

CERTIFICATE OF APPROPRIATENESS

Application Date: March 4, 2015

Applicant: Pedro Martinez, owner

Property: 3500 White Oak Drive, Tracts 11 & 12, Block 278, Houston Heights Subdivision. The property includes a historic one-story wood frame duplex and a historic filling station structure situated on an 8,800 square foot (88' x 100') corner lot.

Significance: Contributing duplex bungalow, constructed circa 1930 and a contributing filling station structure constructed circa 1930 located in the Houston Heights Historic District South

The property is within a 2003 designated Special Minimum Lot Size area spanning the 600 and 700 blocks of Cortlandt Street restricting any property to be subdivided into lots smaller than 6,600 square feet.

The owner received a COA to demolish both historic structures upon appeal to the Planning Commission on January 8, 2015.

Proposal: New Construction – Construct a new 3,920 square foot two story residence and attached two-story side garage. The house is proposed to face Cortlandt Street.

- Mass: The proposed residence is 38'-9½" wide, but also features an attached two-story side garage that extends the total structure width to 69'. The depth of the house is 55'.
- Heights: Proposed ridge height is 31' with an eave height of 21'-10".
- Setbacks: Proposed setbacks are 15' from the south property line facing White Oak Drive and 11'-8" from the east property line facing Cortlandt Street. This lot placement would require a setback variance for White Oak Drive, which has a 25' building line.

See enclosed application materials and detailed project description on p. 5-20 for further details.

On March 24, staff received an email from the owner's attorney, Tim Kirwin, stating that the owner is willing to make changes to the design in order to meet the approval criteria for New Construction. Staff is therefore recommending deferral of the application rather than denial, in order to allow staff to continue to work with Mr. Martinez to develop an appropriate design.

See Attachment B.

Public Comment: One in partial favor. See Attachment A.

Civic Association: No comment received.

Recommendation: Deferral – project does not meet Criteria 1, 2, or 3 for New Construction.

HAHC Action: Deferred

APPROVAL CRITERIA

NEW CONSTRUCTION IN A HISTORIC DISTRICT

Sec. 33-242: HAHC shall issue a certificate of appropriateness for new construction in a historic district upon finding that the application satisfies the following criteria:

S D NA

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

(1) The new construction must match the typical setbacks of existing contributing structures in the historic district

The property consists of two 50' wide lots that are 88' deep. The applicant proposes to set the house facing Cortlandt Street instead of White Oak, so that the front property line is 100' wide.

The proposed setbacks for the structure are 11'-8 1/2" on the front (facing Cortlandt Street) and 15' on the south side (facing White Oak Drive). Typical front setbacks in Houston Heights South are 20'. Despite the unusually large width of the lot, the applicant is requesting a setback variance for the south side of the house (along White Oak Drive).

White Oak Drive has a minimum building line of 25', so a variance is required for a 15' setback. Because the applicant's property is 100' wide, and the proposed house is only 39' wide, there is no justification for granting the applicant a variance to be closer to White Oak Street. Furthermore, the applicant's lot is 8800 square feet, which is larger than the typical lot size of 6600, so there is no hardship related to lot size that would justify a setback variance.

The typical development pattern in the Heights is to have detached garages located at the rear of the lot. The applicant is proposing a suburban-style lot placement with a side attached garage, which is not appropriate in this historic district. The typical setback for Heights garages is 100'. The applicant is proposing a garage setback of only 44', which is not appropriate. Although a 100' setback is not possible due to the depth of the property, the garage can be placed at the rear of the lot allowing for a 63' front setback (and 3' rear setback).

The most appropriate placement of the house and garage that would also allow for a yard would be to place the house on the north side of the property with a driveway along the north property line leading to a garage at the rear corner of the lot. Another option is to rotate the main portion of the house to face White Oak Drive and have the garage face Cortlandt Street.

(2) The exterior features of new construction must be compatible with the exterior features of existing contributing structures in the historic district

The proposed residence only contains a single window on the north elevation, and this window is fixed. This fenestration pattern is not compatible with the exterior features of other contributing structures found within this historic district. The north elevation should feature additional windows which would be more in keeping with the fenestration pattern of the other contributing structures.

- (3) The proportions of the new construction, including width and roofline, must be compatible with the typical proportions of existing contributing structures and objects in the historic district

The applicant is proposing to put an attached garage on the side of the house. The body of the residence itself is 38'-9½" wide, which is at the upper end of the typical range for contributing structures. With the addition of the side garage, the width totals 68'-10". The proportions of the proposed structure are similar to that of a suburban style residence, which are not compatible with the existing contributing structures in this historic district.

In Houston Heights, garages are detached and located at the rear of the lot, often fully or partially obscured visually by the house in front. As proposed, the attached garage is located at the side of the house, is only 44' from the front property line, and is highly visible.

To satisfy Criterion 3, the garage should be located as far to the rear of the lot as possible and should be tucked behind the house with the appearance of being detached. The proposed garage is 22' deep and the lot itself is 88' deep. If the house is to face Cortlandt St, the front of the garage should therefore be located at least 63' from the front property line, which allows for a 3' rear setback.

Additionally, a 3'-0" tall finished floor height is taller than what is typically found within the district. The finished floor height should not exceed 30" in order to be compatible with existing contributing structures.

- (4) The height of the eaves of a new construction intended for use for residential purposes must not be taller than the typical height of the eaves of existing contributing structures used for residential purposes in the historic district; and

- (5) The height of new construction intended for use for commercial purposes must not be taller than the typical height of the existing structures used for commercial purposes in the historic district.

