

CITY OF SAN ANTONIO
Board of Adjustment
Regular Public Hearing Agenda

Cliff Morton Development and Business Services Center
1901 South Alamo Street
Board Room, First Floor

Monday, March 16, 2009
1:00 PM

BOARD OF ADJUSTMENT MEMBERS

Liz Victor – District 1	Paul Klein – District 6
Edward Hardemon – District 2	Mary Rogers – District 7
Helen Dutmer – District 3	Andrew Ozuna – District 8
George Britton, Jr. – District 4	Mike Villyard – District 9
George Alejos – District 5	Gene Camargo – District Mayor
Michael Gallagher – District 10 Chairman	
Maria Cruz	Mimi Moffat
Henry Rodriguez	Pete Vallone
Rollette Schreckenghost	Narciso Cano

1. 1:00 PM – Public Hearing Call to Order.
2. Roll Call.
3. Pledges of Allegiance.
4. **A-09-018 cont:** The request of Nathan Golik, for a 23 space parking adjustment from the standard that hospitals with a gross floor area of 40,831 square feet maintain a minimum of 102 parking spaces, in order to allow only 79 parking spaces, 19100 Block of Stonehue.
5. **A-09-028:** The request of David Isham, for a 40-foot variance from the requirement that a minimum 50-foot platted rear setback be maintained (recorded in Volume 9540, Page 210 of the Bexar County Deed and Plat Records), in order to erect an accessory structure 10 feet from the rear property line, 21715 Rio Colorado.
6. **A-09-031:** The request of West Commerce Properties, Inc., for a special exception to relocate a residential structure from 116 North San Marcos Street to 200 Rehmann Street.

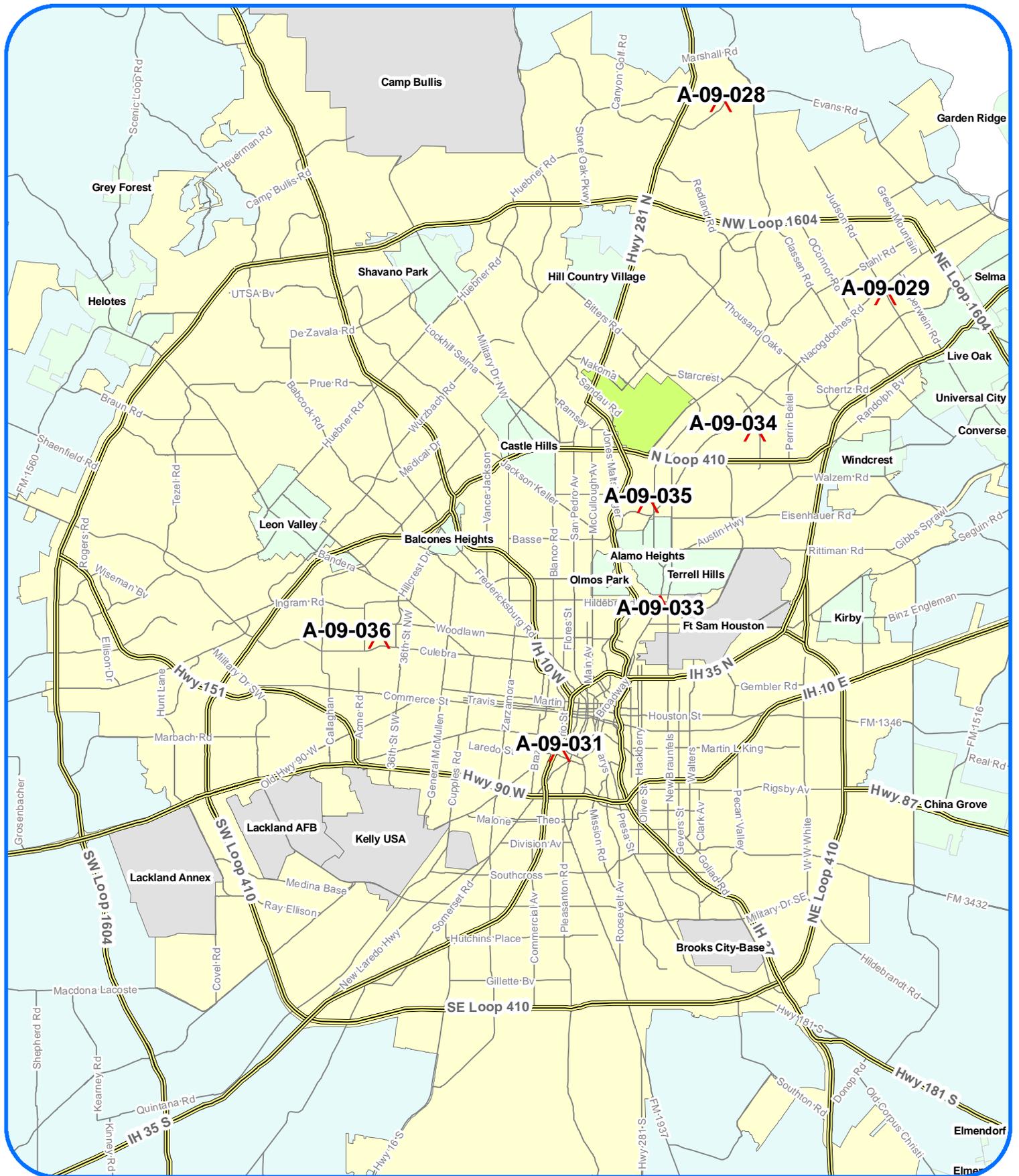
7. **A-09-033:** The request of Greg Zuschlag and Morgan Price, for **1)** a 1-foot, 10-inch variance from the requirement that side and rear-yard fences not exceed 6 feet in height, in order to erect a 7 foot, 10 inch tall fence on the rear property line and **2)** a 6-inch variance from the requirement that side and rear-yard fences not exceed 6 feet in height, in order to erect a 6-foot, 6-inch tall fence on the east side property line in the rear yard, 223 & 227 Pershing Street.
8. **A-09-034:** The request of Mike Lackey, for **1)** a 16-foot variance from the requirement that a minimum 20-foot rear setback be maintained in “R-6” zoning districts, in order to erect a structure 4 feet from the rear property line and **2)** a complete variance from the requirement that a minimum 5-foot side setback be maintained in “R-6” zoning districts, in order to erect a carport on the east side property line, 3710 Marymont Drive.
9. **A-09-035:** The request of Reata Property Management, Inc., for a 75-foot variance from the requirement that freestanding signs be spaced a minimum of 150 linear feet apart along streets classified as Arterial Type A or B, in order to construct two freestanding signs 75 linear feet apart along a street classified as an Arterial Type A, 999 East Basse Road.
10. **A-09-036:** The request of Abraham Hernandez, for a 10-foot variance from the requirement that a minimum 30-foot rear setback be maintained in “C-3” zoning districts when abutting residential uses or zoning districts, in order to keep an existing structure 20 feet from the rear property line, 3834 Culebra Road.
11. Approval of the minutes from the regular meeting on March 2, 2009.
12. Staff Report
 - Agenda Distribution
 - Discussion about past denied cases
13. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
14. **Adjournment**

Note: The City of San Antonio Board of Adjustment Agenda can be found on the Internet at: www.sanantonio.gov/dsd

At any time prior to the meeting, you may contact a case manager at 207-0170 to check the status of a case.

ACCESSIBILITY STATEMENT

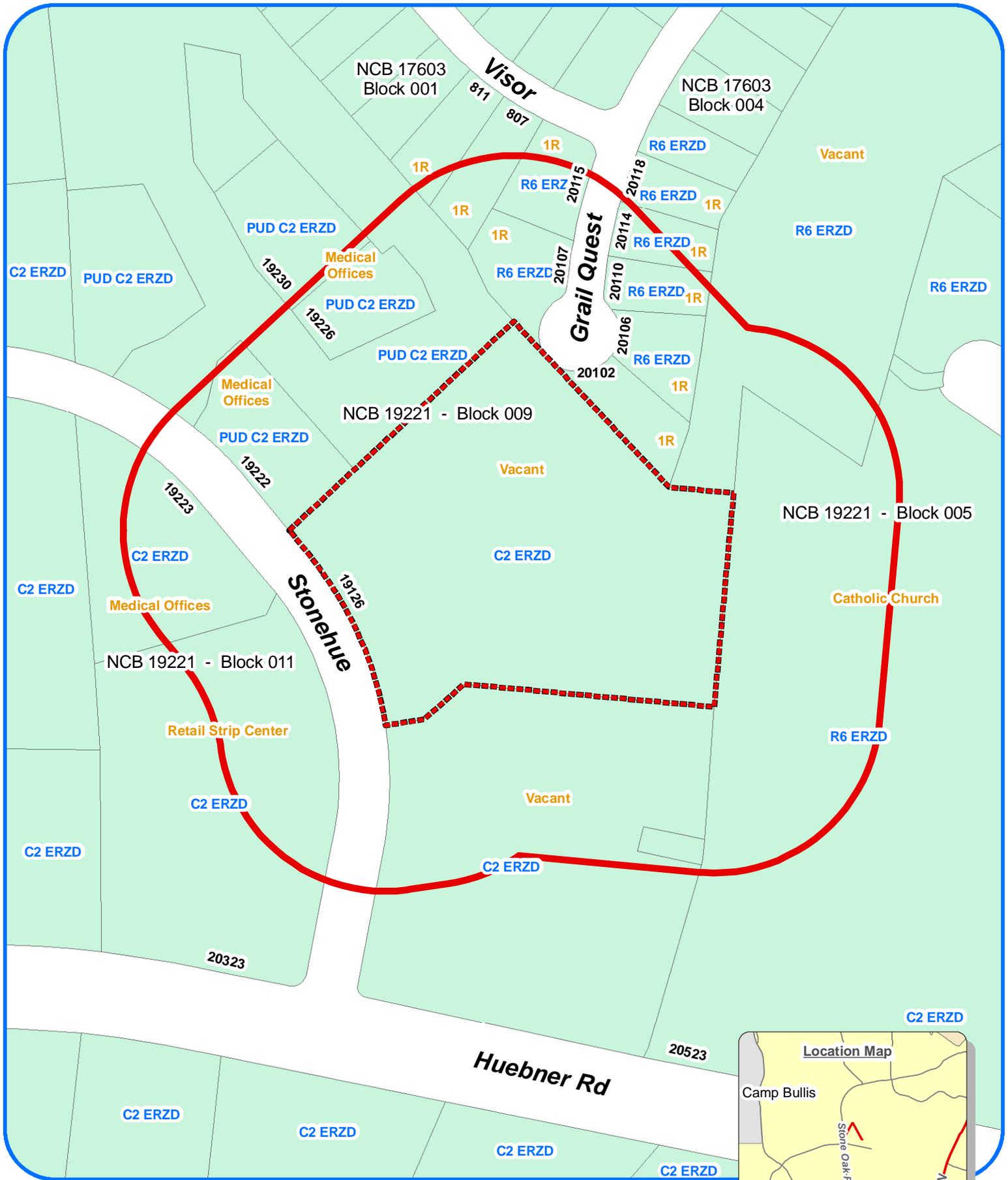
This meeting site is accessible to persons with disabilities. Parking is available. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



Board of Adjustment

Subject Property Locations
Cases for March 16, 2009

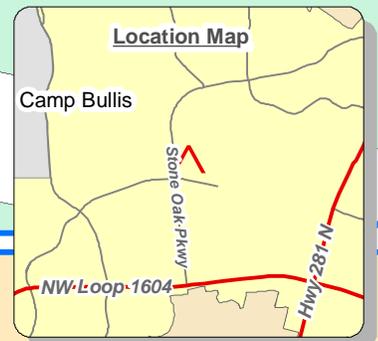




Board of Adjustment
Notification Plan for
Case A-09-018



Legend
 Subject Property -----
 200' Notification Buffer —————
 Scale: 1" approx. = 150'
 Council District(s) = 9



CASE NO: A-09-018

Board of Adjustment – March 16, 2009

- Applicant:** Nathan Golik
- Owner:** Wright Dayton Property, L.P.
- Request(s):** A 23 space parking adjustment from the standard that hospitals with a gross floor area of 40,831 square feet maintain a minimum of 102 parking spaces, in order to allow only 79 parking spaces.
- Legal Description:** Lot P-14A, NCB 19221 or Lot 7, Block 9, NCB 19221
- Address:** 19100 Block of Stonehue
- Zoning:** "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital
- Existing Use:** Vacant
- Neigh. Assoc:** Stone Oak Communities of Mutual Amenities, Stone Oak Property Owners Association
- Neigh. Plan:** None

Section of the City Code from which this adjustment is requested:

35-526 Parking and Loading Standards, Table 35-526 (b) Parking in Nonresidential

Use Districts: The minimum number of parking spaces for a hospital shall be no less than 1 space per 400 square feet of gross floor area.

