

HISTORIC AND DESIGN REVIEW COMMISSION

May 15, 2019

HDRC CASE NO: 2019-233
ADDRESS: 1022 N FLORES
LEGAL DESCRIPTION: NCB 766 BLK 9 LOT S IRR 59.09 FT OF 5
ZONING: IDZ S
CITY COUNCIL DIST.: 1
APPLICANT: Todd Fichter
OWNER: Todd Fichter
TYPE OF WORK: Removal of Historic Landmark Designation

REQUEST:

The applicant seeks a recommendation from the Historic and Design Review Commission to remove historic designation from the property at 1022 N Flores.

APPLICABLE CITATIONS:

Unified Development Code Sec. 35-606. - Designation Process Historic Landmarks.

- g. **Removal of Designation.** Upon recommendation of the historic and design review commission based upon new and compelling evidence and negative evaluation according to the same criteria and following the same procedures set forth herein for designation, a designation made under subsection (a) of this section may be removed by city council following recommendation by the historic and design review commission.

Unified Development Code Sec. 35-607. – Designation Criteria for Historic Districts and Landmarks.

- a. **Process for Considering Designation of Historic Districts and Landmarks.** Historic districts and landmarks shall be evaluated for designation using the criteria listed in subsection (b) and the criteria applied to evaluate properties for inclusion in the National Register. In order to be eligible for historic landmark designation, properties shall meet at least three (3) of the criteria listed. Historic districts shall consist of at least two (2) or more structures within a legally defined boundary that meet at least three (3) of the criteria. Additionally, all designated landmarks and districts shall demonstrate clear delineation of the legal boundaries of such designated resources.
- b. **Criteria for Evaluation.**
1. Its value as a visible or archeological reminder of the cultural heritage of the community, or national event;
 6. Its historical, architectural or cultural character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, bridges, acequias, gas stations, transportation shelters, or other commercial structures;
 13. It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic or cultural motif;

FINDINGS:

- a. The property at 1022 N Flores was designated an historic landmark by Ordinance 94324 on August 9, 2001, in response to request for demolition by then-owner Lucy Camarillo. The request for demo was initiated due to a Building Standards Board case regarding the property.
- b. The property owner submitted a request for removal of historic designation. Consistent with the UDC Sec 35-606(g), the applicant must present new and compelling evidence that the property no longer meets the criteria for landmark designation. The applicant indicated and staff confirmed there are no remaining buildings on the site.
 - The structure found on the site in 2001 no longer exists. The single-story Mission style building was constructed c. 1896 as an L-shaped residence. By the time the structure appeared on 1951 Sanborn maps, the façade was altered to include the Mission style parapet and enclosed porch. According to research conducted by staff at the time of designation, the façade was likely added in the late 1920s or early 30s.
 - The structure was designated an historic landmark in 2001 in response to a pending Building Standards Board case.

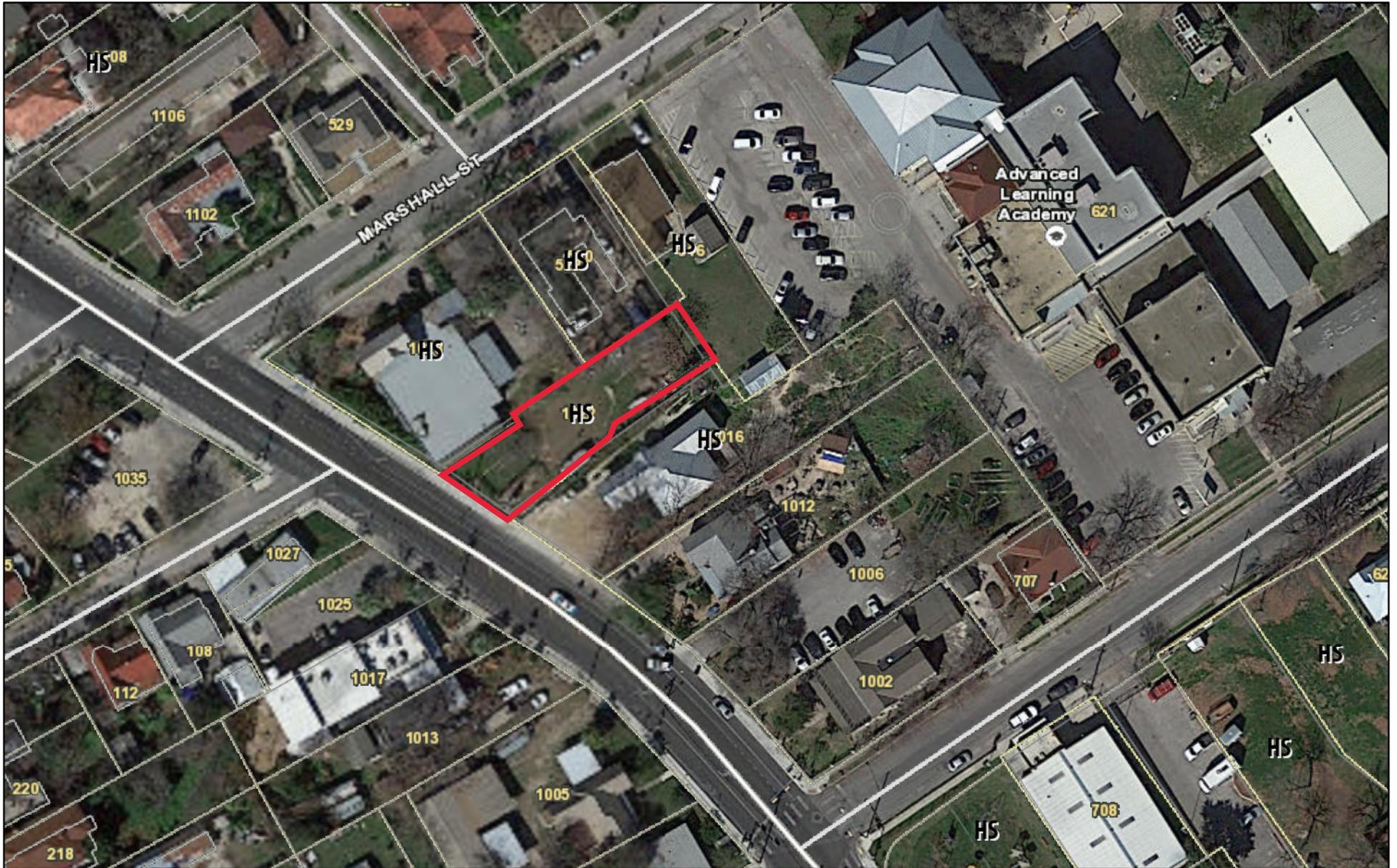
- The current owners purchased the property in 2005. Shortly after, they were contacted by Code Compliance officer Alice Guajardo regarding hazardous conditions at 1022 N Flores.
 - In 2011, Officer Guajardo contacted the owners and instructed them to obtain a demolition permit for 1022 N Flores.
 - On January 13, 2011, owners Todd and Kellie Fichter submitted a request for demolition of 1022 N Flores to the Office of Historic Preservation.
 - The owner appeared before HDRC on January 19 and February 2, 2011, regarding his request for demolition. A letter of commission action was issued on February 2, 2011, allowing for partial demolition of the structure and instructing the owner to work with staff to “Save and stabilize the front façade facing N Flores.”
 - On April 24, 2011, a demolition permit was issued to Todd Fichter that included a handwritten note stating demolition was allowed “based on evidence that walls are not structurally sound and cannot be saved without great expense. Economic Hardship.”
- c. **HISTORIC CONTEXT:** 1022 N Flores is part of the Five Points neighborhood, originally part of the land King Phillip V granted to San Antonio de los Llanos in 1729. Two ditches were built to provide water for farming. The Acequia Principal was completed in 1738, and the Upper Labor Acequia completed in 1777. Both acequias follow present Cameron and S Flores streets. Residential development along the acequias did not begin until c. 1880. By 1924, the area was fully developed; popular building styles include Classical Revival, Folk Victorian, and vernacular. On December 6, 2006, HDRC recommended designation of the Five Points neighborhood, including 1022 N Flores. The historic district designation did not receive final approval from City Council.
- d. In accordance with the UDC Sec. 35-607, Criteria for designation, staff should evaluate the property based on the criteria for designation. In 2001, the main structure was eligible for designation based coded criteria at the time. If the property were evaluated today according to current UDC criteria, it would not be eligible as the structure no longer exists.
- e. **ARCHAEOLOGY:** In addition to the landmark structure that once stood on this parcel, the lot carries another designation. The San Pedro Acequia runs across the southwest lot line, and in February 1987, this acequia along with three others were designated as exceptional archaeological sites per Ordinance 64539. In addition to the designated structure that once stood on this parcel, the lot is affiliated with another designation. The San Pedro Acequia runs across the southwest lot line, and in February 1987, this acequia along with three others were designated as exceptional archaeological sites per Ordinance 64539. Development shall comply with all federal, state, and local laws, rules, and regulations regarding archaeology.
- f. **EVALUATION:** In order to be eligible for historic landmark designation, properties shall meet at least three (3) of the 16 criteria listed. Staff evaluated the structure against all 16 criteria and determined that it was consistent with UDC sec. 35-607(b):
1. Its value as a visible or archeological reminder of the cultural heritage of the community, or national event; the parcel contains part of the San Pedro Acequia.
 6. Its historical, architectural or cultural character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, bridges, acequias, gas stations, transportation shelters, or other commercial structures; the parcel contains part of the San Pedro Acequia.
 13. It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic or cultural motif; the parcel contributes to an eligible historic district, the Five Points neighborhood.

RECOMMENDATION:

Staff does not recommend removal of landmark designation for 1022 N Flores due to the presence of a designated archaeological resource, the San Pedro Acequia, on the property. Development shall comply with all federal, state, and local laws, rules, and regulations regarding archaeology.

