

# HISTORIC AND DESIGN REVIEW COMMISSION

July 19, 2023

**HDRC CASE NO:** 2023-278  
**ADDRESS:** 119 E MAGNOLIA AVE  
**LEGAL DESCRIPTION:** NCB 1703 BLK 8 LOT 18 AND 19  
**ZONING:** R-4, H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** Monte Vista Historic District  
**APPLICANT:** charles ramon/RAMON CHARLES  
**OWNER:** RAMON CHARLES  
**TYPE OF WORK:** Construction of a brick site wall  
**APPLICATION RECEIVED:** June 14, 2023  
**60-DAY REVIEW:** August 13, 2023  
**CASE MANAGER:** Edward Hall

## REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to install a retaining wall and a brick wall at 119 E Magnolia, located within the Monte Vista Historic District. The applicant has proposed for the brick wall to feature heights between 6' – 9" and 8' – 0" in height. The wall will feature brick columns with stone or brick column caps. The proposed wall will extend parallel with the front façade of the historic structure to the east and west property lines and then run parallel to those property lines to the rear accessory structures.

## APPLICABLE CITATIONS:

*Historic Design Guidelines, Chapter 2, Guidelines for Site Elements*

### 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.

vi. *Screening incompatible uses*—Review alternative fence heights and materials for appropriateness where residential properties are adjacent to commercial or other potentially incompatible uses.

*Unified Development Code, Section 35-514. Fences*

(c) Height Limitation.

(1) Except for the provisions in section (b) above no fence shall exceed the following table of heights. In addition, the maximum permitted fence height shall not exceed that of the maximum permitted fence height for the abutting property except as provided in subsection (c)(2). The board of adjustment may allow fences of greater height by special exception, subject to section 35-399.04 of this chapter or by variance subject to Section 35-482 if the height of the fence exceeds that height allowances for a special exception. The height shall be the vertical distance measured from the lowest adjacent ground level (either inside or outside the fence) to the top of the tallest element of the fence material, excluding decorative features affixed to the top of any column, pillar or post. The height of any existing retaining walls, either an integral part of a fence or upon which a fence may be erected, shall be calculated in the height of the fence, except in the following instances:

- A. The retaining wall is necessary for structural soundness/integrity of building construction on the lot; or
- B. The retaining wall is abutting a drainage easement or drainage infrastructure.

(2) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:

- A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or
- B. The fence is erected along a side or rear lot line which abuts an alley, railroad ROW, or a street with a classification other than a local street; or
- C. The fence is a sound barrier or a security fence for a public or institutional use; or
- D. The additional fence height is permitted by the city council pursuant to a rezoning or specific use authorization; or
- E. The fence is located on a side or rear lot line of a single-family, duplex, or mixed-residential use which abuts a multi-family residential, commercial, industrial, or park use.
- F. The fence is located in a side or rear yard of a single-family residential property that contains a below ground swimming pool/hot tub or above ground swimming pool in the rear yard or in the side or rear yard of a single-family property that abuts one with a below ground swimming pool/hot tub or above ground swimming pool.
- G. In any side or rear yard where a slope is present, the height of a fence may be adjusted to allow the top of the fence to be level, and perpendicular to the support posts at a height greater than six (6) feet, provided that the height of the fence at the highest elevation does not exceed eight (8) feet. In order to maintain a uniform appearance, whenever a fence higher than six (6) feet is allowed by this subsection, all side and rear yard fences may be allowed up to eight (8) feet in height above grade.

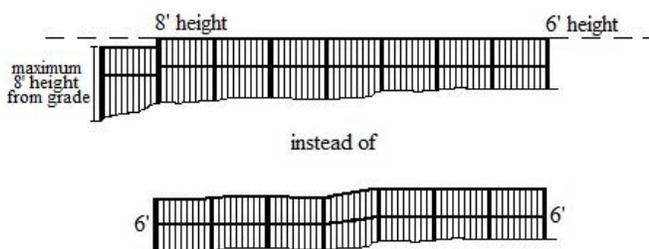


Figure 2: Example of Additional Height allowed pursuant to Section 35-514(c)(2) G.

