



City of San Antonio

Legislation Details (With Text)

File #: 19-1452
Type: Zoning Case
In control: Board of Adjustment
On agenda: 1/14/2019
Title: (Continued from December 17, 2018) BOA-18-900016: A request by Enrique Patuel for an appeal of the Historic and Design Review Commission's denial of a request for a wrought iron fence to feature a driveway gate, spanning the width of the driveway parallel to the right of way rather than behind the front façade of the historic structure, situated at 219 Delaware Street. Staff recommends Denial. (Council District 1)
Sponsors:
Indexes:
Code sections:
Attachments: 1. 18-900016 Attachments, 2. BOA-18-900016 Application

Date	Ver.	Action By	Action	Result
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Case Number: BOA-18-900016
Applicant: Enrique Patuel
Owner: Enrique Patuel
Council District: 1
Location: 219 Delaware
Legal: Lot 5, NCB 3004, BLK 2
Description:
Zoning: "RM-4 H" Residential Mixed District, Lavaca Historic District
Case Manager: Debora Gonzalez, Senior Planner

Request

A request for an appeal of the Historic and Design Review Commission's denial of a request for a wrought iron fence to feature a driveway gate, spanning the width of the driveway parallel to the right of way rather than behind the front façade of the historic structure.

Applicable Code References

Historic Design Guidelines, Chapter 6, Guidelines for Site Elements

2. Fences and Walls

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.

Background and Interpretation

The historic structure located at 219 Delaware was construction circa 1910 and is first found on the 1912 Sanborn Map. The structure was constructed in the Folk Victorian style and features one story in height. The structure is contributing to the Lavaca Historic District.

The initial request of the applicant to construct a fence on the property was received and determined complete by OHP staff on August 14, 2018. The request was first heard by the Historic and Design Review Commission on September 5, 2018. Below is a timeline of this application:

August 14, 2018	Application received by OHP staff and determined complete
September 5, 2018	First HDRC Hearing - Referred to the Design Review Committee
October 3, 2018	Second HDRC Hearing - Recommendation for approval with staff's stipulations

In the application, the applicant proposed to construct a four (4) foot tall, wrought iron fence to span the width of the property to include a gate spanning the width of the driveway. Per the Guidelines for Site Elements 2.C.i. privacy fences should be set back from the front façade to reduce their visual prominence. Staff found that the fence should turn at the driveway to meet the corner of the historic structure, rather than span the width of the driveway as proposed, and that the fence should be set back from the plane of the historic structure's front façade. Staff's complete recommendation with stipulations to the Historic and Design Review Commission for October 3, 2018, are listed below.

Staff recommends approval based on finding c and d with the following stipulations:

- i. The fence should turn at the driveway to meet at the corner of the structure, as opposed to spanning across the driveway in the front.
- ii. The driveway gate should be located behind the front façade plane of the structure or removed from the design.
- iii. That no portion of the fence exceed four feet in height.

Staff Recommendation to the Board of Adjustment

Staff recommends that the Board of Adjustment uphold the Commission Action Letter dated October 3, 2018, by the Historic Preservation Officer to approve with Staff's Stipulations.