

# HISTORIC AND DESIGN REVIEW COMMISSION

July 06, 2018

**HDRC CASE NO:** 2018-321  
**ADDRESS:** 118 E HOLLYWOOD AVE  
**LEGAL DESCRIPTION:** NCB 6388 BLK 8 LOT 62, 63 & 64  
**ZONING:** R-5 H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** Monte Vista Historic District  
**APPLICANT:** Todd Romano  
**OWNER:** Todd Romano  
**TYPE OF WORK:** Installation of a 8 foot tall side and rear privacy fence  
**APPLICATION RECEIVED:** June 26, 2018  
**60-DAY REVIEW:** August 25, 2018  
**REQUEST:**

The applicant is requesting a Certificate of Appropriateness for approval to install a side and rear vertical wood privacy fence measuring 8 feet in height.

## 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 <a href="#">35-574</a> (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 <sup>1</sup>	8'0" <sup>1</sup>	8'0" <sup>1</sup>	8'0" <sup>1</sup>

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 <a href="#">35</a> <a href="#">574</a> (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 118 E Hollywood Ave is a 2-story single family home constructed in 1930 in the Colonial Revival style. The home features several elements reflective of the Tudor style, including a symmetrical façade, side gable configuration with three dormers, and a prominent entry flanked by pilasters. The home is a contributing structure in the Monte Vista Historic District. The applicant is requesting approval to install a new eight foot tall vertical wood plank privacy fence along the side and rear alley property lines. The fence was installed prior to receiving a Certificate of Appropriateness and a permit from the Development Services Department.
- b. **LOCATION** – The applicant has proposed to install the privacy fence on both the side lot lines and along the rear alley frontage. The fence on the east side property line will align with the front façade of the historic structure.

Presently, a low wrought iron fence extends from the front façade to the east property line. 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 that privacy fencing in the rear of the property is consistent, but finds that the fencing should be set back from the façade of the primary structure to be consistent with the Guidelines.

- c. **HEIGHT** – The proposed fence is to be approximately eight feet 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; however, the fence should be a maximum of 6' alongside property lines. 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 on the rear lot line consistent with the Guidelines and UDC based on the specific conditions of the property, but finds that the fence height on the side property lines should be reduced to 6' to comply with the Guidelines and the UDC.
- 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 applicant has proposed treated cedar planks installed vertically. Staff finds the proposal acceptable.

## **RECOMMENDATION:**

Staff recommends approval of the privacy fence installation based on findings a through d with the following stipulations:

- i. That the applicant reduces the height to six feet along both side property lines as noted in finding c.
- ii. That the applicant obtains a permit from the Development Services Department.
- iii. 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

## **CASE COMMENTS:**

The fence was installed prior to receiving a Certificate of Appropriateness from the Office of Historic Preservation and a permit from the Development Services Department.





