



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-4702

**Type:** Staff Briefing - Without Ordinance

**In control:** Board of Adjustment

**On agenda:** 8/17/2020

**Title:** BOA-20-10300068: A request by Aldo Ramirez for an appeal of the Historic Preservation Officer's decision to issue a Certificate of Appropriateness, located at 415 Willow Street. Staff recommends Denial. (Council District 2) (Edward Hall, Senior Historic Preservation Specialist, (210) 207-4680, edward.hall@sanantonio.gov, Office of Historic Preservation; Azadeh Sagheb, Planner (210) 207-5407, Azadeh.Sagheb@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachments, 2. Commission Action Letter

Date	Ver.	Action By	Action	Result
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**Case Number:** BOA-20-10300068

**Applicant:** Aldo Ramirez

**Owner:** Eduardo Luis Villalon

**Council District:** 2

**Location:** 415 Willow Street

**Legal Description:** Lot North 55 Feet of Lot 17 & 18, Block A, NCB 1653

**Zoning:** "R-5 H AHOD" Residential Single-Family Dignowity Hill  
Historic Airport Hazard Overlay District

**Case Manager:** Edward Hall, Senior Historic Preservation Specialist, Office of Historic Preservation; Azadeh Sagheb, Planner, Development Services Department

### Request

An appeal of the Historic Preservation Officer's decision to issue a Certificate of Appropriateness.

### Executive Summary

The subject property is located at the corner of Willow Street, South of Union Pacific, and North of the Alamodome. In January 2020, the owner started constructing a new two-story Single-Family Residential building.

On March 4, 2020, the applicant submitted an aluminum clad wood window to the Historic and Design Review Commission (HDRC) to address the stipulations of approval that included the installation of double hung, wood or aluminum clad wood windows, and received the Certificate of Appropriateness.

On March 26, 2020, during the site visit, staff noticed the installation of unapproved aluminum windows as well as other modifications to the proposed design including modifications to fenestration patterns, roof materials, and siding specifications, and issued a Stop Work Order.

On May 1, 2020, the applicant requested the HDRC to amend the previously approved design regarding siding specifications and window fenestration that partially got approved, and the previously installed aluminum windows were denied as they did not comply with the required specifications. The applicant again requested an amendment to this approval to maintain the denied window as is that has been denied by the Commission on June 3, 2020.

The applicant is appealing the June 3, 2020 HDRC decision and requesting to approve the currently installed aluminum window fenestration, in consideration of cost and monetary constrains. Per the Historic Design Guidelines, the installed windows should be modified and replaced by the Aluminum Clad wood window.

### **Code Enforcement History**

There are Code Enforcement records dated 02/10/2020, 04/24/2020, and 04/27/2010 related to electrical permit and on- site job that have been closed.

### **Permit History**

Electrical, plumbing, mechanical, and new two-story Single Family Residential with no attached garage permits processed during 2019 and 2020.

### **Clear Vision Review**

A review of Clear Vision is not required for this request.

### **Applicable Code References (summarized)**

UDC 35-451(a). Certificate of Appropriateness. Applications proposing work or changes to the exterior of a landmark, in a historic district or in a river improvement overlay district, shall require review for appropriateness with the provisions of this article, and any adopted design guidelines. In addition, the demolition or relocation of any structure designated historic shall also require review for appropriateness in the same manner.

UDC 35-451 and 35-481. Appeals to the Board of Adjustment. The Board of Adjustment is empowered to consider an appeal of a decision by an administrative official, in this case, the Historic Preservation Officer (HPO). The appeal must be submitted by a person aggrieved the decision. The appeal must include details regarding the incorrect interpretation made by the administrative official. In determining whether or not to grant the appeal, the board of adjustment shall consider the same factors as the commission and the report of the commission.

UDC 35-610. ...Applications shall be reviewed for consistency with the historic or district specific design guidelines adopted by city council. The application shall be reviewed for conformance to the general rules and

principles contained in the guidelines. Applications should be approved if in general conformance with the guidelines but denial of an application by the city manager or the city manager's designee may be based on any inconsistency or nonconformance with the approved guidelines.

**Zoning History**

The subject property is located within the original 36 square miles of the City of San Antonio and zoned “R-2” Two-Family Residence District. “R-2” Two-Family Residence District converted to “RM-4” Residential Mixed with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001. The property zoned “RM-4 H” Residential Mixed Dignowity Hill Historic District was rezoned by Ordinance 201212060953, dated December 6, 2012 to its current “R-5 H” Single-Family Residential Dignowity Hill District.

