



City of Fredericksburg

Zoning Board of Adjustment Meeting Agenda
Wednesday, November 20, 2024 ~ 5:30 PM
New City Hall East Campus
2818 E US Hwy 290
Fredericksburg, Texas 78624

Clay Sears, Member
Taylor Williams, Member
Adam Luton, Member
Mike Mahoney, Member

Jennifer Eggleston, Member
Jim McAfee, Member
Eric Hammersen, Member

The City of Fredericksburg Zoning Board of Adjustment will meet in a regular session on November 20, 2024, at 5:30pm. Link to [City of Fredericksburg](https://www.cityoffredericksburgtx.gov/).

Written Comments: to be submitted remotely:

1. Must be received by 2 p.m. on November 20, 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 5:00 p.m. and 5:30 p.m. at the New City Hall East Campus 2818 E US Hwy 290, in order to comment. You will be limited to 3 minutes to speak.

1. ROLL CALL

2. CALL TO ORDER

3. ACTION ITEMS

- A. Election of Chairperson and Vice-Chairperson

4. APPROVAL OF MINUTES

- A. September 18, 2024, Regular Meeting Minutes

5. PUBLIC HEARING

- A. Request #ZBA2024-09: By Kenneth and Leah Clodfelter to Consider a Request to the Zoning Board of Adjustment for a Special Exception Per Sec. 5.500 - Board of Adjustment Subsection A2 to Allow for an Increase in Occupancy for a Permitted STR for Property Located at 206 South Crockett. The Current Occupancy is 5 and the Applicant is Requesting an Occupancy of 6.
 - i. Presentation by the Applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing
 - iv. Take Action on Special Exception Request

6. DISCUSSION ITEMS

- A. Director's Report

7. ADJOURN

CERTIFICATION

This is to certify that I, Jan Musgrove, posted this Agenda before 4:30pm on November 15, 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
September 18, 2024
CITY OF FREDERICKSBURG

ZONING BOARD OF ADJUSTMENT

5:00 P.M.

On the 18th day of September 2024, the Zoning Board of Adjustment convened in regular session at the regular meeting place thereof with the following members present to constitute a quorum.

PRESENT: JIM MCAFEE
MIKE MAHONEY
TAYLOR WILLIAMS
ERIC HAMMERSEN
ADAM LUTON

ABSENT: JENNIFER EGGLESTON
CLAY SEARS

ALSO PRESENT: ANNA HUDSON, Director of Development Services
SHELBY COLLIER – Senior Planner
JAN MUSGROVE – Planner 1
RACHEL RAGGIO– City Attorney – Virtual
MICK MCKAMIE – Legal Council
SEAN DOERRE – Public Information Officer
CLINTON BAILEY – City Manager
GARRET BONN – Assistant City Manager
LETTY VACEK – City Secretary

The meeting was called to order at 5:39 P.M. by Mike Mahoney after the Executive session which began at 5:00pm concluded.

Letty Vacek, City Secretary swore in new board member Adam Luton.

MINUTES

Taylor Williams made a motion to approve the July 2024 Regular Meeting Minutes as presented. Seconded by Adam Luton. All voted in favor and the motion was carried.

Caption: ZBA2024-08: By Braveheart Unique Boutique to Consider an Appeal of the Historic Review Board's Determination per Sec. 23-66 of the Fredericksburg Municipal Code. The Applicant is Requesting Permission to have a Mural Painted on the West Wall for Property Located at 522 West Main Street.

Presentation: Anna Hudson, Director of Development Services

Mrs. Hudson explained the guidelines and the process for approving murals to the audience, emphasizing that the HRB's decision was based on the mural not meeting the cultural significance criteria. She covered what was included in meeting packet.

Applicant: Sheri Danze

Sheri Danze argued that the mural, which says "Fearfully and Wonderfully Made," has cultural and historical significance and should not be painted over.

Staff Report: Shelby Collier

Staff Recommendation: none was rendered

Public Comments: Mike Mahoney opened the public hearing, all speakers were sworn in at 5:41PM.

Several community members, including the artist Liza Proch, and supporters of the boutique/mural, spoke in favor of keeping the mural, citing its positive impact on the community and mental health. Highlights from the public comments are listed below.

Liza Proch- Artist

Liza clarified that she was under the impression that all necessary permits were obtained before she started painting the mural. She emphasized that there was no intention to defy city regulations. She expressed her gratitude for the opportunity to create art in Fredericksburg and her desire to make the town more beautiful.

Nicole Davis -Director at Heart of the Hills Mom Center

Nicole explained that the thrift store was established to employ and empower local women by teaching them job skills. She shared stories of how the mural positively impacted the community, including an autistic child and a woman who was struggling with depression and suicidal thoughts. The mural provided hope and encouragement to these individuals.

