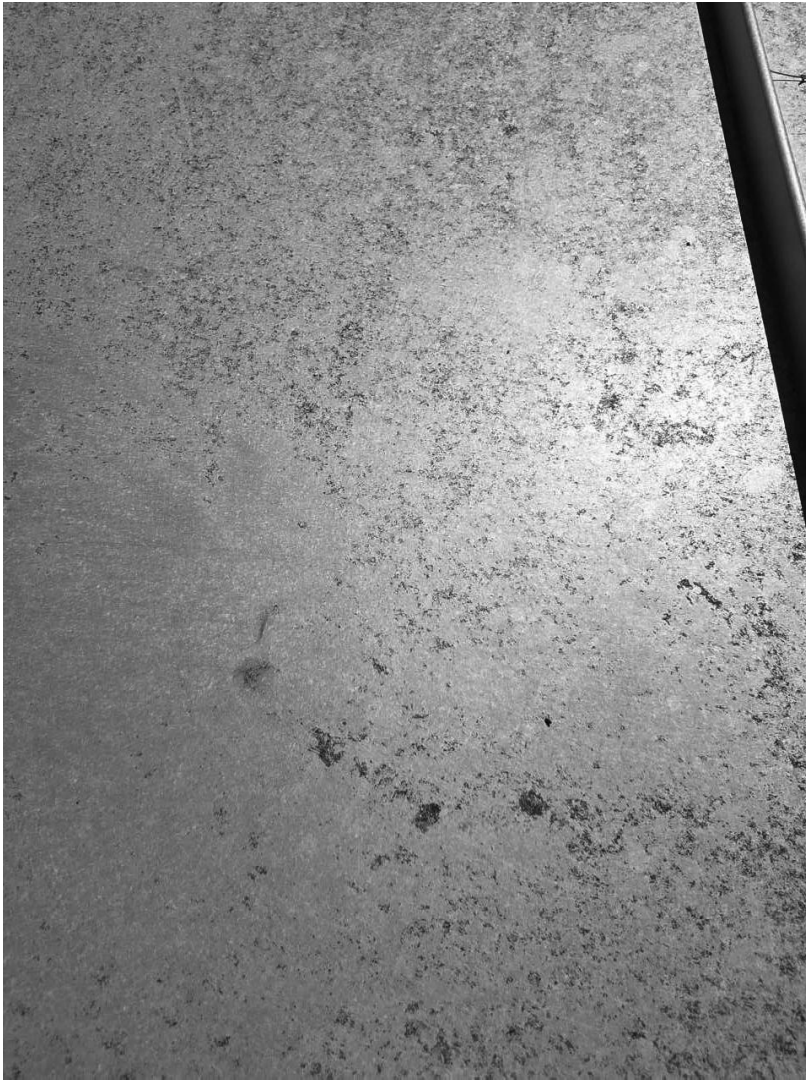


12 12-B&B

Date Taken: 6/23/2024



13 13-20240623_152321 Date Taken: 6/23/2024
Hail damage to metal roof



14 14-20240623_152628 Date Taken: 6/23/2024
Hail damage to metal roof



15 15-20240623_152633 Date Taken: 6/23/2024
Hail damage to metal roof



16 16-20240623_152636 Date Taken: 6/23/2024
Hail damage to metal roof



17 17-20240623_152815 Date Taken: 6/23/2024
Hail damage to metal roof



18

18-20240623_152822

Date Taken: 6/23/2024

Hail damage to metal roof



Figure G-1. Sherwin Williams palette of "Heritage Colors," formulated to match colors available between 1820 and 1920. Source: The Craftsman Blog, accessed May 5, 2020, <https://thecraftsmanblog.com/choosing-exterior-paint-colors-for-your-historic-house/>.



Figure G-2. Victorian palette from the Harrison Brothers and Company, Inc., 1871. Source: Sara McLean, "Then, Now & Forever® - The Victorian Era Color Collection," Dunn-Edwards Paints, accessed May 5, 2020, <https://www.dunnedwards.com/colors/specs/posts/then-now-and-forever-r-the-victorian-era-color-collection>.



HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: CONSENT AGENDA

CAPTION: 2024-488- 610 N Adams - Build a Non-Attached Covered Patio in Backyard

SUMMARY:

A Certificate of Appropriateness application has been submitted requesting permission to construct a 320 sq ft covered patio that includes an outdoor fireplace.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

The property consists of a High rated resource built in 1910 in a Folk Victorian style. The square footage of the primary building is 1,686 and the lot is large, consisting of 22,461 sq ft.

Application Number: 2024-488

Proposal: The applicant requests permission to construct a 320 sq ft covered patio that includes an outdoor fireplace.

Address: 610 N. Adams

Rating: High

Zoning: R1, Single-Family Residential

Owner: Ron & Sue Martin

3.41 Lot Coverage The proposed location allows for a central open core for recreational use (c) but should provide a 15 ft setback from the high rated resource (e). The proposed footprint is 320 sq ft and does not exceed that of the primary residence (g) and does not exceed 800 sq ft or 50% of the primary building (h).

3.4.3 Accessory Buildings The construction of the accessory building does not negatively impact the significant historic resources or site features (a) and the proposed construction includes a wood frame structure with revealing structural elements (g)

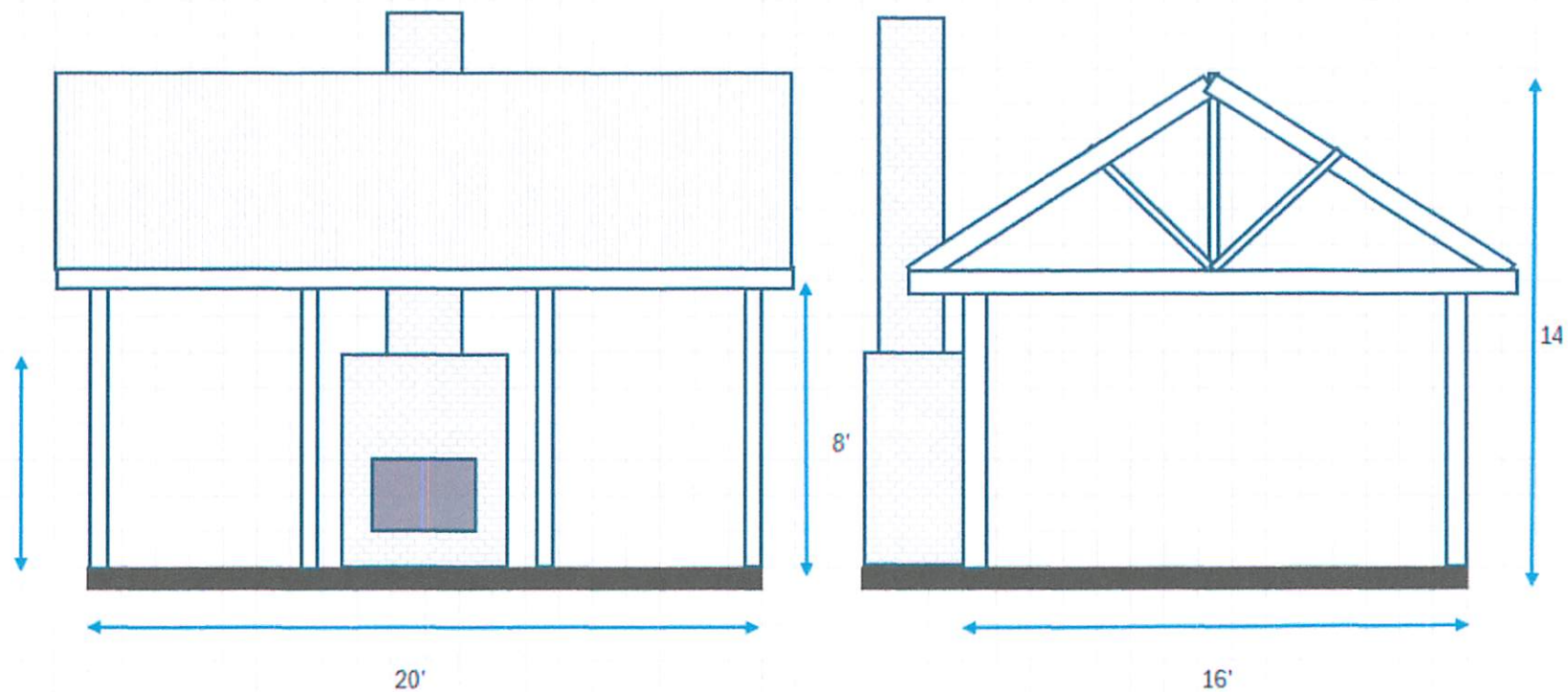
STAFF RECOMMENDATION:

Staff recommends approval of the requested covered patio with the condition that the structure be 15 ft from the primary building. The requested construction will not adhere to the existing building and is located behind the High rated resource. In addition, the proposed construction consists of appropriate materials and does not crowd the large lot.

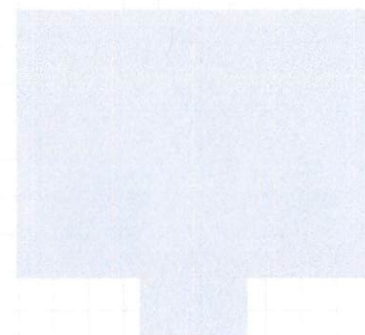
ATTACHMENTS:

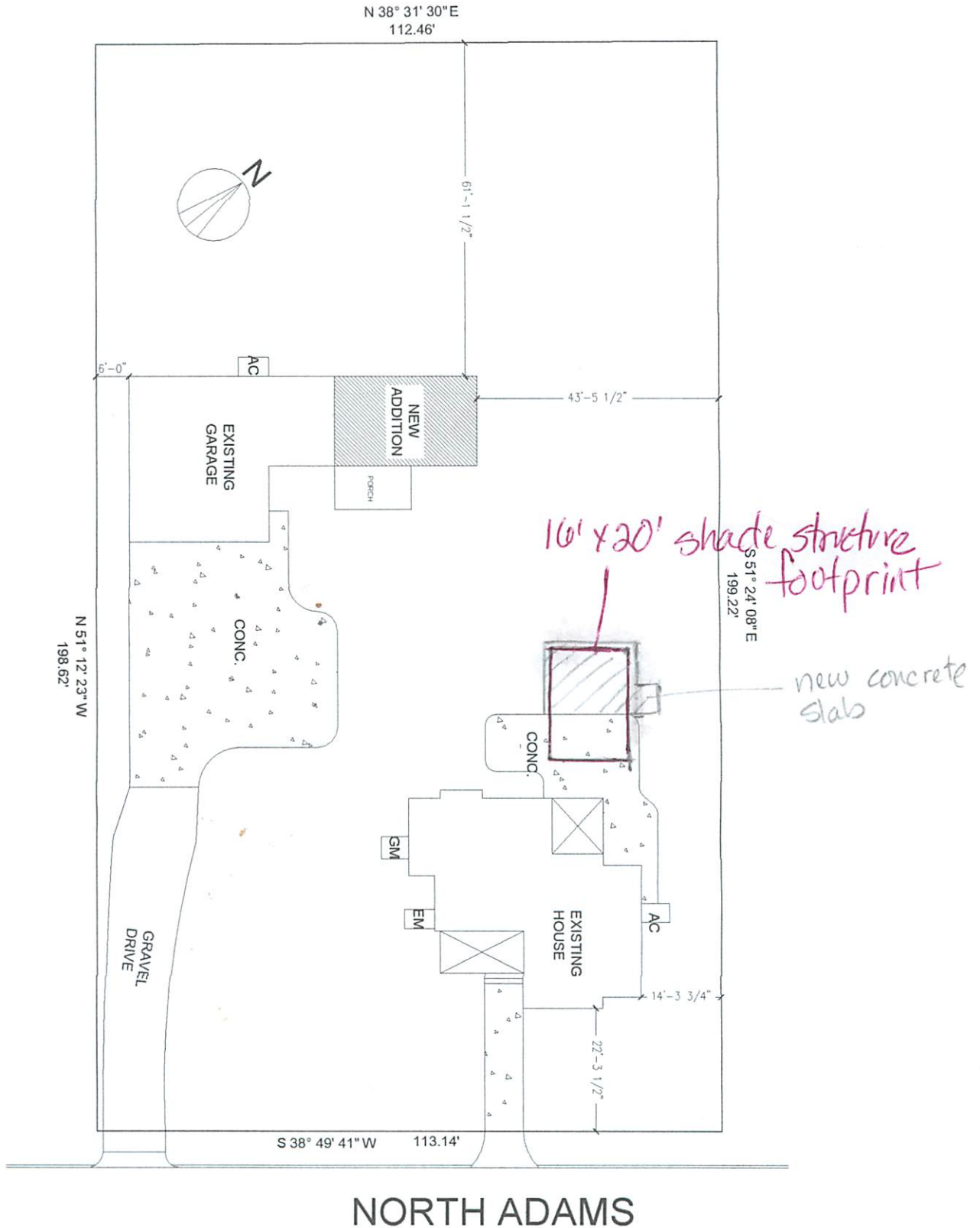
1. 2024-488-certificate of appropriateness application 610 n adams

