

# HISTORIC AND DESIGN REVIEW COMMISSION

June 15, 2022

<b>HDRC CASE NO:</b>	<b>2022-287</b>
<b>ADDRESS:</b>	148 CROFTON
<b>LEGAL DESCRIPTION:</b>	NCB 940 BLK 3 LOT 15
<b>ZONING:</b>	RM-4, H
<b>CITY COUNCIL DIST.:</b>	1
<b>DISTRICT:</b>	King William Historic District
<b>APPLICANT:</b>	Hoda Cummings
<b>OWNER:</b>	Hoda Cummings
<b>TYPE OF WORK:</b>	Demolition of a rear accessory structure
<b>APPLICATION RECEIVED:</b>	April 07, 2022
<b>60-DAY REVIEW:</b>	Not applicable Due to City Council Emergency Orders
<b>CASE MANAGER:</b>	Rachel Rettaliata

## 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.

(2) Entire Historic District. If the applicant wishes to demolish an entire designated historic district, the applicant must provide sufficient evidence to support a finding by the commission of economic hardship on the applicant if the application for a certificate is to be approved.

(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 provides sufficient evidence to support a finding by the commission of 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) 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 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)

## FINDINGS:

- a. The primary structure located at 148 Crofton is a 1-story, single-family residence constructed circa 1910. The property first appears on the 1912 Sanborn Map. The primary structure features a standing seam metal hip roof with a front-facing dormer, and a projecting front bay and a shed roof covering the deep-set asymmetrical front porch with classical columns, wood cladding, and one-over-one wood windows. The primary structure is in its original footprint, while the location and footprint of the rear accessory structures have been modified over time. The existing rear accessory structure is not featured on the Sanborn Maps. The property is contributing to the King William Historic District.
- b. DEMOLITION OF REAR ACCESSORY STRUCTURE – The applicant is requesting approval for the demolition of the rear accessory structure only. In general, accessory structures contribute to the character of historic properties and the historical development pattern within a historic district.
- c. CONTRIBUTING STATUS – The structure is a 1-story structure constructed after 1951. The existing structure is not featured on the 1951 Sanborn Map in the existing footprint or location. The structure features a metal broken gable roof with exposed rafter tails, a side entry, vertical composite cladding, horizontal wood cladding on the rear portion, one (1) wood window, one (1) replacement window, and openings with missing windows and doors. Staff does not find the structure to be original to the property or representative of development patterns within the district.
- d. DESIGN REVIEW COMMITTEE – The Design Review Committee (DRC) conducted a site visit on June 8, 2022, to assess the condition of the existing structure. The DRC members on site discussed the alternatives to demolition, including relocating the existing structure on the lot.
- e. UNREASONABLE ECONOMIC HARDSHIP – In accordance with UDC Section 35-616, 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. In the submitted application, the applicant has provided a cost estimate of \$189,900 for the rehabilitation of the structure. The applicant has provided a cost estimate of \$5,000 for the demolition of the structure. The applicant has indicated that in its current condition, the existing rear accessory structure is not structurally sound. Staff finds that evidence for UDC Section 35-614(b) has been met based on the documentation provided.
- f. 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 historic, cultural, architectural, or archaeological significance, qualities or features which qualified the structure or property for such designation. The 1-story rear accessory structure features a metal broken gable roof with exposed rafter tails, a side entry, vertical composite cladding, horizontal wood cladding on the rear portion, one (1) wood window, one (1) replacement window, and openings with missing windows and doors. The structure is not original to the property and the Sanborn Maps show that the property previously featured at least three (3) rear accessory structures of various footprints in other locations. Previous rear accessory structures were located at the rear property line, which was consistent with other adjacent rear accessory structures and rear accessory structures elsewhere in the district. Staff finds that a loss of significance has occurred due to the substantial deterioration of the materials and the loss of the original rear accessory structure(s).
- g. REPLACEMENT PLANS – The applicant is not requesting to construct a replacement structure at this time. The applicant has proposed to remove the rear accessory structure and replace the structure with sod. As the existing rear accessory structure is not original to the property and is not representative of historical development patterns within the district, and due to the condition of the existing structure, staff finds the removal of the rear accessory structure appropriate.

