

City of Kingsville

Historical Development Board

**Application & Verification for
Historic Preservation
Municipal Ad Valorem Tax Relief**



CODE INFORMATION

Texas Tax Code Sec. 11.24.
City of Kingsville Municipal Code Sec. 3-11-41-45

For more information please contact the Planning Department
at (361) 595-8055 or visit our website www.cityofkingsville.com

HISTORIC PRESERVATION AS AN ECONOMIC DEVELOPMENT TOOL IN KINGSVILLE

Thirty years ago, the City of Kingsville created a Historic District and a Historical Development Board to protect historic resources and to monitor construction, renovation and demolition within the district.

The City has long realized the importance of its historic resources and the value they have in: heritage, quality of life, economic development and sustainable tax base.

In addition to providing guidance to property owners concerning the protection of historic resources, the City may grant municipal ad valorem tax relief to property owners to encourage and partially underwrite some of the expense of rehabilitation of historic properties.

Category of property	Ownership type	Required minimum expenditure	Minimum % spent on exterior improvements	Amount of abatement	Duration of abatement	Frequency abatement may be granted
Residential	Owner occupied	Equal to 50% of pre-rehabilitation value of building	10%	100% of the city taxes assessed on the added value of the building	10 years	10 years
Residential	Rental	Equal to 50% of pre-rehabilitation value of building	10%	100% of the city taxes assessed on the added value of the building	10 years	10 years
Commercial	Income producing property	Equal to 50% of pre-rehabilitation value of building	10%	100% of the city taxes assessed on the added value of the building	10 years	10 years

ELIGIBLE PROPERTIES:

Properties on the National Register of Historic Places, recorded as Texas Historic Landmark, or designated as a City of Kingsville Historically Significant, Contributing Property within the Historic District or separately designated as a City of Kingsville Historic Landmark.

The Texas Historical Commission maintains a list of properties that are on the national register or recorded as a Texas Landmark. <http://atlas.thc.state.tx.us/shell-county.htm>

The Kingsville Historical Development Board may designate any property as a landmark that in its opinion has distinguishing characteristics:

- Is a very important specimen of an architectural type
- Has exceptional value as a part of local history and culture
- Is directly associated with an important architect, builder, owner, event, or community pride

The Kingsville Historical Development Board may designate any property as a Historically Significant Contributing Property that:

- Is located within the Historic District
- Has historical integrity or architectural qualities that make it an integral part of the character and context of the Historic District – a *Contributing Property*, or
- If the proposed rehabilitations will remove non-historic features or restore features that enhance or reclaim historical integrity or architectural qualities that will make it an integral part of the character and context of the Historic District – a *Contributing Property*

ELIGIBLE EXPENSES:

- Labor/materials related to eligible expenses
- Architectural and engineering fees related to eligible expenses
- Demolition related to eligible expenses or to remove non-historic additions/features
- Repair/restoration/replacement of historic façade features
- Exterior masonry and siding repair
- Roofing
- Foundation
- Structural repairs
- Gutters
- Windows repair or approved replacement
- Doors repair or approved replacement
- HVAC systems
- Electrical wiring & systems
- Plumbing
- Escalators/Elevators
- Fire Escapes
- Sprinkler/Fire suppression systems
- Security system
- Paint (interior and exterior)
- Rehabilitation of contributing structures
- Interior partitions and ceilings
- Floors
- Permanent coverings
- Approved, compatible landscape features
- Approved, compatible new construction

INELIGIBLE EXPENSES:

- Light fixtures
- Carpet
- Appliances
- Furniture
- Window treatments
- Not approved new construction
- Not approved landscape features
- Governmental fees
- Feasibility studies
- Legal, financing or leasing fees/expenses
- Purchase or repair to tools and equipment
- Taxes

Plans for all work must be presented to the Historic Preservation Officer for review and approval. The Preservation Officer and the Historical Development Board have authority to determine standards and eligibility. The Secretary of Interior Standards are the basic guidelines.

