

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 2, 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-09-014:** The request of Eric Eidelbach, for a 2-foot variance from the requirement that side and rear-yard fences not exceed 6 feet in height, in order to keep an existing 8-foot tall side and rear-yard fence, 115 Wyanoke.
5. ~~**A-09-018:** 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.~~
6. **A-09-020:** The request of Charles M. McCraig, for a complete variance from the requirement that a minimum 5-foot side setback be maintained in “R-6” zoning districts, in order to keep an existing carport on the north side property line, 1214 Fillmore Drive.
7. **A-09-024:** The request of James Hetherington, for a Special Exception to relocate three residential structures from 2432 South Loop 410 West to 1713 and 1719 Pine Street.

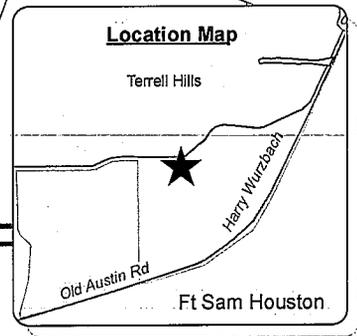
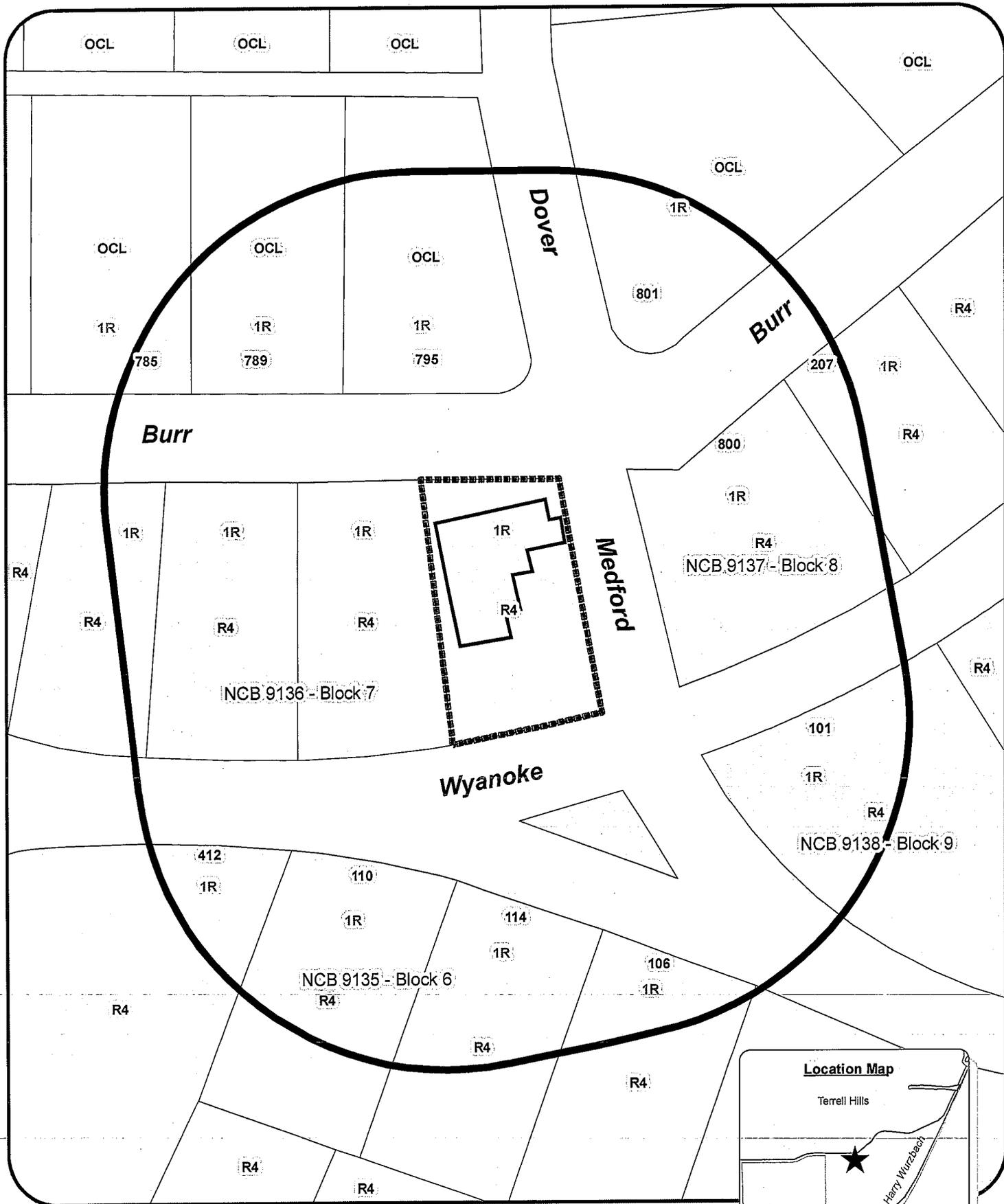
8. **A-09-026:** The request of Anthony Qwik, for **1)** A 2-foot 10-inch variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 6-foot 10-inch tall fence on the east property line, **2)** a 2-foot 10-inch variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 6-foot 10-inch tall fence on the north property line from the northeast corner to a point 53 feet west of the northeast corner, **3)** an 8-foot variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 12-foot tall fence on the north property line from a point 53 feet west of the northeast corner to a point 110 feet west of the northeast corner, **4)** a 6-foot variance from the requirement that fences in side and rear yards not exceed 6 feet in height, in order to keep a 12-foot tall fence on the north property line from a point 110 feet west of the northeast corner to the western terminus of the north property line, and **5)** a 2-foot variance from the requirement that fences in side and rear yards not exceed 6 feet in height, in order to keep an 8-foot tall fence on the west and northwest property lines, 10803 Perrin Beitel.
9. Consideration of **Sign Master Plan No. 09-001**, Walnut Hills Apartments, located at Babcock and Medical Drive.
10. Approval of the minutes from the meeting on February 23, 2009.
11. 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.
12. **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
Notification Plan for
Case A-09-014



Legend
 Subject Property 
 200' Notification Buffer 
 Scale: 1" approx. = 80'
 Council District 9

City of San Antonio
 Planning and Development Services Department
 (11/26/2008)
 R.R.M.

CASE NO: A-09-014-continued

Board of Adjustment – March 2, 2009

Applicant: Eric Eidelbach

Owner: Eric Eidelbach

Request(s): A 2-foot variance from the requirement that side and rear-yard fences not exceed 6 feet in height, in order to keep an existing 8-foot tall side and rear-yard fence.

Legal Description: Lot 1, Block 7, NCB 9136

Address: 115 Wyanoke

Zoning: "R-4" Residential Single-Family District

Existing Use: Single-Family Residence

Neigh. Assoc: None

Neigh. Plan: None

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

35-514 Fences: Side and rear-yard solid screen fences shall not exceed 6 feet in height.

Background: The subject property is a through-lot at the intersection of Wyanoke and Medford. The rear of the property has frontage along Burr Road, which is to the north. The subject property is zoned R-4 and is occupied by a single-family residence. R-4 zoning completely surrounds the subject property, with the surrounding uses being single-family residences. The lots to the immediate west of the subject property are also through-lots, and observe Burr Road as their rear. These lots all maintain 6-foot rear-yard fences along that portion of Burr Road. The applicant is seeking a variance in order to keep an existing side and rear-yard fence that exceeds the maximum allowable height by 2 feet, for a total height of eight feet; citing noise pollution as the primary rationale for the retention of said fence. No permits have been issued for the construction of the fence. The investigation was initiated by the City's Code Compliance Division of the Housing and Neighborhood Services Department.

