

CITY OF PLANO  
HERITAGE COMMISSION

February 7, 2023

**Agenda Item No. 3**

**Discussion:** 2023 Heritage Tax Exemption Program

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**DESCRIPTION:**

Hold a discussion regarding the 2023 Heritage Tax Exemption Program.

**REMARKS:**

In accordance with recent changes to the Heritage Tax Exemption Program procedures, the Heritage Commission (Commission) has resumed considering appeals and extension requests related to heritage tax exemptions at its January meeting each year. The purpose of this agenda item is to provide a general overview of the Heritage Tax Exemption (HTE) program, results of the 2023 tax exemption inspections, and the Commission's role at tonight's meeting.

Program Overview

The Heritage Tax Exemption Ordinance was established in 1984 to provide tax relief to owners of designated heritage properties, which could then be reinvested into maintenance and long-term preservation of historic structures. To receive a heritage tax exemption, properties are subject to an annual inspection, must make repairs as needed based upon inspection results, and shall meet all other eligibility requirements as stipulated in the Heritage Tax Exemption Ordinance. If approved, the property owner shall receive an exemption ranging from 38% to 100% of the improvement value, based on use of the property and whether it is designated as a Heritage Landmark or is part of a Heritage District. Collin College and the Plano Independent School District also provide an equivalent tax exemption if approved by the City of Plano. More information about the program is included in Attachment 1.

2023 Applicants

A total of 87 properties applied for a heritage tax exemption for 2023, all of which received an exemption last year. No new properties applied for participation in the tax exemption program for 2023 and no properties re-applied after being denied an exemption in 2022.

Table 1: Application Summary

Returning Applicants	87
First Time Applicants	0
Applicants Re-applying Following 2022 Denial	0
<b>Total Applicants for 2023</b>	<b>87</b>

## 2023 Inspection Summary

On January 3, 2023, staff inspected all 87 properties for compliance with the heritage tax exemption program eligibility requirements, including all “Poor”-rated items identified in a previous inspection report, to ensure that repairs had been completed. Last year’s inspection reports identified 30 “Poor”-rated issues among 19 different properties. After the inspections, there are eight remaining “Poor”-rated issues among four different properties.

Table 2: 2022 “Poor”-rated Repairs Summary

	2022 Inspection Reports (March 2022)	2023 Inspection Results (January 2023)
Number of “Poor”-rated Issue(s)	30	8
Properties “Poor”-rated Issue(s)	19	4

Of the four remaining properties, three of the owners have requested appeals or extensions for the Commission’s consideration at tonight’s meeting. The inspections also identified one property with exterior alterations constructed without approval of Certificate of Appropriateness. The owner of this property has also submitted an appeal.

2023 Inspection Reports, including any newly identified “Poor”-rated repairs to be completed by the end of this year, are still being processed by staff and will be provided to all participating property owners by no later than March 31, 2023. Property owners will then have the option to appeal these issues to the Commission in May.

### Five Ineligible Properties

After inspecting the properties, staff deemed five (5) properties as ineligible for the tax exemption program, as follows:

- |                 |   |
|-----------------|---|
| 901 17th Street | Several “Poor”-rated issues had not been addressed, including repair or replacement of torn window screens and repair to damaged window trim. The property owner is requesting an extension to allow additional time to complete the repairs. Refer to Agenda Item No. 4 for more information.  |
| 907 17th Street | An exterior alteration was constructed on the property’s east facade without approval of a Certificate of Appropriateness. The property owner is requesting an appeal to allow additional time to bring the property into compliance. Refer to Agenda Item No. 5 for more information.  |
| 910 18th Street | Several “Poor”-rated issues were identified in the property’s 2021 inspection report with an original deadline of January 1, 2022. The Heritage Commission granted an extension of the deadline to January 1, 2023, following a change in ownership and approval of several Certificates of Appropriateness to renovate the structure. The renovations are ongoing, and the property owner is in the process of seeking the necessary site plan and building permit approvals to complete the project. The property owner is requesting an additional extension to 2024. Refer to Agenda Item No. 6 for more information. |

920 18th Street	A damaged gutter identified as a “Poor”-rated item in the 2022 inspection report had not been completed by the deadline. The property owner has since completed the repair and is requesting an extension to maintain eligibility for 2023. Refer to Agenda Item No. 7 for more information.
812 18th Street	The trim of two windows on the east facade identified as “Poor”-rated issues in the 2022 inspection report had not been completed by the deadline. The property owner did not submit an appeal. Refer to Attachment 3 for more information on this property.

Details as to the ineligibility issues and reasoning for the appeal/extension requests are included in the staff reports for Agenda Items 4 through 7 for the Commission’s consideration and recommendation along with survey forms with photos and the appeal/extension request applications.

#### Action by the Commission

The Commission shall consider the following reasons selected by property owners for requesting an appeal and/or extension at the January 31, 2023, meeting:

1. There was an error in determining the property did not meet the eligibility requirements as of January 1 of the current year;
2. Cost estimates or other information indicating the repair required is more substantial than initially expected;
3. The required maintenance items identified in the inspection report are being addressed as part of a larger series of repairs or improvements that may require additional time to complete than allowed by the deadline established in the inspection report; or
4. Granting an appeal/extension is in the best interests of the long-term preservation and maintenance of the historically significant site.

In addition to appeals or extensions, the recent amendments to the Heritage Tax Exemption Ordinance added a new feature in the appeals process that allows the Commission to grant a one-year waiver from certain eligibility requirements. If granted a waiver, property owners would be recommended for approval at half of their eligible tax exemption rate (i.e., if a property was eligible for a 75% tax exemption, they could receive a 38% tax exemption with approval of a waiver).

After considering each case, the Commission can decide to grant an appeal, extension, or waiver (as applicable), rendering the property eligible to participate in the 2023 Heritage Tax Exemption. If no appeal, extension, or waiver is granted, the property will not be included in the list of properties recommended for approval at City Council on February 27, 2023. There are no formal appeals beyond the Commission’s actions at tonight’s meeting; however, anyone has the right to address City Council when the ordinance approving tax exemptions is considered for adoption.

**RECOMMENDATION:**

No action required. A list of the other 82 properties deemed eligible by staff will be forwarded to City Council for approval on February 27, 2023 (see Attachment 2). Any property granted an appeal, extension, or waiver following action by the Commission will be added to the list.

**ATTACHMENTS:**

Attachment 1 – Program Overview

Attachment 2 – Preliminary List of Properties Recommended for Approval

Attachment 3 – Denied Property



## Program Overview

- Tax Exemption Program established in 1984 to:
  - incentivize preservation of historic structures; and
  - provide tax savings for maintenance.
- Three Taxing Entities Participate - City of Plano, Plano ISD, and Collin College.
- Participation in the program is voluntary. Approximately 50-60% of historic properties participate each year.
- Application submitted to enter the program. If eligible, application is automatically renewed annually.
- Participating properties are subject to an annual exterior inspection, with repairs required to maintain eligibility.
- March 1st deadline to provide approved list to Collin CAD.



## Eligibility Requirements

- ✓ There are no outstanding code violations (property, structural, health, safety, zoning);
- ✓ There are no delinquent property taxes owed to city;
- ✓ There are no pending or approved plans to demolish the structure;
- ✓ All exterior work received necessary approvals; and
- ✓ All “Poor-rated” repairs required from last year’s tax exemption inspections (or prior years) have been completed.

