

# HISTORIC AND DESIGN REVIEW COMMISSION

March 21, 2018

**HDRC CASE NO:** 2018-127  
**ADDRESS:** 253 THORAIN  
**LEGAL DESCRIPTION:** NCB 9008 BLK 4 LOT 73 74, 75 & E 12.5 FT OF 76  
**ZONING:** R-4 H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** Olmos Park Terrace Historic District  
**APPLICANT:** Office of Historic Preservation  
**TYPE OF WORK:** Recommendation to the Building Standards Board (BSB) for repairs to a primary structure  
**APPLICATION RECEIVED:** March 02, 2018  
**60-DAY REVIEW:** May 01, 2018  
**REQUEST:**

The applicant is requesting a recommendation to the Building Standards Board (BSB) for the repair of the primary structure located at 253 Thorain.

The City's Code Enforcement Division has determined the primary structure at this address is in repairable condition and is recommending repair per Chapter 6-156, subsections 1, 2, 12, 15, 17 and 18.

## APPLICABLE CITATIONS:

### *UDC Section 35-614 Demolition.*

Demolition of a historic landmark constitutes an irreplaceable loss to the quality and character of the City of San Antonio. Accordingly, these procedures provide criteria to prevent unnecessary damage to the quality and character of the city's historic districts and character while, at the same time, balancing these interests against the property rights of landowners.

(a)Applicability. The provisions of this section apply to any application for demolition of a historic landmark (including those previously designated as historic exceptional or historic significant) or a historic district.

(3)Property Located in Historic District and Contributing to District Although Not Designated a Landmark. No certificate shall be issued for property located in a historic district and contributing to the district although not designated a landmark unless the applicant demonstrates clear and convincing evidence supporting an unreasonable economic hardship on the applicant if the application for a certificate is disapproved. When an applicant fails to prove unreasonable economic hardship in such cases, the applicant may provide additional information regarding loss of significance as provided in subsection (c)(3) in order to receive a certificate for demolition of the property.

### *Sec. 35-615. - Prevention of Demolition by Neglect.*

(a)Applicability. In keeping with the city's minimum housing standards, the owner, or other person having legal custody and control of a designated historic landmark or structure in a local historic district shall preserve the historic landmark or structure against decay and deterioration and shall keep it free from any of the following defects:

(1)Parts which are improperly or inadequately attached so that they may fall and injure persons or property;

(2)Deteriorated or inadequate foundation;

(3)Defective or deteriorated floor supports or floor supports that are insufficient to carry the loads imposed safely;

(4)Walls, partitions, or other vertical supports that split, lean, list, or buckle due to defect or deterioration or are insufficient to carry the loads imposed safely;

(5)Ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defect or deterioration or are insufficient to support the loads imposed safely;

(6) Fireplaces and chimneys which list, bulge, or settle due to defect or deterioration or are of insufficient size or strength to carry the loads imposed safely;

(7) Deteriorated, crumbling, or loose exterior stucco or mortar, rock, brick, or siding;

(8) Broken, missing, or rotted roofing materials or roof components, window glass, sashes, or frames, or exterior doors or door frames; or

(9) Any fault, defect, or condition in the structure which renders it Structurally unsafe or not properly watertight.

(b) Compliance. The owner or other person having legal custody and control of a designated historic landmark or structure in a local historic district shall, in keeping with the city's minimum housing standards, repair the landmark or structure if it is found to have any of the defects listed in subsection (a) of this section. In addition, the owner or other person having legal custody and control of a historic landmark or a building, object, site, or structure located in a historic district shall keep all property, including vacant property, clear of all weeds, fallen trees or limbs, debris, abandoned vehicles, and all other refuse as specified under the city's minimum housing codes and ordinances.

(c) Enforcement.

(1) The historic preservation officer and the historic and design review commission are authorized to work with a property owner to encourage maintenance and stabilization of the structure and identify resources available before taking enforcement action under this section.

(2) The historic and design review commission, on its own initiative, or the historic preservation officer may file a petition with code compliance requesting that the city proceed under the public safety and housing ordinance to require correction of defects or repairs to any structure covered by subsection (a) above so that such structure shall be preserved and protected in accordance with the purposes of this article and the public safety and housing ordinance.

(3) Penalties.

