

**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, June 16, 2008**  
**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
Vacant – 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	

1. 1:00 PM Board Room – Public Hearing Call to Order.
2. Roll Call.
3. Pledges of Allegiance.
4. **A-07-053:** The request of Xenia Aguilar, for a 3-foot variance from the requirement that predominantly open fences in front yards be no taller than 4 feet, in order to erect a 7-foot tall predominantly open fence in the front yard, 4207 Moonlight Way.
5. **A-08-070:** The request of Delia Bara, for 1) a Special Exception to relocate a residential structure from 638 East Park Avenue to 314 East Locust Street, and 2) an 8-foot variance from the requirement that a minimum 20-foot rear setback be maintained in “MF-33” zoning districts when developed with single-family residences, in order to place the relocated single-family residence 12-feet from the rear lot line, 314 East Locust Street.
6. **A-08-074:** The request of Albert L. Carter, for a 5-foot variance from the requirement that side-yard fences in residential zoning districts shall not exceed 6 feet in height, in order to erect a 6-foot tall fence on top of a 5-foot tall retaining wall (11 feet total) within the side yard, 10203 Grand Court.

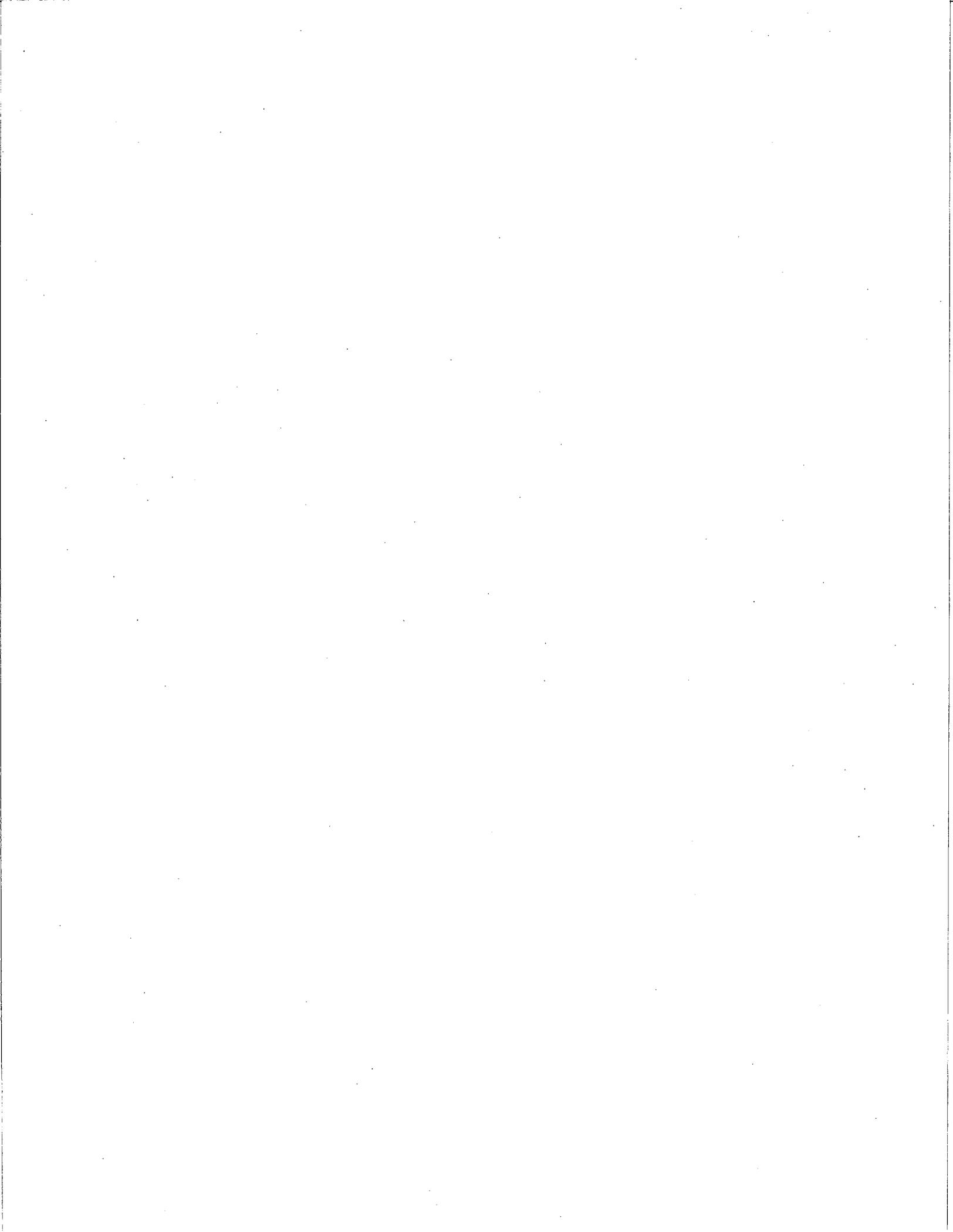
7. **A-08-075:** The request of Leopoldo Vera, for a 20-foot variance from the requirement that a minimum 30-foot rear setback be maintained in "C-2 RIO-4" zoning districts, in order to build a structure 10 feet from the rear property line, 423 West Mitchell Street.
8. **A-08-076:** The request of Thomas Howell, for 1) a 3-foot variance from the requirement that accessory structures exceeding 30-inches in height be located a minimum of 5 feet from any side or rear property line, in order to keep an existing accessory structure 2 feet from the rear and east side property lines, and 2) a 4-foot, 6-inch variance from the requirement that accessory structures exceeding 30-inches in height be located a minimum of 5 feet from any side or rear property line, in order to keep an existing accessory structure 6 inches from the west side property line, 5951 Spring Buck.
9. **A-08-078:** The request of City of San Antonio Development Services Department is initiating procedures, as outlined in Section 406 of the Unified Development Code, to revoke the Certificate of Occupancy for Larry's Sports Bar and Grill, 415 East Cevallos.
10. Consideration of **Sign Master Plan No. 08-010**, Alamo Ranch Marketplace, located at North Loop 1604 West and Alamo Ranch Parkway.
11. Consideration of **Sign Master Plan No. 08-011**, Goliad-Dorado, located at Goliad and IH 37 South.
12. Consideration of **Sign Master Plan No. 08-012**, Santa Barbara Properties.
13. Consideration of **Sign Master Plan No. 08-013**, The Parke, located at Loop 1604 and Potranco.
14. Approval of the minutes from the regular meeting on June 16, 2008.
15. Staff Report.
16. 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.
17. **Adjournment**

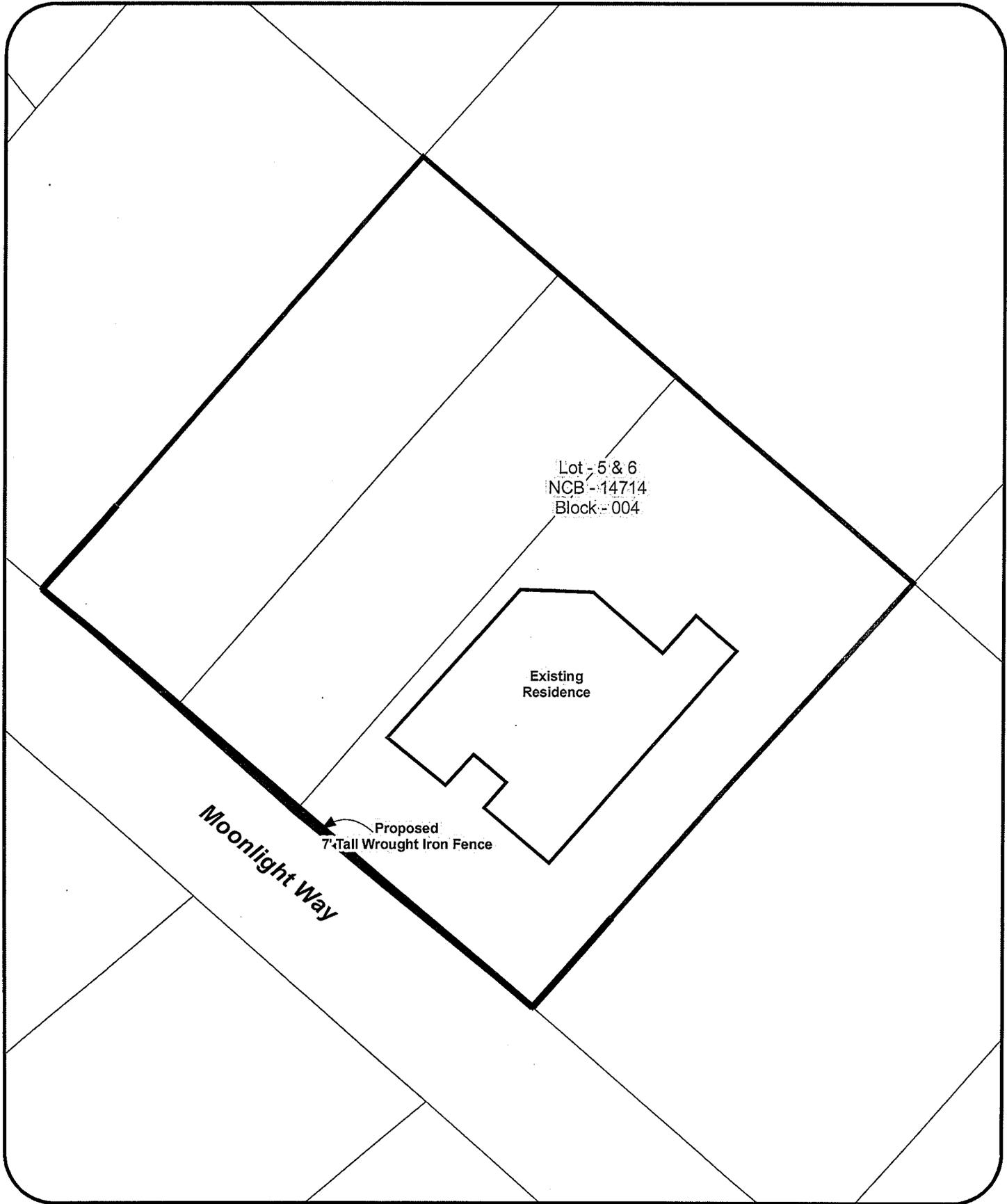
**Note:** The City of San Antonio Board of Adjustment Agenda can be found on the Internet at: [www.sanantonio.gov/dsd](http://www.sanantonio.gov/dsd)

At any time prior to the meeting, you may contact a case manager at 207-6944 to check the status of a case.

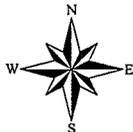
**Accessibility Statement**

This meeting is wheelchair accessible. The accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located in front and rear of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling (210) 207-7245.





**Board of Adjustment**  
Plot Plan for  
**Case A-07-053**



Scale: 1" approx. = 40'  
Council District 8

**4207 Moonlight Way**

Produced by the City of San Antonio  
Development Services Department  
(05/23/2008)

# Board of Adjustment - Case No. A-07-053

July 21, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 21, 2008** 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 – Xenia Aguilar  
Lots 5 & 6, Block 4, NCB 14714  
4207 Moonlight Way  
Zoned: “R-6” Residential Single-Family District

The applicant is requesting a 3-foot variance from the requirement that predominantly open fences in front yards be no taller than 4 feet, in order to erect a 7-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 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 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: \_\_\_\_\_

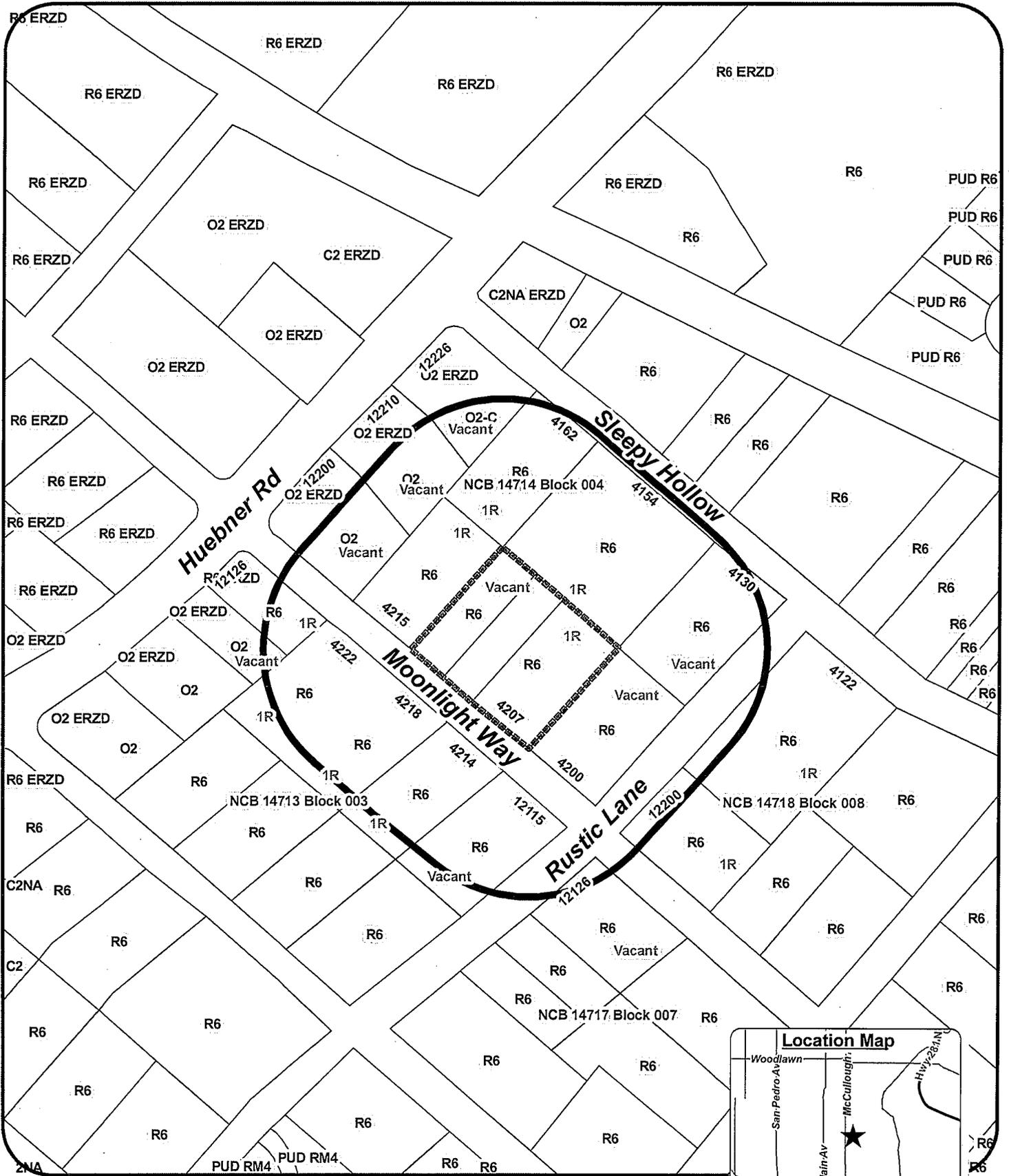
Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

( ) In Favor/A Favor

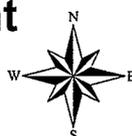
( ) In Opposition/En Oposicion

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

**A-07-053**



**Board of Adjustment**  
**Notification Plan for**  
**Case A-07-053**



**Legend**  
 Subject Property ■■■■■■■■  
 200' Notification Buffer —————

Scale: 1" approx. = 80'  
 Council District 1

Produced by the City of San Antonio  
 Development Services Department  
 (05/23/2008)

# CASE NO: A-07-053PP

Board of Adjustment – July 21, 2008

**Applicant:** Xenia Q. Aguilar  
**Owner:** Xenia Q. Aguilar  
**Request(s):** A 3-foot variance from the requirement that predominantly open fences in front yards be no taller than 4 feet, in order to erect a 7-foot tall open fence in the front yard.  
**Legal Description:** Lots 5 & 6, Block 4, NCB 14714  
**Address:** 4207 Moonlight Way  
**Zoning:** "R-6" Residential Single-Family District  
**Existing Use:** Single-Family Residence  
**Neigh. Assoc:** Vance Jackson Neighborhood Association  
**Neigh. Plan:** None

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

**35-514 Fences:** No fence or wall, other than the wall of a permitted structure, shall be erected or altered in any front yard to exceed a height of 4 feet with the fence or wall to be so constructed that vision will not be obscured above a height of 3 feet.

