

CITY OF SAN ANTONIO
Board of Adjustment
Regular Meeting Agenda

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

Monday, July 16, 2007

Board of Adjustment Board Members

Mike Villyard District 9
Chairman

Vacant	District 1	Paul Klein	District 6
Edward Hardemon	District 2	Mary Rogers	District 7
Helen Dutmer	District 3	Andrew Ozuna	District 8
Gerald Yarbrough	District 4	Michael Gallagher	District 10

Alternates

Maria Cruz	Michael Dean
Marian Moffat	Henry Rodriguez
Rollete Schreckenghost	Pete Vallone

- I. **1:00 p.m. – Public Hearing Call to Order and Roll Call.**
- II. **Pledges of Allegiance.**
- III. **A-07-072:** The request of Bill Reisenecker for **1)** a 3-foot variance from the requirement that solid screen fences in front yards be no taller than than 3 feet, in order to erect a 6-foot tall solid screen fence in the front yard, and **2)** a complete variance from the requirement that a minimum 10-foot front setback be maintained in “RM-4” zoning districts, in order to erect a structure on the east front property line, 613 Indianola.
- IV. **A-07-073:** The request of Texas Baptist Church for a 9-foot variance from the requirement that a minimum 20-foot rear setback be maintained in “R-4” zoning districts, in order to erect a structure 11 feet from the rear property line, 458 Lanark Street.
- V. **A-07-074:** The request of Rudy Gonzalez for a complete variance from the requirement that a minimum 20-foot front setback be maintained for front entry carports, in order to keep an existing carport on the front property line, 1955 McCauley Avenue.
- VI. **A-07-075:** The request of Dalia Munoz Sosa for **1)** a 2-foot variance from the requirement that predominantly open fences in front yards be no taller than 4 feet, in order to keep an existing 6-foot tall predominantly open fence in the front yard, **2)** a 17-foot variance from the requirement that a minimum 20-foot front setback be maintained for front entry carports, in order to keep an

existing carport 3 feet from the front property line, and **3**) a 4-foot variance from the requirement that a minimum 5-foot side setback be maintained in “MF-33” zoning districts, in order to keep the same carport 1 foot from the side property line, 1311 Logwood Avenue.

