

**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, September 21, 2009**  
**11:30 AM**

**BOARD OF ADJUSTMENT MEMBERS**

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

1. **11:30 AM - Work Session** (Tobin Room) – To discuss public hearing procedures, to include motion making, etc.
2. **1:00 PM** – Public Hearing Call to Order.
3. Roll Call.
4. Pledges of Allegiance.
5. **CASE NO. A-09-077:** The request of JTM Transport, Inc., for an appeal of the decision of the Planning and Development Services Director to deny an additional extension of a Temporary Certificate of Occupancy, 3831 North Foster Road.
6. **CASE NO. A-09-080:** The request of San Antonio Independent School District, for **1)** a 12-foot variance from the requirement that on-premise free-standing signs in residential zoning districts not exceed 8 feet in height, in order to erect a 20-foot tall free-standing sign, **2)** a 36.5 square foot variance from the requirement that free-standing signs for nonresidential uses in residential zoning districts not exceed 36 square feet in sign area, to erect a free-standing sign with an area of 72.5 square feet and **3)** a complete variance from the regulation that no sign nor part of any sign shall move, flash, rotate, or change its illumination, to erect a free-standing sign with a LED electronic message center, 1514 West Durango.

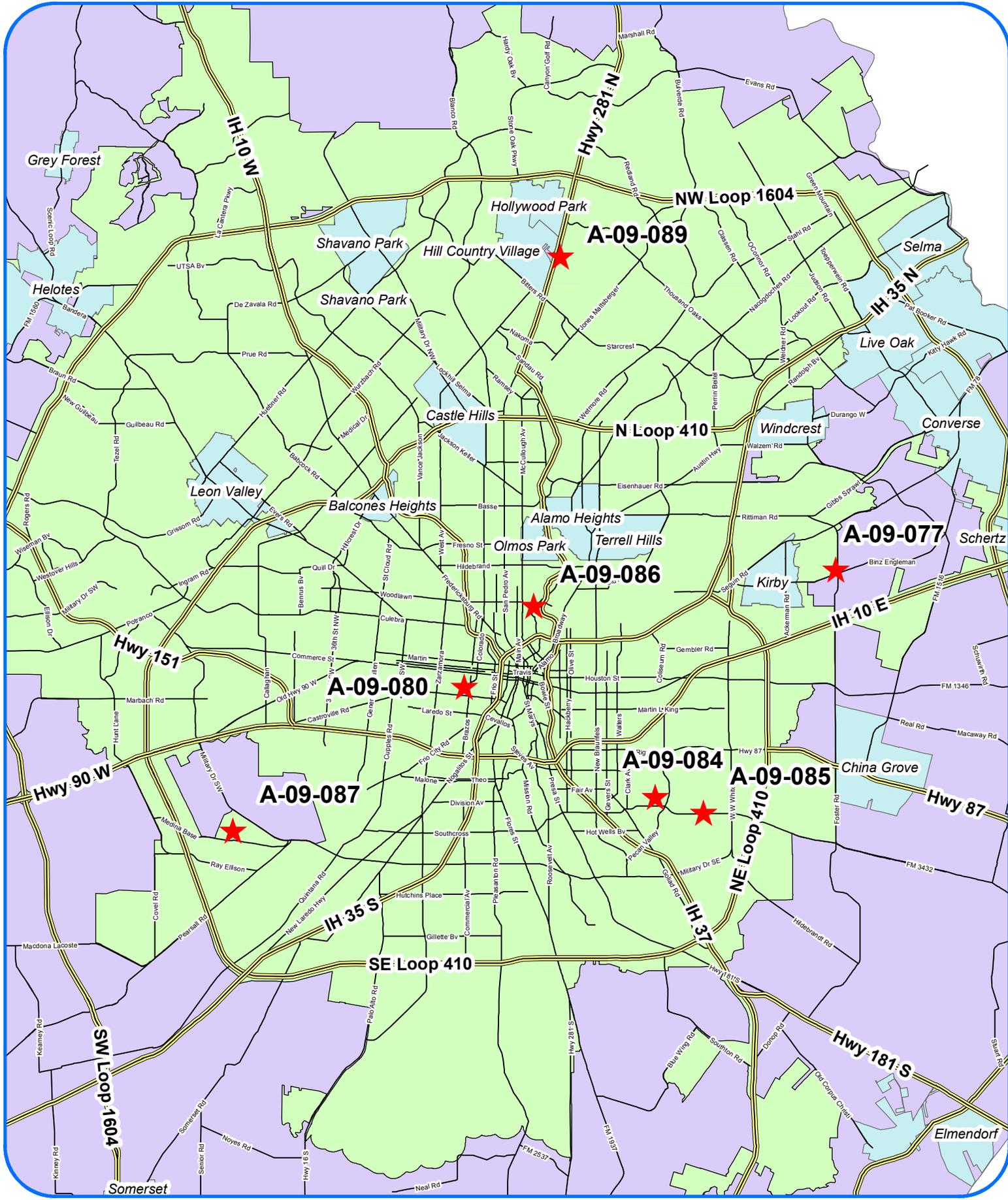
7. **CASE NO. A-09-084:** The request of Richard Acebedo, for a 2-foot 6-inch variance from the requirement that a minimum 5-foot side setback be maintained, in order to keep an existing carport 2 feet, 6 inches from the east side property line, 758 McDougal.
8. **CASE NO. A-09-086:** The request of Mary Ann Owen, for **1)** a 1-foot 10-inch variance from the requirement that accessory structures be located a minimum 5 feet from the side property line, in order to keep an existing accessory structure 3 feet, 2 inches from the west side property line, and **2)** a 3-foot variance from the requirement that accessory structures be located a minimum of 5 feet from the rear property line, to keep an existing accessory structure 2 feet from the rear property line, 346 East Craig Place.
9. **CASE NO. A-09-087:** The request of Rudolf M and Josie Delgado, for a 1-foot, 8-inch variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, in order to keep a 5-foot, 8-inch tall fence in the front yard, 6030 Shoreview Place.
10. **CASE NO. A-09-089:** The request of Gay Gueringer, for **1)** a 16-foot 8-inch variance from the requirement that freestanding multi-tenant signs on local streets in nonresidential zoning districts be no taller than 20 feet, in order to repair an existing non-conforming sign at a height of 36 feet 8 inches, **2)** a 122 square foot variance from the requirement that freestanding multi-tenant signs on local streets in nonresidential zoning districts be no greater than 125 square feet in size, in order to repair an existing sign to a size of 247 square feet, and **3)** a complete variance from the requirement that freestanding signs along local streets in nonresidential zoning districts be setback a minimum of 5 feet from the street right-of-way, to keep an existing sign immediately adjacent to the street right-of-way, 14516 Brook Hollow.
11. Approval of the minutes from the regular meeting on August 17, 2009.
12. 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.
13. **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 207-0170 to check the status of a case.

**ACCESSIBILITY STATEMENT**

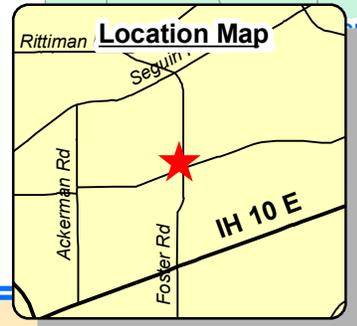
This meeting site is accessible to persons with disabilities. Parking is available. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



# Board of Adjustment

Subject Property Locations  
Cases for September 21, 2009





**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-077**



**Legend**

- Subject Property -----
- 200' Notification Boundary —————
- Scale: 1" approx. = 150'
- Council District 2



# City of San Antonio

## Planning & Development Services Department

### Staff Report

To: Board of Adjustment  
Case No.: A-09-077  
Date: September 21, 2009  
Applicant: JTM Transport, Inc.  
Owner: JTM Transport, Inc.  
Location: 3831 North Foster Road  
Legal Description: Lot 79, Block 7, NCB 16612  
Zoning: "C-2" Commercial District  
Subject: Appeal  
Prepared By: Mike Farber, Planner

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#### **Summary**

The applicant is appealing of the decision of the Planning and Development Services Director to deny the extension of a Temporary Certificate of Occupancy.

#### **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 September 3. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 4. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 18, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Project Description**

The applicant is appealing the decision of the Planning and Development Services Director to deny the extension of a Temporary Certificate of Occupancy (herein referred to as CofO). JTM Transport, Inc. was granted its initial CofO for an office use on August 25, 2004, and operated its transport and truck repair service out of compliance until June 16, 2008. According to the applicant, on that day, JTM Transport, Inc. received notice from the Planning and Development Services Department (herein referred to as PDSD) stating that the aforementioned CofO was revoked due to the fact that JTM Transport, Inc. was operating outside the scope of the approved CofO, which was for an office, and that they were to discontinue operations immediately. They were also informed that the current

zoning of the property (C-2) did not allow for the transport and truck repair service. C-2 zoning does not allow either truck transport or truck repair services.