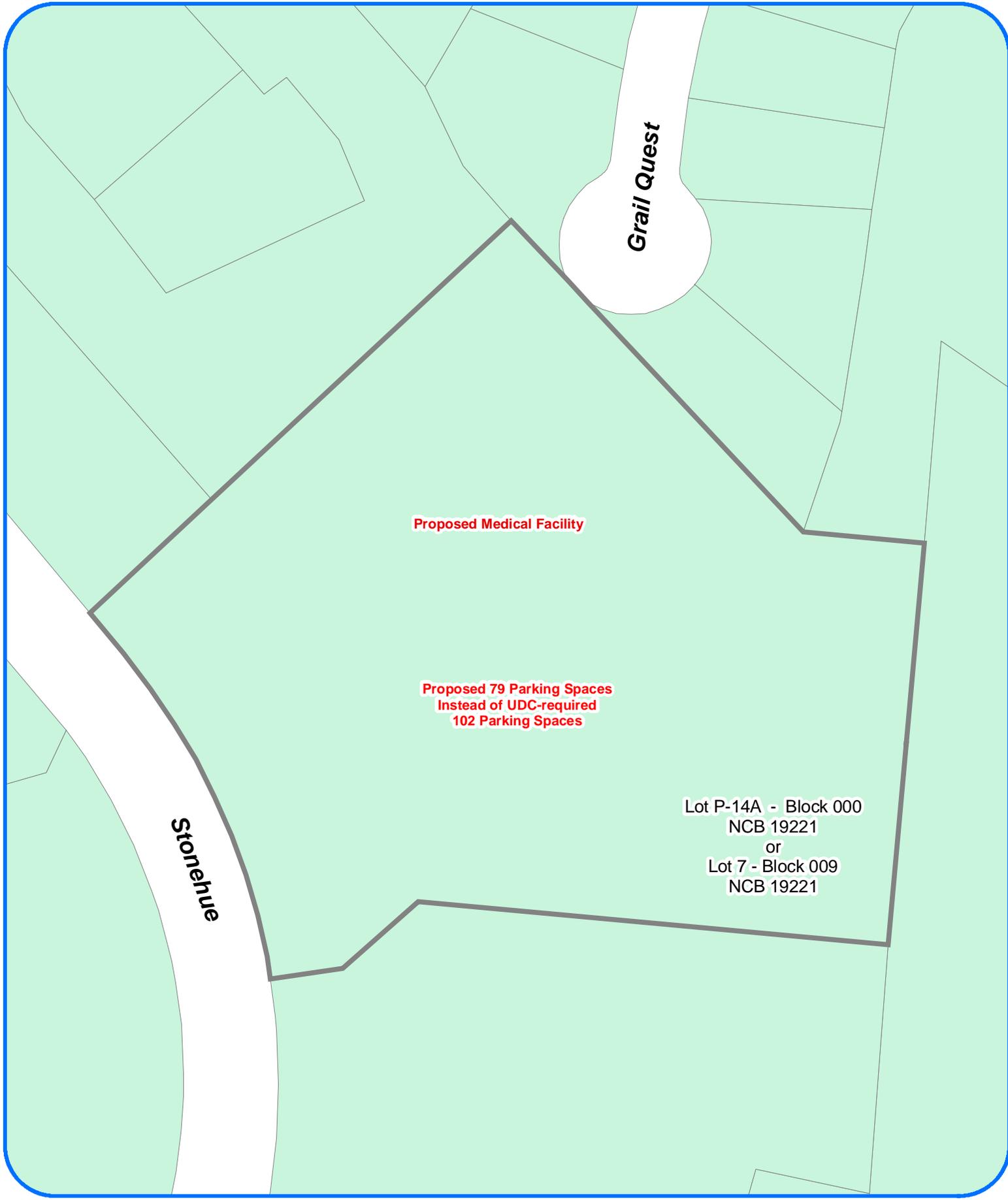
Background: The subject property is located on the city’s north side, east of the corner of Stone Oak Parkway and Huebner Road. Commercial uses and zoning are adjacent to the south and west, with office and single-family residential uses to the north and a church to the east. The subject property is proposed to be developed as a rehabilitation hospital. The current “C-2 S” zoning was approved September 4, 2008, which required a site plan. The site plan was approved depicting a structure with a gross floor area of 40,831 square feet and 80 parking spaces. The applicant is requesting this parking adjustment in order to deviate from the minimum number of required parking spaces, which is one hundred two (102). Any adjustment authorized by the Board of Adjustment will apply only to the use for which the adjustment is sought. The applicant’s site plan for this adjustment request, and proposed number of spaces, will total 79. In their application, the applicant cites the success in operating a number of other existing facilities with substantially fewer parking spaces

Recommendation: In review of the requested zoning change, the San Antonio Water System (SAWS) recommended that the amount of impervious cover on this site be limited to 46.5%, as it is located over the Edwards Aquifer Recharge Zone District (ERZD). It appears that the requested decrease in the number of parking spaces would not present a negative situation for surrounding property owners, as the reduced parking area would follow SAWS recommendations and would limit the amount of underutilized parking area. The applicant currently operates a number of other facilities throughout the State of Texas with fewer parking spaces and seems to be confident that

they can accommodate their intended use with 79 spaces. Staff suggests that the request would support the spirit of the UDC, which recommends impervious cover limitations, as recommended by SAWS.

During the zoning process, SAWS, and ultimately City Council, approved this site for the aforementioned zoning, with an impervious cover limitation that is congruent with the applicant's request. Staff therefore recommends **approval** of the requested parking adjustment.

Case Manager: Jacob Floyd, Planner (210) 207-8318



Board of Adjustment
Plot Plan for
Case A-09-018



Scale: 1" approx. = 80'
Council District 9

19126 Stonehue
Planning and Development Services Dept
City of San Antonio
(01/27/2009 - E Hart)

Board of Adjustment - Case No. A-09-018

February 23, 2009

The Board of Adjustment will hold a Public Hearing at **10:00 AM** on **Monday, February 23, 2009** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant-Nathan Golik

Lot P-14A, NCB 19221 or Lot 7, Block 9, NCB 19221

19100 Block of Stonehue

Zoned: "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital

The applicant is requesting a 23-parking space adjustment from the parking standard that a hospital use with a gross floor area of 40,831 square feet have 102 parking spaces, in order to allow 79 parking spaces.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

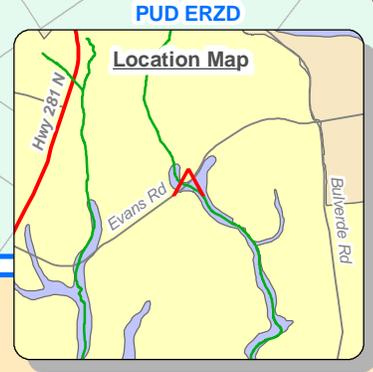
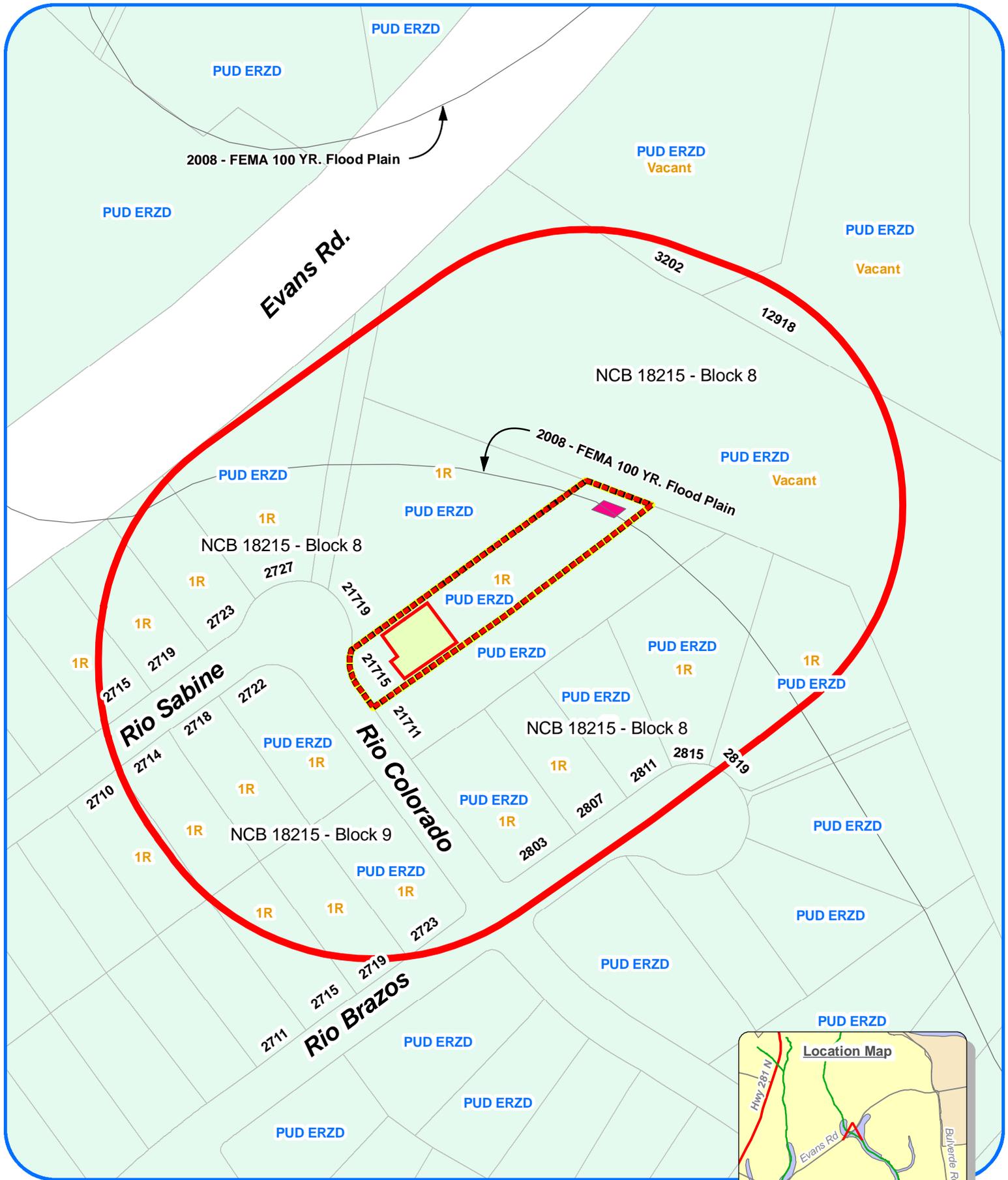
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-018



Board of Adjustment
Notification Plan for
Case A-09-028



Legend
 Subject Property
 200' Notification Buffer
 Scale: 1" approx. = 100'
 Council District 9

CASE NO: A-09-028

Board of Adjustment – March 16, 2009

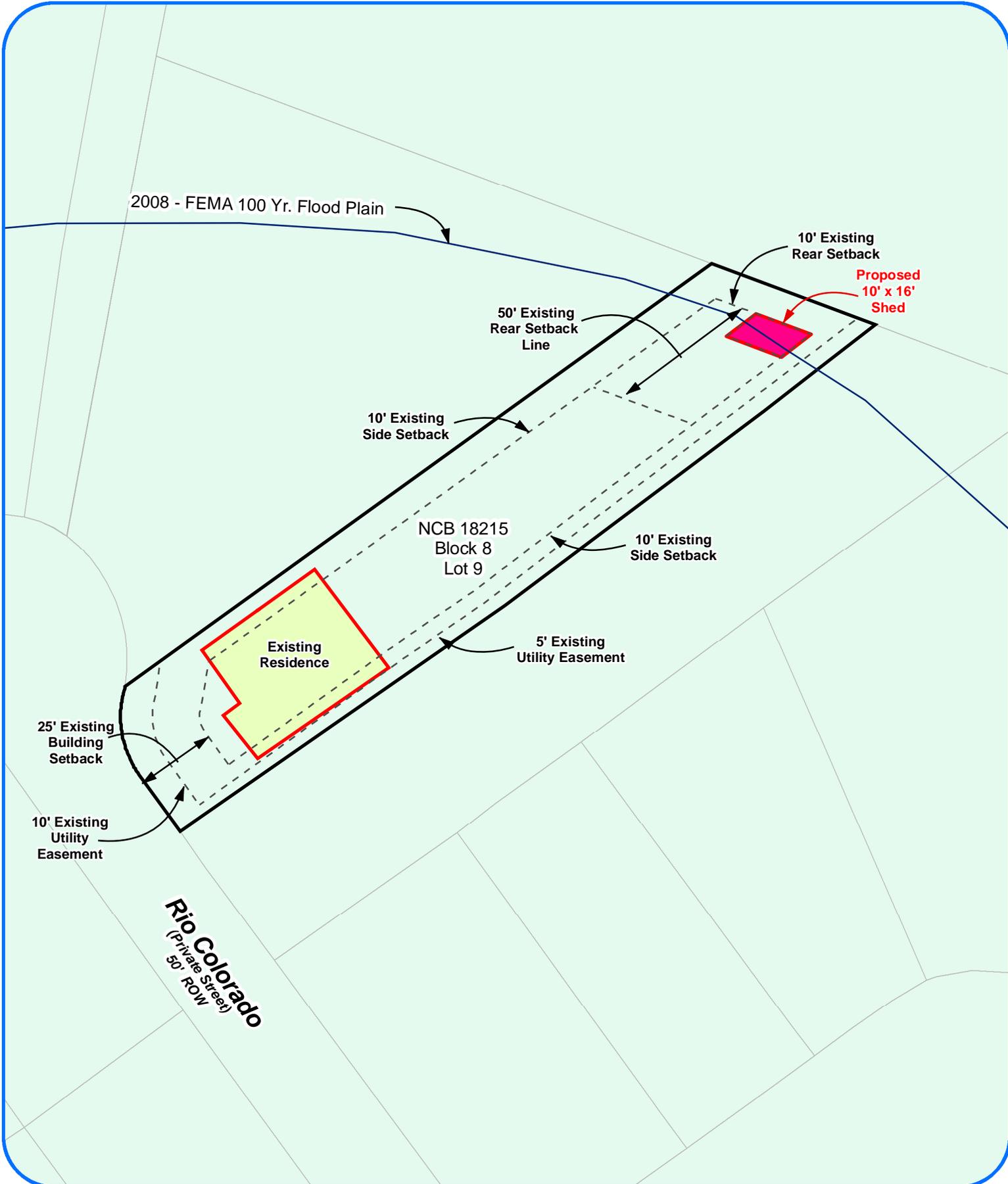
- Applicant:** David J. Isham
- Owner:** David J. Isham
- Request(s):** A 40-foot variance from the requirement that a minimum 50-foot platted rear setback be maintained (recorded in Volume 9540, Page 210 of the Bexar County Deed and Plat Records), in order to erect an accessory structure 10 feet from the rear property line.
- Legal Description:** Lot 9, Block 8, NCB 18215
- Address:** 21715 Rio Colorado
- Zoning:** “PUD R-6 ERZD” Residential Single-Family Planned Unit Development Edwards Recharge Zone District
- Existing Use:** Single-Family Residence
- Neigh. Assoc:** Encino Rio Home Owners Association
- Neigh. Plan:** None

Section of the City Code from which this variance is requested:
35-516 (o) Setback and Frontage Regulations, Previous Plats: The setback line, as shown on plats initiated 2 (two) years prior to December 2, 2004 shall be recognized as the official setback line.

Background: The subject property is located on the city’s north side in the Encino Rio Subdivision, outside of Loop 1604 near Evans Road. Surrounding land uses are generally single-family residential, though Tejada Middle School is located just across Evans Road to the north. PUD R-6 zoning surrounds the subject property on all sides. The 50-foot platted setback was established by the subdivision plat of Unit 1 of the Encino Rio Subdivision, recorded July 21, 1998. The applicant is requesting this variance in order to erect a 160 square foot accessory structure 10 feet from the rear property line.

Recommendation: The intent of the requirements for rear setbacks is to maintain separation between residences, to prevent the overcrowding of lots, and insure privacy and neighborhood uniformity. The platted setback experienced by the subject property is common to the lots in this subdivision that back up to the drainage easement to the north. The subject property itself is fairly deep, measuring 272.15 feet on one side and 226.83 feet on the other. Staff believes that this depth, combined with the greenspace abutting the subject property to the north, creates a unique situation in that the platted setback essentially restricts the property owner from utilizing a quarter of the property. Furthermore, staff believes that the granting of this variance will not negatively affect the neighboring properties, or the greenspace. It does not appear that the granting of this variance will authorize a use other than specifically authorized for the zoning district in which it is located, as accessory structures are a permitted use in residential zoning districts. Staff recommends **approval** of the requested variance.

