

CERTIFICATE OF APPROPRIATENESS

Applicant: Apostolos (Paul) Lamnatos, owner

Property: 615 Heights Boulevard, Lot 8, Block 276, Houston Heights Subdivision.
The property includes a historic 1,685 square foot, one-story wood frame single-family residence and a detached garage situated on a 7,500 square foot (50' x 150') interior lot.

Significance: Contributing Bungalow style residence, constructed circa 1930, located in the Houston Heights South Historic District. Applicant received an approved COA at Jan. 2022 HAHC for alteration to front steps of original structure, a rear addition, and a detached garage/garage apartment. Received an approved revision in June 2022 for the detached garage/garage apartment.

Proposal: Demolition

- Demolition of contributing bungalow structure
- Site inspected Monday July 18, 2022 by city inspector. See images below.
- Project red tagged and Office of Historic Preservation notified Tuesday July 19, 2022.
- Office of Historic Preservation staff inspected site on Thursday July 21, 2022 and found original structure demolished and a new structure rebuilt and framed. See images. Exceeded scope of work in approved COA.
- Stop Work Order issued and posted at site on Friday July 22, 2022.
- Administrative hearing held Monday August 22, 2022.
 - Hearing determined that Stop Work Order issued in compliance of due process of city ordinance

Public Comment: No public comment received.

Civic Association: No comment received.

Recommendation: Denial - does not satisfy criteria **Denial of COA. Issuance of COR. Applicant is to deck and sheath the new construction to structurally stabilize it.**

HAHC Action: -

APPROVAL CRITERIA

DEMOLITION OF A LANDMARK, PROTECTED LANDMARK, CONTRIBUTING STRUCTURE, OR WITHIN AN ARCHAEOLOGICAL SITE

Sec. 33-247(a): The issuance of a certificate of appropriateness for the demolition of a landmark, a protected landmark, or a contributing structure, or for the demolition of a building, structure or object on or in an archaeological site shall be granted only if:

S D NA S - satisfies D - does not satisfy NA - not applicable

(1) The building, structure, or object has seriously deteriorated to an unusable state and is beyond reasonable repair; and Original structure was in excellent condition that required ordinary maintenance and repair to its exterior wall assembly and foundation.

(2) The HAHC finds, based on the preponderance of credible evidence presented subject to the establishment by the applicant, the existence of an unreasonable economic hardship under subsection (c) of this section or the establishment of an unusual and compelling circumstance pursuant to subsection (d) of this section.

(c) Determination of the existence of an unreasonable economic hardship shall be based upon the following criteria:

(1) That the property is incapable of earning a reasonable return, regardless of whether the return is the most profitable return, including without limitation, regardless of whether the costs of maintenance or improvement of the property exceed its fair market value; Property was capable of earning a reasonable return.

(2) That the owner has demonstrated that the property cannot be adapted for any other use, whether by the current owner, by a purchaser or by a lessee, that would result in a reasonable return; Owner intended to remodel original structure to serve as office space.

(3) That the owner has demonstrated reasonable efforts to find a purchaser or lessee interested in acquiring the property and preserving it, and that those efforts have failed; and

(4) If the applicant is a nonprofit organization, determination of an unreasonable economic hardship shall instead be based upon whether the denial of a certificate of appropriateness financially prevents or seriously interferes with carrying out the mission, purpose, or function of the nonprofit corporation

(d) Determination of the existence of an unusual and compelling circumstance shall be based upon the following criteria:

(1) That current information does not support the historic or archaeological significance of this building, structure or object or its importance to the integrity of an historic district, if applicable;

(2) Whether there are definite plans for reuse of the property if the proposed demolition is carried out and what effect such plans have on the architectural, cultural, historical or archaeological character of the context area; and The compelling circumstance is that the original, historic structure has been demolished and a new framing taken place that is similar in size and dimensions of the once-existent historic structure.

(3) Whether reasonable measures can be taken to save the building, structure or object from further deterioration, collapse, arson, vandalism or neglect.

HEIGHTS DESIGN GUIDELINES

In accordance with Sec. 33-276, the proposed activity must comply with the City Council approved Design Guidelines.