Lindsey Closson – local resident

Lindsey highlighted the strong community support for the mural, mentioning that over 2,300 people signed an online petition to keep it. She argued that the mural is culturally significant and should not be destroyed, emphasizing its role as a piece of public art that celebrates local culture.

Janet Proch – local resident

Mrs. Proch expressed concerns about the HRB meeting, suggesting that some members seemed intent on making an example of the Mom Center. She argued that the mural is culturally appropriate, citing the local wildflowers and the positive impact on the community.

“Miss Liberty” – local resident

She emphasized that the mural represents the community’s values and should be preserved. She urged the board to use their judgment and decision-making skills to support the community’s wishes.

“Don” – local resident

Presented the Board with a pocket-sized copy of the Constitution of the United States.

Amber Osteen – local resident

Amber shared her personal story of how the Mom Center and the mural provided hope and support during a difficult time in her life. She emphasized the mural’s role in making Fredericksburg a welcoming and beautiful place for both locals and tourists.

Amy Tucker – local resident

Amy argued that the mural is historically and culturally relevant to Fredericksburg, highlighting its contemporary representation of local culture. She emphasized the importance of supporting local artists like Liza Proch, who contribute to the town’s cultural heritage.

Clayton Klenzing – local resident

Clayton reflected on the changes in Fredericksburg over the years and expressed his support for the mural, stating that it adds vibrancy and “pizzazz” to the area. He argued that the mural improves the character of the neighborhood, which includes a gas station and derelict buildings.

Rhonda Dixon - Founder of the Mom Center

Rhonda pointed out that the guidelines only recommend, rather than require, cultural or historical significance for murals on low-rated properties. She emphasized the mural’s positive impact on the community and urged the board to overturn the HRB’s decision.

Public hearing ended at 6:31PM

The board members discussed whether the HRB’s decision was based on the

preponderance of evidence and if the mural had cultural significance. Some members felt the mural did have cultural significance and that the HRB's decision might not have fully considered the community's support for the mural.

Eric Hammersen emphasized that the mural clearly had significant cultural and historical value to thousands of people, as evidenced by the public comments and community support.

Adam Luton agreed with Mr. Hammersen that the flowers were culturally significant.

Mike Mahoney agreed, noting that the mural's depiction of local wildflowers and the biblical quote from Psalm 139, which has been around for 2,000 years, added to its cultural and historical relevance.

The board discussed the language of the historic district design guidelines, which state that preference should be given to historical or cultural subjects rather than business promotion. It was noted that the mural did not promote the Mom Cetner as a business as the logo had been removed. The board acknowledged that the interpretation of what constitutes cultural or historical significance can be subjective. They debated whether the HRB's decision was based on a reasonable interpretation of the guidelines.

Eric Hammersen argued that the evidence presented showed significant cultural and historical value, which the HRB may not have fully acknowledged.

Mike Mahoney noted that the HRB had approved and denied other murals on the same day, indicating that they had a clear idea of what they considered historically significant. He believed that HRB, as the body charged with making these decisions, should have their expertise respected.

Mr. Hammersen made a motion to overturn the HRB's decision to deny the Mural based on items a, b, c, and d in the requirements put before ZBA.

Adam Luton seconded the motion.

The board voted 4 (Hammersen, Luton, McAfee & Williams) to 1 (Mahoney) in favor of overturning the HRB's decision, allowing the mural to remain. The motion passed.

DISCUSSION ITEMS

Director's Report – Anna Hudson informed the board that this was their last meeting at the LEC and future meetings would be held at the Community Room at the new City Hall at East Campus (formerly the H-E-B Room at the Hill Country University Center).

ADJOURN

With nothing further to come before the Board, Taylor Williams moved to adjourn the meeting and Jim McAfee seconded the motion. All voted in favor and the meeting was adjourned at 6:46 P.M.

PASSED AND APPROVED this the 20^h day of November 2024.

JAN MUSGROVE, PLANNER 1



ZONING BOARD OF ADJUSTMENT AGENDA MEMO

DEPARTMENT: Development Services

TO: Zoning Board of Adjustment

FROM:

MEETING DATE: November 20, 2024

CATEGORY: PUBLIC HEARING

CAPTION: Request #ZBA2024-09: By Kenneth and Leah Clodfelter to Consider a Request to the Zoning Board of Adjustment for a Special Exception Per Sec. 5.500 - Board of Adjustment Subsection A2 to Allow for an Increase in Occupancy for a Permitted STR for Property Located at 206 South Crockett. The Current Occupancy is 5 and the Applicant is Requesting an Occupancy of 6.

- i. Presentation by the Applicant
 - ii. Staff Report
 - iii. Hold a Public Hearing
 - iv. Take Action on Special Exception Request
-

PRESENTATION:

SUMMARY:

The applicant is requesting a Special Exception to increase the occupancy for property located at 206 South Crockett. The current occupancy is 5 and the applicant is requesting an occupancy of 6.

