

**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 17, 2008**  
**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
Vacant– District 4	Michael Gallagher – District 10
George Alejos – District 5	Gene Camargo – District Mayor
Mike Villyard – District 9 Chairman	
Maria Cruz	Mimi Moffat
Henry Rodriguez	Pete Vallone
Rollette Schreckenghost	

1. 1:00 PM Board Room – Public Hearing Call to Order.
2. Roll Call.
3. Pledges of Allegiance.
4. **A-08-024:** The request of Drury Southwest, Inc., to appeal the decision of the Director of the Development Services Department to follow the Board of Adjustment’s recommendation in Case A-08-024 to uphold the Chief Sign Inspector’s decision to issue a stop work order for the reconstruction of an on-premise free-standing pole sign, and the interpretation of Chapter 28 Section 245 by the Chief Sign Inspector that the reconstruction of an on-premise freestanding sign cabinet from a nonconforming sign, without first obtaining the proper approvals, resulted in the termination of nonconforming rights to the sign, 8818 Jones Maltsberger Road.
5. **A-08-030:** The request of Quick Signs, to appeal the interpretation of 28-245 by the Chief Sign Inspector that the removal and rebuilding of the nonconforming on-premise freestanding sign cabinet resulted in a violation and the termination of nonconforming rights to the sign, 8400 Marbach Road.
6. **A-08-034:** The request Joe Alvarez, for a 2-foot variance from the requirement that solid screen fences in side and rear yards be no taller than 6 feet, in order to keep 8-foot tall solid screen fence in the rear yard, 6710 Babcock Road.

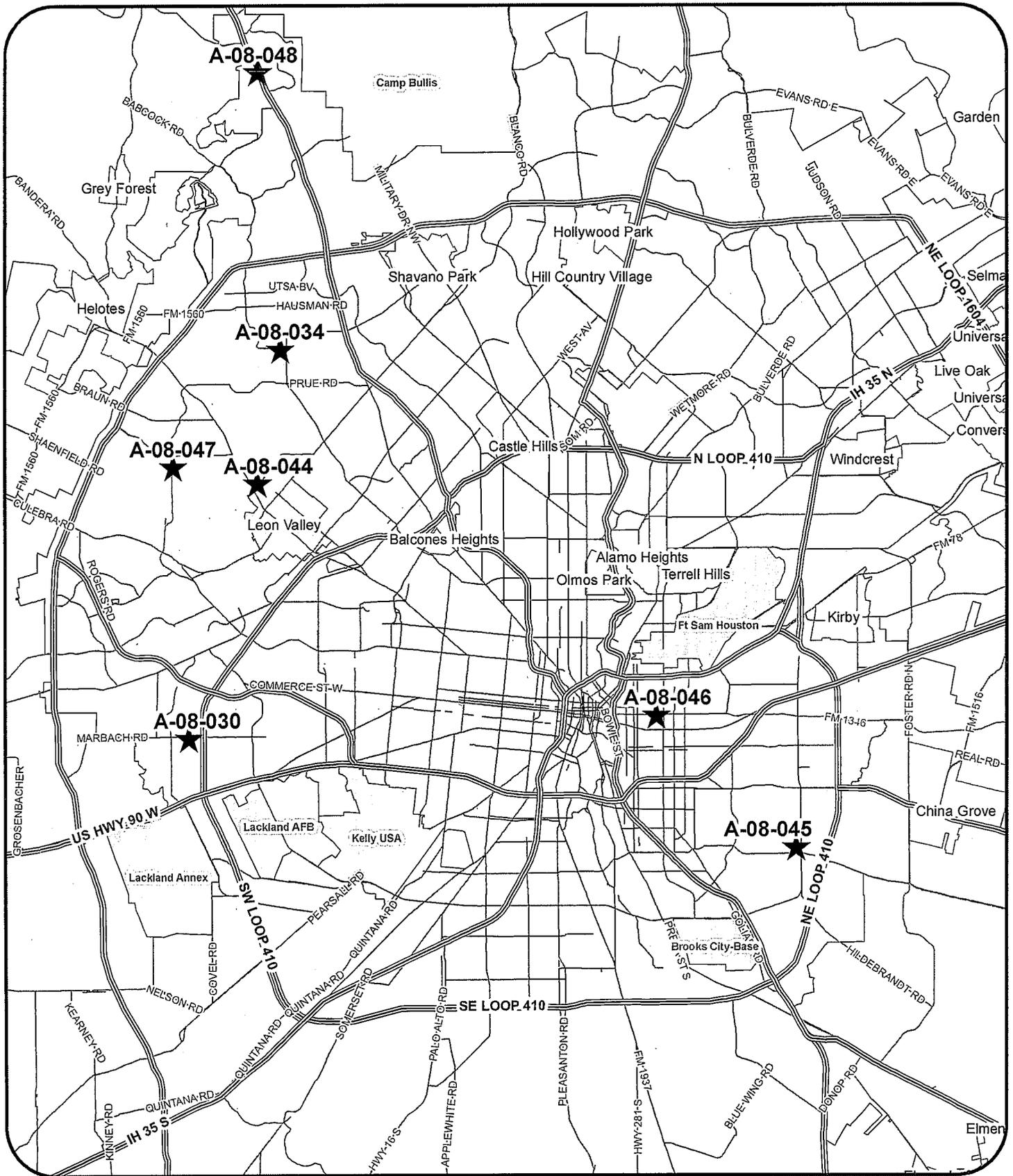
7. **A-08-045:** The request of Sandra L. Kubena, for a complete variance from the requirement that a minimum 5-foot side and rear setback be maintained in "R-5" districts to keep an accessory structure on the side and rear property lines, 4439 Forestgreen Avenue.
8. **A-08-046:** The request of Eliazar Sanchez, for a 25-foot variance from the Unified Development Code requirement that a minimum 30-foot rear setback be maintained for "C-3" zoning, in order to keep an existing structure 5-feet from the rear property line, 2038 East Houston Street.
9. **A-08-047:** The request of Adalberto Hernandez, for a 2-foot variance from the requirement that fences in side and rear yards be no taller than 6 feet, in order to keep an 8-foot tall fence in the side and rear yard, 7990 Tezel Road.
10. **A-08-048:** The request of One Dominion Place, for a 10-foot variance from the Hill Country Gateway Corridor District Plan requirements that a minimum 25-foot natural buffer be maintained on the front property line for properties along IH-10 in order to allow a 15-foot natural buffer along the front property line, 23127 and 23103 IH-10 West.
11. Consideration of **Sign Master Plan No. 08-008**, Centerview Shopping Center, located at North West Loop 410 and Callaghan Road.
12. Consideration of **Sign Master Plan No. 08-009**, University Heights, located at West Hausman and University Heights.
13. Discussion of potential Unified Development Code (UDC) amendments.
14. Approval of the minutes from the regular meeting on March 3, 2008.
15. Staff Report.
16. 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.
17. **Adjournment**

**Note:** The City of San Antonio Board of Adjustment Agenda can be found on the Internet at: [www.sanantonio.gov/dsd](http://www.sanantonio.gov/dsd)

At any time prior to the meeting, you may contact a case manager at 207-6944 to check the status of a case.

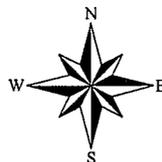
**Accessibility Statement**

This meeting is wheelchair accessible. The accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located in front and rear of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling (210) 207-7245.

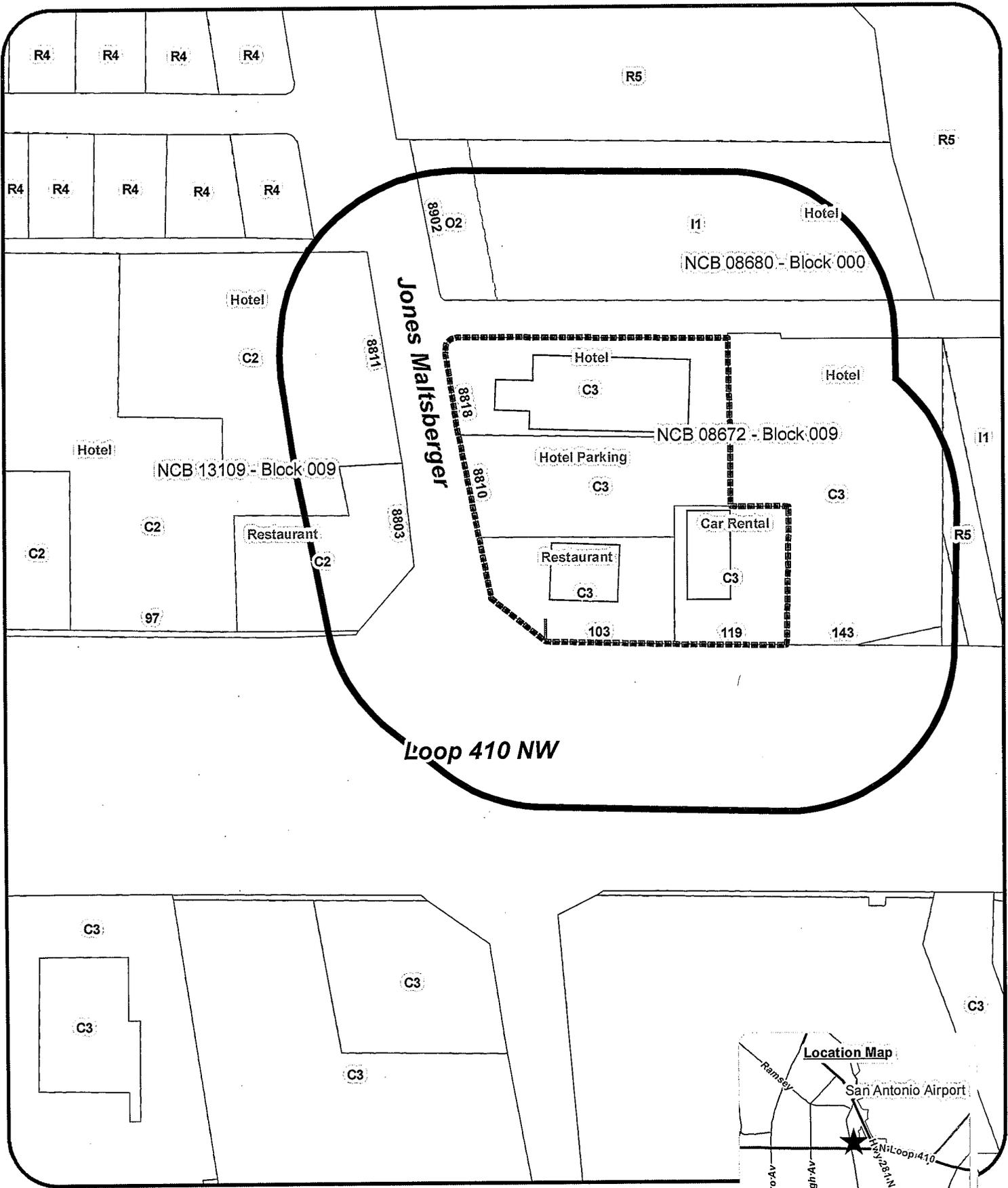


# Board of Adjustment

Subject Property Locations  
Cases for March 17, 2008



Produced by the City of San Antonio  
Development Services Department  
(02/28/2008)



**Board of Adjustment**  
**Notification Plan for**  
**Case A-08-024**



**Legend**

Subject Property   
 200' Notification Buffer 

Scale: 1" approx. = 150'  
 Council District 9

Produced by the City of San Antonio  
 Development Services Department  
 (12/06/2007)

# Board of Adjustment - Case No. A-08-024

March 17, 2008

The Board of Adjustment will hold a Public Hearing at 10:00 AM on **Monday, March 17, 2008** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Drury Southwest, Inc.  
The south 73.23 feet of Lot 37, Block 9, NCB 8672  
8818 Jones Maltsberger  
Zoned: “C-3” Commercial District

The applicant is appealing the decision of the Director of the Development Services Department to stop work on an on-premise free-standing pole sign, and the interpretation of 28-245(a) by the Chief Sign Inspector as it relates to this on-premise freestanding sign cabinet.