**RECOMMENDATION:**

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

- i. That salvageable materials from the historic accessory structure, including wood siding and wood windows, be salvaged and stored on site for use in future construction.
- ii. Any future requests for replacement of the rear accessory structure will require an additional application for review and approval.

1904

24

25

ADAMS

MACROMIZED

947

2880

MACROMIZED

STIEREN

WICKES

NOT PAVED

BARBE

MACROMIZED

23

E. GUENTHER

MACROMIZED

CROFTON

AV.

MACROMIZED

941

San Antonio River

CONSTANCE

River

San Antonio

2882

Scale of Feet.

S.P.R. & P.R.R.  
S.P.R. TRENCH

Tremendous

F.

B.

C.

D.

E.

F.

G.

H.

I.

J.

K.

L.

M.

N.

O.

P.

Q.

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U.

V.

W.

X.

Y.

Z.

1912

SAN ANTONIO, VOL. 4  
362

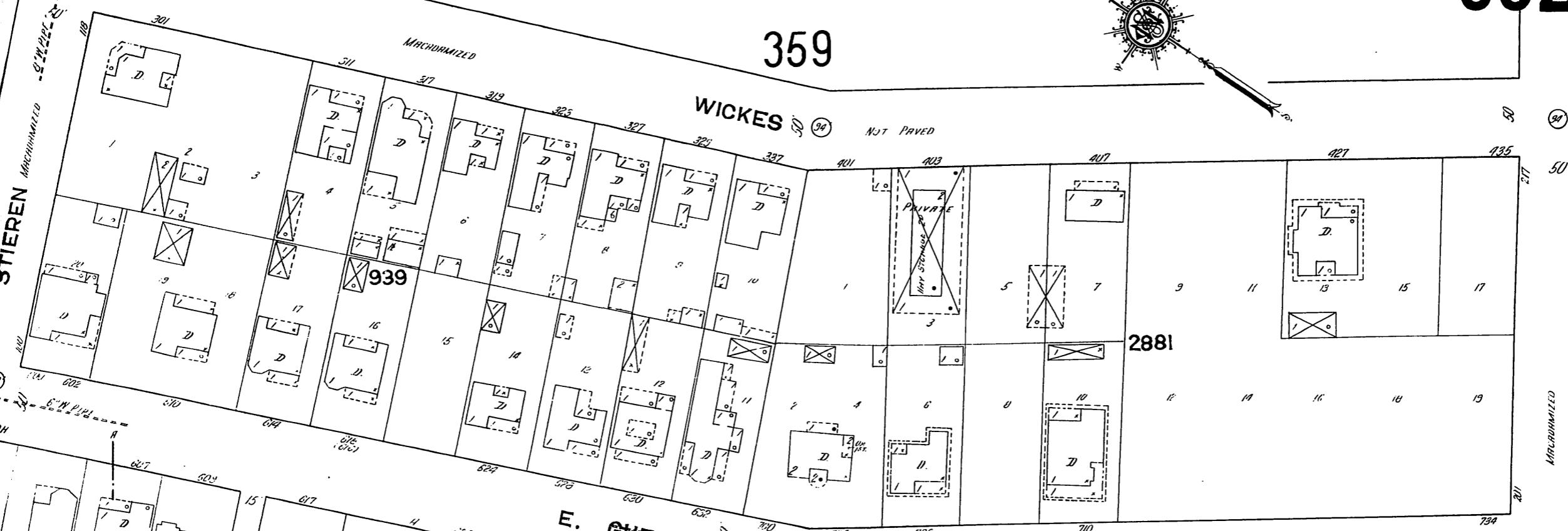
359

WICKES

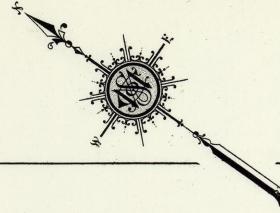
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359



STIEREN

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E. GUENTHER 630 632 700  
527 6WDP

55 MACADAMIZÉ

288

CONSTANCE

BADDE

CROFTON

148  
AV. MACADAMIZED

20

200  
8

The diagram shows a rectangular building plan with a central entrance labeled "OFFICE". A dashed line indicates a section of the wall where "STUCCO OR WIRE LATH" was applied. The entire building is surrounded by a fence.

