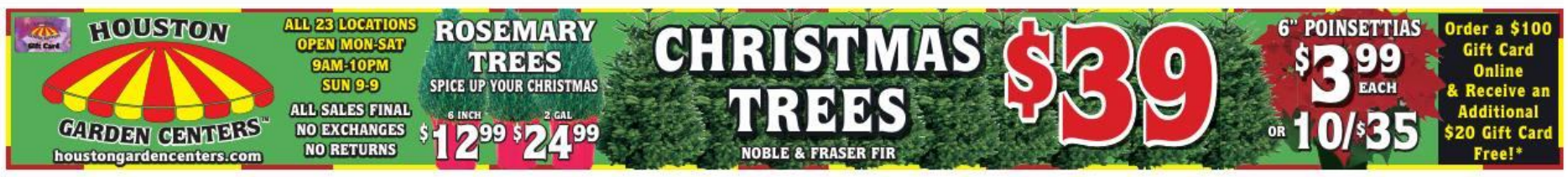
Inside Today: What would it take to get a sushi restaurant around here? • Page 1B

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UIL shifts local schools; Reagan faces tough assignment

by Michael Sudhalter
michael@theleadernews.com

The University Interscholastic League (UIL) has expanded from five classifications to six, and Reagan High will be moving up two classifications from 4A to 6A.

The realignment will go into effect for 2014-15 and 2015-16. The assignments are based on student enrollment.

Waltrip will go from 4A to 5A, which means they'll stay with most of the same opponents, and the same goes for Scarborough, which will move up from 3A to 4A.

Reagan High athletic director/head football coach Stephen Dixon had mixed feelings about the Bulldogs moving up to 6A (the former 5A-20, along with Milby High).

The Bulldogs will be in a district with Bellaire, Chavez, Lamar, Milby, Sam Houston, Westside and Westbury.

"(In football), we can compete and still make the playoffs," Dixon said. "We'd been getting better and better each year. Our goal will still be the same -- to win a state championship. But we'll have to acclimate to that type of competition, week in and week out."

Waltrip's 5A district will be the same as the former 4A-21 with the addition of Yates, which is moving up from 3A, and Madison, a former member of 5A-20.

Austin, Davis, Lee, Sharpstown and North Forest will remain district opponents for the Rams.

Waltrip football coach Milton Dailey said it won't change much, but it may make scheduling non-district games a challenge.

Scarborough's 4A district will be the same as 3A-23 with Furr, Jones, Kashmere, Sterling, Washington and Worthing remaining as district opponents. The only change will be Wheatley, a 4A-21 member, replacing Yates.

Historic Struggle



Scott and Brie Kelman look at their house plans with son Oliver. Their plans were initially denied by HAHC. (Photo by Betsy Denson)

Getting approval for renovations in historic district includes guesswork

by Betsy Denson
betsy@theleadernews.com

When Brie Kelman and her husband, Scott, bought their home on Harvard Street, she liked that it was located in the protected historic district Houston Heights East. She also was aware that it needed a lot of work.

"There were big holes in the floor patched by plywood, the 1920 siding was covered by asphalt roofing material and there was over three feet of junk covering the floors," she said.

Following procedure, she met with preservation staff from the City of Houston before she submitted her application to the Houston Architectural Historic Commission, a 13-member board that reviews Historic District applications.

To get the coveted Certificate of Appropriateness – and proceed with renovations – Kelman would need to meet 11 criteria. She worked with a preservation staff member who served as a go-between with HAHC and also referred to an online design guide.

Kelman did everything by the book. Or so she thought.



Trash was piled high in the home the Kelmans purchased on Harvard Street.

"[HAHC] became fixated on the percent at which my second story addition started," she said. In other words, they didn't like it. Printed materials Kelman used to guide the design of her home — including the Houston Historic Preservation Ordinance — said the second story had to be 50 percent back from the front wall of the house.