The applicant applied for a zoning change (Zoning Case # Z2008202 CD) in order to bring the transport and truck repair service into compliance. The conditional use requested for a truck repair service. The Zoning Commission unanimously denied the applicant's request on July 15, 2008. Following this, the applicant withdrew their request for rezoning, and the case was not considered by City Council. On March 28, 2009, the applicant applied for a Non-Conforming Use Registration in order to continue their operation. The application was denied as the business did not begin with the appropriate permits (i.e. CofO).

Thereafter, the applicant petitioned PDSD to grant a Temporary CofO so that JTM Transport, Inc. could be allowed more time to secure another location to conduct its operations. On January 29, 2009, the request was granted. This temporary CofO expired on May 19, 2009. At the time of the expiration of the Temporary CofO, JTM Transport, Inc. still had not begun relocating its operations, and requested that the Temporary CofO be extended until December 31, 2009. This request was subsequently denied by PDSD. The applicant is now appealing the decision of the Director of the PDSD to deny said request for an extension of the Temporary CofO.

### **Surrounding Zoning/Land Use**

North	R-6	Church
South	OCL	Commercial
East	OCL	Vacant
West	R-5	Single-Family Residences

### **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is located within the I-10 East Corridor Neighborhood Plan. The Neighborhood Planning and Urban Design Section review (Attachment 2 ) states that a goal of the plan is to "Improve the quality of life and safety of residents of the IH-10 East Perimeter Planning area by addressing incompatible land uses." Staff analysis indicates that the plan places a high priority and emphasis on zoning and code compliance throughout the plan area.

The property is located within the boundaries of the Sunrise Neighborhood Coalition. As of September 15 staff has not received a reply from the neighborhood association.

### **Criteria for Review**

According to Section 211.009 (a)(1) of the Texas Local Government Code, The Board of Adjustment may hear and decide an appeal that alleges error in an order, requirement, decision or determination made by an administrative official in the enforcement of this subchapter or an ordinance adopted under this subchapter.

*Being as Temporary Certificates of Occupancy are granted on a discretionary basis by the Director of the Planning and Development Services Department, an error was not made by not extending the Temporary CofO.*

## **Staff Recommendation**

Temporary Certificates of Occupancy are granted at the Director's discretion and are not an entitlement. In this case, the Director concluded that, due to the little activity of the applicant in securing a new location for the non-compliant use of the subject property (transport and truck repair services) that an extension was not appropriate. Zoning staff has not found that an error took place in making the decision not to extend the Temporary CofO for JTM Transport, Inc.

Staff recommends that the Board uphold the Director's decision to not extend the Temporary CofO for JTM Transport, Inc.

## **Attachments**

Attachment 1 – Location Map

Attachment 2 – Neighborhood and Urban Design Division Case Review

Attachment 3– Certificate of Occupancy

Attachment 4 – Temporary Certificate of Occupancy

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

**CASE INFORMATION**

Case #: **A-09-077**

Property Address: 3831 N. Foster Rd.

Zoning: C-2

Hearing Date: September 21, 2009

**Type / Scope of BOA Request:**

Applicant is requesting an extension of a Certificate of Occupancy for a truck repair and service shop.

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): Sunrise Neighborhood Coalition

Neighborhood or Community Plan: I-10 East Corridor

Neighborhood Conservation District: n/a

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

**ANALYSIS STATEMENT**

The subject parcel is located in the I-10 East Corridor Plan. The plan identifies the future land Community Commercial for the parcels situated within the Binz Engleman and Foster Road intersection. This includes the subject property. A low density, single family residential neighborhood is located immediately behind the subject property.

Goal 3 of the Community Plan addresses the compatibility of land uses. This goal states, "Improve the quality of life and safety of residents of the IH 10 East Perimeter Planning area by addressing incompatible land uses." An objective of this goal is to "Increase Building Inspection efforts and Code Compliance throughout the community." Further, the Action Steps specifically call for remedying incompatible uses by "proactively address(ing) uses not allowed in particular zoning districts by educating neighborhood residents and business owners and working with Code Compliance officers and Building Inspectors."

The Plan places a high priority and emphasis on zoning and code compliance throughout the plan area.

**RECOMMENDATION**

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

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

Deny Request  X

**REVIEWER INFORMATION**

Neighborhood Planner Reviewing: Gary Edenburn, Senior Planner

Date Review Completed: September 8, 2009

NO. 1002936

DATE: 08/25/2004

CITY OF SAN ANTONIO, TEXAS  
DEVELOPMENT SERVICES DEPARTMENT

# CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building located at:

Address of Location 3831 N FOSTER RD

Lot: 790

Block: 7

NCB: 16612

has been inspected and the following occupancy thereof is hereby authorized:

Occupant Group: B

Occupant Load: 6

Occupant: JAIME MARTINEZ

Use of Premises: OFFICE

Description of Business: OFFICE

DBA Name: JTM TRANSPORT, INC.

This Certificate of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official.



DIRECTOR OF DEVELOPMENT SERVICES

NO. 1002936

DATE: 1/29/2009

CITY OF SAN ANTONIO, TEXAS  
DEVELOPMENT SERVICES DEPARTMENT

## TEMPORARY

# CERTIFICATE OF OCCUPANCY

THIS IS TO CERTIFY that the building located at:

Address of Location 3831 N FOSTER RD

Lot: 79

Block: 7

NCB: 16612

has been inspected and the following occupancy thereof is hereby authorized:

Occupant Group: B

Date of Expiration: 05/19/2009

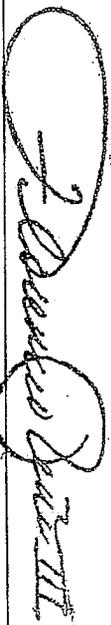
Occupant: JAIME T. MARTINEZ

Description of Business: OFFICE-OK FOR TCO PER F. DELEON/R. SANCHEZ. APPV FOR  
1 POSS EXT

DBA Name: JTM TRANSPORT, INC.

Occupant Load: 6

DIRECTOR OF DEVELOPMENT SERVICES



# Board of Adjustment

## Notification Plan for

### Case A-09-080



**Legend**

- Subject Property
- 200' Notification Boundary
- Scale: 1" approx. = 250'
- Council District 5



Planning and Development Services Dept  
 City of San Antonio  
 (07/21/2009 - P. Trinkle)



## City of San Antonio Planning & Development Services Department Staff Report

To: Board of Adjustment  
Case No.: A-09-080  
Date: August 17, 2009  
Applicant: SAISD – Lanier High School  
Owner: SAISD  
Location: 1514 West Durango Boulevard  
Legal Description: Lot 2, Block 1, NCB 146778  
Zoning: “R-4” Residential Single-Family District  
Subject: Variances from sign height, size, and design standards  
Prepared By: Jacob Floyd, Planner

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### **Summary**

The applicant is requesting a 12-foot variance from the requirement that on-premise free-standing signs in residential zoning districts not exceed 8 feet in height, in order to erect a 20-foot tall free-standing sign; a 36.5 square foot variance from the requirement that free-standing signs for nonresidential uses in residential zoning districts not exceed 36 square feet in sign area, to erect a free-standing sign with an area of 72.5 square feet; and a complete variance from the regulation that no sign nor part of any sign shall move, flash, rotate, or change its illumination, to erect a free-standing sign with an LED electronic message center.

### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to owners of property and registered neighborhood associations within two hundred (200) feet of the subject property on September 3. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 4. Additionally, notice of this meeting was posted at city hall and on the city’s internet website on September 18, in accordance with Section 551.043(a) of the Texas Government Code.

### **Project Description**

The purpose of the proposed variances is to allow an on-premise sign to be erected to a height of 20 feet; sign face area of 72.5 square feet, and an LED electronic message center. The applicant indicates that the additional height is necessary to allow sufficient

clearance for the school buses that use the parking lot. The “high degree of vandalism” experienced in the neighborhood is also cited as reasoning for the request for additional sign height, as a sign of lesser height would be more susceptible to vandalism. The applicant also explains that the sign would serve as a message center, providing information to parents, students, visitors, and other traffic.

### **Surrounding Zoning/Land Use**

North	R-4	Single-Family Residential
South	R-4, C-3NA, C-1	Single-Family Residential, Commercial
East	MF-33	Multi-Family Residential
West	R-4	Single-Family Residential

### **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is located within the boundaries of the Guadalupe-Westside Community Plan. The Neighborhood Planning and Urban Design Section review (Attachment 5) states that the character of a residential area can be significantly influenced by the prevalence of signage, as well as types of signs. Neighborhood and Urban Design staff recommends denial, based on the proximity to a residential neighborhood, the goals of the community plan to promote an improved neighborhood appearance, and the intent of the sign standards to minimize the negative visual effects of signs within the neighborhood environment.

The subject property is also within the Avenida Guadalupe Neighborhood Association. Staff received an email on August 5, 2009 indicating that the neighborhood association is in-favor of the request.

