



City of San Antonio

Agenda Memorandum

File Number:18-1888

Agenda Item Number: 4.

Agenda Date: 2/19/2018

In Control: Board of Adjustment

Case Number: A-18-036
Applicant: Paul Rocha
Owner: Paul Rocha
Council District: 3
Location: 431 Conner St.
Legal: Lot 39, Block 4, NCB 6081
Description:
Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard
Overlay District
Case Manager: Dominic Silva, Planner

Request

A request for a special exception, as described in Section 35-514, to allow a five foot tall solid screen fence in the front of the property.

Executive Summary

The subject property is located at 431 Connor Street, approximately 500 feet south of West Mitchell Street. The applicant added a five foot tall, solid wood fence within the front yard of the property for additional enclosed space for their family. The applicant states that they live in a high-crime rate area. Furthermore, the applicant states that instances of theft of personal belongings from their property warrant the additional fence height.

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

This residential property is within the boundaries of the South Central Plan and currently designated as Low Density in the future land use component of the plan. The subject property is located within the boundaries of the Lone Star 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 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 Unified Development Code states the Board of Adjustment can grant a special exception for a fence height modification up to eight feet. The spirit of the chapter is represented by reasonable fence height restrictions to provide for adequate security and privacy, but to also encourage a sense of community. The additional fence height is intended to provide safety, security, and privacy for the applicant. If granted, this request would be harmony with the spirit and purpose of the ordinance.

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

The five foot solid wood fence was built to provide additional space and safety for the family and their personal property. The addition of a five foot tall fence provides an added sense of security for the family and, therefore, serves a public convenience. Further, no portion of the fence violates the Clear Vision field and, as such, will not harm the public welfare.

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

The fence will create enhanced security for the subject property and is highly unlikely to injure adjacent properties. Further, the fence does not obscure the neighboring property’s vision from their driveway.

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 wood fence in the front yard will create enhanced security for the subject’s property. The fencing does not detract from the character of the neighborhood 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 subject property is located within the “R-6” Residential Single-Family District, which permits single-family dwelling. It is difficult to establish how the fence weakens the purpose of the residential single family zoning district.

Alternative to Applicant's Request

The alternative to the applicant's plan would be to comply with the fence height limitation of three feet for a solid screen material, as described in Section 35-514.

Staff Recommendation

Staff recommends **APPROVAL of the special exception in A-18-036** based on the following findings of fact:

1. The applicant states the fence is necessary for security purposes, and;
2. The fence does not visually hinder the adjacent property's driveway or other motorists view.