

CERTIFICATE OF REMEDIATION

Application Date: September 28, 2016

Applicant: Arwen McMillian, A&M Services, for Kellet Peak Investments, LLC, owner

Property: 907 Henderson Street, Lots 7 & 8, Block 8, Baker W R NSBB Subdivision. The property currently includes two historic structures. The southern structure (907 Henderson) is a historic one-story wood frame single family residence and the adjacent structure to the north (915 Henderson) is a two-story brick veneer storefront building. Together these two structures have 5,321 square feet of total living area and are situated on a 10,000 square foot (100' x 100') corner lot. This Certificate pertains to the single family residence at 907 Henderson.

Significance: Contributing Folk Victorian residence, constructed circa 1915, located in the Old Sixth Ward Historic District.

Proposal: Alteration – Revision. This project was originally approved by the HAHC in June 2014. The applicant was originally approved to construct a 23'-1" x 17'-5" second-story addition atop the rear portion of a contributing house.

- The majority of the addition will be constructed above an existing earlier addition but will encroach approximately 7.5' onto the original structure
 - The addition will be clad with board and batten siding
 - Non-original front porch metal supports will be replaced with 10" round columns
 - All existing original windows will be repaired and retained and the addition will have new double-hung windows
- The existing wood lap siding was removed from the structure without a Certificate of Appropriateness or HAHC Approval.
- The applicant states that the siding was removed because the builder was told that they had a permit, only to find out they did not
 - The applicant claims that the siding was in very bad shape
 - Since the siding was removed and disposed of without HAHC approval or staff knowledge, staff was not able to evaluate the condition of the siding
 - The applicant now proposes to replace the removed siding with wood lap siding to match original

The project received a Red Tag for work without a permit in October 2015 and a Violation Notice to Repair or Demolish was issued by Department of Neighborhoods in January 2016. See enclosed application materials and detailed project description on p. 6-25 for further details.

Public Comment: The Old Sixth Ward Neighborhood Association, Historic Preservation Committee, is not in support of this project. See Attachment A.

Civic Association: No comment received.

Recommendation: Partial Approval: Approval for the addition renewal; Denial of the siding removal. Staff also recommends a Certificate of Remediation for the siding removal, to be replaced with wood lap siding to match original. A Certificate of Remediation will allow the project to progress without the Commission approving the unauthorized removal of the historic siding or deeming the unauthorized work appropriate.

HAHC Action: Partially Approved: Approval of the addition renewal; Denial of the siding removal. Issuance of a Certificate of Remediation for the siding removal, to be replaced with wood lap siding to match original.

This Certificate of Remediation (COR) is an Enforcement Remedy that will allow the project to progress without the HAHC approving the unauthorized work or deeming the unauthorized work appropriate. The COR is only for the work specified by the HAHC and no other work is approved under this Certificate. Any additional work may require a revised COA. The issuance of a COR disqualifies the project from receiving City tax exemptions. All materials in exterior walls, including windows, siding, framing lumber, and interior shiplap must be retained except where removal or replacement has been explicitly approved by HAHC. Maintenance and minor in-kind repairs of exterior materials may be undertaken without HAHC approval, but if extensive damage of any exterior wall element is encountered during construction, contact staff before removing or replacing the materials. Further unauthorized work may trigger additional Enforcement Remedies.

CERTIFICATE OF REMEDIATION

Basis for Issuance: HAHC Issued Certificate of Remediation
Effective: October 20, 2016



PLANNING & DEVELOPMENT DEPARTMENT

COR valid for two years from effective date. COR 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 COR 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;
<i>Removal of the original wood siding does not retain and preserve the historical character of the property. The siding was to be retained and was removed and destroyed without HAHC approval or permits.</i> |
| <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 checked="" type="checkbox"/> | <input 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; |
| <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>Removal of the original wood siding without HAHC approval or permits and leaving the structure open to the elements does not preserve distinguishing qualities of the building and may potentially cause further damage to the building.</i> |
| <input checked="" type="checkbox"/> | <input 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; |
| <input checked="" type="checkbox"/> | <input 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; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (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; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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>Removal of the original wood siding destroys significant historical and architectural material. The siding should be retained unless they are damaged beyond reasonable repair. Since the siding was removed, the structure was left open, causing further potential damage to the structure. Staff was not able to evaluate the condition of the siding prior to its removal and therefore cannot make an accurate evaluation of its condition.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 |

- (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.

OLD SIXTH WARD DESIGN GUIDELINES

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

Removal of original wood siding prior to staff inspection to determine if the cladding is damaged beyond repair does not comply with the Old Sixth Ward Design Guidelines. Original wood siding is a character defining feature and should be retained with damaged portions repaired with in-kind material.



PROPERTY LOCATION
OLD SIXTH WARD HISTORIC DISTRICT



Building Classification

- Contributing
- Non-Contributing
- Park

CURRENT PHOTO



CURRENT PHOTO



NEIGHBORING PROPERTIES



901 Henderson – Contributing – 1920 (neighbor)



915 Henderson – Contributing – 1920 (neighbor)



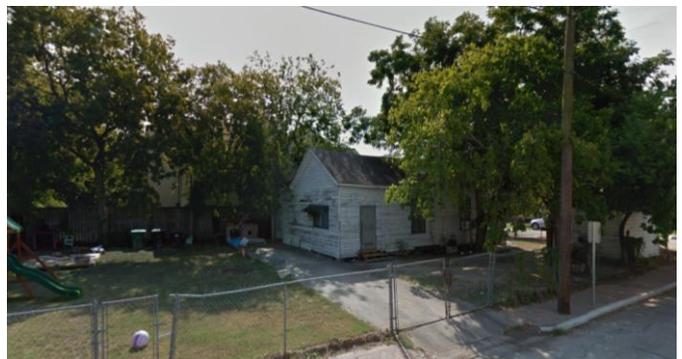
Union St. at Henderson St.



