

**HISTORIC PRESERVATION COMMISSION**  
**Tuesday, April 11, 2023**  
**Meeting Minutes**

**Members Present:**

Robert Manning.....Chairman  
Bridget Trawhon..... Member  
Codie Vasquez.....Member  
Kenneth Wheeler.....Member

**Members Absent:**

Robin Craig-Hunt..... Vice Chair

**Staff Present:**

Kelvin Knauf, Director of Planning & Community Development  
Divon Williams, Deputy Director of Planning & Community Development  
Wendy Lloyd, Planning Secretary  
Marvin Benoit, Building Official  
Alison Clary, Communications/Marketing Coordinator

**City Council Members Present:**

Brad Childs

Chairman Manning called the meeting to order at 6:00 p.m.

**APPROVAL OF MINUTES**

Chairman Manning asked for a motion to approve the minutes from the March 14, 2023, regular meeting

Member Trawhon motioned

Member Vasquez 2<sup>nd</sup>

**Vote: 4 – 0**

**Motion Carries**

**CITIZEN COMMENTS**

None

Mr. Knauf introduced Divon Williams, Deputy Director of Planning and Community Development and Alison Clary, Communications/Market Coordinator for the City.

**DISCUSSION/ACTION ITEMS**

**Consider and possible action on an application for a Certificate of Appropriateness from Demetrius Hunter to replace the siding on the primary structure at 612 4<sup>th</sup> Street**

**Demetrius Hunter – 612 4<sup>th</sup>, Orange, TX:** Mr. Hunter stated I’ve been in Orange all my life. I’ve been with the City of Orange for over 20 years and also on a school board member for West Orange Cove. That’s my house right there at

4<sup>th</sup> and Cypress. It's been hit the last couple years by the storms, flooded twice. What I'm trying to do is that siding and it's hard to find. It's in bad shape and so what I want to do is put Hardie plank on the side of the house and paint it the same color and just get rid of this siding because it's hard to find and that's what happened last time the storm got behind it and got my walls wet and had to redo the side of the house. So, I'm coming here today because I want to change it to the Hardie plank. I'm looking at the newer houses they built in the historic district and they have Hardie plank siding on them. I'm just trying to change it and paint the same color with regular white trim. It will make the house look better than it is right now.

Member Wheeler stated what type of Hardie siding are using. Is it strips or is it planks? Mr. Hunter stated I would be using the wide strips. Member Wheeler stated how wide. Mr. Hunter stated they are kind of wider than what's on there. Once the house is Hardie planked, it will make the house look way better. I'm right down from Lamar. Member Wheeler stated what's your plan for above where the vertical is. Mr. Hunter stated Hardie plank too. Member Wheeler stated sheeting. Mr. Hunter stated I don't know. I have to get with the guy once we get approved and see how we are going to go with it. The house has been redone. I got a permit and had the house totally redone. I just have to get the outside to look like the inside. Member Wheeler stated you're not doing away with the dental work on the front are you. The strips across the front. Mr. Hunter stated no, I'm keeping all that the same. The gray part where the wood is, the siding is all. I'm keeping that other the same. Member Wheeler stated I love your house. Mr. Hunter stated I think it will pop.

Chairman Manning stated do those materials meet the ordinance requirements. Mr. Knauf stated yes Hardie plank is allowed in the historic district.

Member Vasquez motioned to approve

Member Wheeler 2<sup>nd</sup>

**Vote: 4 – 0**

**Motion Carries**

**Consider and possible action on an application for a Certificate of Appropriateness from Willow Simpson to place siding on and repaint the primary structure at 1411 John Avenue**

**Willow Simpson – 1411 John, Orange, TX:** Ms. Simpson stated it was my very first rental property that I purchased. My family had called in green acres from the television show. It's been through the mill and through the hurricane damages. My goal is to replace the siding on it with Hardie plank siding and kind of spruce it up so it looks more presentable to the neighborhood and to the City of Orange.

Chairman Manning stated what is the current siding material. Ms. Simpson stated it's some kind of asbestos type siding.

Member Wheeler stated what type of siding are you wanting to put, Hardie plank. Ms. Simpson stated yes the boards. Member Wheeler stated and they'll be stacked like Demetrius just said. Ms. Simpson stated I'm not a carpenter so I don't know that for sure. Member Wheeler stated but it's not sheet siding. Ms. Simpson stated its planks.

Mr. Knauf stated and then the shade of green, is it going to be that shade of green very similar to what's on there now? Ms. Simpson stated yes. I would like to change the darker green around the windows to maybe white.

Member Vasquez stated it would make it stand out more. I like the color. Mr. Knauf stated and those are approved colors for the historic district.

Member Wheeler stated are you going to do anything with the eave. It looks like it's got vertical planks under the eave. Ms. Simpson stated it does. Depending on the cost I would have to look into that. Chairman Manning stated so just go all the way up with it. Ms. Simpson stated yes. Member Vasquez stated it looks like it's in good shape in the picture but I guess when you're upon it.