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. There does not appear to be any unique terrain feature inherent to the property where the literal enforcement of the fence height requirements in side and rear-yards would result in an unnecessary hardship. The fence in question was constructed without permits. The applicant has not demonstrated that a physical or topographic hardship exists; having only cited noise as the issue of contention. Staff would be concerned by the precedent-setting situation that may occur for the lots to the west should the Board grant this request. Staff therefore recommends **denial** of the requested variance.

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

Burr

Medford

Wyanoke

10'
(Approx.)

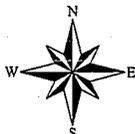
8' Proposed
Pre-cast Concrete
Fence

Existing
Residence

NCB 9136
Block 7
Lot 1

Board of Adjustment

Plot Plan for
Case A-09-014



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

115 Wyanoke Dr.

City of San Antonio
Planning and Development Services Department
(11/26/2008)
R.R.M.

Board of Adjustment - Case No. A-09-014

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-Eric Eidelbach
Lot 1, Block 7, NCB 9136
115 Wyanoke
Zoned: "R-4" Residential Single-Family District

The applicant is requesting a a 2-foot variance from the requirement that side and rear-yard fences not exceed 6 feet in height, in order to keep an existing 8-foot tall side and 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-09-014

Burr Road fence is approx. 90 feet long

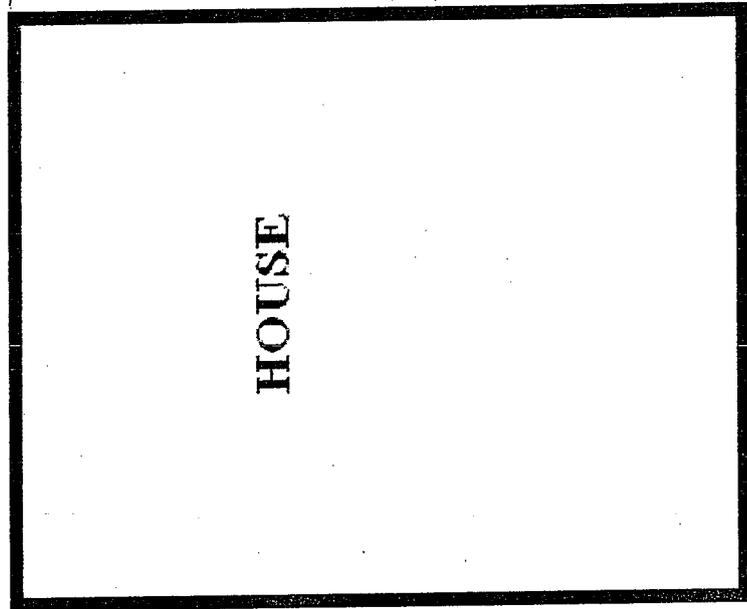
BURR RD.

Approx 10 feet to Burr Road.

Back of house to fence line is approx. 20 feet

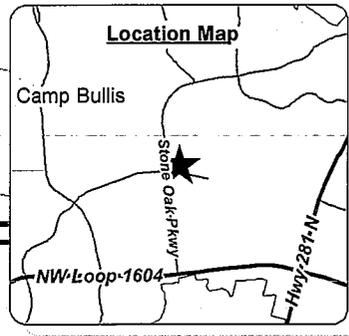
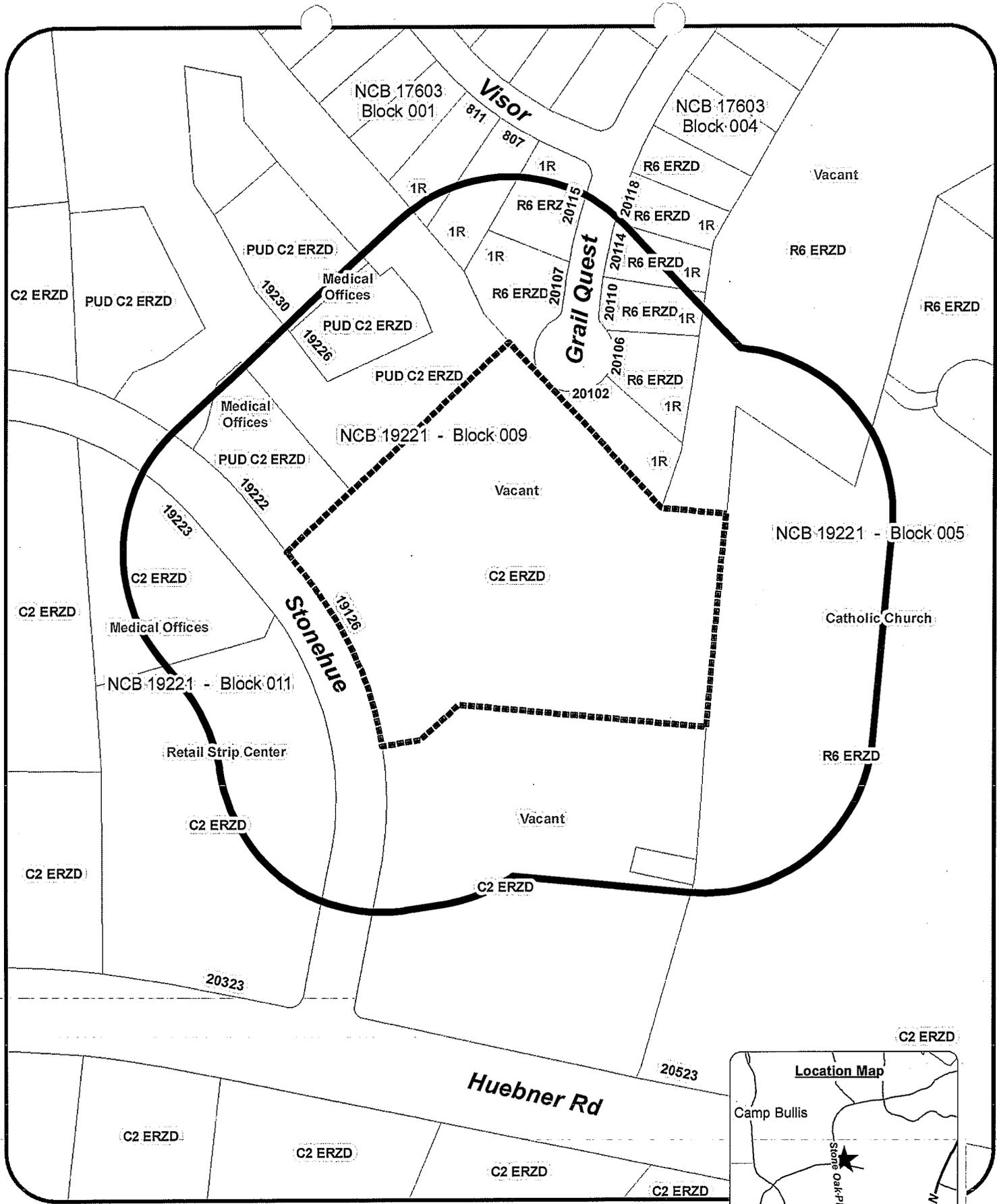
Medford side of fence is approx. 15 feet

FENCE



HOUSE

MEDFORD ROAD



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 cont.

