City of San Antonio Board of Adjustment

Regular Public Hearing Agenda

Monday, October 24, 2011

1:00 P.M.

Cliff Morton Development and Business Services Center, Board Room

Anytime during the public hearing, the Board of Adjustment may meet in Executive Session to consult on attorney-client matters (real estate, litigation, personnel and security matters), as well as to discuss any of the agenda items. This notice was posted on the Planning and Development Services Department website (www.sanantonio.gov/dsd), and the City Hall kiosk, at least seventy-two (72) hours prior to this public hearing, in complaince with the Texas Open Meetings Act.

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1. **1:00 PM** - Public Hearing – Call to Order

2. Roll Call

3. Pledges of Allegiance

4. **A-11-071:** The request of Maia Properties, LLC, for a 2,815-square foot variance from the 6,000-square foot minimum lot area requirement, in order to allow a 3,185-square foot lot, 1319 Muncey Street. (Council District 2)

5. **A-11-072:** The request of Gerardo Mechler, for a 10-foot variance from the 20-foot minimum setback requirement for a garage entry accessed from a street right-of-way, in order to allow a 10-foot setback to the garage entry, 340 Montrose Street. (Council District 3)

6. **A-11-073:** The request of Edward Gutierrez, for a 10-foot variance from the 40-foot maximum sign height requirement for properties located within the "UC-1" IH-10/FM-1604 Urban Corridor, in order to allow a 50-foot tall freestanding sign, 5602 UTSA Boulevard. (Council District 8)

7. Approval of the minutes – October 3, 2011.

8. Consideration of the 2012 Board of Adjustment public hearing calendar.

9. Adjournment.

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 Membership

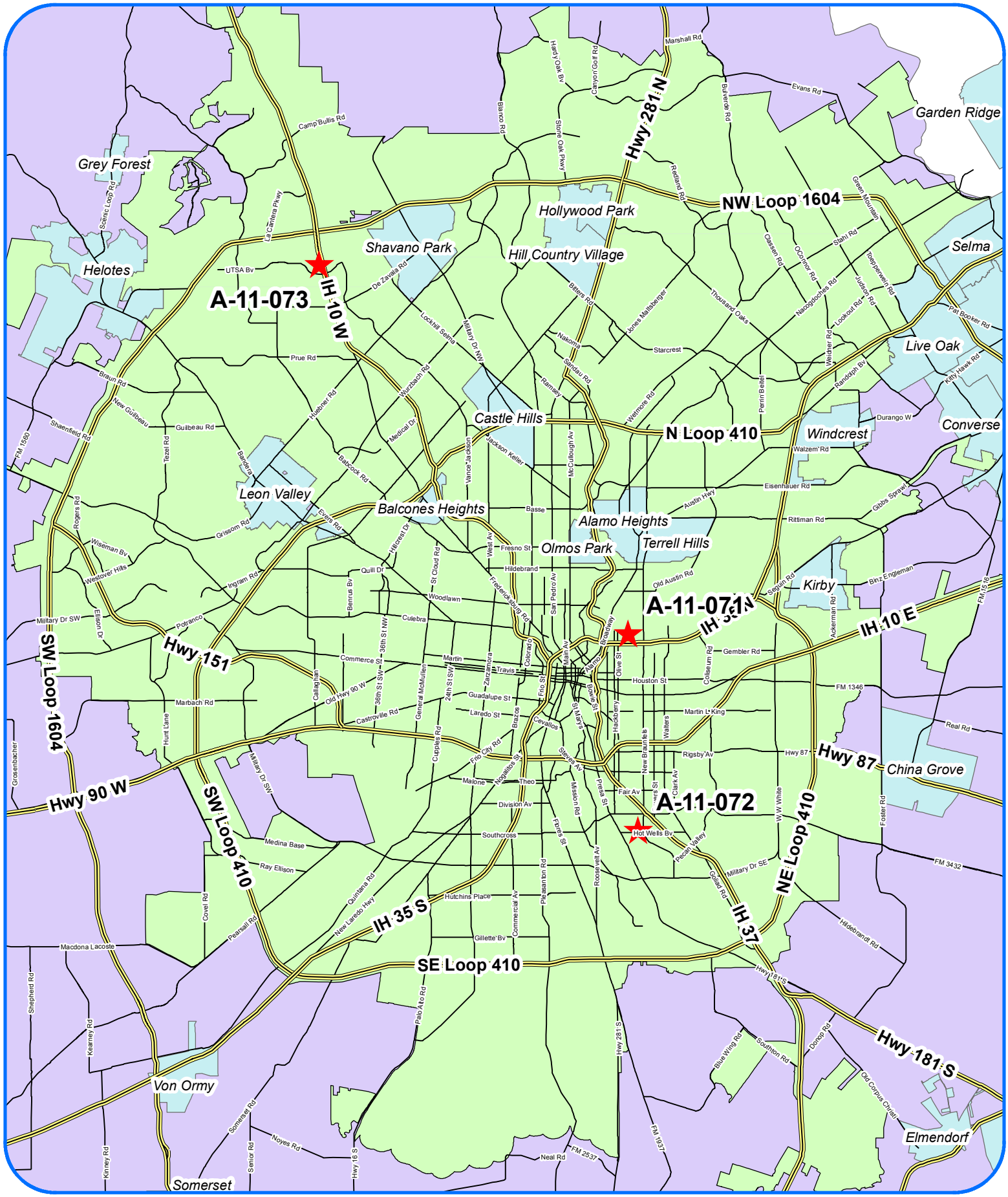
Michael Gallagher, Chair *Andrew M. Ozuna, Vice Chair*

Geroge L. Britton • Gene Camargo • Helen K. Dutmer • Edward H. Hardemon • Mary Rogers

Liz M. Victor • David M. Villyard • Jesse Zuniga • Vacancy

Alternate Members

Harold O. Atkinson • Maria D. Cruz • Paul E. Klein • Marian M. Moffat • Henry Rodriguez • Steve G. Walkup



Board of Adjustment

Subject Property Locations
Cases for October 24, 2011

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Development Services Dept.
City of San Antonio
(9/28/2011)

City of San Antonio
Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-11-071
Date:	October 24, 2011
Applicant:	Maia Properties, LLC
Owner:	Maia Properties, LLC
Location:	1319 Muncey Street
Legal Description:	North 53.09 feet of Lot 7, also known as Arbitrary Lot 7B, Block 3, NCB 993
Zoning:	"R-6 H AHOD" Residential Single-Family Government Hill Historic Airport Hazard Overlay District
Prepared By:	Andreina Dávila-Quintero, Planner

Request

The applicant requests a 2,815-square foot variance from the 6,000-square foot minimum lot area requirement, in order to allow a 3,185-square foot lot.

Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code ("UDC"). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 6, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on October 7, 2011. Additionally, notice of this meeting was posted at City Hall and on the City's internet website on October 21, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Executive Summary

The subject property is approximately fifty-three (53) feet wide by sixty (60) feet deep, and consists of an approximately 1,488-square foot two-story structure that is currently vacant. The building was built in 1920 according to the Bexar County Appraisal District, and at one time was used by as many as four (4) dwelling units. It is the intent of the current property owner to use the subject property as may be allowed by the UDC.

The subject property was created in its current configuration circa 2004 when the owner at the time sold the south 96.91 feet of the original Lot 7, also known as arbitrary Lot 7B, without first going through the subdivision platting process. However, Bexar County records show that both portions of Lot 7 were owned by the same property owner until the former property owner sold

the two (2) portions to different individuals. The current property owner purchased the subject property in February 2009, and it has not been occupied for approximately three (3) years according to the submitted application.

In November 2010, the City adopted Ordinance No. 2010-11-04-0971, changing the base zoning district of the subject property from "MF-33" Multi-Family Residential District to "R-6" Residential Single-Family District as part of a larger City-initiated rezoning effort for the Government Hill neighborhood. Due to the previous abandonment of the multi-family use, the subject property lost non-conforming use status as established in Section 35-705 of the UDC. According to Table 311-1, Residential Use Matrix, of the UDC, the current maximum density allowed on the subject property is one (1) residential dwelling unit.

Pursuant to Table 310-1 of the UDC, lots in the "R-6" Residential Single-Family District shall have a minimum lot area of six thousand (6,000) square feet. Due to the existing 3,185-square foot parcel area that was created at the time the property was split, the applicant is not able to plat the property in its current configuration. Consequently, the applicant is requesting a 2,815-square foot variance from the minimum 6,000-square foot lot area standard. The variance is needed to plat the property as a single lot and to install water and sewer lines, which are needed for the reasonable use and enjoyment of the property.

It should be noted that Section 35-303 of the UDC establishes seven (7) single-family residential zoning districts, which are primarily defined by the minimum lot area. Single-Family residential lots with a minimum lot area of three thousand (3,000) square feet are only permitted in the "R-3" Residential Single-Family base zoning district. The applicant has the option to apply to rezone the property to "R-3" Residential Single-Family District to comply with the minimum lot area requirement. However, in the event that the rezoning is approved by City Council, a variance would still be needed from the 75-foot minimum lot depth requirement of the "R-3" Residential Single-Family zoning district due to the existing 60-foot lot depth of the subject property. The applicant may still request to rezone the subject property to "R-3" Residential Single-Family once the platting process is complete. Alternatively, the applicant also has the option to request to rezone the property to "IDZ" Infill Development Zone as a base zoning district, which would eliminate the minimum lot area and dimension requirements.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
R-6 H AHOD (Residential)	Vacant

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	R-6 H AHOD (Residential)	Single-Family
South	MF-33 H AHOD (Multi-Family)	Fourplex
East	HS R-6 H AHOD (Residential)	Single-Family
West	R-6 H AHOD (Residential)	Single-Family

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located within the Government Hill Neighborhood Plan, and has a Low Density Residential Future Land Use ("FLU") designation. Per the Government Hill Neighborhood Plan, the "R-6" Residential Single-Family base zoning district is allowed in this FLU designation.

The subject property is located within the Government Hill Alliance Neighborhood Association.

