

AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
4:00 p.m. Wednesday, July 8, 2020
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas

1. Call Meeting To Order
2. Attendance
3. Conflict Of Interest
4. Approval Of Minutes: May 6, 2020

Documents:

[2020-05-06 ZBA MINUTES.PDF](#)

5. Meeting Format (Staff)
6. Public Comment

Members of the public may submit a public comment using the web link below. All comments submitted prior to the meeting will be provided to the Planning Commission.

[HTTPS://FORMS.GALVESTONTX.GOV/FORMS/PUBLICCOMMENT](https://forms.galvestontx.gov/forms/publiccomment)

- a. Agenda Items
- b. Non-Agenda Items

7. New Business And Associated Public Hearings

- A. 20Z-009 (17523 San Luis Pass Road / FM 3005) Request For A Special Exception In Accordance With The Galveston Land Development Regulations Section 11.400, To Make A Non-Conforming Use Conforming. Properties Are Legally Described As Lot 1, East And West Half Of Lot 2, And Lots 3 Through 5, Gulf Palms Subdivision, In The City And County Of Galveston, Texas. Applicant: Thomas Harrison Property Owners: Thomas And Linda Harrison

Documents:

[20Z-009 - STF PKT.PDF](#)

- B. 20Z-010 (1801 Avenue L) Request To Appeal The City Of Galveston Landmark Commission's Decision Regarding Case 20LC-037: Request For A Certificate Of Appropriateness For Alterations To The Structure Including Painting Exterior Masonry, Replacing Exterior Doors, And Removing Exterior Shutters. Property Is Legally Described As M. B. Menard Survey, North 67-8 Feet Of Lot 7 (7-1), Block 18, In The City And County Of Galveston, Texas. Applicant: Becky Jolin Property Owner: Sam And Becky Jolin

Documents:

[20Z-010 STF PKT.PDF](#)

8. Discussion Items

9. Adjournment

I certify that the above Notice of Meeting was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on July 1, 2020 at 4:00 P.M.

A rectangular box containing a handwritten signature in black ink that reads "Karen White".

Prepared by: Karen White, Planning Technician

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE (3) DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY SECRETARY'S OFFICE, SUITE 201, 823 ROSENBERG, GALVESTON, TEXAS 77550 (409-797-3510)

MEMBERS OF CITY COUNCIL MAY BE ATTENDING AND PARTICIPATING IN THIS MEETING



City of Galveston

MINUTES OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF GALVESTON REGULAR MEETING – May 6, 2020

CALL MEETING TO ORDER

The meeting was called to order at 4:01 p.m.

ATTENDANCE

Members Present via Videoconference: William Clement (Alternate), Andrew Galletti, Robert Girndt, Jeff Patterson, Sharon Stetzel-Thompson (Alternate), Alice Watford, CM David Collins (Ex-Officio)

Members Absent: Louis Fuchs

Staff Present: Tim Tietjens, Executive Director; Catherine Gorman, AICP, Assistant Director/Historic Preservation Officer

Staff Present via Telephone: Adriel Montalvan, Senior Project Manager; Karen White, Planning Technician; Donna Fairweather, Assistant City Attorney

CONFLICT OF INTEREST

None

APPROVAL OF MINUTES

The March 4, 2020 minutes were approved as presented.

REQUEST TO ADDRESS COMMISSION ON AGENDA ITEMS WITHOUT PUBLIC HEARINGS AND NON-AGENDA ITEMS (THREE MINUTE MAXIMUM PER SPEAKER)

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

20Z-007 (1002, 1004, and 1012 12th Street) Request for a variance from the Galveston Land Development Regulations, Article 3, District Yard, Lot and Setback Addendum, for the Single Family, Residential R-3, with a Historic District overlay (R-3-H) zoning district, to reduce the lot area. Property is legally described as M.B. Menard Survey, Lot 1, Block 131, in the City and County of Galveston, Texas.

Applicant: David Watson

Property Owner: Floyd Pollock

Alice Watford called in at 4:05 p.m.

Staff presented the staff report.

Chairperson Andrew Galletti opened the public hearing on case 20Z-007. Applicant David Watson presented to the Commission. The public hearing was closed and the Chairperson called for questions or comments from the Commission.

Jeff Patterson made a motion to approve case 20Z-007 based on the following findings:

1. The special condition of the three stand-alone properties situated on one lot;
2. The request is not self-imposed or based on financial considerations; and
3. The variance will not have a detrimental effect on the surrounding neighborhood.

Vice-Chairperson Robert Girndt seconded, and the following votes were cast:

In favor:	Clement, Galletti, Girndt, Patterson, Stetzel-Thompson (Alternate)
Opposed:	None
Absent:	Fuchs
Non-voting participant(s):	CM Collins (Ex-Officio), Watson (Alternate)

The motion passed.

20Z-008 (1528 Avenue O) Request for a variance from the Galveston Land Development Regulations, Article 3, District Yard, Lot and Setback Addendum, for the Urban Neighborhood with Neighborhood Conservation District Overlay (UN-NCD-1) zoning district, to reduce the lot area. Property is legally described as the south 77.5 feet of Lot 14, Southeast Block 46, Galveston Outlots, in the City and County of Galveston, Texas.

Applicant: Keith Raybon

Property Owner: RCFT Investments, LLC

Staff presented the staff report and noted that of thirty-five (35) notices of public hearing sent, one (1) had been returned in favor and one (1) had been returned in opposition.

Chairperson Andrew Galletti opened the public hearing on case 20Z-008. Applicant Keith Raybon presented to the Commission. The public hearing was closed and the Chairperson called for questions or comments from the Commission.

Jeff Patterson made a motion to approve case 20Z-007 based on the following findings:

4. The special condition of the two stand-alone properties situated on one lot;
5. The request is not self-imposed or based on financial considerations; and
6. The variance will not have a detrimental effect on the surrounding neighborhood.

Vice-Chairperson Robert Girndt seconded, and the following votes were cast:

In favor:	Clement, Galletti, Girndt, Patterson, Stetzel-Thompson (Alternate)
Opposed:	None
Absent:	Fuchs
Non-voting participant(s):	CM Collins (Ex-Officio), Watson (Alternate)

The motion passed.

DISCUSSION ITEMS

THE MEETING ADJOURNED AT 4:25 PM





20Z-009 STAFF REPORT

ADDRESS:

17523 San Luis Pass Road / FM 3005

LEGAL DESCRIPTION:

Properties are legally described as Lot 1, East and West half of Lot 2, and Lots 3 through 5, Gulf Palms Subdivision, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Thomas Harrison

PROPERTY OWNER:

Thomas and Linda Harrison

ZONING:

Residential, Single-Family (R-1)

REQUEST:

Special Exception from Division 11.400 of the Galveston Land Development Regulations (LDR)

APPLICABLE ZONING LAND USE

Retail-Commercial

APPLICABLE REGULATIONS:

LDR - Division 11.400

EXHIBITS:

- A – Aerial Map
- B – Current Survey

STAFF:

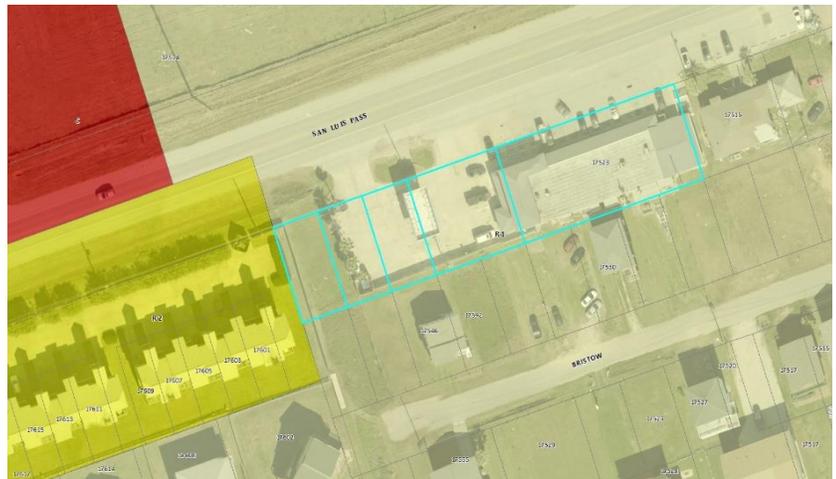
Adriel Montalvan, Senior Project Manager
 409-797-3645
 amontalvan@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
41				

City Department Notification Responses:

No objection from any City Departments or Private Utility.



Background

The City of Galveston annexed the subject property in 1975. According to the applicant, the use has been in existence for 55 years operating as Seven Seas Grocery. The business was established prior to annexation. When it was formed, it was part of the County of Galveston and no zoning regulations were in effect. During the 2015 zoning map amendments, the property was zoned Residential, Single-Family (R-1), which is intended to provide for single-family detached dwellings with complementary civic, recreational, and institutional uses. Prior to 2015, the property was zoned One Family-Two Dwelling (1F-2), which did not allow for the operation of retail establishments.

Executive Summary:

The applicant is requesting a Special Exception per the Galveston Land Development Regulations, Division 11.400, Conversion of Nonconforming Uses, to establish the current land use of “Retail-Commercial” with accessory retail sale of vehicle fuel as a conforming use at the subject location.

The Land Development Regulations define the use of “Retail-Commercial” as any business engaged in the buying and selling of goods and services in retail business. The term means commercial and retail uses that do not include regular outside storage or sales.

Zoning and Land Use Information

Location	Zoning	Land Use
Subject Site	Residential, Single-Family (R-1)	Retail-Commercial
North	Residential, Single-Family (R-1)	Residential
South	Residential, Single-Family (R-1)	Residential
East	Residential, Single-Family (R-1)	Restaurant
West	Residential, Townhouse (R-2)	Townhomes

Procedure for Conversion of Nonconforming Uses

An owner of a nonconforming use may apply for a special exception from the Zoning Board of Adjustment, which has the effect of making the nonconforming use conforming in accordance with Division 11.400 of the Land Development Regulations.

Criteria for Approval/ Applicant’s Justification

SEC. 11.403 CRITERIA FOR APPROVAL

A. **Generally.** A special exception may be granted by the Zoning Board of Adjustment to make a nonconforming use conforming, if, compliance with all of the criteria of this Section is demonstrated.

B. **Nonconformity.** The use, as conducted and managed, has been determined to be a nonconforming use that has been integrated into the neighborhood's function or the zoning district's function if it is not in or adjacent to a residential neighborhood as evidenced by the following demonstrations:

1. **Neighborhood residents regularly patronize or are employed at said use for nonresidential uses in or abutting residential neighborhoods;**

Applicant’s Response: “True – I have operated and owned this business for 55 years at this location. When the City Incorporated the West End, we were inadvertently zoned as Residential. We should have been zoned Retail.”

2. **Management practices eliminate nuisances such as noise, light, waste materials, unreasonably congested on-street parking, or similar conflicts;**

Applicant’s Response: True - Our hours of operation are from 7 AM to 10 PM. All of our outdoor lighting is on timers to reduce to minimum lighting at 10 PM. We also have security lighting that is placed where it does not interfere with traffic or nearby residents.

We have a large parking lot which does not include any street parking.

We have a six foot fence on the rear of the property to offer our neighbors some privacy.

Waste is picked up in 8 yard container 3 times a week by Republic Services and is surrounded by a tall wooden fence.

We have an automatic baler which crushes our boxes in bundles that is stored in a fenced area and is picked up on a regular basis.

3. **There is no material history of complaints to the City about the use. A history of complaints is justification for denying the special exception, unless the conditions of the exception will eliminate the reasons for the complaints;**

Applicant’s Response: True

4. **If the use is nonresidential, it is registered or licensed in accordance with any applicable ordinances of the City; or**

Applicant's Response: True

5. **The use has been maintained in good condition and its classification as a nonconformity would be a disincentive for such maintenance.**

Applicant's Response: True

C. **Conditions.** Conditions may be imposed relative to the expansion of buffering, landscaping, or other site design provision or other limitations necessary to ensure that as a conforming use the use will not become a nuisance. Such conditions may relate to the lot, buildings, structures or operation of the use.

Should the Zoning Board of Adjustment choose to administer Section 11.404 of the Land Development Regulations, the following are conditions for the Special Exception:

1. The applicant shall continue to only operate a "Retail-Commercial" land use with accessory retail sale of vehicle fuel at the subject location. The use shall not include "Auto Service," which include but is not limited to the repair or maintenance of any vehicle.
2. Any new signs must be in conformance with Article 5 of the Land Development Regulations for a Commercial (C) zoning district; and
3. Any new landscaping, lighting, or parking and loading areas shall adhere to Articles 7, 8, and 9 of the Land Development Regulations.

Please see Agenda for Appeal from Decision of Board Process.

Respectfully submitted,



Adriel Montalvan, Senior Project Manager

06/26/2020

Date



Catherine Gorman, AICP
Assistant Director/HPO

06/29/2020

Date

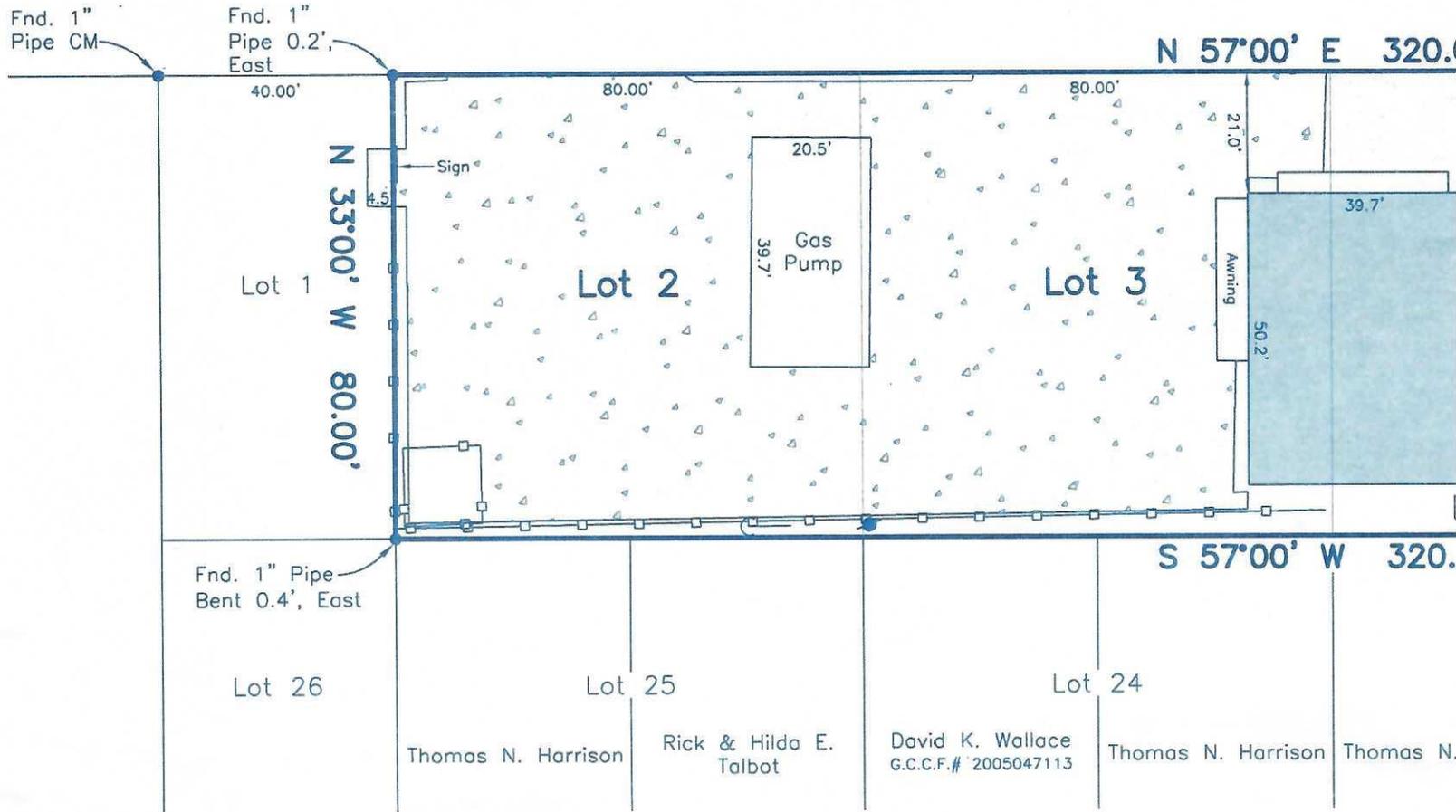


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.