### **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

*It does not appear that the site possesses any unique features, in terms of the dimensions, landscaping or topography, which would prohibit the reasonable opportunity to provide adequate signage on the site. There is ample available space for signage on this lot.*

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

*Not Applicable.*

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 granting of the requested variances would provide a special privilege to the applicant not enjoyed by others similarly situated or potentially similarly situated. A sign of the height, scale, and design proposed in this request would not be permitted by-right on other residential zoned properties along local streets.*

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

*The granting of the requested variances will have an adverse impact on neighboring properties. The neighboring properties are primarily single-family residences and the sign, as proposed, may have negative visual effects within the neighborhood environment.*

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

*Granting the requested variances would conflict with the stated purpose of the article in that the scale of the proposed sign would not be in harmony with the function of this portion of West Durango as a local street, nor would it be sensitive to the surrounding residential neighborhood.*

### **Staff Recommendation**

Staff recommends that **A-09-080, 1514 West Durango Boulevard, be denied** because the findings of fact have not been satisfied as presented above. The proposed sign would not be in harmony with the residential character of the immediate area and could have a negative visual impact on the neighborhood environment.

### **Attachments**

Attachment 1 – Location Map

Attachment 2 – Plot Plan

Attachment 3 – Applicant’s Submitted Renderings

Attachment 4 – Applicant’s Submitted Site Plan

Attachment 5 – Neighborhood and Urban Design Section Review

S Trinity

**Variance Request:**  
Requesting 4' Variance to raise 16' tall digital sign to height of 20'  
**Additional Variance Request:**  
36.5 square foot variance to build a 72.5 square foot sign and a complete variance from the restriction on signs that move, flash, rotate, or change illumination.

NCB 14678  
Block 1  
Lot 2

San Fernando St

W Durango Blvd

S Brazos St

# Board of Adjustment

Plot Plan for

Case A-09-080



### Legend

 Proposed Sign

Scale: 1" approx. = 150'  
Council District 5

1514 W Durango Blvd  
(Lanier High School)

Planning and Development Services Dept  
City of San Antonio  
(09/3/2009 - P. Trinkle)

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

**CASE INFORMATION**

Case #: **A-09-080**

Property Address: 1514 W. Durango

Zoning: R-4

Hearing Date: 8/17/09

**Type / Scope of BOA Request:**

1) Provide a 4' height variance to the proposed sign so that "school buses in the parking lot will not hit the sign."

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): Avenida Guadalupe

Neighborhood or Community Plan: Guadalupe Westside Community Plan

Neighborhood Conservation District: n/a

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

**ANALYSIS STATEMENT**

The subject property is designated Public Institutional in the Land Use Plan. Low Density Residential uses are located adjacent to the north, west, and south of the property. High Density Residential uses borders the east side of the property. A portion of the adjacent southern boundary accommodates some Low Density Mixed Use parcels. The school is primarily within a low density residential neighborhood.

Improving neighborhood appearance and complying with City codes are both emphasized in the Guadalupe Westside Community Plan. Specifically, Goal 10 in the Public Safety Chapter of the plan, states: "Improve the appearance of area neighborhoods and reduce code compliance violations in both residential and commercial areas." In addition, Objective 10.3: Neighborhood Beautification, states, "Protect and promote the unique character of the neighborhood and commercial corridors while improving their physical appearance." The character of a residential area can be significantly influenced by the prevalence and types of signage.

Given the subject parcel's proximity to a residential neighborhood, the goals of the Community Plan to promote an improved neighborhood appearance and compliance with city codes, and the intent of the sign standards to minimize the negative visual effects of signs within the neighborhood environment, staff recommends denial of the requested variances. In addition, the literal enforcement of the sign height requirement of the UDC does not impose an unnecessary burden or hardship related to any physical feature or characteristic of the property.

**RECOMMENDATION**

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

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

Deny Request  X

**REVIEWER INFORMATION**

Neighborhood Planner Reviewing: Gary Edenburn, Sr. Planner

Date Review Completed: August 3, 2009

OPTION 4



Your order will be processed upon layout approval. (This image may be distorted due to faxing.)

Client:	File Name/Date:
Signature:	
<b>CLIENT APPROVAL</b>	
<input type="checkbox"/> Approved As Submitted	
<input type="checkbox"/> Approved As Noted	
<input type="checkbox"/> Revise & Re-Submit	
<b>BUDGET SIGNS</b> <sup>TM</sup> 2801 West Avenue San Antonio, Texas 78201 210-349-7446 Fax 210-342-9800 sales@budgetsigns.com	

REVISED 07/01

4 Inch Retainers

11' - 2"

Sidney Lanier  
HIGH SCHOOL

Flex Face

42"

3"

BASEBALL  
MONDAY

36"

3/8 Inch = 1 Foot

20'

13' - 3"



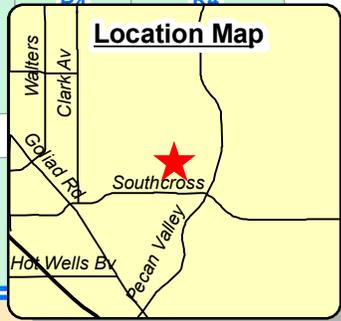
6 ft Tall  
Person

Your order will be processed upon layout approval. (This image may be distorted due to faxing.)

Client:	File Name/Date:	<b>CLIENT APPROVAL</b> <input type="checkbox"/> Approved As Submitted <input type="checkbox"/> Approved As Noted <input type="checkbox"/> Revise & Re-Submit	<b>BUDGET SIGNS™</b> 2801 West Avenue San Antonio, Texas 78201 210-349-7446 fax 210-342-9800 sales@budsigns.com
Signature:			

REVISOR 07/01





**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-084**



**Legend**

- Subject Property
- 200' Notification Boundary
- Scale: 1" approx. = 100'
- Council District 3



# City of San Antonio

## Planning & Development Services Department

### Staff Report

To: Board of Adjustment  
Case No.: A-09-084  
Date: September 21, 2009  
Applicant: Richard Acebedo  
Owner: Richard Acebedo  
Location: 758 McDougal  
Legal Description: Lot 15, Block 3, NCB 10359  
Zoning: "R-4" Single-Family Residential District  
Subject: Side Setback Variance  
Prepared By: Mike Farber, Planner

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#### **Summary**

The applicant requests a 2-foot 6-inch variance from the requirement that a minimum 5-foot side setback be maintained, to keep an existing carport 2 feet, 6 inches from the east side property line.

#### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to owners of property and registered neighborhood associations within two hundred (200) feet of the subject property on September 3. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 4. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 18, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Project Description**

The applicant is requesting a variance to reduce the minimum allowable setback to a distance of 2 feet, 6 inches. If this variance is approved, the applicant intends to keep the existing carport that encroaches into the east side setback. The carport in question was erected by the applicant without building permits. The applicant cites the prevalence of other non-conforming carports in the vicinity of the subject property as rationale for the request. During the staff site inspection there did not appear to be any similarly constructed carports in the immediate vicinity. This case was initiated by a citizen complaint.

Additionally, the applicant has been made aware of the necessity of the construction of a firewall along the length of the structure. This is a requirement as per International Residential Code for One- and Two-Family Dwellings – Section R302.1: Exterior Walls (Table R302.1).

### **Surrounding Zoning/Land Use**

North	R-4	Single-Family Residence
South	R-4	Single-Family Residence
East	R-4	Single-Family Residence
West	R-4	Single-Family Residence

### **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is located within the Highlands Neighborhood Plan. The Neighborhood Planning and Urban Design Section review (Attachment 4) states that while carports are not specifically addressed in the plan, several goals and recommendations were made in order maintain the neighborhood character. Staff analysis indicates that “There does not appear to be any extenuating topographic constraints or similar issues related to the applicant’s parcel which would warrant a variance from UDC regulations.”

The property is located within the boundaries of the Highland Hills Neighborhood Association. As of September 15 staff has not received a reply from the neighborhood association.

### **Criteria for Review**

According to Section 482(e) of the Unified Development Code, 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 applicant did not obtain permits prior to constructing the carport in question and, upon visiting the site; it did not appear that there were any similarly constructed carports or fences in the immediate vicinity. Because it appears that there are no topographic hardships posed by the property and being that the carport is out of character with the immediate neighborhood, staff believes that the structure is contrary to the public interest.*

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

*It does not appear that the literal enforcement of the ordinance would result in unnecessary hardship. There does not appear to be a physical or topographic condition existing on the property that would warrant the existing carport as it is currently situated on the property.*

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

*The lack of this carport would not cause a cessation of use for the property owner. It appears that alternatives exist that would allow the applicant to make reasonable use of the property while still meeting setback requirements.*

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 granting of this variance would not authorize a use other than those specifically permitted in "R-4" zoning districts.*

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.

*It appears that the granting of this variance would alter the character of the neighborhood, in that, there appear to be no other carports of similar construction near 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.

*There do not appear to be any unique circumstances existing on the property. The applicant cites financial/property protection concerns as primary hardships. This justification is not sufficient grounds on which to request a variance and does not provide ample justification for the construction of the carport.*

### **Staff Recommendation**

Staff recommends that **A-09-084, 758 McDougal, be denied** because the findings of fact have not been satisfied as presented above. 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 requirement. The applicant has not provided sufficient evidence to warrant a variance based on the criterion stated above, citing mainly financial constraints and the protection of automobiles as primary hardships.