Covered Patio Design
610 N. Adams St.
FBG 78624



- ☐ Roof material is standing seam metal and pitch to match house
- ☐ All framing is douglas fir either painted white or sealed natural
- ☐ Ceiling is sealed natural douglas fir 6" tongue + groove
- ☐ Posts and beams are 6x6, rafters are 2x6 and peak is 2x8
- ☐ Foundation is concrete with salt finish to match current back patio
- ☐ Fireplace is brick veneer over cinder frame / firebrick fire box
- ☐ Foundation outline is 20x16 with fireplace kickout 3x6'x36" deep (as shown to right)





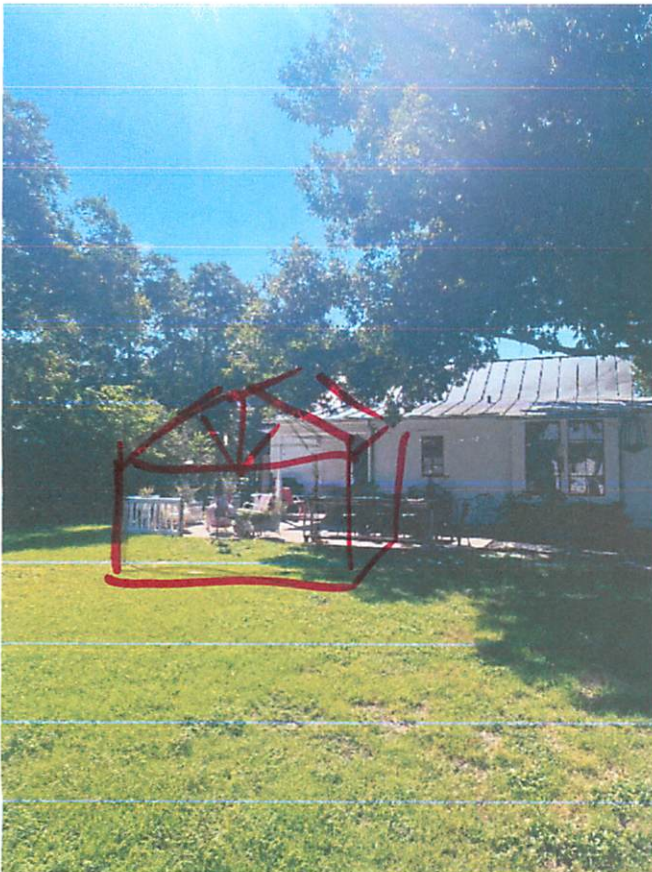
SCALE:
1/8" = 1'-0"

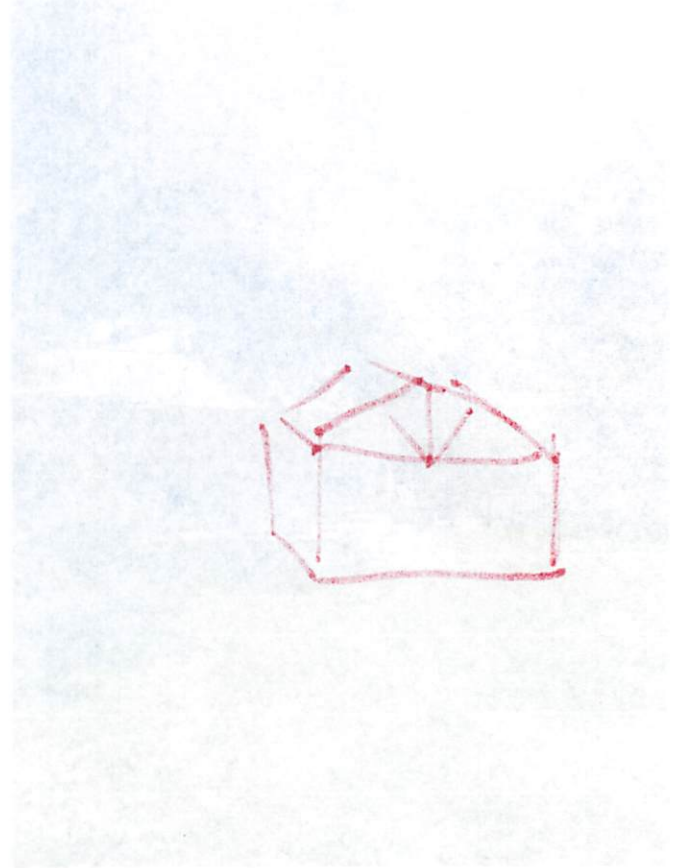
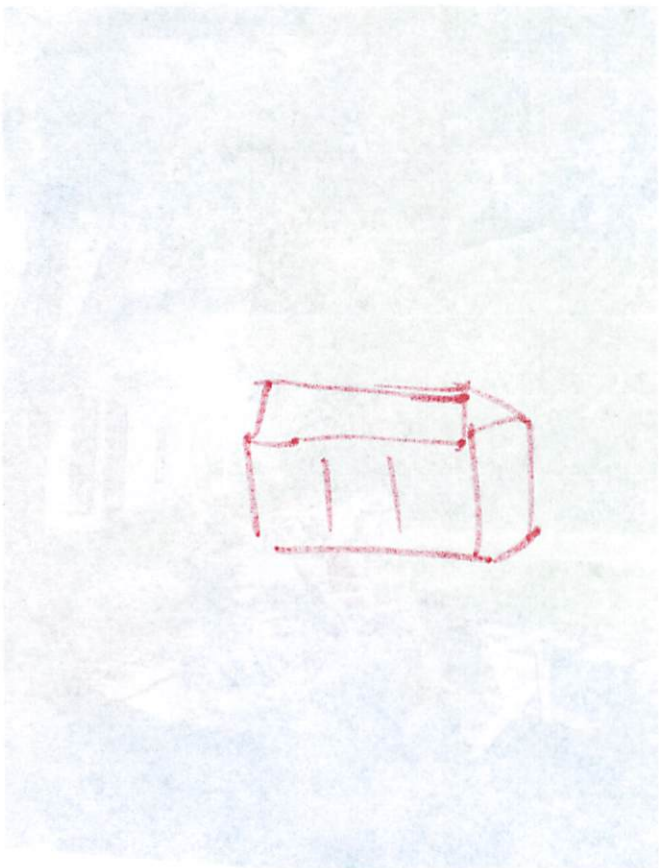
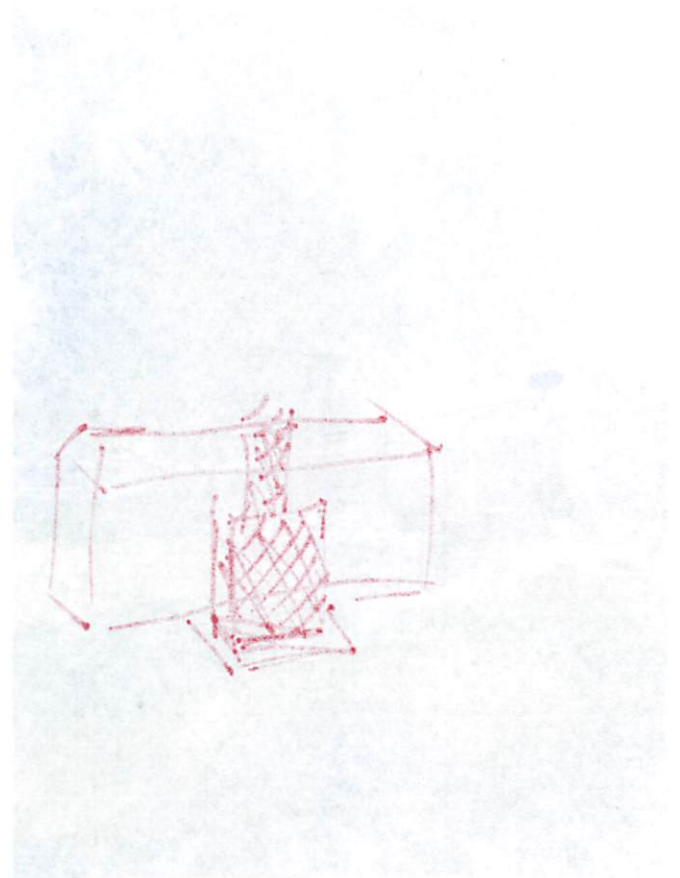
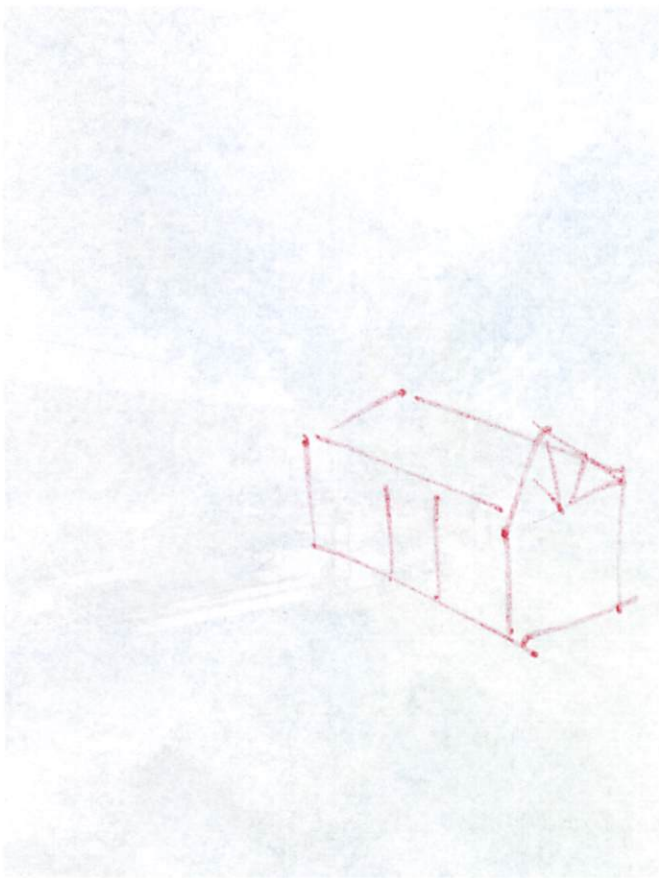
A-1	SITE PLAN	ROOM ADDITION 610 N. ADAMS FREDERICKSBURG, TX 78624	LOCKWOOD DESIGN BUILD GROUP michael@lockwooddesigngroup.com 210-383-9281 11314 Acuff Station San Antonio, Texas 78254
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THESE PLANS ARE DRAWN TO COMPLY WITH OWNER'S AND/OR BUILDER'S SPECIFICATIONS AND ANY CHANGES MADE AFTER PRINTING HAS BEEN COMPLETED. WILL BE AT THE OWNER'S AND/OR BUILDER'S EXPENSE AND RESPONSIBILITY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ENCLOSED DRAWINGS PRIOR TO DURING CONSTRUCTION ASSUMES ALL RESPONSIBILITY THEREAFTER. WHILE EFFORTS HAVE BEEN MADE DURING THE PREPARATION OF THESE CONSTRUCTION DOCUMENTS TO AVOID ANY ERRORS OR OMISSIONS, LOCKWOOD DESIGN GROUP CAN NOT GUARANTEE AGAINST ERROR.



