

## HISTORIC AND DESIGN REVIEW COMMISSION

October 03, 2018

**HDRC CASE NO:** 2018-427  
**ADDRESS:** 219 DELAWARE  
**LEGAL DESCRIPTION:** NCB 3004 BLK 2 LOT 5  
**ZONING:** RM-4, H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** Lavaca Historic District  
**APPLICANT:** Enrique Patuel  
**OWNER:** Enrique Patuel  
**TYPE OF WORK:** Install front yard fencing including front driveway gate  
**APPLICATION RECEIVED:** August 14, 2018  
**60-DAY REVIEW:** October 13, 2018  
**REQUEST:**

The applicant is requesting a Certificate of Appropriateness for approval to install a 4-foot tall wrought iron front yard fence including a front driveway gate.

### APPLICABLE CITATIONS:

#### 2. Fences and Walls

##### B. NEW FENCES AND WALLS

- i. *Design*—New fences and walls should appear similar to those used historically within the district in terms of their scale, transparency, and character. Design of fence should respond to the design and materials of the house or main structure.
- ii. *Location*—Avoid installing a fence or wall in a location where one did not historically exist, particularly within the front yard. The appropriateness of a front yard fence or wall is dependent on conditions within a specific historic district. New front yard fences or wall should not be introduced within historic districts that have not historically had them.
- iii. *Height*—Limit the height of new fences and walls within the front yard to a maximum of four feet. The appropriateness of a front yard fence is dependent on conditions within a specific historic district. New front yard fences should not be introduced within historic districts that have not historically had them. If a taller fence or wall existed historically, additional height may be considered. The height of a new retaining wall should not exceed the height of the slope it retains.
- iv. *Prohibited materials*—Do not use exposed concrete masonry units (CMU), Keystone or similar interlocking retaining wall systems, concrete block, vinyl fencing, or chain link *fencing*.
- v. *Appropriate materials*—Construct new fences or walls of materials similar to fence materials historically used in the district. Select materials that are similar in scale, texture, color, and form as those historically used in the district, and that are compatible with the main structure. Screening incompatible uses—Review alternative fence heights and materials for appropriateness where residential properties are adjacent to commercial or other potentially incompatible uses.

### FINDINGS:

- a. The historic structure at 219 Delaware was constructed circa 1910 and is first found on the 1912 Sanborn Map. The one-story single family structure was constructed in the Folk Victorian style and is contributing to the Lavaca Historic District.
- b. **COMMISSION ACTION** - The applicant originally requested to install a 5-foot tall wrought iron fence to span across the front yard, including a front driveway gate at HDRC hearing on September 5, 2018. The request was referred to the Design Review Committee by the HDRC. The applicant was not able to meet with the committee due to scheduling conflicts and opted to consult with staff. During the consultation, staff summarized the comments from the commission at the last hearing: (1) no portions of a front yard fence may exceed four feet in height per the Historic Design Guidelines and the Unified Development Code, (2) staff's recommendation to turn the fence at the corner of the front yard instead of spanning across as a front gate is generally consistent with the Guidelines, (3) one commissioner was concerned with a lack of a profile drawing of the proposed fence and (4) another commissioner was considering a motion to approve a fence with a front yard gate with the stipulation that the fence matched its neighbor in design and height (3-foot tall metal-framed cattle panel fence). Since the consultation, the applicant has reduced the proposed height from 5-feet to 4-feet and provided a profile drawing and additional examples of front yard gates on other properties within the district.
- c. **FENCE LOCATION** - The applicant has proposed to install a fence to span the width of the property, including a

gate spanning across the driveway. According to the Guidelines for Site Elements 2.B.ii, new front yard fences should not be introduced within historic districts that did not historically have them. While staff finds that a fence is not currently present on this property, fences are found on Delaware and within the Lavaca Historic District. According to the Guidelines for Site Elements 2.C.i., privacy fences should be set back from the front façade to reduce their visual prominence. Staff finds that the fence should turn at the driveway to meet the corner of the structure, rather than spanning across the driveway as proposed. Staff finds that the driveway gate, if included, should be set back behind the front façade plane of the structure.

- d. FENCE DESIGN – The applicant has proposed the new fence to feature a wrought iron design and four feet in height. According to the Guidelines for Site Elements 2.B.i., the design of the fence should respond to the design and materials of the primary historic structure or structures of a similar style in the neighborhood in relation to scale, transparency, and character. Staff finds that the wrought iron fence is found within the Lavaca Historic District and with Folk Victorian homes.

