

HISTORIC AND DESIGN REVIEW COMMISSION

April 04, 2018

HDRC CASE NO: 2018-145
ADDRESS: 1925 W MULBERRY AVE
LEGAL DESCRIPTION: NCB 1944 BLK 22 LOT 7
ZONING: R-6, H
CITY COUNCIL DIST.: 7
DISTRICT: Monticello Park Historic District
APPLICANT: Office of Historic Preservation
APPLICATION RECEIVED: March 22, 2018
60-DAY REVIEW: May 21, 2018
REQUEST:

The applicant is requesting a recommendation to the Building Standards Board (BSB) for the repair of the primary structure located at 1925 W Mulberry.

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

APPLICABLE CITATIONS:

UDC Section 35-614 Demolition.

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

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

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

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

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

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

(2)Deteriorated or inadequate foundation;

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

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

(5)Ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defect or deterioration or are insufficient to support the loads imposed safely; (6)Fireplaces and chimneys which list, bulge, or settle due to defect or deterioration or are of insufficient size or strength to carry the loads imposed safely;

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

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

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

(b)Compliance. The owner or other person having legal custody and control of a designated historic landmark or structure in a local historic district shall, in keeping with the city's minimum housing standards, repair the landmark or structure if it

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

(c)Enforcement.

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

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

(3)Penalties.

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

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

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

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

FINDINGS:

- a. The historic structure located at 1925 W Mulberry is a single story, single family residential structure constructed circa 1930. The structure features many architectural features found commonly in historic American house styles include Tudor Revival and Minimal Traditional. The structure features two front facing gable roofs, a stone façade with an added stone archway in front of the primary façade. Spanish Eclectic, Craftsman and Tudor Revival style homes are found on this block.
- b. Per the Guidelines for Exterior Maintenance and Alterations, wood siding and stone elements should be cleaned regularly. Maintenance should be performed in-kind, with like materials that match the profile and materiality of the historic structure. Additionally, vegetation should be routinely maintained and cleared from the façade of the home to ensure that damage from organic elements is mitigated to ensure the longevity of the structure. Historic elements such as wood windows should not be removed from the structure.

RECOMMENDATION:

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

CASE MANAGER:

Edward Hall



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Select Agenda:

20180405-032 - (4/5/2018) - 1925 Mulberry Ave W, 782014931 ▼

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Agenda Date: 4/5/2018 Agenda No. 20180405-032 Panel: -- select -- Case Status: Open ▼
 Date Submitted for Review: 1/31/2018 10 Initiation Type: -- select -- Appeal Submitted Date:
 Approved for hearing: -- select -- ECCO Case Number: 22847794 ☐ Repeat Offender

OFFICER INFORMATION

Code Officer Name: LaSonya Madison ▼

Code Supervisor Name: Denise Hastings ▼

PROPERTY AND OWNER/OCCUPANT INFORMATION

Address of Violation: 1925 Mulberry Ave W Legal Description: Ncb 1944 Blk 22 Lot 7
 Violation City: San Antonio State: TX Zip: 782014931
 Vacancy: Occupied ▼ Occupancy: Owner ▼ CD: Council District 7 ▼
 Historic Property: Yes ▼ Historic Neighborhood: Not Applicable ▼ ☐ Rehearing

Owner Name: Roddy Denise K
 Mailing Address: 1925 W Mulberry Ave City, State, Zip: San Antonio, Tx 78201

VIOLATION INFORMATION

Init Inspect Date: 4/12/2017 Tot # of Inspect: 6 Personal Contact Made: Yes ▼ Who was contact made: Occupant ▼ Richard Curts

Violation: 304.6 Exterior walls ▼

NOTICE OF VIOLATION INFORMATION

Select	Date Sent	Delivered	Delivered TO	Delivered Othr	Name	Address	City/St/Zp	Returned	Returned Date	Notice Status	Notice Status Date	Expired Date
Select	04/12/2017	1st Class Mail & posting	Property Owner		Denise K. Roddy	1925 W. Mulberry Ave	San Antonio, Texas 78201	NA		NA		04/22/2017

