

# SECTION 8: RELOCATION AND DEMOLITION

Together, all of the properties within an historic district establish the character of the neighborhood. The relocation and demolition of historic resources can have serious and permanent effects on the character of a historic district. In nearly all cases, we discourage both of these activities; however, either relocation or demolition may be justified under special circumstances. The City of Houston's historic preservation ordinance outlines the criteria that applicants must meet in order to obtain a Certificate of Appropriateness for these activities.

Because contributing buildings have a greater effect on the overall character and significance of a historic district, the requirements for relocating or demolishing them are necessarily higher than for a noncontributing building.

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## RELOCATION

Relocation, for the purposes of the City of Houston's historic preservation ordinance, includes the following activities:

- Moving a structure into a historic district
- Moving a structure out of a historic district
- Moving a structure to a different location on the same lot or to a different lot within the same historic district



The ordinance lists different requirements for these activities, depending on where the structure is being moved and whether it is classified as contributing or noncontributing.

In order for a **contributing structure** to be relocated **within the same historic district**, the applicant must meet the following criteria:

- a. The structure can be relocated without significantly diminishing the integrity of the historic district in which it is located;
- b. The structure can be moved without significant damage to its physical integrity;
- c. The structure will be located to an area that is compatible with and retains the distinguishing qualities and historical and architectural character of the contributing structure;
- d. There are compelling circumstances justifying the relocation of the structure; and
- e. The distance from the property line to the front and side walls, porches, and exterior features of the structure on the new locations shall be compatible with the distance from the property line of similar elements of existing contributing structures in the context area of the new location.

This includes moving the structure to a different location on the same lot or to a different lot within the same historic district.

In order for a contributing structure to be relocated outside of the historic district, the applicant must comply with all of the criteria listed above, and they must also establish that relocation is necessary to prevent an unreasonable economic hardship, by meeting all of the following criteria:

1. That the property is incapable of earning a reasonable return, regardless of whether the return is the most profitable return, including without limitation, regardless of whether the costs of maintenance or improvement of the property exceed its fair market value.
2. That the owner has demonstrated that the property cannot be adapted for any other use, whether by the current owner, by a purchaser or by a lessee, that would result in a reasonable return;

3. That the owner has demonstrated reasonable efforts to find a purchaser or lessee interested in acquiring the property and preserving it, and that those efforts have failed; and
4. If the applicant is a nonprofit organization, determination of an unreasonable economic hardship shall instead be based upon whether the denial of a Certificate of Appropriateness financially prevents or seriously interferes with carrying out the mission, purpose, or function of the nonprofit corporation.

This applies even if the structure is proposed to be moved into another historic district.

In order for a **noncontributing structure** to be relocated into a **historic district**, it must meet the criteria for new construction as established in the historic preservation ordinance. This applies to structures that come from non-historic district areas, as well as those that were classified as contributing or noncontributing within their own historic district; a previous contributing classification does not automatically transfer.

A **noncontributing structure** may be relocated out of a **historic district** without a Certificate of Appropriateness.

Please refer to the historic preservation ordinance (Sec. 33-246 and 33-247) if the proposed project would relocate a building, structure, or object into or out of an **archeological site**.

Relocation may be used as a tool to protect a contributing structure from demolition resulting from a public improvement project, or as an alternative to demolition, following an application for a Certificate of Appropriateness for demolition.

Relocation of historic buildings from other, similar areas of the City into the Houston Heights Historic District is an acceptable strategy for infill. Buildings being relocated into the district should be appropriately sized to be compatible with the existing neighborhood. Infill construction on vacant lots is encouraged.

It is good practice to indicate the previous location of a relocated building by installing a small sign or placard that indicates the previous address, date of construction, and date of relocation, as well as any historic name by which the building is known. Photographic documentation of the building before the move, as well as the move itself, is encouraged.

### **8.1 Minimize the extent of relocation.**

- If possible, keep the structure on its original site.
- If it must be repositioned, maintain the structure's original orientation to the street. For example, if it was the primary building on the lot, it should not be relocated behind a new main house.
- Use a similar foundation in design and materials at the new location.

### **8.2 Protect the structure during the relocation process.**

- Install structural supports within the building, as needed. Consult a qualified structural mover, who can assess the condition of the structure and take the appropriate steps to stabilize it before, during, and after relocation.
- Secure the building to prevent unauthorized entry while it is unoccupied.

### **8.3 Select an appropriately sized building to move into the historic district.**

- Select a building that is similar in scale, style, and materials to contributing buildings in the context area. The same criteria used to evaluate new construction will be applied to these buildings.

# DEMOLITION

Demolition should be a measure of last resort. An historic district is created in order to protect an area that has historic and architectural significance. Designating an historic district in the City of Houston requires the support of 67% of property owners. All of the properties in an historic district, together, establish the character of the neighborhood. The removal of a contributing house or building is particularly damaging to the neighborhood as a whole.



Demolition of a contributing structure is not allowed, except when:

- a. The building, structure, or object has seriously deteriorated to an unusable state and is beyond reasonable repair; and
- b. The HAHC finds, based on the preponderance of credible evidence presented by the applicant, the existence of an unreasonable economic hardship (per criteria established in the historic preservation ordinance, Sec. 33-247(c)).



Substantial documentation and evidence is required to establish these claims, and the burden of proof rests on the applicant. An application for a Certificate of Appropriateness for demolition requires all of the following information:

1. Photographs and other documented evidence detailing the deteriorated state of the property and the inability to reasonably repair the property;
2. A certified appraisal of the value of the property conducted by a certified real estate appraiser that takes into account that the property is a landmark, protected landmark, or contributing structure in a historic district, as well as the two most recent assessments of the value of the property unless the property is exempt from local property taxes;
3. All appraisals obtained by the owner in connection with the acquisition, purchase, donation, or financing of the property, or during the ownership of the property;
4. All listings for the sale or lease of the property by the owner within the last year, and a statement by the owner of any bids and offers received and counteroffers given on the property;
5. Evidence of any consideration by the owner of uses and adaptive reuses of the property;
6. Itemized and detailed rehabilitation cost estimates for the identified uses of the property;
7. Any financial statements showing revenue and expenses incurred for the property;
8. Complete architectural plans and drawings of the intended future use of the property, including new construction, if applicable;

9. Plans to salvage, recycle, or reuse building materials if a Certificate of Appropriateness is granted;
10. An applicant who is a nonprofit organization shall provide the following additional information:
  - a. A comparison of the cost of performance of the mission or function of the nonprofit organization in the existing building and in a new building;
  - b. The impact of the reuse of the existing building on the organization's program, function or mission;
  - c. The additional cost, if any, attributable to the building of performing the nonprofit organization's function within the context of costs incurred by comparable organizations, particularly in the Houston area;
  - d. Grants received, applied for or available to maintain or improve the property; and
  - e. The nonprofit organization's budget for the current and immediately past fiscal year.
11. Any additional information the Planning Director determines is reasonably necessary to the review of the application.

Demolition of noncontributing structures does not require a Certificate of Appropriateness. However, historic garages that are visible from the public right-of-way should be maintained and preserved when possible.

The removal of non-historic additions, including attached garages or carports, does require a Certificate of Appropriateness, but that can be approved administratively by the Planning Director.