Board of Adjustment – March 2, 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.

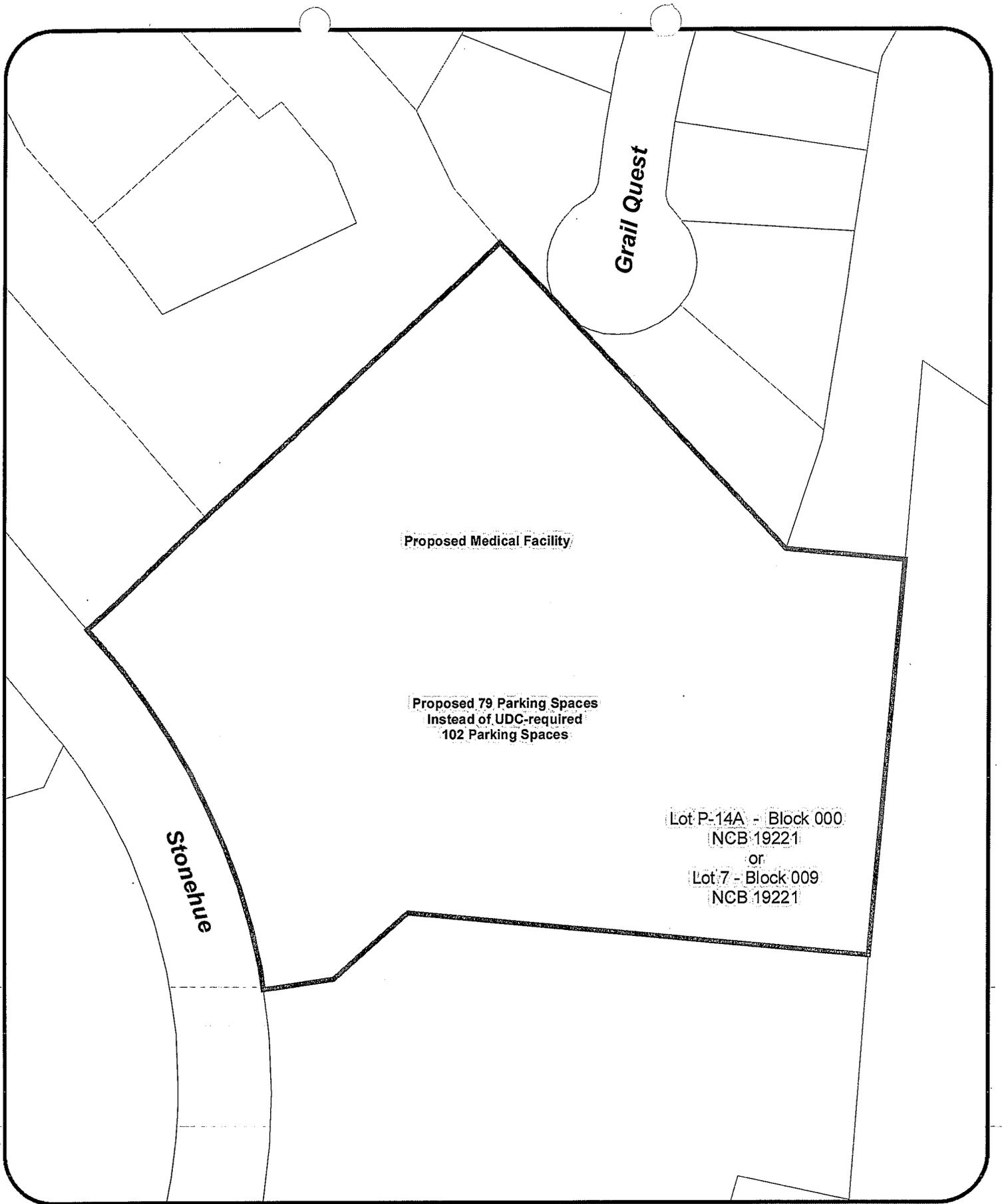
Background: The subject property is located on the city's north side, east of the corner of Stone Oak Parkway and Huebner Road. Commercial uses and zoning are adjacent to the south and west, with office and single-family residential uses to the north and a church to the east. The subject property is 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

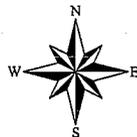
they can accommodate their intended use with 79 spaces. Staff suggests that the request would support the spirit of the UDC, which recommends impervious cover limitations, as recommended by SAWS.

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.

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

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

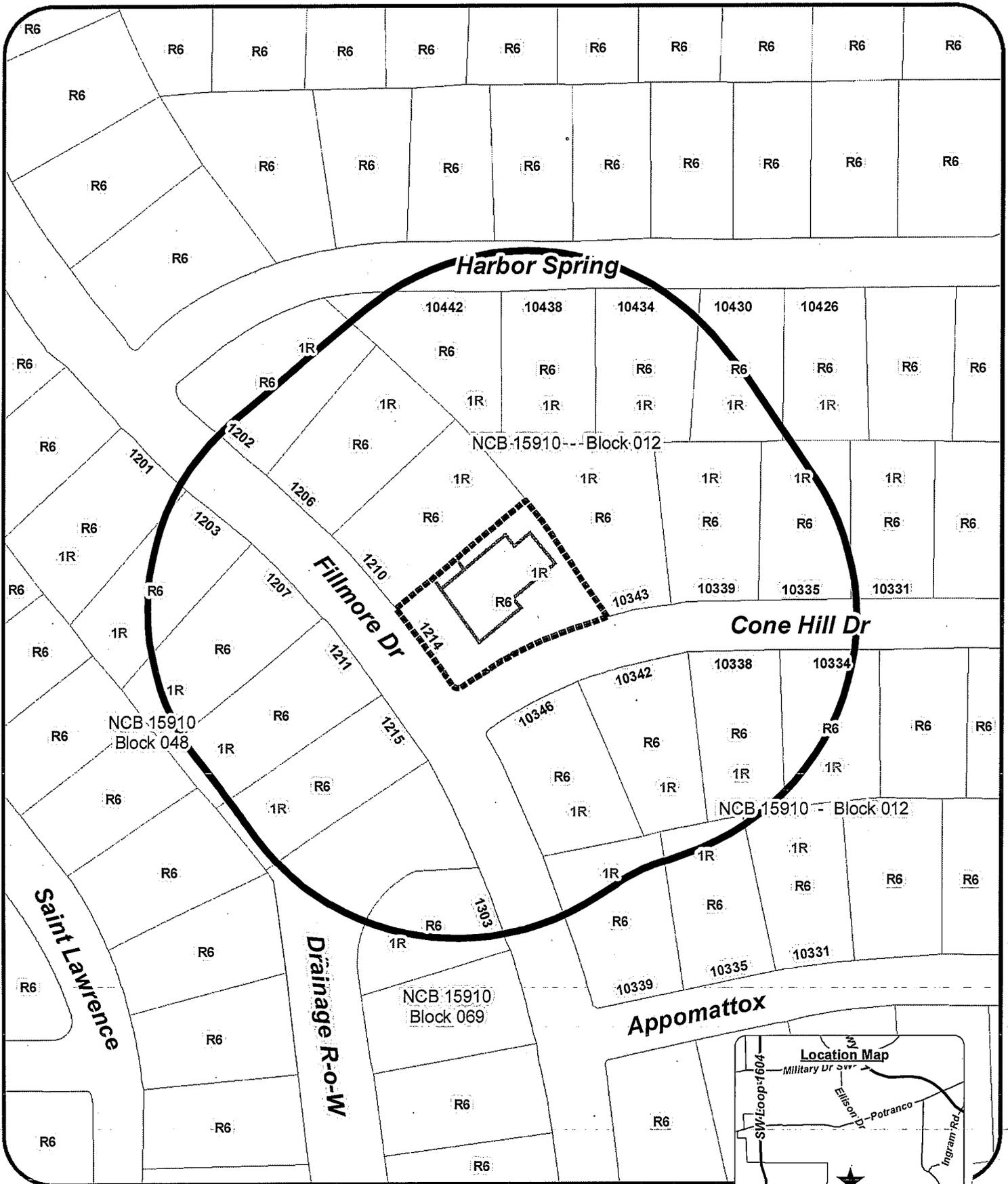
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

