

CITY OF HOUSTON

HISTORIC PRESERVATION APPEALS BOARD
PLANNING & DEVELOPMENT DEPARTMENT

ITEM: II

APPLICANT: Mr. Oscar Gonzalez, Owner

ADDRESS: 7710 Dillon St.

LEGAL DESCRIPTION: Lot 3, Block51, Glenbrook Valley Section 9

HISTORIC DISTRICT: Glenbrook Valley Historic District

Project Summary:

On March 3, 2020, the applicant requested a Certificate of Appropriateness (COA) to

- Remove single hung 1 over 1 aluminum windows and replace with a double sliding white aluminum window with false mullioned multi-lite glass.

The work was completed without a COA or Building Permit prior to applying to the HAHC.

At their April 2020 meeting, the Houston Archaeological and Historical Commission (HAHC) reviewed the applicant's request for a Certificate of Appropriateness and denied the application. The HAHC issued a Certificate of Remediation (COR) calling for the removal of the window installed without a COA and installation of mill finished, 2 over 2, horizontal light division windows to match the original in its place.

HAHC determined the installation of the new window **did not meet Criteria 1, 3, 4, 5, 6, 7, and 9** for approval for **Alterations** found in Chapter 33 Section 33-241(a). HAHC voted 13-0 to deny the request. A Certificate of Remediation was proposed and the HAHC voted 13-0 to approve a COR.

In accordance with Chapter 33 Section 33-253, the applicant is appealing to the Historic Preservation Appeals Board (HPAB) for the denial for the installation of the new window and issuance of a COR calling the removal of the window installed without a COA and installation of mill finished, 2 over 2, horizontal light division windows to match the original in its place.

Charge to the Historic Preservation Appeals Board:

According to Section 33-253. (c):

"The HPAB shall reverse or affirm the decision of the HAHC based upon the criteria applicable to the certificate of appropriateness."

Property Description:

Contributing Traditional Ranch style residence constructed circa 1957.

Historic District: Glenbrook Valley

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Criteria of Approval:

Alterations: To *alter* a contributing structure, the project must meet 11 criteria found in Section 33-241. These criteria are:

1. The proposed activity must retain and preserve the historical character of the property;
2. The proposed activity must contribute to the continued availability of the property for a contemporary use;
3. The proposed activity must recognize the building, structure, object or site as a product of its own time and avoid alterations that seek to create an earlier or later appearance;
4. The proposed activity must preserve the distinguishing qualities or character of the building, structure, object or site and its environment;
5. The proposed activity must maintain or replicate distinctive stylistic exterior features or examples of skilled craftsmanship that characterize the building, structure, object or site;
6. New materials to be used for any exterior feature excluding what is visible from public alleys must be visually compatible with, but not necessarily the same as, the materials being replaced in form, design, texture, dimension and scale;
7. The proposed replacement of missing exterior features, if any, should be based on an accurate duplication of features, substantiated by available historical, physical or pictorial evidence, where that evidence is available, rather than on conjectural designs or the availability of different architectural elements from other structures;
8. Proposed additions or alterations must be done in a manner that, if removed in the future, would leave unimpaired the essential form and integrity of the building, structure, object or site;
9. The proposed design for any exterior alterations or addition must not destroy significant historical, architectural, archaeological or cultural material, including but not limited to siding, windows, doors and porch elements;
10. The proposed alteration or addition must be compatible with the massing, size, scale material and character of the property and the context area; and
11. The distance from the property line to the front and side walls, porches, and exterior features of any proposed addition or alteration must be compatible with the distance to the property line of similar elements of existing contributing structures in the context area.

The HAHC determined that the completed project was not appropriate as it did not satisfy criteria **1, 3, 4, 5, 6, 7, and 9**

Applicant's Grounds for Appeal:

Economic hardship.

Exhibits:

1. **Action report from HAHC meeting of April 23, 2020**
2. **Unofficial Transcript of HAHC meeting of April 23, 2020**
3. **Approved minutes of April 23, 2020 meeting of the HAHC**

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HISTORIC PRESERVATION APPEALS BOARD
PLANNING & DEVELOPMENT DEPARTMENT

ITEM: II

Sec. 33-253. Appeal.

