

HISTORIC AND DESIGN REVIEW COMMISSION

May 03, 2017

HDRC CASE NO: 2017-206
ADDRESS: 301 W HOLLYWOOD AVE
LEGAL DESCRIPTION: NCB 6460 BLK 11 LOT 20, 21 & 22
ZONING: R-5
CITY COUNCIL DIST.: 1
DISTRICT: Monte Vista Historic District
APPLICANT: Matt and Amanda Holmes
OWNER: Matt and Amanda Holmes
TYPE OF WORK: Replace rear and side yard privacy fence
REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to:

1. Replace the existing side and rear yard wood privacy fence with a new wood privacy fence; requested height is approximately eight (8) feet.

APPLICABLE CITATIONS:

Sec. 35-514. - Fences.

(a) General.

(1) No fence may be constructed, repaired, or expanded within the city limits without first obtaining a building permit for such work, with the exception of any fence work specifically exempted by chapter 10, subsection 10-6(e) of the City Code.

(2) Fence Clear Vision Area.

a. Street Intersections on Residential Corner Lots. No fence exceeding three (3) feet in height within the city or ETJ shall be erected, constructed, or built on a corner lot within the area formed by measuring twenty-five (25) feet in each direction from the street curb.

b. Driveway, Accessway, or Alley Intersections on Residential Lots. No fence exceeding three (3) feet in height within the city or ETJ shall be erected, constructed, or built within a triangle formed by measuring fifteen (15) feet in each direction from the point where a driveway, accessway, or alley intersects with the street curb.

c. Administrative Exception. Subsections a. and b. above notwithstanding, where it can be demonstrated that a lesser fence clear vision area would be required utilizing the standards of subsection 35-506(d)(5) intersection sight distance, an administrative exception may be granted to allow a lesser fence clear vision area than otherwise would be required for a similarly situated property.

d. Variances. Variances to this section may be permissible in accordance with section 35-482.

e. Review. All fence clear vision areas are subject to review by the development services department.

(3) Freestanding walls, not an integral load bearing portion of a structure, whether constructed of masonry or wood framing, shall be considered fencing. Walls connected to a building and designed as a visual and noise barrier between a loading dock or similar use and a residential use, shall not be considered fencing and may extend to a height of sixteen (16) feet and a distance of fifty-five (55) feet from the building. Walls to be constructed in excess of eight (8) feet in height shall require certification by a licensed engineer that the foundation and support structure are designed to sustain wind loads in accordance with the International Building Code.

(4) All solid screen fences allowed to be constructed in excess of eight (8) feet in height shall require certification by a licensed engineer that the foundation and support structure are designed to sustain wind loads in accordance with the International Building Code.

(5) If the subject property is within a historic district, corridor overlay or a neighborhood conservation district the historic preservation officer (or their designee) or the director of development services (or their designee) shall make a finding of compliance and compatibility with the provisions of the historic, corridor and/or neighborhood conservation district prior to issuance of a building permit for any fence.

(6) All fences shall be constructed of wood, chain link, stone, rock, concrete block, pre-cast concrete panels, masonry brick, brick, decorative wrought iron or other material(s) which are similar in durability.

(c) Height Limitation.

(1) Except for the provisions in section (b) above no fence 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 subsection (c)(2). The board of adjustment may allow fences of greater height by special exception, subject to section 35-399.04 of this chapter or by variance subject to Section 35-482 if the height of the fence exceeds that height allowances for a special exception. 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. (2)

Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:

A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or

B. The fence is erected along a side or rear lot line which abuts an alley or a street with a classification other than a local street; or

C. The fence is a sound barrier or a security fence for a public or institutional use; or

D. The additional fence height is permitted by the city council pursuant to a rezoning or specific use authorization; or

E. The fence is located on a side or rear lot line of a single-family, duplex, or mixed-residential use which abuts a multi-family residential, commercial, industrial, or park use.

F. In any side or rear yard where a slope is present, the height of a fence may be adjusted to allow the top of the fence to be level, and perpendicular to the support posts at a height greater than six (6) feet, provided that the height of the fence at the highest elevation does not exceed eight (8) feet. In order to maintain a uniform appearance, whenever a fence higher than six (6) feet is allowed by this subsection, all side and rear yard fences may be allowed up to eight (8) feet in height above grade.

