



City of San Antonio

Agenda Memorandum

File Number:15-4113

Agenda Item Number: 10.

Agenda Date: 7/22/2015

In Control: Planning Commission

DEPARTMENT: Development Services

SUBJECT:

B. Perez Subdivision 130592

SUMMARY:

Request by Beatriz L. Perez, for approval: a) of a variance request from Section 35-515 (c) (4) of the Unified Development Code (UDC). b) to replat and subdivide a tract of land to establish B. Perez Subdivision, generally located southeast of the intersection of Edris and Rockwell. Staff recommends Approval. (Andrew Martinez, Planner, (210) 207-7898, Andrew.martinez2@sanantonio.gov, Development Services Department)

BACKGROUND INFORMATION:

Council District: 4
Filing Date: July 8, 2015
Owner: Beatriz L. Perez
Engineer/Surveyor: Seda Consulting Engineers, Inc.
Staff Coordinator: Andrew Martinez, Planner, (210) 207-7898

ANALYSIS:

Zoning:
"R-4"

Variance Request:

One July 2, 2015 the applicant requested a variance from Section 35-515 (c) (4) of the Unified Development Code (UDC). The Engineering of Development Services Department has no objection to the granting of the variance as indicated in the attached report (**ATTACHMENT 2**).

Notices:

To the present, staff has not received any written responses in opposition from the surrounding property owners.

ALTERNATIVE ACTIONS:

Plat consideration with a Variance:

- Per State Law, Section, 212.009 and Unified Development Code (UDC), Section 35-432(d) the Planning Commission considers staff review of the variance request along with the plat.

- In accordance with UDC 35-483 the Planning Commission shall render a written finding of the variance by approving, denying, or approving with conditions.
 1. **Approve with conditions:** In granting variances, the commission may impose such reasonable conditions as will ensure that the property will be as compatible as practical with the regulations and surrounding properties.
 2. **Approval criteria:** The planning commission may grant variances if it concludes that strict compliance with regulations would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of these regulations will be observed, public safety and welfare secured, and substantial justice done.

RECOMMENDATION:

Approval of a Subdivison Plat that consists of 0.169 acre tract of land, which proposes one (1) Single Family residential lot.

Staff reviewed the request, and found it to be in conformance with the Unified Development Code (UDC) with exception of the Variance mentioned above. In regards to the Variance, staff does concur with the applicant's justification. Therefore, the Director of Development Services recommends approval of the variance and plat.