

HISTORIC AND DESIGN REVIEW COMMISSION

October 06, 2021

HDRC CASE NO: 2021-422
ADDRESS: 2043 W SUMMIT AVE
LEGAL DESCRIPTION: NCB 1942 BLK 30 LOT 11
ZONING: R-6, H
CITY COUNCIL DIST.: 7
DISTRICT: Monticello Park Historic District
APPLICANT: Chester Bidmead/Haulbrooke Inc
OWNER: HARDEE CHARLES R & LOUANNE
TYPE OF WORK: Demolition of accessory structure
APPLICATION RECEIVED: August 17, 2021
60-DAY REVIEW: Not applicable due to City Council Emergency Orders
CASE MANAGER: 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 structure located at 2043 W Summit is a 1-story, single-family residence constructed circa 1940. The structure features a T-shape plan, with a side gable standing seam metal roof and a front porch gable, shingle cladding, and one-over-one windows with decorative window screens. The property features a 1-story rear accessory structure with an attached carport, a front gable metal roof, wood cladding, and one-over-one windows. The primary structure and rear accessory structure have been modified over time. The original footprint of the original rear accessory structure is extant; however, the carport was later added to the front of the structure. The property is contributing to the Monticello Park 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 in approximately the same period as the primary structure. The structure appears on the 1951 Sanborn Map in the same location and configuration, although the footprint has been modified. The existing carport is not original to the structure. On September 29, 2021, staff conducted a site visit to evaluate the condition of the structure. While most of the original materials exist and the original footprint is intact, the structure shows signs of severe deterioration. The vertical elements have experienced significant deterioration and the support elements are water damaged and show evidence of rot. The carport structure has sunk at least one (1) foot into the surrounding soil. The original portion of the structure and the later addition are bowing, and the interior concrete slab has cracked and shifted. The existing structure features two (2) one-over-one wood windows and a set of sliding garage doors. While staff finds that the structure has significantly deteriorated, the structure is contributing to the district.
- d. **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 to 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 \$198,250 for the rehabilitation of the structure. Additionally, the applicant and the homeowner has provided information that approximately \$10,000 - \$13,000 has been previously invested in the repair of the rear accessory structure in the past 5 years. The applicant has provided a cost estimate of \$8,000 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.
- e. **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 wood construction with a front gable metal roof and a front carport. Although the footprint as been modified, the original accessory structure appears to be intact. Staff finds that a loss of significance has occurred due to the modifications and substantial deterioration of original materials.
- f. **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 submit a later request to replace the existing driveway and construct a parking pad in the general location of the existing rear accessory structure; however the proposed parking pad will not match the existing footprint of the existing structure. While the existing rear accessory structure is contributing to the district and is representative of historical development patterns within the historic district, due to the condition of the existing structure, staff finds the removal of the rear accessory structure appropriate.

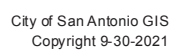
RECOMMENDATION:

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

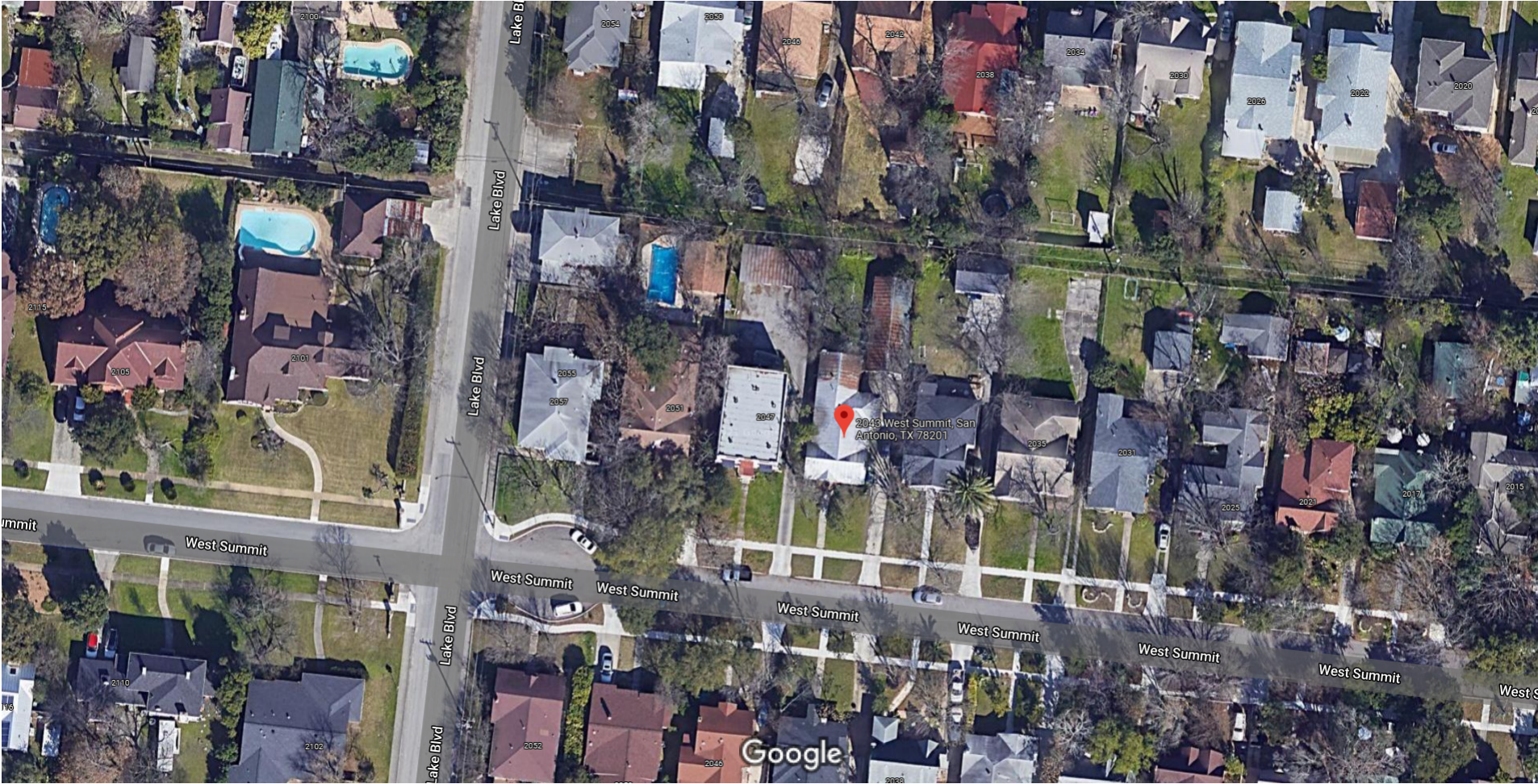
- i. That materials from the historic accessory structure including salvageable wood siding, wood doors, and wood windows be salvaged and stored on site for use in future construction.
- ii. Any future requests for replacement of the rear accessory structure or for parking pad installation will require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

An aerial photograph of a residential neighborhood with yellow dashed lines delineating individual property lots. A central lot, labeled '2043', is highlighted with a solid red border. To its immediate left is lot '2047'. The surrounding area contains numerous other lots, each with a yellow numerical label. To the north of the red lot, labels include 2054, 2050, 2046, 2042, 2038, 2034, 2030, 2026, 2022, and 2017. To the south, labels include 2057.5, 2051, 2047, 2043, 2037, 2035, 2031, 2025, 2021, 2017, 2052, 2050, 2046, 2042, 2038, 2032, 2030, 2026, 2024, and 2016. On the far left, labels 2101 and 2102 are visible. The image shows houses, trees, and streets, with a red car parked on a street to the left of the highlighted lot.

