

February 17, 2016

Tom Michero  
1108 Tucker St.  
McKinney, TX 75069

Guy Giersch  
Historic Preservation Officer  
222 N. Tennessee St.  
McKinney, TX 75069

Dear Guy,

I am grateful for your efforts to preserve McKinney's historic character and I appreciate the competing priorities that you must weigh as you go about fulfilling your charge as the Historic Preservation Officer.

That is why I am asking you to consider other elements of the HNIZ Ordinance before reaching a conclusion about the eligibility of the residential structure at 105 N. Bengé St. I am not asking you to reach beyond your jurisdiction but rather asking you to look at the language of the ordinance in a way that best fulfills the purpose of the Ordinance.

Sec. 98-84 (1) *Purpose*: The purpose of the marker program is to encourage **owners of historic properties** to become actively involved in the preservation of McKinney's historic past through the recognition of historic events, people, and architecture.

While the specific term "residential properties" is used, it is not defined. It is not obvious whether the term refers to a *structural form* or a *use*. However, the stated marker requirements of the Ordinance emphasize the structure by referring to "the building" and the "house." Of the six requirements for obtaining a marker, none disqualify a property based on its use.

- a. The marker, if awarded, would allow the owner of the building to apply for an ad valorem tax incentive provided the **building** has been rehabilitated or re-stored according to the secretary of the interior's standards.
- b. In order to obtain a marker, the following requirements must be met:
  1. Written documented history.
  2. The **building** must be a minimum of 50 years of age.
  3. The **house** must be located within the HNIZ.
  4. Photo documentation of all four elevations using black and white photos with negatives, color slides, and copies of any available historic photographs.
  5. Legal description of the property with a location map.
  6. Site plan of the property.

Furthermore, if the Ordinance was concerned with the current use of a property, it would have explicitly made that a condition for suspension. In fact, in the paragraph (7) that deals with “Suspension of Tax Exemption” there is no mention of the use of a property for grounds for suspension. Rather, it emphasizes the physical condition as the only criteria. Because of this, the term “residential properties” can best be understood as pertaining to its architectural form – as opposed to the form of an office, mill, or hotel.

Therefore, in consideration of the Ordinance’s priority of *preserving the historic structures* in the City, I ask that you take into consideration that the Joe Largent House, being one of the most pristine examples of home preservation in the City, should qualify for the HNIZ tax exemption. Few, if any, residential structures in the City better exemplify the philosophy of the HNIZ Ordinance.

I strongly believe it is well within the purview of your office, supported by the language and spirit of the Ordinance, to grant tax exempt status to this historical property in order to encourage and preserve its continued contribution to the historic character of McKinney. The Ordinance, by design, gives you a certain latitude in its implementation.

Sec. 98-84 (6) *Implementation*: The city shall set up an application process providing for the review of applications based upon administrative guidelines promulgated by the HPO, verification of improvements and certification of the exemptions. **The administrative guidelines shall be consistent with this ordinance yet provide flexibility in reviewing, granting and processing exemptions.** The exemption may continue and be transferable upon sale of the property. Code inspection and periodic checks on annual owner certifications for previously-constructed exterior improvements shall be a key element to verification of new construction, maintenance of improvements and overall maintenance of the property.

I thank you in advance for your time and consideration regarding the intent of the HNIZ Ordinance. We all want to preserve the historic nature of McKinney and I ask that you take advantage of the powers of your office to recognize the unique historical contribution of this residence at 105 N. Bengé Street.

Best regards,

Tom Michero