SAN LUIS PASS

(120' R.O.W.)

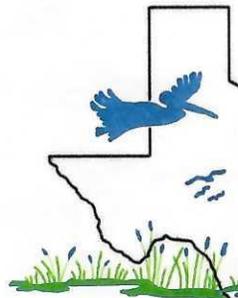


Survey of Lots 2, 3, 4, and 5 of **GULF PALMS**, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 83, of the Map Records in the Office of the County Clerk of Galveston County, Texas.

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

Stephen C. Blaskey

Stephen C. Blaskey
 Registered Professional
 Land Surveyor No. 5856

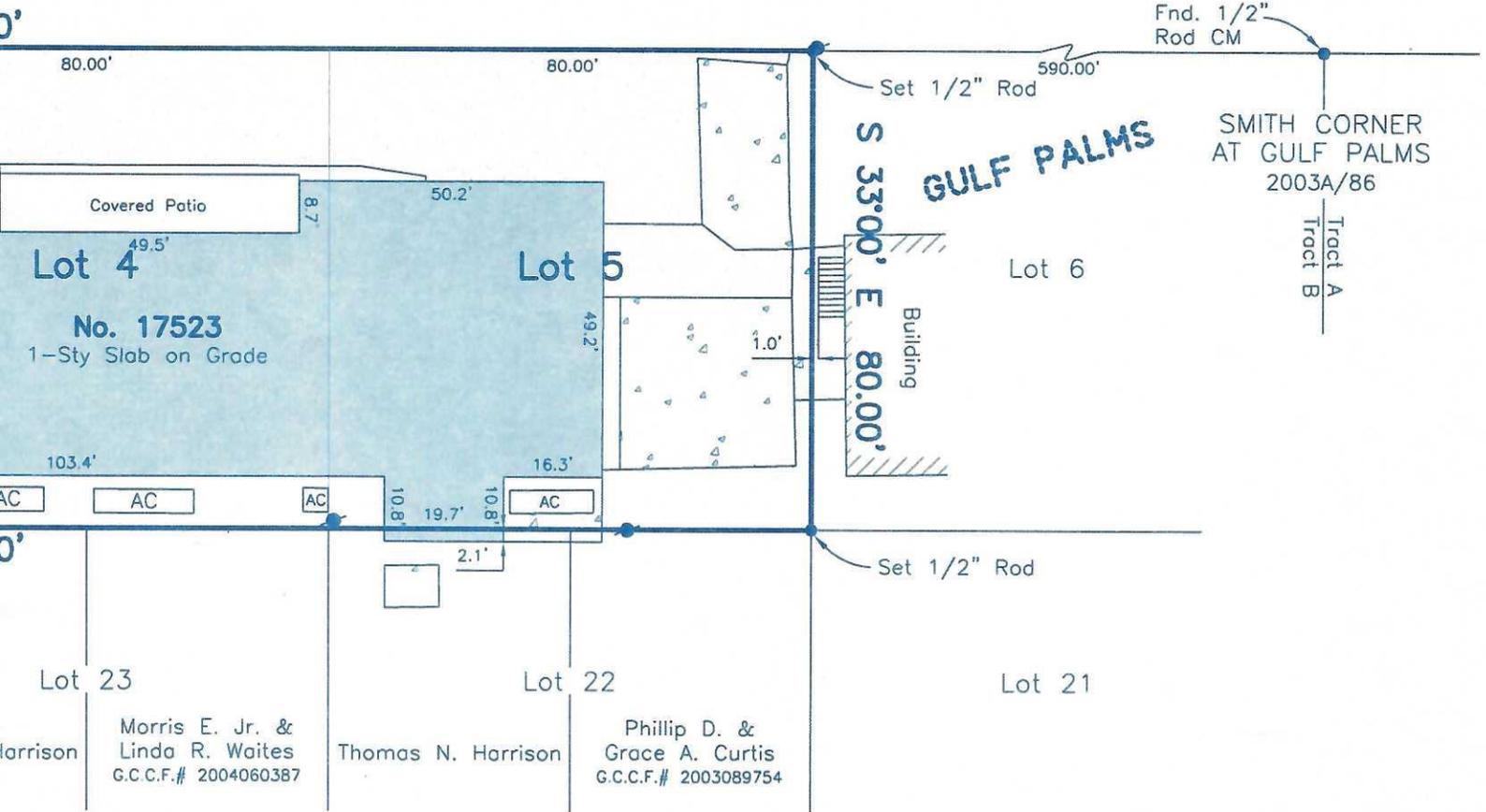


COASTAL SURVEY

GALVESTON OFFICE
 8017 HARBORSIDE DRIVE
 P.O. BOX 877 (mailing)
 GALVESTON, TX 77553
 ph (409) 740-1517 fx (409) 740-03
 WWW.SURVEY

SURVEY DATE "September 17, 2009"
FILE No. 3745-0000-0004-000
DRAFTING cb
JOB No. 09-0721

ROAD



SCALE: 1" = 30'

● Power Pole
 — Guy Wire

NOTES:

- 1) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.
- 2) This property is subject to any restrictions of record.
- 3) Bearings based on Monumentation of South R.O.W. line of San Luis Pass Road
- 4) CM denotes Control Monument.
- 5) Surveyed without benefit of a Title Report.

SOUTH OF TEXAS, INC.
 CRYSTAL BEACH OFFICE
 975 LAZY LANE WEST
 P.O. BOX 2742 (mailing)
 CRYSTAL BEACH, TX 77650
 (409) 684-6400 fx (409) 684-6112
 WWW.SOUTHOFTEXAS.COM



20Z-010

MEMORANDUM

TO: Andrew Galletti, Chair and Commissioners
Galveston Zoning Board of Adjustment

FROM: Catherine Gorman, AICP, Assistant Director/HPO
Development Services Department
cgorman@galvestontx.gov, 409-797-3665

DATE: June 23, 2020

RE: **20Z-010 (1801 Avenue L)** Request to appeal the City of Galveston Landmark Commission's decision regarding case 20LC-037: Request for a Certificate of Appropriateness for alterations to the structure including painting exterior masonry, replacing exterior doors, and removing exterior shutters. Property is legally described as M. B. Menard Survey, North 67-8 Feet of Lot 7 (7-1), Block 18, in the City and County of Galveston, Texas.
Applicant: Becky Jolin
Property Owner: Sam and Becky Jolin

CASE HISTORY:

The applicant submitted an application to the Landmark Commission for the following scope of work:

- Painting exterior masonry;
- Replacing/repairing seven (7) exterior doors as follows:
 - Door 1: Located on 18th Street façade (main entry). Will be replaced with impact wood single door with single impact glass lite with divided sidelites.
 - Door 2: Located on 18th Street façade (service door). Will be replaced with impact wood door.
 - Door 3: Located on Avenue L façade (entry to residential space). Will be replaced with wood door.
 - Door 4: Located on Avenue L façade. Presumed original wood door with divided lites. Will be painted but otherwise unaltered.
 - Doors 5 and 6: Located on south façade. Will be replaced with impact fiberglass doors with single impact glass lite (similar to Door 1).
 - Door 7: Located on south façade. Will be replaced with impact fiberglass solid door.
- Removing an aluminum screen on the Avenue L façade;
- Uncovering existing transoms on the Avenue L façade;
- Removing and enclosing a window on the south façade adjacent to Door 6;
- Replacing an aluminum window on the south façade.

On May 4, 2020, the Landmark Commission approved the request with the following conditions:



Specific Conditions to Case 20LC-037:

1. The applicant shall conform to the design, material, and placement shown in Attachment A of the staff report with the following modifications:
 - a. The unpainted masonry shall not be painted; and
 - b. The proposed Door 1 shall be omitted in favor of double wood impact doors with single lites;

Standard Conditions:

2. Any significant alteration from the design approved by the Landmark Commission, shall require the request to be returned to the Commission for review;
3. The applicant shall obtain a building permit prior to beginning construction;
4. Any additional work will require a separate building permit from the Building Department, and may require review by the Landmark Commission and/or the City's Historic Preservation Officer prior to construction;
5. The Landmark Commission approval shall expire after two years if no progress has been made toward completion of a project unless the applicant files a request for an extension or can show progress toward completion of a project; and,
6. In accordance with Section 10.110 of the Land Development Regulations, should the applicant be aggrieved by the decision of the Landmark Commission, a letter requesting an appeal must be submitted to the Historic Preservation Officer within 10 days of the Commission decision. Additionally, a Zoning Board of Adjustment application must be submitted to the Development Services Department by the next respective deadline date.

Following the May 4, 2020 meeting, the applicant requested that the case be reconsidered due to technical difficulties that prevented the applicant from presenting to the Commission.

At the May 18, 2020 meeting, the Landmark Commission reconsidered the request. The request was approved with the following conditions, which are the same as above:

Specific Conditions to Case 20LC-037:

1. The applicant shall conform to the design, material, and placement shown in Attachment A of the staff report with the following modifications:
 - a. The unpainted masonry shall not be painted; and
 - b. The proposed Door 1 shall be omitted in favor of double wood impact doors with single lites.

Standard Conditions:

2. Any significant alteration from the design approved by the Landmark Commission, shall require the request to be returned to the Commission for review;
3. The applicant shall obtain a building permit prior to beginning construction;
4. Any additional work will require a separate building permit from the Building Department, and may require review by the Landmark Commission and/or the City's Historic Preservation Officer prior to construction;
5. The Landmark Commission approval shall expire after two years if no progress has been made toward completion of a project unless the applicant files a request for an extension or can show progress toward completion of a project; and,
6. In accordance with Section 10.110 of the Land Development Regulations, should the applicant be aggrieved by the decision of the Landmark Commission, a letter requesting an appeal must be submitted to the Historic Preservation Officer within 10 days of the Commission decision.



Additionally, a Zoning Board of Adjustment application must be submitted to the Development Services Department by the next respective deadline date.

APPEAL:

The applicant requests an appeal of Landmark Commission's decision regarding Specific Condition 1.a., above, requiring that the unpainted masonry not be painted.

Please reference the Attachments for the staff reports and memos presented to the Landmark Commission and the action letters sent to the applicant. Transcripts of the consideration of Case 20LC-037 held at the Landmark Commission regular meetings of May 4, 2020 and May 18, 2020 are included as Attachment "D".

The Design Standards for Historic Properties are the set of guidelines the Landmark Commission must use to base its decisions on requests before the body. The attached staff report references sections of the Design Standards that are applicable to the subject case and includes a section on conformance with the Design Standards.

The Landmark Commission reviews the application in accordance with the following portion of Article 10, Section 10.106, of the Galveston Land Development Regulations:

Article 10, Section 10.106 (F) Decision by Landmark Commission.

The Commission shall, in an open meeting, approve, approve with conditions or deny the certificate of appropriateness. If the Commission denies an application, the Commission shall state the reasons for the denial.

1. **Consistency with Historic Design Standards for Approval:** To approve an application, the Commission must find that the proposed activity is in compliance with the *Historic Design Standards*.
2. **Approval with Conditions:** The Commission may impose conditions of approval that are necessary to meet the intent of the *Historic Design Standards*.
3. **Required Denial:** The Commission shall deny the application if it finds that the proposed work will have an adverse effect on:
 - a. The external architectural features of the Galveston Landmark (GL);
 - b. The external architectural features of the properties in the block or in the historic overlay district as a whole; or
 - c. The future preservation, maintenance or use of the GL or of the properties within the Historic Overlay District.

Per Article 10.110, the applicant or any person aggrieved by a decision made by the Commission may appeal the Commission's decision to the Zoning Board of Adjustment. The applicant submitted a letter and application to the Historic Preservation Officer within ten (10) days of the Landmark Commission decision stating intention to appeal. Please note that judicial review of the decision of the Zoning Board of Adjustment shall be in accordance with the Texas Local Government Code.

APPLICANTS JUSTIFICATION:

The applicant stated the following on the appeal application:



- “1. The decision to not allow painting of a 1932 building of which 133 of 207 linear feet was painted prior to the creation of Lost Bayou historic district is arbitrary and capricious. (see Attached).
2. The format did not allow due process.”

Additional information is included as Attachment “E”.

Attachments:

- A. Staff Reports for 20LC-037, including exhibits
- B. Memo for 20LC-037
- C. Action letters for 20LC-037
- D. Transcribed minutes
- E. Applicant’s Justification

Respectfully Submitted,



Catherine Gorman, AICP
Assistant Planning Director / HPO

6/30/2020

Date



Landmark Commission
 Planning & Development Division
 City of Galveston
 May 4, 2020

20LC-037

STAFF REPORT

ADDRESS:

1801 Avenue L

LEGAL DESCRIPTION:

Property is legally described as M. B. Menard Survey, North 67-8 Feet of Lot 7 (7-1), Block 18, in the City and County of Galveston, Texas.

APPLICANTS/REPRESENTATIVES:

Becky Jolin

PROPERTY OWNERS:

Sam & Becky Jolin

ZONING:

Residential, Single-Family – Historic (R-3-H)

HISTORIC DISTRICT:

Lost Bayou

REQUEST:

Request for a Certificate of Appropriateness for modifications to the structure including painting exterior masonry and replacing exterior doors.

STAFF RECOMMENDATION:

Approval based on findings and conditions.

EXHIBITS:

A – Applicants’ Submittal

STAFF:

Karen White
 Planning Technician
 (409) 797-3608
 kwhite@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
6				



Zoning and Land Use

Location	Zoning	Land Use
Subject Site	Residential, Single-Family – Historic (R-3-H)	Vacant Building
North	Residential, Single-Family – Historic (R-3-H)	Residential
South	Residential, Single-Family – Historic (R-3-H)	Residential
East	Residential, Single-Family – Historic (R-3-H)	Residential
West	Residential, Single-Family – Historic (R-3-H)	Residential

Historical and/or Architectural Significance

Date	1932
Style	None
Condition	Good
Evaluation	Medium = Contributing
Note(s)	Windows and door shuttered

Executive Summary

The applicants are requesting a Certificate of Appropriateness for modifications to the structure including:

- Painting exterior masonry;
- Replacing/repairing seven (7) exterior doors as follows:
 - Door 1: Located on 18th Street façade (main entry). Will be replaced with impact wood single door with single impact glass lite with divided sidelites.
 - Door 2: Located on 18th Street façade (service door). Will be replaced with impact wood door.
 - Door 3: Located on Avenue L façade (entry to residential space). Will be replaced with wood door.
 - Door 4: Located on Avenue L façade. Presumed original wood door with divided lites. Will be painted but otherwise unaltered.
 - Doors 5 and 6: Located on south façade. Will be replaced with impact fiberglass doors with single impact glass lite (similar to Door 1).
 - Door 7: Located on south façade. Will be replaced with impact fiberglass solid door.
- Removing an aluminum screen on the Avenue L façade;
- Uncovering existing transoms on the Avenue L façade;
- Removing and enclosing a window on the south façade adjacent to Door 6;
- Replacing an aluminum window on the south façade.

The structure has been vacant since 2008. According to the applicant, six (6) of the existing doors are broken and/or rotted and in need of replacement.

Design Standards for Historic Properties

The following Design Standards are applicable to the project:

Historic Masonry

Brick, stone, terra cotta, stucco and concrete are the primary historic masonry building materials in Galveston. They are used as building walls, site walls, steps, and walkways. Historic masonry and concrete should be repaired and preserved whenever possible.

2.8 Do not paint brick or stone that was not painted historically.

Appropriate

- Maintain the natural uncovered water-protective layer, or patina, to protect masonry from the elements.

Inappropriate

- Do not paint masonry walls (this can seal in moisture, which may cause extensive damage over time).

Historic Paint

Historically, most wood surfaces on the exterior of a building were painted to protect them from weathering. Concrete and stucco structures were also sometimes painted. Note that all projects must meet lead-based paint requirements.

2.12 Plan repainting carefully.

Appropriate

- Always prepare a good substrate. Prior to painting, remove damaged or deteriorated paint only to the next intact layer, using the gentlest means possible.
- Use compatible paints. Some latex paints will not bond well to earlier oil-based paints without a primer coat.

