



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5472

**Type:** Zoning Case

**In control:** Board of Adjustment

**On agenda:** 10/2/2017

**Title:** A-17-176: A request by Image Homes, Ltd for a special exception to allow an eight foot tall stone fence along the north property line, located at 25 Crescent Ledge. Staff recommends Approval. (Council District 8)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A-17-176 Attachments

Date	Ver.	Action By	Action	Result
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**Case Number:** A-17-176

**Applicant:** Image Homes, Ltd

**Owner:** Lisa Armstrong

**Council District:** 8

**Location:** 25 Crescent Ledge

**Legal:** Lot 4, Block 104, NCB 16386

**Description:**

**Zoning:** "PUD R-6 MLOD-1 MSAO" Planned Unit Development  
Residential Single-Family Camp Bullis Military Lighting  
Overlay Military Sound Attenuation Overlay District

**Case Manager:** Oscar Aguilera, Planner

### Request

A request for a special exception, as described in Section 35-399.04, to allow an eight foot tall stone fence along the north property line.

### Executive Summary

A new home is being built by Image Homes LTD. The applicant is requesting to build an 8 foot stone fence along the north property line. There is an extreme slope within these properties that makes it necessary to have an eight foot fence to enjoy the same levels of privacy enjoyed by others. There are also similar fences within the community. The application included a letter from the Dominion Home Owners Association approving of the requested special exception.

### Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“PUD R-6 MLOD-1 MSAO” Planned Unit Development Residential Single-Family Camp Bullis Military Lighting Overlay Military Sound Attenuation Overlay District	Single-Family Dwelling

### Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“PUD R-6 MLOD-1 MSAO” Planned Unit Development Residential Single-Family Camp Bullis Military Lighting Overlay Military Sound Attenuation Overlay District	Single-Family Dwelling
South	“PUD R-6 MLOD-1 MSAO” Planned Unit Development Residential Single-Family Camp Bullis Military Lighting Overlay Military Sound Attenuation Overlay District	Single-Family Dwelling
East	“OCL Outside City Limits	Camp Bullis
West	“PUD R-6 MLOD-1 MSAO” Planned Unit Development Residential Single-Family Camp Bullis Military Lighting Overlay Military Sound Attenuation Overlay District	Single-Family Dwelling

### Comprehensive Plan Consistency/Neighborhood Association

The subject property is within the boundaries of the North Sector Plan and currently designated Rural Estate Tier in the future land use component of the plan. The subject property is located within the Dominion Home Owners Association. As such they were notified and asked to comment.

### Criteria for Review

According to Section 35-482(h) of the UDC, in order for special exception to be granted, Board of Adjustment must find that the request meets each of the five following conditions:

*A. The special exception will be in harmony with the spirit and purpose of the chapter.*

**The request for an eight foot stone fence along the north property line is in harmony with the spirit and purpose of the chapter, as there is an extreme slope within these properties that makes it necessary to have an eight foot fence. The public will not see the fence since it is a gated community. In addition, there are similar fences, both in style and height, within the neighborhood.**

*B. The public welfare and convenience will be substantially served.*

**There is an extreme slope within these properties that makes it necessary to have an eight foot fence. Allowing the property owner to install an eight foot stone fence along the north property line will provide both neighbors with increased security and privacy. The public welfare and convenience will be substantially served.**

*C. The neighboring property will not be substantially injured by such proposed use.*

**The eight foot stone fence will be able to protect the subject property from trespass and ensure the safety and privacy of the owner and their family.**

*D. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.*

**The eight foot stone fencing along the north property line would not significantly alter the overall appearance of the district as other property owners have similar fencing.**

*E. The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district.*

**The purpose of the fencing standards is to protect the health, safety and general welfare of the public. The special exception request compensates for the extreme slope and adds security for the owner. Therefore, the requested special exception will not weaken the general purpose of the district.**

#### **Alternative to Applicant's Request**

The applicant could follow the guidelines for front fence heights, as described in 35-514 (d).

#### **Staff Recommendation**

Staff recommends **APPROVAL** of A-17-176 based on the following findings of fact:

1. The fence will result in substantial justice as there is an extreme slope along these properties;
2. The fence style will be in keeping with the character of the neighborhood.