**RECOMMENDATION:**

Staff recommends approval based on finding c and d with the following stipulations:

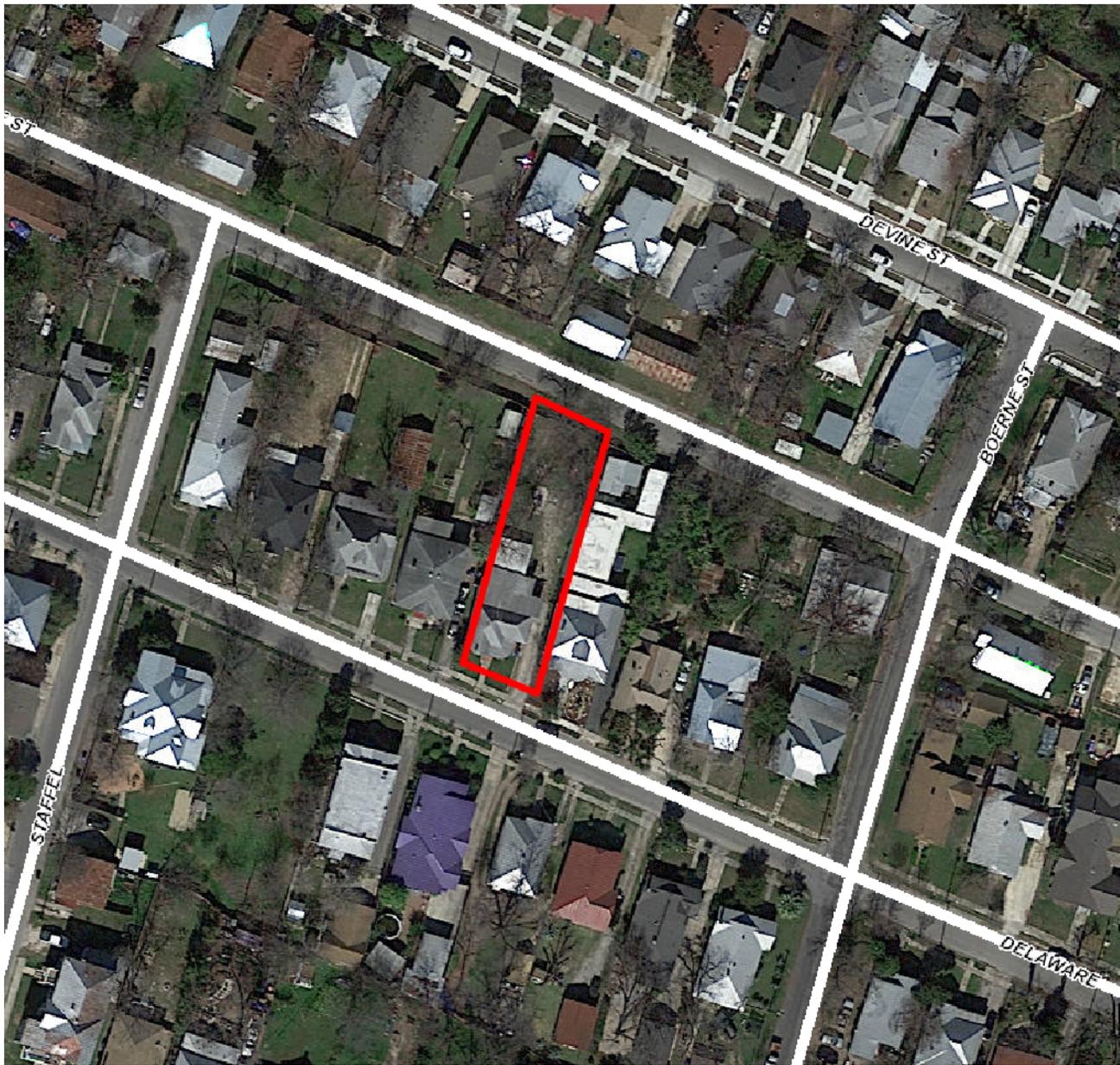
- i. The fence should turn at the driveway to meet at the corner of the structure, as opposed to spanning across the driveway in the front.
- ii. The driveway gate should be located behind the front façade plane of the structure or removed from the design.
- iii. That no portion of the fence exceed four feet in height.

**CASE COMMENT:**

The final construction height of an approved fence may not exceed the maximum height as approved by the HDRC at any portion of the fence. Additionally, all fences must be permitted and meet the development standards outlined in UDC Section 35-514.

