

HISTORIC AND DESIGN REVIEW COMMISSION

May 02, 2018

HDRC CASE NO: 2018-184
ADDRESS: 309 W AGARITA AVE
LEGAL DESCRIPTION: NCB 3264 BLK 8 LOT W 70 FT OF 13
ZONING: R-5 H
CITY COUNCIL DIST.: 1
DISTRICT: Monte Vista Historic District
APPLICANT: Wolf von Durckheim
OWNER: Wolf von Durckheim
TYPE OF WORK: Installation of an eight foot fence along rear alley
APPLICATION RECEIVED: April 12, 2018
60-DAY REVIEW: June 11, 2018
REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to install an eight foot tall wooden privacy fence along the rear alley property line.

APPLICABLE CITATIONS:

UDC 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 primary structure located at 309 W Agarita is a 2-story single family home constructed circa 1922 by builders Walsh & Burney. The house was designed by architect Robert T. Burney in the Colonial Revival style. The house is contributing to the Monte Vista Historic District. The applicant is requesting approval to install a new eight foot tall vertical wood plank privacy fence along the rear alley property line.
- b. **LOCATION** – The property is located on an interior lot along W Agarita Ave. The northern (rear) lot line fronts an unnamed alley bounded by San Pedro Ave to the west and Belknap Place to the east. 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, including along the unnamed alley. Staff finds the location consistent with the

Guidelines.

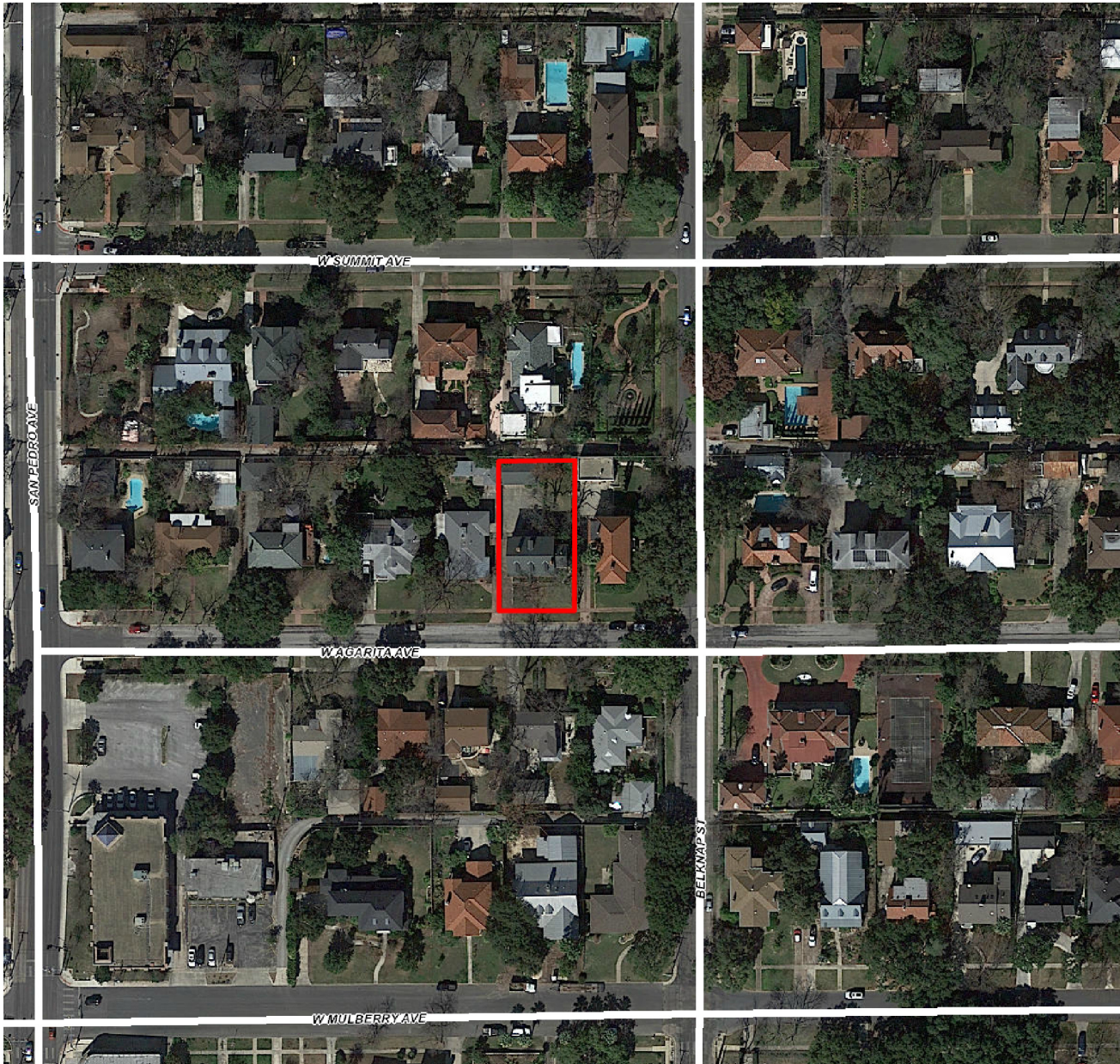
- c. **HEIGHT** – The proposed fence is to be approximately 8’ in height. According to the UDC, privacy fences in residential settings should be no taller than six feet unless it meets a requirement outlined in section 35-514(c)(2). According to City of San Antonio Zoning staff, this particular property is allowed an 8’ privacy fence along the rear alley without exception. Additionally, there is evidence of privacy fences and walls that are 8’ or taller in the direct vicinity, including across the alleyway. Historic Design Guidelines state that fences should be consistent with the height found on the property, in the vicinity of the property, and with those found in the historic district. Staff finds the privacy fence proposal consistent with the Guidelines and UDC based on the specific conditions of the property.
- 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 as submitted based on findings a through d.

