



CITY OF ALAMO HEIGHTS
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
6116 BROADWAY
SAN ANTONIO, TX 78209
210-826-0516

**Board of Adjustment Meeting
Wednesday, March 04, 2026 – 5:30 P.M.**

Take notice that a regular meeting of the Board of Adjustment of the City of Alamo Heights will be held on **Wednesday, March 04, 2026, at 5:30pm** in the City Council Chambers, located at 6116 Broadway St, San Antonio, Texas, 78209, to consider and act upon any lawful subjects which may come before it.

Case No. 2469 – 223 Allen St

Appeal of Yvette Almendarez, owner, pursuant to Section 2-47(b)(1) of the City of Alamo Heights Code of Ordinances, regarding city staff's denial of a rear yard fence permit application on the property located at **CB 4024 BLK 58 LOT 16 & 17 & W 40.81 X 50 OF ALLEN ST**, also known as **223 Allen St**, zoned SF-A.

Plans may be viewed online* (www.alamoheightstx.gov/departments/planning-and-development-services/public-notices) and at the Community Development Services Department located at 6116 Broadway St. You may also contact Garrett Pringle, Planner, (gpringle@alamoheightstx.gov), Tyler Brewer, Senior Planner, (tbrewer@alamoheightstx.gov), or Lety Hernandez, Director, (lhernandez@alamoheightstx.gov) by email or our office at (210) 826-0516 for additional information regarding this case. Please note floor plans will not be available online.

January 14, 2026

RE: 223 Allen Street — Proposed Rear Yard Privacy Fence

Dear Ms. Hernandez,

I am pleased to submit the attached permit application on behalf of my clients who are the owners of the single-family residence at 223 Allen Street. The permit application is requesting to construct a privacy fence along a portion of their rear property line.

The purpose of the fence is to mitigate the adverse impact to my clients' property, caused by the Board of Adjustment's approval at their May 7, 2025 meeting, of a variance to the City's "looming" standards on the rear neighboring property. This variance authorized the construction of a building addition and balcony (which has since been constructed), located approximately 4 feet from my clients' property. This addition and balcony provides direct visibility into my clients' bedroom windows, and directly overlooks their swimming pool, spa, and other private outdoor family areas occupied by my clients and their three young children.

This permit application and the attached plans and renderings have been thoughtfully designed and prepared pursuant to *Section 3-83(4), Special Rear Yard Regulations*, of the City's Code of Ordinances, which states as follows:

*No fence or wall, other than the walls of a permitted structure, shall be erected or altered in any rear yard to exceed a height of eight (8) feet measured from the lower side of such fence, wall or other structure. **When the grade of the land adjacent to the location of a fence, wall or other barrier has been altered from its natural condition, the city's building official shall determine the permissible height of a fence, wall or other barrier from the projection of the natural grade of the land. Any fence constructed shall have the "finished side" or "non-structural side" facing street rights-of-way.***

Pursuant to the code reference above, it should be noted that although the height of the proposed privacy fence *does exceed* 8 feet from the lower side of the fence (as illustrated in the associated plans and section view submitted with this application), the grade of the land adjacent to the fence has been altered from its natural condition as a result of previous approvals by the City.

It is my professional opinion therefore — that as the City's building official — you not only have the authority to review and approve this permit, you also have the responsibility. Thank you for your consideration, and please let me know if you have any questions.

Respectfully,


Brandon Meland, AICP

Good Morning,

Your application to build a privacy fence at 223 Allen St has been denied based on the following reasons:

1. Fence Height

- a. Per Section 3-83(4) of the City's Zoning Code, "No fence or wall, other than the walls of a permitted structure, shall be erected or altered in any rear yard to exceed a height of eight (8) feet measured from the lower side of such fence, wall or other structure."
- b. The proposed fence exceeds eight (8) feet in height. See markup below.