Rehabilitation work must be performed after award of the certificate of Eligibility and Appropriateness. Tax abatements, once approved, must be applied for each year and are transferrable.

APPLICATION

The procedure is for the property owner to apply for such relief by providing the following information on an approved form for a *Certificate of Eligibility and Certificate of Appropriateness*:

1. Legal description of the property
2. Plans for the historic structure's rehabilitation
3. Statement of costs, budget, and/or pro-forma for the rehabilitation work
4. Estimated construction time and predicted completion date
5. Authorization for the members of the Historical Development Board and other officials to inspect the property, records and books of the owners as necessary
6. Statement of the proposed use for the property
7. Proof of pre-rehabilitation values
8. Proof of absence of delinquent loans, fees, taxes, fines, etc.
9. Letter of intent from investors or lender, if appropriate
10. Additional relevant information

The Historical Development Board will apply the following criteria to determine eligibility for Historic Preservation Ad Valorem Tax relief:

1. The property is a National, State, or local designated historic landmark or determined by the Historical Development Board to be historically significant
2. The proposed work is of a level and scope that is substantial and appropriate for consideration of ad valorem tax relief
3. The property is in need of tax relief to encourage its preservation

The successful applicant will receive a *Certificate of Eligibility and Appropriateness* and may then proceed with the work. The City may from time to time inspect the work for continued compliance with the approval

VERIFICATION

Upon completion of the rehabilitation, the issuance of a *Certificate of Occupancy* by the City Building Official, and the submission of an *Application for Verification*, the Historic Preservation Officer and members of the Board will inspect the property to ensure that the work complies with the approved *Certification of Eligibility and Appropriateness*. The Historic Preservation Officer will also review the record of expenditures and receipts to determine the eligibility of all expenditures. The applicant and the Board shall submit statements of completion and documentation, including photography, certifying that the property has been rehabilitated to the satisfaction of the Historical Development Board, including:

- Application for Verification including Record of Expenditures
- Copy of the approved Certificate of Eligibility
- Signed Statement of Compliance with Certificate of Appropriateness and Minimum Expenditures, Authorization for Inspection by City Officials, and Affidavit Regarding Fees, Fines and Penalties
- Copy of the Certificate of Occupancy
- Executed Commitment to Repay, acknowledged before a notary public.

APPLICATION

Project Title: _____ Date Prepared: _____

Owner: _____ Phone #: _____

Email Address: _____ Individual Corporation Nonprofit Other
(Circle)

Address: _____

Contact (if different): _____ Phone #: _____

Email Address: _____ Individual Corporation Nonprofit Other
(Circle)

Address: _____

Project Location / Address: _____

Legal Description: _____

Parcel Number: _____

National Register Texas Landmark Kingsville Historic Landmark Contributing Property
(Circle)

Applying for: Local Historic Landmark Designation Municipal Ad Valorem Tax Relief
(Circle)

Proposed Use: _____

Scope of Work: _____

Schedule: _____

Previously abatement: yes no When: _____
(circle)

Violation history: _____

In order to apply for ad valorem tax relief, the applicant must have owned the property on January 1 of the year applying and the application must be filed before April 1.

Attach documents that support:

- Legal description of the property
- Plans for the historic structure's rehabilitation
- Statement of costs, budget, and/or pro-forma
- Construction schedule and completion date
- Access authorization
- Statement of the proposed use for the property
- Proof of pre-rehabilitation values
- Proof of absence of delinquent loans, fees, taxes, fines, etc.
- Letter of intent from investors or lender, if appropriate
- Additional requested information

HPO Use:

National Register Texas Landmark Local Landmark Contributing To be Contributing
Eligible Appropriate HPO _____ Date _____

VERIFICATION

Project Title: _____ Date Prepared: _____

Owner: _____ Phone #: _____

Email Address: _____ Individual Corporation Nonprofit Other
(Circle)