FINDINGS:

The subject property is a 6,895 sq ft lot consisting of a 1,280 sq ft, 2-bedroom building that currently has a STR-Nonconforming permit with an occupancy of 5. The applicant requests an occupancy of 6.

Application Number: ZBA2024-09

Address: 206 S Crockett

Size of Lot: 6,895 Sq ft

Size of House: 1280 Sq ft

Bedrooms: 2

Parking Spaces: 2+

Zoning: [R2, Mixed Residential](#)

Response to Public Hearing: Staff received one letter in support of the request, letter submitted by 206 S Crockett.

When reviewing properties within 200 ft, Staff identified that 7 properties were operating as STR's with an average occupancy of 6 and these properties have been identified on the accompanying 200 ft map. When reviewing the details of the 7 permitted STRs within 200 ft, it was determined that only properties with 10,000 sq ft or more have Occupancies greater than 5.

The details of those properties are as follows:

203 W San Antonio is abutting the property to the West and consists of a 14,800 sq ft lot with an occupancy of 4

208 S Crockett is abutting the property to the South and consists of 10,000 sq ft lot with an occupancy of 10

212 S Crockett consists of a 5,009 sq ft lot with an occupancy of 5

214 S Crockett consists of a 5,000 sq ft lot with an occupancy of 4

211 S Crockett consists of a 10,454 sq ft lot with an occupancy of 8 (property is also owned by the applicant)

208 W Creek consists of a 5,031 sq ft lot with an occupancy of 5

Sec. 5.500 - Board of Adjustment

In hearing an application for a Special Exception for Short-Term Rental operations, the Board may consider factors such as the following: Staffs response of the considering factors are in **RED**.

1. Whether such operations is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners);

The subject property has a lot size of 6, 895 sq ft which is roughly the average lot size in their area and the requested occupancy of 6 is the average occupancy of the 7 STR's operating within 200-feet.

2. Whether operations as a short-term rental in the property's zoning district is compatible with the quality of the surrounding area;

Of the 17 properties within 200-feet, 7 are operating as STR's with 10 operating as residences or second homes, meaning more than half of the properties in the neighborhood are homes.

3. Whether such operation will substantially impact nearby streets, including whether the property provides only limited off-street parking:

The property provides off-street parking though it is unclear the total amount of parking provided. The size of a parking space is 18.5 ft long by 9 ft wide, in reviewing the survey provided by the applicant, it appears that 2 parking spaces may be provided with the ability to provide more behind the main residence.

4. Which type of short-term rental, as defined in Section 20-220, the applicant seeks to operate;

The property is currently operating a STR-Unoccupied, however, with the adoption of Ordinance No. 2023-18, the property is now considered an STR-Nonconforming, as STR-Unoccupied is no longer permitted by right in the R2, Mixed Family Residential Zone.

5. For a short-term rental existing prior to the effective date of Chapter 20, Article VII of the code, the duration of that short-term rental's operations and the number and type of complaints and/or citations related to that short-term rental

The property first obtained an STR permit under the 2018 STR Ordinance, with the first record of application occurring on 02/15/22 and has been in operation since 2022.

The Historic Review Board issued a Demolition by Neglect for the property on 07/17/2024 as the rear building (garage) has been allowed to deteriorate. The owner was instructed to contact the City and provide a plan for remediation within 30 days and as of 11/14/24 this has not been done.

Other than the active Demolition by Neglect, there are no other code violations on the property.

6. Whether operation with the terms of the Special Exception will adversely impact the residential qualify of the surrounding neighborhood;

Staff finds that the property is currently operating as a STR and both the current occupancy and requested occupancy are in range with the average occupancy of the surrounding neighborhood. In addition, calculation of occupancy allows for 2 per bedroom plus 2 meaning if the property were to obtain a STR permit today, the occupancy assigned would be 6.

7. Whether any properties located within a 200-foot radius of the property are operating with public or private primary or secondary education facility uses; and

No properties within 200 ft are operating as an education facility.

8. Specific property characteristics of the short-term rental like lot size or large square footage of the structure.

The property consists of average lot and residence size and has an average occupancy of the neighborhood.

STAFF RECOMMENDATION:

Staff finds that the request to increase the occupancy from 5 to 6, is in keeping with the surrounding neighborhood. The lot itself is of average size and the request to increase the occupancy mirrors what the current occupancy calculations are. With that said, If the Board were to grant approval, Staff recommends bringing the property into compliance with Parking minimums and addressing the active demolition by neglect as a condition of the approval.