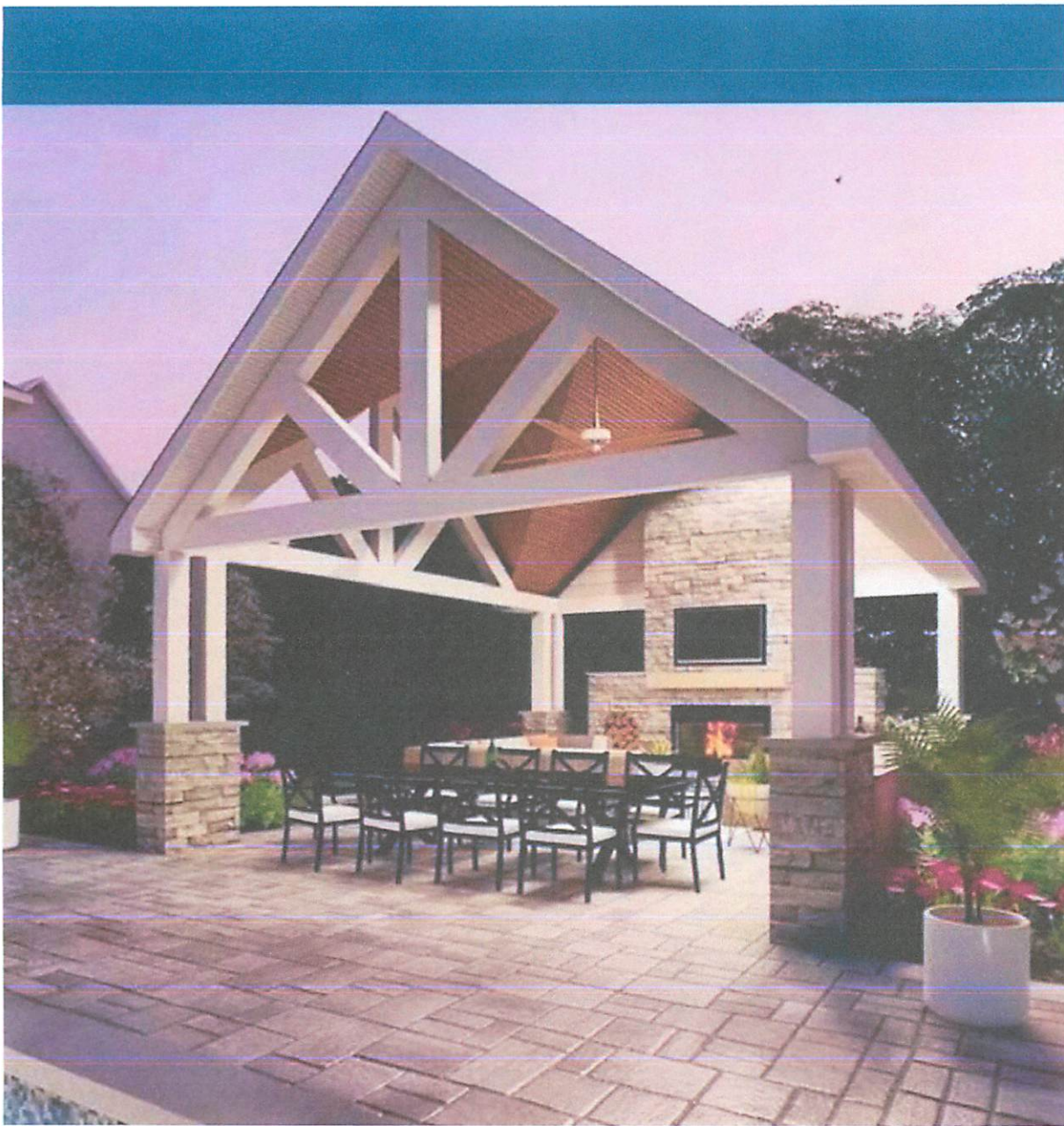
↑ fireplace on this side







reference photo #1
(standing area may differ slightly match house)



- reference photo #2
- showing white painted Douglas Fir & tongue & groove ceiling
 - posts will not have rock or brick surround



reference photo #3
-showing concrete slabs as planned.



HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: CERTIFICATE OF
APPROPRIATENESS APPLICATIONS

CAPTION: 2024-275 - 409 E Main - Mural on West Wall

SUMMARY:

The applicant requests permission to paint a mural that is 12' x 8' in size and says "Howdy Fredericksburg" on property located at 409 E Main Street on the exterior wall facing west. The applicant has supplied as a fourth option, a mural that is 30'x13 and says "Guten Tag From Fredericksburg". The property is a low-rated resource built in 1957 and is the current home of Ferris & Fletch Wine Co.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

Proposal: Applicant requests permission to paint a mural that is 12' x 8' and says "Howdy Fredericksburg".

Application Number: 2024-275

Address: 409 E Main

Rating: Low

Zoning: CBD, Central Business District

Owner: Lucky 13 Properties

Applicant: Ferris & Fletch Wine Co

3.2.6 - Exterior Walls

Murals may be approved on a case-by-case basis if painted on a previously painted surface (n) In this case, the property in question is a low-rated property with high visibility on E. Main Street, especially to cars traveling westbound. The wall is currently painted a solid beige color.

The Historic Review Board previously voiced concern about the impact the mural may have on

neighboring historic resources. With this in mind, Staff recommends moving the mural further south so as not to compete with the historic resource to the west.

STAFF RECOMMENDATION:

The applicant has provided 4 options for consideration with Staff favoring option 4 with the most muted color palette of the 4 with the condition that the mural be moved south so as not to visually compete with the historic resource to the west and the size be reduced.

ATTACHMENTS:

1. 409 E Main Mural Options
2. Proposed Mural on West Side of Building
3. Example of Mural Placement West

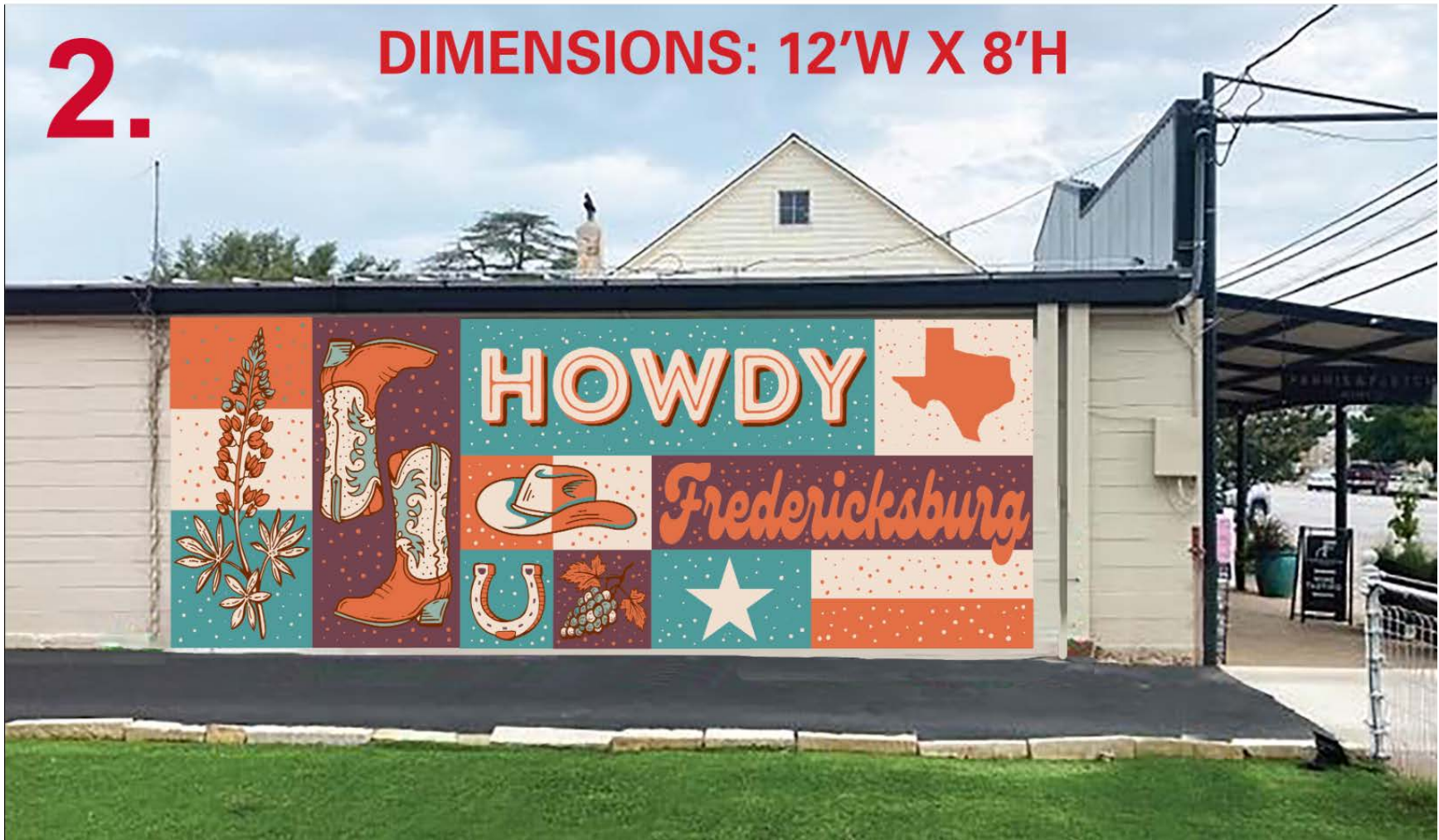
1.

DIMENSIONS: 12'W X 8'H



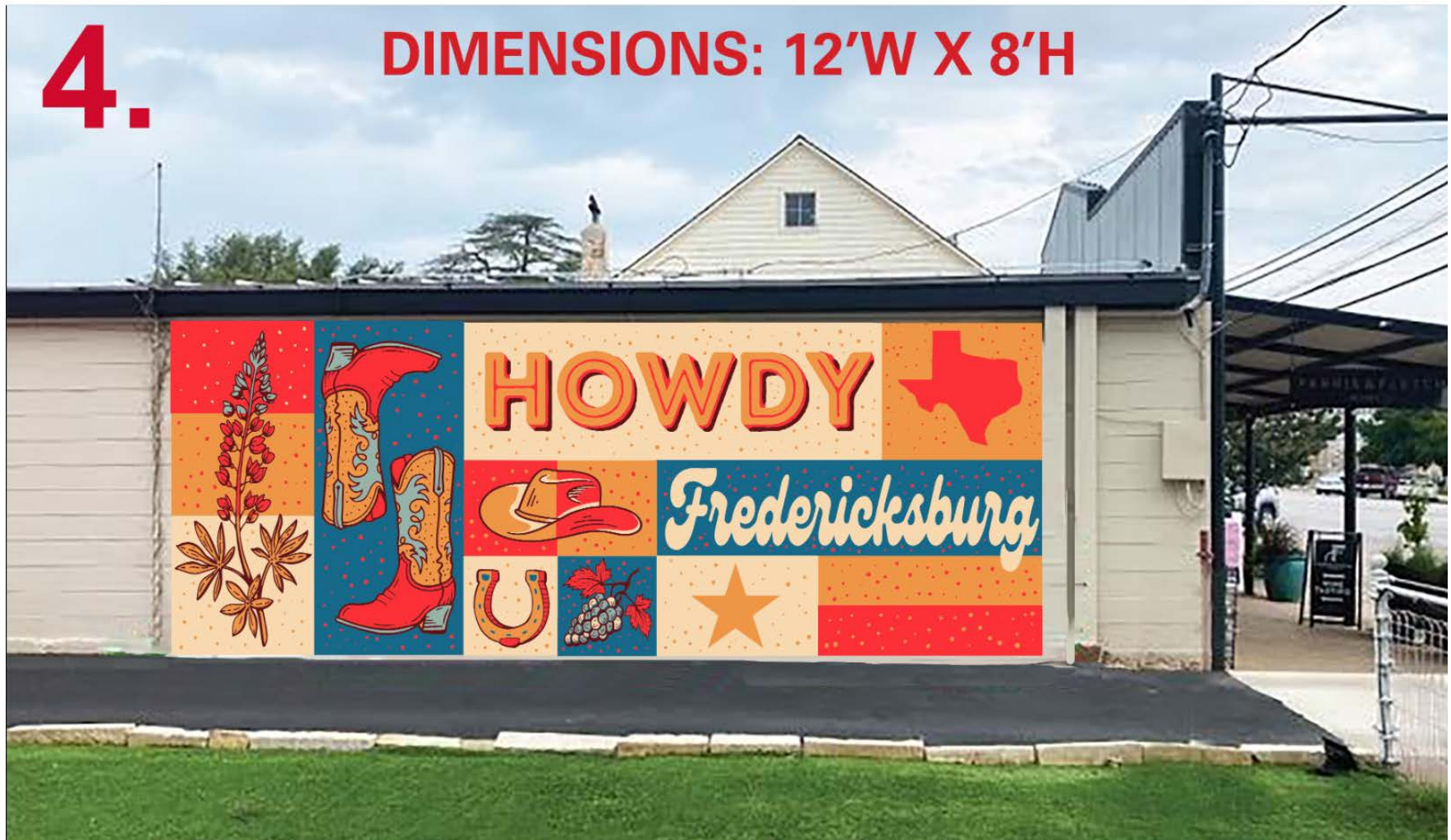
2.