## Tax Exemption Rates

### Heritage Landmarks:

**100%**  
of IMPROVEMENT VALUE

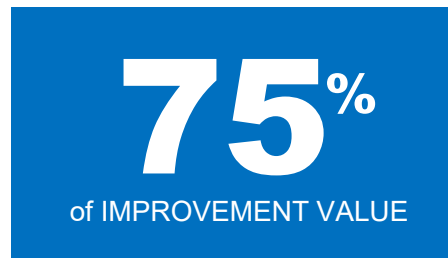
Residential

**50%**  
of IMPROVEMENT VALUE

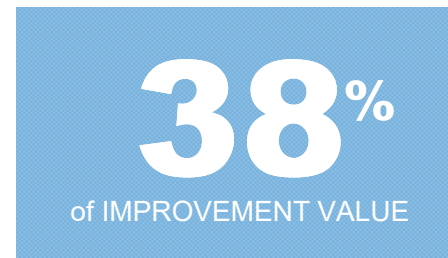
Non-Residential

## Tax Exemption Rates

### **Contributing or Compatible to a Heritage District:**



Residential



Non-Residential

# Annual Inspections

Inspections serve two main purposes:

1. Does the property meet all eligibility requirements for the current year?
  - ✓ No code violations
  - ✓ Taxes current
  - ✓ No demolition
  - ✓ Received necessary permits
  - ✓ Repairs from last year's inspection (or prior years) have been completed
2. What repairs are required to maintain eligibility next year?
  - Good
  - Fair
  - **Poor**



## Annual Inspections

### Repair Ratings:

**GOOD**

Only minor cosmetic repairs needed, if any

**FAIR**

Repairs are not of immediate concern, but may continue to deteriorate if not addressed

**POOR**

Immediate repairs are needed to preserve historic integrity or significance (must be addressed by end of the year to maintain eligibility)

## Appeals/Extensions

Property owners may appeal inspection results or request an extension to deadline to make required repairs. Heritage Commission may grant an extension if it finds:

- There was an error in determining the property did not meet eligibility requirements;
- Cost estimates or other information indicating the repair is more substantial than initially expected;
- The repair will be made as part of a larger series of repairs or improvements to the property or requires additional time to complete; or
- Granting an appeal/extension is in the best interest of the long-term preservation and maintenance of the property.

If granted an appeal or extension, the property maintains eligibility and will be forwarded to City Council for approval. In lieu of an extension or appeal, the Heritage Commission may grant a one-year waiver to eligibility requirements, allowing property owners to receive 50% of their eligible exemption.



# Approval Process

- JAN:** Staff performs inspections to determine if properties meet eligibility requirements:
- *Eligible – forwarded to City Council for approval*
  - *Ineligible – immediately notified with steps to appeal or request an extension from the Heritage Commission*

Heritage Commission considers appeals and extensions.

- FEB:** City Council approves tax exemptions.

- MAR:** Staff sends inspection reports with repairs required (i.e., 'Poor' rated) by end of the year.


- MAY:** Heritage Commission considers appeals of 'Poor' rated items from inspection report.

Tax Exemption Survey 2020

**910 E. 18th Street**

2020 Survey Comments not addressed:  
 • Repair siding on the east side of the house and paint matching to existing color.  
 • Repair siding on the west side of the house and paint matching to existing color.  
 • Repair siding on the north side of the house and paint matching to existing color.

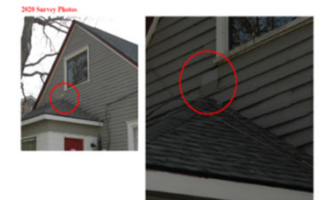
2020 Survey Comments not addressed appropriately:  
 • Repair siding on the public view of the east side and paint matching to existing color.



CRITERIA	CONDITION	COMMENTS
1. Structure (which is visible) is securely joined to ground (foundation only)		
2. Exterior surface painted to protect decay	Poor	Repair siding on the east side of the house and paint matching to existing color.
3. Grounds maintained. Use of excessive dirt, vegetation, garbage, junk or other		
4. Siding & shingles maintained in good repair		
5. No broken windows		
6. Exterior doors & shutters maintained in good repair	Poor	Repair siding on the east side of the house and paint matching to existing color.
7. Windows around exterior in good repair		
8. Roof framing and supports maintained in good condition, capable of bearing an imposed load		
9. Roofing material in good repair, shingles and gutters in good condition for value		
10. The roofed exterior wall		
11. The building is structurally sound in its design		
12. The house has no other structural damage (cracks, holes, rot, etc.) in the exterior structure (including from roof and all parts of the exterior)	Poor	Repair siding on the east side of the house and paint matching to existing color.
13. Foundation and exterior of exterior building in good repair, including painting if applicable		
14. Roof and ceiling materials shall be maintained in good repair		
15. How well decorative work used be maintained and painted		
16. Other Remarks		

910 18th Street

2020 Survey comments not addressed appropriately, as the required repair is being pushed using a special sheet (Coping 12) - Repair siding on the public view of the east side and paint matching to existing color (2)





# Notifications

**MAR:** An approval letter (via certified mail and e-mail):

- Inspection Report - Good, Fair, and Poor repairs
- Instructions to appeal Poor ratings

**SEP:** A reminder letter (via certified mail and e-mail)

**DEC:** A reminder postcard is mailed (via regular mail).

Tax Exemption Survey 2020

**910 E. 18th Street**

**2020 Survey Comments not addressed:**

- Repair siding on the east side of the main house and porch leading to south-facing side.
- Repair siding on the west side of the main house leading to the east and porch leading to south-facing side.

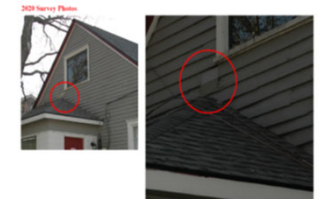
**2020 Survey Comments not addressed appropriately:**

- Repair siding below the public viewline of the east house and porch leading to south-facing side.

CRITERIA	CONDITION	COMMENTS
1. Structure (which is required to be recorded) shown to general maintenance only		
2. Exterior surface painted to protect decay	Poor	Repair siding below the public viewline of the east house and porch leading to south-facing side.
3. Complete maintenance, free of excessive dirt, vegetation, graffiti, paint or other		
4. Siding & shingles maintained in good repair		
5. No broken windows		
6. Exterior doors & shutters maintained in good repair	Poor	Repair siding on the east side only. Deck and porch leading to south-facing side.
7. Windows closed properly in good repair		
8. Roof framing and supports maintained in good condition, capable of bearing an imposed load		
9. Roofing material in good repair, shingles, and gutters in good condition for value		
10. The roofed exterior wall		
11. The building or structure appears in good repair		
12. The house/structure or other in the exterior structure (include from street) and all parts in good repair	Poor	Repair siding on the west side of the main house and porch leading to south-facing side.
13. Siding and exterior materials shall be maintained in good repair		
14. Siding and exterior materials shall be maintained in good repair		
15. Other Remarks:		

910 18th Street

2020 Survey comments not addressed appropriately, as the required repair is being provided using a metal sheet. Criteria 12 - Repair siding below the public viewline of the east house and porch leading to south-facing side (2)



## Attachment 2

No.	Property Location
1	1001 E. 15th Street
2	1015 E. 15th Street
3	1023 E. 15th Street
4	1407 E. 15th Street
5	1410 E. 15th Street
6	1413 E. 15th Street
7	1414 E.15th Street
8	807 E. 16th Street
9	1210 E. 16th Street
10	1211 E. 16th Street
11	900 17th Street
12	906 17th Street
13	901 18th Street
14	906 18th Street
15	909 18th Street
16	914 18th Street
17	1615 H Avenue
18	1709 H Avenue
19	1611 K Avenue
20	1617 K Avenue
21	1704 N Place
22	3921 Coit Road
23	1600 Carpenter Drive
24	1601 Carpenter Drive
25	1604 Carpenter Drive
26	1605 Carpenter Drive
27	1608 Carpenter Drive
28	1612 Carpenter Drive
29	1613 Carpenter Drive
30	1616 Carpenter Drive
31	1617 Carpenter Drive
32	1621 Carpenter Drive
33	1624 Carpenter Drive
34	1625 Carpenter Drive
35	617 E. 16th Street
36	801 E. 16th Street
37	811 E. 16th Street
38	815 E. 16th Street
39	819 E. 16th Street
40	901 E. 16th Street
41	907 E. 16th Street