908 Henderson – Not in District – (across street)



906 Henderson – Not in District – (across street)



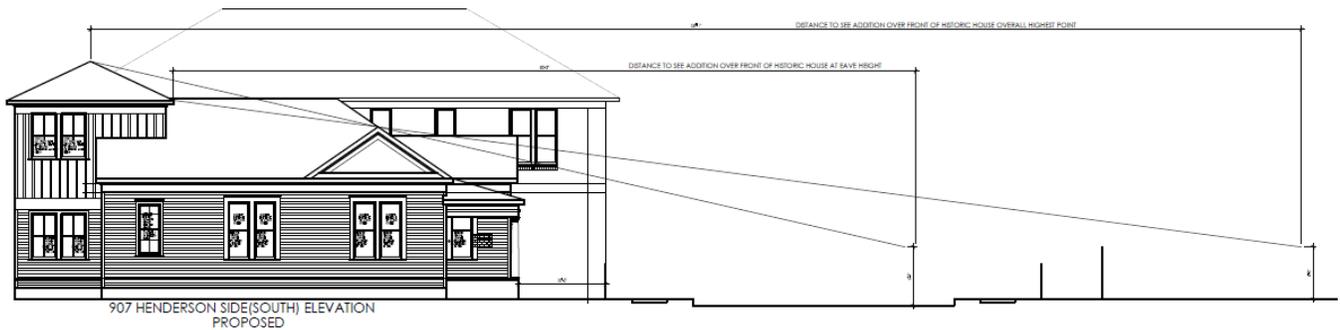
2018 Decatur – Not in District – (across street)