Historic Windows

The character-defining features of a historic window should be preserved. Historic windows can be repaired by re-glazing and patching and splicing wood elements such as muntins, frame, sill and casing. Repair and weatherization is more energy efficient, and less expensive than replacement. If an original window cannot be repaired, new replacement windows should be in character with the historic building.

2.13 Preserve the functional and decorative features of a historic window.

Appropriate

- Preserve historic window features including the frame, sash, muntins, mullions, glazing, sills, heads, jambs, moldings, operation and groupings of windows.
- Repair, rather than replace, frames and sashes, whenever possible.

2.14 Maintain original window proportions and components.

Appropriate

- Preserve the position, number and arrangement of historic windows in a building wall (flexibility in modifying a window on the rear of a contributing structure may be considered. See “Locating Façade Improvements” on page 29 for more information).
- Maintain the original size, shape and number of panes.
- Repair and maintain windows regularly, including wood trim, glazing putty and glass panes.
- Maintain historic art or stained glass.

Inappropriate

- Do not enclose a historic window opening or add a new opening.
- Do not significantly increase the amount of glass on a primary façade as it will negatively affect the integrity of the structure.

2.15 Preserve the proportions of historic window openings.

Appropriate

- Restore altered window openings on primary façades to their original configuration, when feasible.

Inappropriate

- Do not reduce an original opening to accommodate a smaller window or increase it to accommodate a larger window.

2.16 Match replacement window design to the original.

Appropriate

- If the original is double-hung, use a double-hung replacement window, or a window that appears to be double-hung.
- Give special attention to matching the original design on a key character-defining façade.

2.17 Use materials that appear similar to the original when replacing a window.

Appropriate

- Use the same material as the original window, especially on character-defining walls (preferred approach).
- Consider an alternative material only if the appearance of the window components will match those of the original in dimension, profile and finish.
- Use clear window glazing that conveys the visual appearance of historic glazing (transparent low-e glass is preferred).

Inappropriate

- Do not use vinyl and unfinished metals as window materials.
- Do not use metallic or reflective window glazing.

2.18 Match the profile of the sash and its components to that of the original window.

Appropriate

- Maintain the profile depth of the sash, which steps back to the plane of the glass in several increments.

2.19 Convey the character of historic sash divisions.

Appropriate

- Use genuine muntins that divide a window into smaller panes of glass on key walls and other highly visible places.

Inappropriate

- Do not use strips of material located between panes of glass to simulate muntins.

2.20 Enhance the energy efficiency of an existing historic window, rather than replace it.

Appropriate

- Add weather stripping and caulking around the window frame
- Install a storm window or insulated window shade
- Use clear UV films

Historic Doors

There are many different types and styles of front doors on historic Galveston buildings. Most common are single doors with wood panels, wooden doors with glass lights, or wooden doors with sidelights and/or transoms. The character-defining features of a historic door and its distinct materials and placement should be preserved. When a new door is needed, it should be in character with the building, especially when it is located on a primary wall.

2.25 Preserve the decorative and functional features of a primary entrance door.

Appropriate

- Repair locks and other hardware if feasible.
- Preserve original and decorative features, including door frames, sills, heads, jambs, moldings, detailing, transoms and flanking sidelights

Inappropriate

- Do not change the historic position of doors on primary façades.
- Do not add additional doors on primary façades.
- Do not enclose transoms or sidelights.

2.26 Maintain the original position and proportions of a historically significant door.

Inappropriate

- Do not alter the original size and shape of a historic door.

2.27 Repair or replace a damaged historic door to maintain its general historic appearance.

Appropriate

- Use materials that appear similar to that of the original.
- When replacing a historic door, use a design that appears similar to the original door.

Inappropriate

- Do not use solid core or flush doors.

2.28 If necessary, install simple screen doors.

Appropriate

- Use painted wooden screen and storm doors or louvered wooden doors that are backed with screening.

Inappropriate

- Do not use screen doors with highly decorative designs (metal scrollwork, etc.)

Treatment of Historic Signs

Historic signs contribute to the character of Galveston and have individual value. Historic signs should be retained whenever possible, especially when they are a significant part of a building’s history or design.

4.32 Consider history, context, and design when determining whether to retain a historic sign.

Retaining a historic sign is especially important when it is:

- Associated with historic figures, events or places
- Significant to the building or historic district, or as evidence of the history of the product, business or service advertised
- Characteristic of a specific historic period
- Integral to the building’s design or physical fabric
- Attached in a way that removal could harm the integrity of a historic property’s design or damage its materials
- An outstanding example of the sign maker’s art because of its craftsmanship, use of materials or design
- Recognized as a popular focal point in the community.

4.33 Maintain historic wall signs whenever possible.

Appropriate

- Leave historic painted wall signs, or “ghost signs”, exposed whenever possible.

Inappropriate

- Do not over-restore historic wall signs to the point that they no longer provide evidence of a building’s age and original function. May be Considered on a Case-by-Case Basis by the Landmark Commission
- The Commission will consider historic wall sign restoration, following appropriate procedures.

Conformance with the Design Standards

Staff finds that the request generally conforms to the Design Standards for Historic Properties.

Painting of Masonry

The *Design Standards* discourage painting masonry that was not painted historically. Presently, portions of the masonry walls on the ground floor are painted. Staff finds that repainting these portions is appropriate. However, since staff was not provided with evidence that the rest of the structure has been painted historically, staff recommends that the unpainted masonry walls remain unpainted.

There are existing painted wall signs on the 18th Street and Avenue L facades. The *Design Standards* encourage the preservation of these “ghost signs” whenever possible. Staff recommends that the existing signs are left exposed.

Historic Doors

Door 1: While wooden doors with sidelights are common in the historic districts, the *Design Standards* encourage preservation of the position, dimensions, and decorative features of doors on primary facades. Without evidence that a single door with sidelights existed at this location, staff finds the proposed door inappropriate. As an alternative, the applicant has proposed double wood impact doors with single lites in the existing configuration. Staff finds the double doors more appropriate.

Doors 2 and 3: When replacing a historic door, the *Design Standards* encourage using a design that matches that of the original door. Without evidence of what the original door looked like, staff finds that a simple design is appropriate.

Door 4: Staff finds that removing the aluminum screen is appropriate as doing so will reveal the original decorative features of the door.

Doors 5, 6, and 7: While the *Design Standards* encourage replacement doors to match the originals in material and design, doors 5, 6, and 7 are located in Location C: Less Visible Secondary Wall. Preservation is still preferred but additional flexibility exists for compatible replacement or alteration.

Transoms: The *Design Standards* encourage the preservation of original and decorative features. Staff finds that uncovering the transoms on the north façade is appropriate.

Historic Windows

According to the applicant, the windows on the south façade over the 1970s addition are aluminum. While the *Design Standards* discourage the enclosure of historic window openings and staff prefers that the replacement windows match the historic windows in design and material, the windows are located in Location C: Less Visible Secondary Wall. Preservation is still preferred but additional flexibility exists for compatible

replacement or alteration. Staff finds the proposed changes to the windows appropriate due to their location on the south façade.

Staff Recommendation Staff recommends approval of the request with the following conditions:

Specific Conditions to Case 20LC-037:

- 1) The applicant shall conform to the design, material, and placement shown in Attachment A of the staff report with the following modifications:
 - a. The unpainted masonry shall not be painted;
 - b. The existing painted wall sign shall remain exposed; and
 - c. The proposed Door 1 shall be omitted in favor of double wood impact doors with single lites.

Standard Conditions:

- 2) Any significant alteration from the design approved by the Landmark Commission, shall require the request to be returned to the Commission for review;
- 3) The applicant shall obtain a building permit prior to beginning construction;
- 4) Any additional work will require a separate building permit from the Building Department, and may require review by the Landmark Commission and/or the City's Historic Preservation Officer prior to construction;
- 5) The Landmark Commission approval shall expire after two years if no progress has been made toward completion of a project unless the applicant files a request for an extension or can show progress toward completion of a project; and,
- 6) In accordance with Section 10.110 of the Land Development Regulations, should the applicant be aggrieved by the decision of the Landmark Commission, a letter requesting an appeal must be submitted to the Historic Preservation Officer within 10 days of the Commission decision. Additionally, a Zoning Board of Adjustment application must be submitted to the Development Services Department by the next respective deadline date.

Respectfully Submitted:



Karen White
Planning Technician

5/1/2020

Date



Catherine Gorman, AICP
Assistant Director/Historic Preservation Officer

5/1/2020

Date

Attachment A

Certificate of Appropriateness - Landmark Commission

Property 1801 Avenue L

IV. Narrative of Requested Action – addendum

4. Remove aluminum window in upstairs 1970s addition.
5. Replace wood siding of upstairs 1970s addition with new wood siding that matches existing wood siding.
6. Install new 2020 impact fiberglass window to south face of upstairs 1970s addition on south (not street) face of building.

Materials List 1801 Ave L (updated)

- Door 1 – Front Door to Commercial Space: Impact wood door with single impact glass lite with divided sidelites
- Door 2 – Service Door to Commercial Space: Impact wood door
- Door 3 – Front Door to Residential Space: Wood door
- Doors 5 and 6 – Impact fiberglass door with single impact glass lite of similar shape/design as Door 1. Door 5 is the back door for the upstairs. Door 6 provides access to the roof and is set back 19'10" from the edge of the 1970s concrete building, then there is an additional 4' awning toward the street. (Note: the images of the new Doors 5 and 6 are mislabeled Doors 4 & 5. Door 4 is a presumed original wood door with divided lites that will not be altered other than painted.)
- Door 7 – Impact fiberglass solid door for downstairs back door at SW corner of building/property
- Window (there is only one) – Impact fiberglass 2020 Showcase window. This is an upstairs window in the 1970s era utility room with a south (not street) face.
- Existing wood siding on 1970s era utility room will be used to cover space of aluminum window that will be removed, which is adjacent to Door 6. (Visible on photo of Door 6)



MAYAS GROCERY & FOOD PRODUCTS

Door 1

Door 2

Painted



GROCERY & FOOD PRODUCTS

Door 1

MAYA'S GROCERY & FOOD PRODUCTS
1801
AVE-L

Painted
Brick

2

Remove All
Armoire
Blinds
on
studs

Uncover
Pursons

Door 3

Door 4

leave
existing
door
but
remove
aluminum
screen

Painted →

Ave L

MAYA'S GROCERY & FOOD PRODUCTS

1801
AVE-L

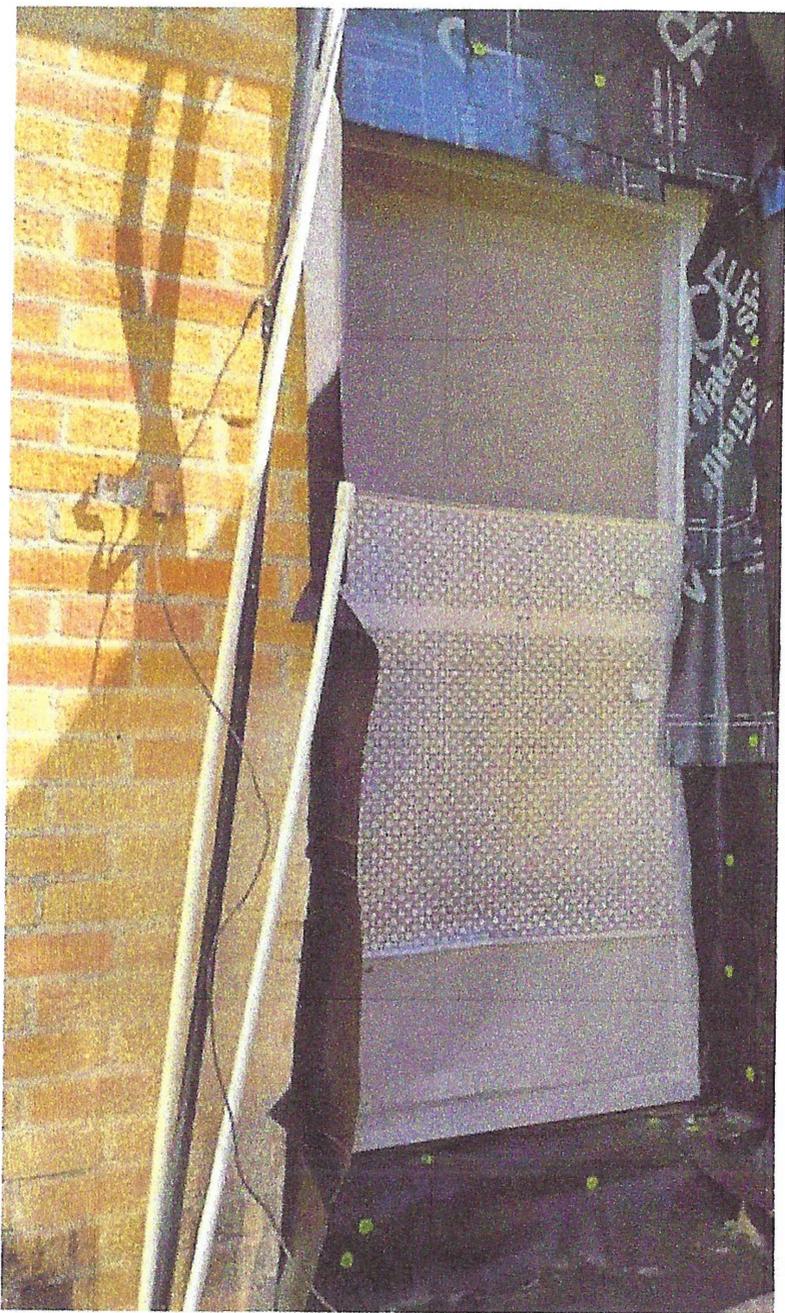




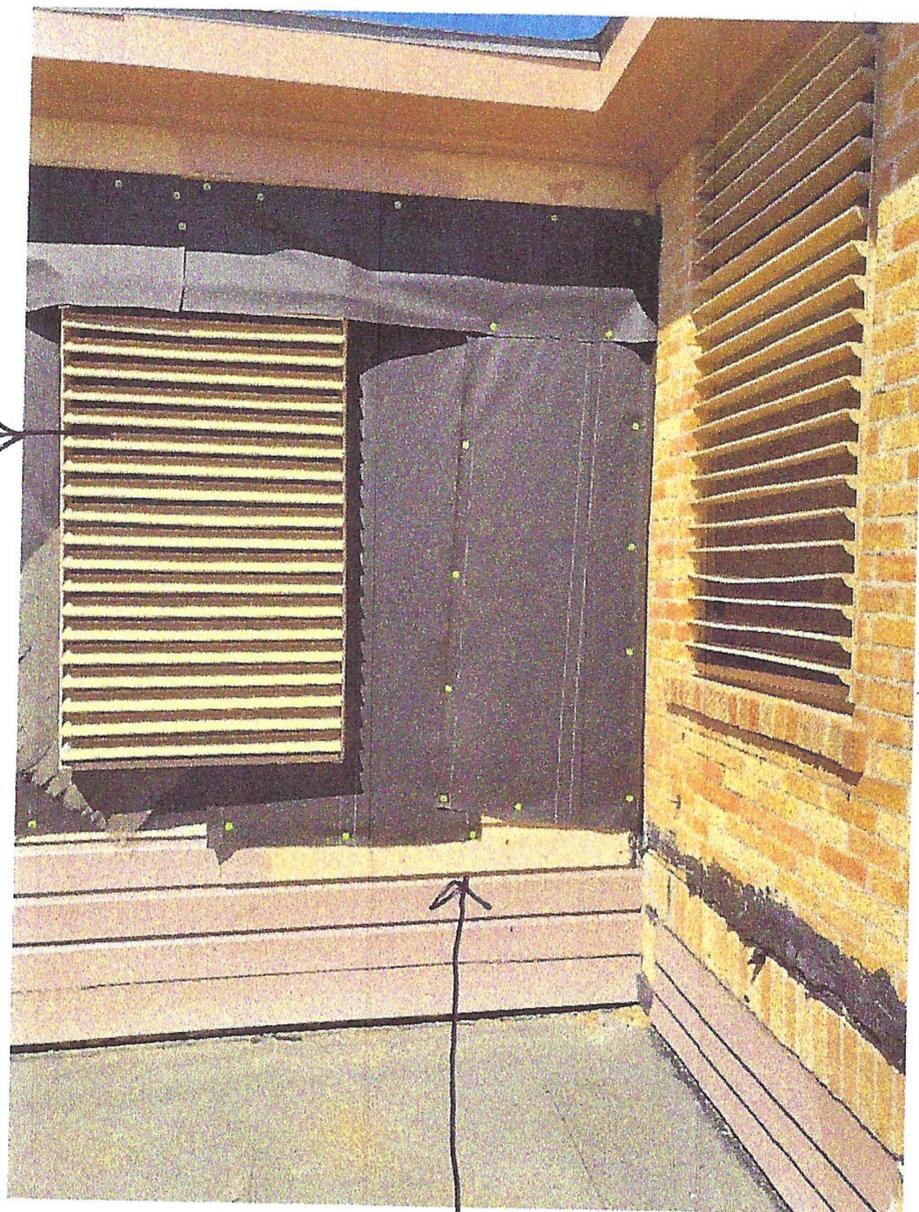
Existing Doors

Existing Side Door 4 36"x83"
will leave this in place.
This is inspiration for
divided sidelites on front door

Existing Front Door 1
to commercial space



Existing
Aluminum
Windows
removed
& covered
with
existing
wood
siding.

