

# HISTORIC AND DESIGN REVIEW COMMISSION

February 06, 2019

**HDRC CASE NO:** 2019-025  
**ADDRESS:** 321 E LOCUST  
323 E LOCUST  
**LEGAL DESCRIPTION:** NCB 1738 BLK 3 LOT 9 (TOBIN HILL URBAN BUNGALOWS II)  
NCB 1738 BLK 3 LOT 10 (TOBIN HILL URBAN BUNGALOWS II)  
**ZONING:** IDZ, H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** Tobin Hill Historic District  
**APPLICANT:** Mark Ruch  
**OWNER:** Mark & Susan Ruch Kevin & Melissa Peterson  
**TYPE OF WORK:** Installation of front yard fencing  
**APPLICATION RECEIVED:** January 18, 2019  
**60-DAY REVIEW:** March 19, 2019  
**REQUEST:**

The applicant is requesting a Certificate of Appropriateness for approval to construct a front yard 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.

## FINDINGS:

- a. The primary structure located at 321 and 323 E. Locust is a 2-story duplex constructed circa 2016 in the Craftsman style. The structure features a front-facing gable, two front porches, and wood windows. The structure is situated in the Tobin Hill Historic District. The applicant is requesting approval for a 44-inch tall cattle panel front yard fence that spans the perimeter of the combined front yards.
- a. FENCE LOCATION – The applicant has proposed to install a new front yard fence. Based on the submitted site plan, the fence will span the perimeter of the combined front yards. According to the Historic Design Guidelines, new front yard fences should follow historic fence placements in the district. Staff finds that the fence is consistent with the Guidelines.
- b. FENCE DESIGN – The applicant has proposed to install a 44-inch tall cattle panel front yard fence. According to the Historic Design Guidelines, new front yard fences should appear similar to those used historically within the district in terms of their scale, transparency, character, and materials. The height should also be limited to a maximum of four feet. In the surrounding vicinity and within the Tobin Hill Historic District, typical fence types are vertical wood pickets, wrought iron, or cattle panel. Staff finds the proposed fence is consistent with the Guidelines.

