

Case Number:	BOA-21-10300149
Applicant:	Pedro Rodriguez
Owner:	Pedro Rodriguez
Council District:	9
Location:	17460, 17540 Blanco & 102 Lariat
Legal Description:	Lot 5, 6, 7, 8, Block 2, NCB 18402
Zoning:	"R-6 MLOD-1 MLR 1 AHOD" Residential Single Family Camp Bullis Military Lighting Overlay Military Lighting 1 Airport Hazard Overlay District
Case Manager:	Roland Arsate, Planner

Request

A request for a special exception from the 5’ maximum fence height, as described in Section 35-514, to allow an 8' solid screen fence in the front yard.

Executive Summary

The subject property is located along Lariat and Blanco Road. There are three subject properties, two that face Blanco Road and one fronting Lariat Road. The applicant is proposing to install an 8’ solid screened fence along the front property lines of the two properties facing Blanco Road in order to provide a buffer from the traffic and noise on Blanco Road. The property on the corner of Lariat Road and Blanco Road has an existing fence along the rear, side and front yard. The applicant is proposing to replace the existing fence since it is not in good condition. With the replacement of the fence, they are requesting to place an 8’ solid-screened fence in its place. The 8’ in height is permitted along the rear property line, since it is along Blanco Road, so the special exception is only required for the side and front yard solid-screened fence.

Code Enforcement History

- April 2013- Fence built w/o permit
- April 2020 – Working outside scope of work on house (Strike Team)
- September 2020 – Plans changed on house, need to resubmit plans

Permit History

- January 2020-Minor repairs permit, Plumbing permit pulled
- May 2020 - Electrical permit
- July 2020 – Accessory structure built
- November 2020- Mechanical permit issued

Zoning History

The subject property was annexed into the City of San Antonio by Ordinance 64020, dated December 28, 1986 and zoned Temporary “R-1” Single-Family Residence District. The zoning was changed by Ordinance 93636, dated March 22, 2001 to “R-8” Large Lot Residence District. Upon adoption of the 2001 Unified Development Code, the zoning converted from “R-8” to the current “R-20” Residential Single-Family District, established by Ordinance 93881 dated May 3, 2001.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use

"R-6 MLOD-1 MLR 1 AHOD" Residential Single Family Camp Bullis Military Lighting Overlay Military Lighting 1 Airport Hazard Overlay District	Single-Family Residence
---	-------------------------

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"R-6 MLOD-1 MLR 1 AHOD" Residential Single Family Camp Bullis Military Lighting Overlay Military Lighting 1 Airport Hazard Overlay District	Single-Family Residence
South	"R-6 MLOD-1 MLR 1 AHOD" Residential Single Family Camp Bullis Military Lighting Overlay Military Lighting 1 Airport Hazard Overlay District	Single-Family Residence
East	"R-6 MLOD-1 MLR 1 AHOD" Residential Single Family Camp Bullis Military Lighting Overlay Military Lighting 1 Airport Hazard Overlay District	Single-Family Residence
West	"R-6 MLOD-1 MLR 1 AHOD" Residential Single Family Camp Bullis Military Lighting Overlay Military Lighting 1 Airport Hazard Overlay District	Single-Family Residence

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the North Sector Plan and is designated “Suburban Tier” in the future land use component of the plan. The subject property is located within the Canyon Creek Estates Neighborhood Association and were notified of the case.

Street Classification

Blanco is classified as a Secondary Arterial A road,
Lariat is classified as a local road.

Criteria for Review – Side and Front 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. The applicant is requesting the additional fence height due to the location of the subject properties facing Blanco Road. If granted, staff finds the request would be in harmony with the spirit and purpose of the ordinance.

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

In this case, these criteria are represented by fence heights to protect residential property owners while still promoting a sense of community. An 8’ tall solid screened fence along the side and front yard, does not pose any adverse effects to the public welfare.

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

The fence will create enhanced security and privacy for the subject property and is unlikely to substantially injure any neighboring properties.

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 height for the side and front yard fence will not alter the essential character of the district. There are other fences along Blanco Road.

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

The current zoning permits the current use of a single-family home. The requested special exception will not weaken the general purpose of the district.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to the fence heights requirements per the UDC Section 35-514.

Staff Recommendation – Side and Front Yard Fence Special Exception

Staff recommends **Approval** in **BOA-21-10300149** based on the following findings of fact:

1. The additional two feet in height is permitted by right on properties where the rear faces Blanco Road due to the street classification; and
2. There are similar solid-screened fences across the street from the subject properties; and
3. There is a significant elevation change between Blanco Road and the subject properties; and
4. The solid screened wall will assist with safety as Blanco has a heavy traffic presence; and
5. The proposed solid screened wall will not adversely affect the neighboring properties.