ATTACHMENTS:

1. ZBA2024-09 Special Exception Application

2. ZBA2024-09 Letter from Owner Regarding Request
3. ZBA2024-09 Survey
4. ZBA2024-09 Floorplan
5. ZBA2024-09 Photos of Property
6. ZBA2024-09 Location and 200 ft Map
7. ZBA2024-09 Mailing Labels
8. ZBA2024-09 206 S Crockett
9. 691367-SUITE LITTLE FRAULEIN
10. HRB Letter of Neglect 206 S Crockett

APPROVAL/REVIEW:

_____	Date:
Shelby Collier, Senior Planner	
_____	Date:
Rachel Raggio, TOASE Attorney	
_____	Date:
Anna Hudson, Director of Development Services	
_____	Date:
Jan Musgrove, Planner 1	



SPECIAL EXCEPTION APPLICATION TO BOARD OF ADJUSTMENT

City of Fredericksburg - Development Services Department 126
W. Main St., Fredericksburg, TX 78624 - (830)997-7521

1. Applicant: *Kenneth & Leah Clodfelter*
2. Property Owner (if different from Applicant):
3. Applicant Phone: *432 853 2790* Applicant Email: *leahclodfelter@yahoo.com*
432 413 3520
4. Description of Subject Property:
2 bed 2 full bath 1 pull out queen couch
- Address: *206 S. Crockett St*

Legal

Description:

Zoning *R-3*

Classification:

5. Application is made to the Board of Adjustment that a special exception be granted pursuant to the following section of the Zoning Ordinance:

Section: 5.500 - Board of Adjustment

Subsection (circle one): (a)(1) (a)(2) (a)(3)

Details of Requested Special Exception: *When we were inexperienced and new to STR business, we filled out the application with the incorrect number of occupancy. We filled it out as 5 but need to change the occupancy to 6. Thank you for your consideration and time.*

6. INFORMATION TO BE SUBMITTED BY THE APPLICANT:

A. Complete short-term rental application as required by Section 20-221 of the Fredericksburg Municipal Code (excluding application fee; if a special exception is granted, the short-term rental owner and/or operator must promptly pay the short-term rental application fee required by the City Fee Schedule). Applications are available at the City's website: <https://www.fbgtx.org/845/Short-Term-Rentals>.

B. Fee(s) required by the City Fee Schedule.

C. In accordance with the Fredericksburg Zoning Ordinance, the Board of Adjustment may consider the following factors in hearing an application for a short-term rental special exception. The applicant may, but is not required to, address any of these factors, or provide any additional information in support of the request, by attaching a written response and/or exhibits to this form.

- i. Whether such operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering

whether lot sizes are small enough that noise is likely to affect neighboring property owners);

- ii. Whether operation as a short-term rental in the property's zoning district is compatible with the quality of the surrounding area;
- iii. Whether such operation will substantially impact nearby streets, including whether the property provides only limited off-street parking;
- iv. Which type of short-term rental, as defined in section 20-220, the applicant seeks to operate;
- v. For a short-term rental existing prior to the effective date of chapter 20, article VII of the code, the duration of that short-term rental's operations and the number and type of complaints and/or citations related to that short-term rental;
- vi. Whether operation with the terms of the special exception will adversely impact the residential quality of the surrounding neighborhood;
- vii. Whether any properties located within a two hundred (200) foot radius of the property are operating with public or private primary or secondary educational facility uses; and
- viii. Specific property characteristics of the short-term rental like lot size or large square footage of the structure.

7. ACKNOWLEDGEMENT: I have read this application form and understand that filing the application and paying the fee does not guarantee an affirmative action by the Zoning Board of Adjustment. I further understand that a concurring vote of 75 percent of the members of the board is necessary in order to obtain a special exception.

Applicant 
Applicant) *Leah Clodfelter*

Property Owner (if different from

Date

Date 10-1-24

STAFF USE ONLY

Application
Type:

No: _____

Date: _____

Payment

\$650.00 CK#1183
10/04/24

Kenny and Leah Clodfelter
Request for Change of Occupancy

10-4-2024
206 S. Crockett

Dear Zoning Board of City of FBG,
Please consider allowing us,
Kenny and Leah Clodfelter, to
change our occupancy number at
206 S. Crockett from 5 to 6 persons.
The property has always allowed
for 6 persons. We have made no
changes since we submitted our
permit application in 2021. We did,
however, make an error on our
application as we were very
inexperienced in the STR business.

Thank you for your time and
consideration for our request.
We love Fredericksburg and are proud
to be a part of this beautiful
community.

Sincerely,
Tr Clodfelter

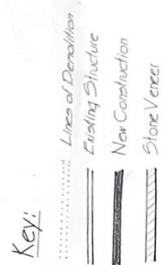
Leah Clodfelter

2/4/2014

RECEIVED JUNE 23, 1983
NIXON - OTTAWA - SULLIVAN, INC.
By *Frederic S. Sullivan*

I FORMERLY THOUGHT THAT THE IMPROVEMENTS AND
VARIABLE ENSEMBLES ARE SHOWN ON PLANT
AND THAT THERE ARE NO ENCRUSTATIONS
ON THE SURFACE OF LAND.





