

**CITY OF SAN ANTONIO**  
**Board of Adjustment**  
**Regular Public Hearing Agenda**

Cliff Morton Development and Business Services Center  
1901 South Alamo Street  
Board Room, First Floor

**Monday, April 20, 2009**  
**1:00 PM**

**BOARD OF ADJUSTMENT MEMBERS**

Liz Victor – District 1	Paul Klein – District 6
Edward Hardemon – District 2	Mary Rogers – District 7
Helen Dutmer – District 3	Andrew Ozuna – District 8
George Britton, Jr. – District 4	Mike Villyard – District 9
George Alejos – District 5	Gene Camargo – District Mayor
Michael Gallagher – District 10 Chairman	
Maria Cruz	Mimi Moffat
Henry Rodriguez	Pete Vallone
Rollette Schreckenghost	Narciso Cano

1. 1:00 PM – Public Hearing Call to Order.
2. Roll Call.
3. Pledges of Allegiance.
4. **A-09-038:** The request of APO Investments, L.P., for **1)** A 5-foot variance from the requirement that a front-yard solid-screen fence shall not exceed 3 feet in height, in order to erect an 8-foot tall front yard fence along the west side property line in the front-yard, **2)** a 2-foot variance from the requirement that side and rear-yard fences shall not exceed 6 feet in height, in order to erect an 8-foot tall side and rear-yard fence, **3)** a 5-foot variance from the requirement that a front-yard solid-screen fence shall not exceed 3 feet in height, in order to erect an 8-foot tall front yard fence along the east side property line in the front-yard and **4)** a 2-foot variance from the requirement that predominately front-yard fences shall not exceed 4 feet in height, in order to erect a 6-foot tall predominately open front-yard fence, 1027 Austin Highway.
5. **A-09-042:** The request of Jimenez Ramiro, for a 2-foot variance from the requirement that front-yard fences not exceed 4 feet in height, in order to keep an existing 6-foot tall predominantly open front-yard fence, 5835 Hawaiian Cove.

6. **A-09-043:** The request of Esther Ponce, for a special exception to allow a one operator beauty/barber shop, 4027 Fawnridge Drive.
7. **A-09-044:** The request of Michael T. Lahood, for a 2-foot 6-inch variance from the requirement that predominantly open fences in front yards not exceed 4 feet in height, in order to erect a 6-foot 6-inch tall predominantly open fence in the front yard, 1924 North Main Avenue.
8. **A-09-046:** The request of Claudia M. Alvarez, for a special exception to allow a 6-foot tall ornamental-iron front-yard fence, 8911 Oletha Street.
9. **A-09-050:** The request of Aaron D. Holt, for a 13-foot variance from the requirement that a minimum 70-foot platted front setback be maintained (recorded in Volume 4818, Page 45 of the Bexar County Land Records), in order to erect an addition that will sit 57 feet from the front property line, 3106 Letitia Lane.
10. Approval of the minutes from the regular meeting on April 6, 2009.
11. Discussion and consideration of amendments to the Board of Adjustment's Articles of Rules and Procedures
12. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
13. **Adjournment**

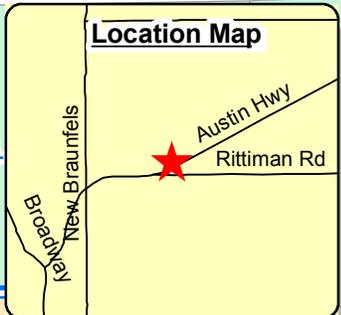
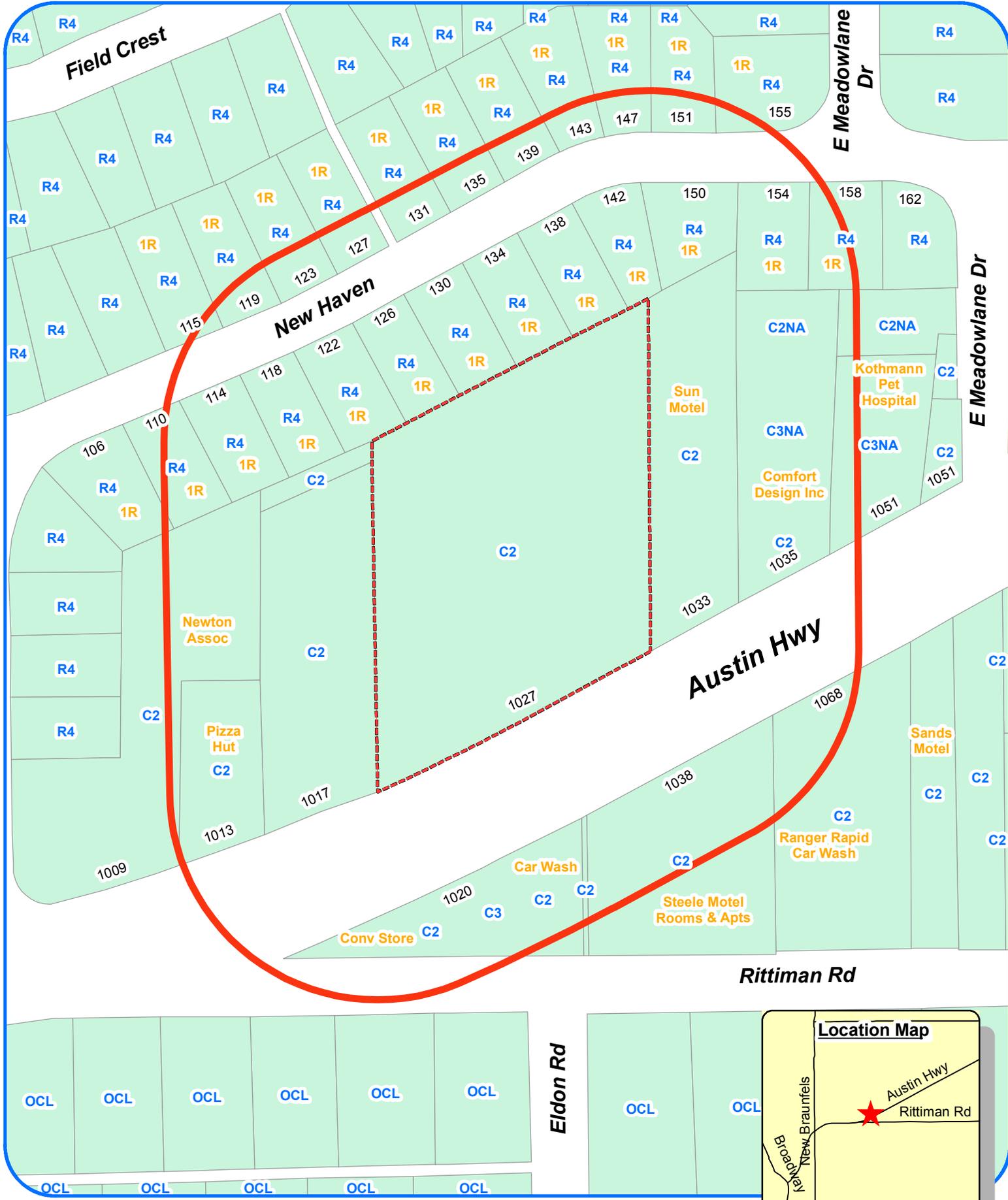
**Note:** The City of San Antonio Board of Adjustment Agenda can be found on the Internet at: [www.sanantonio.gov/dsd](http://www.sanantonio.gov/dsd)

At any time prior to the meeting, you may contact a case manager at 207-0170 to check the status of a case.

**ACCESSIBILITY STATEMENT**

This meeting site is accessible to persons with disabilities. Parking is available. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.





**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-038**



- Legend**
- Subject Property
  - 200' Notification Boundary
  - Scale: 1" approx. = 120'
  - Council District 10

# CASE NO: A-09-038

Board of Adjustment – April 20, 2009

**Applicant:** APO Investments, L.P.

**Owner:** APO Investments, L.P.

**Request(s):** **1)** A 5-foot variance from the requirement that a front-yard solid-screen fence shall not exceed 3 feet in height, in order to erect an 8-foot tall front yard fence along the west side property line in the front yard, **2)** a 2-foot variance from the requirement that side and rear-yard fences shall not exceed 6 feet in height, in order to erect an 8-foot tall side and rear-yard fence, **3)** a 5-foot variance from the requirement that a front-yard solid-screen fence shall not exceed 3 feet in height, in order to erect an 8-foot tall front yard fence along the east side property line in the front yard and **4)** a 2-foot variance from the requirement that predominantly open front-yard fences shall not exceed 4 feet in height, in order to erect a 6-foot tall predominantly open front-yard fence.

**Legal Description:** Lot 17, NCB 8691

**Address:** 1027 Austin Highway

**Zoning:** "C-2" Commercial District

**Existing Use:** Vacant

**Neigh. Assoc:** Terrell Heights

**Neigh. Plan:** Northeast Inner Loop

**Section of the City Code from which these variances are requested:**

**35-514 Fences:** The maximum height for predominantly open front-yard fences in "C-2" zoning districts is 4 feet. The maximum height for side and rear-yard fences is 6 feet.

**Background:** The subject property is located on Austin Highway, near its intersection with Rittiman Road; east of New Braunfels Avenue. The lot is currently vacant, though a commercial building is currently being erected. The surrounding zoning includes C-2, C-3 NA and R-4. The surrounding land uses consist of commercial uses to the east, west and south across Austin Highway, and residential uses to the north. The applicant is requesting the variances listed above in order to erect an 8-foot tall wood privacy fence that would extend into the front, side and rear yards, as well as, a 6-foot tall wrought-iron fence that would be located exclusively in the front-yard of the subject property. The applicant initiated this case in advance of obtaining permits.

**Recommendation:** The intent of the maximum fence height requirement in front, side, and rear yards is to allow property owners to adequately screen and secure their property while also maintaining openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. It does not appear that the subject property possesses any unique characteristics that would cause the literal enforcement of the fence height standards to create an undue hardship. The applicant has not indicated that any physical or topographic conditions exist which would preclude adherence to the fence standards set forth in the Unified Development Code; citing security and privacy concerns as the primary hardships. Furthermore, staff believes that the

granting of these variances would alter the character of the general area, as the properties along both this portion of Austin Highway and the residential properties to the north along New Haven, are not typically characterized by fences of excessive height. Staff does not believe that the applicant would be denied the ability to make reasonable use of the property without the code variances and therefore recommends **denial**.