**Background:** The subject property is located in a single-family residential neighborhood and is situated on the north side of Moonlight Way, between Lockhill-Selma and Vance Jackson Roads, south of Huebner Road. Single-family residences surround the subject property. The applicant is proposing to erect a 7-foot tall open fence in the front yard. On October 26, 2005, the applicant applied for, and received, a building permit to erect a 4-foot tall wrought iron fence in the front yard. The applicant was issued a citation on April 3, 2007. This investigation was initiated as the result of a citizen complaint.

At the Board of Adjustment hearing on May 21, 2007, the applicant requested a 4-foot, 9-inch variance in order to erect an 8-foot, 9-inch tall ornamental iron fence in the front yard on the subject property. An abutting property owner spoke in opposition, explaining that this fence is redirecting the natural flow of water and creates a pooling of water along the front of her property; damaging the public right-of-way. The Board of Adjustment voted to postpone this case to allow further investigation of street runoff and street grading design along the 4200 block of Moonlight Way. The applicant has since modified the original request to erect a 7-foot tall ornamental-iron fence in the front yard and has made alterations to the fence design to address the storm water drainage issues. The applicant has also been made aware that the design of a rear retaining wall on the subject property, and her intention to add fill to raise the grade of the lot, may negatively affect the drainage on the subject property. This issue, however, is not the subject to the variance request.

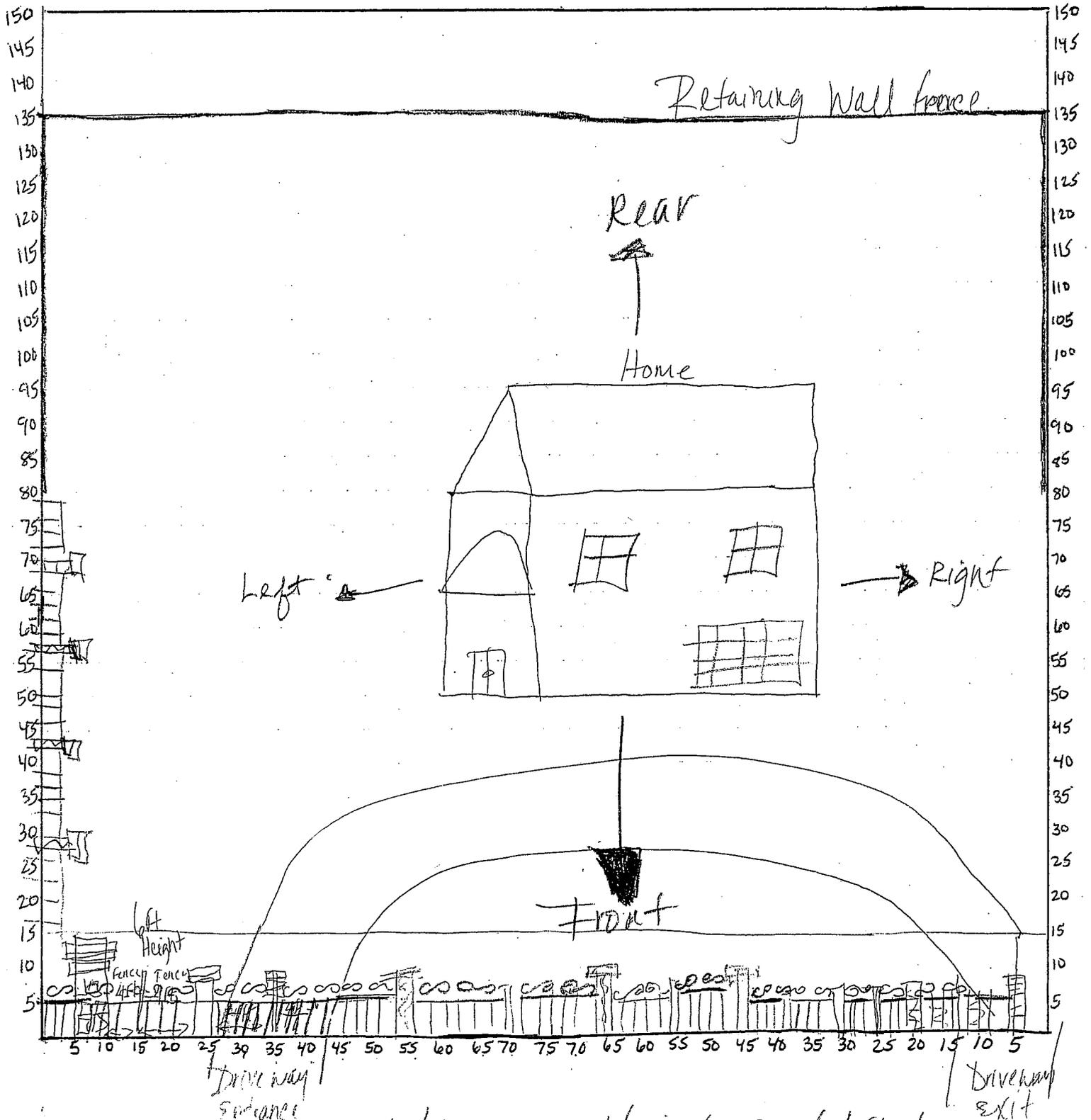
**Recommendation:** The intent of the maximum fence height requirement in front yards is to allow property owners to screen and secure their property while also maintaining openness,

air flow, light penetration, neighborhood uniformity and safe visual clearance. In addition, fence height in front yards is limited because the presence can detract from the streetscape and pedestrian friendliness of a neighborhood. While there do not appear to be any unique topographic conditions on the subject property to justify the construction of a 7-foot tall open fence in the front yard, it does not appear that a fence of this height would detract from the character of the neighborhood. A majority of the residences located along this portion of Moonlight Way have predominantly open fences in the front yard that appear to be of similar height and design. The size and scale of the fence proposed by the applicant is consistent with existing conditions in the area. Staff recommends **approval** of the requested variance.

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

# Plot Plan

Address: 4207 Moonlight way Lot: 6 Blk: 4 NCR: 14714



The fence will be built to a max Height of 6' Ft tall and post or Columns are also to a max height of 6' Ft tall. A Request for a permission is needed, in order, to comply with the U.D.C code by City of San Antonio; Ornamental Iron will be use.





# CITY OF SAN ANTONIO

P O BOX 839966  
SAN ANTONIO, TEXAS 78283-3966

June 12, 2007

Mr. & Mrs. Alfredo Aguilar  
4902 Port Kenton  
San Antonio, TX 78240-5405

Dear Mr. & Mrs. Aguilar:

On May 31, 2007 personnel from the Storm Water Engineering office made a site inspection of the property described as NCB 14714 BLK 004 LOT 5 of 5, (207 Moonlight Way) San Antonio, Bexar County, Texas. At that time, it was confirmed that a concrete wall was placed along the front property line at a natural low point where storm water runoff historically crossed Moonlight Way and entered the above-mentioned property. Fill material was also placed inside the property in the natural low. This constitutes an impediment for upstream storm water run-off and a potentially harardous traffic situation and may also become detrimental to the street surface.

Such activity is in violation of the Texas Water Code, Section 11.0861. Please see Attachment #1 for applicable portions of this ordinance.

This letter serves as official notice that you, as the property owner of record, are in violation of the Texas Water Code. You have fifteen (15) days to submit a plan to the office of the Storm Water Engineering division for the restoration of the positive drainage flow across Moonlight Way.

Please contact Mendy Dumari, P.E. at (210) 207-8046. This office will assist you with any questions you may have. Should you fail to comply with this request, the office of the City Attorney will be requested to undertake the necessary legal action to assure compliance.

Thank you for your prompt attention to this matter.

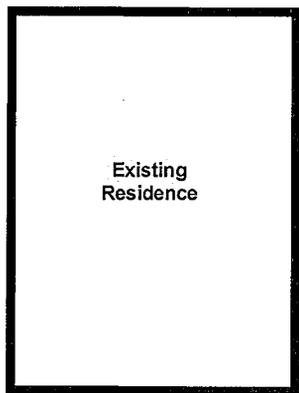
Sincerely,

W. Erwin Burden, P.E., C.F.M.  
Storm Water Engineer

WEB:jwn  
Attachment

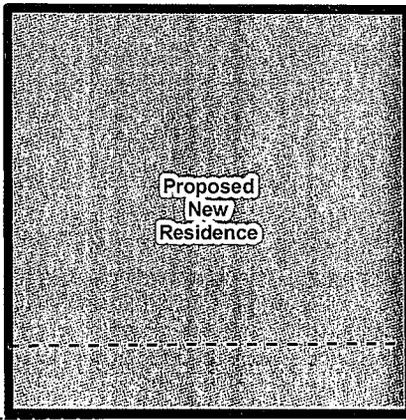
Xc: Thomas G. Wendorf, P. E., Director of Public Works  
City Attorney's Office  
File  
Certified Mail No. P801 014 399

*E Locust*



Existing  
Residence

Lot - 5 & E 27.8 ft of 4  
NCB - 1739  
Block - 002



Proposed  
New  
Residence

5' Required  
Side Setback

20' Required  
Rear Setback

12' Proposed  
Rear Setback

*Alley*

**Board of Adjustment**  
Plot Plan for  
**Case A-08-070**



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

**314 E Locust**

Produced by the City of San Antonio  
Development Services Department  
(07/09/2008)

# Board of Adjustment - Case No. A-08-070

July 21, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 21, 2008** 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 – Dr. Delia Barra  
Lot 5 and the East 27.8 feet of Lot 4, Block 2, NCB 1739  
314 East Locust Street  
Zoned: “MF-33 H” Historic Multi-Family District

The applicant is requesting 1) a Special Exception to relocate a residential structure from 638 East Park Avenue to 314 East Locust Street, and 2) an 8-foot variance from the requirement that a minimum 20-foot rear setback be maintained in “MF-33” zoning districts when developed with single-family residences, in order to place the relocated single-family residence 12-feet from the rear lot 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 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 Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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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.

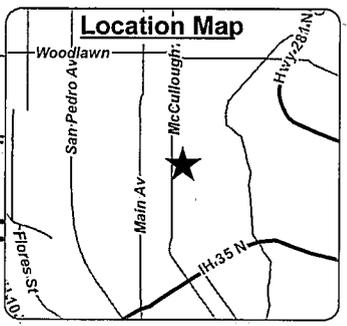
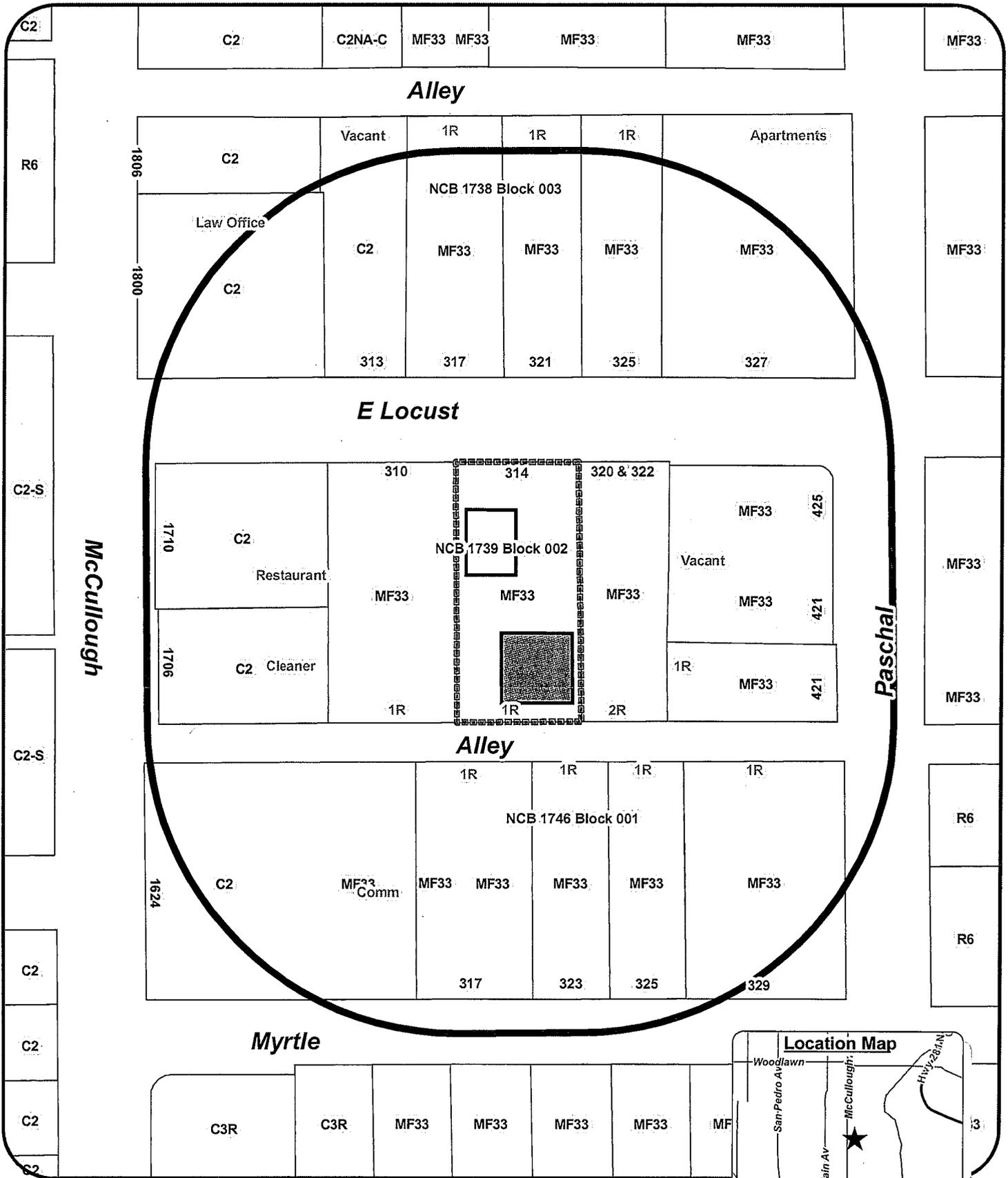
Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: \_\_\_\_\_ Telephone/Telefono: \_\_\_\_\_  
Address/Direccion: \_\_\_\_\_  
Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

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

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

A-08-070



**Board of Adjustment**  
**Notification Plan for**  
**Case A-08-070**



**Legend**  
 Subject Property   
 200' Notification Buffer

Scale: 1" approx. = 80'  
 Council District 1

Produced by the City of San Antonio  
 Development Services Department  
 (05/23/2008)

# CASE NO: A-08-070

Board of Adjustment – June 16, 2008

**Applicant:** Dr. Delia Bara

**Owner:** Dr. Delia Bara

**Request(s):** 1) Special Exception to relocate a residential structure from 638 East Park Avenue to 314 East Locust Street. 2) An 8-foot variance from the Unified Development Code standard that the minimum rear setback of 20 feet be maintained in "MF-33" zoning districts when developed with single-family residences, in order to place the relocated structure 12 feet from the rear lot line.