— User drawn lines



Google Maps 2043 West Summit



Map data ©2021 , Map data ©2021 Google 20 ft

Google Maps 2043 West Summit



Imagery ©2021 Google, Map data ©2021 Google 20 ft

Google Maps 2043 West Summit



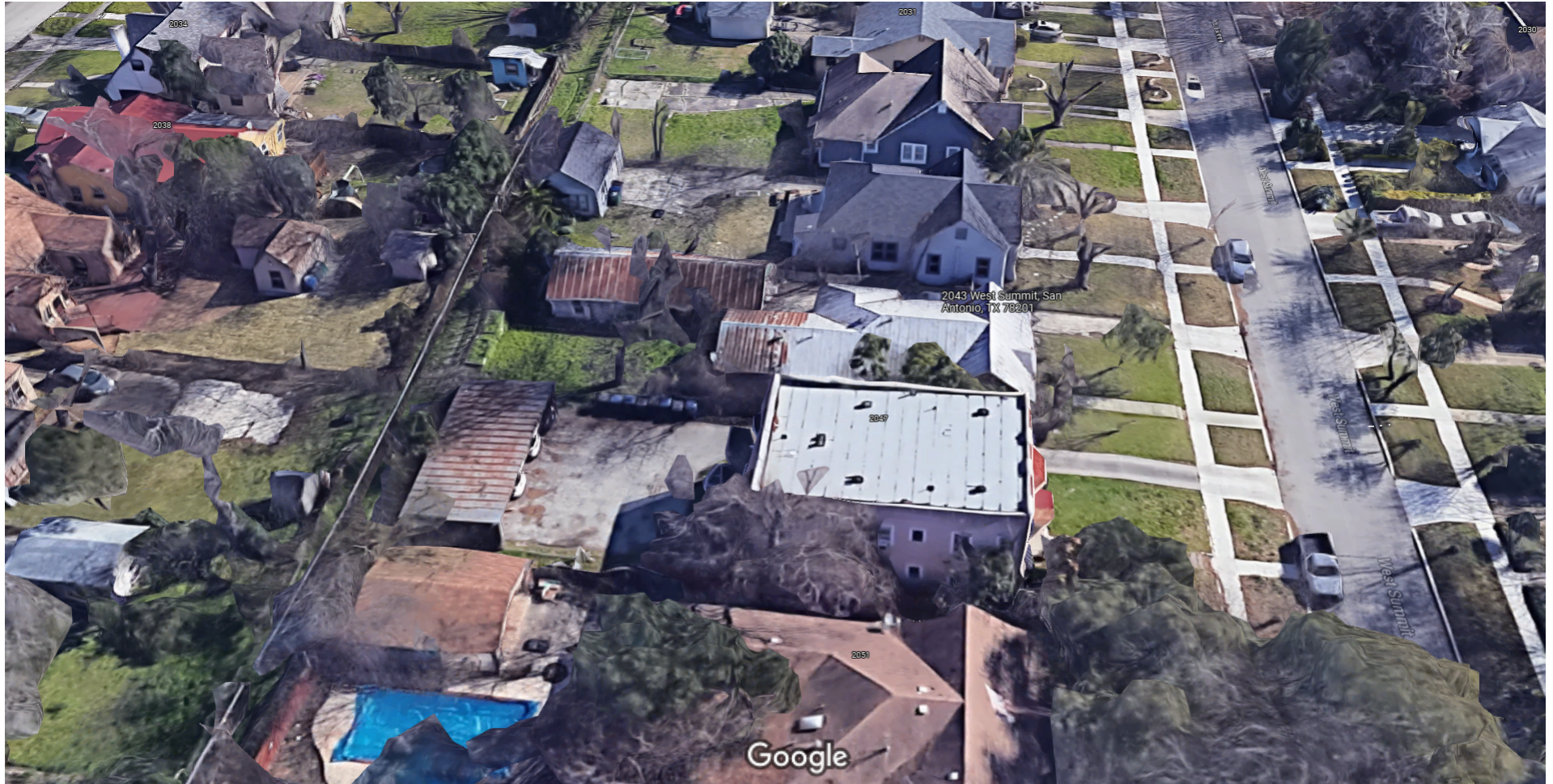
Imagery ©2021 Google, Map data ©2021 20 ft

Google Maps 2043 West Summit



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Google Maps 2043 West Summit



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541

TEX...041

ADDL SHEET
DEC. 1934

THOMAS JEFFERSON HIGH SCHOOL GROUNDS

548

525

MARY LOUISE DR.

FURR DR.

DONALDSON AV.