Permitted Use	Front Yard	Side Yard	Rear Yard
Single-Family or Mixed Residential Use	3'0" solid fence 5'0" combined or predominantly open fence Except as provided by (b)(2)	6'0"	6'0"
Multi-Family Use (see also subsection 35-514 (f) below)	3'0" solid fence 5'0" combined or predominantly open fence	6'0"	6'0"
Commercial & Office Use	3'0" solid fence 5'0" combined or predominantly open fence	6'0"	6'0"
Industrial Use ¹	8'0" ¹	8'0" ¹	8'0" ¹

Government Facilities, Churches, Schools, Swimming Pools, Stormwater Management Facilities, & Parks (Public property, including parks, require HDRC review)	8'0"	8'0"	8'0"
Vacant Lots, Parking Lots	3'0" solid fence 6'0" combined or predominantly open (see also subsection 35 574 (b)(3) above	6'0"	6'0"

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.

FINDINGS:

- a. The structure located at 301 W. Hollywood Ave is a two-story single-family home constructed in 1924 by builder Bock Construction Company. The house was designed by architect Harvey P. Smith in the Colonial Revival style. The applicant has proposed to replace an existing 8' wood plank privacy fence with a new privacy fence of the same height. The fence will be constructed of 1x6x8" cedar boards, 4x4" treated cedar posts, and 2x4" treated cedar rails and will feature a flat cedar cap. The fence will be stained in Oxford Brown or a similar color to closely match the darker wood boards of the existing fence.
- b. **LOCATION** – The property is located on a corner lot at the intersection of W. Hollywood Ave. and Belknap Pl. The existing privacy fence is approximately 8' tall and located along the rear of the property on Belknap Pl. The fence is heavily concealed by trees growing from within the property. The existing fence also wraps behind the lot

and fronts a rear alley. According to the Historic Design Guidelines, privacy fences should not be located in the front yard. The guidelines also stipulate that fences should not be installed where they were not historically used. Privacy fences and walls are characteristic of the Monte Vista Historic District, especially along Belknap Pl. Staff finds the location consistent with the guidelines.

- c. **HEIGHT** – The proposed fence is to be approximately 8’ in height to match the existing fence. The Historic Design Guidelines do not stipulate a height for privacy fences. Staff finds the proposal to replace the fence to match the existing height acceptable. According to the UDC, privacy fences in residential settings should be no taller than six feet unless it meets a requirement outlined in section 35-514(c)(2). The new fence may require a variance.
- d. **MATERIALITY** – According to the guidelines, fences should be constructed of materials similar to fencing used historically in the district. In the Monte Vista Historic District, privacy fences and walls are commonly a reflection of the particular design style of the primary structure, and fences and screens made of unstained wood, stained wood, stucco, brick, stone, and other materials are common considering the eclectic styles found within the district. The existing privacy fence is made of wood boards, and the replacement proposes treated cedar planks to be stained to closely match the existing color. Staff finds the proposal acceptable.

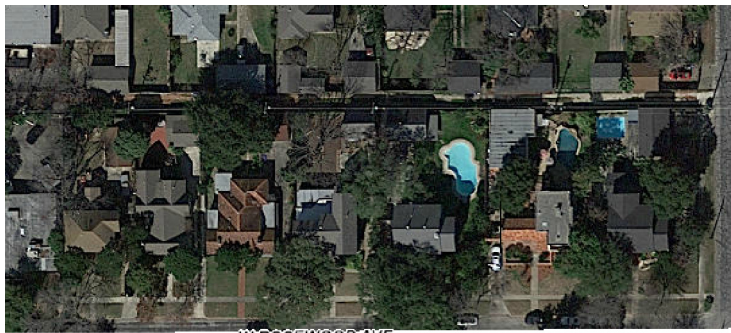
RECOMMENDATION:

Staff recommends approval of the fence replacement based on findings a through d with the following stipulation:

