

# HISTORIC AND DESIGN REVIEW COMMISSION

September 21, 2022

**HDRC CASE NO:** 2022-468  
**ADDRESS:** 131 E MULBERRY AVE  
**LEGAL DESCRIPTION:** NCB 1701 BLK 4 LOT 21  
**ZONING:** R-4, H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** Monte Vista Historic District  
**APPLICANT:** Jason Stone  
**OWNER:** Jason Stone  
**TYPE OF WORK:** Front yard fence installation and landscape  
**APPLICATION RECEIVED:** August 29, 2022  
**60-DAY REVIEW:** Not applicable due to City Council Emergency Orders  
**CASE MANAGER:** Claudia Espinosa

## REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to:

1. Construct a new masonry wall featuring D’Hanis brick located in the front yard of the property. The wall was constructed without approval at approximately four feet in height. The applicant intends to reduce the height to approximately 2 feet to serve as a landscaping retaining wall.
2. Installation of drought-resistant native landscaping to the front yard.

## APPLICABLE CITATIONS:

Historic Design Guidelines, Chapter 5, Guidelines for Site Elements

### 1. Topography

#### A. TOPOGRAPHIC FEATURES

- i. Historic topography—Avoid significantly altering the topography of a property (i.e., extensive grading). Do not alter character-defining features such as berms or sloped front lawns that help define the character of the public right-of-way. Maintain the established lawn to help prevent erosion. If turf is replaced over time, new plant materials in these areas should be low-growing and suitable for the prevention of erosion.
- ii. New construction—Match the historic topography of adjacent lots prevalent along the block face for new construction. Do not excavate raised lots to accommodate additional building height or an additional story for new construction.
- iii. New elements—Minimize changes in topography resulting from new elements, like driveways and walkways, through appropriate siting and design. New site elements should work with, rather than change, character-defining topography when possible.

### 2. Fences and Walls

#### A. HISTORIC FENCES AND WALLS

- i. Preserve—Retain historic fences and walls.
- ii. Repair and replacement—Replace only deteriorated sections that are beyond repair. Match replacement materials (including mortar) to the color, texture, size, profile, and finish of the original.
- iii. Application of paint and cementitious coatings—Do not paint historic masonry walls or cover them with stone facing or stucco or other cementitious coatings.

#### B. NEW FENCES AND WALLS

- i. Design—New fences and walls should appear similar to those used historically within the district in terms of their scale, transparency, and character. Design of fence should respond to the design and materials of the house or main structure.
- ii. Location—Avoid installing a fence or wall in a location where one did not historically exist, particularly within the front yard. The appropriateness of a front yard fence or wall is dependent on conditions within a specific historic district. New front yard fences or wall should not be introduced within historic districts that have not historically had them.

iii. Height—Limit the height of new fences and walls within the front yard to a maximum of four feet. The appropriateness of a front yard fence is dependent on conditions within a specific historic district. New front yard fences should not be introduced within historic districts that have not historically had them. If a taller fence or wall existed historically, additional height may be considered. The height of a new retaining wall should not exceed the height of the slope it retains.

iv. Prohibited materials—Do not use exposed concrete masonry units (CMU), Keystone or similar interlocking retaining wall systems, concrete block, vinyl fencing, or chain link fencing.

v. Appropriate materials—Construct new fences or walls of materials similar to fence materials historically used in the district. Select materials that are similar in scale, texture, color, and form as those historically used in the district, and that are compatible with the main structure. Screening incompatible uses—Review alternative fence heights and materials for appropriateness where residential properties are adjacent to commercial or other potentially incompatible uses.

### C. PRIVACY FENCES AND WALLS

i. Relationship to front facade—Set privacy fences back from the front façade of the building, rather than aligning them with the front façade of the structure to reduce their visual prominence.

ii. Location – Do not use privacy fences in front yards.

## 3. Landscape Design

### A. PLANTINGS

i. Historic Gardens— Maintain front yard gardens when appropriate within a specific historic district.

ii. Historic Lawns—Do not fully remove and replace traditional lawn areas with impervious hardscape. Limit the removal of lawn areas to mulched planting beds or pervious hardscapes in locations where they would historically be found, such as along fences, walkways, or drives. Low-growing plantings should be used in historic lawn areas; invasive or large-scale species should be avoided. Historic lawn areas should never be reduced by more than 50%.

iii. Native xeric plant materials—Select native and/or xeric plants that thrive in local conditions and reduce watering usage. See UDC Appendix E: San Antonio Recommended Plant List—All Suited to Xeriscape Planting Methods, for a list of appropriate materials and planting methods. Select plant materials with a similar character, growth habit, and light requirements as those being replaced.

iv. Plant palettes—If a varied plant palette is used, incorporate species of taller heights, such informal elements should be restrained to small areas of the front yard or to the rear or side yard so as not to obstruct views of or otherwise distract from the historic structure.

v. Maintenance—Maintain existing landscape features. Do not introduce landscape elements that will obscure the historic structure or are located as to retain moisture on walls or foundations (e.g., dense foundation plantings or vines) or as to cause damage.