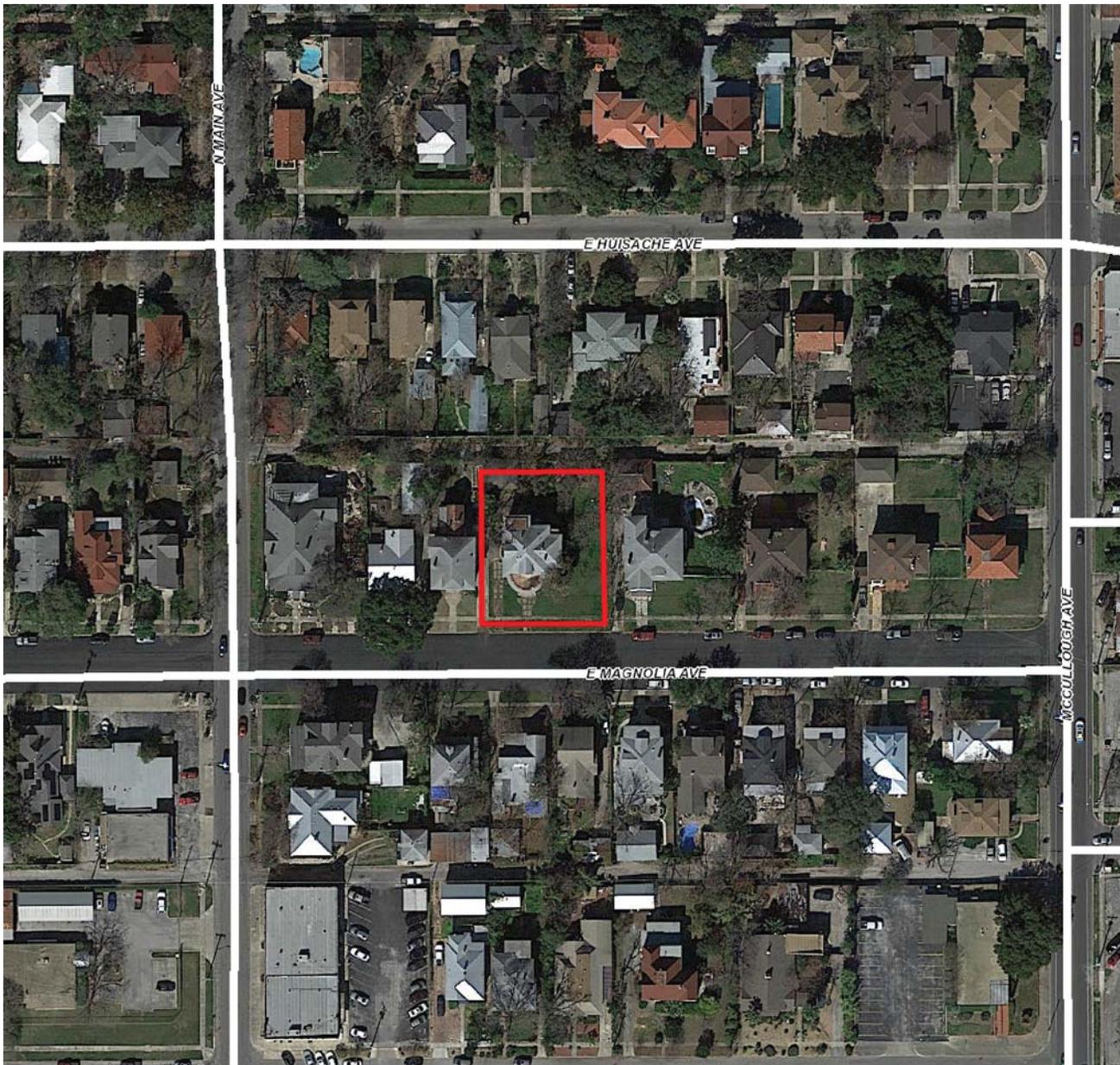
## **FINDINGS:**

- a. The primary structure located at 119 E Magnolia is a 2-story single family home constructed in 1917 by builder A.G. Dugger. The home was designed in the Neoclassical style and features several of the style's characteristic architectural elements, including a façade dominated by a curved full-height porch with Corinthian columns, a second story balcony on the front façade, and an elaborate doorway surrounded by sidelights and a half elliptical transom. The house is a contributing structure in the Monte Vista Historic District. The property also contains two rear accessory structures, both constructed in 1917. One was historically a garage and the other a maid's quarters. These structures are also contributing to the Monte Vista Historic District.
- b. PREVIOUS REVIEW – The applicant has previously received Commission approval to perform a number of rehabilitative scopes of work. Largely, the applicant received Commission approval to repair and replace wood windows, perform various rehabilitative scopes to the primary and rear accessory structures, construct porte-cocheres, replace the roof and install fencing on site.
- c. CURRENT VIOLATIONS – The property at 119 E Magnolia has been cited for both Vacant Building Program and Prevention of Demolition by Neglect violations. Staff finds that these violations should be prioritized and addressed prior to the issuance of a Certificate of Appropriateness for the construction of site elements. The double-height porch, missing windows and brick façade should be prioritized.
- d. WALL – The applicant is requesting a Certificate of Appropriateness for approval to install a retaining wall and a brick wall at 119 E Magnolia, located within the Monte Vista Historic District. The applicant has proposed for the brick wall to feature heights between 6' – 9" and 8' – 0" in height. The wall will feature brick columns with stone or brick column caps. The proposed wall will extend parallel with the front façade of the historic structure to the east and west property lines and then run parallel to those property lines to the rear accessory structures. The Guidelines for Site Elements 2.B. notes that new fences and walls should appear similar to those used historically within the district in terms of their scale, transparency, and character; should not be installed in locations where fencing did not historically exist; should be limited in height to four feet within the front yard; and where constructed as a privacy fence, should be set back from the front façade of the structure rather than aligning with the front façade of the structure. Staff finds that the proposed wall should be recessed behind the front façade of the historic structure; a location behind the front-most side window would be most appropriate. Additionally, staff finds that wall height should not exceed six (6) feet in height, per the UDC and Guidelines. Additional height may be used to accommodate for a change in grade to allow for allow the top of the fence to be level, and perpendicular to the support posts at a height greater than six (6) feet, provided that the height of the fence at the highest elevation does not exceed eight (8) feet.