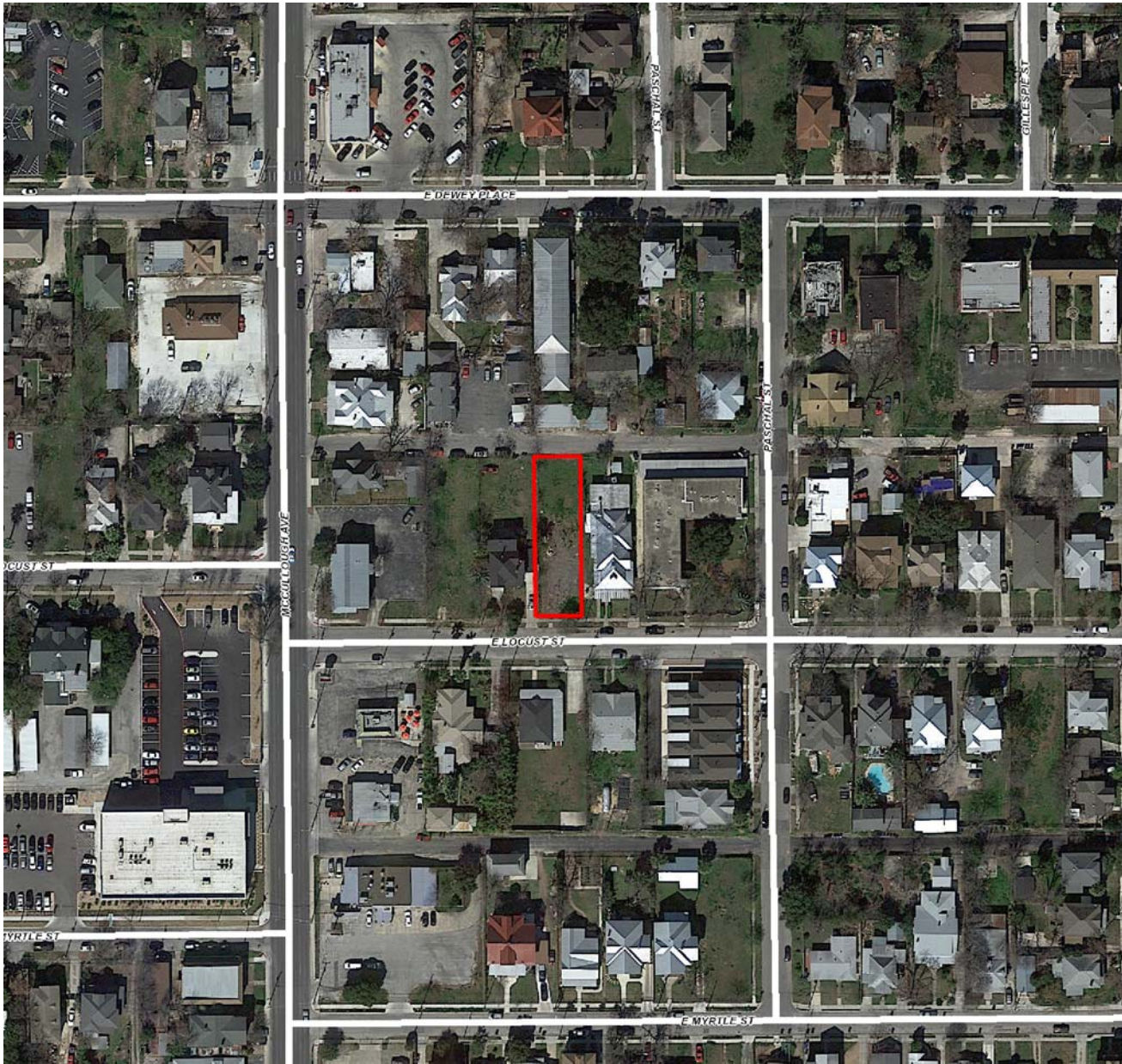
### **RECOMMENDATION:**

Staff recommends approval based on findings a through c with the following stipulation:

- i. 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:**

Adam Rajper



## Flex Viewer

Powered by ArcGIS Server

Printed: Jan 28, 2019

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① FRONT VIEW OF OUR HOUSE. THE HOUSE TO THE RIGHT (325) IS THE GUZMAN PERSONAL CARE ASSISTED LIVING FACILITY.





② A CLOSE-UP OF OUR PORCH, CONSTRUCTED OF ROUGH-CUT CEDAR. THE GATE IS 4X4 4 GAUGE HOB WIRE WITH ROUGH-CUT CEDAR FRAME.

# PLOT(SITE) PLAN

321 & 323 E. LOUST ST. S.A. 78212

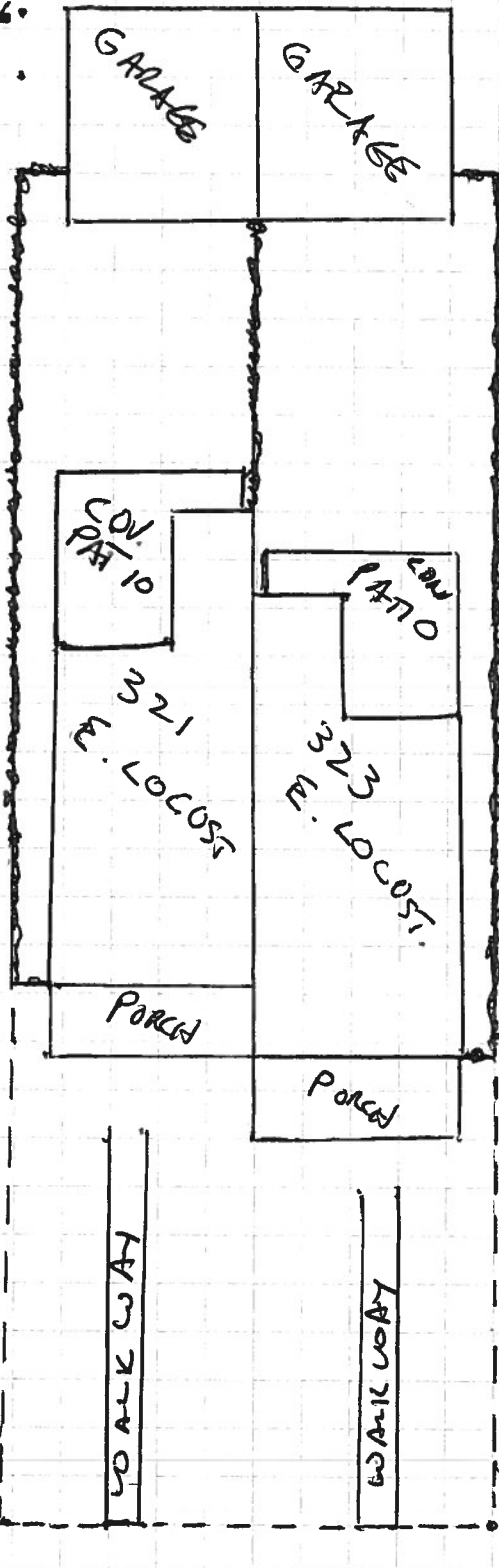
LOT: \_\_\_\_\_

BLOCK: 3

NCB: 1738 <sup>TORIN HILL</sup>

URBAN BUNGALOWS II

156'



EXISTING  
6' PRIVACY  
FENCE

PROPOSED  
44 INCH  
ROUGH-CUT  
CEDAR W/  
WELDED  
WIRE  
FENCE

WE CERTIFY THAT THE ABOVE PLOT PLAN SHOWS ALL IMPROVEMENTS ON THESE PROPERTIES AND THAT THERE WILL BE NO CONSTRUCTION OVER EASEMENTS. I ALSO CERTIFY THAT WE WILL BUILD IN COMPLIANCE WITH THE U.D.C. AND THE 2015 IRC.

Mark D. Tol *[Signature]* 10 JAN 19





③ FRONT YARD OF 602 E. LOCUST



- ④ THE HOUSES AT THE CORNER OF PASCIAL & E. LOUST. THEY FACE PASCIAL ST., AND WERE BUILT BY TEIZAMARK LUX (SAME AS OURS). PRIOR TO PURCHASE, THE BUILDER HAD OFFERED OUR NEIGHBORS THE OPTION OF INCLUDING A SIMILAR FENCE IN THEIR CONTRACT.