Member Wheeler motioned to approve long plank Hardie siding  
Member Trawhon 2<sup>nd</sup>

**Vote: 4 – 0**

**Motion Carries**

**Consider and possible action on an application for a Certificate of Appropriateness from Daren Jennings to make repairs to the primary structure at 1009 12<sup>th</sup> Street**

Mr. Knauf stated Mr. Jennings actually lives in Cypress and is not able to make it this evening but he is just wanting to replace like with like to restore the look and repair all the damage and repaint it with the approved colors for the historic district.

Member Wheeler stated he's going back with white. Mr. Knauf stated yes. Member Wheeler stated what kind of windows. Mr. Knauf stated with the same and doors.

Member Vasquez motioned to approve  
Member Trawhon 2<sup>nd</sup>

**Vote: 4 – 0**

**Motion Carries**

**Consider and possible action on an application for a Certificate of Appropriateness from the City of Orange to demolish the structure at 906 John Avenue**

Mr. Knauf stated this is a structure that the city staff has been working. We actually took it to the court for a substandard building hearing. The judge ruled that it was substandard. From the front it doesn't look bad at all but when you look at the back it's pretty much gone and vagrants have got in there. They've done some pretty nasty stuff inside there. But the owner is just not willing to take care of it. We are requesting a certificate of appropriateness to allow us to go ahead and demolish it.

Member Wheeler stated they don't want to sell it. Mr. Knauf stated no they have no interest in fixing it up or anything. I don't remember, did they go to the hearing, Marvin? Mr. Benoit stated nobody showed up.

Chairman Manning stated what happens to that property once this is done. Mr. Knauf stated well the property owner still owns the property. We don't take ownership of the property. The property owner actually still owns the property. Chairman Manning stated no lien. Mr. Knauf stated no. Hopefully they'll sell it and then somebody will build something on it.

Member Wheeler stated from my understanding when we demo it, we don't charge it back to the owner. We are just demoing for the owner for free. Mr. Knauf stated yes what happened when we were charging liens interest builds up

on the liens and at some point the property becomes upside down and more is owed with the lien and interest than what the property is worth. The property just sits there and continues to accrue interest and economically becomes impossible. So that's where we used to do that but we don't anymore to try to get these properties back on the tax roll and get them developed. When we were using Community Development block grant funds under federal law we had to access a lien but now we don't use CDBG funds anymore. We use city funds for the demolitions. Chairman Manning stated how successful has that been. Mr. Knauf stated off and on I really can't tell you that everyone that we've torn down has been rebuilt or anything. But I think there has been just a few. But as far as a percentage I couldn't give you a percentage but probably a small percentage. Again, we're getting a lot of interest in Orange, a lot of interest in development in Orange now so it may really pick up. Chairman Manning stated don't get me wrong, I'm more than pleased to see that structure go away.

Member Vasquez stated so no one is residing in this property. Mr. Knauf stated that's correct. Well, they're not supposed to be in there. There's been some stuff go on inside like homeless people may have been in there and tried to start fires. There's graffiti on the inside that's very offensive.

Member Wheeler motioned to approve

Member Trawhon 2<sup>nd</sup>

**Vote: 4 – 0**

**Motion Carries**

**Consider and possible action on the Historic Preservation Commission consulting on the purchase and demolition of structures through the City of Orange Housing Buyout Program**

Mr. Knauf stated in your packet is a letter from the consultants that we've hired to assist us with the housing buyout program. These are houses that have flooded repeatedly or damaged repeatedly from the natural disasters. They're using federal funds to do the demolitions and acquire the properties. Whenever you use federal funds then there is a historic element to that that you have to check and go through before you can actually expend the federal funds. This letter is inquiring whether historic preservation commission would be interested in consulting on that so that before they actually acquire the property or demolish the property they would come before the historic commission for your determination as to whether or not the structure has any historical value worth keeping. When we were using community development block grant funds to demolish structures we occasionally would bring structures to the commission and ask them to find no historical significance for that. We just need some direction from the commission as to whether or not you want to participate in this process.

Member Manning stated we go through this process of approving demolitions all the time and I think if they're deemed historically significant then that's our charge. But then who determines that, I'm not sure. I'm glad you're here to explain that because I was having trouble with what does it mean to consult. I get it now. Mr. Knauf stated basically in the record either you support acquisition and demolition or you don't. Chairman Manning stated so those demolition requests would be in our packet. Mr. Knauf stated yes. These would be properties even outside the historic districts as well.