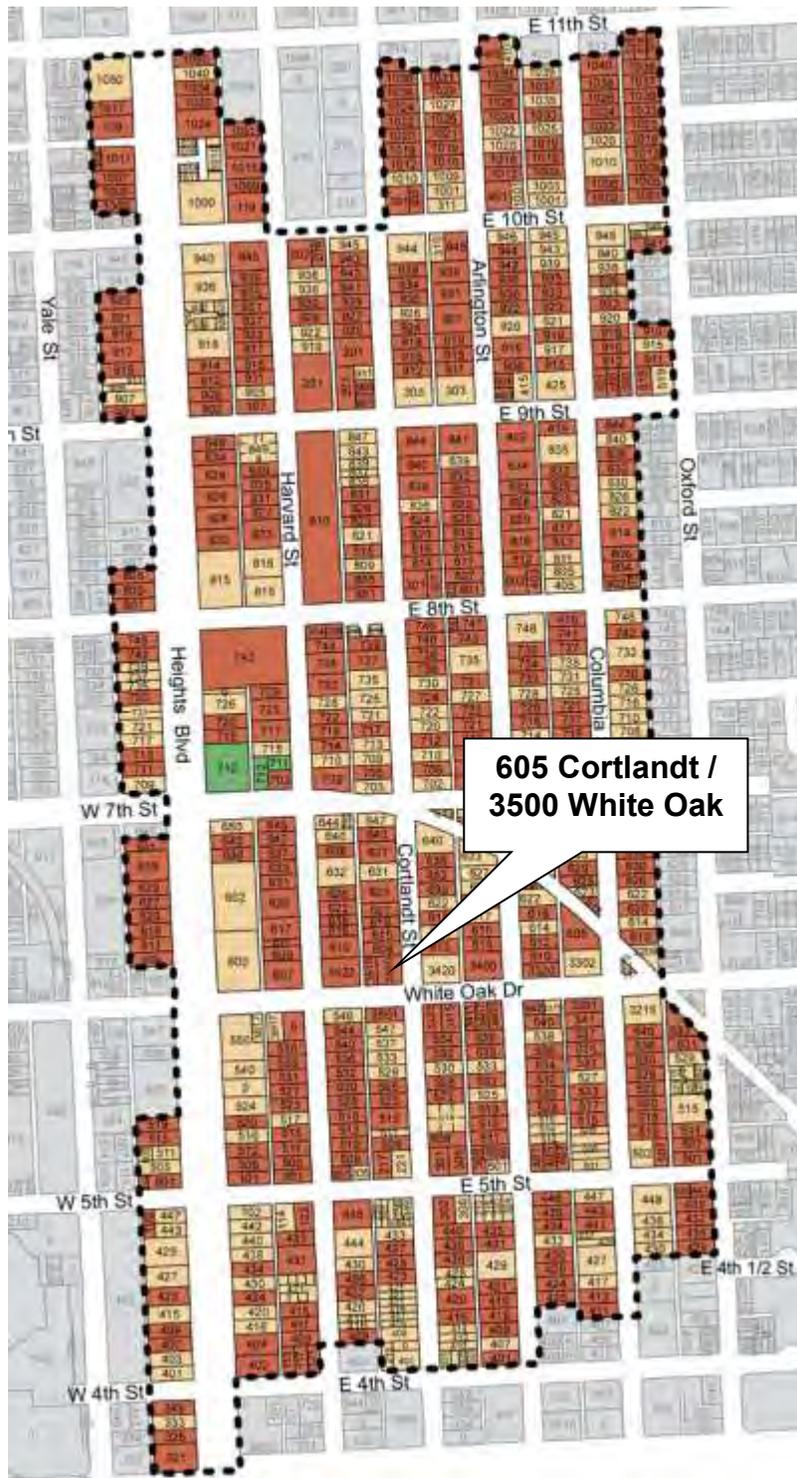


PROPERTY LOCATION

HOUSTON HEIGHTS HISTORIC DISTRICT SOUTH

Building Classification

- Contributing
- Non-Contributing
- Park



**605 Cortlandt /
3500 White Oak**

INVENTORY PHOTOS

MAY 2010



COMPARISON CHART

CONTRIBUTING 2 -STORY RESIDENCES IN DISTRICT

STREET NUMBER	STREET	MAX WIDTH	STREET NUMBER	STREET	RIDGE HEIGHT	STREET NUMBER	STREET	FRONT WALL
605	Cortlandt	68'-10"	828	Heights	39'-4"	609	Cortlandt	39'-11"
902	Heights	45'-4"	425	Heights	39'	536	Harvard	38'-8"
840	Cortlandt	43'-8"	917	Heights	38'-5"	505	Harvard	35'
1015	Heights	42'	122	E 5th	38'-3"	805	Heights	34'-11"
935	Harvard	41'-7"	119	E 10th	38'	840	Cortlandt	34'-03"
609	Cortlandt	39'-11"	943½	Cortlandt	36'-8"	902	Heights	33'-10"
* 605	Cortlandt	38'-9½"	921	Heights	35'-7"	1015	Heights	33'-7"
536	Harvard	38'-8"	1011	Heights	35'-3"	802	Columbia	33'-2"
848	Heights	37'-8"	1005	Heights	35'-3"	532	Cortlandt	31'-10"
1050	Heights	36'-10"	1015	Heights	34'-4"	528	Harvard	30'-9"
122	E 5th	35'-9"	532	Harvard	34'-1"	404	Heights	30'-5"
505	Harvard	35'	1007	Heights	33'-6"	848	Heights	30'-10"
805	Heights	34'-11"	902	Heights	32'-7"	1005	Heights	29'-6"
202	E 10th	34'-5"	840	Cortlandt	32'-5"	1035	Oxford	28'-2"
828	Heights	33'-9"	919	Heights	32'-2"	349	Heights	27'-8"
732	Harvard	33'-7"	202	E 10th	31'-9"	943½	Cortlandt	27'
919	Heights	33'-6"	1015	Harvard	31'-9"	1015	Harvard	25'-1"
802	Columbia	33'-2"	732	Harvard	31'-5"	813	Cortlandt	24'-7"
917	Heights	32'-5"	605	Cortlandt	30'-11"	1007	Heights	24'-4"
532	Cortlandt	31'-10"	848	Heights	30'-11"	733	Heights	23'-6"
733	Heights	31'-9"	1050	Heights	30'-5"	424	Heights	23'
941	Cortlandt	31'-7"	609	Cortlandt	30'-4"	1050	Heights	22'
528	Harvard	30'-9"	717	Harvard	30'-2"	643	Arlington	18'-1"
425	Heights	30'-7"	941	Cortlandt	30'	717	Harvard	17'-3"
717	Harvard	30'-6"	505	Harvard	29'-11"	935	Harvard	17'-3"
1011	Heights	30'-6"	528	Harvard	29'-5"	532	Harvard	16'-4"
404	Heights	30'-5"	805	Heights	29'-3"	119	E 10th	15'-10"
1005	Heights	29'-6"	536	Harvard	29'	911	Harvard	15'
1035	Oxford	28'-2"	813	Cortlandt	28'-9"	941	Cortlandt	14'-8"
1007	Heights	27'-10"	938	Cortlandt	28'-3"	921	Heights	14'-7"
1015	Harvard	27'-1"	911	Harvard	27'-6"	202	E 10th	14'-6"
943½	Cortlandt	27'	733	Heights	27'-3"	605	Cortlandt	14'-5"
424	Heights	27'	802	Columbia	27'-11"	122	E 5th	14'-4"
911	Harvard	25'-10"	404	Heights	27'-11"	919	Heights	14'-1"
119	E 10th	25'-4"	532	Cortlandt	27'	732	Harvard	13'-10"
921	Heights	24'-11"	424	Heights	26'	425	Heights	12'-6"
813	Cortlandt	24'-7"	1035	Oxford	25'-1"	938	Cortlandt	12'-2"
643	Arlington	18'-1"	643	Arlington	24'-5"	828	Heights	
532	Harvard		935	Harvard	24'-4"	917	Heights	
938	Cortlandt		349	Heights		1011	Heights	
349	Heights		402	E 11th		402	E 11th	
402	E 11th							
* Without Garage								