(a) The Historic Preservation Appeals Board ("HPAB") is hereby created. The HPAB shall consist of 5 members and shall consist of two former members of the planning commission, two former members of the HAHC, and one citizen representative that has not served on either commission. Each member shall have extraordinary knowledge and experience in the archaeological, architectural, cultural, social, economic, ethnic or political history of the city, and must have a known and demonstrated interest, competence, or knowledge in historic preservation within the city. Members of the HPAB shall be appointed by the mayor, subject to confirmation by the city council. Each member shall serve for a term of two years and shall hold over until the member's successor is appointed. A member may be appointed to serve consecutive terms. The director, or in his absence or inability to act, a deputy director or assistant director of the department shall serve as a non-voting, ex officio member and as executive secretary to the HPAB. Three members of the HPAB shall constitute a quorum; however, in the event of vacancies on the HPAB, a majority of the members of the HPAB shall constitute a quorum. The HPAB shall elect its own chair and vice-chair. The mayor shall assign a staff member to serve as a liaison between the HPAB and the mayor's office. The HPAB shall adopt rules, procedures, and schedules for meetings as are necessary or convenient to accomplish the purposes of this article and shall meet as needed when notified by the director of an appeal from a decision of the HAHC.

(b) An applicant aggrieved by a decision of the HAHC with respect to any certificate of appropriateness may appeal to the HPAB by filing a written notice of appeal, stating the grounds for the appeal, with the director within ten days following the date the HAHC renders its decision, or in the case of an application for a certificate of appropriateness for demolition, the notice of appeal may be filed with the director not earlier than 90 days after the denial of a certificate of appropriateness by the HAHC as provided for in section 33-247(f) of this Code and not later than 120 days after the denial by HAHC. The director shall notify the members of the HPAB of the receipt of a notice of appeal and shall schedule a meeting of the HPAB to consider the appeal.

(c) The HPAB shall consider the appeal within 45 days after a notice of appeal is filed with the director. The HPAB shall consider the application, the findings of the HAHC, written comments from the public, and any evidence presented at the meeting at which the appeal is considered. The HPAB shall reverse or affirm the decision of the HAHC based upon the criteria applicable to the certificate of appropriateness. If the HPAB does not make a decision on the appeal within 45 days after a notice of appeal is filed with the director, the decision of the HAHC with respect to the application for the certificate of appropriateness shall be deemed affirmed.

(d) The director shall provide the applicant with notice of the time and place of the meeting at which each appeal will be considered by mail no less than ten days before the date of the meeting.

(e) An applicant aggrieved by a decision of the HPAB may appeal to the city council. The city council shall consider the appeal at its first regularly scheduled meeting for which the required notice can be given. The city council shall consider the appeal under the provisions of Rule 12 of section 2-2 of this Code. At the conclusion of the city council's review of the matter, the city council shall reverse or affirm the decision of the HPAB. The decision of the city council shall be final and exhaust the applicant's administrative remedies.

CERTIFICATE OF APPROPRIATENESS

Application Date: March 2, 2020

Applicant: Oscar A. Gonzales, Owner

Property: 7710 Dillon Street

Significance: Contributing Traditional Ranch style residence, constructed circa 1957, located in the Glenbrook Valley Historic District.

Proposal: Project Type – Without a permit changed front window

Public Comment:

Civic Association:

Recommendation: Denial - does not satisfy criteria: Staff recommends issuance of a COR for the work as completed and doubling of the application fee for the permit as allowed.

HAHC Action: Denied

Certificate of Remediation issued calling for the removal of the window installed without a COA and installation of mill finished, 2 over 2, horizontal light division windows to match the original in its place.

CERTIFICATE OF APPROPRIATENESS

Basis for Issuance: Denial – COR issued
Effective: April 23, 2020



PLANNING & DEVELOPMENT DEPARTMENT

COA valid for two years from effective date. COA is in addition to any other permits or approvals required by municipal, state and federal law. Permit plans must be stamped by Planning & Development Department for COA compliance prior to submitting for building or sign permits. Any revisions to the approved project scope may require a new COA.