**Subject Property Zoning/Land Use**

Existing Zoning	Existing Use
“R-5 H AHOD” Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District	Residential

**Surrounding Zoning/Land Use**

Orientation	Existing Zoning District(s)	Existing Use
North	“R-5 H AHOD” Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District	Residential
South	“R-5 H AHOD” Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District	Residential
East	“R-5 H AHOD” Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District	Residential
West	“R-5 H AHOD” Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District	Residential

**Comprehensive Plan Consistency/Neighborhood Association**

The subject property is located within the Dignowity Hill plan and is identified as “Low Density Residential” in the future land use component of the plan. The subject property is within the boundaries of the Dignowity Hill Neighborhood Association.

**Street Classification**

Willow is classified as a local street.

### **UDC 35-610 Analysis**

#### 3. Materials and Textures

- 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.

#### STANDARD SPECIFICATIONS FOR WINDOWS IN ADDITIONS AND NEW CONSTRUCTION

Consistent with the Historic Design Guidelines, the following recommendations are made for windows to be used in new construction:

- **GENERAL:** Windows used in new construction should be similar in appearance to those commonly found within the district in terms of size, profile, and configuration. While no material is expressly prohibited by the Historic Design Guidelines, a high quality wood or aluminum-clad wood window product often meets the Guidelines with the stipulations listed below.
- **SIZE:** Windows should feature traditional dimensions and proportions as found within the district.
- **SASH:** Meeting rails must be no taller than 1.25". Stiles must be no wider than 2.25". Top and bottom sashes must be equal in size unless otherwise approved.
- **DEPTH:** There should be a minimum of 2" in depth between the front face of the window trim and the front face of the top window sash. This must be accomplished by recessing the window sufficiently within the opening or with the installation of additional window trim to add thickness. All windows should be supplied in a block frame and exclude nailing fins which limit the ability to sufficiently recess the windows.
- **TRIM:** Window trim must feature traditional dimensions and architecturally appropriate casing and sloped sill detail.
- **GLAZING:** Windows should feature clear glass. Low-e or reflective coatings are not recommended for replacements. The glazing should not feature faux divided lights with an interior grille. If approved to match a historic window configuration, the window should feature true, exterior muntins.
- **COLOR:** Wood windows should feature a painted finish. If a clad or non-wood product is approved, white or metallic manufacturer's color is not allowed and color selection must be presented to staff.

#### **Findings:**

A. At the May 1, 2020, Historic and Design Review Commission hearing, the applicant requested approval to install aluminum windows, which were not consistent with the required specifications due to the type of window, as well as their configuration and profile. Previous approvals by the Commission included the installation of aluminum clad wood windows. The applicant satisfied this stipulation by submitting an aluminum clad wood window product to OHP staff that met the required specifications regarding type, configuration and profile, and a Certificate of Appropriateness was subsequently issued. The requested aluminum windows were installed without a Certificate of Appropriateness, and are not consistent with the Historic Design Guidelines, nor are they consistent with OHP staff's Standard Specifications for Windows in New Construction. The HDRC denied the request to amend the previously approved windows due to the installed windows not meeting the required specifications regarding appropriate dimensions, block frames, sash profiles, and bottom, top, and meeting rail profiles and dimensions.

B. The applicant submitted a subsequent request to the Historic and Design Review Commission for approval

of the previously installed aluminum windows as well as an amendment to the existing fenestration profile. This request was heard at the June 3, 2020, Historic and Design Review Commission hearing, where the request was denied. The windows were again denied because they did not meet the required specifications regarding appropriate dimensions, block frames, sash profiles, and bottom, top, and meeting rail profiles and dimensions.

C. Staff's recommendation throughout the review process, including hearings in 2017 and 2018 has included the installation of wood or aluminum clad wood windows which meet the standard specifications regarding appropriate dimensions, block frames, sash profiles, and bottom, top and meeting rail profiles and dimensions.

### **Staff Recommendation to the Board of Adjustment**

Staff recommends **Denial** of the appeal. Staff recommends that the originally approved windows be installed, which feature appropriate dimensions, block frames, sash profiles, and bottom, top, and meeting rail profiles and dimensions.