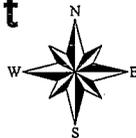
() In Opposition/En Oposicion

Comments/Comentarios: _____

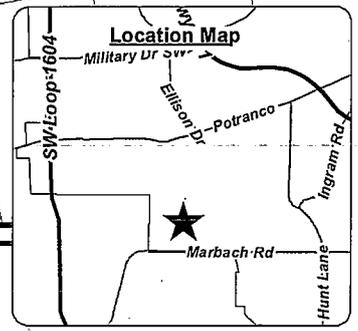
A-09-018



Board of Adjustment
Notification Plan for
Case A-09-020



Legend
 Subject Property
 200' Notification Buffer
 Scale: 1" approx. = 100'
 Council District(s) = 4



CASE NO: A-09-020

Board of Adjustment – March 2, 2009

Applicant: Charles M. and Sarah J. McCraig
Owner: Charles M. and Sarah J. McCraig
Request(s): A complete variance from the requirement that a minimum 5-foot side setback be maintained in R-6 zoning districts, in order to keep an existing carport on the north side property line.
Legal Description: Lot 27, Block 12, NCB 15910
Address: 1214 Fillmore Drive
Zoning: "R-6" Residential Single-Family District
Existing Use: Single-Family Residence
Neigh. Assoc: Heritage Neighborhood Association
Neigh. Plan: None

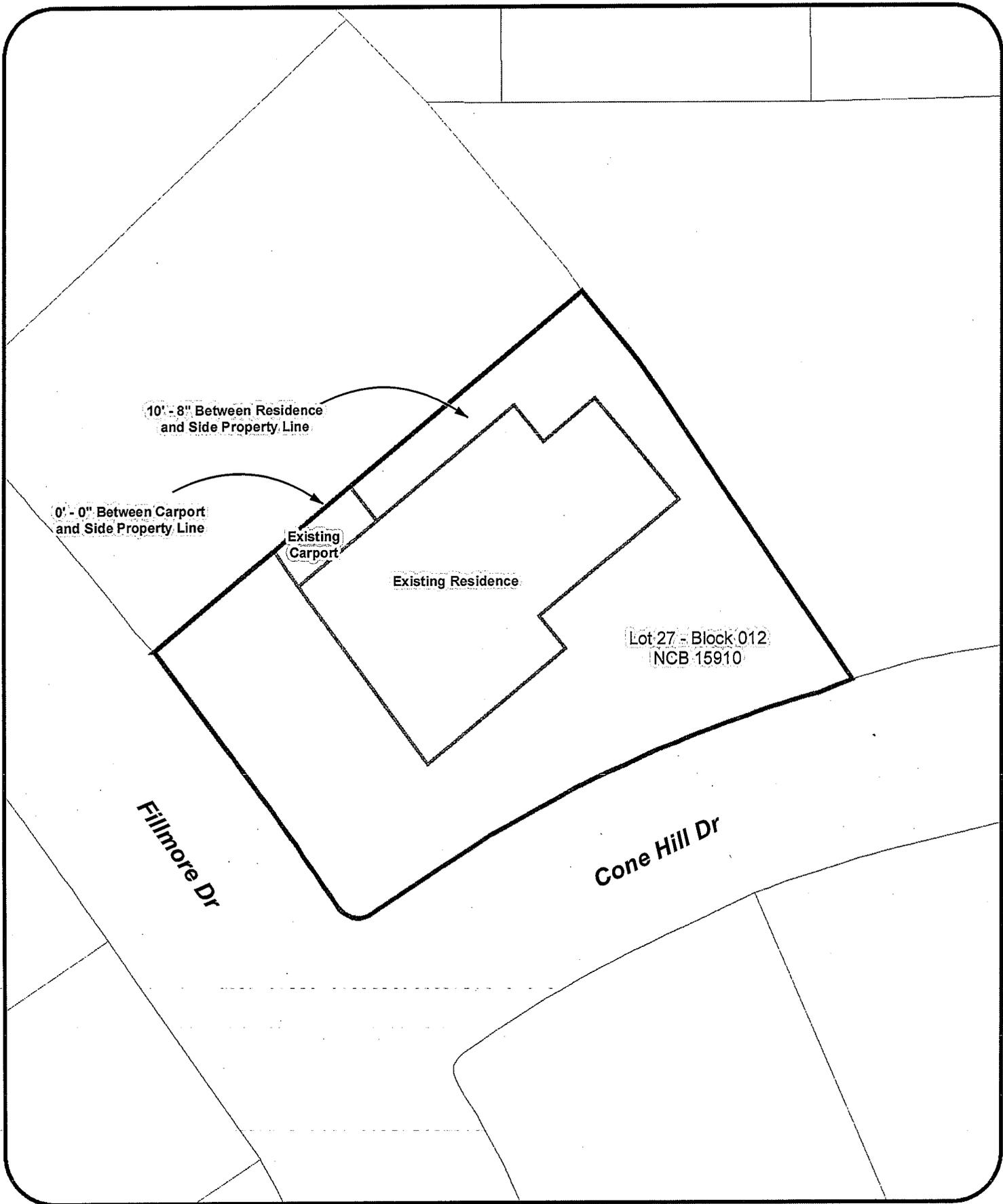
Section of the City Code from which the variance is requested:

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

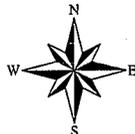
Background: The subject property is located in an established single-family neighborhood on the city's west side. Single-family residential uses and zoning surround the property, which was annexed in 1995. The carport that is the subject of this request is located on the north side of the house and extends to the north side property line, measuring approximately 11 feet wide. The applicant cites the need to shelter a vehicle that will not fit in the garage as reasoning for the request. The carport was built without permits and this case is a result of a citizen complaint.

Recommendation: The intent of the minimum side 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 setback requirements. The applicant has not provided sufficient evidence that the need for the variance is due to the unique circumstances of the property. Additionally, it appears that the applicant is, and will continue to be, able to make reasonable use of the property without the granting of this variance. Staff recommends **denial** of the requested variance.

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



Board of Adjustment
Plot Plan for
Case A-09-020



Scale: 1" approx. = 30'
 Council District 4

1214 Fillmore Dr

Planning and Development Services Dept
 City of San Antonio
 (01/15/2009 - E Hart)

Board of Adjustment - Case No. A-09-020

March 2, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 2, 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 – Charles M. McCraig
Lot 27, Block 12, NCB 15910
1214 Fillmore Drive
Zoned: “R-6” Residential Single-Family District

The applicant is requesting a complete variance from the requirement that a minimum 5-foot side setback be maintained in “R-6” zoning districts, in order to keep an existing carport on the north side 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.

