

	<h1>One Stop Code Consulting</h1>	<p>1650 W Huisache San Antonio, TX 78201 Phone (210) 778-8219 fdeleon@onestopcode.net</p>
<p>Residential/Commercial</p>	<p>Development Consulting</p>	<p>Permitting</p>

June 13, 2023

Administrative Exception/Variance Request Review c/o Development Services Staff
Development Services Department
City of San Antonio
1901 S. Alamo
San Antonio, Texas 78204

RE: Gutierrez Residence
RES-RBP-APP21-35506779
18 Bishops Green
Section 35-523 (h) Tree Preservation - Removing Trees falling below 80% inside the Environmentally Sensitive Area (ESA).

Dear COSA DSD,

I am requesting an Environmental Variance for the proposed project located at 18 Bishops Green, San Antonio, Texas 78257, to allow for the removal of existing trees beyond the 80% preservation requirement in the Environmentally Sensitive Area (ESA), as described in the Tree Ordinance Section 35-523, Table 523-1 A. I am the owner and contractor for this project. This will be my residence. I removed the trees prior to obtaining the building permit for my project without realizing the building code requirements within the ESA.

The project consists of constructing a new 9,667 sq. ft. single-story residential home on a 2.577 Acre (112,254 sq. ft) lot. The width of the lot is 247 feet and the depth of the lot is 654 feet. This lot is not located over the Edward Recharge Zone District (ERZD) and consists of approximately 0.9374 acres (40,833 sq. ft.) of floodplain, 0.43 acres (18,730 sq. ft.) of 30 feet Environmental Sensitive Area (ESA) and 1.20 acres (42,690 sq. ft.) of upland area. The floodplain is located mostly on the East half of the property and it is running from North to South of the lot. The flood plain is approximately 100 feet wide. The ESA is located 30 feet paralleling the floodplain limit. The difference in elevation on this lot is 16 feet from front of the lot to the rear of the lot.

The UDC requires for 80 percent of the trees to be preserved inside the 100-year flood plain and 80 Percent Preservation inside the 30 feet ESA. The Development of this new residential home to include swimming pool and the kid's playground will be located inside the Upland Area and part of the ESA Area.

The project is proposing to save 82 percent of the existing trees inside the 100-yr floodplain which is equivalent to 284 inches of the significant trees and saving 100 percent of the Heritage trees which is equivalent to 59 inches. The floodplain area has a 32-inch Oak and a 27-inch Oak Heritage Tree. The development is proposing to remove the 95.5 inches within the ESA out of the 122 total inches, preserving 26.5 inches which is equivalent to 22 percent preservation. The ESA has no heritage trees. The upland area is proposing to save 614.5 inches of significant trees which is equivalent to 40 percent preservation and saving the 24-inch Heritage tree which is equivalent to 100 percentage preservation.

122 inches total protected inches within the ESA.

122 inches x 80% = 97.6 total required inches to be preserved within the ESA.

95.5 inches total ESA inches that are being removed.

26.5 inches total preserved inside the ESA which is equivalent 22% preservation.

Mitigation within the ESA

97.6 inches required - 26.5 inches preserved = 71.1 inches total required mitigation within the ESA.

I am proposing to plant back 27 total medium and large native species totaling 84 inches caliper inches.

84 inches - 71.1 inches = 12.9 inches planted above the minimum tree preservation ESA Mitigation.

In conclusion, if we comply strictly with the provisions of this regulation, we will not be able to make reasonable use of this property, as the proposed trees will be located within proposed development. This hardship is related to the applicant's land, rather than personal circumstances as it is due to the location of the floodplain and the 30 feet ESA covering more than 50 percent of the lot or approximately 60,000 sq. ft. out of 112,254 sq. ft. The penalty fee has been paid and the trees were removed.

The granting of the exception/variance will not be injurious to other properties and will not prevent the orderly subdivision to other property in the area according with the regulations. This variance is designed within parameters to maintain the spirit and intent of the UDC requirements.

In my opinion, the proposed administrative exception/variance request remains in harmony with the spirit and intent of the UDC as it will not adversely affect the health, safety, or welfare of the public.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alex Gutierrez', with a long horizontal stroke extending to the right.

Alex Gutierrez

Owner