(i) A person may not violate a requirement of this article. Pursuant to Section 214.0015 (Additional Authority Regarding Substandard Buildings) of the Texas Local Government Code, a person who violates a requirement of this article commits a civil offense, and is civilly liable to the City of San Antonio in an amount not to exceed one thousand dollars (\$1,000.00) per day for each violation or an amount not to exceed ten dollars (\$10.00) per day for each violation if the property is the owner's lawful homestead. The City of San Antonio may by order assess and recover any such civil penalties against a property owner at the time of an administrative hearing regarding the violations provided the property owner was notified of the requirements of the ordinance and the owner's need to comply with the requirements and, after notification, the property owner committed an act in violation of the ordinance or failed to take an action necessary for compliance with the ordinance. The city clerk shall file with the district clerk of Bexar County a certified copy of any order issued under this subsection stating the amount and duration of the penalty. Any monies collected shall be deposited into an account as directed by the historic preservation officer for the benefit, rehabilitation or acquisition of local historic resources.

(ii) A person who violates this article commits an offense. An offense under this article is a class C misdemeanor punishable as provided in the municipal ordinances of San Antonio.

(iii) An action to enforce the requirements of this article may include injunctive relief and may be joined with enforcement of all applicable city codes.

(iv) If any building, object, site or structure covered by this subdivision shall have to be demolished as a public safety hazard and the owner thereof shall have received two (2) or more notices from the director of code compliance of building neglect in violation of this and other city ordinances, no application for a permit for a project on the property may be considered for a period of five (5) years from the date of demolition of the structure. Additionally, no permit for a curb cut needed for the operation of surface parking lot shall be granted by a city office during this period, nor shall a parking lot for vehicles be operated whether for remuneration or not on the site for a period of five (5) years from and after the date of such demolition.

## 2. Materials: Masonry and Stucco

### A. MAINTENANCE (PRESERVATION)

i. *Paint*—Avoid painting historically unpainted surfaces. Exceptions may be made for severely deteriorated material where other consolidation or stabilization methods are not appropriate. When painting is acceptable, utilize a water permeable paint to avoid trapping water within the masonry.

- ii. *Clear area*—Keep the area where masonry or stucco meets the ground clear of water, moisture, and vegetation.
  - iii. *Vegetation*—Avoid allowing ivy or other vegetation to grow on masonry or stucco walls, as it may loosen mortar and stucco and increase trapped moisture.
  - iv. *Cleaning*—Use the gentlest means possible to clean masonry and stucco when needed, as improper cleaning can damage the surface. Avoid the use of any abrasive, strong chemical, sandblasting, or high-pressure cleaning method.
- B. ALTERATIONS (REHABILITATION, RESTORATION, AND RECONSTRUCTION)**
- i. *Patching*—Repair masonry or stucco by patching or replacing it with in-kind materials whenever possible. Utilize similar materials that are compatible with the original in terms of composition, texture, application technique, color, and detail, when in-kind replacement is not possible. EIFS is not an appropriate patching or replacement material for stucco.
  - ii. *Repointing*—The removal of old or deteriorated mortar should be done carefully by a professional to ensure that masonry units are not damaged in the process. Use mortar that matches the original in color, profile, and composition when repointing. Incompatible mortar can exceed the strength of historic masonry and results in deterioration. Ensure that the new joint matches the profile of the old joint when viewed in section. It is recommended that a test panel is prepared to ensure the mortar is the right strength and color.
  - iii. *Removing paint*—Take care when removing paint from masonry as the paint may be providing a protectant layer or hiding modifications to the building. Use the gentlest means possible, such as alkaline poultice cleaners and strippers, to remove paint from masonry.
  - iv. *Removing stucco*—Remove stucco from masonry surfaces where it is historically inappropriate. Prepare a test panel to ensure that underlying masonry has not been irreversibly damaged before proceeding.