**CASE MANAGER:**

Huy Pham



219 Delaware

Powered by ArcGIS Server

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219 Delaware Street

Staffel St

Boerne St

Boerne St

Delaware St

Staffel St

Boerne St

Boerne St

Staffel St

Google



Delaware St

Delaware St

Delaware St

Delaware St

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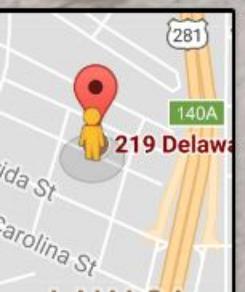
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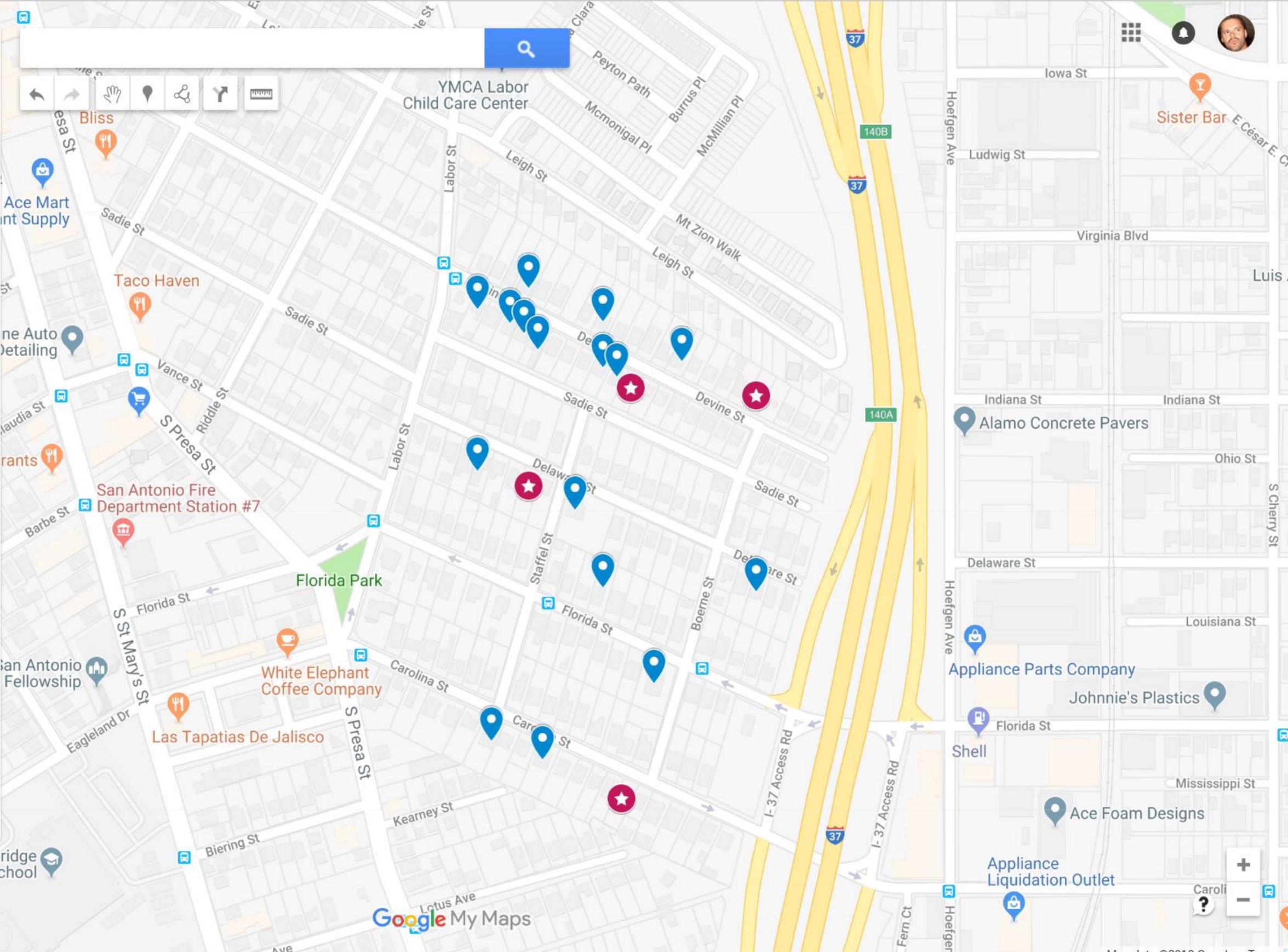
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All changes saved in Drive