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.**

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

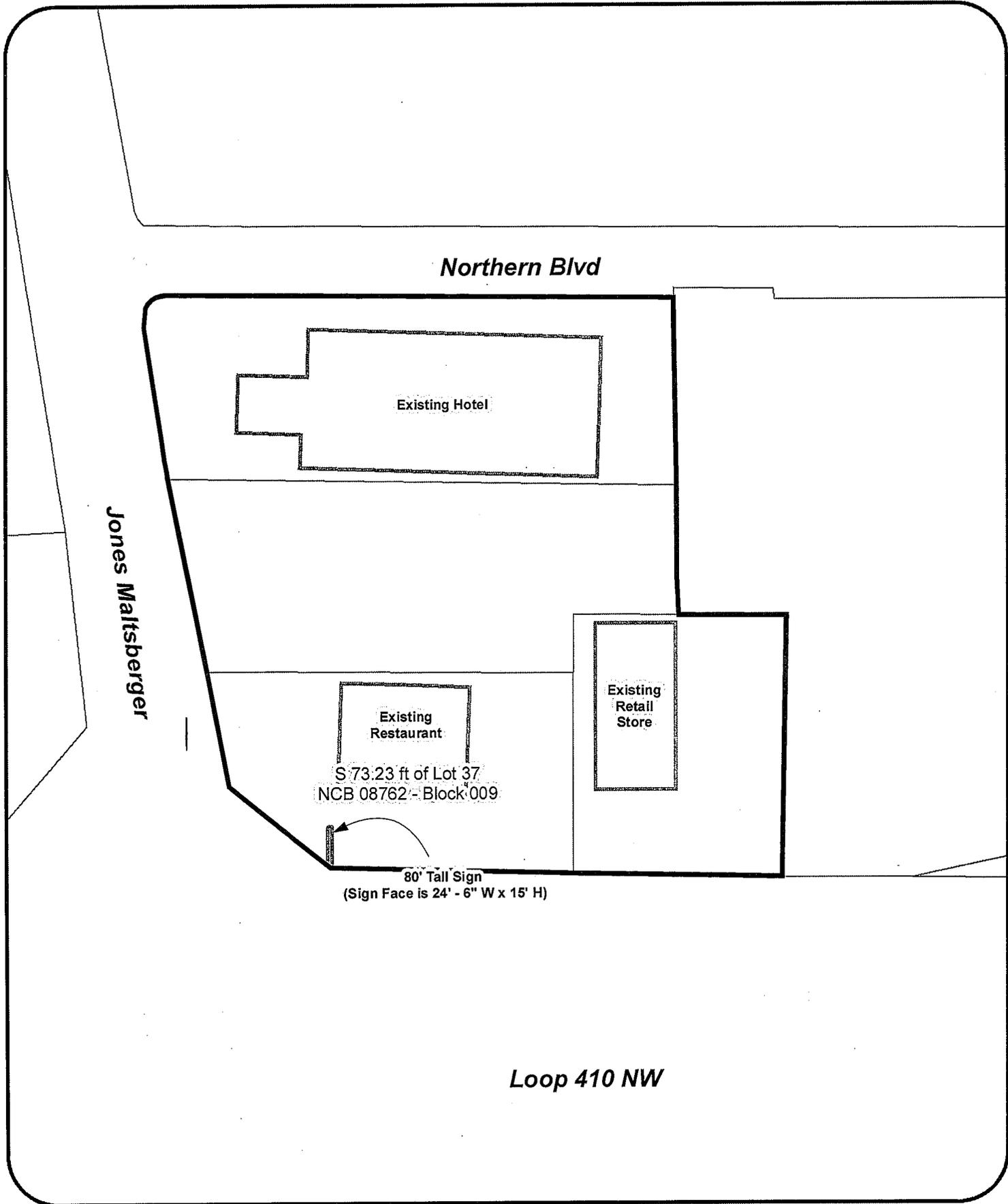
**Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.**

Name/Nombre: \_\_\_\_\_ Telephone/Telefono: \_\_\_\_\_  
Address/Direccion: \_\_\_\_\_  
Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

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

Comments/Comentarios: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A-08-024



**Board of Adjustment**

**Plot Plan for  
Case A-08-024**



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

**8818 Jones Maltzberger**

Produced by the City of San Antonio  
Development Services Department  
(12/05/2007)

# CASE NO: A-08-024

Board of Adjustment – March 17, 2008

**Applicant:** Drury Southwest, Inc.

**Owner:** Auburn Investments Inc.

**Request(s):** The applicant is appealing the decision of the Director of the Development Services Department to follow the Board of Adjustment's recommendation in Case A-08-024 to uphold the Chief Sign Inspector's decision to issue a stop work order for the reconstruction of an on-premise free-standing pole sign, and the interpretation of Chapter 28- Section 245 by the Chief Sign Inspector that the reconstruction of an on-premise freestanding sign cabinet from a nonconforming sign, without first obtaining the proper approvals, resulted in the termination of nonconforming rights to the sign.

**Legal Description:** The south 73.23 feet of Lot 37, Block 9, NCB 8672

**Address:** 8818 Jones Maltzberger Road

**Zoning:** "C-3" Commercial District

**Existing Use:** Hotel/Motel

**Neigh. Assoc:** None

**Neigh. Plan:** None

**Sections of the City Code justifying this request:**

**28-246 Appeals and variances to Article IX of Chapter 28 of the City Code:** Any decision based on an interpretation of Article IX made by the Chief Sign Inspector may be appealed to the Board of Adjustment. After hearing the parties, the Board shall make a recommendation to the Director of Development Services to either uphold or to modify the inspector's decision.

**28-247 Variance and Appeals Procedures:** Any person requesting to appeal a decision of the director of Development Services shall submit a written request.

**35-481 Appeals to the Board of Adjustment:** Any person aggrieved by the decision of an administrative official may appeal that decision to the Board of Adjustment.

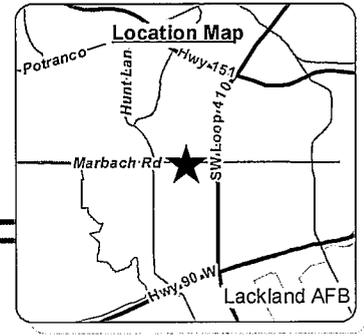
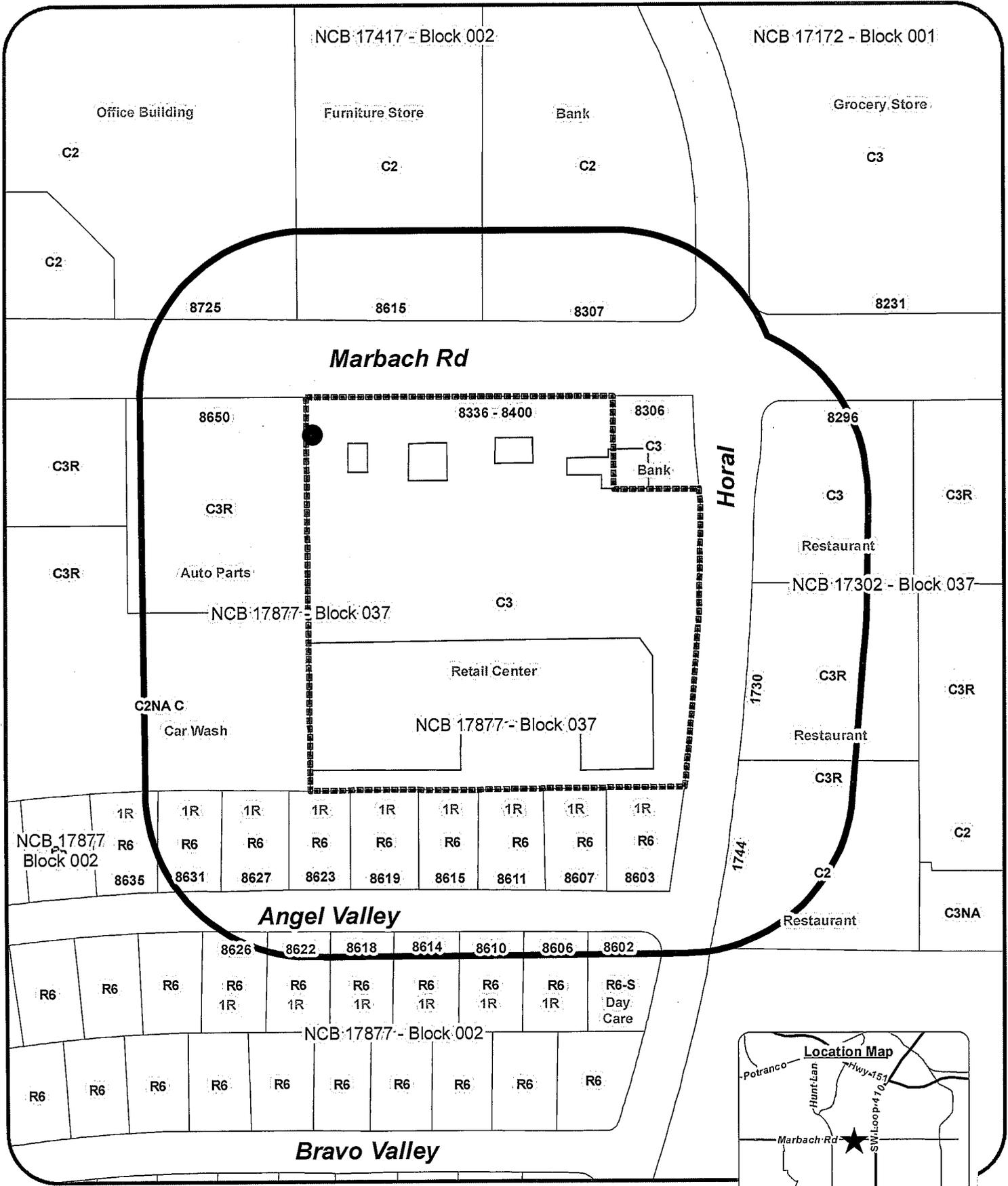
**Background:** The subject property is located on the City's north side, outside of Northeast Loop 410, between McCullough Avenue and US 281 North and Vance Jackson Road. The subject property lies on the eastside of Jones Maltzberger Road and is utilized as a hotel. Commercial and office zoning and uses surround the subject property. A Best Western Inn hotel currently occupies the subject property. An existing on-premise free-standing pole sign is oriented to the northeast corner of Northeast Loop 410 access road and Jones Maltzberger Road. Expressway standards apply to the property allowing for a 50 foot tall sign with a total of 375 square feet of sign face area. The pole sign in question is 80 feet tall and supports one sign cabinet. The applicant received a permit requesting to reface the existing nonconforming sign cabinet. The Chief Sign Inspector later issued a stop-work order for the reconfiguring of the on-premise free-standing pole sign based on the Inspector's interpretation of Section 28-245(1), which states that freestanding pole signs that are nonconforming may be only be refaced and/or have general maintenance performed as defined in this chapter. 28-6

*Reface* as it pertains to on-premise signs, shall be defined as replacing, restoring, repainting or repairing the existing advertising sign face area which is attached, annexed, or supported from the sign cabinet and/or main structure. It shall not include any rebuilding, reconstruction or reconfiguration of the existing sign cabinet and/or existing support structure.

**Recommendation:** The reconfiguration of the sign cabinet from the original shape resulted in the loss of previously held nonconforming rights to the sign. The loss of nonconforming rights prevents the reestablishment of the pole sign to its previous condition or any alteration thereafter without conforming to the current sign and billboard standards. The applicant has not provided convincing evidence that the Director of the Development Services Department erred in the decision to concur with the recommendation of the Board of Adjustment to uphold the Chief Sign Inspector's decision to issue a stop work order for the reconstruction of an on-premise free-standing pole sign, and the interpretation of 28-245 by the Chief Sign Inspector that the reconstruction of an on-premise freestanding sign cabinet from a nonconforming sign, without first obtaining the proper approvals, resulted in the termination of nonconforming rights to the sign. Staff recommends that the Board **uphold** the decision of the Director of the Development Services Department.