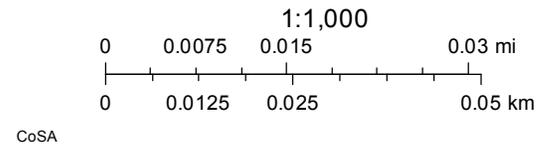
CASE MANAGER: Jessica Anderson

City of San Antonio One Stop

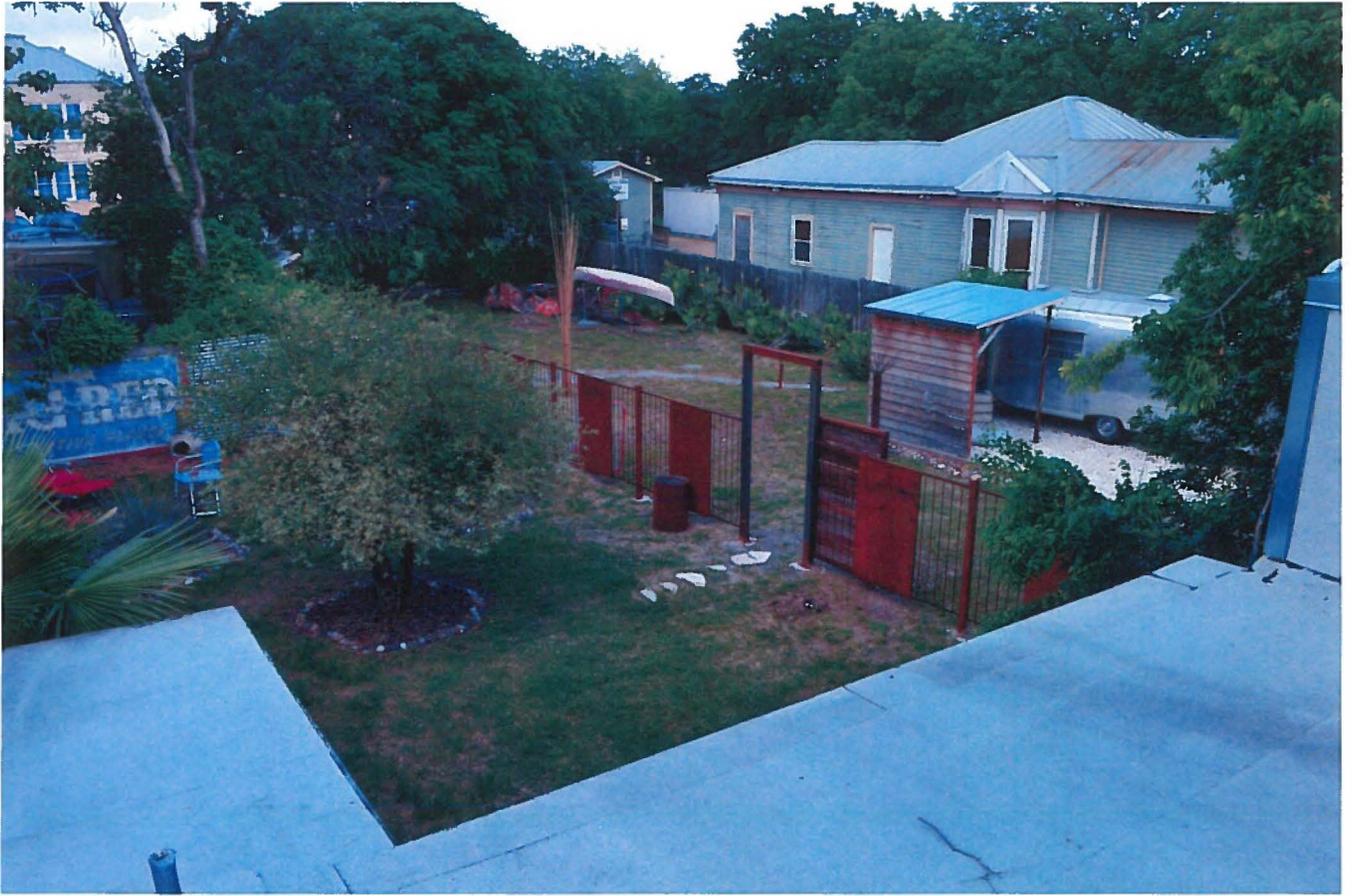


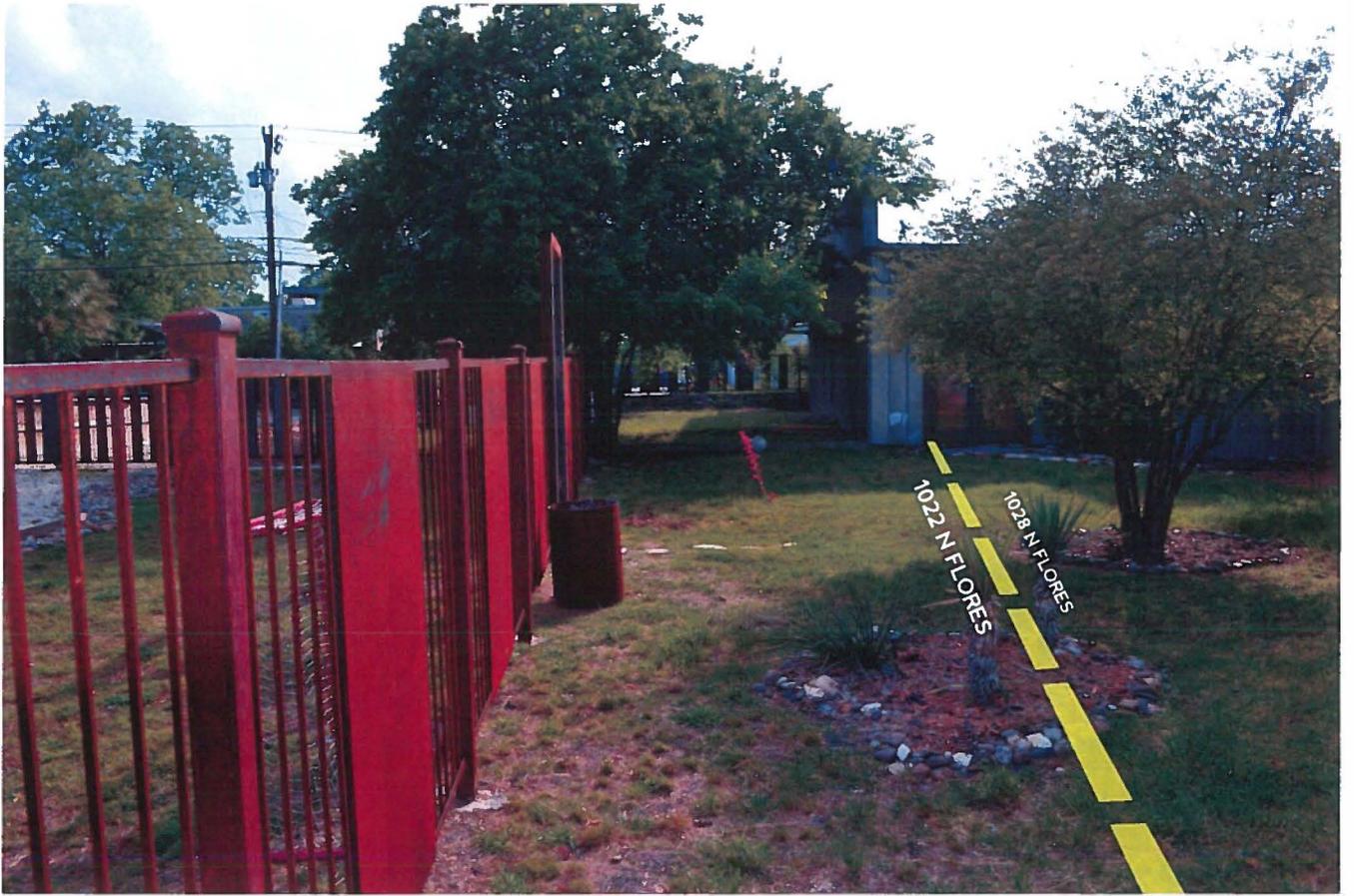
May 6, 2019

- User drawn lines
- CoSA Addresses
- Community Service Centers
-  Pre-K Sites
-  CoSA Parcels
-  BCAD Parcels
-  Recorded Plats
-  Preliminary Plats
-  CoSA City Limit Boundary









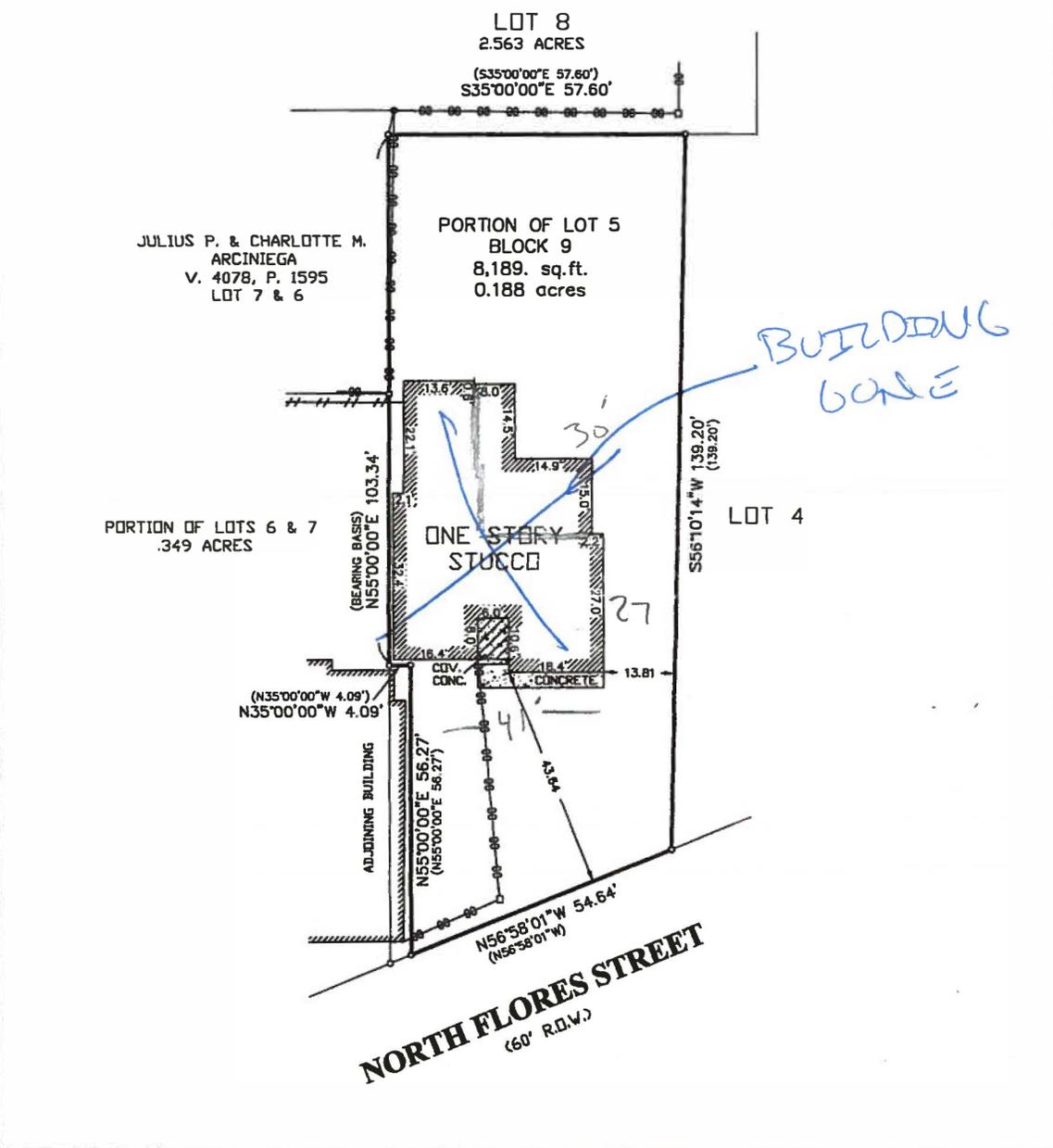
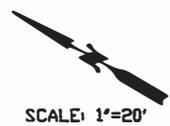






