



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-4482

**Type:** Staff Briefing - Without Ordinance

**In control:** Board of Adjustment

**On agenda:** 8/17/2015

**Title:** A-15-128: A request by Archdale Properties, LLC for a seven foot variance from the 100 foot wide minimum I-2 lot width to allow a lot to be 93 feet wide, located at 222 Seale Road. (Council District 2)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibits

Date	Ver.	Action By	Action	Result
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**Case Number:** A-15-128

**Applicant:** Archdale Properties, LLC

**Owner:** Archdale Properties, LLC

**Council District:** 2

**Location:** 222 Seale Road

**Legal Description:** E 42.1ft of 124 & W 42.2ft of 125 & W IRR 8.77ft of E 84.4ft of 125, Block 6, NCB 10667

**Zoning:** "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District

**Prepared By:** Kristin Flores, Planner

### Request

A request for a seven foot variance from the 100 foot wide minimum lot width, as described in 35-310.01(b), to allow a lot to be 93 feet wide.

### Executive Summary

The subject property is a parcel located at 222 Seale Road approximately 800 feet west of North WW White Road. The subject property is the site of Woodco Millwork, a wood manufacturing and storage facility. The applicant owns the two subject properties and wishes to re-plat the two parcels as one parcel. The lots in this industrial area were zoned "LL" under the 1938 zoning code. The 1938 zoning code did not have requirements for minimum lot width and the lots were initially platted with an 84.5 foot width. With the adoption of the 2001 Unified Development Code, the City of San Antonio implemented a 100 foot minimum lot width for the "I-2" base zone. Due to the initial platted lot size and past lot divisions, the subject properties, when combined, are only 93 feet wide and do not meet the required 100 foot minimum for industrial lots.

### Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Vacant

### Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Industrial (Enersafe Incorporated)
South	"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Industrial (Trinity Industries)
East	"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Industrial (Ace Fire Equipment)
West	"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Industrial (Industrial Infra Red)

### Comprehensive Plan Consistency/Neighborhood Association

The property is located within the boundaries of the Arena District/Eastside Community Plan and is designated as heavy industrial in the future land use component of a plan. The subject property is not located within the boundaries of a 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 public interest is defined as the general health, safety, and welfare of the public. In this case, these criteria are represented by minimum lot size requirements to ensure adequate space for industrial development. The subject property is located in a largely industrial area with generous side, rear, and front setbacks. The applicant is requesting a 7 foot variance from the minimum lot width of 100 feet in order to re-plat the adjacent lots and further develop the property. The applicant must have the variance approved before he can complete the re-platting process. The request will not be contrary to the public interest.

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

The special condition present in this case is the inability of the applicant to re-plat and further develop his property with the current "I-2" base zone. The applicant wishes to expand his business through the proper channels. However, the subject property, as it stands now, is not wide enough to meet the minimum width requirements of the "I-2" zoning.

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

Granting the requested variance would result in substantial justice as the variance would allow the applicant to re-plat and further develop his lot with the current "I-2" zoning.

4. *The 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 “I-2 AHOD” Heavy Industrial Airport Hazard Overlay 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 industrial and surrounded by other industrial uses. As a higher intensity use, industrially zoned properties have larger setbacks than many other base zones to ensure adequate separation and safety. Staff finds the request does not detract from the character or safety of the block.**

*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 unique circumstance in this case is the inability of the applicant to develop his property under the current “I-2” base zone. The applicant owns lots which, when originally zoned and platted, were not required to adhere to a minimum lot width. The applicant wishes to re-plat the two adjacent lots, but, due to the initial platted lot size and past lot divisions, the subject property does not meet the minimum lot width requirement of the current “I-2” base zone. Staff finds providing a variance from the minimum lot width requirements of “I-2” is a legitimate request that is not merely financial in nature, nor the fault of the owner of the property.**

### **Staff Recommendation**

Staff recommends **Approval of A-15-128** based on the following findings of fact:

1. The subject property does not meet the current minimum lot width requirement of “I-2” base zoning due to differences in previous and current zoning regulations coupled with multiple lot divisions in the area;
2. The applicant cannot re-plat or continue to develop his property, within the parameters of the City of San Antonio building and development codes, without the proposed variance.

### **Attachments**

Attachment 1 - Notification Plan (Aerial Map)  
Attachment 2 - Plot Plan (Aerial Map)  
Attachment 3 - Site Plan  
Attachment 4 - Site Photos