**Case Manager:** Mike Farber, Planner (210) 507-7203

David Simpson, Chief Sign Inspector (210) 207-8289



**Board of Adjustment**  
**Notification Plan for**  
**Case A-08-030**



**Legend**  
 Subject Property   
 200' Notification Buffer

Scale: 1" approx. = 150'  
 Council District 4

Produced by the City of San Antonio  
 Development Services Department  
 (01/17/2008)

# Board of Adjustment - Case No. A-08-030

March 17, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 17, 2008** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Quick Signs  
Lot 3, Block 37, NCB 17877  
8400 Marbach Road  
Zoned: “C-3” Commercial District

To appeal the interpretation of Section 28-245 (Sign Code) by the Chief Sign Inspector that the removal and rebuilding of the nonconforming on-premise freestanding sign cabinet resulted in a violation and the termination of nonconforming rights to the sign.

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.**

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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-08-030**

**Marbach Rd**

Existing Pylon Sign  
(30 H x 12'W)  
(216 sq ft Sign Surface)

45' Between Sign  
and Front Property Line

Existing  
Restaurant

Existing  
Restaurant

Existing  
Restaurant

Existing  
Bank

**Horai**

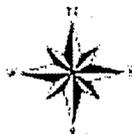
Lot 3 (Lackland City Unit:110C)  
NCB 17877 - Block 037

Existing Retail

**Angel Valley**

**Board of Adjustment**

Plot Plan for  
Case A-08-030



Scale: 1" approx. = 80'  
Council District 4

**8400 Marbach Rd**

Produced by the City of San Antonio  
Development Services Department  
(01/18/2008)

# CASE NO: A-08-030

Board of Adjustment – March 17, 2008

**Applicant:** Quick Signs

**Owner:** US Dollar Store

**Request(s):** To appeal the interpretation of 28-245 by the Chief Sign Inspector that the removal and rebuilding of the nonconforming on-premise freestanding sign cabinet resulted in a violation and the termination of nonconforming rights to the sign.

**Legal Description:** Lot 3, Block 37, NCB 17877

**Address:** 8400 Marbach Road

**Zoning:** "C-3" Commercial District

**Existing Use:** Retail Strip Center

**Neigh. Assoc:** Rainbow Hills Neighborhood Association

**Neigh. Plan:** None

**Sections of the City Code justifying this request:**

**28-246 Appeals and variances to Article IX of Chapter 28 of the City Code:** Any decision based on an interpretation of Article IX made by the Chief Sign Inspector may be appealed to the Board of Adjustment. After hearing the parties, the Board shall make a recommendation to the Director of Development Services to either uphold or to modify the inspector's decision.

**28-247 Variance and Appeals Procedures:** Any person requesting to appeal a decision of the Director of Development Services shall submit a written request.

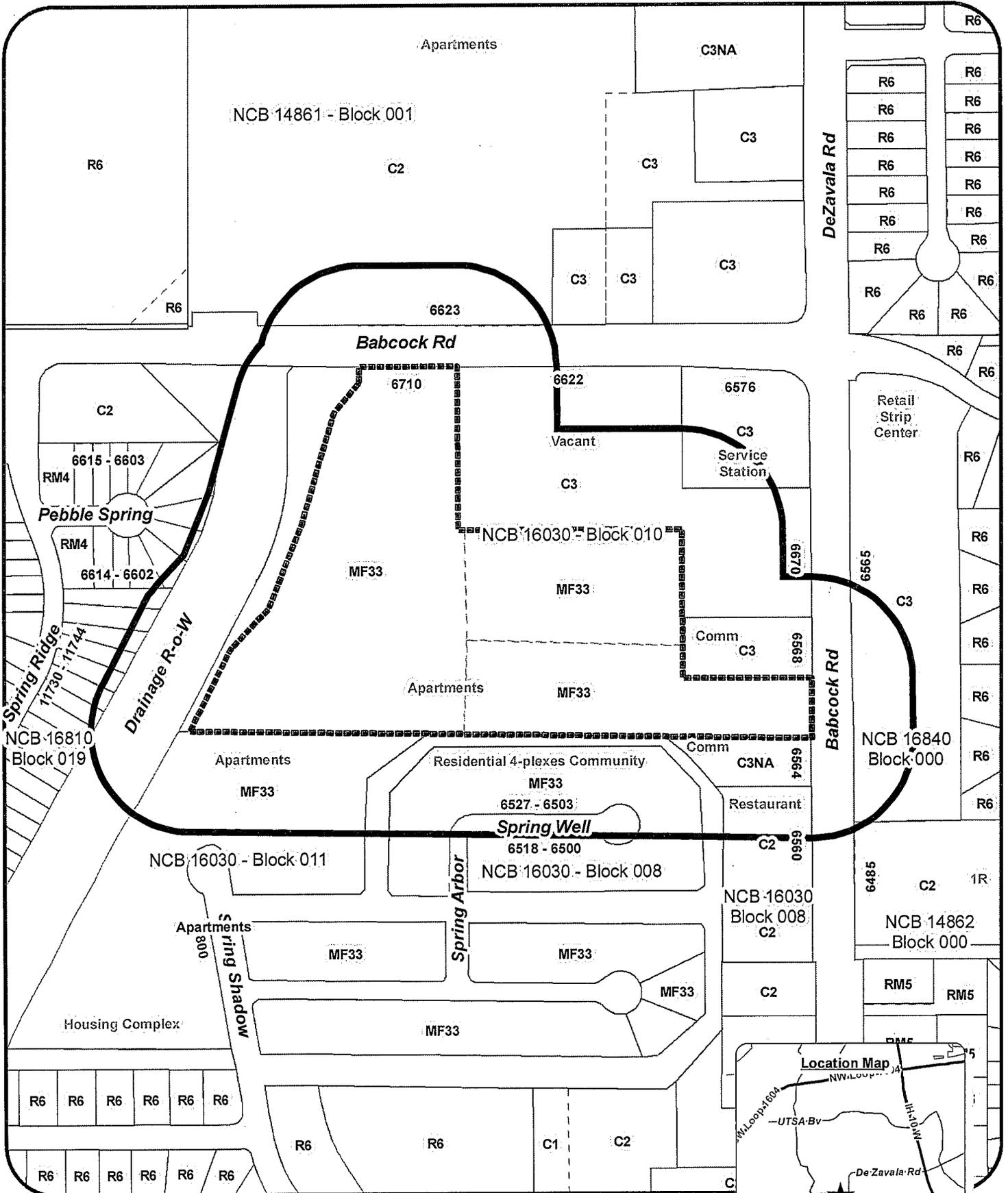
**35-481 Appeals to the Board of Adjustment:** Any person aggrieved by the decision of an administrative official may appeal that decision to the Board of Adjustment.

**Background:** The subject property is located on the City's west side, outside of West Loop 410, east of Hunt Lane. The subject property lies on the south side of Marbach Road and is utilized as a retail strip center. Commercial zoning and uses surround the subject property. An existing on-premise multi-tenant sign is oriented to the northwest portion of the retail strip center. The applicant was issued a permit to install the building sign and reface an existing nonconforming multi-tenant sign. The existing sign does not conform to the spacing requirements between signs. The sign cabinet was found to be removed without obtaining the necessary approvals and was rebuilt which resulted in the loss of nonconforming rights to the sign. Section 28-245(1), states that multi-tenant signs that are nonconforming may only be refaced and/or have general maintenance performed as defined in this chapter. *Reface* is defined as replacing, restoring, repainting or repairing the existing advertising sign face area which is attached, annexed, or supported from the sign cabinet and/or main structure. It shall not include any rebuilding, reconstruction or reconfiguration of the existing sign cabinet and/or

existing support structure. 28-245(1) further states that: In general, whenever the sign cabinet is removed it shall, at that time, lose its nonconforming status; however, the sign cabinet, if of exceptional height, size or unusual shape, may be lowered to the ground to facilitate the above mentioned general maintenance and/or refacing due to property or personnel safety considerations, if first approved by the director of building inspection. Any violation of these provisions shall terminate immediately the right to maintain a nonconforming sign.

**Recommendation:** The removal of the sign cabinet without prior approvals, combined with the fact the nonconforming sign cabinet was reconfigured and/or rebuilt resulted in the loss of previously held nonconforming rights to the sign. The loss of nonconforming rights prevents the reestablishment of the pole sign to its previous condition or any alteration thereafter without conforming to the current sign provision requirements. The applicant has not provided convincing evidence that the Chief Sign Inspector of the Development Services Department erred in this decision. Staff recommends that the Board **recommend upholding** the decision of the Chief Sign Inspector for the Development Services Department.

**Case Manager:** Mike Farber, Planner (210) 207-3074  
David Simpson, Chief Sign Inspector (210) 207-8289



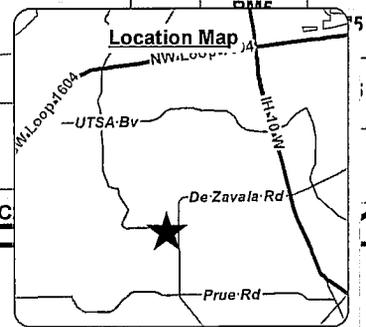
**Board of Adjustment**  
**Notification Plan for**  
**Case A-08-034**



**Legend**

Subject Property   
 200' Notification Buffer 

Scale: 1" approx. = 250'  
 Council District 8



Produced by the City of San Antonio  
 Development Services Department  
 (01/23/2008)

# Board of Adjustment - Case No. A-08-034

March 17, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 17, 2008** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Joe Alvarez  
Lot 4, Block 10, NCB 16030  
6710 Babcock Road  
Zoned: "MF-33" Multi-Family District

The applicant is requesting a 2-foot variance from the requirement that solid screen fences in side and rear yards be no taller than 6 feet, in order to keep an 8-foot tall solid screen fence 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 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.

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

Name/Nombre: \_\_\_\_\_ Telephone/Telefono: \_\_\_\_\_

Address/Direccion: \_\_\_\_\_

Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

( ) In Favor/A Favor

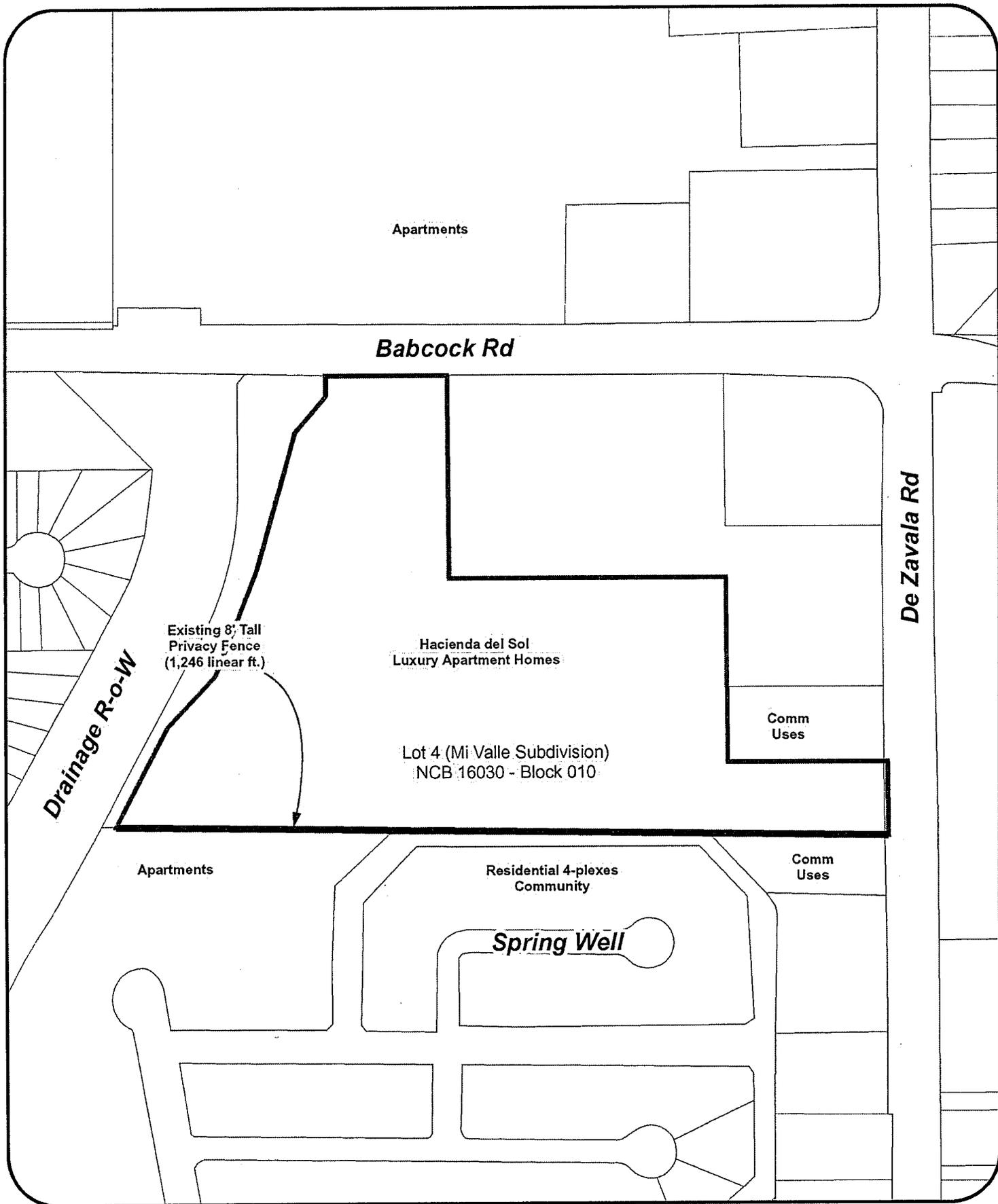
( ) In Opposition/En Oposicion

Comments/Comentarios: \_\_\_\_\_

\_\_\_\_\_

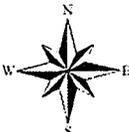
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**A-08-034**