### **Attachments**

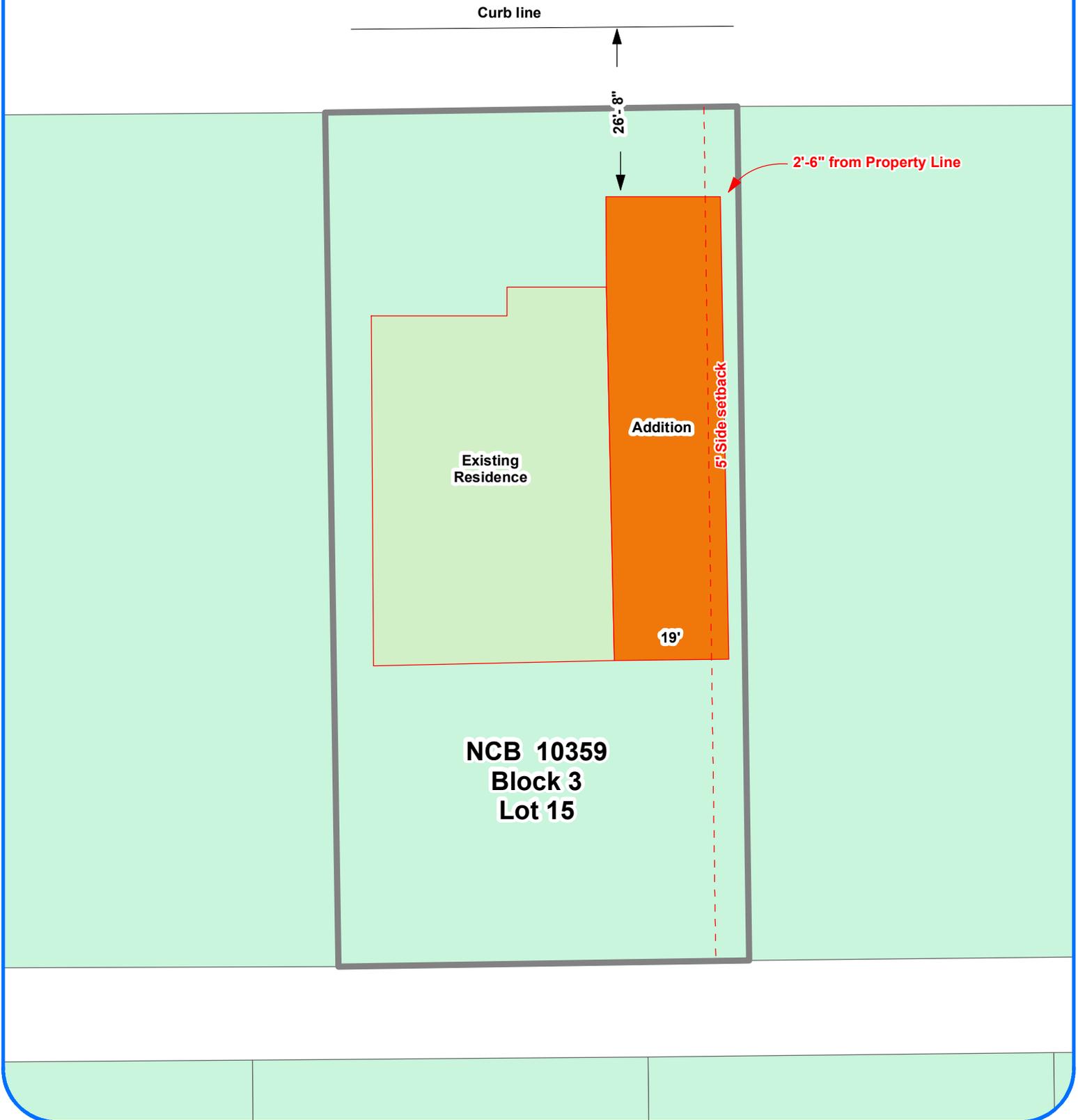
Attachment 1 – Location Map

Attachment 2 – Plot Plan

Attachment 3 – Applicant's Proposed Site Plan

Attachment 4 – Neighborhood and Urban Design Division Case Review

# Mc Dougal Ave



**Board of Adjustment**  
Plot Plan for  
**Case A-09-084**



**Legend**

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

**758 Mc Dougal Ave**

Planning and Development Services Dept  
City of San Antonio  
(08/26/2009 - P. Trinkle)



NEIGHBORHOOD AND URB. DESIGN DIVISION  
BOARD OF ADJUSTMENT CASE REVIEW FORM

CASE INFORMATION

Case #: A-09-084

Property Address: 758 McDougal

Zoning: R4

Hearing Date: 09/21/09

**Type / Scope of BOA Request:**

The applicant is requesting a variance to maintain a carport built within the front and side yard setback. Both requests were constructed without permits.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): Highland Hills

Neighborhood or Community Plan: Highlands Community Plan

Neighborhood Conservation District: n/a

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

ANALYSIS STATEMENT

The subject parcel is designated Low Density Residential land use in the Highlands Community Land Use Plan. Low density residential land use is composed of single-family houses on individual lots reflecting the predominate lot size in the area.

Standards for carports and front yard fences are not specifically addressed in the Highlands Community Plan, however, there are several goals that refer to maintaining neighborhood character. **Goal 2, Community Appearance and Neighborhood Character, Objective 2.1** promotes "Education of Code Issues". "Educate residents and business owners about what is expected of a good neighbor (mowing the lawn, not parking on the grass, etc.), what constitutes a code violation, and what are the most violated ordinances."

**Objective 2.2** further states, "Promote a clean and livable environment that enhances the appearance and safety of the Highlands neighborhoods." **Objective 2.3** also addresses community appearance and aesthetics of the neighborhood. "Improve the physical appearance and landscaping of the business districts and neighborhoods to enhance the pedestrian environment, add to the value of the area, and maintain the character of the Highlands neighborhoods."

There does not appear to be any extenuating topographical constraints or similar issues related to the applicant's parcel which would warrant a variance from current UDC regulations.

RECOMMENDATION

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

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

Deny Request  X

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Gary Edenburn, Senior Planner

Date Review Completed: September 1, 2009

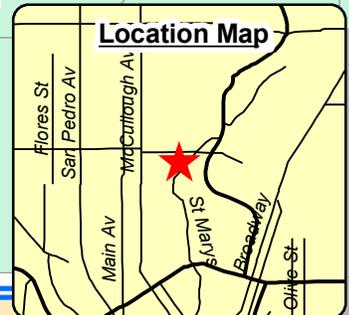


**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-086**



**Legend**

- Subject Property
- 200' Notification Boundary
- Scale: 1" approx. = 100'
- Council District 1





# City of San Antonio

## Planning & Development Services Department

### Staff Report

To: Board of Adjustment  
Case No.: A-09-086  
Date: September 21, 2009  
Applicant: Mary Ann Owen  
Owner: Mary Ann Owen  
Location: 346 East Craig Place  
Legal Description: Lot 65, Block 2, NCB 3099  
Zoning: "R-6" Residential Single-Family District  
Subject: Accessory Structure Setback Variance  
Prepared By: Jacob Floyd, Planner

---

#### **Summary**

The applicant requests a 1-foot 10-inch variance from the requirement that accessory structures be located a minimum of 5 feet from the side property line and a 3-foot variance from the requirement that accessory structures be located a minimum of 5 feet from the rear property line, in order to keep an accessory structure 3 feet, 2 inches from the west side property line and 2 feet from the rear property line.

#### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to owners of property and registered neighborhood associations within two hundred (200) feet of the subject property on September 3. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 4. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 18, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Project Description**

The applicant is requesting a variance from the accessory structure setback requirements in order to keep an existing accessory structure 2 feet from the rear property line and 3 feet 2 inches from the west side property line. The structure in question was built without the appropriate permits being sought. An investigation by Planning and Development Services inspectors was initiated by a citizen complaint, leading the applicant to make this request

for variances. The applicant indicates the placement of the accessory structure is consistent with existing structures in the area.

### **Surrounding Zoning/Land Use**

North	R-6	Single-Family Residences
South	C-3	Electrical Contractor Facility
East	R-6, C-3	Single-Family Residences, Commercial
West	R-6	Single-Family Residences

### **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is located within the Tobin Hill Neighborhood Plan. The Neighborhood Planning and Urban Design Division review states that the setback requirement provides a buffer between properties.

The property is located within the boundaries of the Tobin Hill Neighborhood Association. As of September 15 staff has not received a reply from the neighborhood association.

### **Criteria for Review**

According to Section 482(e) of the Unified Development Code, 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:

*It does not appear that the granting of the variances will be contrary to the public interest. While the applicant did not obtain the necessary permits to erect said structure, the neighborhood is characterized by a number of similarly located accessory structures.*

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

*It does not appear that the literal enforcement of the ordinance would result in unnecessary hardship. The rear yard has sufficient space to allow the structure to meet the setback requirements while maintaining a reasonable amount of open space.*

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

*It does not appear that the denial of the variances would deny the applicant reasonable use of the subject property.*

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 granting of this variance would not authorize a use other than those specifically permitted in "R-6" 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.

