

HISTORIC AND DESIGN REVIEW COMMISSION

October 18, 2024

HDRC CASE NO: 2024-311
ADDRESS: 2114 W KINGS HWY
LEGAL DESCRIPTION: NCB 6825 BLK 0 LOT 4
ZONING: R-6, H
CITY COUNCIL DIST.: 7
DISTRICT: Monticello Park Historic District
APPLICANT: larrissa benavides/BENAVIDES LARRISSA
OWNER: larrissa benavides/BENAVIDES LARRISSA
TYPE OF WORK: Installation of 8-ft rear privacy fence
APPLICATION RECEIVED: August 19, 2024
60-DAY REVIEW: October 18, 2024
CASE MANAGER: Bryan Morales

REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to replace the existing 6' tall wood privacy fence with an 8' tall wood privacy fence in place.

APPLICABLE CITATIONS:

Historic Design Guidelines, Chapter 5, Guidelines for Site Elements

2. Fences and Walls

A. HISTORIC FENCES AND WALLS

- i. *Preserve*—Retain historic fences and walls.
- ii. *Repair and replacement*—Replace only deteriorated sections that are beyond repair. Match replacement materials (including mortar) to the color, texture, size, profile, and finish of the original.
- iii. *Application of paint and cementitious coatings*—Do not paint historic masonry walls or cover them with stone facing or stucco or other cementitious coatings.

B. NEW FENCES AND WALLS

- i. *Design*—New fences and walls should appear similar to those used historically within the district in terms of their scale, transparency, and character. Design of fence should respond to the design and materials of the house or main structure.
- ii. *Location*—Avoid installing a fence or wall in a location where one did not historically exist, particularly within the front yard. The appropriateness of a front yard fence or wall is dependent on conditions within a specific historic district. New front yard fences or wall should not be introduced within historic districts that have not historically had them.
- iii. *Height*—Limit the height of new fences and walls within the front yard to a maximum of four feet. The appropriateness of a front yard fence is dependent on conditions within a specific historic district. New front yard fences should not be introduced within historic districts that have not historically had them. If a taller fence or wall existed historically, additional height may be considered. The height of a new retaining wall should not exceed the height of the slope it retains.
- iv. *Prohibited materials*—Do not use exposed concrete masonry units (CMU), Keystone or similar interlocking retaining wall systems, concrete block, vinyl fencing, or chain link fencing.
- v. *Appropriate materials*—Construct new fences or walls of materials similar to fence materials historically used in the district. Select materials that are similar in scale, texture, color, and form as those historically used in the district, and that are compatible with the main structure. Screening incompatible uses—Review alternative fence heights and materials for appropriateness where residential properties are adjacent to commercial or other potentially incompatible uses.

C. PRIVACY FENCES AND WALLS

- i. *Relationship to front facade*—Set privacy fences back from the front façade of the building, rather than aligning them with the front façade of the structure to reduce their visual prominence.
- ii. *Location*—Do not use privacy fences in front yards.

Sec. 35-514. - Fences.

(c) Height Limitation.

(1) Except for the provisions in section (b) above no fence shall exceed the following table of heights. In addition, the maximum permitted fence height shall not exceed that of the maximum permitted fence height for the abutting property except as provided in subsection (c)(2). The board of adjustment may allow fences of greater height by special exception, subject to section 35-399.04 of this chapter or by variance subject to Section 35-482 if the height of the fence exceeds allowances for a special exception. The height shall be the vertical distance measured from the lowest adjacent ground level (either inside or outside the fence) to the top of the tallest element of the fence material, excluding decorative features affixed to the top of any column, pillar or post. The height of any existing retaining walls, either an integral part of a fence or upon which a fence may be erected, shall be calculated in the height of the fence, except in the following instances:

- A. The retaining wall is necessary for structural soundness/integrity of building construction on the lot; or
- B. The retaining wall is abutting a drainage easement or drainage infrastructure.

**Table of Heights
Maximum Permitted Fence Heights**

Permitted Use	Front Yard	Side Yard	Rear Yard
Single-Family or Mixed Residential Use	3'0" solid fence 5'0" combined or predominantly open fence Except as provided by (b)(2)	6'0"	6'0"
Multi-Family Use (see also subsection 35-514(f) below)	3'0" solid fence 5'0" combined or predominantly open fence	6'0"	6'0"
Commercial & Office Use	3'0" solid fence 5'0" combined or predominantly open fence	6'0"	6'0"
Industrial Use ¹	8'0" ¹	8'0" ¹	8'0" ¹
Government Facilities, Churches, Schools, Swimming Pools, Stormwater Management Facilities, & Parks (Public property, including parks, require HDRC review)	8'0"	8'0"	8'0"
Vacant Lots, Parking Lots	3'0" solid fence 6'0" combined or predominantly open (see also subsection 35-514(b)(3) above)	6'0"	6'0"