W. GRAMERCY PL.

W. KINGS HWY

W. SUMMIT AV.

W. MULBERRY AV.

KAMPMANN BLVD.

KAMPMANN BLVD.

KAMPMANN BLVD.

560

546



550

100'

100'

0'

SCALE 100 FT TO ONE INCH

























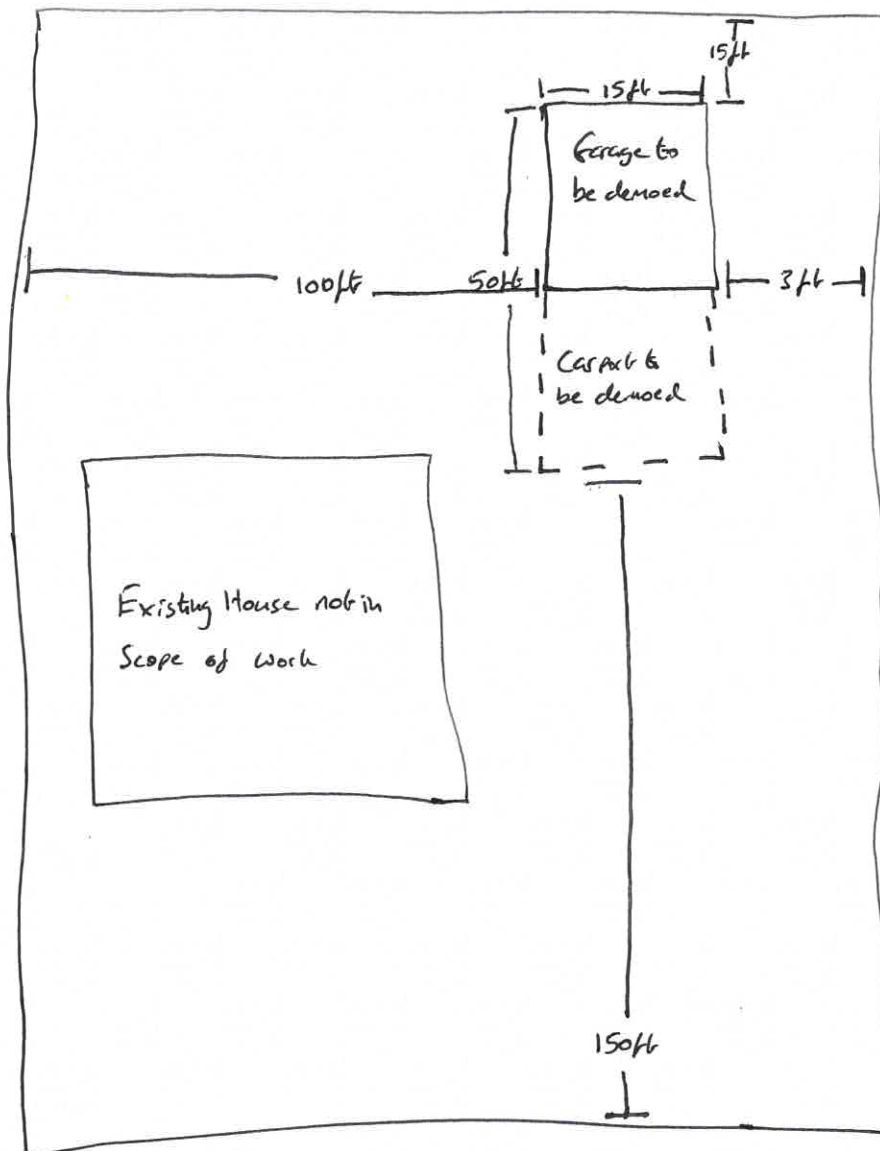


HB

HAULBROOKE

DUMPSTER RENTAL: BUILT ON SERVICE

Site Plan



Road

Economic Hardship

The client has spent approximately \$10,000 in the past 5 years attempting to repair the structure.

The core frame work is rotted out and any 'repair' would essentially mean a total rebuild would be required. The structure is currently unsafe.

The client has recently lost her husband and cannot undertake a rebuild project so has engaged us to remove the unsafe structure.

Bids for a rebuild have not been obtained because the client does not wish to replace the structure.

