

HISTORIC AND DESIGN REVIEW COMMISSION

April 18, 2018

HDRC CASE NO: 2018-178
ADDRESS: 426 CLUB DR
LEGAL DESCRIPTION: NCB 7013 BLK LOT W 60 FT OF 4
ZONING: RM-4 H
CITY COUNCIL DIST.: 7
DISTRICT: Monticello Park Historic District
APPLICANT: Office of Historic Preservation
TYPE OF WORK: Recommendation to the BSB
APPLICATION RECEIVED: April 02, 2018
60-DAY REVIEW: June 01, 2018

REQUEST:

The applicant is requesting a recommendation to the Building Standards Board (BSB) for the repair of the primary structure located at 424/426 Club Drive.

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.

APPLICABLE CITATIONS:

UDC Section 35-614 Demolition.

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

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

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

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

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

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

(2)Deteriorated or inadequate foundation;

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

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

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

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

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

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

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

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

(c) Enforcement.

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

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

(3) Penalties.

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

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

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

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

2. Materials: Masonry and Stucco

A. MAINTENANCE (PRESERVATION)

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

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

FINDINGS:

- a. The primary structure located at 426 Club Dr. is a 2-story single family home constructed circa 1936 in the Minimal Traditional style with Spanish Eclectic influences. The structure features a rugged cut stone façade, a two front gables with a centrally located double height front porch, and ganged one over one wood windows. The Monticello Park Historic District is characterized by Spanish Eclectic, Minimal Traditional, and Tudor Revival homes, many with stone facades and architectural details similar to those found on this structure. The location, materials, design, and construction style are original to the site.
- b. **FAÇADE** – According to the Historic Design Guidelines for Exterior Maintenance and Alterations, regular cleaning, repointing, and stabilization of historic masonry is encouraged to avoid deterioration and structural damage. Façade elements of historic homes should be replaced in-kind when necessary. When new materials are needed, they should match the existing materials in color, durability and texture. Additionally, vegetation should be routinely maintained and cleared from the façade of the home to ensure that damage from organic elements is mitigated to ensure the longevity of the structure.
- c. **WINDOWS & DOORS** – DSD Code Staff has observed that the windows and doors on the structure are in need of repair to alleviate broken glass, wood damage, and issues with weather tightness. With repair, refinishing, and rehanging, these issues can be mitigated. Historic structures naturally settle and shift slightly over time, and the window openings and sashes have settled with the surrounding structure. Regular maintenance and repair of the windows is a standard basis of care for ensuring these openings are functional and any weatherization issues are addressed. Staff finds that in conjunction with repair and rehanging, the installation of weatherstripping along the window frames and a rubber or foam gasket at the window sills may greatly mitigate air infiltration. The original windows feature single-pane glass which is subject to radiant heat transfer. Products are available to reduce heat transfer such as window films, interior storm windows and thermal shades. In most cases, windows may also be retrofitted with new glass. Interior storm windows are available that can be custom fitted to openings. In general, staff encourages the repair of historic wood windows. A wood window that is maintained over time can last for decades.

RECOMMENDATION:

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

CASE MANAGER:

Stephanie Phillips



Flex Viewer

Powered by ArcGIS Server

Printed: Apr 13, 2018

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426 Club Dr aka 424 Club (BSB)



