



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1636  
**Type:** Zoning Case  
**In control:** Board of Adjustment  
**On agenda:** 2/5/2018  
**Title:** A-18-017: A request by Elizabeth Webb for a special exception to allow a fence to be as tall as seven feet tall in the front yard, located at 321 Piedmont Avenue. Staff recommends Approval. (Council District 2)  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. A-18-017 Attachments

Date	Ver.	Action By	Action	Result
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**Case Number:** A-18-017  
**Applicant:** Elizabeth Webb  
**Owner:** Elizabeth Webb  
**Council District:** 2  
**Location:** 321 Piedmont Avenue  
**Legal:** Lot 15 and 16, Block 1, NCB 1697  
**Description:**  
**Zoning:** "RM-4 AHOD" Residential Mixed 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 fence to be as tall as seven feet in the front yard.

### Executive Summary

The subject property is located at 321 Piedmont Avenue, approximately 160 feet north of Dakota Street. The applicant is seeking a special exception to allow a fence to be as tall as seven feet in the front yard. During field visits, staff noted that some surrounding properties have taller fencing, including an almost identical design across the street. The majority of the fence is six feet tall, and is elevated above street-grade. The only portion of the fence that is seven feet tall is the decorative element above the gate.

Existing Zoning	Existing Use
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"RM-4 AHOD" Residential Mixed Airport Hazard Overlay District	Single-Family Dwelling
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### Surrounding Zoning/Land Use

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

### Comprehensive Plan Consistency/Neighborhood Association

The subject property is within the boundaries of the Arena District/Eastside Community Plan and is currently designated Medium Density Residential in the future land use component of the plan. The subject property is located within the boundaries of the Denver Heights 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 seven foot tall fence in the front yard is in harmony with the spirit of the chapter. No portion of the fence is in violation of the Clear Vision field and there are nearby properties with a similar fencing design.**

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

**The public welfare and convenience can be served by the added protection of higher fencing, allowing the owner to protect the subject property. In this case, other property owners within a close proximity have similar fencing, too.**

*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 front yard fence 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-18-017** based on the following findings of fact:

1. The height of the fence is unlikely to detract from the character of the community.