*It does not appear that the granting of the variances would injure the appropriate use of the adjacent conforming property, nor would it alter the essential character of the district in which the subject property is located. Similarly placed accessory structures exist throughout the neighborhood, though it is likely most of these pre-date the current zoning code.*

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.

*There do not appear to be any unique circumstances existing on the property that would necessitate a variance from the setback requirements. It would appear that the plight of the property owner is self created.*

### **Staff Recommendation**

Staff recommends that **A-09-086, 346 East Craig Place, be denied** because the findings of fact have not been satisfied as presented above. The subject property does not appear to have any unique characteristics that would create an undue hardship due to literal enforcement of the side and rear setback requirements.

### **Attachments**

Attachment 1 – Location Map

Attachment 2 – Plot Plan

Attachment 3 – Neighborhood and Urban Design Division Review

Attachment 4 – Applicant's Submitted Site Plan

# E. Craig Place



E. Russell Place

**Board of Adjustment**  
Plot Plan for  
**Case A-09-086**



### Legend

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

**346 E. Craig Place**

Planning and Development Services Dept  
City of San Antonio  
(08/18/2009 - P. Trinkle)

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

**CASE INFORMATION**

Case #: **A-09-086**

Property Address: 346 E. Craig Pl.

Zoning: R-6

Hearing Date: 09/21/09

**Type / Scope of BOA Request:**

The applicant is requesting a setback variance from the UDC requirement for the rear and side yard for a storage structure.

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): Tobin Hill

Neighborhood or Community Plan: Tobin Hill

Neighborhood Conservation District: n/a

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

**ANALYSIS STATEMENT**

The subject parcel is designated Low Density Residential in the Future Land Use plan of the Tobin Hill Neighborhood Plan. Low density residential land use is composed of single-family houses on individual lots reflecting the predominate lot size in the area.

The applicant is requesting a variance to keep a recently built, non-permitted storage structure within the rear and side building setback. The building setback requirement provides a buffer between residential and commercial properties. The granting of this request would place the structure on the rear lot line and over the side yard setback.

The literal enforcement of the side and rear yard setback standards of the UDC does not impose any unnecessary hardship.

**RECOMMENDATION**

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

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

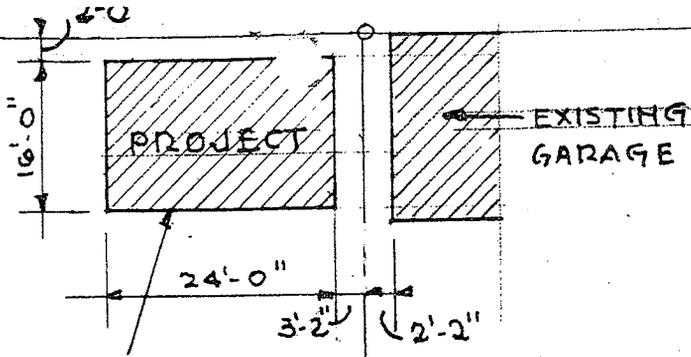
Deny Request  X

**REVIEWER INFORMATION**

Neighborhood Planner Reviewing: Gary Edenburn, Senior Planner

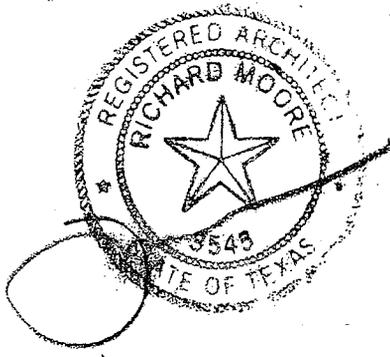
Date Review Completed: September 1, 2009

RUSSELL PLACE

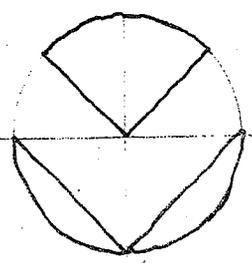


NEW STORAGE  
STRUCTURE

RICHARD MOORE  
ARCHITECT



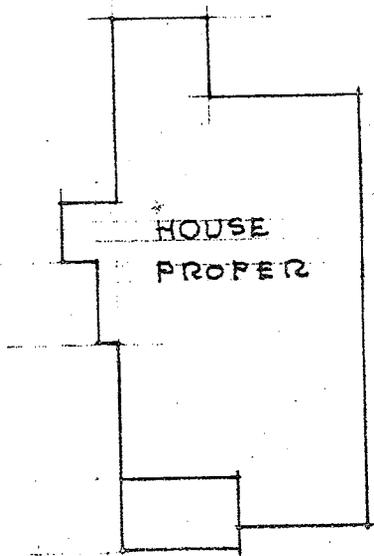
121'-9"



NORTH

SITE PLAN

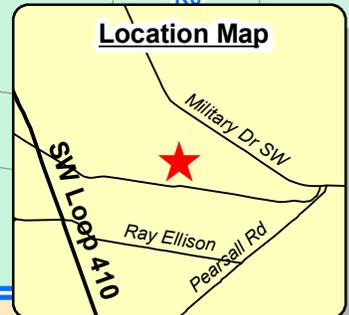
SCALE 1" = 20'-0"



48'-2"

346 E CRAIG

AUG 12, 2009



**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-087**



**Legend**

- Subject Property
- 20' Notification Boundary
- Scale: 1" approx. = 100'
- Council District 4



# City of San Antonio

## Planning & Development Services Department

### Staff Report

To: Board of Adjustment  
Case No.: A-09-087  
Date: September 21, 2009  
Applicant: Josie Delgado  
Owner: Rudolf M. and Josie Delgado  
Location: 6030 Shoreview  
Legal Description: Lot 5, Block 25, NCB 15292  
Zoning: "R-6" Residential Single-Family District  
Subject: Front-Yard Fence Height Variance  
Prepared By: Jacob Floyd, Planner

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#### **Summary**

The applicant requests a 1-foot, 8-inch variance from the requirement that predominantly open front yard fences not exceed 4 feet in height, to keep a 5-foot, 8-inch fence in the front yard.

#### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to owners of property and registered neighborhood associations within two hundred (200) feet of the subject property on September 3. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 4. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 18, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Project Description**

The applicant is requesting a variance from the front-yard fence height standards to keep an existing predominantly open fence in the front yard. The applicant indicates that the additional fence height is necessary to provide security for the property. The fence in question was built without permits and this case is the result of a citizen complaint. This fence does not qualify for the special exception because it does not meet the required design criteria.

## **Surrounding Zoning/Land Use**

North	R-6	Single-Family Residences
South	R-6	Single-Family Residences
East	R-6	Single-Family Residences
West	R-6	Single-Family Residences

## **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is located within the United Southwest Community Plan. The Neighborhood Planning and Urban Design Division review states that, while the United Southwest Community Plan does not address fence height specifically, it does place a high priority on code enforcement and quality of life issues, with one of the plan objectives being to “increase code compliance efforts throughout the community.”

The property is also located within the boundaries of the People Active in Community Effort Neighborhood Association. As of September 15 staff has not received a reply from the neighborhood association.

## **Criteria for Review**

According to Section 482(e) of the Unified Development Code, 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:

*Though the applicant did not obtain the necessary permits in order to erect the fence, it does not appear that the granting of the variances will be contrary to the public interest. The fence does not appear to create a visual obstruction to the neighboring properties.*

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

*It does not appear that the literal enforcement of the ordinance would result in unnecessary hardship. The property does not possess any unique characteristics that would necessitate a fence of excessive height.*

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

*It does not appear that the granting of the variance would observe the spirit of the ordinance. The applicant will not be denied the reasonable use of the property without the granting of this variance.*

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 granting of this variance would not authorize a use other than those specifically permitted in “R-6” 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.

*It does not appear that the granting of this variance would injure the appropriate use of adjacent conforming property. However, the granting of this variance may alter the character of the district in that front yard fences are not a common feature of the surrounding 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.

*There do not appear to be any unique circumstances existing on the property which would result in undue hardship through the literal enforcement of the ordinance. A denial of the request would not cause a cessation of the residential use for the property owner.*

### **Staff Recommendation**

Staff recommends that **A-09-087, 6030 Shoreview, be denied** because the findings of fact have not been satisfied as presented above. The subject property does not appear to have any unique characteristics that would create an undue hardship due to literal enforcement of the front yard fence height standards.