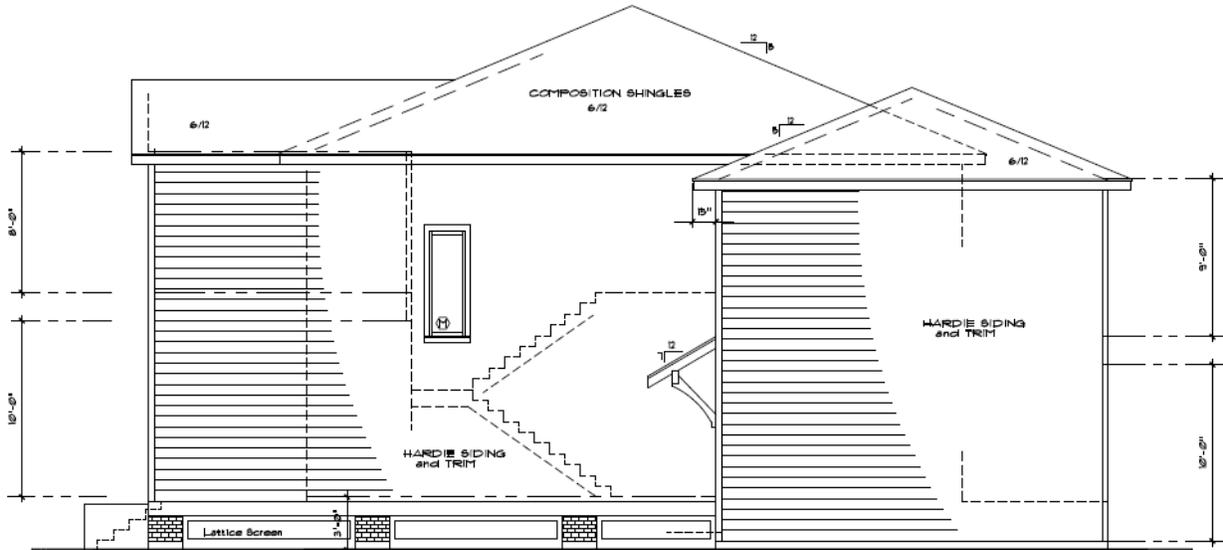
COMPARISON CHART

CONTRIBUTING 2 -STORY RESIDENCES IN DISTRICT

STREET NUMBER	STREET	EAVE HEIGHT	STREET NUMBER	STREET	PORCH EAVE	STREET NUMBER	STREET	PORCH FLOOR
917	Heights	26'-4"	122	E 5th	22'-2"	848	Heights	42"
122	E 5th	25'-6"	938	Cortlandt	18'-5"	1015	Harvard	40"
943½	Cortlandt	25'-5"	941	Cortlandt	13'-6"	917	Heights	36"
1005	Heights	24'-3"	1015	Heights	13'-4"	605	Cortlandt	36"
1007	Heights	24'-1"	848	Heights	13'	941	Cortlandt	35"
828	Heights	24'-1"	1011	Heights	12'-6"	1015	Heights	34"
1015	Heights	23'-5"	828	Heights	12'-2"	202	E 10th	33"
119	E 10th	23'-5"	840	Cortlandt	12'-2"	921	Heights	32"
921	Heights	23'-3"	119	E 10th	12'-1"	935	Harvard	31"
1011	Heights	23'-11"	1007	Heights	11'-11"	1007	Heights	31"
941	Cortlandt	23'-10"	425	Heights	11'-11"	919	Heights	30"
425	Heights	23'-10"	1005	Heights	11'-10"	1005	Heights	30"
402	E 11th	22'-11"	917	Heights	11'-8"	505	Harvard	29"
919	Heights	22'-1"	717	Harvard	11'-7"	813	Cortlandt	28"
605	Cortlandt	21'-9½"	1015	Harvard	11'-5"	943½	Cortlandt	28"
848	Heights	21'-9"	202	E 10th	11'-4"	828	Heights	28"
532	Harvard	21'-8"	921	Heights	11'-2"	840	Cortlandt	27"
840	Cortlandt	21'-5"	402	E 11th	11'-2"	717	Harvard	26"
528	Harvard	20'-9"	935	Harvard	11'-2"	122	E 5th	26"
349	Heights	20'-3"	1035	Oxford	11'-2"	911	Harvard	26"
404	Heights	20'-0"	605	Cortlandt	11'-01"	902	Heights	25"
935	Harvard	19'-10"	532	Harvard	11'-01"	609	Cortlandt	24"
202	E 10th	19'-10"	919	Heights	11'	1011	Heights	24"
733	Heights	19'-9"	349	Heights	10'-11"	425	Heights	24"
902	Heights	19'-8"	902	Heights	10'-10"	532	Harvard	24"
938	Cortlandt	19'-7"	609	Cortlandt	10'-08"	733	Heights	24"
802	Columbia	19'-6"	732	Harvard	10'-05"	119	E 10th	23"
911	Harvard	19'-5"	802	Columbia	10'-03"	404	Heights	23"
532	Cortlandt	19'-3"	404	Heights	10'	732	Harvard	23"
732	Harvard	19'-3"	733	Heights	10'	532	Cortlandt	22"
609	Cortlandt	19'-1"	528	Harvard	9'-9"	1035	Oxford	22"
536	Harvard	19'-1"	813	Cortlandt	9'-8"	536	Harvard	21"
505	Harvard	18'-11"	911	Harvard	9'-7"	349	Heights	21"
1050	Heights	18'-11"	532	Cortlandt	9'-7"	1050	Heights	17"
1035	Oxford	18'-7"	805	Heights	9'-2"	643	Arlington	17"
805	Heights	18'-6"	536	Harvard	9'-1"	802	Columbia	17"
424	Heights	18'-5"	424	Heights	8'-5"	424	Heights	17"
1015	Harvard	17'-10"	643	Arlington	8'-5"	938	Cortlandt	16'
643	Arlington	17'-10"	1050	Heights	8'-11"	528	Harvard	12'
813	Cortlandt	16'-4"	943½	Cortlandt		805	Heights	11'
717	Harvard		505	Harvard		402	E 11th	