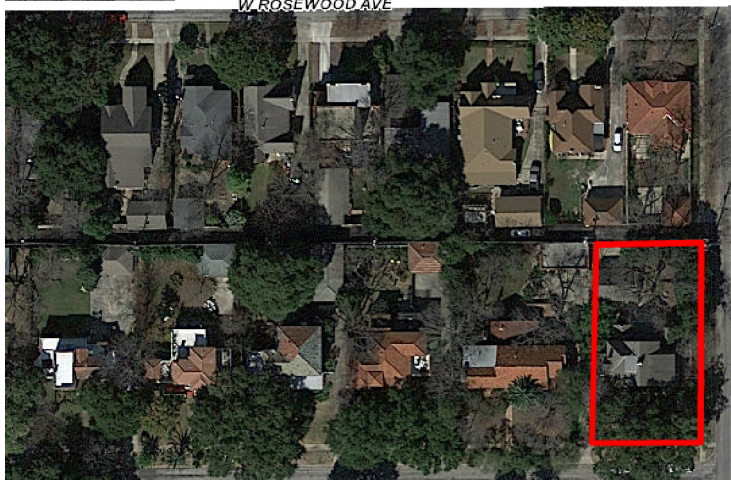
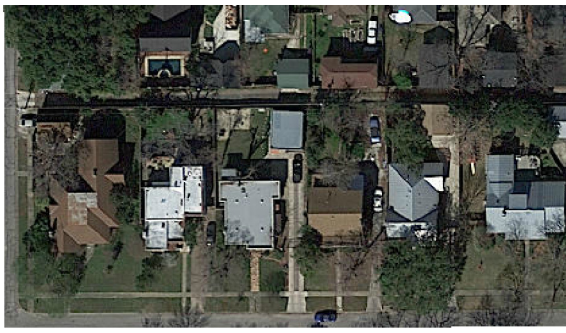
- i. The fence complies with Historic Design Guidelines standards. The final construction height of an approved fence may not exceed the maximum height as approved by the HDRC at any portion of the fence. Additionally, all fences must be permitted and meet the development standards outlined in UDC Section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

CASE MANAGER:

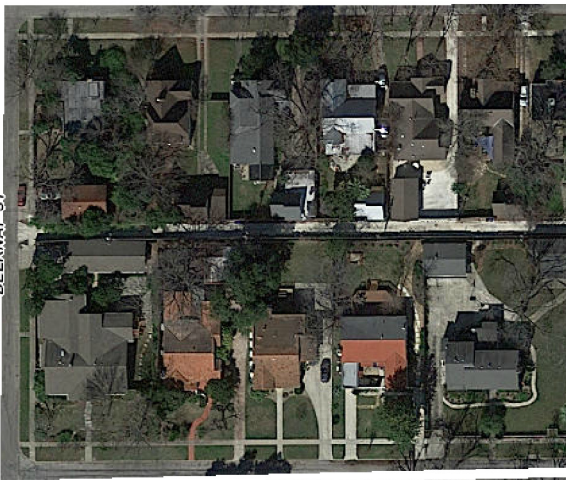
Stephanie Phillips



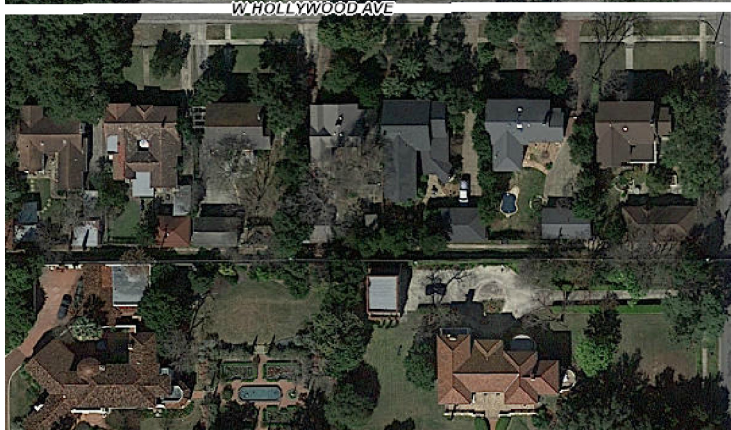
W ROSEWOOD AVE



W HOLLYWOOD AVE



BELKNAP ST



Flex Viewer

Powered by ArcGIS Server

Printed: Apr 27, 2017

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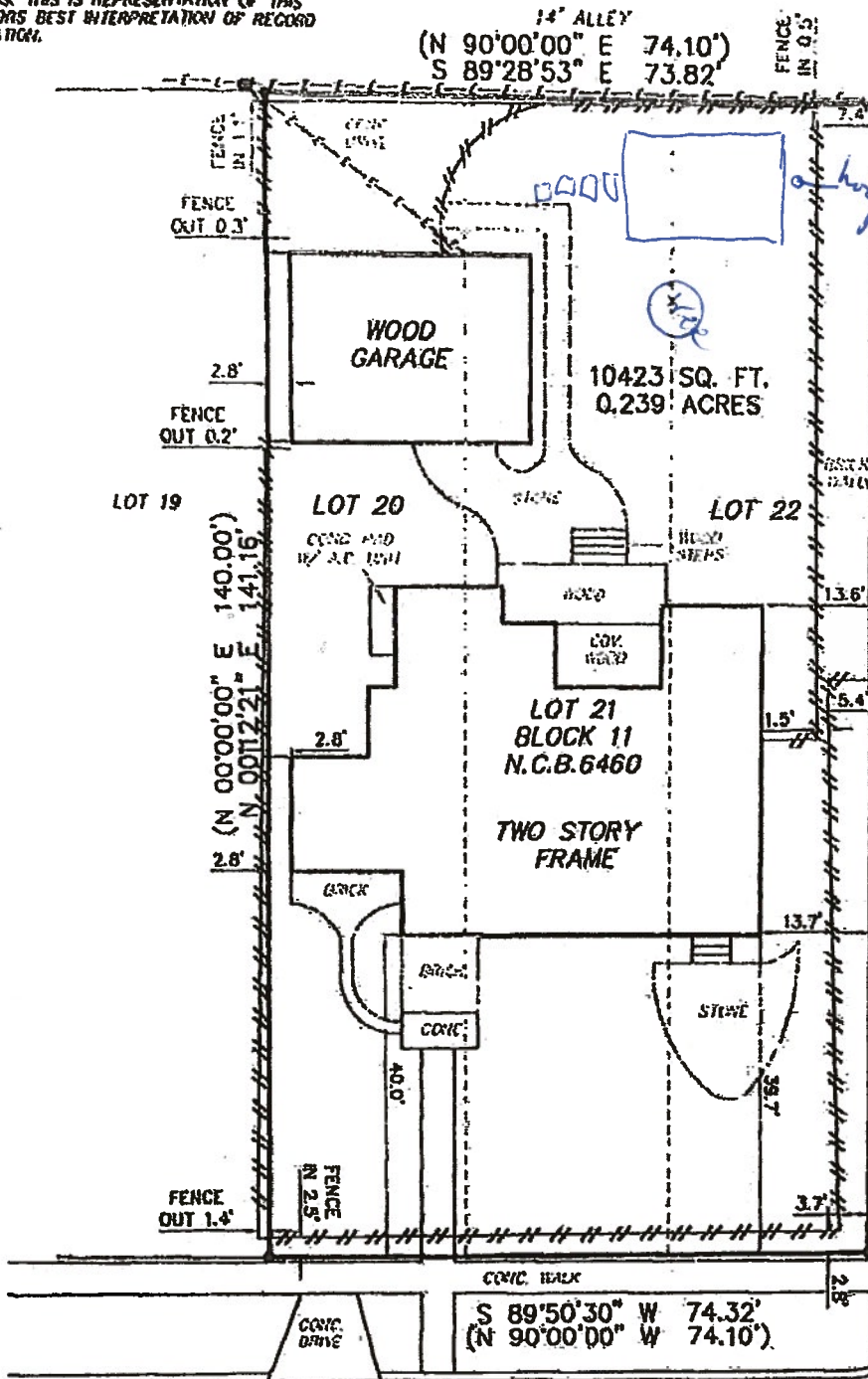






Belknap Pl

NOTE:
THE ORIGINAL PLAT OF RECORD IS WITHOUT
BEARINGS. THIS IS REPRESENTATION OF THIS
SURVEYOR'S BEST INTERPRETATION OF RECORD
INFORMATION.



NOTE:
TITLE REPORT INDICATES THERE ARE NO
RESTRICTION OR COVENANTS OF RECORD.

(50' R.O.W.) (HOLLYWOOD BOULEVARD PER PLAT)

THIS SURVEY IS ACKNOWLEDGED
AND IS ACCEPTED

M. M. M. M.

FLOOD ZONE INTERPRETATION. IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48028C, Panel No. 0405 D, which is Dated 8/29/2010. By reading from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://www.fema.gov/index.php>.