- All dimensions are approximate and to be verified and adjusted as required on site.
- Electrical requirements to be developed and integrated with existing per Electrical Contractor subject to Owner's GC approval.

- Page 16 of 29

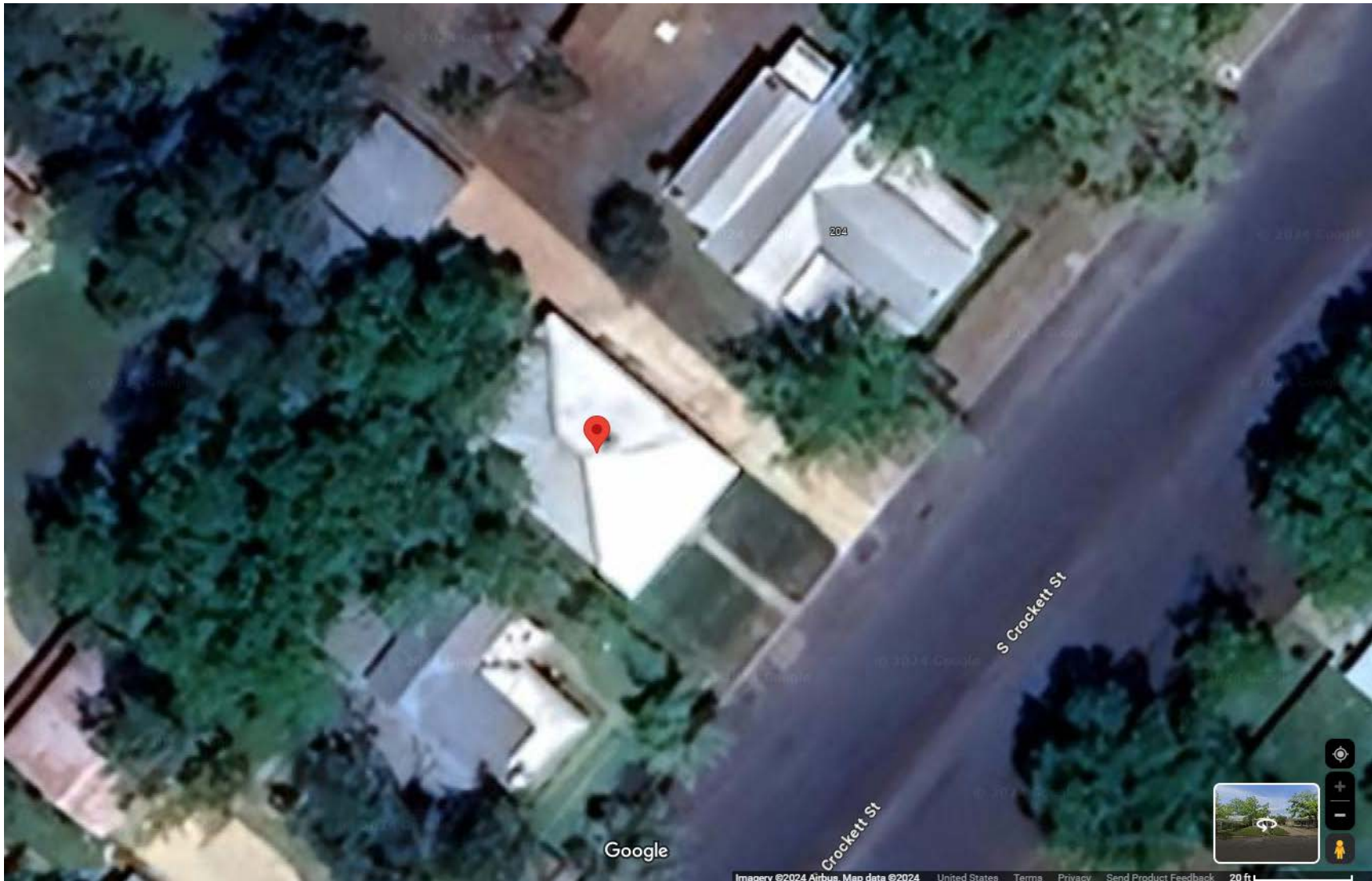
206 S Crockett



Street View

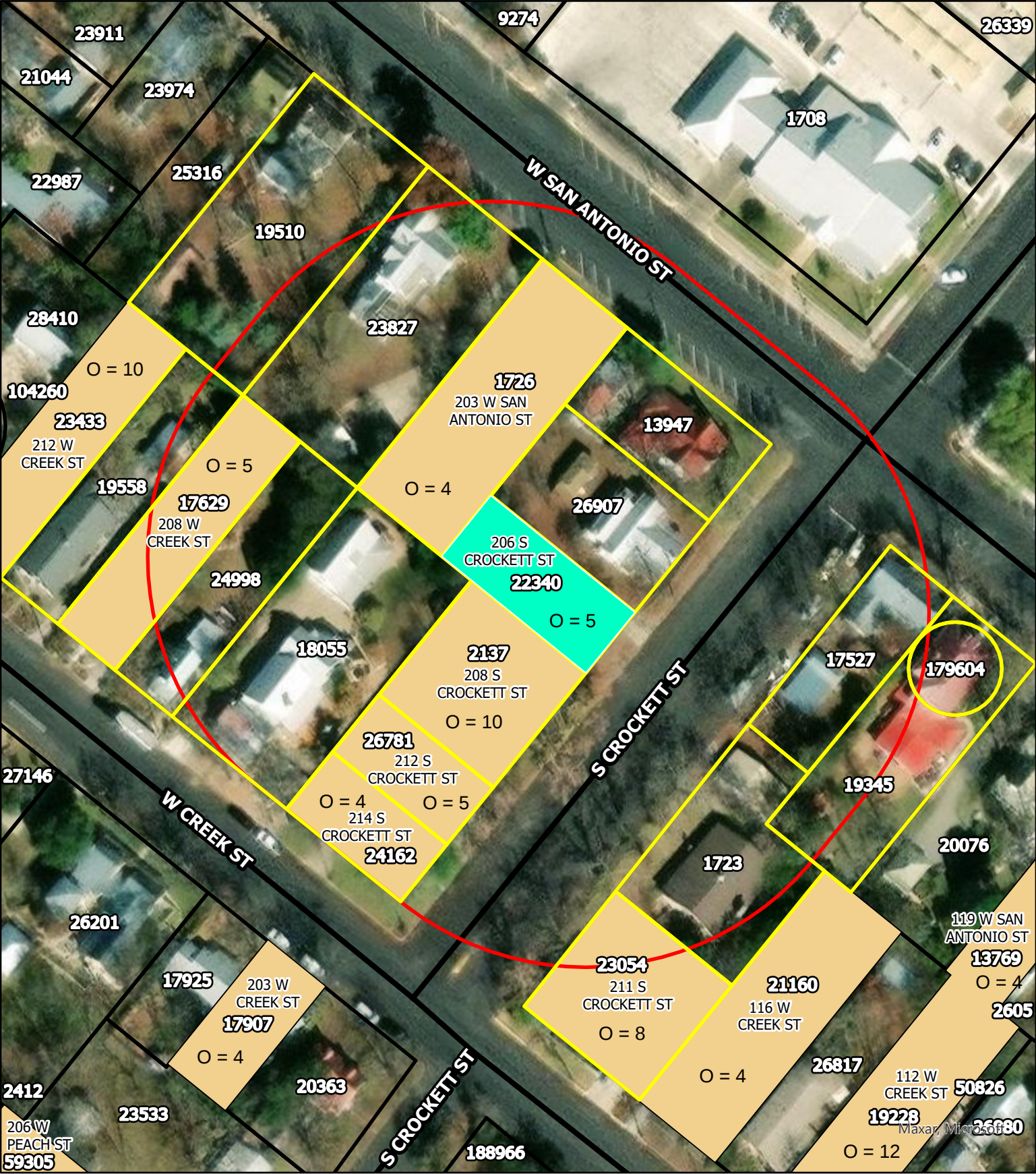


Street View with Driveway and Garage



Aerial View

206 South Crockett



ROY & JANET BECKMANN
PO BOX 711
FREDERICKSBURG, TX 78624

BARBARA BECKMANN
PO BOX 663
FREDERICKSBURG, TX 78624

DENNIS & DOROTHY BECKER
REVOCABLE TRUST
PO BOX 328
GRAND LAKE, CO, 80447

JOSEPH ANTHONY SNOE
202 S CROCKETT
FREDERICKSBURG, TX 78624

WILLIAM HUTCHISON, JNR
2633 MCKINNEY AVE, STE 130,
Box 308
DALLAS, TX 75204

208 W CREEK LLC
% VAN & KATHRYN DEWITT
3222 OAKLAND DR
SUGARLAND, TX 77479

JULIE E LIVING TRUST MONTGOMERY
