



City of San Antonio

Agenda Memorandum

Agenda Date: June 16, 2025

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon, Director

CASE NUMBER: BOA-25-10300087

APPLICANT: Alamo Consulting Services

OWNER: City Public Service Board

COUNCIL DISTRICT IMPACTED: District 1

LOCATION: 5180 Fredericksburg Rd

LEGAL DESCRIPTION: Lot P-102, NCB 11632

ZONING: "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

CASE MANAGER: Joel Vela, Senior Planner

A request for

1) A fence material variance to allow sheet, roll or corrugated metal fencing.
Section 35-514(a)(6)

2) A 4'-11" variance from the minimum 5' side setback to allow a 1" side setback for the proposed 10' fence with razor wire.
Section 35-310.01

3) A 9'-11" variance from the minimum 10' front setback to allow a 1" front setback for the proposed 10' fence with razor wire.
Section 35-310.01

4) A 2' special exception from the maximum 8' fence height to allow a 10' privacy fence.
Section 35-514(c)

Executive Summary

The subject property is located on the east corner of the Fredericksburg Road and Callaghan Road intersection within the Medical Center Area Regional Plan and is currently the site of an existing CPS Energy substation. The applicant proposes constructing a new security fence with razor wire that exceeds the maximum allowable fence height and encroaches on the minimum required setback for razor wire fencing as established by the Unified Development Code. CPS Energy is exempt from Article III, Zoning use standards, and from requiring an administrative variance for razor wire fences however, a variance is required if it goes beyond the minimum setbacks. Traffic reviewed the site plan and concluded no sight distance issue with the proposed fence. The property is considered a government facility, which permits an 8-foot perimeter fence.

Code Enforcement History

No Code Enforcement history found.

Permit History

The applicant has not yet applied for the building permit.

Zoning History

The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned "A" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single-Family Residence District converted to the current "R-5" Residential Single-Family District.

Subject Property Zoning/Land Use

Existing Zoning

"R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

Existing Use

CPS Energy substation

Surrounding Property Zoning/ Land Use

North

Existing Zoning

"C-3 AHOD" General Commercial Airport Hazard Overlay District

Existing Use

Commercial Retail and Services

South

Existing Zoning

"C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Car Wash; and "C-2 AHOD" Commercial Airport Hazard Overlay District

Existing Use

Commercial Retail and Service and a Vacant Lot

East

Existing Zoning

“C-3 AHOD” General Commercial Airport Hazard Overlay District

Existing Use

Commercial Retail and Services

West

Existing Zoning

“C-3 AHOD” General Commercial Airport Hazard Overlay District

Existing Use

Commercial Retail and Services

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Medical Center Area Regional Center Plan and is designated for “Urban Mixed-Use” in the future land use component of the plan. The subject property is located within the notification area of San Antonio Texas District One Resident Association Community Organization and Riot Commons Community Organization, and they have been notified of the request.

Street Classification

Fredericksburg Road is classified as a Secondary Arterial Type A.

Callaghan Road is classified as a Secondary Arterial Type A.

Criteria for Review – Fence Material, Front and Side Setbacks for Razor Wire Variance

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. The variance is not contrary to the public interest.

The public interest is defined as the general health, safety, and welfare of the public. In this case, the public interest is represented by the appearance, safety, and security of critical public infrastructure. The variance is not contrary to the public interest as it creates an imposing appearance to discourage trespassers, and the reduced setbacks abut arterial roads.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

A literal enforcement of the ordinances would result in unnecessary hardship as the applicant would be unable to maximize security of the premises to prevent unwanted ingress/egress and minimize hazards to unauthorized persons and the public. The fencing material allows for quick repairs or upgrades after any damage.

3. By granting the variance, the spirit of the ordinance will be observed, and substantial justice will be done.

The requested variances appear to be in the spirit of the ordinance as the proposed fence will not adversely impact the surrounding area and will be providing additional needed security to surrounding properties and to the critical infrastructure located on the lot.

4. The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.

No uses other than those allowed within the district will be allowed with this variance.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

Staff finds that the variances would not substantially injure the appropriate use of adjacent properties as adequately securing the lot will also provide security for the surrounding area.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the district in which the property is located.

Staff finds that the unique circumstances existing on the property are the need for additional security for critical electric infrastructure by providing adequate fence material and location.

Criteria for Review – Fence Height Special Exception

According to Section 35-482(h) of the UDC, for a variance to be granted, the applicant must demonstrate all of the following:

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 fence height being requested is a 10' privacy fence. Staff finds the request would be in harmony with the spirit and purpose of the ordinance, as the request is for providing additional security and screening for critical electric infrastructure.

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

In this case, these criteria are represented by fence heights to protect property owners while still promoting a sense of community. The proposed privacy fence does appear to serve the public welfare and convenience, as the additional security and screening provided will add to the security of the area and the critical energy infrastructure substation.

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

The fence height special exception around critical energy infrastructure will not substantially injure neighboring property because it enhances public safety, does not interfere with the

neighbor's use or value, and can be designed to minimize visual impact. It serves a necessary function without causing material harm.

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 fence height will not alter the location for which the special exception is sought, as the lot is already maintaining critical electric infrastructure well beyond the height of the fence.

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

The requested special exception will not weaken the general purpose of the district, as it will provide additional safety and security for the critical electric infrastructure as well as the area in which it is located.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to the fence material, fence height, and front, rear, and side setback requirements of the UDC Sections 35-514 and 35-310.01.

Staff Recommendation – Fence Material, Front, Rear, and Side Setback for Razor Wire Variances

Staff recommends Approval in BOA-24-10300192 based on the following findings of fact:

1. Additional security is required in protecting critical electric infrastructure and surrounding residential properties.
2. The variances will not alter the essential character of the district in which the property is located.
3. The variances create an imposing appearance to discourage trespassers and enhance security.

Staff Recommendation – Fence Height Special Exception

Staff recommends Approval in BOA-24-10300192 based on the following findings of fact:

1. Additional security and screening are required to protect critical electric infrastructure.
2. The special exception will not alter the essential character of the district in which the property is located.