Criteria for Review

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. The variance is not contrary to the public interest:

   The requested variance will not create any adverse impact on the wellbeing of the general public. Furthermore, the City recognizes the impediments caused by substandard lots to promote infill development. Approval of this variance will allow the platting of a nonconforming property as a single lot, as well as its reasonable use in a residential area.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

   The subject property is an approximately 53-foot wide by 60-foot deep parcel of land that was created when the south 96.91 feet of Lot 7 was split without a subdivision plat in 2004. In 2010, the City approved the rezoning of the subject property from "MF-33" Multi-Family Residential District to "R-6" Residential Single-Family District, which changed the minimum lot size requirements. Had the property been legally platted at the time it was subdivided, this variance would not be needed. Due to the time when the property was created and the City-initiated change in zoning district, the enforcement of the current "R-6" Residential Single-Family District development standards result in unnecessary hardship on this substandard parcel.

3. By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.

   The granting of the variance will allow the subject property to be developed with a use similar to those permitted in the vicinity by the UDC, and thus substantial justice will be done. The applicant has the option to rezone the property to "R-3" Residential Single-Family District that allows 3,000-square foot lots by right; however, this zoning district requires a minimum lot depth of seventy-five (75) feet. Due to the subject property's lot depth of sixty (60) feet, the applicant would require a variance from the lot depth standard in order to plat the property in a "R-3" Residential Single-Family zoning district.

4. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

   The requested variance will not authorize the operation of a use on the subject property other than those specifically permitted in the "R-6" Residential Single-Family base zoning district.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

   The subject property is located within a residential area with single-family and multi-family residential uses. The variance requested will allow the use of a substandard lot, and will not injure the conforming uses of the adjacent properties.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

   The requested variance is due to the unique conditions of the subject property that were created at the time that the original Lot 7 was subdivided in 2004 and the change of the zoning district in 2010. These conditions were not created by the current owner, and are not merely financial or due to the general conditions of the "R-6" Residential Single-Family base zoning district.

Staff Recommendation

Staff recommends **approval of A-11-071.** The requested variance complies with all the review criteria for granting a variance as presented above. The applicant has demonstrated evidence that the property presents unique conditions that, when strictly enforced, the current "R-6" development standards create undo hardship. Rezoning of the subject property to the "R-3" Residential Single-Family base zoning district will not allow for it to be platted in its current configuration as it does not comply with the minimum lot depth requirement of this zoning district.

Attachments
Attachment 1 – Location Map
Attachment 2 – Plot Plan
Attachment 3 – Submitted Drawings

Board of Adjustment

Notification Plan for

Case A-11-071

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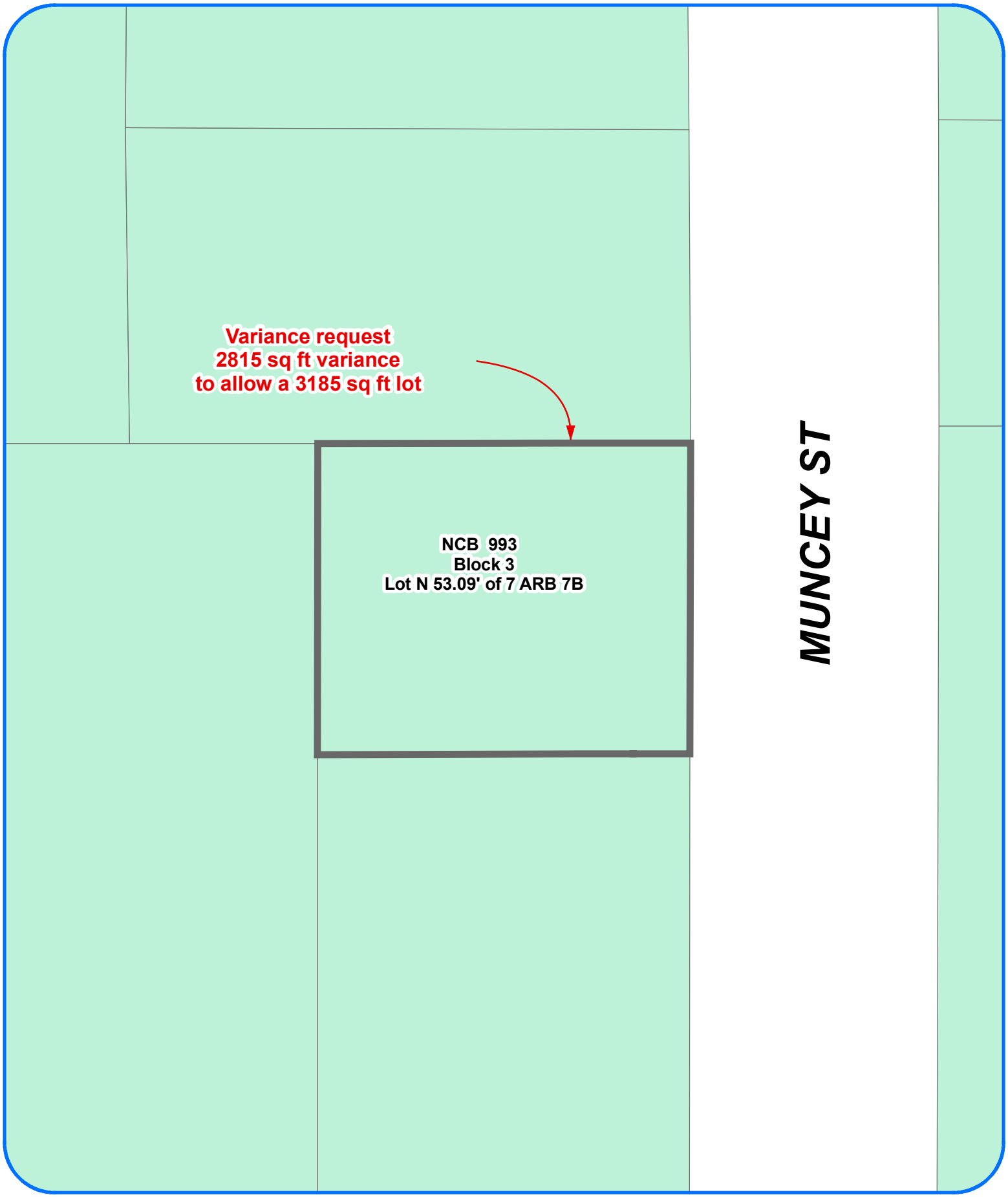
Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 100'
Council District 2

Planning and Development Services Dept
City of San Antonio
(9/20/2011)



Board of Adjustment

Plot Plan for

Case A-11-071

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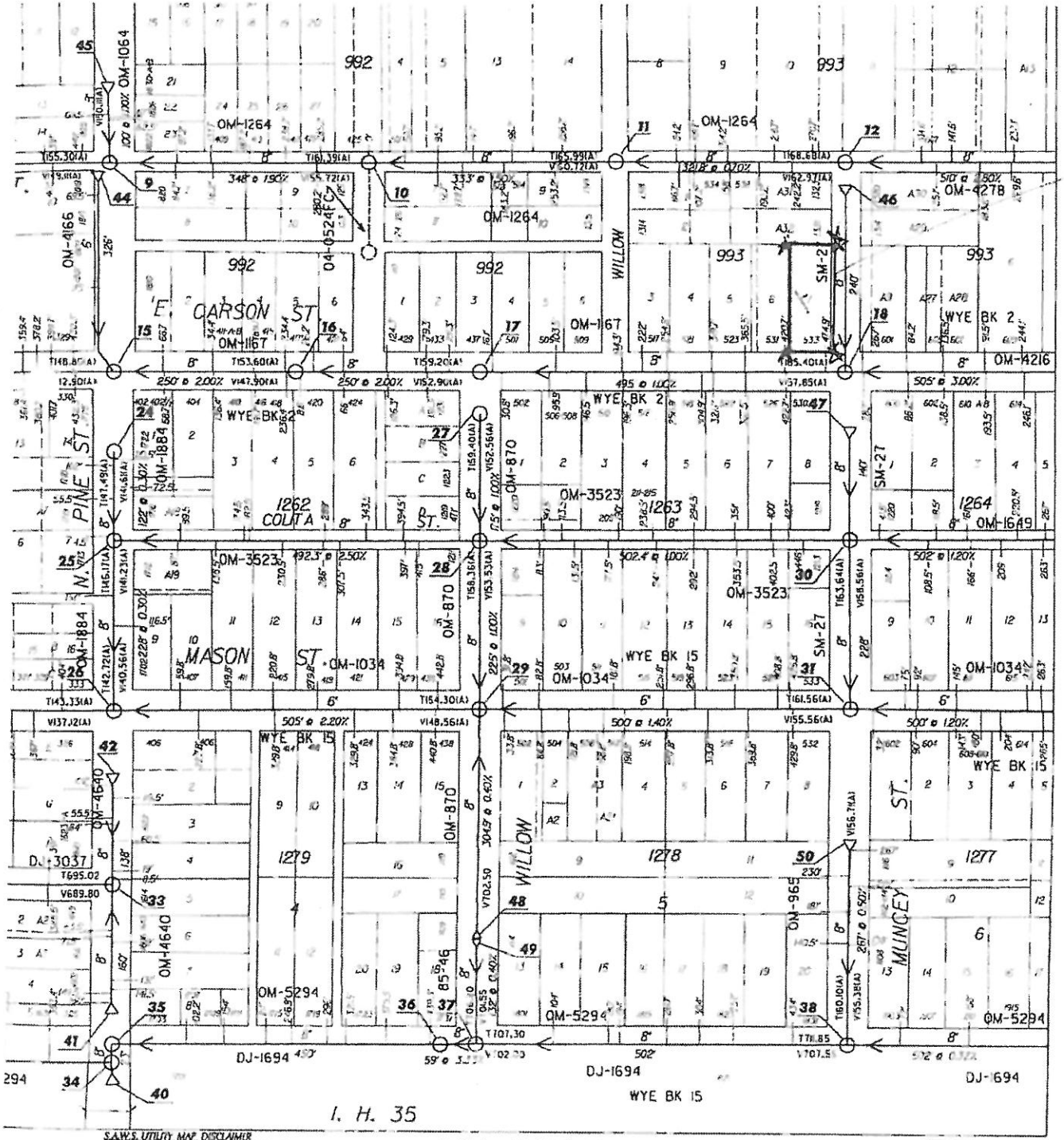
Scale: 1" approx. = 20'
Council District 2

1319 MUNCEY ST

Development Services Dept
City of San Antonio
(4/23/2011)