Address: _____

Contact (if different): _____ Phone #: _____

Email Address: _____ Individual Corporation Nonprofit Other
(Circle)

Address: _____

Project Location / Address: _____

Legal Description: _____

Parcel Number: _____

Proposed Use: _____

Scope of Completed Work: _____

Eligible Expenses: _____

Pre-rehabilitation values: _____

HPO Use:

Inspection Completed _____ Work in compliance with approval _____

HPO _____ Date _____

Historic Preservation Ad Valorem Tax Abatement

Statement of Understanding, Authorization for Inspection of Property, and Affidavit Regarding Taxes, Fees, Fines and Penalties

THE STATE OF TEXAS
COUNTY OF KLEBERG

I certify that the information in the application for a tax exemption, including all supporting documentation, is complete and correct.

I authorize city officials to visit and inspect the property as necessary to certify eligibility, appropriateness, and verification for a tax exemption.

I acknowledge that I have read and understand the program rules, and that I will not receive an exemption until all program requirements have been met and a certificate of verification obtained.

I understand that all rehabilitation work must be completed within 2 years after the date of the issuance of a Certificate of Eligibility and Certificate of Appropriateness. If the deadline for completion is subsequently extended by the Historical Development Board, all rehabilitation work must be completed by the extended time specified. I understand that penalties may apply if I do not complete the work as proposed and as approved by the Historical Development Board.

All mortgages and property taxes are current, and no fees, fines or penalties are owed, on the property or any property owned in which I have an ownership interest.

I understand that I must make an annual application to Kleberg County Appraisal District each year in order to receive the exemption for that year, and that if I do not make the application in time, I will lose the ability to receive a tax exemption for that year.

Owner's Name: _____

Owner's Signature: _____

Before me, the undersigned authority, Notary Public in and for the State of Texas, on this day personally appeared, _____, known to me to be the person whose name is subscribed to the foregoing instrument and who acknowledged to me that he or she executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the ____ day of _____, 20__.

Notary Public in and for the State of Texas

My Commission Expires _____

A person commits an offense if the person fails to follow any procedure, rule, or regulation promulgated in support of this program. Such an offense shall be a misdemeanor punishable as set forth by § 1-1-99 of the City of Kingsville municipal code upon conviction. Each offense shall be deemed a separate violation.

**City of Kingsville
Historic District Tax Abatement
Verification Work Complete and Statement of Expenditures**

**Statement of Compliance with Certificate of Appropriateness and Minimum Expenditures,
Authorization for Inspection by City Officials, and Affidavit Regarding Loans, Taxes, Fees, Fines
and Penalties**

THE STATE OF TEXAS
COUNTY OF KLEBERG

I am the owner of the property at _____, Kingsville, Texas
("the Property"). The facts stated herein are all true and correct.

I certify that the information in this application for a tax exemption, including all attachments, is complete and correct. I certify that I have made the minimum expenditure on the rehabilitation project in compliance with any certificates of appropriateness.

I authorize city officials to visit and inspect the property as necessary to certify eligibility and verification for a tax exemption.

I acknowledge that I have read and understand the program regulations, and that I will not receive an exemption until all program requirements have been met and a certificate of verification obtained.

I understand that the owner of the Property must make an application to Kleberg County Appraisal District each year in order to receive the exemption for that year; otherwise, the owner will lose the ability to receive a tax exemption for that year.

All mortgages and property taxes are current, and no fees, fines or penalties are owed, on the Property or any property owned in which I have an ownership interest.

Owner's Name: _____

Owner's Signature: _____

Before me, the undersigned authority, Notary Public in and for the State of Texas, on this day personally appeared, _____, known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the ____ day of _____, 20____.

Notary Public in and for the State of Texas

My Commission Expires _____

A person commits an offense if the person fails to follow any procedure, rule, or regulation promulgated in support of this program. Such an offense shall be a misdemeanor punishable as set forth by § 1-1-99 of the City of Kingsville municipal code upon conviction. Each offense shall be deemed a separate violation.