

# HISTORIC AND DESIGN REVIEW COMMISSION

May 17, 2017

**HDRC CASE NO:** 2017-135  
**ADDRESS:** 205 OSTROM  
**LEGAL DESCRIPTION:** NCB 6938 BLK LOT 1&2  
**ZONING:** R-4 CD H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** River Road Historic District  
**APPLICANT:** Tobias Stapleton  
**OWNER:** Tobias Stapleton  
**TYPE OF WORK:** Demolition with new construction of two residential structures and an accessory structure

## REQUEST:

The applicant is requesting conceptual approval to:

1. Demolish the historic structure located at 205 Ostrom.
2. Construct a two story structure on the east end of the lot.
3. Construct a two story structure on the west end of the lot.
4. Construct an accessory structure.
5. Install three driveways/parking location on the site.

## 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.

(b)Unreasonable Economic Hardship.

(1)Generally. The historic and design review commission shall be guided in its decision by balancing the historic, architectural, cultural and/or archaeological value of the particular landmark or eligible landmark against the special merit of the proposed replacement project. The historic and design review commission shall not consider or be persuaded to find unreasonable economic hardship based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate).

(2)Burden of Proof. The historic and design review commission shall not consider or be persuaded to find unreasonable economic hardship based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate). When a claim of unreasonable economic hardship is made, the owner must prove by a preponderance of the evidence that:

- A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed;
- B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return; and

C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years, despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.

(3)Criteria. The public benefits obtained from retaining the cultural resource must be analyzed and duly considered by the historic and design review commission.

As evidence that an unreasonable economic hardship exists, the owner may submit the following information to the historic and design review commission by affidavit:

A. For all structures and property:

- i. The past and current use of the structures and property;
- ii. The name and legal status (e.g., partnership, corporation) of the owners;
- iii. The original purchase price of the structures and property;
- iv. The assessed value of the structures and property according to the two (2) most recent tax assessments;
- v. The amount of real estate taxes on the structures and property for the previous two (2) years;
- vi. The date of purchase or other acquisition of the structures and property;
- vii. Principal balance and interest rate on current mortgage and the annual debt service on the structures and property, if any, for the previous two (2) years;
- viii. All appraisals obtained by the owner or applicant within the previous two (2) years in connection with the owner's purchase, financing or ownership of the structures and property;
- ix. Any listing of the structures and property for sale or rent, price asked and offers received;
- x. Any consideration given by the owner to profitable adaptive uses for the structures and property;
- xi. Any replacement construction plans for proposed improvements on the site;
- xii. Financial proof of the owner's ability to complete any replacement project on the site, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution; and
- xiii. The current fair market value of the structure and property as determined by a qualified appraiser.
- xiv. Any property tax exemptions claimed in the past five (5) years.

B. For income producing structures and property:

- i. Annual gross income from the structure and property for the previous two (2) years;
- ii. Itemized operating and maintenance expenses for the previous two (2) years; and
- iii. Annual cash flow, if any, for the previous two (2) years.

C. In the event that the historic and design review commission determines that any additional information described above is necessary in order to evaluate whether an unreasonable economic hardship exists, the historic and design review commission shall notify the owner. Failure by the owner to submit such information to the historic and design review commission within fifteen (15) days after receipt of such notice, which time may be extended by the historic and design review commission, may be grounds for denial of the owner's claim of unreasonable economic hardship.

When a low-income resident homeowner is unable to meet the requirements set forth in this section, then the historic and design review commission, at its own discretion, may waive some or all of the requested information and/or request substitute information that an indigent resident homeowner may obtain without incurring any costs. If the historic and design review commission cannot make a determination based on information submitted and an appraisal has not been provided, then the historic and design review commission may request that an appraisal be made by the city.

(d)Documentation and Strategy.

(1)Applicants that have received a recommendation for a certificate shall document buildings, objects, sites or structures which are intended to be demolished with 35mm slides or prints, preferably in black and white, and supply a set of slides or prints to the historic preservation officer.

(2)Applicants shall also prepare for the historic preservation officer a salvage strategy for reuse of building materials deemed valuable by the historic preservation officer for other preservation and restoration activities.

(3)Applicants that have received an approval of a certificate regarding demolition shall be permitted to receive a demolition permit without additional commission action on demolition, following the commission's recommendation of a certificate for new construction. Permits for demolition and construction shall be issued simultaneously if requirements of section 35-609, new construction, are met, and the property owner provides financial proof of his ability to complete the project.

(4)When the commission recommends approval of a certificate for buildings, objects, sites, structures designated as

landmarks, or structures in historic districts, permits shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies. Permits for parking lots shall not be issued, nor shall an applicant be allowed to operate a parking lot on such property, unless such parking lot plan was approved as a replacement element for the demolished object or structure.

(e) Issuance of Permit. When the commission recommends approval of a certificate regarding demolition of buildings, objects, sites, or structures in historic districts or historic landmarks, permits shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies. Once the replacement plans are approved a fee shall be assessed for the demolition based on the approved replacement plan square footage. The fee must be paid in full prior to issuance of any permits and shall be deposited into an account as directed by the historic preservation officer for the benefit, rehabilitation or acquisition of local historic resources. Fees shall be as follows and are in addition to any fees charged by planning and development services:

0—2,500 square feet	= \$2,000.00
2,501—10,000 square feet	= \$5,000.00
10,001—25,000 square feet	= \$10,000.00
25,001—50,000 square feet	= \$20,000.00
Over 50,000 square feet	= \$30,000.00

## Historic Design Guidelines, Chapter 4, Guidelines for New Construction

### 1. Building and Entrance Orientation

#### A. FAÇADE ORIENTATION

i. Setbacks—Align front facades of new buildings with front facades of adjacent buildings where a consistent setback has been established along the street frontage. Use the median setback of buildings along the street frontage where a variety of setbacks exist. Refer to UDC Article 3, Division 2. Base Zoning Districts for applicable setback requirements.

ii. Orientation—Orient the front façade of new buildings to be consistent with the predominant orientation of historic buildings along the street frontage.

#### B. ENTRANCES

i. Orientation—Orient primary building entrances, porches, and landings to be consistent with those historically found along the street frontage. Typically, historic building entrances are oriented towards the primary street.

### 2. Building Massing and Form

#### A. SCALE AND MASS

i. Similar height and scale—Design new construction so that its height and overall scale are consistent with nearby historic buildings. In residential districts, the height and scale of new construction should not exceed that of the majority of historic buildings by more than one-story. In commercial districts, building height shall conform to the established pattern. If there is no more than a 50% variation in the scale of buildings on the adjacent block faces, then the height of the new building shall not exceed the tallest building on the adjacent block face by more than 10%.

ii. Transitions—Utilize step-downs in building height, wall-plane offsets, and other variations in building massing to provide a visual transition when the height of new construction exceeds that of adjacent historic buildings by more than one-half story.

iii. Foundation and floor heights—Align foundation and floor-to-floor heights (including porches and balconies) within one foot of floor-to-floor heights on adjacent historic structures.

#### B. ROOF FORM

i. Similar roof forms—Incorporate roof forms—pitch, overhangs, and orientation—that are consistent with those predominantly found on the block. Roof forms on residential building types are typically sloped, while roof forms on nonresidential

building types are more typically flat and screened by an ornamental parapet wall.

ii. Façade configuration—The primary façade of new commercial buildings should be in keeping with established patterns. Maintaining horizontal elements within adjacent cap, middle, and base precedents will establish a consistent street wall through the alignment of horizontal parts. Avoid blank walls, particularly on elevations visible from the street. No new façade should exceed 40 linear feet without being penetrated by windows, entryways, or other defined bays.

### D. LOT COVERAGE

i. Building to lot ratio—New construction should be consistent with adjacent historic buildings in terms of the building to lot ratio. Limit the building footprint for new construction to no more than 50 percent of the total lot area, unless adjacent historic buildings establish a precedent with a greater building to lot ratio.

### 3. Materials and Textures

#### A. NEW MATERIALS

i. Complementary materials—Use materials that complement the type, color, and texture of materials traditionally found in the district. Materials should not be so dissimilar as to distract from the historic interpretation of the district. For example, corrugated metal siding would not be appropriate for a new structure in a district comprised of homes with wood siding.

ii. Alternative use of traditional materials—Consider using traditional materials, such as wood siding, in a new way to provide visual interest in new construction while still ensuring compatibility.

iii. Roof materials—Select roof materials that are similar in terms of form, color, and texture to traditionally used in the district.

iv. Metal roofs—Construct new metal roofs in a similar fashion as historic metal roofs. Refer to the Guidelines for Alterations and Maintenance section for additional specifications regarding metal roofs.

v. Imitation or synthetic materials—Do not use vinyl siding, plastic, or corrugated metal sheeting. Contemporary materials not traditionally used in the district, such as brick or simulated stone veneer and Hardie Board or other fiberboard siding, may be appropriate for new construction in some locations as long as new materials are visually similar to the traditional material in dimension, finish, and texture. EIFS is not recommended as a substitute for actual stucco.

### 4. Architectural Details

#### A. GENERAL

i. Historic context—Design new buildings to reflect their time while respecting the historic context. While new construction should not attempt to mirror or replicate historic features, new structures should not be so dissimilar as to distract from or diminish the historic interpretation of the district.

ii. Architectural details—Incorporate architectural details that are in keeping with the predominant architectural style along the block face or within the district when one exists. Details should be simple in design and should complement, but not visually compete with, the character of the adjacent historic structures or other historic structures within the district. Architectural details that are more ornate or elaborate than those found within the district are inappropriate.

iii. Contemporary interpretations—Consider integrating contemporary interpretations of traditional designs and details for new construction. Use of contemporary window moldings and door surroundings, for example, can provide visual interest while helping to convey the fact that the structure is new. Modern materials should be implemented in a way that does not distract from the historic structure.

### 5. Garages and Outbuildings

#### A. DESIGN AND CHARACTER

v. Garage doors—Incorporate garage doors with similar proportions and materials as those traditionally found in the district.

### 6. Mechanical Equipment and Roof Appurtenances

#### A. LOCATION AND SITING

i. Visibility—Do not locate utility boxes, air conditioners, rooftop mechanical equipment, skylights, satellite dishes, and other roof appurtenances on primary facades, front-facing roof slopes, in front yards, or in other locations that are clearly visible from the public right-of-way.

ii. Service Areas—Locate service areas towards the rear of the site to minimize visibility from the public right-of-way.

