

# HISTORIC AND DESIGN REVIEW COMMISSION

April 02, 2025

**HDRC CASE NO:** 2025-045  
**ADDRESS:** 1020 BURNET ST  
**LEGAL DESCRIPTION:** NCB 1660 BLK H LOT N 50 FT OF 6  
**ZONING:** R-6, H  
**CITY COUNCIL DIST.:** 2  
**DISTRICT:** Dignowity Hill Historic District  
**APPLICANT:** Richard Gonzalez  
**OWNER:** Richard Gonzalez/NEXUS SERIES B LLC  
**TYPE OF WORK:** Demolition of rear accessory structure  
**APPLICATION RECEIVED:** February 19, 2025  
**60-DAY REVIEW:** April 20, 2025  
**CASE MANAGER:** Edward Hall  
**REQUEST:**

The applicant is requesting a Certificate of Appropriateness for approval to demolish the existing, rear accessory structure at 1020 Burnet. This property is located within the Dignowity Hill Historic District.

## 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.

b) Unreasonable Economic Hardship.

(1) Generally. The historic and design review commission shall be guided in its decision by balancing the historic, architectural, cultural and/or archaeological value of the particular landmark or eligible landmark against the special merit of the proposed replacement project. The historic and design review commission shall not consider or be persuaded to find unreasonable economic hardship based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate).

(2) Burden of Proof. The historic and design review commission shall not consider or be persuaded to find unreasonable economic hardship based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate). When a claim of unreasonable economic hardship is made, the owner must prove by a preponderance of the evidence that:

- A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed;
- B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return; and
- C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years,

despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.

c) Criteria. The public benefits obtained from retaining the cultural resource must be analyzed and duly considered by the historic and design review commission.

As evidence that an unreasonable economic hardship exists, the owner may submit the following information to the historic and design review commission by affidavit:

A. For all structures and property:

- i. The past and current use of the structures and property;
- ii. The name and legal status (e.g., partnership, corporation) of the owners;
- iii. The original purchase price of the structures and property;
- iv. The assessed value of the structures and property according to the two (2) most recent tax assessments;
- v. The amount of real estate taxes on the structures and property for the previous two (2) years;
- vi. The date of purchase or other acquisition of the structures and property;
- vii. Principal balance and interest rate on current mortgage and the annual debt service on the structures and property, if any, for the previous two (2) years;
- viii. All appraisals obtained by the owner or applicant within the previous two (2) years in connection with the owner's purchase, financing or ownership of the structures and property;
- ix. Any listing of the structures and property for sale or rent, price asked and offers received;
- x. Any consideration given by the owner to profitable adaptive uses for the structures and property;
- xi. Any replacement construction plans for proposed improvements on the site;
- xii. Financial proof of the owner's ability to complete any replacement project on the site, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution; and
- xiii. The current fair market value of the structure and property as determined by a qualified appraiser.
- xiv. Any property tax exemptions claimed in the past five (5) years.

B. For income producing structures and property:

- i. Annual gross income from the structure and property for the previous two (2) years;
- ii. Itemized operating and maintenance expenses for the previous two (2) years; and
- iii. Annual cash flow, if any, for the previous two (2) years.

C. In the event that the historic and design review commission determines that any additional information described above is necessary in order to evaluate whether an unreasonable economic hardship exists, the historic and design review commission shall notify the owner. Failure by the owner to submit such information to the historic and design review commission within fifteen (15) days after receipt of such notice, which time may be extended by the historic and design review commission, may be grounds for denial of the owner's claim of unreasonable economic hardship.

When a low-income resident homeowner is unable to meet the requirements set forth in this section, then the historic and design review commission, at its own discretion, may waive some or all of the requested information and/or request substitute information that an indigent resident homeowner may obtain without incurring any costs. If the historic and design review commission cannot make a determination based on information submitted and an appraisal has not been provided, then the historic and design review commission may request that an appraisal be made by the city.

d) Documentation and Strategy.

(1) Applicants that have received a recommendation for a certificate shall document buildings, objects, sites or structures which are intended to be demolished with 35mm slides or prints, preferably in black and white, and supply a set of slides or prints to the historic preservation officer.

(2) Applicants shall also prepare for the historic preservation officer a salvage strategy for reuse of building materials deemed valuable by the historic preservation officer for other preservation and restoration activities.