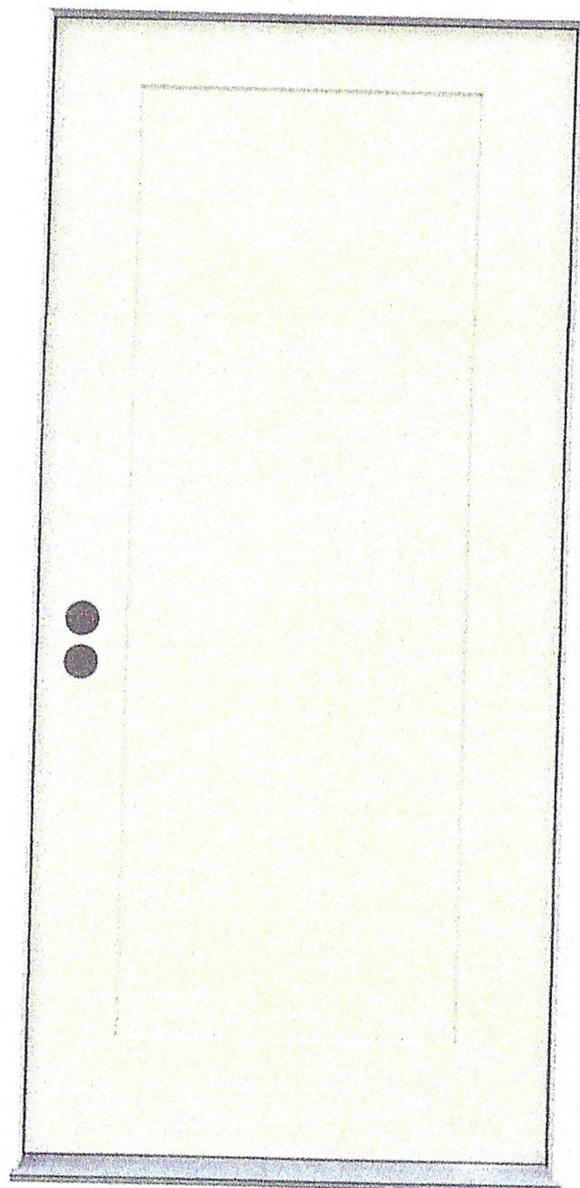


Existing Door 5
at top of backyard
stairs
(this room had extensive
fire damage that's repaired.)

Door 6 to Rooftop
from laundry room.
Now just wood
over opening.



Existing Door 7



New Door 7
Impact Fiberglass



New 2020 Impact Fiberglass
window from Showcase.
This is on S face of upstairs
1970's Utility Room.

Karen White

From: Becky Jolin [REDACTED]
Sent: Wednesday, April 29, 2020 1:20 PM
To: Karen White
Subject: [EXTERNAL] 1801 Ave L

Karen, per your request, here is a photo of the aluminum windows being replaced with one small 2020 impact window. Please note, this is on the south (not street facing) of the upstairs 1970 addition of a porch/utility room over the 1970's concrete building addition.

Becky



Sent from my iPhone. Please excuse typos and autocorrect errors.

Becky L. Jolin
Partner

Smith Jolin LLP
[REDACTED]

FLAT RATE SHIPPING - \$299 FOR THE FIRST DOOR - \$35 FOR ANY ADDITIONAL DOOR



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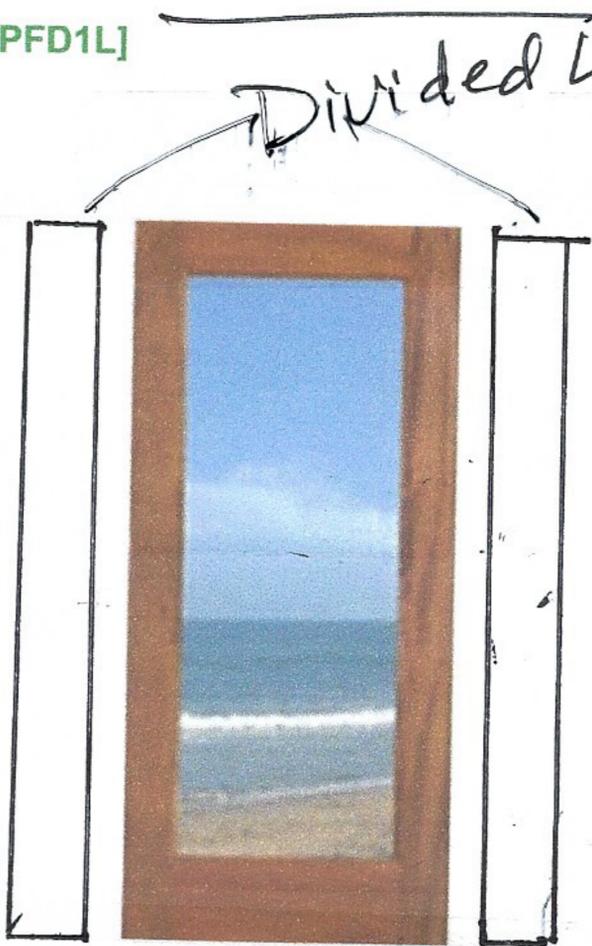
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[Home](#) [Impact Doors](#) IMPFD1L - IMPACT-Mahogany 1-Lite Dual Tempered Clear Glass (1-3/4)

IMPFD1L - IMPACT-MAHOGANY 1-LITE DUAL TEMPERED CLEAR GLASS (1-3/4)

[IMPFD1L]



Door 1 36" x 80"

Proposed Front Door
for Commercial Space

* With 2 side lites
divided to reflect
the existing Side Door
(4) to the Commercial
Space

Roll over image to zoom in



Size *: No Size Selected





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Door 2 - Service Door for Commercial Space.
36" x 80"

Roll over image to zoom in



Size *: **No Size Selected**

36"x96" = \$999 (Backordered 12 weeks)

36"x80" = \$899 (Backordered 12 weeks)

Custom Sizes and Volume Discounts Available!



4

NEW DOOR 3

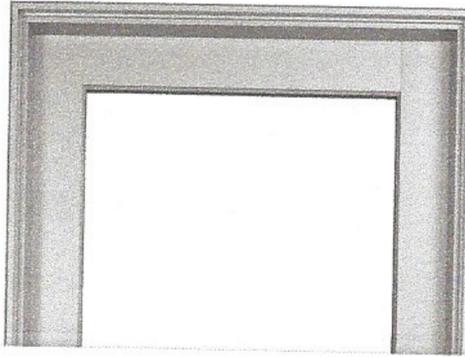


Proposed Door 3 - Entry to Residence
Will paint Trim color
36" x 83"

PROPOSED NEW DOORS 4+5

maximize views and access to the outdoors, select from inswing or outswing operation in sizes up to 14 feet wide, and if a more streamlined look is desired, choose our contemporary panel option with sleek 4 3/4" wood surround on all sides.

Hurricane-rated doors - Same style as front door of commercial space.



These are for upstairs. 1 at back of property at top of stairs &

MARVIN 



The other is for access to the flat roof above the concrete building.

INTERIOR

EXTERIOR

Features of the Ultimate Swinging French Door

- Available in heights up to 9 feet or widths up to 14 feet
- Choose a Traditional panel aesthetic with a 8" bottom rail or for a Contemporary look and more daylight opening, select a 4 3/4" bottom rail
- Handles available in a wide range of styles from traditional to contemporary

- Durable sill is engineered for years of energy-efficient and weathertight performance
- Unique multi-point lock offers security and a tight seal with no visible components
- Adjustable hinges for years of smooth operation
- Hidden Lock Status Sensor option connects with your smart home to indicate when door is closed and locked
- Available with IZ3 coastal/hurricane certification. IZ4 available for Ultimate Outswing French Door only.
- CE certified.

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20LC-037

MEMORANDUM

TO: Fred Huddleston, Chair and Commissioners
Galveston Landmark Commission

FROM: Karen White, Planning Technician
Development Services Department

DATE: May 14, 2020

RE: **20LC-037 (1801 Avenue L) Request for the Landmark Commission to reconsider this request regarding a Certificate of Appropriateness.** Request for a Certificate of Appropriateness for alterations to the structure including painting exterior masonry, replacing exterior doors, and removing exterior shutters. Property is legally described as M. B. Menard Survey, North 67-8 Feet of Lot 7 (7-1), Block 18, in the City and County of Galveston, Texas.
Applicant: Becky Jolin
Property Owner: Sam and Becky Jolin

At the May 4th Landmark Commission meeting, the above case was presented to the Landmark Commission and was approved with staff's recommendations but omitting condition 1.b.

Staff is requesting that the case be reconsidered due to technical difficulties that prevented the applicant from presenting to the Commission.

According to the Galveston Land Development Regulations 13.310: Reconsideration or Rehearing of Decision, (B).

B. Limitations. A request for reconsideration or rehearing will be granted only if a member of the prevailing side of a vote of the board or commission finds, by majority vote of a quorum present, that:

1. There was substantial procedural error in the original proceeding;
2. The board or commission acted without jurisdiction in the original proceeding, and such jurisdictional defect has been since remedied; or
3. The original decision was based upon misunderstanding, fraud, or misrepresentation.

Since there was a misunderstanding between the applicant and staff regarding the technical issues, the Landmark Commission may vote to reconsider this case.

Exhibits

A – Minutes

B – Staff Report 20LC-037



City of Galveston

MINUTES OF THE LANDMARK COMMISSION OF THE CITY OF GALVESTON REGULAR MEETING – May 4, 2020

CALL MEETING TO ORDER

The meeting was called to order at 4:04 p.m.

ATTENDANCE

Members Present via Videoconference: Click, Griffin, Heatley (Alternate), Huddleston, Lang, Patterson, Swanson (Alternate), Wood, Collins (Ex-Officio)

Members Absent: McLean

Staff Present: Tim Tietjens, Development Services Director; Catherine Gorman, AICP, Assistant Director/Historic Preservation Officer

Staff Present via Telephone: Daniel Lunsford, Planner; Karen White, Planning Technician; Donna Fairweather, Assistant City Attorney

CONFLICT OF INTEREST

None

APPROVAL OF MINUTES

The April 20, 2020 minutes were approved as presented.

COVID-19 UPDATE

Staff updated the Commission and the public on the City's steps to reduce the spread of COVID-19.

MEETING FORMAT

Staff explained the adjusted meeting format to the Commission and the public.

PUBLIC COMMENT

None

OLD BUSINESS AND ASSOCIATED PUBLIC HEARINGS

20LC-032 (1703/1705 Avenue M 1/2) Request for a Certificate of Appropriateness for alterations to the structure including window and door replacement. Property is legally described as the West 32.10 feet of Lot 6 (3006-1), Southeast Block 20, Galveston Outlots, in the City and County of Galveston, Texas. Applicant and Property Owner: Vanette Reita Johnson

Staff presented a memorandum requesting that case 20LC-032 be continued until the May 18, 2020 regular meeting in order to allow the applicant to provide additional information requested by staff.

Chairperson Fred Huddleston made a motion to continue case 20LC-032 per staff's request. Sarah Moore Click seconded, and the following votes were cast:

In favor: Click, Griffin, Huddleston, Lang, Patterson, Swanson (Alternate), Wood
Opposed: None
Absent: McLean

Non-voting participant(s): Heatley (Alternate), CM Collins (Ex-Officio)

The motion passed.

20LC-037 (1801 Avenue L) Request for a Certificate of Appropriateness for alterations to the structure including painting exterior masonry, replacing exterior doors, and removing exterior shutters. Property is legally described as M. B. Menard Survey, North 67-8 Feet of Lot 7 (7-1), Block 18, in the City and County of Galveston, Texas.

Applicant: Becky Jolin

Property Owner: Sam and Becky Jolin

Staff presented the staff report and noted that of six (6) notices of public hearing sent, one (1) had been returned without comment.

Staff read a statement prepared by the applicant.

Chairperson Fred Huddleston called for questions or comments from the Commission.

Constance Patterson made a motion to approve case 20LC-037 with staff's recommendations. Clyde Wood seconded.

Vice-Chairperson Joanne Griffin proposed a friendly amendment to omit condition 1.b.

Constance Patterson and Clyde Wood accepted the friendly amendment, and the following votes were cast:

In favor: Click, Griffin, Huddleston, Lang, Patterson, Swanson (Alternate), Wood

Opposed: None

Absent: McLean

Non-voting participant(s): Heatley (Alternate), CM Collins (Ex-Officio)

The motion passed.

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

20LC-034 (1414 Church / Avenue F) Request for a Certificate of Appropriateness in order to retain existing windows. Property is legally described as M.B. Menard Survey, West 38 Feet of Lot 11 (11-1), Block 434, in the City and County of Galveston, Texas.

Applicants and Property Owners: Albert and Jennifer Peoples

Staff presented the staff report and noted that of seven (7) notices of public hearing sent, zero (0) had been returned.

Chairperson Fred Huddleston called for questions or comments from the Commission.

Sarah Moore Click made a motion to approve case 20LC-034 with staff's recommendations. Vice-Chairperson Joanne Griffin seconded, and the following votes were cast:

In favor: Click, Griffin, Huddleston, Lang, Patterson, Swanson (Alternate), Wood

Opposed: None

Absent: McLean

Non-voting participant(s): Heatley (Alternate), CM Collins (Ex-Officio)

The motion passed.

20LC-036 (2400 Mechanic/Avenue C) Request for a Certificate of Appropriateness for alterations to the structure including the application of an elastomeric coating to the building's exterior stucco. Property is legally described as the Stand Lofts Condos (2015), Abstract 628, Galveston Outlots, in the City and County of Galveston, Texas.

Applicant: Building Galveston, Inc. DBA Building Solutions

Property Owner: The Strand Lofts Condominium Association, Inc.

Staff presented the staff report and noted that of thirty-one (31) notices of public hearing sent, one (1) had been returned in favor.

Chairperson Fred Huddleston called for questions or comments from the Commission.

Chairperson Fred Huddleston made a motion to deny case 20LC-036 per staff's recommendation. Sarah Moore Click seconded, and the following votes were cast:

In favor:	Click, Griffin, Huddleston, Lang, Patterson, Swanson (Alternate), Wood
Opposed:	None
Absent:	McLean
Non-voting participant(s):	Heatley (Alternate), CM Collins (Ex-Officio)

The motion passed.

DISCUSSION AND ACTION ITEMS

THE MEETING ADJOURNED AT 4:57 PM





20LC-037

STAFF REPORT

ADDRESS:

1801 Avenue L

LEGAL DESCRIPTION:

Property is legally described as M. B. Menard Survey, North 67-8 Feet of Lot 7 (7-1), Block 18, in the City and County of Galveston, Texas.

APPLICANTS/REPRESENTATIVES:

Becky Jolin

PROPERTY OWNERS:

Sam & Becky Jolin

ZONING:

Residential, Single-Family – Historic (R-3-H)

HISTORIC DISTRICT:

Lost Bayou

REQUEST:

Request for a Certificate of Appropriateness for modifications to the structure including painting exterior masonry and replacing exterior doors.