3D RENDERING



LINE OF SIGHT DRAWING

PROPOSED



EAST ELEVATION – FRONT FACING HENDERSON STREET

EXISTING

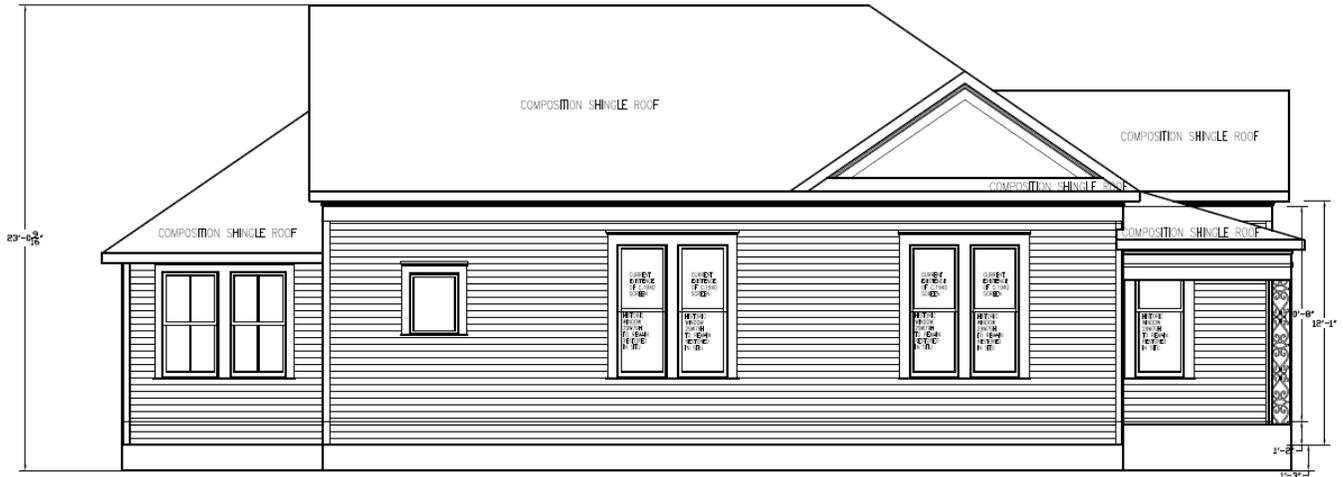


PROPOSED



SOUTH SIDE ELEVATION

EXISTING

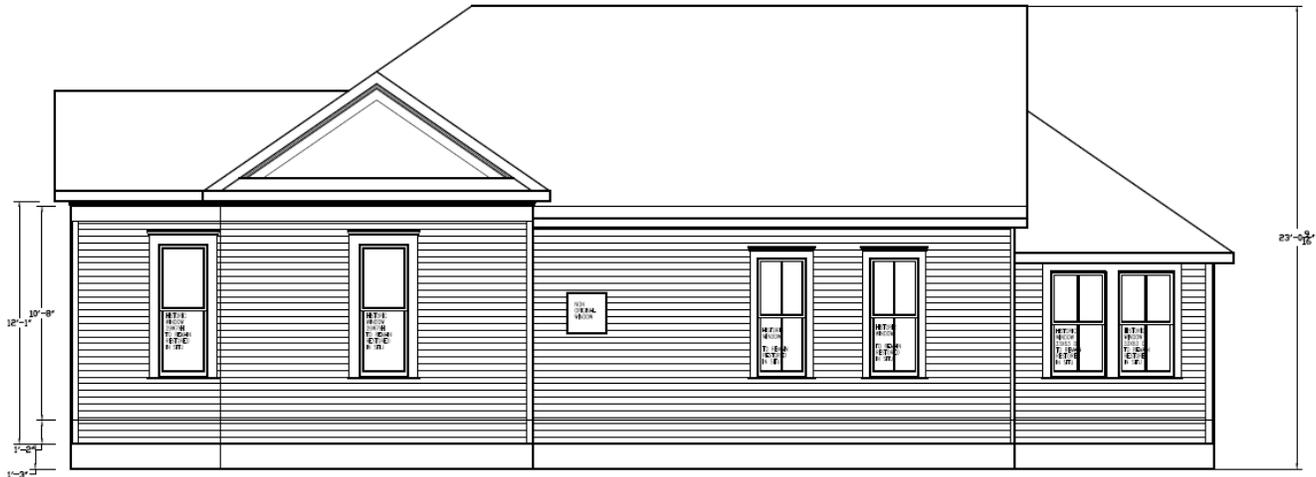


PROPOSED



NORTH SIDE ELEVATION

EXISTING