APPROVAL CRITERIA

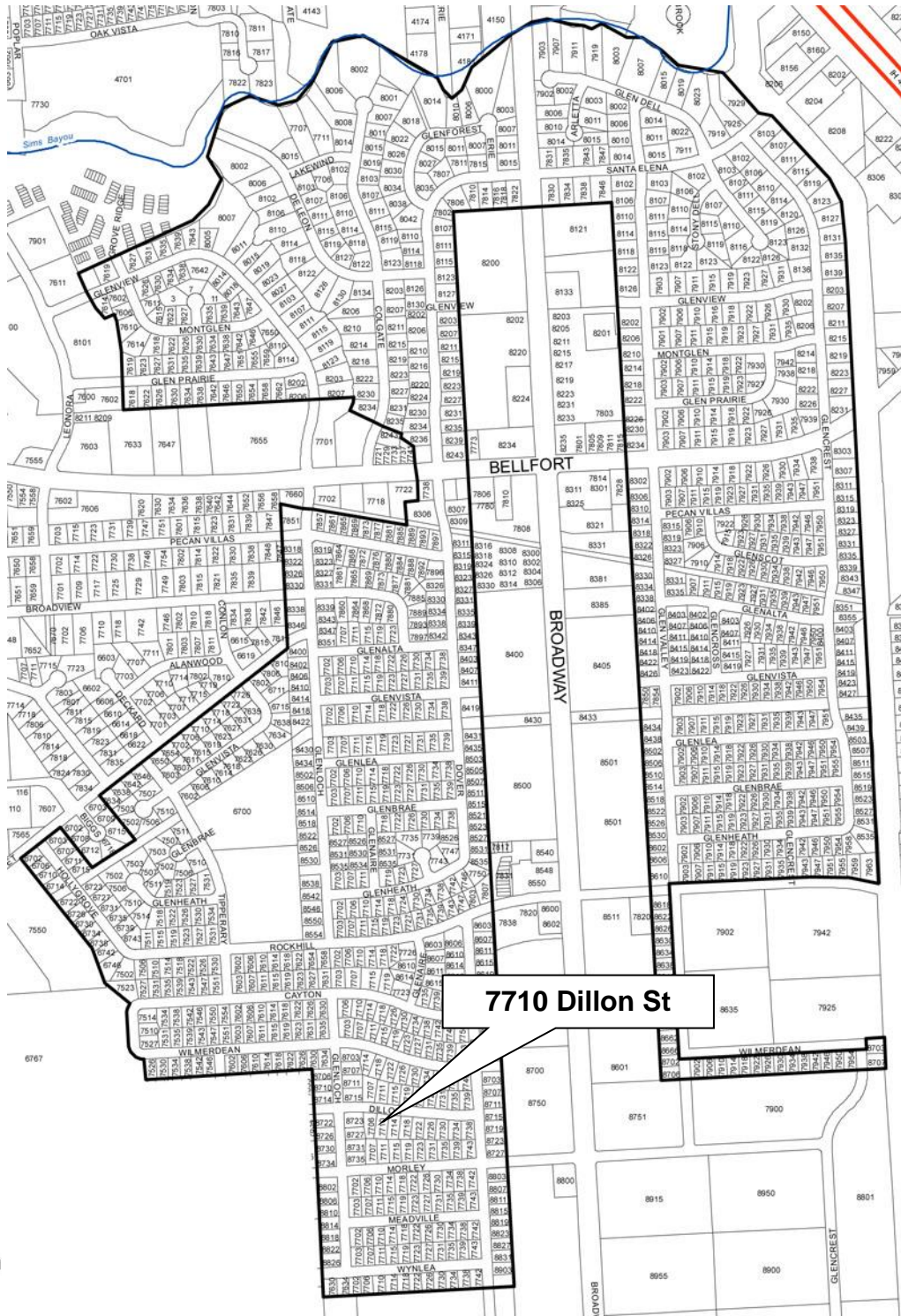
ALTERATIONS, REHABILITATIONS, RESTORATIONS AND ADDITIONS

Sec. 33-241: HAHC shall issue a certificate of appropriateness for the alteration, rehabilitation, restoration or addition of an exterior feature of (i) any landmark, (ii) protected landmark, (iii) any building, structure or object that is part of an archaeological site, or (iv) contributing building in a historic district upon finding that the application satisfies the following criteria, as applicable:

- | S | D | NA | |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (1) The proposed activity must retain and preserve the historical character of the property; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (2) The proposed activity must contribute to the continued availability of the property for a contemporary use; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (3) The proposed activity must recognize the building, structure, object or site as a product of its own time and avoid alterations that seek to create an earlier or later appearance; <i>The installation of a false multi-light white framed aluminum window isn't consistent with the original style of the home.</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (4) The proposed activity must preserve the distinguishing qualities or character of the building, structure, object or site and its environment; <i>The installation of a false multi-light white framed aluminum window isn't consistent with the original style of the home. The original aluminum framed window was removed.</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (5) The proposed activity must maintain or replicate distinctive stylistic exterior features or examples of skilled craftsmanship that characterize the building, structure, object or site; <i>The installation of a false multi-light white framed aluminum window isn't consistent with the original style of the home.</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (6) New materials to be used for any exterior feature excluding what is visible from public alleys must be visually compatible with, but not necessarily the same as, the materials being replaced in form, design, texture, dimension and scale; <i>The installation of a false multi-light white framed aluminum window isn't consistent with the original style of the home.</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (7) The proposed replacement of exterior features, if any, should be based on an accurate duplication of features, substantiated by available historical, physical or pictorial evidence, where that evidence is available, rather than on conjectural designs or the availability of different architectural elements from other structures; <i>The installation of a false multi-light white framed aluminum window isn't consistent with the original style of the home.</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | (8) Proposed additions or alterations must be done in a manner that, if removed in the future, would leave unimpaired the essential form and integrity of the building, structure, object or site; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | (9) The proposed design for any exterior alterations or addition must not destroy significant historical, architectural, archaeological or cultural material, including but not limited to siding, windows, doors and porch elements; <i>The installation of a false multi-light white framed aluminum window isn't consistent with the original style of the home. The original aluminum framed window was removed.</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | (10) The proposed alteration or addition must be compatible with the massing, size, scale material and character of the property and the context area; and |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | (11) The distance from the property line to the front and side walls, porches, and exterior features of any proposed addition or alteration must be compatible with the distance to the property line of similar elements of existing contributing structures in the context area. |



PROPERTY LOCATION
NAME OF HISTORIC DISTRICT



Building Classification

- Contributing
- Non-Contributing
- Park

INVENTORY PHOTO





April 23, 2020 HAHC Unofficial Transcript of Item D11

7710 Dillion Street-Glenbrook Valley Historic District (GBV)

Roman McAllen: Mid-50s, 1957, traditional ranch house and here this is an inventory photo of the house the left set of windows has been altered

Commissioner Collum: The one on the left is inventory photo the one on the right, you had two windows in the inventory, there where they replaced it looks like three windows there [in reference to the photos shown]

Roman McAllen: This is the same type of work without permit only this set on this home, you might note, the shutters here are slightly altered as well-- there was kind of a pattern "z" bracing. The inventory photo here on the left is a Google image but you can see the ghosting. So, two alterations have happened I don't know when that "z" pattern was altered or removed but the window was changed. Again, I'd recommend denial of COA and issuance of COR.

Chair Boesel: Your recommendation of COR is

Roman McAllen: COR is to allow to retain work that's been done

Chair Boesel: With a doubling of the permit. Ok, any questions, comments, motions?

Commissioner Collum: Go with the windows like we did on the other one

Chair Boesel: Would you like to make that a motion, please?

Commissioner Collum: Two windows 1/1; that's what's was on there right?

Commissioner McNeil: No, 2/2

Chair Boesel: 2/2,

Commissioner McNeil: I can't see

Chair Boesel: Actually, in the photo its 1/1

Commissioner Collum: Its 1/1. [Unintelligible] cause there's a short one. Those are 1/1 it was originally two windows 1/1 and they have to go back with those; with the 1/1

Chair Boesel: And that is in the form of a motion?

Commissioner Collum: Yes

Chair Boesel: For the of COR

Commissioner Collum: Yes

Teresa Geisheker: For the record the motion is being made by Mr. Collum

McNeil: Second, commissioner McNeil

Chair Boesel: Mr. McNeil seconds the motion. Is there any discussion? Unmute your mics please in favor of the motion

All: aye

Chair Boesel: All opposed (no response), any abstentions (no response)? Motion carries unanimously.
Alright

Minutes of the Houston Archaeological and Historical Commission

(A recording of the full proceedings is on file in the Planning and Development Department)

April 23, 2020

Telephonic/Videoconference Meeting held via Microsoft Teams <https://bit.ly/2KmXtOd>
3:00 p.m.

CALL TO ORDER

Chair Minnette Bickel Boesel called the meeting to order at 3:01 p.m. with a roll call vote and a quorum present.

Minnette Bickel Boesel, Chair

David Bucek, Vice Chair

Arrived at 3:13 p.m. during Chair's Report

Jose Aranda, Jr.