### **Attachments**

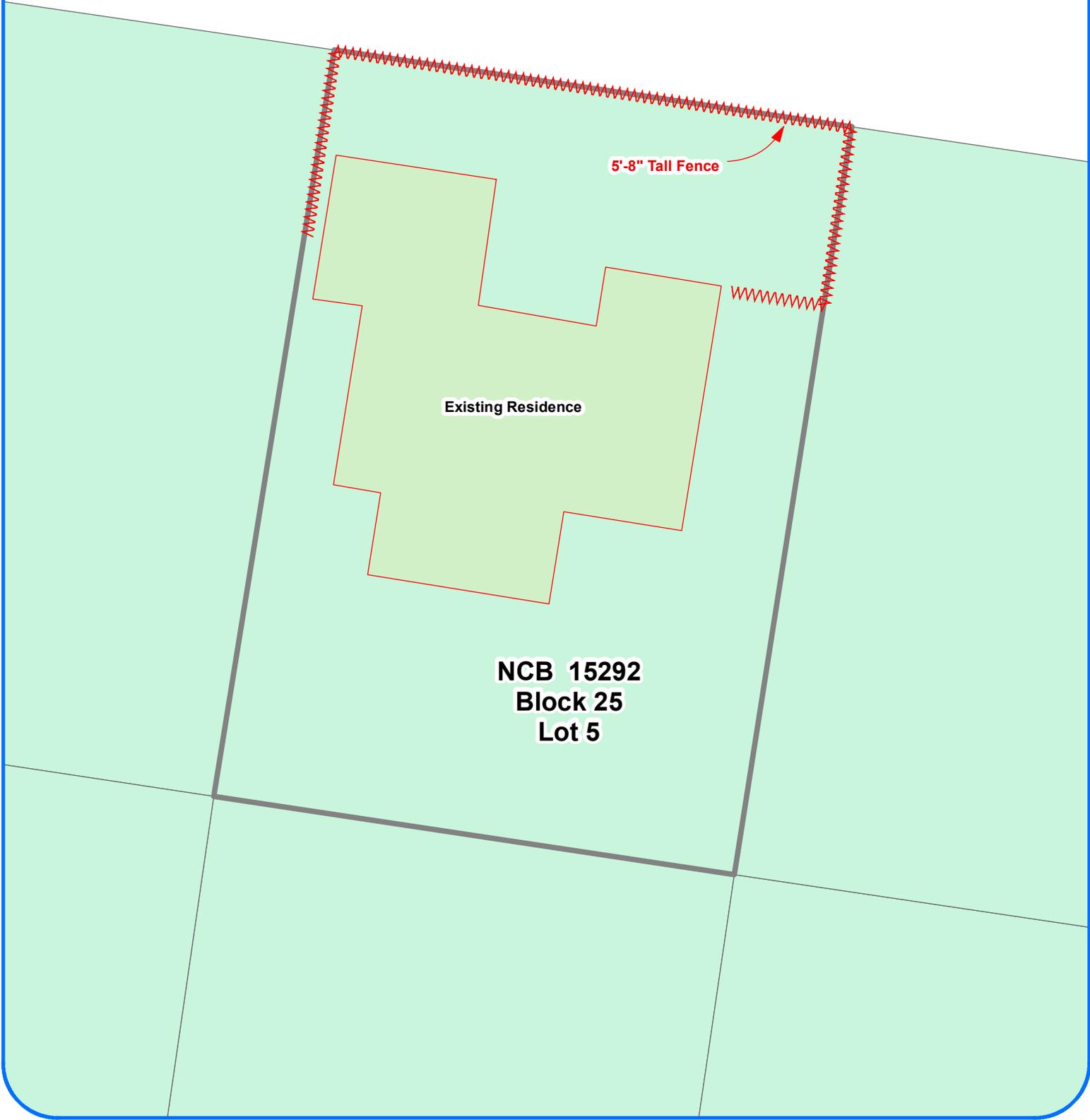
Attachment 1 – Location Map

Attachment 2 – Plot Plan

Attachment 3 – Neighborhood and Urban Design Division Review

Attachment 4 – Applicant's Submitted Survey

# Shoreview Place



5'-8" Tall Fence

Existing Residence

NCB 15292  
Block 25  
Lot 5

**Board of Adjustment**  
Plot Plan for  
**Case A-09-087**



**Legend**

Scale: 1" approx. = 20'  
Council District 4

**6030 Shoreview Place**

Planning and Development Services Dept  
City of San Antonio  
(08/27/2009 - P. Trinkle)

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

**CASE INFORMATION**

Case #: **A-09-087**

Property Address: 6030 Shoreview Place

Zoning: R-6

Hearing Date: 09/21/09

**Type / Scope of BOA Request:**

The applicant is requesting a 1' 5/8" variance from the UDC height requirement for front yard fences.

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): People Active in Community Effort

Neighborhood or Community Plan: United Southwest Community Plan

Neighborhood Conservation District: n/a

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

**ANALYSIS STATEMENT**

The subject parcel is designated Low Density Residential in the Future Land Use plan of the United Southwest Community Plan. Low density residential land use is composed of single-family houses on individual lots reflecting the predominate lot size in the area.

The applicant is requesting a variance to keep a non-permitted 5' 5/8" ornamental front yard fence and gate. Although the United Southwest Community Plan does not address fence height specifically, it does place a high priority on code enforcement and quality of life issues. Objective 9.1 of the Quality of Life Goal states, "Increase code compliance efforts throughout the community", and there are 10 action plans associated with this objective.

The literal enforcement of the front yard fence height requirement of the UDC does not appear to impose any unnecessary hardship to the property owner.

**RECOMMENDATION**

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

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

Deny Request  X

**REVIEWER INFORMATION**

Neighborhood Planner Reviewing: Gary Edenburn, Senior Planner

Date Review Completed: September 1, 2009



SHOREVIEW

PLACE

330.18' TO FIVE PALMS DR.

78.0'

30'

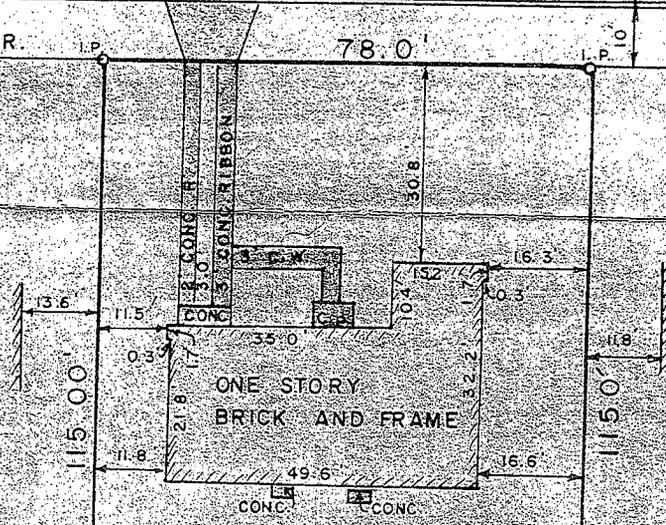
50.0'

I.P.

I.P.

I.P.

I.P.



4

5

6

BLK 25

16.0' UTILITY EASEMENT

C.B. 4303

16

17

18

PLAT OF  
PROPERTY OWNED BY:

STATE OF TEXAS  
COUNTY OF BEXAR

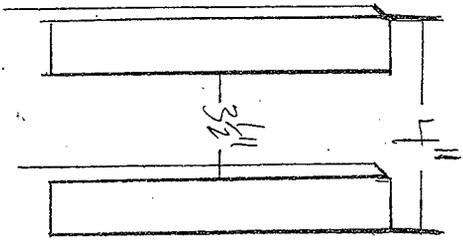
SCALE: 1" = 30'

CERTIFIED AND PREPARED BY:

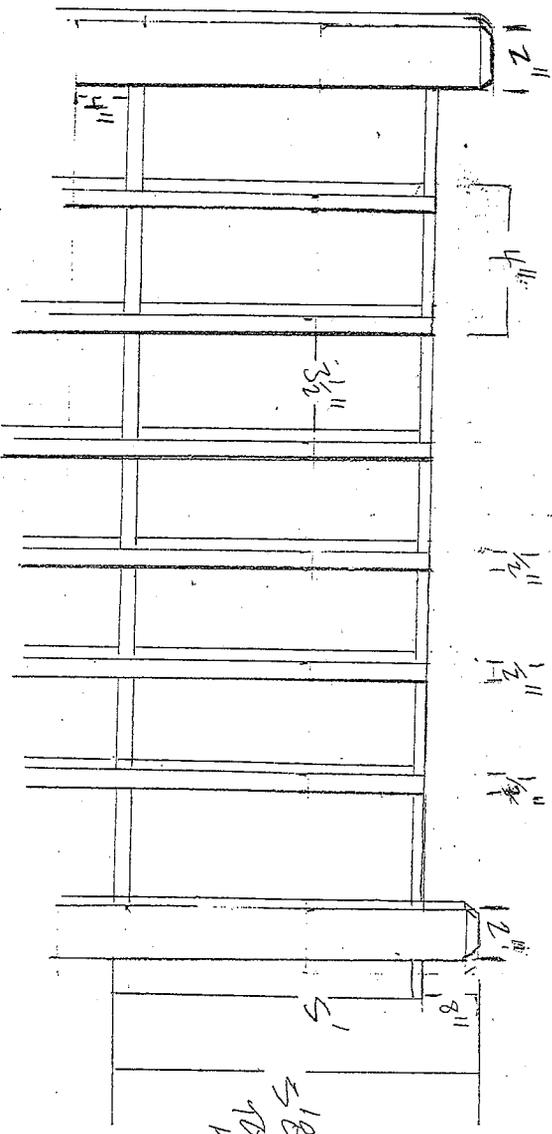
Malcolm A. Collins Registered  
Professional Engineer, hereby certify that the above  
plat was prepared from an actual survey made on  
the ground under my supervision of LOT 5,  
BLK 25, C.B. 4303, GATEWAY TERRACE  
UNIT 9, BEXAR COUNTY,  
Texas, according to the plat thereof recorded in  
Volume 4600 Page 186 of the Deed and  
Plat Records of Bexar County,