Case Manager: Jacob Floyd, Planner (210) 207-8318



Board of Adjustment
 Plot Plan for
Case A-09-028



Scale: 1" approx. = 40'
 Council District 9

21715 Rio Colorado

City of San Antonio
 Planning and Development Services Department
 (03/11/2009)
 R.R.M.

Board of Adjustment - Case No. A-09-028

March 16, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 16, 2009** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – David Isham

Lot 9, Block 8, NCB 18215

21715 Rio Colorado

Zoned: “PUD R-6 ERZD” Residential Single-Family Planned Unit Development Edwards Recharge Zone District

The applicant is requesting a 40-foot variance from the requirement that a minimum 50-foot platted rear setback be maintained (recorded in Volume 9540, Page 210 of the Bexar County Deed and Plat Records), in order to erect an accessory structure 10 feet from the rear property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

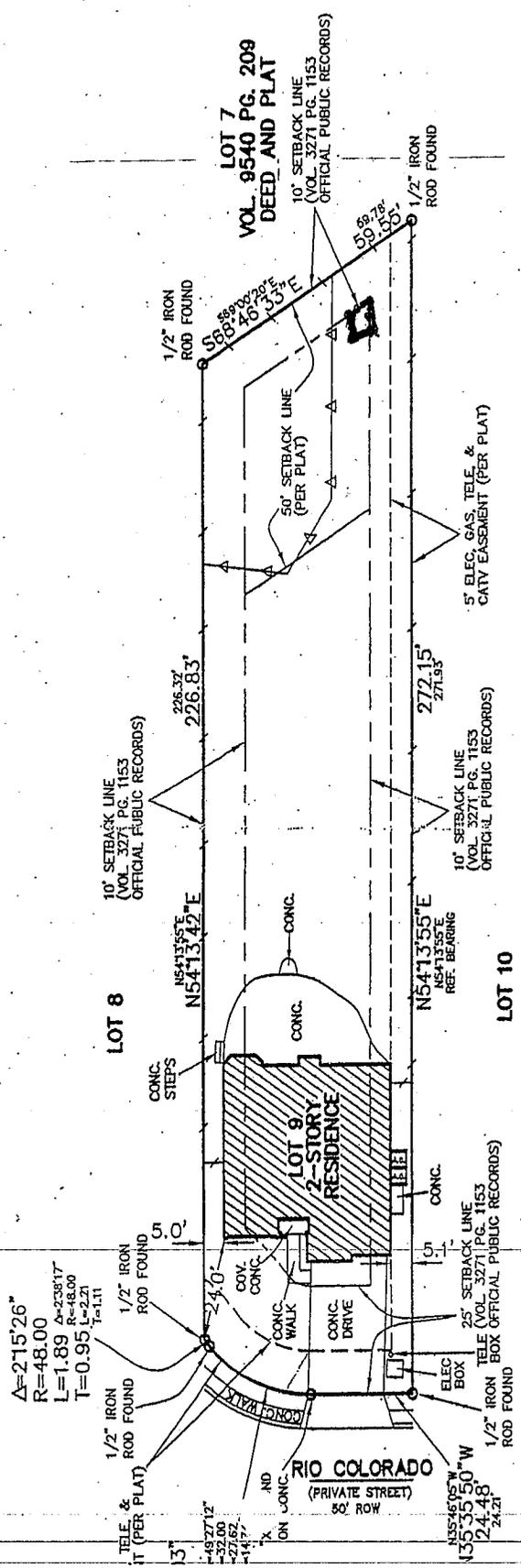
Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor () In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-028



***ENCINO RIO SUBDIVISION, UNIT 1, A PLANNED UNIT DEVELOPMENT**

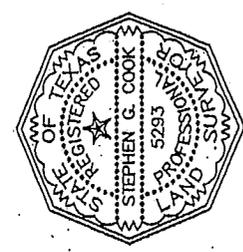
I, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, OF THE PROPERTY DESCRIBED HEREON. I FURTHER CERTIFY THAT ENCROACHMENTS, EASEMENTS AND RIGHT-OF-WAYS VISIBLE ON SITE ARE SHOWN HEREON. SETBACKS AND EASEMENTS SHOWN ARE FROM RECORDED COUNTY DOCUMENT RECORDS. MUNICIPAL RESTRICTIONS ARE NOT SHOWN. COPYRIGHT © 2002 STEPHEN G. COOK ENGINEERING, INC. ALL RIGHTS RESERVED

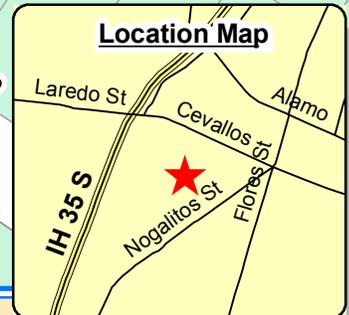
[Signature]
 STEPHEN G. COOK R.P.L.S.

ON	S45°00'00"W AS MEASURED IN FIELD	100.00	X BARRED WIRE	Δ SMOOTH WIRE	/ WOOD FENCE
			o IRON FENCE	◇ CHAIN LINK FENCE	
CONVEYANTS AND/OR EASEMENTS AS FOLLOWS:					
REAL PROPERTY RECORDS	VOL. 6777	PAGE 467	REAL PROPERTY RECORDS		
REAL PROPERTY RECORDS	VOL. 7682	PAGE 468	REAL PROPERTY RECORDS		

12000 STARCREST, SUITE 107
 STEPHEN G. COOK ENGINEERING, INC. SAN ANTONIO, TEXAS 78247-4117
 210/481-2533 * FAX: 210/481-2150
 WWW.SGCENET

LOT(S) 9 BLOCK 8 N.C.B. 18215
 OF THE DEED AND PLAT RECORDS OF VOLUME 9540 PAGE 209-210
 WITNESS MY HAND AND SEAL THIS 23 DAY OF OCTOBER COUNTY, TEXAS 20 02
 BUYER NATHAN P. JANYSEK
 ADDRESS 21715 RIO COLORADO OF NO. 00913755-011-SCM
 STEPHEN G. COOK, INC. JOB NO. 133-459-000 DRAWN BY: PV DISK CAD/S SURV. BY: JV





Board of Adjustment
Notification Plan for
Case A-09-031



- Legend**
- Subject Property
 - 200' Notification Boundary
 - Scale: 1" approx. = 80'
 - Council District 1

CASE NO: A-09-031

Board of Adjustment – March 16, 2009

- Applicant:** West Commerce Properties, Inc.
- Owner:** West Commerce Properties, Inc.
- Request(s):** A special exception to relocate a residential structure from 116 North San Marcos Street to 200 Rehmann Street.
- Legal Description:** The west irregular 45.19 feet of the north 68.1 feet of Lot 1, Block 2, NCB 3557
- Address:** 200 Rehmann Street
- Zoning:** “R-6” Residential Single-Family District
- Existing Use:** Vacant
- Neigh. Assoc:** None
- Neigh. Plan:** South Central San Antonio Neighborhood Plan

Section of the City Code from which this special exception is requested:

35-399.03 Relocation of Buildings and Structures: The relocation of any residential building or structure shall not be undertaken unless and until a special exception is approved by the Board of Adjustment.

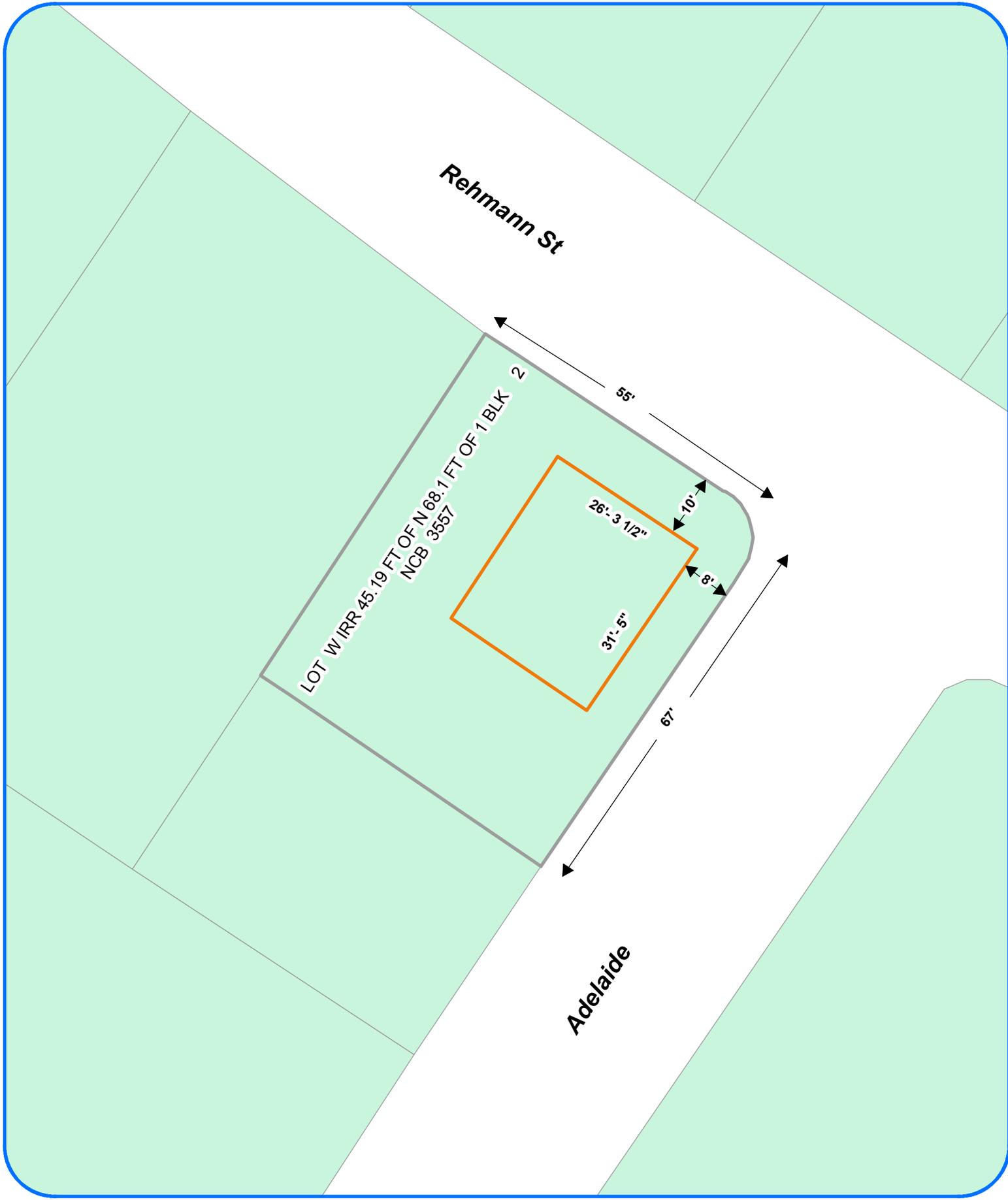
Background: The property to which the house in question is proposed to be moved is located south of downtown on the corner of Rehmann and Adelaide Streets, west of Nogalitos Street. Single-Family residences surround the subject property and the surrounding zoning is mostly R-6, though a large parcel of land zoned I-2 is situated to the south. The Sanborn Fire Insurance maps show that the subject property was at one time occupied by a single-family residence, of which the remains of the foundation are still visible. The structure proposed to be relocated is proposed to be used as a single-family residence.

Recommendation: The following attributes characterize the majority of existing single-family homes in the surrounding area (Proposed Relocation spreadsheet attached):

- Structure Age Greater Than 50 Years
- Covered Porch or Entryway Facing Street
- Single Story Structure
- Shingle Roofing Material

Staff finds the structure proposed to be moved to be similar in style and scale to the other single-family homes in the immediate area. As a condition of this Special Exception request, the applicant has agreed to make all repairs necessary to bring the structures into compliance with all applicable City Codes within 90 days, as per Section 6-137 of the City Code. The structures appear to be in harmony with the houses in the surrounding neighborhood in terms of size, age, and quality of construction. Staff recommends **approval** of the Special Exception request.

Case Manager: Jacob Floyd, Planner (210) 207-8318



Board of Adjustment
 Plot Plan for
Case A-09-031



Scale: 1" approx. = 20'
 Council District 1

200 Rehmann

Planning and Development Services Dept
 City of San Antonio
 (02/24/2009 - P. Trinkle)

Board of Adjustment - Case No. A-09-031

March 16, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 16, 2009** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – West Commerce Properties, Inc.