No.	Property Location
42	805 17th Street
43	809 17th Street
44	813 17th Street
45	816 17th Street
46	911 17th Street
47	913 17th Street
48	810 18th Street
49	811 18th Street
50	903 18th Street
51	913 18th Street
52	1517 G Avenue
53	1521 G Avenue
54	1600 H Avenue
55	1603 H Avenue
56	1607 H Avenue
57	1611 H Avenue
58	1701 H Avenue
59	1706 H Avenue
60	1715 H Avenue
61	1003-07 E. 15th Street
62	1004 E. 15th Street
63	1008 E. 15th Street
64	1010 E. 15th Street
65	1011 E. 15th Street
66	1012 E. 15th Street
67	1013 E. 15th Street
68	1016 E. 15th Street
69	1017 E. 15th Street
70	1018 E. 15th Street
71	1020 E. 15th Street
72	1021 E. 15th Street
73	1022 E. 15th Street
74	1024 E. 15th Street
75	1026 E. 15th Street & 1421 K Avenue
76	1029 E. 15th Street
77	1031-1033 E. 15th Street
78	1032 E. 15th Street
79	1035 E.15th Street
80	1037 E. 15th Street
81	1410-12 J Avenue
82	1418 K Avenue

## Attachment 3

January 6, 2023

Charles E. Spence  
106 Salisbury Circle  
Murphy, TX 75094-4122

**RE: 2023 Heritage Tax Exemption Denial – 812 18th Street, Plano, TX 75074**

Dear Mr. Spence:

Staff recently inspected your property at **812 18th Street** for eligibility in the 2023 Heritage Tax Exemption Program. As you may know, the purpose of the exemption program is to provide tax savings to be reinvested in the property for proper maintenance. After inspecting the property on January 3, 2023, staff has reviewed the applicable eligibility requirements in Section 20-55 of the Heritage Tax Exemption Ordinance and found your property to be **ineligible** for a 2023 heritage tax exemption for failing to meet the following criteria:

- 1. All repairs required from a previous tax exemption inspection have been completed by the established deadline.**

Reason: The repair of the first floor window headers at the east facade were not completed. See attached photos from the 2022 and 2023 inspections.

### *Appeals/Extensions*


You have the ability to request an extension or appeal this determination to the Heritage Commission by returning the attached form by no later than 5:00 p.m. on January 20, 2023. Failure to submit the form by the deadline will result in denial of your tax exemption application. Appeals/extensions will be considered during the January 31, 2023, Heritage Commission meeting beginning at 6:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center at 1520 K Avenue.

### *Reapply for 2024*

You can reapply to the program next year provided the repairs are completed and the property is in compliance with Section 20-55 of the Heritage Tax Exemption Ordinance by January 1, 2024. An application form is available at [www.historicplano.org](http://www.historicplano.org).

If you have any questions, please contact me at (972) 941-7151.

Sincerely,



Stephen M. Sims  
Lead Planner

Attachment: Inspection Photos

## Attachment 3 (continue)

### Attachment 1 - Inspection Photos

#### 812 18th Street

2022 Photos: Repair/replace first floor window headers at the east facade to match existing material, size, detail, and color (Criteria 3.e) (P)

#### 2022 Photo



#### 2023 Photo



# HERITAGE COMMISSION

## REGULAR MEETING RESULTS



**DATE:** February 7, 2023

**TO:** Honorable Mayor & City Council

**FROM:** Harold Sickler, Chair, Heritage Commission

**VIA:** Michael Bell, AICP, Comprehensive Planning Manager  
Christina D. Day, AICP, Director of Planning

**SUBJECT:** Results of Heritage Commission Meeting of February 7, 2023

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### **AGENDA ITEM NO. 4 – DISCUSSION AND ACTION: HERITAGE TAX EXEMPTION EXTENSION REQUEST FOR 901 17TH APPLICANT: MICHAEL BRATSCH**

Hold a discussion and consider an extension to the deadline to complete required repairs at 901 17th Street.

**Results:** APPROVED 6-1-0

Speaker Registration(s) Received                      Support: 6 Oppose: 1 Neutral: 0

### **RESULTS:**

Approved extension to the deadline to complete required repairs at 901 17th Street to January 1, 2024.

MB/ko

cc: Michael Bell, Comprehensive Planning Manager  
Steve Sims, Lead Planner  
Bhavesh Mittal, Heritage Preservation Officer

CITY OF PLANO  
HERITAGE COMMISSION

February 7, 2023

**Agenda Item No. 4**

**Discussion and Action:** Heritage Tax Exemption Extension Request for 901 17th St.

**Applicant:** Michael Bratsch

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**DESCRIPTION:**

Hold a discussion and consider an extension to the deadline to complete required repairs at 901 17th Street.

**REMARKS:**

On January 3, 2023, staff inspected the property at 901 17th Street for compliance with the heritage tax exemption eligibility requirements. Upon inspection, staff observed that three “Poor”-rated repairs from the property’s 2022 inspection report had not been completed (see Denial Letter in Attachment 1):

- Repair/replacement of second floor screens on the west facade.
- Repair/replacement of second floor screens on the north facade.
- Repair first floor window trim and siding on the north facade.

This is in violation with the following eligibility criteria: *“All repairs required from a previous tax exemption have been completed by the established deadline.”* For these reasons, staff deemed the property ineligible for a 2023 heritage tax exemption.

The property owner, Mr. Michael Bratsch, is requesting an extension for *“other reasons that may be in the best interests of the long-term preservation and maintenance of the site.”* His extension request form (see Attachment 2) indicates he misread the repair deadline as January 31, 2023, and intends to complete the repairs prior to the Commission meeting.

**PROPERTY INFORMATION:**

Address:	901 17th Street
District:	Haggard Park Heritage District (HD-20)
Landmark:	Mathews House (H-15)
Significance:	Contributing
Land Use:	Residential
Exemption Rate:	Class A (100%)

## **OPTIONS:**

The Commission may render one of the following decisions:

1. Grant an Extension to the Deadline – If an extension is granted, the property will maintain eligibility for a 2023 heritage tax exemption and will have until January 1, 2024, to complete the outstanding “Poor”-rated repairs to maintain eligibility in 2024.
2. Grant a Waiver – If a waiver is granted, the property will be deemed eligible for a 2023 heritage tax exemption at a 50% reduction. The deadline to complete the outstanding “Poor”-rated items will be extended to January 1, 2024.
3. Deny the Extension Request – If the Commission denies the request, the property will be denied a 2023 heritage tax exemption.

Properties that maintain eligibility as a result of the Commission’s decisions will be included in the list of properties recommended for approval by City Council on February 27, 2023.

## **RECOMMENDATION:**

Recommended the Commission consider and render a decision regarding the request.

## **ATTACHMENTS:**

Attachment 1 - Denial Letter

Attachment 2 - Appeals/Extension Request Form





City of Plano  
1520 K Avenue  
Plano, TX 75074

P.O. Box 860358  
Plano, TX 75086-0358  
Tel: 972.941.7000  
plano.gov

January 6, 2023

Michael Bratsch  
3601 Potomac Avenue  
Dallas, TX 75205

**RE: 2023 Heritage Tax Exemption Denial – 901 17<sup>th</sup> Street, Plano, TX 75074**

Dear Mr. Bratsch:

Staff recently inspected your property at **901 17th Street** for eligibility in the 2023 Heritage Tax Exemption Program. As you may know, the purpose of the exemption program is to provide tax savings to be reinvested in the property for proper maintenance. After inspecting the property on January 3, 2023, staff has reviewed the applicable eligibility requirements in Section 20-55 of the Heritage Tax Exemption Ordinance and found your property to be **ineligible** for a 2023 heritage tax exemption for failing to meet the following criteria:

- 1. All repairs required from a previous tax exemption inspection have been completed by the established deadline.**

Reason: Repair/replacement of the torn window screens on the second floor windows situated on the north and west facades were not completed. Additionally, the trim above the first floor window on the north facade was not repaired. See attached photos from the 2022 and 2023 inspections.