#### B. SCREENING

i. Building-mounted equipment—Paint devices mounted on secondary facades and other exposed hardware, frames, and piping to match the color scheme of the primary structure or screen them with landscaping.

ii. Freestanding equipment—Screen service areas, air conditioning units, and other mechanical equipment from public view using a fence, hedge, or other enclosure.

iii. Roof-mounted equipment—Screen and set back devices mounted on the roof to avoid view from public right-of-way.

## FINDINGS:

### General Findings:

- a. This request was originally reviewed by the Design Review Committee on February 21, 2017. At that meeting, committee members commented on the proposed architecture and noted concerns regarding the proposed massing and turrets. A site visit was conducted with HDRC Commissioners, members of the River Road Neighborhood Association, neighbors and Office of Historic Preservation Staff on March 22, 2017. At that site visit, access was provided to both the exterior of the structure as well as the interior. This request was reviewed again by the Design Review Committee on April 25, 2017. At that time, a new design was presented to the committee and received positive feedback.
- b. Conceptual approval is the review of general design ideas and principles (such as scale and setback). Specific design details reviewed at this stage are not binding and may only be approved through a Certificate of Appropriateness for final approval.
- c. The River Road Historic District has been intensely opposed to the demolition of structures located within the district. The criteria outlined for the demolition of a contributing structure noted in UDC Section 35-618 is important to the public process.
- d. ARCHAEOLOGY – The project area is within the River Improvement Overlay District and the River Road Local Historic District. A review of historic archival maps shows the Upper Labor Acequia crossing the property. Therefore, Archaeological investigations may be required.

### Findings related to request item #1:

- 1a. The structure located at 205 Ostrom was constructed circa 1935 and is located within the River Road Historic District. The structure features traditional architectural elements including gabled roofs. The house features many of its original materials including wood siding and wood windows; however, modifications to the form of the historic structure have resulted in the removal and enclosing of the front porch, which now presents itself as a screened porch.
- 1b. The loss of a contributing structure is an irreplaceable loss to the quality and character of San Antonio. Demolition of any contributing buildings should only occur after every attempt has been made, within reason, to successfully reuse the structure. Clear and convincing evidence supporting an unreasonable economic hardship on the applicant if the application for a certificate is disapproved must be presented by the applicant in order for demolition to be considered. The criteria for establishing unreasonable economic hardship are listed in UDC Section 35-614 (b)(3). The applicant must prove by a preponderance of the evidence that:

*A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed;*

[The applicant has provided detailed cost estimate for rehabilitation of the structure which is approximately \$535,000. This bid was provided by a contractor who was approved by the applicant's financing provider. The applicant has noted that the rehabilitation or new construction at this site is limited to a contractor that is recommended and approved by their financial provider. The applicant has noted that financing for the proposed rehabilitation and new construction has been limited due to the current condition of the structure.]

*B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return;*

[The applicant has provided information in the form of a structural report from the selected contractor which notes that the structure is suffering from intense dry rot that has impacted the structure to the extent that certain beam joists and studs have been structurally compromised. Additionally, the structural analysis provided by the contractor notes the collapse of the floor in certain areas, the collapse of ceiling and the roof structure, infestation of wood worm and the presence of fungus throughout the structure.]

*C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years, despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.*

[The applicant has not provided staff with information noting the active marketing of this property to potential purchasers. The applicant has noted that the structure has been vacant for approximately twenty-three years. The applicant has noted that through the demolition of the existing structure, two new residential structures could be constructed which would be financially feasible.]

- 1c. Staff finds that the applicant has begun to provide information to build a case for an economic hardship; however, at this time, staff finds that the applicant should provide additional information regarding the cost of the proposed new construction in relationship to the cost to rehabilitate the existing structure. Staff has requested this information from the applicant.
- 1d. As previously noted, the structure contains many historic building materials including wood siding and wood windows; however, exterior modifications including those to the front porch and disrepair including the failure of the roof and floor structure have lessened the structure's architectural significance.

Findings related to request item #2:

- 2a. SETBACKS & ORIENTATION – According to the Guidelines for New Construction, the front facades of new buildings are to align with front facades of adjacent buildings where a consistent setback has been established along the street frontage. Additionally, the orientation of new construction should be consistent with the historic example found on the block. The applicant has proposed an orientation that is consistent with the historic examples found throughout the district. Regarding setbacks, this lot features an irregular shape, presenting itself as an island. The applicant has proposed a setback that is similar to setbacks found along a typical street in the front, while side setbacks and close to side streets.
- 2b. ENTRANCES – According to the Guidelines for New Construction 1.B.i., primary building entrances should be oriented towards the primary street. The applicant has proposed to orient the primary entrance towards the intersection of Ostom and Magnolia Avenue. Staff finds this appropriate and consistent with the Guidelines.
- 2c. SCALE & MASS – Per the Guidelines for New Construction 2.A.i., a height and massing similar to historic structures in the vicinity of the proposed new construction should be used. The applicant has proposed a two story structure with an overall height of 24' – 3". Many structures in the immediate vicinity feature either one or one and a half stories of height. While the applicant has proposed two stories, many of the neighboring structures feature additional height and steep pitched roofs. Staff finds the proposed height to be appropriate and consistent with the Guidelines.
- 2d. FOUNDATION & FLOOR HEIGHTS – According to the Guidelines for New Construction 2.A.iii., foundation and floor heights should be aligned within one (1) foot of neighboring structure's foundations. The applicant has proposed a foundation height of 1' – 6". This is appropriate for the district and is consistent with the Guidelines.
- 2e. ROOF FORM – The applicant has proposed roof forms that include both front and side gabled roofs. Each street, Ostom, Magnolia Avenue and the intersection of the two will have a gable oriented towards them. Staff finds the proposed roof forms appropriate.
- 2f. WINDOW & DOOR OPENINGS – Per the Guidelines for New Construction 2.C.i., window and door openings with similar proportions of wall to window space as typical with nearby historic facades should be incorporated into new construction. The applicant has featured window openings that feature historic heights and widths as well as window groupings that are found historically on Craftsman structures. This is consistent with the Guidelines.
- 2g. LOT COVERAGE – The building footprint for new construction should be no more than fifty (50) percent of the size of total lot area. The applicant's proposed building footprint is consistent with the Guidelines for New Construction 2.D.i.
- 2h. MATERIALS – The applicant has noted the use of a standing seam metal roof and board and batten siding. Staff finds that the board and batten siding feature boards that are twelve (12) inches wide with battens that are 1 – ½" wide, that the standing seam metal roof feature panels that are 18 to 21 inches wide, seams are 1 to 2 inches in height, a crimped ridge seam or low profile ridge cap and a standard galvalume finish. A large profiled ridge cap shall not be used.

- 2i. WINDOW MATERIALS – At this time, the applicant has not provided information regarding window materials. Staff recommends the installation of wood windows that are consistent with the Historic Design Guidelines, Window Policy Document as noted in finding n that are to include traditional dimensions and profiles, be recessed within the window frame, feature traditional materials or appearance and feature traditional trim and sill details.
- 2j. ARCHITECTURAL DETAILS – New buildings should be designed to reflect their time while representing the historic context of the district. Additionally, architectural details should be complementary in natural and should not detract from nearby historic structures. Generally, the proposed structure is consistent with the Guidelines; however.

Findings related to request item #3:

- 3a. SETBACKS & ORIENTATION – According to the Guidelines for New Construction, the front facades of new buildings are to align with front facades of adjacent buildings where a consistent setback has been established along the street frontage. Additionally, the orientation of new construction should be consistent with the historic example found on the block. The applicant has sited this structure in the middle of the lot. Generally, given the dimensions and shape of the existing lot, staff finds this arrangement appropriate.
- 3b. ENTRANCES – According to the Guidelines for New Construction 1.B.i., primary building entrances should be oriented towards the primary street. The applicant has proposed to orient the primary entrances towards both Ostrom and Magnolia Avenue. Staff finds this appropriate and consistent with the Guidelines.
- 3c. SCALE & MASS – Per the Guidelines for New Construction 2.A.i., a height and massing similar to historic structures in the vicinity of the proposed new construction should be used. The applicant has proposed a two story structure with an overall height of 24' – 0" for the primary mass and 28' – 9" for the two stair towers. Many structures in the immediate vicinity feature either one or one and a half stories of height. While the applicant has proposed two stories, many of the neighboring structures feature additional height and steep pitched roofs. Staff finds the proposed height to be appropriate and consistent with the Guidelines.
- 3d. FOUNDATION & FLOOR HEIGHTS – According to the Guidelines for New Construction 2.A.iii., foundation and floor heights should be aligned within one (1) foot of neighboring structure's foundations. The applicant has not specified the foundation height for this structure; however, staff finds that it should be comparable to that of the first structure and be consistent with the Guidelines.
- 3e. ROOF FORM – The applicant has proposed a flat roof for the second structure. Historic roof forms throughout the River Road Historic District typically feature gabled or hipped roofs. There are historic structures located throughout the district that feature flat roofs, typically coupled with decorative roof parapets and Spanish Eclectic detailing. The applicant has proposed both horizontal and vertical siding; however, staff finds that if a flat roof is to be proposed, additional detailing at the roof parapet is to be used.
- 3f. WINDOW & DOOR OPENINGS – Per the Guidelines for New Construction 2.C.i., window and door openings with similar proportions of wall to window space as typical with nearby historic facades should be incorporated into new construction. The applicant has featured window openings that feature historic heights and widths as well as window groupings that are typical for historic structures in the district.
- 3g. LOT COVERAGE – The building footprint for new construction should be no more than fifty (50) percent of the size of total lot area. The applicant's proposed building footprint is consistent with the Guidelines for New Construction 2.D.i.
- 3h. MATERIALS – The applicant has noted the use of both vertical and horizontal siding; however, has not noted the material. Staff finds the use of wood or Hardi board siding to be appropriate; however, staff finds that the horizontally oriented Hardi siding should feature an exposure of four inches, that the board and batten siding feature boards that are twelve (12) inches wide with battens that are 1 – 1/2" wide.
- 3i. WINDOW MATERIALS – At this time, the applicant has not provided information regarding window materials. Staff recommends the installation of wood windows that are consistent with the Historic Design Guidelines, Window Policy Document as noted in finding n that are to include traditional dimensions and profiles, be recessed within the window frame, feature traditional materials or appearance and feature traditional trim and sill details.
- 3j. ARCHITECTURAL DETAILS – As previously noted, the applicant has proposed a flat roof in combination with horizontal and vertical siding. Typically, flat roofs that are found throughout the River Road Historic District feature Spanish Eclectic architectural detailing including decorative roof parapets. Staff finds that the applicant should fully utilize architectural elements that are consistently found on structures with flat roofs throughout the district in a contemporary manner.

