# HISTORIC AND DESIGN REVIEW COMMISSION 

May 19, 2021

## HDRC CASE NO: <br> ADDRESS: <br> LEGAL DESCRIPTION: <br> ZONING: <br> CITY COUNCIL DIST.: <br> DISTRICT: <br> APPLICANT: <br> OWNER: <br> TYPE OF WORK: <br> APPLICATION RECEIVED: <br> 60-DAY REVIEW: <br> CASE MANAGER:

2021-240<br>237 W AGARITA AVE<br>NCB 3261 BLK 7 LOT 7<br>R-5,H<br>1<br>Monte Vista Historic District<br>Matt Stevens/Matt W. Stevens Landscape Architect LLC<br>Travis and Kate Holloway /HOLLOWAY KATHRYN<br>SWANN \& TRAVIS LAWS<br>Installation of eight-foot-tall privacy fence<br>April 23, 2021<br>Not applicable due to City Council Emergency Orders<br>Stephanie Phillips

## REQUEST:

The applicant is requesting a Certificate of Appropriateness to install a new privacy fence in the side and rear yards measur ing eight (8) feet in height, stepping down along the side property lines. The fencing will be constructed of galvanized posts and horizontal wooden slats.

## 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.

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 directionfrom 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 multifamily 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.

## FINDINGS:

a. The primary structure located at 237 W Agarita is a 2.5 -story residential structure constructed circa 1920 in the Tudor Revival style. The home features a red brick façade, prominent front chimney, and decorative vergeboarding. The structure is contributing to the Monte Vista Historic District.
b. LOCATION - The property is located on a corner lot at the intersection of W Agarita and Belknap Pl. The existing privacy fence is approximately 6 feet tall and located along the sides and rear of the property. According to the Historic Design Guidelines, privacy fencing 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. Staff finds the location consistent with the Guidelines.
c. HEIGHT - The applicant has proposed to install a rear privacy fence that measures eight feet in height, to step down along Belknap Pl. The applicant has provided site sections and diagrams that illustrate the height difference between the interior of the lot and the streetscape, whereby the interior of the lot is several feet taller than the public right-of-way. 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). Historic Design Guidelines state that fences should be consistent with the height found on the property, including in the vicinity of the property and those within the historic district. Wood fences measuring eight feet in height are not historically or predominantly common in the district. Staff does not find the proposed height consistent with the Guidelines or applicable UDC standards.
d. MATERIALITY - The fence will be horizontal wood slats in design and will replace an existing six-foot-tall vertical wood privacy fence. According to the Guidelines, fences should be constructed of materials consistent with the district. In the Monte Vista Historic District, privacy fences and walls are diverse and are made of vertical and horizontal wood slats, stucco, brick, stone, and more. Staff finds the materiality appropriate.

## RECOMMENDATION:

Staff recommends approval of the privacy fencing installation based on findings $a$ and $b$ with the following stipulations:
i. That the applicant reduces the height to six feet on both side property lines as noted in finding c.
ii. 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 to meet the development standards outlined in UDC Section 35-514.

City of San Antonio One Stop


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PLANTING LEGEND
LIGHTING LEGEND


马HEET 2 ロF 3－SITE PLAN
HロLLロWAY RESIDENCE 11．24．20
matt w．stevens andscape architect

210．887．3694

# CASE FILE FOR NEW 8'-0" TALL FENCE AT 237 WEST AGARITA RESIDENCE 

## MATT W. STEVENS LANDSCAPE ARCHITECT



The purpose of this presentation is to present to the Commission review council for the Monte Vista area on why a new $8^{\prime}-0$ " tall fence is necessary for the 237 West Agarita Property.

## AERIAL VIEW- HOLLOWAY RESIDENCE 237 WEST AGARITA, SAN ANTONIO, TEXAS




## SECTION ELEVATION



THIS DIAGRAM REPRESENTS THE EXISTING BACKYARD AREA. IN THE DIAGRAM WE HAVE A PERSON PLACED ON THE FRONT STEP WHERE THE BACK DOOR OF THE HOUSE IS LOCATED. THE STEP IS AT 100.00 WHICH IS THE FINISH FLOOR LEVEL OF THE HOUSE. THE FENCE LINE AT THE BOTTOM IS AT 95.75

## SECTION ELEVATION 6’-0" TALL FENCE EXAMPLE



BASED ON THE DIAGRAM WITH A 6'-0" TALL FENCE, IF YOU ARE STANDING ON THE TOP ON THE DECK STEP WHICH IS THE HOUSE FLOOR LEVEL OF 100.00 YOU ARE ABLE TO VIEW OVER THE FENCE ONTO THE BUSY INTERSECTION.

## SECTION ELEVATION 8’-0" TALL FENCE EXAMPLE



IF WE RAISE THE FENCE HEIGHT 2 FEET HIGHER AND HAVE THE NEW FENCE 8’-0" TALL, IT WILL ALLOW FOR LESS OVERSIGHT ONTO THE EXISTING BUSY INTERSECTION.

## EXISTING 6’-0" TALL FENCE ON SITE



BASED ON THE IMAGE ABOVE, WE CAN SEE THAT A PERSON STANDING AT THE EDGE OF THE EXISTING 6’-0" TALL FENCE CAN SEE OVER THE FENCE DUE TO THE SLOPE CHANGE WITHIN THE BACKYARD OF THE PROPERTY.

## NEW 8'-0" TALL HORIZONTAL FENCE



BASED ON THE IMAGE ABOVE, WE CAN SEE THAT PLACING A NEW 8’-0" TALL FENCE WILL ALLOW PRIVACY WITHIN THE BACKYARD OF THE PROPERTY.

Another case to make is that there are existing properties on the same subdivision as our site ( 237 West Agarita) that have $8^{\prime}-0^{\prime \prime}$ tall fences or higher.

The next few slides show existing properties within the Monte Vista area that have $8^{\prime}-0$ " tall fences or higher.

## 8'-0" TALL OR HIGHER FENCES NEAR OUR SITE



EXISTING FENCE 8'-0" TALL OR HIGHER


## 8'-0" TALL OR HIGHER FENCES NEAR OUR SITE

AERIAL VIEW


EXISTING FENCE 8'-0" TALL OR HIGHER


## 8'-0" TALL OR HIGHER FENCES NEAR OUR SITE

AERIAL VIEW


EXISTING FENCE 8'-0" TALL OR HIGHER


These diagrams and examples should hopefully make the case on why a $8^{\prime}-0^{\prime}$ tall fence for the 237 West Agarita
Property is necessary. Please contact Matt Stevens or Daniel Molina if you have any questions or concerns on this presentation.

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