PLAT IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS:

LEGEND	○ = FIND IRON ROD	△ = CALCULATED POINT	● = POWER POLE	B.S. = BUILDING SETBACK
	○ = SET IRON ROD	□ = TELEPHONE PEDESTAL	—○— = OVERHEAD ELECTRIC	U.E. = UTILITY EASEMENT
	X = "X" ON CONCRETE	⊙ = CABLE TELEVISION	— — = IRON FENCE	D.E. = DRAINAGE EASEMENT
	□ = FENCE POST	⊕ = WATER METER	— — = WOOD FENCE	E.E. = ELECTRIC EASEMENT
	△ = PK NAIL	() = RECORD INFORMATION	— — = CHAIN LINK FENCE	M.E. = MAINTENANCE EASEMENT



PROPERTY ADDRESS
1022 NORTH FLORES STREET

BORROWER
TODD FICHTER AND KELLIE FICHTER

PROPERTY DESCRIPTION
TRACT 1 A 0.349 Acre Tract being out of the west portion of Lot 8 and Lot 7, Block 9, New City Block 784, in the City of San Antonio, Bexar County, Texas, being the same property conveyed to Lucy R. Comarillo in Volume 7007, Page 1023 Real Property Records of Bexar County, Texas, add 0.349 acre tract being more particularly described in a metas and bounds description attached;
TRACT 2 A 0.005 Acre tract being out of the northwest portion of Lot 5, Block 9, New City Block 788, City of San Antonio, Bexar County, Texas being the same as that tract conveyed to Lucy R. Comarillo in Volume 7007, Page 1023 Real Property Records of Bexar County, Texas, add 0.005 acre tract being more particularly described in a metas and bounds description attached;

Westar Alamo
LAND SURVEYORS, INC.
P.O. BOX 1039 HELotes, TEXAS 78023-1039
PHONE (210) 372-9500 FAX (210) 372-8989

As stated from FEMA's FLOOD INSURANCE RATE MAP, Community No. 25003, Panel No. 0442 E, Panel Dated 02-16-99, this tract is in Zone(s) X and is not in a special flood hazard zone. This flood zone information is to be used for informational purposes only. This surveyor does not certify to any information provided by FEMA.

G.F. NO.	5156
JOB NO.	11852.1
DATE	February 18, 2005



I, WILL PERRIN, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision and there are no discrepancies, omissions, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

Will Perrin
WILL PERRIN
Registered Professional Land Surveyor
Texas Registration No. 5443

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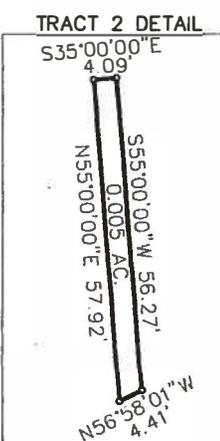
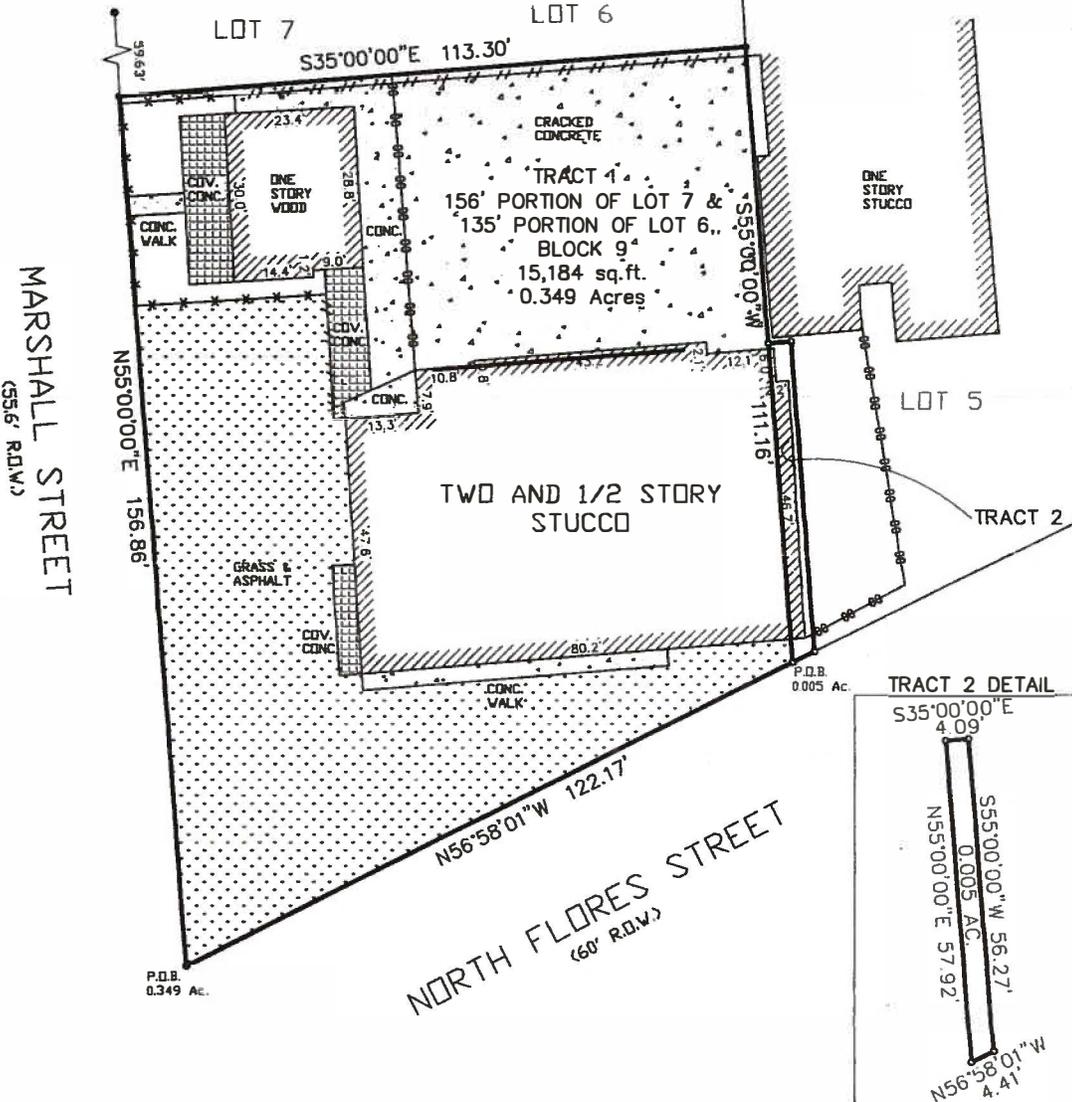
JECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS:

● = FIND IRON ROD	△ = CALCULATED POINT	○ = POWER POLE	B.S. = BUILDING SETBACK
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△ = PK MAIL	() = RECORD INFORMATION	— = CHAIN LINK FENCE	M.E. = MAINTENANCE EASEMENT



SCALE: 1"=20'

JULIUS P. & CHARLOTTE M.
ARCINIEGA
V. 4078, P. 1595



PROPERTY ADDRESS 1028 NORTH FLORES STREET	BORROWER TODD FIGHTER AND KELLE FIGHTER
PROPERTY DESCRIPTION TRACT 1 A 0.349 Acre tract being out of the west portion of Lot 6 and Lot 7, Block 9, New City Block 788, in the City of San Antonio, Bexar County, Texas, being the same property conveyed to Lucy R. Camarillo in Volume 7007, Page 1023 Real Property Records of Bexar County, Texas, and 0.349 acre tract being more particularly described in a metas and bounds description attached; TRACT 2 A 0.005 Acre tract being out of the northwest portion of Lot 5, Block 9, New City Block 788, in the City of San Antonio, Bexar County, Texas being the same as that tract conveyed to Lucy R. Camarillo in Volume 7007, Page 1023 Real Property Records of Bexar County, Texas, and 0.005 acre tract being more particularly described in a metas and bounds description attached;	

Westar Alamo
LAND SURVEYORS, INC.
P.O. BOX 1038 HELOTES, TEXAS 78023-1038
PHONE (210) 372-9500 FAX (210) 372-9999

As shown from FEMA's FLOOD INSURANCE RATE MAP, Community No. 480043, Panel No. 0452.E, Panel Detail 12-1E-25, this tract is in Zone(s) X-1 and is not in a special flood hazard zone. This flood zone information is to be used for informational purposes only. This surveyor does not certify to any information provided by FEMA.

G.F. NO.	5156
JOB NO.	11852
DATE	February 12, 2005



I, WILL PERRIN, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plot represents of actual surveys made on the ground under my supervision, and there are no discrepancies, omissions, mistakes in area or boundary lines, or other encroachment or overlapping of improvements, in the best of my knowledge and belief, except as shown herein.

Will Perrin
WILL PERRIN
Registered Professional Land Surveyor
Texas Registration No. 5443

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4c

AN ORDINANCE **94324**

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Section 35-3007 of the Unified Development Code which is Chapter 35 of the City Code and constitutes the comprehensive zoning ordinance of the City of San Antonio is hereby amended so that it shall hereafter include the following described changes of classification and the rezoning of the hereinafter designated property to-wit:

CASE NO. Z2001153

- The rezoning and reclassification of property From "J" Commercial District to "J (HS)" Historic, Significant Commercial District on Lot A-10, Block 10, NCB 773
- From "D" Apartment District to "D (HS)" Historic, Significant Apartment District on Lot East Irregular 56 feet of 1 and 2, NCB 773
- From "D" Apartment District to "D (HS)" Historic, Significant Apartment District on Lot A2, 3, 4, Block 6, NCB 775
- From "D" Apartment District to "D (HS)" Historic, Significant Apartment District on Lot 6, Block 2, NCB 767
- From "K" Commercial District to "K (HS)" Historic, Significant Commercial District on Lot 5, Block 9, NCB 766 on the property listed below as follows:

SECTION 2. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 -1024.

SECTION 3. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. This ordinance is not severable.