NORTH SIDE ELEVATION

PROPOSED



NORTH ELEVATION

WEST (REAR) ELEVATION

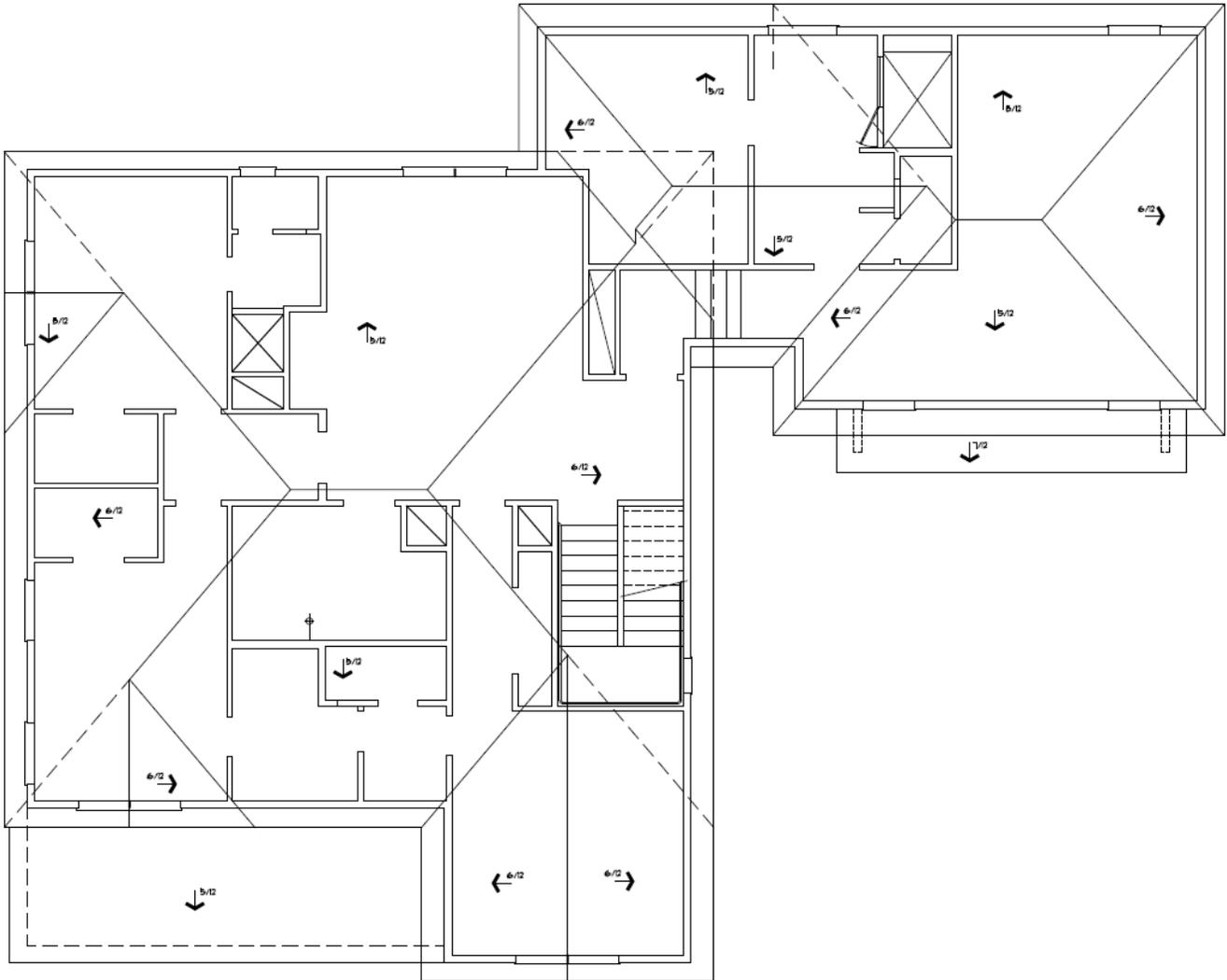
PROPOSED



WEST ELEVATION

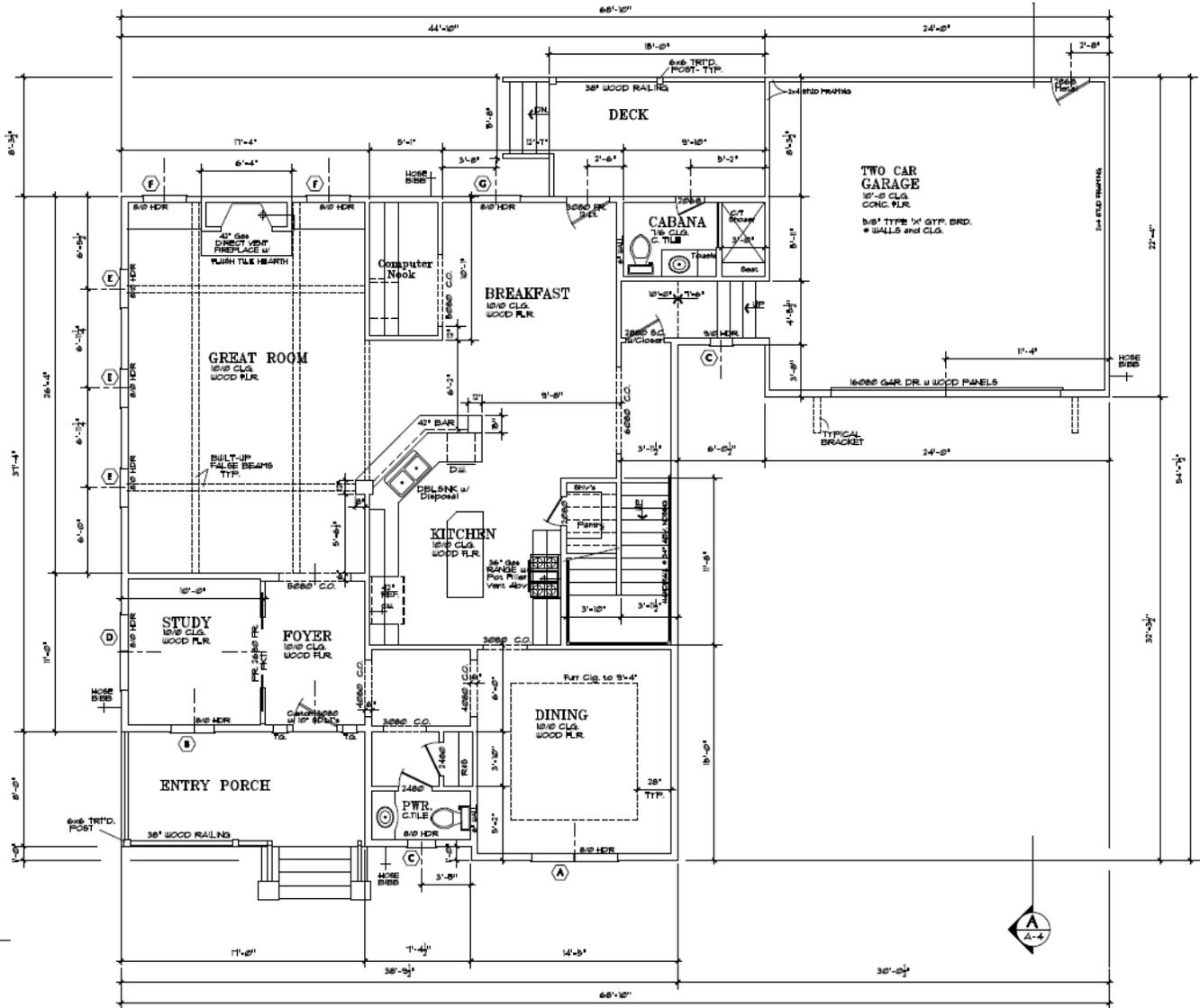