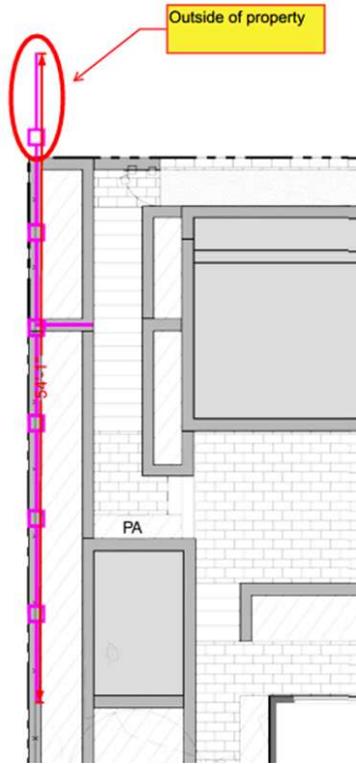


i. PRIVACY FENCE - ELEVATION

PRIVACY FENCE - DESIGN INTEN

2. Part of the Fence is Outside Property

- a. Part of the proposed privacy fence is located outside of the limits of 223 Allen St. City staff cannot permit this without approval from the property owner onto which this portion of the fence encroaches. See markup below.

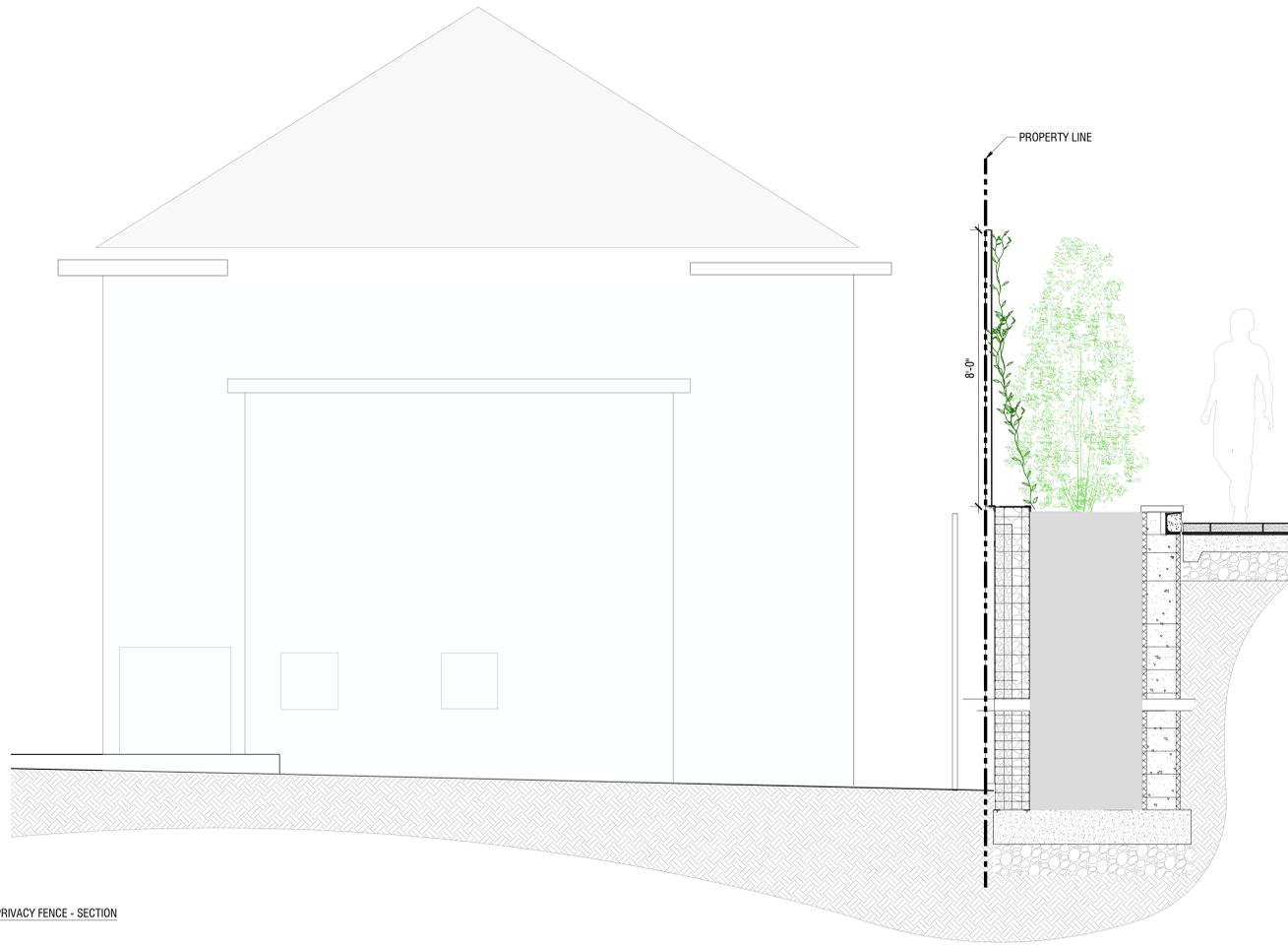


i.