PASSED AND APPROVED THIS 9th DAY OF August 2001

MAYOR: [Signature]

ATTEST: [Signature]
City Clerk

APPROVED AS TO FORM: [Signature]
CITY ATTORNEY

01-29

Jan. 13, 2011

Re: Request for demolition permit for 1022 N. Flores St, San Antonio, TX 78212

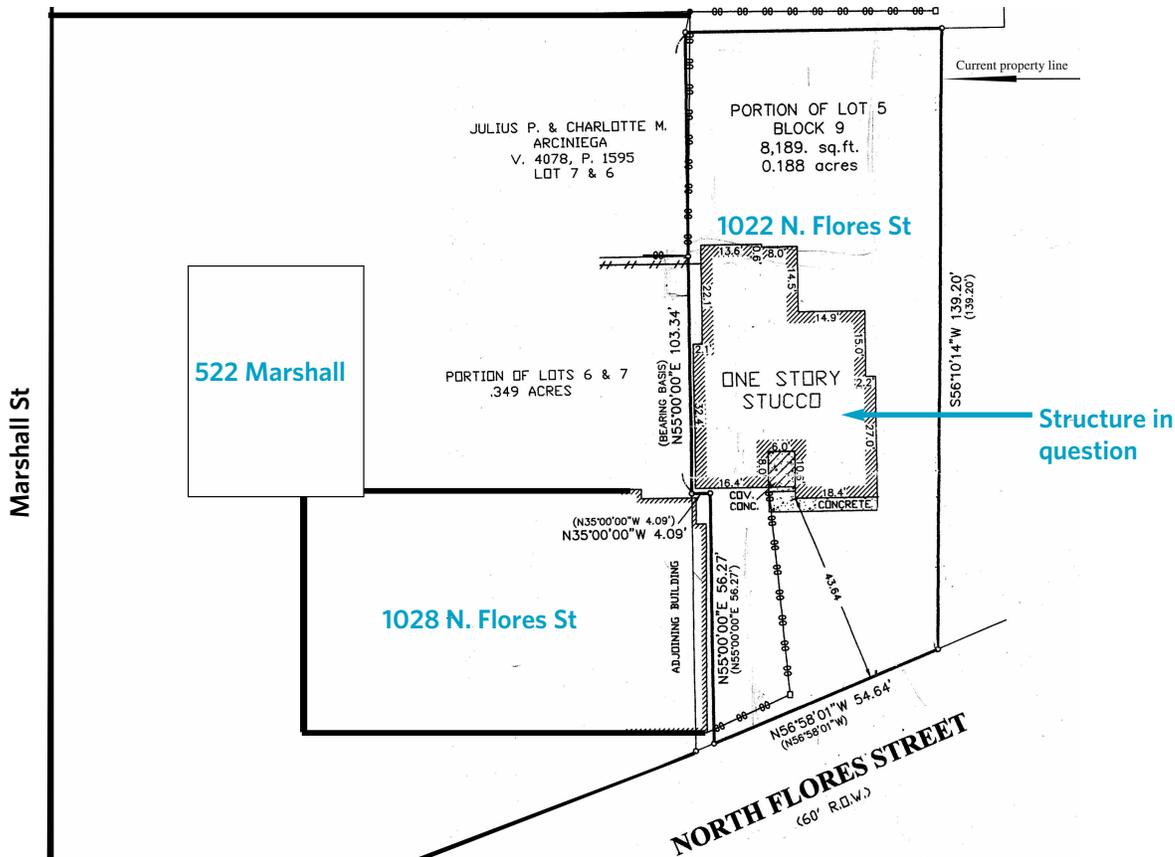
In February of 2005 we (Todd & Kellie Fichter) purchased the property located at 1028 N. Flores Street. This property sits on one plat which contains three lots/buildings. The three lots/buildings' addresses are as follows:

1028 N. Flores St. (used to be a the Rainbow Dinner club from 1930's to the 1980's)

1022 N. Flores St. (the structure we want to tear down)

522 Marshall

See plat survey/diagram below for a better reference.



This one plat with three lots was being sold by the previous owner all together because they didn't want to pay the re-platting costs necessary to divide the lots up, etc. We bought the property in order to live in the 1028 N. Flores building and had every intention to tear down the 1022 N. Flores building at some point in the future (*We discussed this with the broker and seller throughout the negotiations*). This would then make the 1022 lot our back and side yard for our home—making one large lot with only one building (1028) on it.

At no time before or during the buying process were we informed by the real estate broker or anyone else involved in the transaction, that 1022 was landmarked and could not be torn down. If we were given that info at the time we would not have gone through with the purchase. We knew the neighborhood had not been deemed historic, in fact the city lists the area as "Slum/blight", so we never thought the building would have any restrictions on it. That said, even after we closed on the property, we never received notice that the property was landmarked. When a landmarked property changes ownership, wouldn't it make sense for the city to notify the new property owners of the status of their new property so this type of error doesn't occur? None of our real estate paperwork or current tax statements make any reference to the landmarked status. (We did not find out about the status until last week when we applied for the permit!)

Overall General Condition of structure in 2005 when we took ownership:

- Generally, building was rotting away, graffitied often, and being used for junkies and homeless to sleep and defecate.
- Structure looked like it hadn't been habituated in decades.
- No foundation. The foundation had long rotted away (back of the building is 2 feet in the ground.)
- No floors. The original floors had long rotted away and left exposed dirt.
- All of the walls' bottoms have rotted off due to sitting in dirt for so long.
- No completely intact original windows or doors were still present (front door/entrance was piece of plywood and most windows boarded up).
- Front stucco "Alamo" facade is not original, cracked trim falling off.
- Backside "shack" addition not original (see below images)
- Rain water flowed freely through the roof in several places, exposed wall and backside—damaging original beadboard walls and helped to rot floors.
- Some original, exterior siding was missing. (see picture on next page)
- All wiring and plumbing had long been scavenged by metal thieves.
- The only original elements left were the roof, interior beadboard walls and some exterior siding (and front facade).

Below are some images of how the structure looked when we took ownership in 2005.

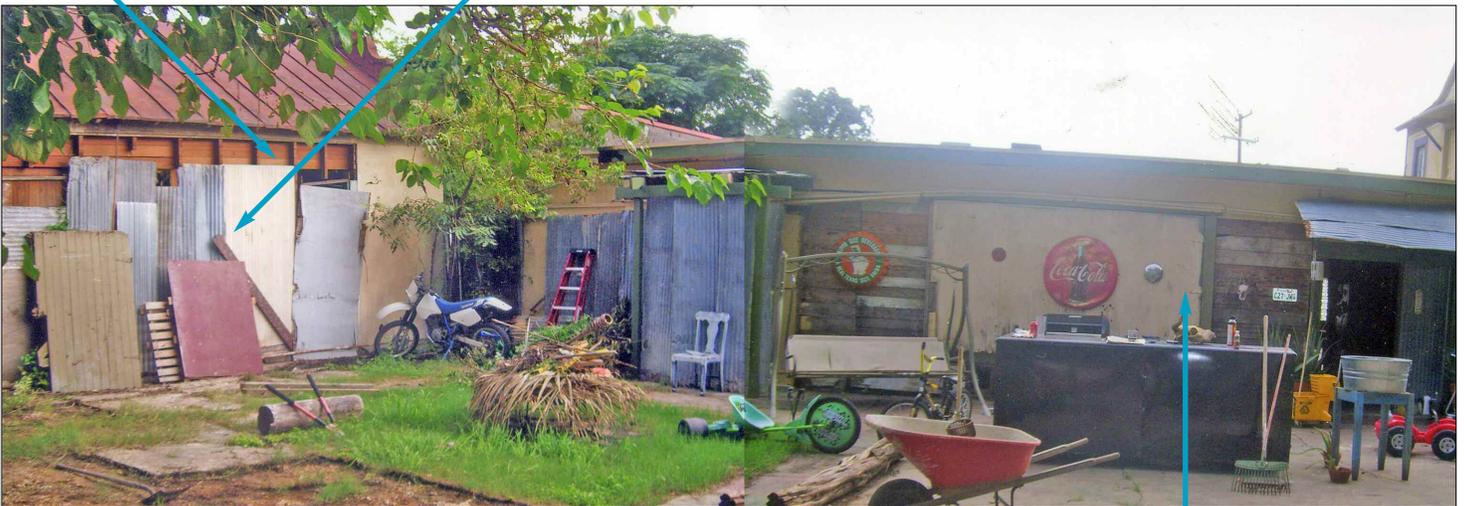


Partial front view

Stucco facade is not original cracking and has aluminum windows and no front door.

Partial side view of 1022 - you can see here that the previous owners removed this whole wall and siding off back of structure..

We had to temporarily cover the open wall in order to keep our dogs and children in the yard as the building acts as a fence.



Backside of 1028 N. Flores St.

More images of how the structure looked in 2005:



These two interior images show the dirt floors and vines growing inside plus un-original aluminum windows and garbage that had been dumped inside, etc..



Backside "shack" addition - not original and falling down.



Not long after we took ownership of the properties, we were contacted by Code Compliance officer Alice A. Guajardo who informed me that they were receiving complaints about the property on 1022 N. Flores St. She said it was not only an eyesore but a **dangerous, falling down structure**. I informed her that we lived next door in 1028 and we were putting all of our money into fixing up that building (1028) and could not afford to pay someone to knock it down right away and that it might be years before I can get to it. So, she said she would put it on some kind of "slow track" where the city would come out and inspect it and officially declare it a dangerous structure and that, she said, would give us time to tear it down. (*I don't think that inspection ever happened as far as I know.*)

At this first contact with Code Compliance, never once did the Code Compliance officer inform me of the Landmarked status. *Wouldn't it make sense to have Code Compliance know the status of such buildings on their route, so this type of error does not occur?*

Over the next few years, officer Guajardo would continue to make contact with me from time to time and inquire as to when I think I might be able to start the demo of the building. I told her that before I knock it down, I wanted to salvage and reuse some materials (beadboard, etc) from the building for us to re-use on our 1028 building and to prevent it from rotting away in the elements. On more than one occasion when the Code officer spoke with me, I told her I was slowly but surely stripping materials and getting closer to the point where we were ready to knock the structure down.

Again, never once did the Code Compliance officer inform me of the Landmarked status on any of her visits/discussions. In fact she seemed to be rushing me to get the demolition done quickly so she could get the property off of her list of troubled properties, or something to that affect.

I continued stripping and salvaging beadboard, up until the end of 2010 when officer Guajardo contacted me again after seeing progress made on the property and instructed me to get a permit for the final knock down. This summary brings us to our request to demolish and the **current condition of the structure**.

