CITY OF HUTTO, TEXAS
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
Tuesday, October 22, 2019 AT 6:30 PM
CITY HALL - CITY COUNCIL CHAMBERS
500 WEST LIVE OAK STREET

HISTORIC PRESERVATION COMMISSION
DeAnne Worley
Mary Belton
Curtis Orton
Robert Lykins
Travis Allen

AGENDA

1. CALL SESSION TO ORDER
2. ROLL CALL
3. PUBLIC COMMENT

   3.A. Remarks from visitors. *(Three-minute time limit.)*

4. AGENDA ITEMS

   4.A. Consideration and possible action on the meeting minutes from the regular scheduled Historic Preservation Commission meeting held on August 27, 2019.

   4.B. Consideration and possible action on a Certificate of Appropriateness for 103 East Live Oak Street.

   4.C. Discussion on House Bill 2439.

5. ADJOURNMENT
6. CERTIFICATION

I certify that this notice of the October 22, 2019 Building and Standards Commission meeting was posted on the City Hall bulletin board of the City of Hutto on October 18, 2019 at 12:30 pm.

Lynn Trumbul

Lynn Trumbul, Senior Assistant City Secretary

The City of Hutto is committed to comply with the Americans Disability Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special communications or accommodations must be made 48 hours prior to the meeting. Please contact the City Secretary at (512) 759-4839 or lacie.hale@huttox.gov for assistance.

CITY OF HUTTO, TEXAS
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
AUGUST 27, 2019 AT 6:30PM
CITY HALL – EXECUTIVE CONFERENCE ROOM
500 W. LIVE OAK STREET

HISTORIC PRESERVATION COMMISSION

Robert Lykins – Chairman

Curtis Orton

Mary Belton

Travis Allen

DeAnne Worley

1. CALL THE MEETING TO ORDER- 6:41PM

2. ROLL CALL –

Members of the Historic Preservation Commission that were present were Chairman Robert Lykins, Commissioner Curtis Orton, Commission Travis Allen and Commissioner DeAnne Worley were all present. Commissioner Mary Belton was absent.

Members of staff that were present were Ashley Lumpkin, Executive Director of Development Services; Ashby Grundman, Director of Development Services; John Byrum, Senior Planner; Angel Kavanaugh, Management Assistant.

3. PUBLIC COMMENT

3A. Remarks from visitors. *(Three minute time limit)*

Chair Robert Lykins opened to public at 6:41 pm

Debbie Holland -104 Hutto Street spoke as a supporter of the Historic Preservation Commission, spoke of the contributing structures in the Historic District being

removed due to the Co-Op. 203 West was demolished and she has concerns on 107, 201 and 305 West as well.

4. AGENDA ITEMS

4A. Consideration and possible action on the meeting minutes from the regularly scheduled Historic Preservation Commission meeting held June 18, 2019.

MOTION: Commissioner Travis Allen made a motion to accept the minutes with the correction of adding the word "District" to the last sentence of 4C. Seconded by Curtis Orton. Motioned carried with 4 ayes and 0 nays.

4B. Consideration and possible action on appointing the Historic Preservation Officer

Staff recommended that John Byrum, Senior Planner be appointed as Historic Preservation Officer.

MOTION: Commissioner Travis Allen made a motion to accept John Byrum as Historic Preservation Officer. Seconded by Commissioner Curtis Orton. Motion carried with 4 ayes and 0 nays.

4C. Discussion of Historic Preservation Commission Role (NOTE: this item is discussion only, no action will be taken.

Executive Director, Ashley Lumpkin and Director, Ashby Grundman talked to the commission about the current H.B.2439 bill effective September 1, 2019 stating that a government entity, including city, may not adopt or enforce a rule, charter provisions, ordinance, order, building code, or other regulation that: (1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or (2) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building. See TEXAS GOV'T CODE Section 3000.002(a)(1) & (2). Staff stated they are waiting on representative from legal to clarify.

In accordance with the 4C. "discussion only" agenda item a recommendation was made by Commissioner Travis Allen to pass a resolution stating the Historic Preservation

Commission retain its full old town boundaries. Commissioner Curtis Orton Seconded the recommendation and recommendation was voted on 4 Ayes to 0 Nays.

Chair Robert Lykins had a few projects he would like to get status on and see reinstated.

- *Photos project documenting contributing structures*
- *Home Tours- Christmas -fee , proceeds to purchase plaques for Historic areas*
- *Veterans reflection project – interview veterans*

ADJOURNMENT

There being no further discussion, the meeting adjourned at 7:59p.m.