PROPOSED



WEST (REAR) ELEVATION

EXISTING

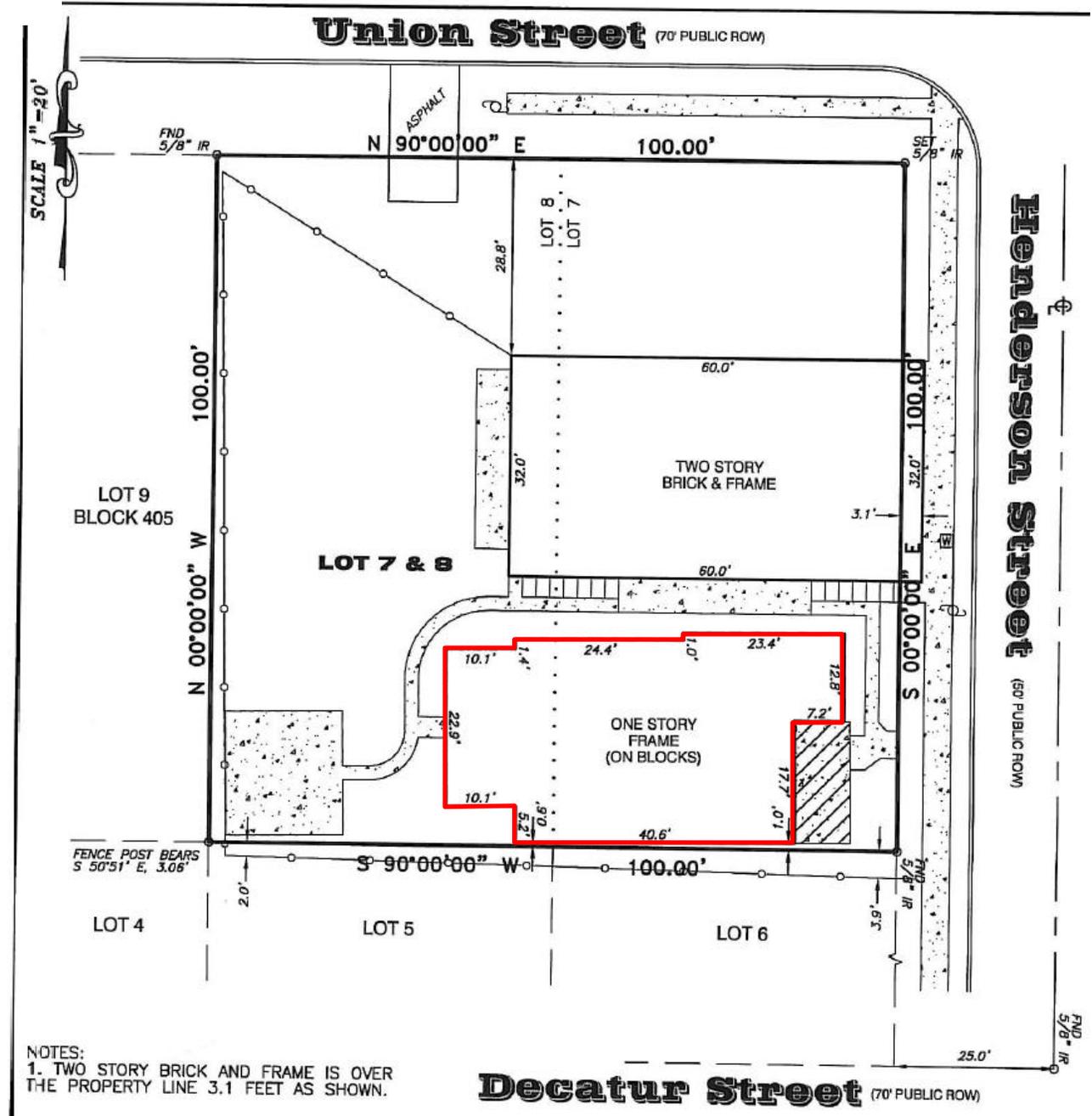


PROPOSED





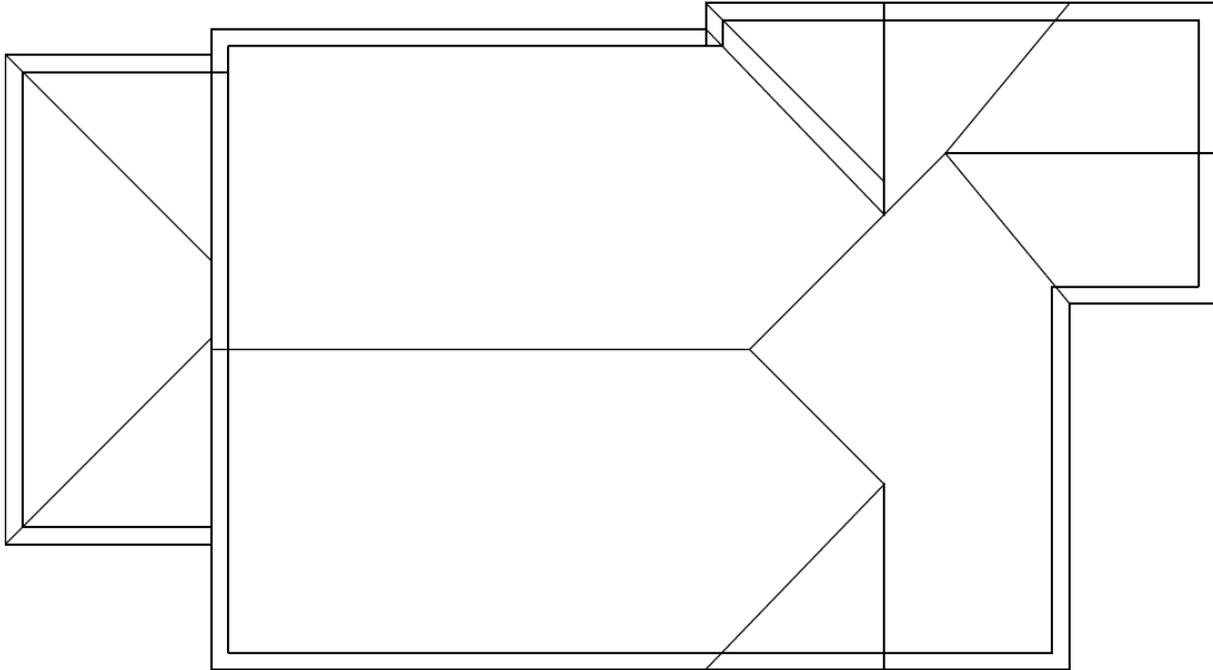
SITE PLAN



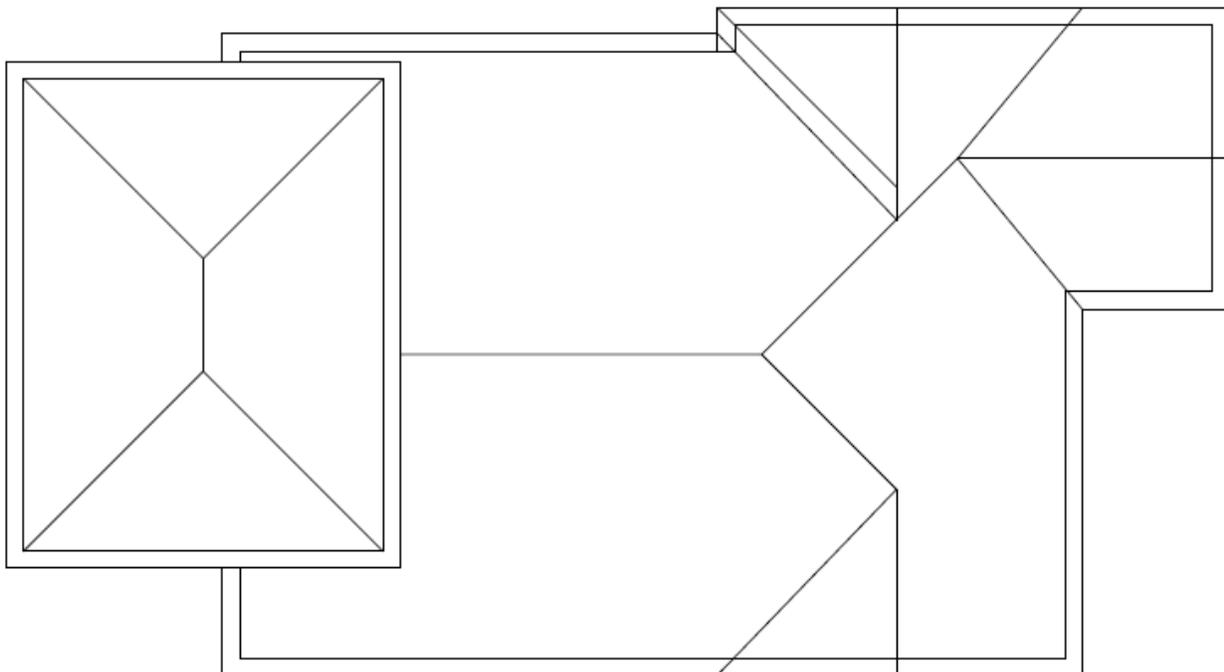
NOTES:
 1. TWO STORY BRICK AND FRAME IS OVER THE PROPERTY LINE 3.1 FEET AS SHOWN.



