



City of San Antonio

Agenda Memorandum

Agenda Date: May 20, 2024

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

CASE NUMBER: BOA-24-10300035

APPLICANT: Richard Gonzales

OWNER: Richard Gonzales

COUNCIL DISTRICT IMPACTED: District 2

LOCATION: 504 North Hackberry Street

LEGAL DESCRIPTION: N 56.05 Feet of Lots 13-14, Block 6, NCB 570

ZONING: "C-2 H AHOD" Commercial Dignowity Hill Historic Airport Hazard Overlay District.

CASE MANAGER: Mirko Maravi, Principal Planner

Request

An appeal of the Historic Preservation Officer's denial of the wholesale replacement of existing one-over-one wood windows on the property and 2) to modify the existing fenestration pattern. Staff recommends that the Board of Adjustment uphold the Historic and Design Review Compliance and Technical Advisory Board's and the Historic Preservation Officer's denial of a Certificate of Appropriateness for the wholesale replacement of the property's wood windows and modifications to the existing fenestration pattern.

Executive Summary

January 15, 2024: The applicant submitted an application for window repair stating repair would be done in-kind.

January 18, 2024: OHP issued an administrative approval for wood window repair in-kind, with the following stipulations: No modifications to the existing window openings or sashes are to take place. Sashes may be removed from the frames to make repairs; elements such as rails and stiles that are rotten or missing may be replaced with new solid wood elements to match the existing (in kind repairs only). Glass should feature a clarity comparable to the existing (tinted glass should not be used).

February 5, 2024: Staff observed work occurring on the property without a Certificate of Appropriateness and beyond prior approvals. After contacting the property owner and confirming scopes of work, staff issued a stop work order on the same day. Violations included: the replacement of the original porch steps, the replacement of original porch decking, rear door replacement, skirting replacement; chimney and wood window removal; dormer vent installation; and fenestration pattern modifications, including the removal and modification of window opening sizes.

February 23, 2024: The Historic and Design Review Compliance and Technical Advisory Board denied the applicant's request to wholesale replace the one-over-one wood windows on the property and to modify the existing fenestration pattern, per Historic Design Guidelines Chapter 2, Guidelines for Exterior Maintenance and Alterations, Section 6, Architectural Features: Doors, Windows, and Screens.

Code Enforcement History

No Code Enforcement history found.

Permit History

HDRC 2024-045 – Historic and Design Review Commission Action February 23, 2024.

Zoning History

The subject property was located within the original 36 square miles of the City of San Antonio. The property was rezoned by Ordinance 70785, dated December 14, 1989, from “J” Commercial District to “B-2” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-2” Business District was converted to the current “C-2” Commercial District.

Subject Property Zoning/Land Use

Existing Zoning

“C-2 H AHOD” Commercial Dignowity Hill Historic Airport Hazard Overlay District.

Existing Use

Single-Family Dwelling

Surrounding Property Zoning/ Land Use

North

Existing Zoning

“C-2 H AHOD” Commercial Dignowity Hill Historic Airport Hazard Overlay District

Existing Use

Bar and grill

South**Existing Zoning**

“C-2 H AHOD” Commercial Dignowity Hill Historic Airport Hazard Overlay District

Existing Use

Vacant Commercial building.

East**Existing Zoning**

“C-2 H AHOD” Commercial Dignowity Hill Historic Airport Hazard Overlay District

Existing Use

Vacant

West**Existing Zoning**

“C-2 H AHOD” Commercial Dignowity Hill Historic Airport Hazard Overlay District

Existing Use

Vacant

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Dignowity Hill Neighborhood Plan/ Eastside Reinvestment Plan and is designated as “Low Density Mixed Use” in the future land use component of the plan. The subject property is located within the boundary of the Dignowity Hill Neighborhood Association.

Street Classification

North Hackberry and East Houston are both classified as a Secondary Arterial Type B Road.

Findings

- a. The property located at 504 N Hackberry St is a one-story, single-family Folk Victorian structure constructed c. 1934 and first appears on the 1934 Sanborn map. The structure features a wraparound porch, a front-facing dormer with hipped roof forms throughout, a dormer, and 117 wood siding. The property contributes to the Dignowity Hill Historic District.
- b. VIOLATIONS – On February 5, 2024, staff observed work occurring on the property without a Certificate of Appropriateness and beyond prior approvals. After contacting the property owner and confirming scopes of work, staff issued a stop work order on the same day. Violations include porch steps, porch decking, rear door, skirting replacement; chimney and wood window removal; dormer vent installation; and fenestration pattern modifications.
- c. SITE VISIT – On February 13, 2024, staff conducted a site visit to take current photos of the structures condition. The photos taken show the modifications made as described in finding b.
- d. ADMINISTRATIVE SCOPES OF WORK – The applicant has received approval for wood window repair, roof replacement with retention of roof features, foundation repair, and wood siding spot repair between October 9, 2023, and January 19, 2024. The installation of a rear privacy fence, rear deck construction, skirting replacement, exterior painting, and dormer vent installation are administrative scopes of work. Once the Historic and Design Review Compliance and Technical Advisory Board has processed the present requests and the post-work fee has been paid, staff will release the administrative scopes of work to the applicant.