(3) Applicants that have received an approval of a certificate regarding demolition shall be permitted to receive a demolition permit without additional commission action on demolition, following the commission's recommendation of a certificate for new construction. Permits for demolition and construction shall be issued simultaneously if requirements of section 35-609, new construction, are met, and the property owner provides financial proof of his ability to complete the project. (4) When the commission recommends approval of a certificate for buildings, objects, sites, structures designated as landmarks, or structures in historic districts, permits shall not be issued until all plans for the site have received

approval from all appropriate city boards, commissions, departments and agencies. Permits for parking lots shall not be issued, nor shall an applicant be allowed to operate a parking lot on such property, unless such parking lot plan was approved as a replacement element for the demolished object or structure.

(e) Issuance of Permit. When the commission recommends approval of a certificate regarding demolition of buildings, objects, sites, or structures in historic districts or historic landmarks, permits shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies. Once the replacement plans are approved a fee shall be assessed for the demolition based on the approved replacement plan square footage. The fee must be paid in full prior to issuance of any permits and shall be deposited into an account as directed by the historic preservation officer for the benefit, rehabilitation or acquisition of local historic resources. Fees shall be as follows and are in addition to any fees charged by planning and development services:

0—2,500 square feet = \$2,000.00  
2,501—10,000 square feet = \$5,000.00  
10,001—25,000 square feet = \$10,000.00  
25,001—50,000 square feet = \$20,000.00  
Over 50,000 square feet = \$30,000.00