Findings related to request item #4:

- 4a. ACCESSORY STRUCTURE – Between the two residential structures, the applicant has proposed to construct an accessory structure to facilitate parking for two automobiles. At this time, the applicant has not provided detailed elevations; however, the applicant has provided a site plan noting the general location and footprint of the accessory structure. Staff finds the location of this structure as well as its footprint to be appropriate and consistent with the Guidelines. Staff finds that the applicant should adhere to the Guidelines for New Construction when developing the massing, elevations and architectural details of this structure.

Findings related to request item #5:

- 5a. DRIVEWAYS – The applicant has proposed to introduce two new curb cuts on the property to exist with an existing curb cut that is located on Ostrom Drive. The two proposed curbcuts and driveways will be located on both Ostrom Drive and Magnolia Avenue. The Guidelines for Site Elements note that historic profiles are to be used for the creation of curb cuts and that typical driveway widths are to be used, typically no wider than ten feet in historic districts; however, there are examples in the immediate area of curbcut and driveway widths that are wider than ten feet in width. Staff finds that the proposed driveway locations are appropriate.

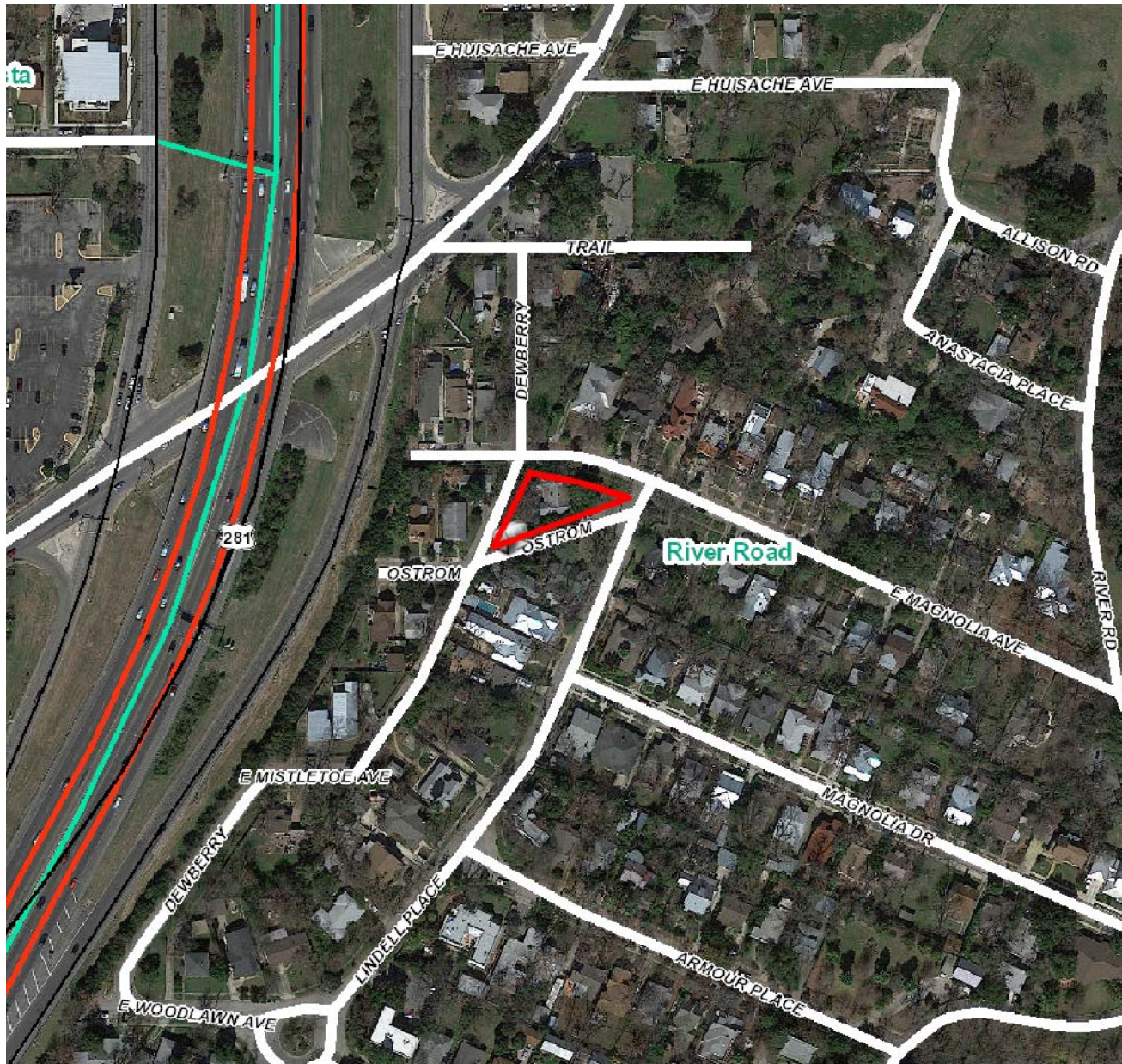
**RECOMMENDATION:**

1. Staff does not recommend approval of request item #1 based on findings 1a through 1c. Staff recommends that the applicant provide additional financial information, specifically information regarding the cost of the proposed new construction in comparison to the quoted price of rehabilitation.
2. If the demolition request in item #2 is conceptually approved by the HDRC, staff recommends conceptual approval of items #2 through #5 with the following stipulations:
  - i. That the applicant install board and batten siding feature boards that are twelve (12) inches wide with battens that are 1 – ½” wide, that the standing seam metal roof feature panels that are 18 to 21 inches wide, seams are 1 to 2 inches in height, a crimped ridge seam or low profile ridge cap and a standard galvalume finish on the proposed structure in request item #2.
  - ii. That the applicant install wood windows that are consistent with the Historic Design Guidelines, Window Policy Document as noted in finding n that are to include traditional dimensions and profiles, be recessed within the window frame, feature traditional materials or appearance and feature traditional trim and sill details for structures #2 through #4.
  - iii. That the applicant should fully utilize architectural elements that are consistently found on structures with flat roofs throughout the district in a contemporary manner and incorporate materials that are appropriate for the proposed form for request item #3 as noted in findings 3e and 3j.
  - iv. That the applicant propose a design for the accessory structure that is consistent with the Guidelines for New Construction as noted in finding 4a.
  - v. Archaeological investigations may be required. The archaeological scope of work should be submitted to the OHP archaeologists for review and approval prior to beginning the archaeological investigation. The development project shall comply with all federal, state, and local laws, rules, and regulations regarding archaeology.

**CASE MANAGER:**

Edward Hall





## Flex Viewer

Powered by ArcGIS Server

Printed: May 11, 2017

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# Toby & Mai Stapleton

205 Ostrom Drive  
San Antonio  
TX 78212  
425-305-8044  
425-305-8044

Date 4/26/17

Dear Sir/Madam

In relation to the proposed dwellings at 205 Ostrom Drive please find below our written narrative.

Proposed works, upon receipt of permission of the various departments in the City of San Antonio.

1. Demolish the existing abandoned building and other structures on the Lot 1 & 2
  - a. We have included in this submission a letter from the River Road Historic Committee giving their full support for the demolition of the existing structure.
  - b. We have included in this submission a Letter from our builder detailing the current condition of the structure
  - c. We have included in this submission a letter confirming Receipt of abandoned building registration from Mr. John Stephens
  - d. We have also addressed the river road community association board and had no objections relating to demolition and were instructed to work with the River Road Historic Committee. We have complied and adjusted the design around certain parameters requested by the committee and received support by way of the attached letter.
2. Existing Lots 1 & 2 are zoned for conditional use for 2 Dwelling Units each
  - a. We have attached documentation from the zoning department verifying this.



3. Proposed Construction
  - a. Lot #1 we have included in this submission Elevations Plans and Section of the proposed dwelling design
    - i. We propose to build one Duplex on Lot #1
  - b. Lot #2 we have included in this submission Elevations Plans and Section of the proposed dwelling design
    - i. We propose to build one dwelling on Lot #2
4. Design Review with HDRC Staff members
  - a. We have had three design reviews
    - i. Initial design review which staff encouraged significant design modifications. We in turn reached out to a local Architect that lives in the community John Larcade who has been on the local historic preservation board.
    - ii. We opened the building for inspection by the neighbors and HDRC members on a demolition notification visit. Significant structural damage was noted by and pointed out by staff.
    - iii. 2<sup>nd</sup> design review based on the attached (this update) attended down in HDRC offices, we presented the revised drawings and had very positive feedback from HDRC, hence this updated narrative and submission

We would like to thank Edward Hall and the associated staff at the HDRC for their extensive and positive approach to the process thus far.

Warm regards,  
Toby & Mai Stapleton





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# HILL COUNTRY LIFESTYLE CUSTOM HOMES HOMES

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PPLANTE@SATX.RR.COM



210-240-3103

26611 DANCING BEAR  
SAN ANTONIO TX 78260

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DEVELOPMENT DEPARTMENT

2017 FEB 24 PM 1:27

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TOBY & MAI  
205 OSTROM DRIVE  
SAN ANTONIO TX 78212

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Dear Toby & Mai,

Per your request please find the attached break down of the pricing.

Due to the similarities in the design between the three homes AB&C we can provide sharing savings of mobilization, Labor and bulk buying on material reflected in the pricing attached.

We have added a column to address the request of an "itemized list of rehab scope and its costs" for the abandoned building we have included to our best knowledge the approx. uptick in costs, we again strongly suggest to not go this route and again we will ask you to sign a disclaimer releasing Hill Country Lifestyle Homes of any or all liability at time of contract. Please note builders risk insurance will increase also if this direction is pursued.

I hope the attached is sufficient and as discussed we will revisit these costs upon contract execution and agree on a GMP with a set of clear clarifications around scope upon your meeting with the HDRC.

