



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-5156

**Type:** Staff Briefing - Without Ordinance

**In control:** Board of Adjustment

**On agenda:** 8/16/2021

**Title:** BOA-21-10300082: A request by Geoffrey Schnipper for a 2' special exception from the 6' fence height maximum to allow an 8' wooden privacy fence along the side and rear property lines, located at 2645 Pebble Valley. Staff recommends Approval. (Council District 10) (Roland Arsate, Planner (210) 207-3074, Roland.Arsate@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachments

Date	Ver.	Action By	Action	Result
Case Number:	BOA-21-10300082			
Applicant:	Geoffrey Schnipper			
Owner:	Geoffrey Schnipper			
Council District:	10			
Location:	2645 Pebble Valley			
Legal Description:	Lot 12, Block 5, NCB 16801			
Zoning:	"R-6" Residential Single-Family District			
Case Manager:	Roland Arsate, Planner			

### Request

A request for a 2' special exception from the 6' fence height maximum, as described in Section 35-514, to allow an 8' wooden privacy fence along the side and rear property lines.

### Executive Summary

The subject property is located in the 2600 block of Pebble Valley Drive. The request is for a special exception to the fence height along the side and rear property lines. According to UDC Section 35-514(c)(1), the fence maximum height is 6' along the rear and side yards.

### Code Enforcement History

There are no related Code Enforcement issues.

### **Permit History**

A fence permit was applied for on June 8, 2021, but not issued.

### **Zoning History**

The subject property was annexed by the City of San Antonio by Ordinance 41429 on December 26, 1972 and was zoned Temporary “R-1” Single-Family Residence District. The zoning converted from Temporary “R-1” to the current “R-6” Residential Single-Family District upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

### **Subject Property Zoning/Land Use**

Existing Zoning	Existing Use
“R-6” Residential Single-Family District	Single-Family Residence

### **Surrounding Zoning/Land Use**

Orientation	Existing Zoning District(s)	Existing Use
North	“R-6” Residential Single-Family District	Single-Family Residence
South	“R-6” Residential Single-Family District	Single-Family Residence
East	“R-6” Residential Single-Family District	Single-Family Residence
West	“R-6” Residential Single-Family District	Single-Family Residence

### **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is located in the North Sector Plan and is designated “Suburban Tier” in the future land use component of the plan. The subject property is located within the Oak Hollow Park Neighborhood Association, and they were notified of this application.

### **Street Classification**

Pebble Valley is classified as a Local Road.

Pebble Forest Drive is classified as a Local Road.

### **Criteria for Review - Fence Height**

According to Section 35-482(h) of the UDC, in order for a special exception to be granted, the 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 UDC states the Board of Adjustment can grant a special exception for a fence height modification. The additional fence height was observed upon the site visit and, if granted, staff finds the request would be in harmony with the spirit and purpose of the ordinance.**

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

**In this case, these criteria are represented by fence heights to protect residential property owners while still promoting a sense of community. An 8’ wooden privacy fence along the side and rear yard does not**

pose any adverse effects to the public welfare, as there are some elevation differences between the subject property and abutting properties.

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

**The fence will create enhanced security and privacy for the subject property and is unlikely to substantially injure any neighboring properties.**

*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 additional height for the side and rear yard fence will not alter the essential character of the district. Staff did not observe any violations to the Clear Vision Standards.**

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

**The current zoning permits the current use of a single-family home. The requested special exception will not weaken the general purpose of the district.**

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

The alternative to the applicant's request is to adhere to the fence height requirements in Section 35-514.

#### **Staff Recommendation - Fence Special Exception**

Staff recommends **Approval** in **BOA-21-10300082** based on the following findings of fact:

1. There are elevation differences between the subject property and abutting properties; and
2. The proposed fence does not violate any Clear Vision Standards.