



City of San Antonio

Legislation Details (With Text)

File #: 18-2401
Type: Zoning Case
In control: Board of Adjustment
On agenda: 3/19/2018
Title: A-18-051: A request by Charles Pope for an eight foot variance from the 15 foot Type B landscape bufferyard requirement to allow a bufferyard to be as narrow as seven feet, located at 2510 SW Military Drive. Staff recommends Approval. (Council District 4)
Sponsors:
Indexes:
Code sections:
Attachments: 1. A-18-051 Attachments

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Case Number: A-18-051
Applicant: Charles Pope
Owner: Charles Pope
Council District: 4
Location: 2510 SW Military Drive
Legal: Lot 22, NCB 9503
Description:
Zoning: "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District
Case Manager: Debora Gonzalez, Senior Planner

Request

A request for an eight foot variance from the 15 foot Type B landscape bufferyard requirement, as described in Section 35-510, to allow a bufferyard to be as narrow as seven feet.

Executive Summary

The applicant is requesting a variance from the 15 foot Type B bufferyard to reduce the landscape buffer to seven feet and allow for redevelopment of the site and provide more landscaping elsewhere on the property. This proposed new development will increase the landscaping by approximately 300% from its current configuration. As part of the redevelopment the owner has proposed closing down the curb cut off of the Zarzamora Street and is increasing the bufferyard landscape on SW Military Drive to 17 feet. Additionally, the owner wishes to reduce the bufferyard to accommodate the new building closer to Zarzamora Street and have internal parking to the property.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
-----------------	--------------

"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Restaurant
---	------------

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"C-3 AHOD" General Commercial Airport Hazard Overlay District "	Pharmacy, Retail, Restaurant
South	"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Furniture, Appliance Sales
East	"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Medical Clinic, Parking Lot
West	"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Auto Shop

Comprehensive Plan Consistency/Neighborhood Association

The property is within the West/Southwest Sector Plan and designated as Mixed Use Center 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 seven foot bufferyard is not contrary to public interest as it does not negatively impact any surrounding properties or the general public. The owner is also increasing the 15 foot requirement to 17 feet along SW Military drive. As the owner is not asking for the complete elimination of the bufferyard, the request is not contrary to the public interest.

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

Literal enforcement would not allow the re-development of the new building as proposed. Approval of the requested variance would provide a safe, enclosed parking area towards the interior of the property.

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

In this case, the proposed bufferyard will sufficiently screen the street and traffic from any visual clutter and will improve the existing streetscape.

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 variances 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 introduction of a seven foot buffer would only enhance the overall appearance of the site, streetscape, and neighborhood.

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 existing building already has a few large mature trees on site, and accommodating the new building within the existing conditions of the 15 foot bufferyard requirement on Zarzamora Street restricts the redevelopment of a new building and circulation for the business.

Alternative to Applicant’s Request

The owner would need to meet the required 15 foot bufferyard and modify the proposed development.

Staff Recommendation

Staff recommends **APPROVAL** of the variance in **A-18-051**, based on the following findings of fact:

1. The request does not negatively impact surrounding property owners and does significantly alter the appearance of the district; and
2. The proposed redevelopment of the new building increases the bufferyard landscape surrounding the property.