## **FINDINGS:**

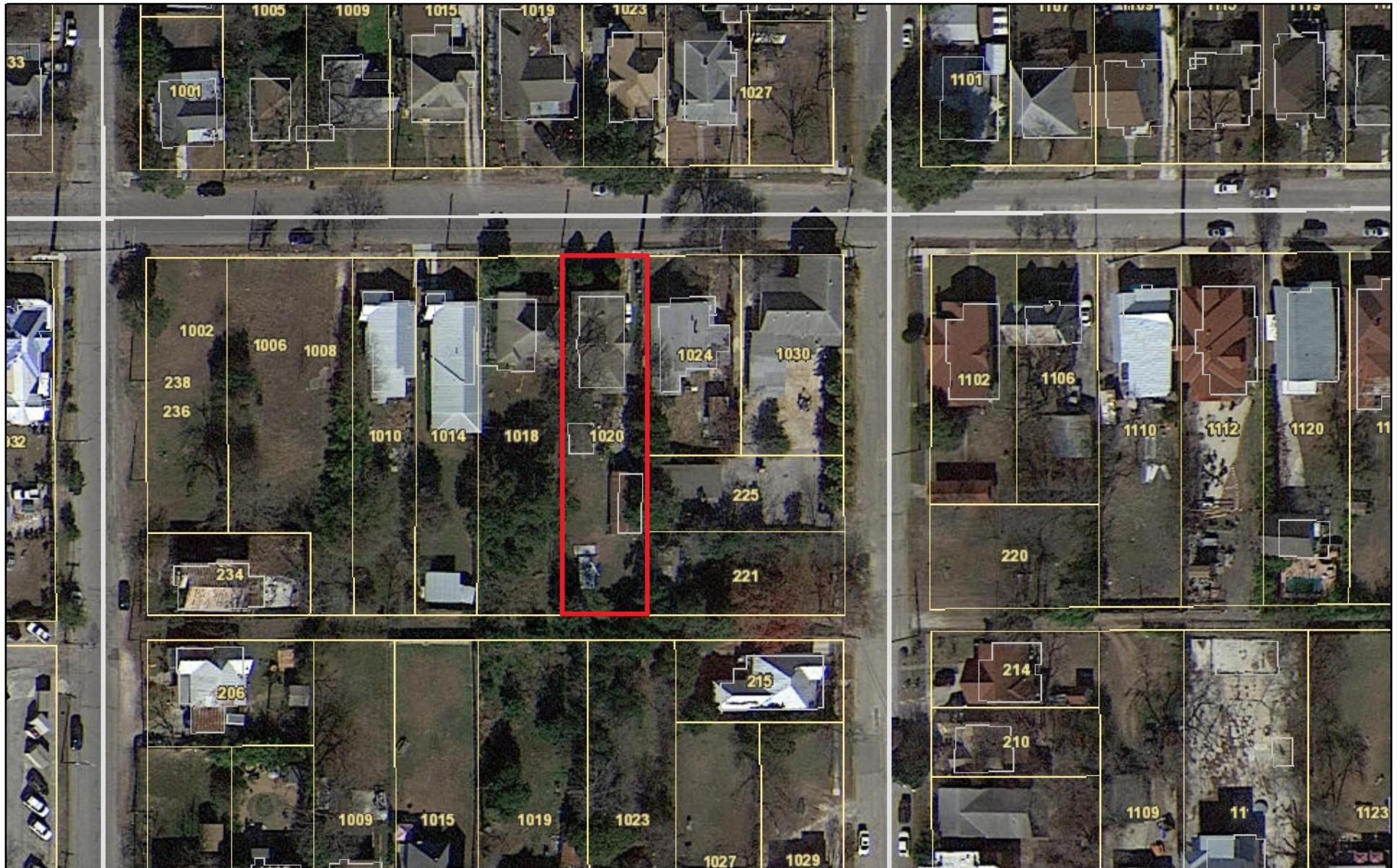
- a. The applicant is requesting a Certificate of Appropriateness for approval to demolish the existing, rear accessory structure at 1020 Burnet. This property is located within the Dignowity Hill Historic District.
- b. CONTRIBUTING REAR ACCESSORY STRUCTURE DEMOLITION – The applicant has proposed to demolish one, existing rear accessory structure that is contributing to the site. The structure’s current footprint is found on the 1951 Sanborn Map. The oldest portion of the rear accessory structure is found on the 1931 Sanborn Map. The structure features construction details and materials that are contributing to both this property and the Dignowity Hill Historic District. OHP staff performed a site visit on March 27, 2025, and found the structure to be in disrepair with foundation and structural deficiencies.
- c. UNREASONABLE ECONOMIC HARDSHIP – In accordance with UDC Section 35-614, no certificate shall be issued for demolition of a historic landmark unless the applicant provides sufficient evidence to support a finding by the commission of unreasonable economic hardship on the applicant. In the case of a historic landmark, if an applicant fails to prove unreasonable economic hardship, the applicant may provide to the historic and design review commission additional information regarding loss of significance. In order for unreasonable economic hardship to be met, the owner must provide sufficient evidence for the HDRC to support a finding in favor of demolition. The applicant has submitted a detailed estimate for rehabilitation and remodel of the existing structure. This estimate includes costs for structural repairs, materials and plumbing and electrical systems. This work totals to \$65,000. In addition to the rehabilitation cost estimate, the applicant has also provided a letter from a licensed engineer noting that the structure’s structural integrity has been compromised.
- d. LOSS OF SIGNIFICANCE – In accordance with UDC Section 35-614(c), demolition may be recommended if the owner has provided sufficient evidence to support a finding that the structure has undergone significant and irreversible changes which have caused it to lose the historic, cultural, architectural or archaeological significance, qualities or features which qualified the structure or property for such designation. OHP staff finds that the structure has maintained its historic and architectural significance; however, staff finds that the applicant has provided sufficient information to prove an unreasonable economic hardship.
- e. DECONSTRUCTION: Should the HDRC approve demolition of the existing detached accessory structure, it is subject to the City's deconstruction ordinance and must be fully deconstructed by a Certified Deconstruction Contractor (UDC Chapter 12, Article II). In September 2022, San Antonio City Council adopted a deconstruction ordinance that requires certain projects seeking a demolition permit to be fully deconstructed as opposed to mechanically demolished. For ordinance details and a list of Certified Deconstruction Contractors, please visit [www.sareuse.com/deconstruction](http://www.sareuse.com/deconstruction).

## **RECOMMENDATION:**

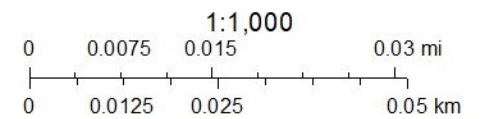
Staff recommends approval based on findings a through e. The structure is subject to Chapter 12, Article II of the City Code of Ordinances, regarding deconstruction. A detailed salvage plan be submitted to OHP for review and approval.