DIMENSIONS: 12'W X 8'H



4.

DIMENSIONS: 12'W X 8'H





Proposed Mural on West Side of Building



Example of Mural Placement



HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: CERTIFICATE OF
APPROPRIATENESS APPLICATIONS

CAPTION: 2024-456- 409 E Main - Mural on East Wall

SUMMARY:

Applicant requests a Certificate of Appropriateness to paint a mural that is 12X8 in size on the East Wall.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

Proposal: Applicant requests a Certificate of Appropriateness to paint a mural that is 12X8 in size.

Application Number: 2024-456

Address: 409 E Main

Rating: Low

Zoning: CBD, Central Business District

Owner: Lucky 13 Properties

Applicant: Ferris & Fletch Wine Co

3.2.6 - Exterior Walls

Murals may be approved on a case-by-case basis if painted on a previously painted surface (n) In this case, the property in question is a low-rated property with high visibility on E. Main Street, especially to cars traveling westbound. The wall is currently painted a solid beige color but the exterior wall to the east faces a significant historic property that is set back from East Main Street, whereas this buildings placement is on East Main Street.

The Historic Review Board had previously expressed concern with the impact murals have on neighboring historic properties. With this in mind, Staff recommends the mural be placed further south on the east wall so that it lines up with the front facade of the property to the east.

STAFF RECOMMENDATION:

Staff recommends approval conditioned upon the mural being moved further south so as not to compete with neighboring historic resources.

ATTACHMENTS:

1. 2024-456 Mural Option 1
2. 2024-456 Mural Option 2
3. Example of Mural Placement East

DIMENSIONS 12' x 8'



DIMENSIONS 12' x 8'



Benjamin Moore / Element Guard
Exterior Paint



1259



734



731

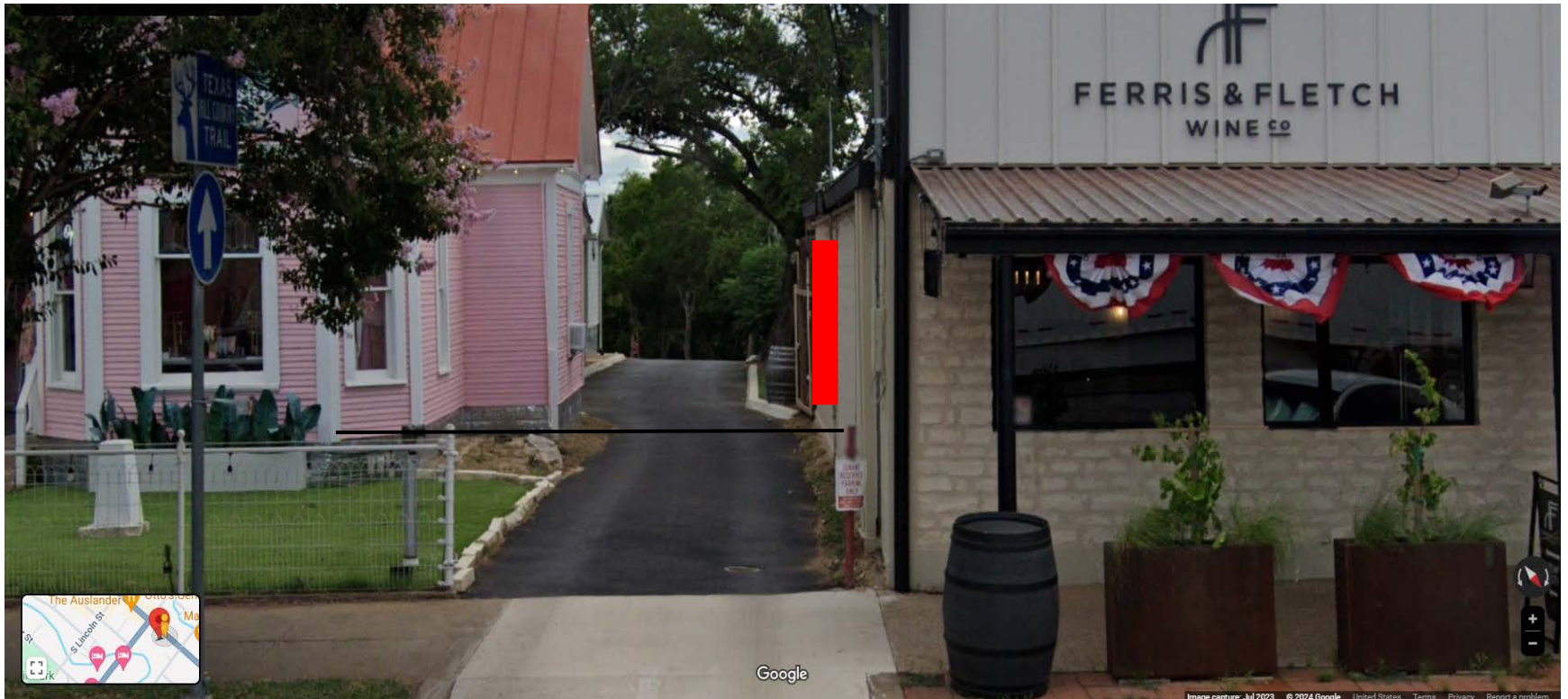


923



083





Preferred location of Mural



HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: CERTIFICATE OF
APPROPRIATENESS APPLICATIONS

CAPTION: 2024-253 - 522 W Main - Mural

SUMMARY:

A Certificate of Appropriateness application has been submitted requesting permission to paint a floral mural on the west side of the building that says "Fearfully and wonderfully made." The property is a low-rated property built in 1953 that is the current home of Braveheart Unique Resale Boutique. The work has already been completed.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

Proposal: Applicant requests permission to paint a floral mural on the west side of the building that says "Fearfully and wonderfully made".

Application Number: 2024-253

Address: 522 W Main

Rating: Low

Zoning: CBD, Central Business District

Owner: Pate Real Estate, LLC

Applicant: Sheri Danze

3.2.6 - Exterior Walls

Murals may be approved on a case-by-case basis if painted on a previously painted surface (n) In this case, the property in question is a low-rated property with little historical significance and the exterior wall is painted stucco. In addition, the wall in question faces a parking lot, not an adjacent historic building; therefore, the placement of the mural is appropriate as it is not competing with a neighboring historic resource.

STAFF RECOMMENDATION:

As the property is a low-rated property with a painted exterior and does not compete with a neighboring historic property, Staff recommends approval of the requested mural.

ATTACHMENTS:

1. 2024-253 Mural





HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: CERTIFICATE OF
APPROPRIATENESS APPLICATIONS

CAPTION: 2024-335 - 701 W Main - Re-rating to allow for Demolition of Outbuilding

SUMMARY:

The applicant requests a Certificate of Appropriateness application to demolish a 400 sq ft barn located at 701 W Main Street. The barn is located at the rear of the property and is not visible from the street.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

The property is a High rated property that consists of a resource built in 1847 in the vernacular style. The age and date of the existing barn is unknown but photos show the building to be overgrown and in serious disrepair.

Application Number: 2024-335

Address: 701 W Main

Rating: High

Zoning: C2, Commercial

Owner: Karen Haschke

Sec 23-63 - Historic Preservation Ordinance Specifically forbids the demolition of a High-rated structure (b)(1). The Ordinance does allow for the High-rated structure to be relocated on the property (c). If the building is found to be dangerous or hazardous it may be demolished or removed (d). (f) In the case of demolition the Board shall affirmatively find the following:

1. Reasonable measures could not be taken to adaptively reuse, rehabilitate, or restore the resource building or structure at its existing site;
2. Reasonable measures have been taken to relocate the resource to a new site first, within the same property, secondly, within the historic district (if applicable), or thirdly, to an area that will be

enhanced by the resource or where the goals of this article will be furthered and that the same cannot be reasonably done;

3. The condition of the resource building or structure is such that it has been so altered or deteriorated that it has lost its value for promoting the goals of this article, and is no longer significant, and in such event that the condition is not due to demolition by neglect or action of the owner or another related person or entity;

4. Plans for proposed new construction or other reuse of the property, and their effects on the historical, cultural, social or architectural identity of the surrounding area will be positive and promote the goals of this article.

Demolition of a historic resource should be avoided when possible however, there are limited circumstances where demolition may be appropriate (Historic Preservation Ordinance Appendix G) which include the demolition of a resource if the Board determines that it is a hazardous or dangerous building. With that said, this is a unique building that served as a barn and represents a significant loss of the agricultural history of the historic district.

If the Board finds the building is unsalvageable it should be re-rated to allow for demolition as demolition of a High rated property is strictly prohibited.

STAFF RECOMMENDATION:

Given the significant disrepair of the structure, Staff recommends approval of a re-rating of the building to low and approval of the demolition with the condition that the building be well documented with photographs for possible reconstruction in the future.

ATTACHMENTS:

1. 2024-335-cert of approp application
2. 2024-335-pictures



Certificate of Appropriateness Application

Required for all exterior modifications of properties in historic district or individual landmarks.

City of Fredericksburg

126 W Main St. FBG, TX 78264

e-mail completed applications with required supporting documentation to
ahudson@fbgtx.org

Subject Property Address Date Submitted
Owner name: Phone #
Owner Address:
Authorized Applicant: Phone #

Applicant certifies that he/she is the Owner or duly authorized agent for the owner of the property.

Applicant E-mail:

Desired Start Date:

Desired Completion Date:

Please describe the scope of work. Include: materials to be used, how the project will impact the historic structure, and cleaning methods. How will proposed work be in keeping with the character of the property? Are there circumstances or financial hardships which may affect compliance with the ordinance? Submit sufficient description and support documentation so that the project can be understood without talking to you. (attach another sheet if necessary)

removing old barn that is not maintained and is a safety hazard. Dirt floor, old rusted sheet metal roof and old rotten wood throughout the structure. Approximately, 400 sq feet. No other work is to be done on this project. (ie., no tree removal or other structures)

Attach supporting documentation in jpeg or pdf: ☐ paint color ☒ color photographs ☐ site plan
☒ elevations & floorplans ☐ material specifications. Applications are incomplete without sufficient documentation.

Staff to complete

Application #

Year Built:

Eligible for Administrative Approval ___Yes ___No

Zoning:

Historic Review Board Meeting Date

Application Fee \$10 COA#

Survey Rating:

HRB Fee \$40 paid

Staff Comments regarding Administrative Approval:

Historic Preservation Officer Signature _____

**Certificates of Appropriateness MUST BE DISPLAYED on site along with building permits
and do not take the place of building permits.**







HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: CERTIFICATE OF
APPROPRIATENESS APPLICATIONS

CAPTION: 2024 - 532 - 401 E College - Demolish outbuilding and Construct New Accessory Dwelling Unit.