ROOF PLAN
EXISTING



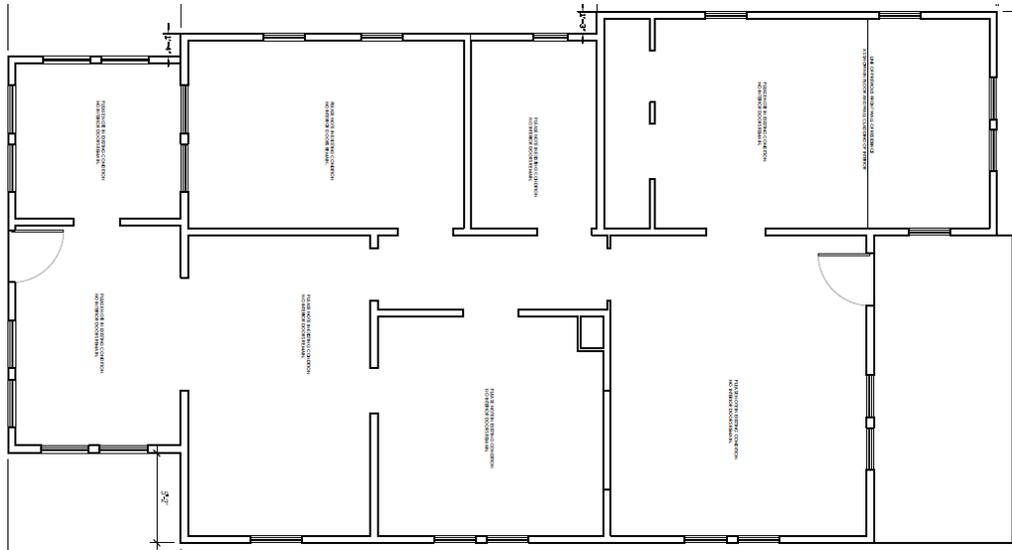
PROPOSED



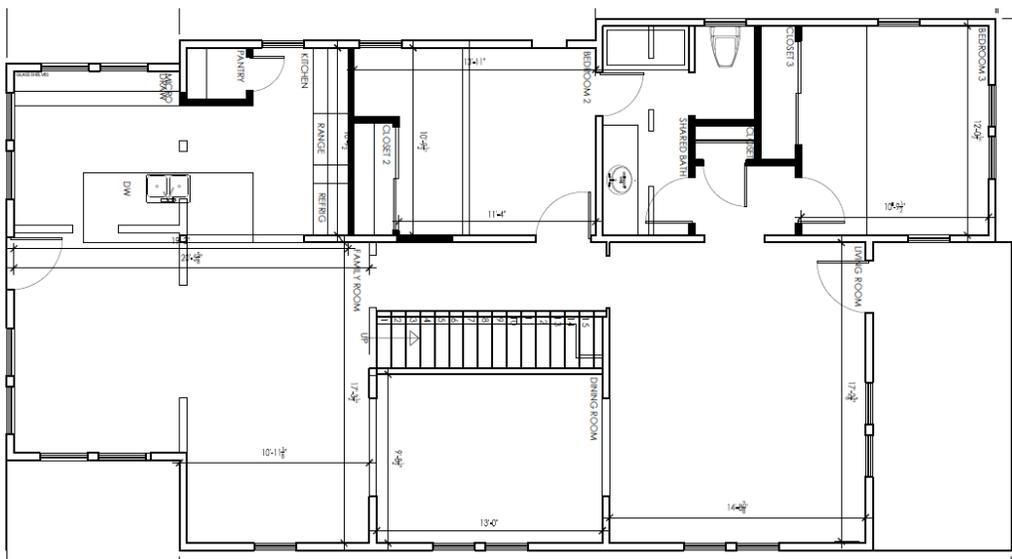


FIRST FLOOR PLAN

EXISTING



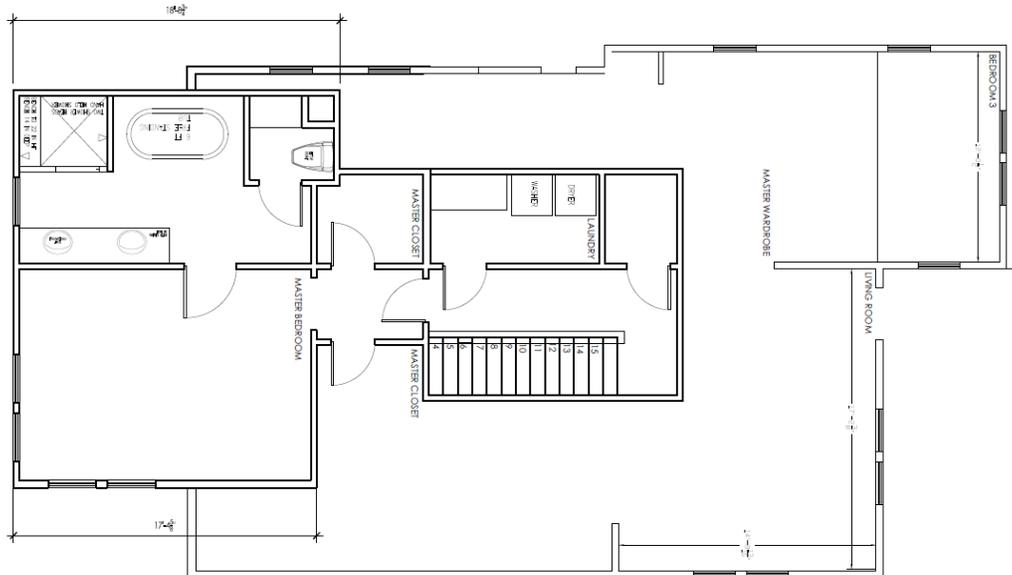
PROPOSED



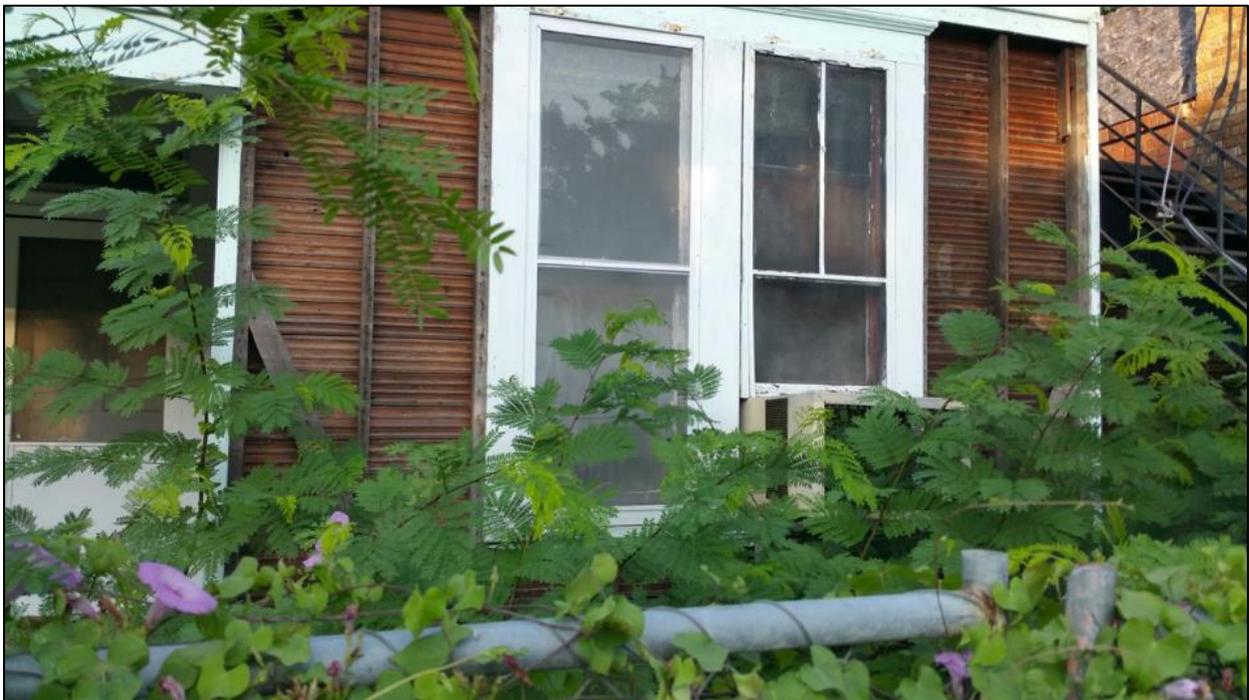


SECOND FLOOR PLAN

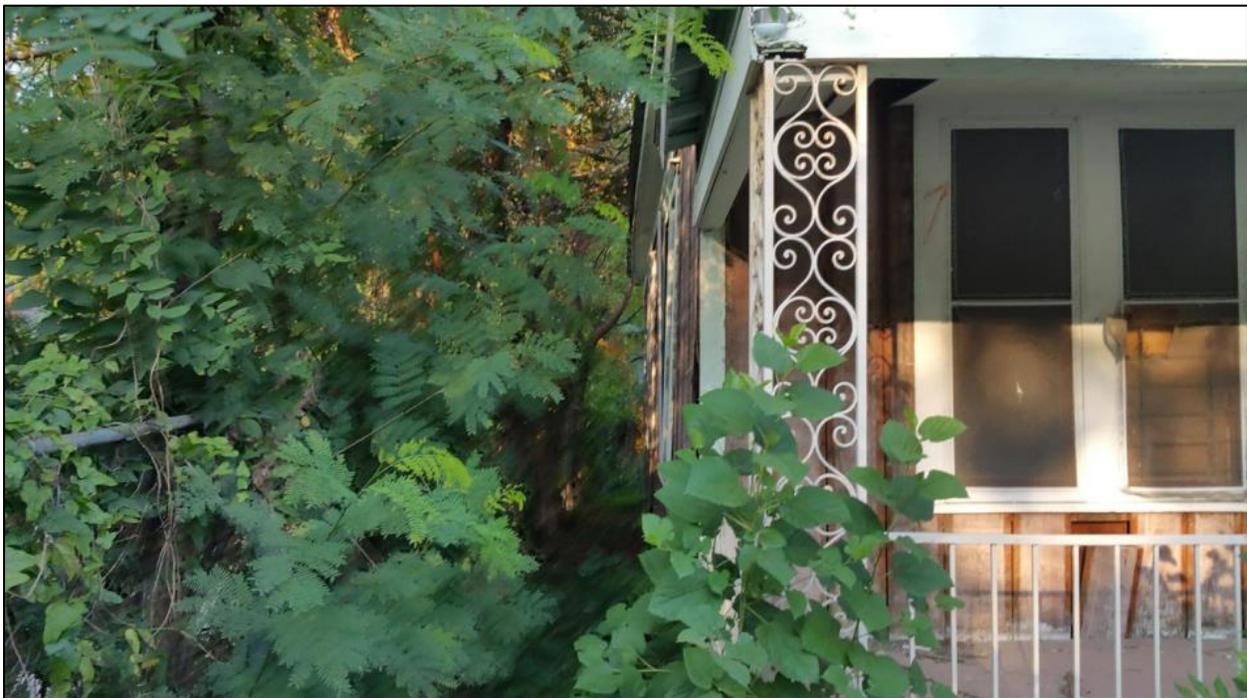
PROPOSED



PHOTOS OF REMOVED SIDING



PHOTOS OF REMOVED SIDING



RED TAG PHOTO



VIOLATION NOTICE PHOTO

INSPECTIONS AND PUBLIC SERVICE

VIOLATION NOTICE

ADDRESS: 907 HENDERSON

LEGAL DESCRIPTION: LOT: 758, BLOCK: 415 HCAD: 0007

SUBDIVISION: 5014 W 133B DATE OF NOTICE: 1/4/16

THIS PROPERTY HAS BEEN INSPECTED BY THE CITY OF HOUSTON'S DEPARTMENT OF NEIGHBORHOODS INSPECTIONS AND PUBLIC SERVICE DIVISION AND FOUND IN VIOLATION OF ORDINANCE 10-451. THE FOLLOWING VIOLATION(S) WERE IDENTIFIED:

Lc 10371(a)(2) (a)(4) (a)(5)

WEEDS/GRASS/UNDERBRUSH IN EXCESS OF 9" TRASH/DEBRIS/RUBBISH GARBAGE

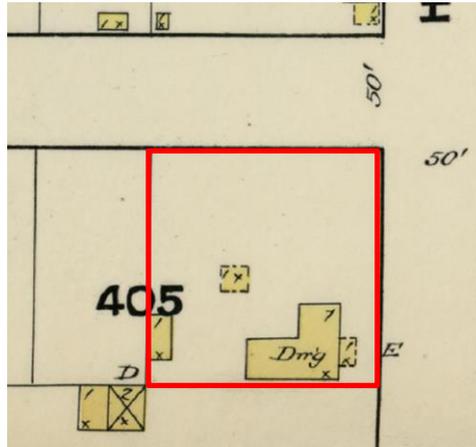
OTHER: Dangerous Bldg / open / OAC
Return on Demand

THE ABOVE VIOLATION(S) MUST BE CORRECTED BY 1/19/16 TO AVOID THE ISSUANCE OF A MUNICIPAL COURT CITATION AND/OR ABATEMENT OF THE VIOLATION(S) BY THE CITY. IF THE OWNER FAILS TO CORRECT THE VIOLATION(S), A LIEN WILL BE FILED AGAINST THE PROPERTY TO RECOVER ABATEMENT EXPENSES INCURRED BY THE CITY OF HOUSTON PLUS AN ADMINISTRATIVE CHARGE. THE CITY SENDS ONLY ONE NOTICE ANNUALLY. IF THE VIOLATION RECURS WITHIN ONE YEAR FROM THE DATE OF THIS NOTICE, THE VIOLATION(S) WILL BE CORRECTED BY THE CITY WITHOUT NOTICE TO THE OWNER AND A LIEN WILL BE FILED AGAINST THE PROPERTY.