# City of San Antonio One Stop



March 27, 2025





Mar 27, 2025 at 4:11:30 PM  
1020 Burnet St  
San Antonio TX 78202  
United States





Mar 27, 2025 at 4:11:50 PM  
1020 Burnet St  
San Antonio TX 78202  
United States



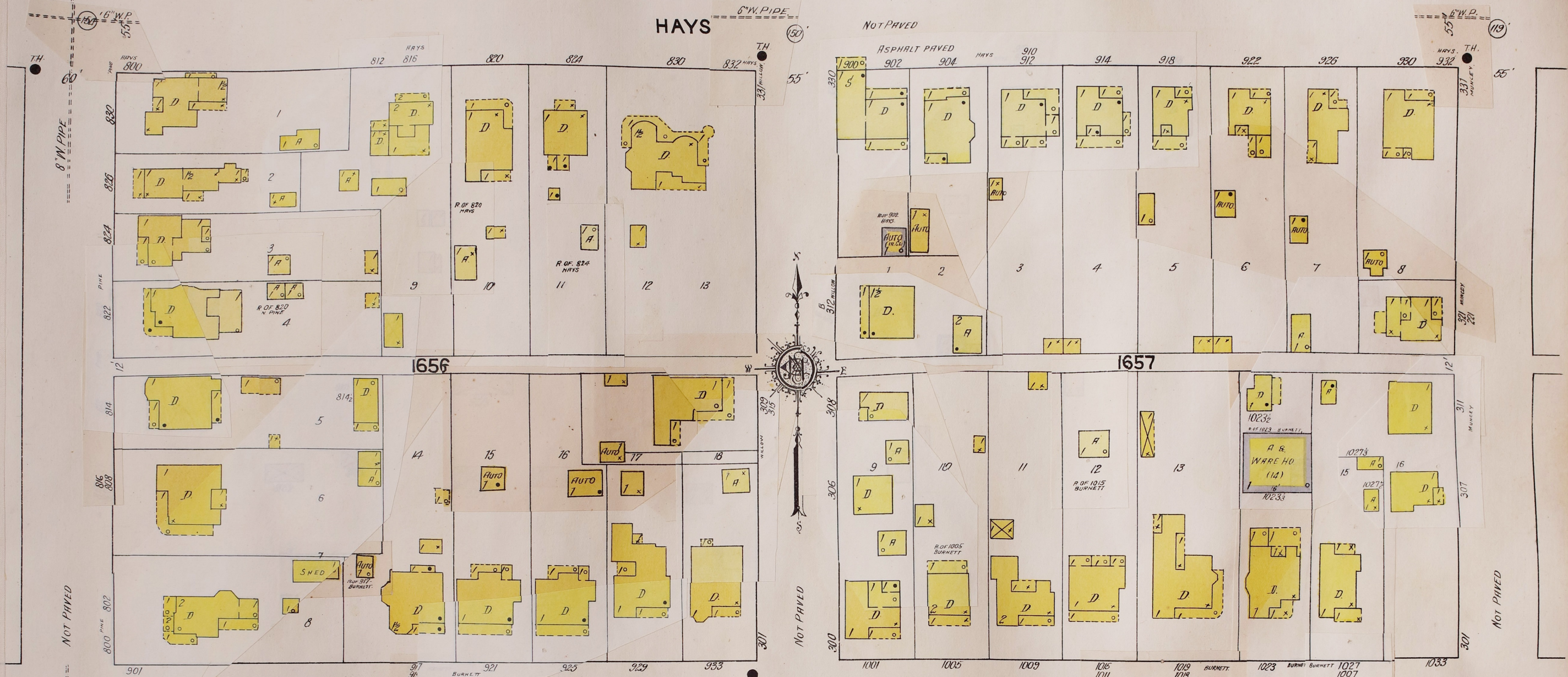


Mar 27, 2025 at 4:12:08 PM  
1020 Burnet St  
San Antonio TX 78202  
United States





158



147

BURNETT

WILLOW

135

MUNCEY



134

135



1951 SANBORN MAP

158

HAYS

NOT PAVED

ASPHALT PAVED

1657

BURNETT

WILLOW

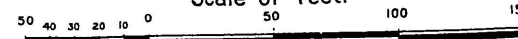
MUNCEY

135

1660

NOLAN

Scale of Feet.