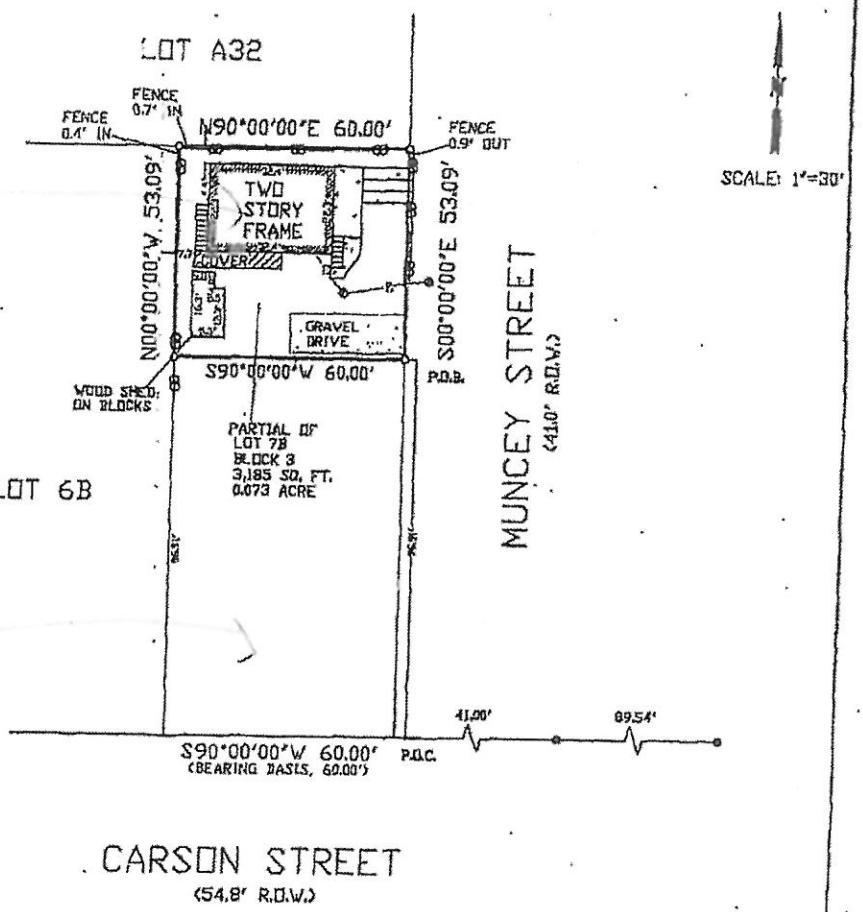
533 CARSON
* 1319 MUNCEY

S.A.W.S. UTILITY MAP DISCLAIMER
This utility map is for reference only. The information may not represent what actually has been constructed. S.A.W.S. explicitly disclaims any representation of the accuracy of the information on this map. S.A.W.S. assumes no liability for any errors, omissions or inaccuracies in the map

SAN ANTONIO WATER SYSTEM
INFRASTRUCTURE PLANNING DEPARTMENT

San Antonio Water

1319 Muncey
533 Carson



Buyer

Sabrina Daly
1319 Muncey Street

LEGEND

● = FND IRON ROD
O = SET IRON ROD
( ) = RECORD
-⊗-⊗- = CHAIN LINK FENCE
⊗ = POWER POLE
ELECTRICITY LINE
—E—E—E—

Flood Zone Information

As scaled from FEMA'S FLOOD INSURANCE RATE MAP, Community No. 480045, Panel No. 0453 E, Dated 02-16-96, this tract is in Zone X and is not in a special flood hazard zone.

Notes

Bearing Basis and Rights-of-Way set per city block records, OFFICIAL RECORDS OF BEXAR COUNTY, TEXAS.

Property Description

A 0.073 acre tract of land, more or less, being a portion of Lot 7, a resubdivision of Lots 1 through 5, also know as Arbitrary Lot 7B, Block 3, New City Block 993, in the City of San Antonio, Bexar County, Texas, said 0.073 acre tract being more particularly described by metes and bounds attached.

I, Will Perrin, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above Plat represents an actual survey made on the ground on this day under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachments, or overlapping of improvements, to the best of my knowledge and belief, except as shown hereon.

STATE OF TEXAS REGISTERED WILL PERRIN 5443 PROFESSIONAL LAND SURVEYOR

Westar Alamo
LAND SURVEYORS, INC.
POST OFFICE BOX 1036
HELOTES, TEXAS 78023-1036
210-372-9500 Fax 210-372-9999

G. F. NO. 556695-S

City of San Antonio
Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-11-072
Date:	October 24, 2011
Applicant:	Gerardo Mechler
Owner:	Gerardo Mechler
Location:	340 Montrose Street
Legal Description:	Lot 21 and East 25 feet of Lot 20, Block 9, NCB 7634
Zoning:	"MF-33 AHOD" Multi-Family Residential Airport Hazard Overlay District
Prepared By:	Andreina Dávila-Quintero, Planner

Request

The applicant requests a 10-foot variance from the 20-foot minimum setback requirement for a garage entry accessed from a street right-of-way, in order to allow a 10-foot setback to the garage entry.

Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code ("UDC"). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 6, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on October 7, 2011. Additionally, notice of this meeting was posted at City Hall and on the City's internet website on October 21, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Executive Summary

The approximately 0.24-acre property consists of an approximately 2,004-square foot single-family residential building. The subject property is located at the southwest corner of Montrose Street and Russi Street. The current property owner wishes to build a detached two-car garage on the southeast corner of the subject property with access from Russi Street. According to the submitted Site Plan, the proposed garage will be approximately one thousand (1,000) square feet, and will be set back ten (10) feet from the east side property line.

Pursuant to Section 35-516(g) of the UDC, there shall be a minimum of twenty (20) feet between the back of a sidewalk or the property line and any garage entry accessed from a street right-of-way. As there is no sidewalk along this side of Russi Street, the proposed garage is required to be

set back a minimum of twenty (20) feet from the east property line. Consequently, the applicant is requesting a 10-foot variance from the garage setback standard.

According to the submitted application, there is eleven (11) feet between the property line and the back of the curb, placing the garage a minimum of twenty-one (21) feet from the back of the curb. The applicant states that the 21-foot driveway from the back of the curb to the garage entry will accommodate the resident's vehicles to park off the street, and provide a safer means of parking vehicles on the property. Furthermore, the applicant states that enforcement of the 20-foot garage setback requirement will result in the demolition of a storage shed and/or a row of trees to the west of the garage foundation.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
MF-33 AHOD (Residential)	Single-Family

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	MF-33 AHOD (Residential)	Single-Family
South	MF-33 AHOD (Residential)	Single-Family
East	MF-33 AHOD (Residential)	Single-Family
West	MF-33 AHOD (Residential)	Single-Family

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located within the South Central Community Plan. The subject property is located within the Hot Wells Neighborhood Association.

Criteria for Review

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. The variance is not contrary to the public interest:

   The requested variance is contrary to the public interest as, if approved, it will allow the placement of a garage ten (10) feet from the east property line, which is also the right-of-way line of Russi Street. A garage with a 10-foot setback will obstruct the view of traffic on Russi Street, and reduce the distance recommended for adequate visibility when entering/exiting a site.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

   A literal enforcement of the garage setback requirement will require the property owner to build the detached two-car garage a minimum of twenty (20) feet from the east property line. According to the submitted Site Plan, there is approximately twenty-seven (27) feet from the

west property line and thirteen (13) feet from the existing tool shed, and the proposed location of the garage. These dimensions show that sufficient space exists on the property to place the garage twenty (20) feet from the east property line without demolishing or relocating any existing structures on site. In addition, the existing trees on the property are located along the west property line, north of the existing tool shed. Compliance with the garage setback requirement will not interfere with the existing trees on site.

3. By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.

   The variance is neither keeping with the spirit of the ordinance nor would it do substantial justice. The intent of the required garage setback is to provide adequate visibility for vehicles exiting a garage and impeding traffic on the right-of-way. If a sidewalk existed on this side of the street, the garage would be required to be set back a minimum of thirteen (13) feet from the east property line, twenty-four (24) feet from the back of the curb, depending on the placement and width of the sidewalk. The requested variance goes against this intent as it reduces the minimum distance required for vehicles backing into a right-of-way.

4. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

   The requested variance will not authorize the operation of a use on the subject property other than those specifically permitted in the "MF-33" Multi-Family Residential base zoning district.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

   The requested variance will not substantially injure the appropriate use of the adjacent conforming properties or alter the essential character of the district. The subject property is located in a residential area with single-family and multi-family residential uses. Several properties within this area have detached garages and other accessory structures, to include the properties to the north, south and west of the subject property.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

   No unique conditions or circumstances exist on the property that prevent the applicant from using the property as intended and complying with the minimum requirements of the UDC. The requested variance is needed due to the existing tool shed located to the west of the proposed garage and the trees within the rear yard. However, there is a minimum of thirteen (13) feet from the proposed location of the garage and the tool shed, and the trees are located along the west side property line. The applicant is able to place the garage twenty (20) feet from the east property line without demolishing or relocating the tool shed, as more than three (3) feet will remain between the tool shed and proposed garage.

   It should be noted that the applicant has the option to locate the garage entry along the south building elevation to access the garage from the alley along the south property line. The unimproved alley is fifteen (15) feet wide according to the Temple Hill Addition Section "A"

Plat (Volume 368, Page 180, Deed and Plat Records of Bexar County). In this event, the garage may be located ten (10) feet from the east property line without the need of the requested variance.

Staff Recommendation

Staff recommends **denial of A-11-072.** The requested variance does not comply with four (4) of the six (6) required approval criteria for granting a variance as presented above. The applicant has not presented evidence that the requested variance would provide relief from a hardship caused by a literal enforcement of the garage setback requirement.

The purpose of a variance is to restore equity when, due to special circumstances or conditions, the Ordinance restricts one (1) property more severely than other properties in the same zoning district. The subject property has no special circumstances or conditions that would result in the need of the variance requested. According to the applicant, the request for the variance is due to lack of space. However, as can be depicted from the submitted Site Plan, the existing tool shed is set back a minimum of sixty (60) feet from the east property line. The proposed garage will have a depth of approximately thirty-seven (37) feet. By placing the garage twenty (20) feet from the east property line, a minimum of three (3) feet will remain between both structures. The subject property has adequate space within the rear yard for a detached two-car garage in compliance with the minimum setback requirement of the UDC. Alternatively, the applicant may elect to access the garage from the alley located along the south property line, which would allow the garage to be set back ten (10) feet from the east property line as proposed.