## **FINDINGS:**

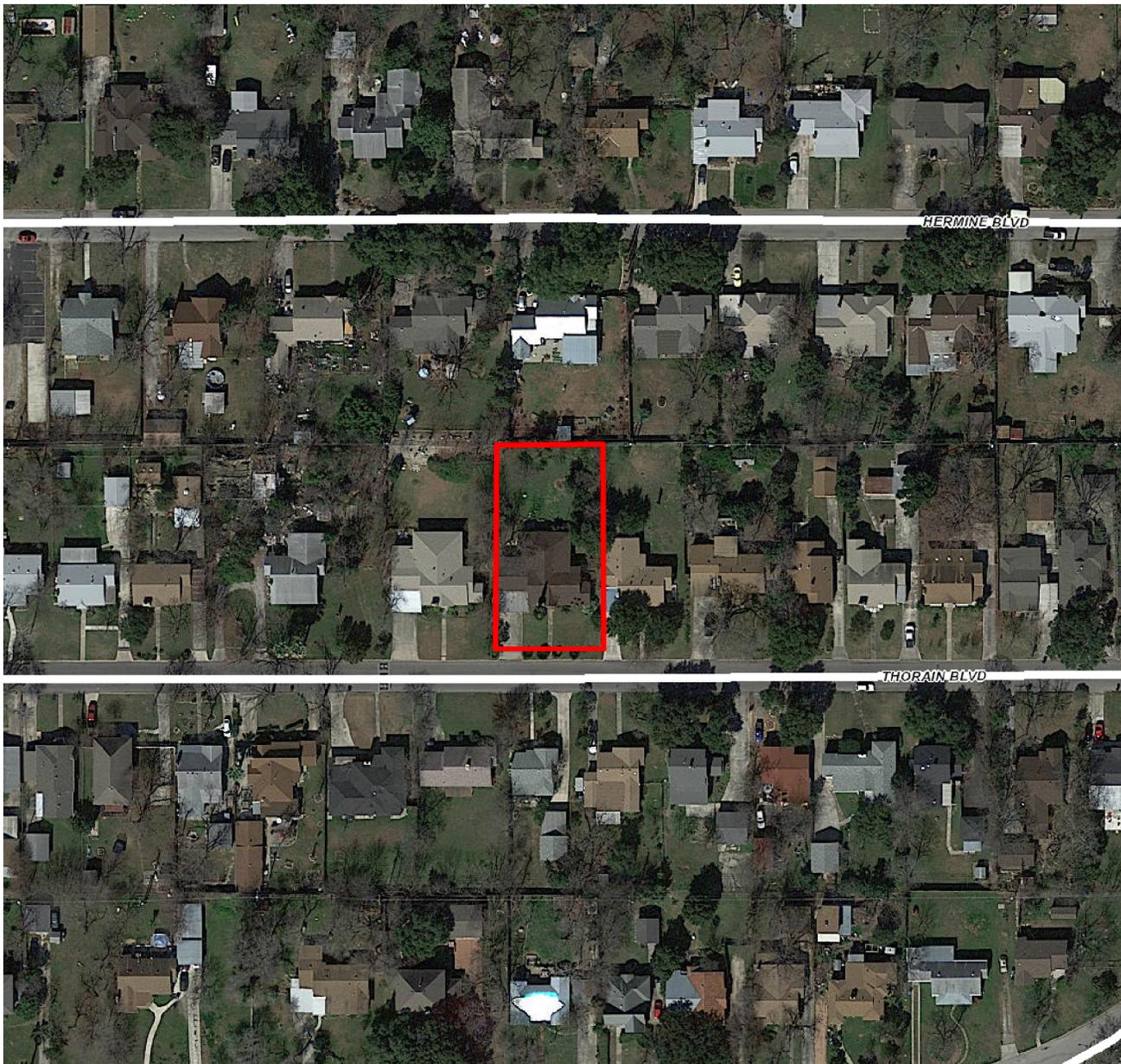
- a. The primary structure located at 253 Thorain is a 1-story single family home constructed circa 1933 in the Minimal Traditional style. The home is first found on the 1935 Sanborn Map. The structure features a rugged cut stone façade, a side gable configuration with a gabled front porch, and a prominent stone chimney on the front façade. The Olmos Park Terrace Historic District is characterized by English Cottage and Minimal Traditional homes with stone facades and architectural details similar to those found on this structure. The location, materials, design, and construction style are original to the site.
- b. According to the Historic Design Guidelines for Exterior Maintenance and Alterations, regular cleaning, repointing, and stabilization of historic masonry is encouraged to avoid deterioration and structural damage. Façade elements of historic homes should be replaced in-kind when necessary. When new materials are needed, they should match the existing materials in color, durability and texture. Additionally, vegetation should be routinely maintained and cleared from the façade of the home to ensure that damage from organic elements is mitigated to ensure the longevity of the structure.

## **RECOMMENDATION:**

Staff recommends repair of the historic primary structure based on findings a and b. The stabilization and repair of the structure is eligible for administrative approval.

## **CASE MANAGER:**

Stephanie Phillips



## Flex Viewer

Powered by ArcGIS Server

Printed: Mar 15, 2018

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R. Bigler# 639

253 Thorain



**DEVELOPMENT SERVICES DEPARTMENT  
FIELD SERVICES DIVISION  
CODE ENFORCEMENT SECTION**  
Building Standards Board-Dangerous Structure Case