**Legal Description:** Lot 5 & East 27.8 ft of 4, Block 2, NCB 1739

**Address:** 314 East Locust Street

**Zoning:** "H MF-33" Historic Multi-Family District

**Existing Use:** Single-Family Residence

**Neigh. Assoc:** Tobin Hill Neighborhood Association

**Neigh. Plan:** Tobin Hill Neighborhood Plan

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

**35-399.03 Relocation of Buildings and Structures:** The relocation of any residential building or structure shall not be undertaken unless and until a special exception is approved by the Board of Adjustment.

**35-310.01 Minimum Rear Building Setbacks:** Single-family lot development within an "MF" multi-family zoning district shall meet the minimum lot requirements of the "R-4" zoning district. The minimum rear setback in "R-4" zoning districts is 20 feet.

**Background:** The subject property (proposed relocation site) is located in the Tobin Hill neighborhood, just north of downtown, between North Saint Mary's Street and McCullough Avenue. The property is surrounded by a mix of single-family residential, multi-family residential and commercial uses. There is also an assisted living facility across the street. The zoning in the surrounding area is primarily "H MF-33" with "C-2" Commercial District along McCullough Avenue. The lot to which the structure is proposed to be moved currently is occupied by a single-family residential structure with a detached accessory structure located at rear of the property. The applicant proposes to situate the relocated structure on the south east corner of the property, 27-feet from the rear of the existing structure and 101-feet from the front lot line, allowing for a 5-foot side setback and 12-foot rear setback. The proposed relocation site, and the site where the structure is currently situated, are both within the Tobin Hill Neighborhood.

**Recommendation:** The following attributes characterize the majority of existing residential structures in the surrounding area (Proposed Relocation spreadsheet attached).

- Approximately 50 + years old
- Horizontal Wood or Synthetic Exterior Siding
- Open front porches with doors that face the street

Staff finds the structure proposed to be moved to be of a similar style and scale to the existing structures in the immediate area. As a condition of this Special Exception request, the applicant has agreed to make all repairs necessary to bring the structure into compliance with all applicable City Codes within 90 days, as per Section 6-137 of the City Code.

While the house itself appears to be in harmony with the surrounding residential structures in the neighborhood in terms of age, quality of construction, and size, the house would not meet the required 20-foot minimum rear setback requirement of "R-4" zoning districts. There does not appear to be any unique topographical characteristics inherent to the subject property that warrant locating the structure within the rear setback. To that end, this request would appear to constitute an overcrowding of the lot. Furthermore, despite the fact that many of the surrounding properties have accessory dwellings located in the rear yard, the scale of the structure in question does not allow it to be considered an accessory dwelling. If the proposed relocation were to take place, an unnecessary burden would be placed upon the lots abutting the subject property. The granting of this special exception and variance request would alter the essential character of this historic neighborhood. Staff recommends **denial** of the special exception request and **denial** of the requested variance.

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

**BOARD OF ADJUSTMENT**  
**Special Exception for Relocation**

Case #: A-08-070

Proposed Relocation  
**FROM: 638 E PARK**  
**TO: 314 E LOCUST**

Meeting Date:  
**June 16, 2008**

Compatibility Standard	Existing Condition ( Block of St)	Applicant's Proposed Condition
Lot Size	Range: 8350 - 18532 sf Average: 11337	13861 sf
Structure Age	Range: 50 - 70 yrs	approx 50+ years
Structure Size	Range: 2202 - 10926 sf Average: 4484 sf	2025 sf
Structure Height	Range: 1-2 stories	1 story
Setbacks (Front)	Range: 20 - 26 ft	101 ft (from front lot line); 27 ft (from existing structure)
Structure Width (front facade)	Range: 30 - 42 ft	45 ft
Garage/Carport Location & Setback	Primarily Side Carports; Some Rear Garages	None Proposed
Front Entry, Porch, Walkway	Doors Face Street; Open Front Porches	Door Faces Street; Open Front Porch
Windows (front facade)	Number: 2 - 7 Type: Vertical & Horizontal	Vertical
Building Materials	Exterior siding: Horizontal Wood or Synthetic Roofing: Metal and Composition Shingles	Horizontal Wood Metal
Foundation Type	Pier and Beam; Concrete Slab	Pier and Beam

**BOARD OF ADJUSTMENT  
Special Exception for Relocation**

Case #: A-08-070

Proposed Relocation  
FROM: 638 E PARK  
TO: 314 E LOCUST

Meeting Date:  
June 16, 2008

Compatibility Standard	Existing Condition ( Block of St)	Applicant's Proposed Condition
Roof Line/Pitch	Hipped, Side-Gabled	Hipped, Gabled
Sidewalk Width/ Placement, Greenway	Existing 3' Sidewalks Along Curbs	Existing 3' Sidewalks Along Curbs
Curb Cut & Driveway Width	Single width curb cuts and concrete or unimproved driveways	Existing single width curb cut
Fencing	Some with 4ft tall chain link in front and 6ft wood plank on sides	Existing side and rear 6 ft chain link

**INSPECTOR'S REPORT**

**Structurally Sound to Be Moved:**

YES

NO

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

**CASE INFORMATION**

Case #: **A-08-070**

Property Address: 638 E. Park

Zoning: O-2 H

Hearing Date: 7/21/08

**Type / Scope of BOA Request:**

Request to move a building (Single Family Residence) from 638 E. Park to 314 E. Locust

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): Tobin Hill Neighborhood Association

Neighborhood or Community Plan: Tobin Hill Neighborhood Neighborhood Plan

Neighborhood Conservation District: n/a

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

**ANALYSIS STATEMENT**

Both the current and proposed parcel locations are situated within the Tobin Hill Historic District. This request will go forward to HDRC on June 18, 2008. Neighborhood and Urban Design staff recommendation is contingent upon the HDRC's final decision.

The land use designation for the current parcel location is Low Density Residential and for the proposed location; Medium Density Residential. Low Density Residential is described as containing single-family homes on individual lots. A limited number of duplexes are acceptable if they were originally built for that purpose. Medium Density Residential land use includes duplexes, triplexes and fourplexes on single lots and may also include cottage homes and townhouses. These uses are generally located at the perimeter of residential areas and on collector streets. Low Density Residential uses are also allowed within this category.

**RECOMMENDATION**

Recommendation Pending Additional Analysis / Information  X   
Pending HDRC decision, June 18, 2008

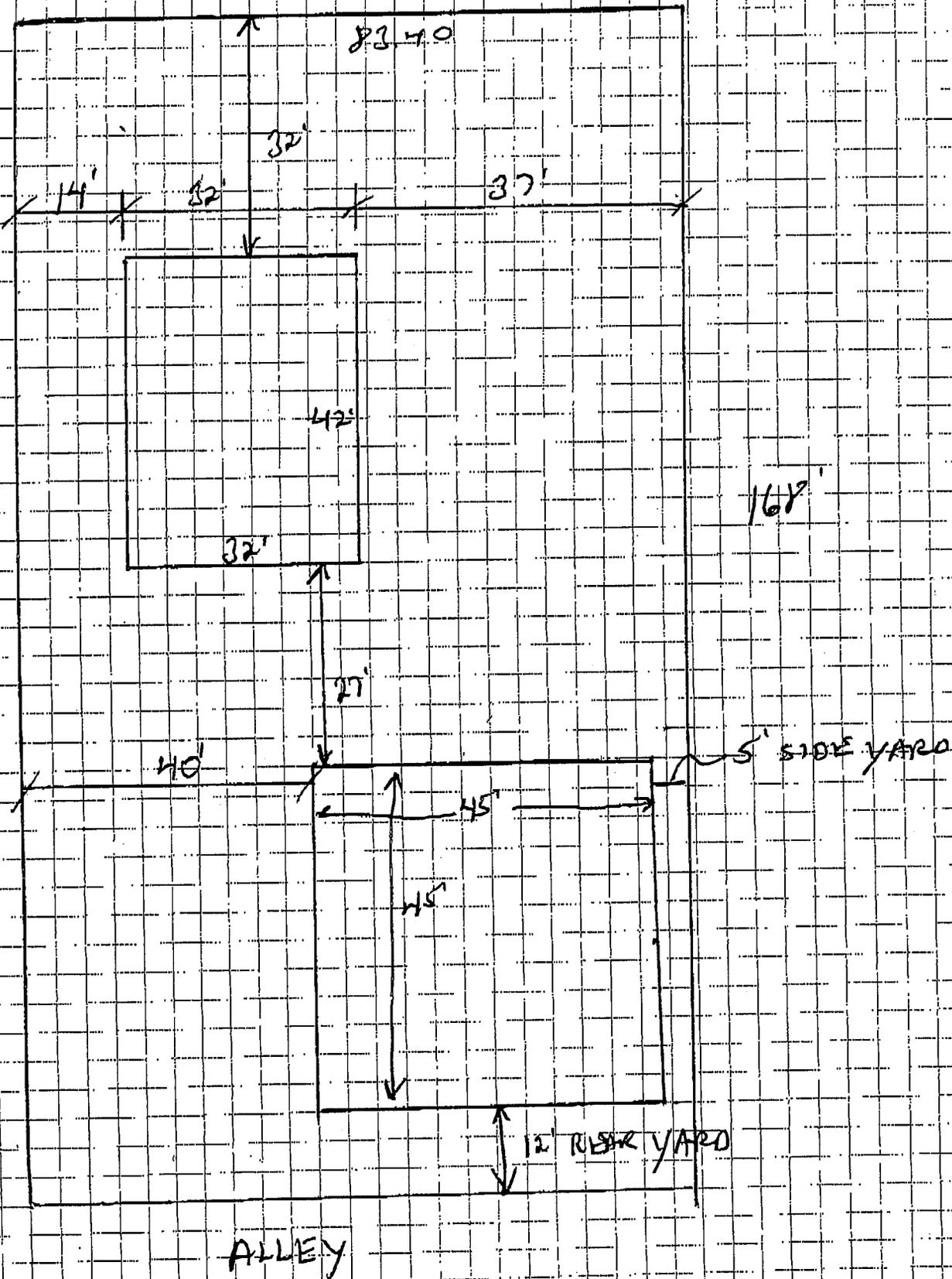
Support Request        Deny Request        Alternate       

**REVIEWER INFORMATION**

Neighborhood Planner Reviewing: Andrea Gilles, Sr. Planner

Date Review Completed: June 9, 2008

314 E LOCUST



1. FROM 638 E. PARK 2. TO 314 E. LOCUST

3. PRESENT USE: VACANT PROPOSED USE: RESIDENTIAL

4. BUILDING WIDTH: 40' LENGTH: 40' HEIGHT: 15' 20' STORIES: 1

5. ROOF TYPE: SHED \_\_\_\_\_ GABLE  HIP  OTHER \_\_\_\_\_ CONDITION FAIR

6. BUILDING CONDITION: GOOD \_\_\_\_\_ FAIR  BAD \_\_\_\_\_ OUT OF PLUMB \_\_\_\_\_

7. SILLS: 4x6 UNDER SIZE: \_\_\_\_\_ OVERSPANNED \_\_\_\_\_ SUBSTANDARD \_\_\_\_\_ CONDITION FAIR

8. 1<sup>ST</sup> FLOOR JOISTS: 2x12 <sup>Size & span</sup> UNDER SIZE: \_\_\_\_\_ PROPERLY SUPPORTED \_\_\_\_\_ SUBSTANDARD \_\_\_\_\_  
OVERSPANNED \_\_\_\_\_ NO BLOCKING \_\_\_\_\_ NO BRIDGING \_\_\_\_\_ CONDITION FAIR

9. 2<sup>ND</sup> FLOOR JOISTS: N/A <sup>Size & Span</sup> UNDER SIZE: \_\_\_\_\_ PROPERLY SUPPORTED \_\_\_\_\_ SUBSTANDARD \_\_\_\_\_  
OVERSPANNED \_\_\_\_\_ NO BLOCKING \_\_\_\_\_ NO BRIDGING \_\_\_\_\_ CONDITION \_\_\_\_\_

10. STUDS: 1 <sup>Size & Length</sup> UNDER SIZE \_\_\_\_\_ OVERSPACED \_\_\_\_\_ SUBSTANDARD \_\_\_\_\_ BLOCKING \_\_\_\_\_ CONDITION \_\_\_\_\_

11. HEADERS: 1 <sup>Size & Length</sup> PROPERLY SUPPORTED \_\_\_\_\_ UNDER SIZE \_\_\_\_\_ CONDITION \_\_\_\_\_

12. PLATES: SINGLE 1 <sup>Size & Length</sup> DOUBLE \_\_\_\_\_ PROPER LAP \_\_\_\_\_ SUBSTANDARD \_\_\_\_\_ CONDITION \_\_\_\_\_

13. CEILING JOISTS: 1 SUBSTANDARD \_\_\_\_\_ OVERPANNED \_\_\_\_\_ SPLICED \_\_\_\_\_ CONDITION \_\_\_\_\_

14. RAFTERS: 1 <sup>Size & Span</sup> SUBSTANDARD \_\_\_\_\_ OVERPANNED \_\_\_\_\_ BRACES \_\_\_\_\_ CONDITION \_\_\_\_\_

15. EXTERIOR WALL COVERING: MATERIAL WOOD SIDING NEED PAINT Y NEEDS REPAIR Y CONDITION FAIR

16. INTERIOR WALLS: MATERIAL SHEETROCK NEED REPAIR Y NEED RECOVERING N CONDITION FAIR

17. ROOF SHEATHING: CONDITION FAIR NEED REPAIR Y NEED REPLACING NO

18. ROOF COVERING: MATERIAL METAL CONDITION POOR NEED REPAIR NO NEED REPLACING YES

19. PORCHES: NO. 2 NEED REPLACING Y 20. DOORS AND/OR WINDOWS: CONDITION FAIR

21. FLOOR CONDITION: 1 22. SANITARY FACILITIES: 1 23. KITCHEN FACILITIES 1

24. CEILING HEIGHT: 1 25. FIRE DAMAGE: NO 26. NO. OF ACCESSORY BUILDINGS: 0

TYPE \_\_\_\_\_ CONDITION \_\_\_\_\_

27. IN YOUR OPINION WHAT IS THE AGE OF STRUCTURE: 50+ YEARS

REMARKS: BUILDING IS STRUCTURALLY SOUND TO BE MOVED.