204 W CREEK ST
FREDERICKSBURG, TX 78624

BEVERLYN DUBOSE LIFE ESTATE
C/O V. DUBOSE & R. SHIPMAN
216 ALBANY ST
SN ANTONIO, TX 78209

CHRISTINA BERGER
210 W CREEK ST
FREDERICKSBURG, TX 78624

KENNETH & LEAH CLODFELTER
709 N ELK
FREDERICKSBURG, TX 78624

CLAUDIA PARKER
207 W SAN ANTONIO
FREDERICKSBURG, TX 78624

MAC BURRIS
5055 OAKMONT DR
BEAUMONT, TX 77706

GOOD SHEPHERD RANCH LLC
C/O RALPH & STIRLING GREENLEE
PO BOX 3411
FREDERICKSBURG, TX 78624

GASTHAUS HOLDINGS LLC
231 W MAIN ST
FREDERICKSBURG, TX 78624

SUZANNE MESKILL DOUGHTY, ETAL
10117 INSHORE DR
AUSTIN, TX 78730

SHAR
123 W
FREDEI

ZBA2024-09

ZBA2024-08 – 522 W Main

If you wish to comment on the request, please detach the response form below and return it to the City of Fredericksburg, 126 W. Main St., Fredericksburg, TX 78624. All protests must be submitted in writing.