The west irregular 45.19 feet of the north 68.1 feet of Lot 1, Block 2, NCB 3557
200 Rehmann Street

Zoned: “R-6” Residential Single-Family District

The applicant is requesting a special exception to relocate a residential structure from 116 North San Marcos Street to 200 Rehmann Street.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-031

BOARD OF ADJUSTMENT
Special Exception for Relocation

Case #: A-09-031

Proposed Relocation
 FROM: 116 North San Marcos Street
 TO: 200 Rehmann Street

Meeting Date:
 March 16, 2009

Compatibility Standard	Existing Condition (Block of St)	Applicant's Proposed Condition
Lot Size	Range: 1785.96 - 7020.0 SF Mean: 4707 SF	3060.0 SF
Structure Age	Range: 59 - 84 YRS Mean: 72 YRS	50+ YRS
Structure Size	Range: 870 - 1682 SF Mean: 1219 SF	819 SF
Structure Height	Range: 1 - 2 Story	1 Story
Setbacks (Front)	Range: 10 - 20 FT	10 FT
Structure Width (front facade)	Range: 25 - 35 FT	26 FT
Garage/Carport Location & Setback	Carport in side yard	None Proposed
Front Entry, Porch, Walkway	Facing Street	Facing Street
Windows (front facade)	Number: 1 - 4 Type: Vertical	2 Vertical
Building Materials	Exterior siding: Wood Siding (Vertical and Horizontal), Brick Roofing: Shingles, Tile	Vertical Wood Shingles
Foundation Type	Concrete Slab, Pier and Beam	Pier and Beam

**BOARD OF ADJUSTMENT
Special Exception for Relocation**

Case #: A-09-031

Proposed Relocation
FROM: 116 North San Marcos Street
TO: 200 Rehmann Street

Meeting Date:
March 16, 2009

Compatibility Standard	Existing Condition (Block of St)	Applicant's Proposed Condition
Roof Line/Pitch	Gable, Hipped	Gable
Impervious Cover %		
Sidewalk Width/ Placement, Greenway	3 ft existing sidewalks	Existing 3 ft Sidewalks
Curb Cut & Driveway Width	Single-Width	Single-Width
Fencing	4 ft chain link or wrought iron	Existing 4ft chain link

INSPECTOR'S REPORT

Structurally Sound to Be Moved:

YES

NO

1. FROM 116 N. SAN MARCOS 2. TO 200 REHMANN

3. PRESENT USE: VACANT PROPOSED USE: _____

4. BUILDING WIDTH: 25' LENGTH: 30' HEIGHT: 10' STORIES: 1

5. ROOF TYPE: SHED _____ GABLE HIP _____ OTHER _____ CONDITION FAIR

6. BUILDING CONDITION: GOOD _____ FAIR BAD _____ OUT OF PLUMB _____

7. SILLS: 2x10 UNDER SIZE: _____ OVERSPANNED _____ SUBSTANDARD _____ CONDITION FAIR

8. 1ST FLOOR JOISTS: 2x10 Size & span UNDER SIZE: _____ PROPERLY SUPPORTED _____ SUBSTANDARD _____
OVERSPANNED _____ NO BLOCKING _____ NO BRIDGING _____ CONDITION FAIR

9. 2ND FLOOR JOISTS: N/A Size & span UNDER SIZE: _____ PROPERLY SUPPORTED _____ SUBSTANDARD _____
OVERSPANNED _____ NO BLOCKING _____ NO BRIDGING _____ CONDITION _____

10. STUDS: 1 Size & Length UNDER SIZE _____ OVERSPACED _____ SUBSTANDARD _____ BLOCKING _____ CONDITION _____

11. HEADERS: 1 Size & Length PROPERLY SUPPORTED _____ UNDER SIZE _____ CONDITION _____

12. PLATES: SINGLE 1 DOUBLE _____ PROPER LAP _____ SUBSTANDARD _____ CONDITION _____

13. CEILING JOISTS: 1 SUBSTANDARD _____ OVERPANNED _____ SPLICED _____ CONDITION _____

14. RAFTERS: 1 Size & span SUBSTANDARD _____ OVERPANNED _____ BRACES _____ CONDITION _____

15. EXTERIOR WALL COVERING: MATERIAL TI-11 SIDING NEED PAINT _____ NEEDS REPAIR _____ CONDITION _____

16. INTERIOR WALLS: MATERIAL 1 NEED REPAIR _____ NEED RECOVERING _____ CONDITION _____

17. ROOF SHEATHING: CONDITION FAIR NEED REPAIR NO NEED REPLACING NO

18. ROOF COVERING: MATERIAL SHINGLES CONDITION FAIR NEED REPAIR N NEED REPLACING Y

19. PORCHES: NO. 2 NEED REPLACING Yes 20. DOORS AND/OR WINDOWS: CONDITION 1

21. FLOOR CONDITION: 1 22. SANITARY FACILITIES: 1 23. KITCHEN FACILITIES 1

24. CEILING HEIGHT: 1 25. FIRE DAMAGE: NO 26. NO. OF ACCESSORY BUILDINGS: 0

TYPE _____ CONDITION _____

27. IN YOUR OPINION WHAT IS THE AGE OF STRUCTURE: 50+ years

REMARKS: ~~SA~~ 1 STRUCTURE SECURED UNABLE TO MAKE INTERIOR INSPECTION.

STRUCTURE OK TO RELOCATE

APPROVED: _____ DISAPPROVED _____ RECOMMENDATION: _____

DATE INSPECTED: 12/20/09 INSPECTOR: Ewert Martiny #126

BOARD OF ADJUSTMENT
CITY OF SAN ANTONIO, TEXAS
PLAN OF DEVELOPMENT

NAME: West Commerce Properties, Inc
STREET ADDRESS AND ZIP CODE (PROPOSED): 200 Rehmann
STREET ADDRESS AND ZIP CODE (CURRENT): 116 N. SAN MARCOS
SIZE OF STRUCTURE (Square Footage): ≈ 800 sq ft

CURRENT TYPE OF CONSTRUCTION:

INTERIOR WALLS: Sheetrock Panel Other _____
SIDING: Wood Vinyl Other _____
CEILING: Sheetrock Other _____
ROOF: Shingles Other _____
WINDOWS: Wood Aluminum Other _____
INSULATION: Walls Ceiling Floor
HEATING & COOLING: Window Units Heaters Central
FLOOR JOIST: 2" x 10" SILLS: 2" x 10" STUDS: 2" x 4"; 16" c

PROPOSED CHANGES:

WINDOWS: Wood ROOF: Shingles
SIDING: Wood SKIRTING TYPE: Wood
INSULATION: Walls PORCH: Wood
DOORS: Wood HEATING & COOLING: Central
ELECTRICAL: Copper PLUMBING: PVC
CONSTRUCTION OF DRIVEWAY: ~~Concrete~~ crushed BASE
FOUNDATION: Cedar Piers
COMMENTS: _____

**NEIGHBORHOOD AND URBAN DESIGN DIVISION
BOARD OF ADJUSTMENT CASE REVIEW FORM**

CASE INFORMATION

Case #: **A-09-031**

Property Address: 200 Rehmann

Zoning: R-6

Hearing Date: 03/16/2009

Type / Scope of BOA Request:

Special Exception to allow the relocation of a residential building or structure from 116 N. San Marcos to 200 Rehmann.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): n/a

Neighborhood or Community Plan: South Central San Antonio Community Plan

Neighborhood Conservation District: n/a

Corridor Overlay District (name or n/a): n/a

ANALYSIS STATEMENT

The subject parcel is designated Low Density Residential land use in the South Central San Antonio Community Land Use Plan, which includes single-family houses on individual lots. Accessory dwelling units are allowed however, the roof pitch, siding, and window proportions should be identical to the principal residence to maintain community character.

The residential structure to be relocated is currently located at 116 N San Marcos. This property lies within the Downtown Neighborhood Plan, approved May 13, 1999, and is part of the Downtown West Neighborhood Plan Update, approved January 15, 2009. 116 N San Marcos is designated as part of the County Jail expansion in the Future Land Use Plan update. The structure can not remain at its current location due to the proposed jail expansion.

The site in which the residential building is proposed to be relocated is neighbored by houses of diverse character (various materials, setbacks, and proportions). The character of the structure that is to be relocated does not distract from the current character of the neighborhood. In the South Central San Antonio Community Plan, Strategy 2.1 encourages the construction of "all types of infill housing on vacant lots throughout the entire community" (p 18). As the lot is currently vacant, the relocation of the residential structure will fill in this vacancy.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information _____

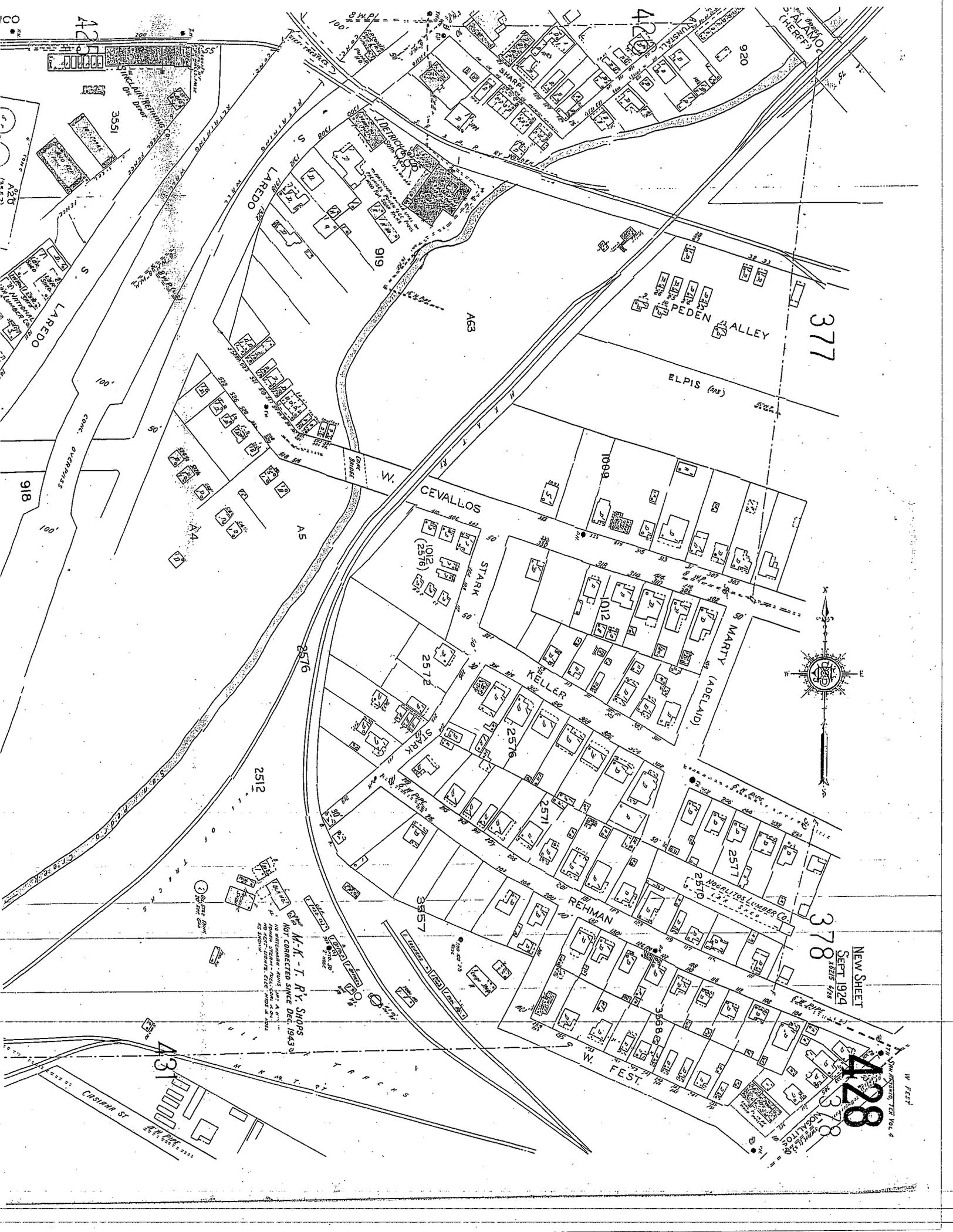
Support Request X

Deny Request _____

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Rebecca Paskos, Sr. Planner

Date Review Completed: March 9, 2009



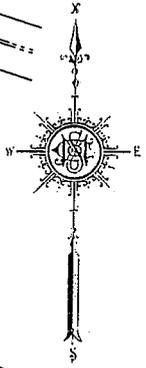
377

378

NEW SHEET
SEPT 1924
BASED UPON

428

San Francisco, Tenth Vol. 4
W. F. ST.



M. K. - J. R. Y. SHOPS
NOT CORRECTED SINCE DEC. 1943
NO UNRECORDED CHANGES SINCE JAN. 4, 1911
NO RECORDED CHANGES SINCE 1911
NO RECORDED CHANGES SINCE 1911

42

428

918

CEVALLOS

STARK S

KELLER

REHMAN

FEST.

S. MARTY (ADELAID)

NOGALITOS LUMBER CO.

ALLEY

ELPIS (Ans)

LAREDO

LAREDO

919

AG3

2512

2512

2516

2517

2518

2519

2520

2521

2522

2523

2524

2525

2526

2527

2528

43

CASIANO ST

3651

3652

3653

3654

3655

3656

3657

3658

3659

3660

3661

3662

3663

3664

3665

3666

3667

3668

3669

3670

3671

3672

3673

3674

3675

3676

3677

3678

3679

3680

3681

3682

3683

3684

3685

3686

3687

3688

3689

3690

3691

3692

3693

3694

3695

3696

3697

3698

3699

3700

3701

3702

3703

3704

3705

3706

3707

3708

3709

3710

3711

3712

3713

3714

3715

3716

3717

3718

3719

3720

3721

3722

3723

3724

3725

3726

3727

3728

3729

3730

3731

3732

3733

3734

3735

3736

3737

3738

3739

3740

3741

3742

3743

3744

3745

3746

3747

3748

3749

3750

3751

3752

3753

3754

3755

3756

3757

3758

3759

3760

3761

3762

3763

3764

3765

3766

3767

3768

3769

3770

3771

3772

3773

3774

3775

3776

3777

3778

3779

3780

3781

3782

3783

3784

3785

3786

3787

3788

3789

3790

3791

3792

3793

3794

3795

3796

3797

3798

3799

3800

3801

3802

3803

3804

3805

3806

3807

3808

3809

3810

3811

3812

3813

3814

3815

3816

3817

3818

3819

3820

3821

3822

3823

3824

3825

3826

3827

3828

3829

3830

3831

3832

3833

3834

3835

3836

3837

3838

3839

3840

3841

3842

3843

3844

3845

3846

3847

3848

3849

3850

3851

3852

3853

3854

3855

3856

3857

3858

3859

3860

3861

3862

3863

3864

3865

3866

3867

3868

3869

3870

3871

3872

3873

3874

3875

3876

3877

3878

3879

3880

3881

3882

3883

3884

3885

3886

3887

3888

3889

3890

3891

3892

3893

3894

3895

3896

3897

3898

3899

3900

3901

3902

3903

3904

3905

3906

3907

3908

3909

3910



Board of Adjustment
Notification Plan for
Case A-09-033



Legend
 Subject Property
 200' Notification Buffer



Scale: 1" approx. = 100'
 City of San Antonio
 Planning & Development Services Dept.
 (02/24/2009) - PH

CASE NO: A-09-033

Board of Adjustment – March 16, 2009

- Applicant:** Greg Zuschlag and Morgan Price
- Owner:** Greg Zuschlag and Morgan Price
- Request(s):** 1) A 1-foot, 10-inch variance from the requirement that side and rear-yard fences not exceed 6 feet in height, in order to erect a 7-foot, 10-inch tall fence in the rear yards and 2) a 6-inch variance from the requirement that side and rear yard fences not exceed 6 feet in height, in order to erect a 6-foot, 6-inch tall fence in the rear yard of 227 Pershing Street.
- Legal Description:** Lots 13 and 14, Block 6, NCB 3081
- Address:** 223 & 227 Pershing Street
- Zoning:** “R-4 NCD-6” Residential Single-Family Mahncke Park Neighborhood Conservation District
- Existing Use:** Single-Family Residences
- Neigh. Assoc:** Mahncke Park Neighborhood Association
- Neigh. Plan:** Mahncke Park Neighborhood Plan

Section of the City Code from which these variances are requested:

35-514 Fences: Fences in side and rear yards shall not exceed 6 feet in height.