APPROVED: \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ RECOMMENDATION: \_\_\_\_\_

DATE INSPECTED: 6/3/08 INSPECTOR: Ernest Martinez #126

04/2003 416 2271

CITY OF SAN ANTONIO STATE OF TEXAS ZONING BOARD OF ADJUSTMENT PLAN OF DEVELOPMENT SAN ANTONIO, TEXAS DATE 5-20-08

NAME: DELIA BARA ADDRESS: 323 E. PARK CITY, ST, ZIP: SAN ANTONIO, TEXAS 78212 FROM LOCATION: 638 E. PARK TO LOCATION: 314 E. PARK SIZE: 44x44

CURRENT CONSTRUCTION:

INTERIOR WALLS: [ ] Sheetrock [x] Panel [ ] Other SIDING: [x] Wood [ ] Vinyl [ ] Other CEILING: [ ] Sheetrock [ ] Other wood ROOF: [ ] Shingles [ ] Other METAL WINDOWS: [x] Wood [ ] Aluminum [ ] Other INSULATION: [ ] Walls [ ] Ceiling [ ] Floor None HEATING & COOLING: [ ] Window Units [ ] Heaters [ ] Central None FLOOR JOIST: 2x12 SILLS: 4x6 STUDS: 2x4

PROPOSED CHANGES:

WINDOWS: Repaint ROOF: New roof Composition SIDING: Repaint SKIRTING TYPE: Stucco INSULATION: to insulate bldg. PORCH: wood DOORS: Repaint HEATING & COOLING: Central ELECTRICAL: update PLUMBING: update CONSTRUCTION OF DRIVEWAY: gravel FOUNDATION: concrete piers COMMENTS:



HISTORIC AND DESIGN REVIEW COMMISSION  
CERTIFICATE OF APPROPRIATENESS

June 18, 2008

# CITY OF SAN ANTONIO

**HDRC CASE NO:** 2008-165  
**ADDRESS:** 314 E Locust (638 E Park)  
**LEGAL DESCRIPTION:** NCB 1739 BLK 2 LOT 5 & E 27.8 FT OF 4  
**PUBLIC PROPERTY:**  
**HISTORIC DISTRICT:** Tobin Hill Historic District  
**LANDMARK DISTRICT:**  
**APPLICANT:** Delia Bara, 323 E Park Ave.  
**OWNER:** Delia Bara  
**TYPE OF WORK:** Demolition & Relocation

**REQUEST:**

The applicant is requesting a Certificate of Appropriateness for approval to:

- 1) Demolish an existing wood framed garage.
- 2) Relocate another home from 638 E Park in the Tobin Hill District to the area previously occupied by the demolished garage at 314 E Locust

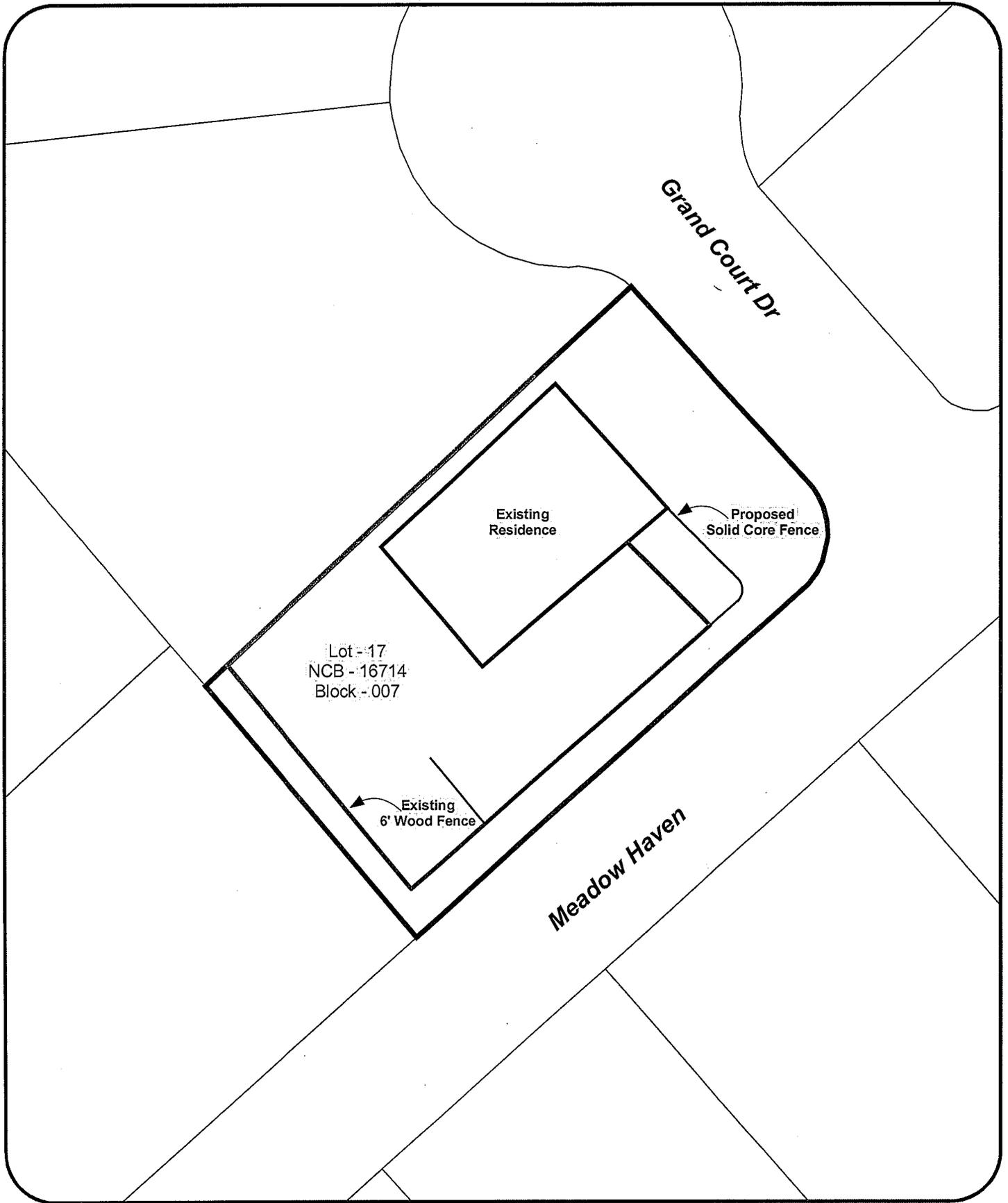
**RECOMMENDATION:**

This request was presented to the commission at the June 4, 2008 meeting and was referred to the Architectural Committee for an onsite evaluation. The Architectural and Demolition committee met on site and will give a report to the commission.

**COMMISSION ACTION:**

Approved as submitted.

Kay Hines  
Interim Historic Preservation Officer



**Board of Adjustment**  
Plot Plan for  
**Case A-08-074**



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

**10203 Grand Court Dr**

Produced by the City of San Antonio  
Development Services Department  
(05/23/2008)

# Board of Adjustment - Case No. A-08-074

July 21, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 21, 2008** 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-Albert L. Carter  
Lot 17, Block 7, NCB 16714  
10203 Grand Court  
Zoned: "R-6" Residential Single-Family District

The applicant is requesting a 5-foot variance from the requirement that side-yard fences in residential zoning districts shall not exceed 6 feet in height, in order to erect a 6-foot tall fence on top of a 5-foot tall retaining wall (11 feet total) within the side 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 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: \_\_\_\_\_

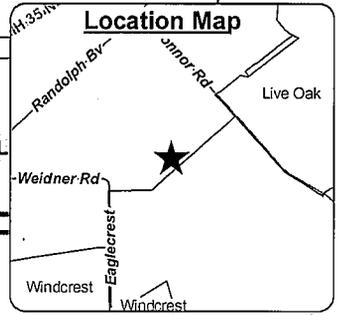
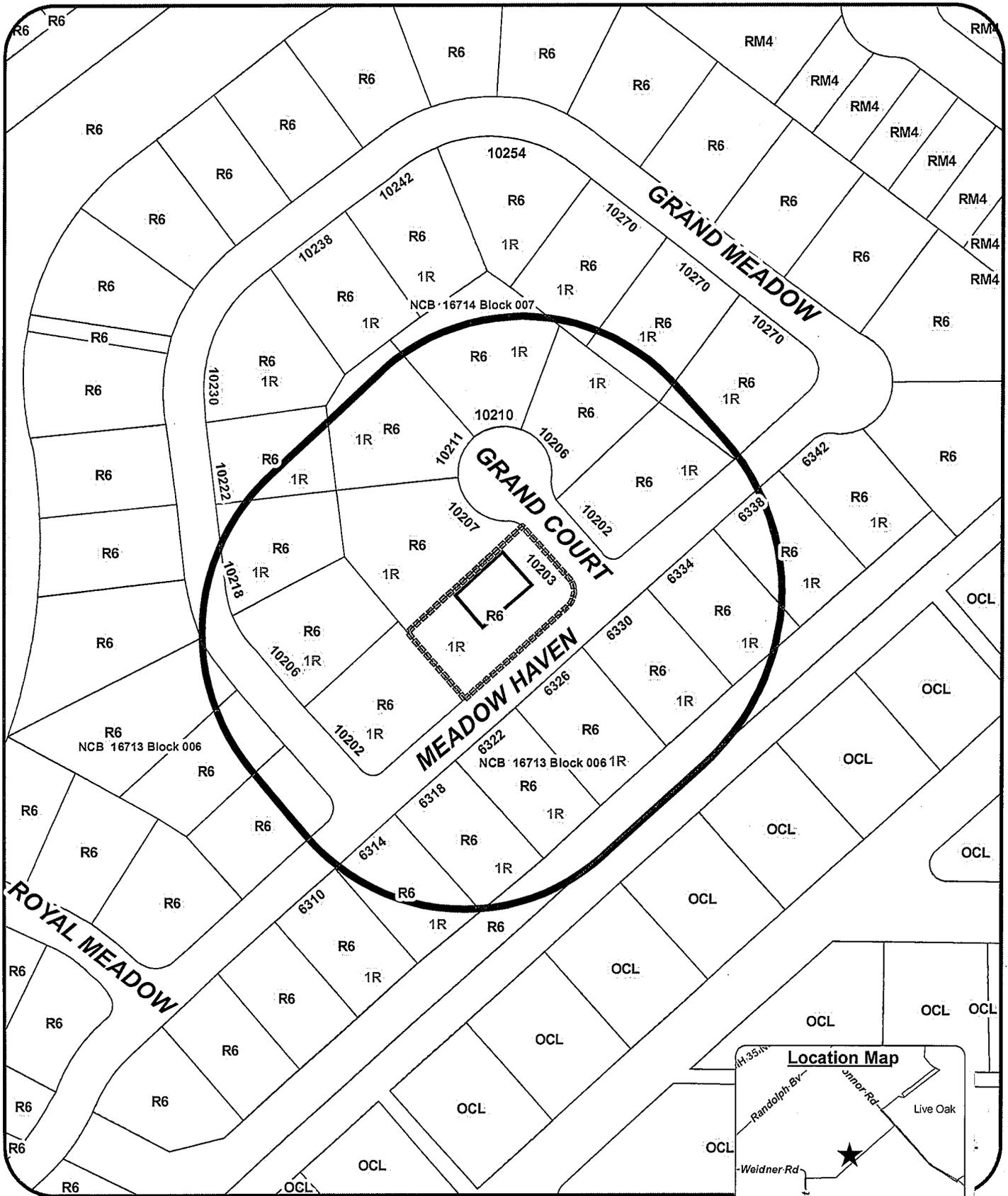
( ) In Favor/A Favor

( ) In Opposition/En Oposicion

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

\_\_\_\_\_  
\_\_\_\_\_

A-08-074



**Board of Adjustment**  
**Notification Plan for**  
**Case A-08-074**



**Legend**  
 Subject Property [dashed line symbol]  
 200' Notification Buffer [thick black line symbol]

Scale: 1" approx. = 120'

Produced by the City of San Antonio  
 Development Services Department  
 (07/9/2008)

# CASE NO: A-08-074

Board of Adjustment – July 21, 2008

**Applicant:** Albert L. Carter

**Owner:** Albert L. Carter

**Request(s):** The applicant is requesting a 5 foot variance from the requirement that solid screen side-yard fences in residential zoning districts shall not exceed 6 feet in height, in order to erect a 5 foot tall retaining wall with a 6 foot fence along the side yard.

**Legal Description:** Lot 17, Block 7, NCB 16714

**Address:** 10203 Grand Court

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

**Existing Use:** Single-Family Residence

**Neigh. Assoc:** Royal Ridge Neighborhood Association

**Neigh. Plan:** None

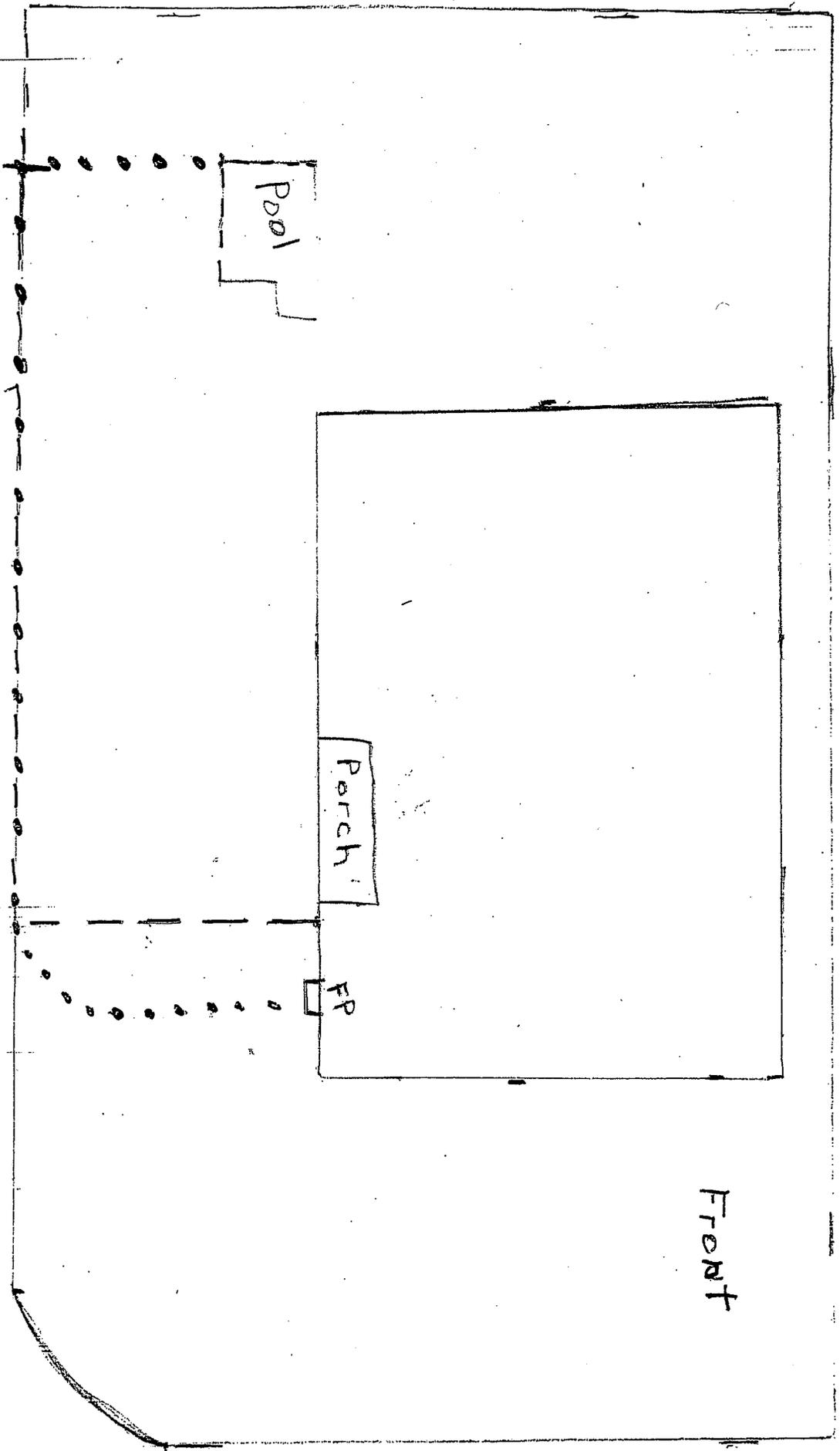
**Section of the City Code from which this variance is requested:**

**35-514 Maximum Permitted Fence Heights:** Side-yard fences in residential zoning districts shall not exceed 6 feet in height.