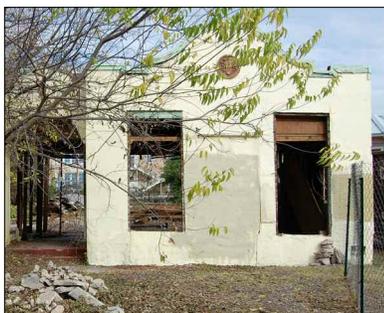
Since taking ownership of the 1022 N. Flores structure in 2005, we have done the following to the structure:

- Removal of all aluminum windows and un-original doors.
- Removed and salvaged the interior beadboard to protect from the elements and to reuse on another structure of the same age (1028 N. Flores).
- Removed backside "shack" addition which was falling down and not original.

Once this "shack" addition was removed it revealed more of the original siding that was missing and therefore exposing more of the beadboard to the elements which was then salvaged and removed.



Partial front view in 2005



Current front view with aluminum windows and plywood front door removed. Looks like roof is missing in photo but it is still there. It is just the camera angle



Partial side view of 1022 and Backside of 1028 N. Flores St. in 2005

Previously removed wall covered and uncovered



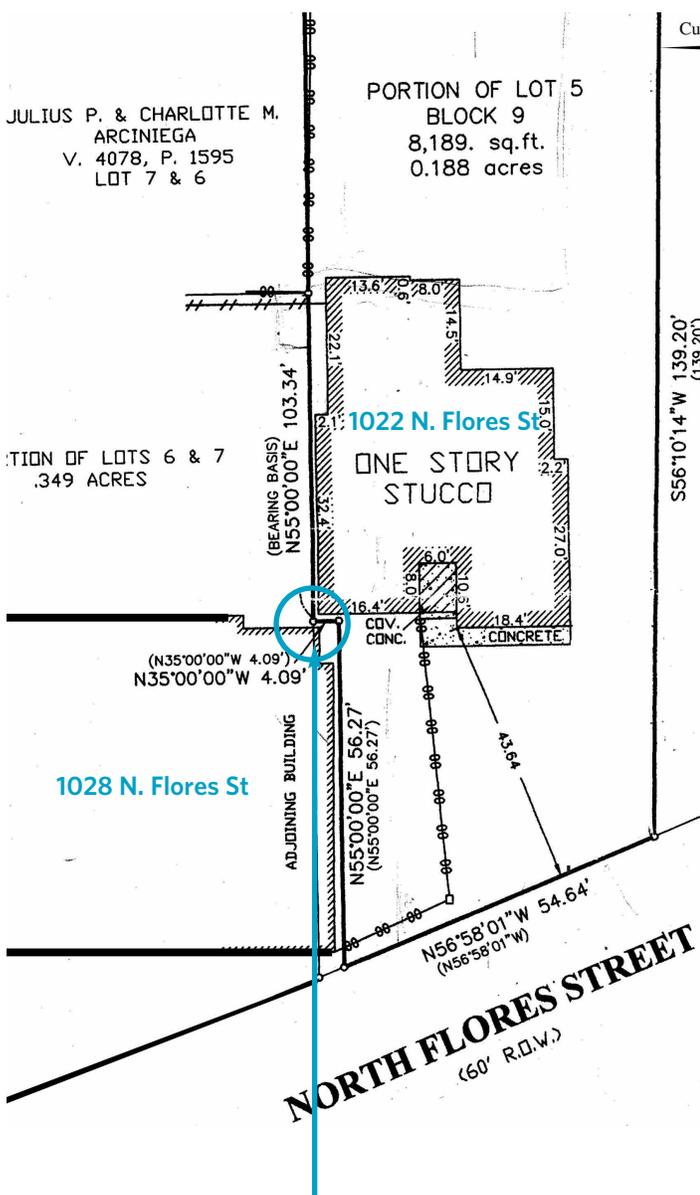
Partial side view of 1022 and Backside of 1028 N. Flores St. as it is now.

Financial Hardship

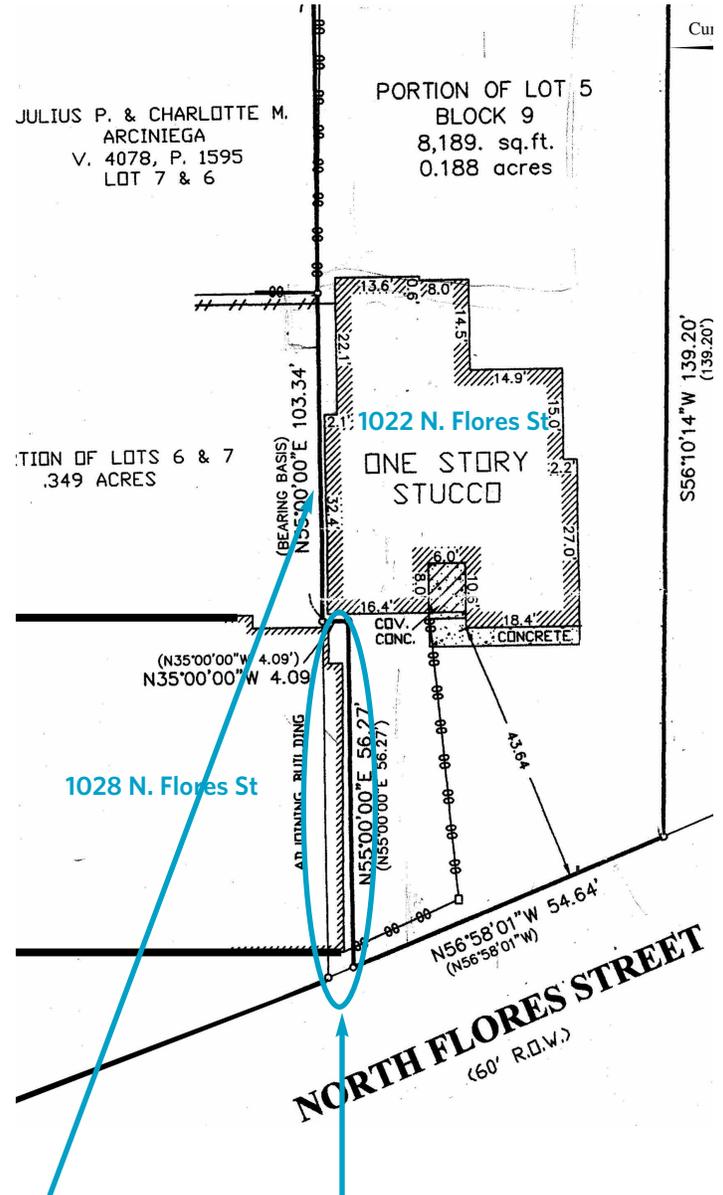
The Bexar County tax office appraises the land only(1022 N. Flores) at a value of \$ 16,800, they deem the building "of no value". I am taxed about \$450 per year on the land only. I have billboard on the property that pays me \$400 per year, so the property costs me around \$50 per year just to sit there and rot.

Based on the overall, general condition of structure in 2005 such as, no foundation, no floors, no plumbing, no wiring, back of building 2 feet in ground etc, rebuilding the structure at that time, if even possible, would cost as much if not more as building a completely new house. My wife works for a non-profit and I am self-employed and in no way can afford to rebuild this dilapidated structure while we are trying to refurbish the 1028 N Flores structure simultaneously.

Selling the property to another investor/individual is not feasible either because of the close proximity of the structures at 1028 and 1022 N. Flores. Plus, the Lot lines overlap and would make splitting the properties into two feasible lots hard to achieve let alone attract a buyer. (see diagrams below for further explanation). The property will be much more valuable as one large lot with one building (1028) on it.



The corners of both structures at this area are a mere 16-18 inches from one another creating an odd proximity and loss of property values if these two structures were owned by different parties.



The 1022 building overlaps the current property line here.

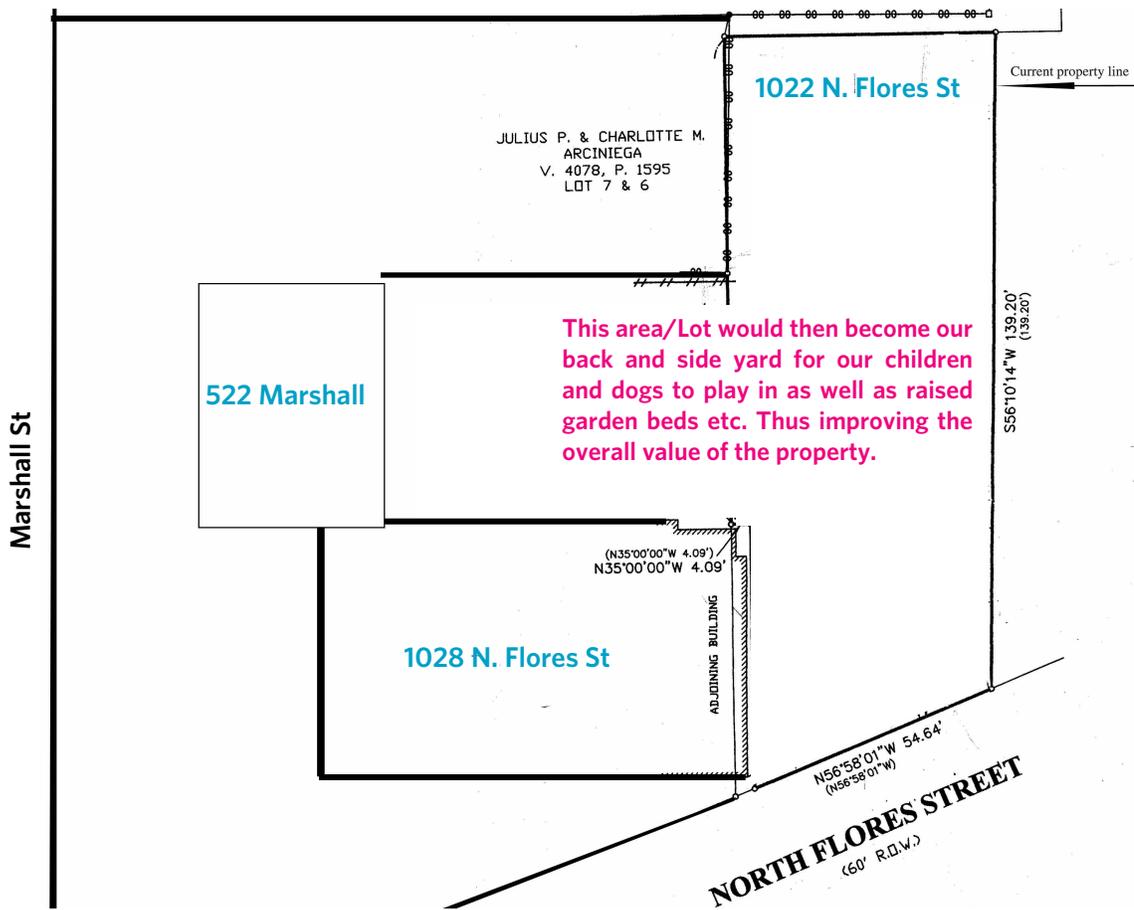
This encircled area denotes where the 1028 building overlaps the property lines into the 1022 Lot.