Property Address:

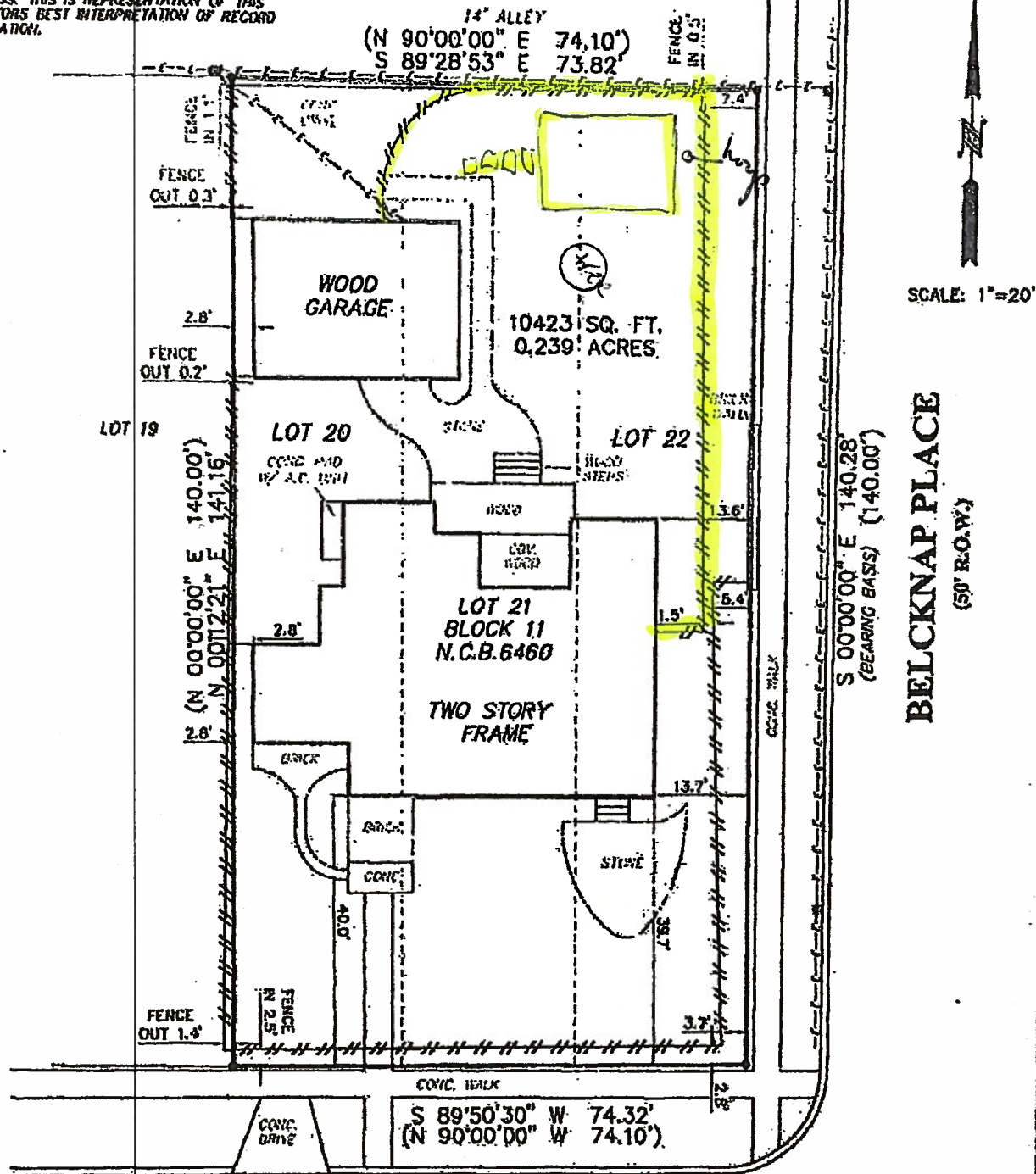
301 W. HOLLYWOOD AVE (HOLLYWOOD BOULEVARD PER PLAT)

Property Description:

LOTS 20, 21, AND 22, BLOCK 11, NEW CITY BLOCK 6460, MONTE VISTA ADDITION, AN ADDITION TO THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 642, PAGE 34, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

new fence to be placed in same location:

NOTE:
THE ORIGINAL FILE OF RECORD IS WITHOUT
BEARINGS. THIS IS REPRESENTATION OF THE
SURVEYORS BEST INTERPRETATION OF RECORD
INFORMATION.