Located 6 Miles S.S.E. of P.O.

A horizontal scale bar labeled "Scale of feet." at the top center. The scale is marked with numerical values: 50, 40, 30, 20, 10, 0 on the left side, and 50, 100, 150 on the right side. The scale is 100 units long.

Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

1951

*SAN ANTONIO, VOL. 4.*  
**362**

359

• 40

STIEREN

WICKER

NOTES

(S) 6" BY PIPE

440

162

630 GUENTHER 632  
634 GUENTHER E.  
635

CONSTANCE

100

359

362

40

S (94)

NOT PAVED

6" W. PIPE

MANUFACTURED

BARBE

359

362

40

S (94)

NOT PAVED

6" W. PIPE

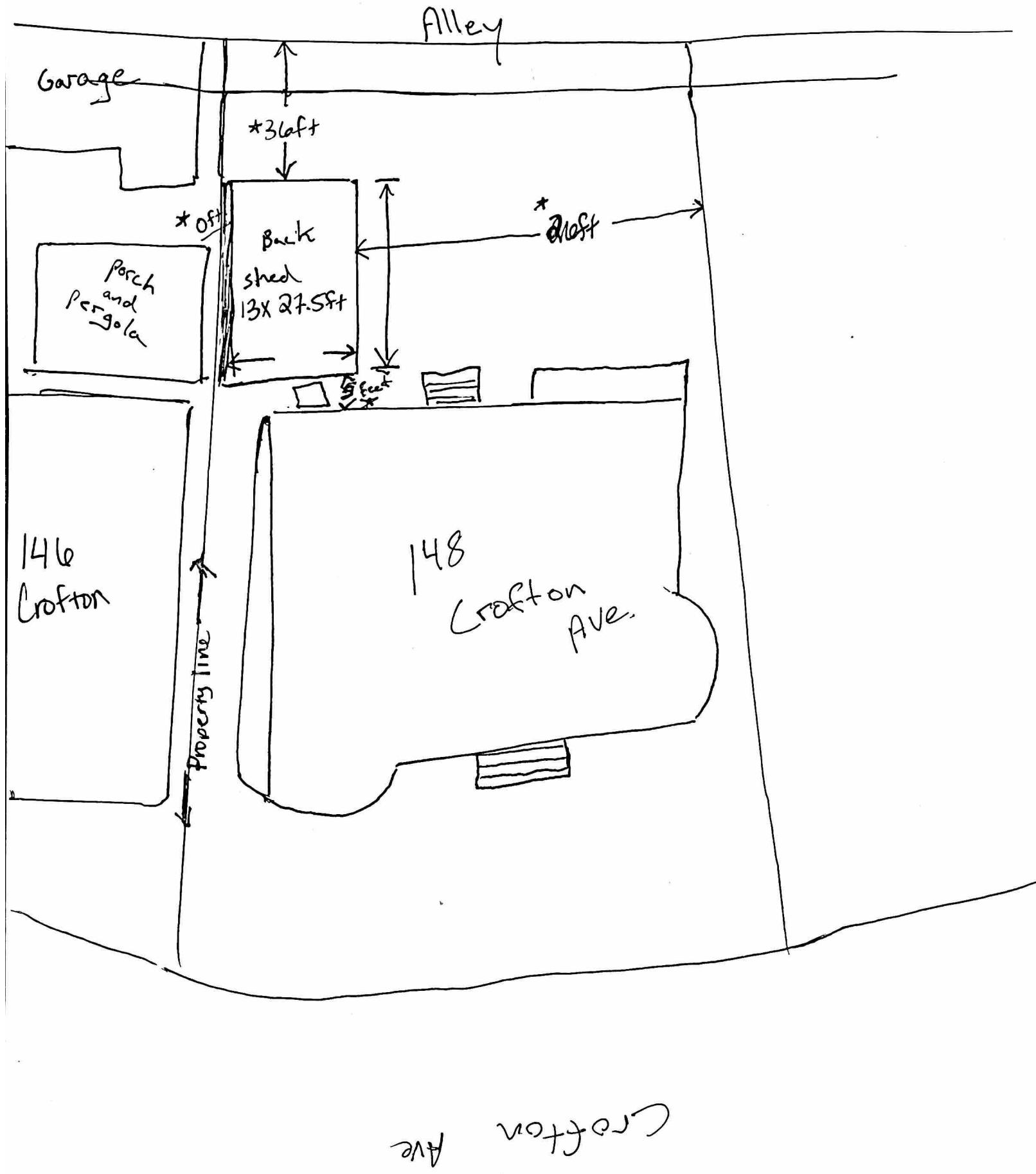
MANUFACTURED

BARBE

BARB

TH. GURN GUENTHER

A hand-drawn map showing a road with dashed lines and several buildings. A large building on the left is labeled "LIQUID CHROME" and "MEN IN THIS NEAR DOOR NO TALKING". Above it is a box labeled "BLUE STAR 302 BLUE". To the right is a building labeled "RATH PACKING CO.", "PRIV. GARAGE", and "CONC FL". Below the road is a line of tracks labeled "S. R. & P. R.R." and "FULL OF TRACKS". A vertical line on the right has an "A" at the top and a "B" at the bottom. The date "9/2/52" is in the bottom right corner.









**NO  
TRESPASSING**

**WARNING**

Security Cameras In Use







07/20/95 10:30 S











**Buffalo Contracting Services, LLC**  
9976 Trophy Oaks Dr.  
Garden Ridge, TX 78266 US  
(210) 685-8848  
danielsexton80@gmail.com

## Estimate



ADDRESS	
Hoda Cummings 431 Adams	

ESTIMATE #	DATE	