"Then I was told it needed to be 67 percent or 75 percent [back]," she said. "It would have looked like a camelback on steroids with no backyard."

And therein lies the problem. Ac-

see Historic • *Page 9A*

See related opinion on subjective rules / Page 4A

The 11 steps to a Certificate

In order for the HAHC Commission to authorize a Certificate of Appropriateness for restoration, they must find that the project satisfies each and every one of these 11 criteria.

1: The proposed activity must retain and preserve the historical character of the property.

2: The proposed activity must contribute to the continued availability of the property for a contemporary use.

3: The proposed activity must recognize the building, structure, object or site as a product of its own time and avoid alterations that seek to create an earlier or later appearance.

4: The proposed activity must preserve the distinguishing qualities or character of the building, structure, object or site and its environment.

5: The proposed activity must maintain or replicate distinctive stylistic exterior features or examples of skilled craftsmanship that characterize the building, structure, object or site.

6: New materials to be used for any exterior feature excluding what is visible from public alleys must be visually compatible with, but not necessarily the same as, the materials being replaced in form, design, texture, dimension and scale.

7: The proposed replacement of exterior features, if any, should be based on accurate duplication of features, substantiated by available historical, physical or pictorial evidence, where that evidence is available, rather than on conjectural designs or the availability of different architectural elements from other structures.

8: Proposed additions or alterations must be done in a manner that, if removed in the future, would leave unimpaired the essential form and integrity of the building, structure, object or site.

Criterion 9: The proposed design for any exterior alteration or addition must not destroy significant historical, architectural or cultural material and must be compatible with the size, scale, material and character of the property and the area in which it is located.

Criterion 10: The setback of any proposed addition or alteration must be compatible with existing setbacks along the blockface and facing blockface(s).

Criterion 11: The proposed activity will comply with any applicable deed restrictions.

Daycare to stiffen up security

The Messiah Lutheran Early Childhood Center, 5103 Rose, is hoping to install security cameras in its parking lot early next year.

The action is a response to three burglaries of motor vehicles -- two in the past three weeks and one in April -- in which mothers' purses were stolen from their vehicles as they took a few moments to go inside the daycare center to pick up their children.

"(The security cameras) are what our parent body wants, so that's what we're looking into," said center director Stacey Viviano.

The cameras, which would cost between $3,000-$10,000, must be approved by the Messiah Lutheran church's board at its next board meeting.

Viviano said that makes more sense than hiring a security guard, who would have to be there all day, five days per week.

Unlike elementary schools with a set time for pick up, parents are dropping off and picking up their children throughout the day.

Viviano said the burglaries have been an ongoing problem in the Rice Military area. She echoed the Houston Police Department's advice in telling parents not to leave valuables in plain sight -- even if they're only going inside for a few minutes.

– Michael Sudhalter

Note from the Publisher:

Dear Readers,

We have a philosophy in the newspaper business that we should always strive to surprise our readers. We believe you should pick up this newspaper each week, look at the front page, or an inside story, and literally say, "Wow, I did not know that."

Well, there are other times when you should not be surprised, and today is one of those days. Each year, in the first issue of December, we insert a letter and envelope inside the paper about a program we launched last year called "Voluntary Contributions."

Like many free newspapers around the country, one time a year we humbly offer those who appreciate the paper an opportunity to support what we're doing at *The Leader*.

To get full details on the program, please take a couple of minutes to read the inserted letter. And as many of our readers requested last year, we've added some technology this year, allowing contributions to be made securely online.

Jonathan McElvy

THE BRIEF.

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Heights fire caused by exploding aerosol

The Houston Fire Department put out a small closet fire in the 600 block of Heights Blvd. at 11:53 a.m. on Nov. 28.

There was moderate damage to a bedroom closet, but HFD warned against the use of aerosols in or near any type of heat source.

An 11-year-old boy was spraying in the closet and didn't realize there was a heater right above the closet. The fire trucks arrived quickly and minimized the damage.

The boy had a minor burn on his cheek, but it didn't require a visit to the hospital.