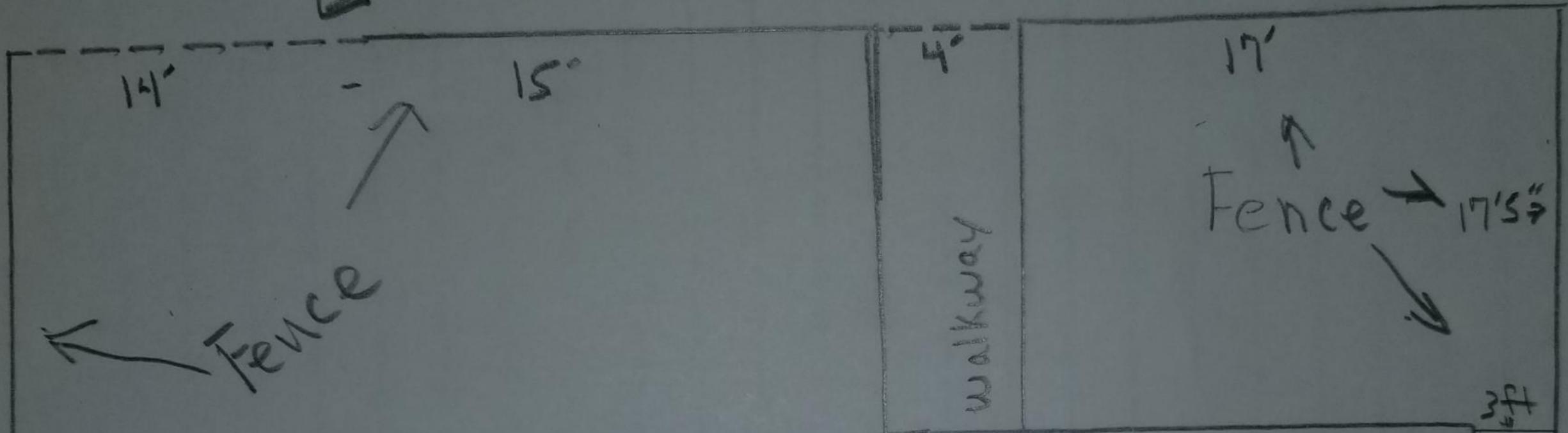
Add layer Share Preview

Untitled layer

- Individual styles
- 408 Devine St
- 416 Devine St
- 420 Devine St
- 424 Devine St
- 438 Devine St
- 502 Devine St
- ★ 506 Devine St
- 419 Devine St
- 437 Devine St
- 515 Devine St
- ★ 531 Devine St
- 118 Delaware St
- ★ 130 Delaware St
- 202 Delaware St
- 310 Delaware St
- 315 Florida St
- 332 Florida St
- 130 Carolina St
- 210 Carolina St
- ★ 234 Carolina St