RESPECTFULLY SUBMITTED:

_____

Robert Lykins, Chair, Historic Preservation Committee

Historic Preservation Commission

AGENDA ITEM REPORT

To: Historic Preservation Commission
Subject: 103 East Live Oak Street
Meeting: Historic Preservation Commission - 22 Oct 2019
Department: Development Services
Staff Contact: John Byrum

BACKGROUND INFORMATION:

The applicant is requesting a Certificate of Appropriateness to construct a new residential build to be located at 103 East Live Oak Street. The proposed new residential home will have hardi cedar mill trim and soffit siding. The body of the house will be AF-545 light blue and the trim will be white, both are historically appropriate paint colors.

The home will have a roof timberline 30 year shingles that are dark gray/black, along with windows that are white high grade vinyl with e glass. White gutters will be across the front and back of the house and the garage door will be metal insulated that is white with craftsman style windows.

With the current plans that have been submitted, the applicant will be requesting a variance from the Zoning Board of Adjustment. The applicant is requesting that his front setback off of Church Street be 31.2 feet instead of the 15 feet to 25 feet setback per code in order to preserve a tree. The applicant will also be requesting a Specific Use Permit to allow for a dwelling:live-work by Planning and Zoning and City Council.

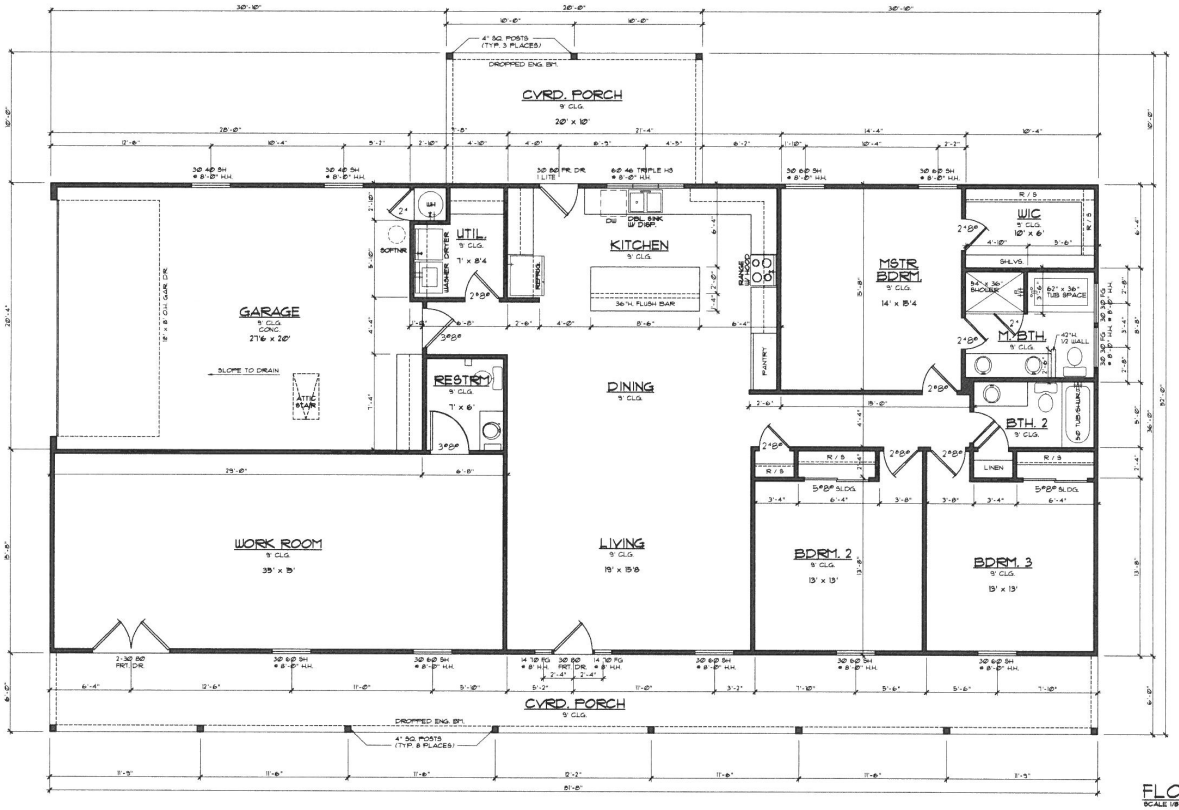
Staff finds that the request is consistent with the standards of the Unified Development Code. Therefore, staff recommends approval of the Certificate of Appropriateness to construct a new residential home located at 103 East Live Oak Street.