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Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

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

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-020



Board of Adjustment
Notification Plan for
Case A-09-024



Legend
 Subject Property
 200' Notification Buffer
 Scale: 1" approx. = 100'
 Council District(s) = 2



CASE NO: A-09-024

Board of Adjustment – March 2, 2009

Applicant: James Hetherington

Owner: James Hetherington

Request(s): A Special Exception to relocate three residential structures from 2432 South Loop 410 West to 1713 and 1719 North Pine Street

Legal Description: Lots 6 and 7, Block 4A, NCB 486

Address: 1713 and 1719 North Pine Street

Zoning: "MF-33" Multi-Family District and "C-2" Commercial District

Existing Use: Vacant

Neigh. Assoc: Government Hill Alliance

Neigh. Plan: Government Hill

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.

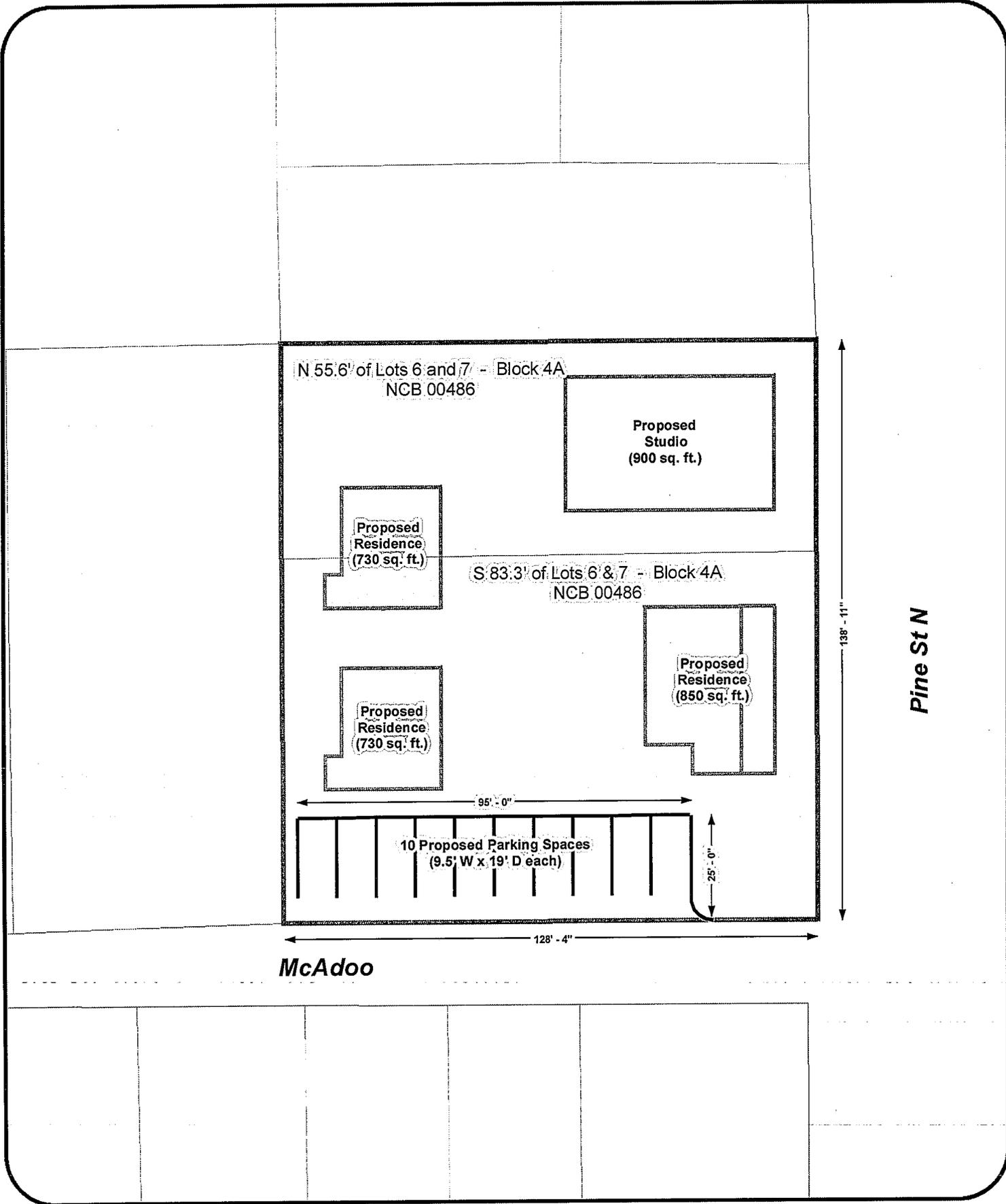
Background: The subject lot (the lot to which the house in question is proposed to be moved) is located on North Pine Street, at the intersection of North Pine Street and McAdoo. This lot is almost completely surrounded by multi-family residential uses, which are zoned MF-33. The exception to this is found on the lots directly to the east and north of the subject property, which are zoned C-2. The structures are proposed to be used as single-family dwelling units, which appear to conform to the character of the block face on which they are proposed to be moved.

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

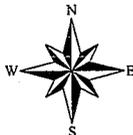
- Horizontal Siding (Wood or Synthetic Material)
- Gable Roofs
- Covered Front Porches or Entryways with Doors that Face the Street

Staff finds the structures 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. Therefore, Staff recommends **approval** of the Special Exception request.

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



Board of Adjustment
 Plot Plan for
Case A-09-024



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

1713 and 1719 Pine St N

Planning and Development Services Dept
 City of San Antonio
 (02/09/2009 - E Hart)

Board of Adjustment - Case No. A-09-024

March 2, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 2, 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 – James Hetherington
Lots 6 and 7, Block 4A, NCB 486
1713 and 1719 North Pine Street
Zoned: “MF-33” Multi-Family District and “C-2” Commercial District

The applicant is requesting a Special Exception to relocate three residential structures from 2432 South Loop 410 West to 1713 and 1719 North Pine 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 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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Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