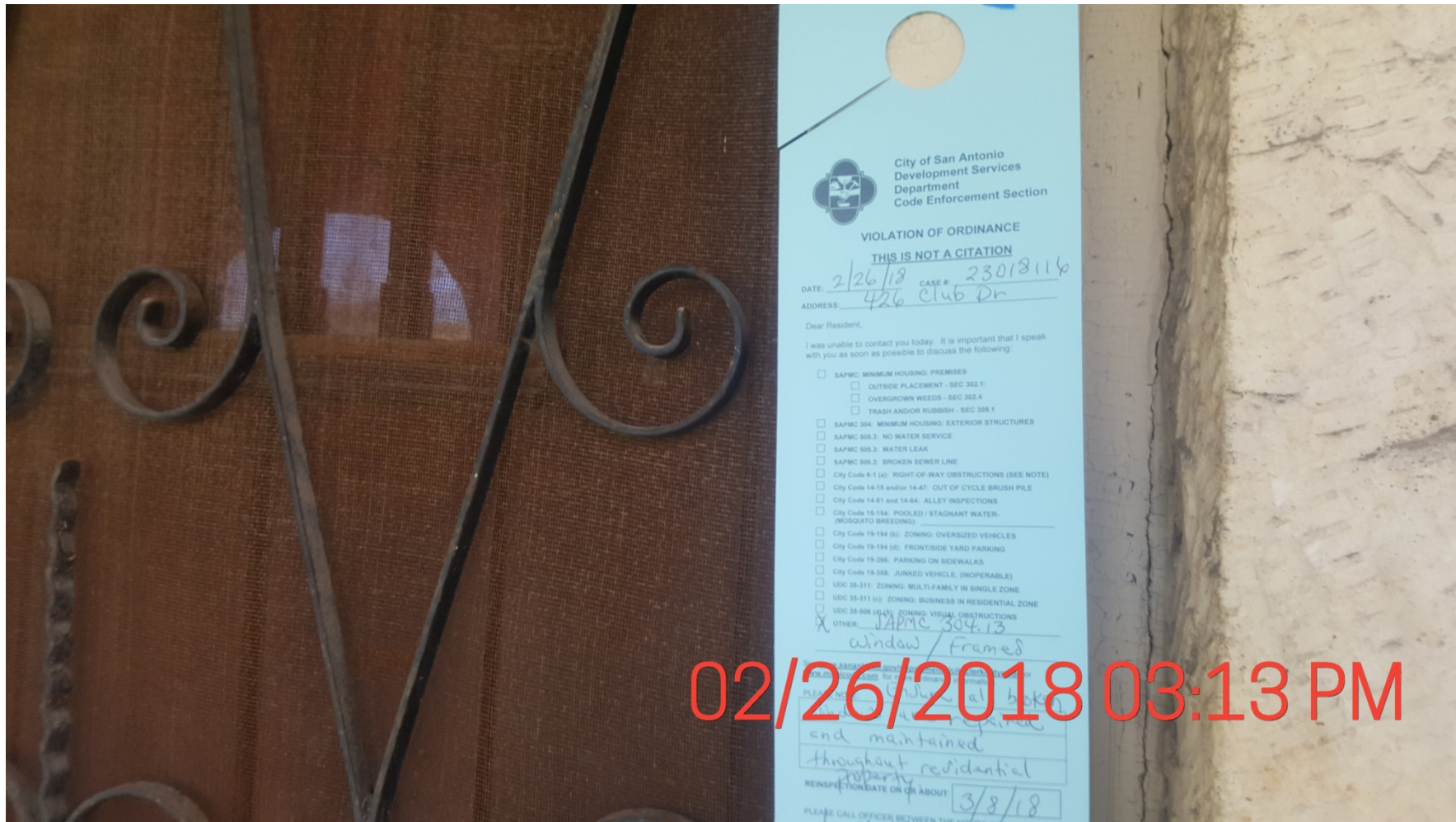
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CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
FIELD SERVICES DIVISION-CODE ENFORCEMENT SECTION
1901 SOUTH ALAMO, SAN ANTONIO, TX 78204

Case #:

23018116

Date:

2/16/18

San Antonio Property Maintenance Code
Notice of Violation(Exterior Property) - In Person / Posted

Address of Violation:

426 Club Dr San Antonio, Texas 78201

Name (owner) occupant/agent):

Zepeda Elizabeth + Zepeda Edward V, + David

Mailing Address (if different):

3367 W Woodlawn San Antonio, Texas 78228-4858

ANNUAL NOTICE: 107.1 Notice to person responsible - If another violation of the same subsection of this code occurs on or before the first anniversary of the date of this notice, the City, without further notice, may proceed with the prosecution of said violation.

EXTERIOR INSPECTION CHECKLIST

Section # - Description	Violation Observed (Case Number)	Comments	Section # - Description	Violation Observed (Case Number)	Comments
302.2 Equipment Maintenance	<input type="checkbox"/>		304.9 Overhang Ext.	<input type="checkbox"/>	
302.1 Items Stored Outside	<input type="checkbox"/>		304.10 Exterior Stairways	<input type="checkbox"/>	
302.1 Hazardous Vegetation	<input type="checkbox"/>		304.10 Decks / Porches	<input type="checkbox"/>	
302.1 Surface Hazards	<input type="checkbox"/>		304.10 Balconies	<input type="checkbox"/>	
302.2 Grading / Drainage	<input type="checkbox"/>		304.12 Handrails/Guards	<input type="checkbox"/>	
302.3 Sidewalk/Driveway	<input type="checkbox"/>		304.13.1 Window Glazing	<input checked="" type="checkbox"/>	Broken windows
302.4 Overgrown Weeds	<input type="checkbox"/>		304.13 Windows/Frames	<input type="checkbox"/>	
302.5 Rodent Harborage	<input type="checkbox"/>		304.13.2 Openable Windows	<input type="checkbox"/>	
302.5 Accessory Structure	<input type="checkbox"/>		304.15 Exterior Doors	<input type="checkbox"/>	
302.7.1 Fencing	<input type="checkbox"/>		308.1 Garbage/Trash	<input type="checkbox"/>	
303.1 Swimming Pools	<input type="checkbox"/>		304.1 Plumbing Fixtures	<input type="checkbox"/>	
304.2 Protective Treatment	<input type="checkbox"/>		305.1.1 Water Service	<input type="checkbox"/>	
304.4 Structural Members	<input type="checkbox"/>		306.2 Sewer Maintenance	<input type="checkbox"/>	
304.5 Foundation Walls	<input type="checkbox"/>		307.1 Storm Drainage	<input type="checkbox"/>	
304.6 Exterior Walls	<input type="checkbox"/>		304.1 Electrical Service	<input type="checkbox"/>	
304.7 Roof and Drainage	<input type="checkbox"/>		304.3 Electrical Hazard	<input type="checkbox"/>	