STAFF RECOMMENDATION:

Approval based on findings and conditions.

EXHIBITS:

A – Applicants’ Submittal

STAFF:

Karen White
 Planning Technician
 (409) 797-3608
 kwhite@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
6				



Zoning and Land Use

Location	Zoning	Land Use
Subject Site	Residential, Single-Family – Historic (R-3-H)	Vacant Building
North	Residential, Single-Family – Historic (R-3-H)	Residential
South	Residential, Single-Family – Historic (R-3-H)	Residential
East	Residential, Single-Family – Historic (R-3-H)	Residential
West	Residential, Single-Family – Historic (R-3-H)	Residential

Historical and/or Architectural Significance

Date	1932
Style	None
Condition	Good
Evaluation	Medium = Contributing
Note(s)	Windows and door shuttered

Executive Summary

The applicants are requesting a Certificate of Appropriateness for modifications to the structure including:

- Painting exterior masonry;
- Replacing/repairing seven (7) exterior doors as follows:
 - Door 1: Located on 18th Street façade (main entry). Will be replaced with impact wood single door with single impact glass lite with divided sidelites.
 - Door 2: Located on 18th Street façade (service door). Will be replaced with impact wood door.
 - Door 3: Located on Avenue L façade (entry to residential space). Will be replaced with wood door.
 - Door 4: Located on Avenue L façade. Presumed original wood door with divided lites. Will be painted but otherwise unaltered.
 - Doors 5 and 6: Located on south façade. Will be replaced with impact fiberglass doors with single impact glass lite (similar to Door 1).
 - Door 7: Located on south façade. Will be replaced with impact fiberglass solid door.
- Removing an aluminum screen on the Avenue L façade;
- Uncovering existing transoms on the Avenue L façade;
- Removing and enclosing a window on the south façade adjacent to Door 6;
- Replacing an aluminum window on the south façade.

The structure has been vacant since 2008. According to the applicant, six (6) of the existing doors are broken and/or rotted and in need of replacement.

Design Standards for Historic Properties

The following Design Standards are applicable to the project:

Historic Masonry

Brick, stone, terra cotta, stucco and concrete are the primary historic masonry building materials in Galveston. They are used as building walls, site walls, steps, and walkways. Historic masonry and concrete should be repaired and preserved whenever possible.

2.8 Do not paint brick or stone that was not painted historically.

Appropriate

- Maintain the natural uncovered water-protective layer, or patina, to protect masonry from the elements.

Inappropriate

- Do not paint masonry walls (this can seal in moisture, which may cause extensive damage over time).

Historic Paint

Historically, most wood surfaces on the exterior of a building were painted to protect them from weathering. Concrete and stucco structures were also sometimes painted. Note that all projects must meet lead-based paint requirements.

2.12 Plan repainting carefully.

Appropriate

- Always prepare a good substrate. Prior to painting, remove damaged or deteriorated paint only to the next intact layer, using the gentlest means possible.
- Use compatible paints. Some latex paints will not bond well to earlier oil-based paints without a primer coat.

Historic Windows

The character-defining features of a historic window should be preserved. Historic windows can be repaired by re-glazing and patching and splicing wood elements such as muntins, frame, sill and casing. Repair and weatherization is more energy efficient, and less expensive than replacement. If an original window cannot be repaired, new replacement windows should be in character with the historic building.

2.13 Preserve the functional and decorative features of a historic window.

Appropriate

- Preserve historic window features including the frame, sash, muntins, mullions, glazing, sills, heads, jambs, moldings, operation and groupings of windows.
- Repair, rather than replace, frames and sashes, whenever possible.

2.14 Maintain original window proportions and components.

Appropriate

- Preserve the position, number and arrangement of historic windows in a building wall (flexibility in modifying a window on the rear of a contributing structure may be considered. See “Locating Façade Improvements” on page 29 for more information).
- Maintain the original size, shape and number of panes.
- Repair and maintain windows regularly, including wood trim, glazing putty and glass panes.
- Maintain historic art or stained glass.

Inappropriate

- Do not enclose a historic window opening or add a new opening.
- Do not significantly increase the amount of glass on a primary façade as it will negatively affect the integrity of the structure.

2.15 Preserve the proportions of historic window openings.

Appropriate

- Restore altered window openings on primary façades to their original configuration, when feasible.

Inappropriate

- Do not reduce an original opening to accommodate a smaller window or increase it to accommodate a larger window.

2.16 Match replacement window design to the original.

Appropriate

- If the original is double-hung, use a double-hung replacement window, or a window that appears to be double-hung.
- Give special attention to matching the original design on a key character-defining façade.

2.17 Use materials that appear similar to the original when replacing a window.

Appropriate

- Use the same material as the original window, especially on character-defining walls (preferred approach).
- Consider an alternative material only if the appearance of the window components will match those of the original in dimension, profile and finish.
- Use clear window glazing that conveys the visual appearance of historic glazing (transparent low-e glass is preferred).

Inappropriate

- Do not use vinyl and unfinished metals as window materials.
- Do not use metallic or reflective window glazing.

2.18 Match the profile of the sash and its components to that of the original window.

Appropriate

- Maintain the profile depth of the sash, which steps back to the plane of the glass in several increments.

2.19 Convey the character of historic sash divisions.

Appropriate

- Use genuine muntins that divide a window into smaller panes of glass on key walls and other highly visible places.

Inappropriate

- Do not use strips of material located between panes of glass to simulate muntins.

2.20 Enhance the energy efficiency of an existing historic window, rather than replace it.

Appropriate

- Add weather stripping and caulking around the window frame
- Install a storm window or insulated window shade
- Use clear UV films

Historic Doors

There are many different types and styles of front doors on historic Galveston buildings. Most common are single doors with wood panels, wooden doors with glass lights, or wooden doors with sidelights and/or transoms. The character-defining features of a historic door and its distinct materials and placement should be preserved. When a new door is needed, it should be in character with the building, especially when it is located on a primary wall.

2.25 Preserve the decorative and functional features of a primary entrance door.

Appropriate

- Repair locks and other hardware if feasible.
- Preserve original and decorative features, including door frames, sills, heads, jambs, moldings, detailing, transoms and flanking sidelights

Inappropriate

- Do not change the historic position of doors on primary façades.
- Do not add additional doors on primary façades.
- Do not enclose transoms or sidelights.

2.26 Maintain the original position and proportions of a historically significant door.

Inappropriate

- Do not alter the original size and shape of a historic door.

2.27 Repair or replace a damaged historic door to maintain its general historic appearance.

Appropriate

- Use materials that appear similar to that of the original.
- When replacing a historic door, use a design that appears similar to the original door.

Inappropriate

- Do not use solid core or flush doors.

2.28 If necessary, install simple screen doors.

Appropriate

- Use painted wooden screen and storm doors or louvered wooden doors that are backed with screening.

Inappropriate

- Do not use screen doors with highly decorative designs (metal scrollwork, etc.)

Treatment of Historic Signs

Historic signs contribute to the character of Galveston and have individual value. Historic signs should be retained whenever possible, especially when they are a significant part of a building's history or design.

4.32 Consider history, context, and design when determining whether to retain a historic sign.

Retaining a historic sign is especially important when it is:

- Associated with historic figures, events or places
- Significant to the building or historic district, or as evidence of the history of the product, business or service advertised
- Characteristic of a specific historic period
- Integral to the building's design or physical fabric
- Attached in a way that removal could harm the integrity of a historic property's design or damage its materials
- An outstanding example of the sign maker's art because of its craftsmanship, use of materials or design
- Recognized as a popular focal point in the community.

4.33 Maintain historic wall signs whenever possible.

Appropriate

- Leave historic painted wall signs, or "ghost signs", exposed whenever possible.

Inappropriate

- Do not over-restore historic wall signs to the point that they no longer provide evidence of a building's age and original function. May be Considered on a Case-by-Case Basis by the Landmark Commission
- The Commission will consider historic wall sign restoration, following appropriate procedures.

Conformance with the Design Standards

Staff finds that the request generally conforms to the Design Standards for Historic Properties.

Painting of Masonry

The *Design Standards* discourage painting masonry that was not painted historically. Presently, portions of the masonry walls on the ground floor are painted. Staff finds that repainting these portions is appropriate. However, since staff was not provided with evidence that the rest of the structure has been painted historically, staff recommends that the unpainted masonry walls remain unpainted.

There are existing painted wall signs on the 18th Street and Avenue L facades. The *Design Standards* encourage the preservation of these “ghost signs” whenever possible. Staff recommends that the existing signs are left exposed.

Historic Doors

Door 1: While wooden doors with sidelights are common in the historic districts, the *Design Standards* encourage preservation of the position, dimensions, and decorative features of doors on primary facades. Without evidence that a single door with sidelights existed at this location, staff finds the proposed door inappropriate. As an alternative, the applicant has proposed double wood impact doors with single lites in the existing configuration. Staff finds the double doors more appropriate.

Doors 2 and 3: When replacing a historic door, the *Design Standards* encourage using a design that matches that of the original door. Without evidence of what the original door looked like, staff finds that a simple design is appropriate.

Door 4: Staff finds that removing the aluminum screen is appropriate as doing so will reveal the original decorative features of the door.

Doors 5, 6, and 7: While the *Design Standards* encourage replacement doors to match the originals in material and design, doors 5, 6, and 7 are located in Location C: Less Visible Secondary Wall. Preservation is still preferred but additional flexibility exists for compatible replacement or alteration.

Transoms: The *Design Standards* encourage the preservation of original and decorative features. Staff finds that uncovering the transoms on the north façade is appropriate.

Historic Windows

According to the applicant, the windows on the south façade over the 1970s addition are aluminum. While the *Design Standards* discourage the enclosure of historic window openings and staff prefers that the replacement windows match the historic windows in design and material, the windows are located in Location C: Less Visible Secondary Wall. Preservation is still preferred but additional flexibility exists for compatible

replacement or alteration. Staff finds the proposed changes to the windows appropriate due to their location on the south façade.

Staff Recommendation Staff recommends approval of the request with the following conditions:

Specific Conditions to Case 20LC-037:

- 1) The applicant shall conform to the design, material, and placement shown in Attachment A of the staff report with the following modifications:
 - a. The unpainted masonry shall not be painted;
 - b. The existing painted wall sign shall remain exposed; and
 - c. The proposed Door 1 shall be omitted in favor of double wood impact doors with single lites.

Standard Conditions:

- 2) Any significant alteration from the design approved by the Landmark Commission, shall require the request to be returned to the Commission for review;
- 3) The applicant shall obtain a building permit prior to beginning construction;
- 4) Any additional work will require a separate building permit from the Building Department, and may require review by the Landmark Commission and/or the City's Historic Preservation Officer prior to construction;
- 5) The Landmark Commission approval shall expire after two years if no progress has been made toward completion of a project unless the applicant files a request for an extension or can show progress toward completion of a project; and,
- 6) In accordance with Section 10.110 of the Land Development Regulations, should the applicant be aggrieved by the decision of the Landmark Commission, a letter requesting an appeal must be submitted to the Historic Preservation Officer within 10 days of the Commission decision. Additionally, a Zoning Board of Adjustment application must be submitted to the Development Services Department by the next respective deadline date.

Respectfully Submitted:



Karen White
Planning Technician

5/1/2020

Date



Catherine Gorman, AICP
Assistant Director/Historic Preservation Officer

5/1/2020

Date

Attachment A

Certificate of Appropriateness - Landmark Commission

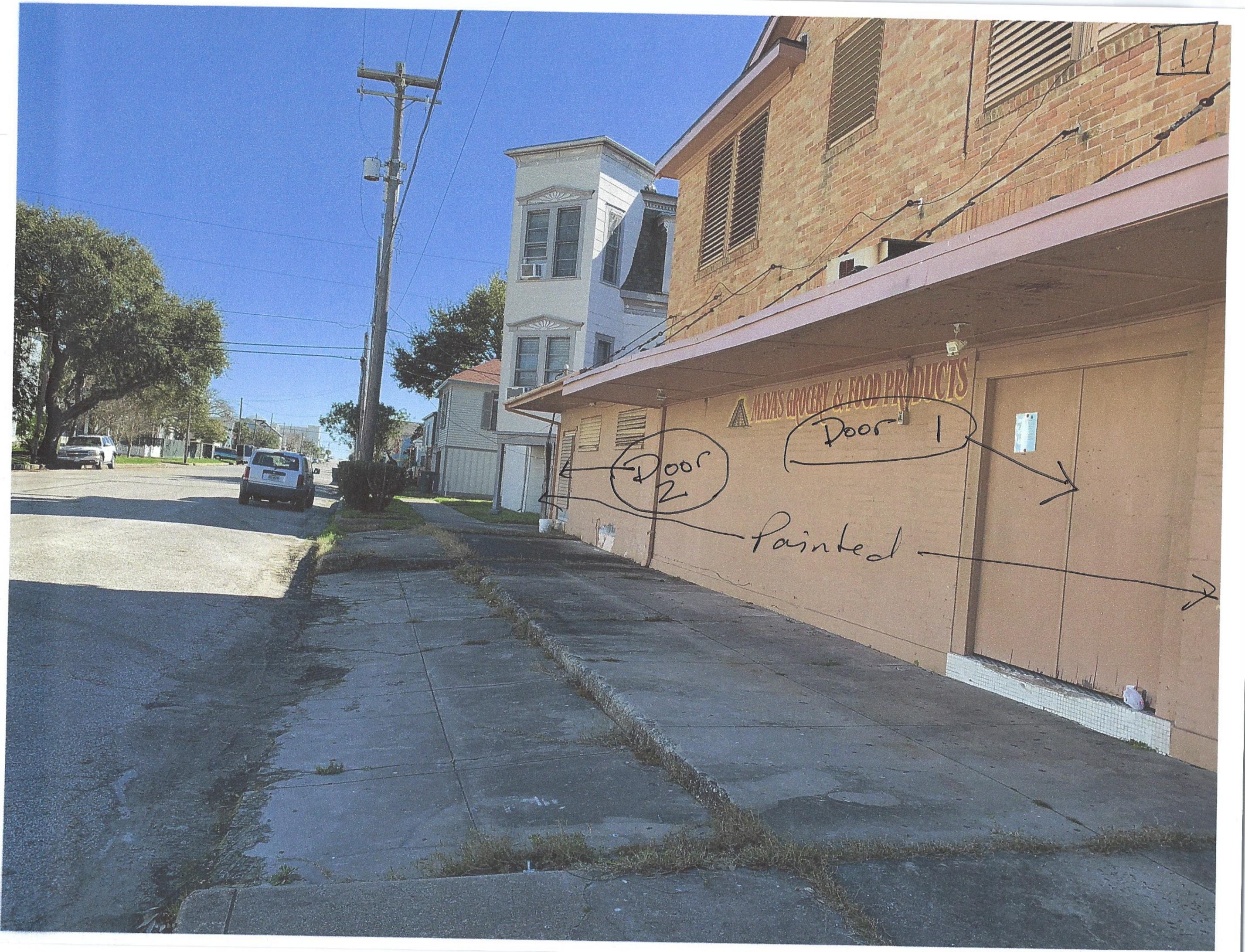
Property 1801 Avenue L

IV. Narrative of Requested Action – addendum

4. Remove aluminum window in upstairs 1970s addition.
5. Replace wood siding of upstairs 1970s addition with new wood siding that matches existing wood siding.
6. Install new 2020 impact fiberglass window to south face of upstairs 1970s addition on south (not street) face of building.