### B. ROCKS OR HARDSCAPE

i. Impervious surfaces —Do not introduce large pavers, asphalt, or other impervious surfaces where they were not historically located.

ii. Pervious and semi-pervious surfaces—New pervious hardscapes should be limited to areas that are not highly visible, and should not be used as wholesale replacement for plantings. If used, small plantings should be incorporated into the design.

iii. Rock mulch and gravel - Do not use rock mulch or gravel as a wholesale replacement for lawn area. If used, plantings should be incorporated into the design.

### C. MULCH

Organic mulch – Organic mulch should not be used as a wholesale replacement for plant material. Organic mulch with appropriate plantings should be incorporated in areas where appropriate such as beneath a tree canopy.

i. Inorganic mulch – Inorganic mulch should not be used in highly-visible areas and should never be used as a wholesale replacement for plant material. Inorganic mulch with appropriate plantings should be incorporated in areas where appropriate such as along a foundation wall where moisture retention is discouraged.

### D. TREES

i. Preservation—Preserve and protect from damage existing mature trees and heritage trees. See UDC Section 35-523 (Tree Preservation) for specific requirements.

ii. New Trees – Select new trees based on site conditions. Avoid planting new trees in locations that could potentially cause damage to a historic structure or other historic elements. Species selection and planting procedure should be done in accordance with guidance from the City Arborist.

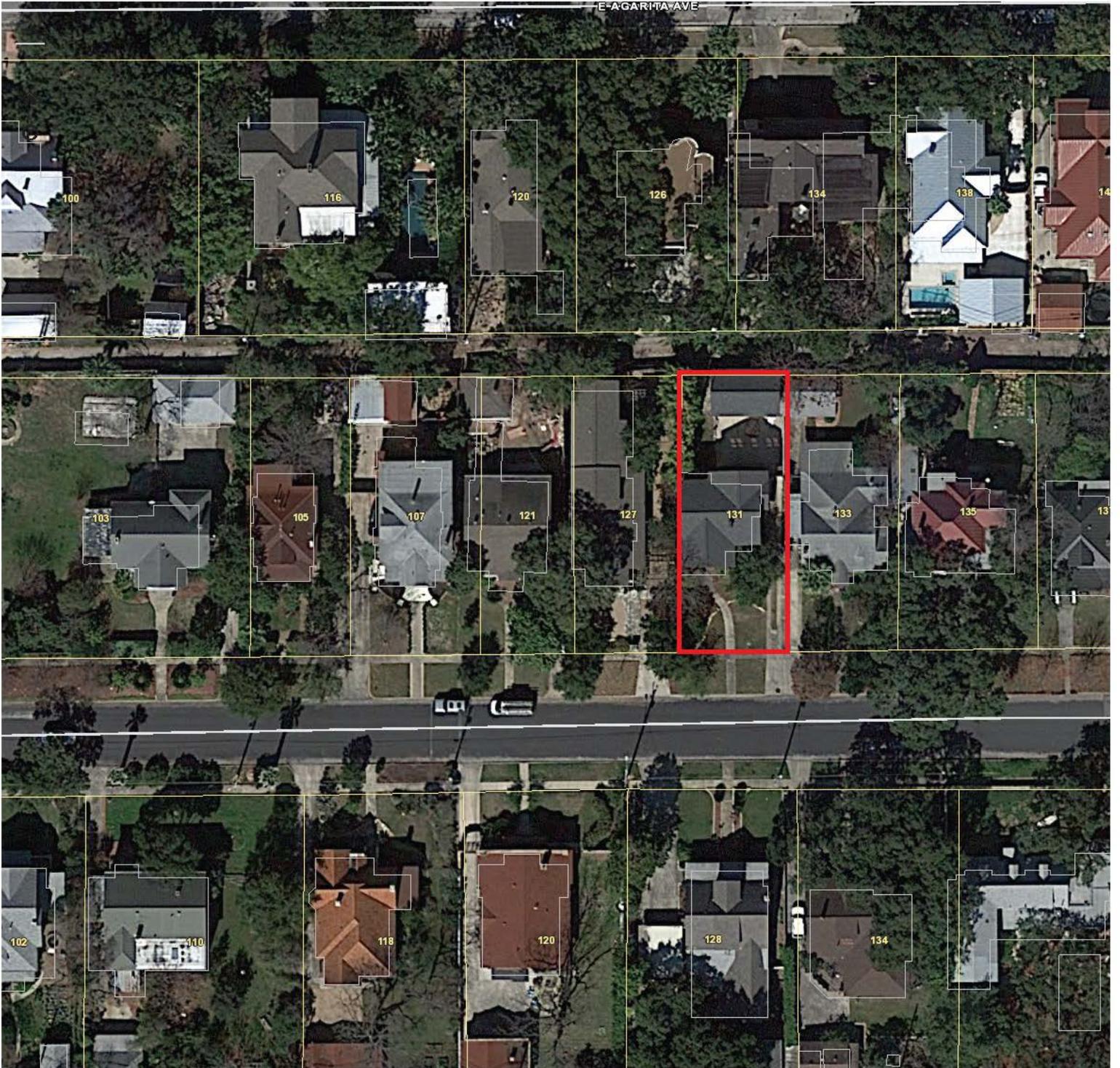
iii. Maintenance – Proper pruning encourages healthy growth and can extend the lifespan of trees. Avoid unnecessary or harmful pruning. A certified, licensed arborist is recommended for the pruning of mature trees and heritage trees.

