



City of San Antonio

Legislation Details (With Text)

File #: 18-4824

Type: Zoning Case

In control: Board of Adjustment

On agenda: 8/20/2018

Title: A-18-137: A request by Edward Juarez for 1) a 19 square foot variance from the maximum 36 square foot sign area to allow a sign to be 55 square feet in size and 2) a 6' variance from the maximum 8' height limitation to allow a sign to be 14 feet tall and 3) a 14' variance from the 15' sign setback to allow a sign to be 1' from the side property line, located at 9798 Silverbrook Place. Staff recommends Approval. (Council District 7)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A-18-137 Attachments

Date	Ver.	Action By	Action	Result
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Case Number: A-18-137

Applicant: Edward Juarez

Owner: Silverbrook Association, Inc.

Council District: 7

Location: 9798 Silverbrook Place

Legal: Lot P-100, Block 30, NCB 15664

Description:

Zoning: "PUD R-4" Planned Unit Development Residential Single-Family District

Case Manager: Debora Gonzalez, Senior Planner

Request

A request for 1) a 19 square foot variance from the maximum 36 square foot sign area, as described in Chapter 28, Section 28-45, to allow a sign to be 55 square feet in size and 2) a 6' variance from the maximum 8' height limitation, as described in Chapter 28, Section 45, to allow a sign to be 14 feet tall and 3) a 14' variance from the 15' sign setback, as described in Chapter 28, Section 45, to allow a sign to be 1' from the side property line.

Executive Summary

The applicant is seeking to replace an existing sign that is part of the Silverbrook Neighborhood, located in a park area along the community's main street. The new, updated sign will be 55 square feet in area and features an electronic message board facing only one direction. The sign is proposed to be 14' feet tall and 1' from the side property line. The applicant states that the owners intend to use the electronic message board to announce

news, events, emergencies, and weather awareness.

Existing Zoning	Existing Use
"PUD R-4" Planned Unit Development Residential Single-Family District	Residential Park

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"PUD R-5" Planned Unit Development Residential Single-Family District	Single-Family Dwelling
South	"PUD R-5" Planned Unit Development Residential Single-Family District	Single-Family Dwelling
East	"PUD R-4" Planned Unit Development Residential Single-Family District	Single-Family Dwelling
West	"PUD R-4" Planned Unit Development Residential Single-Family District	Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the Northwest Community Plan and it is currently designated as Parks/Open Space in the future land use component of the plan. The subject property is not located within the boundaries of a neighborhood association.

Street Classification

Silverbrook Place is classified as a local street.

Criteria for Review

Pursuant to Section 28-247 of *Chapter 28: Signs and Billboards* of the City Code, 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*
- 2. A denial of the variance would probably cause a cessation of legitimate, longstanding active commercial use of the property; and*

The applicant intends to replace existing sign with and an electric message board 55 square feet in area, 14' feet tall and 1' from the side property line. This size is needed to announce news, events, emergencies and weather awareness.

- 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 request is not out of character with the neighborhood. The requested area, height, and setback are unlikely to harm any residential property as the sign is to be located along the neighborhood collector street, and is more than 80 feet from the nearest home.

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

The proposed variance will not have an adverse impact on neighboring properties as the sign will be surrounded by a park and on the main street of this community.

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

The requested variance does not conflict with the stated purpose of the chapter. The requested square footage provides reasonable limits on signage to help preserve and maintain neighborhoods. Further, the request will not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.

Alternative to Applicant's Request

The applicant must adhere to the Chapter 28, Sec 28-45.

Staff Recommendation

Staff recommends **APPROVAL** of variance in **A-18-137** based on the following findings of fact:

1. The request is unlikely to detract from the character of the community, and;
2. Granting the variance would allow the owner and neighbors to announce news or updates to the residents in the area, which serves the public the public interest.