*Appeals/Extensions*

You have the ability to request an extension or appeal this determination to the Heritage Commission by returning the attached form by no later than 5:00 p.m. on January 20, 2023. Failure to submit the form by the deadline will result in denial of your tax exemption application. Appeals/extensions will be considered during the January 31, 2023, Heritage Commission meeting beginning at 6:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center at 1520 K Avenue.

*Reapply for 2024*

You can reapply to the program next year provided the repairs are completed and the property is in compliance with Section 20-55 of the Heritage Tax Exemption Ordinance by January 1, 2024. An application form is available at [www.historicplano.org](http://www.historicplano.org).

If you have any questions, please contact me at (972) 941-7151.

Sincerely,

Stephen M. Sims,  
Lead Planner

Attachment: Inspection Photos



## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 901 17th Street

Repair/replace window screen on the second floor windows at the west and the north facades to match existing size, material, and color (Criteria 3.a, 3.b) (P)

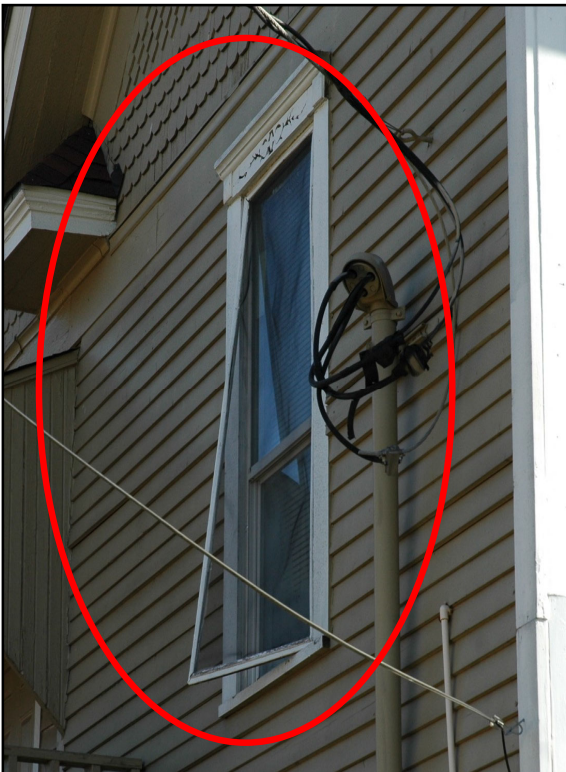
2022 Photos



2023 Photos



2022 Photos



2023 Photos



## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 901 17th Street

Repair first floor window trim and siding above it with paint touch-up at the north (rear) facade to match existing size, material, and color (Criteria 3.e) (P)

#### 2022 Photo



#### 2023 Photo





December 2022



# HERITAGE TAX EXEMPTION APPEALS/EXTENSION REQUEST FORM

HERITAGE COMMISSION, CITY OF PLANO



## Part 1: Appeal/Extension Request

I, Michael Bratsch, would like to formally request an appeal/extension of the deadline to complete 'Poor' rated repairs as listed in the most recent Heritage Tax Exemption Inspection Report for the property located at 901 17th St Plano TX 75074

### Reason(s) for Appeal/Extension:

- ☐ There was an error in determining the property did not meet eligibility requirements.
- ☐ Cost estimates or other information indicate the repair required is more substantial than initially expected.
- ☐ The required repairs are being addressed as part of a larger series of repairs or improvements that may require additional time to complete than allowed by the deadline established in the inspection report.
- ☒ Other reasons that may be in the best interests of the long-term preservation and maintenance of the site.

## Part 2: Explanation and Supporting Documentation

Please explain the specific circumstance and attach any photos or other documentation to support your request:

I mistakenly misread the deadline as  
January 31. I am currently working  
on it and will have it completed by  
January 27 5:00pm. Thank you for  
your consideration.

## Part 3: Property Owner Information

Michael Bratsch ☒ Individual ☐ Partnership ☐ Corporation ☐ Other  
Name

3601 Potomac Ave Dallas TX 75205  
Mailing Address, City, State, Zip Code

[Redacted] [Redacted]  
Email Phone

Michael Bratsch 1-16-23  
Signature Date

**Appeals/Extension Request Deadline: January 20, 2023**

The Heritage Tax Exemption Ordinance can be accessed at <https://www.plano.gov/1186/Tax-Exemption-Program>

**DATE:** February 7, 2023  
**TO:** Honorable Mayor & City Council  
**FROM:** Harold Sickler, Chair, Heritage Commission  
**VIA:** Michael Bell, AICP, Comprehensive Planning Manager  
Christina D. Day, AICP, Director of Planning  
**SUBJECT:** Results of Heritage Commission Meeting of February 7, 2023

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**AGENDA ITEM NO. 5 – DISCUSSION AND ACTION: HERITAGE TAX EXEMPTION APPEAL REQUEST FOR 907 17TH**  
**APPLICANT: JACKIE WESTBROOK**

Hold a discussion and consider an appeal for work completed without an approved Certificate of Appropriateness at 907 17th Street.

**Results:** APPROVED 7-0-0

Speaker Registration(s) Received                      Support: 7 Oppose: 0 Neutral: 0

**RESULTS:**

Approved appeal for work completed without an approved Certificate of Appropriateness at 907 17th Street, allowing the property owner to bring the property into compliance by January 1, 2024.

MB/ko

cc: Michael Bell, Comprehensive Planning Manager  
Steve Sims, Lead Planner  
Bhavesh Mittal, Heritage Preservation Officer

CITY OF PLANO  
HERITAGE COMMISSION

February 7, 2023

**Agenda Item No. 5**

**Discussion and Action:** Heritage Tax Exemption Appeal Request for 907 17th Street

**Applicant:** Jackie Westbrook

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**DESCRIPTION:**

Hold a discussion and consider an appeal for work completed without an approved Certificate of Appropriateness at 907 17th Street.

**REMARKS:**

On January 3, 2023, staff inspected the property at 907 17th Street for compliance with the heritage tax exemption eligibility requirements. Upon inspection, it was observed that an addition to the east facade of the primary structure had been installed without an approved Certificate of Appropriateness (see Denial Letter in Attachment 1). This is in violation with the following eligibility criteria: *“No exterior work was completed, installed, or is under construction without a Certificate of Appropriateness (CA) or in deviation of a previously approved CA.”* For this reason, staff deemed the property ineligible for a 2023 heritage tax exemption.

The property owner, Ms. Jackie Westbrook, is requesting an appeal for *“other reasons that may be in the best interests of the long-term preservation and maintenance of the site.”* Her appeal form indicates the improvements were constructed in 2019 for drainage purposes and that she was unaware the improvements would require approval of a CA (see Attachment 2). Ms. Westbrook also states an intent to seek necessary approvals to bring the property into compliance. Please note that staff did not identify the addition in previous inspections as it was heavily screened by landscaping in the front yard.

**PROPERTY INFORMATION:**

Address: 907 17th Street  
District: Haggard Park Heritage District (HD-20)  
Landmark: N/A  
Significance: Contributing  
Land Use: Residential  
Exemption Rate: Class C (75%)

**OPTIONS:**

The Commission may render one of the following decisions:

1. Grant the Appeal – If an appeal is granted, the property will maintain eligibility for a 2023 heritage tax exemption. A Certificate of Appropriateness will still be required to bring the addition into compliance.
2. Grant a Waiver – If a waiver is granted, the property will be deemed eligible for a 2023 heritage tax exemption at a 50% reduction. A Certificate of Appropriateness will still be required to bring the addition into compliance.
3. Deny the Appeal – If the Commission denies the request, the property will be denied a 2023 heritage tax exemption.

Note that an extension is not an option in this case as this was not a "Poor"-rated repair identified in a previous inspection report, but work performed without necessary approvals. If an appeal is granted, the requirement to receive a Certificate of Appropriateness will be listed in the property's 2023 inspection report with a deadline for completion by January 1, 2024.