ROOF PLAN
PROPOSED



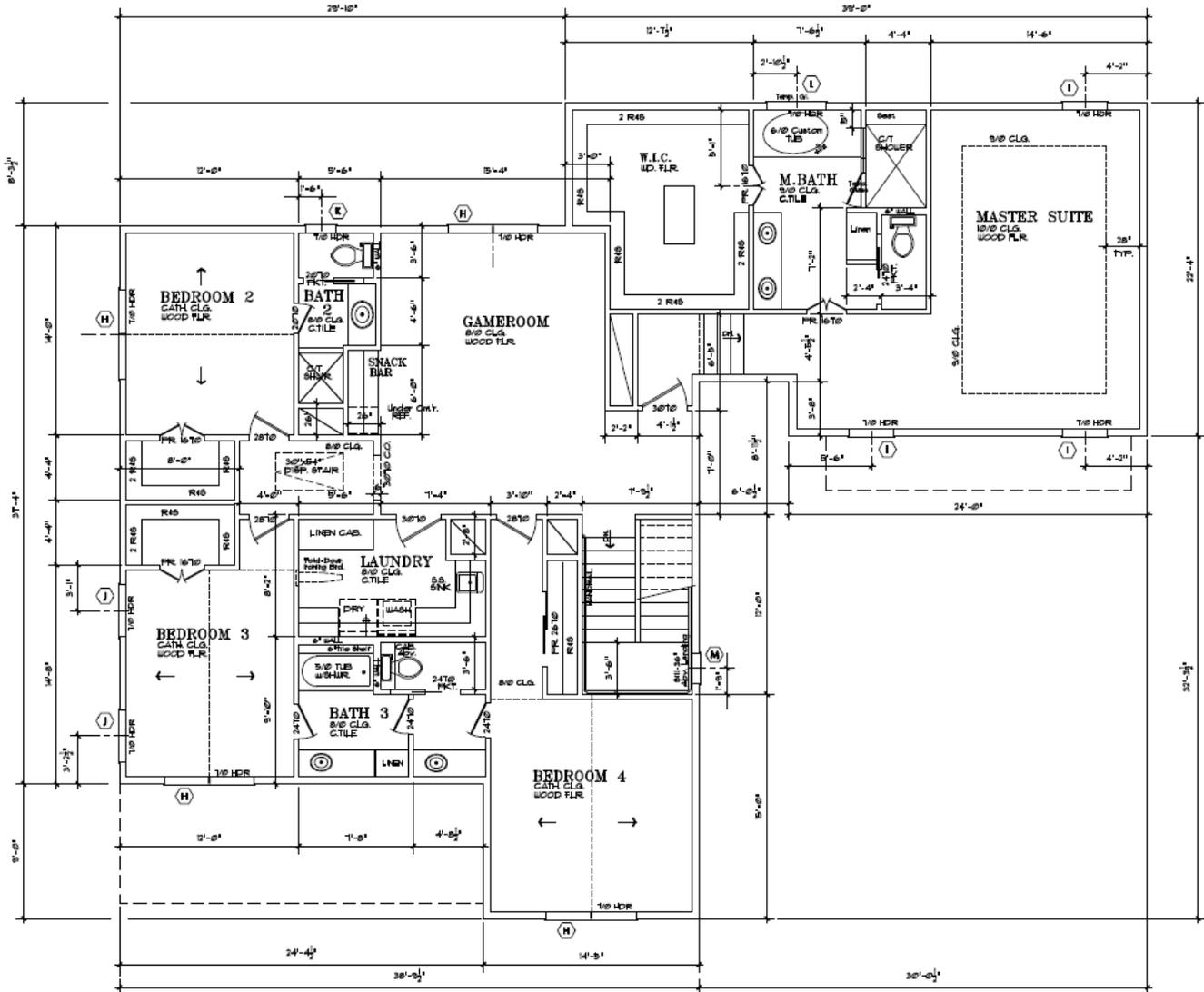
FIRST FLOOR PLAN

PROPOSED

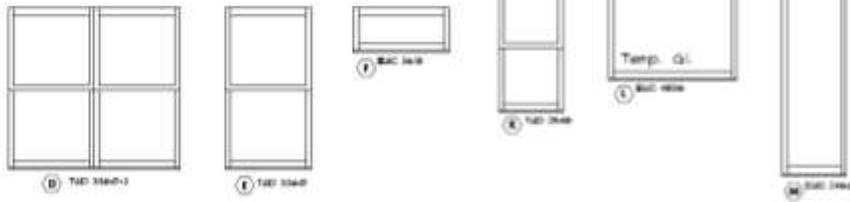
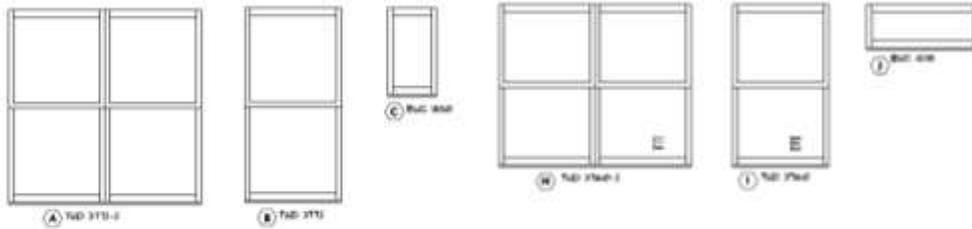


