

## HISTORIC AND DESIGN REVIEW COMMISSION

June 18, 2025

**HDRC CASE NO:** 2025-130  
**ADDRESS:** 348 THOMAS JEFFERSON DR  
**LEGAL DESCRIPTION:** NCB 7079 BLK 10 LOT 2 W 10 FT OF 3  
**ZONING:** R-6, H  
**CITY COUNCIL DIST.:** 7  
**APPLICANT:** Richard Pozos/Bellizzima Investments Inc  
**OWNER:** Richard Pozos/BELLIZZIMA INVESTMENTS INC  
**TYPE OF WORK:** Demolition of a rear accessory structure  
**APPLICATION RECEIVED:** May 14, 2025  
**60-DAY REVIEW:** July 13, 2025  
**CASE MANAGER:** Adrian Gallegos  
**REQUEST:**

The applicant is requesting a Certificate of Appropriateness for approval to demolish the existing rear accessory structure.

### APPLICABLE CITATIONS:

*Unified Development Code Sec. 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.

(1) Historic Landmark. 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 as provided in subsection (c) in order to receive a historic and design review commission recommendation for a certificate for demolition.

*(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 provide sufficient evidence to support a finding by the commission 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.

(3) 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, an irrevocable 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.

D. Construction cost estimates for rehabilitation, restoration, or repair, which shall be broken out by design discipline and construction trade, and shall provide approximate quantities and prices for labor and materials. OHP shall review such estimates for completeness and accuracy, and shall retain outside consultants as needed to provide expert analysis to the HDRC.

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.

### *(c) Loss of Significance.*

When an applicant fails to prove unreasonable economic hardship the applicant may provide to the historic and design review commission additional information which may show a loss of significance in regards to the subject of the application in order to receive historic and design review commission recommendation of approval of the demolition. If, based on the evidence presented, the historic and design review commission finds that the structure or property is no longer historically, culturally, architecturally or archeologically significant, it may make a recommendation for approval of the demolition. In making this determination, the historic and design review commission must find that the owner has provided sufficient evidence to support a finding by the commission that the structure or property has undergone significant and irreversible changes which have caused it to lose the historic, cultural, architectural or archeological significance, qualities or features which qualified the structure or property for such designation. Additionally, the historic and design review commission must find that such changes were not caused either directly or indirectly by the owner, and were not due to intentional or negligent destruction or a lack of maintenance rising to the level of a demolition by neglect.

The historic and design review commission shall not consider or be persuaded to find loss of significance based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate).

For property located within a historic district, the historic and design review commission shall be guided in its decision by balancing the contribution of the property to the character of the historic district with the special merit of the proposed replacement project.

(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 or provide a set of digital photographs in RGB color to the historic preservation officer. Digital photographs must have a minimum dimension of 3000 x 2000 pixels and resolution of 300 dpi.

(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

NOTE: Refer to City Code Chapter 10, Subsection 10-119(o) regarding issuance of a permit.

(f) The historic preservation officer may approve applications for demolition permits for non-contributing minor outbuildings within a historic district such as carports, detached garages, sheds, and greenhouses determined by the historic preservation officer to not possess historical or architectural significance either as a stand-alone building or structure, or as part of a complex of buildings or structures on the site.

(Ord. No. 98697 § 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2014-04-10-0229, § 4, 4-10-14)(Ord. No. 2015-10-29-0921 , § 2, 10-29-15)(Ord. No. 2015-12-17-1077 , § 2, 12-17-15)

## *ARTICLE II. - DECONSTRUCTION*

### *Sec. 12-22. - Applicability and administration.*

This article applies to any request for demolition of residential and accessory structures within the territorial limits of the City of San Antonio that meets the criteria for deconstruction as established in this article.

(1) *Criteria.* Any application for demolition of a structure that is determined by the director to meet the criteria for deconstruction shall consider the construction date and original use of the structure. The director, at his or her discretion, may refer the applicability of criteria to a property to the historic and design review commission (HDRC) for a recommendation before a determination is made.

- a. *Construction date.* The construction date of a structure shall be informed by available primary sources including, but not limited to Sanborn Maps, deed records, appraisal district data, and/or other applicable research methods.
- b. *Original use.* The original use of the property shall be determined by the director after a visual assessment of construction type and reference to the 1968 city plan. The current zoning or use of the property does not determine whether the requirements of this section apply.

(2) *Phasing.* This article shall take effect in phases as set forth below.

