

## HISTORIC AND DESIGN REVIEW COMMISSION

January 17, 2024

**HDRC CASE NO:** 2023-503  
**ADDRESS:** 118 DANIEL ST  
**LEGAL DESCRIPTION:** NCB 2559 BLK B LOT 10 & E 20 FT OF 9  
**ZONING:** RM-4, H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** Nathan Historic District  
**APPLICANT:** Robert L Macias  
**OWNER:** Robert L Macias  
**TYPE OF WORK:** Front yard fence, pedestrian gate, and driveway gate installation  
**APPLICATION RECEIVED:** December 18, 2023  
**60-DAY REVIEW:** February 16, 2024  
**CASE MANAGER:** Bryan Morales

### REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to construct a four feet tall black iron front yard fence with a pedestrian and driveway gate.

### 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.

*Policy Document: Fences in Historic Districts*

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 in 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 of 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 façade 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 primary structure located at 118 Daniel St is a one-story, single-family Vernacular structure with Folk Victorian features constructed c. 1907 and first appears on the 1912 Sanborn map. The property features a standing seam metal roof, a centrally located front gable, 105 wood siding, metal decorative porch columns, and one-over-one wood windows. This property contributes to the Nathan Historic District.
- b. **FENCE** – The applicant is requesting to construct a four feet tall black iron front yard fence. The Historic Design Guidelines for Site Elements 2.B.i. states new fences and walls should appear similar to those used historically within the district in terms of their scale, transparency, and character, and the design of the fence should respond to the design and materials of the house or main structure. Site Elements 2.B.iii. states to limit the height of new fences and walls within the front yard to a maximum of four feet. Site Elements 2.B.v. states to construct new fences or walls of materials similar to fence materials historically used in the district. Staff finds the installation of the front yard fence generally appropriate.
- c. **GATES** – The applicant is requesting to construct a four feet tall black iron pedestrian and driveway gate at the front yard. Site Elements 2.B.i. states new fences and walls should appear similar to those used historically within the district in terms of their scale, transparency, and character, and the design of the fence should respond to the design and materials of the house or main structure. Site Elements 2.B.iii. states to limit the height of new fences and walls within the front yard to a maximum of four feet. Site Elements 2.B.v. states to construct new fences or walls of materials similar to fence materials historically used in the district. The Fences in Historic Districts Policy Document states vehicle gates should be set behind the front façade plane of the house and not span across the front driveway. Staff finds the construction of the pedestrian gate generally appropriate. Staff finds the proposed location of the driveway gate does not conform to guidelines.

#### **RECOMMENDATION:**

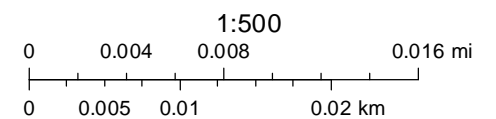
Staff recommends approval of the request, based on findings a though c, with the following stipulations:

- i. That the fence and gates height does not exceed four feet.
- ii. That the driveway gate be placed behind the front façade of the main structure.

# City of San Antonio One Stop



January 10, 2024























## DEVELOPMENT SERVICES

### Residential Fence Permit Application

To apply online please visit our online [portal](#)

Date: 12/18/23 Owner Name: LARRY MACIAS  
Address: 118 Daniel St. San Antonio, Texas 78204

#### Note:

- \*Fence repairs equal to 25% or less of the length of the existing fence do not require a permit.
- \*Residential Fence permit fee is \$25 + 6% Surcharge and Processing Fee.
- \*For more information on residential fences, please refer to [IB 223](#) and our [Fence Faq](#).

#### Fence Material:

☐ Wood ☐ Chain Link ☐ Brick ☒ Wrought Iron ☐ Pre-Cast Concrete Panels  
☐ Masonry ☐ Stone ☐ Other: \_\_\_\_\_

#### Fence Location & Height:

Front: 4 ft Side: 4 ft Rear: \_\_\_\_\_ ft

Is this property located on a corner lot? ☐ YES ☒ NO

Is this property located on a vacant lot? ☐ YES ☒ NO

\*If YES, a Tree Affidavit and review will be required\*

#### Detailed Site Plan Required:

A site plan showing location of existing structures, locations of easements, and proposed fence location(s). This should also clearly label and show the fence height and material for each section of fence to be repaired or constructed.

Permitted Use	Front Yard	Side Yard	Rear Yard
Single Family or Mixed Residential Use	3'0" Solid fence, 5'0" combined or predominately open fence	6'0"	6'0"
Vacant Lot	3'0" Solid fence, 6'0" combined or predominately open fence	6'0"	6'0"

Registration Holder: LARRY MACIAS City Registration #: \_\_\_\_\_

Company Name: 5 STAR Mobile Home Services LLC Delegate: \_\_\_\_\_

Homeowner Name: LARRY MACIAS Phone #: 210-478-0939

Escrow # (if applicable): \_\_\_\_\_ Email: larrymacias@gmail.com

Work Summary: Wrought Iron picket fence on the front side & left side of the home 4ft tall.

\_\_\_\_ (Initial) Homeowners Only: I understand that by initialing here and my signature below, I attest that I own and will own (occupy or rent) this residence for a period of 12 months after the completion of this project per City Code 10-115 (a)(1). I am requesting a homeowner's permit to remodel my home and will be responsible for all inspections as required by the Development Services.