Absent

Steven Curry

Ann Collum

John Cosgrove

Ashley Elizabeth Jones

Ben Koush

Stephen McNeil

Urmila Srinivasan

Charles Stava

Beth Wiedower Jackson

Dominic Yap

EXOFFICIO MEMBERS

Samantha Bruer, Architectural Archivist, Houston Metropolitan Research Center

Marta Crinejo, Mayor's Liaison

Executive Secretary

Margaret Wallace Brown, Director, Planning and Development

CHAIR'S REPORT

The Chair Minnette Bickel Boesel commented about remote virtual meeting procedures and the 25th anniversary of the Historic Preservation ordinance.

DIRECTOR'S REPORT

Margaret Wallace Brown commented about virtual meetings and the importance of the 2020 Census.

MAYOR'S LIAISON REPORT

NONE

APPROVAL OF THE FEBRUARY 27, 2020 HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION (HAHC) MEETING MINUTES

Commission action: Approved the February 27, 2020 Houston Archaeological and Historical Commission (HAHC) meeting minutes.

Motion: **Wiedower Jackson**

Second: **Stava**

Vote: **Carried**

Abstaining: **Yap,
Cosgrove, Collum**

A. PUBLIC HEARING AND CONSIDERATION OF AND POSSIBLE ACTION ON A PROTECTED LANDMARK DESIGNATION APPLICATION FOR THE VALENTINE HOUSE AT 1980 DECATUR STREET, HOUSTON, TEXAS 77007

The Chair opened and closed the public hearing.

Motion was made by Commissioner Yap, seconded by Commissioner Stava, that the Houston Archaeological and Historical Commission recommend to City Council the Protected Landmark Designation application for the Valentine House at 1980 Decatur Street, Houston, Texas 77007 with the amendment of name Valentine be omitted. Motion carried unanimously.

B. PUBLIC HEARING AND CONSIDERATION OF AND POSSIBLE ACTION ON A PROTECTED LANDMARK DESIGNATION APPLICATION FOR THE LULAC COUNCIL 60 CLUBHOUSE AT 3004 BAGBY STREET, HOUSTON, TEXAS, 77006

The Chair opened and closed the public hearing.

Motion was made by Commissioner Wiedower Jackson, seconded by Commissioner Jones, that the Houston Archaeological and Historical Commission recommend to City Council the Protected Landmark Designation application for the Lulac Council 60 Clubhouse at 3004 Bagby Street, Houston, Texas, 77006. Motion carried unanimously.

Speaker: Sehila Casper – supportive.

C. CONSIDERATION OF AND POSSIBLE ACTION ON CERTIFICATE OF NON-DESIGNATION APPLICATION FOR 616 WEST 20TH STREET, HOUSTON, TEXAS, 77008.

Motion made by Commissioner Bucek, seconded by Commissioner McNeil, to approve the Certificate of Non-Designation application for 616 West 20TH Street, Houston, Texas, 77008 Motion carried with Commissioners Stava and Yap abstaining.

D. CONSIDERATION OF AND POSSIBLE ACTION ON CERTIFICATE OF APPROPRIATENESS APPLICATIONS FOR CONSENT AGENDA

Motion made by Commissioner Wiedower Jackson, seconded by Commissioner Jones, to consider items **D-2, D-3, D-4, D-5, D-9 D-12, D-14, D-15, D-16, D-17, D-18 and D-22** together and accept staff recommendations. Motion carried unanimously.

D-2. 1615 North Boulevard Alteration - Addition Boulevard Oaks - Approval

D-3. 1615 North Boulevard New Construction - Garage Boulevard Oaks - Approval

D-4. 117 Payne St. - Alteration - Addition - Germantown - Approval

D-5. 503 E 16th St. - Revision - Windows/Roof/Garage - Houston Heights East - Approval

D-9. 1217 W Dallas St. - Alteration - Exterior Features/Gate/Landscaping PLM - Founders Memorial Cemetery - Approval

D-12. 600 Avondale St. New Construction - Garage - Avondale West – Approval

D-14. 1002 W Temple St. Demolition - Garage - Norhill - Approval

D-15. 1002 W Temple St. - New Construction - Garage - Norhill - Approval

D-16. 1135 E 11th St. - Alteration - Storefront - Norhill - Approval

D-17. 615 Euclid St. - Alteration - Addition - Woodland Heights - Approval

D-18. 615 Euclid St. - New Construction - Garage - Woodland Heights - Approval

D-22. 4901 N Main St. - New Construction - Commercial Bldg - Norhill - Approval

D-1. 610 Avondale St. - Alteration - Windows/Roof - Avondale West

Motion was made by Commissioner McNiel, seconded by Commissioner Yap, to approve the Certificate of Appropriateness for item D-1 with the condition that the bathroom window frame and sill on the east elevation opening be maintained. The new brick pattern shall include a vertical soldier course to frame the window, and horizontal infill to delineate the prior window area. Maintain sill. Motion carried unanimously.