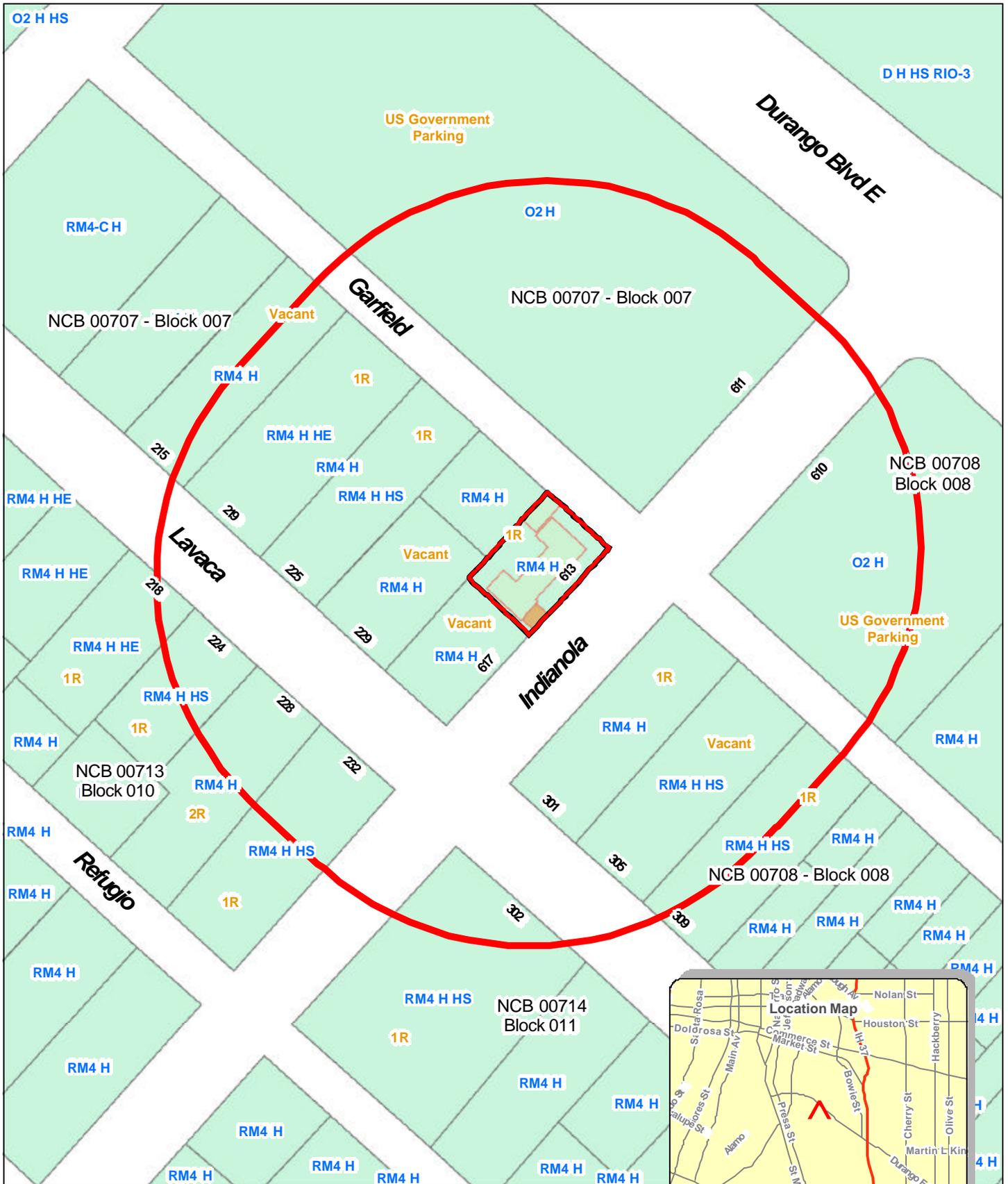
- VII. **A-07-076:** The request of Madison St. Townhomes, L.P. for a complete variance from the requirement that a minimum 5-foot rear setback be maintained in “IDZ” zoning districts, in order to build structures on the rear property line of multiple lots, 410, 414, 418, 422, 426, and 430 Madison Street..
- VIII. **A-07-077:** The request of Hotel Properties of Texas, L.P. for **1**) a 52-foot, 6 ½ inch variance from the requirement that free standing on-premise signs on property fronting an arterial Type A shall not exceed an overall height of 40 feet, in order to erect a 92-foot, 6 ½ inch tall free-standing on-premise sign, and **2**) a 224 square foot variance from the requirement that the sign face area of a free standing on-premise sign on property fronting an Arterial Type A shall not exceed 240 square feet of sign face area, in order to rebuild a 464 square foot free-standing on-premise sign, 628 South Santa Rosa Street.
- IX. **Approval of the minutes from the regular meetings on July 2, 2007 and May 7, 2007.**
- X. **Staff Report.**
- XI. **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.
- XII. **Adjournment.**

Note: The City of San Antonio Board of Adjustment Agenda is on the Internet at: www.sanantonio.gov/dsd

At any time prior to the meeting, you may contact a case manager at 207-6944 or 207-0132 to check the status of a case.

Accessibility Statement

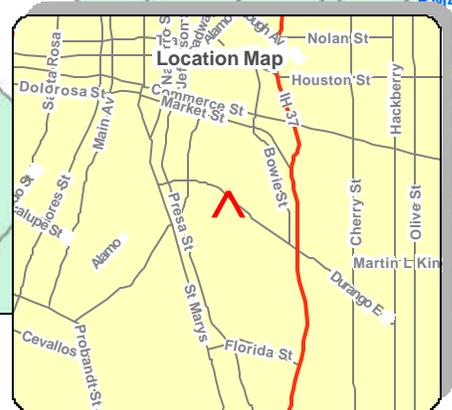
This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must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



Board of Adjustment
Notification Plan for
Case A-07-072



Legend
 Subject Property ———
 200' Buffer ———



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

Produced by the City of San Antonio
 Development Services Department
 (07/05/2007)

Board of Adjustment - Case No. A-07-072

July 16, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 16, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Bill Reisenecker