Attachments

Attachment 1 – Location Map
Attachment 2 – Plot Plan
Attachment 3 – Submitted Site Plan
Attachment 4 – Temple Hill Addition Section “A” Plat

Board of Adjustment

Notification Plan for

Case A-11-072

N
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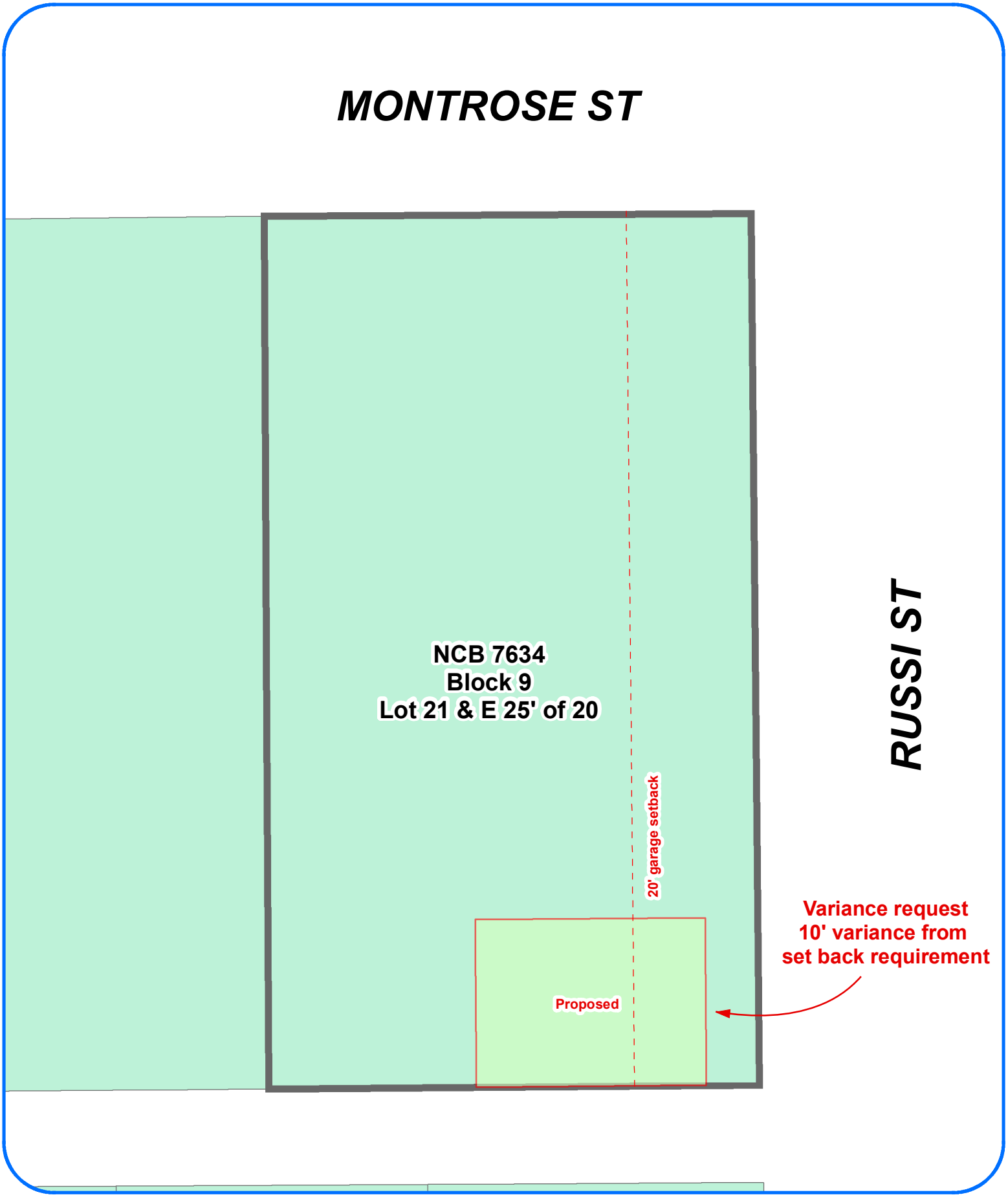
Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 100'
Council District 3

Planning and Development Services Dept
City of San Antonio
(9/27/2011)



Board of Adjustment

Plot Plan for

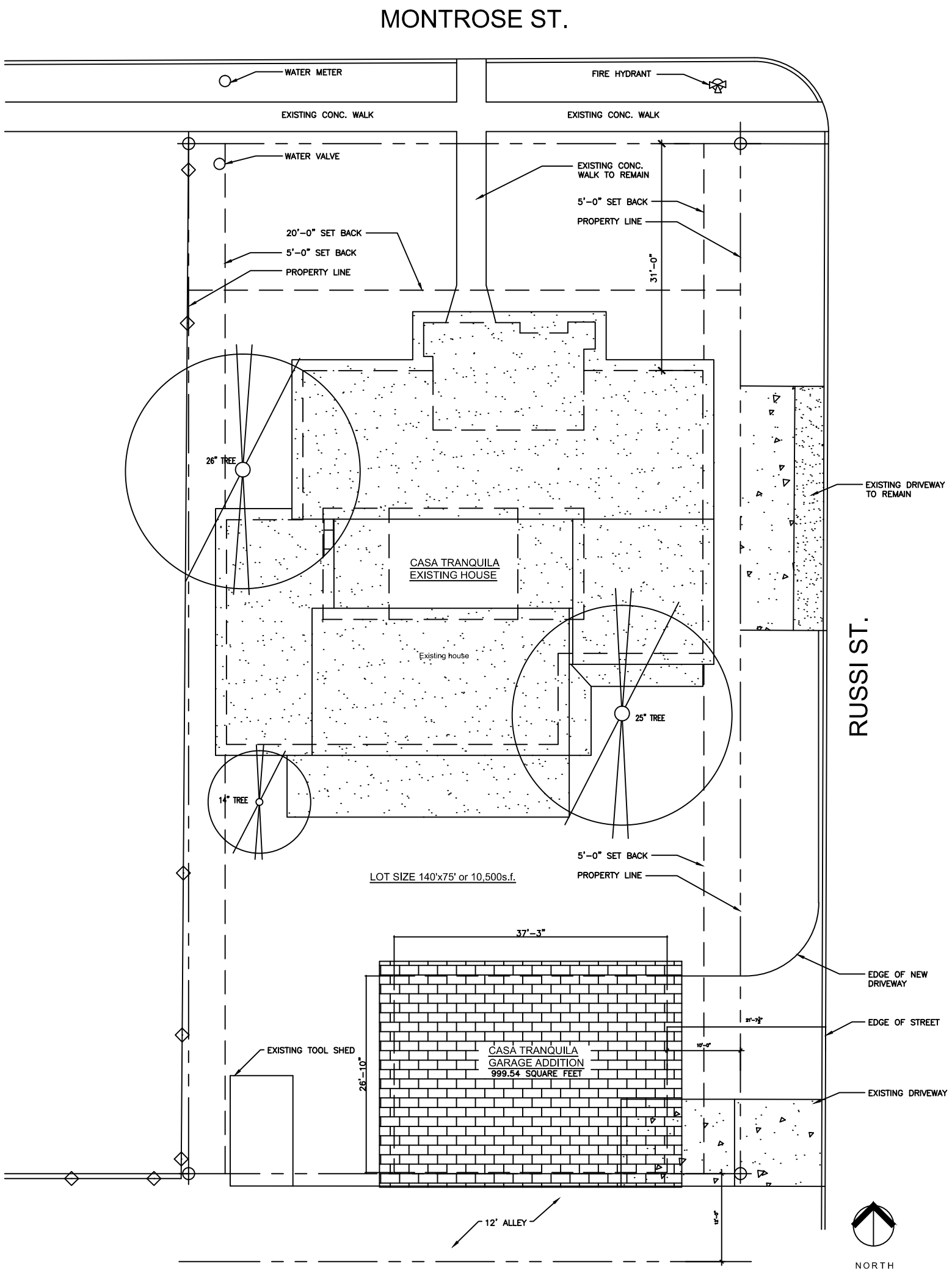
Case A-11-072

N W E S

Scale: 1" approx. = 20'
Council District 3

340 MONTROSE ST

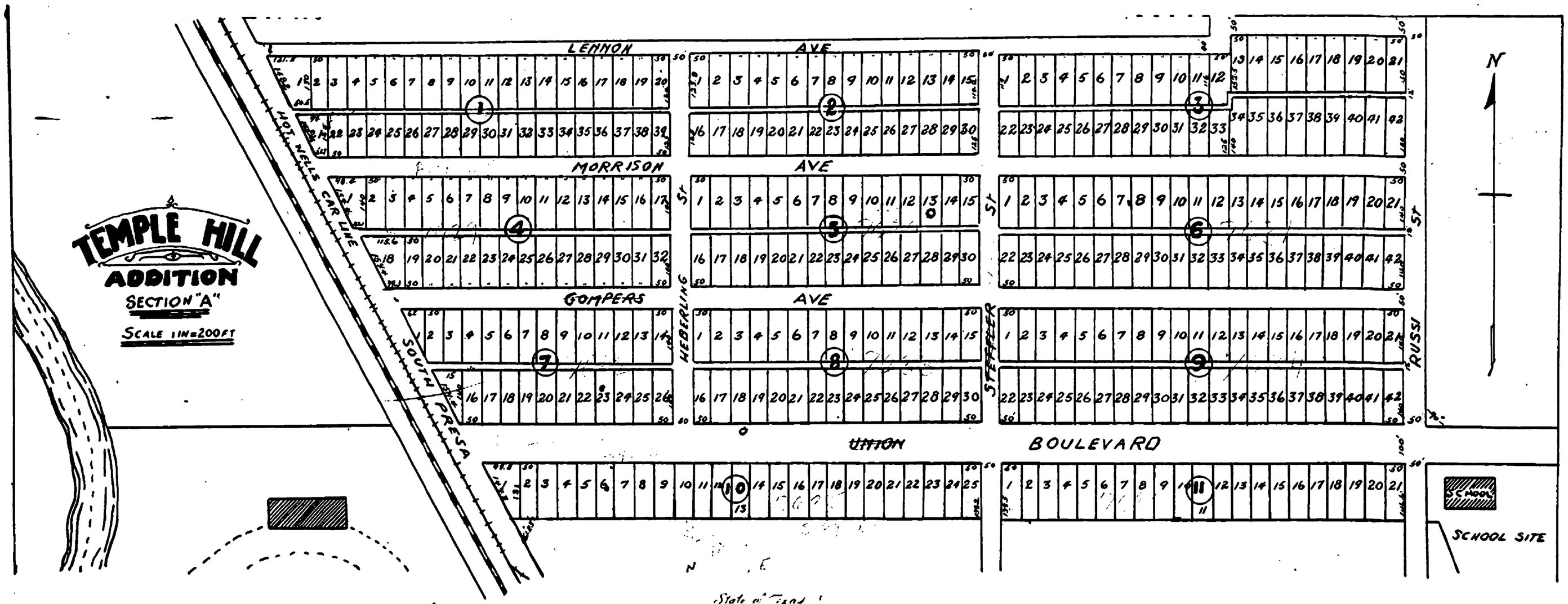
Development Services Dept
City of San Antonio
(9/23/2011)



1 SITE PLAN-340 MONTROSE

SCALE: 1/16" = 1'-0"

No 93780



State of Texas :
County of Bexar : We Walter P. Napier, E.E. Hillje and T.G. Hillje, owners of the Temple Hill Addition, Section A, Bexar County, Texas as herein platted and shown do hereby dedicate the streets and alleys for the free use and benefit of the public. Said addition as herein platted covers that portion of the property conveyed by the Hot Wells Development Co. to T.G. Hillje, E.E. Hillje and Walter P. Napier by deed dated May 14, 1912, that lies East of the Hot Wells Road or South Presa Street extended, in Bexar County, Texas, and extends Eastwardly a sufficient distance so as to include eighty (80) acres.
Witness our hands at San Antonio, Texas, this the 31st. day of October, A.D. 1916.