Sincerely, Paul Plante

Hill Country lifestyle custom homes

---

Issued 2/14/17

New House C					New House B		New House A		Rehabilitation abandoned structure	
Item	Description	Unit Price	SqFt / Units	Price	Description	Price	Description	Price	Description	Price
Interior Paint	Trim doors walls etc.	\$1.50	5500	\$8,250	Trim doors walls etc.	\$8,250	Trim doors walls etc.	\$8,250	All new	\$8,250.00
Exterior Paint	Trim Only	Bid	LS	\$2,000	Trim Only	\$2,000	Trim Only	\$2,000	Refurbish existing match existing	\$8,250.00
Exterior Siding	House	Bid	4620	\$20,000	House	\$20,000	House	\$20,000	Refurbish existing match existing	\$45,320.00
	Garage	bid	550	\$2,500	Garage	\$2,500	Garage	\$2,500	Repairs / refurbish	\$7,500.00
Floor coverings	Bedrooms plush grade	\$3.50	1059	\$3,707	Bedrooms plush grade	\$3,707	Bedrooms plush grade	\$3,707	All new	\$3,707
	Tile Bathrooms	\$3.50	507	\$1,775	Tile Bathrooms	\$1,775	Tile Bathrooms	\$1,775	All new	\$1,775
	wood floors	\$5.50	1822	\$10,351	wood floors	\$10,351	wood floors	\$10,351	Refurbish and match existing	\$19,000
Kitchen cabinets	Standard	\$100.00	LS	\$8,000	Standard	\$8,000	Standard	\$8,000	All new	\$8,000.00
Counter tops	Granite	Bid	LS	\$5,000	Granite	\$5,000	Granite	\$5,000	All new	\$5,000.00
	Formica kitchen utility	\$800.00	LS	\$1,200	Formica kitchen utility	\$1,200	Formica kitchen utility	\$1,200	All new	\$1,200.00
Sink and Faucets	Main kitchen ,				Main kitchen ,		Main kitchen ,		All new	\$900.00
Appliances	Galley and wet bar	\$300.00	3	\$900	Galley and wet bar	\$900	Galley and wet bar	\$900	All new	\$900.00
	Fridge	\$1,200.00	1	\$1,200	Fridge	\$1,200	Fridge	\$1,200	All new	\$1,200.00
	Electric range	\$700.00	1	\$700	Electric range	\$700	Electric range	\$700	All new	\$700.00
	Microwave	N/A			Microwave		Microwave		N/A	
	Dishwasher	\$450.00	1	\$450	Dishwasher	\$450	Dishwasher	\$450	All new	\$450.00
Bathrooms	on suite	\$4,500.00	3	\$13,500	on suite	\$13,500	on suite	\$13,500	Increase supports under existing floor working in confined space and access to clean outs	\$25,680.00
	half bath	\$2,000.00	2	\$4,000	half bath	\$4,000	half bath	\$4,000		\$4,000.00
Fixtures										
Fans	Small rooms	\$200.00	7	\$1,400	Small rooms	\$1,400	Small rooms	\$1,400		\$1,400.00
	Living Dining	\$500.00	3	\$1,500	Living Dining	\$1,500	Living Dining	\$1,500		\$1,500.00
Glazing	Patio doors and windows	see framing breakdown	see framing breakdown	\$7,650	Patio doors and windows	\$7,650	Patio doors and windows	\$7,650	Refurbish and match existing	\$22,142.00
Doors	Interior	see framing breakdown	see framing breakdown	\$2,600	Interior	\$2,600	Interior	\$2,600		\$2,600.00
	Exterior	\$400.00	2	\$800	Exterior	\$800	Exterior	\$800	Refurbish and match existing	\$4,500.00
	Hardware	\$100.00	13	\$1,300	Hardware	\$1,300	Hardware	\$1,300		\$2,600.00
	Garage	\$950.00	1	\$950	Garage	\$950	Garage	\$950		\$950.00
	Exterior Gate	\$1,200.00	1	\$1,200	Exterior Gate	\$1,200	Exterior Gate	\$1,200		\$1,200.00
Water Heater	Dual Heaters	\$750.00	2	\$1,500	Dual Heaters	\$1,500	Dual Heaters	\$1,500		\$1,500.00
Fence	wood	\$16.50	205	\$3,383	wood	\$3,383	wood	\$3,383		\$8,000.00
Stairs	Stair	\$3,000.00	1	\$3,000	Stair	\$3,000	Stair	\$3,000	N/A	\$0.00
Electrical	New Panel	\$1,000.00	1	\$1,000	New Panel	\$1,000	New Panel	\$1,000	new panel but safe off required	\$4,200.00
	switches	\$35.00	22	\$770	switches	\$770	switches	\$770		\$770.00
	Quad receptacles	\$40.00	16	\$640	Quad receptacles	\$640	Quad receptacles	\$640		\$640.00
	Duplex receptacles	\$30.00	31	\$930	Duplex receptacles	\$930	Duplex receptacles	\$930		\$930.00
	Tel/Data	\$45.00	9	\$405	Tel/Data	\$405	Tel/Data	\$405		\$405.00
	Wire	Bid	LS	\$15,245	Wire	\$15,245	Wire	\$15,245	including full demo	\$24,000.00
	3,4,5 Ton									
HVAC	Install new	\$3k,\$4k,\$5k	1ea	\$10,000	Install new	\$10,000	Install new	\$10,000		\$10,000.00
Roof	TPO	\$9.00	1852	\$16,668	TPO	\$16,668	TPO	\$16,668	Remove in section and replace would have been in demo	\$32,560.00
Landscaping										\$8,000.00
Foundation	Footings GB	Bid	33ea & 360LF	\$15,300	Footings GB	\$15,300	Footings GB	\$15,300	Hand Excavation and additional Insurance	\$35,000.00
Plumbing		Bid	LS	\$12,000		\$12,000		\$12,000	Additional labor in confined space	\$20,000.00
Driveway/flatwork	Patio , driveway & pavement	\$4.00	967	\$3,868	Patio , driveway & pavement	\$3,868	Patio , driveway & pavement	\$3,868	Rework around existing	\$8,000.00
Demo	Per Load	\$400.00		\$12,000	Per Load	\$12,000	Per Load	\$12,000	Upon removal allowance	\$15,500.00
Deck/Balcony			1036	\$20,000		\$20,000		\$20,000	Porch	\$12,000.00
decriptive				\$6,000		\$6,000		\$6,000	N/A	
Framing	See framing breakdown	see framing breakdown	see framing breakdown	\$11,618	See framing breakdown	\$11,618	See framing breakdown	\$11,618	Remove in sections where needed and maintain structural stability	\$56,500.00
Floor Joists	See framing breakdown	see framing breakdown	In framing		See framing breakdown		See framing breakdown		Remove in sections where needed and maintain structural stability	\$16,000.00
Mobilization / permitting	Excluded				Excluded		Excluded			\$9,000.00
Fire Place	Remove in demo				Remove in demo		Remove in demo		Repoint and reinforce	\$20,000.00
Contingency				\$12,000		\$12,000		\$12,000	Contingency	\$74,000.00
Total			House C	\$235,260	House B	\$235,260	House A	\$235,260	Rehabilitation abandoned structure	\$534,829
Taxes not incl										



CITY OF SAN ANTONIO  
**OFFICE OF HISTORIC  
PRESERVATION**

**Historic and Design Review Commission  
Design Review Committee  
Report & Recommendation**

DATE: MARCH 22, 2017 HDRC Case# \_\_\_\_\_

ADDRESS: 205 OSTROM Meeting Location: 205 OSTROM

APPLICANT: TOBIAS STAPLETON

DRC Members present: MICHAEL GUARINO

Staff present: EDWARD HALL, CORY EDWARDS

Others present: RIVER ROAD NEIGHBORHOOD, DARLA PINER

REQUEST: DEMOLITION WITH NEW CONSTRUCTION OF THREE, TWO STORY,  
SINGLE FAMILY STRUCTURES.

COMMENTS/CONCERNS: QUESTIONS FROM NEIGHBOR'S REGARDING HEIGHT -  
POTENTIALLY 1 1/2 STORY TO 2 STORIES (PER APPLICANT). QUESTIONS FROM  
NEIGHBORS REGARDING ZONING REGULATIONS AND WHAT MASSING IS ALLOWED,  
PARKING, DRIVEWAYS AND DRIVEWAY LOCATIONS. (ONE DRIVEWAY ON E  
MAGNOLIA, ONE ON OSTROM, THIRD AT REAR). QUESTIONS FROM NEIGHBORS  
REGARDING TREE PRESERVATION. CONCERNS OVER SETBACKS, MASSING,  
WATER RUN OFF.

**COMMITTEE RECOMMENDATION:** APPROVE [ ] DISAPPROVE [ ]  
**APPROVE WITH COMMENTS/STIPULATIONS:**

\_\_\_\_\_  
Committee Chair Signature (or representative)

\_\_\_\_\_  
Date



4/25/17  
Date



**AN ORDINANCE 2006-03-23-0406**

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY  
OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED  
DEVELOPMENT CODE, SECTION 35-304, OF THE CITY  
CODE OF SAN ANTONIO, TEXAS BY CHANGING THE  
ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

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

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundaries as follows:

Lot 1 and Lot 2, NCB 6938; Lot 1 NCB 6939; Lot 8 and the West 12.5 feet of Lot 9 NCB 6939; the East 12.5 feet of Lot 12, all of Lot 13 and Lot 14, NCB 6939; Lot 20 and Lot 21, Block 2, NCB 6530; Lot 4 and the West 25 feet of Lot 5, Block 3, NCB 6202; Lot 9 and the West 25 feet of Lot 10, Block 4, NCB 6203, from "R-4" RIO-1 Residential Single-Family River Improvement Overlay District to "R-4" C RIO-1 Residential Single-Family River Improvement Overlay Conditional District with a Conditional Use for 2 Dwelling Units;

Lot 19 and Lot 20, Block 2, NCB 6201, from "R-4" RIO-1 Residential Single-Family River Improvement Overlay District to "R-4" C RIO-1 Residential Single-Family River Improvement Overlay Conditional District with a Conditional Use for 4 Dwelling Units, and;

A 17.3 foot by 40.84 foot tract out of the Southeast corner of Lot E, City Block A-2, Lot 1 save and except the North 88.00 feet of the West 12.60 feet thereof, all of Lot 2, all of Lot 3, and Lot 4 save and except the North 74.40 feet of the East 33.00 feet thereof and also the South 74.39 feet of the East 23 feet thereof, NCB 7080 from "R-4" RIO-1 Residential Single-Family River Improvement Overlay District to "R-4" C RIO-1 Residential Single-Family River Improvement Overlay Conditional District with a Conditional Use for 6 Dwelling Units.

**SECTION 2.** The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as



set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.

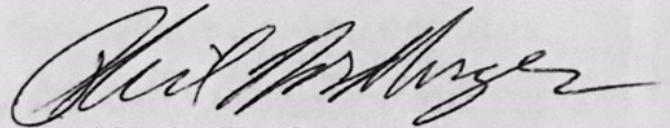
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

**SECTION 3.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

**SECTION 4.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 5.** This ordinance shall become effective on April 2, 2006.