**Case Manager:** Mike Farber, Planner (210) 207-3074

New Haven

NCB 8691 BLK LOT 17

Austin Hwy



1.

Proposed 8' tall solid screen fence

2.

Proposed 8' tall solid screen fence

Proposed 8' tall solid screen fence

3.

Proposed 6' tall Predominantly Open fence

4.

**Board of Adjustment**  
Plot Plan for  
**Case A-09-038**



**Legend**

Scale: 1" approx. = 60'  
Council District 10

**1027 Austin Hwy**

Planning and Development Services Dept  
City of San Antonio  
(03/30/2009 - P. Trinkle)

# Board of Adjustment - Case No. A-09-038

April 20, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 20, 2009** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant- APO Investments, L.P.  
Lot 17, NCB 8691  
1027 Austin Highway  
Zoned: "C-2" Commercial District

The applicant is requesting **1)** a 5-foot variance from the requirement that a front-yard solid-screen fence shall not exceed 3 feet in height, in order to erect an 8-foot tall front yard fence along the west side property line in the front-yard, **2)** a 2-foot variance from the requirement that side and rear-yard fences shall not exceed 6 feet in height, in order to erect an 8-foot tall side and rear-yard fence, **3)** a 5-foot variance from the requirement that a front-yard solid-screen fence shall not exceed 3 feet in height, in order to erect an 8-foot tall front yard fence along the east side property line in the front-yard and **4)** a 2-foot variance from the requirement that predominately front-yard fences shall not exceed 4 feet in height, in order to erect a 6-foot tall predominately open front-yard fence.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Mike Farber at 207-3074 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Planning and Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

*The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.*

**Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.**

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

**Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.**

Name/Nombre: \_\_\_\_\_ Telephone/Telefono: \_\_\_\_\_

Address/Direccion: \_\_\_\_\_

Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

( ) In Favor/A Favor

( ) In Opposition/En Oposicion

Comments/Comentarios: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**A-09-038**

**NEIGHBORHOOD AND URBAN DESIGN DIVISION  
BOARD OF ADJUSTMENT CASE REVIEW FORM**

**CASE INFORMATION**

Case #: **A-09-038**

Property Address: 1027 Austin Highway

Zoning: C-2

Hearing Date: 04/20/2009

**Type / Scope of BOA Request:**

1) A 5-foot variance from the requirement that a front-yard solid-screen fence shall not exceed 3 feet in height, in order to erect an 8-foot tall front yard fence along the west side property line in the front-yard, 2) a 2-foot variance from the requirement that side and rear-yard fences shall not exceed 6 feet in height, in order to erect an 8-foot tall side and rear-yard fence, 3) a 5-foot variance from the requirement that a front-yard solid-screen fence shall not exceed 3 feet in height, in order to erect an 8-foot tall front yard fence along the east side property line in the front-yard and 4) a 2-foot variance from the requirement that predominately front-yard fences shall not exceed 4 feet in height, in order to erect a 6-foot tall predominately open front-yard fence.

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): Terrell Heights and Wilshire Village

Neighborhood or Community Plan: Northeast Inner Loop Neighborhood Plan

Neighborhood Conservation District: N/A

Corridor Overlay District (Name or N/A): N/A

**ANALYSIS STATEMENT**

The subject parcel is located in the Northeast Inner Loop Neighborhood Plan. It is designated as Neighborhood Commercial in the Land Use Plan. Neighborhood commercial includes low-intensity, small scale retail, office, or service uses serving the neighborhood area with low-impact convenience, retail, or service functions.

Chapter 4, Redeveloping Austin Highway, of the Northeast Inner Loop Neighborhood Plan provides goals and action steps for the redevelopment of Austin Highway. Goal 2 states, "Modify Austin Highway to become a more urban, pedestrian and transit-friendly boulevard" (p 36). Objective 2.1 provides, "Improve Austin Highway's environment with street enhancements, landscaping, better signage and lighting, enhanced transit stops, sidewalks, and bike lanes" (p 36). Some of the desired characteristics are buildings close to the street, wide sidewalks to encourage outdoor seating and retail for heavier pedestrian activity, tall trees and native plants.

Neighbors would like to see that codes are enforced and residents as well as business owners are aware of the codes. Action Step 1.3.6, stresses the importance to "Educate and inform residents of Code Compliance issues. Encourage citizens to utilize opportunities for reporting code violations" (p 24).

The Plan doesn't address fence heights, however, the applicant does not point to any extenuating topographical constraints or similar issues related to the subject parcel for which the literal enforcements of the ordinance would result in an unnecessary hardship. Furthermore, the requested additional height of the fence would distract from the enhancement of the pedestrian experience along Austin Highway that is a stated goal within the Northeast Inner Loop Neighborhood Plan.

**RECOMMENDATION**

Recommendation Pending Additional Analysis / Information \_\_\_\_\_

Support Request \_\_\_\_\_

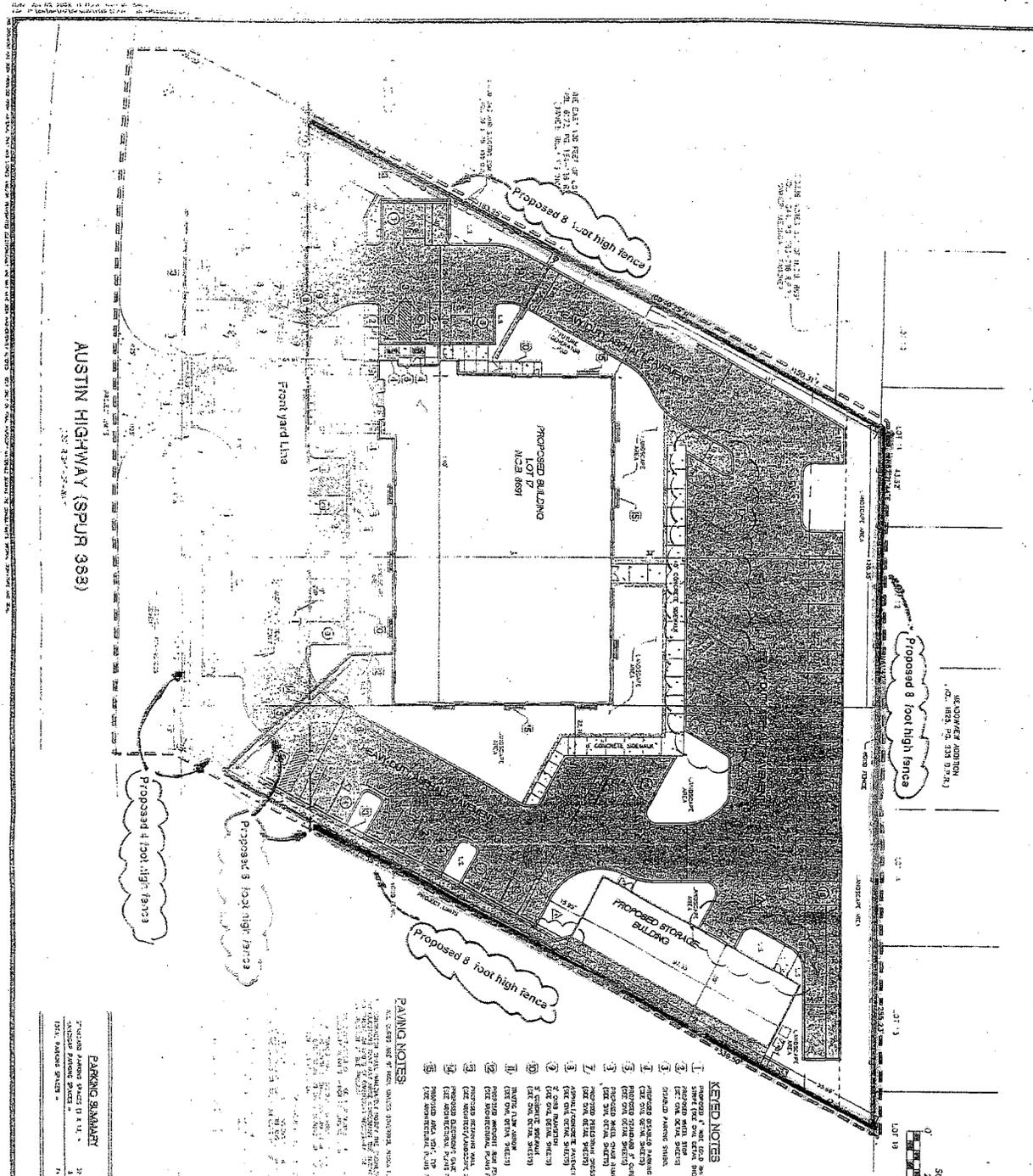
Deny Request  X

**REVIEWER INFORMATION**

Neighborhood Planner Reviewing: Rebecca Paskos, Senior Planner

Date Review Completed: April 9, 2009





AUSTIN HIGHWAY (SPUR 383)

**PARKING SUMMARY**

PROPOSED PARKING SPACES	12
EXISTING PARKING SPACES	2
TOTAL PARKING SPACES	14

**ADDRESS**  
1027 AUSTIN HIGHWAY, SAN ANTONIO, TX 78209

**LEGAL DESCRIPTION**  
LOT 7, BLOCK 1, PETTY RANCH OFFICE BUILDING

**FOR CONSTRUCTION**

Dear COSA DSD,

## Symbol Legend

A new two story office building is being constructed at 1027 Austin Highway, San Antonio, Texas 78209. It is the intent of the Owner (Petty Ranch Company) to place fencing around the entire property for privacy of adjoining neighbors and security of this property.

Currently, a four foot ornamental steel fence is proposed for the entrance along Austin Highway and terminating at the "front yard line". The Owner desires to install a 6 foot high metal fence with a 6 foot sliding gate at the east side of property to provide security to the proposed storage building and private owner parking. See fencing indicated in "light blue".

The Owner desires to increase the currently designed 6 foot high fence beyond the foot yard line at the east, north, and west sides of the property to eight (8) feet high. The proposed fence indicated in "green" is to be a wood batten fence as shown on the attached drawing sheets.