I have read the complete application and know the same to be true and correct and hereby agree that if the permit is issued all provisions of the City Ordinance will be complied with whether herein specified or not. I understand that the permit belongs to the property owner, and I am an authorized agent. The City of San Antonio only enforces City, State and Federal zoning and development ordinances and statutes and does not enforce covenants and deed restrictions (CC&Rs). It is imperative and incumbent upon you the applicant to verify the existence of any CC&Rs that may be applicable to your project. See [IB 234](#) for additional information. I am aware that this permit is valid for 6 months from the issuance of the permit.

Applicant Signature: \_\_\_\_\_



# Fence Site Plan

Address: 118 Daniel St, 78204 Zoning: \_\_\_\_\_

\*Please indicate location of existing structures along with areas of new or repaired fencing. Label each of these in the provided

## Fence Height:

Front: 4 ft

Side(s): 4 ft

Rear: n/a

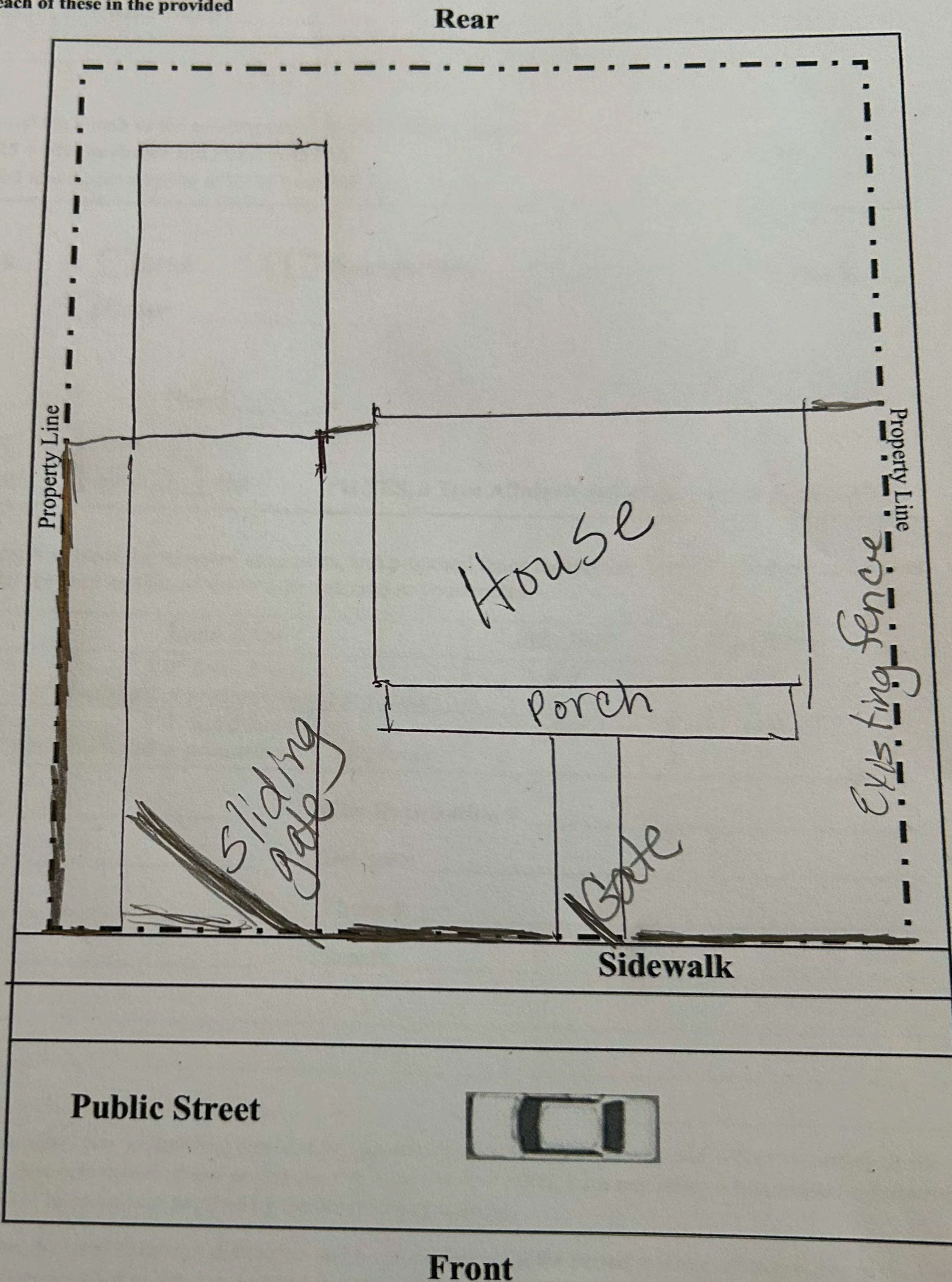
## Fence Material:

Front: wrought iron

Side(s): wrought iron

Rear: \_\_\_\_\_

## Notes:



By signing the application as the homeowner or contractor, I certify that I have read and understand the requirements for fence installation. I certify that the above site plan shows all improvements on this property to scale and that there will be no construction over easements. I certify that I will build in compliance with current codes and ordinances.

Date: 12/18

Applicant Signature: \_\_\_\_\_







# Examples from the Neighborhood









215









2 HOUR  
PARKING  
7AM-6PM  
←