Background: The subject properties are located in the Mahncke Park neighborhood between Broadway and North New Braunfels Avenue. The surrounding properties are primarily single-family residences with a base zoning of R-4, although MF-33 zoning is present as well. The subject properties are surrounded by single-family residences, several of which have fences in excess of 6 feet in the side and rear yards. The applicants are requesting this variance in order to erect a fence, varying in height from 7-feet 10-inches to 6-feet in the rear yards of both properties, across a shared property line.

Recommendation: The intent of the maximum fence height requirement in side and rear yards is to allow property owners to screen and secure their property, while also allowing for openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. While there is a slight elevation change between the subject properties and the abutting property to the rear (approximately a one-foot drop) staff does not believe that the slope is significant enough to justify the need for a variance in this case. Staff recommends **denial** of the requested variances.

Case Manager: Jacob Floyd, Planner (210) 207-8318

Proposed
7' 10" Wood panel fence

Proposed
6' 6" fence

NCB 03081
Block 006
Lot 13

NCB 03081
Block 006
Lot 14

Existing
Residence

Existing
Residence

Pershing St.

Board of Adjustment
Plot Plan for
Case A-09-033



Scale: 1" approx. = 20'
Council District 9

223 & 227 Pershing St.

City of San Antonio
Planning & Development Services Dept.
(2/25/2009) - PH

Board of Adjustment - Case No. A-09-033

March 16, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 16, 2009** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Greg Zuschlag and Morgan Price

Lots 13 and 14, Block 6, NCB 3081

223 & 227 Pershing Street

Zoned: “R-4 NCD-6” Residential Single-Family Mahncke Park Neighborhood Conservation District

The applicant is requesting 1) a 1-foot, 10-inch variance from the requirement that side and rear-yard fences not exceed 6 feet in height, in order to erect a 7 foot, 10 inch tall fence on the rear property lines and 2) a 6-inch variance from the requirement that side and rear-yard fences not exceed 6 feet in height, in order to erect a 6-foot, 6-inch tall fence on the east side property line in the rear yard.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

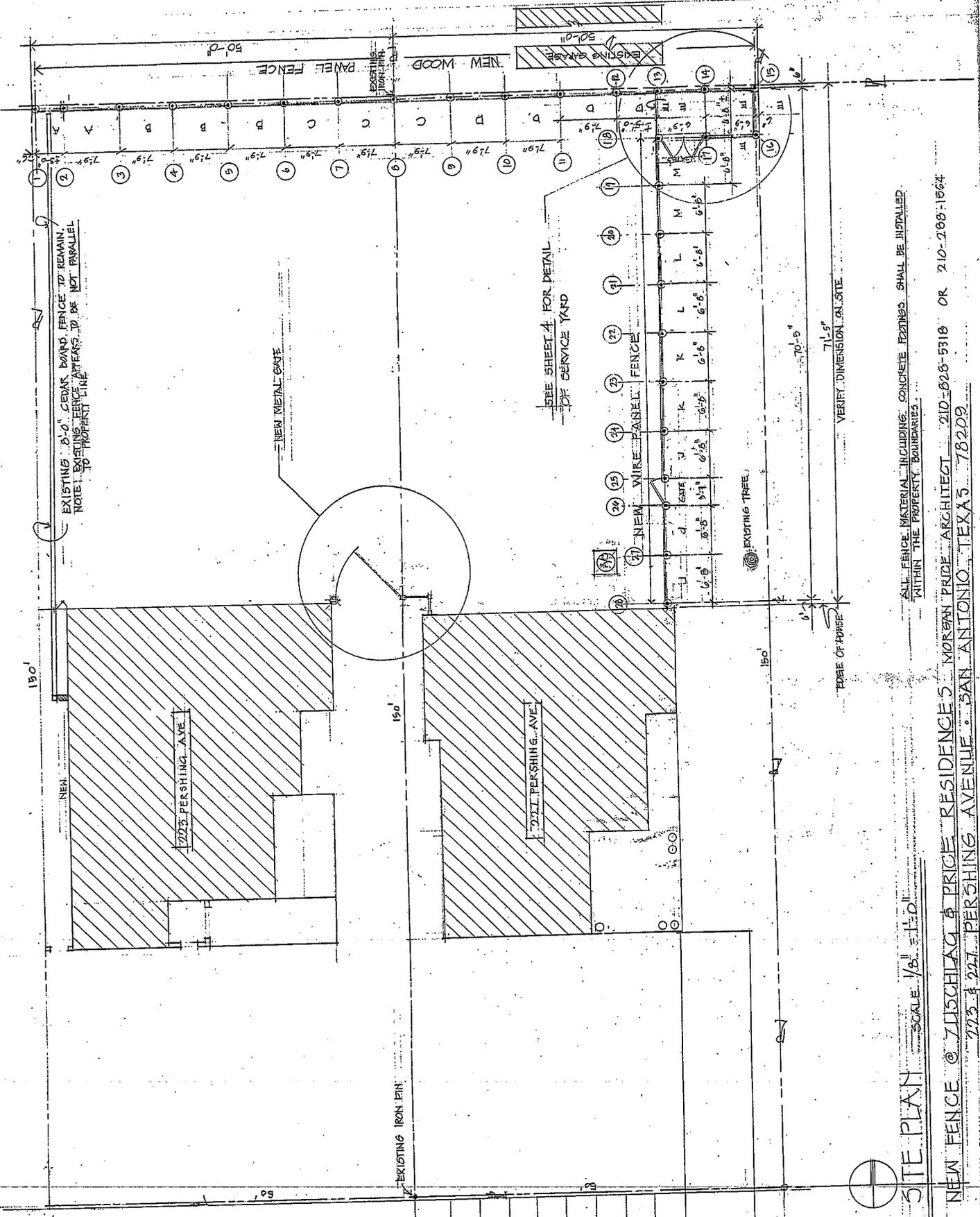
() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-033

U T I N O I T I Z G X Y M Z L M



EXISTING 6'-0" CEDAR BOARD FENCE TO REMAIN.
 NOTE: EXISTING SERVICE AREAS TO BE NOT PARALLEL
 TO PROPERTY LINE

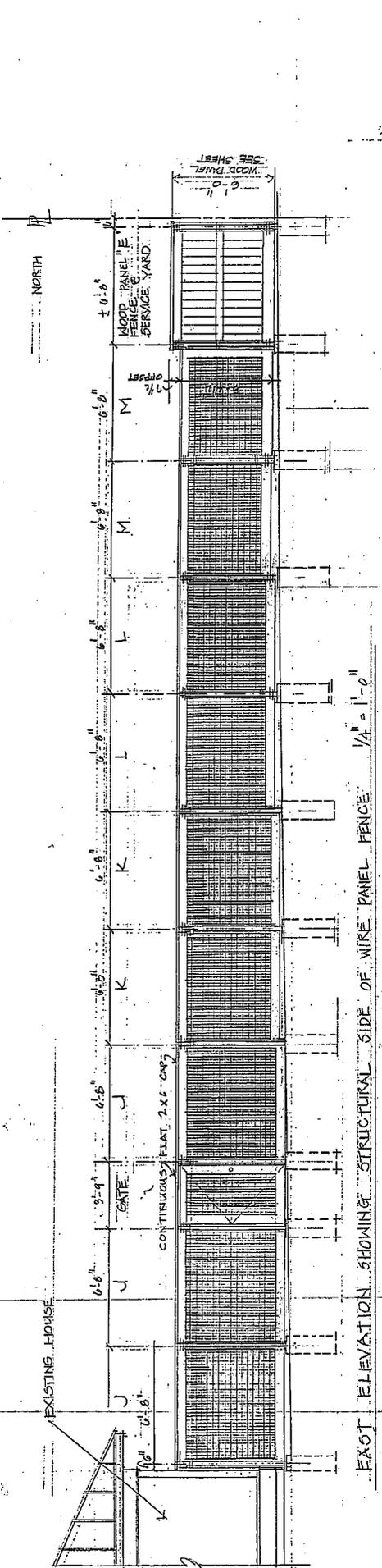
SEE SHEET 4 FOR DETAIL
 OF SERVICE YARD

VERIFY DIMENSION ON SITE

ALL FENCE MATERIAL INCLUDING CONCRETE FOOTINGS SHALL BE INSTALLED
 WITHIN THE PROPERTY BOUNDARIES.

SITE PLAN SCALE 1/8" = 1'-0"

NEW FENCE © ZUSCHLAG & PRICE RESIDENCE 5 MOREAN PRIDE ARCHITECT 210-828-5710 OR 210-268-1664
 223 & 227 PERSHING AVENUE SAN ANTONIO TEXAS 78209



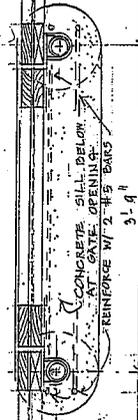
EXIST ELEVATION SHOWING STRUCTURAL SIDE OF WIRE PANEL FENCE 1/4" = 1'-0"

MATERIAL SPECIFICATIONS

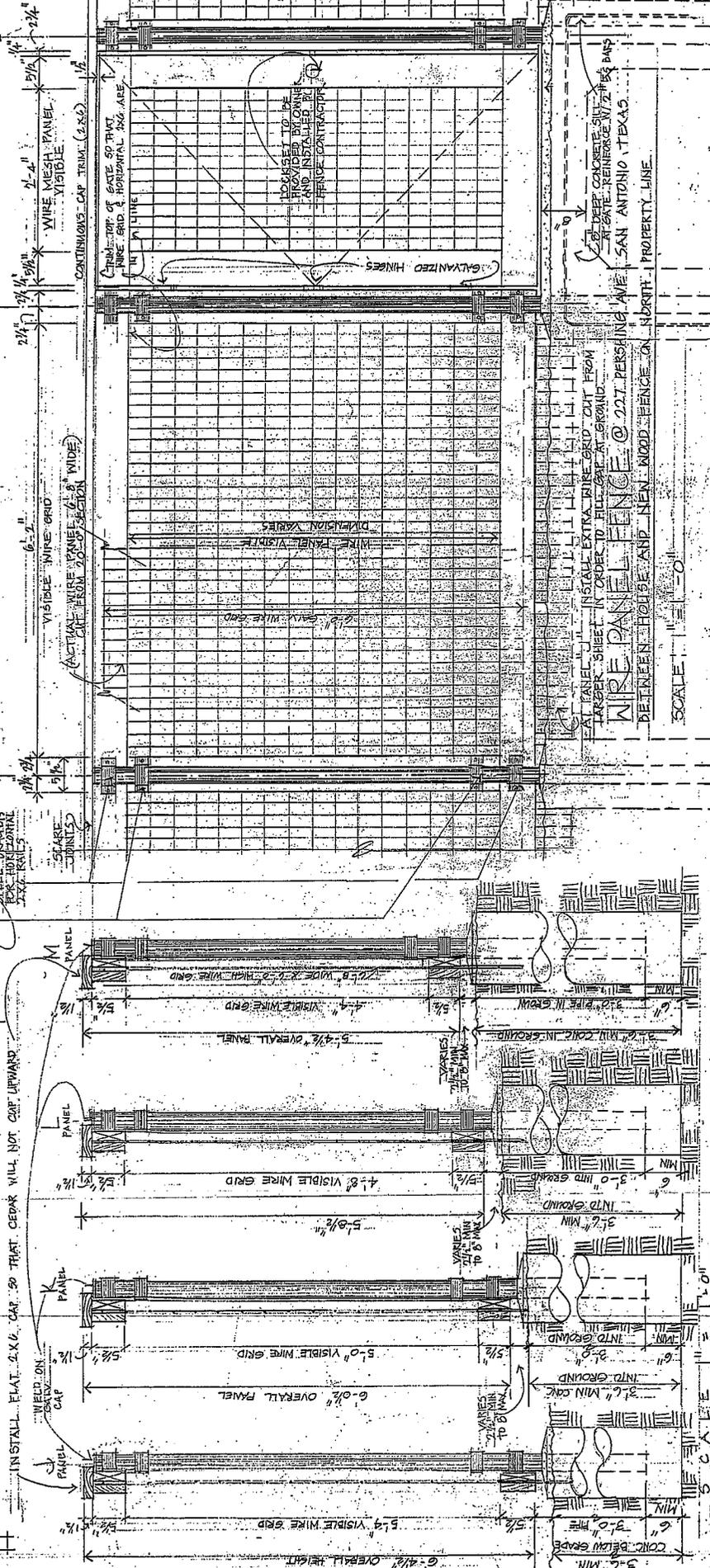
CONCRETE FOOTINGS, METAL POSTS W/ CAPS, STEEL BRACKETS, HORIZONTAL & VERTICAL WOOD STRUCTURAL FRAME, HORIZONTAL & VERTICAL FINISH CEDAR, AND ALL EXTERIOR FASTENERS SHALL BE THE SAME AS THOSE LISTED ON SHEET 4.

1" WIRE GRID PANEL - 6 GA. GALVANIZED STEEL GRID PANELS -
 INSTALL FLAT 2"x6" CAP SO THAT CEDAR WILL NOT CRIP UPWARD.

NOTES: FOUR BRACKETS PER PANEL FOR GALVANIZED STEEL BEARERS FOR HORIZONTAL 2"x6" CAPS.



TYPICAL SPACING FOR WIRE PANEL FENCE



**NEIGHBORHOOD AND URBAN DESIGN SECTION
BOARD OF ADJUSTMENT CASE REVIEW FORM**

CASE INFORMATION

Case #: **A-09-033**

Property Address: 223 and 227 Pershing

Zoning: R-4 NCD-6

Hearing Date: 03/16/2009

Type / Scope of BOA Request:

Applicant is requesting 1-foot and 10-inch rear yard variance and a 6-inch side yard variance from the UDC Sec 35-514 requirement that fences in the side and rear yards not exceed 6-feet in height, in order to erect a 7-foot and 10-inch rear yard fence and a 6-foot and 6-inch side yard.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): Mahncke Park Neighborhood Association

Neighborhood or Community Plan: Mahncke Park Neighborhood Plan

Neighborhood Conservation District: Mahncke Park Neighborhood Conservation District (NCD-6)

Corridor Overlay District (name or n/a): n/a

ANALYSIS STATEMENT

The subject parcel is designated Urban Single Family Residential in the Mahncke Park Neighborhood Plan. Urban Single Family Residential supports the principles of concentrating urban growth, reinforcing existing neighborhoods, and supporting residential growth within walking distance of neighborhood commercial centers and schools. Urban Single Family Residential areas are composed mainly of single family dwellings on small, individual lots, and exhibiting 5 to 8 dwelling units per acre. Detached and attached accessory dwelling units such as granny flats and garage apartments are allowed on the same lot as the principal residence.