Properties that maintain eligibility as a result of the Commission's decisions will be included in the list of properties recommended for approval by City Council on February 27, 2023.

**RECOMMENDATION:**

Recommended the Commission consider and render a decision regarding the request.

**ATTACHMENTS:**

Attachment 1 - Denial Letter  
Attachment 2 - Appeals/Extension Request Form



City of Plano  
1520 K Avenue  
Plano, TX 75074

P.O. Box 860358  
Plano, TX 75086-0358  
Tel: 972.941.7000  
plano.gov

January 6, 2023

Larry Westbrook  
907 17<sup>th</sup> Street  
Plano, TX 75074

**RE: 2023 Heritage Tax Exemption Denial – 907 17<sup>th</sup> Street, Plano, TX 75074**

Dear Mr. Westbrook:

Staff recently inspected your property at **907 17<sup>th</sup> Street** for eligibility in the 2023 Heritage Tax Exemption Program. As you may know, the purpose of the exemption program is to provide tax savings to be reinvested in the property for proper maintenance. After inspecting the property on January 3, 2023, staff has reviewed the applicable eligibility requirements in Section 20-55 of the Heritage Tax Exemption Ordinance and found your property to be **ineligible** for a 2023 heritage tax exemption for failing to meet the following criteria:

- 1. No exterior work was completed, installed, or is under construction without a Certificate of Appropriateness (CA) or in deviation of a previously approved CA.**

Reason: There is an addition on the east facade of the existing structure installed without an approved Certificate of Appropriateness. See attached photo(s) from the 2023 inspection.

*Appeals/Extensions*

You have the ability to request an extension or appeal this determination to the Heritage Commission by returning the attached form by no later than 5:00 p.m. on January 20, 2023. Failure to submit the form by the deadline will result in denial of your tax exemption application. Appeals/extensions will be considered during the January 31, 2023, Heritage Commission meeting beginning at 6:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center at 1520 K Avenue.

*Reapply for 2024*

You can reapply to the program next year provided the repairs are completed and the property is in compliance with Section 20-55 of the Heritage Tax Exemption Ordinance by January 1, 2024. An application form is available at [www.historicplano.org](http://www.historicplano.org).

If you have any questions, please contact me at (972) 941-7151.

Sincerely,

Stephen M. Sims,  
Lead Planner

Attachment: Inspection Photos



## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 907 17th Street

2023 Photo



Expansion of east facade of structure constructed without an approved Certificate of Appropriateness. (Criteria 3.f)



December 2022



# HERITAGE TAX EXEMPTION

## APPEALS/EXTENSION REQUEST FORM

### HERITAGE COMMISSION, CITY OF PLANO



#### Part 1: Appeal/Extension Request

I, Jackie Westbrook, would like to formally request an appeal/extension of the deadline to complete 'Poor' rated repairs as listed in the most recent Heritage Tax Exemption Inspection Report for the property located at 907 17th Street, Plano 75074.

#### Reason(s) for Appeal/Extension:

- ☐ There was an error in determining the property did not meet eligibility requirements.
- ☐ Cost estimates or other information indicate the repair required is more substantial than initially expected.
- ☐ The required repairs are being addressed as part of a larger series of repairs or improvements that may require additional time to complete than allowed by the deadline established in the inspection report.
- ☒ Other reasons that may be in the best interests of the long-term preservation and maintenance of the site.

#### Part 2: Explanation and Supporting Documentation

Please explain the specific circumstance and attach any photos or other documentation to support your request:  
Please see attached letter.

#### Part 3: Property Owner Information

Jackie Westbrook ☒ Individual ☐ Partnership ☐ Corporation ☐ Other  
Name

907 17th St., Plano, TX 75074

Mailing Address, City, State, Zip Code

Email

Phone

*Jackie Westbrook*

**1/20/2023**

Signature

Date

#### Appeals/Extension Request Deadline: January 20, 2023

The Heritage Tax Exemption Ordinance can be accessed at <https://www.plano.gov/1186/Tax-Exemption-Program>

## Attachment 2 (continued)

January 20, 2023

To the Heritage Commission, City of Plano:

Thank you for the opportunity to appeal the decision to deny our 2023 Tax Exemption on our home at 907 17<sup>th</sup> Street.

Please understand that we did not purposely or intentionally bypass the Certificate of Appropriateness process. We are not only longtime residents of the neighborhood – 31 years, but avid supporters of the Heritage District. We were one of several original neighbors who worked with each property owner in the neighborhood and City Planning staff to start the process of forming the Haggard Park Heritage District in the late 90s. We love the neighborhood, have lived here among neighbors who have been here longer than we have, and seek to continue to preserve the heritage represented by the original neighborhood homes and families. We have applied for CAs in the past, so we are familiar with the process and have abided by the standards, inspections, repairs, etc. to the best of our ability.

The structure cited in the inspection was erected by us to attempt to solve a drainage issue by deflecting rainwater pouring off the roof on the east side of the house and subsequently draining to the lowest area of ground under the house.

In the many years we have owned our home, we have dealt with foundation shifting and repairs. The home is built on bois d'arc blocks, and while they are amazingly preserved and stable to support the foundation of the home, the elevations of the property and drainage have presented many challenges due to runoff from rain water and resulted in multiple foundation repairs.

Our property has a four-foot drop in elevation from the rear property line to the front of the property, north to south, as well as a drop in the ground elevation from west to east, culminating to the lowest elevation on the property, which is directly under the east side of the house. During storms, long periods of rain or inclement weather, water drains from the back and west of the property to the east side of the property toward the street like a river. Water coming off the roof added to the volume of water and would actually end up pooling under the house. Gutters along the east side of the roof did not help as they would overflow, especially where two roof lines come together and running down that side of the house, worsening the problem of water getting under the house. The ground under the east side of the house would get wet, swell and heave the foundation blocks, then dry out and the blocks would shift, causing a cycle of repairs.

Over the course of time, we have dug out the entire east side of the property, filled it with 18 inches of gravel in the low spots to help drainage, installed French drains from west to east, yet still ended up with wet ground under the house. The foundation shifts were severe enough to cause six gas leaks under the house when piping connections were loosened by the shifts. It was when we discovered the leaks and had them repaired that we discovered how much moisture remained under the house.

The latter part of 2018 and the first half of 2019 were particularly wet. In September, we had an entire month of no rain and the ground dried enough for us to try what we thought might be a solution to divert the water coming off the roof during rainstorms.



## Attachment 2 (continued)

We thought if we could “extend the roof line” without actually altering the roof, we could dump the water coming off the main roof further away from the house where gravel drainage was in place and water runs like a river to the street at the front of the property and into the storm drain. We constructed a simple pergola type rafter system a foot below the roof line above the windows on the east side of the house and covered the rafters with clear corrugated plastic. The next rain storm dumped the water from the roofline into the “river” flowing off the property to the street.

We added clear plastic on the sides in two sections to keep the wind from driving rain to the sides of the house which keeps the gravel closest to the house dry but allows air circulation. No water has gotten under the house since we did this in late September-early October 2019, in spite of plenty of rain during that winter and the following spring. We felt we had finally found a solution to the constant cycle of foundation repairs.

We honestly didn't think of this as adding or altering anything to the house structure and quite frankly had forgotten about it. We had not been cited for this in inspections in 2020 or 2021. In October 2021, we did receive a letter from Property Standards instructing us to make roof and paint repairs to a shed on the west side of the property along the fence line. During that process, they stated we'd have to get a CA from Heritage Preservation if required. We completed the CA application and got an approved CA to do those repairs.

We never even thought of a CA for this in 2019, not because we were ignorant or trying to evade procedure – we were simply trying to solve a persistent drainage problem causing foundation issues during a particularly “wet” year. The actual roof line and house structure have not been altered in any way.

The pergola roof sheds water away from the house to drain. It is behind the fence line, behind trees, covered in clear plastic so as not to block the light coming to the windows, blends in with the existing structure and is securely fastened to the house with a ledger board above the windows so it can survive the winds and weather.

