



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-4168

**Type:** Staff Briefing - Without Ordinance

**In control:** Board of Adjustment

**On agenda:** 6/7/2021

**Title:** BOA-21-10300051: A request by Jay Brandon for an appeal of the Historic Preservation Officer's decision of Denial to issue a Certificate of Appropriateness, located at 244 Hermine Boulevard. Staff recommends Denial. (Council District 1) (Huy Pham, Historic Preservation Specialist, 210-207-5464, Huy.Pham@sanantonio.gov, Office of Historic Preservation; Mirko Maravi, Senior Planner, 210-207-0107, Mirko.Maravi@Sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**Case Number:** BOA-21-10300051

**Applicant:** Jay Brandon

**Owner:** Jay Brandon

**Council District:** 1

**Location:** 244 Hermine Boulevard

**Legal Description:** Lots 27, 28 and 29, Block 4, NCB 9008

**Zoning:** "R-4 H AHOD" Residential Single-Family Historic Olmos  
Park Terrace Airport Hazard Overlay District

**Case Manager:** Mirko Maravi, Senior Planner; Huy Pham, Historic  
Preservation Specialist

### Request

An appeal of the Historic Preservation Officer's denial of the replacement of fourteen (14) existing, historic wood windows with replacement windows that do not meet the Historic Design Guidelines, Guidelines for Exterior Maintenance and Alterations, regarding window material.

### Executive Summary

At the April 21, 2021, Historic and Design Review Commission hearing, the applicant's request to replace fourteen (14) existing, historic wood windows with replacement windows was denied on the basis that the existing wood windows were not beyond repair and that the proposed replacement window, a composite material, was not consistent with the Historic Design Guidelines, Guidelines for Exterior Maintenance and

Alterations.

### **Code Enforcement History**

No Code Enforcement record exists on this property.

### **Permit History**

No relevant permits have been processed for this property.

### **Clear Vision Review**

No Clear Vision issue identified.

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

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 into the City of San Antonio by Ordinance 1941, dated May 31, 1940, and was originally zoned as “B” Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property converted from “B” Residence District to the current “R-4” Residential Single-Family District.

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

Existing Zoning	Existing Use
“R-4 H AHOD” Residential Single-Family Historic Olmos Park Terrace Airport Hazard Overlay District	Residential

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

Orientation	Existing Zoning District(s)	Existing Use
-------------	-----------------------------	--------------

North	"R-4 H AHOD" Residential Single-Family Historic Olmos Park Terrace Airport Hazard Overlay District	Residential
South	"R-4 H AHOD" Residential Single-Family Historic Olmos Park Terrace Airport Hazard Overlay District	Residential
East	"R-4 H AHOD" Residential Single-Family Historic Olmos Park Terrace Airport Hazard Overlay District	Residential
West	"R-4 H AHOD" Residential Single-Family Historic Olmos Park Terrace Airport Hazard Overlay District	Residential

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

The subject property is in the North Central Community Plan and is designated "Low Density Residential" in the future land use component of the plan. The subject property is in the boundaries of the Olmos Park Terrace Neighborhood Association and as such, they were notified and asked to comment.

### **Street Classification**

Hermine Boulevard is classified as a local street.

### **Applicable Citations for Appeal:**

*Historic Design Guidelines, Chapter 2, Guidelines for Exterior Maintenance and Alterations*

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

##### **A. MAINTENANCE (PRESERVATION)**

- iii. *Windows*-Preserve historic windows. When glass is broken, the color and clarity of replacement glass should match the original historic glass.

##### **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. At the April 21, 2021, Historic and Design Review Commission hearing, the applicant's request to replace fourteen (14) existing, historic wood windows with replacement windows was denied on the basis that the existing wood windows were not beyond repair and that the proposed replacement window, a composite material, was not consistent with the Historic Design Guidelines, Guidelines for Exterior Maintenance and Alterations.
- B. OHP Staff consistently recommends repair of existing, historic wood windows, as is recommended by the Historic Design Guidelines, Guidelines for Exterior Maintenance and Alterations. Historic wood windows were constructed to last 100+ years with old growth wood, which is substantially more durable than modern wood and clad products, and original windows that are restored and maintained

over time can last for decades. Replacement window products have a much shorter lifespan, around 10-20 years, and cannot be repaired once they fail. Over 112 million windows end up in landfills each year, and about half are under 20 years old.

- C. The Guidelines for Exterior Maintenance and Alterations recommends that if original windows are beyond repair, they are to be replaced with new windows to match the historic or existing windows in terms of size, type, configuration, material, form, appearance, and detail. The previously proposed replacement windows are not consistent with the Historic Design Guidelines, Guidelines for Exterior Maintenance and Alterations.

### **Staff Recommendation**

Staff recommends **DENIAL** of the appeal and recommends they uphold the Historic Preservation Officer's denial of a Certificate of Appropriateness for replacement of existing, historic wood windows with windows that are not consistent with the Historic Design Guidelines, Guidelines for Exterior Maintenance and Alterations.