## **FINDINGS:**

- a) The structure located at 131 E Mulberry was constructed circa 1928 and first appears on the 1931 Sanborn map. The single-family two-story residence has wood siding, composite shingles, an open porch, and sashed one-over-one windows. The primary structure is contributing to the Monte Vista Historic District.
- b) SCOPE OF WORK – The applicant has proposed to construct low masonry wall featuring D’Hanis brick located in the front yard of the property and install drought-resistant native landscaping to the front yard.
- c) VIOLATION – On August 26, 2022, staff received a report of the construction of an unapproved front yard fence constructed out of masonry. Staff conducted a site visit and issued a stop work order. At the time, the wall had been constructed to be approximately 4 feet in height. The applicant has clarified with staff that the contractor exceeded scope and that a low, retaining wall approximately 2 feet in height is proposed.
- d) FRONT YARD FENCE: MASONRY – The applicant has proposed to construct a new 2-foot tall masonry wall to feature D’ Hanis brick. The Guidelines for Site Elements 2.B.iii. notes that new fences and walls should not be located where one did not historically exist. Properties located in the Monte Vista Historic District traditionally feature open lawns; very few front yard walls or fences existed historically. Staff does not find the proposed masonry wall to be consistent with the Guidelines. Staff further finds that the proposed construction materials are not found historically within the district and are not compatible.
- e) LANDSCAPING – The applicant has proposed to install drought-resistant and native landscaping materials to the front yard, in front of the proposed fence location. Per the Guidelines for Site Elements 3. A.iii, the installation of native plants is consistent with the Guidelines. Staff finds the proposed landscaping to be appropriate and consistent with the Guidelines.

## **RECOMMENDATION:**

1. Staff does not recommend approval of item #1, the construction of a front yard masonry wall based on finding d. A traditional landscape border using compatible materials would be more appropriate.
2. Staff recommends approval of item #2, the front yard landscaping based on finding e.

