- e. **WINDOW REPLACEMENT: EXISTING CONDITION** – The applicant is requesting approval to replace all existing wood windows on the property. Staff did not have the opportunity to inspect the existing windows prior to their removal.
- f. **WINDOW REPLACEMENT: ENERGY EFFICIENCY AND MAINTENANCE** – In terms of efficiency, in most cases, windows only account for a fraction of heat gain/loss in a building. Improving the energy efficiency of historic windows should be considered only after other options have been explored such as improving attic and wall insulation. 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. Additionally, air infiltration can be mitigated through weatherstripping or readjusting the window assembly within the frame, as assemblies can settle or shift over time. The wood windows were designed specifically for this structure and can accommodate the natural settling and movement of the structure throughout seasons. Modern replacement products are extremely rigid, often resulting in the creation of gaps, cracks, and major points of air infiltration at the window frames and other areas of the exterior wall plane over time due to material incompatibility when considering the structure as whole integrated system.
- g. **WINDOW REPLACEMENT: WASTE AND LIFESPAN** – Over 112 million windows end up in landfills each year, and about half are under 20 years old. 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. On average, over the lifetime of an original wood window, replacement windows will need to be again replaced at least 4 times. The total lifecycle cost of replacement windows is also much more energy intensive than the restoration of existing windows, including material sourcing and the depletion of natural resources and forests, petroleum-heavy manufacturing methods, transportation, and installation. Finally, window repair and restoration utilizes the local labor and expertise of craftspeople versus off-the-shelf, non-custom composite products. Staff generally encourages the repair and restoration of original windows whenever possible.
- h. **WINDOW REPLACEMENT** – The applicant has proposed to replace all existing windows with new wood windows. According to the Historic Design Guidelines, wood windows should be repaired in place and restored whenever possible, unless there is substantial evidence that the windows are deteriorated beyond repair. If a window assembly is deemed irreparable, the window should be replaced in-kind in terms of materiality, configuration, inset, proportion, style, and detailing. As noted in finding j, staff did not have the opportunity to assess the condition of the wood windows prior to their removal. Staff does not find replacement of the wood windows consistent with the guidelines.
- i. **FENESTRATION MODIFICATIONS (WEST)** – The applicant is requesting to modify the existing window openings on the west façade. Exterior Maintenance and Alterations 6.A.i. states to preserve existing window openings and to avoid enlarging or diminishing to fit stock sizes. Staff finds the proposed modifications to the window openings on the west façade do not conform to guidelines.
- j. **FENESTRATION MODIFICATIONS (SOUTH)** – The applicant is requesting approval to infill three windows and modify five window openings on the south façade. Exterior Maintenance and Alterations 6.A.i. states to preserve existing window openings and to avoid enlarging or diminishing to fit stock sizes. Exterior Maintenance and Alterations 6.A.iii. states

to preserve historic windows. Exterior Maintenance and Alterations 6.A.iv. states to 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. Staff finds the proposed fenestration modifications to the south façade does not conform to guidelines.

- k. FENESTRATION MODIFICATIONS (NORTH) – The applicant is requesting approval to infill two windows, add one window opening, and modify two window openings on the north façade. Exterior Maintenance and Alterations 6.A.i. states to preserve existing window openings and to avoid enlarging or diminishing to fit stock sizes. Exterior Maintenance and Alterations 6.A.iii. states to preserve historic windows. Exterior Maintenance and Alterations 6.A.iv. states to 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. Staff finds the proposed fenestration modifications to the north façade does not conform to guidelines.

OHP Staff Recommendation to the Board of Adjustment

Office of Historic Preservation staff does not recommend approval of the appeal. Staff recommends that the Board of Adjustment uphold the Historic and Design Review Compliance and Technical Advisory Board's and the Historic Preservation Officer's denial of a Certificate of Appropriateness for the wholesale replacement of the property's wood windows and modifications to the existing fenestration pattern.