



City of San Antonio

Legislation Details (With Text)

File #: 17-3860
Type: Zoning Case
In control: Board of Adjustment
On agenda: 6/19/2017
Title: A-17-138: A request by Cheryl Cole for a variance from the Highway 151 Gateway Corridor standards to allow metal as an accent building material, located at 10102 State Highway 151. Staff recommends Approval. (Council District 4)
Sponsors:
Indexes:
Code sections:
Attachments: 1. BOA17-138 Attachments #1

Date	Ver.	Action By	Action	Result
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Case Number: A-17-138
Applicant: Cheryl Cole
Owner: Brundage Mini-Storage, LTD
Council District: 4
Location: 10102 State Highway 151
Legal: Lot 99, Block 1, NCB 17642
Description:
Zoning: "C-2 GC-2 AHOD" Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District
Case Manager: Margaret Pahl, AICP, Senior Planner

Request

A request for a variance from the Highway 151 Gateway Corridor standards, as described in 35-339.01, to allow metal as an accent building material.

Executive Summary

The subject property is located along State Highway 151, where the City Council adopted its second Gateway Corridor Overlay District in 2005. These design standards only allow metal for use on the roof, awnings, balconies, window and door framing, and other areas not visible from the public right of way. The project is the new construction of a self-service storage building, three stories in height on a parcel with three acres. The building permit was reviewed and approved in December 2016, without a corridor review included. The approved design included metal as an accent building material visible from the highway. The applicant was recently contacted and informed of the staff error. The architect prepared a design using stucco for the owner's consideration, as well as given the opportunity to request a variance to allow the metal material to remain. The owner prefers the metal and has stated that it is an important element of their local market branding.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"C-2 GC-2 AHOD" Commercial State Highway 151 Gateway Corridor Airport Hazard Overlay District	Self-Service Storage (under construction)

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"C-3 GC-2 AHOD" General Commercial State Highway 151 Gateway Corridor Airport Hazard Overlay District	Hotel
South	"R-6 PUD" Residential Planned Unit Development Airport Hazard Overlay District	Common Area Open Space
East	"C-3 GC-2 AHOD" General Commercial State Highway 151 Gateway Corridor Airport Hazard Overlay District	Nursing Facility
West	"C-3 GC-2 AHOD" General Commercial State Highway 151 Gateway Corridor Airport Hazard Overlay District	Restaurant

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the West Sector Plan area and designated as General Urban Tier in the future land use component of the plan. The subject property is not located within the boundaries of a registered 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, the public interest is represented by good design, and minimal use of metal as an accent building material. Therefore, the variance is not contrary to public interest.

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

Literal enforcement would require that the owner change the building plans of an already issued plan set, an unnecessary hardship.

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

The spirit of the ordinance is defined as the intent of the code rather than the exact letter of the law. The intent of this overlay district is to create an attractive gateway corridor for the traveling public, which is observed by the proposed design.

4. *The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.*

The variance will not authorize the operation of a use other than those uses specifically authorized in the “C-2 GC-2 AHOD” Commercial Gateway Corridor 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 applicant is requesting a variance from the provision in the corridor overlay standards to allow metal as an accent material. In the proposed application, the metal compliments the design and contributes to the character of the district.

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 plight of the owner is unique in that they were not given the corridor overlay standards in time to design around them. Instead, they were given a permit to construct the project with metal as an accent material, a condition that was not the fault of the owner.

Alternative to Applicant’s Request

Denial of the requested variance would result in the applicant having to redesign the structure to support stucco.

Staff Recommendation

Staff recommends **APPROVAL of the requested variance in A-17-138** based on the following findings of fact:

1. The metal as an accent material was permitted during the building permit review and approval;
2. The existing structure cannot accommodate the change in building materials.