



## PLANNING & CODES

## VAR 07-25 Staff Report 3740 Hwy. 46 N. Variance request to signage requirements

**Applicant:**

FSG Signs  
4300 NE Loop 410  
San Antonio, TX 78218

**Property Owner:**

Mustang Development LLC/  
ATTN: Austin W Hagauer  
18602 Castellani  
San Antonio, TX 78258

**Property Address/Location:**

3740 SH 46

**Legal Description:**

THREE OAKS #2-B BLOCK 7  
LOT 9 1.40 AC  
Property ID: 52806

**Lot Size/Project Area:**

1.4 acres

**Future Land Use Plan:**

Local Commercial

**Notifications:**

Mailed: November 25, 2025  
Newspaper: November 23,  
2025

**Comments Received:**

None at publication

**Staff Review:**

Kyle Warren  
Planner

**Attachments:**

- Location Map
- Zoning Map
- Future Land Use Plan Map

**REQUEST:**

The applicant is requesting a variance to signage requirements for the height of a pole sign located at 3740 Hwy. 46 N.

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	C	Retail Service (McDonald's)
<b>N of Property</b>	C	Vacant
<b>S of Property</b>	R-2	Single-Family Homes
<b>E of Property</b>	Pending Annexation	Proposed Site of Texas State Technical College
<b>W of Property</b>	R-2	Single-Family Homes

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The applicant's request is associated with a pole sign which will be located at 3740 Hwy. 46 N, where a new McDonald's is being built. The proposal is a 30' pole sign, which exceeds the current maximum of 25' for pole signs not on IH 10 or SH 130.

The applicant states the hardships are that SH 46 has a higher-than-average speed for a road of its type (60 MPH) and that it has a large right-of-way reducing sign visibility.

This request, however, only meets one of the five criteria listed in the variance chart below. Despite the size of the highway, and speed limit, the applicant went forward with developing at this location. There are also other commercial properties in the area that would be held to the same standards if developed.

CRITERIA	MEETS
Variance requested arises from such conditions which is unique to the property in question, and which is not ordinarily shared by others in the same neighborhood or zoning district	
There are particular physical surroundings, shape or topographical condition of the property involved would result in a practical difficulty or unnecessary hardship or inequity upon or for the owner	
The request for the variance is not based exclusively on financial gain or the reduction of an existing financial hardship	
The granting of the variance will not be materially detrimental or injurious to, or adversely affect the rights of, owners or residents of the surrounding property	
The proposed variance will not impair an adequate supply of light or air to adjacent property, increase congestion on public streets, increase the fire danger, endanger public safety, diminish or impair property values within the neighborhood or be opposed to the general spirit of intent of the ordinance	X

## PLANNING DEPARTMENT ANALYSIS

### **BACKGROUND**

The 1.40-acre property at 3740 N SH 46 was recently replatted out of a larger 2.8-acre commercial lot from the Three Oaks Subdivision. It sits at the corner of SH 46 and Three Oaks Road. McDonald's has both an approved Commercial site plan and an issued building permit for this location.

They applied for the sign variance request at the beginning of November, for a variance of 5' in height for a new pole sign. No contact was made with staff concerning the variance request.

### **CODE REQUIREMENTS:**

The proposed sign, at 30 feet in height, is 5 feet taller than what is currently allowed at this location. This comes from Chapter 6 of Seguin's UDC section 5.7.D.2 which states "Signs along all other roads (excepting IH-10 and SH 130)- the maximum height of the top of the sign shall be 25 feet above the adjacent grade."

### **COMPREHENSIVE PLAN:**

The property falls in the Local Commercial FLUP, which states "The Local Commercial District is intended for various neighborhood-scale commercial businesses that support nearby residential communities. Commercial uses should be appropriate in scale and centered on local thoroughfare intersections to offer day-to-day services for surrounding residents, such as restaurants, retail, and personal services."

The focus taken from this is that any commercial uses (including associated signage) should be appropriate in scale with the surrounding neighborhoods, and communities. In this case a variance for additional sign height would be inappropriate in keeping with the FLUP.