**Structural Condition**

Occupied: No

**Structural Type:** Residential

**Zoning:** R4

Main Structure

**Check all that apply:**

**Roof:** new roof

Type: gable

Covering: asphalt shingle

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Roof sagging                      | <input type="checkbox"/> Roof structure dilapidated        | <input type="checkbox"/> Engineer's letter required    |
| <input type="checkbox"/> Roof holes/collapsed              | <input type="checkbox"/> Missing flashing                  | <input type="checkbox"/> Roof Sheathing rotted/damaged |
| <input type="checkbox"/> Ridge-board missing/damaged       | <input type="checkbox"/> Roof covering missing/damaged     | <input type="checkbox"/> Overhang deteriorated/rotted  |
| <input checked="" type="checkbox"/> Rafters rotted/damaged | <input type="checkbox"/> Missing purlins/brace/collar ties | <input type="checkbox"/> Roof trusses rotted/damaged   |
| <input type="checkbox"/> Ceiling joist rotted/damaged      |  | <input type="checkbox"/> Unable to access              |
|  |  | <input type="checkbox"/> Fire Damage                   |

**Frame:** wood

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> <b>Exterior Inspection:</b> | <input checked="" type="checkbox"/> <b>Interior Inspection:</b> | <input checked="" type="checkbox"/> <b>Floors:</b>               |
| <input type="checkbox"/> Fire damaged walls                     | <input type="checkbox"/> Ceiling not at required height         | <input checked="" type="checkbox"/> Floor trusses rotted/damaged |
| <input checked="" type="checkbox"/> Siding damaged/deteriorated | <input type="checkbox"/> Ceiling severely deflected             | <input checked="" type="checkbox"/> Floor has holes              |
| <input checked="" type="checkbox"/> Windows damaged/broken      | <input checked="" type="checkbox"/> Sheetrock damaged/missing   | <input checked="" type="checkbox"/> Floor joists rotten/damaged  |
| <input checked="" type="checkbox"/> Brick veneer damaged        | <input checked="" type="checkbox"/> Studs rotted/leaning        | <input checked="" type="checkbox"/> Floor covering damaged       |
| <input type="checkbox"/> Stucco veneer damaged                  | <input type="checkbox"/> Headers missing                        | <input checked="" type="checkbox"/> Floors uneven/unsafe         |
| <input type="checkbox"/> Chimney/Towers damaged/listin          | <input type="checkbox"/> Missing double top plate               | <input checked="" type="checkbox"/> Inadequate means of Egress   |
| <input checked="" type="checkbox"/> Structure is listing        | <input checked="" type="checkbox"/> Bottom plate rotted/damaged | <input type="checkbox"/> Fire Damage--Floors                     |
| <input type="checkbox"/> Lack of Weather Protection             | <input type="checkbox"/> Interior walls vandalized              |  |

**Foundation:** post and beam/ slab combo

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> <b>Post and Beam</b> | <input checked="" type="checkbox"/> <b>Slab on Grade</b> | <input type="checkbox"/> Engineer's letter required        |
| <input type="checkbox"/> Posts leaning                   | <input type="checkbox"/> Sill beams rotted/damaged       | <input type="checkbox"/> Floor joist rotted/damaged        |
| <input type="checkbox"/> Posts rotted/cracked            | <input type="checkbox"/> Sill beams on grade             | <input type="checkbox"/> Floor joist not bearing correctly |
| <input checked="" type="checkbox"/> Needs leveling       | <input type="checkbox"/> Sill not bearing on support     | <input type="checkbox"/> Unable to inspect                 |
| <input type="checkbox"/> Needs extensive repairs         | <input type="checkbox"/> Slab on grade--cracks           | <input type="checkbox"/> Fire Damage                       |
| <input type="checkbox"/> No foundation                   |  |  |

**Miscellaneous:**

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Front/rear porch damaged      | <input checked="" type="checkbox"/> Front/rear steps rotted/damaged/detaching | <input type="checkbox"/> Missing/damaged handrails  |
| <input checked="" type="checkbox"/> Door rotted/damaged           | <input type="checkbox"/> Missing smoke detectors                              | <input type="checkbox"/> Missing/damaged guardrails |
| <input type="checkbox"/> Electrical system hazards                | <input type="checkbox"/> Exposed wires  | <input type="checkbox"/> Unsafe equipment           |
| <input type="checkbox"/> Illegal installation-Electrical/Plumbing | <input checked="" type="checkbox"/> Broken devices/fixtures                   | <input type="checkbox"/> No electrical services     |
| <input type="checkbox"/> Plumbing system hazards                  | <input type="checkbox"/> Insufficient receptacles/lighting outlets            | <input type="checkbox"/> Unlawful structure         |
| <input type="checkbox"/> Water leaks                              | <input type="checkbox"/> Deteriorated/damaged pipes                           | <input type="checkbox"/> No water service           |
| <input type="checkbox"/> Water meter tampered                     | <input type="checkbox"/> Gas leak   |   |