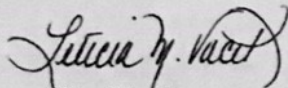
**PASSED AND APPROVED** this 23rd day of March, 2006.



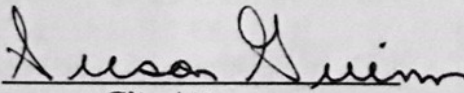
M A Y O R

PHIL HARDBERGER

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney



# Agenda Voting Results

Name: Z-1.

Date: 03/23/06

Time: 04:03:21 PM

Vote Type: Multiple selection

**Description:** ZONING CASE #Z2005282 CD (District 1): An Ordinance amending the zoning district boundary from "R-4" RIO-1 Residential Single-Family, River Improvement Overlay District-1 to "R-4" RIO-1 (CD-2, 4 or 6 Dwelling Units) Residential Single-Family Conditional River Improvement Overlay District-1 with a Conditional Use for 2, 4, or 6 dwelling units on Lot 1 and Lot 2, NCB 6938; Lot 1 NCB 6939; Lot 8 and the West 12.5 feet of Lot 9 NCB 6939; the East 12.5 feet of Lot 12, all of Lot 13 and Lot 14, NCB 6939; Lot 20 and Lot 21, Block 2, NCB 6530; Lot 4 and the West 25 feet of Lot 5, Block 3, NCB 6202; Lot 9 and the West 25 feet of Lot 10, Block 4, NCB 6203, located at 803, 831, 850, 853, and 857 East Magnolia, 115 and 134 Armour Place, and 205 Ostrom; Lot 19 and Lot 20, Block 2, NCB 6201, 668 East Woodlawn; A 17.3 foot by 40.84 foot tract out of the Southeast corner of Lot E, City Block A-2, Lot 1 save and except the North 88.00 feet of the West 12.60 feet thereof, all of Lot 2, all of Lot 3, and Lot 4 save and except the North 74.40 feet of the East 33.00 feet thereof and also the South 74.39 feet of the East 23 feet thereof, NCB 7080, 120 Anastacia; as requested by the City of San Antonio, Applicant, for Multiple Owner(s). Staff and Zoning Commission recommend Approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		



MEETING OF THE CITY COUNCIL

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
CONTRACT SERVICES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT - NEIGHBORHOOD PLNG;
URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC UTILITIES
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER:

2-1

DATE:

MAR 23 2006

MOTION/SECOND:

McNeil/Bry

ORDINANCE NUMBER:

2006-03-23-0406

RESOLUTION NUMBER:

ZONING CASE NUMBER:

22005282CD

TRAVEL AUTHORIZATION:

D1

NAME	ROLL	AYE	NAY
ROGER O. FLORES District 1			
SHEILA D. MCNEIL District 2			
ROLAND GUTIERREZ District 3			
RICHARD PEREZ District 4			
PATTI RADLE District 5			
DELICIA HERRERA District 6			
ELENA GUAJARDO District 7			
ART A. HALL District 8			
KEVIN A. WOLFF District 9			
CHRISTOPHER "CHIP" HAASS District 10			
PHIL HARDBERGER Mayor			



Shepard Beamon (DSD)

to me 

Good morning,

The ordinance approved a two dwelling units on either of the two lots. The two dwelling units can be detached or attached with a shared side, and 20 foot rear, and building height requirements of 35 feet/2 ½ stories, you should be okay.

Best regards,

**Shepard Beamon, Senior Planner**

Cliff Morton Development and Business Services Center

Land Development - Zoning Section

1901 S. Alamo, San Antonio, TX 78204

Office: [\(210\) 207-3074](tel:2102073074)

Fax: [\(210\) 207-0043](tel:2102070043)

[Shepard.Beamon@sanantonio.gov](mailto:Shepard.Beamon@sanantonio.gov)

[www.sanantonio.gov](http://www.sanantonio.gov)

*Please take a moment and tell us how we are doing by taking our survey: <http://www.sanantonio.gov/dsd/survey.asp>*

**From:** Toby Stapleton [mailto:[tobynyc@gmail.com](mailto:tobynyc@gmail.com)]

**Sent:** Thursday, March 23, 2017 6:11 PM

**To:** Shepard Beamon (DSD); Chimai

**Subject:** [EXTERNAL] Zoning Clarification for Lot 1 & Lot 2 NCB 6938

Mr. Beamon, thank you for seeing me today I have attached the zoning document that we reviewed and will require verification in writing from Zoning.

Per our conversation today Zonings view is the following:

Each lot has zoning for two dwelling units.

Lot 1 has zoning approval for two dwellings be they detached (2 single family Structures "two houses" ) or a semi detached dwelling (2 family structures)

Lot 2 has zoning approval for two dwellings be they detached (2 single family Structures "two houses" ) or a semi detached dwelling (2 family structures)

Thank you in advance for your response in kind.

Kind Regards, Toby Stapleton

**\*\*THIS EMAIL IS FROM AN EXTERNAL SENDER OUTSIDE OF THE CITY OF SAN ANTONIO\*\***  
**Be cautious before clicking links or opening attachments from unknown sources. Do not provide sensitive information to unknown sources.**



wall (duplex). As long as they meet the "R-4" zoning setbacks, which include 10 foot front, five foot

ning for my current application with HDRC.

ucture "one building with occupancy for two family's")

ucture "one building with occupancy for two family's")

DE OF THE CITY.

ot provide personal or confidential information.\*\*

# River Road Historic Committee

William Sibley, Darla Piner, Co-Chairs

535 E. Craig Pl, San Antonio, TX 78212

Sibley: [210-323-2968](tel:210-323-2968), Piner: [210-738-9256](tel:210-738-9256)

[wsibley@aol.com](mailto:wsibley@aol.com)

[epinertex@gmail.com](mailto:epinertex@gmail.com)

01/17/2017

To the San Antonio HDRC Board,

Re: 205 Ostrom Drive

Having reviewed the plans presented to us by Tobias and Mai Stapleton, for their property located at 205 Ostrom Drive, we find them fitting and acceptable.

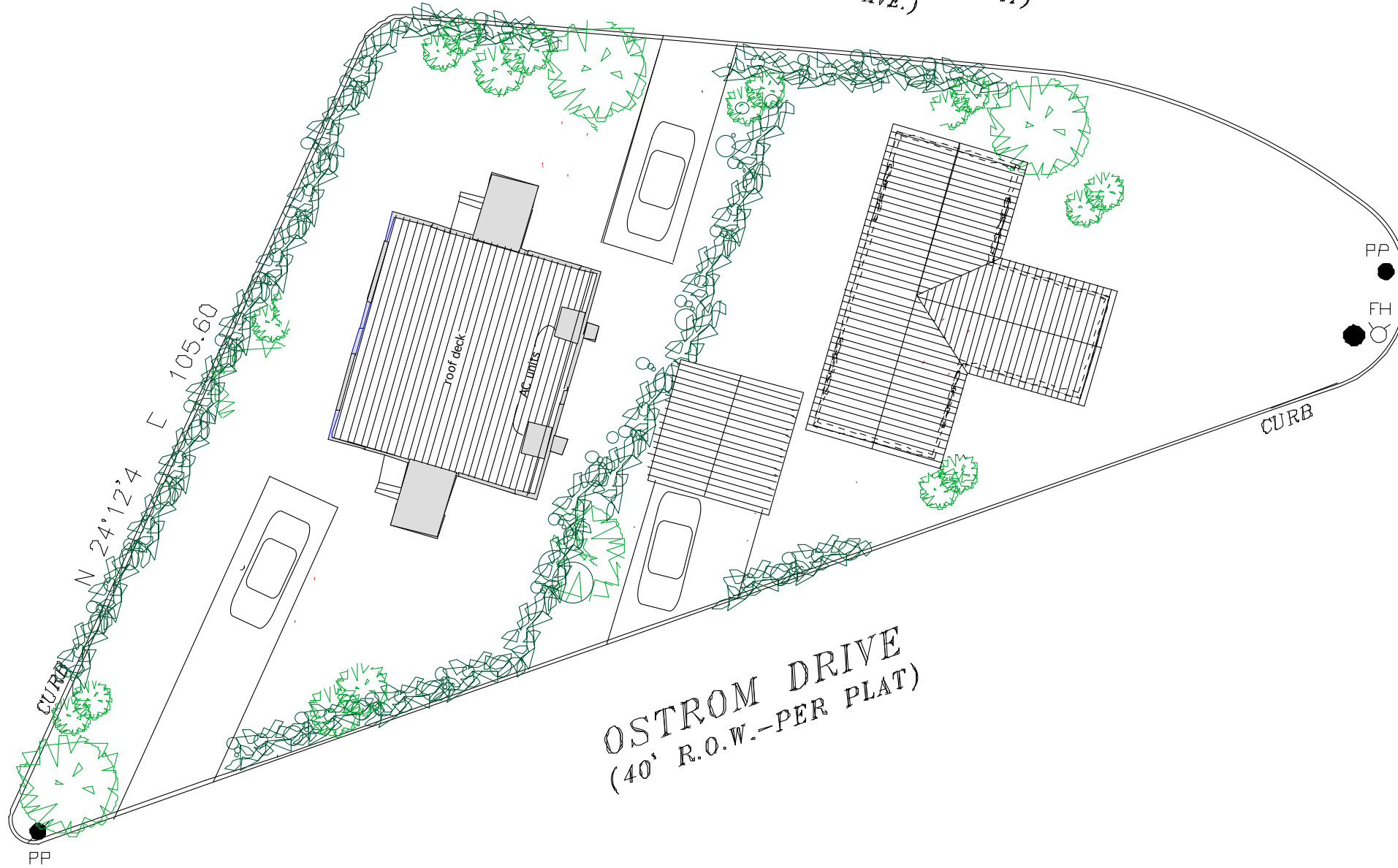
We agreed with their plans for demolition of the existing structures.