District Map



Inventory Photo



Google Images Dated From April 2022



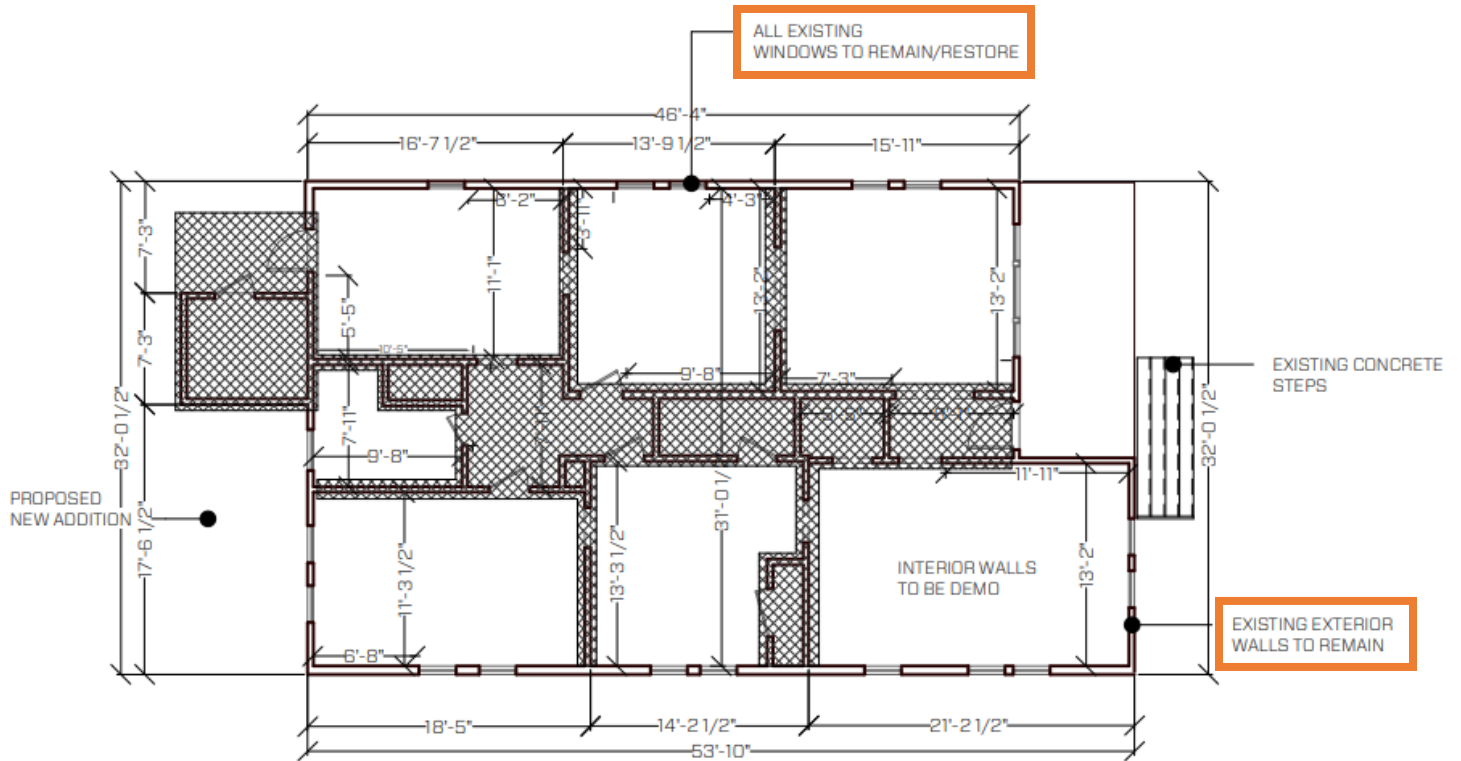
Photos – Tuesday July 19, 2022



Photos – Tuesday July 19, 2022



Interior Demo Plan – Approved COA (Jan. 2022)



Photos – Tuesday July 19, 2022



Photos – Tuesday July 19, 2022



Permit Issued – May 17, 2022

HOUSTON PUBLIC WORKS Houston Permitting Center - Code Enforcement

The applicant, by the making, executing, and submitting this application to Houston Public Works, represents and warrants that the proposed construction described in said application is not in violation of or contrary to any deed restriction or covenant running with the land in which the herein described lot, tract or parcel of land is situated.