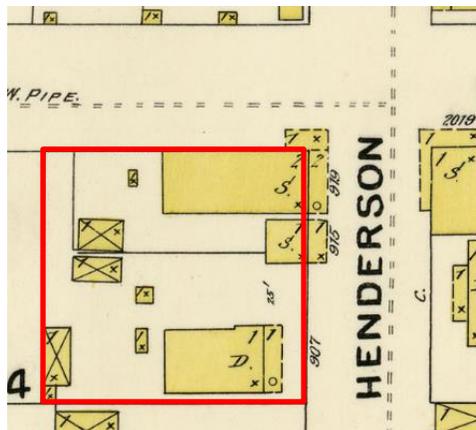
INSPECTOR NAME: V. Davis

TELEPHONE: 713/4080436 PROJECT# _____

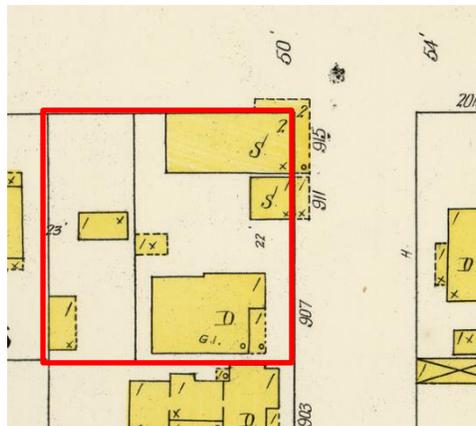
SANBORN MAPS



1890

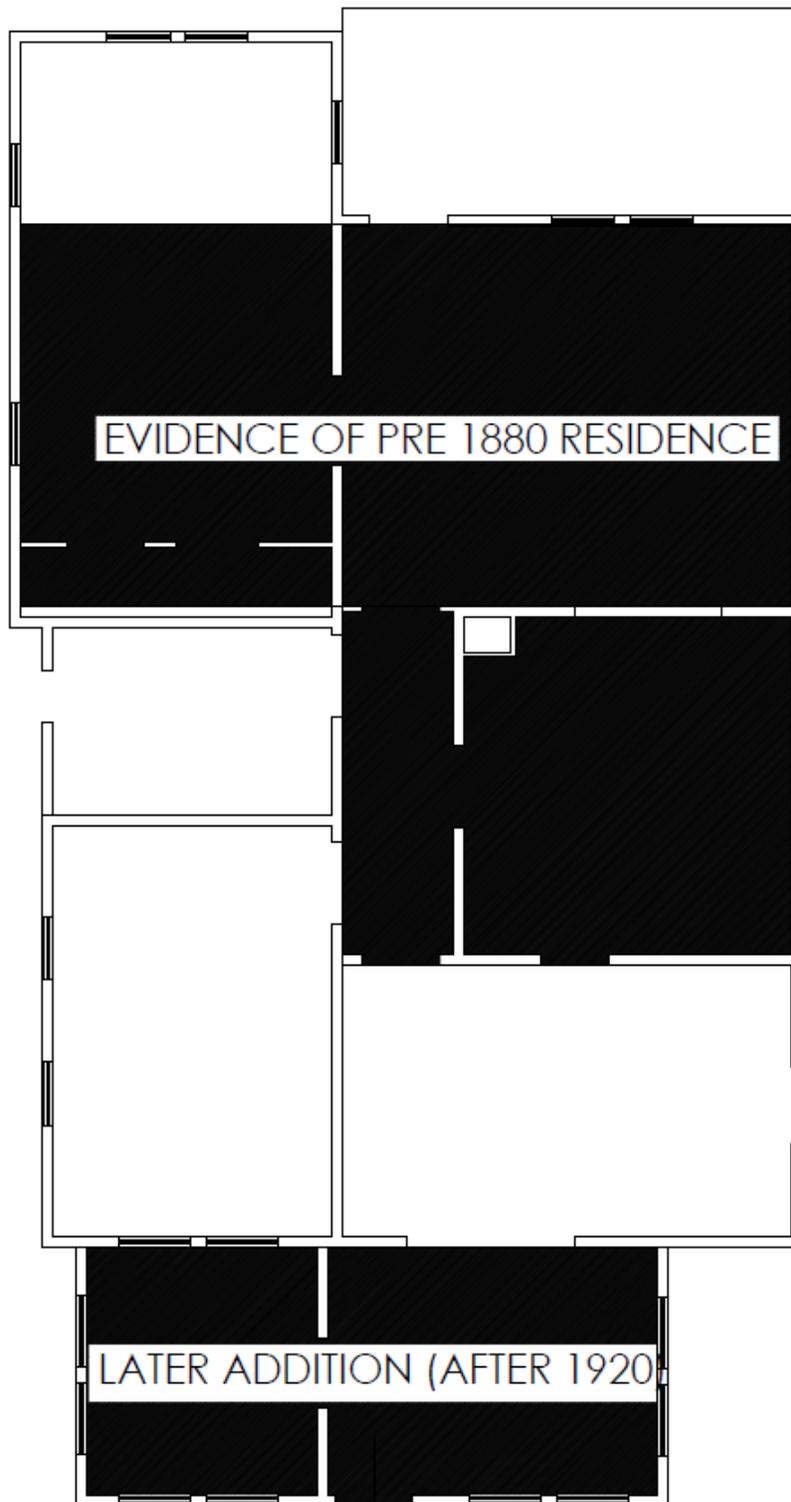


1896



1907

APPLICANT RESEARCH



APPLICANT PHOTOS

ORIGINAL WINDOWS INSTALLED IN 1907 REAR WALL
TO REPLACE EXISTING NON-ORIGINAL WINDOWS



APPLICANT PHOTOS

ORIGINAL BOARD AND BATTEN SIDING



ADDITIONAL APPLICANT PHOTOS



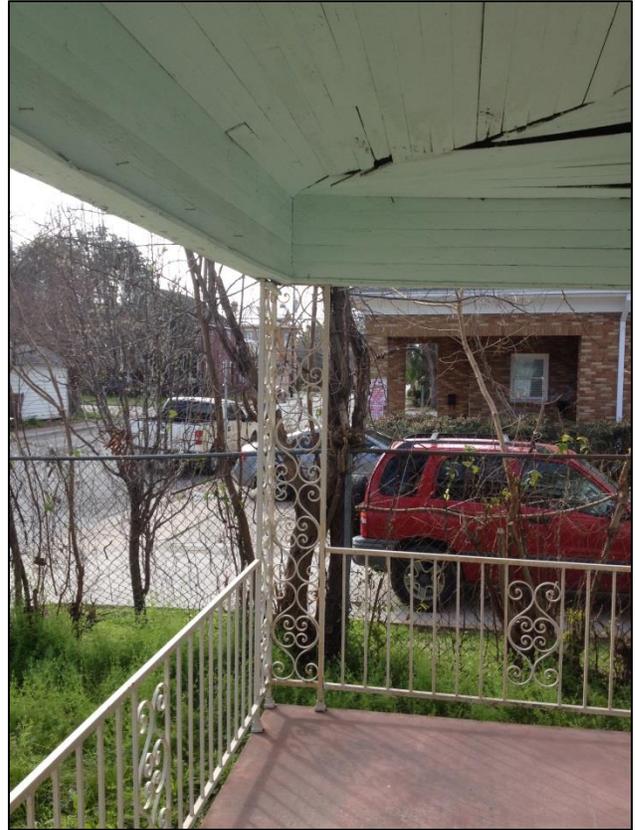
ADDITIONAL APPLICANT PHOTOS



ADDITIONAL APPLICANT PHOTOS



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PROJECT DETAILS

Shape/Mass: The existing one-story residence has a maximum width of 30'-7" and a maximum depth of 56'-11½". A 23'-1" wide by 9'-11½" deep previously constructed addition has is located at the rear wall of the original structure (47'-0" from the front wall). This addition is inset 1'-4" on the north elevation and 5'-2" on the south elevation. The existing ridge height is 23'-1". See drawings for more detail.

The proposed addition will be built in the footprint of the existing previously constructed addition and will encroach 7'-5½" forward onto the original portion of the house. The proposed addition will be 23'-1" wide and 17'-6" deep and have a ridge height of 27'-4". See drawings for more detail.