Sincerely,

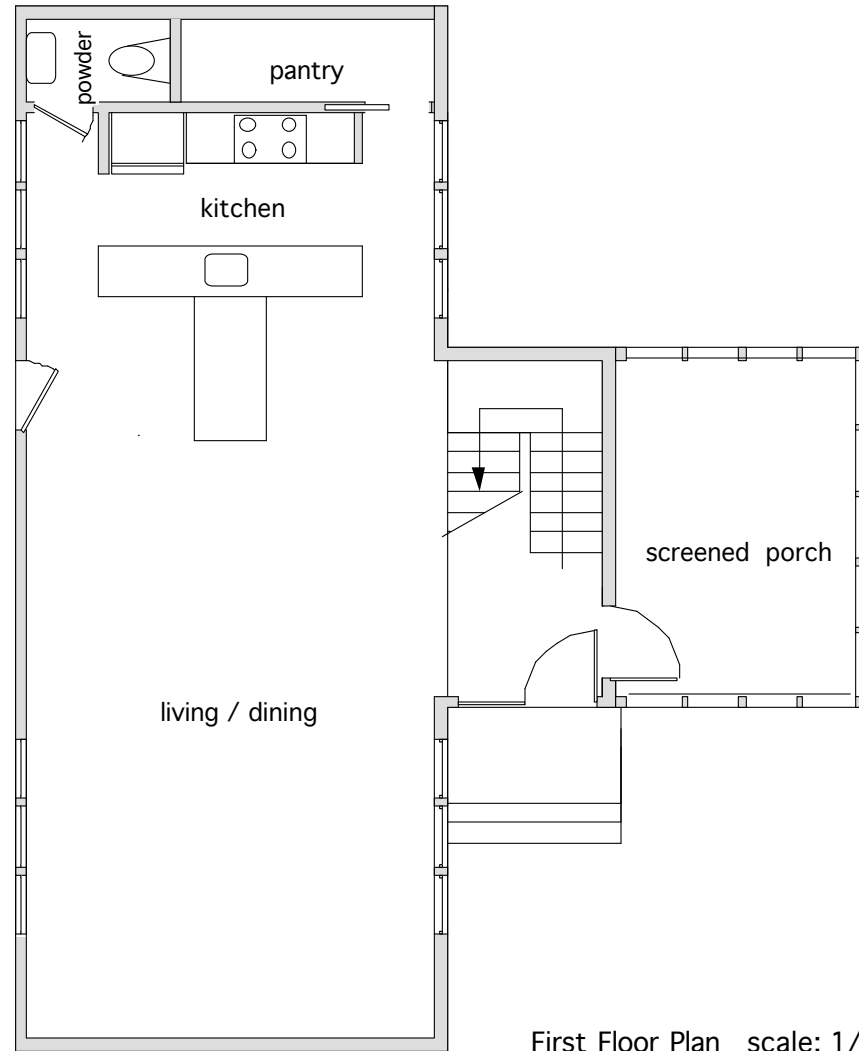
W. Sibley, D. Piner; Co-Chairs

RIVER ROAD HISTORIC COMMITTEE

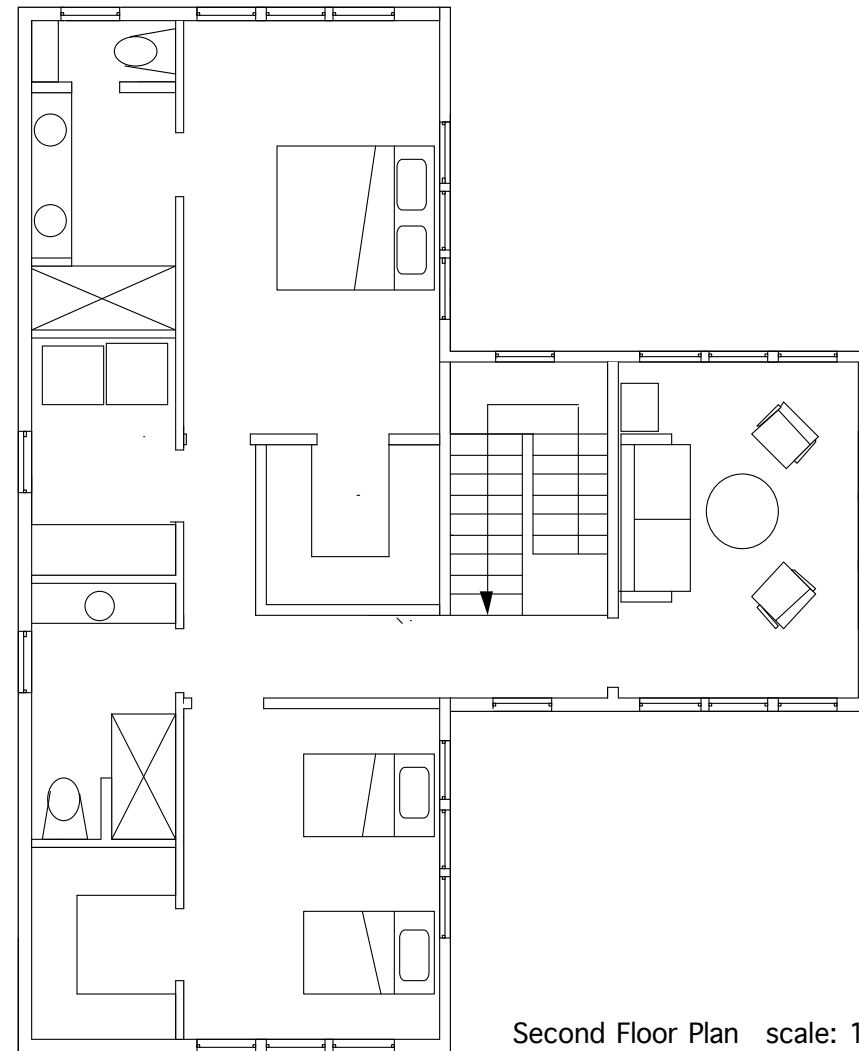
MAGNOLIA AVE.  
(MIN. 50' VARIABLE WIDTH R.O.W.-PER PLAT)  
(A.K.A. E. MAGNOLIA AVE.)



OSTROM DRIVE  
(40' R.O.W.-PER PLAT)



First Floor Plan scale: 1/8" = 1'-0"



Second Floor Plan scale: 1/8" = 1'-0"

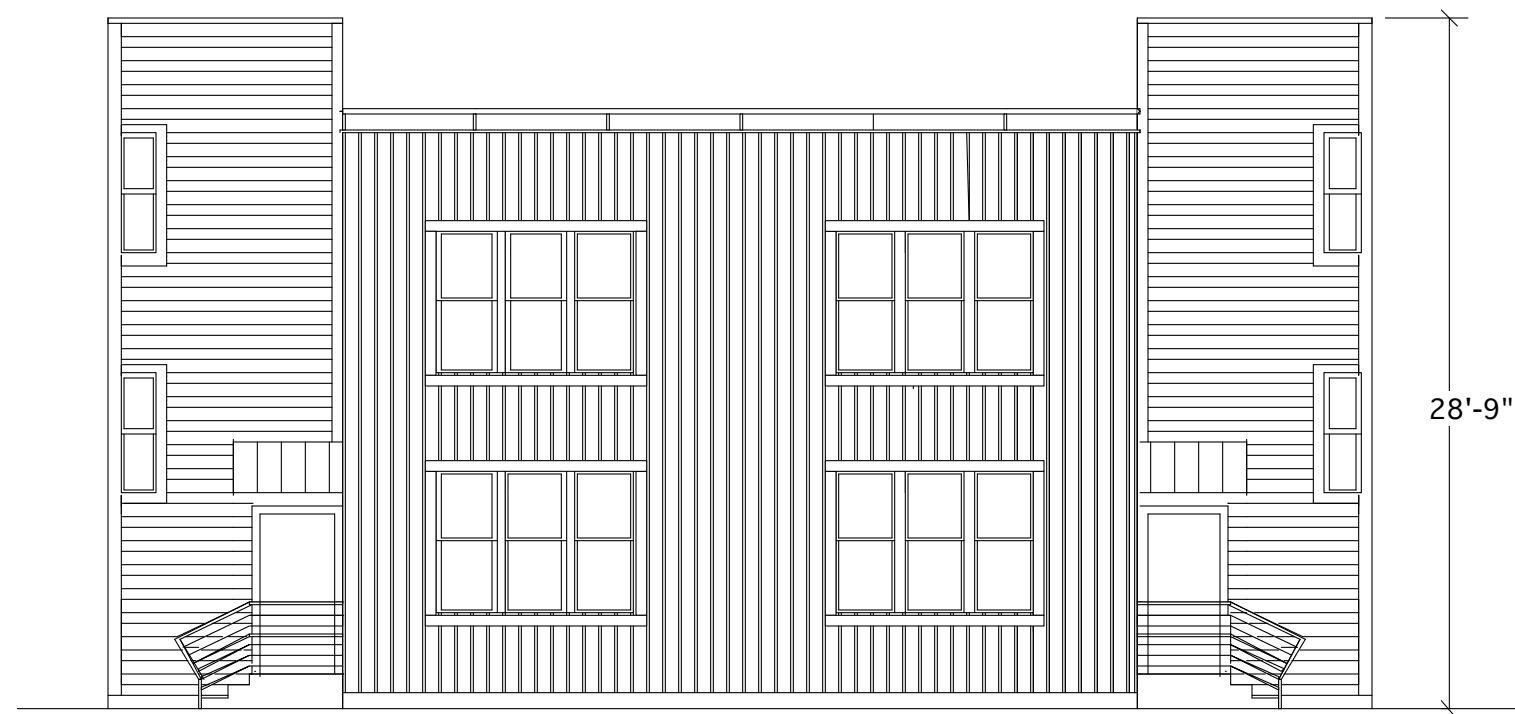
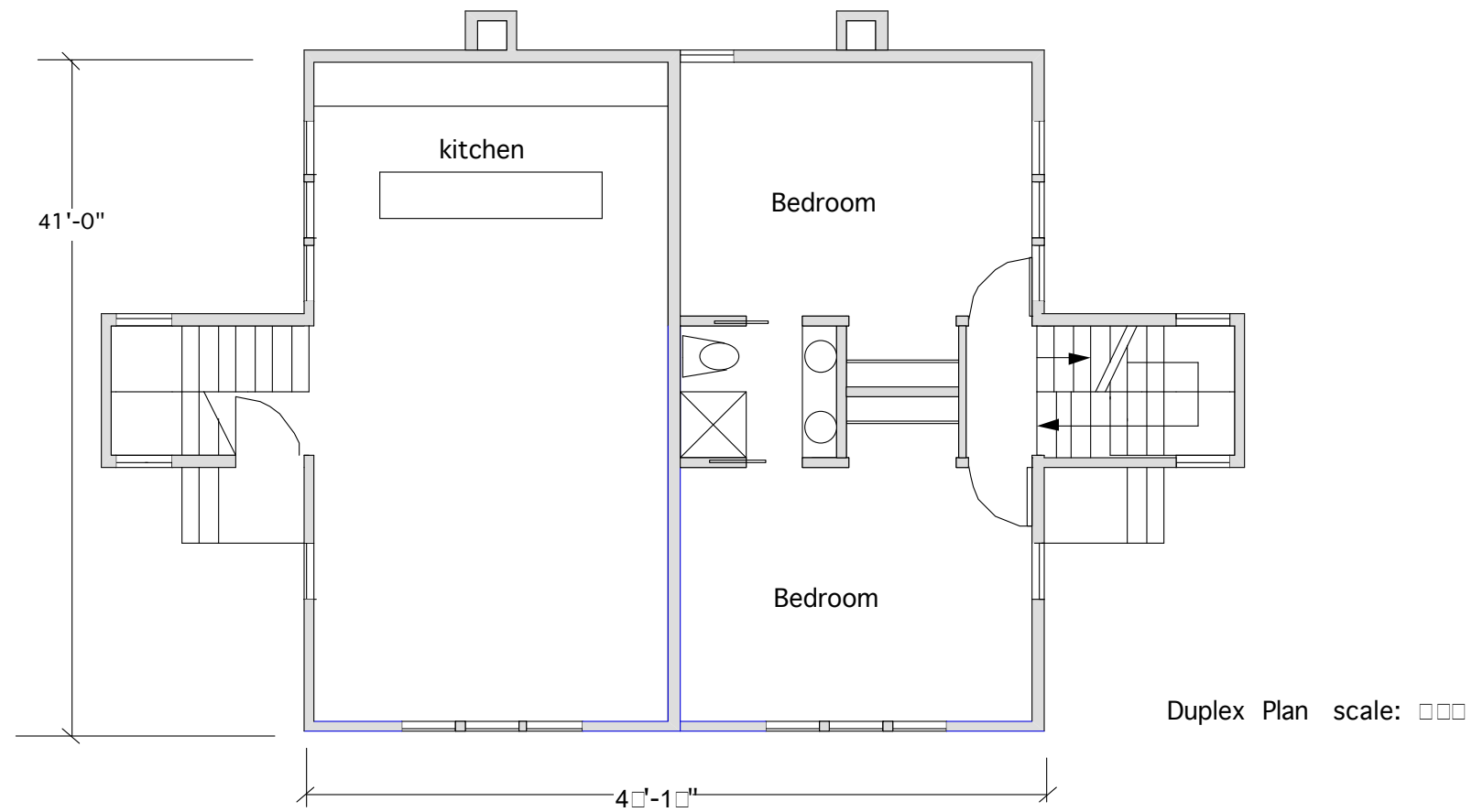