**Board of Adjustment**

Plot Plan for  
**Case A-08-034**



Scale: 1" approx. = 200'  
 Council District 8

**6710 Babcock Rd**

Produced by the City of San Antonio  
 Development Services Department  
 (01/24/2008)

# CASE NO: A-08-034

Board of Adjustment – March 17, 2008

**Applicant:** Joe Alvarez

**Owner:** Babcock Creek Properties, LTD.

**Request(s):** A 2-foot variance from the requirement that solid screen fences in side and rear yards be no taller than 6 feet, in order to keep an 8-foot tall solid screen fence in the rear yard.

**Legal Description:** Lot 4, Block 10, NCB 16030

**Address:** 6710 Babcock Road

**Zoning:** "MF-33" Multi-Family District

**Existing Use:** Apartment complex

**Neigh. Assoc:** Oxbow Neighborhood Association (within 200 feet)

**Neigh. Plan:** None

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

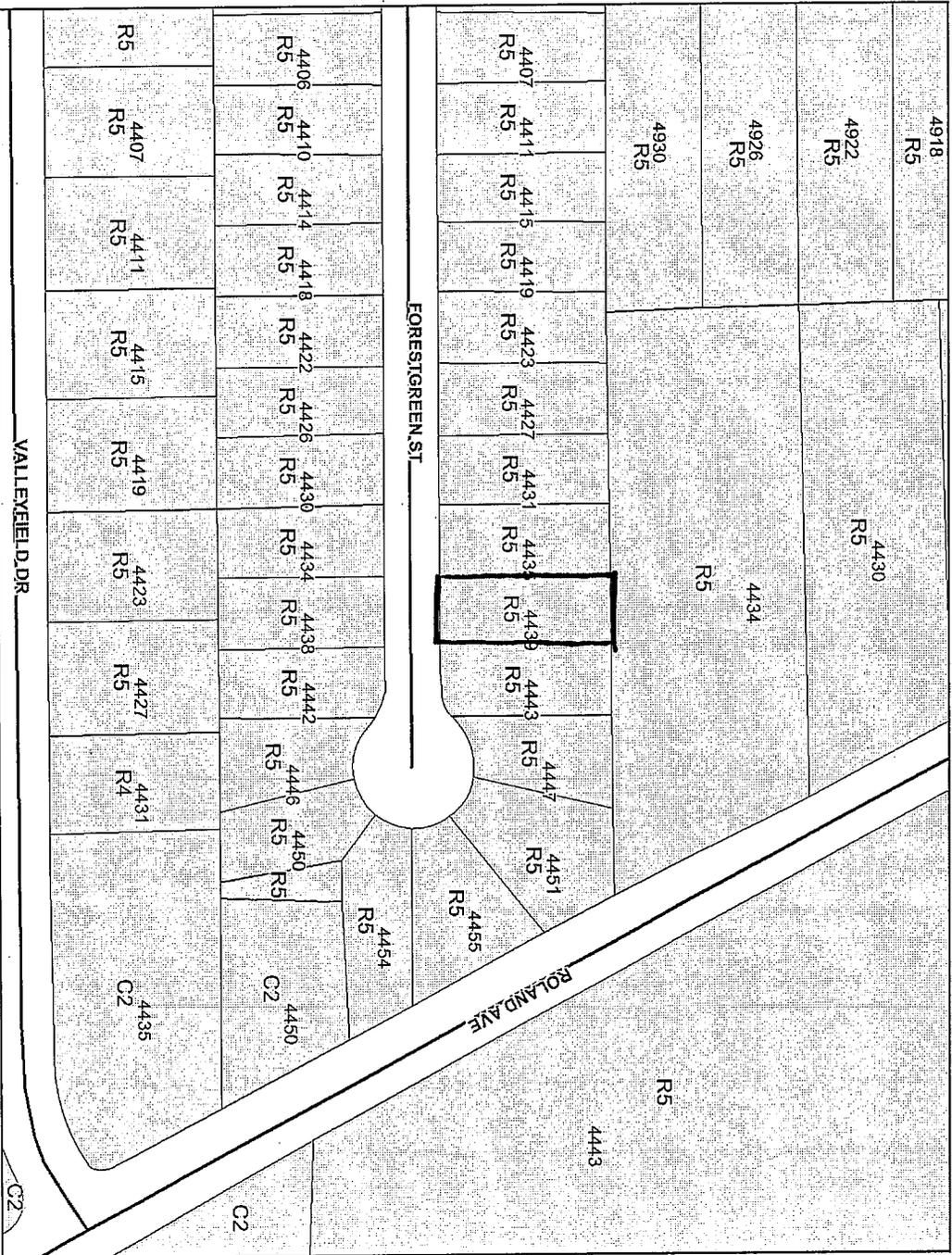
**Section 35-514 Fences and Walls:** No fence shall be erected or altered in any front yard (that area extending the full width of a lot between the front lot line and the nearest principal structure) to exceed a height of four (4) feet with the fence or wall to be so constructed that vision will not be obscured above a height of three (3) feet. No fence shall be erected or altered in any side or rear yard to exceed a height of six (6) feet.

**Background:** The subject property is situated on the south side of Babcock Road and is occupied an existing apartment complex. The subject property is situated west of De Zavala Road, north of Prue Road. A 140-foot drainage easement abuts to the west and residential uses lie to the south. The applicant built an 8-foot tall solid screen fence along the southern property line without the required building permit. According to the applicant the 8-foot tall fence would act as a "buffer" between the apartment complex and the adjacent residential neighbors.

**Recommendation:** The intent of the maximum fence height requirement in rear and side 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. A 6-foot tall solid screen fence is typically deemed sufficient to provide the desired screening between residences. While an 8-foot tall fence does not offer complete screening from multiple storied buildings, two additional feet in fence height seems like a reasonable attempt to add some additional privacy. Staff recommends **approval** of the variance request.

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

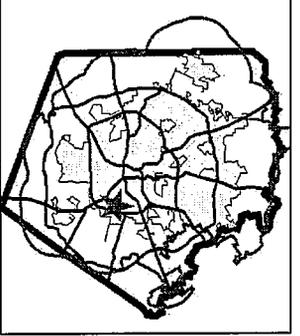
A-08-045



Map center: 2157483, 13685111

Notes: Subject Property - 4439 Forestgreen Street

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



Legend

- Parcels
- Lakes
- Military Bases
- San Antonio City Limits
- Incorporated Towns
- Bexar County
- Bexar Streets
- Parcel Addresses
- Zoning

- B2NA
- C1
- C2
- C2NA
- C3
- C3NA
- C3R
- D
- I1
- I2
- L
- MF25
- MF33
- MF40
- NC
- NP-10
- NP-15
- NP-8
- O1
- O2
- OCL
- R20
- R4
- R5
- R8

Scale: 1:1,461



# Board of Adjustment - Case No. A-08-045

March 17, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 17, 2008** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Sandra L. Kubena  
Lot 29, Block 1, NCB 13572  
4439 Forestgreen Street  
Zoned: “R-5” Residential Single-Family District

The applicant is requesting a complete variance from the requirement that a minimum 5-foot side and rear setback be maintained in “R-5” districts to keep an accessory structure on the side and rear property lines.

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.

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Address/Direccion: \_\_\_\_\_  
Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

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

Comments/Comentarios: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**A-08-045**

Existing  
11' 4" X 12' 0" Shed

12' Electric, Gas, Television,  
and Cable TV Easement

Existing  
Residence

Lot 29  
Block 1  
NCB 13572

Forest Green St

**Board of Adjustment**

**Plot Plan for  
Case A-08-045**



Scale: 1" approx. = 20'  
Council District 5

**4439 Forest Green St**

Produced by the City of San Antonio  
Development Services Department  
(03/06/2008)

# CASE NO: A-08-045

Board of Adjustment – March 17, 2008

**Applicant:** Sandra L. Kubena  
**Owner:** Sandra L. Kubena  
**Request(s):** The applicant is requesting a complete variance from the requirement that a minimum 5-foot side and rear setback be maintained in "R-5" districts to keep an accessory structure on the side and rear property lines.  
**Legal Description:** Lot 29, Block 1, NCB 13572  
**Address:** 4439 Forestgreen Street  
**Zoning:** "R-5" Residential Single-Family District  
**Existing Use:** Single-Family Residence  
**Neigh. Assoc:** Pecan Valley Neighborhood Association  
**Neigh. Plan:** None

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

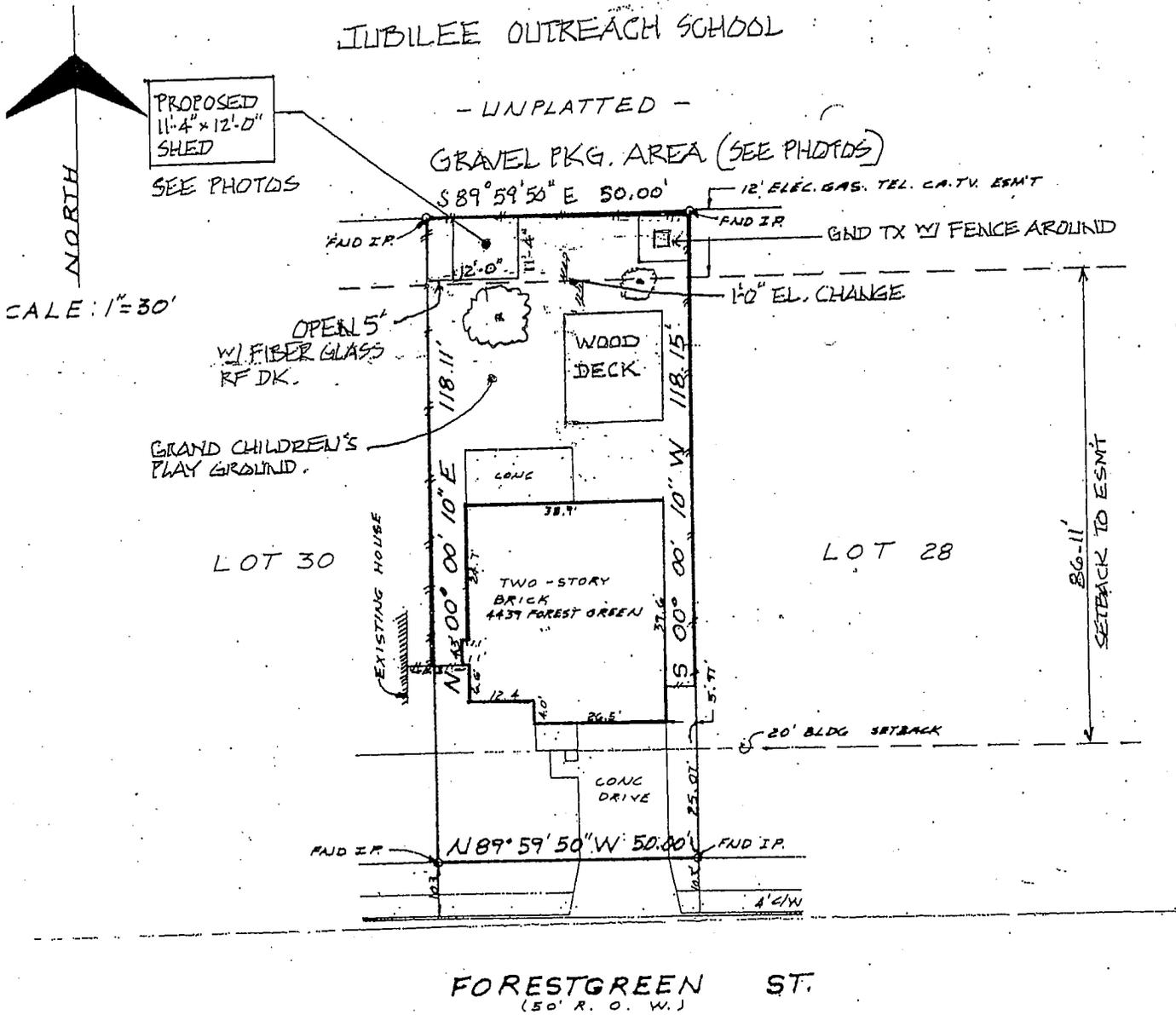
**Section 35-310 Zoning District Purpose Statements and Design Regulations:** A minimum 5-foot side setback is required in "R-5" zoning districts.