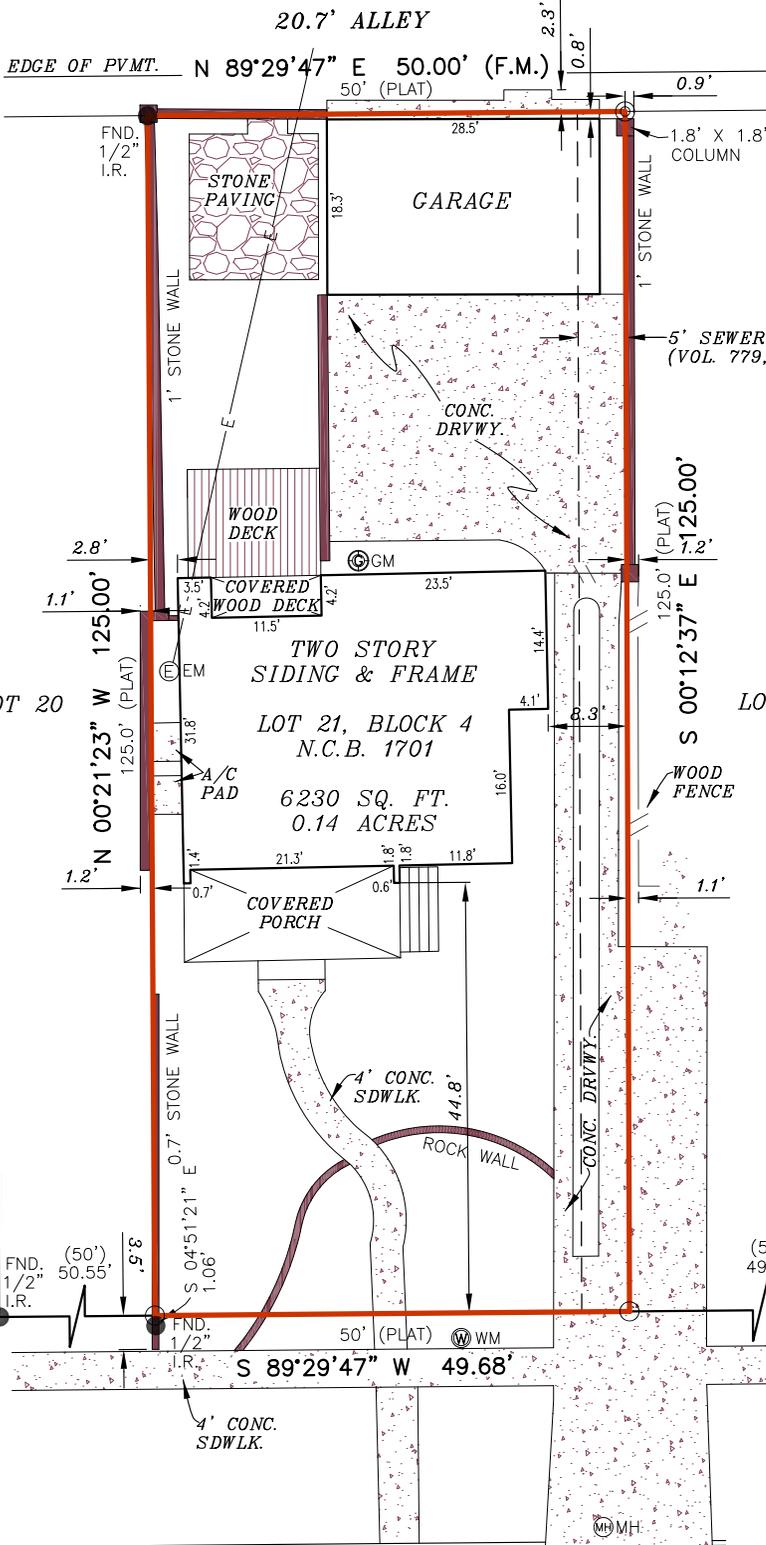


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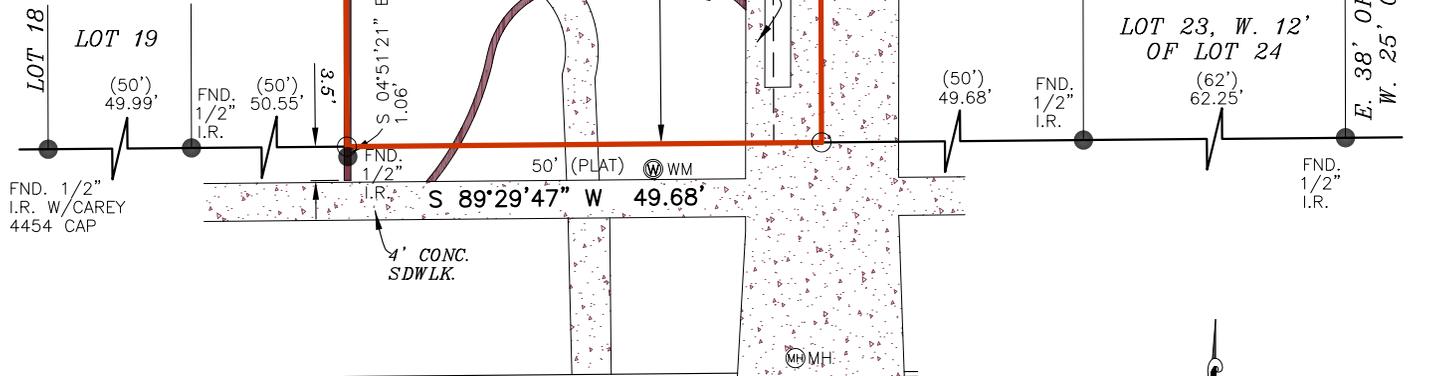






**SURVEYOR'S NOTE(S):**  
 BASIS OF BEARING, TEXAS SOUTH CENTRAL NAD 83.  
 THE SUBJECT LOT MAY BE SUBJECT TO THE EASEMENT(S) RIGHTS RECORDED IN VOLUME 779, PAGE 31, OFFICIAL RECORDS, XXXX COUNTY, TEXAS, SAID DOCUMENT(S) CONTAINS INSUFFICIENT INFORMATION TO DETERMINE THE RELATIONSHIP TO THIS LOT.