W. HOLLYWOOD AVE

THIS SURVEY IS ACKNOWLEDGED
AND IS ACCEPTED

NOTE:
FILE REPORT INDICATES THERE ARE NO
RESTRICTION OR COVENANTS OF RECORD

FLOOD ZONE INTERPRETATION. IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE FLOOD INSURANCE RATE. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 18070C, Panel No. 0405 02, which is Dated 02/23/2010. By stating that their FIRM is correct, that all or a portion of the property may be in Flood Zone(s) 1, because this is a boundary survey, we assume to make take determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's map, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THE INTERPRETATION OF THE FLOOD ZONE, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://www.fema.gov/index.htm>.

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301 W. HOLLYWOOD AVE (HOLLYWOOD BOULEVARD PER PLAT)

Property Descriptions

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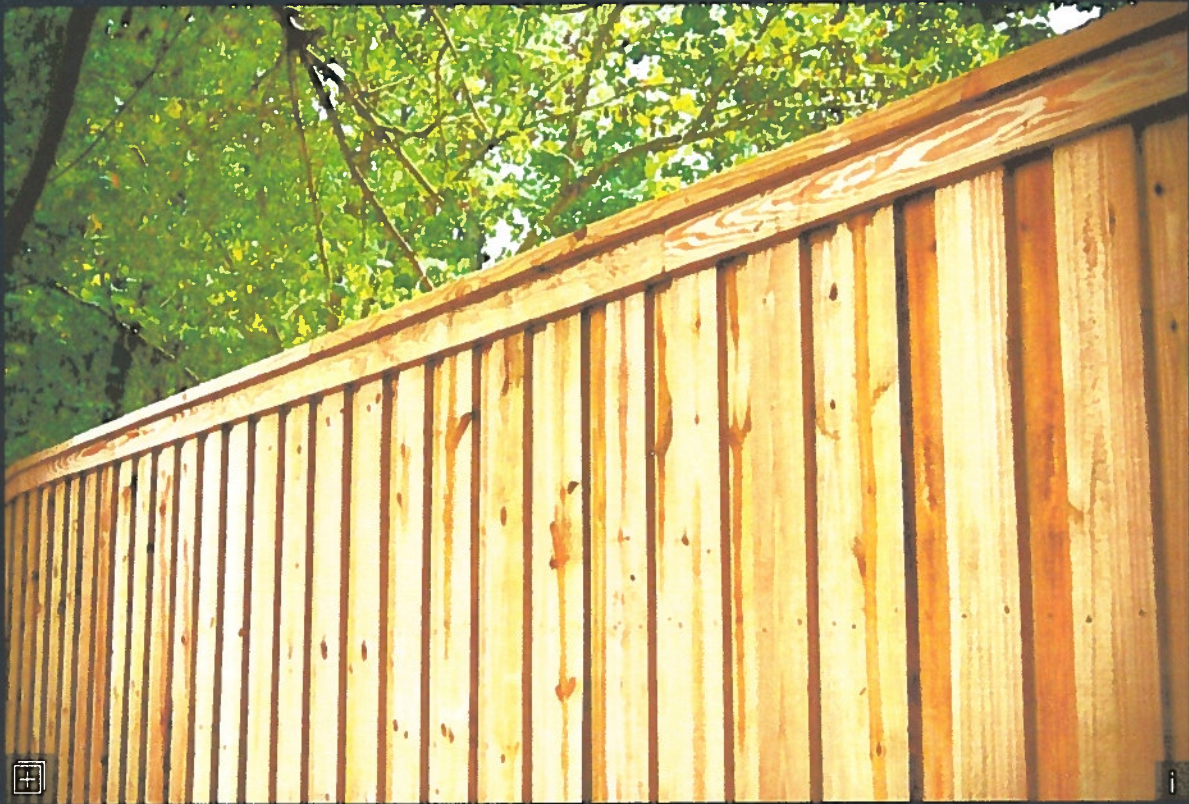
cap and trim board ...