**Background:** The subject property is located on Forestgreen Street, just east of IH-37. The property sits in a residential neighborhood, and is primarily surrounded by single-family residences. R-5 zoning exists on all sides of the subject property, and the property to the north is occupied by a school which is owned by a nearby church. The applicant is applying for a variance to keep an existing shed on the rear and side property lines on the northwest side of the subject property. The shed sits within an existing 12-foot maintenance access easement; said easement for electrical, gas, and cable television lines that run throughout the rear 12 feet of all the properties on the block. The applicant is applying for a variance from the minimum rear and side setbacks in order to keep an existing shed on the rear and side property lines.

**Recommendation:** The intent of the side setback requirement 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 in single-family residential neighborhoods. This lot does not appear to be characterized by any unique terrain features where literal enforcement of the front setback requirement would result in unnecessary hardship. Furthermore, being as the structure sits in an existing access easement, the structure should be removed in observance of that easement. Staff recommends **denial** of the requested variance.

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

PROPOSED SHED TO BE USED FOR LAWN & GARDEN TOOL STG. RIDING LAWN MOWER, RAKE, SHOVELS, ETC. ESMT IS LEVEL & 1'-0" HIGHER THAN REST OF BACKYARD.



REVIEWED & ACCEPTED:  
*Sandra L. Kubena*

OWNER SAIDRA L. KUBENA

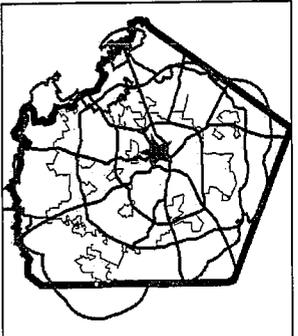
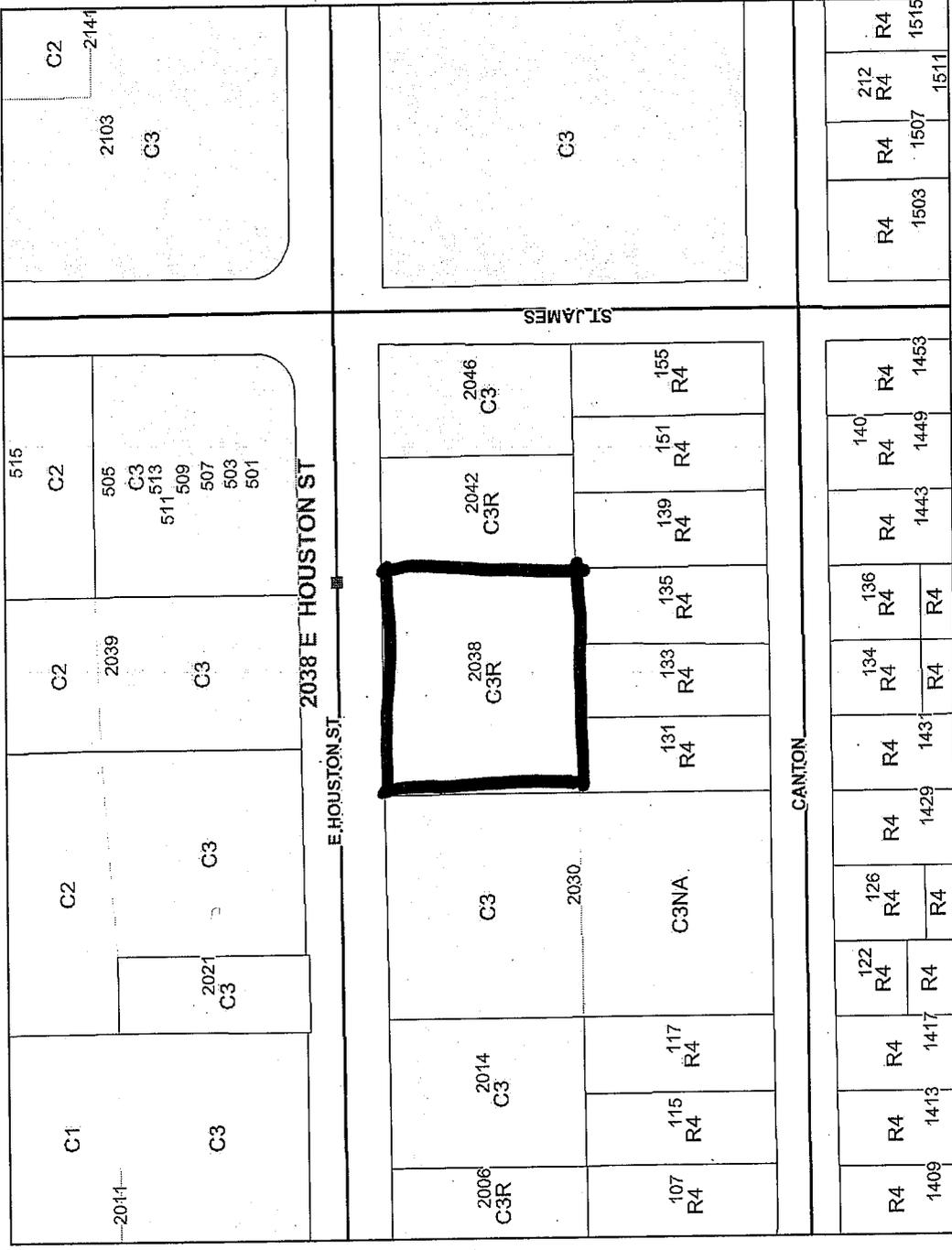
RESS 4439 FORESTGREEN ST.

29 BLOCK 1 N.C.B. 13572

PECAN VALLEY GARDENS SUBDIVISION

SAN ANTONIO COUNTY BEXAR STATE TEXAS

**A-08-046**



**Legend**

- Parcels
- ▨ Lakes
- ▨ Military Bases
- ▨ San Antonio City Limits
- ▨ Incorporated Towns
- ▨ Bexar County
- ▨ Bexar Streets
- ▨ Parcel Addresses
- ▨ Zoning

- ▨ B2NA
- ▨ C1
- ▨ C2
- ▨ C2NA
- ▨ C3
- ▨ C3NA
- ▨ C3R
- ▨ D
- ▨ I1
- ▨ I2
- ▨ L
- ▨ MF25
- ▨ MF33
- ▨ MF40
- ▨ NC
- ▨ NP-10
- ▨ NP-15
- ▨ NP-8
- ▨ O1
- ▨ O2
- ▨ OCL
- ▨ R20
- ▨ R4
- ▨ R5
- ▨ R6



Scale: 1-1,321



Map center: 2139128, 13702395

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Notes: Subject Property - 2038 East Houston

# Board of Adjustment - Case No. A-08-046

March 17, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 17, 2008** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant- Eliazar Sanchez  
Lots 9, 10, 11, Block 4, NCB 3125  
2038 East Houston Street  
Zoned: "C-3 R" Commercial District, Restricted Alcoholic Sales

The applicant is requesting a 25-foot variance from the Unified Development Code requirement that a minimum 30-foot rear setback be maintained for "C-3" zoning, in order keep an existing structure 5-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

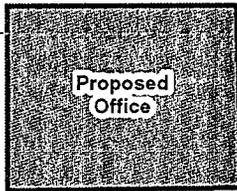
Comments/Comentarios: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**A-08-046**

*Houston St E*

Lot 5 and W 33.33 ft of Lot 4  
NCB 02298 - Block 006

30' Rear Building Setback



5' Between Rear Property Line  
and Proposed Office

**Board of Adjustment**  
Plot Plan for  
**Case A-08-046**



Scale: 1" approx. = 30'  
Council District 2

**2038 Houston St E**

Produced by the City of San Antonio  
Development Services Department  
(03/05/2008)

# CASE NO: A-08-046

Board of Adjustment – March 17, 2008

**Applicant:** Eliazar Sanchez  
**Owner:** Eliazar Sanchez  
**Request(s):** The applicant is requesting a 25-foot variance from the Unified Development Code requirement that a minimum 30-foot rear setback be maintained for "C-3" zoning districts, in order keep an existing structure 5-feet from the rear property line.  
**Legal Description:** Lots 9, 10, 11, Block 4, NCB 3125  
**Address:** 2038 East Houston Street  
**Zoning:** "C-3 R" Commercial District, Restricted Alcoholic Sales  
**Existing Use:** Vacant/Concrete Slab  
**Neigh. Assoc:** None  
**Neigh. Plan:** Arena District/Eastside Community Plan

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

**35-310 Zoning District Purpose Statements and Design Regulations:** A minimum 30-foot rear setback is required in "C-3" zoning districts.

**Background:** The subject property is located on East Commerce Street, just east of the central business district. The subject property is currently vacant with the exception of a concrete slab near the rear of the property that is to serve as a foundation for a car-sales office. Commercial property exists to the north across East Commerce Street, and to the east and west of the subject property. Residential zoning exists to the south, with three lots abutting the subject property that are zoned R-4. The applicant is requesting a variance in order to construct an office on the concrete slab that encroaches into the rear setback.

**Recommendation:** The intent of the rear setback requirement for commercial uses is to provide a reasonable buffer to protect abutting residences from the noise, light, and traffic typically generated by commercial uses, to allow for air flow and light penetration, and to prevent the overcrowding of lots.

Three residential properties abut the subject property to the south. The raised concrete slab, which is intended to serve as a foundation for the proposed car-sales office, sits five feet away from the rear portion of the subject property. The rest of the subject property is comprised completely of concrete, and there are no existing structures on the property. This parcel does not appear to be characterized by any unique terrain features where literal enforcement of the side and rear setback requirements would result in unnecessary hardship. Furthermore, construction of the concrete parking lot and the raised office foundation was initiated without the acquisition of the proper permits. With the exception of the property located at 2030 East Houston Street, which was constructed under the provisions of the 1965 zoning code, the majority of the surrounding

properties conform to the current setback requirements. Staff therefore recommends **denial** of the requested variance.

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

NEIGHBORHOOD AND URBAN DESIGN DIVISION  
BOARD OF ADJUSTMENT CASE REVIEW FORM

CASE INFORMATION

Case #: **A-08-046**

Property Address: 2038 E. Houston

Zoning: C-3 R

Hearing Date: 3/17/2008

**Type / Scope of BOA Request:**

25-foot variance from the UDC requirement, that a minimum 30-foot rear setback be maintained for C-3 zoning. Currently, a concrete slab is in place 5-feet from the rear property line.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): w/in 200-ft of the Jefferson Heights NA

Neighborhood or Community Plan: Arena District/Eastside Community Plan

Neighborhood Conservation District: n/a

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

ANALYSIS STATEMENT

The subject property is designated for Mixed Use land use in the Community Land Use Plan. The current zoning is not compatible with the land use designation. In addition, parcels to the immediate south of the subject property are zoned R-4. Ignoring rear setback requirements, particularly on parcels adjacent to residentially zoned properties, has the potential to create an environment in which the safety, health and well-being of the community is put at risk.