We would like to ask for consideration from the Heritage Commission to allow us to keep this in place so we do not have to alter the roof line or footprint of the house to solve the drainage issues which this structure has done. We will gladly file appropriate CA paperwork to record the structure. We believe it is in the best interest of the long-term preservation and maintenance of the property to kindly consider our appeal to keep the structure. We also appeal to this committee to approve the tax exemption for the property for 2023. Our house is still a contributing structure to the overall historic neighborhood, now with a stable foundation.

We appreciate your consideration.

Respectfully,

*Jackie Westbrook*



## Attachment 2 (continued)

### Pictures

From your packet:

2023 Photo



Expansion of east facade of structure constructed without an approved Certificate of Appropriateness. (Criteria 3.f)

View from sidewalk approaching house from east (not enlarged):



View from sidewalk facing front of house (not enlarged):



**DATE:** February 7, 2023  
**TO:** Honorable Mayor & City Council  
**FROM:** Harold Sickler, Chair, Heritage Commission  
**VIA:** Michael Bell, AICP, Comprehensive Planning Manager  
Christina D. Day, AICP, Director of Planning  
**SUBJECT:** Results of Heritage Commission Meeting of February 7, 2023

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**AGENDA ITEM NO. 6 – DISCUSSION AND ACTION: HERITAGE TAX EXEMPTION EXTENSION  
REQUEST FOR 910 18TH  
APPLICANT: 1107 INVESTMENTS, c/o LEAH SLAUGHTER**

Hold a discussion and consider an extension to the deadline to complete required repairs at 910 18th Street.

**Results:** APPROVED 7-0-0

Speaker Registration(s) Received Support: 7 Oppose: 0 Neutral: 0

**RESULTS:**

Approved a one-year waiver from eligibility requirements for the property at 910 18th Street.

MB/ko

cc: Michael Bell, Comprehensive Planning Manager  
Steve Sims, Lead Planner  
Bhavesh Mittal, Heritage Preservation Officer

CITY OF PLANO  
HERITAGE COMMISSION

February 7, 2023

**Agenda Item No. 6**

**Discussion and Action:** Heritage Tax Exemption Extension Request for 910 18th St.

**Applicant:** 1107 Investments, c/o Leah Slaughter

---

**DESCRIPTION:**

Hold a discussion and consider an extension to the deadline to complete required repairs at 910 18th Street.

**REMARKS:**

On January 3, 2023, staff inspected the property at 910 18th Street for compliance with the heritage tax exemption eligibility requirements. Upon inspection, it was observed that the following “Poor”-rated repairs from the property’s 2022 inspection report had not been completed (see Denial Letter in Attachment 1):

- Repair hole in the siding below the gable window at the east facade of the primary building.
- Repaint the two garage doors at the rear (south) facade of the secondary building.
- Replace all exterior siding and trim on the secondary building per approved CA2022-008.
- Wood siding on the primary building has been inappropriately replaced with sheet metal at several locations on the east, north and west facades of the primary building. Remove metal sheets and repair wood siding to match existing in material, size, finish, and color.

This is in violation with the following criteria: “*All repairs required from a previous tax exemption have been completed by the established deadline.*” For these reasons, staff deemed the property ineligible for a 2023 heritage tax exemption.

The property owner, Ms. Slaughter, is requesting an appeal because “*the required repairs are being addressed as part of a larger series or repairs and improvements that require additional time to complete than allowed by the deadline established in the inspection report.*” Extensive repairs to the property are ongoing (see Property History below and photos in Attachment 1).

## Property History

Several of the issues contributing to the ineligibility of 910 18th Street originated in 2019 when the property was under the previous ownership of Mr. Ronald Thompson. At that time, staff identified several “Poor”-rated items in their inspection report, including damaged siding on the secondary structure. After failing to complete the repairs, the property was denied an exemption in 2020.

Mr. Thompson reapplied for 2021, at which time staff re-inspected the property and found that the siding repairs on the secondary building had been attempted, although in a manner inconsistent with the district’s design standards (different size and profile). Acknowledging a repair had been attempted, staff deemed the property as eligible but re-listed the inappropriate siding repairs as a “Poor”-rated item to be addressed by the end of that year. Thus, the property received a tax exemption for 2021.

On October 26, 2021, the Commission considered two requests from Mr. Thompson: A Certificate of Appropriateness (CA) to replace the siding (and other associated repairs) on the secondary building and an extension to the deadline to complete the repairs for tax exemption purposes. The Commission approved both requests, allowing the property to maintain eligibility in the program for 2022. Mr. Thompson did not complete the repairs; however, the property was sold to the current owner, Ms. Leah Slaughter, in December 2021. The approved extension allowed the property to receive a tax exemption in 2022.

Under new ownership, Ms. Slaughter’s plans for the property included more extensive renovation than simply the repair items related to tax exemption eligibility. In 2022, in pursuit of these renovations, Ms. Slaughter applied and received four CAs, including:

- CA2022-003 to replace the roof was approved administratively by staff on January 14, 2022.
- CA2022-004 to replace the front door was approved administratively by staff on January 20, 2022.
- CA2022-007 to replace and repaint the siding on the secondary building was approved by the Heritage Commission on February 22, 2022. This CA includes repairs that would have addressed outstanding tax exemption issues.
- CA2022-008 to replace garage doors, and install new windows at the secondary building were approved by the Commission on March 22, 2022.

The roof replacement per CA2022-003 is complete, however the other exterior work approved in CA2022-004, -007, and -008 have not yet been completed at this time. Staff approved extensions to these CAs on January 18, 2023. These CAs will expire on January 18, 2024. Additional changes to the site have also been recently discussed with the property owner’s representatives that would require Site Plan approval by the Planning & Zoning Commission, in addition to other Certificates of Appropriateness. These discussions are ongoing at this time.

**PROPERTY INFORMATION:**

Address: 910 18th Street  
District: Haggard Park Heritage District (HD-20)  
Landmark: N/A  
Significance: Contributing  
Land Use: Non-Residential  
Exemption Rate: Class D (38%)

**OPTIONS:**

The Commission may render one of the following decisions:

1. Grant an Extension to the Deadline – If an extension is granted, the property will maintain eligibility for a 2023 heritage tax exemption and will have until January 1, 2024, to complete the outstanding “Poor”-rated repairs to maintain eligibility in 2024.
2. Grant a Waiver - If a waiver is granted, the property will be deemed eligible for a 2023 heritage tax exemption at a 50% reduction. The deadline to complete the outstanding “Poor” rated items will be extended to January 1, 2024.
3. Deny the Extension Request – If the Commission denies the request, the property will be denied a 2023 heritage tax exemption.

Properties that maintain eligibility as a result of the Commission’s decisions will be included in the list of properties recommended for approval by City Council on February 27, 2023.

**RECOMMENDATION:**

Recommended the Commission consider and render a decision regarding the request.

**ATTACHMENTS:**

Attachment 1 - Denial Letter  
Attachment 2 - Appeals/Extension Request Form





City of Plano  
1520 K Avenue  
Plano, TX 75074

P.O. Box 860358  
Plano, TX 75086-0358  
Tel: 972.941.7000  
plano.gov

January 6, 2023

1107 Investments  
c/o Leah Slaughter  
910 18<sup>th</sup> Street  
Plano, TX 75074

**RE: 2023 Heritage Tax Exemption Denial – 910 18th Street, Plano, TX 75074**

Dear Ms. Slaughter:

Staff recently inspected your property at **910 18th Street** for eligibility in the 2023 Heritage Tax Exemption Program. As you may know, the purpose of the exemption program is to provide tax savings to be reinvested in the property for proper maintenance. After inspecting the property on January 3, 2023, staff has reviewed the applicable eligibility requirements in Section 20-55 of the Heritage Tax Exemption Ordinance and found your property to be **ineligible** for a 2023 heritage tax exemption for failing to meet the following criteria:

**1. All repairs required from a previous tax exemption inspection have been completed by the established deadline.**

Here is a summary list of the repair issues cited in the 2022 Heritage Tax Exemption Survey that have not been addressed:

- Repair hole in the siding below the gable window at the east facade of the primary building.
- Repaint the two garage doors at the rear (south) facade of the secondary building.
- Replace all exterior siding and trim on the secondary building per approved CA2022-008.
- Wood siding on the primary building has been inappropriately replaced with sheet metal at several locations on the east, north and west facades of the primary building per approved CA2022-007.

