



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-4361  
**Type:** Staff Briefing - Without Ordinance  
**In control:** Board of Adjustment  
**On agenda:** 8/3/2020  
**Title:** BOA-20-10300051: A request by Mary J. Vargas for an appeal of the Historic Preservation Officer's decision to issue a Certificate of Appropriateness, located at 533 East Carson. Staff recommends Denial. (Council District 2) (Dominic Silva, Senior Planner (210) 207-0120, Dominic.Silva@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachments, 2. HDRC Staff Report

Date	Ver.	Action By	Action	Result
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**Case Number:** BOA-20-10300051  
**Applicant:** Mary Josephine Vargas  
**Owner:** Mary Josephine Vargas  
**Council District:** 2  
**Location:** 533 East Carson  
**Legal Description:** Lot South 96.91 Feet of Lot 7, Block 3, NCB 993  
**Zoning:** "MF-33 H AHOD" Multi-Family Government Hill Historic Airport Hazard Overlay District  
**Case Manager:** Dominic Silva, Senior Planner

### 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 Muncey Street and East Carson. In 2017, the structure was subjected to fire damage, and foundation and electrical work was performed subsequently. The applicant proposed to replace existing wood siding on the non-original porch enclosure and rear addition with smooth Hardie lap siding as well as replacement of seven (7) wood windows on the front porch enclosure, five (5) wood windows on the rear addition, and one (1) missing at the area of fire damage on historic structure with new wood window matching in size and configuration. The applicant applied for Historic and Design Review Commission (HDRC) of these propositions.

On May 1, 2020, HDRC denied replacement of wood siding with smooth Hardie siding; replacement of wood lap siding on rear addition with smooth Hardie siding; and denied installation of smooth Hardie siding where original siding has been missing after fire damage; HDRC did approve with stipulations replacement of wood windows in non-original porch enclosure and rear addition with new wood windows.

The applicant is appealing the May 1, 2020 HDRC decision and requesting to replace all wood siding with new composite siding and all wood windows with new wood windows, in consideration of lead abatement and cost. Per the Historic Design Guidelines, the siding should feature the historic wood profile and windows should only be replaced when beyond repair.

### **Code Enforcement History**

General fire assessment was conducted on 8/17/2017: 10% fire damage in 1 unit and 3 exterior walls. Required permits identified include building, mechanical, electrical, and plumbing. Required inspections include framing, insulation, and final. Fire damage in attic and roof from a previous fire (pre-2017) identified.

### **Permit History**

Foundation, electrical, plumbing, and general repairs (doors, walls, insulation, siding, and flooring) permits processed during 2017-2018.

### **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 was annexed via Ordinance 1258, dated August 3, 1944, and originally zoned “C” Apartment District. “C” Apartment District converted to the current “MF-33” District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

### **Subject Property Zoning/Land Use**

<b>Existing Zoning</b>	<b>Existing Use</b>
“MF-33 H AHOD” Multi-Family Government Hill Historic Airport Hazard Overlay District	Residential; Quadraplex

### **Surrounding Zoning/Land Use**

<b>Orientation</b>	<b>Existing Zoning District(s)</b>	<b>Existing Use</b>
North	“R-6 H AHOD” Residential Single-Family Government Hill Historic Airport Hazard Overlay District	Residential
South	“R-6 H AHOD” Residential Single-Family Government Hill Historic Airport Hazard Overlay District	Residential
East	“R-6 H AHOD” Residential Single-Family Government Hill Historic Airport Hazard Overlay District	Residential
West	“R-6 H AHOD” Residential Single-Family Government Hill Historic Airport Hazard Overlay District	Residential

### **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is located within the Government 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 Government Hill Alliance Neighborhood Association.

### **Street Classification**

East Carson is classified as a local street.