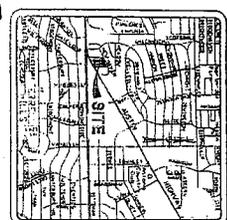
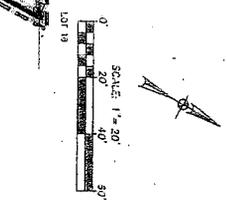


EXHIBIT B, PAGE 1

DATE: 02/01/02  
DRAWN BY: JLS  
CHECKED BY: JLS  
SCALE: AS SHOWN

**PETTY RANCH OFFICE BUILDING**  
SAN ANTONIO, TX  
**DIMENSIONAL CONTROL & PAVING PLAN**

PLAT NO. 070214

**PAPE-DAWSON ENGINEERS**

300 EAST BRIDGES • SUITE 400 • SAN ANTONIO, TEXAS 78215 • PHONE: 214-275-8800 • FAX: 214-275-8801

**REVISIONS:**

- 1/12/02 - REVISED SHEET 1
- 1/20/02 - REVISED SHEET 1
- 2/20/02 - REVISED SHEET 1
- 01/13/02 - REVISED AS SHOWN

DATE: 02/01/02



**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-042**



**Legend**

- Subject Property
- 200' Notification Boundary
- Scale: 1" approx. = 100'
- Council District 4



# CASE NO: A-09-042

Board of Adjustment – April 20, 2009

- Applicant:** Jimenez Ramiro
- Owner:** Jimenez Ramiro
- Request(s):** A 2-foot variance from the requirement that front-yard fences not exceed 4 feet in height, in order to keep an existing 6-foot tall predominantly open front-yard fence.
- Legal Description:** Lot 92, Block 33, NCB 17513
- Address:** 5835 Hawaiian Cove
- Zoning:** “R-6” Residential Single Family District
- Existing Use:** Single-Family Residence
- Neigh. Assoc:** Southwest Neighborhood Association
- Neigh. Plan:** United Southwest Community Plan

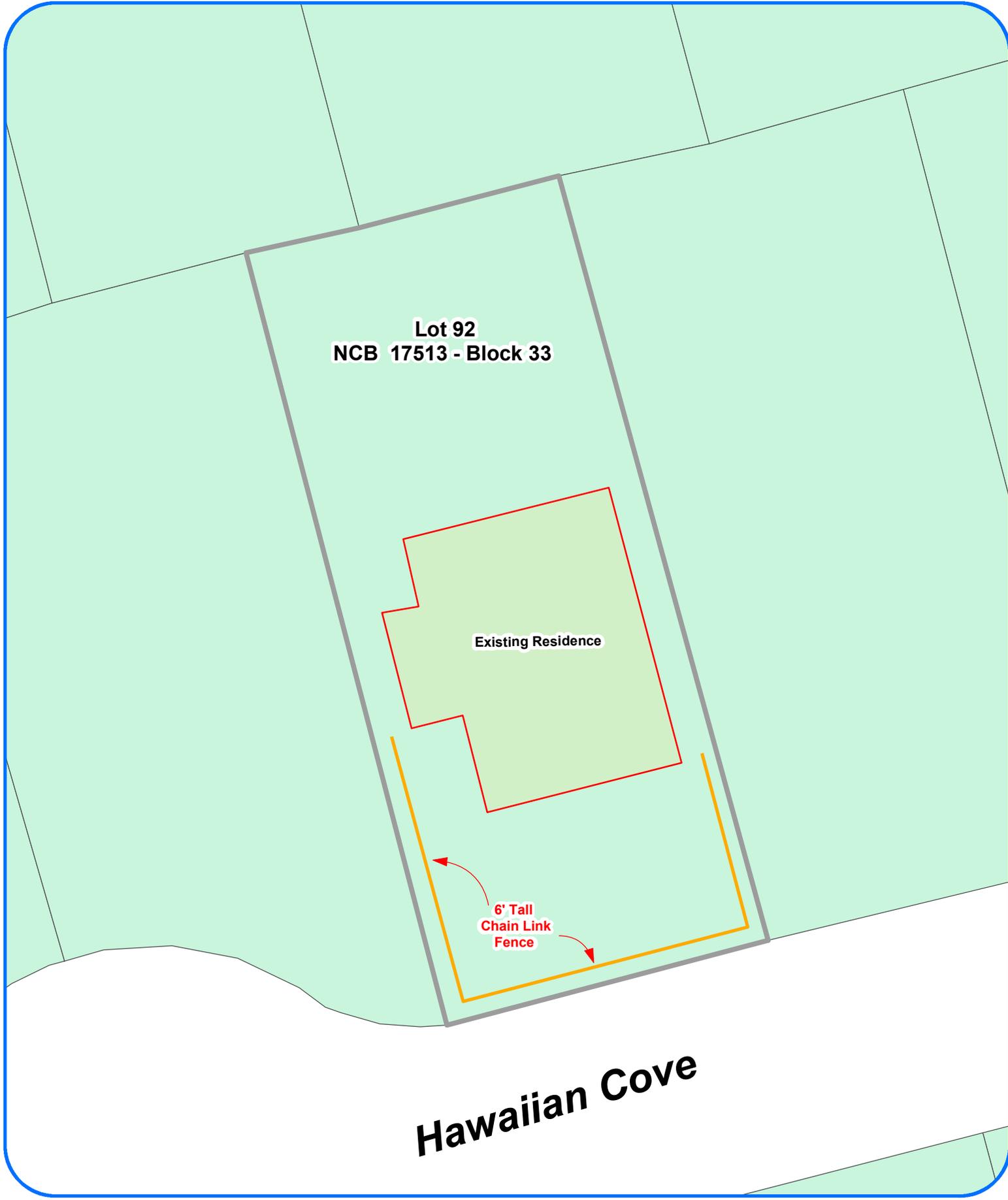
**Section of the City Code from which this variance is requested:**

**35-514 Fences:** The maximum height for predominantly open front-yard fences in “R-6” zoning districts is 4 feet.

**Background:** The subject property is located on the city’s southwest side, just east of Southwest Loop 410 and south of Pearsall Road. R-6 zoning and uses surround the subject property on all sides, and the subject property sits within an established residential neighborhood. The applicant is requesting a variance in order to keep an existing 6-foot tall chain-link fence in the front yard. The applicant initiated this case following a citizen complaint.

**Recommendation:** The intent of the maximum fence height requirement in front yards is to allow property owners to screen and secure their property while also maintaining openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. The fence height in front yards is also limited because its presence can detract from the streetscape and pedestrian friendliness of a neighborhood. It appears that there is at least one other 6-foot tall front-yard fence at 5810 Hawaiian Cove, for which no permits were obtained. The applicant has not demonstrated that a physical or topographic hardship exists that would preclude adherence to the front-yard fence height specifications as outlined in the UDC, citing security concerns as the primary hardship. The applicant’s rationale for the request is not due to a physical or topographic issue, thus no hardship appears to exist within the application provided. Therefore, staff recommends **denial** of the requested variance.

**Case Manager:** Mike Farber, Planner (210) 207-3074



**Board of Adjustment**  
Plot Plan for  
**Case A-09-042**



Scale: 1" approx. = 20'  
Council District 4

**5835 Hawaiian Cove**

Planning and Development Services Dept  
City of San Antonio  
(04/1/2009 - P. Trinkle)

# Board of Adjustment - Case No. A-09-042

April 20, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 20, 2009** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Jimenez Ramiro  
Lot 92, Block 33, NCB 17513  
5835 Hawaiian Cove  
Zoned: “R-6” Residential Single-Family District

The applicant is requesting a 2-foot variance from the requirement that predominantly open fences in front yards not exceed 4 feet in height, in order to erect a 6-foot tall predominantly open fence in the front yard.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Mike Farber at 207-3074 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Planning and Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

*The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.*

**Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.**

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

**Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.**

Name/Nombre: \_\_\_\_\_ Telephone/Telefono: \_\_\_\_\_

Address/Direccion: \_\_\_\_\_

Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

( ) In Favor/A Favor                      ( ) In Opposition/En Oposicion

Comments/Comentarios: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**A-09-042**

**NEIGHBORHOOD AND URBAN DESIGN DIVISION  
BOARD OF ADJUSTMENT CASE REVIEW FORM**

**CASE INFORMATION**

Case #: **A-09-042**

Property Address: 5835 Hawaiian Cove

Zoning: R-6

Hearing Date: 12/01/08

**Type / Scope of BOA Request:**

2-foot variance from the maximum allowed height of 4-feet per UDC front yard fence requirements

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): Southwest Neighborhood Association

Neighborhood or Community Plan: United Southwest Communities Plan

Neighborhood Conservation District: n/a

Corridor Overlay District (name or n/a): n/a

**ANALYSIS STATEMENT**

The subject parcel is designated Low Density Residential in the United Southwest Communities Plan Future Land Use Plan. Low Density land use is composed of single family homes on residential lots. Low Density Residential supports the principles of reinforcing existing neighborhoods and supporting residential growth within walking distance of neighborhood commercial centers and schools. This type of development should be oriented toward the center of the neighborhoods and away from traffic arterials.

The Plan does not specifically address fences or fence heights, however, there does not appear to be any extenuating topographical constraints or similar issues to the applicant's parcel which would suggest that the literal enforcement of the ordinance would result in unnecessary hardship.

**RECOMMENDATION**

Recommendation Pending Additional Analysis / Information \_\_\_\_\_

Support Request \_\_\_\_\_

Deny Request  X

**REVIEWER INFORMATION**

Neighborhood Planner Reviewing: Tyler Sorrells

Date Review Completed: March 25, 2009



# CITY of SAN ANTONIO

Planning and Development Services Department

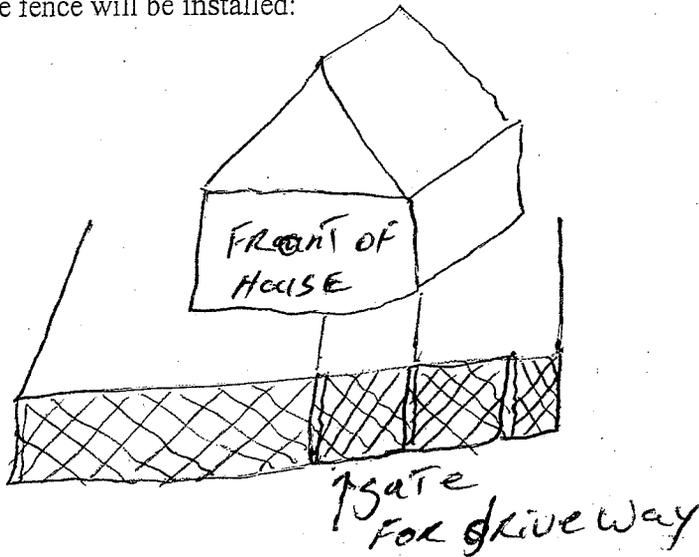
1901 S. Alamo  
San Antonio, Texas 78204