- a. Phase I shall take effect on October 1, 2022. Deconstruction requirements shall apply to demolition permit applications for city-executed demolitions for:
  - 1) Residential single-family structures, multi-unit structures with four (4) units or less, and accessory structures that were constructed on or before December 31, 1920, regardless of zoning overlay; and
  - 2) Residential single-family structures, multi-unit structures with four (4) units or less, and accessory structures that were constructed on or before December 31, 1945, and that have either: been locally designated as historic and carry a historic zoning overlay (H, HL, HS, or HE); or, are located within a Neighborhood Conservation District (NCD) and carry a NCD zoning overlay.
- b. Phase II shall take effect on January 1, 2023. Deconstruction requirements shall apply to demolition permit applications for:
  - 1) Residential single-family structures, multi-unit structures four (4) units or less, and accessory structures that were constructed on or before December 31, 1920, regardless of zoning overlay; and
  - 2) Residential single-family structures, multi-unit structures four (4) units or less, and accessory structures that were constructed on or before December 31, 1945, and that have either: been locally designated as historic and carry a historic zoning overlay (H, HL, HS, or HE); or, are located within a Neighborhood Conservation District (NCD) and carry a NCD zoning overlay.
- c. Phase III shall take effect on January 1, 2025. Deconstruction requirements shall apply to demolition permit applications for:
  - 1) Residential single-family structures, multi-unit structures eight (8) units or less, and accessory structures that were constructed on or before December 31, 1945, regardless of zoning overlay; and
  - 2) Residential single-family structures, multi-unit structures eight (8) units or less, and accessory structures that were constructed on or before December 31, 1960, and that have either: been locally designated as historic and carry a historic zoning overlay (H, HL, HS, or HE); or, that are located within a neighborhood conservation district (NCD) and carry a NCD zoning overlay.

(3) The director is authorized to administer and enforce the provisions of this article and adopt rules, procedures, and forms to implement the provisions of this article.

(4) The director may temporarily suspend or modify the requirements of this article based on a determination that such requirements are temporarily infeasible due to economic or technical circumstances. The director shall temporarily suspend the requirements of this article if, at any time, there are less than three (3) certified deconstruction contractors registered with the city.

([Ord. No. 2022-09-08-0668](#), § 1, 9-8-22)

## FINDINGS:

- a. The structure at 348 Thomas Jefferson is a two-story single family home built c. 1937 and flanked by a single-story side-gabled wing on the east elevation. The front door does not face Thomas Jefferson and instead faces the neighboring property to the east. The location of 348 Thomas Jefferson, its distinction as the only two-story stucco home on the block, and its unique and original design make it a highly visible landmark on approach. There is a single-story accessory structure situated toward the rear of the property, and has wood siding, a side gabled composition shingle roof and two overhead garage doors. Although the wood siding material differs from the stucco on the primary structure, they share a common roof form and material. Rear accessory structures are common in the neighborhood. Staff finds the accessory structure to be contributing to the property.

- b. **DEMOLITION OF REAR ACCESSORY STRUCTURE** – The applicant is requesting approval for the demolition of the rear accessory structure. In general, accessory structures contribute to the character of historic properties and the historical development pattern within a historic district.
- c. **CONTRIBUTING STATUS** – The rear accessory structure is a 1-story structure that first appears on the Sanborn Fire Insurance Maps in 1941 in approximately the same location and footprint. Photographs submitted by the applicant shows the structure to have signs of severe deterioration and to be affected by a mature pecan tree. Staff finds that the structure has significantly deteriorated and lacks material integrity.
- d. **UNREASONABLE ECONOMIC HARDSHIP** – In accordance with UDC Section 35-614(b), 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 to 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 provided cost estimates stating that the repair and rehabilitation of the previously existing rear accessory structure would cost approximately \$70,400. The applicant has provided cost estimates stating that the demolition and deconstruction of the previously existing rear accessory structure would cost approximately \$9,775. Staff finds the evidence for UDC Section 35-614(b) has been met based on the evidence provided.
- e. **MATERIAL SALVAGE & DECONSTRUCTION** – 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. Currently, residential structures up to four units and rear accessory structures built on or prior to December 31, 1960, are required to be deconstructed if designed historic. This property is subject to the City's deconstruction ordinance and the accessory structure must be fully deconstructed by a Certified Deconstruction Contractor (UDC Chapter 12, Article II). Per the ordinance, the assigned Certified Deconstruction Contractor must complete a Pre-Deconstruction and Post-Deconstruction Form, which require a pre-deconstruction salvage inventory; a final itemized list, with quantities and photos of materials salvaged and their destination (for reuse on site, moved to be sold, donated, etc); documented diversion rate of the overall project; and transaction receipts or weight tickets for all materials taken to a transfer facility, material recovery facility, and/or landfill. Materials should be reused on site, when possible.

## **RECOMMENDATION:**

Staff recommends approval of the demolition of the rear accessory structure based on findings a through e with the following stipulations:

- i. The structure is subject to the City's Deconstruction Ordinance and a Certified Deconstruction Contractor must complete deconstruction, form submission, and permitting in accordance with UDC Chapter 12, Article II, as noted in finding e.
- ii. That the applicant salvage as much existing material as possible, including wood siding and structural members, for reuse on site, resale, or donation. Full deconstruction by hand would yield a larger quantity of reclaimed materials available for resale or reuse in other projects. A comprehensive salvage plan is required to be submitted to staff prior to the issuance of a Certificate of Appropriateness outlining the materials to be reclaimed and their final destination or proposed use.