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

#### **2. Guidelines for Exterior Maintenance and Alterations**

##### **1. Materials: Woodwork**

##### **B. ALTERATIONS (REHABILITATION, RESTORATION, AND RECONSTRUCTION)**

#### **2. Guidelines for Exterior Maintenance and Alterations**

##### **1. Materials: Woodwork**

##### **B. ALTERATIONS (REHABILITATION, RESTORATION, AND RECONSTRUCTION)**

##### **i. Façade materials-Avoid removing materials that are in good condition or that can be repaired**

in place. Consider exposing original wood siding if it is currently covered with vinyl or aluminum siding, stucco, or other materials that have not achieved historic significance.

ii. Materials-Use in-kind materials when possible or materials similar in size, scale, and character when exterior woodwork is beyond repair. Ensure replacement siding is installed to match the original pattern, including exposures. Do not introduce modern materials that can accelerate and hide deterioration of historic materials. Hardiboard and other cementitious materials are not recommended.

iii. Replacement elements-Replace wood elements in-kind as a replacement for existing wood siding, matching in profile, dimensions, material, and finish, when beyond repair.

#### 6. Architectural Features: Doors, Windows, and Screens

##### A. MAINTENANCE (PRESERVATION)

i. Openings-Preserve existing window and door openings. Avoid enlarging or diminishing to fit stock sizes or air conditioning units. Avoid filling in historic door or window openings. Avoid creating new primary entrances or window openings on the primary façade or where visible from the public right-of-way.

##### B. ALTERATIONS (REHABILITATION, RESTORATION, AND RECONSTRUCTION)

iv. *Window design*-Install new windows to match the historic or existing windows in terms of size, type, configuration, material, form, appearance, and detail when original windows are deteriorated beyond repair.

## **Findings**

A. The primary historic structure at 533 E Carson was constructed circa 1920, first appears on the 1951 Sanborn map, and contributes to the Government Hill Historic District. The two-story multi-family structure features a wraparound porch and an enclosed balcony, a standing seam metal roof with wood shingled gable faces, wood sash windows, and a variety of wood and aluminum siding.

B. PROPERTY HISTORY - In 2009, the property underwent complete interior and exterior renovations. In 2017, the structure was subjected to fire damage, and foundation and electrical work was performed subsequently. The applicant has identified the following non-historic features: balcony enclosure, a combination of four (4) siding profiles, and brick chimney removal. The structure features approximately 7% original wood siding, 10% 117 siding, 13% 105 siding, and 70% aluminum-clad wood siding.

C. SIDING REPLACEMENT - The applicant has proposed to replace existing wood siding on the non-original porch enclosure and rear addition with smooth Hardie lap siding. While composite materials have been used for non-original features, staff finds that intact wood siding should not be replaced for a less conforming material. Staff finds that wholesale replacement of all siding with new composition siding is inconsistent with the Guidelines for Exterior Maintenance and Alterations 2.A.i through iii. Staff finds that installing wood siding that matches the historic profile is the most appropriate treatment for the restoration of the structure. If the exact historic profile cannot be obtained or custom milled, a comparable wood profile such as 105 or 117 may be considered, whereas aluminum or composite materials should be avoided on historic wall planes.

D. WOOD WINDOW REPLACEMENT - The applicant has proposed to replace seven (7) wood windows on the front porch enclosure, five (5) wood windows on the rear addition, and one (1) missing at the area of fire damage on historic structure with new wood window matching in size and configuration (PELLA Architect series). Per the *Standard Specifications for Original Wood Window Replacement - Scope of Repair*: When individual elements such as sills, muntins, rails, sashes, or glazing has deteriorated, every effort should be made to repair or reconstruct that individual element prior to consideration of wholesale replacement. Staff finds that only one (1) missing window (Window E) is eligible for wholesale replacement. The other intact windows are

found to be repairable, where the applicant may replace missing or deteriorate elements such as individual sashes or casing, instead of discarding the complete historic window system. For window(s) found to be completely missing or beyond repair, staff finds that the submitted window product (PELLA Architect series) is generally consistent with *Standard Specifications for Original Wood Window Replacement*.

**Staff Recommendation to the Board of Adjustment**

Staff recommends that the Board of Adjustment uphold the Commission Action Letter dated February 7, 2020 and May 5, 2020, by the Historic Preservation Officer for denial as proposed. The applicant may perform the items approved with stipulations or seek administrative approval for the recommended treatment.