Loss of Significance:

Due to years of neglect and weathering, the structure has undergone significant and irreversible changes in my view. Based on the overall, general condition of structure in 2005 such as, no foundation, no floors, no plumbing, no wiring, back of building 2 feet in ground, the addition of un-original stucco facade, etc I feel the only significance the structure has left to offer is it's age alone. There are several other buildings in the 5-points area that are original structures as well and they are STILL housing individuals and families, while 1022 has been nothing but a falling down eyesore for years before we purchased it.

Strategy for future use of property:

As stated earlier, our family lives in the 1028 N. Flores building and with the 1022 structure gone this would then make the 1022 lot our back and side yard for our home—making one large lot with only one building (1028) on it, thus improving the overall property value. See diagram below.



Also as stated earlier, we will be salvaging vintage beadboard and other lumber to reuse in the 1028 structure which also can trace it's roots back to the beginning of the 5-points neighborhood. The two story portion of our 1028 structure is just as old as the 1022 address (see images on next page). Granted it was changed drastically in the 30's when it became the Rainbow Dinner Club, but one could argue that the decades of weddings, quinceañera's and other communal gatherings have been more of a contributing resource within the Five Points neighborhood than the 1022 property.

The Office of Historic Preservation should know that my wife and I love and appreciate old, historic structures—that's why we bought the Rainbow and are trying to restore some of it's original beauty by using what we can from the 1022 property and not just throwing it in the landfill. Basically we want to sacrifice one old, sick structure to save another equally as old structure—but one that is in better shape.

1028 N. Flores front view in 2005

1022 N. Flores is out of view back here.



This section was built in the 1890'S | This section was added in the 1930's when it became the Rainbow Dinner Club

1028 N. Flores partial front view as it looks today.





HISTORIC AND DESIGN REVIEW COMMISSION
COMMISSION ACTION

This is not a Certificate of Appropriateness and can not be used to acquire permits.

February 02, 2011

HDRC CASE NO: 2011-026
ADDRESS: 1022 N Flores
LEGAL DESCRIPTION: NCB 766 BLK 9 LOT 5 EXCEPT NW IRR 4.41
LANDMARK DISTRICT: 1022 N Flores
APPLICANT: Todd M & Kellie M Fichter 1028 N Flores St
OWNER: Todd M & Kellie M Fichter
TYPE OF WORK: Demolition

REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to demolish a designated historic landmark building.

RECOMMENDATION:

On December 30, 2010, the City's Code Enforcement Services Department determined that the single-story wood frame structure at 1022 N Flores was in a deteriorated condition and in urgent need of repair. Code Enforcement Services prepared a recommendation to the Dangerous Structures Determination Board requesting that repairs be made to the structure. Prior to the meeting of the DSDB, the applicant began demolition of the historic landmark building without City permits or HDRC approval. The applicant submitted an application for demolition on January 7, 2011, and appeared before the Commission on January 19, 2011. The case was referred to the Designation and Demolition Committee at that time. The Committee met on site on January 24, 2011. The structure is in a state of disrepair and selective demolition has occurred. The rear walls have been removed and the structure has no foundation. Reconstruction is not feasible.

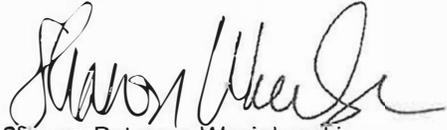
Demolition of a historic landmark constitutes an irreplaceable loss to the quality and character of the City of San Antonio and should be undertaken only as a last resort. Per UDC Sec. 35-614, no certificate shall be issued for demolition of a historic landmark unless the applicant demonstrates clear and convincing evidence supporting an unreasonable economic hardship on the applicant. In the case of a historic landmark, if an applicant fails to prove unreasonable economic hardship, the applicant may provide to the historic and design review commission additional information regarding loss of significance as provided in subsection (c). Per subsection (c), the historic and design review commission must find that changes resulting in a loss of significance were not caused either directly or indirectly by the owner, and were not due to intentional or negligent destruction or a lack of maintenance rising to the level of a demolition by neglect.

Loss of significance cannot be considered based on work undertaken by the applicant. Staff received additional information regarding economic hardship on January 19, 2011. If the Commission determines that the requirements for economic hardship have been met, the Commission should clearly articulate the rationale for allowing the demolition due to the infeasibility of reconstruction. The applicable demolition fee outlined in UDC Sec. 35-614 (e) will be assessed based on the square footage of the replacement plans.

2011-026
2/2/11

COMMISSION ACTION:

Partial demolition, work with staff through an administrative approval to save and stabilize the front façade facing N. Flores.

A handwritten signature in black ink, appearing to read "Shannon Wasielewski". The signature is fluid and cursive, with a large initial "S" and a long, sweeping tail.

Shannon Peterson Wasielewski
Historic Preservation Officer

APPLICATION FOR PERMIT TO DEMOLISH

Application is hereby made to demolish (No.) 1 of commercial residential structure(s)

Address: 1022 N. FLORES ST., 78212, Zone: , known as Lot No.: 5, Block No.: 9, NCB: 766

- 1. Property Owner: TODD & KELLIE FISHER, Address: 1028 N. FLORES ST.
2. Demolition Contractor: OWNER, Address:
3. Name of Insurance Company: N/A, Amount of Insurance:
4. Name of Bond Company: N/A, Amount of Performance Bond:
5. Structural frame is: WOOD 2x4's, exterior walls: WOOD SIDING, interior walls: WOOD/SIDE WALL, height 1 stories or approximately 12-15 feet.
6. Distance of structure to public right-of-way on North 0, South 0, East 0, West 40-50'.
7. Date schedule for demolition is from 4/27 to between the hours of 0800 to .
8. Building does ; does not ; contain a basement.
9. Explosives will ; will not ; be used.

CONTRACTOR- PLEASE READ THE FOLLOWING: As demolition contractor, you are hereby under notice that the demolition debris shall be transported to the approved and permitted landfill site, as indicated above. Failure to comply will constitute a violation of "Vernon's Texas Civil Statutes Articles 4477-7, Section 8a(1), (2) and 4477-6(a), Section 2.022 and 2.04.

10. To be completed by City Public Service: Utilities disconnect requested on: 4/29/2011 Utilities to be disconnected by: 4/29/2011, Demolition permit to be issued: 4/29/2011

Approved By: Ana Camacho, Date: 4/29/11

Both gas + electric work order complete on 4/13 I hereby certify that I have read, understand and will comply with all provisions of the Demolition Ordinance No. 48242, dated July 14, 1977 (Section 4401 of the Uniform Building Code as Amended)

Applicant/Agent: J.M.M. SA, Company: N/A

Phone No.: 210-326-3474, Emergency Phone No.: 316-3474, Date: 1/7/11

State rules and Federal law require a notification by form ten working days prior to demolition of a public access or commercial building. In order to make notifications contact the state at 1(800) 572-5548. Ask for Environmental Health Notifications Group.



TEXAS



DEPARTMENT OF PUBLIC SAFETY DRIVER LICENSE

Thomas A. Davis, Jr. DIRECTOR

CLASS: CM DL: 17748162
DOB: 07-14-69 HT: 6-00
EXPIRES: 07-14-11 EYES: BRN
REST: SEX: M
END:

FICHTER, TODD M
1028 N FLORES ST
SAN ANTONIO TX 78212

T M. FICHTER



05213158921



CITY of SAN ANTONIO

Planning and Development Services Department

1901 S. Alamo
San Antonio, Texas 78204

Telephone Number

(210) 207-1111

Fax Number

(210) 207-0102

AFFIDAVIT OF FACT

STATE OF TEXAS }

COUNTY OF BEXAR }

BEFORE ME, the undersigned authority, on this day personally appeared

TODD M. FICHTER an agent for _____
Print name Company or Group

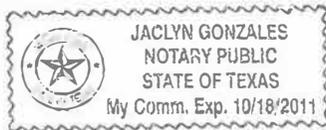
and who, after being duly sworn, did depose and say:

I Todd Fichter am the homeowner of the property located at 1022 N. Flores San Antonio, TX 78212. I am obtaining the permit as a homeowner and I understand I am assuming all responsibilities by doing so.

Signed: T M Fichter

Home Address: 1028 N. FLORES ST.
SAN ANTONIO, TX
78212

Sworn to and subscribed before me this 29th day of April, 20 11.



Jaclyn Gonzales
Notary Public in and for the State of Texas

Bexar CAD

Property Search Results > 108666 FICHTER TODD M & KELLIE M for Year 2011

Property

Account

Property ID: 108666 Legal Description: NCB 766 BLK 9 LOT 5 EXCEPT NW IRR 4.41 FT
 Geographic ID: 00766-009-0050 Agent Code:
 Type: Real
 Property Use Code: 810
 Property Use Description: SMALL APARTMENTS

Location

Address: 1022 N FLORES ST TX Mapsco: 616D3
 Neighborhood: NBHD code10310 Map ID:
 Neighborhood CD: 10310

Owner

Name: FICHTER TODD M & KELLIE M Owner ID: 2649532
 Mailing Address: 1028 N FLORES ST SAN ANTONIO, TX 78212-5138 % Ownership: 100.000000000000%

Exemptions:

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A

(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	

(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	

(=) Assessed Value:	=	N/A	

Taxing Jurisdiction

Owner: FICHTER TODD M & KELLIE M
 % Ownership: 100.000000000000%
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	N/A	N/A	N/A	N/A
08	SA RIVER AUTH	N/A	N/A	N/A	N/A
09	ALAMO COM COLLEGE	N/A	N/A	N/A	N/A
10	UNIV HEALTH SYSTEM	N/A	N/A	N/A	N/A
11	BEXAR COUNTY	N/A	N/A	N/A	N/A
21	CITY OF SAN ANTONIO	N/A	N/A	N/A	N/A
57	SAN ANTONIO ISD	N/A	N/A	N/A	N/A
CAD	BEXAR APPRAISAL	N/A	N/A	N/A	N/A

DISTRICT			
Total Tax Rate:	N/A		
Taxes w/Current Exemptions:			N/A
Taxes w/o Exemptions:			N/A

Improvement / Building

Improvement #1:	Commercial	State Code:	B2	Living Area:	416.0 sqft	Value:	N/A
Type	Description	Class CD	Exterior Wall	Year Built	SQFT		
800	MULTIPLE RESIDENCE	D	WD	1950	416.0		
Improvement #2:	Commercial	State Code:	B2	Living Area:	sqft	Value:	N/A
Type	Description	Class CD	Exterior Wall	Year Built	SQFT		
RSH	Shed	F		0	348.0		

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	CSS	Commercial Store Site	0.0696	3031.78	0.00	0.00	N/A	N/A

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2011	N/A	N/A	N/A	N/A	N/A	N/A
2010	\$7,700	\$9,100	0	16,800	\$0	\$16,800
2009	\$7,980	\$9,100	0	17,080	\$0	\$17,080
2008	\$8,200	\$9,100	0	17,300	\$0	\$17,300
2007	\$7,300	\$9,100	0	16,400	\$0	\$16,400
2006	\$3,680	\$9,100	0	12,780	\$0	\$12,780

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	2/16/2005 12:00:00 AM	WD	Warranty Deed	CAMARILLO LUCY	FICHTER TODD M	11240	1876
2		Deed	Deed		CAMARILLO, LUCY	7007	1023

2011 data current as of Apr 18 2011 1:57AM.