103 E. LIVE OAK ST

HUTTO, TX

MATERIALS LIST

1. ROOF TIMBERLINE 30 YEAR SHINGLES DARK GRAY/BLACK
2. 1X8 HARDI CEDAR MILL LAP SIDING WITH HARDI CEDAR MILL TRIM AND SOFFIT. ALL EXTERIOR WILL BE HARDI.
3. WINDOWS WILL BE WHITE HIGH GRADE VINYL WITH E GLASS
4. GARAGE DOOR WILL BE METAL INSULATED WHITE EXTERIOR WITH CRAFTSMAN STYLE WINDOWS.
5. WHITE GUTTERS ACROSS FRONT AND BACK OF HOUSE
6. BODY OF HOUSE WILL BE AF-545 LIGHT BLUE AND TRIM WILL BE WHITE.



FLOOR PLAN
SCALE 1/8" = 1'-0"

GENERAL PLAN NOTES:

1.0 ALL WINDOW U.L. TO BE DIMENSIONED TO CENTER LINE UNLESS OTHERWISE NOTED. GLASS SIZE PER MFR. SPECS.

2.0 ALL WINDOWS WITHIN 24" OF AN EXTERIOR OR INTERIOR DOOR TO BE TEMPERED GLASS. WINDOW MANUFACTURER TO VERIFY FOR ALL TEMPERED GLASS LOCATIONS AS REQUIRED.

3.0 ALL HINGED SHOWER DOORS SHALL SWING OUTWARD. GLAZING USED IN DOORS AND PANELS OF BATHTUB/SHOWER ENCLOSURES AND BUILDING WALLS ENCLOSING THESE COMPARTMENTS SHALL BE FULLY TEMPERED OR LAMINATED SAFETY GLASS.

4.0 WINDOW MANUFACTURER & BUILDER TO VERIFY EGRESSABLE WINDOWS INSTALLED WHERE REQUIRED BY CODE.

5.0 PROVIDE BLOCKING FOR CEILING FANS WHERE SPECIFIED.

6.0 BUILDER TO VERIFY SIZING AND LOCATION OF ALL APPLIANCES & RELATED COMPONENTS.

7.0 WEATHERSTRIP ATTIC ACCESS DOOR(S).

8.0 CONTRACTOR TO PROVIDE A 3/4" PLYWOOD CATWALK FROM ATTIC ACCESS TO HVAC UNITS (IF APPLICABLE). UNITS TO BE LOCATED WITHIN 20'-0" OF ACCESS.

9.0 PROVIDE 1 SF. NET FREE AREA OF ATTIC VENTILLATION PER 150 SF. OF TOTAL COVERED ROOF AREA AS PER CODE.

10.0 THE STANDARD MOUNTING HEIGHT FOR SHOWER HEADS IS 7'-0" ABOVE FINISH FLOOR UNLESS NOTED OTHERWISE.

11.0 ALL PLUMBING APPLIANCE AND GAS VENTS TO VENT TO REAR OF ROOF RIDGE WHEREVER POSSIBLE. ALL VENTS TO BE GANGED TO THE FEWEST NUMBER POSSIBLE PENETRATING THE ROOF.

12.0 PROVIDE CONTROL AND EXPANSION JOINTS AS REQUIRED ON CONCRETE DRIVES, WALKS AND PATIOS.

13.0 PROVIDE WEATHERSEAL AND A 5 1/2" MASONRY DOOR SILL AT ALL EXTERIOR DOOR THRESHOLDS.

14.0 ALL WALLS OVER 10'-8" IN HEIGHT TO BE FRAMED WITH 2x6 STUDS. F WALLS OVER 10'-8" IN HEIGHT ARE NOT BUILT WITH 2x6 STUDS THEY MUST BE BUILT WITH DOUBLE 2x4 STUDS AT 12" O.C.

15.0 THE DROP FROM INTERIOR FINISH FLOOR TO ANY EXTERIOR FINISH FLOOR IS TO BE A MINIMUM OF 1 1/2". CONTRACTOR TO VERIFY MATERIALS USED FOR DECK CONSTRUCTION AND FINISH FLOORING TO MAINTAIN MINIMUM DROP.