# EagleViewImage

Captured: Mar 7, 2025



## Proof of Economic Hardship or Loss of Significance

The garage structure at 348 Thomas Jefferson is in an advanced stage of decay. In addition to the poor state, there is a large Pecan Tree growing into the side of it. The tree is pictured as part of the structure.

The roof structure cannot be fixed with the tree growing into the side of it. The base of the tree has moved the wall of the back part of the garage up and over. Unfortunately, there is no way to secure the foundation of the garage structure. We would have to take the tree down along with grinding the roots about 2 feet down to add a foundation.

The cost to remove a 80+ year old tree AND the roots that are pushing on the walls would prove to be a hardship in addition to repairing the structure. The cost of repairing the structure to today's code would be cost prohibitive.

Pricing: The cost to deconstruct the structure would be just under \$10,000. The cost to repair and bring up to code would be approximately \$70,000 for the 700sf structure. The cost to repair is way out of our budget. For now, we would like to deconstruct the structure.

In separate attachments are the pricing from licensed contractors for deconstruction and repairing.

# ESTIMATE



## Service Address

348 Thomas Jefferson  
Dr  
San Antonio , Tx  
78228

## Prepared For

Rick Pazos  
(210) 639-0600

## Bexar County Fence Company

9719 Voir Dire  
Converse, TX 78109  
Phone: (210) 776-0871  
Email: bexarfenceco@gmail.com

Estimate # 6433

Date 10/21/2024

## Description

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### Deconstruction

Deconstruction of a approximately 20x30 garage  
Unbuilding of complete structure leaving a clean raked area.

Removing roof to ground denailing and palletizing lumber prepped for transit

Labor  
Mats  
Equip  
Disp  
Permit

\*\* transportation of any or all materials to location desired 350.00 each trailer load



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**Subtotal**

**\$9,775.00**

**Total**

**\$9,775.00**

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**Notes:**

Estimates are honored through duration of 30 days.

1yr warranty on builds

All projects subject to a deposit 60% to start and 40% upon completion.

Upon signing this contract TMMNDLLC and client are in agreement to terms of service failure to render payment will lead to legal action at the expense of client/property owner

All materials DECONSTRUCTED OR DEMOLISHED are rendered to TMMNDLLC unless agreed upon before start of project

TMMNDLLC holds no responsibility in the event of damages or disposal of salvaged property

Client responsible for permitting fees

And upon permitting client is responsible for abatement and or added fees for required services per county/city

Dumpster Rentals— 5 day rental

and payment is due at drop.

(Fees may apply for extended stay)

"No paints , tires , brick, rock, dirt, concrete to be thrown in dumpsters overage charges will be charged to customer at time of weigh in"

We can haul anything off just mention what type of material

\*Debris removal is an estimate based on cy and can vary in pricing considering the type of material and density of debris.

Any materials left over after initial removal subject to load charge. Load fee is based on disposal plants rates and type of debris.

Payment due upon invoice.

Payment methods:

Cash,debit,cash app, and zelle.

Checks\*\*

Payable to:

TMMND LLC

By signing this document, the customer agrees to the services and conditions outlined in this document.

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Rick Pazos



17090 State Hwy 16 S  
Pipe Creek, TX 78063  
David McKay, Owner  
210-269-3868

June 5, 2025

Estimate # 2025-246

Bill To:  
Rick pozos [rickpozos@yahoo.com](mailto:rickpozos@yahoo.com)

Job Site:  
348 Thomas Jefferson Dr  
San Antonio TX 78228

**Restore garage and apartment to original structure**

- \* Pull all permits needed with city of San Antonio \$2400
- \*Architectural drawings to submit to the city. \$1800
- \*Remove tree and roots. \$4000
- \*Repair foundation and level. \$7000
- \*All plumbing and fixtures to restore to original building \$17,000
- \*All electrical to restore to original building \$8,000
- \*Replace all siding to match original building 5,500
- \*Install garage doors to match original building \$6000
- \*Remove and replace roof and repair all rafters \$6500
- \*Insulate and drywall interior apartment \$2000
- \*Fabricate and install cabinets \$4000
- \*Purchase and install flooring \$2000
- \*Paint \$4,200

Estimated Fee: \$70,400.00

**ACCEPTANCE OF ESTIMATE:**

The above pricing, specifications and conditions are satisfactory and hereby accepted. By signing, I hereby accept this estimate as well as the estimated price quoted. (Sales tax may be included on the final invoice when required.) Painting & MORE, INC., is authorized to do the work specified;

**Payment terms: 15% deposit to start work, and remainder balance NET30.**

Date of acceptance: \_\_\_\_\_ Signature: \_\_\_\_\_