Add NOV

INSPECTION INFORMATION

Select	Note Date	Note Details	Inspection
Select	04/12/2017	Initial inspection: code officer spoke with resident at property, Richard Curts and explained violation to him. He stated he would relay message to the owner.	True
Select	04/12/2017	1st inspection: code officer observed stone outer wall of home to have cracks, loose bricks, and separation from inner foundation	True
Select	05/03/2017	Owner contact: Home owner called code officer requesting more time to repair wall of structure.	False
Select	07/06/2017	Reinspection: Home owner filled cracks with unidentified substance, however rock exterior is still detaching from structure leaving exterior wood members exposed to the elements to the lack of paint	True
Select	01/31/2018	Reinspection: Cracks and loose rocks remain on exterior wall, also wood members remain unpainted.	True
Select	02/06/2018	Reinspections: code officer observed cracks and loose rocks remain on exterior wall, along with unpainted wood member. no changes or improvements made. reinspection photos taken.	True
Select	02/28/2018	Reinspection: Cracks and loose bricks remain at exterior wall; no change or improvement made. reinspection photos taken.	True

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2nd Publication:

NOH Posting:

RECOMMENDATION

☒ Find owner/tenant in violation of the San Antonio Property Maintenance Code

Recommendation: Other ▼ Repair exterior rock wall and paint exposed wood members

OUTCOME

Was Penalty assessed?	-- select --	Was quorum met:	-- select --	Owner/Representative present	<input type="checkbox"/> Translator Req		
Type of Penalty?	<input type="radio"/> Initial Penalty	<input type="radio"/> Non-Compliance Penalty	<input type="radio"/> Both	Initial Penalty Amt:	\$0.00	Non-Compliance Penalty Amt:	\$0.00
Customer ID #:		Invoice #:		Invoice Date:			
Amount Invoiced:	\$0.00	Amount Paid:	\$0.00	Balance:	\$0.00		
Hearing Results:	-- select --						
Board Order:	-- select --						
Date Orders Expired:		Post BSB Results:	-- select --	Last Updated:			
Date Orders Recorded:		Date Orders Mailed:		Appeal Period Deadline:			

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Agenda Date: 4/5/2018 | Agenda No.: 20180405-032 | Panel: -- select -- | Case Status: Open
 Date Submitted for Review: 3/9/2018 2:3 | Initiation Type: -- select -- | Appeal Submitted Date:
 Approved for hearing: -- select -- | ECCO Case Number: 23012565 | ☐ Repeat Offender

OFFICER INFORMATION

Code Officer Name: LaSonya Madison | Code Supervisor Name: Denise Hastings

PROPERTY AND OWNER/OCCUPANT INFORMATION

Address of Violation: 1925 Mulberry Ave W | Legal Description: Ncb 1944 Blk 22 Lot 7
 Violation City: San Antonio | State: TX | Zip: 782014931
 Vacancy: Occupied | Occupancy: Owner | CD: Council District 7
 Historic Property: Yes | Historic Neighborhood: Not Applicable | ☐ Rehearing

Owner Name: Roddy Denise K
 Mailing Address: 1925 W Mulberry Ave | City, State, Zip: San Antonio, Tx 78201

VIOLATION INFORMATION

Init Inspect Date: 2/7/2018 | Tot # of Inspect: 2 | Personal Contact Made: No | Who was contact made: -- select --

Violation: 304.2 Protective treatment

NOTICE OF VIOLATION INFORMATION

Select	Date Sent	Delivered	Delivered TO	Delivered Othr	Name	Address	City/St/Zip	Returned	Returned Date	Notice Status	Notice Status Date	Expired Date
<input checked="" type="checkbox"/>	02/07/2018	1st Class Mail & posting	Property Owner		Denise K. Roddy	1925 W. Mulberry Ave	San Antonio, Texas 78201	NA		NA		03/08/2018