LEGEND:
GAS
GAS KEY
SHOWER HEAD
HOSE BIBB

SQUARE FOOTAGE

1ST FLR. CONDITIONED	2351 SF
TOTAL CONDITIONED	2351 SF
GARAGE	589 SF
FRONT PORCH	490 SF
REAR PORCH	200 SF
TOTAL FOOTPRINT	3630 SF

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103 E. LIVE OAK HUTTO, TX
CUSTOM HOME

FIVE STAR homes, a division of five star development, inc.
2345 TOM BLOCK TRAIL, LEANDER, TEXAS 78641 (512) 260-4889

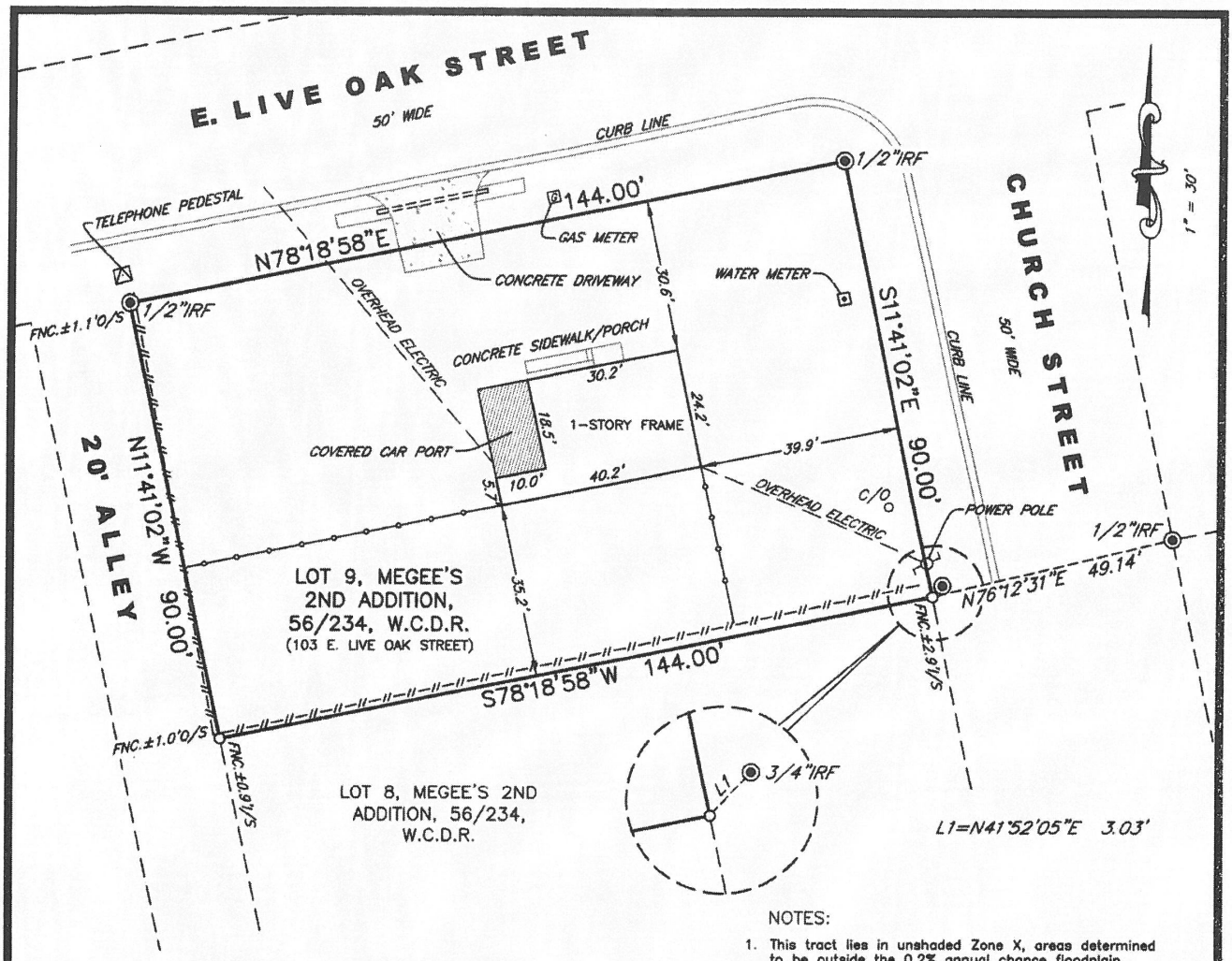
AUG 2019
103 LIVE OAK
REV
A1 OF 4

103 E. LIVE OAK HUTTO, TX
CUSTOM HOME
FIVE STAR
AUG 2019
A2 OF 4
FRONT ELEVATION
RIGHT SIDE ELEVATION
REAR ELEVATION
LEFT SIDE ELEVATION
SIDING