The Mahncke Park Neighborhood Conservation District does not address rear yard fences. Side yards are addressed only for corner lots. The subject properties are not corner lots and thus side yard design standards do not apply. All applicable NCD-6 standards will be enforced at the time of building permitting.

The neighborhood plan does not specifically address fences or fence heights, however, there do not appear to be any extenuating topographical constraints or similar issues to the applicant's parcel which would suggest that the literal enforcement of the ordinance would result in unnecessary hardship.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information

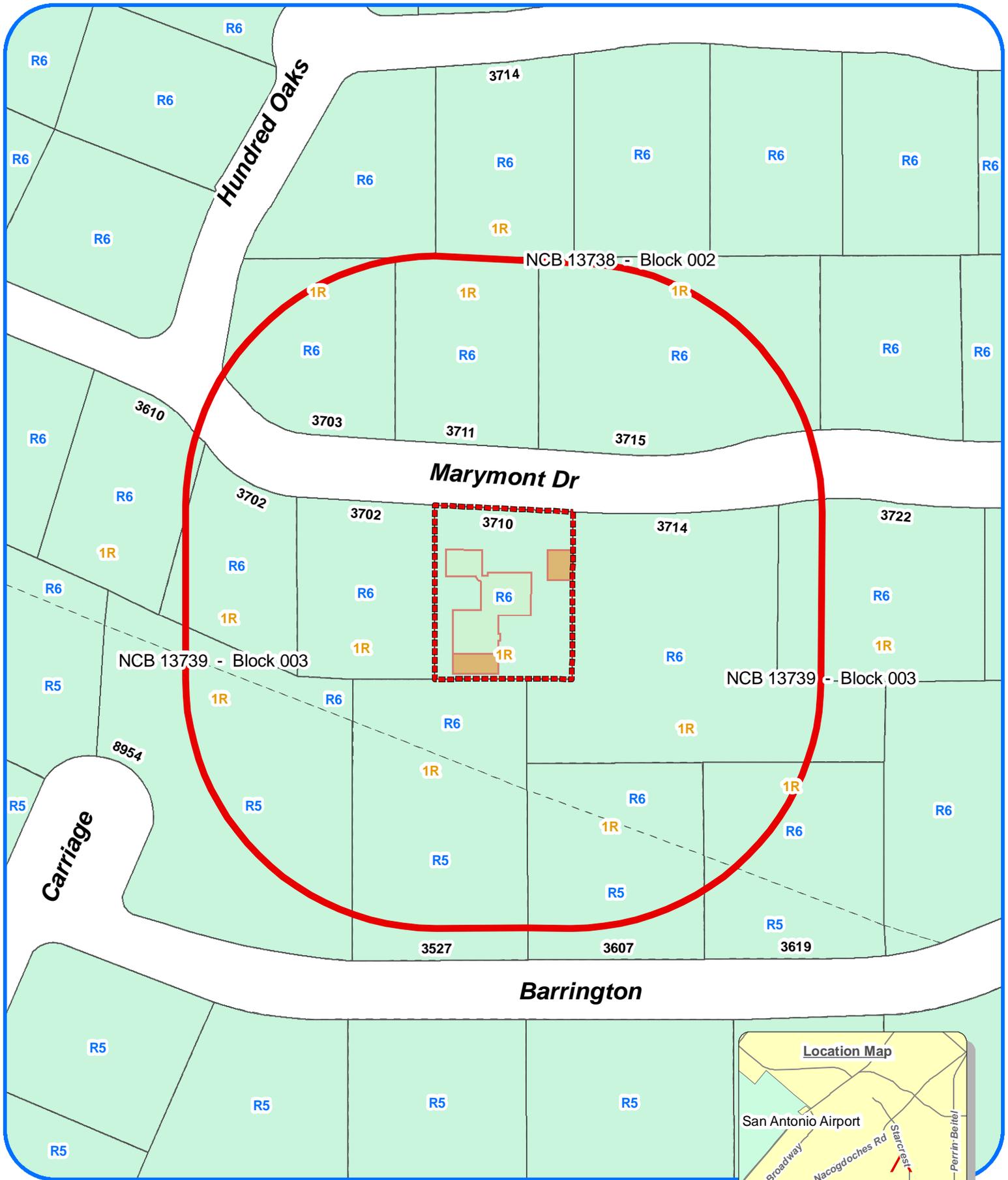
Support Request

Deny Request X

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Rebecca Paskos, Sr. Planner

Date Review Completed: March 9, 2009



Board of Adjustment
Notification Plan for
Case A-09-034



Legend
 Subject Property
 200' Notification Buffer
 Scale: 1" approx. = 100'
 Council District(s) = 10



CASE NO: A-09-034

Board of Adjustment – March 16, 2009

Applicant: Mike Lackey

Owner: Mike Lackey

Request(s): 1) A 16-foot variance from the requirement that a minimum 20-foot rear setback be maintained in “R-6” zoning districts, in order to erect a structure 4 feet from the rear property line and 2) a complete variance from the requirement that a minimum 5-foot side setback be maintained in “R-6” zoning districts, in order to erect a carport on the east side property line.

Legal Description: Lot 5, Block 3, NCB 13739

Address: 3710 Marymont

Zoning: “R-6” Residential Single-Family District

Existing Use: Single-Family Residence

Neigh. Assoc: None

Neigh. Plan: None

Section of the City Code from which these variances are requested:

35-310 Zoning District Purpose Statements and Design Regulations: A minimum 5-foot side setback shall be maintained in “R-6” zoning districts. A minimum 20-foot rear setback shall be maintained in “R-6” zoning districts.

Background: The subject property is located in an established single-family residential neighborhood just north of North Loop 410, near Starcrest. Single-family residential uses and zoning surround the property. The applicant is requesting two variances in this case; one for relief from the rear setback for the purposes of expanding the existing house, and the other in order to construct a carport along the east side property line. This case was initiated by the applicant.

Recommendation: The intent of the minimum side and rear setback requirements are to allow for air flow, light penetration, neighborhood uniformity, to prevent the overcrowding of lots, and to maintain a reasonable amount of open space that is desired in single-family residential neighborhoods. The subject property does not appear to have any unique characteristics that would create an undue hardship due to literal enforcement of the side and rear setback requirements. The applicant has not indicated any physical hardship on the subject property in the application provided; citing the restrictions of the zoning district as being the primary hardship. Furthermore, it would appear that the addition of the proposed carport would be out of character with the surrounding neighborhood, as staff did not notice any similarly constructed carports in the immediate vicinity. Staff therefore recommends **denial** of the requested variances.

Case Manager: Mike Farber, Planner (210) 207-3074

Mary Mont Dr

Lot 5
NCB 13739 - Block 003

138' - 2"

0' Between Proposed
Carport and Side
Property Line

Proposed
Carport
(20.0'W x 24.0'D)

Existing Residence

5' Side
Carport Setback

20' Rear
Building Setback

Proposed
Residential
Addition
(36.3'W x 16.1'D)

4' Between Proposed
Addition and Rear
Property Line

109' - 10"

Board of Adjustment
Plot Plan for
Case A-09-034



Scale: 1" approx. = 20'
Council District 10

3710 Mary Mont Dr

Planning and Development Services Dept
City of San Antonio
(03/12/2009 - E Hart)

Board of Adjustment - Case No. A-09-034

March 16, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 16, 2009** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Mike Lackey
Lot 5, Block 3, NCB 13739
3710 Marymont Drive
Zoned: “R-6” Residential Single-Family District

The applicant is requesting **1)** a 16-foot variance from the requirement that a minimum 20-foot rear setback be maintained in “R-6” zoning districts, in order to erect a structure 4 feet from the rear property line; **2)** a complete variance from the requirement that a minimum 5-foot side setback be maintained in “R-6” zoning districts, in order to erect a carport on the east side property line and **3)** a 3-inch variance from the requirement that side and rear yard fences not exceed 6 feet in height, in order to keep an existing 6-foot, 3-inch tall rear-yard fence.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Mike Farber at 207-3074 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

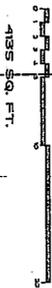
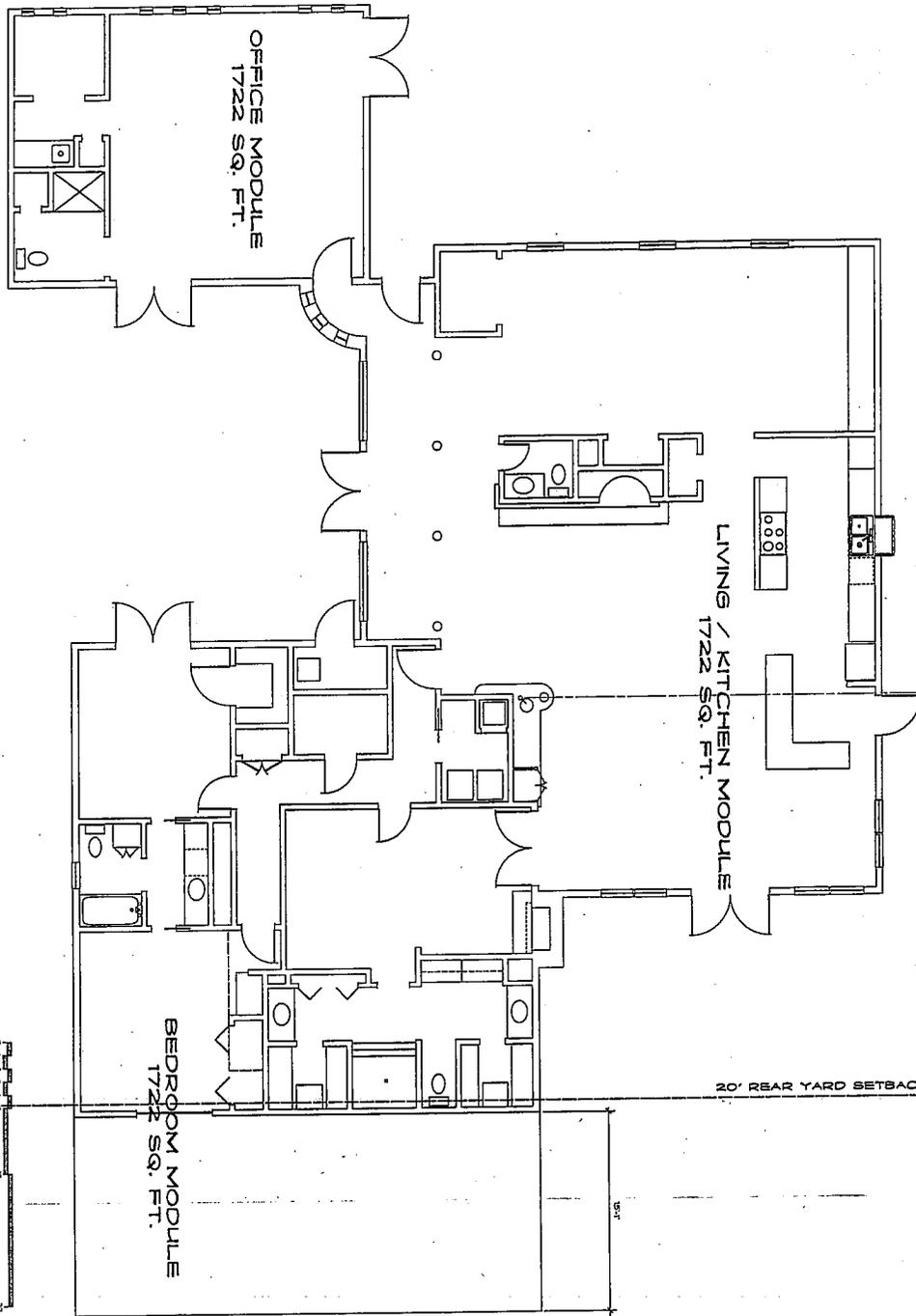
() In Favor/A Favor () In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-034



3710 MARY MONT DR. - EXISTING PLAN



20' REAR YARD SETBACK

PROPERTY LINE

4'10"

3710 MARY MONT DR.
 SAN ANTONIO, TEXAS 78217
 SHEET:

ADDITION & REMODEL
 FOR THE
LACKEY RESIDENCE
 3710 MARY MONT DRIVE
 SAN ANTONIO, TEXAS 78217



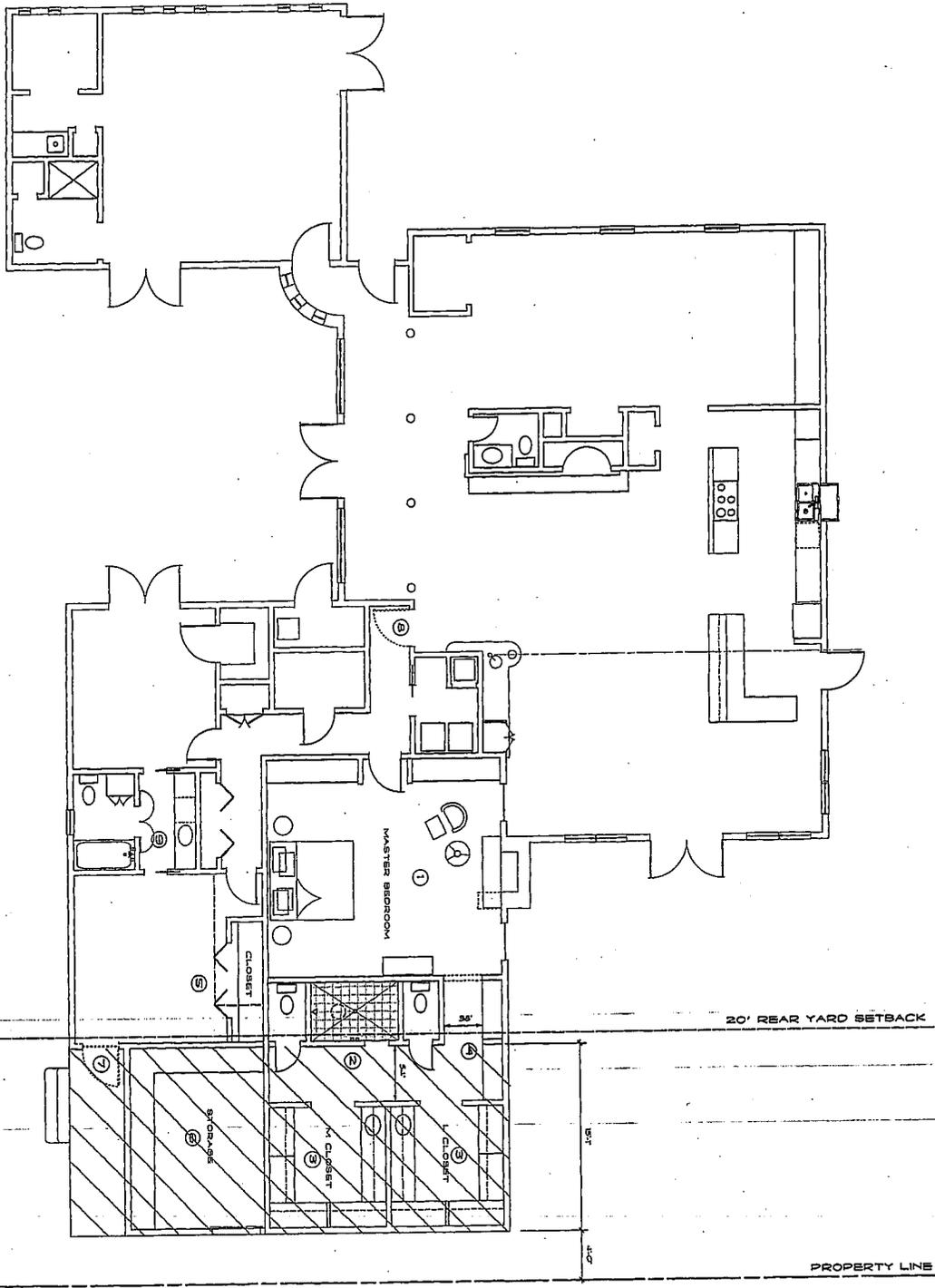
C. M. GATES
 ARCHITECT, AIA
 PHONE 524-1187
 FAX 524-5127

