

## Legislation Text

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**File #:** 17-381, **Version:** 1

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Presenter

*Christopher Looney, Director of Planning and Community Development*  
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**SUBJECT:**

Public hearing and consideration of the first reading of an ordinance regarding the proposed designation of approximately 0.158 acre, the northeast parts of Lots 1 and 2 of City Block 4066, addressed as 475 Butcher Street, as a local historic landmark to be known as the Boenig-Hartmann House.

**BACKGROUND / RATIONALE:**

**Case No.:** HLC-17-008

**Council District:** 6

**Owner/Applicant:** Mark McLean  
503 Magazine Avenue  
New Braunfels, TX 78130  
(830) 221-4057

**Staff Contact:** Amy McWhorter, Historic Preservation Officer  
(830) 221-4057  
amcwhorter@nbtexas.org

The subject property, consisting of approximately 0.158 of an acre of land, is located at the corner of Braddock Avenue (formerly known as Boenig Street) and Butcher Street. The property is zoned "SND-1" (Special Neighborhood District 1) and includes a circa 1870 farm house and accessory structure. The farm house, which is constructed of 12-inch baked brick walls and has a continuous stone foundation, was once a part of a dairy farm. Although the exact date of construction is unknown, the style and materials used in the dwelling highly suggest is to be from circa 1870 or earlier, since in the 1870s lumber milling technology began to displace the need for adobe and fachwerk construction in the region.

Prior to 1870, Wilhelm Boenig owned the property. Census records indicate that Boenig, who emigrated from Brunswick, Germany in 1857, was a farmer and tailor. In 1871, Boenig sold the property to Wilhelm Hartmann. Although Hartmann is listed as a worker at a saw mill on the 1870 census, the relatively high value of his real estate holdings noted on the Census indicate that he likely was also engaged in farming in 1870. Hartmann retained the property until 1879, when he sold it to Eva Grimm Maurer a widow from Schumansville in Guadalupe County. Census records indicate the Maurer family did not reside at the house and in 1887 the property was deeded to Eva's daughter Emma Maurer, who married Edward Schneider.

Edward and Emma Schneider resided at the property, which included adjacent acreage and operated a dairy farm. In 1910, the Schneiders sold the subject property (a portion of their large land holdings in the vicinity) to Walter and Meta Elbel, who lived in the subject property until 1926, when they built a new dwelling adjacent to the subject property at 503 Magazine Avenue. The Elbels retained the property as storage or rental property from 1926 until 1972, when they sold it to Crystal Ragsdale who restored the dwelling. In 2016, the applicant purchased the property.

The dwelling on the subject property is a small single-family dwelling dating to circa 1870. The structure has a side-gabled roof clad in seamed metal and with a single internal masonry chimney. The structure is constructed of adobe brick with a cut stone foundation and two historic-age additions (one on the rear façade and one on the lateral façade, both indicated on the 1930 Sanborn Map). The original fenestration pattern is intact and the primary façade has a symmetrical arrangement with a central hinges door flanked by two 6/6 wooden framed windows. The structure is an excellent local example of the German Vernacular building style as applied to a modest farm house.

**General Information:**

**Size:**

0.158 acres

**Surrounding Zoning and Land Use:**

North - SND-1 - Single-family residences

East - SND-1 - Single-family residences

South - SND-1 - Single-family residences

West - SND-1 - Single-family residences

**Comprehensive Plan / Future Land Use Designation:**

Residential - Low Density

**Floodplain:**

No portion of the property is within the 1% annual chance flood zone.

**Improvement(s):**

ca. 1870 dwelling

ca. 1900 accessory structure

**Determination Factors:**

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area, and their relationship to the area and to the City as a whole (*The proposed historic landmark designation is a zoning overlay and does not change the base zoning of the property*).
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area (*The proposed historic landmark designation is a zoning overlay and therefore does not impact the existing conditions*).
- How other areas designated for similar development will be affected (*There should be no negative effect on other properties in the vicinity as historic preservation has been demonstrated to have a positive, stabilizing impact on neighborhoods.*);
- Any other factors that will substantially affect the public health, safety, morals, or general

welfare (*The historic landmark designation of the property should contribute to retention of historically significant structures, which provides a community benefit.*); and

- Whether the request is consistent with the Comprehensive Plan (*Comprehensive Plan Goal 69 recommends that the City enhance the heritage image of the City by designating historic areas and structures that should be preserved, restored, and used for adaptive reuse.*)

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**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

	Yes	<b>City Plan/Council Priority:</b> <b>2006 Comprehensive Plan</b> <i>Pros and Cons Based on</i> <b>Policies Plan</b>	<b>Pros:</b> Goal 69: Enhance the heritage image of the City by <u>designating historic areas and structures that should be preserved, restored, and used for adaptive reuse.</u> The designation of this property will enhance the heritage image of the City and encourage the preservation and adaptive reuse of the property. <b>Cons:</b> None
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**FISCAL IMPACT:**

N/A

**HISTORIC LANDMARK COMMISSION RECOMMENDATION:**

The Historic Landmark Commission held a public hearing on April 11, 2017 and recommended approval of the designation (6-0-0). Commissioners Gonzalez, Davis and Kammerer were absent.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission held a public hearing on June 6, 2017 and unanimously recommended approval of the designation (7-0-0).

**STAFF RECOMMENDATION:**

Staff recommends approval of the Historic Landmark Designation as the subject structure meets four of the six criteria for approval (criteria 1, 2, 4, and 6) as stated in the City’s Code of Ordinances, Article III, Section 66-56 which states: a historic landmark or district may be designated if it meets at least one of the following criteria:

- (1) Possesses significance in history, architecture, archeology, or culture. *The structure is an excellent local example of the traditional German Vernacular Style, reflecting the craftsmanship, materials, and technology of early German farmers in the area.*
- (2) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history. *This dwelling, one of the oldest extant structures in the Sophienburg Hill Historic District, is evocative of early community development trends as it represents the historic agricultural use that formerly dominated the area.*
- (3) Is associated with the lives of persons significant in our past. *No such associations are known.*
- (4) Embodies the distinctive characteristics of a type, period, or method of construction. *The subject structure’s characteristic features and style include the retention of the overall form and original materials.*
- (5) Represents the work of a master designer, builder, or craftsman. *No such representation is known.*
- (6) Represents an established and familiar visual feature of the neighborhood or city. *The structure has been located at this site since circa 1870.*

*Notification:*

Public hearing notices were sent to 25 owners of property representing 24 tracts of land within 200 feet of the subject site. Staff has received four responses in favor (#2, 5, 18, & 23) and one in objection (#15).

*Attachments:*

1. Maps
2. Notification & Responses
3. Photographs of Subject Property
4. Article III, Section 66-54
5. Article III, Section 66-56
6. Excerpt from the April 11, 2017 Historic Landmark Commission Minutes
7. Excerpt from the June 6, 2017 Planning Commission Minutes
8. Ordinance