**Background:** The subject property is located at the corner on Grand Court Drive and Meadow Haven in an established residential neighborhood. The subject property is currently occupied by a single-family residence and is zoned "R-6" Residential Single-Family District. "R-6" zoning and uses surround the subject property on all sides, and the area is occupied exclusively by single-family residences. The applicant is requesting a variance in order to erect an 11-foot tall fence (a 5-foot tall retaining wall with a 6-foot tall fence on top).

**Recommendation:** The intent of the maximum fence height requirement in rear and side yards is to allow property owners to screen and secure their property, while also allowing for openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. Typically, a 6-foot tall side-yard fence is deemed sufficient to provide desired privacy and screening between residences, or in this case, screening from an existing right of way. However, the slope of the side-yard of the subject property creates a unique topographical situation that appears to warrant the construction of the desired retaining wall and fence, with the desired topsoil in-fill. Staff believes that the construction of the wall and fence would not detract from the overall aesthetics of the surrounding neighborhood, and will, at the same time, provide reasonable security and privacy for the applicant. For these reasons, staff recommends **approval** of the requested variance.

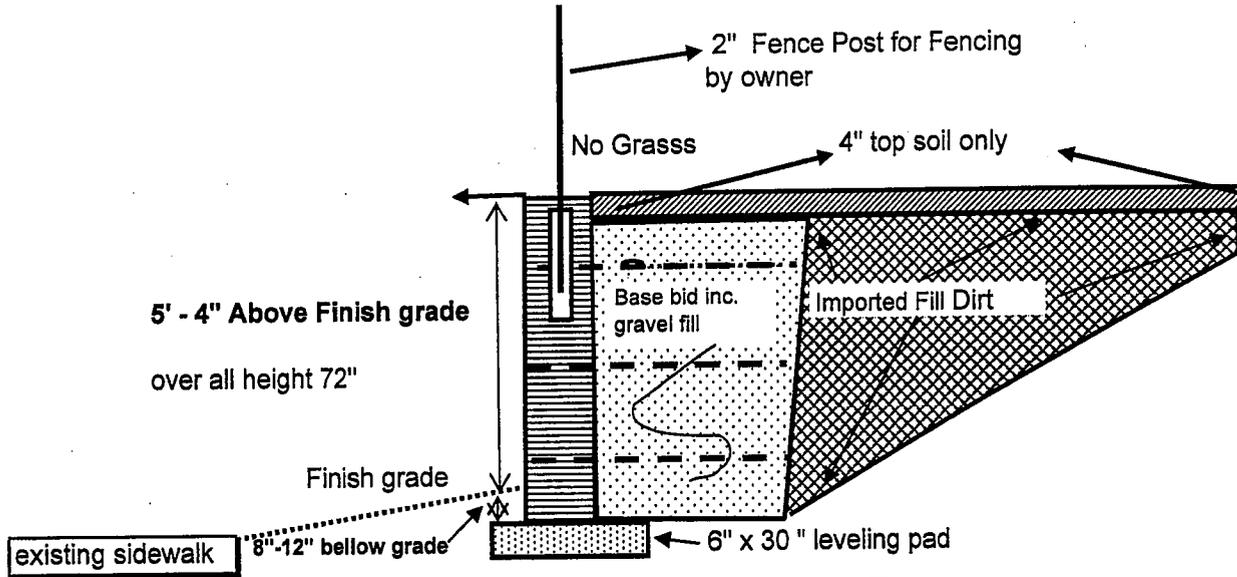
**Case Manager:** Mike Farber, Planner (210) 207-3074



- Existing 6' Fence  
• Proposed WALL + Fence

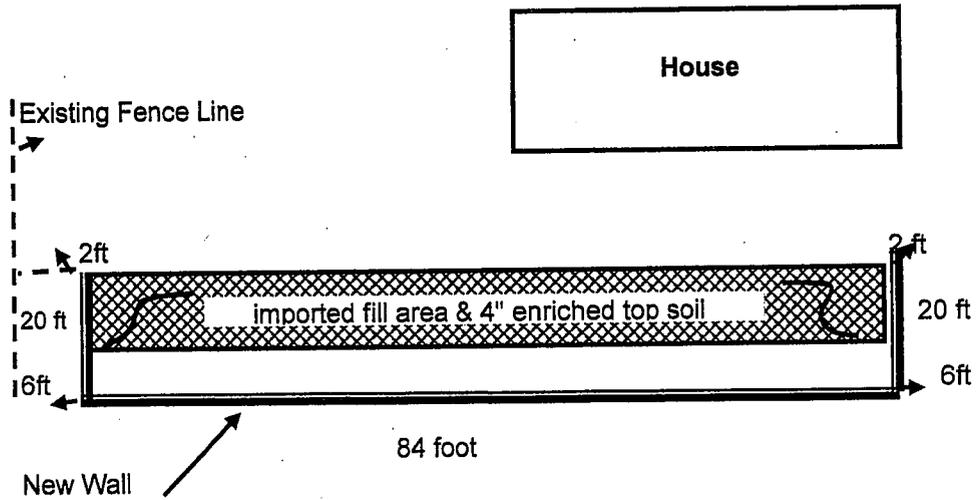
Grand Court

Project: Carter Residence  
 GC Home Owner  
 Date: 4/29/08



**TYPICAL WALL CROSS SECTION**

*Preliminary Not for Construction*



**JDK Associates, Inc**

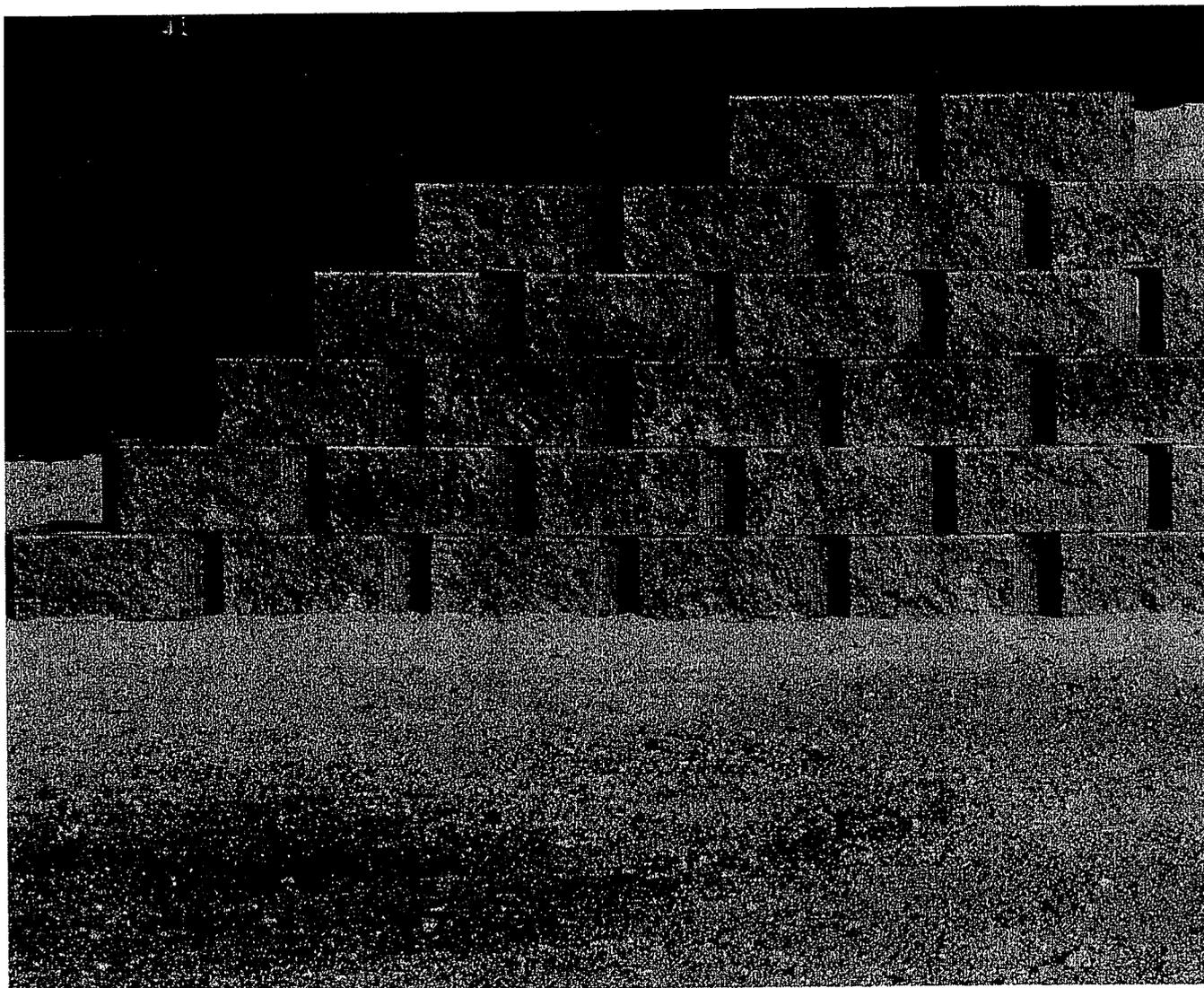
Greg West  
 P.O. Box 557  
 Pilot Point, TX 76258  
 (830) 980-4037 Fax: (830) 438-4863

Carter Residence

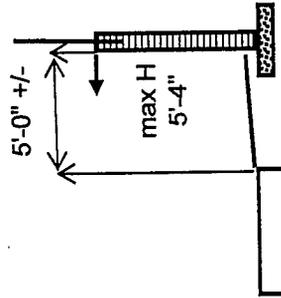
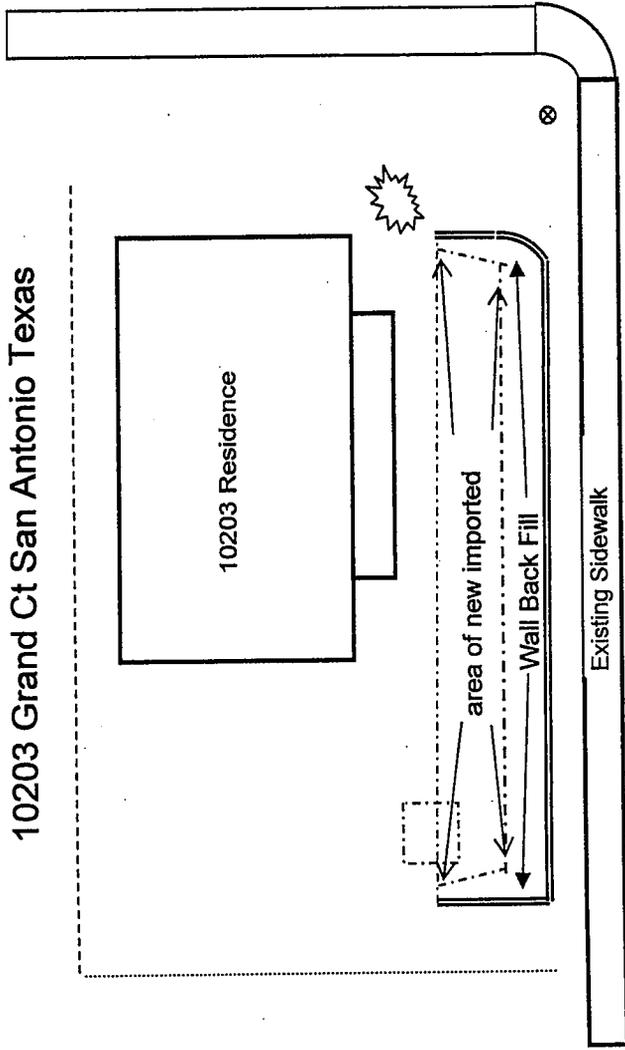
Block Type: Versa- Lok - New Block