Telephone Number (210) 207-1111  
Fax Number (210) 207-0102  
[www.sanantonio.gov/dsd](http://www.sanantonio.gov/dsd)

Date: 3-8-09	Address: 5835 Hawaiian Cove S.A, TX
Owner Name: Jimenez Ramiro	RESIDENTIAL [ <input checked="" type="checkbox"/> ] or COMMERCIAL [ <input type="checkbox"/> ]
Fence Height: 4' Feet	Fence Type: Chain Link

## FENCE PERMIT APPLICATION

Diagram of lot where fence will be installed:



Residential Fence Permit Fee: \$ 25.00 +3% Technological Fee  
+3% Development Services Fee

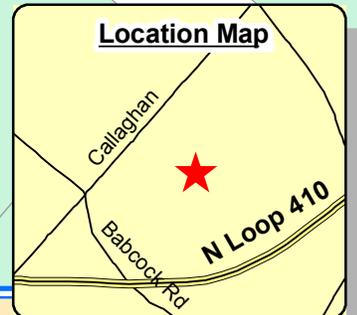
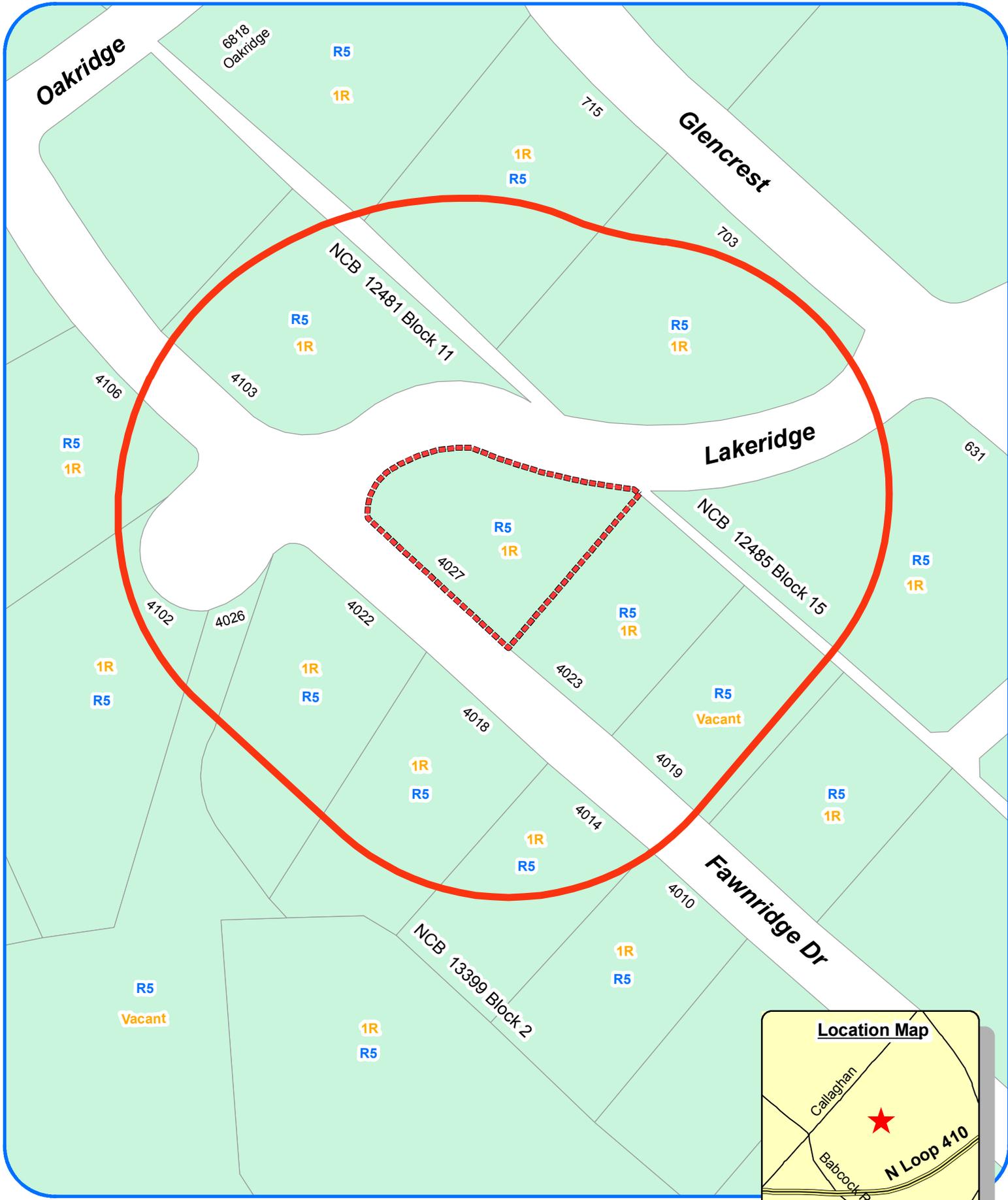
Commercial Fence Estimated Cost: \$ \_\_\_\_\_  
(permit fee + 6% surcharges)

I certify that the fence installed with this permit will be installed according to the requirements of the City of San Antonio Unified Development Code.

Jimenez Ramiro  
Signature of applicant

Date: 3-8-09

Contractor Name/ Homeowner Name: Jimenez Ramiro	License #:	Escrow: YES [ <input type="checkbox"/> ] or NO [ <input type="checkbox"/> ]
Authorized Agent Name:		Contact ID#: AC
Telephone: 210-623-8819 cell ph# 209-1794	Fax:	Email:



**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-043**



**Legend**

- Subject Property
- 200' Notification Boundary
- Scale: 1" approx. = 100'
- Council District 7

Planning and Development Services Dept  
 City of San Antonio  
 (03/23/2009 - P. Trinkle)

# CASE NO: A-09-043

Board of Adjustment – April 20, 2009

**Applicant:** Esther Ponce

**Owner:** Ponce Property Management Trust

**Request(s):** A special exception to allow a one operator beauty/barber shop.

**Legal Description:** Lot 24, Block 15, NCB 12485

**Address:** 4027 Fawnridge Drive

**Zoning:** "R-5" Residential Single-Family District

**Existing Use:** Single-Family Residence

**Neigh. Assoc:** Oak Hills Citizens Association

**Neigh. Plan:** None

**Section of the City Code from which this special exception is requested:**

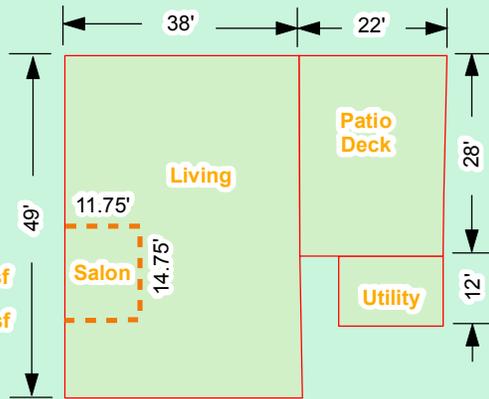
**35-399.01 One Operator Beauty Shops and Barber Shops:** Granting of a permit for a beauty shop or barber shop in conjunction with a residential use is to be for a definite period of time not to exceed two (2) years for the initial application, and not to exceed four (4) years for any subsequent application, and only after notice and hearings as provided in this chapter for appeals to the Board of Adjustment. To qualify as a subsequent application, the permit must be applied for prior to the expiration of the previous permit.

**Background:** The subject property is located in a single-family neighborhood east of the intersection of Callaghan and Babcock Roads, just north of Loop 410. Single-family residential uses and zoning surround the property. This is the first application for a special exception at this location, though the applicant has operated a beauty shop at the location for some time prior to receiving notice from a Code Compliance inspector on February 21, informing her of the need to comply with the zoning ordinance. The applicant's proposed hours of operation are 7:00 a.m. to 8:00 p.m., Monday through Saturday, with approximately 10 customers per week and varying total hours of operation. The applicant has stated that per week, she would work at most 20 hours.

**Recommendation:** The applicant has indicated she will meet all of the limitations, conditions and restrictions set forth in Section 35-399.01 of the UDC (a copy of the application indicating this is attached with this packet). It appears that granting this Special Exception will allow the use of a portion of this property as a beauty shop without altering the residential character of the neighborhood. The applicant has stated that the intent of the requested hours of operation is to allow flexibility for her customers, while still allowing her to provide full time care for her mother. Staff recommends **approval** of the requested special exception for a maximum allowable **two year period of operation** with hours of operation not to exceed 40 hours per week. A 4-year period of operation is not allowable at this time due to the provisions set forth in UDC 35-399.01(i).

**Case Manager:** Jacob Floyd, Planner (210) 207-8318

Lakeridge



Living Area = 1862 sf  
Salon Area = 173.3 sf

NCB 12485  
Block 15  
Lot 24

Fawnridge Dr

**Board of Adjustment**  
Plot Plan for  
**Case A-09-043**



**Legend**

Proposed Salon



Scale: 1" approx. = 30'  
Council District 7

**4027 Fawnridge Dr**

Planning and Development Services Dept  
City of San Antonio  
(03/23/2009 - P. Trinkle)

# Board of Adjustment - Case No. A-09-043

April 20, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 20, 2009** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Esther Ponce  
Lot 24, Block 15, NCB 12485  
4027 Fawnridge Drive  
Zoned: “R-5” Residential Single-Family District

The applicant is requesting a special exception to allow a one operator beauty/barber shop at the property identified above.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Planning and Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

**Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.**

Name/Nombre: \_\_\_\_\_ Telephone/Telefono: \_\_\_\_\_

Address/Direccion: \_\_\_\_\_

Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

( ) In Favor/A Favor ( ) In Opposition/En Oposicion

Comments/Comentarios: \_\_\_\_\_

**A-09-043**

**REQUEST FOR A SPECIAL EXCEPTION**  
to the  
**SAN ANTONIO BOARD OF ADJUSTMENT**  
for a  
**ONE OPERATOR BEAUTY/BARBER SHOP**

CITY OF SAN ANTONIO  
COUNTY OF BEXAR  
STATE OF TEXAS

**TO THE HONORABLE BOARD OF ADJUSTMENT:**

Property Description:

Lot 24  
Block 15  
NCB 18485  
Zoning R5

Property Address: 4027 FAWN RIDGE DR

The Applicant, Esther Ponce, of Bexar County, requests the San Antonio Board of Adjustment consider a special exception to allow the operation of a one operator beauty shop or a one operator barber shop at the property identified above, pursuant to Section 35-399.01 of the Unified Development Code (UDC).