SECOND FLOOR PLAN

PROPOSED



WINDOW SCHEDULE



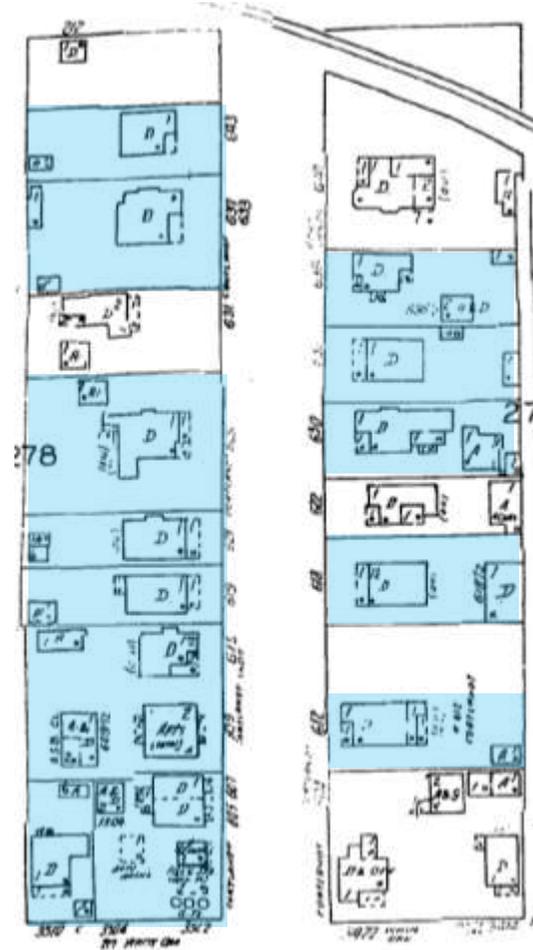
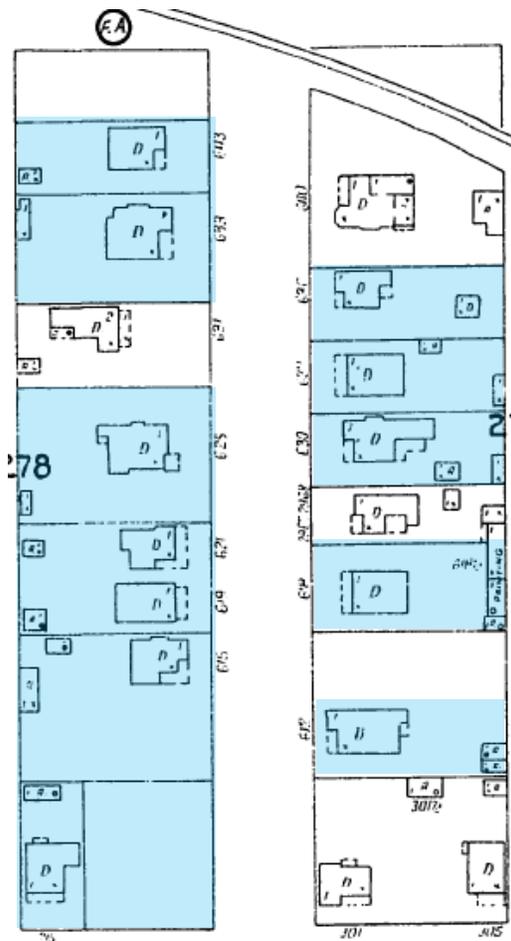
WINDOW SCHEDULE
 SCALE: 1/2" = 1'-0"
 ALL WINDOWS TO BE 2X4 WOOD DOUBLE HANG
 OR PINE DOUBLE HANG, Tempered Glass where noted

WINDOW SCHEDULE
 SCALE: 1/2" = 1'-0"
 ALL WINDOWS TO BE 2X4 WOOD DOUBLE HANG
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SANBORN MAP COMPARISON