See attached photos from the 2022 and 2023 inspections.

*Appeals/Extensions*

We have received your extension request and it will be considered during the January 31, 2023, Heritage Commission meeting beginning at 6:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center at 1520 K Avenue.

*Reapply for 2024*

You can reapply to the program next year provided the repairs are completed and the property is in compliance with Section 20-55 of the Heritage Tax Exemption Ordinance by January 1, 2024. An application form is available at [www.historicplano.org](http://www.historicplano.org).

## Attachment 1 (continued)

If you have any questions, please contact me at (972) 941-7151.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen M. Sims". The signature is fluid and cursive, with the first name "Stephen" and last name "Sims" clearly distinguishable.

Stephen M. Sims  
Lead Planner

Attachment: Inspection Photos



## Attachment 1 (continued)

Attachment 1 - Inspection Photos

### 910 18th Street

Repair hole in the siding below the gable window at the east facade (Criteria 3.e) (P)

#### 2022 Photos



#### 2023 Photos



Assessment Date: 01/03/23



## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 910 18th Street

Repaint the two garage doors at the rear (south) facade of the secondary building (Criteria 3.b) (P)

#### 2022 Photos



#### 2023 Photos



Assessment Date: 01/03/23



## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 910 18th Street

Replace all exterior siding and trim on the secondary building per approved CA2022-007 (Criteria 3.b and 3.d) (P)

2022 Photos



2023 Photos



2022 Photos



2023 Photos





## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 910 18th Street

Replace all exterior siding and trim on the secondary building per approved CA2022-007  
(Criteria 3.b and 3.d) (P)

2022 Photo



2023 Photo



2022 Photo



2023 Photo



2022 Photo



2023 Photo



## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 910 18th Street

Wood siding on the primary building has been inappropriately replaced with metal sheet at several locations on the front (north), east, and west facades. Remove metal sheets and repair wood siding to match existing in material, size, finish, and color (Criteria 3.g) (P)

2022 Photo

NORTH SIDE



2023 Photo





## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 910 18th Street

Wood siding on the primary building has been inappropriately replaced with metal sheet at several locations on the front (north), east, and west facades. Remove metal sheets and repair wood siding to match existing in material, size, finish, and color (Criteria 3.g) (P)

2022 Photo

EAST SIDE



2023 Photo



2022 Photo



2023 Photo





## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 910 18th Street

Wood siding on the primary building has been inappropriately replaced with metal sheet at several locations on the front (north), east, and west facades. Remove metal sheets and repair wood siding to match existing in material, size, finish, and color (Criteria 3.g) (P)

#### WEST SIDE

2022 Photo



2023 Photo



2022 Photo



2023 Photo





December 2022



# HERITAGE TAX EXEMPTION

## APPEALS/EXTENSION REQUEST FORM

### HERITAGE COMMISSION, CITY OF PLANO



#### Part 1: Appeal/Extension Request

I, Leah Slaughter, CEO, would like to formally request an appeal/extension of the deadline to complete 'Poor' rated repairs as listed in the most recent Heritage Tax Exemption Inspection Report for the property located at 910 18th Street.

#### Reason(s) for Appeal/Extension:

- ☐ There was an error in determining the property did not meet eligibility requirements.
- ☐ Cost estimates or other information indicate the repair required is more substantial than initially expected.
- ☒ The required repairs are being addressed as part of a larger series of repairs or improvements that may require additional time to complete than allowed by the deadline established in the inspection report.
- ☐ Other reasons that may be in the best interests of the long-term preservation and maintenance of the site.

#### Part 2: Explanation and Supporting Documentation

Please explain the specific circumstance and attach any photos or other documentation to support your request: Exterior repairs are part of the overall interior and exterior renovation for this structure. We have submitted for permits (**Omnikey Realty BLD22-06200 910 18TH ST**). However, we are now working through the development application to address site plan changes. We anticipate completing before the end of January, at which point we should be able to complete the permitting process.

#### Part 3: Property Owner Information

Leah Slaughter, CEO ☐ Individual ☐ Partnership ☐ Corporation ☒ Other  
Name

1107 Investments LLC, 910 18th Street, Plano, TX 75074

Mailing Address, City, State, Zip Code

Email

Phone

*Leah Slaughter*  
Signature

01/05/2023

Date

#### Appeals/Extension Request Deadline: January 20, 2023

The Heritage Tax Exemption Ordinance can be accessed at <https://www.plano.gov/1186/Tax-Exemption-Program>

**DATE:** February 7, 2023  
**TO:** Honorable Mayor & City Council  
**FROM:** Harold Sickler, Chair, Heritage Commission  
**VIA:** Michael Bell, AICP, Comprehensive Planning Manager  
Christina D. Day, AICP, Director of Planning  
**SUBJECT:** Results of Heritage Commission Meeting of February 7, 2023

---

**AGENDA ITEM NO. 7 – DISCUSSION AND ACTION: HERITAGE TAX EXEMPTION EXTENSION  
REQUEST FOR 920 18TH  
APPLICANT: ERGONIS FAMILY LIVING TRUST, C/O CORNELIUS JOE ERGONIS**

Hold a discussion and consider an extension to the deadline to complete required repairs at 920 18th Street.

**Results:** APPROVED 7-0-0

Speaker Registration(s) Received Support: 7 Oppose: 0 Neutral: 0

**RESULTS:**

Approved extension to the deadline to complete required repairs at 920 18th Street to January 1, 2024.

MB/ko

cc: Michael Bell, Comprehensive Planning Manager  
Steve Sims, Lead Planner  
Bhavesh Mittal, Heritage Preservation Officer

CITY OF PLANO  
HERITAGE COMMISSION

February 7, 2023

**Agenda Item No. 7**

**Discussion and Action:** Heritage Tax Exemption Extension Request for 920 18th St.

**Applicant:** Ergonis Family Living Trust, c/o Cornelius Joe Ergonis

---

**DESCRIPTION:**

Hold a discussion and consider an extension to the deadline to complete required repairs at 920 18th Street.

**REMARKS:**

On January 3, 2023, staff inspected the property at 920 18th Street for compliance with the heritage tax exemption eligibility requirements. Upon inspection, it was observed that the repair or replacement of the gutter on the second floor of the east facade of the rear addition was not completed (see Denial Letter in Attachment 1). This is in violation with the following criteria: *“All repairs required from a previous tax exemption have been completed by the established deadline.”* For this reason, staff deemed the property ineligible for a 2023 heritage tax exemption.

The property owner, Joe Ergonis, is requesting an extension for the following reasons:

- *“The required repairs are being addressed as part of a larger series of repairs and improvements that require additional time to complete than allowed by the deadline established in the inspection report.”*
- *“Other reasons that may be in the best interests of the long-term preservation and maintenance of the site.”*

His extension request form (see Attachment 2) indicates he intended to complete the repairs as part of a repainting project but had issues with subcontractor availability. He indicates that the repair was completed on January 16, 2023. Staff has verified the repair is complete (see Attachment 3), but as it is after the deadline, it is at the Commission’s discretion to approve the appeal.

**PROPERTY INFORMATION:**

Address: 920 18th Street  
District: Haggard Park Heritage District (HD-20)  
Landmark: N/A  
Significance: Contributing  
Land Use: Non-Residential  
Exemption Rate: Class D (38%)

**OPTIONS:**

The Commission may render one of the following decisions:

1. Grant an Extension to the Deadline – If an extension is granted, the property will maintain eligibility for a 2023 heritage tax exemption and will have until January 1, 2024, to complete the outstanding “Poor”-rated repair to maintain eligibility in 2024.
2. Grant a Waiver – If a waiver is granted, the property will be deemed eligible for a 2023 heritage tax exemption at a 50% reduction. The deadline to complete the outstanding “Poor” rated items will be extended to January 1, 2024.
3. Deny the Extension Request – If the Commission denies the request, the property will be denied a 2023 heritage tax exemption.