**Section 35-399.01** Barber Shops and Beauty Shops may be permitted in all residential zones established by this chapter subject to the following limitations, conditions, and restriction (please initial):

- EP 1. A site plan shall be submitted indicating the size and location of all structures on the property. In addition, photographs of the structure in which the barbershop or beauty shop is to be located shall be submitted.
- EP 2. The residential architectural appearance of the structure shall not be changed to that of commercial, although a separate entry for the barber shop or beauty shop shall be permitted.
- EP 3. Signs advertising the barbershop and beauty shop are not permitted, but a name plate not to exceed one (1) square foot is permitted, when attached flat to the main structure.
- P 4. The barber shop or beauty shop shall be located within the main structure of the lot and not utilize more than 25% of the gross floor area of the first floor. In case of a barber shop or beauty shop in a duplex, the 25% gross floor area shall be calculated on one (1) living unit of the duplex. In the case of a barber shop or beauty shop in an apartment unit, the Board of Adjustment shall determine the area to be used for said operations.
- EP 5. The barbershop or beauty shop shall be limited to one (1) operator shop.
- EP 6. No person not residing in the premises may be employed in the operation of the barber shop or beauty shop.
- EP 7. Hours of operation shall be regulated by the Board and shall be specified in the minutes of the case.
- EP 8. The Barber/Beauty Shop shall not be contrary to the public interest.
- EP 9. Granting of the permit for a barber shop or beauty shop in conjunction with a residential use is to be for a definite period of time not to exceed two (2) years for the initial application, and not to exceed (4) years for any subsequent application, and only after notice and hearings as provided in this chapter for appeals to the Board of Adjustment. To qualify as a subsequent application, the permit must be applied for prior to the expiration of the previous permit.

Proposed hours of operation:

Comments:

my proposed hours would be 7:00 AM - 8:00 PM  
Considering I only do an average of 10 clients  
per week, I try to be flexible for them.  
I take care of my mom full-time in our home.

I, applicant, hereby authorize \_\_\_\_\_ of \_\_\_\_\_  
to represent me in the matters to this case.

Signed: Esther Ponce Date: 3-10-09  
(Property Owner)

Respectfully submitted:

Applicants Name: Esther Ponce  
Mailing Address: 4027 Fawnridge  
S.A.TX. 78229  
Telephone: 210-836-5059

**Please submit:**

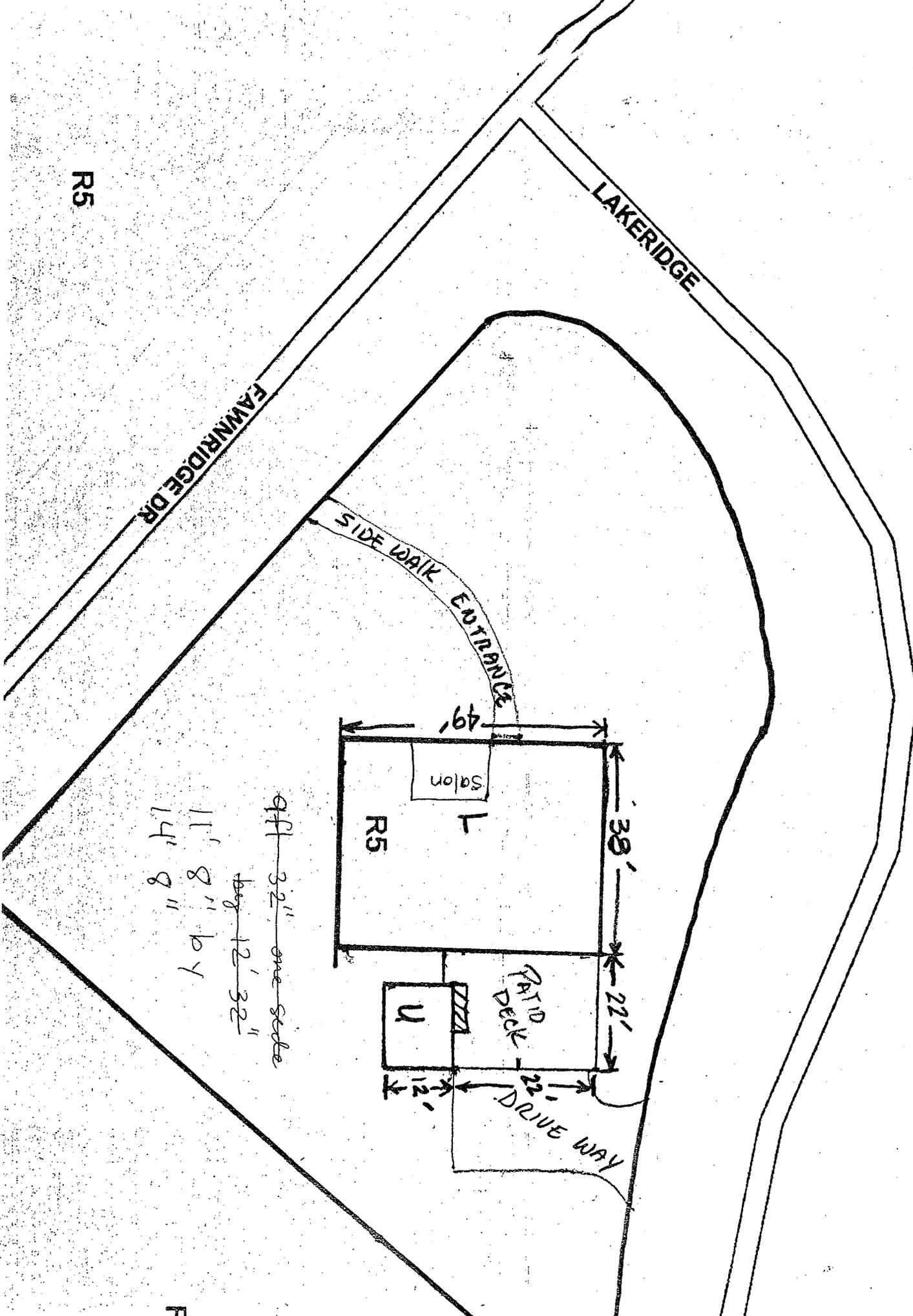
Filing Fee - \$400.00  
Check made payable to: City of San Antonio  
Plot Plan,  
Photographs of the structure to be used,  
Proposed hours of operation,  
Floor plan of proposed beauty shop or barber shop operation.

AN APPLICATION CAN ONLY BE ACCEPTED BY MAIL IF COMPLETE. INCOMPLETE APPLICATIONS, ALONG WITH THE REQUIRED FEES, WILL BE MAILED BACK TO THE APPLICANT IN ACCORDANCE WITH CITY CASH HANDLING POLICIES.

R5

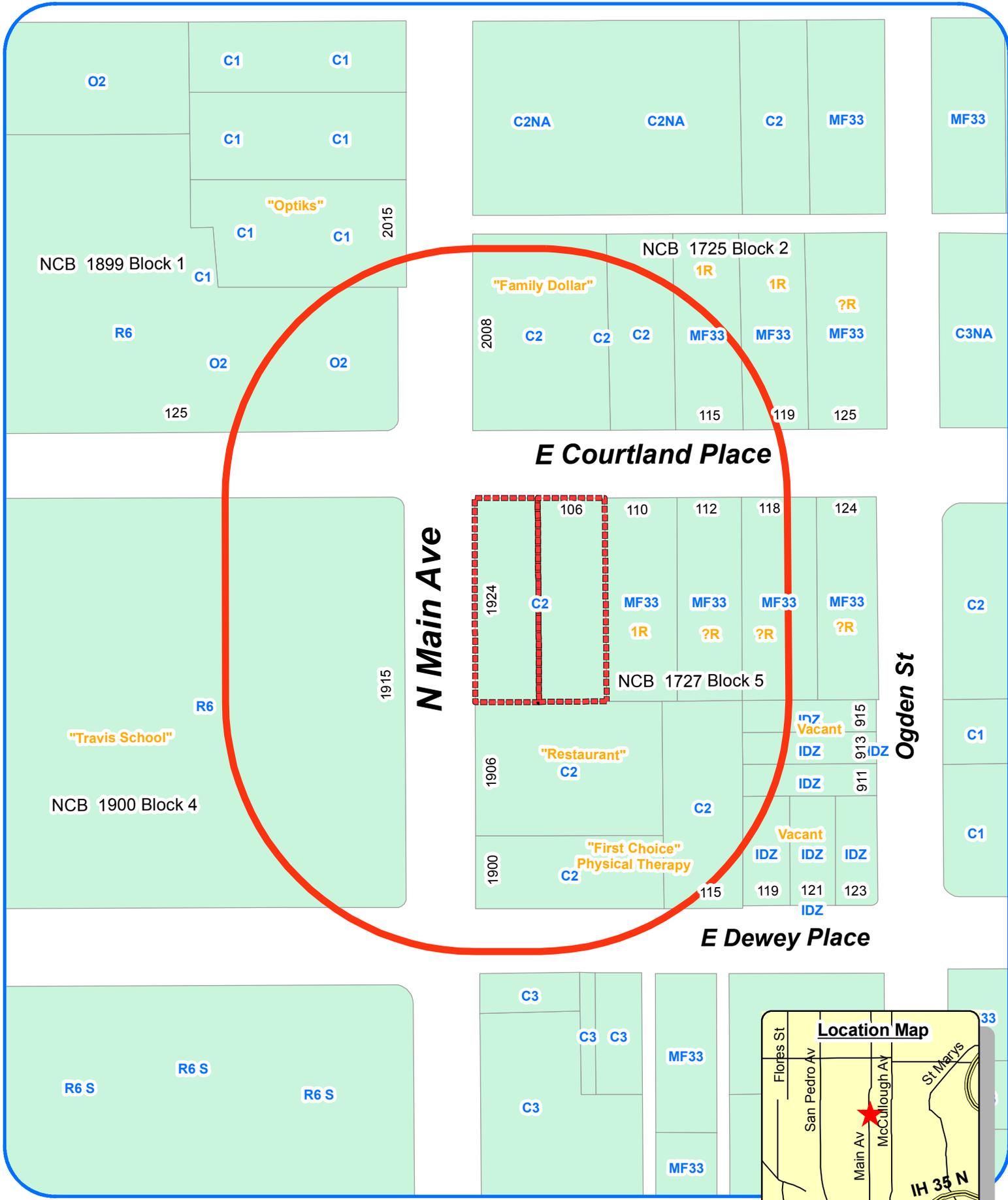
R5

R5



~~off 32" one side~~  
~~by 12' 32"~~  
 11' 8" by  
 14' 8"