Additional Comments:

JAPMC 304.13 Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

You are hereby notified to comply with City Code as stated above within 10 days from the date of service of this notice. Failure to comply may result in a citation to appear before the Administrative Hearing Officer or summons to appear before the Building Standards Board. Re-inspection date 2/26/18

Code Officer:

Recipient Signature:

The Community Tool shed program is available at no charge for San Antonio residents. Our powered equipment and yard tools are available to clean and improve your property. Please call 207-4084 for more information. The San Antonio Property Maintenance Code is available for viewing at the Central Library, all branch libraries and on-line at <http://www.sanantonio.gov/development/Publications/SAPMCBook.aspx>

REQUEST TO APPEAL NOTICE OF VIOLATION BEFORE THE BUILDING STANDARDS BOARD

must be filed not later than ten (10) business days after the service of this notice. Additional time to comply due to financial inability or other extenuating circumstances must be approved by the Building Standards Board. Additional time to comply due to financial inability or other extenuating circumstances must be approved by the Building Standards Board.

02/16/2018 04:40 PM

426 Club Dr aka 424 Club (BSB)



Development Services Department - Building Standards Board

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SAPMC Cases

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Building Standards Board - San Antonio Property Maintenance Code Case Summary

Select Agenda: 20180524-034 - (5/24/2018) - 426 Club Dr, 782013715

New

Update

Reset

Print

Agenda Date: 5/24/2018 Agenda No. 20180524-034 Panel: -- select -- Case Status: Open
 Date Submitted for Review: 3/21/2018 2: Initiation Type: -- select -- Appeal Submitted Date:
 Approved for hearing: -- select -- ECCO Case Number: 23018116 Repeat Offender

OFFICER INFORMATION

Code Officer Name: LaSonya Madison

Code Supervisor Name: Denise Hastings

PROPERTY AND OWNER/OCCUPANT INFORMATION

Address of Violation: 426 Club Dr Legal Description: Ncb 7013 Blk Lot W 60 Ft Of 4
 Violation City: San Antonio State: TX Zip: 782013715
 Vacancy: -- select -- Occupancy: -- select -- CD: Council District 7
 Historic Property: -- select -- Historic Neighborhood: -- select -- Rehearing

Owner Name: Zepeda Elizabeth R & Zepeda
 Mailing Address: 3367 W Woodlawn Ave City, State, Zip: San Antonio, Tx

VIOLATION INFORMATION

Init Inspect Date: 2/16/2018 Tot # of Inspect: 3 Personal Contact Made: -- select -- Who was contact made: -- select --
 Violation: 304.13 Window, skylight and door frames

NOTICE OF VIOLATION INFORMATION

	Date Sent	Delivered	Delivered TO	Delivered Other	Name	Address	City/St/Zip	Returned	Returned Date	Notice Status	Notice Status Date	Expired Date
Select	02/17/2018	1st Class Mail & posting	Property Owner		Zepeda Elizabeth R & Zepeda Edward V & Zepeda David A	3367 W. Woodlawn Ave	San Antonio, Texas 78228-4858	NA		NA		03/01/2018

Add NOV

INSPECTION INFORMATION

	Note Date	Note Details	Inspection
Select	02/16/2018	1st inspection: code officer observed three broken windows; one broken window in front and two broken windows in back of residence	True
Select	02/16/2018	Owner contact: code officer placed a phone call to property owner Elizabeth Zepeda. She stated she will get windows repaired as soon as possible.	False
Select	02/26/2018	Reinspection: Windows remain broken at residence. Photos taken.	True
Select	03/20/2018	Reinspection: Windows remain broken at residence. Photos taken.	True

Add Note

NOTICE OF HEARING INFORMATION

Notices of hearing sent to:

1st Publication:

2nd Publication:

NOH Posting:

RECOMMENDATION

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

Recommendation: Other Repair broken windows and ensure weather tight and secure

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:

ATTACHMENTS**Attach Supporting Materials**Select a data file to upload: No file chosen

File Description:

Attached Files

2076