The north 79.08 feet of the east 2.96 feet of Lot 7, and the north 79 feet of Lot 8, Block 7, NCB 707
613 Indianola

Zoned: "RM-4 H" Historic Residential Mixed District

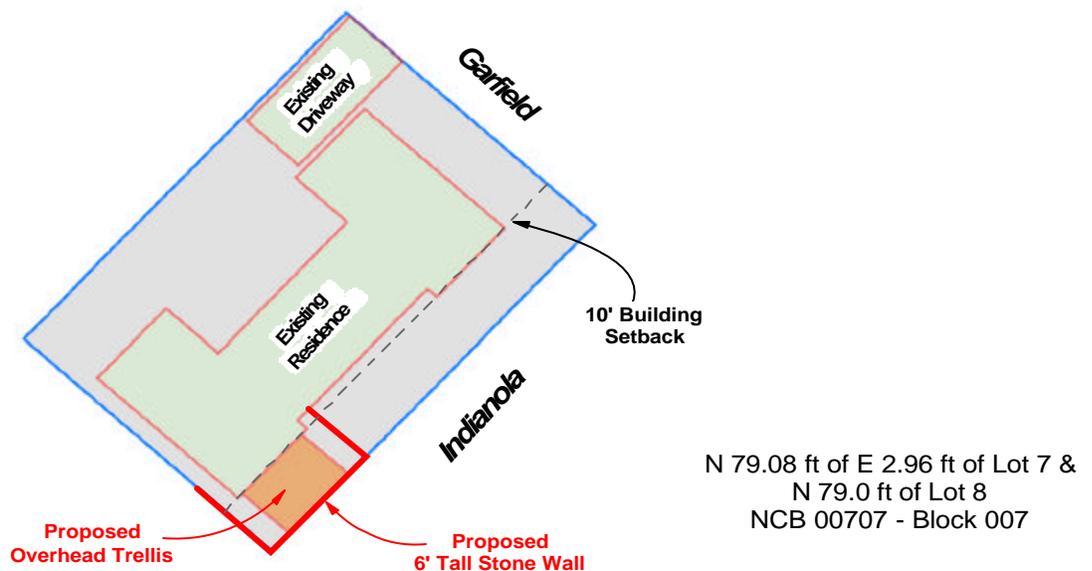
The applicant is requesting **1)** a 3-foot variance from the Unified Development Code requirement that solid screen fences in front yards be no taller than 3 feet, in order to erect a 6-foot tall solid screen fence in the front yard, and **2)** a complete variance from the Unified Development Code requirement that a minimum 10-foot front setback be maintained in "RM-4" zoning districts, in order to erect a structure on the east 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. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. 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 enclosed card to the Development Services Department, 1901 South Alamo, San Antonio, Texas 78204-3966. Thank you.



Board of Adjustment

**Plot Plan for
Case A-07-072**



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

613 Indianola

Produced by the City of San Antonio
Development Services Department
(06/28/2007)

CASE NO: A-07-072

Board of Adjustment – July 16, 2007

Applicant: Bill Reisenecker

Owner: Jesus De La Torre

Request(s): **1)** a 3-foot variance from the requirement that solid screen fences in front yards be no taller than 3 feet, in order to erect a 6-foot tall solid screen fence in the front yard, and
2) a complete variance from the minimum 10-foot front setback required in “RM-4” zoning districts, in order to erect a structure on the east front property line

Legal Description: The north 79.08 feet of the east 2.96 feet of Lot 7, and the north 79 feet of Lot 8, Block 7, NCB 707

Address: 613 Indianola Street

Zoning: “RM-4 H” Historic Residential Mixed District

Existing Use: Single-Family Residence

Neigh. Assoc: Lavaca Neighborhood Association

Neigh. Plan: Lavaca Neighborhood Plan

Sections of the City Code from which these variances are requested:

35-514 Fences and Walls: 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, and

Section 35-310 Zoning District Purpose Statements and Design Regulations: A minimum 10-foot front setback is required in “RM-4” zoning districts.