F



**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-044**



**Legend**

- Subject Property
- 200' Notification Boundary
- Scale: 1" approx. = 100'
- Council District 1



# CASE NO: A-09-044

Board of Adjustment – April 20, 2009

- Applicant:** Michael T. Lahood
- Owner:** Michael T. Lahood
- Request(s):** A 2-foot 6-inch variance from the requirement that predominantly open fences in front yards not exceed 4 feet in height, in order to erect a 6-foot 6-inch tall predominantly open fence in the front yard.
- Legal Description:** Lot 19, Block 5, NCB 1727
- Address:** 1924 North Main Avenue
- Zoning:** "C-2" Commercial District
- Existing Use:** Law Office – Under Construction
- Neigh. Assoc:** Tobin Hill Neighborhood Association
- Neigh. Plan:** Tobin Hill Neighborhood Plan

**Section of the City Code from which this variance is requested:**

**35-514 Fences:** Predominantly open fences in front yards shall not exceed 4 feet in height.

**Background:** The subject property is located on the southeast corner of the intersection of North Main Avenue and East Courtland Place, in the Tobin Hill neighborhood. The surrounding uses consist of commercial and office uses to the north and south, single-family and multi-family residential uses to the east, and Travis Elementary School to the west. The surrounding zoning includes commercial, office, single-family residential and multi-family residential zoning, as well as the Infill Development Zone district with uses permitted in "MF-33". The applicant is requesting this variance in order to erect a predominantly open fence in the front yard in excess of the maximum height limitations for fences of this type. The request initially made by the applicant indicated a fence height of 6 feet. However, upon staff's site visit it was discovered that the height of the existing fence columns were 6 feet, 6 inches. The applicant has indicated that the fence height will be lowered to 6 feet, subject to the granting of this variance.

**Recommendation:** The intent of the front yard fence height standards are to allow property owners to screen and secure their property while also maintaining openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. The fence height in front yards is also limited because its presence can detract from the streetscape and pedestrian friendliness of the neighborhood. The property does not appear to be characterized by any unique attribute that would impose undue hardship through the literal enforcement of the zoning ordinance. Furthermore, the properties fronting along this portion of North Main Avenue generally do not have fences of this height in the front yard. The applicant has not demonstrated the existence of a physical or topographic hardship experienced by the property, citing instead the need for greater security to protect the potentially sensitive information of their clients. This rationale is insufficient based on the required findings-of-fact. Staff recommends **denial** of the requested variance (for both a 6-foot tall and 6-foot 6-inch tall fence).

**Case Manager:** Jacob Floyd, Planner (210) 207-8318

# *E Courtland Place*

*N Main Ave*

NCB 1727  
Block 5  
Lot 19

Proposed  
Front-yard  
Fence

**Board of Adjustment**  
Plot Plan for  
**Case A-09-044**



**Legend**

Variance for 6' Fence



Scale: 1" approx. = 20'  
Council District 1

**1924  
N Main Ave**

Planning and Development Services Dept  
City of San Antonio  
(04/01/2009 - P. Trinkle)

# Board of Adjustment - Case No. A-09-044

April 20, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 20, 2009** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Michael T. Lahood  
Lot 19, Block 5, NCB 1727  
1924 North Main Avenue  
Zoned: “C-2” Commercial District

The applicant is requesting a 2-foot 6-inch variance from the requirement that predominantly open fences in front yards not exceed 4 feet in height, in order to erect a 6-foot 6-inch tall predominantly open fence in the front yard.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Planning and Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

*The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.*

**Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.**

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

**Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.**

Name/Nombre: \_\_\_\_\_ Telephone/Telefono: \_\_\_\_\_

Address/Direccion: \_\_\_\_\_

Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

( ) In Favor/A Favor

( ) In Opposition/En Oposicion

Comments/Comentarios: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**A-09-044**

**NEIGHBORHOOD AND URBAN DESIGN SECTION  
BOARD OF ADJUSTMENT CASE REVIEW FORM**

**CASE INFORMATION**

Case #: **A-09-044**

Property Address: 1924 N. Main

Zoning: C-2

Hearing Date: 04/20/2009

**Type / Scope of BOA Request:**

Applicant is requesting 2-foot front yard variance from the UDC Sec 35-514 requirement that fences in the front yard not exceed 4-feet in height, in order to erect a 6-foot front yard fence.

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): Tobin Hill Neighborhood Association

Neighborhood or Community Plan: Tobin Hill Neighborhood Plan

Neighborhood Conservation District: n/a

Corridor Overlay District (name or n/a): n/a

**ANALYSIS STATEMENT**

The future land use for the subject property is designated high density mixed use in the Tobin Hill Neighborhood Plan. High density mixed use consists of well planned and integrated blend of higher density residential with retail, office, entertainment, or other land uses within structures with commercial uses on the ground floor level and residential on the upper levels. This use is preferred along arterial or collector roads in nodes or clustered together with proximity to major transit stops. New mixed use developments on larger scale sites should complement existing uses and road and pedestrian networks.

Objective 7.2 states the preference for parking to ensure safety for pedestrians and cars by providing new well-landscaped parking facilities and arrangements through screening (Tobin Hill Neighborhood Plan, p. 103). Objective 7.3 expresses the desire to enhance the street aesthetics through the planting of street trees and landscaping and the installation of public art and neighborhood design/branding elements along key commercial streets including Main Street (Ibid, p. 104).

The neighborhood plan does not specifically address fences or fence heights, however, there do not appear to be any extenuating topographical constraints or similar issues to the applicant's parcel which would suggest that the literal enforcement of the ordinance would result in an unnecessary hardship. Additionally, the requested additional height of the fence would distract from the enhancement of the pedestrian experience along the key commercial corridor.

**RECOMMENDATION**

Recommendation Pending Additional Analysis / Information    

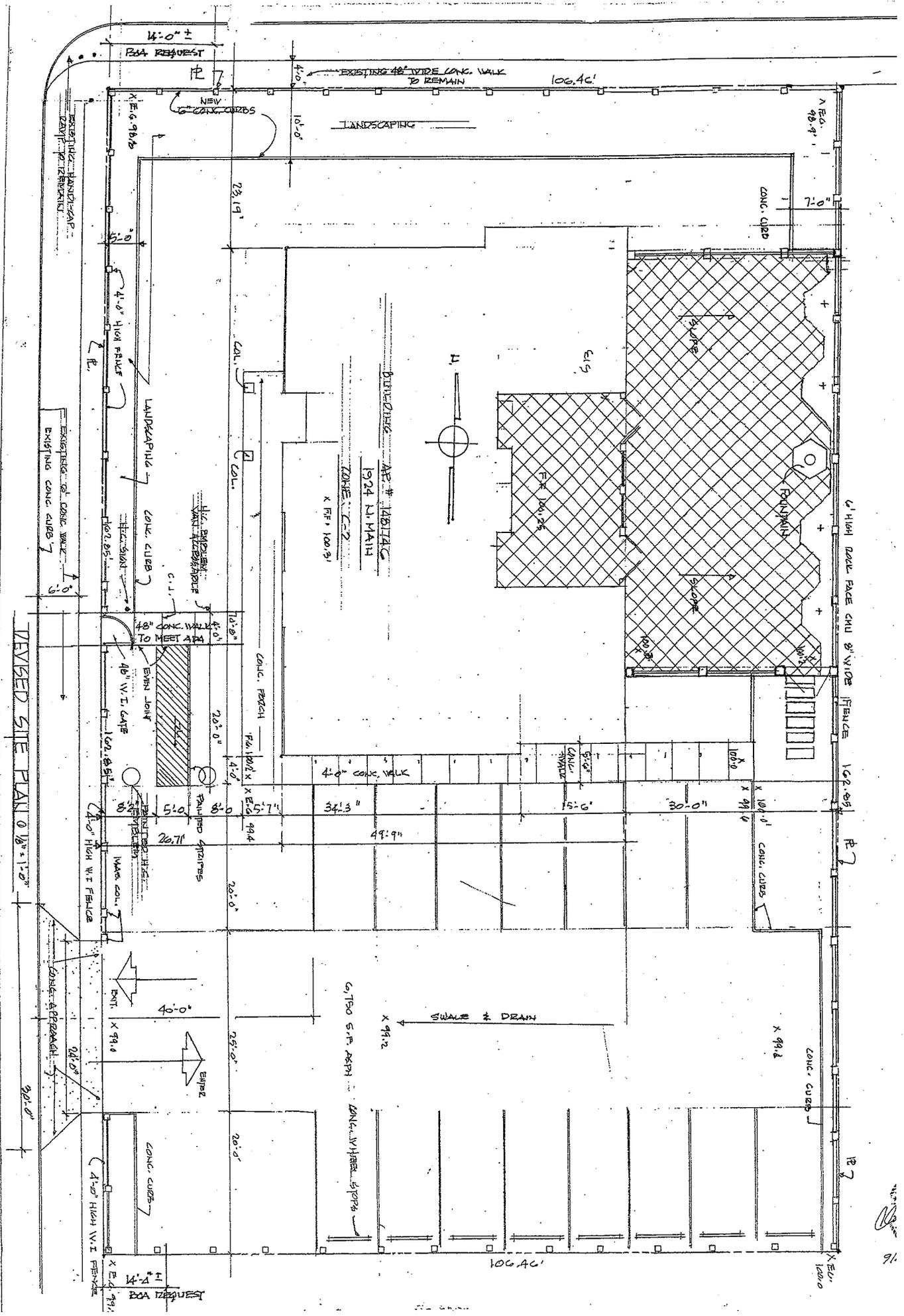
Support Request    

Deny Request   X  

**REVIEWER INFORMATION**

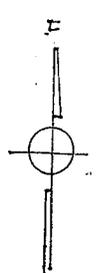
Neighborhood Planner Reviewing: Rebecca Paskos, Sr. Planner

Date Review Completed: March 25, 2009



REVERSED SITE PLAN 0'10" x 15'0"

DIRECTIONS ARE # 1481142  
 1924 N. MAIN  
 ZONE C-2  
 X FF# 10031



91



**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-046**



**Legend**

- Subject Property -----
- 200' Notification Boundary —————
- Scale: 1" approx. = 100'
- Council District 4

# CASE NO: A-09-046

Board of Adjustment – April 20, 2009

**Applicant:** Claudia M. Alvarez  
**Owner:** Claudia M. Alvarez  
**Request(s):** A special exception to allow a 6-foot tall ornamental-iron front-yard fence.  
**Legal Description:** Lot 7, Block 15, NCB 14364  
**Address:** 8911 Oletha Street  
**Zoning:** "R-6 MAOZ-2" Residential Single-Family Military Airport Overlay Zone  
**Existing Use:** Single-Family Residence  
**Neigh. Assoc:** None  
**Neigh. Plan:** None

**Section of the City Code from which this special exception is requested:**

**35-399.04 Ornamental-Iron Front Yard Fences:** Ornamental-iron fences between four (4) and six (6) feet in height may be allowed on residential lots, but only after consideration and approval of a Special Exception by the Board of Adjustment.