"It's a real rarity – we don't have many fires like this at all," said HFD spokesman Jay Evans.

However, fires this time of year are not a rarity. As temperatures cool, and more people use heating devices, fires become more commonplace.



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Historic • *from Page 1A*

cording to an increasing number of homeowners and builders in the Heights, the guidelines are not true guidelines. The HAHC utilizes subjectivity in criteria, meaning a homeowner can do everything in his or her power to follow the rules, only to be told they don't apply in certain instances.

That's a larger problem for many people moving into historic districts – not just in the Heights, but across the entire city. There are many young families who have children and need to expand on the 2-bedroom, 1-bath houses.

Attorney Jim Jard, who sits on the Planning Commission, is sympathetic to their plight.

"They have to decide whether to stay and renovate or go to the suburbs," he said. "The suburbs are easy. The city is harder. It would be nice for them to be able to stay here."

Back to the Kelman family. Once they took their plans to HAHC, with a second story that sat 50 percent back from the front of the house, they were denied their application to renovate. They appealed that decision to the Planning Commission, which ultimately overturned HAHC's decision, and they plan on moving into their remodeled home in January.

Brie Kelman is glad her home renovations were ultimately approved, but she knows how difficult the process was, and she believes it should be easier.

"I am a preservationist who also supports the law that governs historic preservation," said Kelman. "Since your home is usually your biggest investment, it is important to have clarity on what the rules are."

What are the guidelines?

Most *Leader* homeowners do not have to deal with issues of historic preservation because they don't live in one of the six historic districts in or near the Heights. But for those who do, and who have had their applications denied by the HAHC, it can be an emotional rollercoaster.

Margaret Wallace Brown, assistant director with City of Houston Planning and Development, counsels homeowners and developers to talk to the Historic Preservation Staff very early in the process. It is Wallace Brown and her staff who provide support to the HAHC.

"Our goal is to get as many projects approved in the least amount of time," she said.

As for guidelines, Wallace Brown said their online Historic Preservation Manual is "a great first step." An earlier design guide by architect Jonathan Smulian was pulled from the website, according to Wallace Brown, because it predated a new historic ordinance passed in 2010. She plans on beefing up the current version with illustrations and adding a database with information on all historically protected homes in the Heights, including typical eave heights, and porch widths and depths, among other variables.

Wallace Brown also noted that their process allows much more flexibility than that of other cities like New Orleans – for instance, exterior paint colors are out of Houston's jurisdiction – and that the historic ordinance of 2010 only made design guidelines mandatory for any new districts.

"Each home is treated as an individual structure," she said. "What your neighbors do doesn't necessarily apply to you."

That is a source of frustration to Bungalow Revival's Gilbert Perez. "When I'm meeting with a client, I can't give them a 'yes' or 'no' on what they can and cannot do."

A founding member of the Save the Bungalows group which opposed demolition, Perez believes that the HAHC's current approach to the ordinance is puritanical in nature and doesn't benefit his clients who want their renovations to be seamless. "Every single addition is going to look like a tumor growing in the backyard," Perez said.

Perez's difficulties are understandable, especially to Former City Council member Sue Lovell, who helped draft the ordinance and who disputes the fact that mandatory guidelines weren't stipulated.

"I was deeply involved with the ordinance – we told people certain things would happen and some have not happened," she said. "When you give your word you keep it."

The solution, according to Lovell, is to fix the problem now. Put a group of people – stakeholders in the process – together and develop architectural guidelines that would be vetted through public meetings and then approved by the City Council.

"The interpretation of the ordinance would be less subjective if there are design guidelines for every historic district," Lovell said. "Council Members Ed Gonzalez and Ellen Cohen have stepped forward and offered to be leaders of the effort for the Heights districts that do not currently have design guidelines."

