

**CITY OF ROCKWALL  
HISTORIC PRESERVATION ADVISORY BOARD (HPAB) MEMO**

**AGENDA DATE:** December 20, 2012  
**APPLICANT:** Chris and Katherine West  
**AGENDA ITEM:** H2012-003; 401 E. Rusk Street

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**SUMMARY:**

Hold a public hearing to consider a request for a Certificate of Appropriateness (COA) from Chris and Katherine West to permit the demolition of an existing accessory structure for the purpose of constructing a driveway and garage. The subject property is located at 401 E. Rusk Street and is identified as Lot 1, Block A of the Crawford Addition, City of Rockwall, Rockwall County, Texas. The property is recognized as a "High Contributing" property, is zoned Single Family-7 (SF-7) District, and is situated within the Historic Overlay (HO) District.

**DISCUSSION:**

The subject property is located at 401 E. Rusk Street, which is recognized as a "High Contributing" property. The primary structure on the subject property was constructed in the 1940's and has architectural characteristics similar to a ranch bungalow. Adjacent to San Augustine Street on the western side of the property is a detached secondary living unit situated roughly four (4) to five (5) feet from the primary structure. According to the Rockwall Central Appraisal District (RCAD) this structure is approximately 600 square feet and was constructed in 1975. It is staff's opinion that this structure has no historical significance and does not contribute to the property's historical status. The owners, Chris and Katherine West, are requesting a Certificate of Appropriateness (COA) for the purpose of demolishing this structure in order to construct a new driveway and garage. The new garage will require a separate COA to be approved prior to the building permit process. Staff has added this as a condition of approval.

According to Section 6.2, *Historic Overlay (HO) District*, of Article V, *District Development Standards*, of the Unified Development Code (UDC), approval of a COA is required for the demolition of a primary and/or secondary structure that is situated within the Historic District, pending the applicant can establish the following elements to prove a hardship:

- 1) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return; and

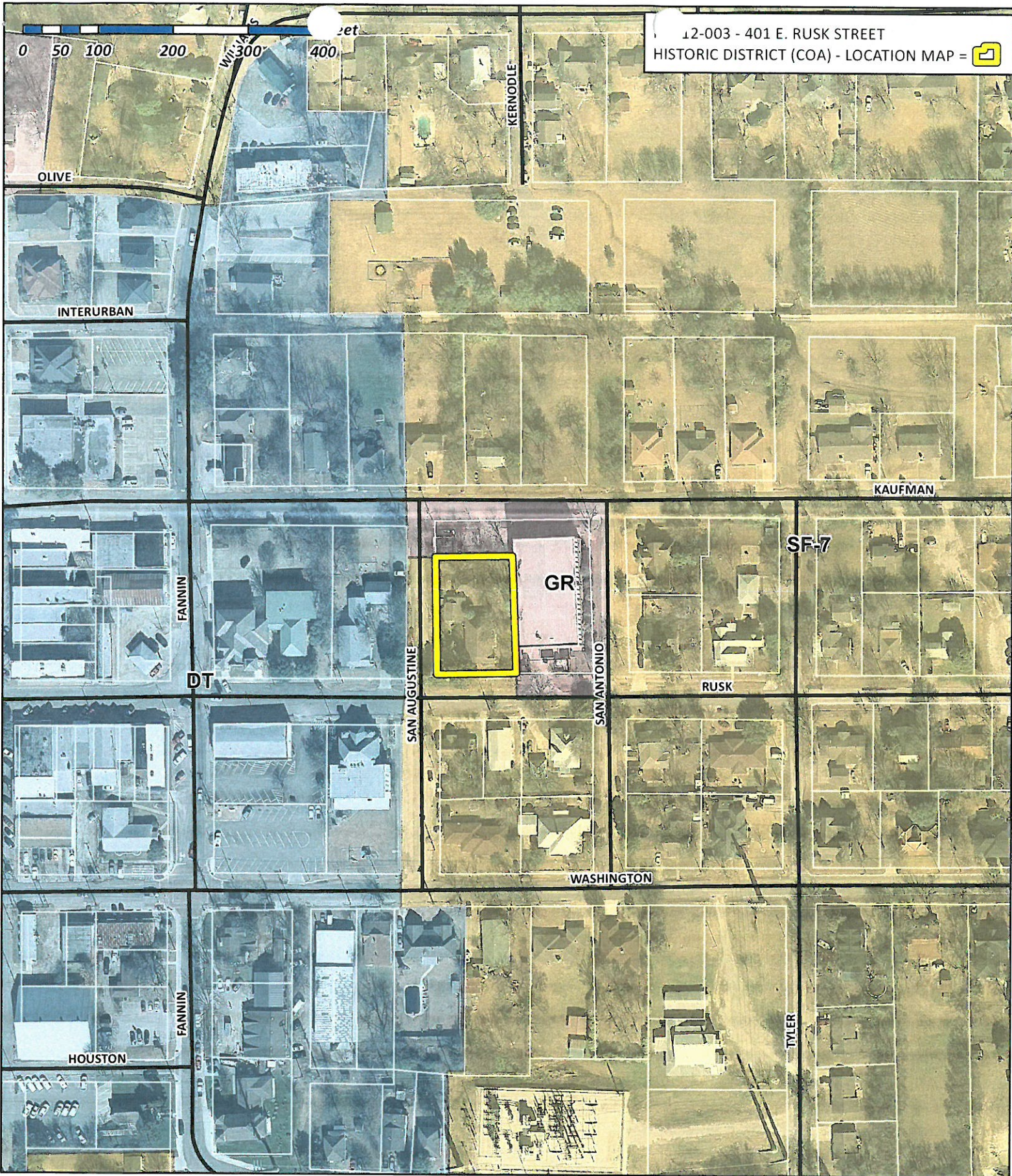
- 2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
- 3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed; and/or
- 4) The structure or property is in such condition as to be irreparably damaged and as such poses a nuisance to the surrounding area and is a "threat" to the health, safety and general welfare of the community.