SUMMARY:

The applicant requests permission to demolish an outbuilding and construct a new 385 sq ft accessory dwelling unit in its place.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

Application Number: 2024 - 532

Proposal: The applicant requests to demolish an outbuilding and construct a 385 sq ft accessory dwelling unit.

Address: 401 E College

Rating: Medium

Zoning: R1, Single Family Residential

Owner: D4 Fbg Holdings, LLC

Applicant: Krista Duderstadt

Sec 23-63 - Historic Preservation Ordinance Specifically forbids the demolition of a Medium-rated structure (b)(1). The Ordinance does allow for the Medium rated structure to be relocated on the property (c). If the building is found to be dangerous or hazardous it may be demolished or removed (d). (f) In the case of demolition the Board shall affirmatively find the following:

1. Reasonable measures could not be taken to adaptively reuse, rehabilitate, or restore the resource building or structure at its existing site;
2. Reasonable measures have been taken to relocate the resource to a new site first, within the

same property, secondly, within the historic district (if applicable), or thirdly, to an area that will be enhanced by the resource or where the goals of this article will be furthered and that the same cannot be reasonably done;

3. The condition of the resource building or structure is such that it has been so altered or deteriorated that it has lost its value for promoting the goals of this article, and is no longer significant, and in such event that the condition is not due to demolition by neglect or action of the owner or another related person or entity;

4. Plans for proposed new construction or other reuse of the property, and their effects on the historical, cultural, social or architectural identity of the surrounding area will be positive and promote the goals of this article.

3.4.1 Lot Coverage Historical resources should not be removed to construct a new accessory building (a). If it is the applicant's desire to build a new accessory unit, they are encouraged to construct elsewhere on the lot. With that said, the applicant should consider maintaining historic-site development patterns for the residence (c) and appropriate setbacks for the property lines must be consistent with the surrounding context (d). In addition, setbacks from the primary structure and accessory unit should be a minimum of 10 ft (e). An accessory building shall not exceed 800 sq ft or 50% of the primary building square footage, whichever is greater (h).

3.4.3 Accessory Buildings It is required that the new construction avoid impacting significant historic resources (a).

STAFF RECOMMENDATION:

It is Staff's opinion that the resource could be restored. The structure is in need of repairs and could use a true foundation as well as various repairs to the exterior walls, but steps should be taken to secure the structure rather than demolish it. Demolition of historic resources to construct new accessory buildings is not appropriate and Staff does not support the request. 3.4.1 (a)

If demolition were approved the building should be well documented for possible reconstruction in the future.

ATTACHMENTS:

1. 2024-532-401 e. college project



Certificate of Appropriateness Application

Required for all exterior modifications of properties in historic district or individual landmarks.

City of Fredericksburg

126 W Main St. FBG, TX 78264

e-mail completed applications with required supporting documentation to ahudson@fbgtx.org

Subject Property Address 401 E. College Street Date Submitted _____
Owner name: D4 Fbg Holdings, LLC Phone # 8308890507
Owner Address: 80 S. Buckhorn Trail, Fbg, Tx 78624
Authorized Applicant: Krista Duderstadt Phone # 8308890507

Applicant certifies that he/she is the Owner or duly authorized agent for the owner of the property.

Applicant E-mail: krista.duderstadt@gmail.com

Desired Start Date: August 19, 2024

Desired Completion Date: Nov 29, 2024

Please describe the scope of work. Include: materials to be used, how the project will impact the historic structure, and cleaning methods. How will proposed work be in keeping with the character of the property? Are there circumstances or financial hardships which may affect compliance with the ordinance? Submit sufficient description and support documentation so that the project can be understood without talking to you. (attach another sheet if necessary)

Proposed work restores and improves an existing accessory building. No change to building footprint or location. See attached for current structure photos and full description/renderings of proposed project.

Attach supporting documentation in jpeg or pdf: ☐ paint color ☒ color photographs ☐ site plan
☒ elevations & floorplans ☒ material specifications. Applications are incomplete without sufficient documentation.

Staff to complete

Application #

Year Built:

Eligible for Administrative Approval ☐ Yes ☐ No

Zoning:

Historic Review Board Meeting Date

Application Fee \$10 COA#

Survey Rating: Medium
Low

HRB Fee \$40 paid

Staff Comments regarding Administrative Approval:

Historic Preservation Officer Signature _____

Certificates of Appropriateness MUST BE DISPLAYED on site along with building permits and do not take the place of building permits.

Scope of Work

401 E. College Street

Restore accessory building (wood barn/shed) on southwest edge of property. Due to extreme deterioration, we will have to de-construct then re-construct the structure. We will maintain the current footprint, location, and appearance with the following improvements:

- new exterior materials will be consistent with existing materials - 12" cedar board & batten stained to same weathered appearance, corrugated metal roof, re-using the existing antique hinges on the (now faux) barn door facing Washington
- dirt floor replaced with concrete slab
- adding electrical and plumbing
- entire structure will be raised approximately 18" to allow appropriate interior ceiling heights
- structure entrance door will be located facing the main house backyard
- adding 4 total aluminum-clad wood windows on 3 sides of the building
- adding a 4x6 concrete porch with a shed-roof overhang at entrance door

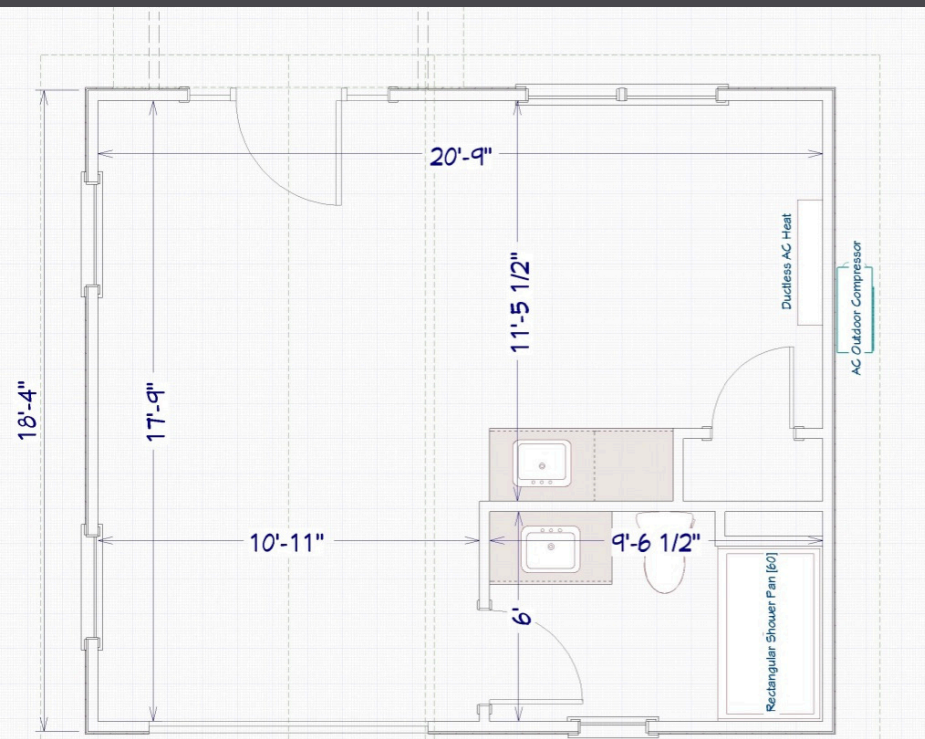
Interior will include open living space and a full bathroom.



Faces Washington Street



Faces Backyard













HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: *101 N Lincoln*

SUMMARY:

101 N. Lincoln is a High-rated property built in 1901 in a Victorian Italianate style with Craftsman influences. This property is an outstanding example of architecture with minor alterations with the decorative features contributing to the resource's significance.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS: The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect.

This property appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respect:

- Paint adhesive failure
- Wood decay
- General deterioration

Staff sent a letter to the property owner regarding the demolition by neglect on July 16, 2024 and the owner has until August 15, 2024 to correct the defects of the property OR to contact the Board to provide a plan for remediation if the defects cannot be remedied within 30 days. If the ownership fails to provide a plan or correct the defects within 30 days, the Board may require Staff to file a Subsequent Determination that may lead to a complaint filed against the ownership in municipal court. Additionally, the Board may require City Stabilization, which directs City Staff to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay and charge the expenses incurred in doing such work to the ownership in the form of a lien on the real estate.

STAFF RECOMMENDATION:

As of August 8, 2024 Staff has not heard from the ownership regarding 101 N. Lincoln and the properties state of demolition by neglect.

ATTACHMENTS:

1. HRB Letter of Neglect 101 N Lincoln
2. Demo By Neglect Photos 101 N Lincoln

July 16, 2024

Edward Stroehler
509 S Adams
Fredericksburg, Texas 78624

RE: Property located at 101 N Lincoln

Dear Mr. Stroehler,

The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect. A copy of that section of the preservation ordinance is attached to this letter.

Please be advised that the property located at the above address appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respects:

- Paint Adhesive Failure
- Wood Decay
- General Deterioration

Generally, stabilization of the property and the prevention of further deterioration is required to bring your property into compliance with the ordinance. As the trustee, you will have thirty (30) days from the date of this notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period. Please either remedy the property violation or contact Michael Erwin, the City's Building Official, at City Hall, 126 West Main Street, 997-7521 to discuss and propose a plan to bring the property into compliance.

The City is very fortunate to have a significant Historic District with so many valuable structures. It is also very important that the integrity of these structures be maintained. We would appreciate your prompt attention to this matter.

If you would be inclined, the Historic Review Board is available to meet with you to discuss the matter, or any solutions you may propose. We look forward to hearing from you, and we thank you in advance for your attention to this issue.

Sincerely,

Shelby
Collier

 Digitally signed by Shelby Collier
DN: cn=Shelby Collier, o=City of
Fredericksburg, ou,
email=shelbycollier@fbgts.org, c=US
Date: 2024.07.16 16:03:56 -05'00'

Shelby Collier,
Senior Planner

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

1. Deteriorated or inadequate foundations;
2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;
8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

B1. Determination of Neglect. If the Board upon recommendation or presentation by the Building Official of the City or its designee makes a determination that a resource is being demolished or deteriorated by neglect, it shall direct the City Building Official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of such notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period.

B2. Subsequent Determination If, within thirty (30) days after such initial determination, the Board shall again determine that the resource is being demolished or deteriorated by neglect, it may direct the City Building Official to file a complaint for a violation of a zoning ordinance of the City, against the owner or owners if the necessary repairs are not completed within ninety (90) days of the second determination by the Board that the subject building or structure is being demolished or deteriorated by neglect.

B3. City Stabilization Additionally, the Historic Review Board may direct the City Building Official to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay therefor, and charge the expenses incurred in doing such work or having such work done or improvements made to the record owner of such resource. If such work is done or improvements made at the expense of the City, then such expenses shall be assessed as a lien on the real

estate, lot or lots upon which such expense was incurred except as prohibited by law. The City, and the City's authorized assistants, employees, contracting agents, or other representatives, are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of completing repairs necessary for the stabilization and repair of a resource. Any court having jurisdiction over such cases including the Municipal Court of the City shall have authority to issue all orders necessary to enforce this article. Neither the City nor its employees, agents or contractors shall be answerable in damages or otherwise for damage to property due to the enforcement of this article.

B4. Lien Establishment. The City Manager or other person authorized to act on behalf of the City shall file a statement of such expenses incurred by filing the amount of such expenses, the date on which said work was done or improvements made, with the County Clerk of Gillespie County Texas. The City shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made. Said lien amount shall bear interest per annum from the date said statement was filed at the greater of the maximum rate published by the State Board of Control, or the rate of ten percent (10%). For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City. The statement of expenses so made, as aforesaid, shall be a prima facie proof of the amount expended for such work or improvements.







HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: *107 W San Antonio*

SUMMARY:

107 W San Antonio is a High-rated property built in 1905 in the Queen Anne style.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS: The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect.

This property appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respect:

- Paint adhesive failure
- Wood decay
- General deterioration

Staff sent a letter to the property owner regarding the demolition by neglect on January 22, 2024. Staff received no response from the property owner and sent a Subsequent Determination to the property owner on April 23, 2024. After a lack of response from the ownership, Staff visited the ownership at 113 W San Antonio in July 2024 and hand delivered a Historic Preservation Grant Application to the owner and informed him of the properties demolition by neglect status. The owner informed Staff he was "working on it" but Staff failed to find significant evidence of repairs to the property. Staff encouraged the owner to provide a plan to correct the defects.

The ownership has failed to remedy the issues with the property, to provide a plan of action or to submit a Historic Preservation Grant Application. If the Board is interested in pursuing the next steps the Board has the following options.

- Direct Staff to file a complaint against the ownership in municipal court for a code violation.

- Require Stabilization of the resource which directs City Staff to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay and charge the expenses incurred in doing such work to the ownership in the form of a lien on the real estate.

STAFF RECOMMENDATION:

As of August 8, 2024 the ownership has not contacted Staff nor responded to Staff's advice provided in person in July 2024.

ATTACHMENTS:

1. HRB Letter of Neglect 107 W. San Antonio
2. Demo By Neglect 90 Days_04_23_24
3. Demo by neglect photos

January 22, 2024

Don Nagel
113 W. San Antonio
Fredericksburg, Texas 78624

RE: Property located at 107. San Antonio

Dear Mr. Nagel,

The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect. A copy of that section of the preservation ordinance is attached to this letter.

Please be advised that the property located at the above address appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respects:

- Paint Adhesive Failure
- Wood Decay
- General Deterioration

Generally, stabilization of the property and the prevention of further deterioration is required to bring your property into compliance with the ordinance. As the trustee, you will have thirty (30) days from the date of this notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period. Please either remedy the property violation or contact Michael Erwin, the City's Building Official, at City Hall, 126 West Main Street, 997-7521 to discuss and propose a plan to bring the property into compliance.

The City is very fortunate to have a significant Historic District with so many valuable structures. It is also very important that the integrity of these structures be maintained. We would appreciate your prompt attention to this matter.

If you would be inclined, the Historic Review Board is available to meet with you to discuss the matter, or any solutions you may propose. We look forward to hearing from you, and we thank you in advance for your attention to this issue.

Sincerely,

Shelby
Collier

Digitally signed by Shelby Collier
DN: cn=Shelby Collier, o=City of
Fredericksburg, ou=
email=rcollier@rbgtx.org, c=US
Date: 2024.01.22 10:27:31 -0600

Shelby Collier,
Associate Planner

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

1. Deteriorated or inadequate foundations;
2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;
8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

B1. Determination of Neglect. If the Board upon recommendation or presentation by the Building Official of the City or its designee makes a determination that a resource is being demolished or deteriorated by neglect, it shall direct the City Building Official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of such notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period.

B2. Subsequent Determination If, within thirty (30) days after such initial determination, the Board shall again determine that the resource is being demolished or deteriorated by neglect, it may direct the City Building Official to file a complaint for a violation of a zoning ordinance of the City, against the owner or owners if the necessary repairs are not completed within ninety (90) days of the second determination by the Board that the subject building or structure is being demolished or deteriorated by neglect.

B3. City Stabilization Additionally, the Historic Review Board may direct the City Building Official to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay therefor, and charge the expenses incurred in doing such work or having such work done or improvements made to the record owner of such resource. If such work is done or improvements made at the expense of the City, then such expenses shall be assessed as a lien on the real

estate, lot or lots upon which such expense was incurred except as prohibited by law. The City, and the City's authorized assistants, employees, contracting agents, or other representatives, are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of completing repairs necessary for the stabilization and repair of a resource. Any court having jurisdiction over such cases including the Municipal Court of the City shall have authority to issue all orders necessary to enforce this article. Neither the City nor its employees, agents or contractors shall be answerable in damages or otherwise for damage to property due to the enforcement of this article.

B4. Lien Establishment. The City Manager or other person authorized to act on behalf of the City shall file a statement of such expenses incurred by filing the amount of such expenses, the date on which said work was done or improvements made, with the County Clerk of Gillespie County Texas. The City shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made. Said lien amount shall bear interest per annum from the date said statement was filed at the greater of the maximum rate published by the State Board of Control, or the rate of ten percent (10%). For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City. The statement of expenses so made, as aforesaid, shall be a prima facie proof of the amount expended for such work or improvements.

April 23, 2024

Don Nagel
113 W. San Antonio
Fredericksburg, Texas 78624

RE: Property located at 107. San Antonio

Dear Mr. Nagel,

The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect. A copy of that section of the preservation ordinance is attached to this letter. Additionally, this is the second attempt to contact you about the subject property. A letter was initially sent out on January 22, 2024 and no response was given within the allotted thirty (30) days.

Please be advised that the property located at the above address appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respects:

- Paint Adhesive Failure
- Wood Decay
- General Deterioration

Generally, stabilization of the property and the prevention of further deterioration is required to bring your property into compliance with the ordinance. As the trustee, you will have ninety (90) days from the date of this notice to correct the defects. Please remedy the property violation.

The City is very fortunate to have a significant Historic District with so many valuable structures. It is also very important that the integrity of these structures be maintained. We would appreciate your prompt attention to this matter.

If you would be inclined, the Historic Review Board is available to meet with you to discuss the matter, or any solutions you may propose. We look forward to hearing from you, and we thank you in advance for your attention to this issue.

Sincerely,

Shelby
Collier

 Digitally signed by Shelby Collier
DN: cn=Shelby Collier, o=City of
Fredericksburg, ou,
email=collier@fagtc.org, c=US
Date: 2024.04.23 10:17:15 -05'00'

Shelby Collier
Senior Planner
City of Fredericksburg

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

1. Deteriorated or inadequate foundations;
2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;
8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

B1. Determination of Neglect. If the Board upon recommendation or presentation by the Building Official of the City or its designee makes a determination that a resource is being demolished or deteriorated by neglect, it shall direct the City Building Official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of such notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period.

B2. Subsequent Determination If, within thirty (30) days after such initial determination, the Board shall again determine that the resource is being demolished or deteriorated by neglect, it may direct the City Building Official to file a complaint for a violation of a zoning ordinance of the City, against the owner or owners if the necessary repairs are not completed within ninety (90) days of the second determination by the Board that the subject building or structure is being demolished or deteriorated by neglect.

B3. City Stabilization Additionally, the Historic Review Board may direct the City Building Official to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay therefor, and charge the expenses incurred in doing such work or having such work done or

improvements made to the record owner of such resource. If such work is done or improvements made at the expense of the City, then such expenses shall be assessed as a lien on the real estate, lot or lots upon which such expense was incurred except as prohibited by law. The City, and the City's authorized assistants, employees, contracting agents, or other representatives, are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of completing repairs necessary for the stabilization and repair of a resource. Any court having jurisdiction over such cases including the Municipal Court of the City shall have authority to issue all orders necessary to enforce this article. Neither the City nor its employees, agents or contractors shall be answerable in damages or otherwise for damage to property due to the enforcement of this article.

B4. Lien Establishment. The City Manager or other person authorized to act on behalf of the City shall file a statement of such expenses incurred by filing the amount of such expenses, the date on which said work was done or improvements made, with the County Clerk of Gillespie County Texas. The City shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made. Said lien amount shall bear interest per annum from the date said statement was filed at the greater of the maximum rate published by the State Board of Control, or the rate of ten percent (10%). For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City. The statement of expenses so made, as aforesaid, shall be a prima facie proof of the amount expended for such work or improvements.









HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: *113 W San Antonio*

SUMMARY:

113 W San Antonio is a Low-rated property built in 1940.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS: The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect.

This property appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respect:

- Paint adhesive failure
- Wood decay
- General deterioration

Staff sent a letter to the property owner regarding the demolition by neglect on July 17, 2024 and the owner has until August 16, 2024 to correct the defects of the property OR to contact the Board to provide a plan for remediation if the defects cannot be remedied within 30 days. If the ownership fails to provide a plan or correct the defects within 30 days, the Board may require Staff to file a Subsequent Determination that may lead to a complaint filed against the ownership in municipal court. Additionally, the Board may require City Stabilization, which directs City Staff to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay and charge the expenses incurred in doing such work to the ownership in the form of a lien on the real estate.

STAFF RECOMMENDATION:

As of August 8, 2024 the owner has not contact City Staff or provided a plan for remediation.

ATTACHMENTS:

1. HRB Letter of Neglect 113 W. San Antonio
2. Demo By Neglect Photos 113 W San Antonio

July 17, 2024

Don Nagel
113 W. San Antonio
Fredericksburg, Texas 78624

RE: Property located at 113 W San Antonio

Dear Mr. Nagel,

The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect. A copy of that section of the preservation ordinance is attached to this letter.

Please be advised that the property located at the above address appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respects:

- Paint Adhesive Failure
- Wood Decay
- General Deterioration

Generally, stabilization of the property and the prevention of further deterioration is required to bring your property into compliance with the ordinance. As the trustee, you will have thirty (30) days from the date of this notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period. Please either remedy the property violation or contact Michael Erwin, the City's Building Official, at City Hall, 126 West Main Street, 997-7521 to discuss and propose a plan to bring the property into compliance.

The City is very fortunate to have a significant Historic District with so many valuable structures. It is also very important that the integrity of these structures be maintained. We would appreciate your prompt attention to this matter.

If you would be inclined, the Historic Review Board is available to meet with you to discuss the matter, or any solutions you may propose. We look forward to hearing from you, and we thank you in advance for your attention to this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelby". The signature is fluid and cursive, with a large initial "S" and a trailing flourish.

Shelby Collier,
Senior Planner

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

1. Deteriorated or inadequate foundations;
2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;
8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

B1. Determination of Neglect. If the Board upon recommendation or presentation by the Building Official of the City or its designee makes a determination that a resource is being demolished or deteriorated by neglect, it shall direct the City Building Official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of such notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period.

B2. Subsequent Determination If, within thirty (30) days after such initial determination, the Board shall again determine that the resource is being demolished or deteriorated by neglect, it may direct the City Building Official to file a complaint for a violation of a zoning ordinance of the City, against the owner or owners if the necessary repairs are not completed within ninety (90) days of the second determination by the Board that the subject building or structure is being demolished or deteriorated by neglect.

B3. City Stabilization Additionally, the Historic Review Board may direct the City Building Official to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay therefor, and charge the expenses incurred in doing such work or having such work done or improvements made to the record owner of such resource. If such work is done or improvements made at the expense of the City, then such expenses shall be assessed as a lien on the real estate, lot or lots upon which such expense was incurred except as prohibited by law. The City, and the City's authorized assistants, employees, contracting agents, or other representatives, are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of completing repairs necessary for the stabilization and repair of a resource. Any court having jurisdiction over such cases including the Municipal Court of the City shall have authority to issue all orders necessary to enforce this article. Neither the City nor its employees, agents or contractors shall be answerable in damages or otherwise for damage to property due to the enforcement of this article.

B4. Lien Establishment. The City Manager or other person authorized to act on behalf of the City shall file a statement of such expenses incurred by filing the amount of such expenses, the date on which said work was done or improvements made, with the County Clerk of Gillespie County Texas. The City shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made. Said lien amount shall bear interest per annum from the date said statement was filed at the greater of the maximum rate published by the State Board of Control, or the rate of ten percent (10%). For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City. The statement of expenses so made, as aforesaid, shall be a prima facie proof of the amount expended for such work or improvements.







HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: 204 S Crockett

SUMMARY:

204 S Crockett is a High-rated property built in 1898 in the Vernacular style and displays distinctive stylistic elements.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

Staff performed a site visit on July 17, 2024 and was unable to find failures with paint adhesion, wood deterioration or other forms of decay or deterioration present on the High-rated resource, therefore, a demolition by neglect letter has not been sent to the ownership. If the Board wishes to proceed with a demolition by neglect, Staff asks for direction per Sec. 12.211 of the Historic Preservation Ordinance.