Rachel Rettaliata (OHP)

Sent: Thursday, September 30, 2021 1:48 PM
To: Rachel Rettaliata (OHP)
Subject: RE: [EXTERNAL] RE: 2043 W Summit - Site Visit Request & HDRC Information

Thank you Rachel

Please see our cost estimate below to repair the existing structure:

Install internal structural bracing to allow the building to be lifted off the concrete slab. To utilise a crane to lift the building off the concrete slab and into the garden. To demo the concrete foundation and re-pour with a structural slab. To relocate the building back onto the new slab and replace all rotted timbers. To remove all interior bracing. To refurbish the exterior and interior.

TOTAL \$198,250.00

I trust this is sufficient.

Kind Regards

Chester Bidmead



Austin (512) 265 1000 | Houston (713) 742 6070 | San Antonio (210) 716 0000
sales@haulbrooke.com | haulbrooke.com | 113 Pecan Dr, Schertz, TX 78154, USA

Rachel Rettaliata (OHP)

From:
Sent: Thursday, September 30, 2021 4:03 PM
To: Rachel Rettaliata (OHP)
Subject: RE: [EXTERNAL] RE: 2043 W Summit - Site Visit Request & HDRC Information

Hello Rachel

The demolition contract is \$8000.00

Kind Regards
Chester Bidmead
Haulbrooke Inc

Additional Project Description

The scope of work is to demolish and remove the unrepairable garage and carport

New Build Plans

The client does not place to replace the garage or carport.



POLICY NOTIFICATION

LOUANNE HARDEE

Page 1 of 2

Date prepared
Policy number
Insuring Company

Policy type
Property location

Questions?

Visit us online

LOUANNE HARDEE
2043 W SUMMIT AVE
SAN ANTONIO, TX 78201-4939

You may be at risk - take action to protect your coverage

Our inspection program is designed to help you protect your home against loss and damage. Periodically, we'll review your home to determine if any areas are putting you at risk. After a recent review, we found the following areas may increase your chances for loss or damage in the future.

Policy details

Policy number:
Property location:

What we found

- We found the outbuilding, car port, on the property is collapsing and lacking structural integrity which increases the change for injury or damage to your property.

What you need to do

- Repair the structure or remove the damaged outbuilding from the premises and provide documentation showing the repairs were completed or the outbuilding was removed.

Please forward documentation of repairs, remedy, or information requested to your agent or you may mail it directly to us at:

Nationwide Insurance Company
P.O. Box 183260
Columbus, OH 43218-4260

You must provide this information prior to December 7, 2021.

If you don't take action

If we don't receive the information we've requested by December 7, 2021, you may risk non-renewal of your insurance policy.

WPHC_005.5.TX./8111336

05156000158014



Additional information

As part of the inspection, we also took the opportunity to calculate your property's reconstruction cost. Based on our measurements and the external features noted, our estimate to reconstruct this home is \$207,130.00. Your property is currently insured for \$181,776.00. We wanted to make you aware of this difference.

Once the request above has been completed, we'll increase your coverage amount to \$207,130.00 when your policy renews to ensure we can replace this home in case there's a loss. This will also change your deductibles as follows:

Wind/Hail Peril Deductible is now \$1,817 and will change to \$2,071.

Let us know if you would like your coverage increased now.

For help when you need it

We appreciate your business and look forward to continuing to serve you. If you have any questions or concerns, please contact a Nationwide representative at 800-421-1444.

cc: 0030113 - 42

For your protection

Information gathered during the review of your home will be used for underwriting purposes. This review is not intended to confirm that your home or business is compliant with state or federal regulations.

The review of your home may not have detected all areas that could be putting your home or business at risk for loss or damages. As the insured, it's your legal responsibility to maintain the safety of your home or business. Nationwide is not responsible for managing or controlling any activities you conduct to maintain safety.

The calculation of reconstruction costs gives an estimate of the amount of money needed to reconstruct a home in the event of a total loss. Actual reconstruction cost may vary, depending on geographic location, the cost of building materials and construction services. Our company, its representatives, and employees aren't liable for any losses not covered by Nationwide.