Background: The subject property is located in an established residential mixed use neighborhood of the Lavaca Historic District south of Downtown, between South Presa Street and H 37 South, south of East Durango Boulevard. This site is specifically situated on the southwest corner of Garfield and Indianola Streets and is occupied by a new single-family residence with an existing 3-foot tall stonewall along the east front property line. According to the applicant, a previously existing structure on the subject site was demolished and removed. Pursuant to Section 35-430(c) of the UDC, replacement of a pre-existing single-family dwelling unit shall not require a subdivision plat; Land Entitlement Section Staff verified a plat/replat was not required for the subject property. In addition, the Plan Review Section Staff identified the property frontage to be along Indianola Street.

On January 19, 2005, San Antonio’s Historic Design and Review Commission (HDRC) approved the applicant’s request to construct a new single-family dwelling. A proposed 6-foot tall stone wall in the front yard was denied. However a new revised drawing showing a 3-foot tall stone fence in the front yard was submitted and approved. In regards to the trellis, based on the elevations, the design of the trellis indicates it will be supported by columns and will match the size of the courtyard area as a small canopy. If the Board approves the higher wall and new trellis design, the property owner would need to reappear before the HDRC for design approval.

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 limited because the presence can detract from the streetscape and pedestrian friendliness of a neighborhood. The size and scale of the fence the applicant is proposing to construct is not consistent with existing conditions in the area. There do not appear to be special physical or topographic conditions on this property where literal enforcement of the fence height limitations would result in unnecessary hardship. Staff recommends **denial** of the fence height variance request.

The intent of the front setback requirement is to allow for air flow, light penetration, neighborhood uniformity, and to prevent the overcrowding of lots to maintain a reasonable amount of open space desired in neighborhoods. Both lots on this blockface of Indianola Street, between Garfield and Lavaca Streets, front Indianola, and are therefore required to maintain front setbacks accordingly. This lot does not appear to be characterized by any unique terrain features where literal enforcement of the front setback requirement would result in unnecessary hardship. Staff recommends **denial** of the requested variance.

Case Manager: David Arciniega, Planner II (210) 207-6944

Board of Adjustment - Case No. A-07-073

July 16, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 16, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Texas Baptist Church
Lot 5, NCB 12172
458 Lanark Street
Zoned: “R-5” Residential Single-Family District

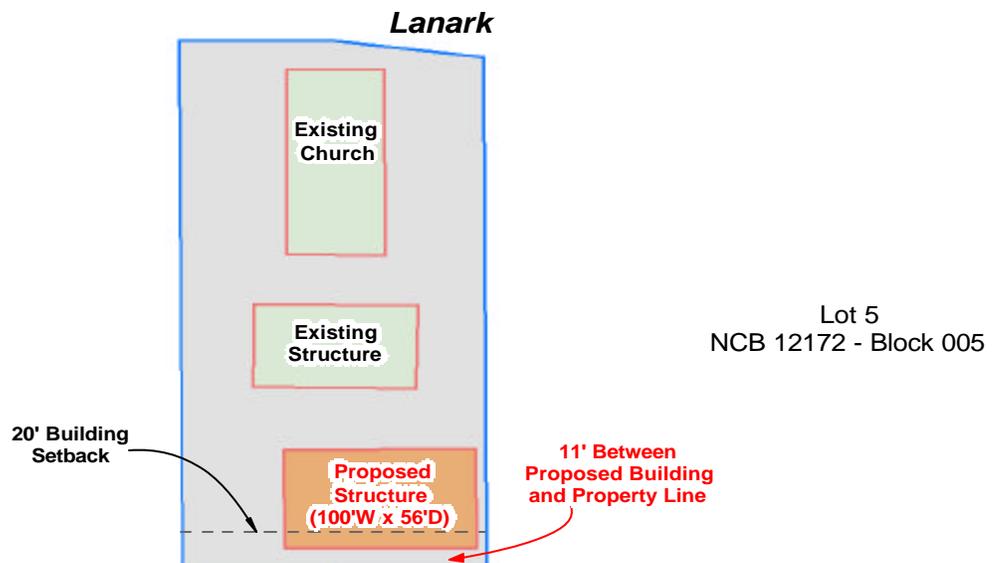
The applicant is requesting a 9-foot variance from the Unified Development Code requirement that a minimum 20-foot rear setback be maintained in “R-5” zoning districts, in order to erect a structure 11 feet from the rear property line