SPECIAL EXCEPTION NO: ZBA2024-09 (206 South Crockett)

As an interested property owner, I (Protest) (Approve) the requested special exception represented by the above file number because:

Next door to the east the house is
unoccupied. Also, across the street from
the house (206 S Crockett) the house is
unoccupied
Property 26907 - unoccupied Property 1723 - unoccupied

Leah Clodfelter
Signature

11-10-24
Date

Printed Name

Leah Clodfelter

211 S Crockett
Address



City of Frederickburg, TX
Short Term Rental Permit Application



Short Term Rental Permit Fee is \$160.00 per unit. Make check payable to "Tax Trust Account".
Remit payment to: City of Frederickburg • c/o Avenu Insights & Analytics • PO Box 830725 • Birmingham, AL 35283-0725
Toll Free Phone: (866) 240-3685 • Fax: (855) 219-4338 • Email: support@avenueinsights.com

Short Term Rental Inspection

Short term rental units are subject to inspection before issuance of a short-term rental operating permit. After submitting your permit application with payment, you must call the inspection request line at (830) 990-2056 and follow the instructions to request your STR inspection. If you fail to schedule the inspection of this unit within 30 days of your permit expiration date, or if this is a new STR, within 30 days of the date of this application, your file may be referred to the Municipal Court as an ordinance violation case.

The inspection will include compliance with the 2015 Life Safety Code, 2015 International Fire Code, 2015 International Residential Code and all applicable City of Frederickburg Code of Ordinances. Failure to comply may require you to appear in Municipal Court.

Business Information

(Must complete one application per unit)

Business Name: Kenny & Leah Clodfelter Account No. 691367
Name of Establishment and/or Unit: Suite Little Frauenlein Permit Exp. Date: _____
Business Mailing Address: 3300 Ma Mar
Unit's Physical Location Address (No PO Box): 206 S. Crockett Frederickburg, TX 78624
Ownership Type: ☒ Sole Proprietorship ☐ General Partnership ☐ Corporation ☐ LLC ☐ LLP ☐ Other: _____
Business Start Date: April 1, 2024 State of TX Tax ID: _____
Local Contact Name: Leah Clodfelter Telephone No.: 830 456 3158 Date of STR Application: 2-15-22
(Local Contact must be available 24/7 while guests are occupying premises and respond within 60 minutes of notice)

Owner's Information

(Must complete this section in its entirety)

Use separate sheet of paper with additional owners' information if necessary.

Owner's Name: Kenneth Clodfelter
Mailing Address: 3300 Ma Mar Ct Mustang TX 79107
Telephone No.: 432 853 2798 Email Address: leahclodfelter@yahoo.com

Management Company Information

Management Company: _____
Operator Contact: _____
Mailing Address: _____
Telephone No.: _____ Email Address: _____

Zoning Information

(Must complete this section in its entirety)

Zoning District of Establishment: R2 (The number of allowable units is based on zoning.)
If the STR is located in R1 zoning, is it the principal residence of the owner? ☐ Yes ☒ No
Size of Property/Parcel: 6,678 sqft Size of House (sf): 1461 sqft Number of Bedrooms: 2
Proposed Daytime Occupancy: 5 Proposed Overnight Occupancy: 5
Number of Units: 1 (Advertised as separate habitable area. If one structure is divided and advertised for multiple reservations, the number of separate reservations at one time. Permit and fee is required for each unit.)
Number of Off-Street Parking Spaces: 1 Location of Parking: driveway
You must attach a diagram showing the proposed use and on-site parking for your application to be considered complete.
Description of any Food Service to be Provided: N/A
If serving food to overnight guests, the owner or manager shall successfully complete a food manager's certification course accredited by the State.