COLLINS ENGINEERING CO.  
San Antonio, Texas

Texas, that the  
buildings on said property are known as



LARGE DETAIL OF SPACING



ORNAMENTAL POSITION

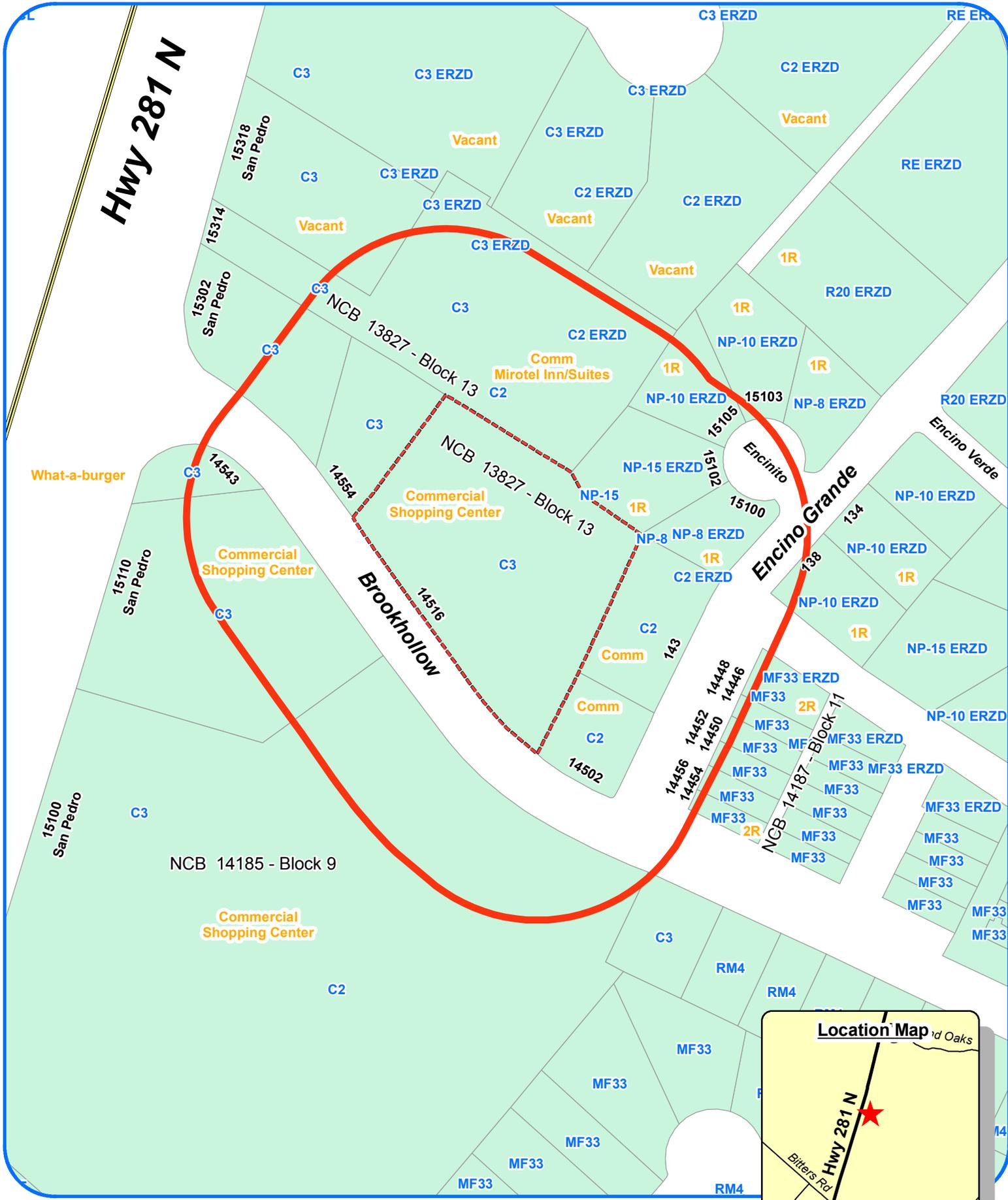
FENCE DETAILS ELEVATION

5' TOTAL HEIGHT FRONT, EAST WEST  
 ELEVATIONS  
 3 1/2" INSIDE MEASUREMENT OF POSTS (OUTSIDE TO OUTSIDE)  
 3 1/2" INSIDE MEASUREMENT OF POSTS (INSIDE TO INSIDE)

5' 10"  
 FROM  
 HEIGHT

1/4" = 1'

Hwy 281 N



**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-089**



**Legend**

- Subject Property
- 200' Notification Boundary
- Scale: 1" approx. = 150'
- Council District 9

Planning and Development Services Dept  
 City of San Antonio  
 (08/18/2009 - P. Trinkle)



## City of San Antonio Planning & Development Services Department Staff Report

To: Board of Adjustment  
Case No.: A-09-089  
Date: September 21, 2009  
Applicant: Gay Gueringer  
Owner: CPRK-II Limited Partnership  
Location: 14516 Brook Hollow  
Legal Description: West 281.78 Feet of Lot 12, Block 13, NCB 13827  
Zoning: "C-3" General Commercial District  
Subject: Sign Variances  
Prepared By: Jacob Floyd, Planner

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### **Summary**

The applicant is requesting a 16-foot 8-inch variance from the requirement that freestanding multi-tenant signs in nonresidential zoning districts along streets classified as local streets be limited to 20 feet in height. The applicant is also requesting a 122 square foot, 2 square inch variance from the requirement that such signs be limited to 125 square feet in sign face area and a 5-foot variance from the requirement that signs along local streets be set back a minimum of 5 feet from the street right-of-way.

### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to owners of property and registered neighborhood associations within two hundred (200) feet of the subject property on September 3<sup>rd</sup>. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 4<sup>th</sup>. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 18<sup>th</sup>, in accordance with Section 551.043(a) of the Texas Government Code.

### **Project Description**

The purpose of the requested variances is to keep and repair an on-premise multiple tenant sign at a height of 36 feet 8 inches and with a sign face area of 247 square feet 2 square inches. Additionally, in order to keep the sign in its current location, they would require a variance in order to keep it directly adjacent to the street right-of-way. The applicant states that the sign was originally erected in 1985, prior to the current sign code being adopted,

and that the repairs are necessary due to an electrical fire that damaged the sign. The applicant explains that when the sign was erected it adequately served its purpose of advertising the businesses on the premises, as US Highway 281 did not yet exist and San Pedro Avenue more in line with a "small town business street" and the interchange with Brook Hollow allowed the sign to reasonably attract customers. The applicant indicates that, with the existing overpass at Brook Hollow, the sign is barely visible from Highway 281 and a sign of lesser height would be insufficient to attract the customers necessary to make business at the location viable. Additionally, the subject property has a row of large trees along the street which the applicant claims would obscure the sign from traffic westbound on Brook Hollow.

### **Surrounding Zoning/Land Use**

North	C-3, C-2, NP-15, NP-15, ERZD	Vacant, Hotel, Single-Family Residential
South	C-3, C-2	Commercial, Retail Center
East	C-2, MF-33, NP-8 ERZD	Commercial, Single-Family Residential
West	C-3	Commercial, Retail Center

### **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is not located within the boundaries of a neighborhood or community plan. The subject property is located within the Shady Oaks Neighborhood Association. Staff has not received a response from the neighborhood association as of September 15.