Materials List 1801 Ave L (updated)

- Door 1 – Front Door to Commercial Space: Impact wood door with single impact glass lite with divided sidelites
- Door 2 – Service Door to Commercial Space: Impact wood door
- Door 3 – Front Door to Residential Space: Wood door
- Doors 5 and 6 – Impact fiberglass door with single impact glass lite of similar shape/design as Door 1. Door 5 is the back door for the upstairs. Door 6 provides access to the roof and is set back 19'10" from the edge of the 1970s concrete building, then there is an additional 4' awning toward the street. (Note: the images of the new Doors 5 and 6 are mislabeled Doors 4 & 5. Door 4 is a presumed original wood door with divided lites that will not be altered other than painted.)
- Door 7 – Impact fiberglass solid door for downstairs back door at SW corner of building/property
- Window (there is only one) – Impact fiberglass 2020 Showcase window. This is an upstairs window in the 1970s era utility room with a south (not street) face.
- Existing wood siding on 1970s era utility room will be used to cover space of aluminum window that will be removed, which is adjacent to Door 6. (Visible on photo of Door 6)



Door 1

Door 2

Painted

MAYAS GROCERY & FOOD PRODUCTS



GROCERY & FOOD PRODUCTS

Door 1

MAYA'S GROCERY & FOOD PRODUCTS
1801
AVE-L

Painted
Brick

2

Remove All
Armos
to
streets

Uncover
Purson's

Door 3

Door 4

leave
existing
door
but
remove
aluminum
screen

Painted →

Ave L

MAYA'S GROCERY & FOOD PRODUCTS

1801
AVE-L

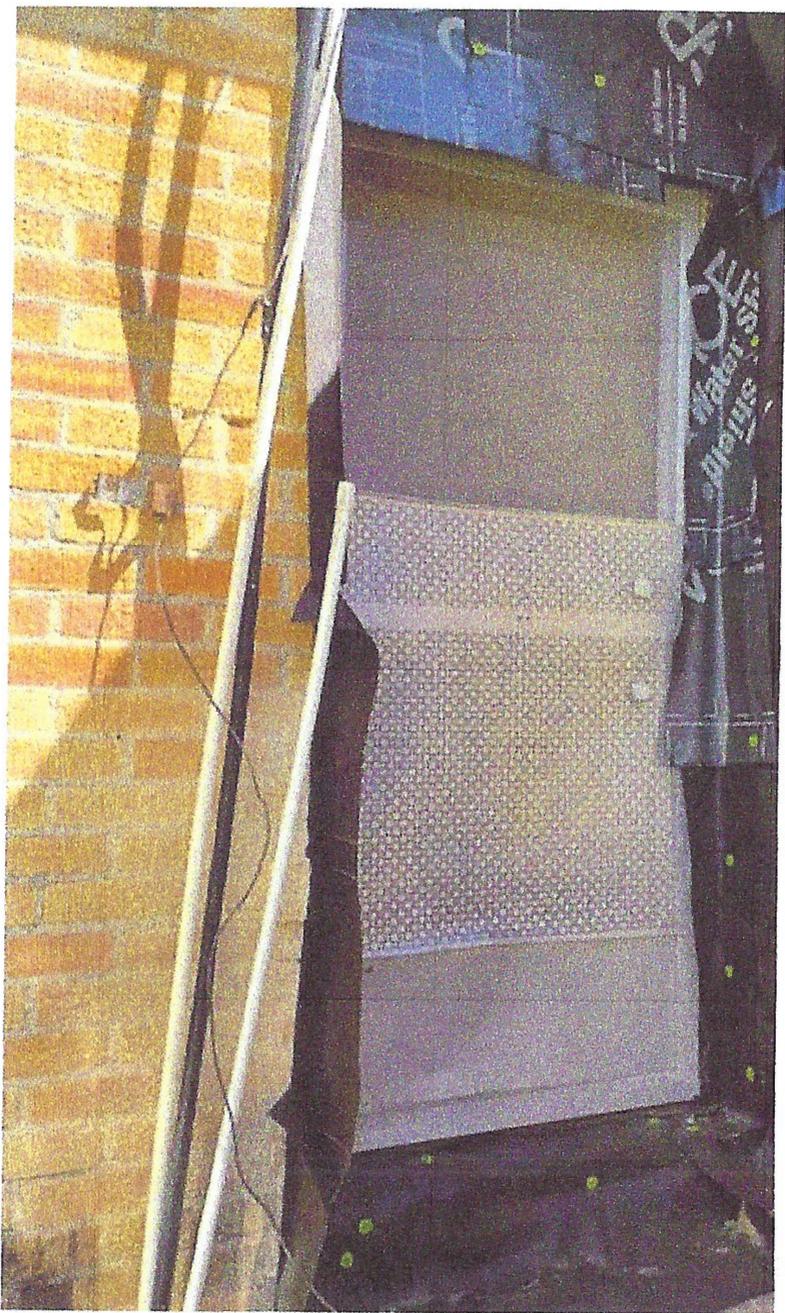




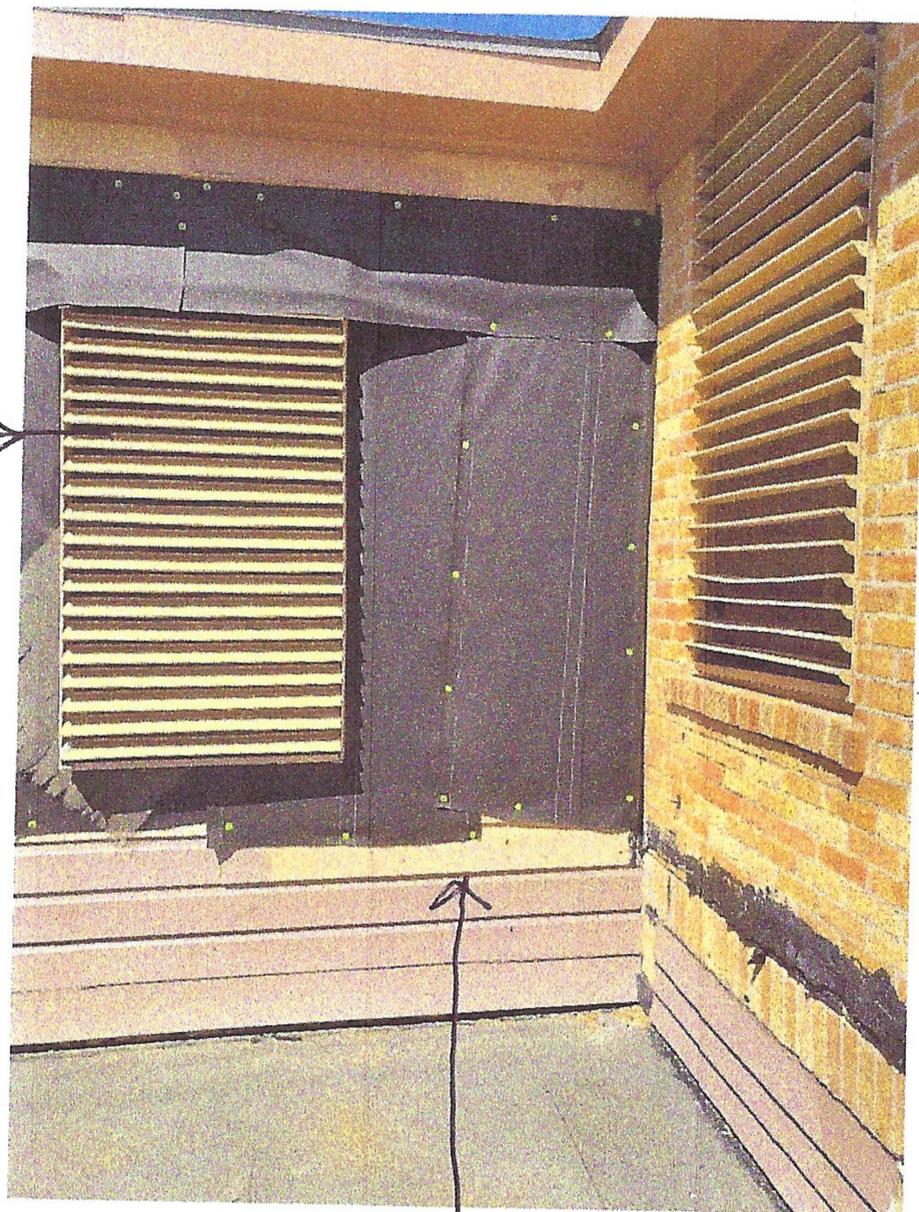
Existing Doors

Existing Side Door 4 36"x83"
will leave this in place.
This is inspiration for
divided sidelites on front door

Existing Front Door 1
to commercial space



Existing
Aluminum
Windows
removed
& covered
with
existing
wood
siding.

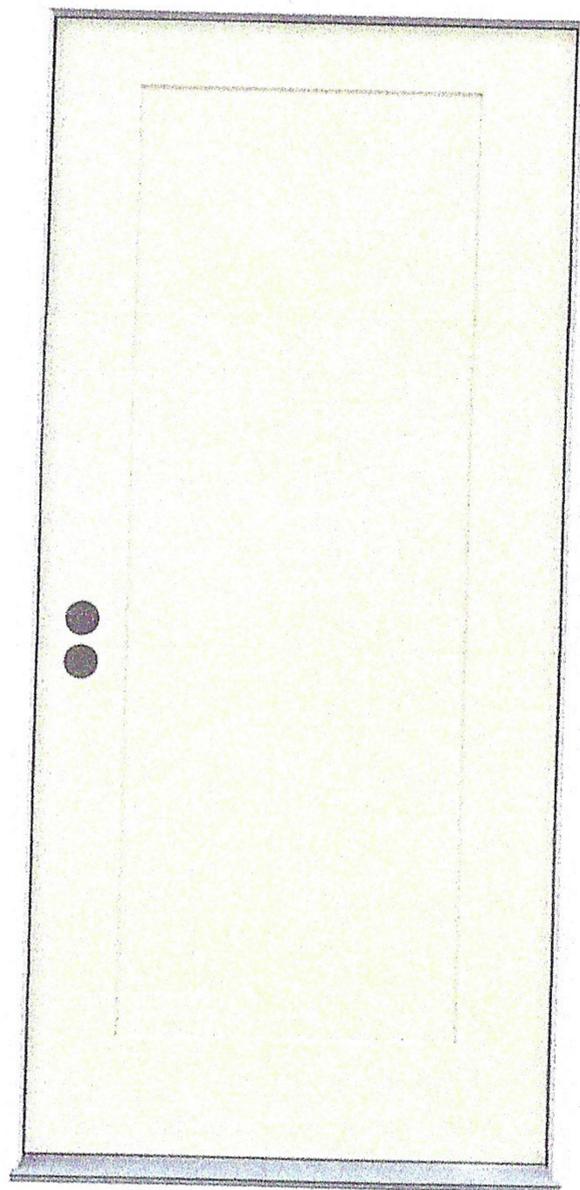


Existing Door 5
at top of backyard
stairs
(this room had extensive
fire damage that's repaired.)

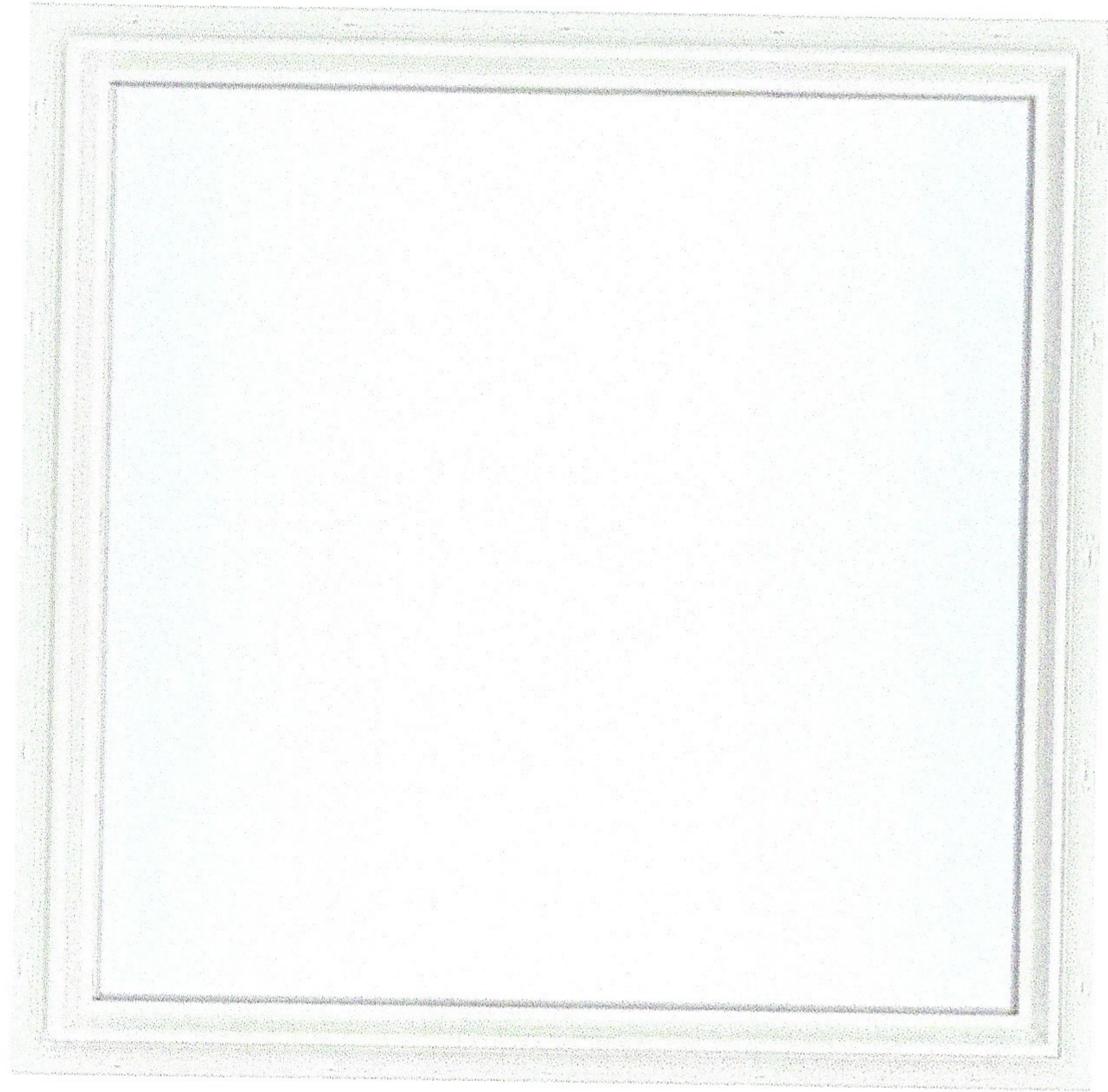
Door 6 to Rooftop
from laundry room.
Now just wood
over opening.



Existing Door 7



New Door 7
Impact Fiberglass



New 2020 Impact Fiberglass
window from Showcase.
This is on S face of upstairs
1970's Utility Room.

Karen White

From: Becky Jolin [REDACTED]
Sent: Wednesday, April 29, 2020 1:20 PM
To: Karen White
Subject: [EXTERNAL] 1801 Ave L

Karen, per your request, here is a photo of the aluminum windows being replaced with one small 2020 impact window. Please note, this is on the south (not street facing) of the upstairs 1970 addition of a porch/utility room over the 1970's concrete building addition.

Becky



Sent from my iPhone. Please excuse typos and autocorrect errors.