10/22/08 2:00 PM
 APPROVED FOR CONSTRUCTION

A2



3710 MARY MONT DR. - PROPOSED PLAN

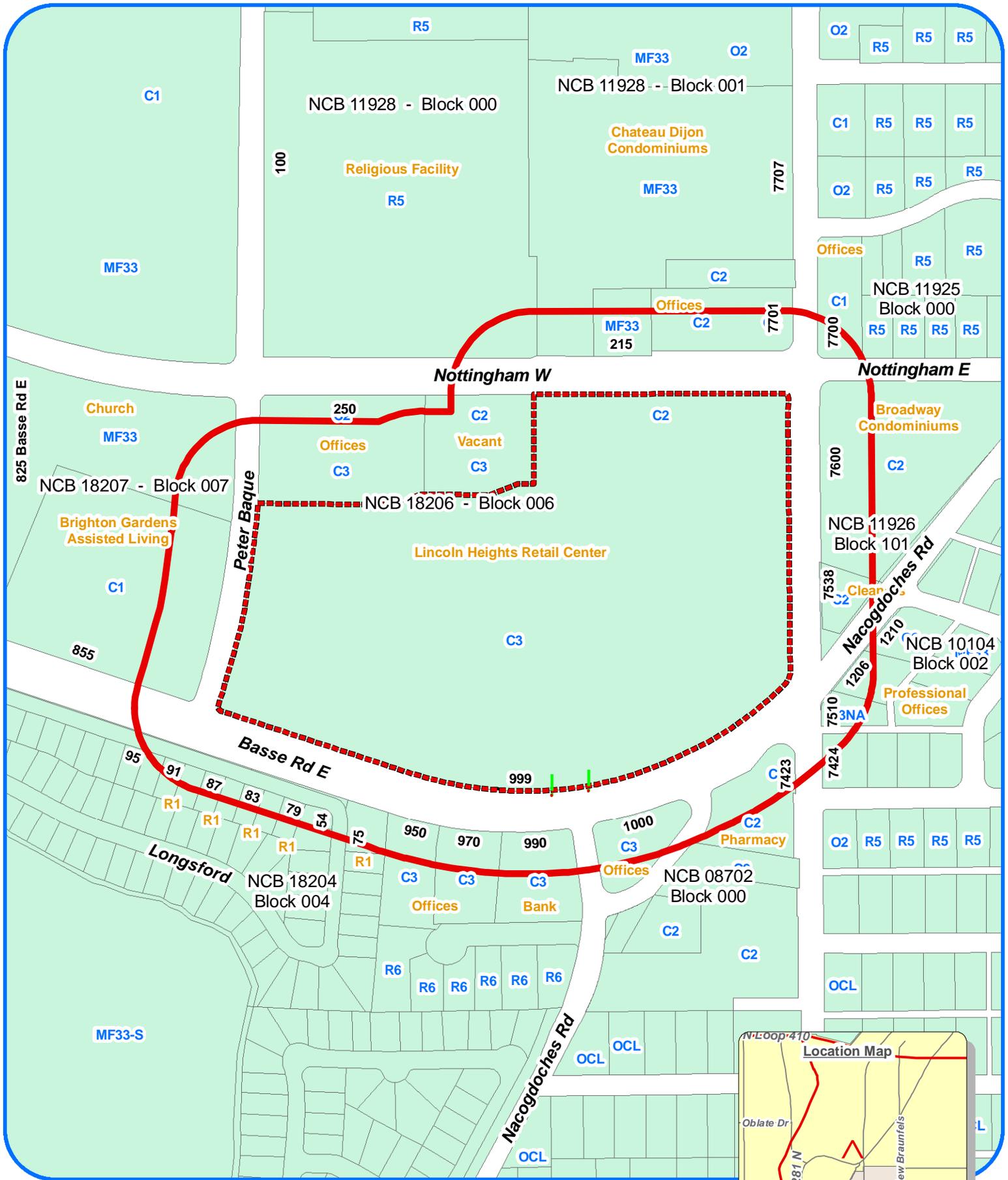


Job No.	01-0008
Drawing Title	
Date	29 JAN 2008
Sheet	

ADDITION & REMODEL
FOR THE
LACKEY RESIDENCE
3710 MARY MONT DRIVE
SAN ANTONIO, TEXAS 78217

C. M. GATES
ARCHITECT, AIA
PHONE 484-1487
FAX 526-3127

NOT FOR CONSTRUCTION
UNLESS OTHERWISE
SPECIFIED



Board of Adjustment
Notification Plan for
Case A-09-035



Legend
 Subject Property -----
 200' Notification Buffer —————
 Scale: 1" approx. = 300'
 Council District(s) = 9



CASE NO: A-09-035

Board of Adjustment – March 16, 2009

Applicant: Reata Property Management, Inc.

Owner: Alecta Real Estate USA, LLC.

Request(s): A 75-foot variance from the requirement that freestanding signs be spaced a minimum of 150 linear feet apart along streets classified as Arterial “Type A or B”, in order to construct two freestanding signs 75 linear feet apart along a street classified as an Arterial “Type A”.

Legal Description: The northeast irregular 597.61 feet of Lot 1, Block 6, NCB 18206

Address: 999 East Basse Road

Zoning: “C-3” General Commercial District

Existing Use: Retail Center

Neigh. Assoc: None

Neigh. Plan: None

Section of the City Code from which the variance is requested:

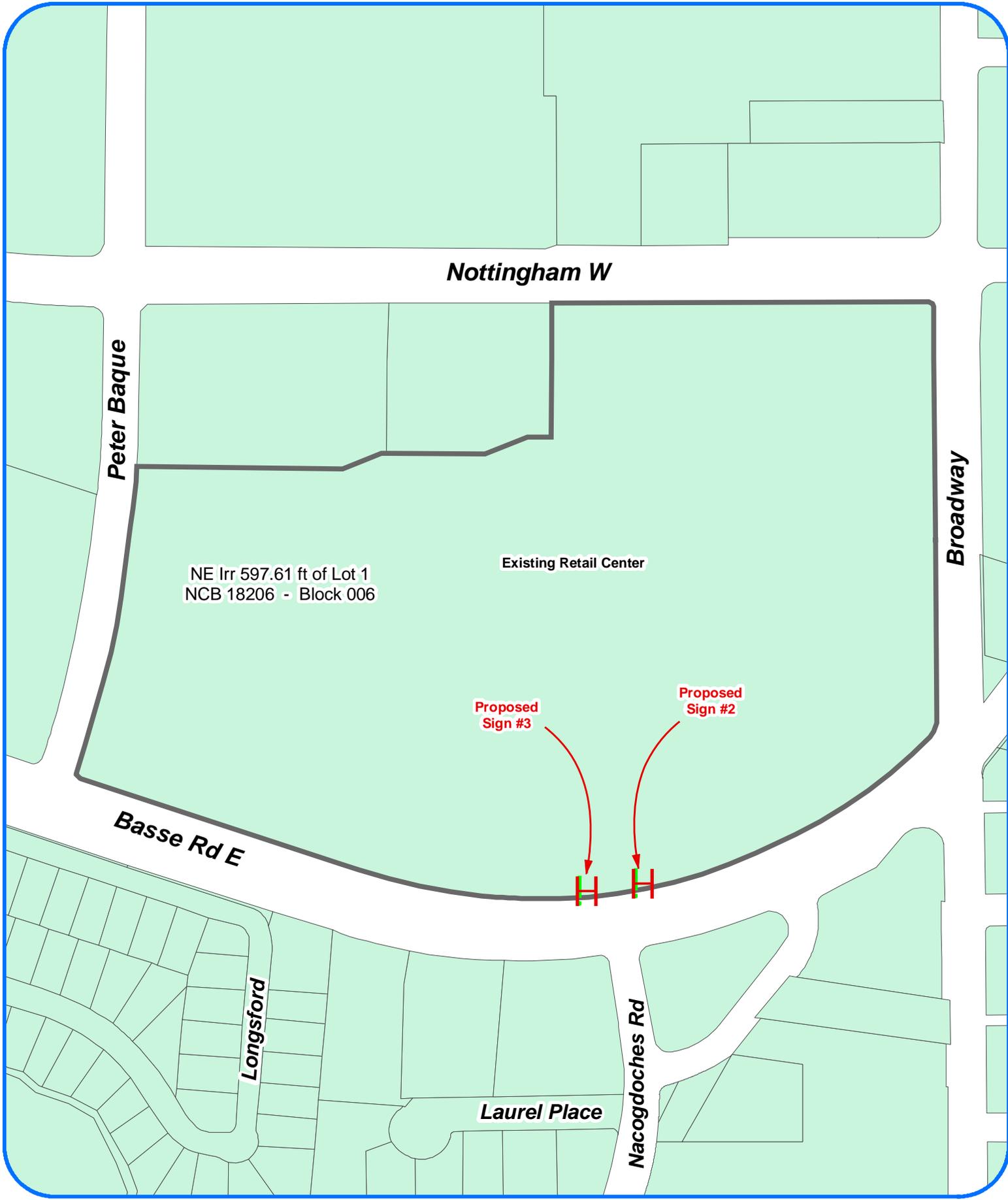
28-241 Freestanding Signs: A minimum of 150 feet of spacing is required between on-premise freestanding signs on the same lot.

Background: The subject property is a 22.54 acre lot located at the intersection of East Basse Road and Nacogdoches Road, west of the intersection of Broadway and Nacogdoches Road. The signs which are the subject of this case are located at an entrance to the center and front East Basse Road at the intersection with Nacogdoches Road. Two existing signs currently are situated at this entrance, approximately 50 feet apart, on either side of the driveway. Commercial uses and zoning are present to the south, east, and west. Single-family and multi-family residential uses are also present within 200 feet of the subject property; multi-family lying to the north and east, while single-family residential uses lie to the south. These single-family residences do not front onto East Basse Road and are screened by the perimeter fencing of the subdivision. The applicant is requesting this variance in order to replace one of the existing signs with a new monument sign. This sign is proposed to be within the required 150 foot minimum distance.

Recommendation: The intent of the sign spacing requirements is to prevent the obstruction of access and view, preserve and enhance the attractiveness of the city for the citizens and visitors, to reduce motorist distraction, and to enhance motorists’ ability to see pedestrians or other vehicles. It does not appear that the granting of this variance will compromise motorist visibility along this portion of East Basse Road, as the signs will be located at an intersection controlled by traffic lights. Additionally, the proposed new sign will be replacing an existing monument sign and will be sized under the maximum allowable height and sign cabinet size for monument signs. Staff recommends **approval** of the requested sign variance.

Project Planner: Jacob Floyd, Planner (210) 207-8318

Other Staff Contact: Arturo Elizondo, Sign Inspector (210) 207-8289



Board of Adjustment
Plot Plan for
Case A-09-035



Scale: 1" approx. = 200'
Council District 9

999 Basse Rd E

Planning and Development Services Dept
City of San Antonio
(02/24/2009 - E Hart)

Board of Adjustment - Case No. A-09-035

March 16, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 16, 2009** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Reata Property Management, Inc.