CASE MANAGER:

Stephanie Phillips



Flex Viewer

Powered by ArcGIS Server

Printed: Apr 24, 2018

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Apr 25, 2018 at 2:32:40 PM
San Antonio



309

CITY of SAN ANTONIO
NOTICE of HEARING
HISTORIC & DESIGN
REVIEW COMMISSION

ADDRESS: 309 W AGARITA AVE

REQUEST: Installation of an eight foot fence along rear alley

HEARING DATE: May 02, 2018 at 3:00 PM

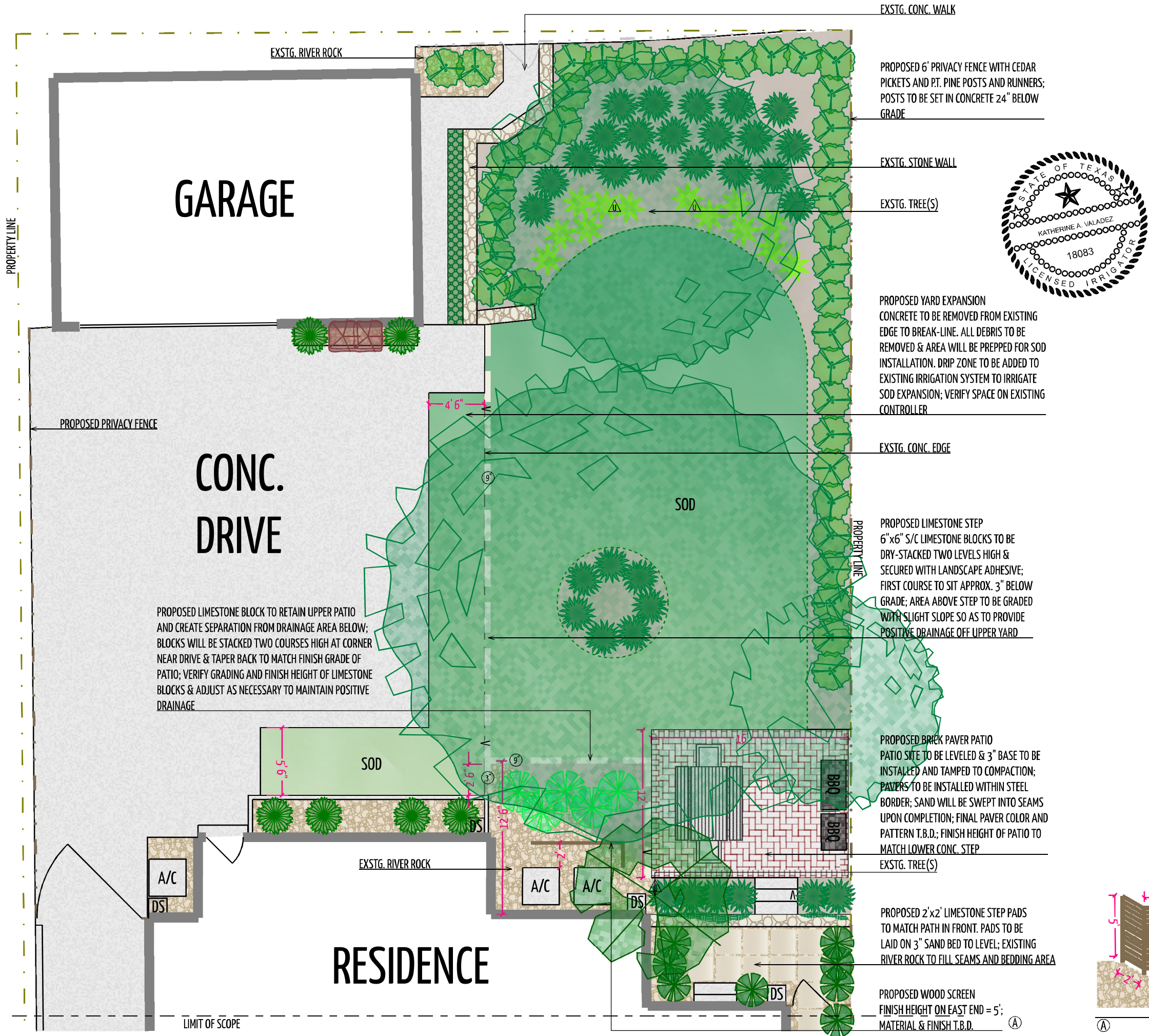
ALL HDRC MEETINGS TAKE PLACE AT 1901 S. ALAMO