Date: 4/28/08

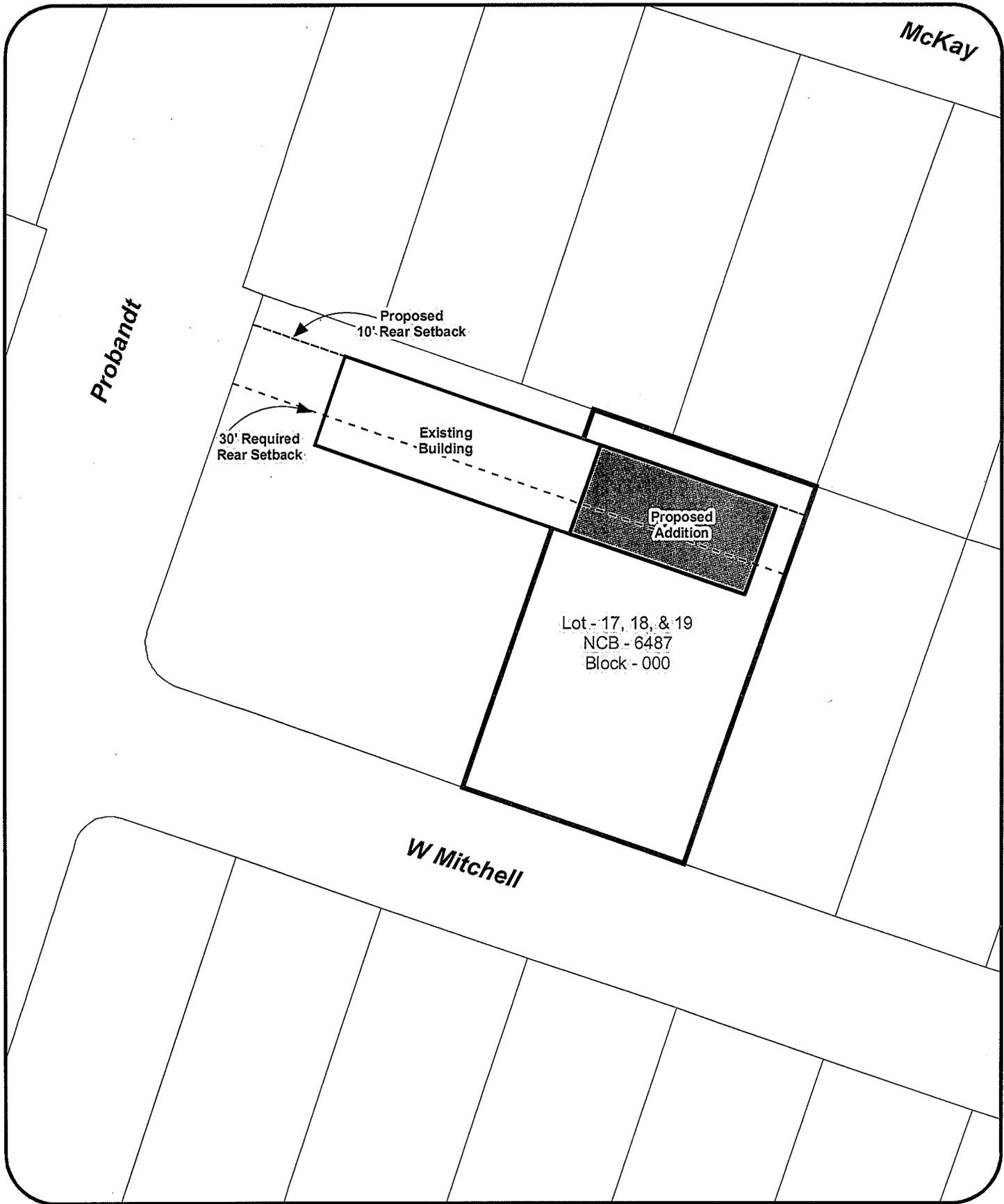
This block Discounted for a sample wall



Carter Residence Retaining Wall Project  
10203 Grand Ct San Antonio Texas

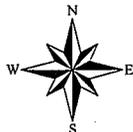


Project: Date 4/28 / 2008  
Address: Project  
City: 5'-4" New Retaining wall  
St: & 6 Foot Wood Fence  
Zip:



**Board of Adjustment**

Plot Plan for  
Case A-08-075



Scale: 1" approx. = 40'  
Council District 5

**423 W Mitchell**

Produced by the City of San Antonio  
Development Services Department  
(07/9/2008)

# Board of Adjustment - Case No. A-08-075

July 21, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 21, 2008** 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-Leopoldo Vera  
Lot 17, 18 & 19, NCB 6487  
423 West Mitchell Street  
Zoned: "C-2 RIO-4" Commercial River Improvement Overlay District

The applicant is requesting a 20-foot variance from the requirement that a minimum 30-foot rear setback be maintained in "C-2 RIO-4" zoning districts, in order to build a structure 10 feet from the rear 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 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 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

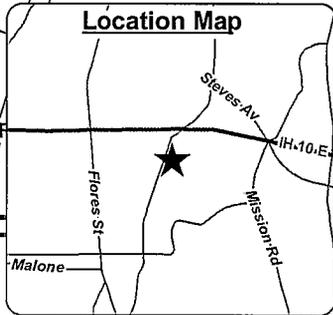
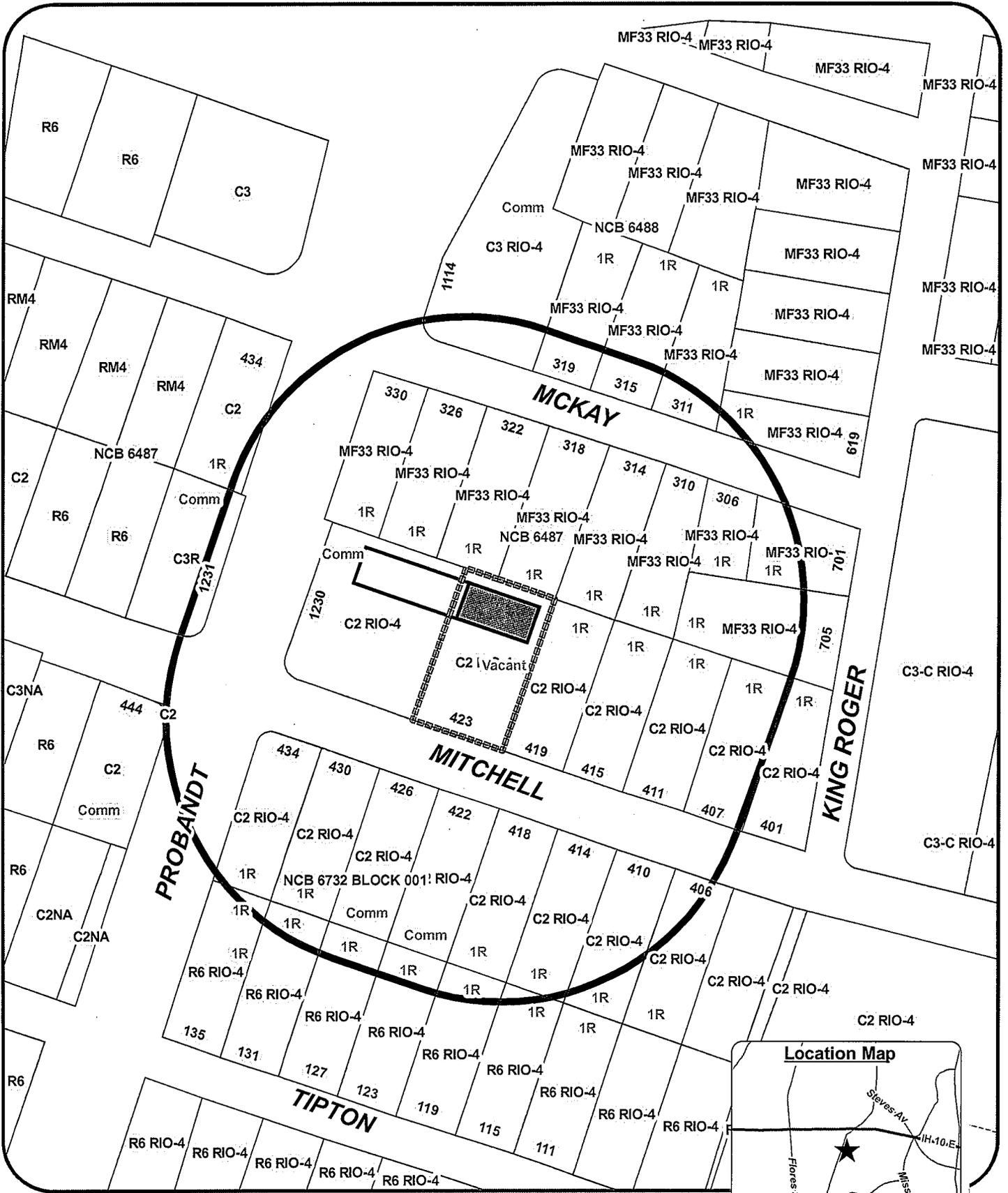
( ) In Opposition/En Oposicion

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

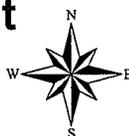
\_\_\_\_\_

\_\_\_\_\_

**A-08-075**



**Board of Adjustment**  
**Notification Plan for**  
**Case A-08-075**



**Legend**

Subject Property   
 200' Notification Buffer

Scale: 1" approx. = 100'  
 Council District 5

Produced by the City of San Antonio  
 Development Services Department  
 (07/9/2008)

# CASE NO: A-08-075

Board of Adjustment – July 21, 2008

**Applicant:** Leopoldo Vera

**Owner:** Leopoldo Vera

**Request(s):** The applicant is requesting a 20-foot variance from the requirement that a minimum 30-foot rear setback be maintained in "C-2 RIO-4" zoning districts, in order to build a structure 10 feet from the rear property line.

**Legal Description:** Lot 17, 18 and 19, NCB 6487

**Address:** 423 West Mitchell Street

**Zoning:** "C-2 RIO-4" Commercial River Improvement Overlay District

**Existing Use:** Commercial

**Neigh. Assoc:** None

**Neigh. Plan:** South Central Neighborhood Plan

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

**35-310 Minimum Rear Setbacks:** The minimum rear setback in a "C-2" zoning district shall be 30-feet.

**Background:** The subject property is located just south of downtown, south of IH-10 and east of Probandt Street, near the corner of West Mitchell and Probandt. The surrounding neighborhood consists primarily of single-family uses, but includes some commercial uses. The block face on which the subject property is located, which fronts on Mitchell, as well as the opposite block face, is zoned "C-2 RIO-4", but consists primarily of single-family residences. "MF-33 RIO-4" zoning abuts the property to the north, along McKay Street, while "R-6 RIO-4" zoning is located to the south of the subject property, along Tipton Avenue.

The applicant is requesting a variance in order to construct an addition to the existing building, located at 1230 Probandt, which is 10 feet from the rear property line.

**Recommendation:** The intent of the rear setback requirements is to provide a reasonable buffer to protect abutting residences from the noise, light, and traffic typically generated by commercial uses, to allow for air flow and light penetration, and to prevent the overcrowding of lots. The property does not appear to be characterized by any unique terrain features where the literal enforcement of the rear setback requirements would result in undue hardship and it appears that a reasonably sized structure could be built that accommodates the rear setback requirements. Furthermore, if the addition were to be constructed within the rear setback, an unnecessary hardship would be imposed on the property abutting to the rear. The applicant has not provided sufficient argument to demonstrate the necessity of a variance in this case. Staff recommends **denial** of the requested variance.

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

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

**CASE INFORMATION**

Case #: **A-08-075**

Property Address: 423 W. Mitchell

Zoning: C-2 RIO-4

Hearing Date: 07/21/08

**Type / Scope of BOA Request:**

20-foot variance from the UDC requirement that a minimum 30-foot rear setback be maintained in "C-2 RIO-4" zoning districts, in order to build a structure 10-feet from the rear property line.

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): None

Neighborhood or Community Plan: South Central San Antonio Community 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 land use in the South Central San Antonio Community Land Use Plan. Low density residential land use is composed of single-family houses on individual lots. Accessory dwelling units (carriage houses, granny flats, etc.) are allowed however, the roof pitch, siding and window proportions should be identical to the principal residence to maintain community character. Low density residential supports the principles of reinforcing existing neighborhoods and supporting residential growth within walking distance of neighborhood commercial centers and school.

Surrounding parcels on the Land Use Map are designated Low Density Residential to the north, east and south of the subject property and Neighborhood Commercial to the west. The subject parcel is surrounded by low density residential uses, including the parcels to which the rear property line backs up. The proposed development would create a monolithic wall very near the rear property lines that adjoin the multiple residences to the north. Not complying with rear setback requirements, particularly on parcels adjacent to residentially zoned properties has the potential to create an environment in which the safety, health and well-being of the community is put at risk. The subject proposal also pushes commercial development further into the residential neighborhood, which is not in accordance with the goals of low density residential land uses.

**RECOMMENDATION**

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

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

Deny Request  X

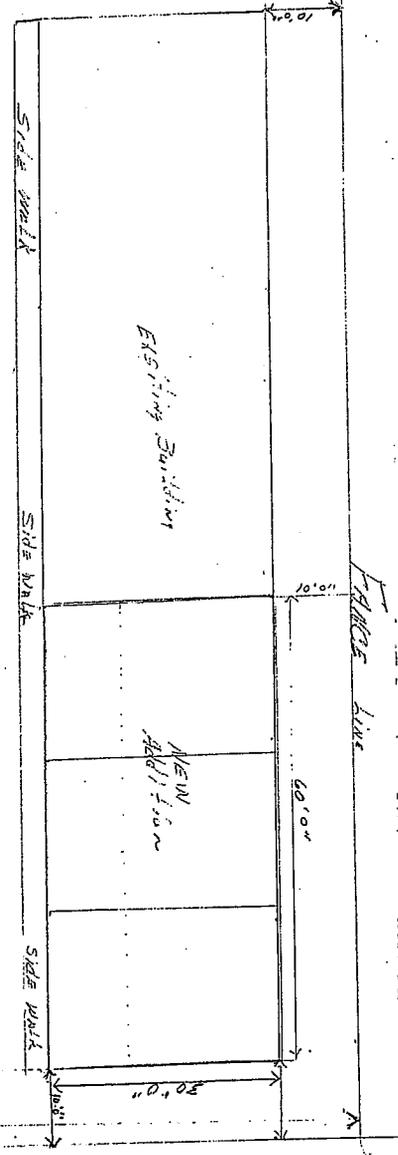
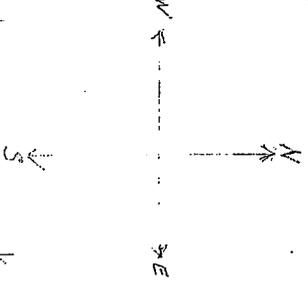
**REVIEWER INFORMATION**