1286	04/22/2022	

ITEM	COST
Demo Interior and remove siding Replace all pier and beams and pour driveway to engineer specs provided by customer. Includes engineer pre pour inspection. Rough in plumbing to existing sewer and water line on house, includes trenching. Top out and trim for fixtures per plan. Install electric tankless water heater. (Fixture allowance \$1,650.00) Rough in electrical to structure on existing meter, upgrade exterior panel Includes trenching. Top out and trim fixtures and devices per plan. (Fixture allowance \$1,200) Replace all framing to include siding, windows, trim per specs Install underlayment and galvalume standing seam roof per plan, ridge cap to be in accordance with HDRC. (Painted metal roof add \$1,600.00)	189,900.00
Install batt insulation package per code	
Install sheetrock, tape & float and apply medium orange peel texture	
Paint interior walls, ceilings, doors and trim with SW ProMar 200 latex. Includes primer, caulking and putty and all necessary prep work. Paint exterior siding and trim with SW SuperPaint	
Install cabinets per plan (\$1,500 cabinet allowance)	
Install counters allowance (\$3,480)	
Install long leaf pine wood flooring (\$9 sqft allowance) Install Hardi backer and apply RedGuard waterproofing in shower, wall tile (\$4 sqft allowance) apply grout. Install tile on floor of bathroom (\$3 sqft allowance) Install glass for shower (\$2,100 allowance) Install HVAC system, duct work (\$8,800 allowance)	

