

## **35.7.10 Bell Avenue Historic Conservation District**

### **35.7.10.1 Purpose**

The purpose of establishing the Bell Avenue Historic Conservation District is to:

- A. Safeguard the heritage of the City of Denton by preserving the Bell Avenue area of the city which contain landmarks, buildings, and/or sites which reflect elements of the city's cultural, social, economic, political or architectural or archeological history;
- B. Stabilize and improve property values;
- C. Ensure compatibility of new construction and structural alterations with the existing scale and characteristics of surrounding properties;
- D. Foster civic pride in the beauty and accomplishments of the past;
- E. Identify and promote the use of historic resources for the education, pleasure, and welfare of citizens of the City of Denton.

### **35.7.10.2 Definitions**

The following words, terms and phrases, when used in this Subchapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**HPO:** The Historic Preservation Officer for the City of Denton (HPO).

**Landmark:** Any building, structure, site, district, area or land of architectural, historic, archeological or cultural importance or value which the city council determines shall be protected, enhanced and preserved in the interest of the culture, prosperity, education and general welfare of the people.

**Landmark Commission:** The City of Denton Historic Landmark Commission (Landmark Commission).

**Site:** The location of a significant event, a prehistoric or historic occupation or activity, which may include open spaces, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or architectural value regardless of the value of any existing structure.

### **35.7.10.3 Application of Regulations**

- A. It shall be unlawful for any person to do, or allow or cause any other person to do, any of the following acts on any property located within the District without first applying for and receiving a certificate of appropriateness from the Landmark Commission.
  - 1. Constructing a new building or making an addition to an existing building.
  - 2. Reconstructing, altering, changing, or restoring the exterior façade of any existing building.
  - 3. Placing or locating any building.
  - 4. Performing any act for which a certificate of appropriateness is required by this subchapter.
- B. Any construction, alteration, or improvement made on any property within the District which would not require a certificate of appropriateness by reason of it not being visible from any public street as provided in this subchapter, shall be submitted to the HPO, prior to the beginning of the work, for his/her determination of whether the improvement would be visible from a public street.
- C. Other regulations applicable to the District as contained in part of the Code of Ordinances shall continue to apply to the District, except as specifically modified herein.
- D. If any provision of this subchapter conflicts with any other provision of the Code of Ordinances, the provisions of this subchapter shall govern and control.
- E. Where any provision of this subchapter modifies any provision of any other ordinance applicable to the District, the words used herein shall have the meaning defined in the provisions of the ordinance modified, unless the definition is otherwise provided herein.

### **35.7.10.4 Approval Procedures**

- A. The requirements and procedures for certificate of appropriateness shall be the same as those provided for in subchapter 35.7.7.9 of the Code of Ordinances.

### **35.7.10.5 Architectural Regulations**

Architectural requirements in the Bell Avenue Conservation District shall be as follows:

- A. **Main Building.** Main buildings must be compatible in scale with structures existing in the district.
- B. **Accessory Buildings.** Accessory buildings which are visible from any public street, other than an alley, must be compatible with the scale, shape, roof form, materials, detailing, and color of the main building.
- C. **Architectural Detail.** Materials, colors, structural and decoration elements and the manner in which they are used, applied or joined together must be compatible with nearby and adjacent structures.
- D. **Additions.** All additions to a building must be compatible with the dominant horizontal or vertical characteristics, scale shape, roof form, materials, detailing and color of the existing building.

E. Color. Colors of all structures must be complementary to each other and the overall character of the main building.

F. Façade Materials. The only permitted façade materials will be brick, wood siding, wood, stone and stucco. Artificial facsimiles of these materials will have to be considered on a case by case basis.

G. Historic architectural elements of the façade are to be preserved if they are still historically accurate at the time of the creation of the district.

H. Roof Material and Colors. Roof materials and colors must complement the style and overall scheme of the structure.

#### **35.7.10.6 Existing Construction**

A. Repairs shall be made in a manner that preserves or prolongs the structural integrity of the character defining features of a property. Repairs shall be executed in a manner consistent with the design guidelines established by each individual historic district.

B. Repairs to structures that are deemed not to contribute to the character defining features of the district will not have to comply with the design guidelines as long as the repairs are consistent with current architecture of the structures.

#### **35.7.10.7 Alterations to Existing Construction**

A. Exterior structural alterations along the street frontage of historic buildings or structures should be avoided and shall be kept to a minimum.

B. Design for structural alterations to existing buildings or structures in the historic conservation district shall conform to the design guidelines established by each individual historic conservation district. The design shall be compatible with the character defining feature of the majority of the surrounding properties and exhibit similar size, massing and scale as nearby contributing buildings or structures.

C. The design guidelines will not apply to structures that are deemed not to contribute to the character defining features of the district as long as the alterations match the existing exterior structure.

#### **35.7.10.8 New Construction; Structural Enlargement or Reduction**

A. When new buildings or structures are proposed within the Bell Avenue Historic Conservation District, their design shall be compatible with the historic, cultural, or architectural character of the area. The design shall promote the existing spatial and visual qualities in the historic conservation district, including height and scale of buildings or structures, orientation, set back, spacing, site coverage, and exterior features.

B. Design for new construction shall conform to the design guidelines established by each individual historic conservation district and a certificate of appropriateness shall be required under the same process as in subchapter 35.7.7.9.

C. This section shall not apply to new construction to replace a building that was deemed not to contribute to the character defining features of the district. The new construction must match the height, scale, orientation, set back, spacing, site coverage, and exterior features of the building which it is replacing. New construction must meet the provisions of subsections A and B herein if a building permit is not applied for within six months and construction does not begin within 12 months of the damage, or destruction of the structure.

#### **35.7.10.9 Design Guidelines**

Design guidelines are attached as Appendix A of this Subchapter. The design guidelines are to help guide the HLC, residents and developers in determining conformity with the conservation of the historic and architectural heritage of the Bell Avenue Conservation District.

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