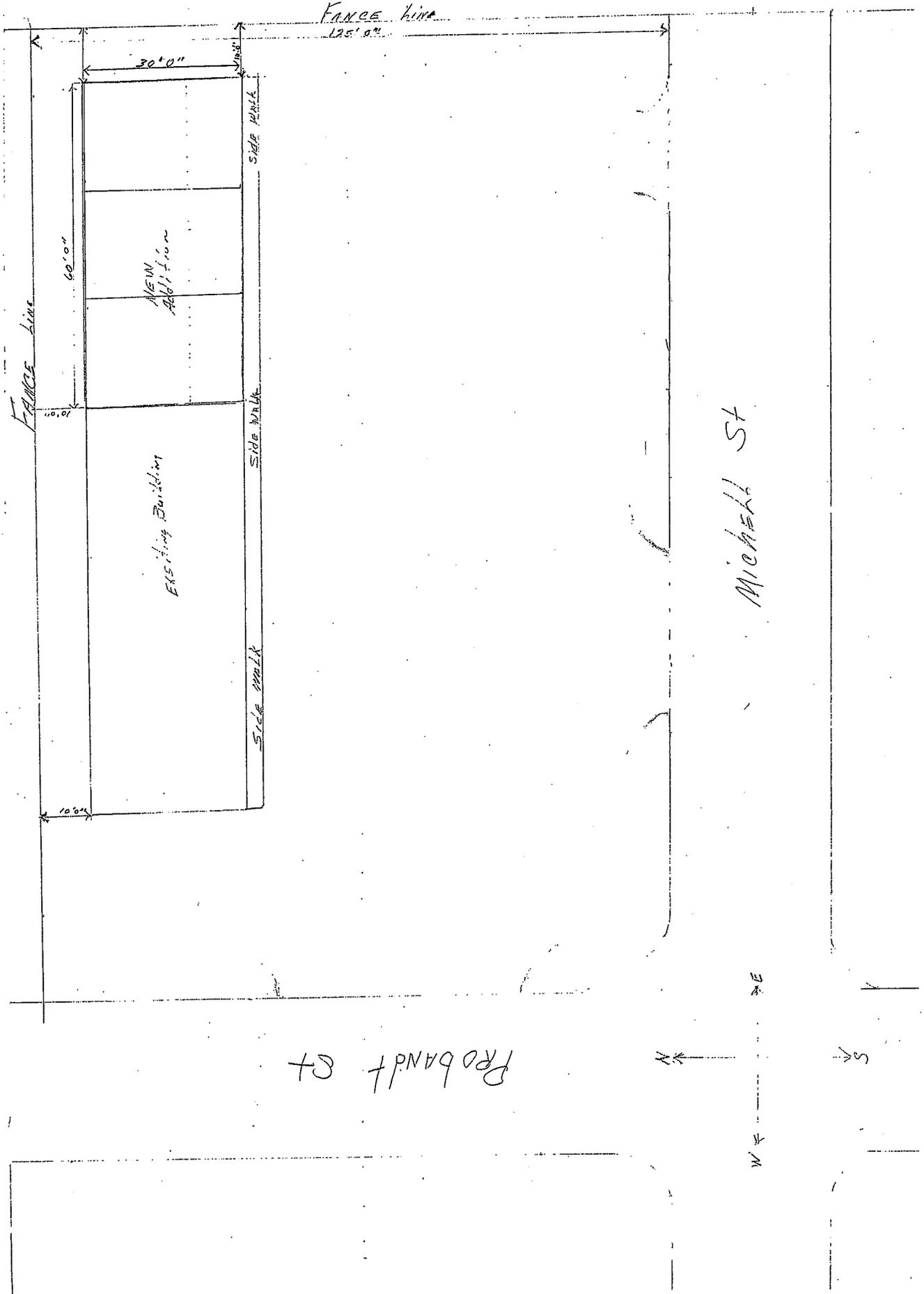
Neighborhood Planner Reviewing: Andrea Gilles, Sr. Planner

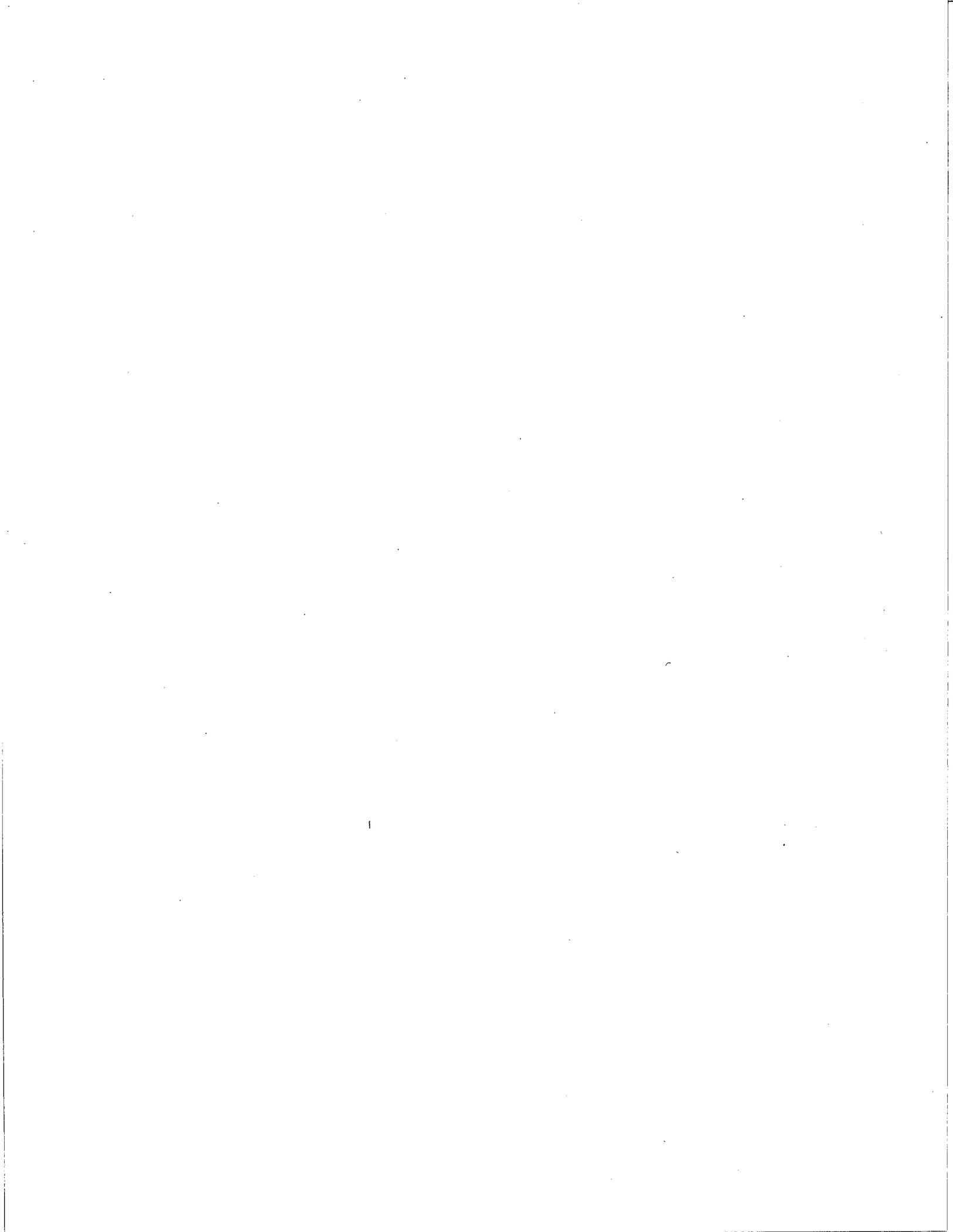
Date Review Completed: July 8, 2008

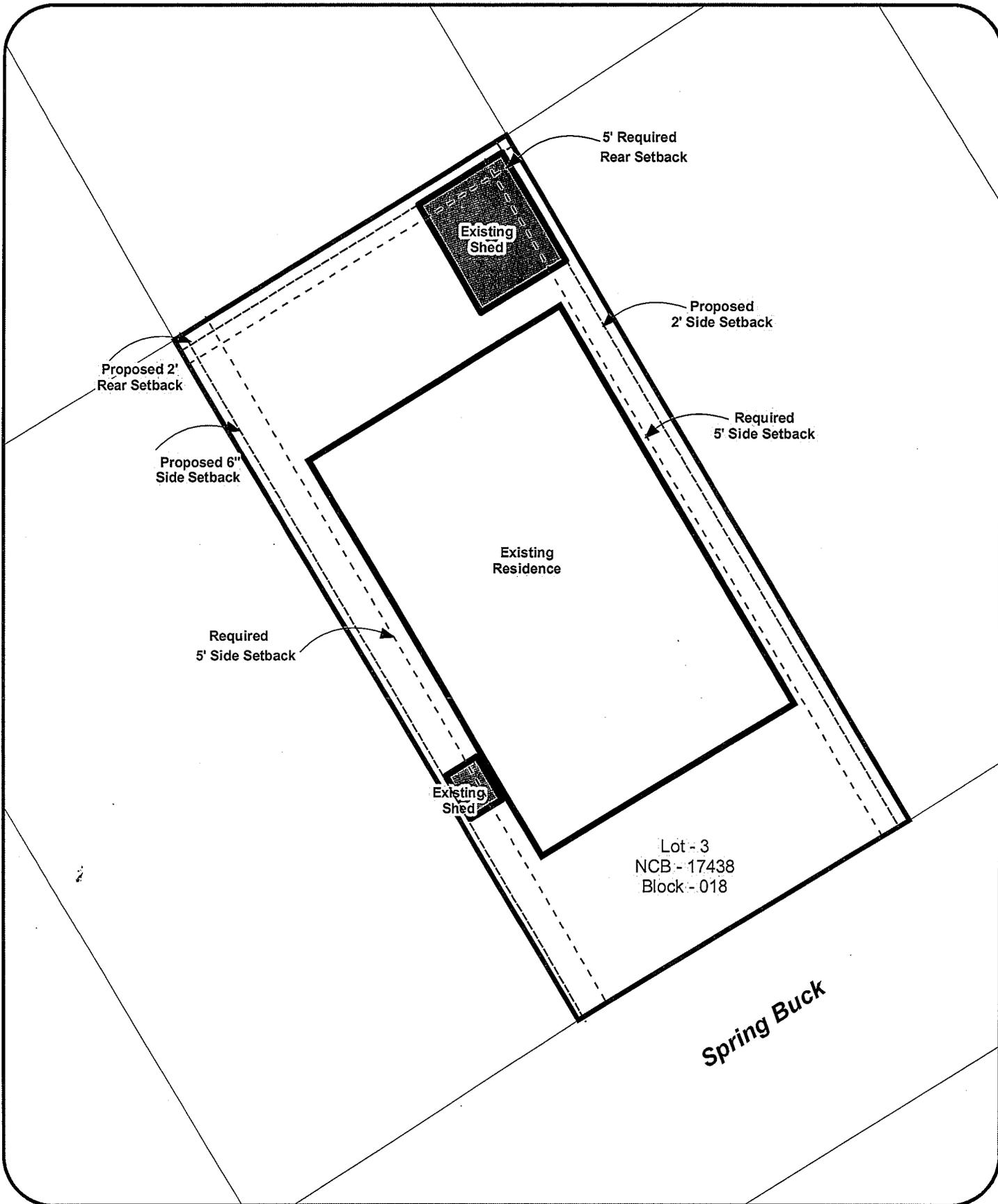
PROBANDT ST

Michell St



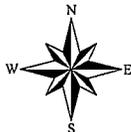






**Board of Adjustment**

**Plot Plan for  
Case A-08-076**



Scale: 1" approx. = 20'  
Council District 10

**5951 Spring Buck**

Produced by the City of San Antonio  
Development Services Department  
(07/9/2008)

# Board of Adjustment - Case No. A-08-076

July 21, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 21, 2008** 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-Thomas Howell  
Lot 3, Block 18, NCB 17438  
5951 Spring Buck  
Zoned: "R-6" Residential Single-Family District

The applicant is requesting **1)** a 3-foot variance from the requirement that accessory structures exceeding 30-inches in height be located a minimum of 5 feet from any side or rear property line, in order to keep an existing accessory structure 2 feet from the rear and east side property lines, and **2)** a 4-foot, 6-inch variance from the requirement that accessory structures exceeding 30-inches in height be located a minimum of 5 feet from any side or rear property line, in order to keep an existing accessory structure 6 inches from the west side 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 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 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: \_\_\_\_\_

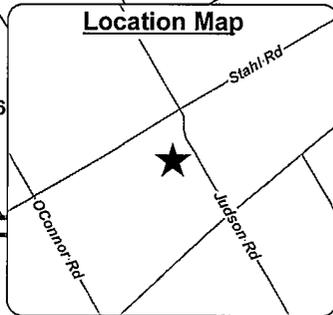
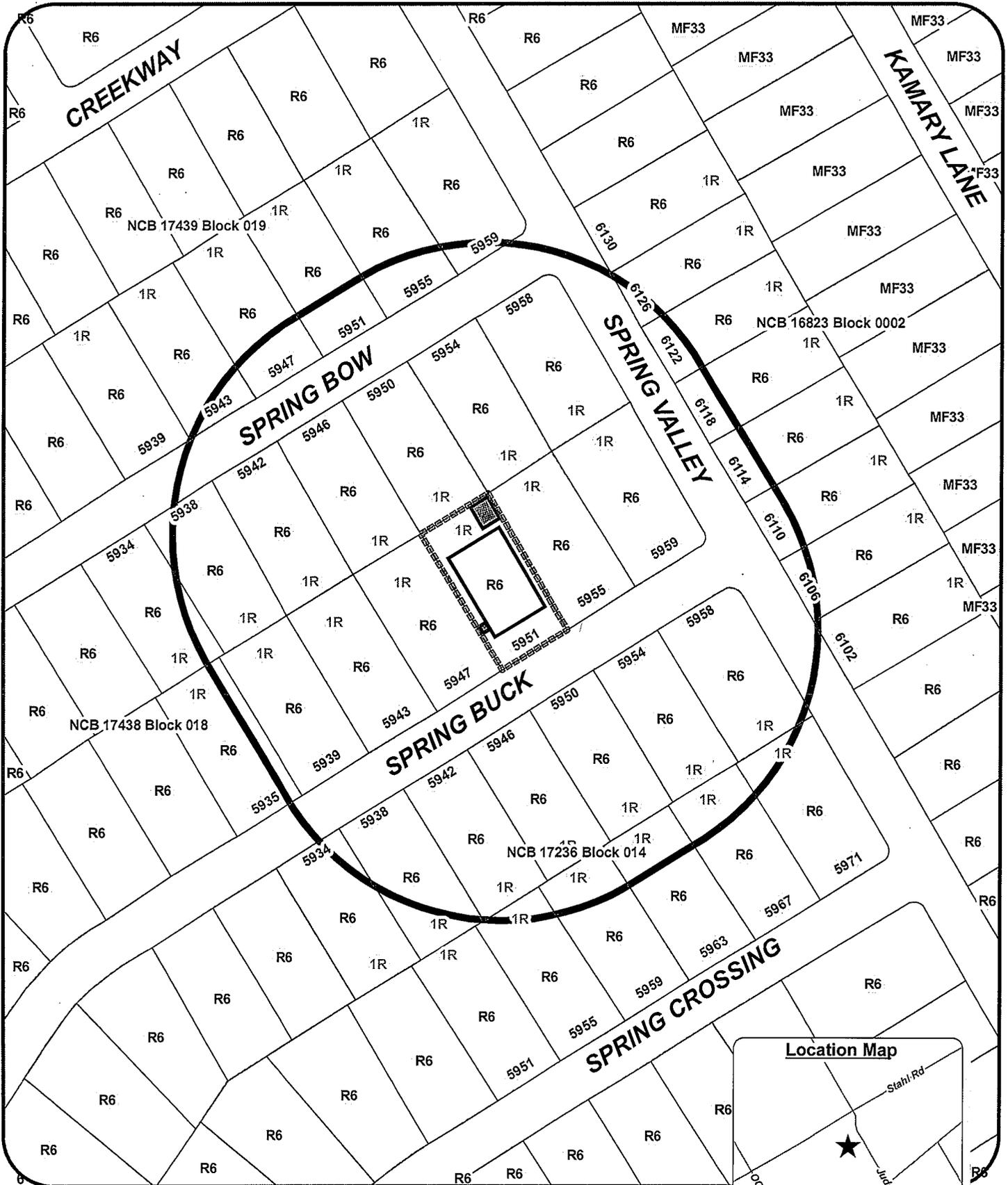
Lot/Lote: \_\_\_\_\_ Block/Cuadra: \_\_\_\_\_ NCB: \_\_\_\_\_

( ) In Favor/A Favor

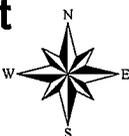
( ) In Opposition/En Oposicion

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

**A-08-076**



**Board of Adjustment**  
**Notification Plan for**  
**Case A-08-076**



**Legend**

Subject Property   
 200' Notification Buffer 

Scale: 1" approx. = 100'  
 Council District 10

Produced by the City of San Antonio  
 Development Services Department  
 (07/9/2008)

# CASE NO: A-08-076

Board of Adjustment – July 21, 2008

**Applicant:** Thomas Howell

**Owner:** Thomas Howell

**Request(s):** The applicant is requesting 1) a 3-foot variance from the requirement that accessory structures exceeding 30-inches in height be located a minimum of 5 feet from any side or rear property line, in order to keep an existing accessory structure 2 feet from the rear and east side property lines, and 2) a 4-foot, 6-inch variance from the requirement that accessory structures exceeding 30-inches in height be located a minimum of 5 feet from any side or rear property line, in order to keep an existing accessory structure 6 inches from the west side property line.

