



To All Historic District Property
Owners and/or Business Operators:

The Historical Preservation Commission congratulates you on your decision to own a building and/or operate a business in the Glen Rose Historic District.

As an inhabitant of the Historic District, you are met with some restrictions. They are listed in the enclosed excerpt from the Glen Rose Historic Landmark Preservation Ordinance. (which sections should we include?)

With these restrictions, however, come protections. You are assured that your property will be free from developments or alterations that could detract from the historic nature of the downtown, thereby possibly devaluing your property. By working together, we can restore and promote our Historic District into an area that we can all be proud of, as well as provide economic advancement to the business owners and City of Glen Rose.

If you have any questions, please feel free to contact me at 214-914-5330.

Sincerely,

Heather Bienko
Historic Preservation Officer

14.02.053 HPO Historic Preservation Overlay District

1. Purpose. This overlay zone is intended to encompass that portion of the city with historic resource value. The area within the Historic Preservation Overlay district is subject to the requirements of the Historic Landmark Preservation Ordinance (article 3.16 of the Code of Ordinances) and ordinances governing the underlying zoning district designation for each property.
2. District confines. The confines of the Glen Rose Historic Preservation Overlay District shall be defined as follows: Beginning at the intersection of Vine and Cedar Streets; thence running NE along Vine Street to its intersection with Pecan Street; thence running SE along Pecan Street to its intersection with Grace Street; thence running SW along Grace Street, crossing State Highway 144 (also called Elm Street) and continuing in a straight line to the intersection with the extension of Cedar Street (the intersecting point being approximately 200 feet SE of Barnard Street; thence running NW with the extension of Cedar Street, then Cedar Street itself to the point of beginning.
3. Permitted uses. The permitted uses for each property are those uses allowed by the underlying zoning for that property.
4. Area, yard, height, lot coverage, lot dimensions, fences, walls, building size, temporary buildings, and signs. The requirements for these items are found in the zoning ordinance according to the underlying zoning district.
5. Parking requirements. Parking requirements are in accordance with the underlying zoning district found in the zoning ordinance.

14.03.001 PURPOSE

1. The city council hereby declares that as a matter of public policy, the protection, enhancement, and perpetuation of landmarks and of the Historic Preservation Overlay Zoning District of their historical and cultural importance and significance is considered necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that the city represents the unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural, and cultural resources that constitute their heritage.
2. This act is intended to:
 1. Protect and enhance the landmarks and Historic Preservation Overlay Zoning District which represent distinctive elements of the city's historic, architectural, and cultural heritage;
 2. Foster civic pride in the accomplishments and heritage of the city, as reflected in its historic buildings, by establishing a formal process of inventory, recognition, education, and recommendation for designation of historic landmarks and overlay zones;
 3. Enhance and preserve the city's unique architectural attractiveness to visitors and tourists, and thereby provide support and stimulus to city businesses and economy by establishing and approving uniform and equitable design guidelines for the sensible rehabilitation and use of existing landmarks;
 4. Encourage and ensure the harmonious, orderly, and efficient growth and development of the city by establishing a historic preservation plan to be reviewed and adopted by the city council as part of the comprehensive master plan;
 5. Promote economic welfare of the community by encouraging the beneficial use and occupancy of such property by adopting nationally accepted, minimum code standards for occupancy and use of historic structures, to help reduce the financial burden of ownership and continued preservation of historic properties within the city;
 6. Strengthen the property values and economy of the city by encouraging stabilization, restoration, and improvements of historic properties through a process for review and recommendation concerning building permits for exterior construction, with copious regard for individual property rights.

14.03.005 CRITERIA FOR DESIGNATION OF LOCAL HISTORIC LANDMARKS AND THE HISTORIC PRESERVATION OVERLAY DISTRICT

Properties that are listed as a Recorded Texas Historic Landmark (RTHL), State Archeological Landmark (SAL), or listed on the National Register of Historic Places (NR) shall be considered as recognized local landmarks.

1. An individual landmark may be designated if it is at least fifty (50) years old and it substantially complies with two or more of the following:
 1. Possesses significance in history, architecture, archeology, and culture.

2. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history.
 3. Is associated with events that have made a significant impact in our past.
 4. Represents the work of a master designer, builder, or craftsman.
 5. Embodies the distinctive characteristics of a type, period, or method of construction.
 6. Represents an established and familiar visual feature of the city.
2. The Historic Preservation Overlay District has been established. See section 14.02.053 of the zoning ordinance for the official map. Any increase in the size of this existing district will require notification of all property owners and public hearings before any commission affected by the ruling.
 3. The procedure for designating a historic landmark or to establish or amend a Historic Preservation Overlay Zoning District may be initiated by the city, or by the individual property owner(s), or by at least 20% of the residents of the potential overlay zoning district. An application for determination of significance shall be made on forms as prescribed by the city and shall be filed with the HPO along with fees in accordance with the municipal fee schedule.
 4. Upon receipt of a completed determination of significance application, the HPO shall schedule a hearing at the next available regularly scheduled HPC meeting. Notice of the application shall be mailed to the property owner(s) and posted on the property by the city for a minimum period of ten (10) days prior to the scheduled hearing. A published notice in the official newspaper of record of the scheduled hearing shall also be made a minimum of 15 (fifteen) days prior to the scheduled hearing.
 5. Upon designation of a building, object, site, or structure as a historic landmark or district, the city council shall cause the designation to be recorded in the official public records of real property of the county, the tax records of the city, and the county appraisal district. Any affected map will be revised and recorded.

14.03.006 CERTIFICATE OF APPROPRIATENESS FOR ALL ALTERATION OR NEW CONSTRUCTION

1. No person shall carry out any construction, reconstruction, alteration, restoration, rehabilitation, or relocation of any historic landmark or any property within the historic preservation overlay district, nor shall any person make any material change in the light fixtures, signs, sidewalks, fences, steps, paving, or other exterior elements visible from a public right-of-way which affect the appearance and cohesiveness of any historic landmark or any property within the historic preservation overlay district without first obtaining a certificate of appropriateness.
2. In considering an application for a certificate of appropriateness, the commission shall be guided by any adopted design guideline and, where applicable, the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings.
3. No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the commission.
4. All decisions of the commission shall be in writing. The commission's decision shall state its findings pertaining to the approval, denial, or modification of the application. A copy shall be sent to the applicant. Additional copies shall be filed as part of the public record on that property and dispersed to appropriated departments, e.g., building inspection.
5. An applicant for a certificate of appropriateness dissatisfied with the action of the commission relating to the issuance or denial of a certificate of appropriateness shall have the right to appeal to the city council within thirty (30) days after receipt of notification of such action. The city council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner as provided in the general zoning ordinance of the city.

14.03.007 CERTIFICATE OF APPROPRIATENESS REQUIRED FOR DEMOLITION

1. Required. A permit for the demolition of a historic landmark or property within the historic preservation overlay district, including secondary buildings and landscape features, shall not be granted without an approved application for a certificate of appropriateness by the commission, as provided for in section 3.16.006 and this section of this article.
2. Demolition by neglect.
 1. No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself.
 2. Examples of such deterioration include:
 1. Deterioration of exterior walls or other vertical supports.

2. Deterioration of roof or other horizontal members.
3. Deterioration of exterior chimneys.
4. Deterioration or crumbling of exterior stucco or mortar.
5. Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors.
6. Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.

14.03.008 ECONOMIC HARDSHIP APPLICATION PROCEDURE

1. After receiving written notification from the commission of the denial of certificate of appropriateness, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the commission makes a finding that hardship exists.
2. When a claim of economic hardship is made due to the effect of this article, the owner must prove that:
 1. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
 2. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
 3. Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
3. The applicant shall consult in good faith with the commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be shown to the commission.
4. The commission shall hold a public hearing on the application within sixty (60) days from the date the application is received by the (building official or designee, preservation officer). Following the hearing, the commission has thirty (30) days in which to prepare a written recommendation to the (building official or designee or other official). In the event that the commission does not act within ninety (90) days of the receipt of the application, a permit may be granted.
5. All decisions of the commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the city secretary's office for public inspection. The commission's decision shall state the reasons for granting or denying the hardship application.
6. An applicant for a certificate of appropriateness dissatisfied with the action of the commission relating to the issuance or denial of a certificate of appropriateness shall have the right to appeal to the city council within thirty (30) days after receipt of notification of such action. The city council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner as provided in the general zoning ordinance of the city.

14.01.10 ENFORCEMENT

All work performed pursuant to a certificate of appropriateness issued under this article shall conform to any requirements included therein. It shall be the duty of the building official to inspect periodically any such work to ensure compliance. In the event work is not being performed in accordance with the certificate of appropriateness, or upon notification of such fact by the commission and verification by the building official, the building official shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project if a stop work is in effect.

14.03.011 ORDINARY MAINTENANCE

Nothing in this article shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a historic district which does not involve a change in design, material, or outward appearance. In-kind replacement or repair is included in this definition of ordinary maintenance.

14.03.012 PENALTIES

Any person, firm or corporation violating any provision of this division shall be guilty of a class C misdemeanor punishable by a fine up to \$2,000.00. Each day the violation continues shall be considered a separate offence. Such remedy under this section is in addition to the abatement restitution.