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

1. Deteriorated or inadequate foundations;
2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;

8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

STAFF RECOMMENDATION:

ATTACHMENTS:

1. 204 S Crockett Photos







HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: 206 S Crockett

SUMMARY:

206 S Crockett is a Low-rated resource built in 1935 with no particular style or influence.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS: The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect.

Staff performed a site visit on July 15, 2024 and found that the main building is in good shape, however, the garage building to the back is in disrepair and appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respect:

- Paint adhesive failure
- Wood decay
- General deterioration

Staff sent a letter to the property owner regarding the demolition by neglect on July 17, 2024 and the owner has until August 16, 2024 to correct the defects of the property OR to contact the Board to provide a plan for remediation if the defects cannot be remedied within 30 days. If the ownership fails to provide a plan or correct the defects within 30 days, the Board may require Staff to file a Subsequent Determination that may lead to a complaint filed against the ownership in municipal court. Additionally, the Board may require City Stabilization, which directs City Staff to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay and charge the expenses incurred in doing such work to the ownership in the form of a lien on the real estate.

STAFF RECOMMENDATION:

As of August 8, 2024 Staff has not been contacted by the ownership.

ATTACHMENTS:

1. HRB Letter of Neglect 206 S Crockett
2. Demo By Neglect Photos 206 S Crockett

July 17, 2024

Kenneth & Leah Clodfelter
709 N Elk
Fredericksburg, TX 78624

RE: Property located at 206 S Crockett

Dear Mr. & Mrs. Clodfelter,

The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect. A copy of that section of the preservation ordinance is attached to this letter.

Please be advised that the property located at the above address appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respects:

- Paint Adhesive Failure
- Wood Decay
- General Deterioration

Generally, stabilization of the property and the prevention of further deterioration is required to bring your property into compliance with the ordinance. As the trustee, you will have thirty (30) days from the date of this notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period. Please either remedy the property violation or contact Michael Erwin, the City's Building Official, at City Hall, 126 West Main Street, 997-7521 to discuss and propose a plan to bring the property into compliance.

The City is very fortunate to have a significant Historic District with so many valuable structures. It is also very important that the integrity of these structures be maintained. We would appreciate your prompt attention to this matter.

If you would be inclined, the Historic Review Board is available to meet with you to discuss the matter, or any solutions you may propose. We look forward to hearing from you, and we thank you in advance for your attention to this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelby". The signature is fluid and cursive, with a large initial "S" and a trailing flourish.

Shelby Collier,
Senior Planner

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

1. Deteriorated or inadequate foundations;
2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;
8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

B1. Determination of Neglect. If the Board upon recommendation or presentation by the Building Official of the City or its designee makes a determination that a resource is being demolished or deteriorated by neglect, it shall direct the City Building Official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of such notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period.

B2. Subsequent Determination If, within thirty (30) days after such initial determination, the Board shall again determine that the resource is being demolished or deteriorated by neglect, it may direct the City Building Official to file a complaint for a violation of a zoning ordinance of the City, against the owner or owners if the necessary repairs are not completed within ninety (90) days of the second determination by the Board that the subject building or structure is being demolished or deteriorated by neglect.

B3. City Stabilization Additionally, the Historic Review Board may direct the City Building Official to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay therefor, and charge the expenses incurred in doing such work or having such work done or improvements made to the record owner of such resource. If such work is done or improvements made at the expense of the City, then such expenses shall be assessed as a lien on the real estate, lot or lots upon which such expense was incurred except as prohibited by law. The City, and the City's authorized assistants, employees, contracting agents, or other representatives, are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of completing repairs necessary for the stabilization and repair of a resource. Any court having jurisdiction over such cases including the Municipal Court of the City shall have authority to issue all orders necessary to enforce this article. Neither the City nor its employees, agents or contractors shall be answerable in damages or otherwise for damage to property due to the enforcement of this article.

B4. Lien Establishment. The City Manager or other person authorized to act on behalf of the City shall file a statement of such expenses incurred by filing the amount of such expenses, the date on which said work was done or improvements made, with the County Clerk of Gillespie County Texas. The City shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made. Said lien amount shall bear interest per annum from the date said statement was filed at the greater of the maximum rate published by the State Board of Control, or the rate of ten percent (10%). For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City. The statement of expenses so made, as aforesaid, shall be a prima facie proof of the amount expended for such work or improvements.





HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: *216 W Schubert*

SUMMARY:

216 W Schubert is a Medium-rated resource built in 1920 in the Craftsman style.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS: The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect.

This property appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respect:

- Paint adhesive failure
- Wood decay
- General deterioration

Staff sent a letter to the property owner regarding the demolition by neglect on July 17, 2024 and the owner has until August 16, 2024 to correct the defects of the property OR to contact the Board to provide a plan for remediation if the defects cannot be remedied within 30 days. If the ownership fails to provide a plan or correct the defects within 30 days, the Board may require Staff to file a Subsequent Determination that may lead to a complaint filed against the ownership in municipal court. Additionally, the Board may require City Stabilization, which directs City Staff to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay and charge the expenses incurred in doing such work to the ownership in the form of a lien on the real estate.

STAFF RECOMMENDATION:

As of August 8, 2024 Staff has not received a response from the ownership.

ATTACHMENTS:

1. HRB Letter of Neglect 216 W Schubert
2. 216 W Schubert Demo By Neglect Photos

July 17, 2024

Aggie Consturction Services LLC
C/O Robert Canales
1834 Junction Hwy
Kerrville, TX 78028

RE: Property located at 216 W Schubert

Dear Mr. Canales,

The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect. A copy of that section of the preservation ordinance is attached to this letter.

Please be advised that the property located at the above address appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respects:

- Paint Adhesive Failure
- Wood Decay
- General Deterioration

Generally, stabilization of the property and the prevention of further deterioration is required to bring your property into compliance with the ordinance. As the trustee, you will have thirty (30) days from the date of this notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period. Please either remedy the property violation or contact Michael Erwin, the City's Building Official, at City Hall, 126 West Main Street, 997-7521 to discuss and propose a plan to bring the property into compliance.

The City is very fortunate to have a significant Historic District with so many valuable structures. It is also very important that the integrity of these structures be maintained. We would appreciate your prompt attention to this matter.

If you would be inclined, the Historic Review Board is available to meet with you to discuss the matter, or any solutions you may propose. We look forward to hearing from you, and we thank you in advance for your attention to this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelby". The signature is fluid and cursive, with a large initial "S" and a trailing flourish.

Shelby Collier,
Senior Planner

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

1. Deteriorated or inadequate foundations;
2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;
8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

B1. Determination of Neglect. If the Board upon recommendation or presentation by the Building Official of the City or its designee makes a determination that a resource is being demolished or deteriorated by neglect, it shall direct the City Building Official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of such notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period.

B2. Subsequent Determination If, within thirty (30) days after such initial determination, the Board shall again determine that the resource is being demolished or deteriorated by neglect, it may direct the City Building Official to file a complaint for a violation of a zoning ordinance of the City, against the owner or owners if the necessary repairs are not completed within ninety (90) days of the second determination by the Board that the subject building or structure is being demolished or deteriorated by neglect.

B3. City Stabilization Additionally, the Historic Review Board may direct the City Building Official to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay therefor, and charge the expenses incurred in doing such work or having such work done or improvements made to the record owner of such resource. If such work is done or improvements made at the expense of the City, then such expenses shall be assessed as a lien on the real estate, lot or lots upon which such expense was incurred except as prohibited by law. The City, and the City's authorized assistants, employees, contracting agents, or other representatives, are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of completing repairs necessary for the stabilization and repair of a resource. Any court having jurisdiction over such cases including the Municipal Court of the City shall have authority to issue all orders necessary to enforce this article. Neither the City nor its employees, agents or contractors shall be answerable in damages or otherwise for damage to property due to the enforcement of this article.

B4. Lien Establishment. The City Manager or other person authorized to act on behalf of the City shall file a statement of such expenses incurred by filing the amount of such expenses, the date on which said work was done or improvements made, with the County Clerk of Gillespie County Texas. The City shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made. Said lien amount shall bear interest per annum from the date said statement was filed at the greater of the maximum rate published by the State Board of Control, or the rate of ten percent (10%). For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City. The statement of expenses so made, as aforesaid, shall be a prima facie proof of the amount expended for such work or improvements.









HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: 258 E Main

SUMMARY:

258 E Main is a High-rated resource with multiple structures, including a two-story structure located at the rear of the property.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS: The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect.

This property appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respect:

- Paint adhesive failure
- Wood decay
- General deterioration

Staff sent a letter to the property owner regarding the demolition by neglect on July 17, 2024 and the owner has until August 16, 2024 to correct the defects of the property OR to contact the Board to provide a plan for remediation if the defects cannot be remedied within 30 days. If the ownership fails to provide a plan or correct the defects within 30 days, the Board may require Staff to file a Subsequent Determination that may lead to a complaint filed against the ownership in municipal court. Additionally, the Board may require City Stabilization, which directs City Staff to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay and charge the expenses incurred in doing such work to the ownership in the form of a lien on the real estate.

STAFF RECOMMENDATION:

As of August 8, 2024 Staff has not been contacted by the ownership.

ATTACHMENTS:

1. HRB Letter of Neglect 258 E Main
2. Demo By Neglect Photos 258 E Main

July 17, 2024

Perihuez Investments
P.O. Box 669
Fredericksburg, TX 78624

RE: Property located at 258 E Main St

Dear Perihuez Investments,

The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect. A copy of that section of the preservation ordinance is attached to this letter.

Please be advised that the property located at the above address appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respects:

- Paint Adhesive Failure
- Wood Decay
- General Deterioration

Generally, stabilization of the property and the prevention of further deterioration is required to bring your property into compliance with the ordinance. As the trustee, you will have thirty (30) days from the date of this notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period. Please either remedy the property violation or contact Michael Erwin, the City's Building Official, at City Hall, 126 West Main Street, 997-7521 to discuss and propose a plan to bring the property into compliance.

The City is very fortunate to have a significant Historic District with so many valuable structures. It is also very important that the integrity of these structures be maintained. We would appreciate your prompt attention to this matter.

If you would be inclined, the Historic Review Board is available to meet with you to discuss the matter, or any solutions you may propose. We look forward to hearing from you, and we thank you in advance for your attention to this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelby". The signature is fluid and cursive, with a large initial "S" and a trailing flourish.

Shelby Collier,
Senior Planner

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

1. Deteriorated or inadequate foundations;
2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;
8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

B1. Determination of Neglect. If the Board upon recommendation or presentation by the Building Official of the City or its designee makes a determination that a resource is being demolished or deteriorated by neglect, it shall direct the City Building Official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of such notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period.

B2. Subsequent Determination If, within thirty (30) days after such initial determination, the Board shall again determine that the resource is being demolished or deteriorated by neglect, it may direct the City Building Official to file a complaint for a violation of a zoning ordinance of the City, against the owner or owners if the necessary repairs are not completed within ninety (90) days of the second determination by the Board that the subject building or structure is being demolished or deteriorated by neglect.

B3. City Stabilization Additionally, the Historic Review Board may direct the City Building Official to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay therefor, and charge the expenses incurred in doing such work or having such work done or improvements made to the record owner of such resource. If such work is done or improvements made at the expense of the City, then such expenses shall be assessed as a lien on the real estate, lot or lots upon which such expense was incurred except as prohibited by law. The City, and the City's authorized assistants, employees, contracting agents, or other representatives, are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of completing repairs necessary for the stabilization and repair of a resource. Any court having jurisdiction over such cases including the Municipal Court of the City shall have authority to issue all orders necessary to enforce this article. Neither the City nor its employees, agents or contractors shall be answerable in damages or otherwise for damage to property due to the enforcement of this article.