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. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. 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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Board of Adjustment

**Plot Plan for
Case A-07-073**



Scale: 1" approx. = 100'
Council District 2

458 Lanark St

Produced by the City of San Antonio
Development Services Department
(06/28/2007)



Board of Adjustment
Notification Plan for
Case A-07-074



Legend
 Subject Property
 200' Buffer



Scale: 1" approx. = 80'
 Council District 4

Produced by the City of San Antonio
 Development Services Department
 (06/29/2007)

Board of Adjustment - Case No. A-07-074

July 16, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 16, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Rudy Gonzalez
Lot 25, Block 2, NCB 12491
1955 McCauley Avenue
Zoned: “R-6” Residential Single-Family District

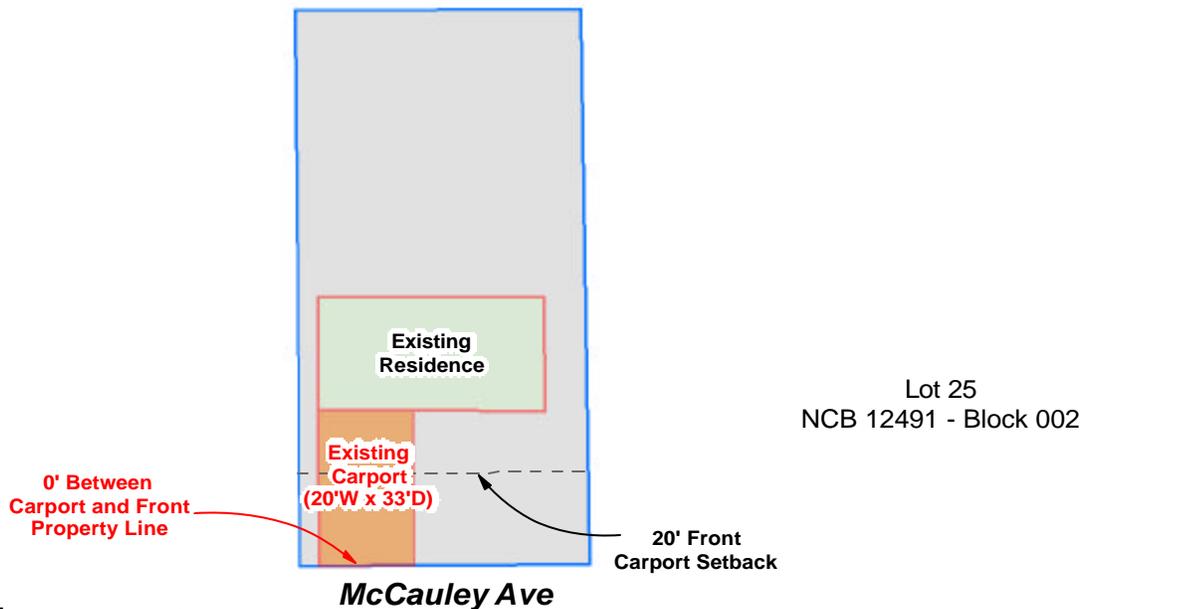
The applicant is requesting a complete variance from the Unified Development Code requirement that a minimum 20-foot front setback be maintained for front entry carports, in order to keep an existing carport on the front property line

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. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. 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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Board of Adjustment

**Plot Plan for
Case A-07-074**



Scale: 1" approx. = 40'
Council District 4

1955 McCauley Ave

Produced by the City of San Antonio
Development Services Department
(06/28/2007)

Board of Adjustment - Case No. A-07-075

July 16, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 16, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Dalia Munoz Sosa
Lot 30, Block 38, NCB 9448
1311 Logwood Avenue
Zoned: “MF-33” Multi-Family District

