City of San Antonio

Agenda Memorandum

File Number:17-2992

Agenda Item Number: 2.

Agenda Date: 5/1/2017

In Control: Board of Adjustment

Case Number:	A-17-090
Applicant:	Celia Velasco
Owner:	Celia Velasco
Council District:	5
Location:	230 Southlawn St.
Legal Description:	Lot 8 and the North 25 feet of Lot 9, Block 4, NCB 7554
Zoning:	"MF-33 AHOD" Multi-Family Airport Hazard Overlay District
Case Manager:	Oscar Aguilera, Planner

Request

A request for a special exception, pursuant to Section 35-399.04 of the UDC, to allow a 7.5 foot fence in the rear yard and a portion of the front yard.

Executive Summary

The subject property is located at 230 Southlawn Street. The applicant is seeking a special exception to allow for 7.5 feet fence on the side of the subject property (north side of the lot) due to conflicts with the adjacent neighbor.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"MF-33 AHOD" Multi-Family Airport Hazard Overlay District	Single-Family Dwelling

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use

North	"MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "R-4 AHOD" Single-Family Airport Hazard Overlay District	Single-Family Dwelling
South	"MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "R-4 AHOD" Single-Family Airport Hazard Overlay District	Single-Family Dwelling
East	"MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "R-4 AHOD" Single-Family Airport Hazard Overlay District	Single-Family Dwelling
West	"MF-33 AHOD" Multi-Family Airport Hazard Overlay District	Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The property is within the West /Southwest Sector Plan and designated as General Urban Tier. The subject property not located within the boundaries of a Neighborhood Association.

Criteria for Review

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:

1.   The special exception will be in harmony with the spirit and purpose of the chapter.

The UDC allows eight (7.5) foot rear and portion of the front yard fence as a special exception, authorized under certain circumstances in accordance with specific factors as described in this report. If granted, this request would be harmony with the spirit and purpose of the ordinance.

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

The public welfare and convenience can be served by the added protection of rear yard fence, allowing the owner to protect their privacy and minimize conflict with her neighbor.

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

The rear fence will create enhanced security for subject property and is highly unlikely to injure adjacent properties.

4. 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 fencing is not out of character in this neighborhood. Thus, granting the exception will not be detrimental to the character of the district.

5. 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 fencing standards is to protect the health, safety and general welfare of the public, enhance property values, and improve the appearance of the community. Since the fence will not encroach into the visibility triangle, the requested special exception will not weaken the general purpose of the district.

Alternative to Applicant's Request

The applicant could follow the guidelines for fence heights, as described in 35-514.

Staff Recommendation

Staff recommends **APPROVAL of the special exception in A-17-090** based on the following findings of fact:

1.   The fence satisfies the established standards for special exceptions.

2.   The fence will be in harmony with the spirit and purpose of the UDC.