B4. Lien Establishment. The City Manager or other person authorized to act on behalf of the City shall file a statement of such expenses incurred by filing the amount of such expenses, the date on which said work was done or improvements made, with the County Clerk of Gillespie County Texas. The City shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made. Said lien amount shall bear interest per annum from the date said statement was filed at the greater of the maximum rate published by the State Board of Control, or the rate of ten percent (10%). For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City. The statement of expenses so made, as aforesaid, shall be a prima facie proof of the amount expended for such work or improvements.







HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: *311 E Travis*

SUMMARY:

311 E Travis is a High rated property that was built in 1900 in the Vernacular style.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

Staff sent a letter to the property owner regarding the demolition by neglect multiple times, but most recently in March of 2023. The property was then sold to the new owners and a Certificate of Appropriateness was approved to relocate the resource to the front of the property and allow for construction of a 6,000 sq ft residence towards the rear of the lot. Staff provided an update regarding the restoration of the resource in April 2024 and thought it best to follow up with a secondary update given the progress of the project.

The house has been relocated and elevated on a new foundation that has limestone skirting. The pressed metal on the front (north) facade was maintained and has been cleaned up nicely.

STAFF RECOMMENDATION:

ATTACHMENTS:

1. 311 E Travis Demo By Neglect Update
2. 311 E Travis August Construction Photos

311 E Travis Demo By Neglect Update



















HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: 312 W Main

SUMMARY:

312 W Main has several structures on the property, including a 2-story building located behind Hondos.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect.

Staff performed a site visit and discovered that the resource appeared to be in good overall condition with the property secured and windows and doors intact but does appear to show cracking in the stucco. If the Board wishes to proceed with a demolition by neglect, Staff asks for direction per Sec. 12.211 of the Historic Preservation Ordinance.

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

1. Deteriorated or inadequate foundations;
2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;

6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;
8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

STAFF RECOMMENDATION:

ATTACHMENTS:

1. 312 W Main 2 story building photos







HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: 413 W Creek

SUMMARY:

413 W Creek is a High-rated property built in 1849 in the Vernacular style and is locally referred to as the Kuenemann House.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

Staff sent a letter to the property owner regarding the demolition by neglect multiple times, but most recently in January 2024. The property has undergone a substantial remodel that resulted in the removal of the porches and posts, exterior facade on the first floor and multiple doors and windows. The property was not kept clean and free of debris and construction materials so Code Enforcement was forced to issue a Notice of Violation. The property has since come into compliance and continued with the project, although it appears that several openings remain accessible and need to be secured.

STAFF RECOMMENDATION:

ATTACHMENTS:

1. 413 W creek August Construction Photos









HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

APPLICATION:

MEETING DATE: August 13, 2024

CATEGORY: DISCUSSION ITEMS

CAPTION: 413 E Main

SUMMARY:

413 W Main is a Medium-rated property built in 1895 in the Queen Anne Style.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS: The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect.

This property appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respect:

- Paint adhesive failure
- Wood decay
- General deterioration

Staff sent a letter to the property owner regarding the demolition by neglect on April 23, 2024. Staff received no response from the property owner. The ownership has failed to remedy the issues with the property, to provide a plan of action or to submit a Historic Preservation Grant Application. If the Board is interested in pursuing the next steps the Board has the following options.

- File a Subsequent Determination that would provide the owner 90 days to remedy the issues.
- Direct Staff to file a complaint against the ownership in municipal court for a code violation.
- Require Stabilization of the resource which directs City Staff to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay and charge the expenses incurred in doing such work to the ownership in the form of a lien on the real estate.

STAFF RECOMMENDATION:

ATTACHMENTS:

1. 413 E Main_Demo_by_Neglect_30_Days
2. 413 E Main Demolition by Neglect

April 23, 2024

Sticks & Stones FBG LLC
C/O Patrick O'Connor & Associates
1089 Mountain Laurel Dr
New Braunfels, TX 78132

RE: Property located at 413 East Main

To whom it may concern,

The City of Fredericksburg's Historic Preservation Ordinance requires that properties located in the City's Historic District or which are designated as Historic Landmarks be preserved and not be allowed to be demolished, even when the demolition occurs because of the neglect by the owner to maintain or repair the property. This is referred to in the ordinance as demolition by neglect. A copy of that section of the preservation ordinance is attached to this letter.

Please be advised that the property located at the above address appears to be in violation of the demolition by neglect provisions of the preservation ordinance in the following respects:

- Paint Adhesive Failure
- Wood Decay
- General Deterioration

Generally, stabilization of the property and the prevention of further deterioration is required to bring your property into compliance with the ordinance. As the trustee, you will have thirty (30) days from the date of this notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period. Please either remedy the property violation or contact Shelby Collier, the Senior Planner, at City Hall, 126 West Main Street, 997-7521 to discuss and propose a plan to bring the property into compliance.

The City is very fortunate to have a significant Historic District with so many valuable structures. It is also very important that the integrity of these structures be maintained. We would appreciate your prompt attention to this matter.

If you would be inclined, the Historic Review Board is available to meet with you to discuss the matter, or any solutions you may propose. We look forward to hearing from you, and we thank you in advance for your attention to this issue.

Sincerely,

Shelby
Collier

Digitally signed by Shelby Collier
DN: cn=Shelby Collier, o=City of
Fredericksburg, ou,
email=scollier@fbgtx.org, c=US
Date: 2024.04.23 11:04:53 -05'00'

Shelby Collier,
Senior Planner
City of Fredericksburg

12.211 Prevention of Demolition by Neglect

A. Duty to Maintain. All Historic Landmarks and all significant buildings, objects, sites, and structures located in the Historic District, shall be preserved against decay, deterioration, and kept free from certain structural defects by the owner thereof or such person, persons, or entities who may have custody or control thereof. Such owners, or other persons shall repair such building, object, site, or structure if it has any of the following defects:

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2. Defective or deteriorated flooring or floor supports of insufficient size to carry imposed loads with safety;
3. Members of walls or other vertical supports that split lean, list, or buckle due to defective material, workmanship, or deterioration;
4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
5. Members of ceilings, roofs, and their support system, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration;
6. Members of ceiling and roof supports or other horizontal members that are insufficient to carry imposed loads with safety;
7. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration;
8. Deterioration or defects in paints, coating systems, or flashing resulting in destructive moisture penetration or rot;
9. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

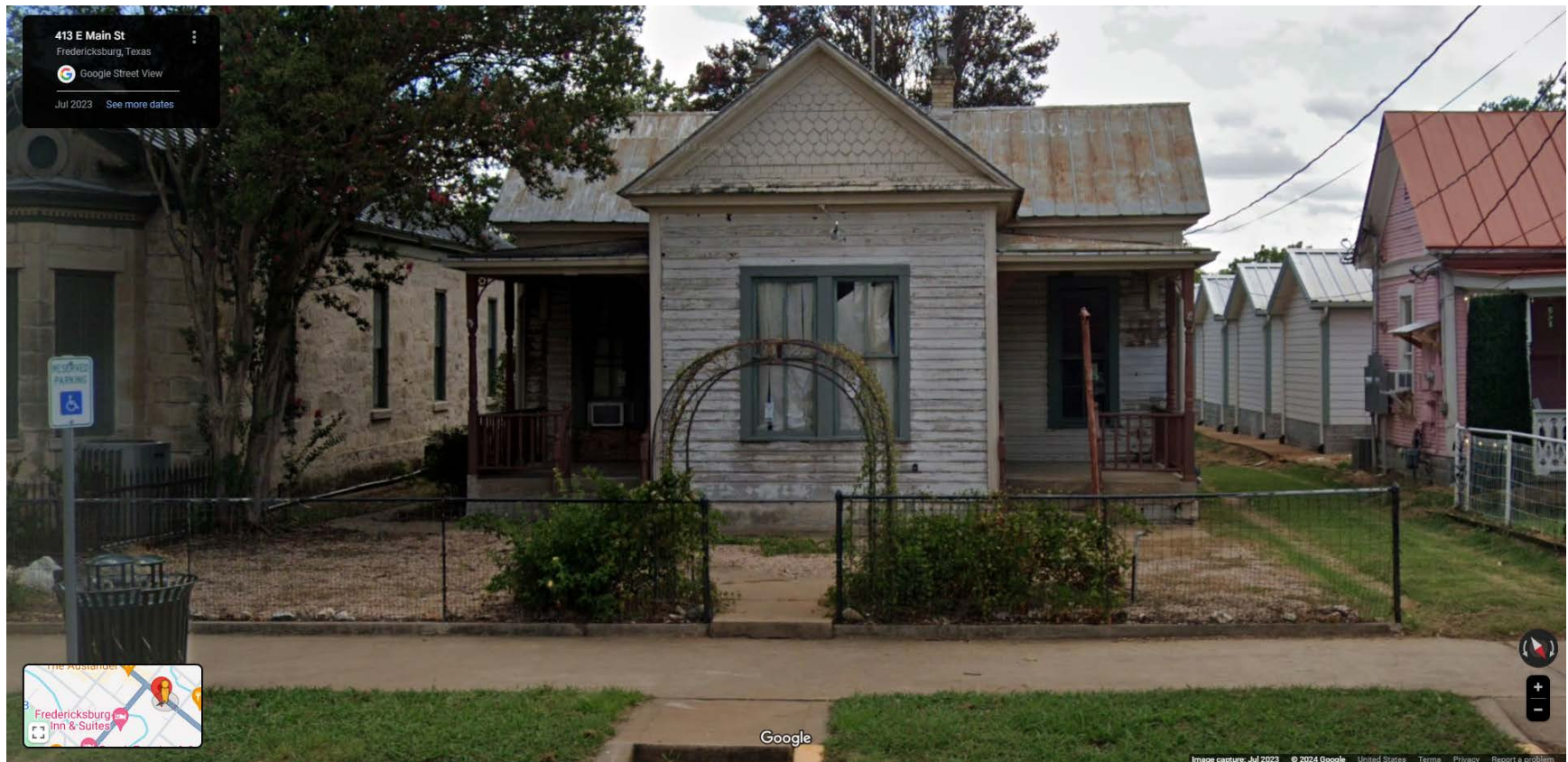
B1. Determination of Neglect. If the Board upon recommendation or presentation by the Building Official of the City or its designee makes a determination that a resource is being demolished or deteriorated by neglect, it shall direct the City Building Official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of such notice to correct the defects or present to the Board a plan for remediation if the defect cannot be remedied within such thirty (30) day period.

B2. Subsequent Determination If, within thirty (30) days after such initial determination, the Board shall again determine that the resource is being demolished or deteriorated by neglect, it may direct the City Building Official to file a complaint for a violation of a zoning ordinance of the City, against the owner or owners if the necessary repairs are not completed within ninety (90) days of the second determination by the Board that the subject building or structure is being demolished or deteriorated by neglect.

B3. City Stabilization Additionally, the Historic Review Board may direct the City Building Official to accomplish the repairs necessary to stabilize and protect the resource. The City shall then pay therefor, and charge the expenses incurred in doing such work or having such work done or

improvements made to the record owner of such resource. If such work is done or improvements made at the expense of the City, then such expenses shall be assessed as a lien on the real estate, lot or lots upon which such expense was incurred except as prohibited by law. The City, and the City's authorized assistants, employees, contracting agents, or other representatives, are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of completing repairs necessary for the stabilization and repair of a resource. Any court having jurisdiction over such cases including the Municipal Court of the City shall have authority to issue all orders necessary to enforce this article. Neither the City nor its employees, agents or contractors shall be answerable in damages or otherwise for damage to property due to the enforcement of this article.

B4. Lien Establishment. The City Manager or other person authorized to act on behalf of the City shall file a statement of such expenses incurred by filing the amount of such expenses, the date on which said work was done or improvements made, with the County Clerk of Gillespie County Texas. The City shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made. Said lien amount shall bear interest per annum from the date said statement was filed at the greater of the maximum rate published by the State Board of Control, or the rate of ten percent (10%). For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City. The statement of expenses so made, as aforesaid, shall be a prima facie proof of the amount expended for such work or improvements.



413 E Main Demolition by Neglect