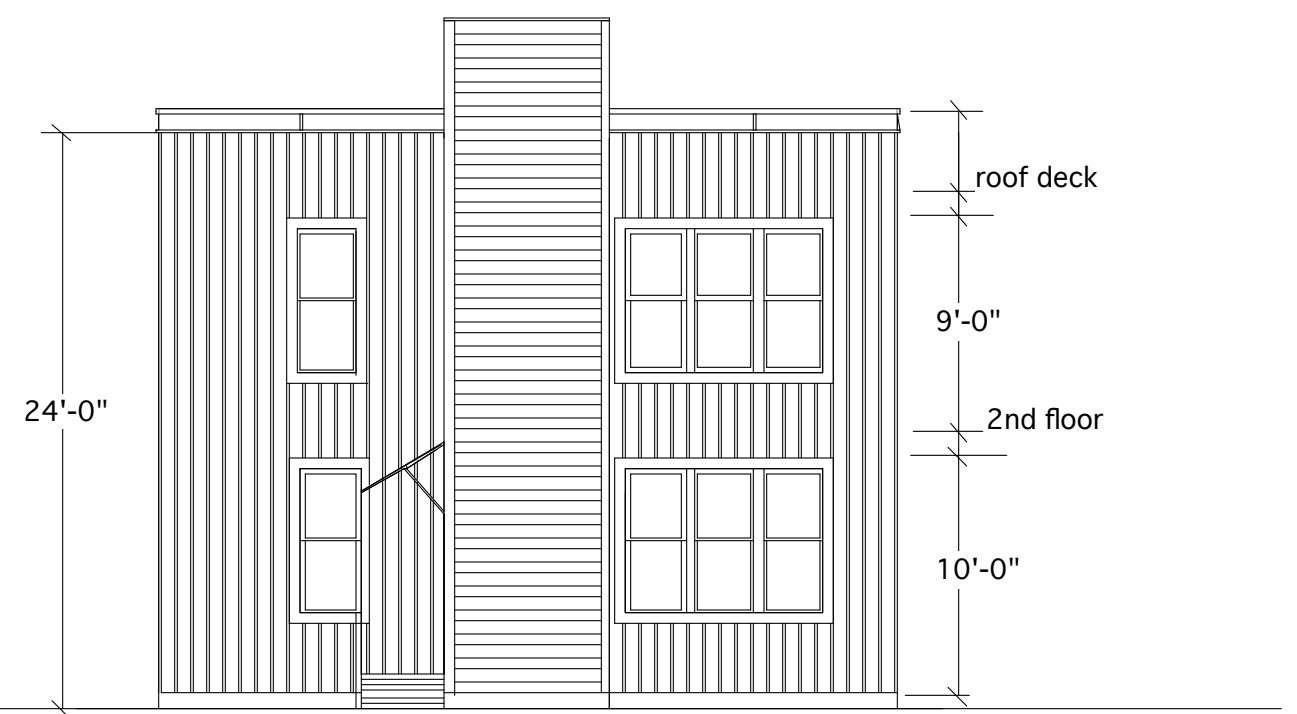
South Elevation    scale: 1/8" = 1'-0"



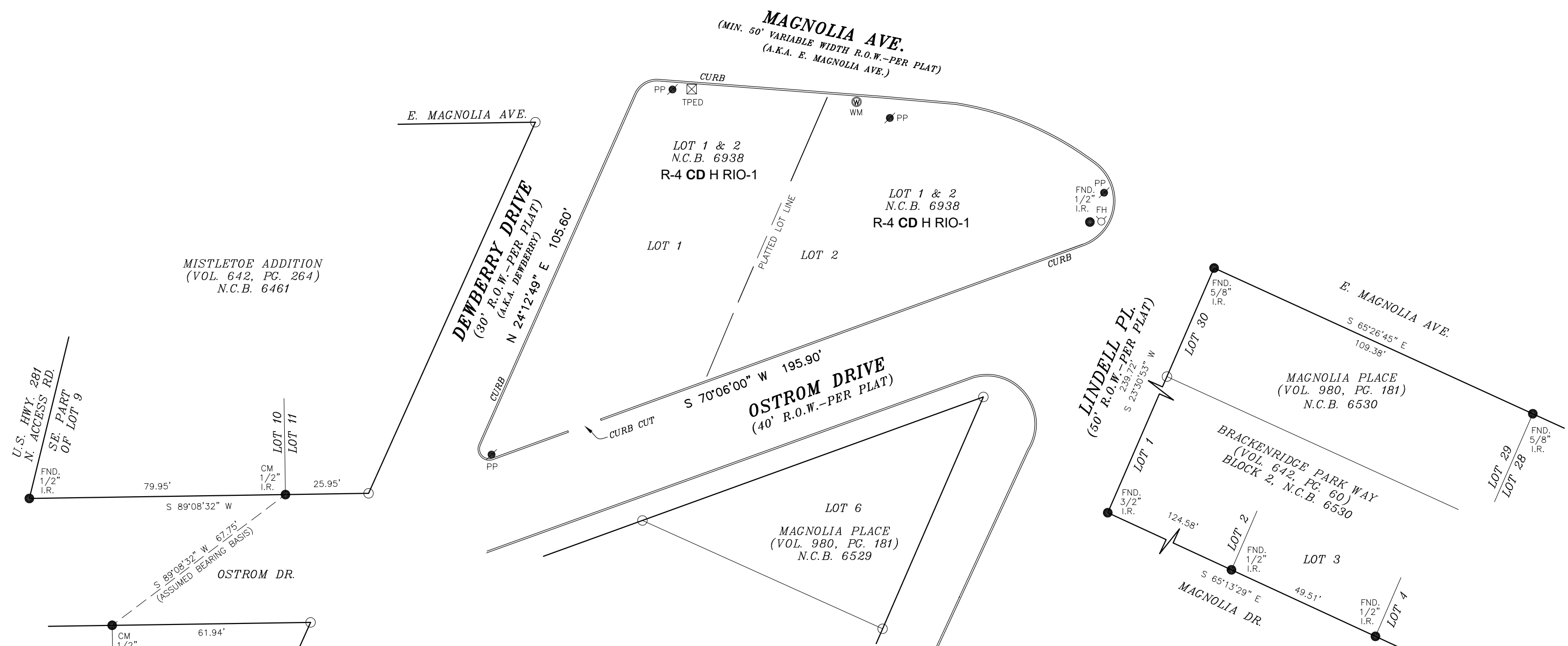
East Elevation    scale: 1/8" = 1'-0"



West Elevation scale: 1/8" = 1'-0"



North & South Elevations scale: 1/8" = 1'-0"

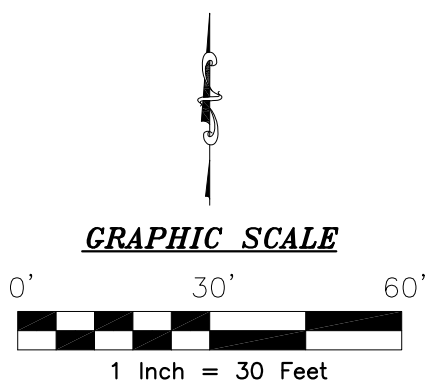


**SURVEYOR'S NOTE:**  
THE ORIGINAL PLAT RECORD IS WITHOUT BEARINGS.  
THE BEARING SHOWN HERE ARE ASSUMED. THIS  
REPRESENTATION IS SURVEYORS BEST INTERPRETATION  
OF RECORD INFORMATION.

At date of this survey, the property is in FEMA designated  
ZONE X as verified by FEMA map Panel No:  
48029C 0405 G. effective date of SEPTEMBER 29, 2010  
Exact designations can only be determined by a Elevation  
Certificate. This information is subject to change as a  
result of future FEMA map revisions and/or amendments.

The survey is hereby accepted with the  
discrepancies, conflicts, or shortages in area or  
boundary lines, encroachments, protrusions, or  
overlapping of improvements shown.