## **RECOMMENDATION:**

Staff recommends approval based on findings a through d with the following stipulations:

- i. That the proposed brick wall be set behind the front-most windows on both the east and west facades, as noted in finding d.
- ii. That the wall height not exceed six (6) feet other than at sloped terrain, where it may feature eight (8) feet in height.
- iii. That current violations, both Vacant Building Program and Prevention of Demolition by Neglect violations be addressed prior to the issuance of a Certificate of Appropriateness for site elements, including the proposed wall. The double-height porch, windows and façade restoration should be prioritized.



## Flex Viewer

Powered by ArcGIS Server

Printed: Mar 19, 2018

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The building is a three-story structure with a central portico featuring six white columns. The portico is currently under renovation, with extensive wooden scaffolding and support beams visible. The building's facade is light-colored, possibly brick or stone. The roof is dark, and there is a small arched window in the pediment above the portico.

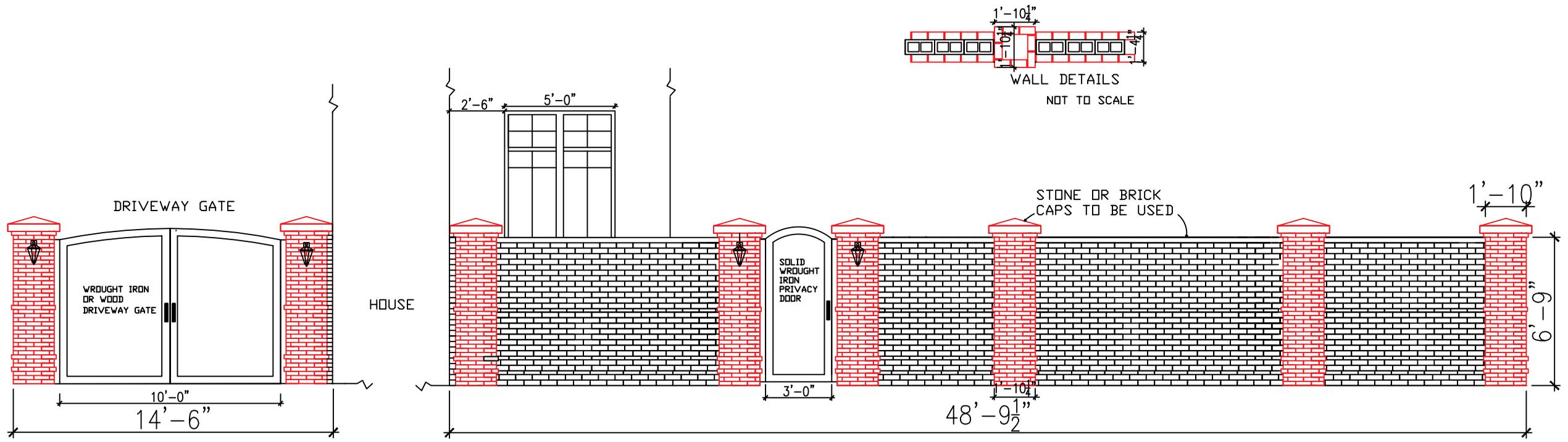
A green chain-link fence surrounds the building. Several signs are attached to the fence, including one that reads "NATIONAL" and another that says "NO ONE". There is also a sign with a logo and text that is partially obscured.

A white SUV is parked on the left side of the street, partially obscured by the fence.

