



# City of San Antonio

## Agenda Memorandum

**File Number:**20-2228

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**Agenda Item Number:** 6.

**Agenda Date:** 3/2/2020

**In Control:** Board of Adjustment

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**Case Number:** BOA-20-10300018

**Applicant:** Alicia King

**Owner:** Alicia King

**Council District:** 9

**Location:** 16240 San Pedro Avenue

**Legal:** Lot 175 & Lot 176, NCB 15674

**Description:**

**Zoning:** "PUD MH MLOD-1 MLR-2 AHOD ERZD" Planned Unit  
Development Manufactured Housing Camp Bullis Military  
Lighting Overlay Military Lighting Region 2 Airport Hazard  
Overlay Edwards Recharge Zone District

**Case Manager:** Dominic Silva, Senior Planner

### **Request**

A request for 1) a special exception, as described in Section 35-514, to allow an open screened fence to be up to 6' tall within the front property and 2) a request for a special exception, also described in Section 35-514, to allow a solid screen fence to be up to 7'5" tall within the front, side, and rear of a vacant property.

### **Executive Summary**

The subject property is located at 16240 San Pedro Avenue, approximately 358' east of North 281 within a Manufactured Home Planned Unit Development. The applicant is requesting to maintain a 7'5" solid screen fence erected within the front, side, and rear property lines as well as a 6' open screened chain linked fence within the front property lines.

The area is characterized as a Manufactured Home Planned Unit Development, with small, fenced in lots. The subject property is one of two serving as the entrance lots to the Manufactured Home Planned Unit Development.

### **Code Enforcement History**

Code enforcement investigated this property via citizen complaint November 25, 2019. No tickets were issued.

### **Permit History**

No permits have been processed for this property.

### **Zoning History**

The area was annexed under Ordinance 36636 dated August 8, 1968 and was originally zoned as Temporary “R-1” Single Family District. Ordinance 43288, dated January 24, 1974, rezoned the property from Temporary “R-1” to “R-4” Mobile Home District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property converted from “R-4” Mobile Home District to the current “MH” Manufactured Housing District.

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

<b>Existing Zoning</b>	<b>Existing Use</b>
“PUD MH MLOD-1 MLR-2 AHOD ERZD” Planned Unit Development Manufactured Housing Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Edwards Recharge Zone District	Residential

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

<b>Orientation</b>	<b>Existing Zoning District(s)</b>	<b>Existing Use</b>
North	“PUD MH MLOD-1 MLR-2 AHOD ERZD” Planned Unit Development Manufactured Housing Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Edwards Recharge Zone District	Residential
South	“PUD MH MLOD-1 MLR-2 AHOD ERZD” Planned Unit Development Manufactured Housing Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Edwards Recharge Zone District	Residential
East	“PUD MH MLOD-1 MLR-2 AHOD ERZD” Planned Unit Development Manufactured Housing Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Edwards Recharge Zone District	Residential

West	“C-3 MLOD-1 MLR-2 AHOD ERZD” General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Edwards Recharge Zone District	Commercial
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### **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is within the North Sector Plan area and designated Suburban Tier future land use. The subject property is not within the boundaries of a registered neighborhood association.

### **Street Classification**

Vista Drive is classified as a local street.

### **Criteria for Review - Special Exception for 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 up to eight feet. The additional fence height is intended to provide safety and security of the applicant’s property. If granted, this request would be in harmony with the spirit and purpose of the ordinance.**

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

**The public interest is defined as the general health, safety, and welfare of the public. In this case, these criteria are represented by maximum fence heights to protect residential property owners while still promoting a sense of community. A 6’ tall open screen fence was built along the front property line to provide additional security for the applicant’s property. In this case, given lot’s location as a buffer to the commercial districts adjacent, the variance for a 7’5” solid screen fence is not contrary.**

*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 and serves as the Manufactured Home Planned Unit Development’s entrance lots. Further, the fencing does not violate Clear Vision standards.**

*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 fencing does not detract from the character of the neighborhood. The fencing is in line with other preexisting fencing material and height within the immediate vicinity.**

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

**The property is located within the “PUD MH MLOD-1 MLR-2 AHOD ERZD” Planned Unit Development Manufactured Housing Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay Edwards Recharge Zone District and permits the current use. The requested special exception will not weaken the general purpose of the district.**

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

Denial of the special exceptions would result in the owner having to meet the required fence height regulations in Section 35-514.

### **Staff Recommendation**

Staff recommends **APPROVAL** of **BOA-20-10300018**, based on the following findings of fact:

1. The proposed fence is of similar height, design, and purpose as other fences within the mobile home park, and;
2. The requested fence within the subject property acts as an entrance and exit buffer to the surrounding commercial properties adjacent.