Speaker: Rebecca Reed, applicant – supportive.

D-6. 426 Harvard St. - Alteration - Addition - Houston Heights South

Motion was made by Commissioner McNiel, seconded by Commissioner Srinivasan, to approve the Certificate of Appropriateness for item D-6. Motion carried with Commissioner Yap abstaining.

D-7. 517 Harvard St. - Alteration - Addition - Houston Heights South

Motion was made by Commissioner McNiel, seconded by Commissioner Cosgrove, to approve the Certificate of Appropriateness for item D-7 as submitted by the applicant, based on it being a non-contributing home. Motion carried with Commissioner Koush and Stava opposing.

Speakers: Nicole Lowenstein, applicant and Toufic Halabi – supportive.

D-8. 2018 Kane St. - Alteration - Addition, siding - Old Sixth Ward Approval

Motion was made by Commissioner McNiel, seconded by Commissioner Wiedower Jackson, to approve the Certificate of Appropriateness for item D-8 as submitted by the applicant with the condition that the applicant preserve the 2 windows, brick and sill. Motion carried with Commissioner Stava abstaining.

Speakers: Dandi Johnson, Jason Johnson, owners/applicants and Marissa Janusz, architect – supportive.

D-10. 7603 Wilmerdean St. - Alteration-Windows - Glenbrook Valley

Motion was made by Commissioner McNiel, seconded by Commissioner Collum, to deny the Certificate of Appropriateness for item D-10 and issue a Certificate of Remediation for the replacement windows. Final detailing to be approved by preservation office staff for the work. Motion carried unanimously.

D-11. 7710 Dillon St. - Alteration - Windows - Glenbrook Valley

Motion was made by Commissioner Collum, seconded by Commissioner McNiel, to deny the Certificate of Appropriateness for item D-11 and issue a Certificate of Remediation for the replacement of the historic siding, with the condition that inappropriate infill on the front porch is removed. Final detailing to be approved by preservation office staff for the work. Motion carried unanimously.

D-13. 1128 Arlington St. - Alteration - Addition, Foundation - Houston Heights East

Motion was made by Commissioner Srinivasan, seconded by Commissioner Stava, to defer the application for item D-13. Motion carried unanimously.

Speaker: Palmer Schooley, owner/applicant – supportive.

D-19. 1512 North Boulevard - New Construction - Residence - Boulevard Oaks

Motion was made by Commissioner McNiel, seconded by Commissioner Srinivasan, to approve the application for the Certificate of Appropriateness for item D-19 as submitted by the applicant. Motion carried with roll call vote: Jones, Srinivasan, Wiedower Jackson, Cosgrove, McNiel, and Collum voting in support; Bucek, Curry, Koush, Stava and Yap voting in opposition to the motion.

Speakers: Demetrios Anaipakos, owner/applicant and Megan Gaydou, architect – supportive.

D-20. 1413 Columbia St. Alteration - Addition - Houston Heights East

Motion was made by Commissioner McNiel, seconded by Commissioner Srinivasan, to approve the Certificate of Appropriateness for item D-20 as submitted by the applicant. Motion carried unanimously.

D-21. 1977 W Gray St. - Alteration - Storefront LM - River Oaks Shopping Center

Motion was made by Commissioner Srinivasan, seconded by Commissioner Wiedower Jackson, to deny the Certificate of Appropriateness for item D-21. Motion carried unanimously.

D-23. 732 Arlington St. - Alteration - Addition - Houston Heights South

Motion was made by Commissioner McNiel, seconded by Commissioner Cosgrove, to approve the Certificate of Appropriateness for item D-23. Motion carried unanimously.

Speaker: Sam Gianukos, applicant – supportive.

**C. COMMENTS FROM THE PUBLIC
NONE**

D. COMMENTS FROM THE HAHC

Commissioner Yap, Chair Boesel and Director Wallace Brown thanked everyone for a wonderful job with this first virtual meeting.

ADJOURNMENT

There being no further business brought before the Commission, Chair Minnette Bickel Boesel adjourned the meeting at 6:22 p.m.

Minnette Bickel Boesel
Chair

Margaret Wallace Brown
Executive Secretary