Gate

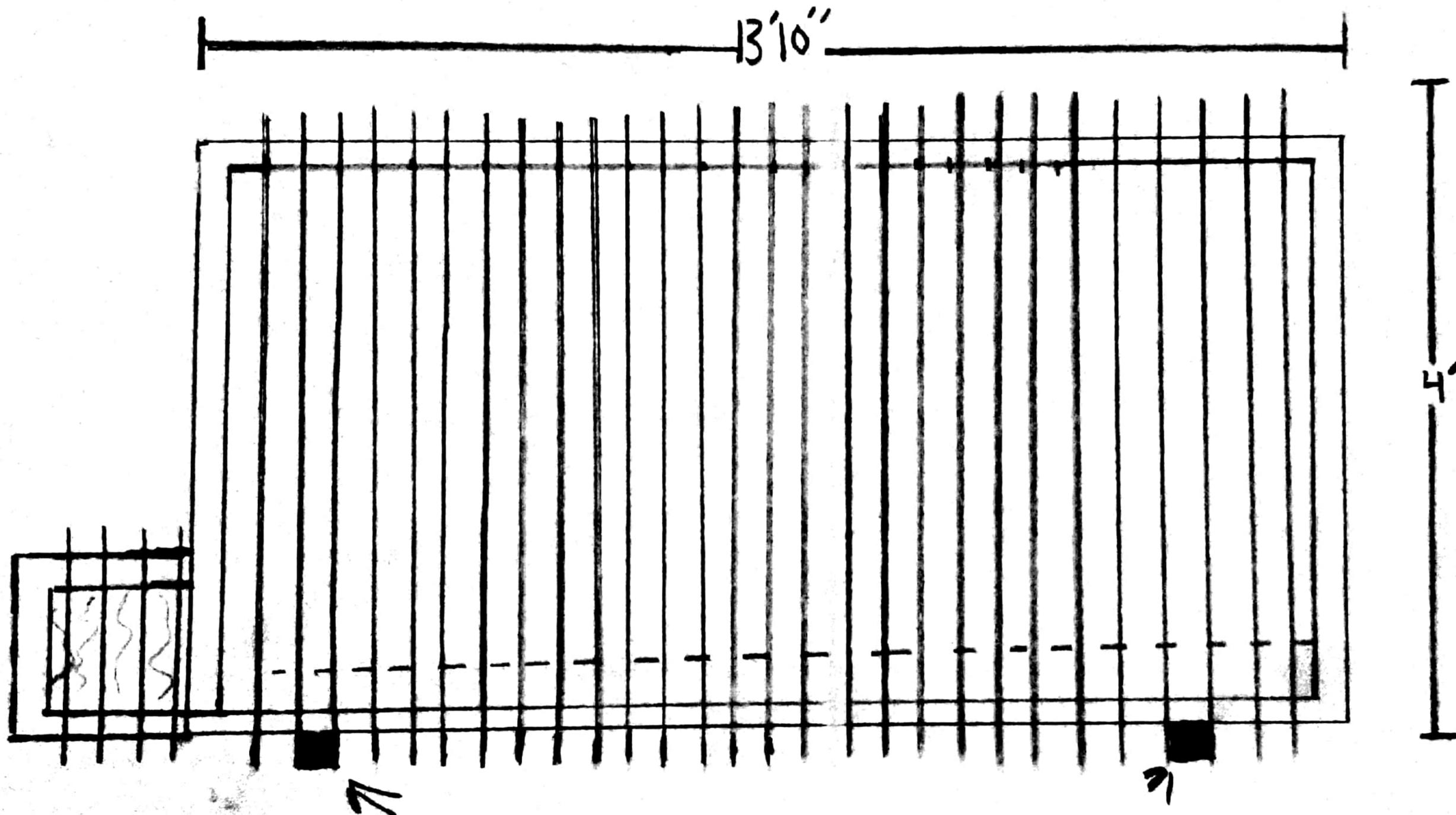


36'8"

219 Delaware

12'8"

Gate



Steel cover

# Black Extended Top/ Extended Bottom Two Rail Panel

*Fully rackable to 4 ft. on 8 ft. run*

- » Two 16 ga. galvanized and powder-coated 1-3/16" x 1" channel rails with extended top and extended bottom.
- » 5/8" 18 ga. galvanized and powder-coated tubular steel pickets, 4-1/2" on center, 3-7/8" picket opening.

**1" Rails,  
5/8" Pickets**

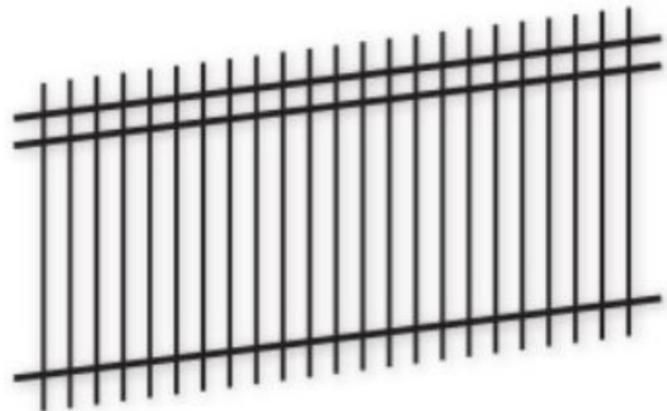
**For Installation On  
Flat Runs Or Inclines!**

ITEM #	APPROX. SIZE	DIMS.
GANVEXT24894	4'x8'	46" H x 90-1/2"W
GANVEXT26094	5'x8'	58" H x 90-1/2"W



**BLACKSMITH BRAND™**





# Black Extended Top/Extended Bottom Three Rail Panel 1 1/2" Rails

Item# GANVCEXT35890

**For Installation On Flat Runs Or Inclines!**

**1 1/2" Rails, 3/4" Pickets**

*Fully rackable to 4ft. on 8ft. run*

# Galvanized Black Powder-Coated Posts

- » 2" and 2.5" posts are 16 gauge
- » 3" posts are 14 gauge
- » 4" posts are 11 gauge

ITEM#	SIZE
GP2164	2" x 4'
GP2166	2" x 6'
GP2167	2" x 7'
GP2168	2" x 8'
GP2169	2" x 9'
GP21611	2" x 11'
GP212166	2.5" x 6'
GP212167	2.5" x 7'
GP212168	2.5" x 8'
GP212169	2.5" x 9'
GP3148	3" x 8'
GP31410	3" x 10'
GP41110	4" x 10'