If you have any questions or concerns, please call (210) 307-1000 or email hdrc@sanantonio.gov







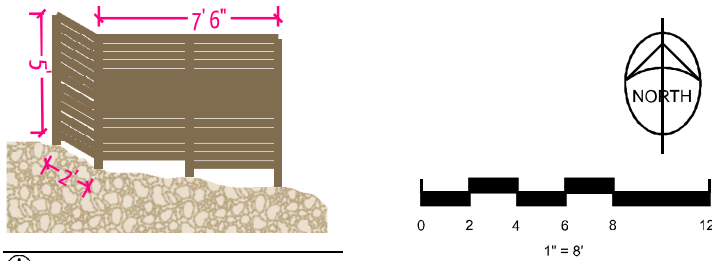


LEGEND

Qty	Symbol	Description / Size	Abbr
Annuals-Perennials			
		Bicolor Iris / existing	
5		Variegated Ginger / 5 gallon	VG
Ground Cover-Vines			
4		Aspidistra / 3 gallon	ASP
		Fig Ivy / existing	
		Foxtail Fern / existing	
6		Liriope / existing transplanted	
288		St. Augustine / solid sod, sq. ft.	SOD
Shrubs Under 4 Feet			
		Loropetalum / existing	
		Nandina dom. / existing	
Misc.			
106		Limestone S/C block, 6"x6"xrandom, white / ln. ft.	
3		Low-voltage Accent Light, black 20 watt / each	
192		Brick pavers, color & pattern T.B.D. / sq. ft.	
12		Leuder step, 24"x24", color to match front / each	

NOTES

- CONTRACTOR TO PROVIDE ALL LABOR AND MATERIALS NECESSARY FOR COMPLETE INSTALLATION AS IDENTIFIED HEREIN.
- ALL PROPOSED CONSTRUCTION, IRRIGATION & LANDSCAPING SHALL COMPLY WITH GOVERNING CODES AND AUTHORITIES. OWNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
- LANDSCAPE DESIGNS ARE CONCEPTUAL. ALL DIMENSIONS, GRADES, ELEVATIONS AND CONDITIONS AT THE SITE TO BE VERIFIED PRIOR TO COMMENCING WORK. ANY DISCREPANCIES WILL BE REPORTED TO THE OWNER PRIOR TO PROCEEDING WITH THE CORRESPONDING WORK.
- LANDSCAPE & IRRIGATION DRAWINGS SHALL BE COORDINATED WITH MECHANICAL, PLUMBING AND ELECTRICAL, AND PROVIDE OPENINGS AND SUPPORTS AS REQUIRED FOR MECHANICAL, PLUMBING AND ELECTRICAL EQUIPMENT.
- CONTRACTOR TO HAVE ALL UNDERGROUND UTILITIES MARKED AND REQUIRED PERMIT APPLICATIONS SUBMITTED PRIOR TO COMMENCING WORK. LANDSCAPE DESIGNER ASSUMES NO RESPONSIBILITY FOR DAMAGES OCCURRING DUE TO UNMARKED UTILITIES OR OTHERWISE.
- LANDSCAPE LAYOUT TO FOLLOW PROVIDED DESIGN; ANY NECESSARY DEVIATIONS FROM THE ORIGINAL DESIGN SHALL BE VERIFIED WITH OWNER.
- ALL PLANT MATERIAL SHALL COMPLY WITH PLANT SIZE PER CONTAINER AS STATED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
- BED PREPARATION SHALL BE (2) INCHES OF APPROVED PLANTING MIX TILLED (4) INCHES INTO BED AREA. HARDWOOD MULCH TO BE INSTALLED WHERE SPECIFIED AT A DEPTH OF (4) INCHES.
- WEED BARRIER TO BE INSTALLED UNDER ALL HARDSCAPING. RIVER ROCK TO BE INSTALLED WHERE SPECIFIED AT A DEPTH OF (3) INCHES.



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SHEET DESCRIPTION:

Backyard Lawn Expansion

PROJECT:

VonDurekheim Residence
309 W. Aguirre
San Antonio, TX 78212

REVISIONS:

None

DATE:

01/18/2018

JOB NUMBER:

20180118

DRAWN BY:

KAV

CHECKED BY:

JME

SCALE:

1" = 8'

SHEET:

1 of 1

311 W
SVMMIT