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

In Favor/A Favor In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-024

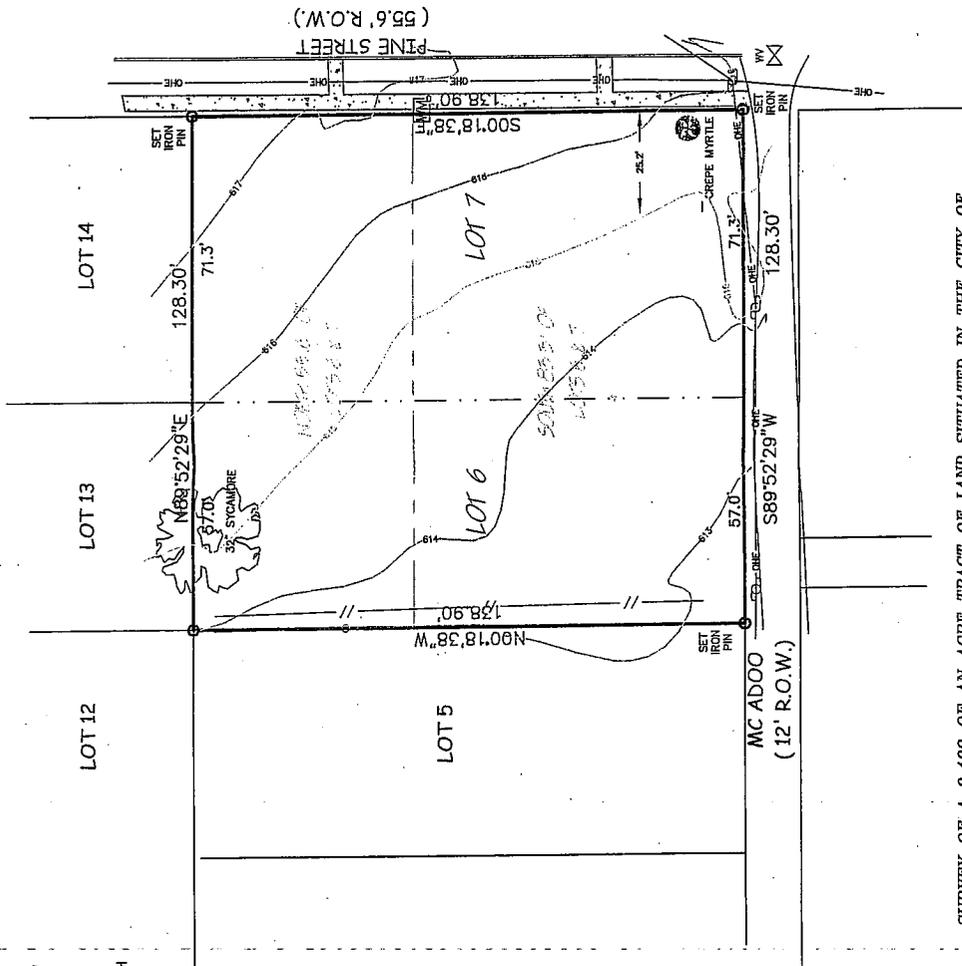
NOTES:
 1) BASIS OF BEARING IS WGS 84.
 2) ALL IRON PINS SET ARE 3/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "RKB 5409".
 3) IRON PINS FOUND AT ALL CORNERS UNLESS OTHERWISE NOTED.
 4) THE PROPERTY SHOWN, HEREON IS THE SAME PROPERTY REFERRED TO IN TITLE COMMITMENT WITH GF# 0759001457DD, WITH AN EFFECTIVE DATE OF MARCH 2, 2007.

- LEGEND
- ☐ TELEPHONE PEDESTAL
 - ⊕ POWER POLE
 - ⊗ GAS VALVE
 - ⊕ FIRE HYDRANT
 - ⊕ MANHOLE
 - ⊕ WATER VALVE
 - ⊕ LIGHT POST
 - ⊕ SIGN
 - ⊕ WATER METER
 - ⊕ GAS METER
 - ⊕ GUY WIRE
 - OVERHEAD ELECTRIC
 - X— WIRE FENCE
 - //— WOOD FENCE
 - CHAIN LINK FENCE
 - ⊕ WATER WELL
 - ⊕ ELECTRIC METER BOX

AS Acq Surveying, Inc.

P. O. BOX 597
 DEVINE, TEXAS 78016
 830-334-7264
 830-665-5796 FAX
 acqsurveying@scglobe.net

THIS DRAWING IS THE PROPERTY OF AS LAND SURVEYING, INC. AND SHALL NOT BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF AS LAND SURVEYING, INC. AS LAND SURVEYING, INC. ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF THIS DRAWING FOR ANY PERIOD OF TIME FROM THE DATE SHOWN HEREON. ALL RIGHTS RESERVED. COPYRIGHT 2006. ACE SURVEYING, INC. ©



SCALE 1" = 30'

1719 N. PINE STREET

STATE OF TEXAS:
 COUNTY OF MEDINA:

I, RHONDA K. BUTLER, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY MEN WORKING UNDER MY SUPERVISION.

RHONDA K. BUTLER
 REGISTERED PROFESSIONAL LAND SURVEYOR #5409
 SURVEYED: APRIL 23, 2007
 FILE NO: HETHERINGTON

SURVEY OF A 0.409 OF AN ACRE TRACT OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING ALL OF LOTS 6 AND 7, BLOCK 4A, NEW CITY BLOCK 486 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ALSO BEING THE SAME LAND DESCRIBED IN TWO DEEDS RECORDED IN VOLUME 11962, PAGE 2340 AND VOLUME 11116, PAGE 279 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

**BOARD OF ADJUSTMENT
Special Exception for Relocation**

Case #: A-09-024

Proposed Relocation
FROM: 2432 S. Loop 410 West
TO: 1713/1719 North Pine

Meeting Date:
March 2, 2009

Compatibility Standard	Existing Condition on Blockface of North Pine (one residence: 1712 N. Pine)	Applicant's Proposed Condition
Lot Size	6,105 SF	17,821 SF
Structure Age	69 years	40+ Years
Structure Size	1,750 SF	730 SF, 730 SF, 850 SF
Structure Height	1 story	1 story (all 3)
Setbacks (Front)	Approximately 20ft	Approximately 32ft
Structure Width (front facade)	Approximately 42ft	N/A
Garage/Carport Location & Setback	None	None proposed
Front Entry, Porch, Walkway	Facing Street	Facing Street
Windows (front facade)	Number: 0 - 7 Type: Vertical	0-7 (all 3) Vertical
Building Materials	Exterior siding: Wood Roofing: Shingled	Hardy Board Composition Shingle Roof
Foundation Type	Concrete Slab, Pier and Beam	Concrete piers