According to the application submitted by the applicant the accessory building has deteriorated beyond a point of repair. Additionally, the applicant has submitted photos of the interior of the structure that show the deterioration of the building. Staff performed a site visit on December 13, 2012 and verified that the building is in poor condition.

**RECOMMENDATIONS:**

In accordance with the requirements of the Unified Development Code (UDC), staff recommends approval of the applicant's request on the grounds that the structure is irreparably damaged and poses a nuisance to the surrounding area. Additionally, staff is of the opinion that the structure does not contribute to the historical status of the subject property. In lieu of full approval staff would recommend that the applicant comply with the following conditions of approval:

- 1) The applicant will need to obtain a building permit from the Building Inspections Department prior to the commencement of any work on the subject property,
- 2) Prior to obtaining a building permit for the proposed garage the applicant shall apply for a COA to ensure that the proposed structure is aesthetically similar to the primary structure and complies with the requirements of the Historic District, and
- 3) Any construction, building or demolition necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



12-003 - 401 E. RUSK STREET  
 HISTORIC DISTRICT (COA) - LOCATION MAP = [icon]



# City of Rockwall

Planning & Zoning Department  
 385 S. Goliad Street  
 Rockwall, Texas 75032  
 (P): (972) 771-7745  
 (W): www.rockwall.com