Add NOV

INSPECTION INFORMATION

Select	Note Date	Note Details	Inspection
<input checked="" type="checkbox"/>	02/07/2018	1st inspection: code officer observed exterior wood is deteriorated. Notice posted and mailed. Photos taken.	True
<input checked="" type="checkbox"/>	03/09/2018	Re-inspection: Exterior wood remains in same condition; no progress to repair. Owner was home but she did not come out to talk with code officer at time of inspection.	True

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NOTICE OF HEARING INFORMATION

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RECOMMENDATION

☒ Find owner/tenant in violation of the San Antonio Property Maintenance Code

Recommendation: Other | Repair and replace exterior wood siding and provide adequate weather protection.

OUTCOME

Was Penalty assessed? -- select -- | Was quorum met: -- select -- | Owner/Representative present ☐ Translator Req
 Type of Penalty? | Initial Penalty | Non-Compliance Penalty | Both | Initial Penalty Amt: \$0.00 | Non-Compliance Penalty Amt: \$0.00
 Customer ID #: | Invoice #: | Invoice Date:
 Amount Invoiced: \$0.00 | Amount Paid: \$0.00 | Balance: \$0.00
 Hearing Results: -- select --

Board Order: -- select --

Date Orders Expired:

Post BSB Results: -- select --

Last Updated:

Date Orders Recorded:

Date Orders Mailed:

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Agenda Date: 4/5/2018 Agenda No.: 20180405-032 Panel: -- select -- Case Status: Open
 Date Submitted for Review: 3/9/2018 2:30 Initiation Type: -- select -- Appeal Submitted Date:
 Approved for hearing: -- select -- ECCO Case Number: 23012558 ☐ Repeat Offender

OFFICER INFORMATION

Code Officer Name: LaSonya Madison

Code Supervisor Name: Denise Hastings

PROPERTY AND OWNER/OCCUPANT INFORMATION

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 Violation City: San Antonio State: TX Zip: 782014931
 Vacancy: Occupied Occupancy: Owner CD: Council District 7
 Historic Property: Yes Historic Neighborhood: Not Applicable ☐ Rehearing

Owner Name: Roddy Denise K
 Mailing Address: 1925 W Mulberry Ave City, State, Zip: San Antonio, Tx

VIOLATION INFORMATION

Init Inspect Date: 2/7/2018 Tot # of Inspect: 2 Personal Contact Made: No Who was contact made: -- select --

Violation: 304.9 Overhang extensions

NOTICE OF VIOLATION INFORMATION

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INSPECTION INFORMATION

Note Date	Note Details	Inspection
Select 02/07/2018	1st inspection: code officer observed roof overhang has deteriorated wood members and lack of weather protection from water damage.	True
Select 03/09/2018	Re-inspection: Roof overhang remains in same condition with no progress to repair.	True

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RECOMMENDATION

☒ Find owner/tenant in violation of the San Antonio Property Maintenance Code

Recommendation: Other Repair roof overhang

OUTCOME

Was Penalty assessed? -- select -- Was quorum met: -- select -- Owner/Representative present ☐ Translator Req
 Type of Penalty? Initial Penalty Non-Compliance Penalty Both Initial Penalty Amt: \$0.00 Non-Compliance Penalty Amt: \$0.00
 Customer ID #: Invoice #: Invoice Date:
 Amount Invoiced: \$0.00 Amount Paid: \$0.00 Balance: \$0.00
 Hearing Results: -- select --
 Board Order: -- select --
 Date Orders Expired: Post BSB Results: -- select -- Last Updated:
 Date Orders Recorded: Date Orders Mailed: Appeal Period Deadline:

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02/07/2018 12:42 PM



02/07/2018 12:42 PM







03/09/2018 12:34 PM