



# DEVELOPMENT SERVICES

**TO:** Development Services Customers

**SUBJECT:** **INFORMATION BULLETIN 504**  
Ornamental-Iron Fence Special Exception Application Procedures

**DATE:** December 14, 2006/*Revised August 1, 2014*

**CREATED BY:** Land Development Division/Zoning Section

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## **Purpose:**

As a customer service initiative, the Development Services Department (DSD) created this **revised** bulletin to update Information Bulletin (IB) 504 to explain the ornamental-iron fence special exception application procedures. This bulletin has been updated to incorporate the department's new format for Information Bulletins.

## **Scope:**

On November 19, 2006 an amendment to the Unified Development Code ([UDC](#)) regarding residential front yard fences went into effect. This amendment, adopted by City Council, allows for a different avenue of consideration by San Antonio's Board of Adjustment for fences that meet certain criteria.

Prior to adoption of this amendment, requests for predominantly open, front yard fences that exceeded the [UDC's height limitations](#) had to be considered by San Antonio's Board of Adjustment as a **variance**. For a variance to be approved, the property owner had to prove that physical conditions existed on the property, where literal enforcement of the fence height provisions would result in unnecessary hardship.

The new UDC provision allows certain types and heights of "open" front yard fences to be considered by the Board as a **special exception** rather than as a variance. The property owner does not have to prove an unnecessary hardship, but instead has to comply with certain specific conditions. However, as with a variance, the Board will still take into consideration neighbor input and neighborhood style, scale and character before rendering a decision.

The following is a step by step process by which to apply for such a hearing before the Board of Adjustment:

1. The property owner or designated representative may bring a scaled site plan and drawing of the proposed fence to the Development Services at 1901 S. Alamo Street, and visit with our [Plan Review Section](#) staff.

2. In reviewing the drawings, if the Plans Examiner determines the fence would not meet Code, he/she will suggest changes to achieve compliance, or suggest the applicant visit with certain Staff in the Land Development Division for additional information regarding a special exception.
3. At this point, the applicant may contact our [Zoning Staff](#) at either (210) 207-8208 or (210) 207-5085 to arrange a time to meet and discuss the project in depth. Or, the applicant may stop by Development Services to inquire as to their availability.
4. To be considered as a special exception, the subject property must not be zoned Historic, nor be zoned any other overlay zoning district that has its own set of fence design criteria. Additionally, the following conditions must be met:
  - Application for a Special Exception for an ornamental-iron front yard fence over four (4) feet in height shall be filed by the owner or authorized agent with the Development Services Department.
  - 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.
  - On a corner lot, or near a drive-way junction with a street, the fence shall be erected in back of the area designated by this chapter for clear vision area/intersection sight distance.
  - The tallest element of the fence shall not exceed six (6) feet in height, 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.
  - Any portion of the fence over three (3) feet in height shall be constructed of ornamental-iron bars, or other forged iron bars. If vertical bars/ballisters are part of the design, each shall be no wider than one (1) inch, and the design shall provide a minimum of five and one-half (5½) inches of spacing between vertical bars/ballisters. The overall design of that area of the fence above three (3) feet in height shall be a minimum of seventy percent (70%) open.
  - Columns, pillars or posts at a maximum width of eighteen (18) inches each and spaced a minimum of eight (8) feet apart, measured from center-of-post to center-of- post, are permitted. The distance between columns/pillars/posts may be less than eight (8) feet if necessary for structural soundness or to accomodate a gate. However, columns/pillars/posts shall be at least three (3) feet apart where accomodating a pedestrian gate, and at least eight (8) feet apart where accomodating a vehicle gate, both measured from the inside edges of the two columns/pillars/posts. Regardless of the space between columns/pillars/posts, the seventy percent (70%) openness criteria and the clear vision area requirements shall be maintained.
  - The applicant shall comply with all other applicable codes and ordinances.
5. Once the application, drawings and \$300.00 fee have been submitted, the case will be scheduled for a hearing before the Board of Adjustment.

6. In the ensuing weeks, Staff will visit the site and take photographs and measurements. Staff will also mail notices of the request to owners of property within 200 feet of the subject site. The notices will include a response card affording the property owners an opportunity to register their individual support or opposition of the request.
7. At the public hearing, the Board of Adjustment will hear testimony from the applicant and neighbors before rendering a decision.
8. If approved, the applicant may apply for a permit the following day. If denied, the applicant may appeal the decision to District or County Court, or apply for a permit for a fence that complies with Code.

Please see the [Request for Front-Yard Fence Special Exception Application](#). If you have any questions regarding this process, please contact the Land Development Division at (210) 207-1111.

**Summary:**

This Information Bulletin is for informational purposes only.

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