Becky L. Jolin
Partner

Smith Jolin LLP
[REDACTED]

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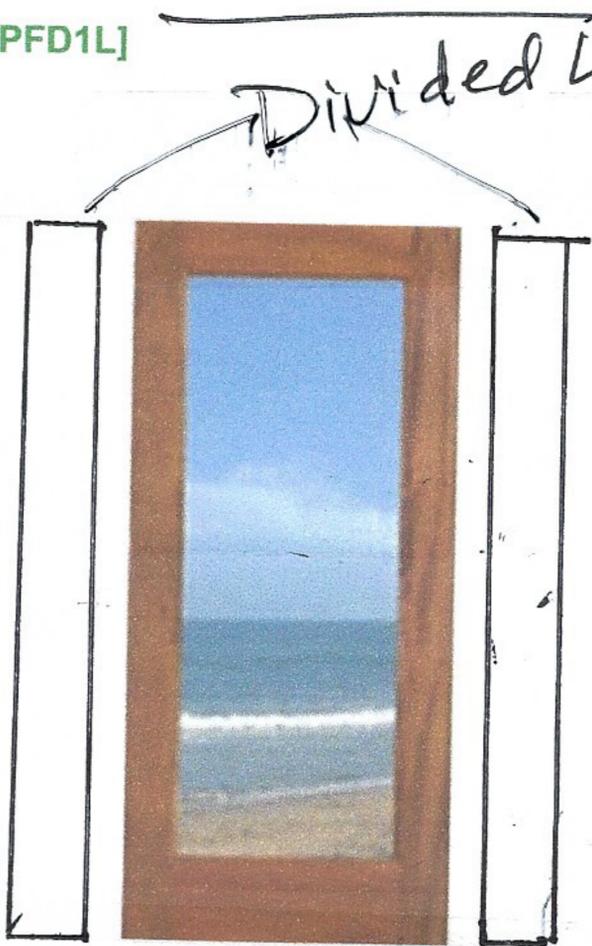
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IMPFD1L - IMPACT-MAHOGANY 1-LITE DUAL TEMPERED CLEAR GLASS (1-3/4)

[IMPFD1L]



Door 1 36" x 80"

Proposed Front Door
for Commercial Space

* With 2 side lites
divided to reflect
the existing Side Door
(4) to the Commercial
Space

Roll over image to zoom in



Size *: No Size Selected





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[Home](#) [Impact Doors](#) [Tokyo-CMIP -IMPACT Mahogany Tokyo \(1-3/4"\)](#)

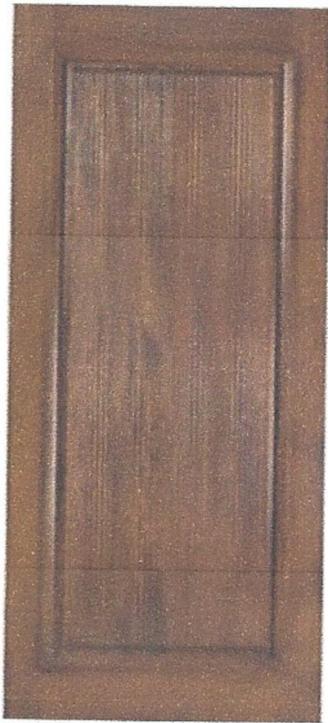
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*Door 2 - Service Door for Commercial Space.
36" x 80"*

Roll over image to zoom in



Size *: No Size Selected

36"x96" = \$999 (Backordered 12 weeks)

36"x80" = \$899 (Backordered 12 weeks)

Custom Sizes and Volume Discounts Available!



4

NEW DOOR 3

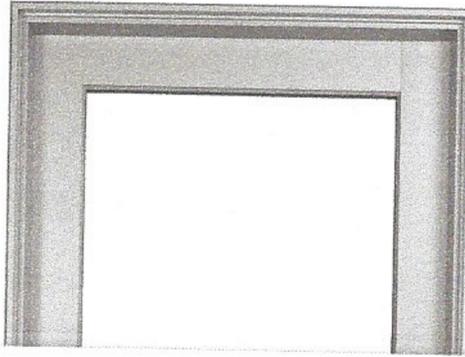


Proposed Door 3 - Entry to Residence
Will paint Trim color
36" x 83"

PROPOSED NEW DOORS 4+5

maximize views and access to the outdoors, select from inswing or outswing operation in sizes up to 14 feet wide, and if a more streamlined look is desired, choose our contemporary panel option with sleek 4 3/4" wood surround on all sides.

Hurricane-rated doors - Same style as front door of commercial space.



*These are for upstairs.
1 at back of property at top of stairs*



MARVIN 



The other is for access to the flat roof above the concrete building.

INTERIOR

EXTERIOR

Features of the Ultimate Swinging French Door

- Available in heights up to 9 feet or widths up to 14 feet
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- Handles available in a wide range of styles from traditional to contemporary

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- CE certified.

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City of Galveston

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planningcounter@galvestontx.gov | 409-797-3660

May 20, 2020

Becky Jolin
2503 Flora Cove
Austin, TX 78746
Via email: beckyjolin1@gmail.com

Re: **20LC-037 (1801 Avenue L)** Request for a Certificate of Appropriateness for alterations to the structure including painting exterior masonry, replacing exterior doors, and removing exterior shutters. Property is legally described as M. B. Menard Survey, North 67-8 Feet of Lot 7 (7-1), Block 18, in the City and County of Galveston, Texas.
Applicant: Becky Jolin
Property Owner: Sam and Becky Jolin

Dear Mrs. Jolin:

The Galveston Landmark Commission, at their meeting of May 18, 2020, voted to approve the above referenced request with the following conditions:

- 1) The applicant shall conform to the design, material, and placement shown in Attachment A of the staff report with the following modifications:
 - a. The unpainted masonry shall not be painted;
 - b. ~~The existing painted wall sign shall remain exposed;~~ and
 - c. Door 1 shall remain in its current configuration.
- 2) Any significant alteration from the design approved by the Landmark Commission, shall require the request to be returned to the Commission for review;
- 3) The applicant shall obtain a building permit prior to beginning construction;
- 4) Any additional work will require a separate building permit from the Building Department, and may require review by the Landmark Commission and/or the City's Historic Preservation Officer prior to construction;
- 5) The Landmark Commission approval shall expire after two years if no progress has been made toward completion of a project unless the applicant files a request for an extension or can show progress toward completion of a project; and,
- 6) In accordance with Section 10.110 of the Land Development Regulations, should the applicant be aggrieved by the decision of the Landmark Commission, a letter requesting an appeal must be submitted to the Historic Preservation Officer within 10 days of the Commission decision. Additionally, a Zoning Board of Adjustment application must be submitted to the Development Services Department by the next respective deadline date.

Please retain a copy of this letter for your records. Feel free to contact me at 409/797-3608, should you have any additional questions.

Sincerely,

Karen White, Planning Technician
Planning and Development Division





City of Galveston

DEVELOPMENT SERVICES
823 Rosenberg, Rm 401 | Galveston, TX 77550
planningcounter@galvestontx.gov | 409-797-3660

June 23, 2020

Becky Jolin
2503 Flora Cove
Austin, TX 78746

Re: **20LC-037 (1801 Avenue L)** Request for a Certificate of Appropriateness for alterations to the structure including painting exterior masonry, replacing exterior doors, and removing exterior shutters. Property is legally described as M. B. Menard Survey, North 67-8 Feet of Lot 7 (7-1), Block 18, in the City and County of Galveston, Texas.
Applicant: Becky Jolin
Property Owner: Sam and Becky Jolin

Dear Mrs. Jolin:

The Galveston Landmark Commission, at their meeting of May 18, 2020, voted to approve the above referenced request with the following conditions:

1. The applicant shall conform to the design, material, and placement shown in Attachment A of the staff report with the following modifications:
 - a. The unpainted masonry shall not be painted; and
 - b. Door 1 shall remain in its current configuration.
2. Any significant alteration from the design approved by the Landmark Commission, shall require the request to be returned to the Commission for review;
3. The applicant shall obtain a building permit prior to beginning construction;
4. Any additional work will require a separate building permit from the Building Department, and may require review by the Landmark Commission and/or the City's Historic Preservation Officer prior to construction;
5. The Landmark Commission approval shall expire after two years if no progress has been made toward completion of a project unless the applicant files a request for an extension or can show progress toward completion of a project; and,
6. In accordance with Section 10.110 of the Land Development Regulations, should the applicant be aggrieved by the decision of the Landmark Commission, a letter requesting an appeal must be submitted to the Historic Preservation Officer within 10 days of the Commission decision. Additionally, a Zoning Board of Adjustment application must be submitted to the Development Services Department by the next respective deadline date.

Please retain a copy of this letter for your records. Feel free to contact me at 409/797-3608, should you have any additional questions.

Sincerely,

Karen White, Planning Technician
Planning and Development Division



Landmark Commission Meeting

May 4, 2020

20LC-037 (1801 Avenue L) Request for a Certificate of Appropriateness for alterations to the structure including painting exterior masonry, replacing exterior doors, and removing exterior shutters. Property is legally described as M. B. Menard Survey, North 67-8 Feet of Lot 7 (7-1), Block 18, in the City and County of Galveston, Texas.

Applicant: Becky Jolin

Property Owner: Sam and Becky Jolin

Staff presented the staff report.

Karen White: This is 1801 Avenue L – let me make sure the applicant is in. This is 1801 Avenue L it is a request for a Certificate of Appropriateness for modifications to the structure including painting exterior masonry and replacing exterior doors. Six public notices were sent; one was returned without comment. The applicants are requesting a Certificate of Appropriateness for modifications to the structure including painting exterior masonry; replacing six doors and repairing one. Doors one and two are located on the 18th Street façade. Doors three and four are on the Avenue L facade. And five, six, and seven are on the south or west façade. Door one would be replaced with an impact wood single door with a single impact glass light with divided sidelights, per the applicant’s proposal. Door two will be replaced with an impact wood door. Door three, with a wood door. Door four will remain as it is except the applicant would like to paint it. It is the presumed original wood door. And the applicant said that the design inspired the proposed design for door one. Doors five and six will be replaced with impact fiberglass doors. Door seven with an impact fiberglass door. The applicant also wants to remove an aluminum screen on the Avenue L façade. Uncover the existing transoms on Avenue L. Remove an enclosed window on the south façade and replace an aluminum window on the south façade. The structure has been vacant since 2008 according to the applicant. Those six doors are either broken or rotted and need to be replaced. Please note the Design Standards in your staff report. The staff finds that the request generally conforms to the Design Standards for Historic Properties. The Design Standards discourage painting masonry that was not painted historically. Presently portions of the masonry walls on the ground floor are painted. Staff finds that repainting these portions is appropriate. However, since we were not provided with evidence that the rest of the structure has been painted historically, we recommended that the unpainted masonry walls remain so. There are existing painted wall signs on the 18th Street and Avenue L facades. The Design Standards encourage the preservation of what they call ghost signs wherever possible. Staff recommends that these remain. You can read the conformance for each individual door. For door one, the applicant has proposed a single door with sidelights but the Design Standards encourage the preservation of the position, dimensions, and decorative features of doors on primary facades. As an alternative, the applicant proposed a double wood impact door to replace the existing double aluminum doors. Staff finds this more appropriate. For doors two and three, the Design Standards encourage using a design that matches the original. We don’t have any evidence of what that looked like and staff finds the simple design appropriate. Doors five, six, and seven are all located in Location C: Less Visible Secondary Wall. While preservation is preferred, additional flexibility does exist for compatible replacement. Like I said, the transoms – the Design Standards encourage the preservation of original and decorative features. Staff finds that uncovering the transoms is appropriate. And then, the windows on the south façade, the applicant believes that this is a 1970s addition. The existing windows are aluminum. They are proposing

to swap, I think, two out and enclose a third. Again, these are located on Location C: Less Visible Secondary Wall. Again, preservation is preferred, but additional flexibility exists. Staff finds that the proposed changes are appropriate due to their location. Staff recommend approval of the request with the following conditions. Specific condition one: The applicant shall conform to the design, materials, and placement shown in Attachment A of the staff report with the following modifications: the unpainted masonry shall remain unpainted; the existing painted wall signs shall remain exposed; and the proposed door one shall be omitted in favor of double wood impact doors with single lights; and standard conditions two through six. And we have photos.

So, this is the subject property from an angle. Next slide. This is door one. The applicant provided the photo on the top right as the existing aluminum doors. They would like to do the door on the bottom with divided lights. Staff is proposing double doors instead. Next slide. This is door two. You can see the proposed door on the right. Next slide. This is door three. Again, the proposed door is on the right. Next slide. This is door four. This is the door that is presumed original. The applicant has only proposed repainting it. Next slide. Door six is circled and then, see, this addition, like I said, according to the applicant, it is a 1970s addition with the siding. Door five you can't see in this photo and door seven is covered by the fence. On the bottom is existing door seven and the proposed fiberglass replacement. On the right is the proposed replacement. Next slide. These are the windows that the applicant is proposing to replace. Again, there are aluminum. They believe these were installed when the addition was put there in the 70s. Next slide. And these are the surrounding properties. That's the subject property on the top left. The property to the north. The property to the south. And the property to the east. That concludes staff's report.

The applicant is on the line. Can you hear me Ms. Jolin? Hello? Ms. Jolin? I don't know if she can hear me. She did submit prepared statement. I can read that to you. When you're ready.

Fred Huddleston, Chair: We're ready.

Karen White: All right. Let me pull it up. Ms. Jolin wrote and I emailed this to you as well a couple of hours ago: We are pleased to be in the process of restoring 1801 Avenue L, the 1932 corner store designed by R.R. Rapp for Massin's Food Mart. More recently, the site operated as Maya's Grocery and Food Products. This building has been abandoned or shuttered without power or water since 2008. I would like to address the conditions proposed by staff to our request for a Certificate of Appropriateness:

Door 1. We requested installation of a wood impact door with a single lite and two divided side lites Door 4, one presumed original door. (See the fourth photo following the Materials List at the back of the packet). Both doors are entries to the commercial space.

When staff rejected our request because it was not similar to the current double doors (we do not know the original configuration), we asked for an alternative that could be approved so that we would have certainty in obtaining a building permit asap to replace the doors. Staff recommended double wood impact doors. We are willing to go forward with staff's recommendation, but our first choice, from a design standpoint that we believe also reflects the original building design depicted by door 4, is to install a single wood impact door with divided side lites.

Number two, paint the masonry. We requested painting the building in base, trim and accent colors appropriate for the Lost Bayou District. The entire 18th street face of the building on the first floor and about one-third of the Avenue L face are already painted. We would like to unify and beautify the building so that it will be an asset to the neighborhood, instead of the shuttered blight it has been for the last 12 years. The brick is not of historic interest. We request permission to paint the entire structure.

Retain painted signs. Staff has recommended that we retain "ghost" signs on the building. These signs are contemporary and do not warrant preserving. The building was built in 1932 for Massin's Food Market, which operated until 1965, when Massin sold the building to the Ochoas, who operated the building as Maya's Grocery and Food Products. The style of the signs, depicting a Maya pyramid and the bright contrasting colors, are contemporary and not typical of historic signage. There are no ghost signs of Massin's Food Market which operated from 1932-1965. We request that the Commission not adopt staff's recommendation that we retain the current painted signs on the building. Thank you for your consideration.

And that concludes staff's or applicant's statement. There were no questions to the applicant or other comments received.

Fred Huddleston, Chair: Does anyone have questions for staff? No? Would someone like to make a motion? Can you all hear me? Can you all hear me?

Connie Patterson: That's better, Fred.

Fred Huddleston, Chair: Okay, I was asking if anybody would like to make a motion. Yes, please Connie.

Connie Patterson: I'll make a motion that we approve Case 20LC-037 with staff recommendations that the brick remain unpainted and that the single front door, that the sidelights be changed to a double front, high impact with a single glass following the rest of staff's recommendations.

Fred Huddleston, Chair: Do I have a second?

Clyde Wood: I second.

Fred Huddleston, Chair: Okay, Clyde seconds. Any discussion further?

Joann Griffin, Vice-Chair: I do.

Fred Huddleston, Chair: Joann?

Joann Griffin, Vice-Chair: Okay, I have a question on the motion. I don't believe that it addressed "B" the (intelligible).

Fred Huddleston, Chair: I didn't hear that.

Joann Griffin, Vice-Chair: (intelligible)

Fred Huddleston, Chair: It broke up on me.

Catherine Gorman: Joann, your audio broke up a little bit. Could you ask the question again?

Joann Griffin, Vice-Chair: Yes, there were three parts of the staff recommendation. There was "A" which was mentioned and (intelligible).

Donna Fairweather: Yeah, I didn't get that.

Joann Griffin, Vice-Chair: I personally feel that (intelligible).

Donna Fairweather: I'm sorry Joann, this is Donna. I'm having a difficult time hearing you. I didn't know if its how your mike is situated? Or when you move your head? I don't know. But it is hard. It's like when you get the meat of what you want to say, it blips out.

Joann Griffin, Vice-Chair: Can you hear me? Can you hear me now?

Donna Fairweather: I can hear you but you are very low. So I'm going to leave it to the other Commissioners to see if they can hear you better than I.

Joann Griffin, Vice-Chair: Maybe I can turn it up.

Donna Fairweather: I heard you a little bit better.

Karen White: That was better.

Donna Fairweather: Yeah.

Joann Griffin, Vice-Chair: Better?

Donna Fairweather: Yes.

Joann Griffin, Vice-Chair: Okay, I just didn't have the volume all the way up. Okay so, my point was there was a "B" – the existing painted wall signs shall remain exposed. Whether or not they should be left intact or painted over. And my feeling is that it wouldn't hurt to paint it over. Just because I agree with (intelligible) that it was painted in 65 which is fairly recent given the age of the building.