Walter P. Napier
E.E. Hillje
T.G. Hillje

State of Texas :
County of Bexar : Before me, the undersigned authority, on this day personally appeared Walter P. Napier, E.E. Hillje and T.G. Hillje, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this the 31st. day of October, A.D. 1916.

Seal

W. A. Meriehey
Notary Public, Bexar County, Texas.

Filed for record Nov. 1, 1916, at 11:30 o'clock A.M.
Recorded Nov. 16, 1916, at 4 o'clock P.M.
Frank R. Newton, County Clerk, Bexar County, Texas.
By A. H. Coates, Deputy.

City of San Antonio
Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-11-073
Date:	October 24, 2011
Applicant:	Edward Gutierrez
Owner:	Big Diamond, Inc.
Location:	5602 UTSA Boulevard
Legal Description:	Lot 3, Block 14, NCB 14890
Zoning:	"C-2 S MLOD-1 UC-1" Commercial Military Lighting Overlay District IH-10/FM-1604 Urban Corridor with a Specific Use Authorization for a Gasoline Filling Station with a Car Wash
Prepared By:	Andreina Dávila-Quintero, Planner

Request

The applicant requests a 10-foot variance from the 40-foot maximum sign height requirement for properties located within the "UC-1" IH-10/FM-1604 Urban Corridor, in order to allow a 50-foot tall freestanding sign.

Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code ("UDC"). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 6, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on October 7, 2011. Additionally, notice of this meeting was posted at City Hall and on the City's internet website on October 21, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Executive Summary

The approximately 2.11-acre property is currently vacant and will consist of a gasoline filling station with a carwash. The current property owner wishes to erect a freestanding sign on the northeast corner of the subject property for the future gasoline station. The new freestanding sign is proposed at fifty (50) feet in height, and with approximately three hundred forty-two (342) square feet of sign area.

The subject property is located at the southwest corner of UTSA Boulevard and West Interstate Highway 10, and it is within the IH-10/FM 1604 Urban Corridor. This urban corridor extends along West Interstate Highway 10, between Wurzbach Road and Boerne Stage Road, for a distance of five hundred (500) feet on both sides of the right-of-way. Pursuant to Section 28-

223(e)(1) of the Sign Ordinance, the maximum height allowed for pole signs on properties located adjacent to an expressway within this urban corridor is forty (40) feet. Consequently, the applicant is requesting a 10-foot variance from this standard.

According to the submitted application, the request of the variance is to allow a sign height that will be visible to its future customers.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
C-2 S MLOD-1 UC-1 (Commercial)	Vacant

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	C-3 GC-1 MLOD (Commercial)	Commercial Wholesale
South	R-6 MLOD (Residential)	Vacant
East	C-3 MLOD (Commercial)	Gasoline Station
West	R-6 MLOD (Residential)	Vacant

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located within the North Sector Plan. The subject property is not located within a registered neighborhood association.

Criteria for Review

According to Section 28-247 of Chapter 28: Signs and Billboards, in order for a variance to be granted, the applicant must demonstrate:

1. The variance is necessary because strict enforcement of this article prohibits any reasonable opportunity to provide adequate signs on the site, considering the unique features of a site such as its dimensions, landscaping, or topography; **or**

2. A denial of the variance would probably cause a cessation of legitimate, longstanding active commercial use of the property; and

   The subject property is located at the southwest corner of the intersection of UTSA Boulevard and West Interstate Highway 10. According to the recorded Valero Corner Store No. 1054 Plat (Volume 9623, Page 81, Deed and Plat Records Bexar County), the proposed sign will be located at one (1) of the highest elevation points of the subject property. In addition, at this intersection, West Interstate Highway 10 is located below the street level of UTSA Boulevard. Due to the unique features of the subject property and topography of the area, the subject property has the advantage of being at the highest elevation point on this side of the interstate. This elevation provides the subject property more than reasonable opportunity to have adequate signage on site that may be visible from all adjoining rights-of-

way. No unique features exists that result in the need of the variance requested, or that would result in a cessation of the commercial use if the variance is to be denied.

3. After seeking one or more of the findings set forth in subparagraphs (1) and (2), the board finds that:

   A. Granting the variance does not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

      The subject property is located on a corner lot at the intersection of UTSA Boulevard and West Interstate Highway 10. The properties immediately to the north, south and west of the subject property slope downward, which result in this property being at a higher elevation than the neighboring properties. The subject property is not influenced by oppressive conditions that are unique to the land or that prevent the business from being properly advertised. To the contrary, the topography of the subject property and surrounding area results in signs on the subject property being at a greater elevation than other signs within the area. Granting the variance will provide the applicant with special privileges not enjoyed by other properties within the vicinity.

   B. Granting the variance will not have a substantially adverse impact on neighboring properties.

      Granting the variance will have a substantial adverse impact on neighboring properties by setting a precedent for a sign taller than what the Sign Ordinance permits. The surrounding properties are either undeveloped or have developed with lower signage than what is requested in this variance application, and are located at lower elevations than the subject property.

   C. Granting the variance will not substantially conflict with the stated purposes of this article.

      The City's Sign Ordinance establishes more restrictive regulations for properties located within the urban corridors due to the unique location and function of these corridors. The Sign Ordinance provides latitude for each corridor to provide its own specific standards; in this case, a 40-foot sign height limit was established. The proposed 50-foot sign is twenty-five percent (25%) greater than permitted in this urban corridor. Therefore, granting the variance conflicts with the purposes of the "UC-1" IH-10/FM-1604 Urban Corridor. Moreover, the proposed 50-foot tall single-tenant sign eliminates all distinction between signs allowed within this urban corridor and the rest of the City.

<u>Staff Recommendation</u>

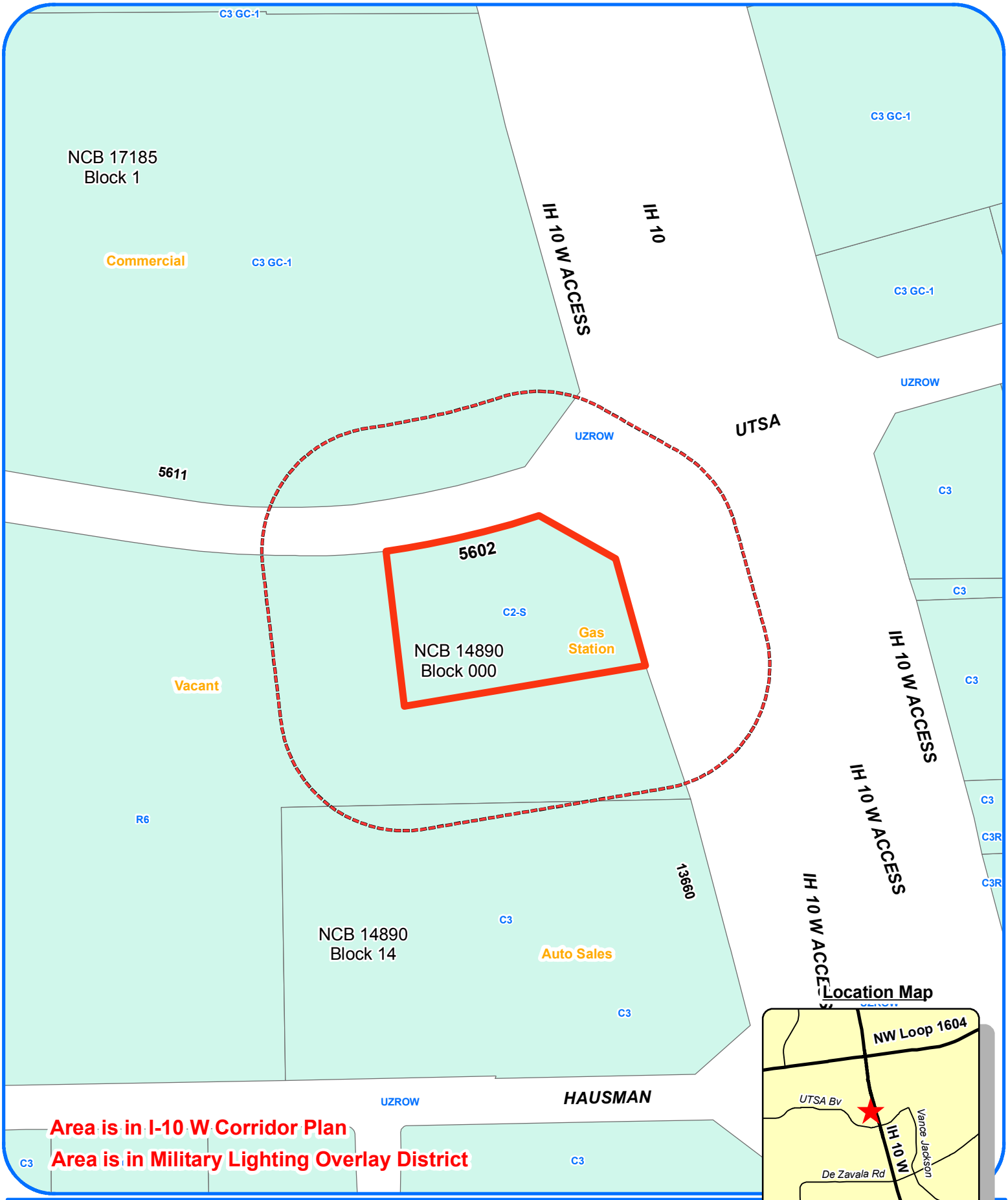
Staff recommends **denial of A-11-073.** The requested variance does not comply with all of the four (4) required approval criteria for granting a variance as presented above. The applicant has not presented evidence that the requested variance would provide relief from a hardship caused by a literal enforcement of the sign height standards for new freestanding signs within an urban corridor. The applicants desire to simply erect a taller sign than what is allowed per Code is not sufficient justification for granting a variance.