The literal enforcement of the ordinance would not result in any unnecessary hardship, nor would approval of this variance uphold the spirit of the ordinance. No evidence has been provided that indicates the existence of any topographical or other similar constraints that would inhibit meeting UDC setback requirements.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information \_\_\_\_\_

Support Request \_\_\_\_\_

Deny Request X

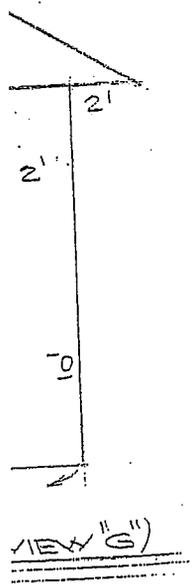
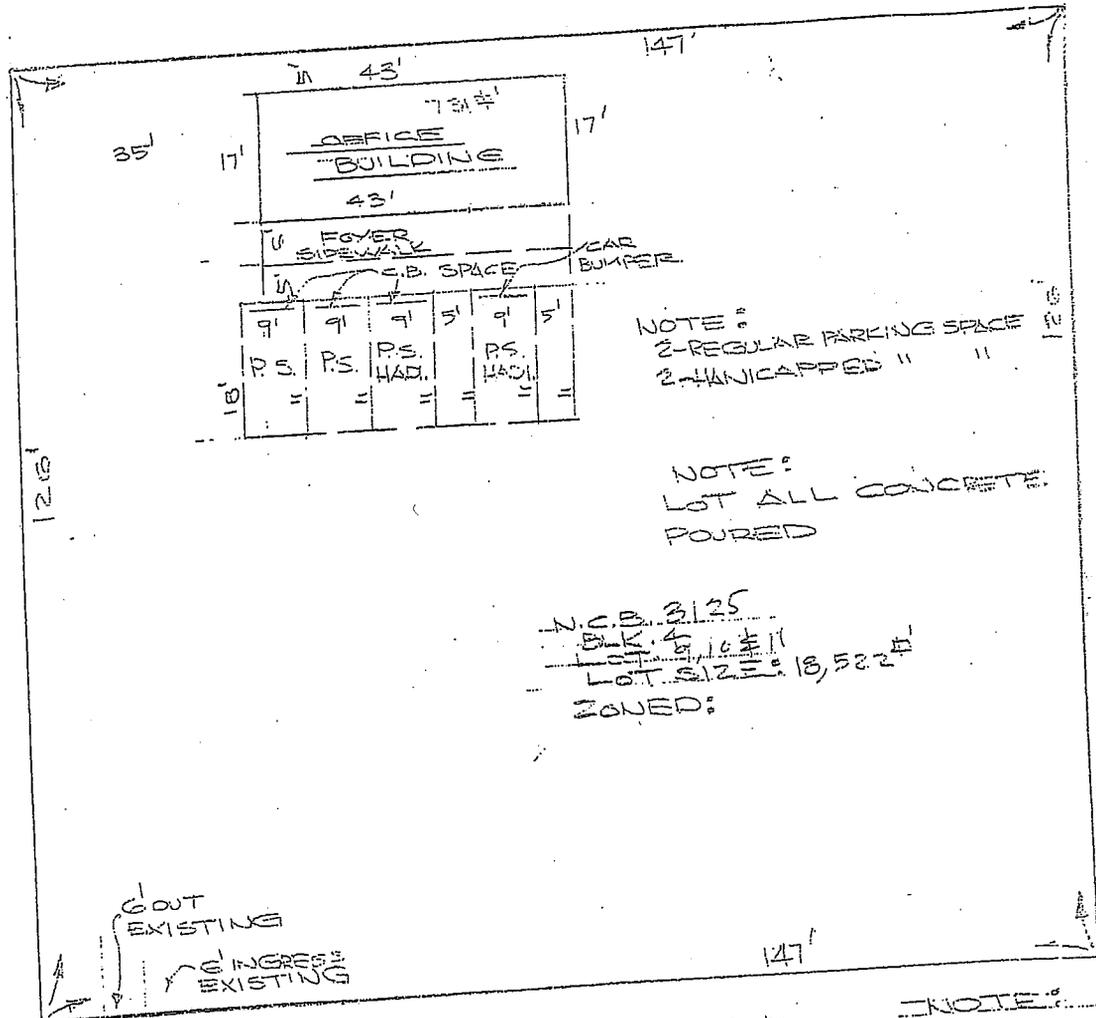
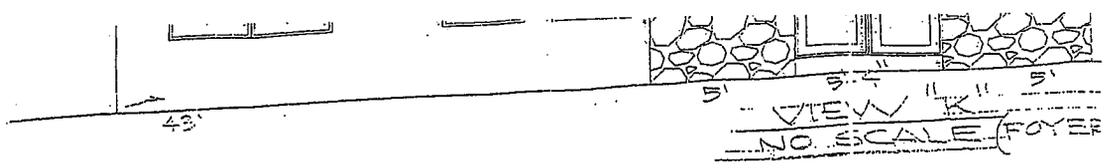
Alternate \_\_\_\_\_ Explain:

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Andrea Gilles Phone: 207-2736

Date Review Completed: February 27, 2008

10'  
 0'  
 DING (VIEW "F")



VIEW "G")

GOUT EXISTING  
 W/ INGRESS EXISTING

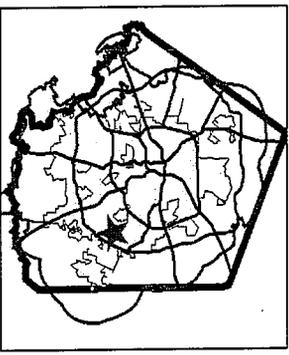
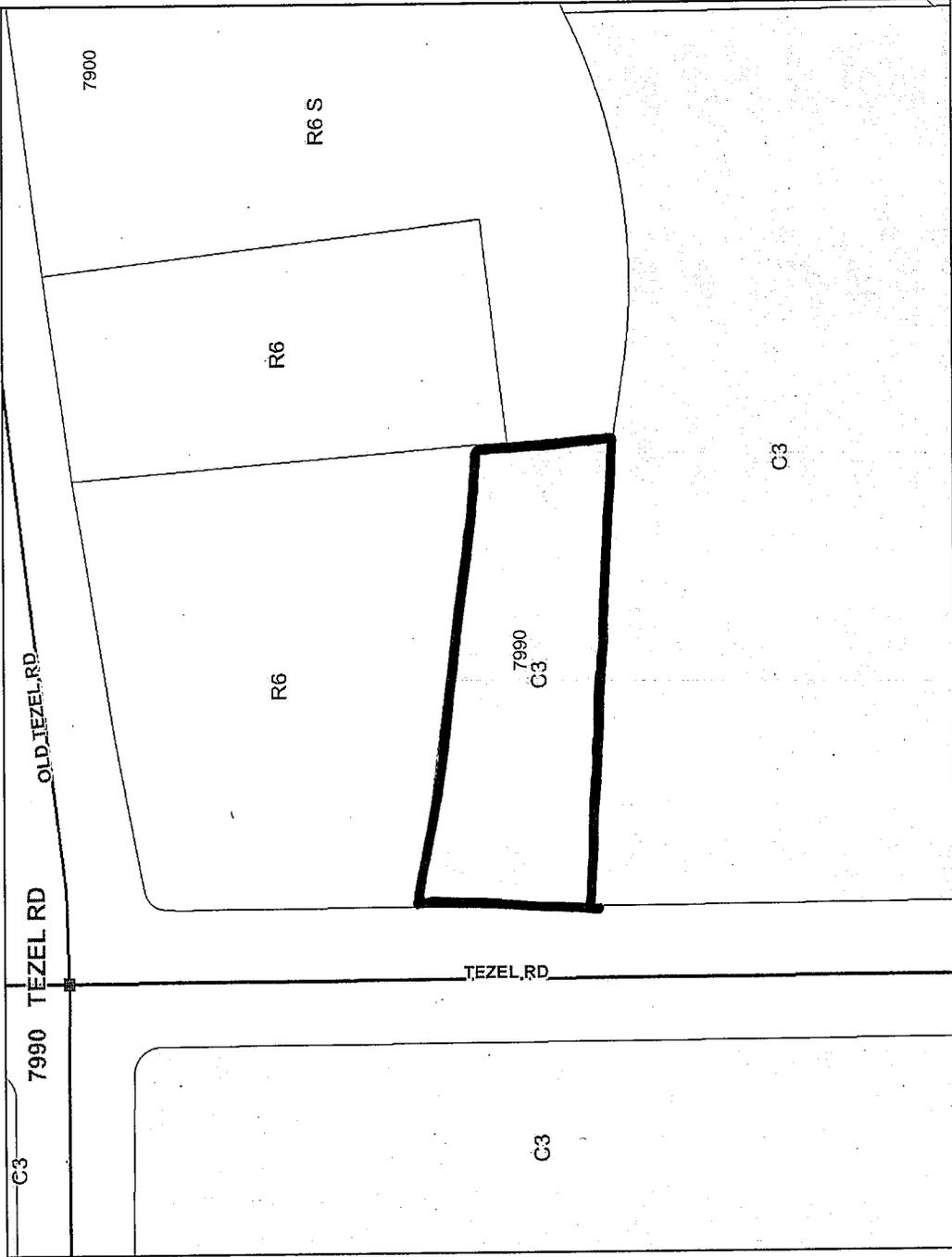
2038 E. HOUSTON ST. →

NOTE:  
 EXISTING CURB  
 ENTRY APRON

PLOT PLAN  
 SCALE: 1" = 20'-0"

TER HEAT

A-08-047



Legend

- Parcels
- ▨ Lakes
- ▩ Military Bases
- ▧ San Antonio City Limits
- ▦ Incorporated Towns
- ▤ Bexar County
- ▥ Bexar Streets
- ▧ Parcel Addresses
- ▨ Zoning

- B2NA
- C1
- C2
- C2NA
- C3
- C3NA
- C3R
- D
- I1
- I2
- L
- MF25
- MF33
- MF40
- NC
- NP-10
- NP-15
- NP-8
- O1
- O2
- OCL
- R20
- R4
- R5
- R6



Scale: 1:1,138



Map center: 2076084, 13734914

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Notes: Subject Property - 7990 Tezel Road

# Board of Adjustment - Case No. A-08-047

March 17, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 17, 2008** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Adalberto Hernandez  
Lot 5, Block 1, NCB 18308  
7990 Tezel Road  
Zoned: “C-3” Commercial District

The applicant is requesting a 2-foot variance from the requirement that fences in side and rear yards be no taller than 6 feet, in order to keep an 8-foot tall fence in the side and 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 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