The northeast irregular 597.61 feet of Lot 1, Block 6, NCB 18206

999 East Basse Road

Zoned: “C-3” General Commercial District and “C-2” Commercial District

A 75-foot variance from the requirement that freestanding signs be spaced a minimum of 150 linear feet apart along streets classified as Arterial Type A or B, in order to construct two freestanding signs 75 linear feet apart along a street classified as an Arterial Type A.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

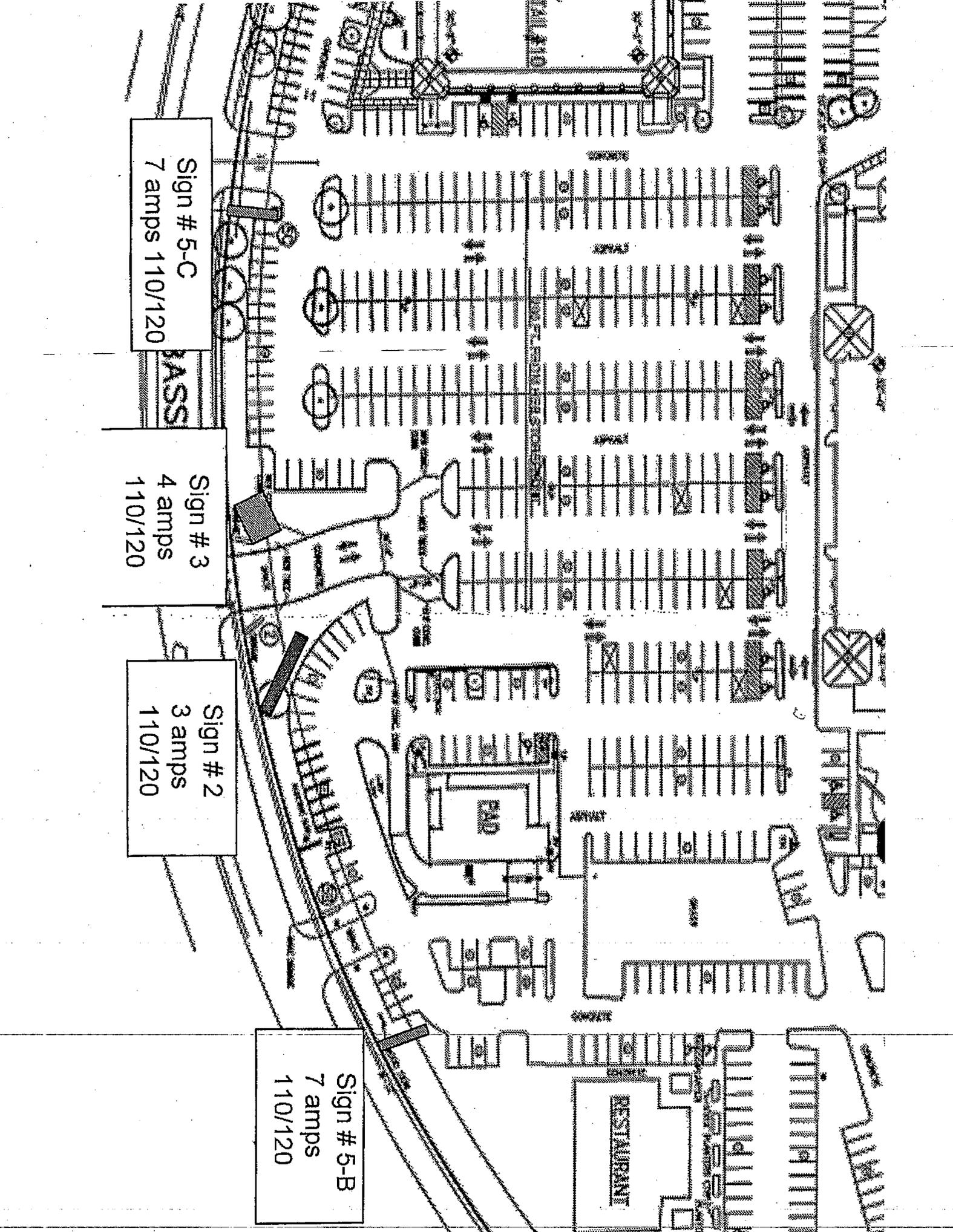
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-035



Sign # 5-C
7 amps 110/120

Sign # 3
4 amps 110/120

Sign # 2
3 amps 110/120

Sign # 5-B
7 amps 110/120

RESTAURANT

PAD

MOTORIST

MOTORIST INFORMATION CENTER

MOTORIST

MOTORIST

MOTORIST

MOTORIST

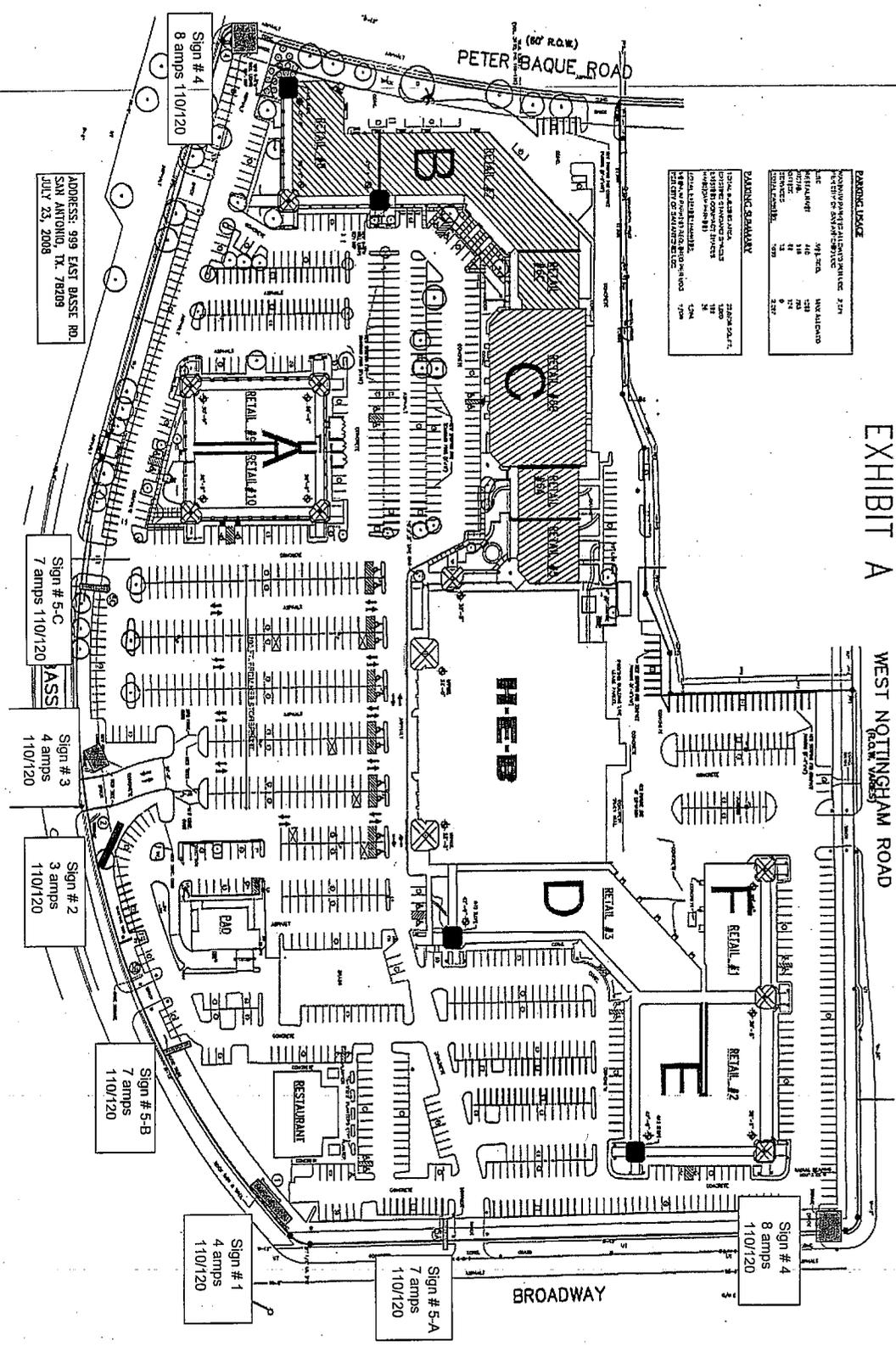
MOTORIST

MOTORIST

MOTORIST

EXHIBIT A

WEST NOTTINGHAM ROAD
REAL WALK



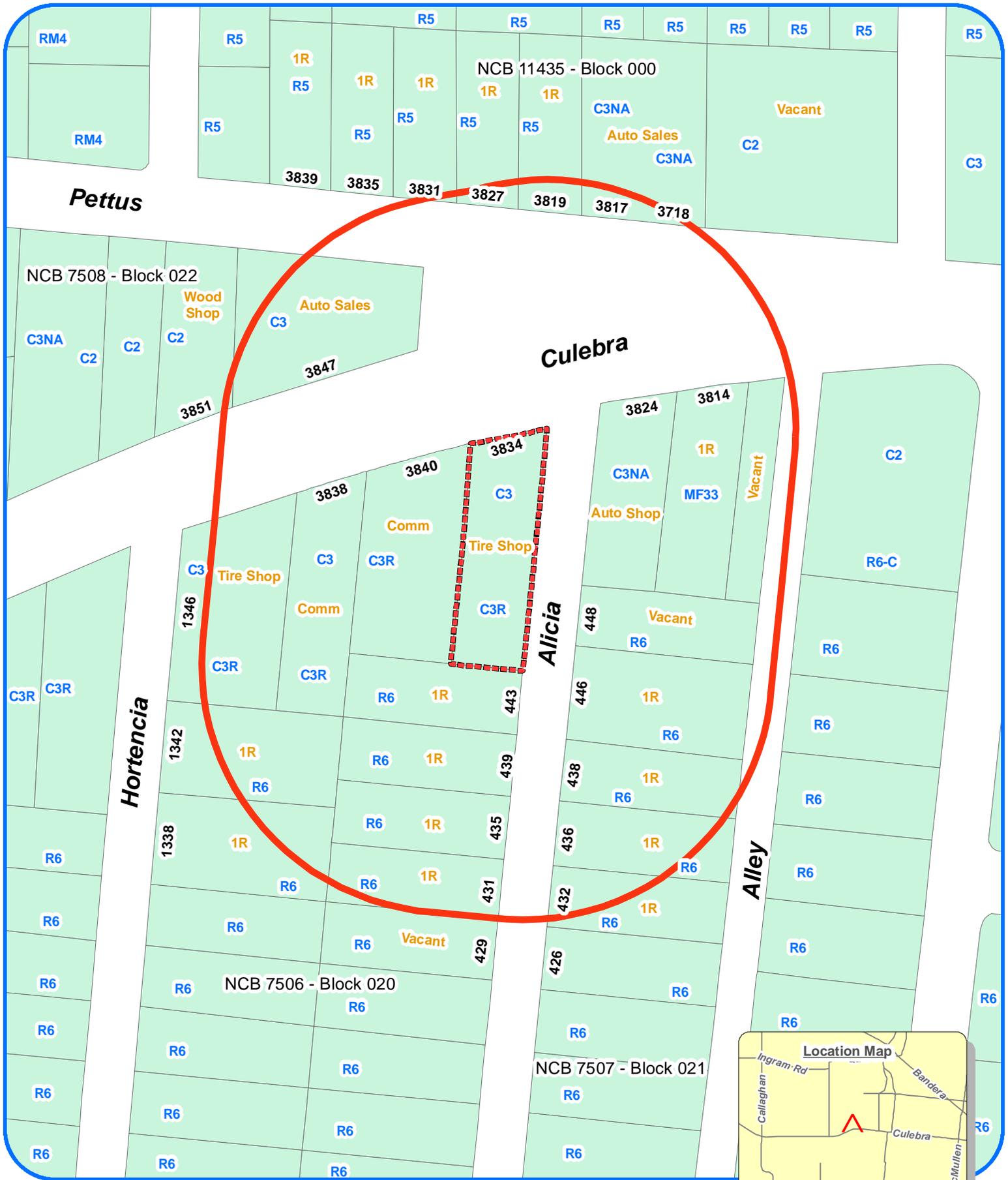
ADDRESS: 999 EAST BASSE RD
 SAN ANTONIO, TX. 78209
 JULY 23, 2008

PARKING LOT

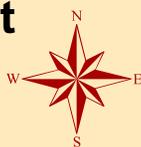
NO. OF SPACES: 220
 TYPE: ASPHALT
 SURFACE: ASPHALT
 TOTAL AREA: 10,000 SQ. FT.
 TOTAL PERMITS: 220
 TOTAL PERMITS: 220

PARKING SUMMARY

TYPE	NO. OF SPACES	PERMITS
TOTAL	220	220
AVAILABLE	140	140
OCCUPIED	80	80
TOTAL	220	220



Board of Adjustment
Notification Plan for
Case A-09-036



Legend

- Subject Property
- 200' Notification Buffer



Scale: 1" approx. = 100'
 Council District 9

City of San Antonio
 Planning & Development Services Dept.
 (02/25/2009) - PH

CASE NO: A-09-036

Board of Adjustment – March 16, 2009

Applicant: Abraham Hernandez

Owner: Abraham Hernandez

Request(s): A 10-foot variance from the requirement that a minimum 30-foot rear setback be maintained in “C-3” zoning districts when abutting residential uses or zoning districts, in order to keep an existing structure 20 feet from the rear property line.

Legal Description: Lots 56 and 57, Block 20, NCB 7506

Address: 3834 Culebra Road

Zoning: “C-3” General Commercial District and “C-3 R” General Commercial Restricted Alcoholic Sales District

Existing Use: Tire Shop

Neigh. Assoc: Loma Park

Neigh. Plan: None

Section of the City Code from which the variance is requested:

35-310 Zoning District Purpose Statements and Design Regulations: A minimum 30-foot rear setback shall be maintained in “C-3” zoning districts when abutting a residential use or zoning district.

Background: The subject property is located at the southwest corner of Culebra Road and Alicia Avenue. There is a mixture of zoning and uses surrounding the subject property, with commercial uses existing to the east and west along Culebra Road, and residential uses and zoning existing to the south. The applicant is requesting a variance in order to keep an existing carport 20 feet from the rear property line abutting residentially zoned property. The carport in question was built in 2006, and it appears that no permits were obtained for the construction of said carport. This case was initiated by a citizen complaint.

Recommendation: The intent of the minimum rear setback requirement in this case is to allow for air flow, light penetration, neighborhood uniformity, to prevent the overcrowding of lots, and to maintain a reasonable amount of open space that is desired between single-family residential neighborhoods and commercial uses. Another intent of the minimum rear setback requirement between commercial and residential uses is to protect residential uses from commercial activity. The subject property does not appear to have any unique characteristics that would create an undue hardship due to literal enforcement of the rear setback requirement. The applicant has not indicated any physical hardship on the subject property in the application provided that would warrant the granting of the requested variance. Furthermore, permits were not sought before the carport in question was constructed. Had permits been sought, the applicant would have been made aware of the required rear setback. Staff recommends **denial** of the requested variance.

Case Manager: Mike Farber, Planner (210) 207-3074

Culebra Rd.

Existing Building

NCB 07506
Block 020
Lot 56 & 57

Existing Carport

Alicia Ave.

Required 30'
Building Setback

20' Between Existing
Building and Rear
Property Line

Board of Adjustment
Plot Plan for
Case A-09-036



Scale: 1" approx. = 30'
Council District 7

3834 Culebra

City of San Antonio
Planning & Development Services Dept.
(3/12/2009) - PH

Board of Adjustment - Case No. A-09-036

March 16, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 16, 2009** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant- Abraham Hernandez

Lots 56 and 57, Block 20, NCB 7506

3834 Culebra Road

Zoned: "C-3" General Commercial District and "C-3 R" General Commercial Restricted Alcoholic Sales District

The applicant is requesting a 10-foot variance from the requirement that a minimum 30-foot rear setback be maintained in "C-3" zoning districts when abutting residential uses or zoning districts, in order to keep an existing structure 20 feet from the rear property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Mike Farber at 207-3074 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-036

HERNANDEZ
TIRE & MUFFLER
SHOP
3834 CULEBRA

1" = 20.0'