With respect to administratively approving this privacy fence as currently proposed, the Building Official's determination on these matters is final. Your options are to either resubmit a proposal that complies with the City's Zoning Code or request a variance and/or appeal staff's determination to the Board of Adjustment. The application to apply for a variance and/or appeal staff's determination can be found at the following link: <https://www.alamoheightstx.gov/wp-content/uploads/BC-BOA-Project-Application-01.2024.pdf>.

Thanks,

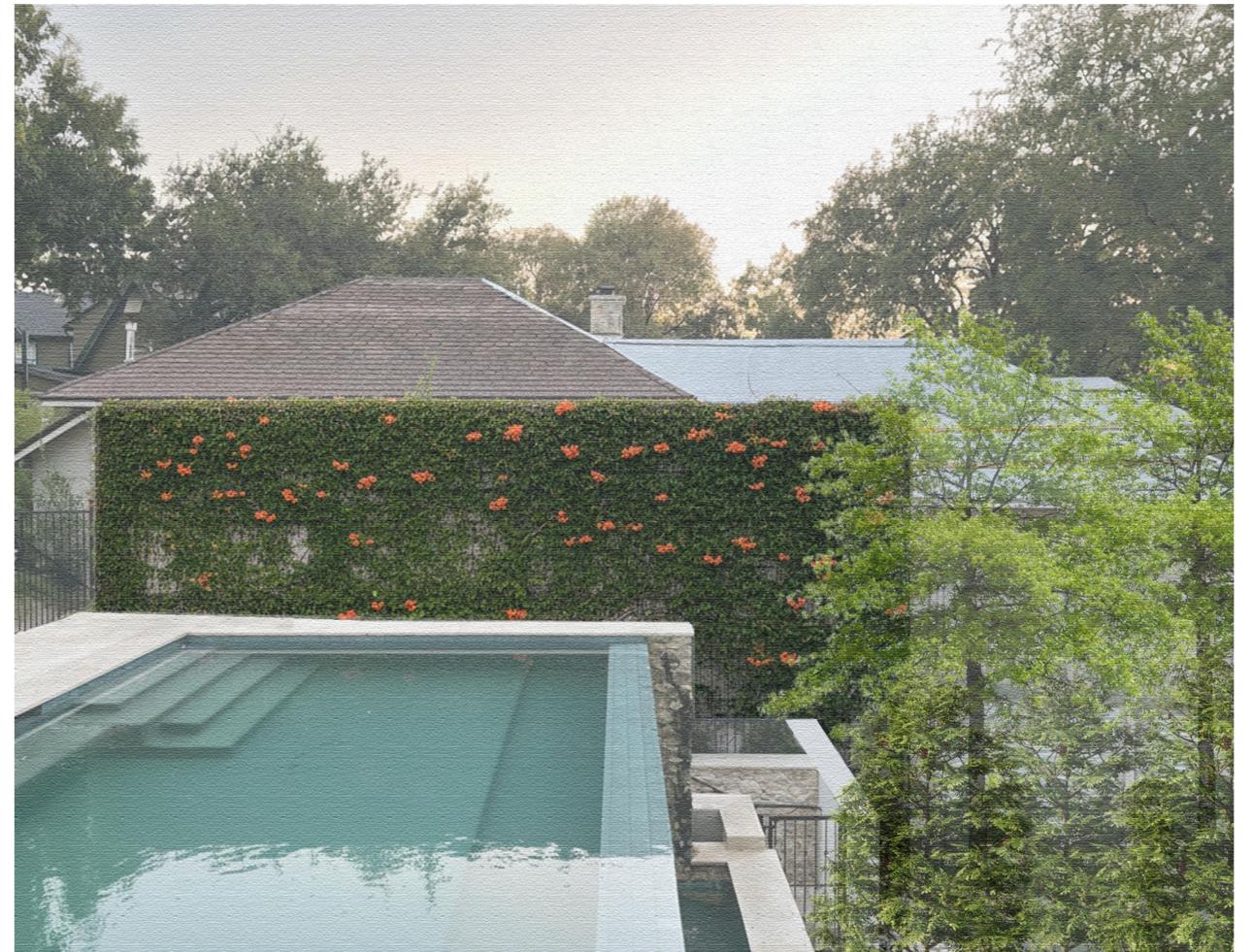
CDS Staff



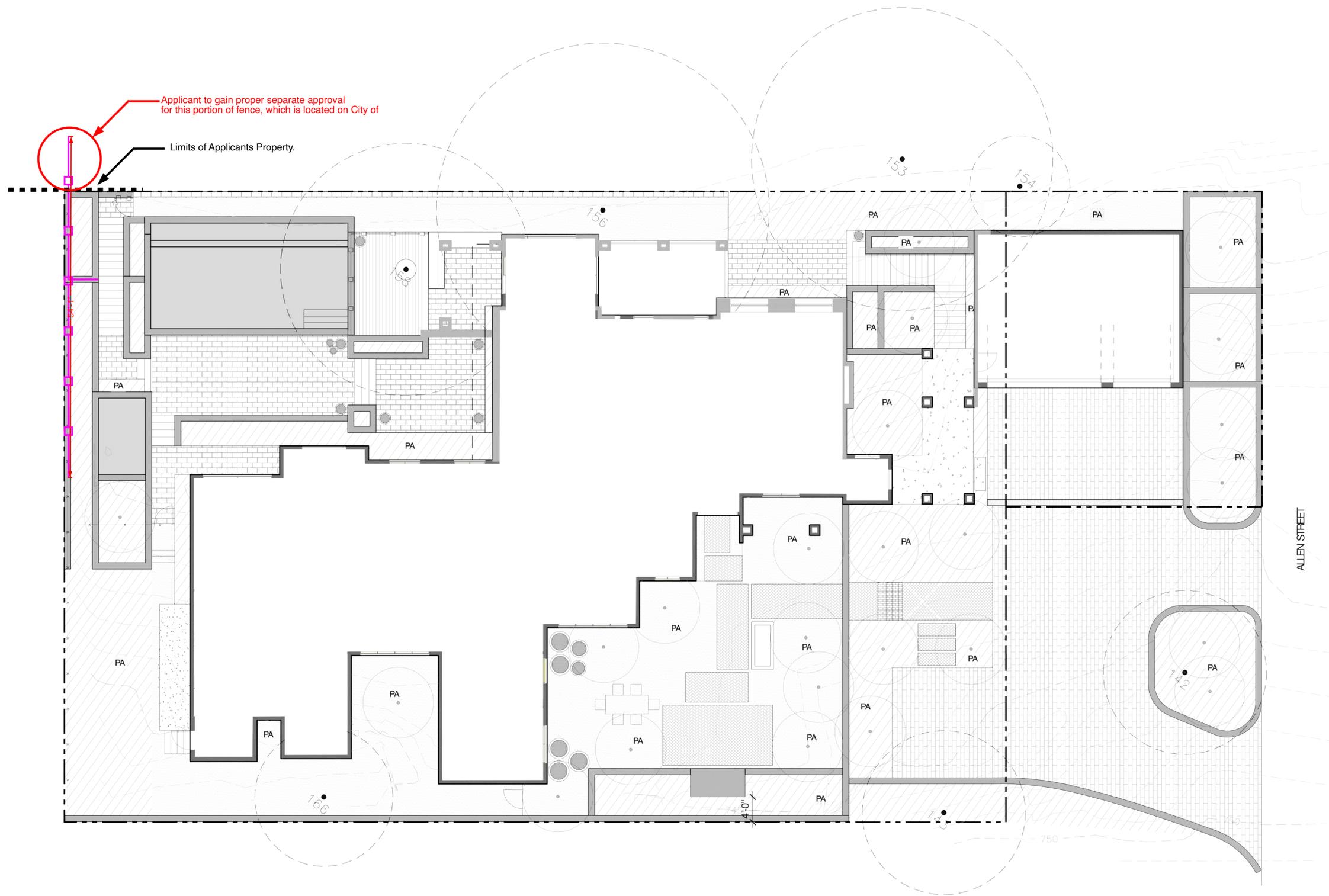
PRIVACY FENCE - SECTION



PRIVACY FENCE - ELEVATION



PRIVACY FENCE - DESIGN INTENT



SYMBOLS LEGEND

SYMBOL	ITEM
---	PROPERTYLINE
PA	PLANTING AREA
- - - -	EXISTING CONTOUR- MAJOR
○	EXISTING TREE TO PROTECT
—□—	PRIVACY FENCE

Applicant to gain proper separate approval for this portion of fence, which is located on City of

Limits of Applicants Property.

ALLEN STREET

1 HARDSCAPE PLAN