2010 and prior year data current as of Apr 3 2011 9:06PM

For property information, contact (210) 242-2432 or (210) 224-8511 or email.

For website information, contact (210) 242-2500.

This year is not certified and ALL values will be represented with "N/A".

BOARD ROOM 157 FIVE

Jan. 13, 2011

Re: Request for demolition permit for 1022 N. Flores St, San Antonio, TX 78212

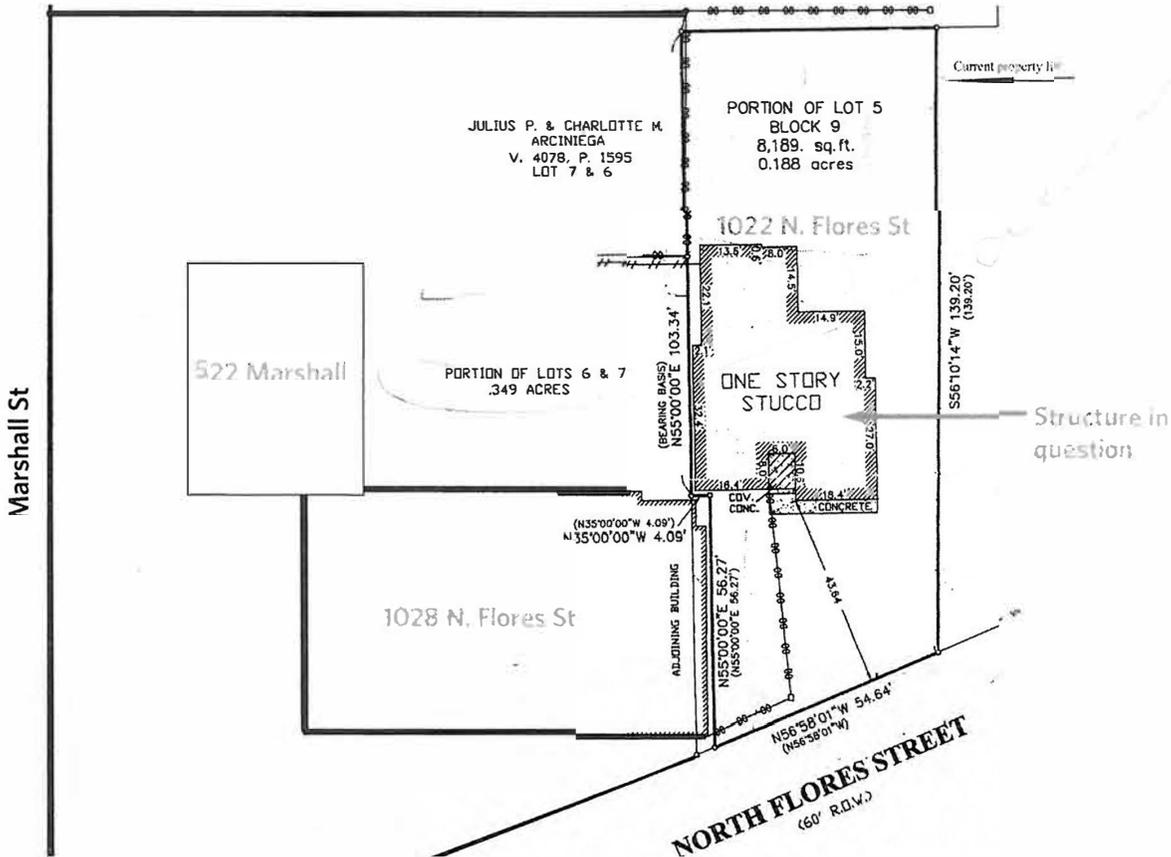
In February of 2005 we (Todd & Kellie Fichter) purchased the property located at 1028 N. Flores Street. This property sits on one plat which contains three lots/buildings. The three lots/buildings' addresses are as follows:

1028 N. Flores St. (used to be a the Rainbow Dinner club from 1930's to the 1980's)

1022 N. Flores St. (the structure we want to tear down)

522 Marshall

See plat survey/diagram below for a better reference.



This one plat with three lots was being sold by the previous owner all together because they didn't want to pay the re-platting costs necessary to divide the lots up, etc. We bought the property in order to live in the 1028 N. Flores building and had every intention to tear down the 1022 N. Flores building at some point in the future (We discussed this with the broker and seller throughout the negotiations). This would then make the 1022 lot our back and side yard for our home—making one large lot with only one building (1028) on it.

At no time before or during the buying process were we informed by the real estate broker or anyone else involved in the transaction, that 1022 was landmarked and could not be torn down. If we were given that info at the time we would not have gone through with the purchase. We knew the neighborhood had not been deemed historic, in fact the city lists the area as "Slum/blight", so we never thought the building would have any restrictions on it. That said, even after we closed on the property, we never received notice that the property was landmarked. When a landmarked property changes ownership, wouldn't it make sense for the city to notify the new property owners of the status of their new property so this type of error doesn't occur? None of our real estate paperwork or current tax statements make any reference to the landmarked status. (We did not find out about the status until last week when we applied for the permit!)





CITY OF SAN ANTONIO
Office of Historic Preservation

DEMOLITION FORM

CITY OF SAN ANTONIO
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT
2011 JAN -7 PM 5:01
STAMP

t-fichtero@satx.rr.com

Please fill in all blanks.

Application for permit to demolish the structure located at: 1022 N. FLORES ST.

NCB 766 Block 9 Lot 5 Zoning _____

Name of Property Owner: TODD & KELLIE FECHTER

Mailing Address: 1028 N. FLORES ST., SAN ANTONIO, TX, 78212

Business Telephone: 210-326-3474 Home Telephone: SAME

Name of Contractor: N/A License No.: N/A

Mailing Address: N/A

Business Telephone: N/A Home Telephone: _____

Approximate Date Built: 1930's I THINK

The structural frame is WOOD 2x4's

Historic District: NO or Historic Landmark: YES

Type of structure: (A) Commercial _____ (B) Residential YES (C) Accessory _____

Why is structure to be demolished? NEGLECT

Submitted by:

Applicant Name: TODD M. FECHTER Telephone No.: 210-326-3474

Address: 1028 N. FLORES ST. Zip Code: 78212

Applicant Signature: T M F

Property Owner Signature: _____
(if different from applicant)

CITY OF SAN ANTONIO
OFFICE OF HISTORIC PRESERVATION
DATE: 4/29/11

DISPOSITION OF REQUEST

APPROVAL TO:
demolish per Certificate of Appropriateness issued ISSUED Feb 2, 2011 - Case 2011-026
SHANNON P...
HISTORIC PRES... [Signature]

Permit to be issued: _____

Research to be done: _____

Referred to Historic and Design Review Commission: Designated Landmark - Jan 19th here

Remarks or special recommendation where applicable: Appeared before HDRE on

Historic Preservation Officer Date Jan 19 and Feb 2 - Case #2011-026

PHOTOGRAPHS OF THE BUILDING TO BE DEMOLISHED ARE REQUIRED FOR CLEARANCE

(one photo per elevation for a total of 4 photos) Walls are not structurally

sound and cannot be saved without
evident evidence of significant historical



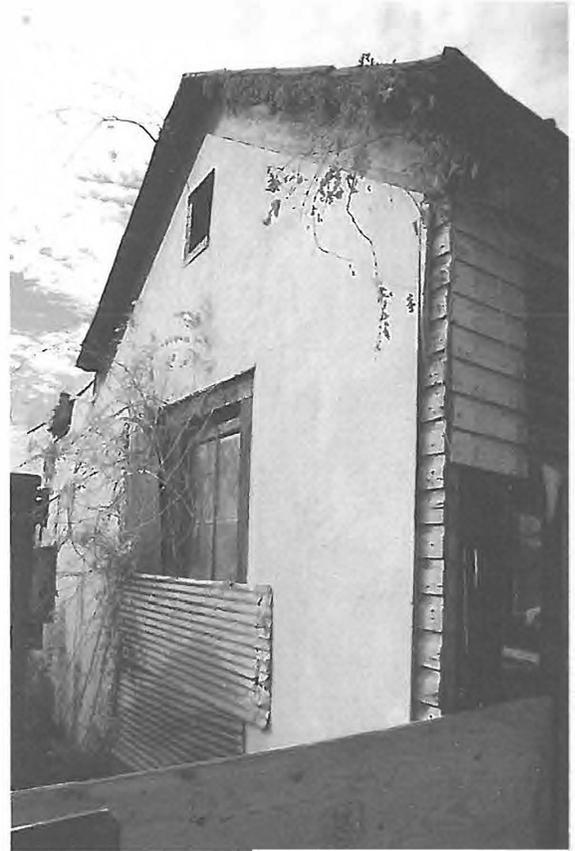
BACK



FRONT



SIDE 1



SIDE 2

4/29/11

T.F.
Todd Fichter,

Started not going to
take down the limited trees.

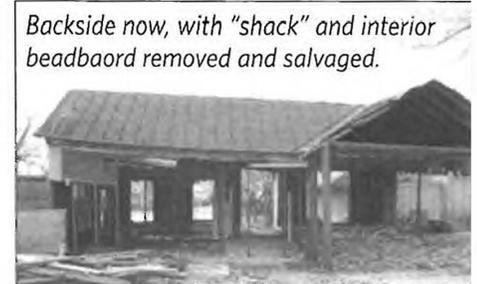
Mike Shuman DSD Engineer

I continued stripping and salvaging beadboard, up until the end of 2010 when officer Guajardo contacted me again after seeing progress made on the property and instructed me to get a permit for the final knock down. This summary brings us to our request to demolish and the **current condition of the structure.**

Since taking ownership of the 1022 N. Flores structure in 2005, we have done the following to the structure:

- Removal of all aluminum windows and un-original doors.
- Removed and salvaged the interior beadboard to protect from the elements and to reuse on another structure of the same age (1028 N. Flores).
- Removed backside "shack" addition which was falling down and not original.