### **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

*It does not appear that the site possesses any unique features, in terms of the dimensions, landscaping or topography, which would prohibit the reasonable opportunity to provide adequate signage on the site. While the landscaping of the property may obscure the view of a sign of lesser height, reasonable alternatives exist that would allow adequate signage.*

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

*Staff does not believe that the denial of the variances would cause the cessation of a legitimate, longstanding active commercial use of the property. The commercial use of the property will not be denied through the literal enforcement of the sign regulations.*

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 granting of the requested variances may provide the property a privilege not enjoyed by other similarly situated properties.*

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

*It does not appear that the granting of the variances will have an adverse impact on the neighboring properties, as the neighboring properties are mostly commercial and the subject sign is not immediately adjacent to any residential uses. Furthermore, the existing sign does not create a visual obstruction to the neighboring properties, nor to traffic.*

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

*Granting the requested variance would conflict with the stated purpose of this article in that the scale of the sign is not consistent with the function of this portion of Brook Hollow as a local street.*

### **Staff Recommendation**

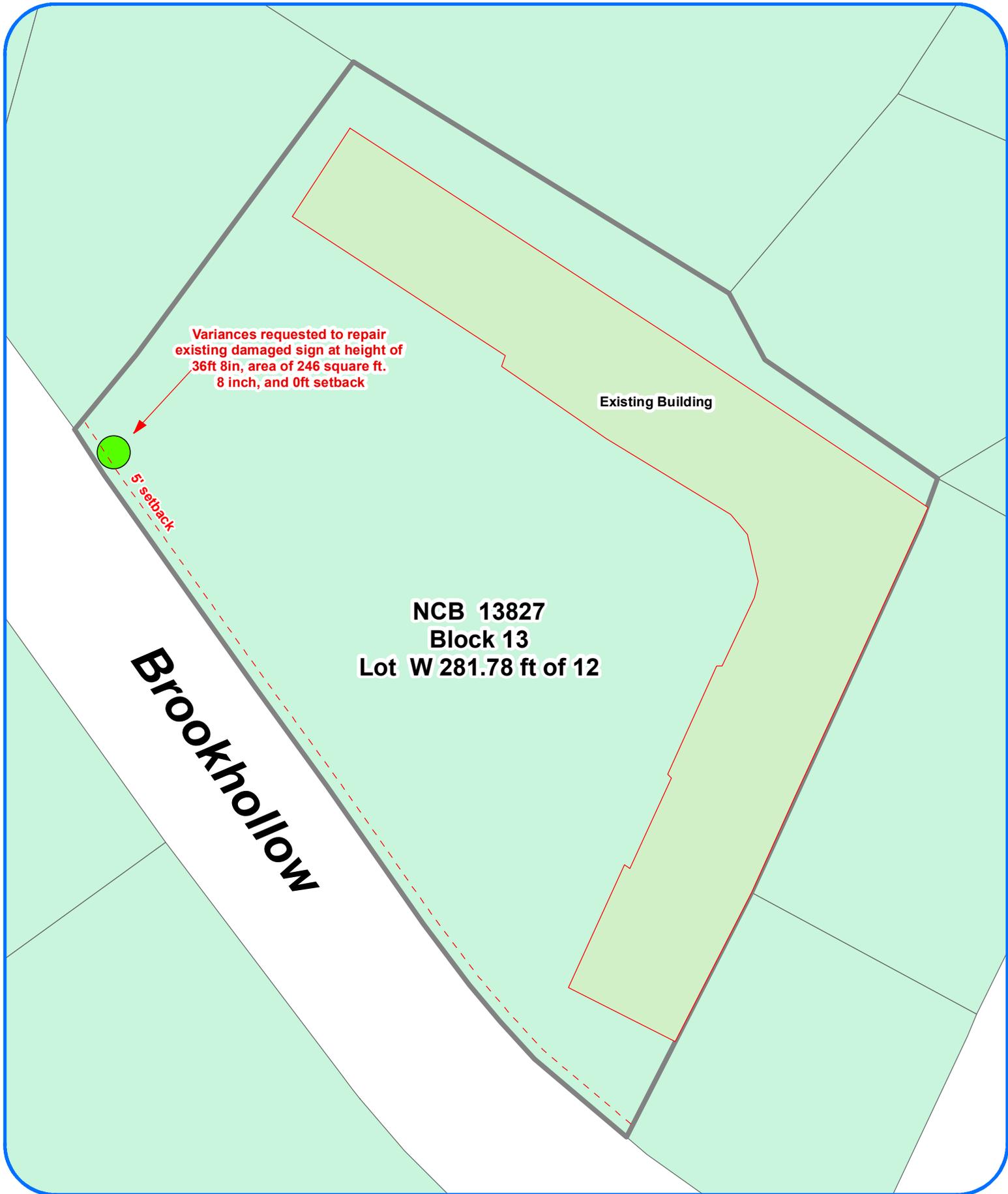
Staff recommends that **A-09-089, 14516 Brook Hollow, be denied** because the findings of fact have not been satisfied as presented above. The scale of the sign is not consistent with the function of this portion of Brook Hollow as a local street, nor does the site possess any unique features that would deny the reasonable opportunity to provide adequate signage. Staff believes that the relevancy of city policy regarding non-conforming signs may only be maintained by requiring signs to come into compliance should there be a need to make major modifications/repairs.

### **Attachments**

Attachment 1 – Location Map

Attachment 2 – Plot Plan

Attachment 3 – Applicant's Submitted Drawings



**Board of Adjustment**  
Plot Plan for  
**Case A-09-089**



**Legend**

Scale: 1" approx. = 50'  
Council District 9

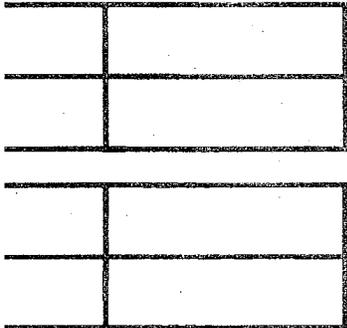
**14516 Brookhollow**

Planning and Development Services Dept  
City of San Antonio  
(09/3/2009 - P. Trinkle)

21'-8"

16'-0"

# BROOKHOLLOW



16" Main Id.  
16" Cabinet.

16" D/F Main Id And  
16" D/F Tenant Cabinets

16" Applied Vinyl

2" Retainers And Divider Bars

16" Led By H-o Lamps.

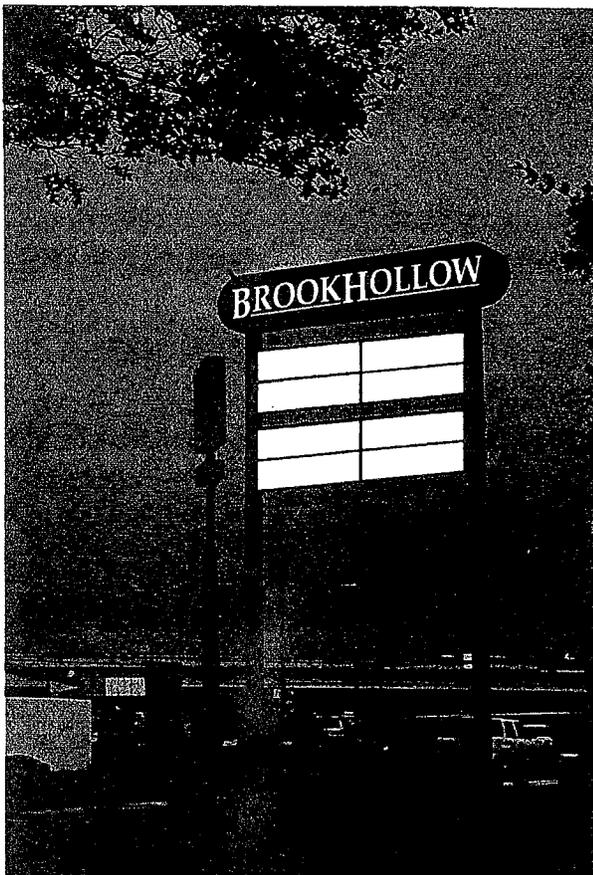


Photo survey showing new sign - N.T.S.

**aetna**  
SIGN GROUP

300 Austin Hwy, Ste. 100  
San Antonio, TX 78209  
Ph. (210) 826-2800 Fax (210) 477-2323

2014 25 YEARS OF SERVICE THE BEST SIGNS IN BUSINESS

CLIENT	BROOKHOLLOW
ADDRESS	14516 BROOKHOLLOW
CITY	SAH ANTONIO, TX
SALESPERSON	LARRY GOTTSMAN
DATE	6-24-09
DESIGNER	ARNOLFO VILLELA
DRWG #	8045

File: DRWG/MISC/8045\_BROOKHOLLOW  
Revision History: 7-14-09

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You are not authorized to show this drawing to anyone outside your organization, nor is it to be reproduced, used, copied, or exhibited in any fashion.

Violation of any of the above shall subject the violator(s) to all statutory and common law damages available to Aetna Sign Group, LTD., including, but not limited to, the value of man hours incurred in the production of this design, attorney's fees, and any and all other costs incurred by Aetna Sign Group, LTD. in the enforcement of it's copyrights.

All signs will be manufactured to accommodate 120 volt current unless otherwise instructed by customer.

Note: Aetna will supply transformers, boxes, disconnects, switches & letters. Installers are to provide all other necessary hardware to accomplish installation.

National Building Codes now states all signs that utilize neon transformers, sized at 7,500 volts and up, must utilize UL2161 (GF) transformers. This type of transformer must have a dedicated electrical (GF) circuit with ground for the transformer to work. You are responsible to have the proper electrical service to the sign location. Please contact your Aetna Sign Group representative if you need additional information.

EXHIBIT  
A-3

EXISTING PYLON SIGN

Top cabinet (Brookhollow Main ID) is 86'8"

← 21'8" →  
BROOKHOLLOW

↑ 4'6" ↓

↑ 3'6" ↓

↑ 3'6" ↓

↑ 8'6" ↓

36'8" OAH

LUNG FUNG  
CHINESE RESTAURANT

Waldo's  
BAR & RESTAURANT

THE  
YOGA PLACE

FRIENDZ  
Jewelry

Total width of bottom cabinet is 169'0"

tabbics  
EXHIBIT  
Revised  
A-1