



City of San Antonio

Agenda Memorandum

Agenda Date: June 3, 2024

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

CASE NUMBER: BOA-24-10300088

APPLICANT: George Rodriguez

OWNER: Kocurek Investments LLC

COUNCIL DISTRICT IMPACTED: District 1

LOCATION: 10203 Ironside Drive

LEGAL DESCRIPTION: Lot 14, Block 23, NCB 13558

ZONING: "C-3" General Commercial District

CASE MANAGER: Colton Unden, Planner

A request for

1) A 14' variance from the maximum 16' height to allow a 30' sign height.
Section 28-5

2) A 23 square feet variance from the maximum 75 square feet to allow a 98 square feet sign.
Section 28-5

Executive Summary

The subject property is located along Ironside Drive, southeast of Wurzbach Road. The business on the property is requesting variances before installing the proposed signage. The proposed signage will be on side of the property abutting the parking lot and private egress road for the strip mall – opposite of the Ironside Drive ROW. The applicant is requesting a 30' sign at 98 square feet. Code allows a 16' sign with 75 square feet.

Code Enforcement History

No relevant code enforcement history for the subject property.

Permit History

The applicant has not yet applied for the building permit.

Zoning History

The subject property was annexed into the City of San Antonio by Ordinance 34306, dated May 25, 1966, and originally zoned “B-3” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-3” Business District converted to the current “C-3” General Commercial District.

Subject Property Zoning/Land Use**Existing Zoning**

“C-3” General Commercial District

Existing Use

Carwash

Surrounding Property Zoning/ Land Use**North****Existing Zoning**

“RM-4” Residential Mixed District

Existing Use

Mosque

South**Existing Zoning**

“C-3” General Commercial District

Existing Use

Various Commercial Uses

East**Existing Zoning**

“RM-4” Residential Mixed District

Existing Use

Single-Family Dwelling

West**Existing Zoning**

“C-3” General Commercial District

Existing Use

Antique Store

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the North Sector Plan and is designated as “Mixed Use Center” in the future land use component of the plan. The subject property is not located within any neighborhood association.

Street Classification

Ironside Drive is classified as a Collector Street.

Criteria for Review – Sign Height and Square Footage Variances

Pursuant to Section 28-45 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.*

The property is currently permitted a 16-foot sign height, 75-square feet. The permitted dimensions will not cause a cessation of legitimate, longstanding active commercial use of the property.

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 proposed sign appears to provide a special privilege as staff identified no other sign in the immediate vicinity exceeding the standards.

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

The proposed variance may have an adverse impact on neighboring properties as the sign height will be exceeding the maximum height and size for what the city is attempting to provide as a standard.

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

The requested variance appears to substantially conflict with the stated purpose of the Chapter. A sign exceeding the 16’ in height, 75 square feet in size will not follow the sign regulations set forth in the Unified Development Code.

Alternative to Applicant’s Request

The alternative to the applicant’s request is to conform to the Sign Height and Square Footage Regulations of Section 28-45 of the Unified Development Code.

Staff Recommendation – Sign Height and Square Footage Variances

Staff recommends Denial in BOA-24-10300088 based on the following findings of fact:

1. The variances will alter the essential character of the neighborhood; and,
2. The sign has not been constructed and plans can be altered to be complying.