Still another concern

From January to November 2013 – in all of Houston's historic districts – there were 353 applications for a Certificate of Appropriateness and 34 were denied. Maybe not a high number, but one that matters greatly to those affected. Without a change to set enforceable guidelines, those families can follow same the route the Kelmans did. They can appeal to the Planning Commission and hopefully win. But even that process could change.

During the appeals process, homeowners can bring witnesses, community representatives – anyone they like – to the hearing in hopes of overturning a ruling they believe is unfair.

Proposed new rules would cap the time that the appellant is allowed to speak to five minutes and also limit those who can speak on behalf of the appellant, namely neighbors, "although appellant may yield any amount of this time to professionals directly associated with the project." There is also the requirement that "comments should be limited to the ways in which the project meets the criteria."

Jim Jard, a member of the Planning Commission, said that it's not the time involved in the meetings that concerns him.

"People have invested their money and hearts and this is the only time they are going to be allowed to speak," he said.

Rather, he thinks the criteria aspect is most important.

"Through good times and bad Houston has always had predictability," he said. "Somehow we've got into a situation where we've lost that."





At left is a picture of the home on Harvard Street before it was purchased by the Kelman family. Above right is a picture taken soon before the family is scheduled to move in next month. To make renovations to the house, the Kelmans have struggled to meet subjective requests from HAHC.

Who serves on HAHC

The Houston Archaeological and Historical Commission (HAHC) is a 13 member board that issues Certificates of Appropriateness and reviews Historic District, Landmark, Protected Landmark, and Archaeological Site designation applications.

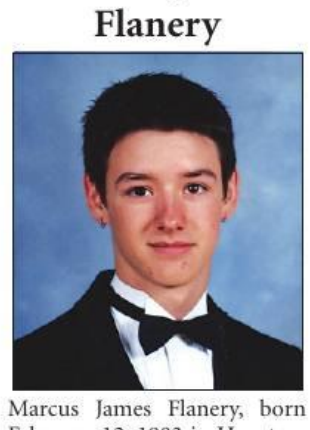
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Ann Collum - Citizen Representative
Douglas Elliott - Citizen Representative
Paul Homeyer - Citizen Representative
Charles Stava - Citizen Representative

Source: City of Houston

IN MEMORIAM

Marcus James Flanery



Marcus James Flanery, born February 12, 1983 in Houston, Texas. Died November 22, 2013 in Katy, Texas in a car accident. He attended Oak Forest Elementary and graduated from Cypress Springs High School in 2001. He was a control systems designer for Mustang Engineering. His family, friends, internet video games, motorcycles, and fast cars were the joys of his life. He is survived by the love of his life, wife Laura; unborn son James Michael; mother and step-father, Marlene (Moore) Farmer and Darrel; father and step-mother, David K. Flanery, Jr. and Vicki; brother David Flanery III; step-sister and husband, Jennifer Cave Ferrell and Glenn; and niece Phoenix Cave. A memorial service honoring Marcus' life was held November 26, 2013. Written expression of sympathy can be made by visiting http://www.katyfh.com. To contribute to the Baby Flanery Trust Fund please visit PayPal and reference flanerybaby@gmail.com.

Primo Acosta

1925-2013





Primo Acosta was born on June 9, 1925 and passed away November 26, 2013. Primo was predeceased by his wife Marcelina, daughter Beatrice A. DiBernardi, and grandson Jason A. Gonzales. Primo is survived by three of his daughters and their families: Anita Palomares and her son, Anthony Palomares, Cynthia Acosta, Petra (Patsy) and Gilbert Guerrero and their children, Marcelina Guerrero, Jesse Guerrero, his wife Vinda, and Aaron Guerrero. He is also survived by Beatrice's daughter Jessica Acosta and her son, his great-grandson and namesake, Primo Hernandez.Visitation was held at Pat H. Foley on Sunday, December 1, 2013 from 3pm - 5pm with Rosary at 5pm. Catholic Funeral Mass was held on Monday, December 2, 2013 at 10am at St. Patrick Catholic Church on 4918 Cochran St., Houston, TX 77009.

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