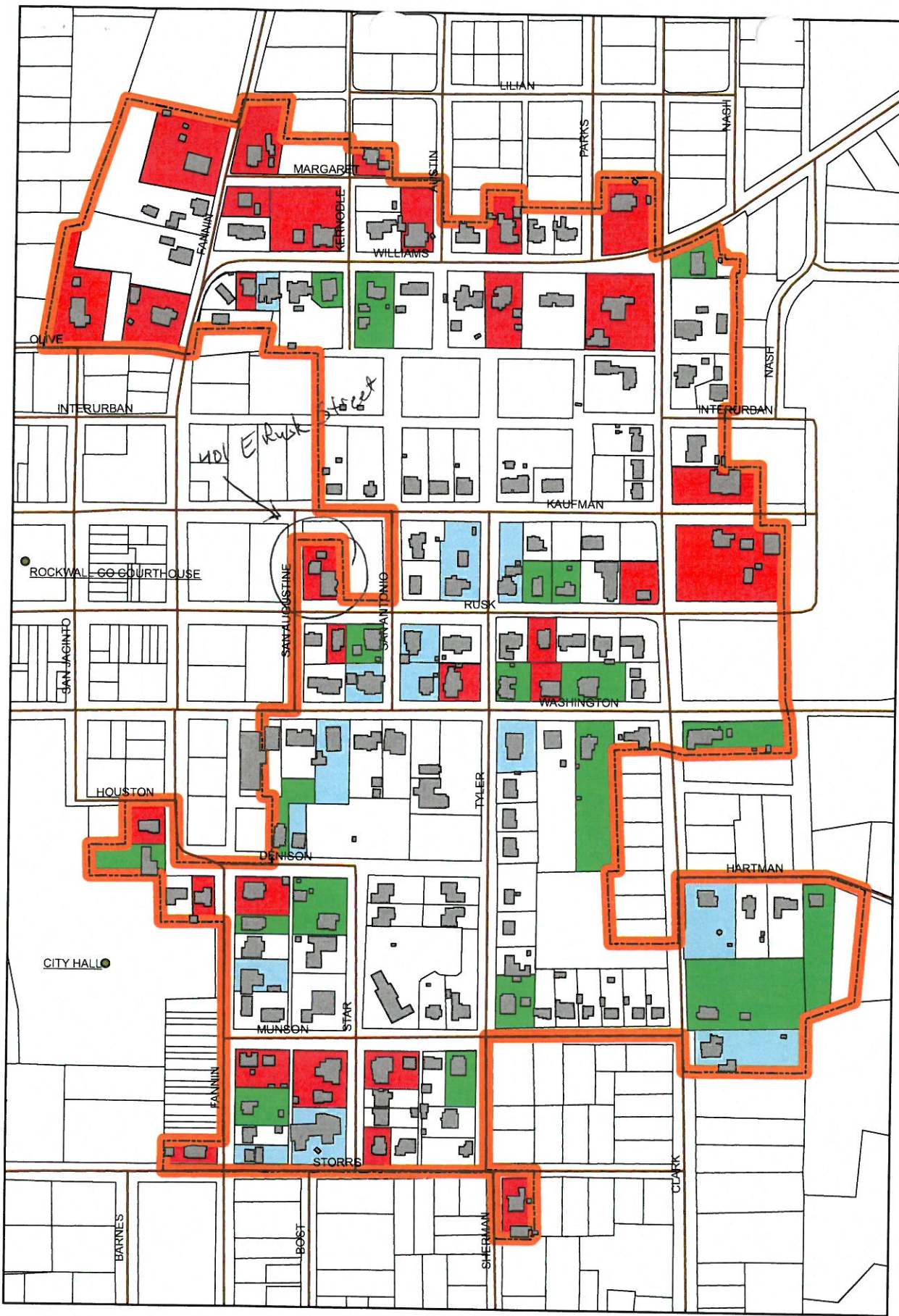
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### Legend