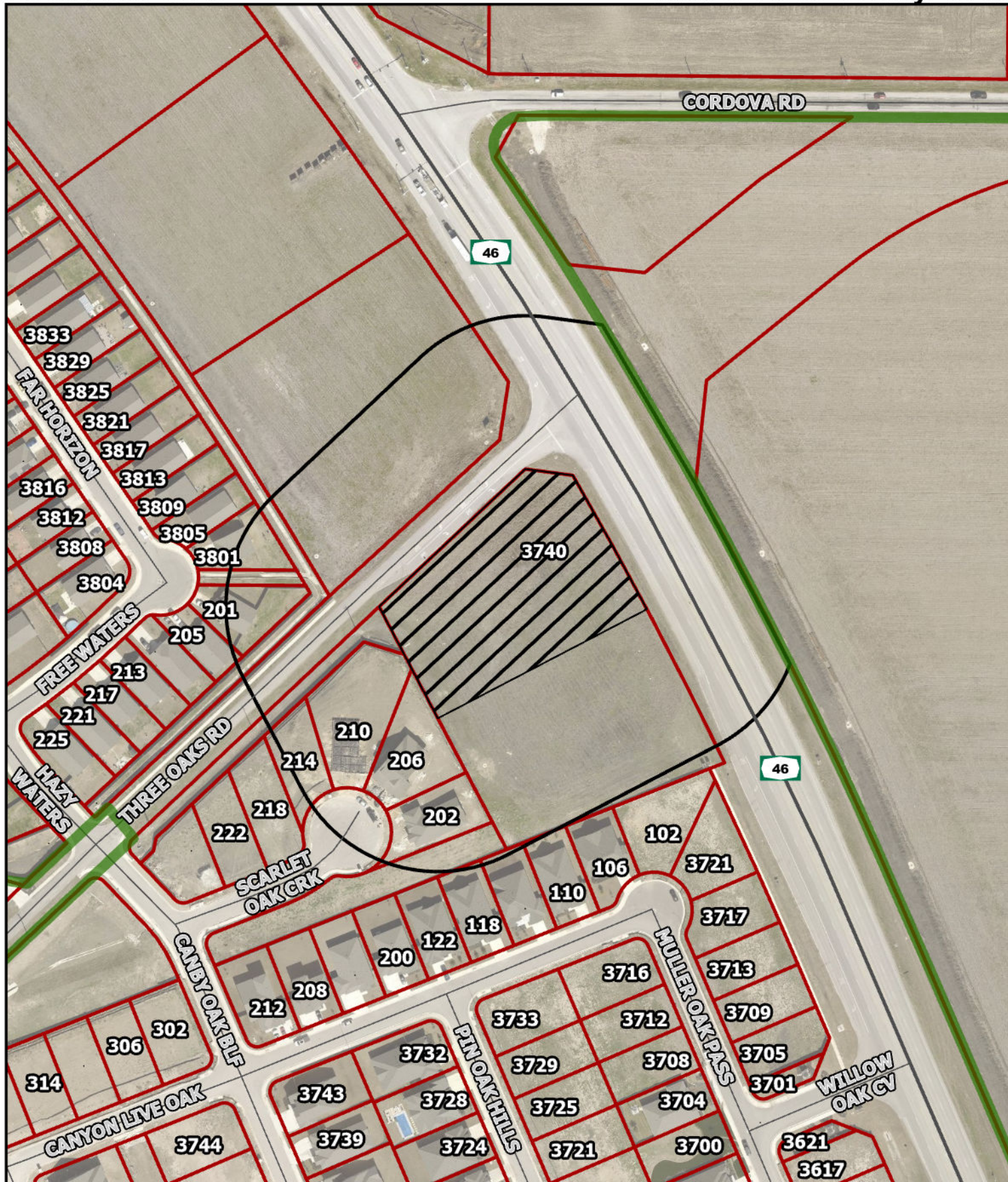
### **STAFF RECOMENDATION:**

Staff recommends denial of this variance as it only meets one requirement out of five for a variance approval. There is no uniqueness to this property in the sense of location, as other commercial properties in the vicinity would be held to the same standard.



# LOCATION MAP

VAR 07-25 3740 Hwy. 46 N.