The Applicant further represents and warrants to the City of Houston and to the property owners lying and situated within the addition or subdivision in which the herein tract of land is situated, that such application, and the erection of the herein described construction and the eventual use thereof will not be used for any purpose which is prohibited by the deed restriction or covenants running with the land within such subdivision or addition.

The Applicant accepts this building permit subject to the foregoing representation and warranties and agrees that if such construction or use be in violation of any deed restrictions or covenants running with land that such building permit shall automatically become null and void without the necessity of any action on the part of the City of Houston or the property owner(s).

Date 19-AUG-2022		Originally Printed: 17-MAY-2022				Receipt No. 8261920	Proj. Type NEW	Project No. 22020340
Occupant LAMNATOS, PAUL						Sprinklers % Type		
Address 615 HEIGHTS BLVD						Space	TID No. 021-008-000-0008	
City HOUSTON	Zip Code 77007	County HARRIS	Bldgs 001	Units 0001	Story 002	Shopping Cart 02925753	Sales Order 03168689	
Contractor BROOKS, ANGEL						Lic. No.	Phone 8327217494	
Paid by LOPEZ, STEVEN						Lic. No.	Phone 8327217494	
Other LAMNATOS, PAUL						Lic. No.	Phone 8327217494	
Use RESIDENTIAL ADDITION & REMODEL 2012 IRC								

Payment method: Credit card ATM

\$627.54

Date	Department	Project Comments
04/07/2022	PLANNING	*****HISTORICAL*****
04/07/2022	PLANNING	Issuance of this permit does not waive compliance with the
04/07/2022	PLANNING	Preservation Ordinance per City of Houston Municipal Code of
04/07/2022	PLANNING	Ordinances Chapter 33 Article VII. For more information,
04/07/2022	PLANNING	Contact 832-393-6556.
04/07/2022	PLANNING	Project must conform to the Certificate of Appropriateness.
04/07/2022	PLANNING	Revisions to a project require a new Certificate of
04/07/2022	PLANNING	No removal or alteration to interior shiplap. Staff must
04/07/2022	PLANNING	damaged
04/07/2022	PLANNING	Materials before removal, replacement, or alteration.
04/07/2022	PLANNING	COA and Site Plan stamped by JL on 4-7-2022
04/22/2022	STRUCTURAL P	RESIDENTIAL ADDITION & REMODEL 2012 IRC
04/22/2022	STRUCTURAL P	Additional Permits Required: Elec/Plum/HVAC
04/22/2022	STRUCTURAL P	Engineer of Record: LARRY DEAVERS P.E.#74428 F-16777
** CONTINUED ON NEXT PAGE **		

ILMS Comment That Appears On Permit – May 17, 2022

ILMS - □ ×

Additional Functions Recent Selection Options Activity Log Pending Inspections

Project On Hold **Flood Zone: X**

Situs Address: **615 HEIGHTS BLVD 77007** 100 Search

Project Number: **22020340** Look Up 110 Project History Recent Selections Permit Type: |

100 Situs Info

102 Application

114 Plan Review

115/297 Permits

399 Inspections

GIS / Tax Office

550 Documents

205 Fee Collection

126 Situs Holds

208/599/Other

109 Project Holds

101/103 Comments

101 Situs Comments (Click below to navigate to the related maintenance program)

Comment-...	Comment-...	Comment	D...	Dept-Name
03/29/2022	203	SEWER DISCONNECT NEEDED FOR GARAGE DEMO,FLOOR	420	PLUMBING INS
03/29/2022	203	DRAIN IN GARAGE FLOOR AS PER 212	420	PLUMBING INS