The purpose of a variance is not to grant a special privilege to any property owner, but to assure fair and equitable treatment of properties with unusual locations, configurations or graphic communication problems. The applicant states that other signs exist within the corridor that

exceeds the 40-foot height limit; however, these signs are not a condition of the subject property and thus may not be taken into consideration. The subject property does not have special circumstances or conditions that would result in the need of the variance requested. To the contrary, the unique physical conditions of the area give the subject property the advantage of having a sign at a greater elevation than other signs within this corridor.

Attachments

Attachment 1 – Location Map
Attachment 2 – Plot Plan
Attachment 3 – Submitted Site Plan
Attachment 4 – Proposed sign elevation
Attachment 5 – Valero Corner Store No. 1054 Plat



Area is in I-10 W Corridor Plan

Area is in Military Lighting Overlay District

Board of Adjustment

Notification Plan for

Case A-11-073

N
W E
S

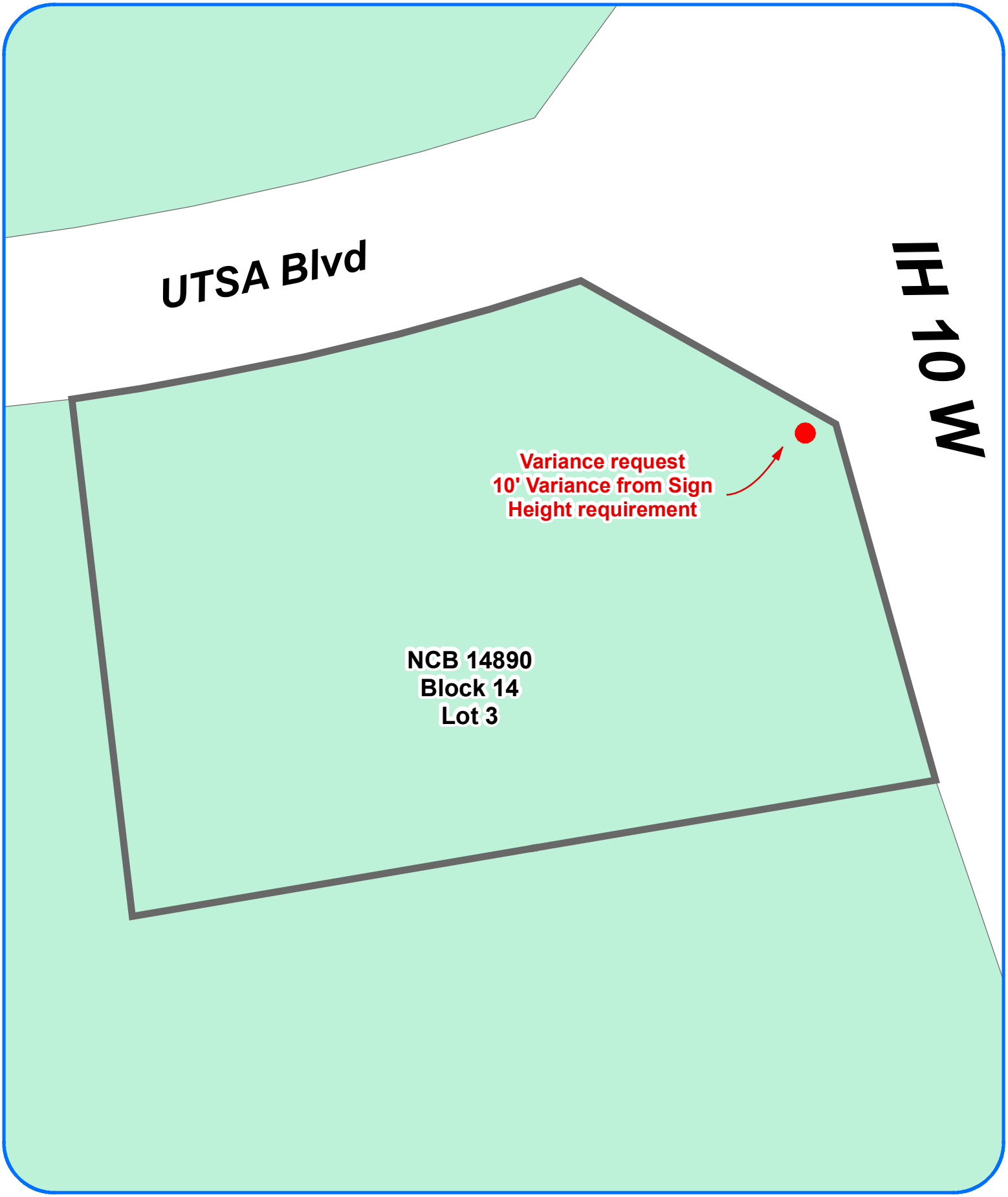
Legend

Subject Property

200' Notification Boundary

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

Planning and Development Services Dept
City of San Antonio
(9/27/2011)



Board of Adjustment

Plot Plan for

Case A-11-073

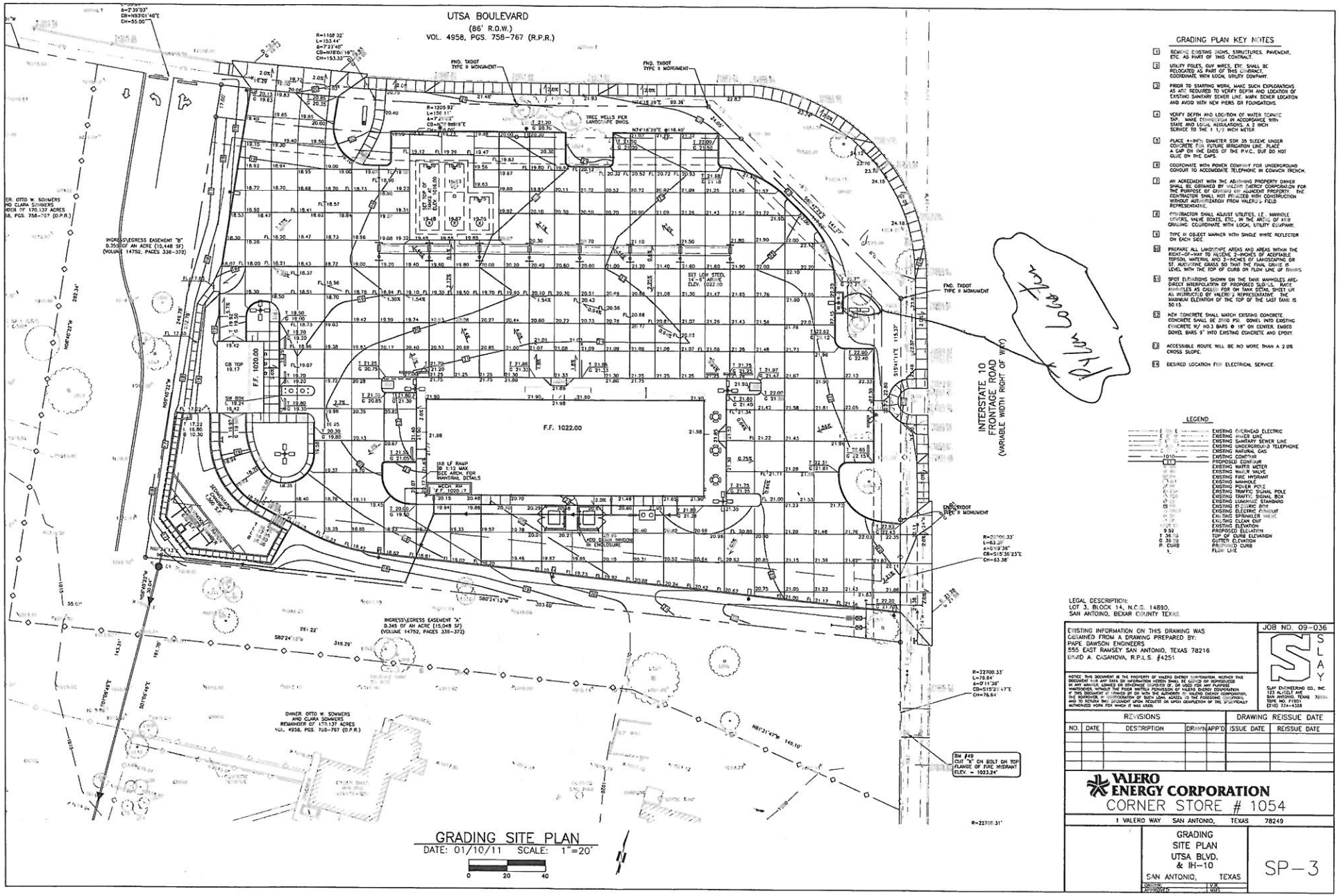
N
W E
S

Sign Locations

Scale: 1" approx. = 20'
Council District 8

5602 UTSA BLVD

Development Services Dept
City of San Antonio
(9/23/2011)



GRADING SITE PLAN

DATE: 01/10/11 SCALE: 1"=20'