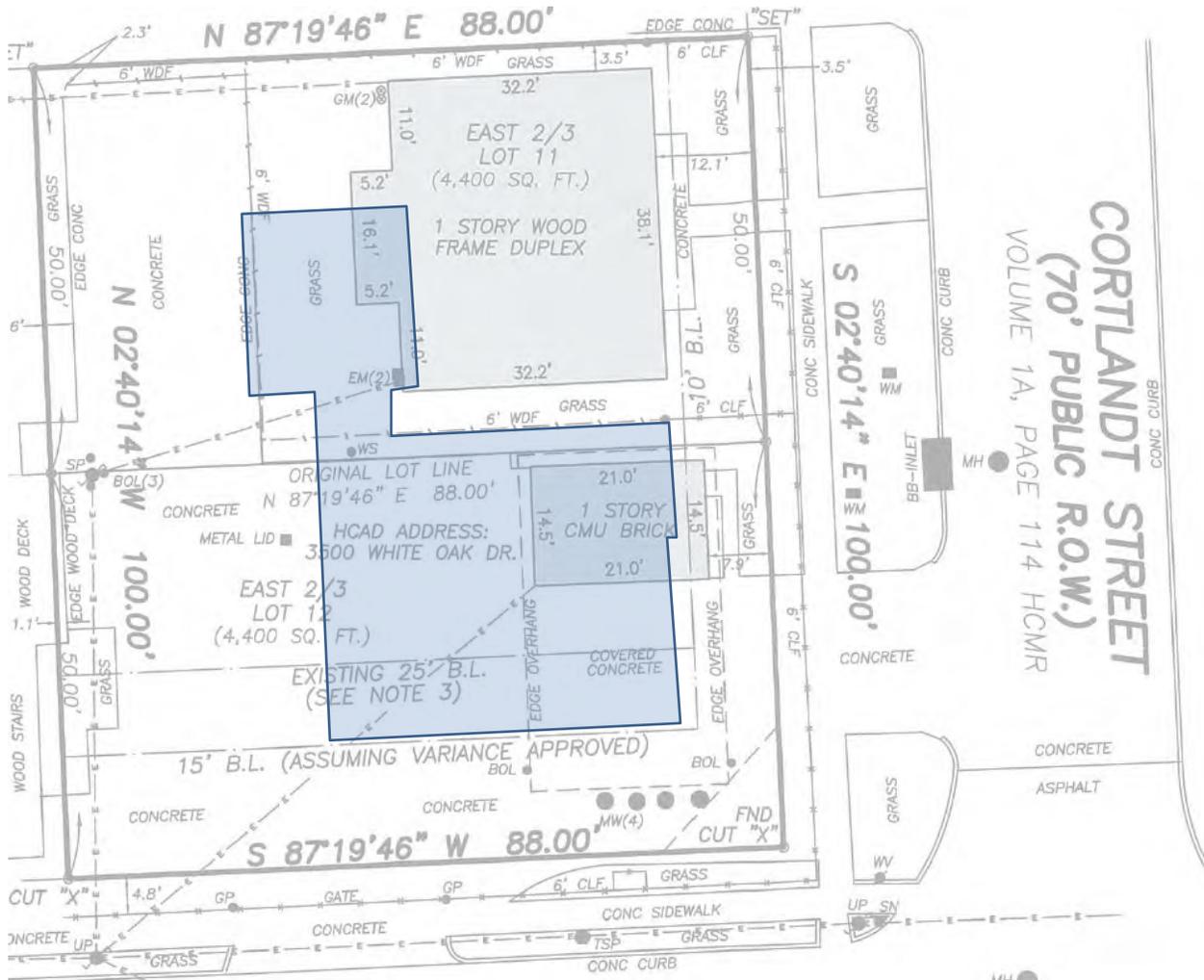
1924-1950

1924-1951



Contributing Properties

LOT COMPARISON



Proposed New Residence over Current Conditions

PROJECT DETAILS

Shape/Mass: The overall width of the proposed structure will be 68'-10" with a total depth of 54-7½". The overall width includes the house and attached garage. The width of the main mass of the house (not including the attached garage) will be 38'-9½". The attached garage portion will be located 32'-3½" back from the front wall (44' from the front property line (halfway back on the lot)). The attached garage will be 24'-0" wide and 22'-4" deep. See drawings for more detail.

Setbacks: The proposed residence will have a front (east) setback of 11'-8½" (along Cortlandt St.); a 15'-0" south side setback (along White Oak Dr.); a 16'-10" north side setback; and a 21'-8" rear (west) setback. The property currently has a 25' building line along White Oak Dr. In order for the house to be constructed at a 15' setback along White Oak Dr., the applicant will have to apply for a variance from the Planning Commission. See drawings for more detail.

Foundation: The proposed residence will have a pier and beam foundation with a 3'-0" finished floor height. See drawings for more detail.

Windows/Doors: The proposed residence will have wood 1-over-1 double hung wood as well as vertically and horizontally oriented fixed windows. See drawings and window schedule for more detail.

Exterior Materials: The proposed residence will be clad in cementitious lap siding with a reveal of 7½". The front porch will have wood 6" x 6" columns and a 38" tall wood railing system. The proposed front steps will be wood. See drawings for more detail.

Roof: The proposed residence will have a composition shingle roof with a pitch of 5:12 to 6:12. The proposed residence will have an eave height of 21'-10". See drawings for more detail.

Front Elevation: The front elevation of the proposed residence is comprised of three bays and an attached garage.
(East) On the first story, a porch spans the southern and central bays. A single window is located in the southern bay, while the front door is located in the central bay. The southern bay of the second story has a pair of windows and no fenestration is located on the central bay. The northern bay contains a pair of windows on the first and second stories. The two end bays are topped by front gables. To the north is the attached garage and connector. The first story contains a single window while the second contains no fenestration. The garage has an overhead door on the first story topped by a shed roof supported by brackets. The second story consists of two windows. See drawings for more detail.

Side Elevation: The south elevation has the profile of the front porch to the east followed by a pair two windows
(South) and three additional windows to the west on the first story. The second story contains two fixed windows and an additional pair of windows. See drawings for more detail.

Side Elevation: The north elevation contains a single fixed window centrally located. The side of the garage is
(North) located towards the west. See drawings for more detail.

