



City of San Antonio

Legislation Details (With Text)

File #: 18-1635
Type: Zoning Case
In control: Board of Adjustment
On agenda: 2/5/2018
Title: A-18-022: A request by Adrian Lara for a special exception to allow a six foot tall predominately open fence in the front of the property, located at 1715 Saunders Avenue. Staff recommends Approval. (Council District 5)
Sponsors:
Indexes:
Code sections:
Attachments: 1. A-18-022 Attchments

Date	Ver.	Action By	Action	Result
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Case Number: A-18-022
Applicant: Adrian Lara
Owner: Adrian Lara
Council District: 5
Location: 1715 Saunders Avenue
Legal: The East 72.5 feet of Lot 5, Block 1, NCB 2350
Description:
Zoning: “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District
Case Manager: Debora Gonzalez, Senior Planner

Request

A request for a special exception, as described in Section 35-514, to allow a six foot tall predominately open fence in the front of the property.

Executive Summary

The subject property is located at 1715 Saunders Avenue, approximately 340 feet west of South Pinto Street. The applicant is seeking a special exception to keep a six foot tall fence that was built without permits. The applicant removed an older, six foot tall chain link fence which has been replaced by the new design.

Existing Zoning	Existing Use
“R-4 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
South	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
East	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
West	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The subject property is within the boundaries of the Guadalupe/Westside Community Plan and is currently designated Low Density Residential in the future land use component of the plan. The subject property is located within the boundaries of the Avenida Guadalupe registered neighborhood 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 spirit of the chapter is intended to provide for reasonable protections to property owners and to establish a sense of community within our neighborhoods. The request for a six foot tall fence in a portion of the front yard is in harmony with the spirit of the chapter as the applicant is merely seeking to replace a fence that has existed without any problems. No portion of the fence is in violation of the Clear Vision field.

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

The public welfare and convenience can be served by the added protection of higher front yard fencing, allowing the owner to protect the subject property.

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

No portion of the fence is in violation of the Clear Vision field. No adjacent property owner, nor the traveling public, will be harmed by the proposed fence.

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 wrought iron fence in the front yard will create enhanced security for subject property and is highly unlikely to injure adjacent properties.

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

established for the specific district.

The property is located within the “RM-4” Residential Mixed zoning district and permits the current use of a single-family home. Therefore, the requested special exception will not weaken the general purpose of the district.

Alternative to Applicant’s Request

The applicant would need to adhere to the permitted fence heights as described in Section 35-514.

Staff Recommendation

Staff recommends **APPROVAL of A-18-022** based on the following findings of fact:

1. The property owner is requesting the fence to prevent trespass on the property.
2. The design and height of the fence is unlikely to detract from the character of the community.