0 20 40

GRADING PLAN KEY NOTES

1. REMOVE EXISTING SIGNS, STRUCTURES, PAVEMENT, ETC. AS PART OF THIS CONTRACT.
2. UTILITY POLES, GUY WIRES, ETC. SHALL BE RELOCATED AS PART OF THIS CONTRACT. COORDINATE WITH LOCAL UTILITY COMPANY.
3. PRIOR TO STARTING WORK, MAKE SUCH EXPLORATIONS AS ARE REQUIRED TO VERIFY DEPTH AND LOCATION OF EXISTING SANITARY SEWER LINE. MARK SEWER LOCATION AND AVOID WITH NEW PIERS OR FOUNDATIONS.
4. VERIFY DEPTH AND LOCATION OF WATER SERVICE TAP. MAKE CONNECTION IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS. A 2 INCH SERVICE TO THE 1 1/2 INCH METER.
5. PLACE 4-INCH DIAMETER SDR 35 SLEEVE UNDER CONCRETE FOR FUTURE IRRIGATION LINE. PLACE A CAP ON THE ENDS OF THE P.V.C., BUT DO NOT GLUE ON THE CAPS.
6. COORDINATE WITH POWER COMPANY FOR UNDERGROUND CONDUIT TO ACCOMODATE TELEPHONE IN COMMON TRENCH.
7. AN AGREEMENT WITH THE ADJOINING PROPERTY OWNER SHALL BE OBTAINED BY VALERO ENERGY CORPORATION FOR THE PURPOSE OF GRADING ON ADJACENT PROPERTY. THE CONTRACTOR SHALL NOT PROCEED WITH CONSTRUCTION WITHOUT AUTHORIZATION FROM VALERO'S FIELD REPRESENTATIVE.
8. CONTRACTOR SHALL ADJUST UTILITIES, I.E. MANHOLE COVERS, VALVE BOXES, ETC., IN THE AREA OF NEW GRADING. COORDINATE WITH LOCAL UTILITY COMPANY.
9. TYPE III OBJECT MARKER WITH SINGLE WHITE REFLECTOR ON EACH SIDE.
10. PREPARE ALL LANDSCAPE AREAS AND AREAS WITHIN THE RIGHT-OF-WAY TO RECEIVE 2-INCHES OF ACCEPTABLE TOPSOIL MATERIAL AND 3-INCHES OF LANDSCAPING OR ST. AUGUSTINE GRASS SO THAT THE FINAL GRADE IS LEVEL WITH THE TOP OF CURB OR FLOW LINE OF DRAINS.
11. SPOT ELEVATIONS SHOWN ON THE TANK MANHOLES ARE DIRECT INTERPOLATION OF PROPOSED SLOPES. RAISE MANHOLES AS CALLED FOR ON TANK DETAIL SHEET OR AS INSTRUCTED BY VALERO'S REPRESENTATIVE. THE MAXIMUM ELEVATION OF THE TOP OF THE LAST TANK IS 50.15.
12. NEW CONCRETE SHALL MATCH EXISTING CONCRETE. CONCRETE SHALL BE 3000 PSI. DOWEL INTO EXISTING CONCRETE W/ NO.3 BARS @ 18" ON CENTER. EMBED DOWEL BARS 9" INTO EXISTING CONCRETE AND EPOXY.
13. ACCESSIBLE ROUTE WILL BE NO MORE THAN A 2.0% CROSS SLOPE.
14. DESIRED LOCATION FOR ELECTRICAL SERVICE.

LEGEND

E	EXISTING OVERHEAD ELECTRIC
E	EXISTING POWER LINE
S	EXISTING SANITARY SEWER LINE
T	EXISTING UNDERGROUND TELEPHONE
G	EXISTING NATURAL GAS
1010	EXISTING CONTOUR
1010	PROPOSED CONTOUR
	EXISTING WATER METER
	EXISTING WATER VALVE
	EXISTING FIRE HYDRANT
	EXISTING MANHOLE
	EXISTING POWER POLE
	EXISTING TRAFFIC SIGNAL POLE
	EXISTING TRAFFIC SIGNAL BOX
	EXISTING LUMINAIRE STANDARD
	EXISTING ELECTRIC BOX
	EXISTING ELECTRIC PEDESTAL
	EXISTING SPRINKLER
	EXISTING CLEAN OUT
	EXISTING ELEVATION
9.92	PROPOSED ELEVATION
T 36.15	TOP OF CURB ELEVATION
G 35.15	GUTTER ELEVATION
P. CURB	PROPOSED CURB
L	FLOW LINE

LEGAL DESCRIPTION:
LOT 3, BLOCK 14, N.C.B. 14890,
SAN ANTONIO, BEXAR COUNTY TEXAS

EXISTING INFORMATION ON THIS DRAWING WAS OBTAINED FROM A DRAWING PREPARED BY:
PAPE DAWSON ENGINEERS
555 EAST RAMSEY SAN ANTONIO, TEXAS 78216
DAVID A. CASANOVA, R.P.L.S. #4251

JOB NO. 09-036

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SLAY ENGINEERING CO., INC.
123 ALCOLEY AVE
SAN ANTONIO, TEXAS 78216
TBPE NO. F1901
(210) 224-4328

REVISIONS					DRAWING REISSUE DATE	
NO.	DATE	DESCRIPTION	DRAWN	APP'D	ISSUE DATE	REISSUE DATE

VALERO ENERGY CORPORATION

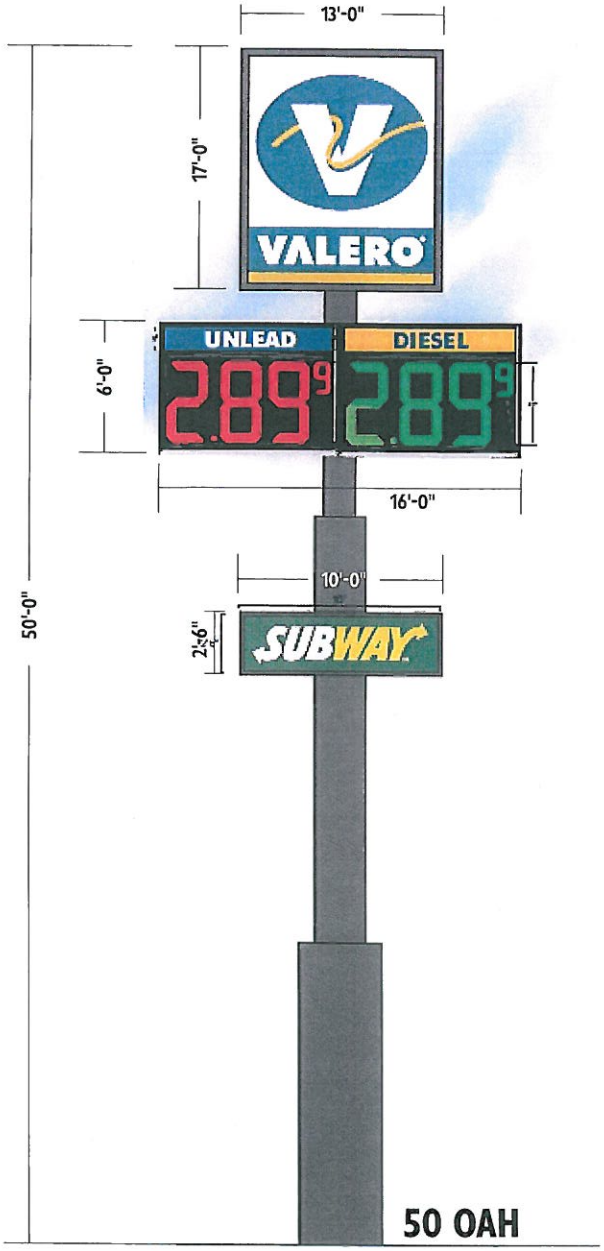
CORNER STORE # 1054

1 VALERO WAY SAN ANTONIO, TEXAS 78249

GRADING
SITE PLAN
UTSA BLVD.
& IH-10
SAN ANTONIO, TEXAS

DRAWN: V.N.
APPROVED: M.D.

SP-3



221 SqFt

96 SqFt

25 SqFt

342 SqFt

50 OAH

client
VALERO

location
SAN ANTONIO,TX

sheet 1 of 1

salesperson
Pete Sitterle

date
8-23-11

scale
NTS

computer file (.dwg)
JC

drawn by
Ben Calderon

important

- ☐ approved
- ☐ approved as noted
- ☐ revise & resubmit

by _____

date _____

electrical

volts _____

amps _____

_____ 20 amp circuits required

comments:

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Comet SIGNS

www.cometsigns.com

235 West Turbo
SAN ANTONIO, TX 78216

ph: (210) 341-7244
fax: (210) 341-7279

Doc# 20110072056 Fees: $72.00
04/28/2011 10:49AM # Pages 4
Filed & Recorded in the Official Public
Records of BEXAR COUNTY
GERARD RICKHOFF COUNTY CLERK

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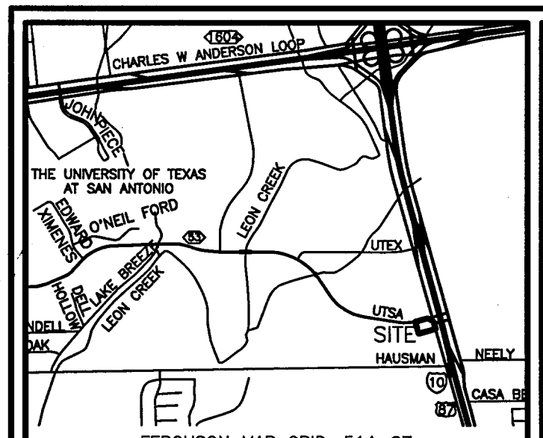


FERGUSON MAP GRID: 514-C7

LOCATION MAP

NOT TO SCALE

PUBLIC WORKS NOTES:

NO STRUCTURES, FENCES, WALLS OR OTHER OBSTRUCTIONS OF ANY KIND SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENT ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS THAT ALTER THE CROSS SECTIONS OF THE DRAINAGE EASEMENT AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS. THE CITY OF SAN ANTONIO AND BEXAR COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT PROPERTY TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID EASEMENT AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID EASEMENT.

SHARED ACCESS NOTES:

1. ALL LOTS SHALL HAVE SHARED CROSS ACCESS WITH ADJACENT LOTS BY MEANS OF RECORDED DEED COVENANT PROVIDING COMMON ACCESS ACROSS THE LOT WITH ADJACENT LOT(S).

2. OWNER SHALL PROVIDE SHARED CROSS ACCESS IN ACCORDANCE WITH UDC 35-506 (r)(3).

EASEMENT NOTES:

1. CLEAR VISION EASEMENT MUST BE FREE OF VISUAL OBSTRUCTIONS, E.G. STRUCTURES, WALL FENCES AND VEGETATION, WHICH ARE HIGHER THAN THREE FEET AND LOWER THAN EIGHT FEET ABOVE THE PAVEMENT AS PER THE AMERICAN ASSOCIATION OF STATE HIGHWAY & TRANSPORTATION OFFICIALS (AASHTO) POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS, OR LATEST REVISION THEREOF.