(2) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:

- A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or
- B. The fence is erected along a side or rear lot line which abuts an alley or a street with a classification other than a local street; or
- C. The fence is a sound barrier or a security fence for a public or institutional use; or
- D. The additional fence height is permitted by the city council pursuant to a rezoning or specific use authorization; or
- E. The fence is located on a side or rear lot line of a single-family, duplex, or mixed-residential use which abuts a multi-family residential, commercial, industrial, or park use.
- F. In any side or rear yard where a slope is present, the height of a fence may be adjusted to allow the top of the fence to be level, and perpendicular to the support posts at a height greater than six (6) feet, provided that the height of the fence at the highest elevation does not exceed eight (8) feet. In order to maintain a uniform appearance, whenever a fence higher than six (6) feet is allowed by this subsection, all side and rear yard fences may be allowed up to eight (8) feet in height above grade.

Fences in Historic Districts: City of San Antonio Historic Design Guidelines Fences Policy Guide

SPECIFICATIONS & DOCUMENTATION

When new fences are appropriate to the site-specific conditions of the property, applicants must also ensure that the style, height, and configuration of the fence is also appropriate per the Historic Design Guidelines for Site Elements and the Unified Development Code 35-514.

- REAR / PRIVACY FENCE - Rear yard privacy fences should be no taller than 6 feet in height and feature wood construction. Historic evidence may support installing stone, masonry, or stucco walls. They should be set back from the front façade of the building, rather than aligning them with the front façade of the structure, to reduce their visual prominence.
- FRONT FENCE - Front yard fences should match the height of neighboring fences or be limited to 4 feet in height and be compatible with the heights of adjacent historic fences. Historic evidence may support installing stone, masonry, or stucco walls and fence bases.

- FENCE STYLES - While maintaining respect to individual architecture styles and historic districts, the most common appropriate fence type includes (a) black wrought iron, (b) painted wood picket, and (c) garden-loop.
- NONCONFORMING FENCES - Chain-link, barbed wire, corrugated metal, and make-shift fences should be avoided. Grandfathered items may be replaced with appropriate fencing, but should not be reconstructed or expanded upon.
- PEDESTRIAN GATES - Pedestrian gates should be located at the intersection the property's walkway and the public sidewalk. Pedestrian gates should relate to the design of the fence while maintaining a 4-foot height limit.
- VEHICLE GATES - Vehicle gates should be set behind the front facade plane of the house and not span across the front of the driveway. A front vehicle gate may be considered if the site features an atypical condition including: (a) a wraparound porch, (b) a narrow driveway less than 10 feet wide, and/or (c) front driveways abutting rear yards or commercial properties. Electrical, mechanical, or solar collector equipment should be concealed and minimally visible if used.