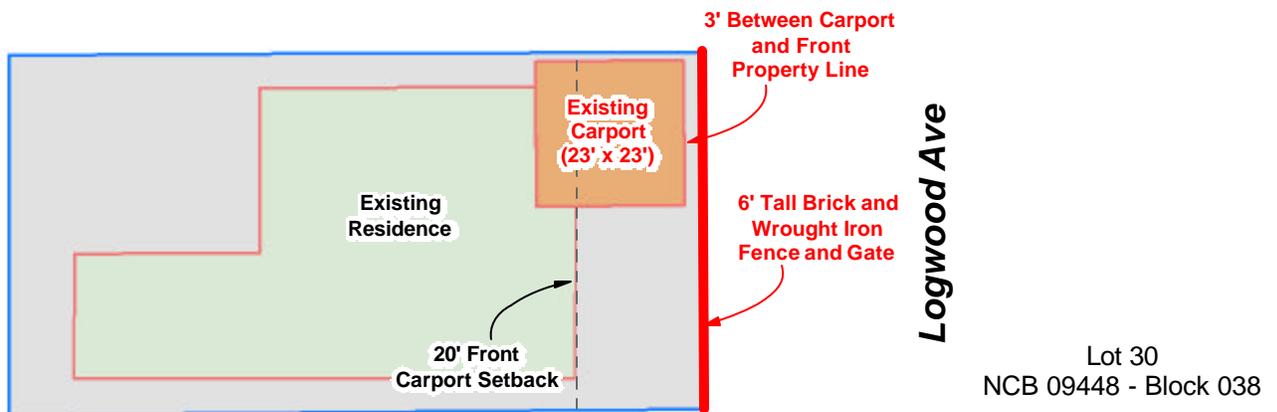
The applicant is requesting **1)** a 2-foot variance from the Unified Development Code requirement that predominantly open fences in front yards be no taller than 4 feet, in order to keep an existing 6-foot tall predominantly open fence in the front yard, **2)** a 17-foot variance from the Unified Development Code requirement that a minimum 20-foot front setback be maintained for front entry carports, in order to keep an existing carport 3 feet from the front property line, and **3)** a 4-foot variance from the Unified Development Code requirement that a minimum 5-foot side setback be maintained in “MF-33” zoning districts, in order to keep the same carport 1-foot from the 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. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. 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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Board of Adjustment

**Plot Plan for
Case A-07-075**



Scale: 1" approx. = 30'
Council District 4

1311 Logwood Ave

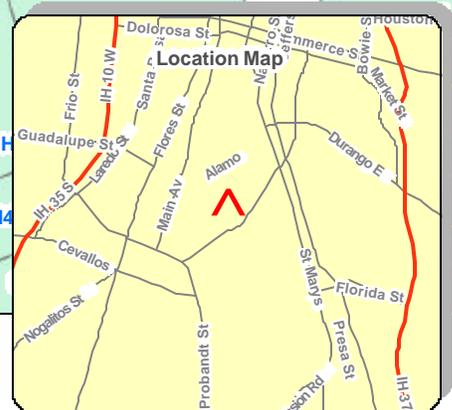
Produced by the City of San Antonio
Development Services Department
(07/05/2007)



Board of Adjustment
Notification Plan for
Case A-07-076



Legend
 Subject Property ———
 200' Buffer ———



Scale: 1" approx. = 120'
 Council District 1

Produced by the City of San Antonio
 Development Services Department
 (07/02/2007)

Board of Adjustment - Case No. A-07-076

July 16, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 16, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Madison St. Townhomes, L.P.

Lots 19 through 24, Block 6, NCB 747

410, 414, 418, 422, 426 and 430 Madison Street

Zoned: "IDZ H HS" Infill Development Zone Historic District with Historic Significance, with uses permitted in the "RM-4" Residential Mixed District

