



Legislation Details (With Text)

File #: 23-5748 **Version:** 1 **Name:** Ordinance - Public Hearing and First and Final Reading of an Ordinance Approving a Proposed Amendment to Section 155.069(F) of the Mansfield Code of Ordinances, "H, Historic Landmark Overlay District Regulations," Related to Emergency Repairs of Damage to

Type: Ordinance **Status:** Passed

File created: 11/22/2023 **In control:** City Council

On agenda: 12/11/2023 **Final action:** 12/11/2023

Title: Ordinance - Public Hearing and First and Final Reading of an Ordinance Approving a Proposed Amendment to Section 155.069(F) of the Mansfield Code of Ordinances, "H, Historic Landmark Overlay District Regulations," Related to Emergency Repairs of Damage to Historic Landmarks (HLC#23-010)

Sponsors: Art Wright

Indexes:

Code sections:

Attachments: 1. Ordinance

Date	Ver.	Action By	Action	Result
12/11/2023	1	City Council	Approved on First and Final Reading	Pass

Ordinance - Public Hearing and First and Final Reading of an Ordinance Approving a Proposed Amendment to Section 155.069(F) of the Mansfield Code of Ordinances, "H, Historic Landmark Overlay District Regulations," Related to Emergency Repairs of Damage to Historic Landmarks (HLC#23-010)

To consider the proposed amendment

The Planning and Zoning Commission met on December 4, 2023, and voted 6 to 0 to recommend approval of the text amendment.

Vote:

Ayes: 6 - Mainer, Axen, Bennett, Moses, Shaw, and Thompson
Nays: 0
Absent: 1 - Goodwin

The Historic Landmark Commission met on November 9, 2023, and voted 7 to 0 to recommend approval of the text amendment.

Vote:

Ayes: 7 - Smith, Littlefield, Johnston, Klenzendorf, Leach, Walker, and Weydeck
Nays: 0
Absent: 0

The Department of Planning and Development Services recommends approval of the text

amendment.

Recently, two of Mansfield's historic landmark buildings were damaged by vehicle collisions, the Masonic Lodge Building and the Nugent-Hart House (the parsonage at St. Jude Church). The current Preservation Ordinance does not contain provisions on handling the approval of emergency repairs.

Repairs of this nature often require rapid action to secure the building and mitigate any hazards to public safety. Modifications to historic landmarks must receive a Certificate of Approval from the Historic Landmark Commission through the regular process, including a public hearing. This process creates delays for a property owner as they cannot begin any emergency repairs until the work is reviewed by the Commission.

A proposed amendment to Section 155.069(F) of the Mansfield Code of Ordinances has been prepared based on the discussion at the Commission's meeting in October. The proposed amendment will:

- Create a new division (5), "Emergency Repairs" under sub-section (F).
- Allow the Historic Preservation Officer to authorize temporary repairs to secure the building or mitigate a hazard to public safety after an inspection of the damage with the Building Official.
- Require the property owner to apply for a Certificate of Approval for permanent repairs within 14 days of securing the building.
- Require the Historic Landmark Commission to act on the application within 30 days of receipt and, to accelerate the process, eliminate the requirement for a public hearing.
- Provide a reminder that making permanent alterations to a historic landmark without a Certificate of Approval is a violation of Section 155.069(O).

The proposed regulations will apply only to designated City of Mansfield historic landmarks and take effect after the adoption of the amendment.

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