ITEM	COST
Install appliances (\$4,000 allowance)	
Install baseboards, doors, casing, closet shelving and rods, towel bars (\$100 allowance)	
Remove/reinstall fencing per plan	
Includes all necessary permits and inspections	
Provide dumpster and portopotty for use during construction	
Not responsible for any under ground lines while trenching or digging	
Deposit for material and mobilization: \$48,000.00	
Draw upon completion of demo, foundation prep and received pre pour inspection	
Plumbing rough in: \$15,000	
Payment upon foundation completion: \$8,000	
Payment upon framing completed and dried in: \$25,000	
Payment upon completion of rough in plumbing, HVAC and electrical: \$15,000	
Payment upon completion of insulation and drywall: \$12,000	
Payment upon roof installed, siding completed: \$20,000	
Payment upon completion of interior trim, paint (less touch up), cabinets installed: \$10,000	
Payment upon completion of counters, tile, flooring: \$10,000	
Payment upon completion of electrical and plumbing trim out: \$10,000	
Completion of all aspects less touch up and fencing: \$12,000	
Balance upon final completion of all aspects of project and Final inspection completed by city inspector: \$4,900.00	
Total contract price \$189,900	
SUBTOTAL	189,900.00
TAX	0.00
<b>TOTAL</b>	<b>\$189,900.00</b>

Accepted By

Accepted Date

**Buffalo Contracting Services, LLC**  
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Garden Ridge, TX 78266 US  
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danielsexton80@gmail.com

## Estimate



ADDRESS	
Hoda Cummings 431 Adams	

ESTIMATE #	DATE	
1287	04/22/2022	

ITEM	COST
Demolish and not rebuild 148 Crofton: Demo existing structure and haul away debris: \$5,000.00	5,000.00
SUBTOTAL	5,000.00
TAX	0.00
<b>TOTAL</b>	<b>\$5,000.00</b>

Accepted By

Accepted Date

HULSE & SHERRI WAGNER  
146 CROFTON AVE.  
SAN ANTONIO, TEXAS 78210  
(713) 859-6704

April 22, 2022

Re: **Request No. 2022-24556 ("Request")** for demolition of a noncontributing accessory building (the "Building") in the rear yard of the property at 148 Crofton Ave., San Antonio, Texas 78210 (the "Property")

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Ms. Rachel Rettaliata  
Historic Preservation Specialist  
City of San Antonio Office of Historic Preservation  
1901 South Alamo  
San Antonio, Texas 78204

Dear Ms. Rettaliata:

We are the owners of the home located at 146 Crofton Ave., which is immediately adjacent to the Property. We understand the purpose of the Request is to demolish the Building.

We are in full support of demolishing the Building because, among other reasons, the Building is dilapidated, is too close to our common property line (less than 6" in some places), and creates a fire hazard. If a fire starts in the Building it could quickly spread to the wooden fence on our common property line and from there to the house on our property, which is located less than 3' from the property line because our lot is an irregular lot. Because of its age, it is highly unlikely that the Building is constructed with a proper firewall for structures located close to other structures.

Because of its proximity to the fence, the Building also creates a security risk because the shallow portion of its roof provides direct ingress over the fence into our back yard.

Please contact us if you have any questions.

Sincerely,

*Hulse Wagner*  
Hulse Wagner

*Sherri Wagner*  
Sherri Wagner

05/16/22

**From:**

Ralica and Trenton Houston  
144 Crofton Ave  
San Antonio, TX 78210

**To:**

City of San Antonio Office of Historic Preservation  
1901 South Alamo  
San Antonio, TX 78204

**Re: Request No. 2022-24556** (“Request”) for demolition of a noncontributing accessory building (“Building”) in the rear yard of the property at 148 Crofton Ave, San Antonio, TX 78210

To Whom It May Concern:

We are the owners of the home located at 144 Crofton Ave, which is one house away from the Property in question.

We are in full support of demolishing the accessory Building in the rear yard. It is dilapidated, unattractive, and an eyesore from our home and backyard. It is awkwardly positioned close to the main house, in the middle of the yard, rather than along the alley where all other accessory buildings on our street are located, which affects the sightlines and the orderliness of our neighborhood. In our opinion, it does not add any historical value or beauty.

More importantly, the accessory building appears to be a safety risk. It is located very close to both the main house and the adjacent property at 146 Crofton Ave, which is in turn very close to our home due to irregular lots and narrow setbacks. It is concerning to us that if a fire starts in the Building, it could quickly and easily spread amongst our homes.

Again, we fully support the request to demolish without rebuilding this accessory structure.

Please feel free to contact us if you have any questions.

Sincerely,

Ralica Houston  
Trenton Houston