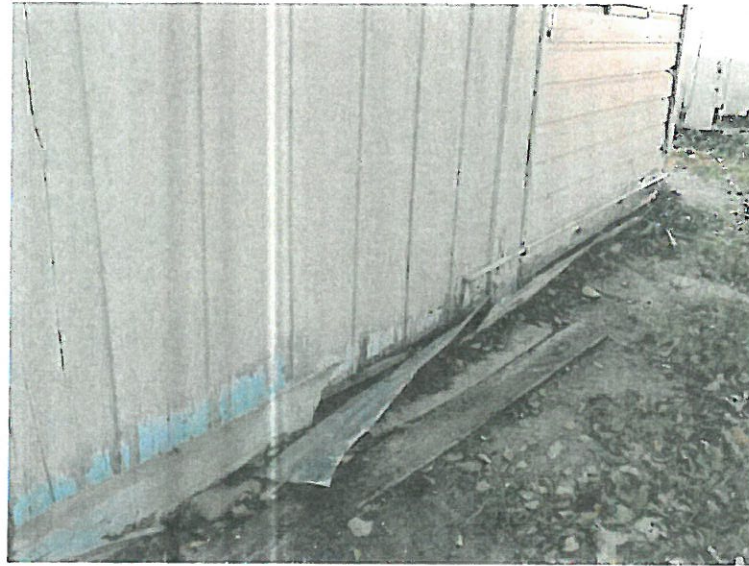
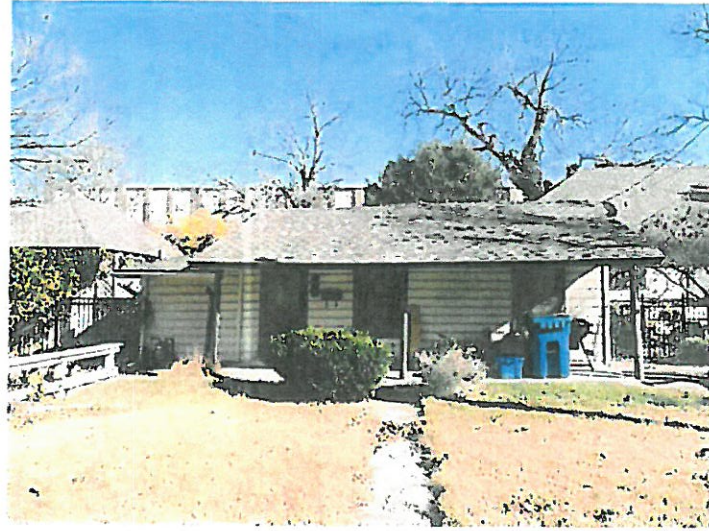
- Points of Interest
  - Streets
  - Parcel
  - "Old Town Rockwall" Historic District Boundary
  - BUILDINGS
- CONTRIBUTING STATUS**
- HIGH
  - LOW
  - MEDIUM
  - NON
  - VACANT