Rear Elevation: The rear elevation of the residence and addition is not visible from the public Right-of-Way. See
(West) drawings for more detail.

ATTACHMENT A
PUBLIC COMMENT

B-20 605 Cortlandt

I **SUPPORT A PARTIAL APPROVAL** of this Certificate of Appropriateness. Many of the visual elements proposed in the new structure are evident in contributing structures in the HSHD, including, partial one-story front porch, one-over-one lite vertical windows, and simplicity of fenestration (not counting the garage doors). However, the proposed location within 15 feet of White Oak is not appropriate or required. There is ample room for the proposed structure to be placed farther to the north and a minimum 25 feet from White Oak. This is a self-imposed hardship. The garage is placed 44 feet back from Cortlandt ROW which is compatible with most deed restrictions in the Heights requiring facing garage doors to be at least 50% of the lot depth (here it is 88 feet) from the street. It is not necessary to approve a 3 foot vertical height for the first floor as this is not typical in the HSHD and would be out of historical context.

J. Kent Marsh, AICP CUD
1538 Arlington, Houston Heights East Historic District

ATTACHMENT B

Omar: Mr. Martinez (3500 White Oak/605 Cortlandt) is appearing before HAHC on Thursday for a new build on the property that has the gas station and duplex.

He received a denial recommendation from staff and asked me to assist him going forward.

Staff had 4 issues with the new build:

1. Side and front setbacks. I spoke with Mr. Martinez, he will move the house 10 feet so that there will be no need to get a side setback variance. This move addresses staff's side setback concern. He will also move the house toward the rear of the property so the front setback will be 24.6 feet rather than 11 feet. This move addresses staff's front setback concern.
2. Need for more north elevation windows. Mr. Martinez will add more windows to the north elevation. We won't have a drawing by Thursday, but the architect will work with staff to add appropriate windows.
3. Finished floor height. Mr. Martinez will amend the plans to staff's finished floor height recommendations. We won't have a drawing by Thursday, but the architect will work with staff to amend the finished floor height.
4. Garage setback. As stated in No. 1, Mr. Martinez will move the house over and back. The garage will then be setback 57.5 feet. Staff asked for a 63 foot setback, but because we are moving the entire house, that would make the backyard only 3 feet. We moved it 13.5 feet back from what was originally proposed. The garage will remain attached.

Since these are last minute changes and we don't have new drawings, I assume that we will get deferred at HAHC. But we wanted to inform staff that we are willing to make these changes. If these changes are made, can staff support a 57.5 foot garage setback, with an attached garage?

Mr. Martinez has been working with Matt Kriegl.

May I forward this email to him with a cc to you?

Thanks, Tim

Timothy B. Kirwin
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