**BOARD OF ADJUSTMENT
Special Exception for Relocation**

Case #: A-09-024

Proposed Relocation
FROM: 2432 S. Loop 410 West
TO: 1713/1719 North Pine

Meeting Date:
March 2, 2009

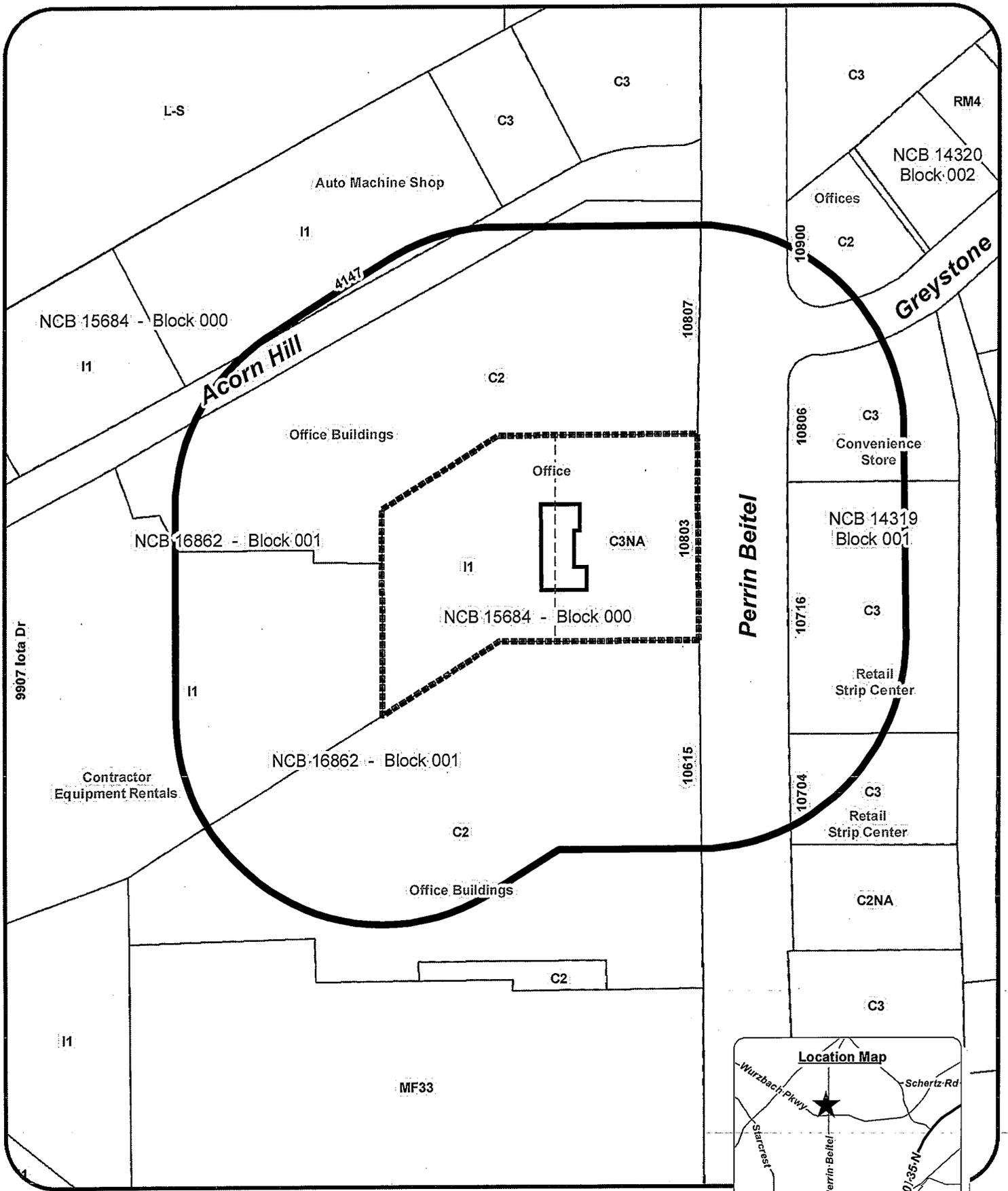
Compatibility Standard	Existing Condition on Blockface of North Pine (one residence: 1712 N. Pine)	Applicant's Proposed Condition
Roof Line/Pitch	Gabled, Hip	Hip
Impervious Cover %		
Sidewalk Width/ Placement, Greenway	3 ft	None proposed
Curb Cut & Driveway Width	N/A	N/A
Fencing	Chain Link	None proposed

INSPECTOR'S REPORT

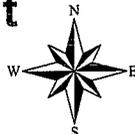
Structurally Sound to Be Moved:

YES

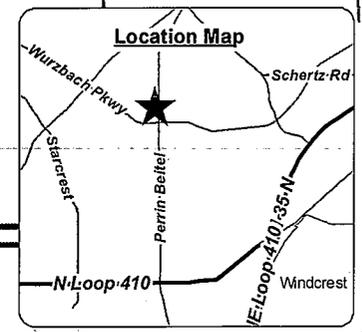
NO



Board of Adjustment
Notification Plan for
Case A-09-026



Legend
 Subject Property
 200' Notification Buffer
 Scale: 1" approx. = 120'
 Council District(s) = 10



CASE NO: A-09-026

Board of Adjustment – March 2, 2009

Applicant: Anthony Qwik

Owner: Anthony Qwik

Request(s): 1) A 2-foot 10-inch variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 6-foot 10-inch tall fence on the east property line, 2) a 2-foot 10-inch variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 6-foot 10-inch tall fence on the north property line from the northeast corner to a point 53 feet west of the northeast corner, 3) an 8-foot variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 12-foot tall fence on the north property line from a point 53 feet west of the northeast corner to a point 110 feet west of the northeast corner, 4) a 6-foot variance from the requirement that fences in side and rear yards not exceed 6 feet in height, in order to keep a 12-foot tall fence on the north property line from a point 110 feet west of the northeast corner to the western terminus of the north property line, and 5) a 2-foot variance from the requirement that fences in side and rear yards not exceed 6 feet in height, in order to keep an 8-foot tall fence on the west and northwest property lines.

Legal Description: The east 50 feet of the south 198 feet of Lot P-28, east 198 feet of Lot P-28A and P-29B, NCB 15684

Address: 10803 Perrin Beitel

Zoning: "C-3 NA" General Commercial Non-Alcoholic Sales District and "I-1" General Industrial District

Existing Use: Vacant

Neigh. Assoc: None

Neigh. Plan: None

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

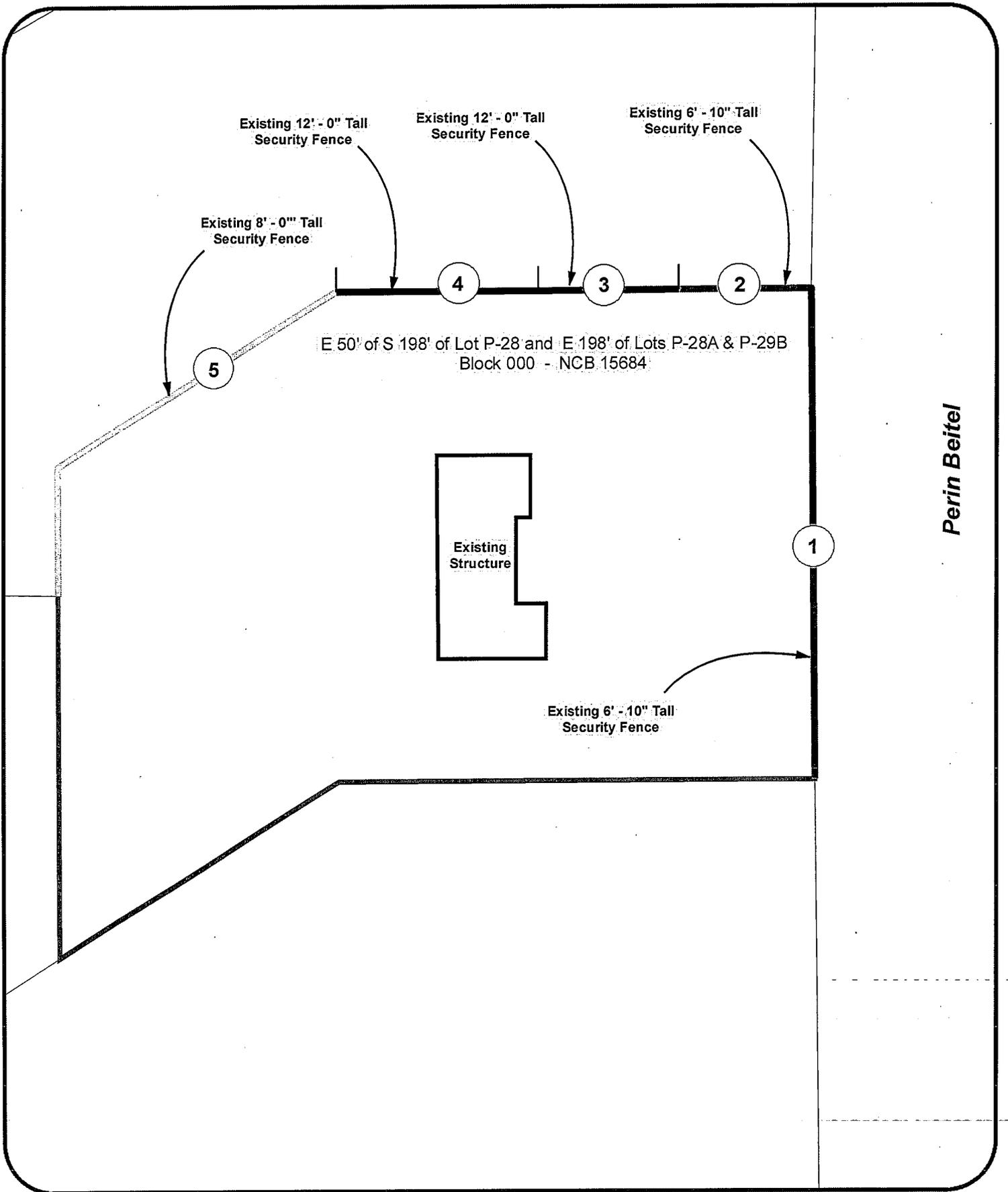
35-514 Fences: Predominantly open fences in front yards shall not exceed 4 feet in height. Fences in side and rear yards shall not exceed 6 feet in height in commercial zoning districts. Fences in side and rear yards shall not exceed 6 feet in height in industrial zoning districts when adjacent to commercial uses and/or zoning districts.

