

**INSTRUCTIONS FOR COMPLETING THE REQUEST FOR A VARIANCE FROM
CHAPTER 28: SIGNS & BILLBOARDS
TO THE SAN ANTONIO BOARD OF ADJUSTMENT**

Thank you for your inquiry into the City of San Antonio Board of Adjustment process. This coversheet is designed to provide you with general information about completing the attached application and should not be considered legal advice. If you have any questions, or do not understand these instructions, you are advised to seek help from a qualified attorney or land use planning expert.

Per Section 28-247: *On-Premise Signs*, the following conditions must exist in order for a variance to be granted:

The Board must find that **at least one** of these circumstances exists:

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, topography
- or-**
2. A denial of the variance would probably cause a cessation of legitimate, longstanding active commercial use of the property

Additionally, the Board must find that **all** of the circumstances below exist:

- A. Granting the variance does not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated
- B. Granting the variance will not have a substantially adverse impact on neighboring properties; and
- C. Granting the variance will not substantially conflict with the stated purposes of this article.

At the Board of Adjustment hearing, you will be expected to submit evidence proving that the above stated conditions exist. Evidence can be presented by testimony and/or through documents. (Be advised that all documents submitted during the public hearing must be retained by City Staff for the official case file.)

Failure to state how your variance request meets these conditions in your application will result in your application being deemed incomplete and will necessitate its return without being submitted to the Board of Adjustment.

An application can only be accepted by mail if it is complete. However, incomplete applications, along with the required fees, will be mailed back to the applicant in accordance with City cash handling policies.

Application Checklist

- Pre-Application Conference
- Describe, in detail, how the granting of the requested variance will meet the necessary conditions.
- Applicant contact information
- Detailed explanation of type of variance requested (attach additional sheets if necessary)
- Representative contact information
- Applicant signature and date
- Property Owner contact information
- Scaled renderings showing the current signs and the proposed signs
- Required Statements of Understanding (initialed)
- Affidavit signed and dated
- Copy of Property Deed (should match ownership info on page 4 of application)
- \$600 fee
- Hearing date confirmed



CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT

**REQUEST FOR A VARIANCE FROM CHAPTER 28:
SIGNS & BILLBOARDS
to the
CITY OF SAN ANTONIO BOARD OF ADJUSTMENT**

CITY OF SAN ANTONIO

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COUNTY OF BEXAR

STATE OF TEXAS

TO THE HONORABLE BOARD OF ADJUSTMENT:

Property description (Attach field notes if necessary):

Lot No.: _____

Block No.: _____

NCB: _____

Zoning: _____

Property Address: _____

The Applicant, _____, of _____ County, requests the San Antonio Board of Adjustment grant the following variance (please state in detail what type of variance you are seeking, attach additional sheets if necessary and label as Attachment "A"):

*Note: Local Government Code §211.010 (b) and San Antonio City Code §28-247 require that an applicant give notice of the type of variance that is requested and that the specific conditions necessary for granting the variance exist. Failure to do so may result in the return of your application.

**CONDITIONS NECESSARY FOR GRANTING A VARIANCE FROM
CHAPTER 28: SIGNS & BILLBOARDS**

Below are the conditions that are required to exist in order for the Board of Adjustment to grant a variance request. Please describe, in detail, how granting this variance would meet these necessary conditions. You may attach additional sheets if necessary.

CONDITION A: 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, and/or topography.

-OR-

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

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

CONDITION C: Granting the variance will not have a substantially adverse impact upon neighboring properties.

CONDITION D: Granting the variance will not substantially conflict with the stated purposes of Articles VII or IX.

Respectfully submitted:

Name of applicant: _____ Status: Owner () Agent ()

Mailing address: _____ City: _____ State: _____ Zip: _____

Telephone: (Home) _____ (Work) _____

Other phone: _____ Email: _____

Applicant's signature _____ Date _____

Name of representative: _____

Mailing address: _____ City: _____ State: _____ Zip: _____

Telephone: (Home) _____ (Work) _____

Other phone: _____ Email: _____

Name of Property Owner: _____

Mailing address: _____ City: _____ State: _____ Zip: _____

Telephone: (Home) _____ (Work) _____

Other phone: _____ Email: _____

AFFIDAVIT

Signature of Property Owner

I, _____ the owner of the subject property, authorize
_____ to submit this application for a variance from the Unified
Development Code of the City of San Antonio. I also authorize _____ to
represent me in this variance request before the Board of Adjustment.

Property Owner's Signature _____ Date _____

<u>OFFICE USE ONLY</u>	
Fees: \$600.00	Case Number # _____
	HANSEN Case # _____
	Planner _____
Date Submitted _____	Proposed Hearing Date _____

Required Acknowledgements

Please read the following statements carefully and initial on the respective line. By placing your initials next to the statements below, you, **the property owner**, are stating that you agree with and will abide by these requirements (please initial acknowledging adherence).

Initial

_____ By filing this request for a variance, I understand that any construction that requires said variance shall cease until such time that the variance is approved, if applicable. Should the Board of Adjustment deny the request, I may pursue an appeal or bring my property into compliance in accordance with any and all City codes **within 30 days**.

_____ I understand that prior to the hearing of this case by the Board of Adjustment, staff will conduct a thorough site visit in order to take photographs of the property for use at the public hearing. This site visit may necessitate complete access to the subject property. Staff will make a reasonable attempt to contact the property owner 24 hours prior to visiting the site. I understand that it is my responsibility to ensure that conditions at the subject site will not create a hindrance to city staff. If site conditions are not conducive to staff completing the necessary task during the site visit, your case may be delayed.

_____ Any exhibits submitted by the applicant (audio, visual, document, or otherwise) must be submitted to staff at least 24 hours prior to the public hearing and must be made part of the official record and will not be returned.

_____ Refunds will be issued in accordance with the department cash handling policy and will be subject to a \$100 processing fee. This fee is charged for all refund requests. Refunds may only be issued if request is submitted prior to the case being published in a newspaper of general circulation.

_____ In case of conflict, the English version of all documentation will govern. You acknowledge receipt of this application written in the English language, with the Spanish language text where applicable, and the important terms herein. Some future correspondence may only be available/provided in English. **(En caso de un conflicto de interpretación, la versión en inglés de toda documentación gobernará. Usted reconoce el recibo de esta solicitud escrita en el idioma inglés, con texto en español donde aplica y de los terminos importantes. Algúna correspondencia futura podría ser disponible/proveado a solamente en inglés.)**

Language interpreters are available and must be requested 48 hours prior to the meeting. For more information or to request an interpreter, call Kristie Flores at (210) 207-5876.

Hay servicios de traducción simultánea disponibles. Estos servicios deben ser pedidos con 48 horas de anticipación. Para más información o para servicios de traducción, Kristie Flores al (210) 207-5876.