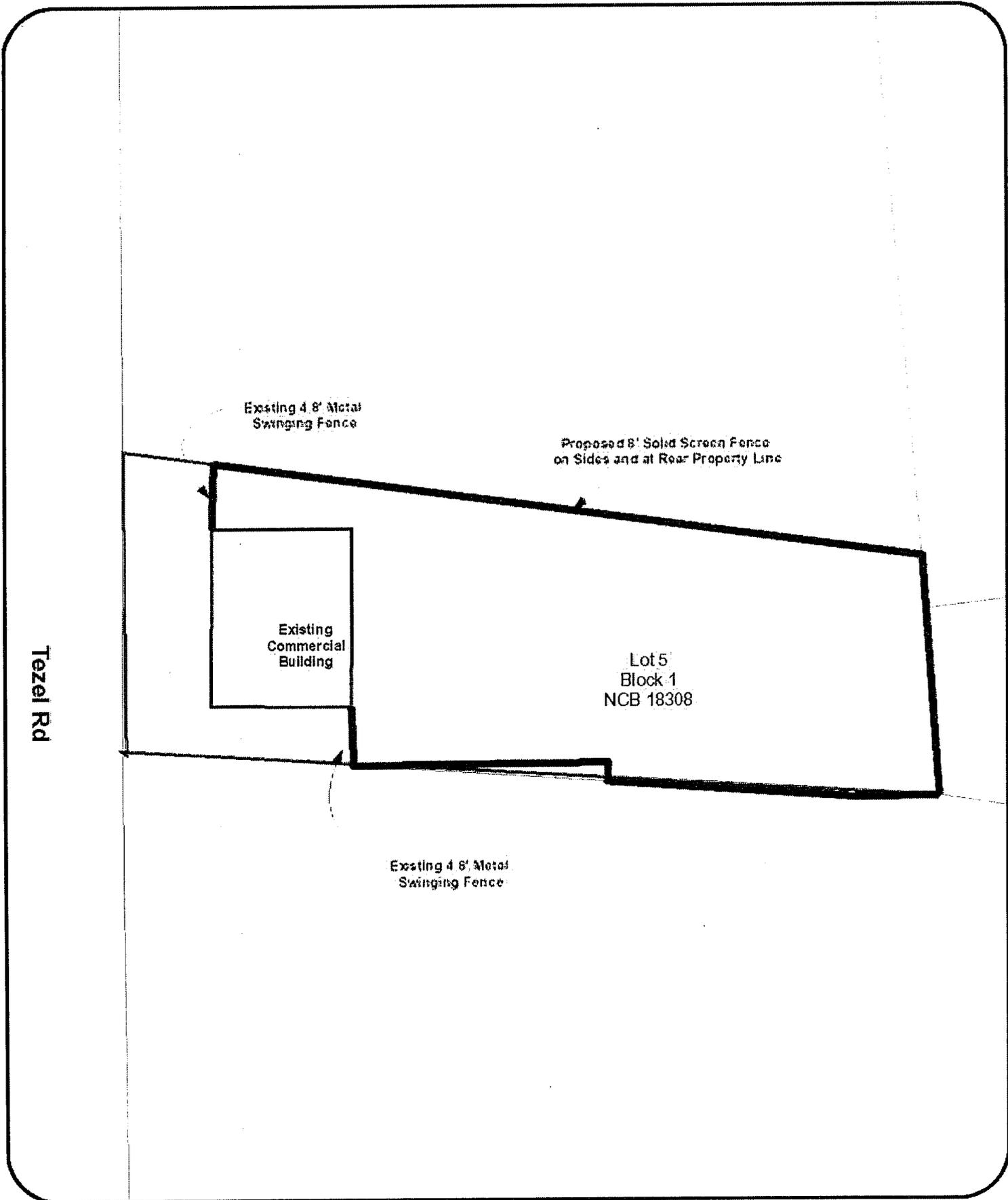
( ) In Opposition/En Oposicion

Comments/Comentarios: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A-08-047



**Board of Adjustment**

**Plot Plan for  
Case A-08-047**



Scale: 1" approx. = 40'  
Council District 7

**7990 Tezel Rd.**

Produced by the City of San Antonio  
Development Services Department  
(03/06/2008)

# CASE NO: A-08-047

Board of Adjustment – March 17, 2008

**Applicant:** Adalberto Hernandez  
**Owner:** Adalberto Hernandez  
**Request(s):** The applicant is requesting a 2-foot variance from the requirement that fences in side and rear yards be no taller than 6 feet, in order to keep an 8-foot tall fence in the side and rear yard.  
**Legal Description:** Lot 5, Block 1, NCB 18308  
**Address:** 7990 Tezel Road  
**Zoning:** "C-3" General Commercial District  
**Existing Use:** Auto Repair  
**Neigh. Assoc:** None  
**Neigh. Plan:** Northwest Community Plan

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

**Section 35-514 Fences and Walls:** No fence or wall, other than the wall of a permitted structure, shall be erected or altered in any side or rear yard to exceed a height of 6 feet.

**Background:** The subject property is located on Tezel Road on the city's northwest side. Commercial zoning and uses are adjacent to the subject property to the south and west of the subject property, and the property to the west houses an elementary school. The property adjacent to the subject property to the north is zoned R-6 and is currently vacant. The property to the east is zoned R-6 S, and houses a school. The applicant is requesting a variance from the maximum fence height allowance of 6-feet in order to keep an existing solid-screen fence that measures 8-feet in height on both side property lines and on the rear property lines. The fence is lined at the top with barbed wire fencing material, which is not an allowable use for any fence, regardless of height. Should the Board choose to grant the requested variance, the barbed wire fencing material lining the top of the fence would be removed, in accordance with section 35-514 of the Unified Development Code.

**Recommendation:** The intent of the maximum fence height requirement in rear and side yards is to allow for property owners' desired privacy, while also allowing for openness, air flow, light penetration, and neighborhood uniformity. A 6-foot tall solid-screen fence is typically deemed sufficient to provide the desired screening, though any existing barbed wire that lines the top of the entire fence must be removed. However, it appears that the preservation of the existing 8-foot fence would be reasonable for several reasons. While the fence may detract from the overall community character, there is not a significant streetscape presence that needs to be maintained along this portion of Tezel Road. While there are no significant topographical issues that would warrant the retention of the existing fence, it appears that the fence has been successful in maintaining the privacy and security for the property owners in the past. Therefore, Staff recommends **approval** of the requested variance.

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

NEIGHBORHOOD AND URBAN DESIGN DIVISION  
BOARD OF ADJUSTMENT CASE REVIEW FORM

CASE INFORMATION

Case #: **A-08-047**

Property Address: 7990 Tezel Rd.

Zoning: C-3

Hearing Date: 3/17/2008

**Type / Scope of BOA Request:**

2-foot variance from the UDC requirement, to allow 8-foot solid fence on side and rear property line.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): none

Neighborhood or Community Plan: Northwest Community Plan

Neighborhood Conservation District: n/a

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

ANALYSIS STATEMENT

There do not appear to be any extenuating topographical constraints or similar issues to the applicant's parcel, which would suggest that abiding by UDC requirements would not provide the same level of screening and protection. An 8-foot solid fence generally results in visual impairment, and is therefore contrary to public interest and safety.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information     

Support Request     

Deny Request   X  

Alternate     

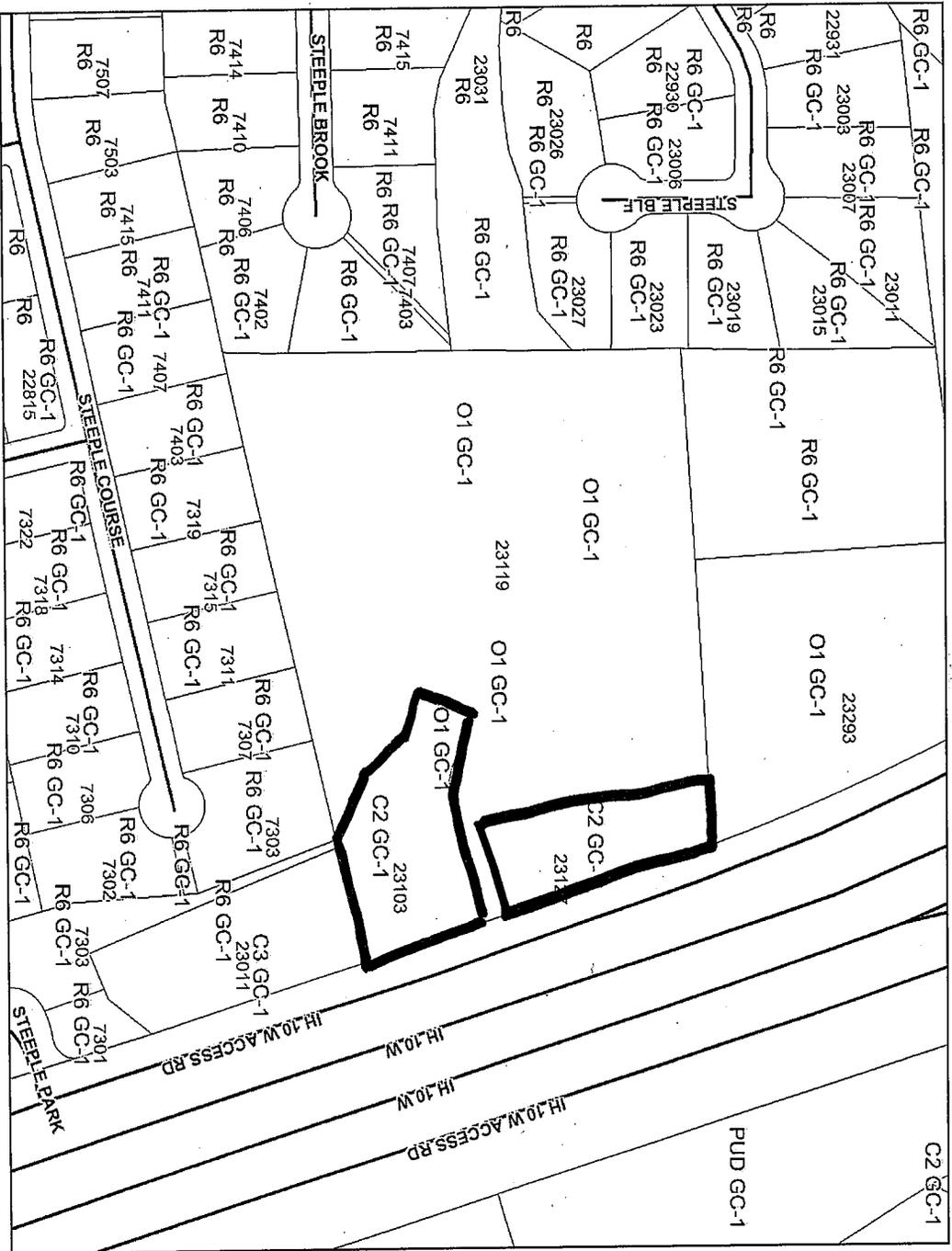
Explain:

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Andrea Gilles Phone: 207-2736

Date Review Completed: March 6, 2008

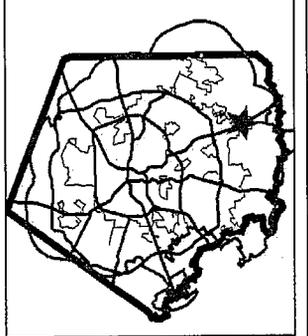
A-08-048



Map center: 2086732, 13786367

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Notes: Subject Properties - 23103 and 23127 L.H. 10 West



Legend

- Parcels
- Lakes
- Military Bases
- San Antonio City Limits
- Incorporated Towns
- Bexar County
- Bexar Streets
- Parcel Addresses
- Zoning



Scale: 1:3,000

- B2NA
- C1
- C2
- C2NA
- C3
- C3NA
- C3R
- D
- I1
- I2
- L
- MF25
- MF33
- MF40
- NC
- NP-10
- NP-15
- NP-8
- O1
- O2
- OCL
- R20
- R4
- R5
- R6

# Board of Adjustment - Case No. A-08-048

March 17, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 17, 2008** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – One Dominion Place  
Lots 132, 133, Block 1, NCB 18338  
23127, 23103 IH-10 West  
Zoned: “C-2 GC-1” Commercial Hill Country Gateway Corridor Overlay District and “O-1 GC-1” Office Hill Country Gateway Corridor Overlay District

The applicant is requesting a 10-foot variance from the Hill Country Gateway Corridor District Plan requirements that a minimum 25-foot natural buffer be maintained on the front property line for properties along IH-10 in order to allow a 15-foot natural buffer along the front 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.

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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-08-048

# CASE NO: A-08-048

Board of Adjustment – March 17, 2008

**Applicant:** One Dominion Place

**Owner:** George Atallah

**Request(s):** The applicant is requesting a 10-foot variance from the Hill Country Gateway Corridor District Plan Requirement that a minimum 25-foot front natural buffer be maintained for properties along IH-10 in order to allow 15-foot natural buffer along the front property line.

**Legal Description:** Lots 132 and 133, Block 1, NCB 18338

**Address:** 23127, 23103 IH-10 West

**Zoning:** "C-2 GC-1" Commercial Hill Country Gateway Corridor Overlay District and "O-1 GC-1" Office Hill Country Gateway Corridor Overlay District

**Existing Use:** Vacant

**Neigh. Assoc:** None

**Neigh. Plan:** None

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

**Hill Country Gateway Corridor District Plan Site Development Standards; Front Natural Barriers:** Along IH-10, at least seventy-five percent (75%) of the first twenty-five (25) feet of the property must be landscaped with native plant material and native trees.