Once this "shack" addition was removed it revealed more of the original siding that was missing and therefore exposing more of the beadboard to the elements which was then salvaged and removed.



Partial front view in 2005



Current front view with aluminum windows and plywood front door removed. Looks like roof is missing in photo but it is still there. It is just the camera angle!



Previously removed wall covered and uncovered

Partial side view of 1022 and Backside of 1028 N. Flores St. in 2005

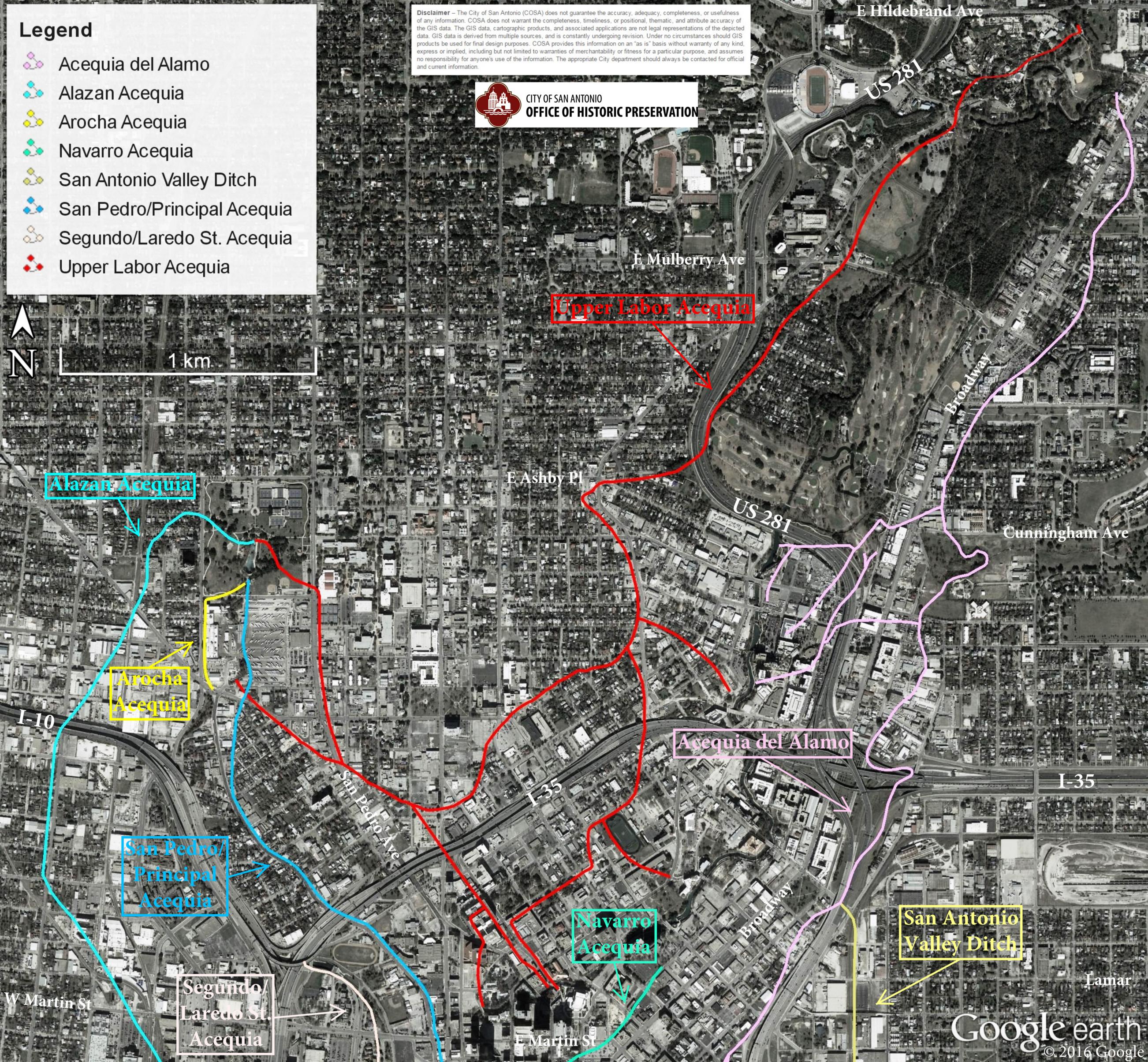


Partial side view of 1022 and Backside of 1028 N. Flores St. as it is now.

Legend

- Acequia del Alamo
- Alazan Acequia
- Arocha Acequia
- Navarro Acequia
- San Antonio Valley Ditch
- San Pedro/Principal Acequia
- Segundo/Laredo St. Acequia
- Upper Labor Acequia

Disclaimer – The City of San Antonio (COSA) does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. COSA does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS data. The GIS data, cartographic products, and associated applications are not legal representations of the depicted data. GIS data is derived from multiple sources, and is constantly undergoing revision. Under no circumstances should GIS products be used for final design purposes. COSA provides this information on an "as is" basis without warranty of any kind, express or implied, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information. The appropriate City department should always be contacted for official and current information.



Alazan Acequia

Arocha Acequia

San Pedro/
Principal
Acequia

Segundo/
Laredo St.
Acequia

Upper Labor Acequia

E Ashby Pl

Acequia del Alamo

Navarro
Acequia

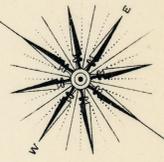
San Antonio
Valley Ditch

1896 Sanborn Fire Insurance Map

SAN PEDRO AV.

AV.

6" W. PIPE



63

JACKSON

775

65

MARSHALL

W. MACON

SLOCUM PL.

69

W. ELMIRA

774

PUBLIC SCHOOL N^o 2

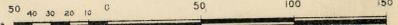
G. GAHWILER LUMBER YARD

773

N. FLORES

68

Scale of Feet.



Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

1904 Sanborn Fire Insurance Map

MARSHALL

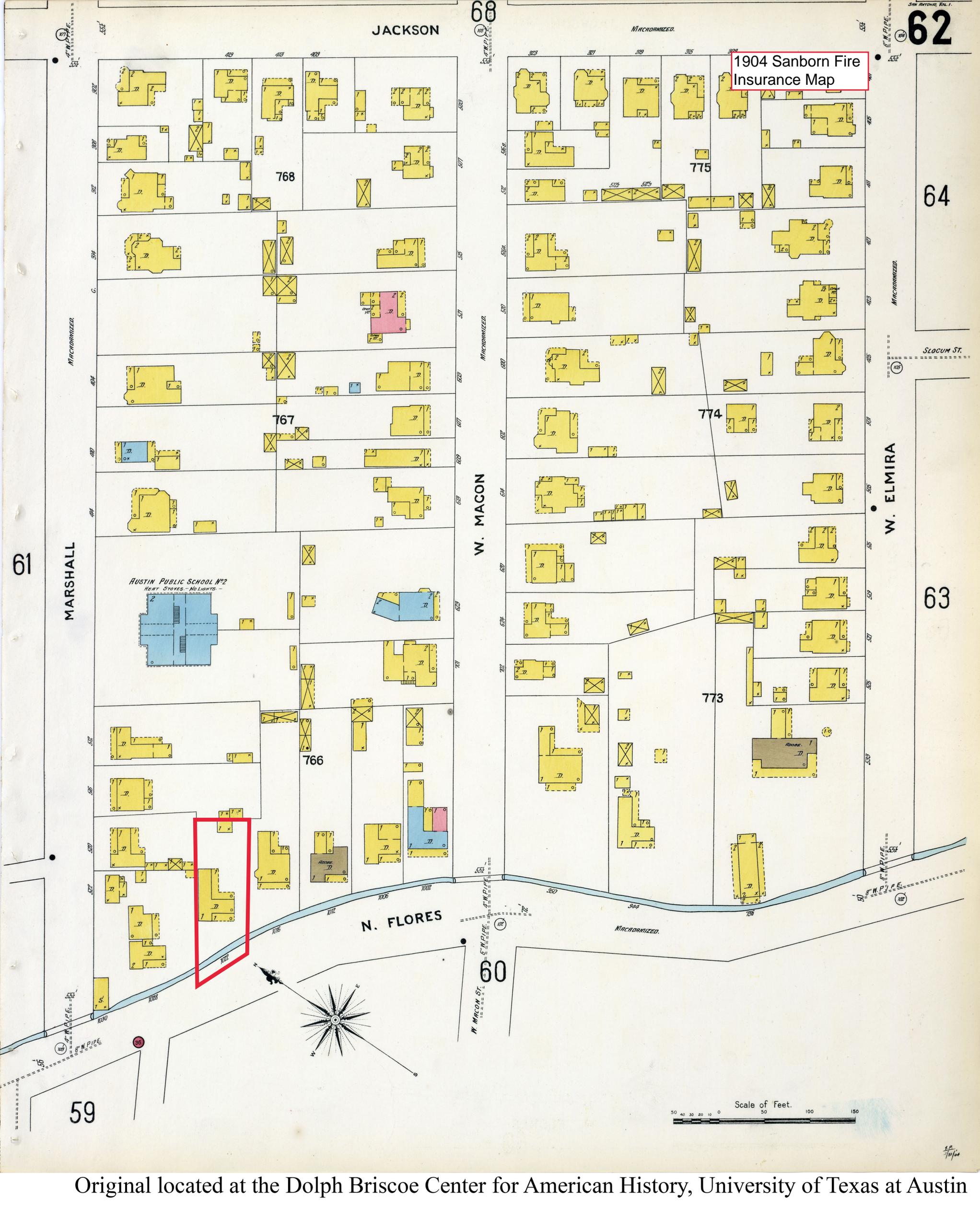
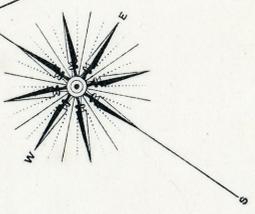
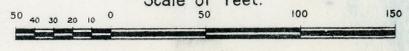
W. MACON

W. ELMIRA

AUSTIN PUBLIC SCHOOL No 2
Heat Stoves - No Lights

N. FLORES

Scale of Feet.



Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

CITY OF SAN ANTONIO

CENTRAL CITY CULTURAL RESOURCE INVENTORY 1983-1986



ADOPTED BY CITY COUNCIL

ORD. NO. 64539

FEBRUARY 12, 1987

Acequia Concepcion and Laterals
Historic Waterway, Archaeological Sites

Exceptional

Acequia Madre and Laterals
Historic Waterway, Archaeological Sites

Exceptional

Acequia Pajalache and Laterals
Historic Waterway, Archaeological Sites

Exceptional

San Pedro Acequia and Laterals
Historic Waterway, Archaeological Site

Exceptional