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- 200' Buffer
- Parcel
- Site Location

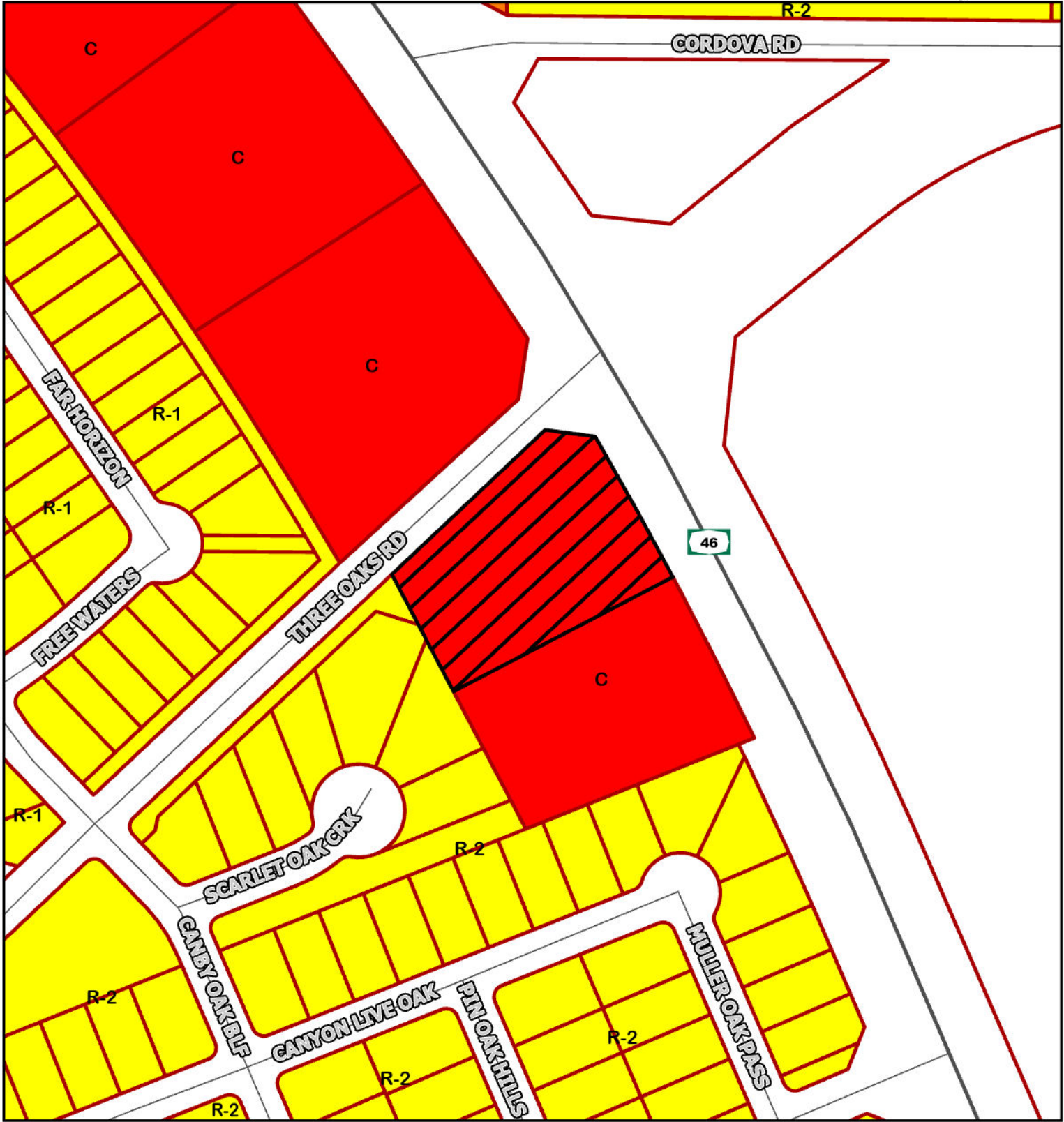
1 inch = 167 feet

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ZONING MAP

VAR 07-25 3740 Hwy. 46 N.