Setbacks: The existing south side setback ranges from 0.5' to 1.0'. None of the building footprints on this lot will be altered. See drawings for more detail.

The proposed addition will maintain all existing setbacks. See drawings for more detail.

Foundation: The existing residence features a pier and beam foundation with a finished floor or 2'-5". See drawings for more detail.

The proposed addition will maintain the existing pier and beam foundation with a finished floor or 2'-5". See drawings for more detail.

Windows/Doors: All existing windows are original and will be retained and remain in place with the exception of two non-original windows; one located on the south elevation and the other on the north elevation. The existing windows are 1-over-1 wood sash or 2-over-2 wood sash. The non-original windows are fixed. The existing front door has been kicked-in and damaged. See drawings for more detail.

The non-original windows will be replaced with 2-over-2 windows that are located within the rear wall of the original structure (see picture). All other original windows will be retained, repaired, and remain in place. The second story of the addition will have 2-over-1 wood sash windows. The existing front door will be repaired and retained. If not possible, the door will be replaced and replacement door must be reviewed by staff prior to installation. See drawings and photos for more detail.

Exterior Materials: Approved June 2014: The existing house is currently clad in clapboard wood siding. According to the applicant, the house has been heavily altered and portions of the original center hall cottage with full width front porch are still present, including the original board and batten siding (see photos). The Sanborn Maps substantiate this claim. The current appearance shows up in the 1907 Sanborn Map. This is most likely when the house was extended and current siding was installed over the original board and batten siding of the 1880s. The front and side gables were also added at this time. The rear addition was added between the 1920s and 1950s. Asbestos siding is evident at the rear. The wood porch has previously been replaced with a concrete pad and the porch columns have been replaced with metal scrollwork supports. See photos, maps, and drawings for more detail.

The existing wood clapboard siding will be retained. Damaged siding will be repaired. The metal scrollwork supports will be replaced with three simple 10" round columns. The addition will be clad with cementitious board and batten siding.

Proposed October 2016: The existing wood clapboard siding was removed without permits despite having an approved COA indicating that the siding was to be retained. Staff was not able to verify the condition of the siding since it was removed from the site prior to a staff inspection. The applicant proposes to install new wood lap siding to match what was removed. See drawings and other supporting information for more detail.

Roof: The existing roof features a main hip with front and side gables. The gables feature a fish scale shingle pattern. The existing structure features a composition shingle roof with a pitch of 8:12. The existing eave height is 13'-4". See drawings for more detail.

The proposed addition will have a hipped composition shingle roof with a pitch of 6:12. The eave height will be 22'-4". See drawings for more detail.

Front Elevation: The east elevation of the existing residence features a front bay with a pair of 1-over-1 windows topped by a front gable with two centered windows on the northern portion and a front porch on the southern portion. The front porch is constructed from concrete and has two metal scrollwork supports. Behind the front porch is a pair of 1-over-1 windows and a front door. The existing residence is topped by a hipped roof with front and side gable elements. See drawings for more detail.

(East)

The proposed addition will rise above the existing structure. The addition will be inset on both sides. The addition will not have any fenestration and will be clad in board and batten. The non-original concrete front porch will be removed and replaced with a wood front porch. The two metal scrollwork supports will be removed and replaced with three simple columns. See drawings for more detail.

Side Elevation: The south elevation of the existing residence features the side profile of the front porch and front wall (with a single 1-over-1 window) to the east. To the west are two pairs of 1-over-1 windows followed by a single non-original window. A gable is located over the first pair of windows. The rear previously constructed addition features a pair of 2-over-2 windows. See drawings for more detail.

(South)

The proposed second story addition will be built on top of the prior rear addition. The proposed addition will encroach forward onto the existing historic structure. The addition will feature a pair of 2-over-1 windows. The non-original window will be replaced with an existing 2-over-2 window. See drawings for more detail.

Side Elevation: The north elevation of the existing residence features the profile of the front wall with a single 1-over-1 window followed by a small bump-out with a centered 1-over-1 window and topped by a gable. To the west of the bump-out is a small non-original window followed by the 2-over-2 windows. The rear previously constructed addition features a pair of 2-over-2 windows. See drawings for more detail.

(North)

The proposed second story addition will be built on top of the prior rear addition. The proposed addition will encroach forward onto the existing historic structure. The addition will feature a pair of 2-over-1 windows. The non-original window will be replaced with an existing 2-over-2 window. See drawings for more detail.

Rear Elevation: The existing rear elevation features the previously constructed rear addition with a centered door and flanked by pairs of 2-over-2 windows. The older portion of the residence is topped by a gable roof. Lower side gables extend outward from the center gable. See drawings for more detail.

(West)

The proposed second story addition will be built on top of the prior rear addition. The addition will have three 2-over-1 windows. See drawings for more detail.

ATTACHMENT A
PUBLIC COMMENT

PRESERVATION: 907 Henderson OSWNA HPC Opinion

Adrian M [REDACTED]

 You replied to this message on 10/19/2016 8:13 AM.

Sent: Tue 10/18/2016 9:32 PM

To:  Kriegl, Matthew - PD

Cc: DuCroz, Diana - PD; Old Sixth Ward Preservation

To Whom It May Concern,

The OSWNA HPC supports the City's request for denial of CofA for siding removal. We also second a Certificate of Remediation for the replacement of the homes lap siding to match the original.

We'd like to submit that we are here because the city failed yet again to enforce its own rules.

The home had its siding removed years ago and received no protection for the interior walls. The interior of the home was left open to the elements for years. This constitutes obvious demolition-by-neglect. We have documented demolition-by-neglect issues (on this property and others) in emails and photos sent to city staff, in meetings with Pat Walsh and Margaret Wallace-Brown, and neighborhood walkarounds with city preservation and senior planning staff.

The HPO allows for the city to issue citations and secure buildings and even remediate inappropriate work. The city can charge owners for the work, paid for thru fines or liens on the property. Why has the city repeatedly failed to enforce its own rules? We ask for the city to grow the political will to do so, because enforcement's a necessary companion to regulation, and because its residents request and deserve better outcomes.

Lastly, our committee seconds the City's recommendation to approve the plans for the addition as previously approved in 2014 -- as there has been no change since we first reviewed those plans.

Adrian Melendez
Co-Chair OSWNA Historic Preservation Committee