**DEVELOPMENT SERVICES DEPARTMENT  
FIELD SERVICES DIVISION  
CODE ENFORCEMENT SECTION**  
Building Standards Board-Dangerous Structure Case

**Code Definitions 6-156**

- 1. A door, aisle, passageway, stairway or other means of exit is not sufficient width size or not so arranged as to provide safe and adequate means of exit in case of panic.
- 2. The walking surface of any aisle, passageway, stairway, or other means of exit is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- 3. The stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose, or location.
- 4. A portion of the structure/building has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
- 5. A portion, member of appurtenance of the structure/building is likely to fall, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- 6. A portion of a building, any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted in the Building Code for
- 7. The building or structure, or any portion thereof, because of: (i) dilapidation, deterioration, or decay; (ii) faulty construction; (iii) the removal, movement, or instability of any portion of the ground necessary to support such building; (iv) the deterioration, decay, or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
- 8. The building or structure, or a portion thereof, is manifestly unsafe for the purpose for which it is being used.
- 9. The exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
- 10. The building or structure, exclusive of the foundation, shows thirty-three (33) percent or more damage or deterioration of its supporting member or members, or fifty (50) percent damage or deterioration of its nonsupporting members, or fifty (50) percent damage or deterioration of enclosing or outside walls or coverings
- 11. The building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated or neglected as to become a harbor for vagrants or criminals.
- 12. The building or structure had been contracted, exists or is maintained in violation of the city's minimum housing standards or technical building codes to the extent violation poses a threat or potential threat to life, health, safety or property
- 13. The building or structure is used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction, arrangement, inadequate light, air, or sanitation facilities, is determined by the health director to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease
- 14. The building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections, or heating apparatus, or other mechanical, structural, or social cause, has been determined by the fire chief to be a fire hazard
- 15. The building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
- 16. A portion of the building or structure has remained for a period of time on a site after the demolition or destruction of the building or structure, and was not approved for partial demolition by the BSB or the department of building inspections in its permitting process.
- 17. The building or structure, is unoccupied by its owner, lessee, or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered by children.
- 18. The building or structure is secured by a means inadequate to prevent unauthorized entry or use in the manner described in condition subsection (17) above.

**Recommendation:**      Repair                              Repair

**Code and Chapter:**      6-157

**Complaint Number:**      22959436



CITY OF SAN ANTONIO  
**DEVELOPMENT SERVICES DEPARTMENT**  
 P.O. BOX 839966 | SAN ANTONIO TEXAS 78283-3966



**Notification to Historic Preservation Office**

The property located at **253 Thorain** is being prepared for a hearing before the Building Standards Board. The conditions of this property identified by the Development Services Department necessitating this hearing are listed in the attached report. Refer to action #22959436.

The subject building/structure for the hearing is the:

- |  |    |   |
|--|----|---|
| <input type="checkbox"/> Building            | of | <input checked="" type="checkbox"/> Main Structure      |
| <input type="checkbox"/> Accessory Structure |    | <input type="checkbox"/> Other Structure, specifically: |
| Location on property:                        |    |   |

**A SEPARATE SUBMITTAL IS REQUIRED FOR EACH PROBLEM STRUCTURE**

Please contact Dangerous Premises Officer \_\_\_\_\_ **SELECT** \_\_\_\_\_ if more information is required.

Your response advising the Building Standards Board of any significance of this structure is requested to be returned within (30) thirty days of receipt of this notice.

Submitted on 2/12/18.

Michael Shannon, PE, CBO  
 Director of Development Services Department

**STATEMENT FROM HISTORIC PRESERVATION OFFICE**

The Historic Preservation Office hereby advises the Building Standards Board that the above referenced building/structure has been assessed as:

- A Local Landmark / Ordinance # \_\_\_\_\_
- Located Within a Local Historic District Olmos Park Terrace
 

Contributing/Significance	<input checked="" type="checkbox"/>
Non-Contributing	<input type="checkbox"/>
- National Register of Historic Places District or Individual Listing: \_\_\_\_\_ Select Name \_\_\_\_\_
- Potentially Eligible for Individual Landmark (Historic) Designation due to Historical, Cultural, Architectural, or Archaeological Significance
- Eligible as a Contributing Structure in a Potential Historic District.
- Not Eligible for Individual Landmark (Historic) Designation but Potentially Significant to the Neighborhood or Area as Part of the Overall Historic Fabric.
- Requiring a Historic and Design Review Commission Hearing
- Not Eligible for Historic Designation

Returned on Monday, February 19, 2018.

  
 Shanon Shea Miller, HPO  
 Office of Historic Preservation