

HISTORIC AND DESIGN REVIEW COMMISSION

September 02, 2015

Agenda Item No: 5

HDRC CASE NO: 2015-338
ADDRESS: 138 E AGARITA AVE
LEGAL DESCRIPTION: NCB 1701 BLK 4 LOT 10, W12.5 OF 11
ZONING: R4 H
CITY COUNCIL DIST.: 1
DISTRICT: Monte Vista Historic District
APPLICANT: Fred Schraub
OWNER: Fred Schraub
TYPE OF WORK: Fencing modification
REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to modify the previously approved fence height of six feet. The applicant has expressed the need for additional height due to the proposed fence needing to be located atop a retaining wall that is to be eighteen to twenty-four inches in height. The applicant is requesting a total of eight feet in height for the fence.

APPLICABLE CITATIONS:

Historic Design Guidelines, Chapter 5, Guidelines for Site Elements

2. Fences and Walls

A. HISTORIC FENCES AND WALLS

- i. Preserve*—Retain historic fences and walls.
- ii. Repair and replacement*—Replace only deteriorated sections that are beyond repair. Match replacement materials (including mortar) to the color, texture, size, profile, and finish of the original.
- iii. Application of paint and cementitious coatings*—Do not paint historic masonry walls or cover them with stone facing or stucco or other cementitious coatings.

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.

C. PRIVACY FENCES AND WALLS

- i. Relationship to front facade*—Set privacy fences back from the front façade of the building, rather than aligning them with the front façade of the structure to reduce their visual prominence.
- ii. Location*—Do not use privacy fences in front yards.

(d) Height Limitation.

(1) Except for the provisions in section (b) above no fence constructed shall exceed the following table of heights. In addition, the maximum permitted fence height shall not exceed that of the maximum permitted fence height for the abutting property except as provided in section (d)(2). The height shall be the vertical distance measured from the lowest adjacent ground level (either inside or outside the fence) to the top of the tallest element of the fence material, excluding decorative features affixed to the top of any column, pillar or post. The height of any existing retaining walls, either an integral part of a fence or upon which a fence may be erected, shall be calculated in the height of the fence, except in the following instances:

- A. The retaining wall is necessary for structural soundness/integrity of building construction on the lot; or
- B. The retaining wall is abutting a drainage easement or drainage infrastructure.

Single-Family Use	3'0" solid fence, 4'0" combined or predominantly open fence Except as provided by (b)(2)	6'0"	6'0"
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FINDINGS:

- a. The applicant received final approval with staff's stipulations from the HDRC on January 21, 2015, to demolish an existing carport, construct a new carport, construct a rear veranda, replace an existing fence and install a swimming pool and hardscape the rear yard.
- b. At this time, the applicant has returned requesting that the previously approved fence's design be modified to a height of eight feet. Per the provided elevation at the alley, a retaining wall is to be installed that is to measure two feet in height. The top of the proposed retaining wall is to be three inches lower than the coping of the proposed swimming pool. Due to the change in grade from the rear of the primary structure to the rear alley, the applicant has proposed to construct the rear privacy fence at an overall height of eight feet above grade rather than the previously approved six feet.
- c. Per the UDC Section 35-514(d)(1), the height of rear yard privacy fences in a single family setting may not exceed more than six feet in height. Staff finds that the applicant's request for an additional two feet in height for a total of eight feet is appropriate in order to provide adequate screening from the rear alley of objects located within the rear yard that otherwise would not be screened by a six foot tall privacy fence. The applicant will need to seek a variance for this request.

RECOMMENDATION:

Staff recommends approval as submitted based on findings a through c.

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:

Edward Hall



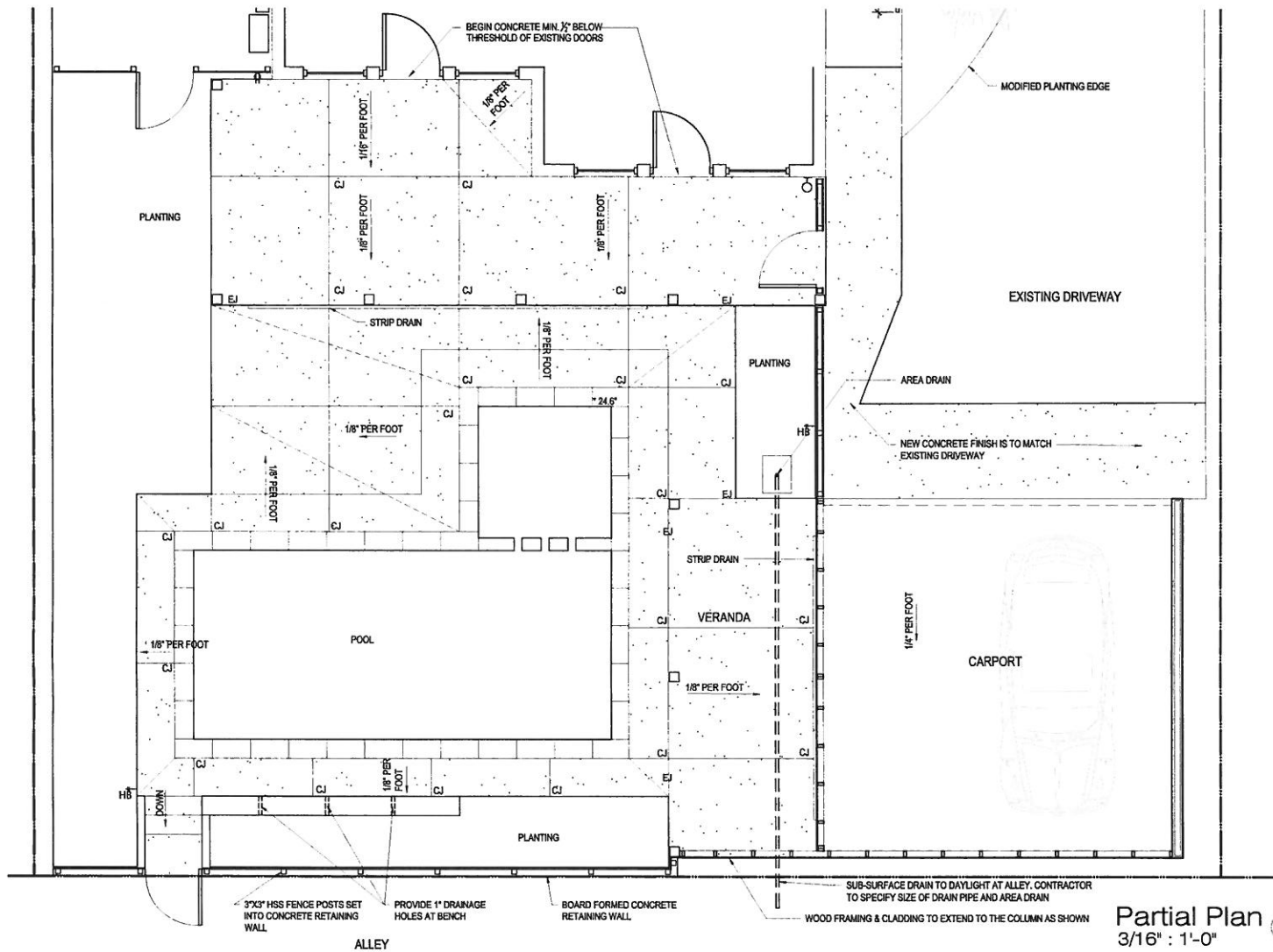


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Schraub Residence
138 East Agarita

Variance Request Attachment A
August 14, 2015