**Background:** The subject property is located in a largely single-family residential neighborhood east of the intersection of IH 35 South and Somerset Road. "R-6" zoning surrounds the property with a large tract of agricultural land zoned "C-3R" and "I-1" situated to the south. According to the site plan supplied by the applicant, it appears that the proposed fence would meet all of the criteria necessary for the Special Exception.

**Recommendation:** The applicant has agreed to construct the fence to meet all of the limitations, conditions and restrictions set forth in Section 35-399.04 of the UDC. (A copy of the application indicating this is attached with this packet). The majority of the surrounding properties have front yard fences of approximately 4 feet in height and it does not appear that a fence of the scale proposed by the applicant would detract from the character of the neighborhood. Staff recommends **approval** of the Special Exception request.

**Case Manager:** Jacob Floyd, Planner (210) 207-8318

Oletha St

NCB 14364  
Block 15  
Lot 7



Proposed 6' Fence

30'

36'

118'

62'

**Board of Adjustment**  
Plot Plan for  
**Case A-09-046**



**Legend**  
Existing Structure  
Requested Special Exemption  
Scale: 1" approx. = 20'  
Council District 4



**8911 Oletha**

Planning and Development Services Dept  
City of San Antonio  
(03/27/2009 - P. Trinkle)

# Board of Adjustment - Case No. A-09-046

April 20, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 20, 2009** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Claudia M. Alvarez

Lot 7, Block 15, NCB 14364

8911 Oletha Street

Zoned: “R-6 MAOZ-2” Residential Single-Family Military Airport Overlay District Zone

The applicant is requesting a special exception to allow a 6-foot tall ornamental-iron front-yard fence at the property identified above.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Planning and Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

*The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.*

**Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.**

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

**Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.**

Name/Nombre: \_\_\_\_\_ Telephone/Telefono: \_\_\_\_\_

Address/Direccion: \_\_\_\_\_

Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

( ) In Favor/A Favor

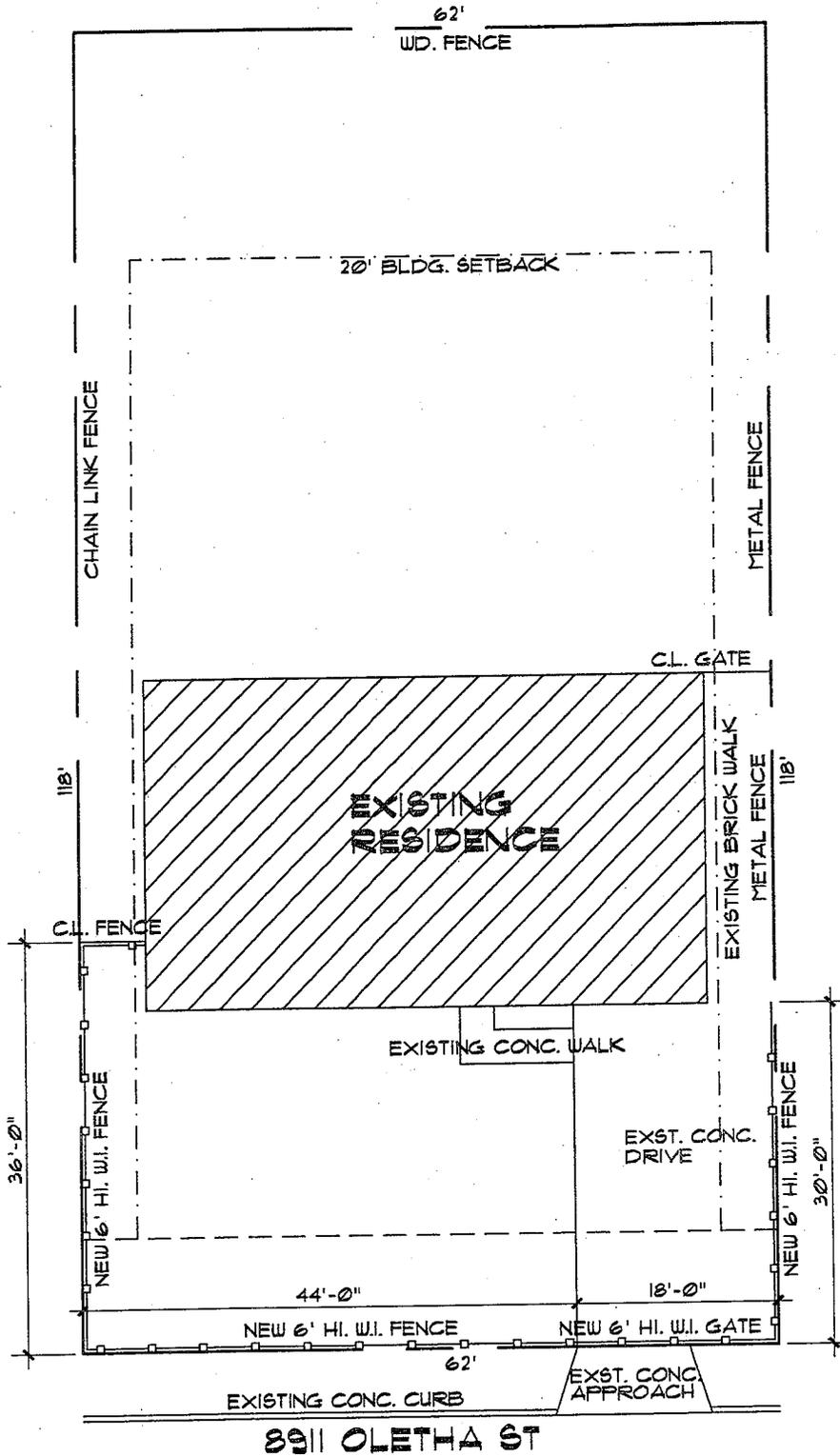
( ) In Opposition/En Oposicion

Comments/Comentarios: \_\_\_\_\_

**A-09-046**

# THE ALVAREZ RESIDENCE

8911 OLETHA ST San Antonio, Texas 78211



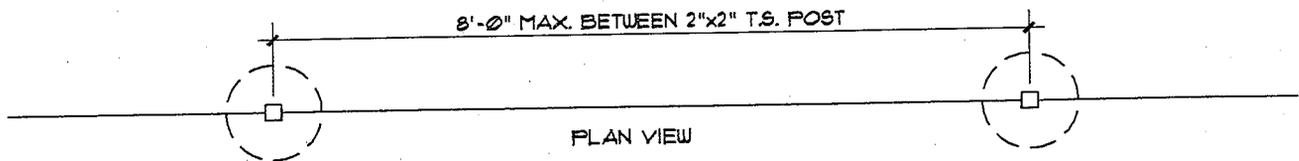
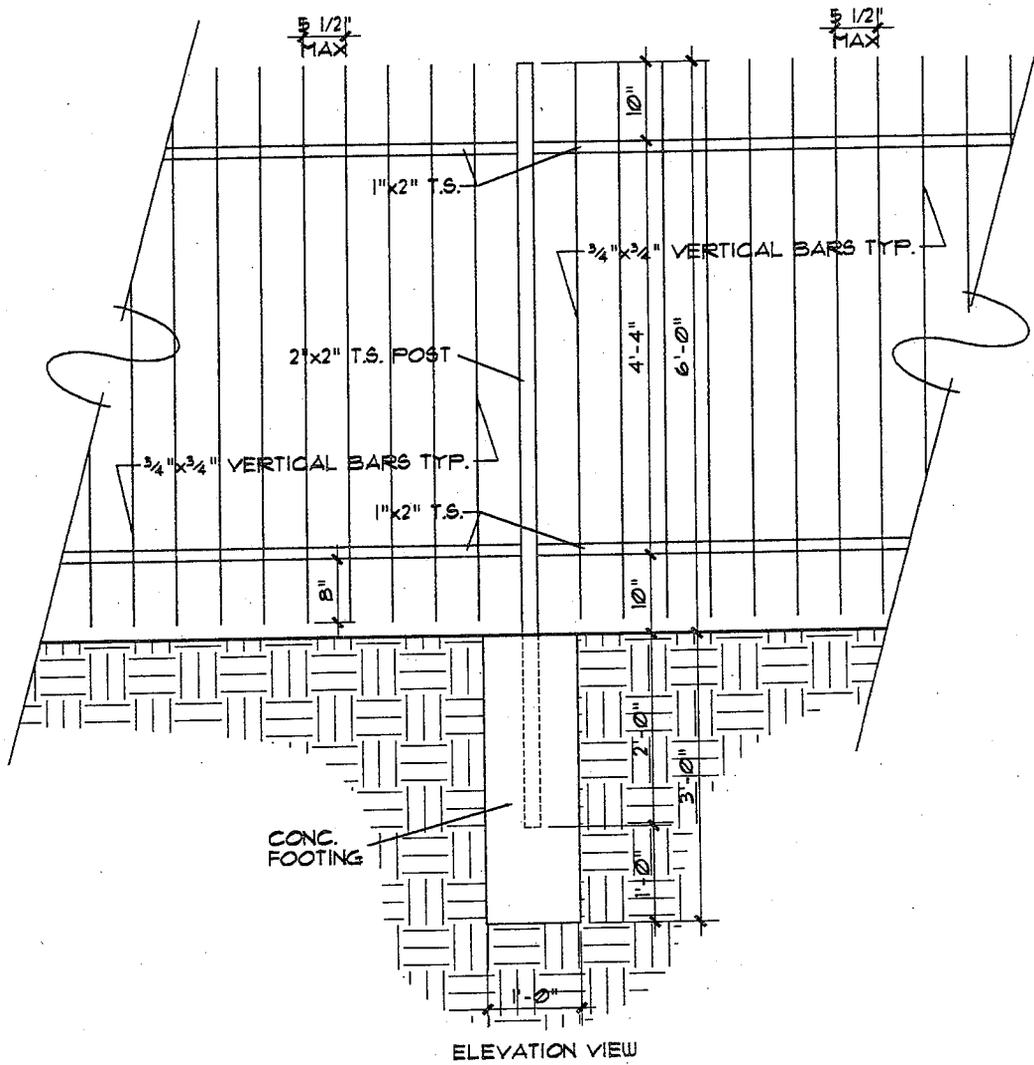
LOT - 7  
BLK. - 13  
NCB - 14364  
PALO ALTO SUB.