**Background:** The subject property is located on the City's northwest side with ingress/egress on the IH-10 West frontage road. The subject property is currently vacant, but construction is currently underway. Office zoning abuts the subject property to the north and west, and residential and commercial zoning lie to the south. The applicant is requesting a variance in order to allow a 15-foot natural barrier along the portion of the property that fronts on the IH-10 West frontage road instead of the 25-foot natural barrier required per the Hill Country Gateway Corridor District Plan Site Development Standards.

**Recommendation:** The intent of the Hill Country Gateway Corridor District Plan Site Development Standards with regards to front natural buffers is to maintain a level of natural preservation by means of landscaping with native trees and other native plants, and to maintain a level of aesthetics in development that promotes the natural feel of the Hill Country. These development standards mandate that a 25-foot natural buffer is required for all developments along this particular portion of IH-10 West. However, it appears that both lots in this instance display unique terrain features where literal enforcement of this standard would create an unnecessary hardship. An 18-foot sheer rock wall exists on the lot to the north (Lot 133), just to the west of the location where the proposed structure is to be built. The applicant has indicated that, while they would be able to level much of this wall, it would necessitate the removal of several heritage trees of substantial height. In order to maintain the 25-foot buffer on this lot would require the applicant to substantially decrease the size of the proposed structure, which the applicant has maintained has not been a part of the development plan, or remove said trees.

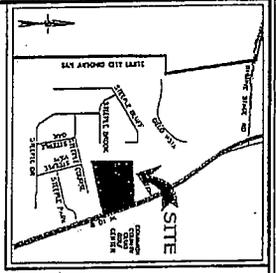
On the second lot, there currently exists a creek that runs through the rear portion of the lot (Lot 132) to the south, and building further toward the rear is not a part of the current development plan, as it would move the development closer to the drainage detention area, which is currently being dredged.

Furthermore, a pre-existing motorcycle dealership lies just to the south of both properties, and does not meet the buffer requirement set forth in the Hill Country Gateway Corridor District Plan Standards as the Plan was adopted in 2003. The applicant has indicated that the proposed structures will be set further back than said dealership; thus, not being out of character with the surrounding area. Staff therefore recommends **approval** of the requested variance.

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

Book 9574  
 Page 674  
 08067817  
 FILED  
 BEAR COUNTY CLERK  
 BEAR COUNTY CLERK

BEAR COUNTY  
 RECORDS SECTION  
 1000 WEST 10TH STREET  
 BEAR, TEXAS 77815  
 COURTESY SECURITY



SCALE: 1"=100'



**DRAINAGE NOTES:**

1. THE DRAINAGE EASEMENT SHOWN HEREON IS HEREBY DEEMED TO BE THE PROPERTY OF THE PROPERTY OWNER ON A LEGALLY DESIGNATED HOMEOWNER'S ASSOCIATION.
2. MAINTENANCE OF ALL DRAINAGE SYSTEMS AND DRAINAGE EASEMENTS WITHIN THE PROPERTY OF THE PROPERTY OWNER ON A LEGALLY DESIGNATED HOMEOWNER'S ASSOCIATION.
3. NO OBSTRUCTIONS THAT WOULD IMPROVE OR HINDER THE DRAINAGE OF THIS PLAT, NO LANDSCAPING OR OTHER TYPE OF IMPROVEMENTS WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE CHANNELS OR THE DRAINAGE OF PUBLIC DRAINAGE SYSTEMS OF THE CITY OF SAN ANTONIO AND BEAR COUNTY SHALL BE PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND DRAINAGE CHANNELS.
4. MINIMUM FINISHED FLOOR ELEVATIONS FOR RESIDENTIAL AND COMMERCIAL BUILDINGS SHALL BE HIGHER THAN THE COMPUTED WATER SURFACE ELEVATION FOR THE 100 YEAR ULTIMATE DEVELOPMENT.

**TROTT NOTES:**

FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ACQUIRE SET-BACK AND/OR OTHER APPROPRIATE MEASURES FOR FUTURE MOBILE APPLICATION TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY. MAINTENANCE ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE PROVIDED AS DIRECTED BY REGULATIONS FOR ACCESS DRIVEWAYS TO STATE HIGHWAY. ACCESS POINTS SHALL BE LOCATED ON THE EXISTING PLATTED DRIVEWAY OR OTHER ACCESS POINT, BASED ON THE ORIGINAL PLATTED DRIVEWAY OR OTHER ACCESS POINT.

**STATE OF TEXAS**

1. I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THE MATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE SAME COMPLY WITH ALL APPLICABLE LAWS, ORDINANCES, AND REGULATIONS OF THE JURISDICTION IN WHICH THIS PLAT IS TO BE RECORDED.

AMINOR T. BENTON III  
 LICENSED PROFESSIONAL ENGINEER No. 94573

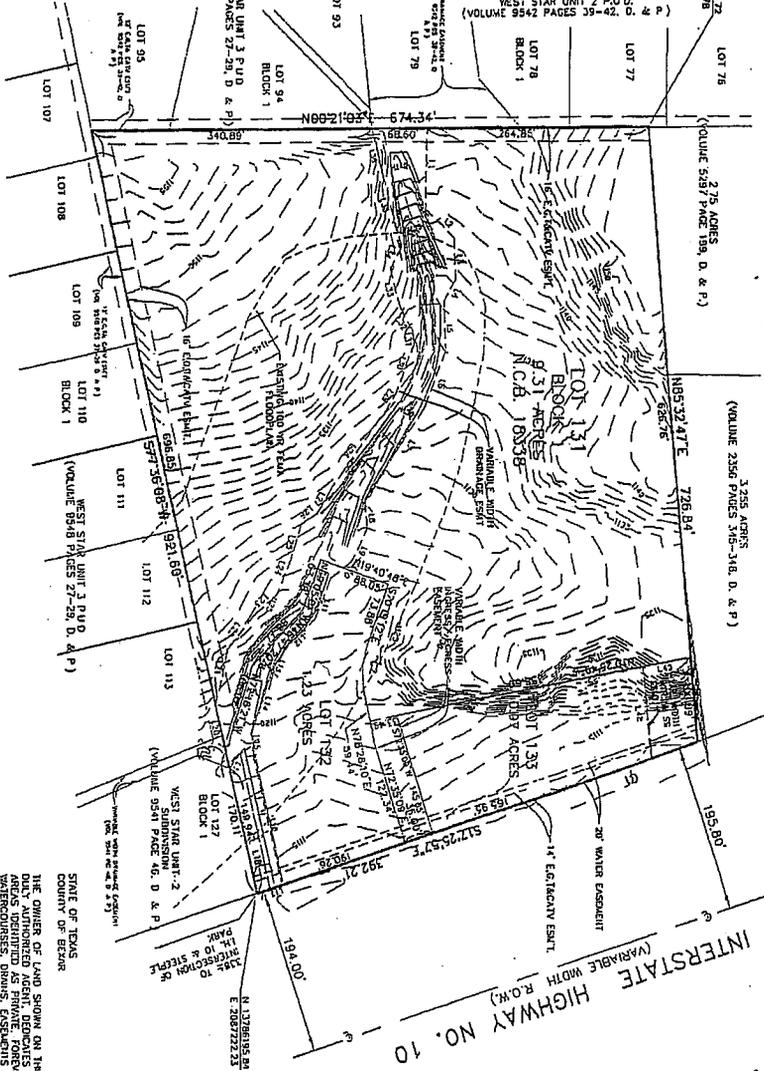
THIS PLAT OF ONE DOMINION PLACE SUBDIVISION HAS BEEN SUBMITTED TO THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY SAID COMMISSION. DATED THIS 13th DAY OF SEPTEMBER, A.D. 2006.



GE Reaves Engineering, Inc.  
 P.O. Box 791793  
 San Antonio, TX 78279-1793  
 (210) 490-4506 Fax 490-4812

**CURVE TABLE**

CURVE NO.	LENGTH	RADIUS	TANGENT	DELTA	CHORD	CHORD BEARING
1	61.80	1125.00	31.42	31.62°	60.33	S85°55'31"E
2	155.37	2709.00	77.93	31.62°	150.77	S85°55'31"E



**ONE DOMINION PLACE SUBDIVISION**

**PLAT ESTABLISHING**

AN 11,517 ACRE TRACT OF LAND BEING APPROXIMATELY 7,200 ACRES OUT OF THE MARNEI TRACT, SURVEY NO. 25, ABSTRACT NO. 742, NGB 18138, COUNTY BLOCK 4754, 2,111 ACRES OUT OF THE JOHN NEUTZ SURVEY NO. 325, ABSTRACT NO. 554, COUNTY BLOCK 4729 AND 2,205 ACRES OUT OF THE TYLER TAP RAILROAD CO. SURVEY NO. 331, ABSTRACT NO. 873, COUNTY BLOCK 4730, BEAR COUNTY, TEXAS, SAID 11,517 ACRE TRACT BEING THAT CERTAIN 11,517 ACRE TRACT CONNECTED TO COUNTY B, SOUTH AND FRONT JO SMITH BE DEED RECORDED IN VOLUME 8918, PAGES 1042-1043, OFFICIAL PUBLIC RECORDS, BEAR COUNTY, TEXAS.

THE STATE OF TEXAS  
 COUNTY OF BEAR  
 I, George Reaves, County Clerk of said County do hereby certify that the said plat was filed in my office on the 13th day of September, A.D. 2006, at San Antonio, Texas, and that the same complies with all applicable laws, ordinances, and regulations of the jurisdiction in which this plat is to be recorded.

**LEGEND**

- 1. Filled Area
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OWNER/DEVELOPER  
 KAW FUNDING, L.L.C.  
 SAN ANTONIO, TEXAS 78201  
 PHONE (210) 377-9220

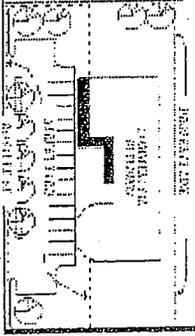
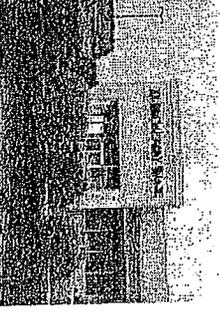
PLAT NO. 050409

## Hill Country Gateway Corridor District Plan Site Development Standards

Standard:

Requirement:

Illustration:

<p><b>Landscaping</b></p>	<p>In addition to the mandatory landscaping requirements established by §35-511, landscape plans shall be required to earn a minimum of 85 points as awards for elective requirements. Existing trees and understory plants may be preserved to meet this requirement. [note: Tree preservation = 2 to 40 points; Parking lot screening = 25 points; Parking lot shading = 20 to 35 points; Street trees = 25 points; Understory preservation 15 to 30 points – point awarding specified in §35-511.]</p>	<p>Example:</p>  <table border="1" data-bbox="938 1360 1052 1705"> <caption>Example: Tabulation of Points</caption> <thead> <tr> <th>Category</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>Electives</td> <td>25 pts.</td> </tr> <tr> <td>Street trees</td> <td>25 pts.</td> </tr> <tr> <td>Screening of surface parking</td> <td>20 pts.</td> </tr> <tr> <td>Parking lot shading</td> <td>20 pts.</td> </tr> </tbody> </table>	Category	Points	Electives	25 pts.	Street trees	25 pts.	Screening of surface parking	20 pts.	Parking lot shading	20 pts.
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<p><b>Parking Lot Screening</b></p>	<p>All parking areas within ninety (90) feet of the outer IH-10 right-of-way line shall be screened to a minimum height of four (4) feet with earthen berms and/or dense landscaping. This screening shall count as twenty-five (25) points toward the landscaping required.</p>											
<p><b>Front natural buffers</b></p>	<p>Along IH-10, at least seventy-five percent (75%) of the first twenty-five (25) feet of the property must be landscaped with native plant material and native trees. At least seventy-five percent (75%) of trees six inch (6") DBH or greater must be preserved within the first twenty-five (25) feet of the property. Detention and sedimentation filtration areas may be located within the front natural buffer, however, they must be fully screened from public view unless used as a landscape feature. Native understory and tree preservation within the front natural buffer shall count toward the minimum landscaping required above.</p>	