2. BIG DIAMOND, INC. WAS GRANTED AUTHORITY TO DEDICATE A SANITARY SEWER EASEMENT, IN THE EASEMENT COVENANT AND CONDITION AGREEMENT RECORDED IN (VOLUME 14752, PAGES 336-372) OF THE OFFICIAL PUBLIC RECORDS OF THE REAL PROPERTY OF BEXAR COUNTY, TEXAS.

3. PURSUANT TO THIS PLAT, BIG DIAMOND, INC. DEDICATES THE SANITARY SEWER EASEMENT TO THE PUBLIC.

TxDOT NOTES:

(1) FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.

(2) MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THE PROPERTY WILL REGULATE AS DIRECTED BY "REGULATIONS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS". THIS PROPERTY IS ELIGIBLE FOR A MAXIMUM COMBINED TOTAL OF ONE (1) ACCESS POINT ALONG INTERSTATE HWY. 10, BASED ON THE OVERALL PLATTED HIGHWAY FRONTAGE OF 178.73' AND ONE (1) ACCESS POINT ALONG SP 53, BASED ON THE OVERALL PLATTED HIGHWAY FRONTAGE OF 252.95'

STREETSCAPE PLANTING:

THIS PLAT SHALL CONFORM TO THE STREETSCAPE PLANTING STANDARDS THE MINIMUM REQUIREMENTS SHALL BE MET AS SPECIFIED IN PARAGRAPH 35-512(b) UNIFIED DEVELOPMENT CODE ADOPTED JANUARY 7, 2003.

WASTEWATER EDU NOTE:

THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY DEVELOPMENT SERVICES DEPARTMENT.

IMPACT FEE PAYMENT DUE:

WATER AND SEWER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PROPERTY. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET AND/OR SERVICE CONNECTION.

STORM WATER NOTE:

THE MAINTENANCE OF THE WATER QUALITY BASIN AND OUTLET STRUCTURE SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS OR THE HOME OWNERS ASSOCIATION AND THEIR SUCCESSORS OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO AND/OR BEXAR COUNTY.

CPS NOTES:

1. THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT," "GAS EASEMENT", "ANCHOR EASEMENT," "SERVICE EASEMENT," "OVERHANG EASEMENT," "UTILITY EASEMENT" AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES; TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND. THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THERETO. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.

2. ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT, LOCATED WITHIN SAID EASEMENT, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION.

3. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW:

SETBACK NOTES:

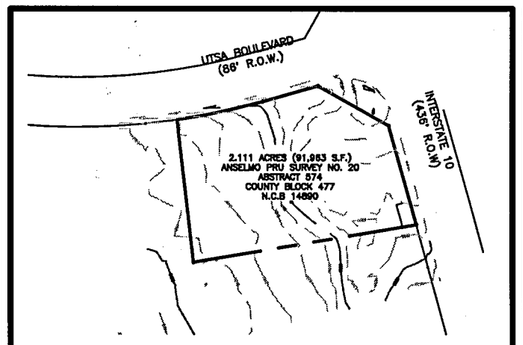
SETBACKS IMPOSED ON THIS PLAT ARE AT THE DISCRETION OF THE DEVELOPER OR BEXAR COUNTY AND ARE NOT SUBJECT TO ENFORCEMENT BY THE CITY OF SAN ANTONIO.

PLAT I.D. 100366

PLAT ESTABLISHING

VALERO CORNER STORE NO. 1054

ESTABLISHING LOT 3, BLOCK 14, N.C.B. 14890, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS BEING 2.11 ACRES. WHICH INCLUDES A 0.10 ACRE RESERVE TO TXDOT.



AREA BEING PLATTED

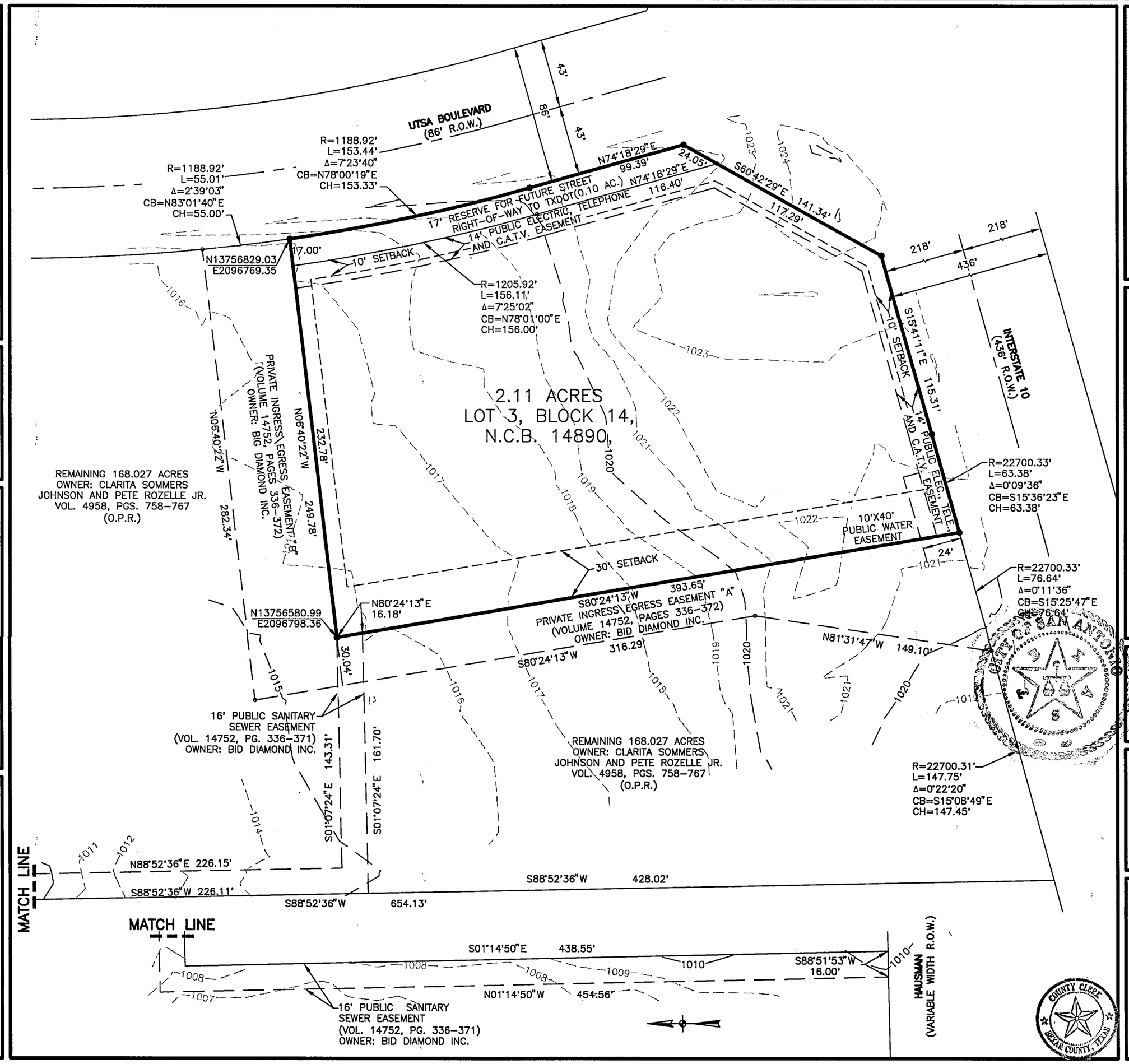
A 2.111 ACRE, MORE OR LESS, TRACT OF LAND OUT OF THE ANSELMO PRU SURVEY NUMBER 20, ABSTRACT 574, NEW CITY BLOCK 14890 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS. BEING THE SAME TRACT OF LAND DESCRIBED IN DEED RECORDED IN VOLUME 14752, PAGES 328-335 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS.

LEGEND

R.O.W.	RIGHT OF WAY
	PROPERTY LINE
	RESERVE LINE
	ADJACENT PROPERTY LINE
	CENTER LINE OF R.O.W.
	EASEMENT
	BUILDING SETBACK LINE

NOTES:

1) 1/2 INCH IRON ROD WITH CAP STAMPED "PAPE-DAWSON" SET AT ALL SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
2) THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996), FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
3) COORDINATES ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996), FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.



0 50 100

SCALE: 1"=50'

SLAY ENGINEERING CO., INC.
123 ALTGELT AVENUE
SAN ANTONIO,
TEXAS 78201
PH. (210) 734-4388
FAX (210) 734-6401
TBPE FIRM NO. F1901

JOB NO.: 09-036 DATE: 03-04-2011

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: PAPE DAWSON ENGINEERS

REGISTERED PUBLIC SURVEYOR NO. 4251
DAVID A. CASANOVA

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

Michael Slay 3/04/11

REGISTERED PROFESSIONAL ENGINEER NO. 44379
MICHAEL M. SLAY, P.E.

STATE OF TEXAS
COUNTY OF BEXAR:

THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER'S ADDRESS:
BIG DIAMOND INC.
1 VALERO WAY
SAN ANTONIO, TEXAS 78249

OWNER

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DOUGLAS M. MULLER KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 1 DAY OF MARCH A.D. 2011

NOTARY PUBLIC
BEXAR COUNTY, TEXAS

MY COMMISION EXPIRES: AUGUST 22, 2012

MYRA A. RODRIGUEZ
Notary Public, State of Texas
My Commission Expires
AUGUST 22, 2012

THIS PLAT OF VALERO CORNER STORE NO. 1054 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 23 DAY OF MARCH, A.D., 2011

BY: CHAIRMAN

BY: SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR:

I, GERRY RICKHOFF, COUNTY CLERCK OF BEXAR COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 28TH DAY OF APRIL, 2011 A.D. AT 10:27AM, AND DULY RECORDED THE DAY OF 28 OF APRIL, 2011 A.D. AT 10:49 AM. IN THE DEED AND PLAT RECORDS OF BEXAR COUNTY, IN BLOCK VOLUME 9623 ON PAGE 81

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE. THIS 28TH DAY OF APRIL, A.D. 2011
COUNTY CLERK, BEXAR COUNTY, TEXAS

BY: DEPUTY