**SITE PLAN**

SCALE: 1/16" = 1'-0"

# THE ALVAREZ RESIDENCE

8911 OLETHA ST San Antonio, Texas 78211



**MLT. FENCE DETAILS**  
SCALE: 1/2" = 1'-0"

A-09-046  
J. Floyd



REQUEST FOR A SPECIAL EXCEPTION  
to the  
SAN ANTONIO BOARD OF ADJUSTMENT  
for an  
ORNAMENTAL-IRON FRONT YARD FENCE

CITY OF SAN ANTONIO  
COUNTY OF BEXAR  
STATE OF TEXAS

TO THE HONORABLE BOARD OF ADJUSTMENT:

Property description (Attach field notes if necessary):

Lot no. 7  
Block No. 15  
NCB 14364  
Zoning R6

Property Address: 8911 OLETHA

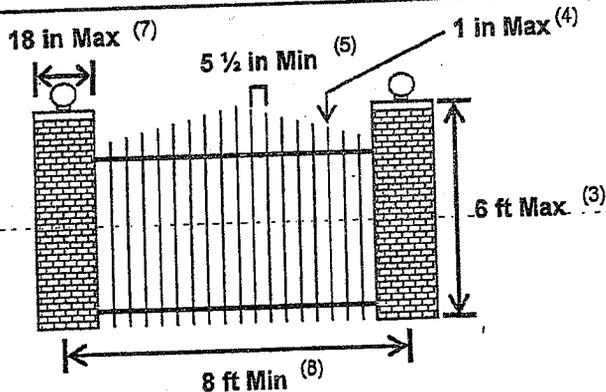
The Applicant, CLAUDIA M. ALVAREZ, of BEXAR County, requests the San Antonio Board of Adjustment consider a special exception to allow an ornamental-iron front yard fence, at the property identified above, pursuant to Section 35-399.04 of the Unified Development Code (UDC).

In order to be considered as a special exception rather than a variance, the following criteria, outlined in the UDC, must be met (please initial acknowledging adherence):

- CMA (1) Application for a Special Exception for an ornamental-iron front yard fence over four (4) feet in height shall be filed by the owner or authorized agent with the Planning and Development Services Department.
- CMA (2) A site plan drawn to scale shall be submitted with the application indicating the size, design, construction materials and location of the fence on the property.
- CMA (3) On a corner lot, or near a drive-way junction with a street, the fence shall be erected in back of the area designated by this chapter for clear vision area/intersection sight distance.
- CMA (4) The tallest element of the fence shall not exceed six (6) feet in height, as measured from the grade on the outside of the fence. For the purposes of this condition, the tallest element shall include the top of any column, pillar or post, but shall not include any fixtures or other decorative features attached to the top of any columns, pillars or posts.
- CMA (5) Any portion of the fence over three (3) feet in height shall be constructed of ornamental-iron bars, or other forged-iron bars. ~~If vertical bars/ballisters are part of the design, each shall be no wider than one (1) inch, and the design shall provide a minimum of five and one-half (5½) inches of spacing between vertical bars/ballisters. The overall design of that area of the fence above three (3) feet in height shall be a minimum of seventy percent (70%) open.~~
- CMA (6) Columns, pillars or posts at a maximum width of eighteen (18) inches each and spaced a minimum of eight (8) feet apart, measured from center-of-post to center-of-post, are permitted. The distance between columns/pillars/posts may be less than eight (8) feet if necessary for structural soundness or to accommodate a gate. However, columns/pillars/posts shall be at least three (3) feet apart where accommodating a pedestrian gate, and at least eight (8) feet apart where accommodating a vehicle gate, both measured from the inside edges of the two columns/pillars/posts. Regardless of the space between columns/pillars/posts, the seventy percent (70%) openness criteria and the clear vision area requirements shall be maintained.
- CMA (7) The applicant shall comply with all other applicable codes and ordinances.
- CMA (8) Submit filing fee of \$400.00, checks made payable to "City of San Antonio".

## Ornamental-Iron Front Yard Fence Special Exception

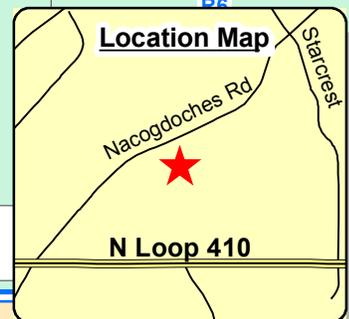
	General Requirements	Conditions Met? (circle)
1.	Must <u>not</u> be zoned Historic, designated as a Historic Landmark, or located within a Historic District	<input checked="" type="radio"/> Yes / No / NA
2.	Must <u>not</u> be located within an Overlay District which includes design standards that limit the height and design of front yard fences	<input checked="" type="radio"/> Yes / No / NA
3.	Tallest element of the fence shall not exceed 6 feet in height <ul style="list-style-type: none"> <li>• Measured from the grade on the outside of the fence</li> <li>• Fixtures attached to the top of any column, pillar or post are not factored into height</li> </ul>	<input checked="" type="radio"/> Yes / No / NA
4.	Vertical bars/balusters shall be no wider than 1 inch	<input checked="" type="radio"/> Yes / No / NA
5.	There shall be a minimum of 5 ½ inches of spacing between vertical bars/balusters	<input checked="" type="radio"/> Yes / No / NA
6.	The overall design of that area of the fence above 3 feet in height shall be a minimum of 70% open.	<input checked="" type="radio"/> Yes / No / NA
7.	Columns, pillars, or posts shall be no wider than 18 inches each	<input checked="" type="radio"/> Yes / No / NA
8.	Columns, pillars, or posts shall be spaced a minimum of 8 feet apart <ul style="list-style-type: none"> <li>• Measured from center-of-post to center-of-post</li> <li>• The distance between columns/pillars/posts may be less than 8 feet if necessary for structure soundness or to accommodate a gate (see item 9 for gate requirements)</li> </ul>	<input checked="" type="radio"/> Yes / No / NA
9.	Columns/pillars/posts shall be at least 3 feet apart where accommodating a pedestrian gate and at least 8 feet apart where accommodating a vehicle gate <ul style="list-style-type: none"> <li>• Measured from the inside edges of the two columns/pillars/posts</li> </ul>	<input checked="" type="radio"/> Yes / No / NA



By signing below you acknowledge that the information provided above is true and accurate, and that the fence in question does, in fact, meet the requirements to be considered under this special exception.

Charles M. [Signature]  
Property Owner's Signature

3-19-09  
Date



**Board of Adjustment**  
**Notification Plan for**  
**Case A-09-050**



**Legend**

- Subject Property -----
- 200' Notification Boundary —————
- Scale: 1" approx. = 120'
- Council District 10

# CASE NO: A-09-050

Board of Adjustment – April 20, 2009

**Applicant:** Aaron D. Holt

**Owner:** Aaron D. Holt

**Request(s):** A 13-foot variance from the requirement that a minimum 70-foot platted front setback be maintained (recorded in Volume 4818, Page 45 of the Bexar County Land Records), in order to erect an addition that will sit 57 feet from the front property line.

**Legal Description:** Lot 14, Block G, NCB 12114

**Address:** 3106 Letitia Lane

**Zoning:** "R-6" Residential Single Family District

**Existing Use:** Single-Family Residence

**Neigh. Assoc:** Forest Oak

**Neigh. Plan:** None

**Section of the City Code from which this variance is requested:**

**35-516 (o) Setback and Frontage Regulations, Previous Plats:** The setback line, as shown on plats initiated 2 (two) years prior to December 2, 2004 shall be recognized as the official setback line.

**Background:** The subject property is located north of North Loop 410 and just south of Nacogdoches Road, near the intersection of Letitia Lane and Forest Oak. R-6 zoning and uses completely surround the subject property, as the subject property sits within an established residential neighborhood. The applicant is requesting a variance from the platted front setback in order to erect an addition to the principal structure that would extend an additional nine (9) feet into the platted front setback in addition to the existing four (4) foot encroachment.

**Recommendation:** The intent of the front setback requirements are to allow for air flow, light penetration, neighborhood uniformity, to prevent the overcrowding of lots, and to maintain a reasonable amount of open space that is desired in single-family residential neighborhoods. The platted front setback that affects the subject property is experienced by the majority of the properties in the immediate neighborhood. That said, it appears that the majority of the properties mentioned violate the platted front setback at some point. It appears that the further encroachment of the proposed addition would not negatively impact the overall character of the neighborhood, as a portion of the primary structure is already encroaching. Staff believes that the literal enforcement of the front platted setback in this case may be unreasonable, particularly given that the city's requirement for a front setback is 10 feet and there is no indication on the plat as to the intent of said setback. Staff believes that the aforementioned intent of the standard front setback requirement would be met if this variance were to be granted, and therefore recommends **approval** of the requested variance.

**Case Manager:** Mike Farber, Planner (210) 207-3074

**Letitia**

**Proposed Residential Addition (9'x16')**

13'

70' Platted Front Setback

**Existing Residence**

**Lot 14  
NCB 12114 - Block G**

**Board of Adjustment**  
Plot Plan for  
**Case A-09-050**



Scale: 1" approx. = 30'  
Council District 10

**3106 Letitia**

Planning and Development Services Dept  
City of San Antonio  
(03/31/2009 - P. Trinkle)

# Board of Adjustment - Case No. A-09-050

April 20, 2009

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, April 20, 2009** in the Board Room on the 1<sup>st</sup> floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant-Aaron D. Holt  
Lot 14, Block G, NCB 12114  
3106 Letitia Lane  
Zoned: "R-6" Residential Single-Family District

The applicant is requesting a 13-foot variance from the requirement that a minimum 70-foot platted front setback be maintained (recorded in Volume 4818, Page 45 of the Bexar County Land Records), in order to keep the same carport 57 feet from the front property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Mike Farber at 207-3074 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Planning and Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

*The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.*

**Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.**

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

**Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.**

Name/Nombre: \_\_\_\_\_ Telephone/Telefono: \_\_\_\_\_

Address/Direccion: \_\_\_\_\_

Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

( ) In Favor/A Favor

( ) In Opposition/En Oposicion

Comments/Comentarios: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**A-09-050**