Properties that maintain eligibility as a result of the Commission’s decisions will be included in the list of properties recommended for approval by City Council on February 27, 2023.

**RECOMMENDATION:**

Recommended the Commission consider and render a decision regarding the request.

**ATTACHMENTS:**

Attachment 1 - Denial Letter  
Attachment 2 - Appeal Form  
Attachment 3 - Staff Photos – January 19, 2023



City of Plano  
1520 K Avenue  
Plano, TX 75074

P.O. Box 860358  
Plano, TX 75086-0358  
Tel: 972.941.7000  
plano.gov

January 6, 2023

Ergonis Family Living Trust  
c/o Joe Ergonis  
3353 Remington Drive  
Plano, TX 75023

**RE: 2023 Heritage Tax Exemption Denial – 920 18th Street, Plano, TX 75074**

Dear Mr. Ergonis:

Staff recently inspected your property at **920 18th Street** for eligibility in the 2023 Heritage Tax Exemption Program. As you may know, the purpose of the exemption program is to provide tax savings to be reinvested in the property for proper maintenance. After inspecting the property on January 3, 2023, staff has reviewed the applicable eligibility requirements in Section 20-55 of the Heritage Tax Exemption Ordinance and found your property to be **ineligible** for a 2023 heritage tax exemption for failing to meet the following criteria:

- 1. All repairs required from a previous tax exemption inspection have been completed by the established deadline.**

Reason: The repair of the gutter on the second floor of the east facade of the rear addition was not completed. See attached photos from the 2022 and 2023 inspections.

*Appeals/Extensions*

You have the ability to request an extension or appeal this determination to the Heritage Commission by returning the attached form by no later than 5:00 p.m. on January 20, 2023. Failure to submit the form by the deadline will result in denial of your tax exemption application. Appeals/extensions will be considered during the January 31, 2023, Heritage Commission meeting beginning at 6:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center at 1520 K Avenue.

*Reapply for 2024*

You can reapply to the program next year provided the repairs are completed and the property is in compliance with Section 20-55 of the Heritage Tax Exemption Ordinance by January 1, 2024. An application form is available at [www.historicplano.org](http://www.historicplano.org).

If you have any questions, please contact me at (972) 941-7151.

Sincerely,

Stephen M. Sims,  
Lead Planner

Attachment: Inspection Photos



## Attachment 1 (continued)

### Attachment 1 - Inspection Photos

#### 920 18th Street

Repair and paint second floor gutter at the east facade of the rear addition to match existing color (Criteria 3.e and 3.b) (P)

#### 2022 Photo



#### 2023 Photo: Poor Item Unaddressed (P)





December 2022



# HERITAGE TAX EXEMPTION

## APPEALS/EXTENSION REQUEST FORM

### HERITAGE COMMISSION, CITY OF PLANO



#### Part 1: Appeal/Extension Request

I, Cornelius Joe Ergonis, would like to formally request an appeal/extension of the deadline to complete 'Poor' rated repairs as listed in the most recent Heritage Tax Exemption Inspection Report for the property located at 920 18th ST, PLANO TX 75034

#### Reason(s) for Appeal/Extension:

- ☐ There was an error in determining the property did not meet eligibility requirements.
- ☐ Cost estimates or other information indicate the repair required is more substantial than initially expected.
- ☒ The required repairs are being addressed as part of a larger series of repairs or improvements that may require additional time to complete than allowed by the deadline established in the inspection report.
- ☒ Other reasons that may be in the best interests of the long-term preservation and maintenance of the site.

#### Part 2: Explanation and Supporting Documentation

Please explain the specific circumstance and attach any photos or other documentation to support your request:

The gutter was to be prepared and fixed along with the "Leaf Filter System" scraping and painting of the house. The paint contractor was unable to get a gutter man on site. The gutter repair is small and gutter contractors are busy with LARGE JOBS and the holidays and bad weather have shutdown most work. I am in process of looking for a gutterman and I would accept the City of Plano's TRADEMAN

#### Part 3: Property Owner Information

Ergonis Family Living Trust - Joe ERGONIS TRUSTEE  
 Name ☐ Individual ☐ Partnership ☐ Corporation ☒ Other

5001 Pinehurst Dr Frisco TX 75034

Mailing Address, City, State, Zip Code

Email

Signature

Phone

Date

Appeals/Extension Request Deadline: January 20, 2023

The Heritage Tax Exemption Ordinance can be accessed at <https://www.plano.gov/1186/Tax-Exemption-Program>



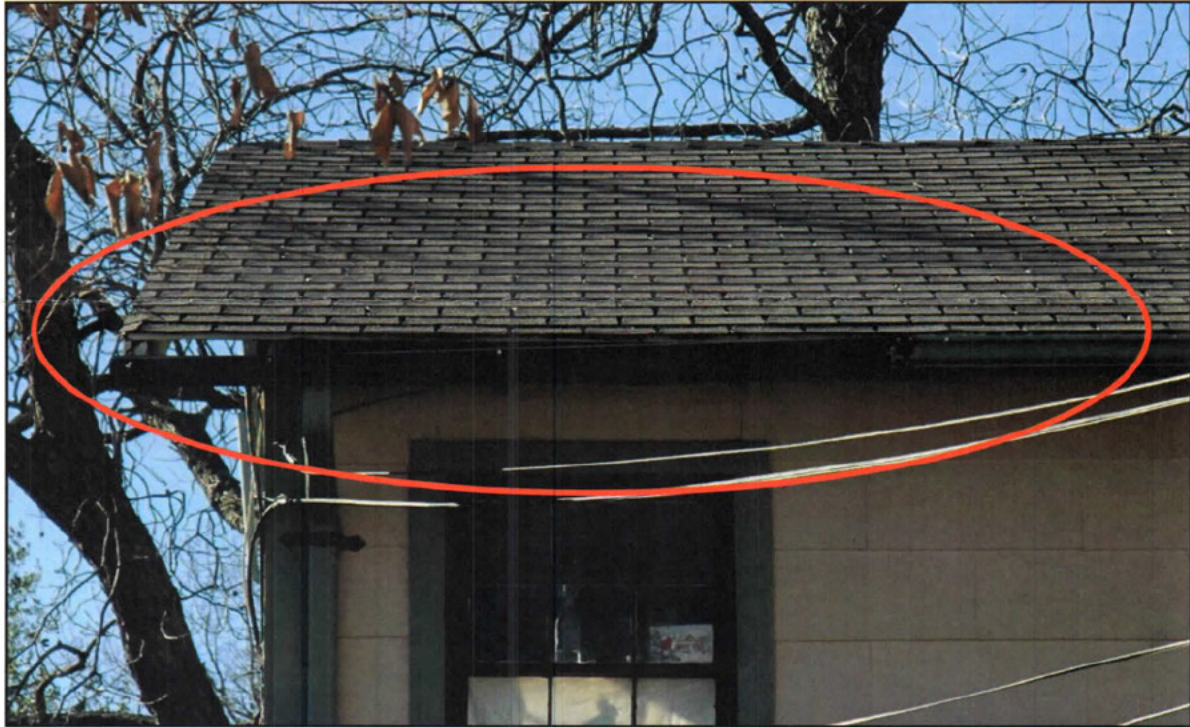
## Attachment 2 (continue)

### Attachment 1 - Inspection Photos

#### 920 18th Street

Repair and paint second floor gutter at the east facade of the rear addition to match existing color (Criteria 3.e and 3.b) (P)

2022 Photo



2023 Photo: Poor Item Unaddressed (P)



Assessment Date: 01/03/23



### Attachment 3

Staff Photos – January 19, 2023