103 Project Comments (Click below to navigate to the related maintenance program)

Comment-...	Permit	IS-Type	Comment
04/07/2022	GE	PRN	*****HISTORICAL*****
04/07/2022	GE	PRN	Issuance of this permit does not waive compliance with the Historic
04/07/2022	GE	PRN	Preservation Ordinance per City of Houston Municipal Code of
04/07/2022	GE	PRN	Ordinances Chapter 33 Article VII. For more information,
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04/07/2022	GE	PRN	No removal or alteration to interior shiplap. Staff must inspect
04/07/2022	GE	PRN	damaged
04/07/2022	GE	PRN	Materials before removal, replacement, or alteration.
04/07/2022	GE	PRN	COA and Site Plan stamped by JL on 4-7-2022
06/14/2022	13	13R	832 256 5422 ROBERTO

Staff's Site Visit Photos – Thursday July 21, 2022



Staff's Site Visit Photos – Thursday July 21, 2022



Staff's Site Visit Photos – Thursday July 21, 2022



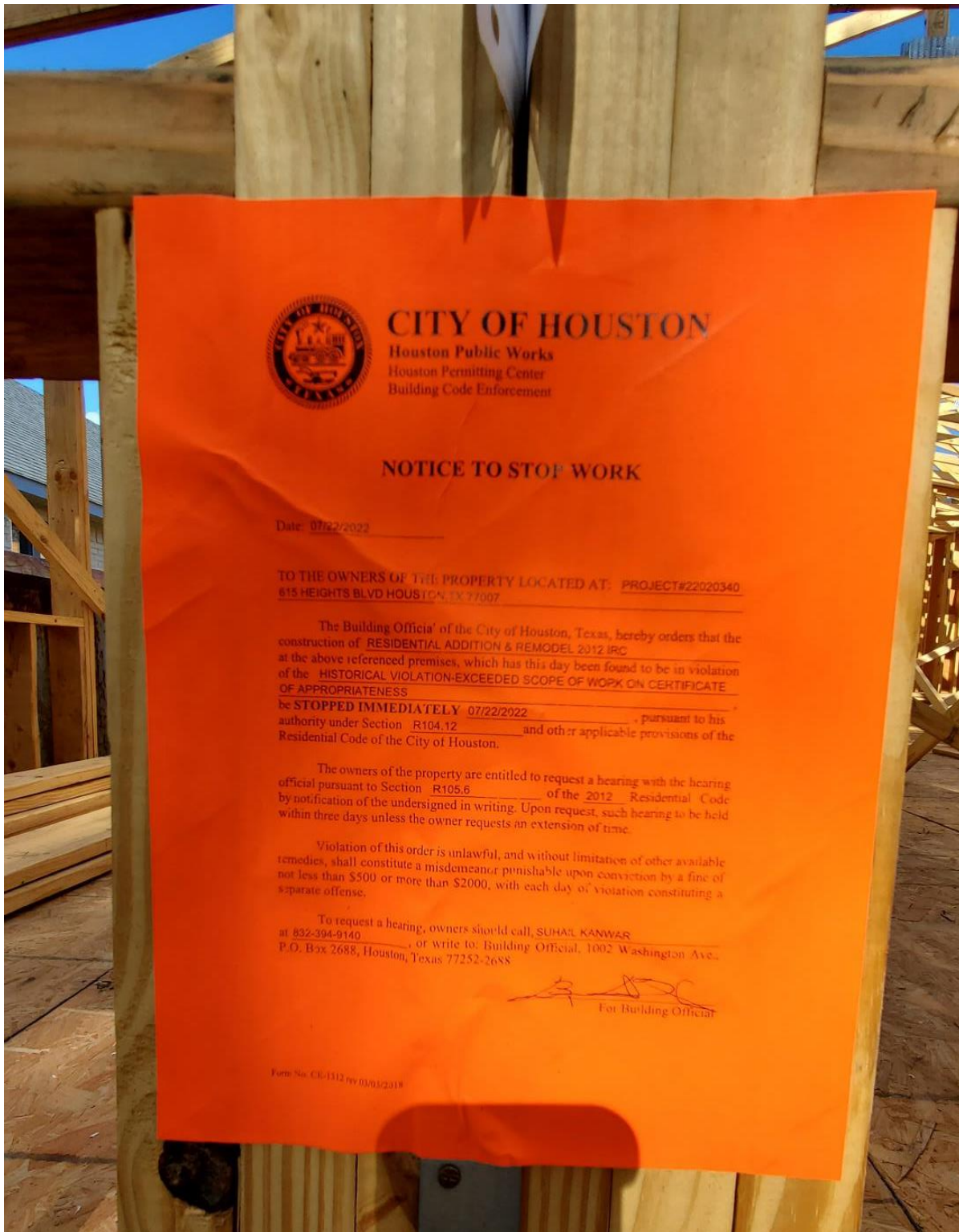
Staff's Site Visit Photos – Thursday July 21, 2022