134

135

# Ruben Garcia Professional Engineer

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February 15, 2025

Mr. Richard Gonzalez  
Chapawu Properties LLC  
1020 Burnet St  
San Antonio. Texas 78202

RE: Framing Project  
1020 Burnet St  
San Antonio, Texas 78202

Subject: Structural Evaluation Report – NCB 1660 BLK H LOT N 50 FT OF 6

To Whom It May Concern,

A structural assessment of the existing shed framing at the subject residential property was conducted on February 13, 2015, by this engineering office. The evaluation was performed in accordance with our engineering guidelines and the **2021 International Residential Code (IRC)** for residential structures.

Upon inspection, it was determined that the structural integrity of the shed has significantly deteriorated beyond salvageable repair. The extent of damage observed, including material degradation and compromised load-bearing components, indicates that the structure is no longer viable for restoration or reinforcement. Due to its current condition, the shed does not meet the minimum safety and structural stability requirements outlined in the IRC and poses a potential hazard if left standing.

Based on our professional experience, expertise, and adherence to Texas Engineering standards, it is our recommendation that the existing shed structure be fully demolished and replaced to ensure compliance with modern building codes and safety regulations.

This report is issued in good faith with the engineering seal affixed to confirm that we have conducted a thorough evaluation in accordance with applicable engineering standards and the Texas Engineering Practice Act.



Practice Act pursuant to its requirements to protect the public health, safety, and welfare in the practice of engineering. We further believe we have met those requirements insofar as our responsibility for periodic observation of the work for conformance is concerned.

If you have any questions, please call.

Respectfully,



Ruben Garcia  
Professional Engineer  
TBPE Firm 12106



Ruben Garcia, P.E.      9214 Dover Ridge      San Antonio, Texas 78250      210.535.8521

## **ECONOMIC HARDSHIP REPORT**

**Property Address:** 1020 Burnet, San Antonio, TX

**Owner:** Richard Gonzalez

**Company:** Chapawu Properties, LLC

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### **Introduction**

This report provides an analysis of the economic hardship associated with the rehabilitation of the accessory structure located at 1020 Burnet, San Antonio, TX. The analysis includes cost estimates for repair versus demolition and evidence supporting the lack of reasonable beneficial use per UDC Section 35-614.

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### **1. Inability to Make Reasonable Beneficial Use or Realize a Reasonable Rate of Return**

The existing structure does not allow for reasonable beneficial use or generate a reasonable rate of return due to the following factors:

- **Severe deterioration** has rendered the structure unusable for commercial or residential purposes.
- **No potential revenue generation** due to its current condition, making leasing or selling infeasible.
- **Significant ongoing maintenance costs**, further reducing potential return.

Due to these limitations, removal of the structure is the only viable solution.

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### **2. Inability to Adapt the Property for Any Other Feasible Use**

Efforts to explore alternative uses for the property have been unsuccessful because:

- The structure is too deteriorated to be adapted for commercial, residential, or storage use without full reconstruction.
  - The cost of necessary repairs exceeds the potential market value of the structure.
  - The structure does not meet modern building codes, requiring extensive upgrades that are financially impractical.
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### 3. Inability to Rent or Lease the Structure

- The property has been owned by Chapawu Properties for **three (3) months**.
  - Despite efforts to lease the structure, **no tenants** have expressed interest due to its severe deterioration.
  - The structure is uninhabitable in its current state and does not meet safety or building code standards required for leasing.
  - The extensive rehabilitation costs make it financially unfeasible to bring the structure to a rentable condition.
- 

### 4. Construction Cost Estimates for Rehabilitation vs. Demolition

#### Estimated Costs for Rehabilitation:

- **Structural repairs (foundation, roof, framing): \$25,000**
- **Material replacement (windows, doors, siding): \$10,000**
- **Plumbing & Electrical system replacement: \$15,000**
- **HVAC & insulation installation: \$10,000**
- **Code compliance & permitting fees: \$5,000**
- **Total Estimated Rehabilitation Cost: \$65,000**

#### Estimated Costs for Demolition:

- **Demolition & debris removal: \$5,000**
- **Total Estimated Demolition Cost: \$5,000**

**Financial Impact:** The rehabilitation cost (\$65,000) far exceeds the cost of demolition (\$5,000), demonstrating an undue economic burden on the owner.

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### Conclusion

Based on the financial data and attempts to find a feasible alternative use, it is evident that the accessory structure at **1020 Burnet** presents an **unreasonable economic hardship**. The cost of rehabilitation significantly outweighs any potential return, making **demolition the only viable option**.