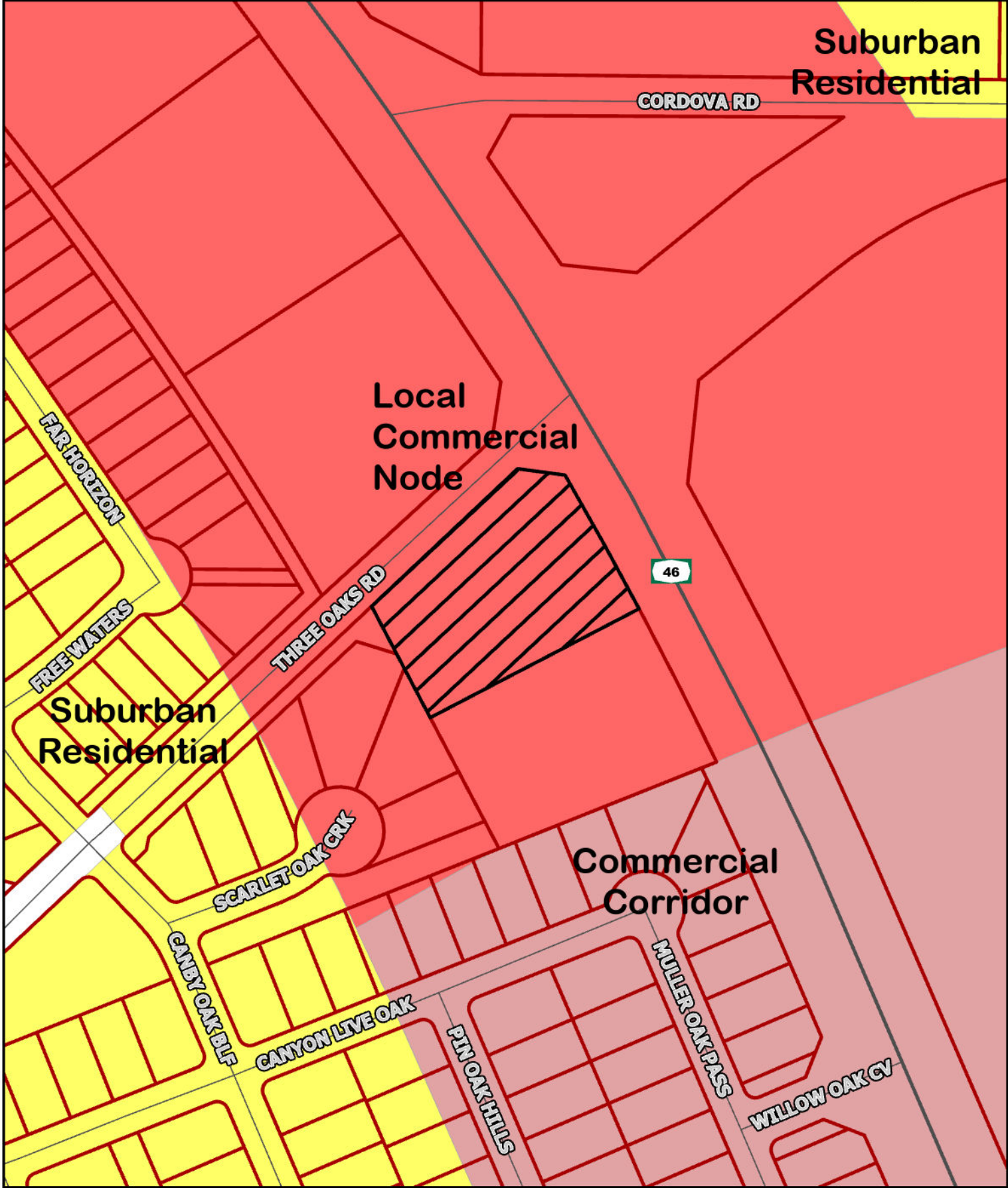
Agricultural - Ranch	Light Industrial	Manufactured Home Park	Single Family Residential 1	Zero Lot Lines
Commercial	Manufactured-Residential	Neighborhood Commercial	Single Family Residential 2	Corridor Overlay Districts
Duplex 1	MultiFamily 1	None	Rural Residential	
Duplex 2	MultiFamily 2	Public	ROW	
Industrial	MultiFamily 3	Planned Unit Development	Suburban Residential	

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Site Location

Parcel

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Site Location



Parcel

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