Board On Board Fence
with Cap

Installing
Fence Board On Board

On Board
Redwood Fence Board



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745 x 502 · jpeg Image may be subject to copyright.

[Board On Board Fence with Cap](#)

For this fence, we use concreted 4x4 posts, 3 horizontal +
— sanantoniofencedeck.com



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in height for a solid fence and four (4) feet in height for a predominantly open fence unless said lot and fence meet the criteria to allow a higher fence as outlined in this chapter.

- (4) **Combined Fence.** As defined in section 35-A101 "Fence (combined)" may be permitted in the front yard up to the height allowed for a predominantly open fence provided that the solid portion shall not exceed three (3) feet in height.
- (5) **Planned Development.** A planned unit development (PUD) district may designate side and rear yard fence heights up to eight feet in height through a PUD plan adopted by the planning commission pursuant to section 35-413

(c) **Height Limitation.**

- (1) Except for the provisions in section (b) above no fence 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 subsection (c)(2). The board of adjustment may allow fences of greater height by special exception, subject to section 35-399.04 of this chapter or by variance subject to Section 35-482 if the height of the fence exceeds that height allowances for a special exception. 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.

**Table of Heights
Maximum Permitted Fence Heights**

<i>Permitted Use</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>
Single-Family or Mixed Residential Use	3'0" solid fence 5'0" combined or predominantly open fence Except as provided by (b)(2)	6'0"	6'0"
Multi-Family Use (see also subsection 35-514(f) below)	3'0" solid fence 5'0" combined or predominantly open fence	6'0"	6'0"
Commercial & Office Use	3'0" solid fence 5'0" combined or predominantly open fence	6'0"	6'0"
Industrial Use ¹	8'0" ¹	8'0" ¹	8'0" ¹
Government Facilities, Churches, Schools, Swimming Pools, Stormwater Management Facilities, & Parks (Public property, including parks, require HDRC review)	8'0"	8'0"	8'0"

<i>Permitted Use</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>
Vacant Lots, Parking Lots	3'0" solid fence 6'0" combined or predominantly open (see also subsection 35-514(b)(3) above	6'0"	6'0"

Footnotes:

¹ This subsection shall not apply to fences erected as required by Chapter 16, Article VII of the Code (Salvage Yards and Auto Dismantlers), or in § 35-510 of this chapter. Buffer fences shall be limited in height in accordance with section 6-2 of the building code.

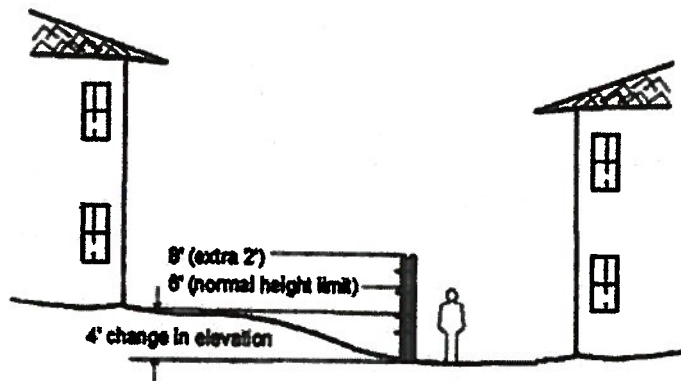


Figure 1: Additional height allowed pursuant to Section 35-514(c)(2)A

(2) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:

- A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or
- B. The fence is erected along a side or rear lot line which abuts an alley or a street with a classification other than a local street; or
- C. The fence is a sound barrier or a security fence for a public or institutional use; or
- D. The additional fence height is permitted by the city council pursuant to a rezoning or specific use authorization; or

E. The fence is located on a side or rear lot line of a single-family, duplex, or mixed-residential use which abuts a multi-family residential, commercial, industrial, or park use.

F. In any side or rear yard where a slope is present, the height of a fence may be adjusted to allow the top of the fence to be level, and perpendicular to the support posts at a height greater than six (6) feet, provided that the height of the fence at the highest elevation does not exceed eight (8) feet. In order to maintain a uniform appearance, whenever a fence higher than six (6) feet is allowed by this subsection, all side and rear yard fences may be allowed up to eight (8) feet in height above grade.