Background: The subject property is located on the west side of Perrin Beitel between Wurzbach Parkway and Greystone Drive. It is currently occupied by a vacant single story residence. Surrounding zoning includes C-2 to the north and south, C-2 and C-3 to the east, and I-1 to the west. Other zoning nearby includes MF-33, RM-4, and R-6. Surrounding land uses are largely industrial and commercial, with office uses abutting to the north and south. The applicant has applied for a Certificate of Occupancy for auto sales and repair and is requesting these

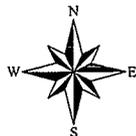
variances in order to be allowed to keep the fence and maintain the desired level of security for his business. The applicant indicated to staff that the fence had previously been located within the property, nearer to the structure, and was relocated to the property lines shortly after he purchased the property. Staff is unable to confirm this however, as no permit for fence construction has been issued.

Recommendation: The intent of the maximum fence height requirement in front, side, and rear yards is to allow property owners to adequately screen and secure their property while also maintaining openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. It does not appear that the subject property possesses any unique characteristics that would cause the literal enforcement of the fence height standards to create an undue hardship. There do not appear to be any aspects of the land that would necessitate the construction of a fence of this design to reasonably meet the intent of these standards. Furthermore, staff believes that the granting of these variances would alter the essential character of the area, as the properties along this portion of Perrin Beitel are not typically characterized by fences of excessive height. Staff does not believe that the applicant would be denied the ability to make reasonable use of the property without the variances and therefore recommends **denial** of these variances.

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



Board of Adjustment
Plot Plan for
Case A-09-026



Scale: 1" approx. = 50'

10803 Perrin Beitel

Planning and Development Services Dept
 City of San Antonio
 (02/12/2009 - E Hart)

Board of Adjustment - Case No. A-09-026

March 2, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, March 2, 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 – Anthony Qwik

The east 50 feet of the south 198 feet of Lot P-28, east 198 feet of Lot P-28A and P-29B, NCB 15684
10803 Perrin Beitel

Zoned: "C-3NA" General Commercial Non-Alcoholic Sales District and "I-1" General Industrial District

The applicant is requesting 1) a 2-foot 10-inch variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 6-foot 10-inch tall fence on the east property line, 2) a 2-foot 10-inch variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 6-foot 10-inch tall fence on the north property line from the northeast corner to a point 53 feet west of the northeast corner, 3) an 8-foot variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 12-foot tall fence on the north property line from a point 53 feet west of the northeast corner to a point 110 feet west of the northeast corner, 4) a 6-foot variance from the requirement that fences in side and rear yards not exceed 6 feet in height, in order to keep a 12-foot tall fence on the north property line from a point 110 feet west of the northeast corner to the western terminus of the north property line, and 5) a 2-foot variance from the requirement that fences in side and rear yards not exceed 6 feet in height, in order to keep an 8-foot tall fence on the west and northwest 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 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: _____

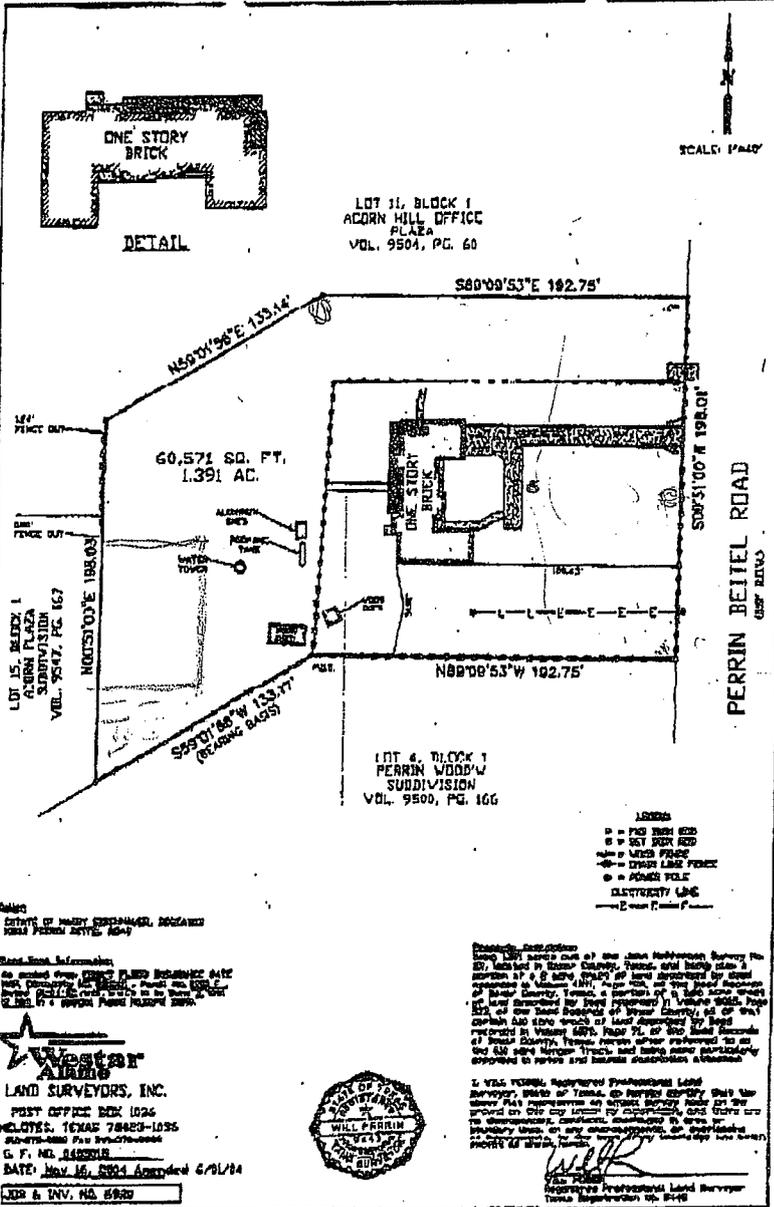
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-09-026



Weststar
ALABAMA
 LAND SURVEYORS, INC.
 POST OFFICE BOX 1026
 MOBILE, TEXAS 78483-1035
 214-278-8888 Fax 214-278-8888
 G. F. McLEOD
 DATE: Nov. 16, 2004 Approved 6/01/04
 JED & INV. NO. 6920