Staff's Site Visit Photos – Thursday July 21, 2022



Stop Work Order – Friday July 22, 2022



Stop Work Order – Friday July 22, 2022



Stop Work Order – Friday July 22, 2022



Stop Work Order – Friday July 22, 2022



Administrative Hearing – Monday August 22, 2022



August 22, 2022

Mr. Apostolos A. Lamnatos
1006 W. 9th Street
Houston, Texas 77007

**RE: Stop Work Order for 615 Heights Boulevard
Project No. 22020340**

Dear Mr. Lamnatos,

On August 22, 2022, an administrative hearing was held at the City of Houston Public Works Department at 1002 Washington Avenue, Houston, Texas beginning at 9:05 a.m. The hearing was attended by Apostolos Lamnatos (Property Owner); Senior Assistant City Attorney Kim Mickelson (COH – Legal), Jason Lilienthal (COH – Planning), Alistair Purvis (COH – Building Code Enforcement) and Ray Ruiz (COH – Building Code Enforcement) representing the City; and Gilbert Portillo (COH – Office of the City Engineer) and Suhail Kanwar (COH – Office of the City Engineer) as observers.

The hearing concerned a stop work order that was issued for 615 Heights Boulevard, Project No. 22020340. According to the stop work order issued on July 22, 2022, the Building Official ordered that the construction of the residential addition and remodel be stopped due to a historical violation for exceeding the scope of work on the certificate of appropriateness, which included demolition of a rear enclosure and rear porch; a rear addition; demolition of a one story detached garage and front porch step; replacement of a detached garage; and new construction of a garage and garage apartment.

The City's evidence included photos of the property, the certificate of appropriateness, ILMS screenshot, project permit and excerpt from the City of Houston Code of Ordinances, Chapter 33, Section 33-203. The photos showed demolition of the entire structure with new framing. The property owner had no evidence to present and acknowledged that the scope of work on the certificate of appropriateness had been exceeded.

Based on the evidence presented, I find the stop work order was issued appropriately and is to remain in place until a new certificate of appropriateness or certificate of remediation is approved for new construction.

Demolition Definition in City of Houston Ordinance Sec.33-201

Demolition means an act or process that destroys, in whole or in part, or permanently impairs the structural integrity of any building, structure, object or site. The term also includes demolition by neglect, which is defined as inaction or a series of inactions that result in the destruction or irreversible deterioration of a building, structure, object, or site.

Enforcement and penalties, City of Houston Ordinance Sec.33-203(d)

- (d) If a landmark or protected landmark, archaeological site, or a contributing structure located in an historic district is demolished without a certificate of appropriateness required by this article or, in the case of a landmark or archaeological site only, a 90-day waiver certificate issued pursuant to [section 33-250](#) of this Code, or is ordered to be demolished by the city for public safety reasons after the property owner has received notice of neglect pursuant to [section 33-254](#) of this Code, the building official shall not issue a building permit, and no other person shall issue any other city permit, for the site where the landmark, protected landmark or structure was formerly located for a period of two years after the date of the demolition. After the period of two years after the date of demolition has elapsed, the HAHC may approve a certificate of appropriateness for new construction on the site of the demolished structure only if the size and dimensions of the new construction are substantially similar, and not larger, than the demolished structure. After a period of ten years after the date of demolition has elapsed, the HAHC may approve a certificate of appropriateness for new construction on the site of the demolished structure without the limitation imposed by this section. New construction approved pursuant to this section shall not be eligible to receive a certificate of appropriateness for demolition or relocation before ten years after the date of demolition.