Member Vasquez stated so I read in here once they demolish these then that property can no longer be built on. Mr. Knauf stated that's right. It has to remain green space now and forever and can never be redeveloped. Member Wheeler stated even after they put the so called dam in. Mr. Knauf stated right under the housing buyout program once it's acquired and demolished it has to remain green space even after the levy if it were to come in. Member Wheeler stated we still have the approval of the demolition. Mr. Knauf stated well it would go into the record in their

final decision making. Your input would be considered in that. I don't know as you have veto authority. At least they've researched and gotten input as to the historical significance of the property and then they would have to decide whether to go ahead and acquire or not. I don't think you can stop in and of itself by your vote. Chairman Manning stated that's the way I understood it. We may not be able to veto but we can give advise and consult and give our recommendation to the council because I'm understanding that this program is here. We don't really have a say in it whether this occurs or not. Mr. Knauf stated right the program is here. Chairman Manning stated so this is our choice to be included in the process or to be excluded from the process. I think our charge is to preserve whatever historical presence or promenade in the city. My opinion it's a simple yes I'd like to consult so at least we have some say in the process.

Council Member Childs stated if this is the program that I'm familiar with, the property becomes a blank lot, you can never build on it ever again and it becomes the city's maintenance and it is taken off the tax roll. So, if it happened next to your house, technically you probably could go mow it and enjoy it but it's not on the tax roll and if it's not by somebody's house that wants to mow it then it becomes a forest and the city would have to take care of it from now to eternity. Chairman Manning stated we don't have a say over the program, I'm assuming the city council would have a say over which homes are purchased and how this goes. Council Member Childs stated I'm just pointing out the program and we hit this stumbling block after Harvey. Is this the same program? Mr. Knauf stated yes. Council Member Childs stated it doesn't matter to me one way or the other. I just wanted to clarify that this property you can't build anything on it. It would be nice if you could build another historical house on it but this program does not allow it. I wish they did.

Chairman Manning stated what's the volume of purchases are we looking at. Are we looking at 2 to 3 homes a year or are we looking at creating a tenth of Orange's space as green space? Member Wheeler stated yes that would be my concern. What's are benefit of doing this? Mr. Knauf stated that we don't have these structures that people just abandon. It's flooded several times and they just walk away and leave it for the city to demolish it. Member Wheeler stated at least the city can commandeer it and resell it for a new building. Mr. Benoit stated we would have to go with the other program through. The way the substandard program works now, we go in an abandoned house. We would deem it substandard. We take it to court. The judge actually puts an order out for us to demolish it. The owner still owns it but the property is still available to be sold and redeveloped. This program, the city acquires the property and it's the city's headache from here on out because it can never be developed upon. It's a maintenance issue for the city to take care of these properties. These properties are initiated by the homeowner. So, the homeowner goes to FEMA and they request to participate in this program. It's one thing if the city buys them out and they buy another property in Orange. What happens too many times is the city will buy them out and they leave. They go buy in another city that is least likely to flood and then the city is going to be out the funds and it's going to become a maintenance issue for the city. This is just one of the many programs that FEMA has. Chairman Manning stated so back to my original question. If I'm homeowner A and I want to participate in this program, does the city have a say in whether that transaction happens? Mr. Knauf stated I'm not that intimate with or involved in it so I really don't know for sure but I don't think they do. I think the city decides on whether or not to enter the program. Council Member Childs stated to simplify this, on that first home down on Hillbrook where the home went underneath 12 feet of water obviously needed to go. We were going to let each of the 2 neighbors have half of the property and this program does not allow that. The city has to take care of the property. It's a weird program. Member Wheeler stated does the city have a say so or is the feds just doing this. That's my concern. Chairman Manning stated I'm confused. If homeowner Bob enters into the program and sells mine to the program how is it that city is now responsible for it. Mr. Knauf stated right does the city have approval authority once the homeowner signs into the program, I'm not sure. I would think not. I think the city's role is whether or not to participate in the

program. Member Vasquez stated and the city owns the property and the city can't build anything on it. Mr. Benoit stated the city can't build anything on it and neither can the sell it to have anyone else build anything on it. Member Vasquez stated so the city has to maintain it with the tax money that the property is not generating.

Chairman Manning stated well to bring this back home. The question to us is whether or not we want to participate or consult. I'm assuming the program has already been approved. Mr. Knauf that's my understanding. Member Wheeler stated I don't like that city doesn't have a say so in it but I don't know if we can do anything about that. Chairman Manning stated I don't think we're in a position to approve or anything. If we don't agree to consult, they are going to demolish homes and this is going to happen without us knowing. I don't think it's whether or not we approve the program but if whether or not we want to be included. Member Trawhon stated so they want our input but they may not take heed to what our input is. Mr. Knauf stated that is as far as I know. Like I said I haven't been intimately involved in the discussions on it. Member Wheeler stated and some of my concern that some of our flooding that has happened recently is not mother nature's fault. That's a concern too because these are houses that are given to the program and it could happen that way. Once they see an out they take it. Chairman Manning stated and I hear your argument but I think that argument is what this body is being asked. Do we want to be a consultant in the program?

Member Vasquez motioned to agree to consult in program

Member Trawhon 2<sup>nd</sup>

**Vote: 4 – 0**

**Motion Carries**

**Chairman Manning adjourned the meeting at 6:34 p.m.**