**Legal Description:** Lot 3, Block 18, NCB 17438

**Address:** 5951 Spring Buck

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

**Existing Use:** Single-Family Residential

**Neigh. Assoc:** Spring Creek Neighborhood Alliance

**Neigh. Plan:** None

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

**35-370 Accessory Use Regulations:** Accessory structures exceeding thirty (30) inches in height shall be located a minimum distance of five (5) feet from any side or rear property line.

**Background:** The subject property is located in an established single-family neighborhood on the city's Northeast side, within the Spring Creek neighborhood, and is currently occupied by a single-family residence. Single-family residential zoning and uses surround the site, with the neighborhood being primarily characterized as single-family residential. The lot itself is typical of lots found in "R-6" zoning districts. An existing accessory structure sits in the northeast corner of the property, 2 feet away from the rear and east property lines. An additional accessory structure sits along the west property line, 6 inches away from the west property line and 6 inches away from the wall of the primary structure. The applicant is requesting these variances in order to keep an existing shed 2 feet from the rear and east side property line and an existing shed 6 inches from the west side property line.

**Recommendation:** The intent of the side and rear setback requirements is to allow for air flow, light penetration, neighborhood uniformity, and to prevent the overcrowding of lots and help achieve a reasonable amount of open space desired in single-family residential neighborhoods. The subject property does not appear to be characterized by any unique terrain features where literal enforcement of the side and rear setback requirements would result in unnecessary hardship. The applicant has not provided sufficient evidence demonstrating the necessity for the variance. Staff recommends **denial** of the requested variances.

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



# Board of Adjustment - Case No. A-08-078

July 21, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 21, 2008** 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-Larry Sanchez  
Lot 11 24, Block 4, NCB 2568  
415 East Cevallos  
Zoned: "I-2" Heavy Industrial District

The Development Services Department is initiating procedures, as outlined in Section 406 of the Unified Development Code, to revoke the Certificate of Occupancy for Larry's Sports Bar and Grill.

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 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: \_\_\_\_\_

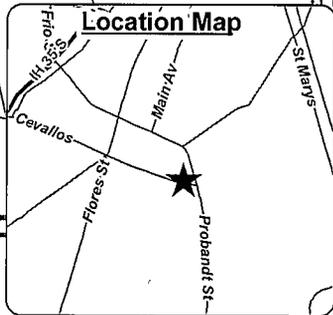
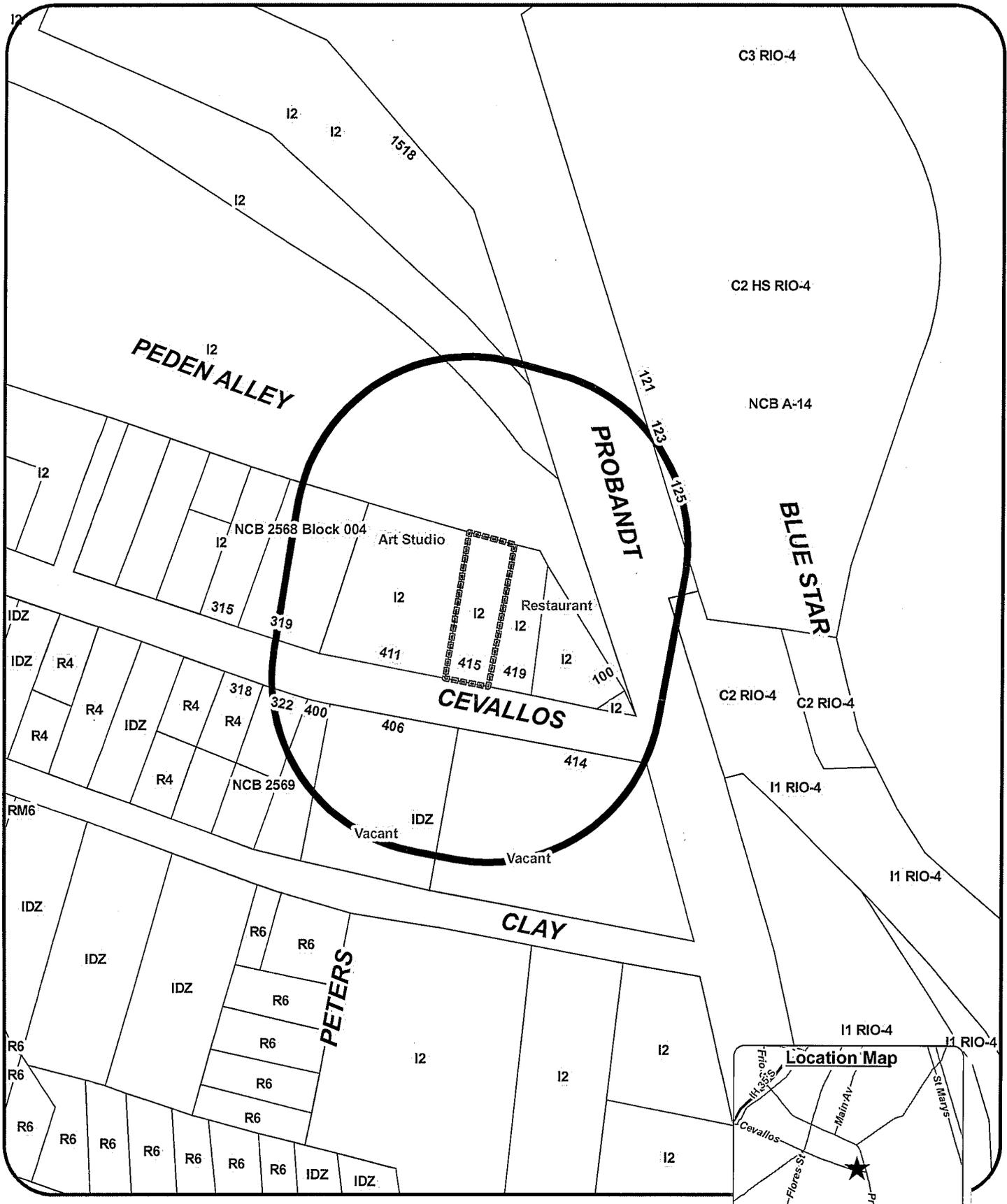
( ) In Favor/A Favor                      ( ) In Opposition/En Oposicion

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

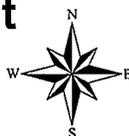
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**A-08-078**



**Board of Adjustment**  
**Notification Plan for**  
**Case A-08-078**



**Legend**  
 Subject Property [dashed line symbol]  
 200' Notification Buffer [thick solid line symbol]

Scale: 1" approx. = 150'

Produced by the City of San Antonio  
 Development Services Department  
 (07/9/2008)

# CASE NO: A-08-078

Board of Adjustment – July 21, 2008

**Applicant:** City of San Antonio, Development Services Department

**Owner:** Andrea Garcia

**Request(s):** The Development Services Department is initiating procedures, as outlined in Section 406 of the Unified Development Code, to revoke the Certificate of Occupancy for Larry's Sports Bar and Grill.

**Legal Description:** Lot 11 24, Block 4, NCB 2568

**Address:** 415 East Cevallos

**Zoning:** "I-2" Heavy Industrial District

**Existing Use:** Bar and Grill

**Neigh. Assoc:** None

**Neigh. Plan:** South Central Neighborhood Plan

## Applicable Sections of City Code:

### Section 35-406 Revocation of Permit or Approval

**Section 35-526 Parking and Loading Standards, Table 35-526 (b) Parking in Nonresidential Use Districts:** The minimum vehicle spaces for a bar, lounge, tavern, nightclub or dancehall with the sale of alcohol shall be no fewer than 1 space per 100 square feet of gross square footage.

**Background:** The subject property is located on East Cevallos, just west of Probandt Street and south of the central downtown area. The subject property is currently zoned I-2 and is occupied by a sports bar and grill. I-2 zoning exists to the east and west of the subject property. The lot to the east of the subject property is occupied by a bar and grill, and the lot to the west is occupied by an art studio. IDZ zoning exists to the north and south, and a vacant parking lot sits to the south across East Cevallos Street. The Development Services Department is initiating procedures to revoke the Certificate of Occupancy for the sports bar located at 415 East Cevallos due to the lack of adequate parking at the facility as required in Section 35-526. According to the owner of the parking lot at 242 East Cevallos, a cooperative parking agreement had previously been in effect between himself and the previous tenant at 415 East Cevallos. This agreement allegedly gave the property at 415 East Cevallos the required number of parking spaces. According to correspondence from the parking lot owner, said parking agreement was nullified when the previous owners of the sports bar and grill at 415 East Cevallos, formerly known as Cargo's, lost their lease to the bar. The property owner of 242 East Cevallos indicates that, as of January 2008, a new cooperative parking agreement was made between himself and the property owner at 231 East Cevallos, also known as The Beach. However, no record of any cooperative parking agreement between the property owner of the parking lot at 242 East Cevallos and either the present or former tenant of the property at 415 East Cevallos has been filed with the City.

**Recommendation:** In order to meet the minimum required parking standards for the structure and use on the subject property at 415 East Cevallos, approximately 30 to 40 parking spaces would be required. The current parking situation accommodates roughly 9 vehicles on the property. The applicant indicated on several occasions through conversations with various city

staff members that a cooperative parking agreement exists between himself and the owner of the parking lot at 242 East Cevallos. However, no such documentation has since been provided, and no such parking agreement has been filed with the City. The applicant has been given several opportunities to seek relief to the parking situation at 415 East Cevallos by means of a possible rezoning to IDZ (which would waive the parking requirements); a request for a parking space adjustment and perhaps seeking another cooperative parking agreement. None of these solutions have been pursued by the property owner, though the property owner maintains that a cooperative parking agreement still exists between himself and the owner of 242 East Cevallos. The Director of Development Services maintains that incorrect information was provided by the property owner regarding the cooperative parking agreement. As outlined in the International Building Code, Section 110.4: Revocation, the Director of Development Services is seeking to revoke the Certificate of Occupancy for Larry's Sports Bar and Grill.

**The Director requests that the Board of Adjustment support the recommendation of the Development Services Department and revoke the Certificate of Occupancy of Larry's Sports Bar and Grill, which is located at 415 East Cevallos Street.**

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

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

**CASE INFORMATION**

Case #: A-08-078

Property Address: 415 E. Cevallos

Zoning: I-2

Hearing Date: 07/21/08

**Type / Scope of BOA Request:**

The Development Services Department is initiating procedures, as outlined in Section 406 of the UDC, to revoke the Certificate of Occupancy for Larry's Sports Bar and Grill.

**PLANNING PROGRAM / PROJECT OVERLAP**

Neighborhood Association(s): None

Neighborhood or Community Plan: South Central San Antonio Community Plan

Neighborhood Conservation District: n/a

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

**ANALYSIS STATEMENT**

The subject parcel is designated Mixed Use land use in the South Central San Antonio Community Land Use Plan. Mixed Use provides for a concentrated blend of residential, retail, professional service, office, etc. at increased densities to create a pedestrian-oriented environment. Mixed Use incorporates high quality architecture and urban design features. A majority of the ground floor façade should be composed of windows. Parking areas should be located behind buildings.

Page 5 of the Land Use Plan Update specifically identifies goals, including parking standards, for Cevallos Street. In particular: "Mixed uses are desired along Cevallos St., provided that zoning standards include conditional use strategies to promote walkability while protecting adjacent residential areas:

- 10-foot maximum front setback
- Parking allowed only at the rear of the lot, and behind the buildings, and
- No ingress or egress on Clay St. to prevent traffic in residential areas"

Given the recommended development pattern within the Plan update and the prioritization for a pedestrian-oriented environment that lends protection to adjacent residential areas, all necessary measures should be taken to ensure resident safety, neighborhood organization and compliance with City regulations.

**RECOMMENDATION**

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

Support Request \_\_\_\_\_ Deny Request \_\_\_\_\_ Other X

Staff supports DSD recommendation

**REVIEWER INFORMATION**

Neighborhood Planner Reviewing: Andrea Gilles, Sr. Planner

Date Review Completed: July 8, 2008



# City of San Antonio Development Services

PO BOX 839966  
SAN ANTONIO TEXAS 78283-3966

June 25, 2008

Mr. Larry Sanchez and Ms Sandra Sanchez  
Larry's Sports Bar and Grill  
415 E. Cevallos  
San Antonio, Texas 78204

RE: Revocation of Certificate of Occupancy

Dear Owner:

This notice is to inform you that the Certificate of Occupancy issued to you on April 10, 2008 A/P #1447817 has been revoked as of June 25, 2008. Section 110.4 of the 2006 International Building Code states:

"Revocation: The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code."

**It has been brought to this department's attention that Larry's Sports Bar and Grill has failed to meet the parking requirements stated in the Unified Development Code section 35-526(b).**

Please contact Mr. Tom Herbster, Construction Inspector Supervisor at (210) 416-9397 who will be able to assist you with any questions or concerns regarding the parking violations.

After obtaining compliance with these identified parking requirements, please contact Chief Building Inspector, Ernest Martinez at (210) 207-8314 who will be able to assist you with a new Certificate of Occupancy and any further questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Roderick J. Sanchez".

Roderick J. Sanchez, AICP, CBO  
Director, Development Services

NO. 1447817

DATE: 04/10/2008

**CITY OF SAN ANTONIO, TEXAS  
DEVELOPMENT SERVICES DEPARTMENT**

**CERTIFICATE OF OCCUPANCY**

THIS IS TO CERTIFY that the building located at:

Address of Location 415 E CEVALLOS

Lot: 11 Block: 4 NCB: 2568

has been inspected and the following occupancy thereof is hereby authorized:

Occupant Group: A2 Occupant Load: 106

Occupant: SANDRA & LARRY SANCHEZ

Description of Business: BAR & GRILL

DBA Name: LARRY'S SPORTS BAR & GRILL

  
DIRECTOR OF DEVELOPMENT SERVICES

**CITY OF SAN ANTONIO, TEXAS  
DEVELOPMENT SERVICES DEPARTMENT**

**415 E CEVALLOS  
SAN ANTONIO TX 78204-0000**

**MAXIMUM OCCUPANT LOAD**

**106**

**04/10/2008**

**NO. 1447817**

  
DIRECTOR OF DEVELOPMENT SERVICES