FIVE STAR
designs
AUG 2019
103 E. LIVE OAK HUTTO, TX
CUSTOM HOME
A3 OF 4
GENERAL PROJECT NOTES:
ROOF LAYOUT
STICK FRAME PORCH OVER TRUSSES
PORCH ROOF INCLUDED IN TRUSS DESIGN

103 E. LIVE OAK STREET
CUSTOM HOME
FIVE STAR
AUG. 2019
A4 OF 4
LEGEND
1/2" IRF
WATER METER
GAS METER
OVERHEAD ELECTRIC/TELEPHONE LINE
POWER POLE
LEGAL DESCRIPTION:
103 E. LIVE OAK STREET
LEGEE'S ADDITION
LOT 9
AUSTIN, TEXAS
GENERAL SITE NOTES:
IMPERVIOUS COVER CALCS.
1ST FLOOR COND. 2351 SF
GARAGE 583 SF
PORCHES 630 SF
TOTAL BLDG. COVERAGE 3630 SF 28.0%
DRIVEWAY 561 SF
WALKWAYS 62 SF
A/C PAD 9 SF
TOTAL SITE COVERAGE 4161 SF 32.9%
TOTAL LOT SF 12960 SF 100%
SITE PLAN
20' ALLEY
N11°41'02"W 90.0'
5' SIDE SETBACK
LOT 9
A/C PAD
25' BLDG LINE
15' BLDG LINE
10' REAR SETBACK
COVERED PORCH
RESIDENCE
COVERED PORCH
CONC. WALK
N78°18'58"E 144.0'
REMOVE EXSTG. APRON
E. LIVE OAK STREET
S78°18'58"W 144.0'
CONC. DRIVE
S11°41'02"E 90.0'
CHURCH STREET

103 E. LIVE OAK HUTTO, TX
CUSTOM HOME
FIVE STAR
E1 OF 1
ELECTRICAL LEGEND
ELECTRICAL NOTES:
ELECTRICAL LAYOUT



LEGEND:

O	5/8-INCH IRON ROD SET WITH CAP STAMPED "GBI PARTNERS"
C/O	WASTEWATER CLEANOUT
-//-//-//-//-	WOOD FENCE
-o-o-o-o-	CHAIN LINK FENCE
FNC	FENCE
I/S	INSIDE
O/S	OUTSIDE

NOTES:

1. This tract lies in unshaded Zone X, areas determined to be outside the 0.2% annual chance floodplain, according to FEMA Flood Insurance Rate Map (FIRM) Map Number 48491C0520E, revised September 26, 2008.
2. Bearings are referenced to the Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS observations. Distances are surface values and may be converted to grid by applying the combined adjustment factor of 0.999885541473.
3. This survey was prepared with the benefit of a Commitment for Title Insurance, G.F. No. 1922705-RRK, prepared by Title Resources Guaranty Company issued on June 10, 2019 (Effective Date May 31, 2019).

This is to certify that this plat and the survey on which it is based were prepared in accordance with the Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II survey. Field Work was completed on 6-13-19.

GBI Partners, L.P.

Alan Jay Horton
Registered Professional Land Surveyor
Texas Registration No. 5768

STATE OF TEXAS
REGISTERED
ALAN JAY HORTON
5768
PROFESSIONAL
LAND SURVEYOR

PLAT OF SURVEY

LOT 9, MEGEE'S 2ND ADDITION
VOLUME 56, PG. 234, W.C.P.R.
WILLIAMSON COUNTY, TEXAS

GBI PARTNERS, L.P.
LAND SURVEYING CONSULTANTS
1812 CENTRE CREEK DR., STE. 265 • AUSTIN, TX 78754
PHONE: 512-296-2675 • WWW.GBISURVEY.COM
TBPLS # 10194150 • TBPE # F17284

SCALE: 1"= 30'	JOB NO. 190108	DATE: 6-17-2019
CREW CHIEF: AS	FIELD BOOK: A1908	DWG.: 190108.DWG

H.B. No. 2439

AN ACT

relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 10, Government Code, is amended by adding Subtitle Z to read as follows:

SUBTITLE Z. MISCELLANEOUS PROVISIONS PROHIBITING CERTAIN GOVERNMENTAL ACTIONS

CHAPTER 3000. GOVERNMENTAL ACTION AFFECTING RESIDENTIAL AND COMMERCIAL CONSTRUCTION

Sec. 3000.001. DEFINITIONS. In this chapter:

(1) "National model code" has the meaning assigned by Section 214.217, Local Government Code.