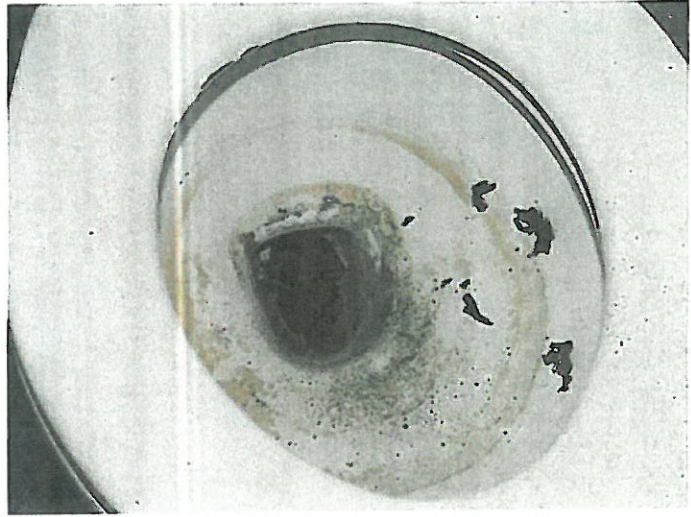


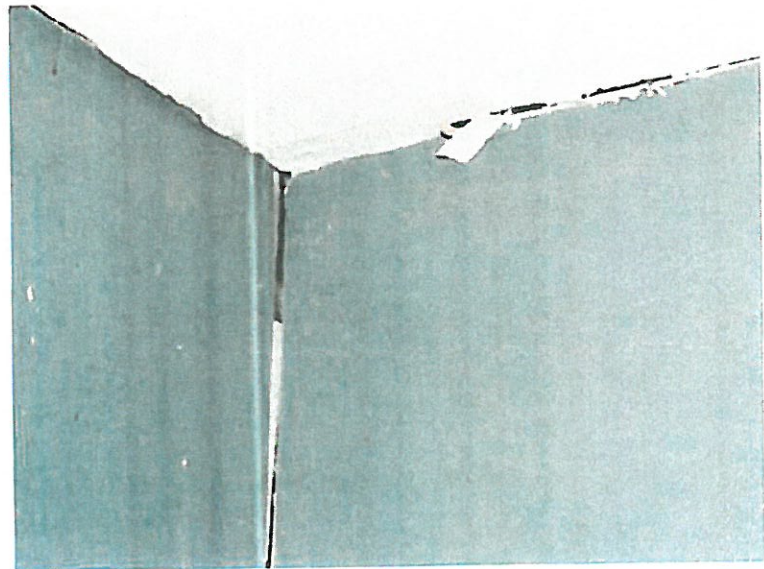
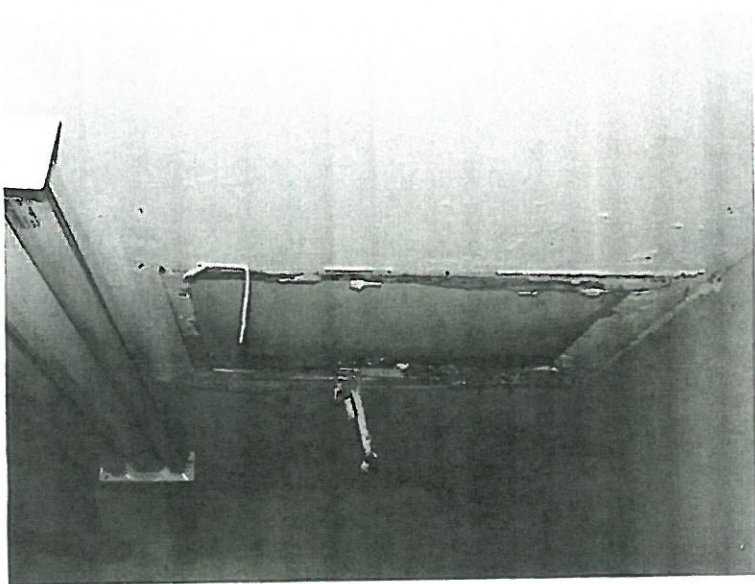
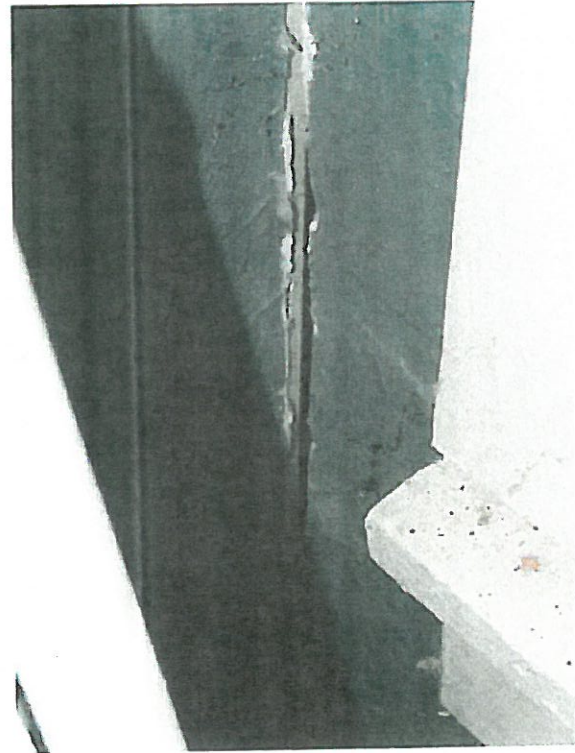
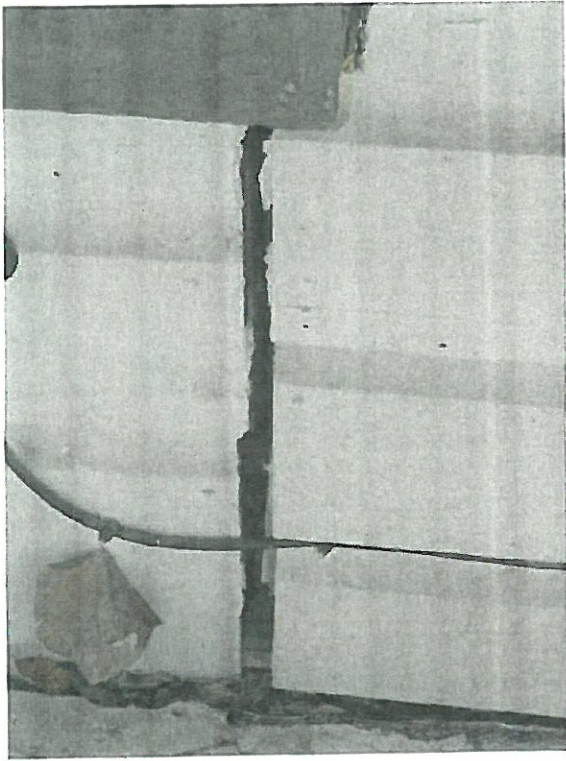
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## "Old Town Rockwall" Historic District