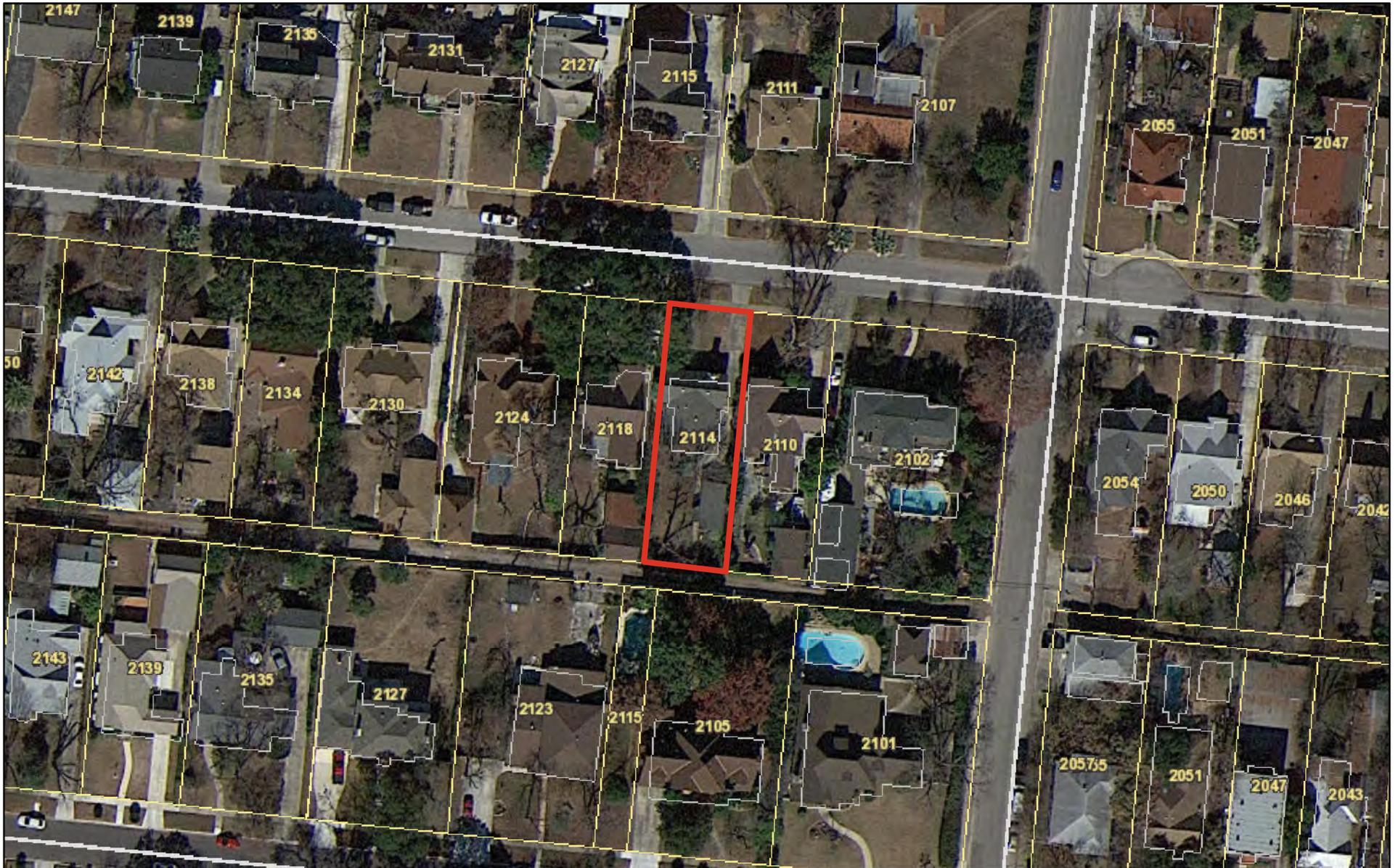
FINDINGS:

- a. The property located at 2114 W Kings Hwy is a 1-story, single-family Minimal Traditional structure constructed c. 1938 and first appears in the 1938 Sanborn Map. The structure features stone cladding, a side gable composition shingle roof, an arched front entryway, a front-facing chimney, and steel casement windows. This property contributes to the Monticello Park Historic District.
- b. FENCE INSTALLATION – The applicant has requested to replace the existing 6’ tall wood privacy fence with an 8’ tall wood privacy fence in the backyard along the east property line. Additionally, the applicant is requesting the installation of an 8’ tall wood privacy driveway gate behind the structure’s front wall plane. UDC Section 35-514 and the Fences in Historic Districts policy document states that the construction of a backyard fence must not exceed six feet in height. Staff finds the construction of a fence and gate taller than six feet in the backyard is not consistent with UDC requirements and does not conform to Guidelines.

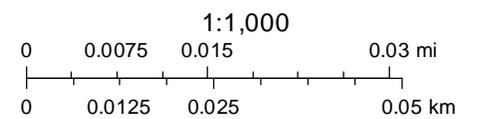
RECOMMENDATION:

Staff does not recommend approval of the request, based on findings a and b. Staff recommends the applicant replace the existing 6’ rear fence in-kind and maintaining the existing fence height. A request for in-kind replacement of the fence and installation of a 6’ wood privacy driveway gate behind the structure’s front wall plane is eligible for administrative approval.

City of San Antonio One Stop



October 9, 2024

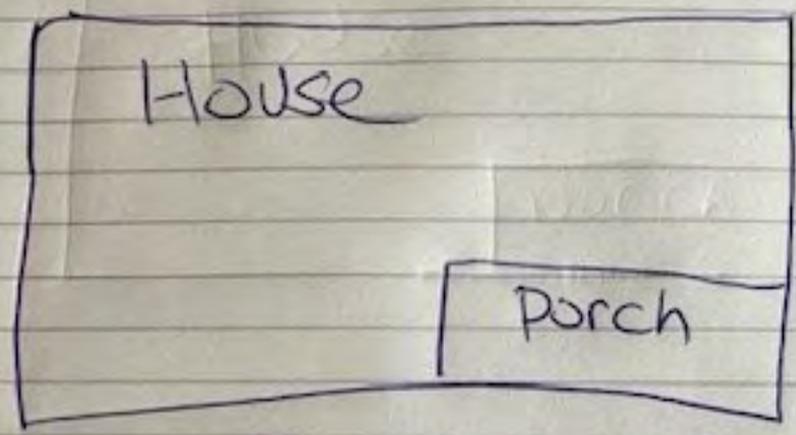




Site

2114 W Kings Hwy

← Yard →



gate

← Yard →



← 98 ft →
Fence

8 ft













Grandma

201





