



DEVELOPMENT SERVICES

REQUEST FOR A SPECIAL EXCEPTION to the SAN ANTONIO BOARD OF ADJUSTMENT for a FENCE HEIGHT MODIFICATION

CITY OF SAN ANTONIO
COUNTY OF BEXAR
STATE OF TEXAS

TO THE HONORABLE BOARD OF ADJUSTMENT:

Property Description (Attach field notes if necessary):

Lot _____

Block _____

NCB _____

Zoning _____

Property Address: _____

The Applicant, _____, of _____ County, requests the San Antonio Board of Adjustment consider a special exception to allow a fence height modification at the property identified above, pursuant to Section 35-399.04 of the Unified Development Code (UDC).

Items Required:

- ☐ Completed Application
- ☐ Authorization Page
- ☐ Required Acknowledgements
- ☐ Property Deed
- ☐ Site Plan
- ☐ Fence Plan
- ☐ Application Fee (\$460.00 for Homestead Exemption; \$690 for Non-Homestead Exemption)*
- ☐ \$11.50 Land Development Convenience Fee if submitted by paper (No fee when submitting through Build-SA)

* Fees are subject to 4% Development Services Improvement and 4% Development Services Technology fees.

In the space below, please provide a general description of the reason for your request:

UDC Requirements

In order to be considered as a special exception rather than a variance, the following criteria, outlined in the UDC, must be met as described in Section 35-399.04. Please initial each item below, indicating you understand and accept these requirements.

- _____ (1) Application for a Special Exception for a fence height shall be filed by the owner or authorized agent with the Department of Development Services.
- _____ (2) A site plan drawn to scale shall be submitted with the application indicating the size, design, construction materials and location of the fence on the property.
- _____ (3) The fence shall be erected within the fence clear vision area designated by Section 35-514(a)(2).
- _____ (4) The tallest element of the fence shall not exceed eight (8) feet in height on residentially zoned properties or nine (9) feet in height for commercially and industrially zoned properties, as measured from the grade on the outside of the fence. For the purposes of this condition, the tallest element shall include the top of any column, pillar or post, but shall not include any fixtures or other decorative features attached to the top of any columns, pillars or posts.
- _____ (5) If the property is zoned history, is located within a historic district, or is designated as a historic landmark, the design of the fence must be approved by the Historic Preservation Office (or their designee) prior to the granted of the requested special exception.
- _____ (6) If the property is located within a Neighborhood Conservation District or Corridor Overlay District, the design of the fence must meet all requirements for that district in order to be considered for a special exception
- _____ (7) The applicant shall comply with all other applicable codes and ordinances, including engineering requirements, as applicable.

Please also note:

- * In granting a Special Exception for a fence height modification, the Board of Adjustment may require the fence conform to such other conditions as the Board may deem necessary to protect the character of the zoning district and neighborhood in which the lot is located.
- * In granting a Special Exception for a fence height modification, the Board of Adjustment shall take into account the size and scale of the fence as it would relate to the scale of the neighborhood.
- * To be granted a request for a Special Exception, the request must meet the conditions set forth in Section 35-482(h) of the UDC.
- * If a Special Exception for a fence height modification is approved by the Board of Adjustment, the applicant/property owner shall secure all necessary permits prior to erecting the fence.

Respectfully Submitted:

Applicant's name: _____

Status: Owner () Agent ()

Mailing address: _____ City _____ State _____ Zip _____

Telephone: (Home) _____ (Work) _____

Other phone: _____ Email: _____

Applicant's signature Date

Representative's name: _____

Mailing address: _____ City _____ State _____ Zip _____

Telephone: (Home) _____ (Work) _____

Other phone: _____ Email: _____

Name of Property Owner: _____

Mailing address: _____ City _____ State _____ Zip _____

Telephone: (Home) _____ (Work) _____

Other phone: _____ Email: _____

AUTHORIZATION BY PROPERTY OWNER(S)

I, _____ the owner of the subject property, authorize
_____ to submit this application. I also authorize
_____ to represent me in this request before the
Board of Adjustment.

Property Owner signature Date

**AN APPLICATION CAN ONLY BE ACCEPTED BY MAIL IF IT IS COMPLETE. HOWEVER,
INCOMPLETE APPLICATIONS, ALONG WITH THE REQUIRED FEES, WILL BE MAILED BACK TO
THE APPLICANT IN ACCORDANCE WITH CITY CASH HANDLING POLICIES.**

CONDITIONS NECESSARY FOR GRANTING A SPECIAL EXCEPTION

Below are the conditions that are required to exist in order for the Board of Adjustment to grant a special exception request. Describe in detail how the requested special exception meets these conditions. *(Attach additional pages if necessary and label "Attachment B")*

- A. The special exception will be in harmony with the spirit and purpose of the chapter.**
- B. The public welfare and convenience will be substantially served.**
- C. The neighboring property will not be substantially injured by such proposed use.**
- 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.**
- E. The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district.**

Required Acknowledgments

Please read the following statements carefully and initial on the respective line. By placing your initials next to the statements below, you, the property owner, are stating that you agree with and will abide by these requirements (please initial acknowledging adherence).

Initials

By filing this request for a variance, I understand that any construction that requires said variance shall cease until such time that the variance is approved, if applicable. Should the Board of Adjustment deny the request, I may pursue an appeal or bring my property into compliance in accordance with any and all City codes within 30 days.

I understand that prior to the hearing of this case by the Board of Adjustment, staff will conduct a thorough site visit in order to take photographs of the property for use at the public hearing. This site visit may necessitate complete access to the subject property. Staff will make a reasonable attempt to contact the property owner 24 hours prior to visiting the site. I understand that it is my responsibility to ensure that conditions at the subject site will not create a hindrance to city staff. If site conditions are not conducive to staff completing the necessary task during the site visit, your case may be delayed.

Any exhibits submitted by the applicant (audio, visual, document, or otherwise) must be submitted to staff at least 24 hours prior to the public hearing and must be made part of the official record and will not be returned. I also understand that I or a representative must be present at the public hearing.

Refunds will be issued in accordance with the department cash handling policy and will be subject to a \$115* processing fee. This fee is charged for all refund requests. Refunds may only be issued if request is submitted prior to the case being published in a newspaper of general circulation. A \$11.50 Land Development Convenience Fee will be added to this application when not submitted through Build-SA. We highly encourage submitting all applications through Build-SA at www.sanantonio.gov/dsd.

In case of conflict, the English version of all documentation will govern. You acknowledge receipt of this application written in the English language, with the Spanish language text where applicable, and the important terms herein. Some future correspondence may only be available/provided in English.

(En caso de un conflicto de interpretacion, la version en ingles de toda documentacion gobernara. Usted reconoce el recibo de esta solicitud escrita en el idioma ingles, con texto en español donde aplica y de los terminos importantes. Alguna correspondencia futura podria ser disponible/proveado solamente en inglés.)

Language interpreters are available and must be requested 48 hours prior to the meeting. For more information or to request an interpreter, call the BOA Liaison at (210) 207-6310/7720.

Hay ser vicios de traducción simulatánea disponibles. Estos servicios deben ser pedidos con 48 horas de anticipación. Para más información o para servicios de traducción, llamar al BOA Enlace al (210) 207-6310/7720.

*** Fees are subject to 4% Development Services Improvement and 4% Development Services Technology fees.**