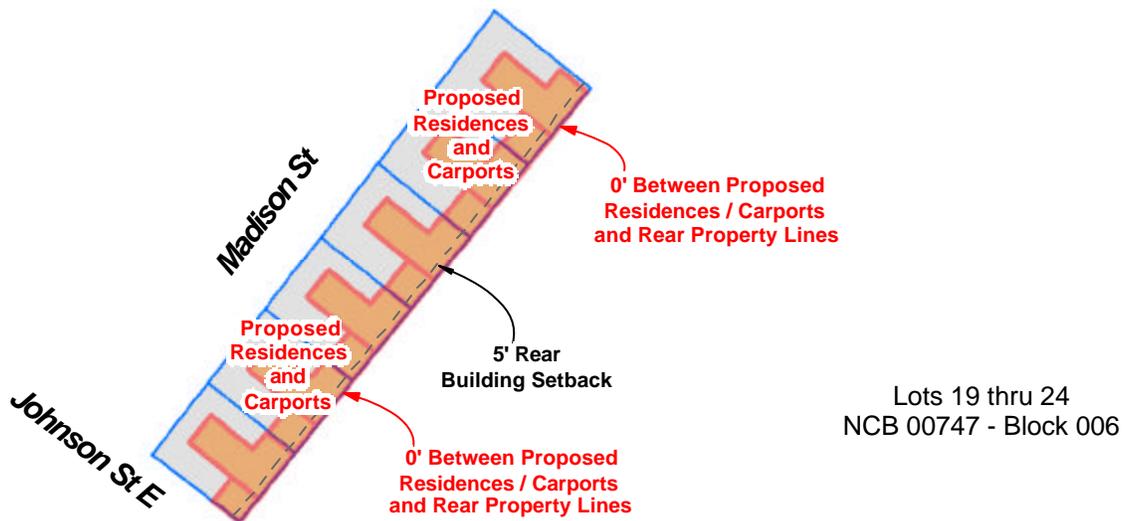
The applicant is requesting a complete variance from the Unified Development Code requirement that a minimum 5-foot rear setback be maintained in "IDZ" zoning districts, in order to build structures on the rear property lines of multiple lots.

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. To check on the status of this case, or for additional information, you may contact Case Manager Michael Taylor at (210) 207-0132. 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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Board of Adjustment