Fred Huddleston, Chair: I have to...this is Fred. I have to agree with Joann on that. That the Maya signage is fairly recent in its history and does not need to be retained.

Joann Griffin, Vice-Chair: So do we need just to...the motion?

Catherine Gorman: Connie's got her hand up Fred.

Fred Huddleston, Chair: Okay. I didn't see you for a minute. Connie? Yes?

Connie Patterson: Okay, so I'm looking at the items here on my phone and I guess what Joann is asking is me to do is modify my original motion to exempt item "B", which is to allow them to paint the exterior of the building because the sign is not that old. And given the, looking at the building, given the kind of hodgepodge way this building is put together with different kinds of brick I tend to agree that maybe painting it would make it look better. So I'm going to modify my motion to omit "B" to allow them to paint the building.

Fred Huddleston, Chair: But just the sign. The wall sign.

Connie Patterson: Correct. But I need whoever seconded it to second that change in the motion.

Clyde Wood: Well, I seconded it but I hate seeing brick painted, so.

Fred Huddleston, Chair: Well, but I think what Joann is wanting is just the Maya signage where it's already painted, but not to paint the brick that's not painted.

Clyde Wood: Well, I understood her to say that they could paint the whole house. That includes the brick.

Fred Huddleston, Chair: No.

Clyde Wood: Okay.

Fred Huddleston, Chair: No, no. Joann's point was just to be able to paint over the Maya Grocery signage that's on brick that's already painted.

Clyde Wood: Then I second the amendment.

Connie Patterson: Do you want me to restate the amendment? The motion?

Fred Huddleston, Chair: Please.

Connie Patterson: The motion is to approve Case 20LC-037 with staff's recommendation of the two front doors on door position number one and to omit item "B" which would prohibit them from painting the existing wall sign.

Fred Huddleston, Chair: And Clyde has seconded that. Any further discussion? Joann?

Joann Griffin, Vice-Chair: Do we need to say in there that they have to leave the building unpainted as in item "A"? I don't know that you mentioned that Connie. Or if it has to be made in this part?

Catherine Gorman: The motion as made retains "A" and "C". So, yeah, it's covered.

Joann Griffin, Vice-Chair: That's good.

Fred Huddleston, Chair: So, all right. So, roll call vote then.

Karen White: Commissioner Click?

Sara Click: In favor.

Karen White: Commissioner Griffin?

Joann Griffin, Vice-Chair: In favor.

Karen White: Commissioner Huddleston?

Fred Huddleston, Chair: In favor.

Karen White: Commissioner Lang?

Stephanie Lang: In favor.

Karen White: Commissioner Patterson?

Connie Patterson: In favor.

Karen White: Commissioner Swanson?

Jane Swanson: In favor.

Karen White: Commissioner Wood?

Clyde Wood: In favor.

Karen White: All in favor, the motion passes.

Landmark Commission Meeting

May 18, 2020

20LC-037 (1801 Avenue L) Request for the Landmark Commission to reconsider this request regarding a Certificate of Appropriateness. Request for a Certificate of Appropriateness for alterations to the structure including painting exterior masonry, replacing exterior doors, and removing exterior shutters. Property is legally described as M. B. Menard Survey, North 67-8 Feet of Lot 7 (7-1), Block 18, in the City and County of Galveston, Texas. Applicant: Becky Jolin Property Owner: Sam and Becky Jolin

Staff presented the memo regarding the requested reconsideration.

Karen White: All right, this first case is a request to reconsider this request. It was presented at the May 4th Landmark Commission meeting. It was presented to the Commission and it was approved with Staff's recommendations except condition 1b which was omitted. Staff is requesting that the case be reconsidered due to technical difficulties that prevented the applicant from presenting to the Commission. You can see the code on the memo. Since there was a misunderstanding between the applicant and Staff regarding the technical issues, the Landmark Commission may vote to reconsider this case and if you do vote to reconsider that will be the next case on the agenda. So this motion is to reconsider.

Fred Huddleston, Chair: All right. Can I have a motion to reconsider the Case Number 20LC-037? I will make that motion, to reconsider case 20LC-037. Do I have a second? Oh, okay.

Peggy Heatly: I'll second.

Catherine Gorman: Just to state for the record that Peggy Heatly has seconded.

Fred Huddleston, Chair: Yep. Okay.

Karen White: If no discussion, are you ready for a roll call vote?

Fred Huddleston, Chair: Yes, let's go ahead and do that, yes.

Karen White: Commissioner Click?

Sara Click: In favor.

Karen White: Commissioner Griffin?

Joann Griffin, Vice-Chair: In favor.

Karen White: Commissioner Heatly?

Peggy Heatly: In favor.

Karen White: Commissioner Huddleston?

Fred Huddleston, Chair: In favor.

Karen White: Commissioner Lang?

Stephanie Land: In favor.

Karen White: Commissioner McLean?

Doug McLean: In favor.

Karen White: Commissioner Patterson?

Catherine Gorman: Connie, could you unmute?

Connie Patterson: Sorry, opposed.

Karen White: All right, the motion passes.

Fred Huddleston, Chair: All right, does the applicant have a statement to make?

Catherine Gorman: Well, since this is a reconsideration, Karen will present the staff report and we'll go through the regular process.

Fred Huddleston, Chair: Okay.

Karen White: All right, this is 1801 Avenue L, it was a request for a Certificate of Appropriateness for modifications to the structure including painting exterior masonry and replacing exterior doors. Six notices of public hearing were sent, none were returned for this round. As a reminder, the applicants were requesting a Certificate of Appropriateness to paint exterior masonry, replace or repair seven exterior doors, remove an aluminum screen on the Avenue L facade, uncover existing transoms on the Avenue L facade, remove and enclose a window on the south facade, and replace an aluminum window on the south facade. The structure has been vacant since 2008 and, according to the applicant, six of the existing doors are broken or rotted and in need of replacement. Please note the Design Standards in your staff report.

The staff found that the request generally conforms to the Design Standards for Historic Properties. Regarding the painted masonry, the Design Standards discourage painting masonry that was not painted historically. Presently portions of the masonry walls on the ground floor are painted. Staff finds that repainting these portions is appropriate. However, since staff was not provided with evidence that the rest of the structure has been painted historically, staff recommended that the unpainted masonry walls remain so. There are existing painted wall signs on the 18th Street and Avenue L facades. The Design Standards encourage the preservation of these ghost signs wherever possible. Staff recommended that the existing signs were left exposed but the Commission voted to omit that recommendation. You can read the conformance regarding historic doors and windows. The applicant was mostly voting to have the case reconsidered for the painting. Staff recommended approval of the request with the following conditions: The applicant shall conform to the design, material, and placement shown in Attachment A of the staff report with the following modifications: the unpainted masonry shall not be painted; Condition B was omitted, and Condition C that the proposed door shall be omitted of double wood impact doors with single lights; and standard conditions two through six. We do have photos.

So you can see the bottom floor was the portion that was painted. Those are the existing signs. Next slide. This was door one. Next slide. Door two. Next. Door three. Next. Door four. That's the one that they think is original. So that's just going to be painted rather than replaced. Next slide. These are the doors and windows on the south facade. Doors five, six, and seven. Next slide. Those are the windows on

the south façade, alteration, addition. Excuse me. Next slide. And the surrounding properties to the north, south, and east. And that concludes staff's report. The applicant is on the line.

Becky Jolin: Yes, thank you. This is Becky and I, when I read the staff report I realized that I had not provided sufficient information that I thought would be helpful for the Commissioners to have in making decision with respect to our request to paint the property. This property is kind of a hodgepodge. It has been vacant and shuttered since 08. Right now, it's a combination of painted brick, painted concrete block, and unpainted brick. There is. There are 207 linear feet of façade on the first floor. Of that, 133 are painted and only 74 linear feet are unpainted. Also, there is painted masonry on all four facades of the building. So there's not a single façade that doesn't have some paint on the first floor. So we think that, we're hoping to have this building become an amenity for the neighborhood and we think that unifying the look of the building and painting it in colors that are traditional for the Lost Bayou district would really improve the building for the, for the whole neighborhood. I want to point out that the staff report notes that the style of this building is "none". So there's really no historic architectural interest. The brick isn't of any particular interest and it's in poor condition. It needs to be sealed and repointed. We'd rather seal it with paint. We know that there is a painted, a really lovely, painted building in the East End Historic District that has painted brick. It's at 511 17th Street. So we think that there is precedent for having painted brick and here we have a building that is painted some years ago. We don't know when it was painted. If you look at the color it's multi-colored, kind of orange brick. It's very difficult to kind of. You really can't match it with the paint. So we're asking that the Commissioners exercise their discretion and not adopt condition 1.a. of the staff report.

With respect to the ghost signs on the building, you know, I think you've already discussed that. But if there's any concerns about leaving those signs which we think are contemporary because that building, I'm sorry, that business didn't operate until at least the mid-1960s. So we would ask that you not adopt 1.c. as well.

Fred Huddleston, Chair: Does anyone on the Commission have a question for the applicant? Peggy?

Peggy Heatly: On picture number three, I don't know if it's a poor, maybe a shadow or poor quality but where they have the painted brick and there's a word. It says painted and then there's an arrow. Just under that arrow, the brick looks like it's either a different kind of brick or its discolored or was the brick repaired with a different type of brick? That's what I'm asking. It doesn't look consistent with the rest of the building.

Becky Jolin: Yeah, I'm not sure which is the third picture. Is it for door?

Peggy Heatly: It has a three. There's a three at the bottom of the picture. And it's a side view. Yeah.

Becky Jolin: Yeah, it's one of the pictures that I provided, I guess. Let me just say that there's painted block. It looks like the building used to have some big windows that were bricked over with a different type of brick. So, my guess is whenever they took the windows out and bricked those windows over is when they painted the building. There are also some random splotches of paint here and there. You can see a big splotch, well I don't know if it's in one of these pictures but let's see. It's on the Avenue L side. It's really not visible. But basically, underneath the upstairs it's a uniform brick except where the windows used to be when it was Massin's Food Mart and then Maya's Food and Grocery. The one story building to the left is the concrete block.

Fred Huddleston, Chair: Any other questions for the applicant?

Doug McLean: What is the date of the house? The date of construction?

Becky Jolin: 1932 on the brick building and around 1970 on the concrete block addition.

Fred Huddleston, Chair: Connie?

Connie Patterson: So, did we get a chance to ask questions of staff? Or did we just go past that? I have a question for staff. Anyway, my question is: is this an original grocery store? Corner grocery store? With residence above? Because that's what it looks like to me.

Fred Huddleston, Chair: Yes.

Connie Patterson: When I look at the building on the outside, it looks like the storefront was stuccoed over. So its brick with stucco on top of it. I don't see cinder block but I see stucco on top of brick. And then the residence part of it is the traditional brick.

Becky Jolin: I don't think there's stucco.

Connie Patterson: I just want to comment that that's how it was originally built in 1932.

Fred Huddleston, Chair: It was built as a store downstairs and living space upstairs.

Connie Patterson: Okay thanks.

Fred Huddleston, Chair: Just for a comment. The two-story or three-story house behind it used to sit on the corner and it was pushed back to the back of the lot when they built this building. So. Any other questions for the applicant? Seeing none. Thank you very much, Becky.

Becky Jolin: Thank you.

Fred Huddleston, Chair: I will close the public hearing and bring this case 20LC-037 back to the Commission.

Becky Jolin: Thank you.

Fred Huddleston, Chair: Connie?

Connie Patterson: I'd like to make a motion that we approve this case with staff's recommendation with the exception of allowing them to paint over the name of the store. But all other conditions remain the same in the staff's report.

Fred Huddleston, Chair: Do I have a second? Okay, I got, is that Stephanie?

Stephanie Land: Yes, I will second that.

Fred Huddleston, Chair: Okay. It's seconded. Any discussion then? No? Yes, Peggy?

Peggy Heatly: So. I'm hoping this is the correct time that I can discuss. But I agree with the applicant in the fact that a lot of the brick, unfortunately, part of it was painted. And I don't really see any reason why it shouldn't be painted. I agree that from an aesthetic point of view, so that the property doesn't look

hodgepodge, I think that painting it would unify the building and look a lot nicer. And more, instead of just hodgepodge put together.

Fred Huddleston, Chair: Connie?

Connie Patterson: I'd like to remark to Peggy that I like the idea that this building is an original corner store being repurposed into something else but still retains its original character. And it was intentionally stuccoed and painted on the storefront and not on the residence. And, in fact, if you painted the brick it still wouldn't look like the storefront because it's not stuccoed. They are actually two different textures. If you go back and look at the picture from both sides of this building you will see that the brick actually has a little bit of a texture to it. It's not completely smooth brick but what is underneath the canopy, the storefront is a stuccoed over smooth surface. And so I understand repurposing this into something different but I like the idea that we are preserving history. That's one of those little corner stores and isn't it cool that it becomes something else? I think when you paint the original brick you do in fact kind of contemporize it. You modernize it in a contemporary way. And then I think that it loses its flavor. When you look at a building that is uniformly one color and you no longer see the different shades between the smooth stuccoed brick and the natural brick. It loses some of that history. Some of that character that was part of it.

Fred Huddleston, Chair: All right then. Any other comments? Seeing none, let's do a roll call vote on the motion.

Karen White: Commissioner Click?

Sara Click: In favor.

Karen White: Commissioner Griffin?

Joann Griffin, Vice-Chair: In favor.

Karen White: Commissioner Heatly?

Peggy Heatly: Opposed.

Karen White: Commissioner Huddleston?

Fred Huddleston, Chair: In favor.

Karen White: Commissioner Lang?

Stephanie Lang: In favor.

Karen White: Commissioner McLean? Doug, unmute.

Fred Huddleston, Chair: Doug?

Doug McLean: In favor, sorry.

Karen White: Commissioner Patterson?

Connie Patterson: In favor.

Karen White: All right, motion passes.

1801 Avenue L

IV. APPLICANT'S JUSTIFICATION FOR THE REQUEST

We are appealing the decision of the Landmark Commission retaining Special condition 1.a. of Staff Recommendations that prohibits painting of unpainted masonry. As set out in the application, we have two grounds of appeal:

1. The decision was arbitrary and capricious. The building was constructed in 1932. A concrete block addition was constructed in the 1970s. The building is a hodgepodge of materials and finishes, consisting of painted brick, unpainted brick, painted concrete block, and painted wood siding. According to Landmark Commission staff, it's style is "NONE" and thus has no architectural significance to preserve.

To not allow the painting of masonry to unify the appearance of a commercial building for which 133 of 207 linear feet of the ground floor façade is already painted on all four sides is arbitrary and capricious. Further, the action of the Landmark Commission was arbitrary and capricious in that the vote immediately followed a Commissioner fabricating a reason that painting would not unify the appearance of the building – stating that the painted portion had been stuccoed and therefore painting would not unify the appearance. Having a Commissioner fabricate a fact to sway the vote of the Commission is clearly arbitrary and capricious.

The building has been a vacant eyesore since 2008. We are trying to rehabilitate the building to make it into a desirable commercial space. This is best achieved by giving the building a unified appearance. We have talked to our neighbors. They are so grateful someone bought the building and wants to bring it back to life for the neighborhood. They are all in agreement that the building should be painted. Improving the building will benefit the neighborhood and the neighborhood's property values and tax base.

2. The format of the meeting, via Zoom, did not allow due process. Although we were allowed to make a statement, we were not present in person, our mike was shut off after our statement and there was no way to alert the Commission or correct the Commissioner's capricious statement that the painted portion of the building had been stuccoed and, therefore, would not be unified by painting.

Photographs of the Street views of the building follow:

East Façade along 18th Street – Entirely painted on the ground floor, and all 3 walls of the wood addition upstairs are painted. The entrance to the commercial space is currently boarded up at the far right.



North Façade along Avenue L – approximately 1/3 of the first floor façade is painted



Back/Side facades: There is not sufficient room to photograph the back/side facades.

South face: 34 linear feet of the ground floor façade is painted and 6.5 feet linear feet are unpainted; upstairs, 14 linear feet are painted and 19 linear feet are unpainted.

West face: 25 linear feet of the ground floor façade are painted and 37 linear feet are unpainted. Upstairs approximately 10 linear feet are painted and 37 linear feet are unpainted.