NORTH FRONT FACADE

























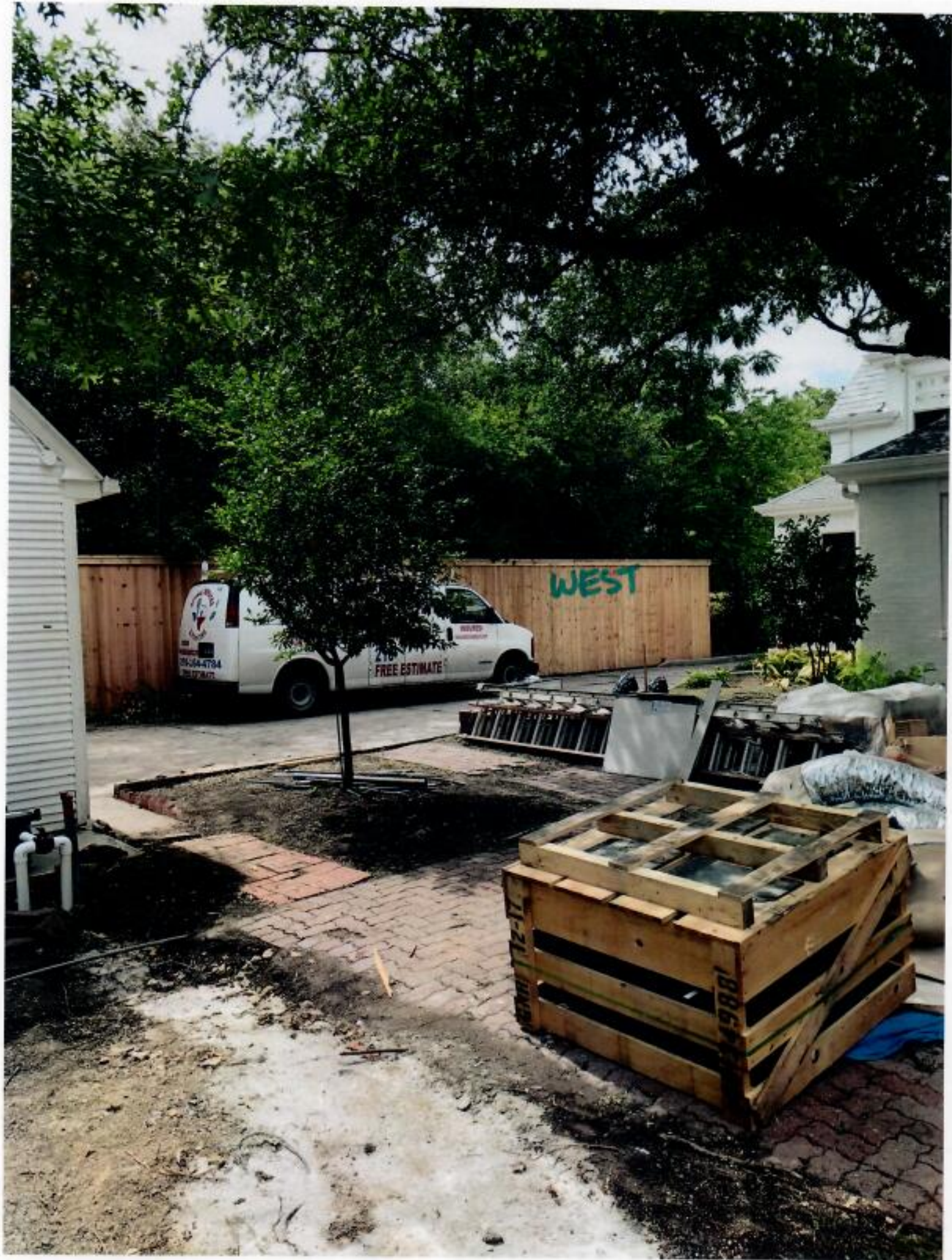


















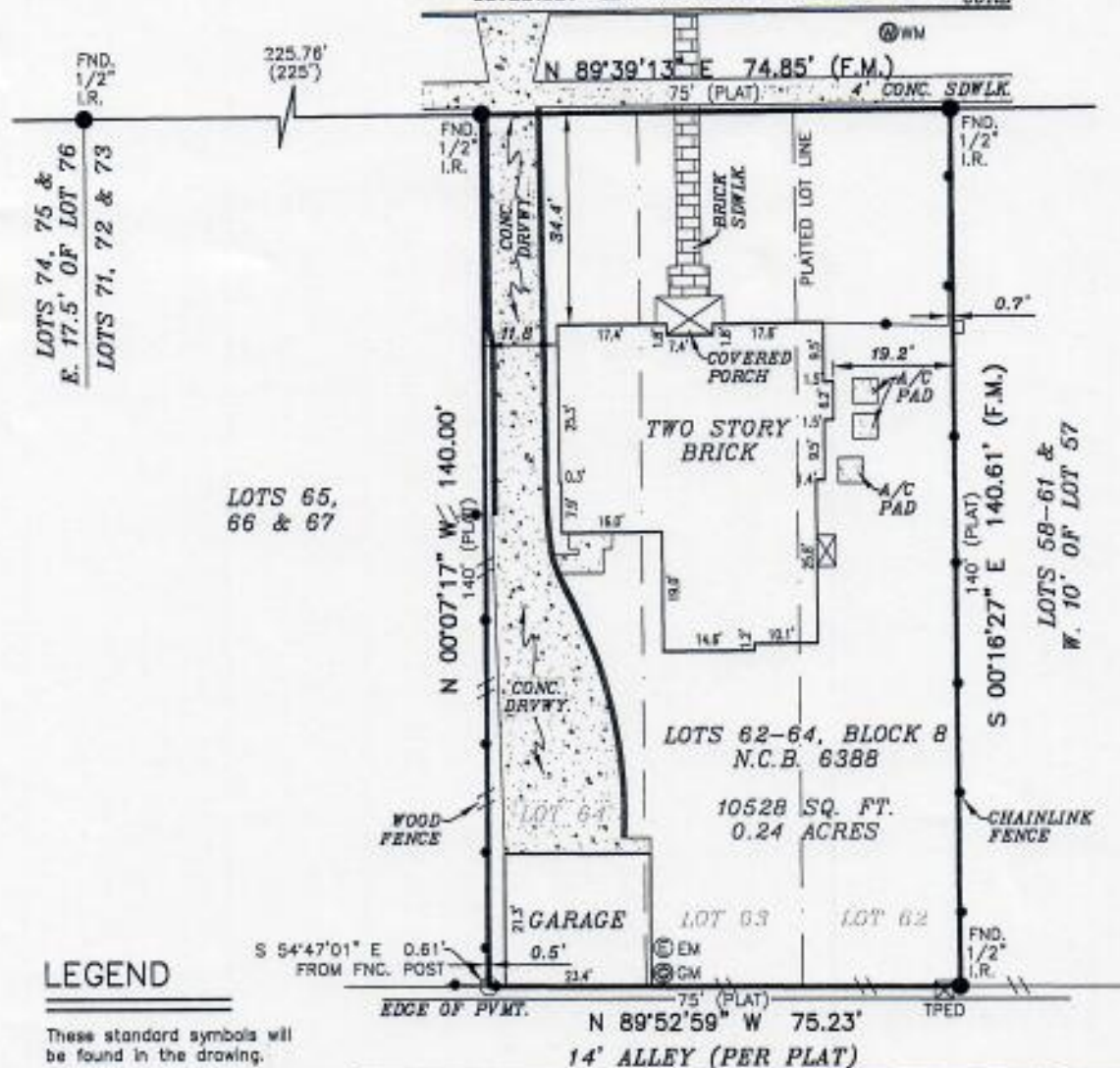








# HOLLYWOOD BOULEVARD - PER PLAT (58' R.O.W.-PER PLAT) A.K.A. E. HOLLYWOOD AVE.



## LEGEND

These standard symbols will be found in the drawing.

- — — — — BOUNDARY LINE
- • — • — CHAINLINK FENCE
- // — // — WOOD FENCE
- — — — — PLATTED LOT LINE
- CALCULATED POINT
- FOUND IRON ROD
- ⊗ TELEPHONE PEDESTAL
- ⊙ WATER METER
- ⊕ ELECTRIC METER
- ⊙ GAS METER
- (PLAT) RECORDED ON PLAT
- (F.M.) FIELD MEASURED

## SURVEYOR'S NOTE(S):

BASIS OF BEARING, TEXAS SOUTH CENTRAL NAD 83.

At date of this survey, the property is in FEMA designated ZONE X as verified by FEMA map Panel No. 48029C 0405 G effective date of SEPTEMBER 29, 2010. Exact designations can only be determined by a Elevation Certificate. This information is subject to change as a result of future FEMA map revisions and/or amendments.

The survey is hereby accepted with the discrepancies, conflicts, or shortages in area or boundary lines, encroachments, protrusions, or overlapping of improvements shown.

X \_\_\_\_\_  