- LEGEND**
- These standard symbols will be found in the drawing.
- BOUNDARY LINE
  - EASEMENT LINE
  - WOOD FENCE
  - OVERHEAD ELECTRIC
  - SET IRON ROD
  - CALCULATED POINT
  - FOUND IRON ROD
  - WATER METER
  - ELECTRIC METER
  - GAS METER
  - MANHOLE
  - RECORDED ON PLAT
  - FIELD MEASURED

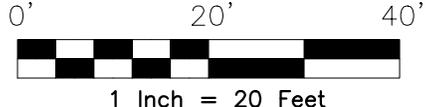


**MULBERRY AVE.**  
 (80' R.O.W.—PER PLAT)  
 (A.K.A. E. MULBERRY AVE.)

At date of this survey, the property is in FEMA designated ZONE X, Area of minimal flood hazard, as verified by FEMA Map Panel No. 48029C\_0403\_H effective date of JUNE 19, 2020. Exact designations can only be determined by a Elevation Certificate. This information is subject to change as a result of future FEMA Map revisions and/or amendments.

The survey is hereby accepted with the discrepancies, conflicts, or shortages in area or boundary lines, encroachments, protrusions, or overlapping of improvements shown.

**GRAPHIC SCALE**



I, ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to INDEPENDENCE TITLE COMPANY and ---

that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown hereon. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).

Borrower/Owner: JASON STONE AND ROBIN STONE  
 Address: 131 E. MULBERRY AVE. GF No. 2222912-AHSA

**Legal Description of the Land:** Lot 21, Block 4, New City Block 1701, ADAMS LAUREL HEIGHTS, situated in the City of San Antonio, Bexar County, Texas, according to the map or plat thereof, recorded in Volume 65, Page 4-5, Deed and Plat Records, Bexar County, Texas.

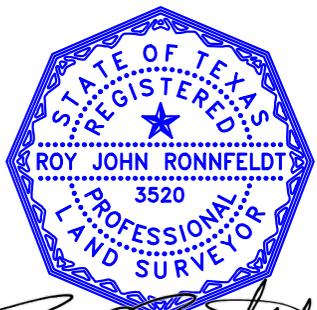
SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN: VOLUME 65, PAGE(S) 4-5, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS VOLUME 779, PAGE 31, DEED RECORDS, BEXAR COUNTY, TEXAS

PROPERTY PHOTOGRAPH:



**FINAL "AS-BUILT" SURVEY**

JOB NO.:	2205089259	NO.	REVISION	DATE
DATE:	04/20/17	1.	UPDATED SURVEY	05/18/22
DRAWN BY:	MN/SA/DBT	(REFER JOB NO. 1704044256)		
APPROVED BY:	RJR			



*Roy John Ronnfeldt*  
 ROY JOHN RONNFELDT, R.P.L.S.  
 Registered Professional Land Surveyor  
 Registration No. 3520



P.O. BOX 160369  
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 WEB: WWW.AMERISURVEYORS.COM



## Investigation Report

### Property

Address	131 E Mulberry
District/Overlay	Monte Vista
Owner Information	NICKLETT EMILY JOY & RAHUL RAGHAVAN

### Site Visit

Date	08/26/2022
Time	03:01 PM (-5 GMT)
Context	citizen report
Present Staff	Jessica Anderson
Present Individuals	None
Types of Work Observed	Site Elements
Amount of Work Completed	75%
Description of work	4' front-yard masonry wall
Description of interaction	<p>No one on site. Left SWO on window next to front door. There is a pile of masonry and a wheelbarrow near the front porch, and it appears they're about to cap the wall in tile.</p> <p>Note that more timestamped photos are available; report app wouldn't allow me to upload more. Will be available in property file.</p>

### Action Taken

Violation Type	No Certificate of Appropriateness (Code 35-451a)
OHP Action	Posted additional "Stop Work Notice"
Will post-work application fee apply?	To be determined

### Documentation

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## Investigation Report

<p>Photographs</p>	 <p>Aug 26, 2022 2:56:28 PM 127E East Mulberry Avenue San Antonio Bexar County Texas</p>
	<p>08/26/2022 03:09 PM</p>
<p>Additional photos were taken on another device.</p>	<p>Yes</p>



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**BETO**  
FOR TEXAS





