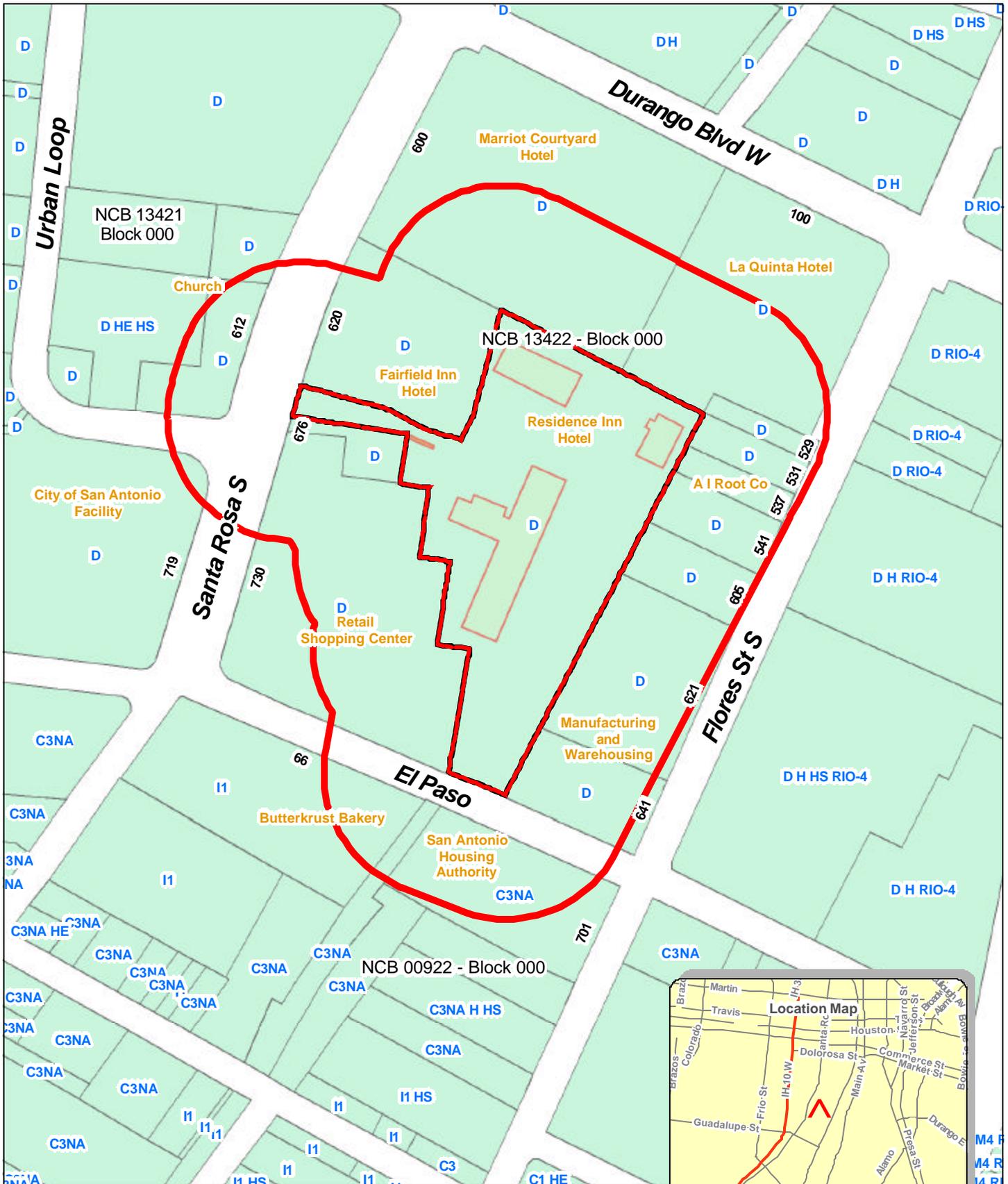
Plot Plan for
Case A-07-076

410, 414, 418, 422, 426, and 430 Madison St

E

Scale: 1" approx. = 120'
Council District 1

Produced by the City of San Antonio
Development Services Department
(06/29/2007)



Board of Adjustment
Notification Plan for
Case A-07-077



Legend
 Subject Property ———
 200' Buffer ———

Scale: 1" approx. = 120'
 Council District 1

Produced by the City of San Antonio
 Development Services Department
 (07/02/2007)

Board of Adjustment - Case No. A-07-077

July 16, 2007

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, July 16, 2007** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant – Hotel Properties of Texas, L.P.
Lot 7, NCB 13422
628 South Santa Rosa Street
Zoned: “D” Downtown District

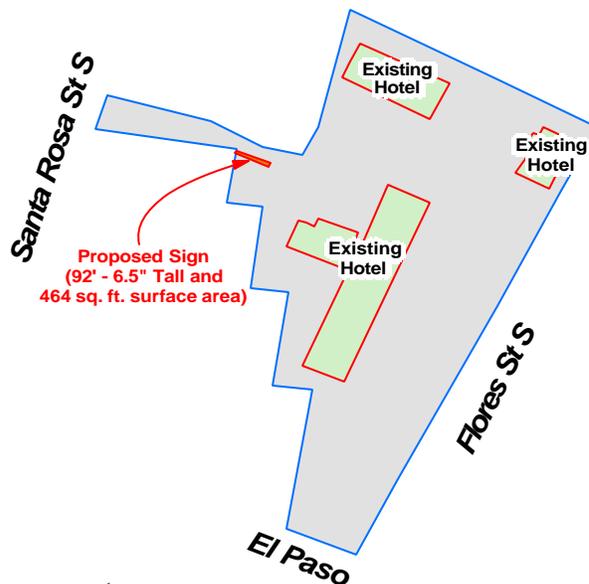
The applicant is requesting **1**) a 52-foot, 6 1/2-inch variance from the Chapter 28 (Sign Code) requirement that free-standing on-premise signs on property fronting an Arterial Type A shall not exceed an overall height of 40 feet, in order to erect a 92-foot, 6 1/2-inch tall free-standing on-premise sign, and **2**) a 224 square-foot variance from the Chapter 28 (Sign Code) requirement that the sign face area of a free-standing on-premise sign on property fronting an Arterial Type A shall not exceed 240 square feet of sign face area, in order to rebuild a 464 square foot free-standing on-premise sign.

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. To check on the status of this case, or for additional information, you may contact Case Manager David Arciniega at (210) 207-6944. 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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Lot 7
NCB 13422 - Block 000

Board of Adjustment

**Plot Plan for
Case A-07-077**



Scale: 1" approx. = 250'
Council District 1

628 Santa Rosa S

Produced by the City of San Antonio
Development Services Department
(06/29/2007)