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AGENDA ITEM NO. _____

**CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Florencio Peña III, Director, Development Services Department

SUBJECT: Appeal of Board of Adjustment Decision regarding The Money Box sign

DATE: January 12, 2006

SUMMARY & RECOMMENDATION

Consideration of an appeal by The Money Box of the Board of Adjustment's decision regarding a sign permit application to allow a reduction in the 150 foot spacing requirement for signs at 2337 S.W. Military Drive.

Staff recommends upholding the Board of Adjustment findings and to deny the requested appeal.

BACKGROUND INFORMATION

The applicant is proposing to replace the sign cabinet on an existing nonconforming sign that does not meet the required minimum 150' spacing from other signs. There is an existing multi-tenant sign 142' to the east and an existing multi-tenant sign 45' to the west of the sign proposed for a cabinet replacement. A nonconforming sign cabinet may be maintained or refaced, but may not be replaced.

The applicant was unable to provide reasonable justification to warrant a variance according to the provisions that are set out in the City's sign code section 28-247, *Variance and appeals procedures*. The criteria for the Board of Adjustment to approve a variance include a restricted reasonable opportunity for any adequate signage on the property (considering dimensions, landscaping or topography) or that a denial would cause a cessation of any longstanding active commercial use of the property.

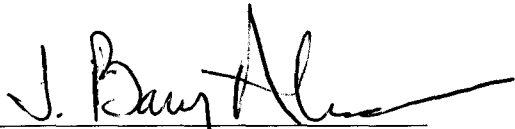
The motion required nine affirmative votes from the members present for approval of the variance. The motion failed on a vote of six in opposition and four in favor to approve the variance from the spacing requirements.

FISCAL IMPACT

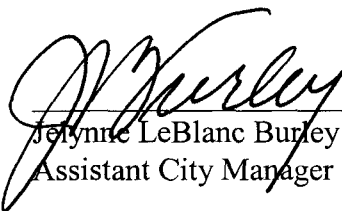
The sign permit fee will increase the general fund \$47.96.

COORDINATION

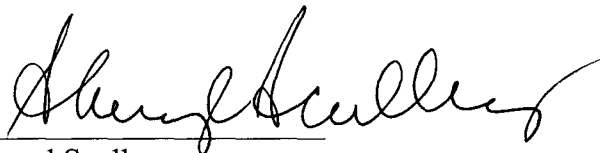
This item has been coordinated with the City Attorney's Office.



for Florencio Peña III
Director, Development Services Department



Jolynne LeBlanc Burley
Assistant City Manager



Sheryl Sculley
City Manager