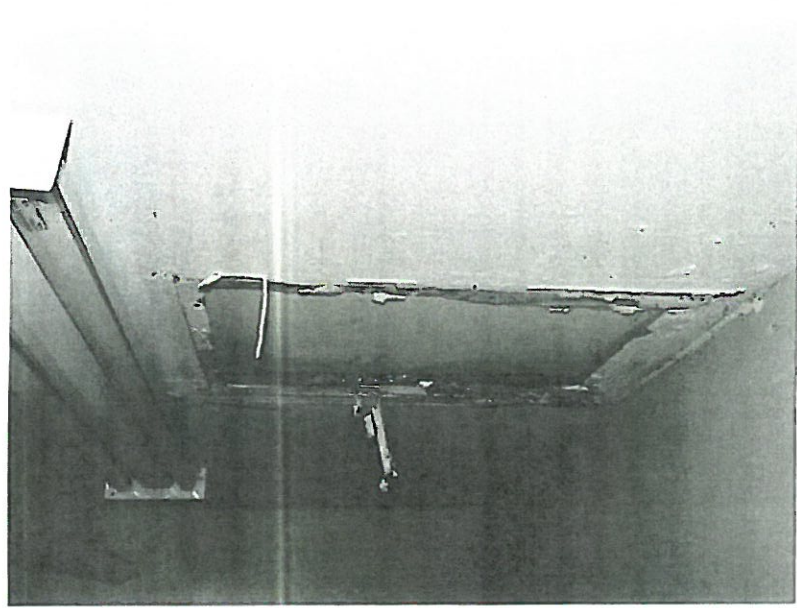














December 21, 2012

**ATTN: Christopher West**

401 East Rusk  
Rockwall, TX 75087

**RE: H2012-003, 401 E. Rusk Street**

To Whom It May Concern:

On December 20, 2012, the Historical Preservation Advisory Board (HPAB) voted to approve Case No. H2012-003 with the following conditions of approval:

Conditions of Approval:

- 1) *The applicant will need to obtain a building permit from the Building Inspections Department prior to the commencement of any work on the subject property,*
- 2) *Prior to obtaining a building permit for the proposed garage the applicant shall apply for a COA to ensure that the proposed structure is aesthetically similar to the primary structure and complies with the requirements of the Historic District, and*
- 3) *Any construction, building or demolition necessary to complete this request must conform to the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.*

Voting Record:

*On December 20, 2012, the Historic Preservation Advisory Board (HPAB) approved the Certificate of Appropriateness (COA) by a vote of 6 - 0 (with Board Member Herb Moltzon absent).*

Please feel free to contact me if you have any additional questions concerning this request. Our office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, and our phone number is (972) 771-7745. Additionally, our offices are located on the first floor of the City Hall, which is located 385 S. Goliad Street, Rockwall, Texas 75087.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Miller".

**Ryan Miller**

Planning & Zoning Department  
City of Rockwall