X \_\_\_\_\_

I, RACHEL LYNN HANSEN, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to FIRST AMERICAN TITLE COMPANY

and that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).

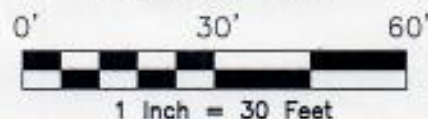
Borrower/Owner: TODD ALEXANDER ROMANO  
Address: 118 E. HOLLYWOOD AVE. GF No. 2291594-SA30

Legal Description of the Land: LOTS 62, 63 AND 64, BLOCK 8, NEW CITY BLOCK 6388, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP

ADJ. PLAT  
MONTE VISTA  
SUBDIVISION  
(VOL. 368, PG. 330)  
BLOCK 8, N.C.B. 6388

E. 12.5' OF LOT 30, &  
ALL OF LOTS 31-36, &  
PARTS OF LOTS 37 & 38

## GRAPHIC SCALE



## FINAL "AS-BUILT" SURVEY

JOB NO.:	1712049857	NO.	REVISION	DATE
DATE:	12/14/17			
DRAWN BY:	MN/TM			
APPROVED BY:	RLH			





SOUTH / ALLEY



EAST

8' HIGH

WEST

8' HIGH

EXISTING 2-STORY HOUSE

GARAGE

NORTH

EXISTING ANTIQUE WROUGHT IRON FENCING TO REMAIN

50'

75'

63' FROM SIDEWALK TO FENCE

PROPERTY LINE 5.86' 00" 00" E 100'

SIDEWALK

DRIVEWAY

77'

FROM STREET TO FENCE = 77'

HOLLYWOOD BOULEVARD

- RE-BUILT EXISTING CEDARWOOD PRIVACY FENCE
- NEW BUILD 6' HIGH ANTIQUE PRIVACY FENCE.