This document serves as formal evidence to support the request for demolition under the criteria outlined in **UDC Section 35-614**.

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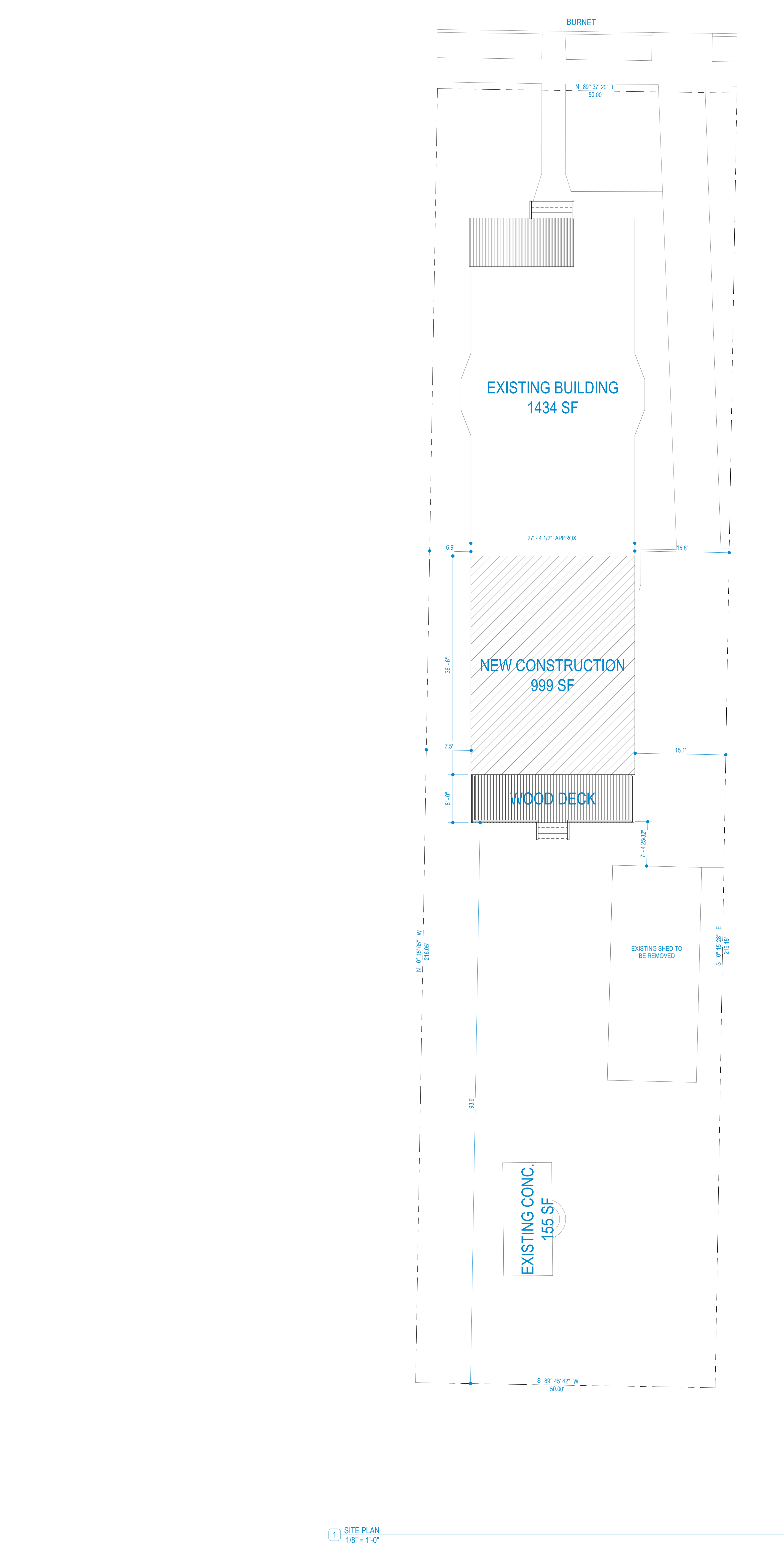
**Attachments:**

1. Cost Estimate Breakdown
2. Photos Documenting Deterioration
3. Documentation of Efforts to Lease the Property

**Prepared by:**

Richard Gonzalez

Chapawu Properties, LLC



1 SITE PLAN  
1/8" = 1'-0"













