



City of San Antonio

Agenda Memorandum

File Number:16-3495

Agenda Item Number: 7.

Agenda Date: 6/6/2016

In Control: Board of Adjustment

Case Number: A-16-096
Applicant: Andres Barbosa
Owner: Andres & Sandra Barbosa
Council District: 10
Location: 15230 Spring Corner
Legal Description: Lot 23, Block 14, NCB 17236
Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District
Case Manager: Shepard Beamon, Planner

Request

A request for a special exception, as described in Section 35-514, to allow a 6 foot tall wood privacy fence in a portion of the front yard of a reverse corner lot.

Executive Summary

The subject property is located at 15230 Spring Corner at its intersection with Spring Buck. The applicant was cited by Code Enforcement for construction of a fence without permits and is seeking a special exception to allow for taller privacy fencing in a portion of the front yard to remain. The subject property is a reverse corner lot - See exhibits for Reverse Corner Lot.

Reverse corner lots are subject to two different front setback requirements. Though the fence is built behind the vertical plane of the façade of the dwelling it is still considered front yard fencing. The Unified Development Code permits solid screen fencing in the front yard up to three feet in height. The applicant needs a special exception to grant the six foot fence. The applicant stated that they expanded the fence into this reverse corner lot front yard so that the family would have additional space to enjoy the outdoors.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"R-6 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"R-6 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
South	"R-6 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
East	"R-6 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
West	"R-6 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the North Sector Plan and currently designated as Suburban Tier in the future land use component of the plan. The subject property is not within any registered neighborhood association.

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 allows residential fencing up to eight feet in height to be permitted by a special exception. The applicant's request is for a six foot tall wood privacy fence which meets the approval criteria for a special exception.

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

Allowing the property owner to encroach into the reverse corner lot is unlikely to harm the public welfare and convenience. The fence is set back far enough from the street that it will not interfere with clear vision requirements.

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

In that the fencing does not block clear vision it is unlikely that the neighboring property will be harmed by this special exception request.

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.

Six foot tall wooden fences are common in the neighborhood. The material, nor the height of the fence, is likely to detract from the essential character of the district.

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 single-family residential zoning districts is to encourage patterns of residential development that provide housing choices and a sense of community. Therefore, the requested special exception will not weaken the general purpose of the district.

Alternative to Applicant's Request

The applicant would need to comply with the Unified Development Code standards for reverse corner lot fencing.

Staff Recommendation

Staff recommends **APPROVAL of special exception request in A-16-096** based on the following findings of fact:

1. The special exception would add space for the family to enjoy the outdoors.
2. The special exception is unlikely to harm the community.