

## HISTORIC AND DESIGN REVIEW COMMISSION

August 07, 2019

**HDRC CASE NO:** 2019-418  
**ADDRESS:** 407 DEVINE ST  
**LEGAL DESCRIPTION:** NCB 2957 BLK 1 LOT 2 W 10 FT OF 3  
**ZONING:** R-5, H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** Lavaca Historic District  
**APPLICANT:** Adriene Wilson  
**OWNER:** Adriene Wilson  
**TYPE OF WORK:** Fence height amendment  
**APPLICATION RECEIVED:** July 22, 2019  
**60-DAY REVIEW:** September 20, 2019  
**CASE MANAGER:** Huy Pham

### REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to amend the height of a previously approved front yard fence.

### APPLICABLE CITATIONS:

#### 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.

##### 6.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 property at 407 Devine received approval to install a front yard fence at the HDRC hearing on June 1, 2016, with the stipulations that no portion exceed four feet (4') in height and that the fence feature a setback that matched the fence of the property to the immediate west.

- b. HEIGHT –The original Certificate of Appropriateness was issued on June 1, 2016, and reissued on April 4, 2019.. The applicant has subsequently installed a five-foot (5') fence despite the stipulation and has to proposed to amend the approval. Per the Guidelines for Site Elements 2.B.iii, limit the height of new fences and walls within the front yard to a maximum of four feet. Staff finds the proposed amendment is inconsistent with the Guidelines.

**RECOMMENDATION:**

Staff does not recommend approval based on findings b through d. Staff recommends the fence be reduced to four (4) feet in height.





Network: May 28, 2019 10:26:32 AM CDT  
Local: May 28, 2019 10:26:34 AM CDT





Network: May 28, 2019 10:26:44 AM CDT

Local: May 28, 2019 10:26:47 AM CDT





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Local: May 28, 2019 10:27:31 AM CDT