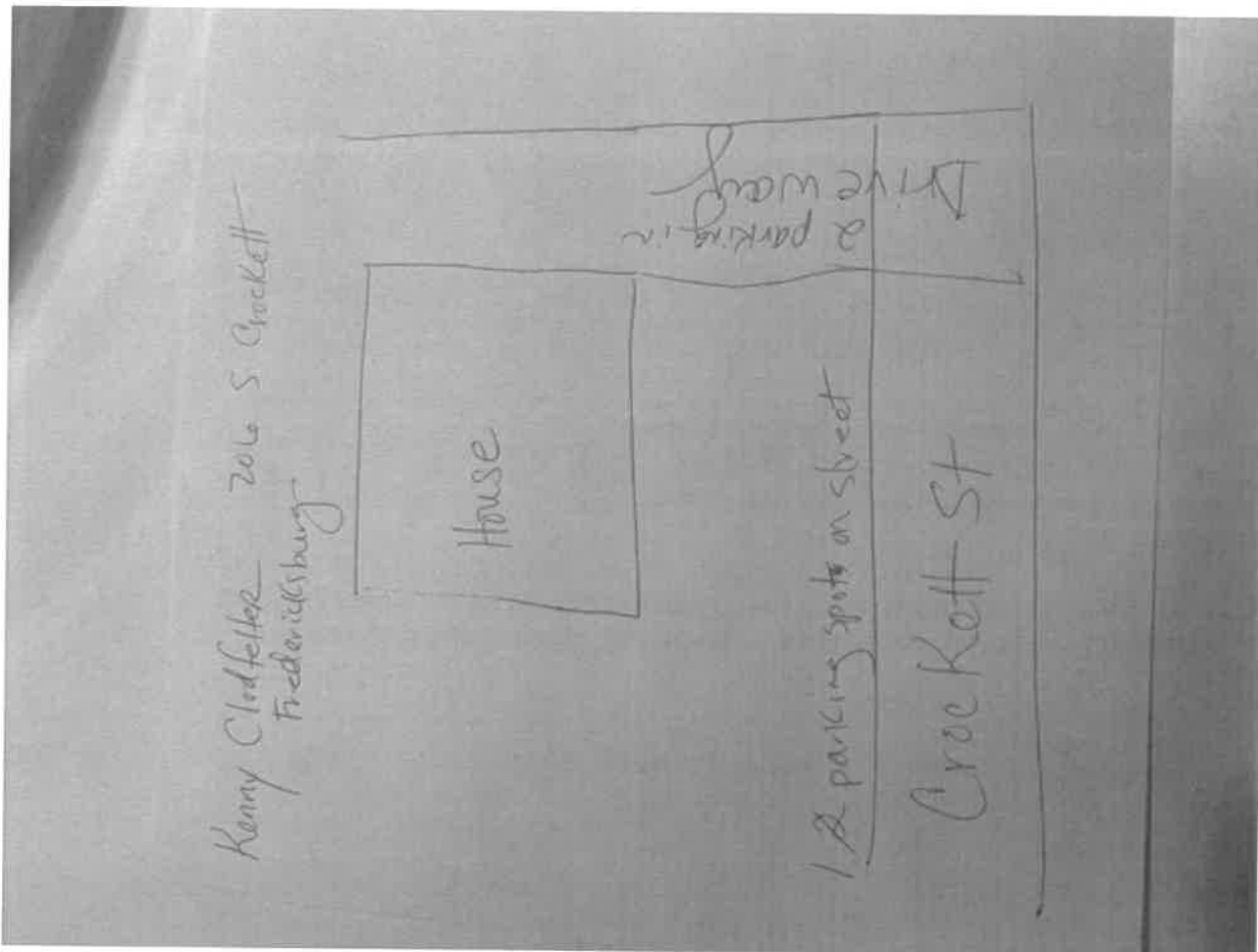
Applicant Name (Please Print): Kenny Clodfelter Signature: [Signature]

Sheryl Hannah

From: Leah Clodfelter <leahclodfelter@yahoo.com>
Sent: Thursday, February 17, 2022 1:51 PM
To: Sheryl Hannah
Subject: Re: Permit

CAUTION: This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Parking diagram



Sent from my iPhone

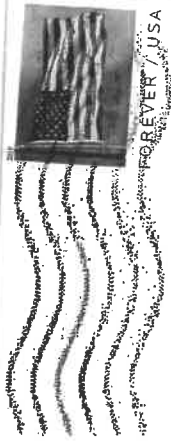
On Feb 17, 2022, at 11:39 AM, Leah Clodfelter <leahclodfelter@yahoo.com> wrote:

Thank you

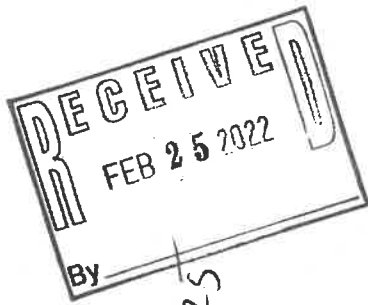
Sent from my iPhone

Clodfelter
3300 Main St
Medford, TX 79707

MIDLAND, TEXAS
TX 79702-1
21 FEB 2022 PM



City of Fredericksburg
c/o Wenu Insights & Analytics
P.O. Box 930725
Birmingham, AL 35203-0725



352030725



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.