1100







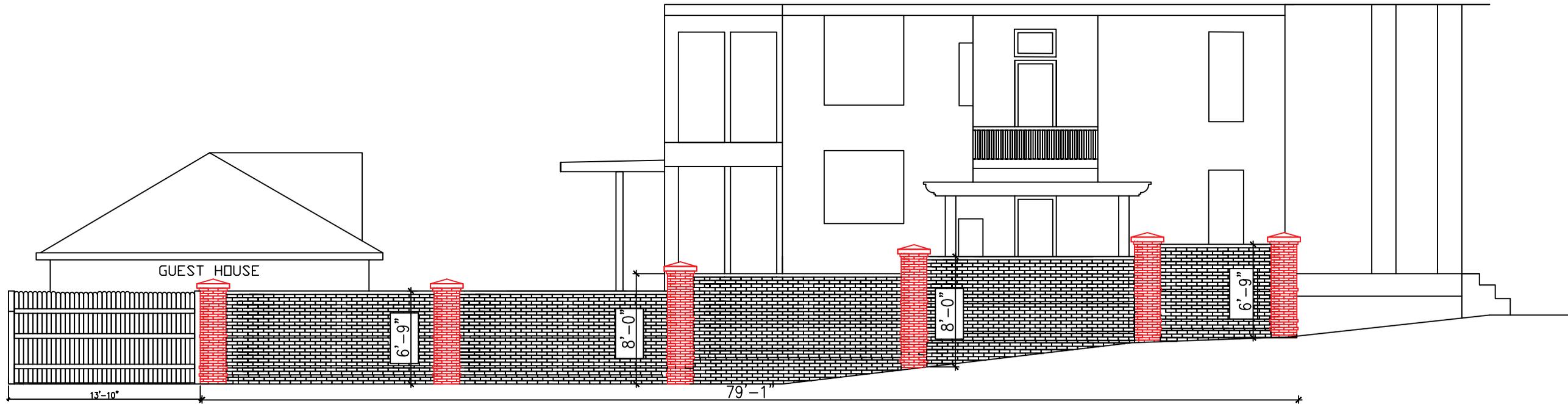
SOUTH ELEVATION  
STREET VIEW  
NOT TO SCALE

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STREET VIEW  
NOT TO SCALE

NOTES:  
BRICK FENCING  
TO ADJUST IF  
NEEDED TO MEET  
CODE COMPLIANCE.

BRICK BANDING DETAILS  
TO FOLLOW CURRENT STRUCTURE  
HEIGHTS.

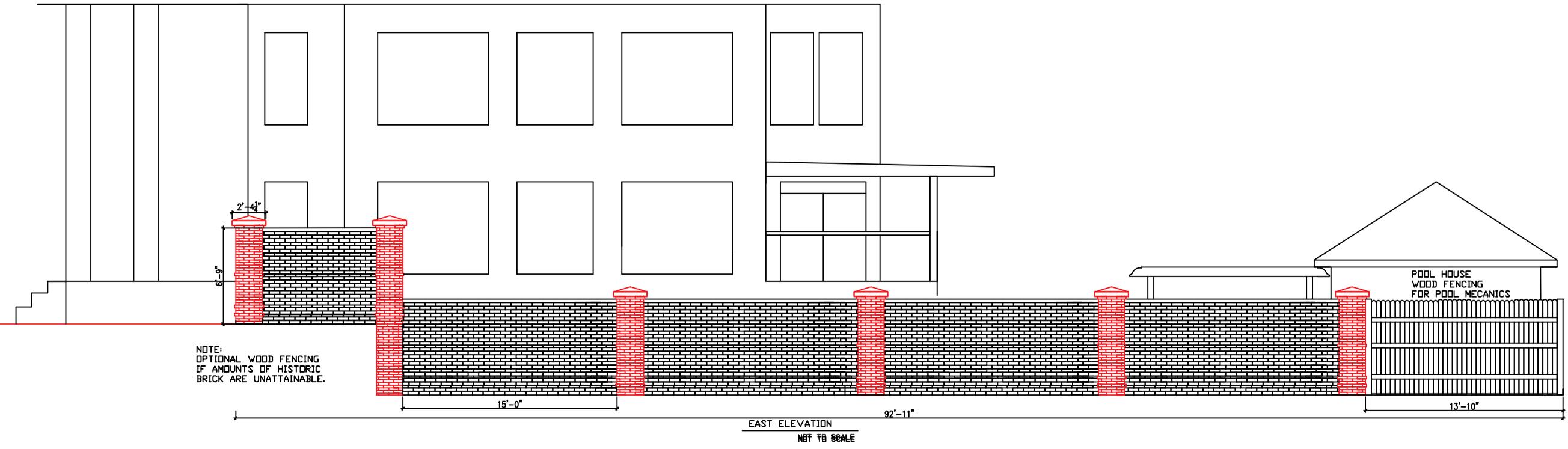
119 E. Magnolia Ave.



WEST ELEVATION  
 NOT TO SCALE

NOTE:  
 OPTIONAL WOOD FENCING  
 IF AMOUNTS OF HISTORIC  
 BRICK ARE UNATTAINABLE.

119 E. Magnolia Ave.



119 E. Magnolia Ave.