X \_\_\_\_\_  
X \_\_\_\_\_



- LEGEND**
- These standard symbols will  
be found in the drawing.
- PLATTED LOT LINE
  - ⊙ SET IRON ROD
  - CALCULATED POINT
  - FOUND IRON ROD
  - ⊠ TELEPHONE PEDESTAL
  - ⊕ WATER METER
  - ⓔ ELECTRIC METER
  - Ⓢ GAS METER
  - ⦿ POWER POLE
  - ⦿ FIRE HYDRANT
  - (PLAT) RECORDED ON PLAT
  - (F.M.) FIELD MEASURED
  - CM CONTROL MONUMENT

I, MARK ANTONIO MERCADO, a Registered Professional Land Surveyor in the State of Texas,  
do hereby certify to ALAMO TITLE COMPANY  
and HAUSMAN HOMEBUYERS, INC., A TEXAS CORPORATION  
that the above map is true and correct according to an actual field survey, made by me, on the ground or  
under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further  
certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except  
as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent  
discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way  
as of the date of the field survey. I further certify that this survey meets or exceeds the  
minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).  
Borrower/Owner: \_\_\_\_\_  
Address: 205 OSTROM DRIVE GF No. 4003005368  
**Legal Description of the Land:**  
Lots 1 and 2, New City Block 6938, MAGNOLIA PLACE, City of San Antonio, Bexar  
County, Texas, according to Plat recorded in Volume 980, Page 181, Deed and Plat  
Records, Bexar County, Texas.

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN:  
VOLUME 980, PAGE 181, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS

PROPERTY PHOTOGRAPH:

**FINAL "AS-BUILT" SURVEY**

JOB NO.:	1603035921	NO.	REVISION	DATE
DATE:		1	ADDED DRIVEWAY	04/15/2016
DRAWN BY:	MN/SV			
APPROVED BY:	MAM			

*Mark Antonio Mercado*  
MARK ANTONIO MERCADO, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 6350



205 Ostrom Drive  
Photo from Dewberry and  
Magnolia Intersection





205 Ostrom Drive  
Photo from Magnolia &  
Lindell Intersection





205 Ostrom Drive  
Photo from Ostrom &  
Dewberry Intersection





205 Ostrom Drive  
Interior Photo's  
23 Years Abandoned



205 Ostrom Drive  
Interior Photo's  
23 Years Abandoned







City of San Antonio  
Office of Historic Preservation  
Vacant Building Registration Program

**VIOLATION OF ORDINANCE**

**THIS IS NOT A CITATION**

DATE: 1-17-2017 CASE #: \_\_\_\_\_  
ADDRESS: 205 Ostrom \_\_\_\_\_

Dear Resident,

This property has been identified as vacant and is subject to the City's Vacant Building Registration Program (Ord. 19-0461).

The Vacant Building Registration Program requires the owner to:

- Register the building with the City's Office of Historic Preservation within 90 days.
- Maintain the exterior and structure of the building consistent with the Minimum Standard of Care for vacant properties (see more information on reverse).
- Registration materials can be found at [www.sanantonio.gov/VacantBuilding/About.aspx](http://www.sanantonio.gov/VacantBuilding/About.aspx).

For general questions about the Vacant Building Registration Program or to request registration that materials be sent via mail, please call (210) 207-7993.

**PLEASE NOTE:**

Call
John Stevens
210-207-7999

Please call the officer between the hours of 8AM and 4PM

[Signature]

CODE ENFORCEMENT OFFICER BADGE # \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_



CITY OF SAN ANTONIO  
OFFICE OF HISTORIC PRESERVATION

January 13, 2017

Reply by  
April 13 2017

STAPLETON TOBIAS KEN  
205 OSTROM DR  
SAN ANTONIO, TX 78211

Dear Property Owner:

This letter is in reference to

The City has determined that the property is subject to the Vacant Building Registration Program.

The above ordinance details the requirements for more of the following:

- Designate
- Located
- Located
- Located
- Located
- Located

You are required to register the property by the date of this letter used if a case is filed.

As part of the registration process, you must provide the following information:

- A
- A
- P
- C
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CITY OF SAN ANTONIO  
OFFICE OF HISTORIC PRESERVATION

Registration ID: F38A9F35

January 13, 2017

Reply by  
April 13 2015

**NOTICE TO REGISTER**

STAPLETON TOBIAS KENNETH  
205 OSTROM DR  
SAN ANTONIO, TX 78212

Dear Property Owner:

This letter is in reference to your property located at: **205 OSTROM.**

The City has determined that one of the structures at the above address is vacant. As a result, the property is subject to the Vacant Building Registration Program.

The above ordinance directly affects vacant buildings that have been vacant for thirty (30) days or more and meet one or more of the following criteria:

- Designated as a Historic Landmark
- Located within a Historic District & ½ mile buffer
- Located within a Neighborhood Conservation District & ½ mile buffer
- Located within the Central Business District & ½ mile buffer
- Located within a half-mile of an active military base or defense base authority
- Located within a city-initiated TIRZ (Tax Increment Reinvestment Zone) & ½ mile buffer

You are required to register the vacant structure with the Office of Historic Preservation **no later than 90 days from the date of this letter**. Failure to register may result in criminal prosecution. This letter serves as an official notice and will be used if a case is filed against you in Municipal Court.

As part of the registration process you will need to provide the following:

- A complete Vacant Building Registration Form (enclosed)
- A notarized Criminal Trespass Affidavit (enclosed)
- Pro-rated payment of an Annual Registration Fee (annual amounts are \$250 for single family and \$750 for all other buildings [non-single family: multi-family, industrial, commercial, etc])
- Payment of an Annual Inspection Fee (calculated at \$0.01 per square foot with a \$50 minimum)
- Properties are also required to meet the minimum standard of care outlined in the ordinance (enclosed)

Registration fee: \$250.00

Inspection fee: \$50.00

Based on 1659 sq ft as listed in BCAD

**Total payment due: \$300.00**

**Please include a check or money order or pay online**

If you mail in a complete registration and payment within forty-five (45) days of the date of this letter, you will receive a \$100 discount of the registration fee. Should you **register and complete payment more than ninety (90) days from date of this letter, you will be assessed a \$150 late registration fee.**

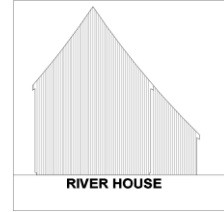
Please visit [www.sanantonio.gov/vacantbuilding](http://www.sanantonio.gov/vacantbuilding) and click the link for online registration to register your property. You will need the Registration ID listed at the top of this letter and you will need to create a user name and password. Alternatively, your registration can be mailed to the address below.

For questions, please contact John Stevens at 210.207.7999 or [john.stevens3@sanantonio.gov](mailto:john.stevens3@sanantonio.gov), Monday through Friday during normal business hours.

Sincerely,

John Stevens  
Manager, Vacant Building Program

# Toby & Mai Stapleton



205 Ostrom Drive  
San Antonio  
TX 78212  
425-305-8044  
425-305-8044

Date 1/28/17

Dear Sir/Madam

In relation to the proposed dwellings at 205 Ostrom Drive please find below our written narrative of Unreasonable Economic Hardship

Our building is Not Designated a Landmark it has been abandoned for 23 years and the community upon review of our plans agree and want something done with the eyesore that the property is.

Our intention upon purchasing this property two lots in Oct 2016 was to build a family home on one lot and two additional structures on the other, we verified with zoning and an ordinance 2006-03-23-0406 issued in 2006 confirmed that these lots had the appropriate zoning for expansion, this in mind we made the decision to use our Life savings in purchasing the Lots.

The day after we completed the transaction of the property I was informed that my current employer was not moving forward with their 5 year program and fired 500+ people in one day, I was luckily one person to remain for a projected additional 9 months to close out the project.





My wife who is currently pregnant and I find ourselves in a position that we have moved to a city purchased a house invested our life savings and are at the mercy of the city as to the outcome of our future.

We are now forced due to the delay of demolition and regular permitting by going through HDRC with a construction mortgage payment due monthly and letters from the City requiring payment of abandoned building fees see attached from John Stephens of COSA, we have therefore downsized from renting a two bedroom apt to a studio apartment to budget appropriately.

This year's tax assessment has also shown a significant decrease of the land and building value making it impossible to sell the property without losing money.

We have included a letter from our approved builder showing that it will cost us excessively to redo the house as it stands and unfortunately does not make financial sense.

We are limited to a builder that is recommended/approved by our bank. We were also limited to this bank that would give us a construction mortgage we struggled to get financing and had to postpone closing twice, Typical banks will give a construction loan for an empty lot but not one with a building that can clearly not be occupied even on the radar of COSA as abandoned. We were very lucky to find our bank and a manager that could see the vision we laid before him.

We want to do the right thing by the neighborhood we have grown to love and follow the process set forth by the HDRC and COSA. We have reached out to the neighbors the board the River Road Historic Council and have nothing but support from the community. As a members of the River Road Safety Committee we note the police are constantly being called due to the abandoned nature and Chief McManus of the SAPD is fully aware and supportive of something happening to this location.

We are imploring you to consider the ramifications of economic hardship on our lives if we are unable to move forward with demolition of the said structure. A negative result and the record of such a decision will further diminish the value of this property further.

Warm regards,  
Toby & Mai Stapleton



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# HILL COUNTRY LIFESTYLE CUSTOM HOMES

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PPLANTE@SATX.RR.COM



210-240-3103

26611 DANCING BEAR  
SAN ANTONIO TX 78260

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TOBY & MAI  
205 OSTROM DRIVE  
SAN ANTONIO TX 78212

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Dear Toby & Mai,

As your construction loan approved builder, it is with great distress to inform you that the existing structure is beyond repair we have documented the following.

Extremely serious infestation of *Serpula Lacrymans* (Dry Rot) within the building, typically we would remove this beyond the visible extent of the infestation but it would be so far as it would compromise the structural benefit of certain beams joists and studs.

We do understand that the house has been abandoned for 23 years and the humidity and lack of climate control has taken it's toll on the interior and exterior of the dwelling, we would strongly advise not going past the front door due to the following:

- Floors are collapsed in certain areas
- Ceilings are fully collapsed and partial collapsed in certain areas
- Infestation of wood worm and fungus present
- Roof structure is sagging and in certain areas day light can be seen, in these area you can see both under the house and to the sky

Conclusion: We are unable to save this structure without significant cost increase and would suggest you look at replacing the structure with a new dwelling. If you would like to attempt to repair this structure which we 100% advise against due to the increase of liability & unable to guarantee that current infestation may spread, we will ask you to sign a disclaimer releasing Hill Country Lifestyle Homes of this liability.

Our previously quoted price \$235k upon our inspection 1/25/17 has now increased by 128% to \$535k and we urge you to contact your loan advisor if you proceed forward. Your alternative plan to replace the structure is within the budget that we originally agreed upon at loan issuance.

Sincerely, Paul Plante

Hill Country lifestyle custom homes

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