(2) "Governmental entity" has the meaning assigned by Section 2007.002.

Sec. 3000.002. CERTAIN REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS, OR METHODS PROHIBITED. (a) Notwithstanding any other law and except as provided by Subsection (d), a governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that:

(1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(2) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(b) A governmental entity that adopts a building code governing the construction, renovation, maintenance, or other alteration of a residential or commercial building may amend a provision of the building code to conform to local concerns if the amendment does not conflict with Subsection (a).

(c) This section does not apply to:

(1) a program established by a state agency that requires particular standards, incentives, or financing arrangements in order to comply with requirements of a state or federal funding source or housing program;

(2) a requirement for a building necessary to consider the building eligible for windstorm and hail insurance coverage under Chapter 2210, Insurance Code;

(3) an ordinance or other regulation that regulates outdoor lighting that is adopted for the purpose of reducing light pollution and that:

(A) is adopted by a governmental entity that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program; or

(B) applies to outdoor lighting within five miles

of the boundary of a military base in which an active training program is conducted;

(4) an ordinance or order that:

(A) regulates outdoor lighting; and

(B) is adopted under Subchapter B, Chapter 229, Local Government Code, or Subchapter B, Chapter 240, Local Government Code;

(5) a building located in a place or area designated for its historical, cultural, or architectural importance and significance that a municipality may regulate under Section 211.003(b), Local Government Code, if the municipality:

(A) is a certified local government under the National Historic Preservation Act (54 U.S.C. Section 300101 et seq.); or

(B) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;

(6) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by a governmental entity, if designated before April 1, 2019;

(7) a building located in an area designated as a historic district on the National Register of Historic Places;

(8) a building designated as a Recorded Texas Historic Landmark;

(9) a building designated as a State Archeological Landmark or State Antiquities Landmark;

(10) a building listed on the National Register of Historic Places or designated as a landmark by a governmental entity;

(11) a building located in a World Heritage Buffer Zone; and

(12) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section 442.014.

(d) A municipality that is not a municipality described by Subsection (c)(5)(A) or (B) may adopt or enforce a regulation described by Subsection (a) that applies to a building located in a place or area designated on or after April 1, 2019, by the municipality for its historical, cultural, or architectural importance and significance, if the municipality has the voluntary consent from the building owner.

(e) A rule, charter provision, ordinance, order, building code, or other regulation adopted by a governmental entity that conflicts with this section is void.

Sec. 3000.003. INJUNCTION. (a) The attorney general or an aggrieved party may file an action in district court to enjoin a violation or threatened violation of Section 3000.002.

(b) The court may grant appropriate relief.

(c) The attorney general may recover reasonable attorney's fees and costs incurred in bringing an action under this section.

(d) Sovereign and governmental immunity to suit is waived and abolished only to the extent necessary to enforce this chapter.

Sec. 3000.004. OTHER PROVISIONS NOT AFFECTED. This chapter does not affect provisions regarding the installation of a fire sprinkler protection system under Section 1301.551(i), Occupations Code, or Section 775.045(a)(1), Health and Safety Code.

Sec. 3000.005. SEVERABILITY. If any provision of a rule, charter provision, ordinance, order, building code, or other regulation described by Section 3000.002(a) is held invalid under this chapter, the invalidity does not affect other provisions or applications of the rule, charter provision, ordinance, order, building code, or other regulation that can be given effect without the invalid provision or application, and to this end the

provisions of the rule, charter provision, ordinance, order, building code, or other regulation are severable.

SECTION 2. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 2439 was passed by the House on April 30, 2019, by the following vote: Yeas 124, Nays 21, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2439 on May 23, 2019, by the following vote: Yeas 133, Nays 9, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2439 was passed by the Senate, with amendments, on May 19, 2019, by the following vote: Yeas 26, Nays 5.

Secretary of the Senate

APPROVED: _____
Date

_____
Governor