

City of San Antonio



Minutes
Board of Adjustment
Development and Business
Services Center
1901 S. Alamo

Monday, April 7, 2025	1:00 PM	1901 S. Alamo
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The meeting was called to by order by Chair Oroian at 1:00 PM and roll was called by Monica Reyes-Urdiales noting the following members present:

Roll Call – Present: Brereton, Stevens (via WebEx), Ybanez, Dean, Cruz, Manna, Gomez, Bragman, Benavides (via WebEx @ 1:03 PM), Ozuna, Oroian

Absent: None

Worldwide Interpreters present.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR MEETING:

Item #1

BOA-25-10300017: A request by Jamala Okoh for 1) a parking adjustment to waive the two (2) required off-street parking spaces for two (2) Short-Term Rentals (Section 35-526) and, 2) a Special Exception to allow one (1) additional Type 2 Short Term Rental permit on the block face (Section 35-374.01(c))., located at 118 Callaghan Avenue Unit A & B. Staff recommends Denial. (Council District 1) (Joseph Leos, Senior Planner (210) 207-0315, Joseph.Leos@SanAntonio.gov, Development Services Department)

Staff stated 23 Notices were mailed to property owners, 4 in favor, 2 in opposition. Lavaca Neighborhood Association Neighborhood Association is in opposition. No Response from the NES Foundation, San Antonio Texas District One Resident Association, and Women in Film & Television San Antonio Community Organization.

Jamala Okoh, applicant, presented the item and was available for questions.

PUBLIC COMMENT

Voice mail

Melissa Stendahl, Lavaca Neighborhood Association – in favor

A motion was made by Commissioner Bragman. Regarding Case No. BOA-25-10300017, I move

that the Board of Adjustment grant a request for a parking adjustment to waive the one (1) required off-street parking space, situated at 118 Callaghan Avenue Unit B, applicant being Jamala Okoh, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

The applicant has successfully demonstrated that they meet the criteria for a parking waiver.

The motion was seconded by Commissioner Ozuna.

Favor: Bragman, Ozuna, Brereton, Stevens, Ybanez, Cruz, Gomez, Manna, Benavides, Oroian

Opposed: Dean

MOTION PASSED

Item #2

(continued from 3/10/25) BOA-25-10300014 A request by Duesouth Properties, LLC for a 4'-11" variance from the minimum 5' side setback to allow a structure to be 1" from the side property line, located at 306 Odell Street. Staff recommends Denial. (Council District 1) (Vincent Trevino, Senior Planner, (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 18 Notices were mailed to property owners, 0 in favor, 0 in opposition. Kenwood Neighborhood Association did not respond. No Response from Lifeline Overeaters Anonymous, Women in Film & Television San Antonio and San Antonio Texas District One Resident Association Community Organizations.

Brad Borne, applicant, presented the item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Manna. Regarding Case No. BOA-25-10300014, I move that the Board of Adjustment grant a request for a 4'-11" variance from the minimum 5' side setback to allow a structure to be 1" from the side property line, situated at 306 Odell Street, applicant being Duesouth Properties, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. The variance is not contrary to the public interest.

This request is not contrary to public interest, as the requested side setback variance will be abutting the property additionally owned by the applicant and such property will be conforming to setbacks.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

A literal enforcement of the side setback ordinance would result in unnecessary hardship as the applicant would need to relocate and rebuild foundational pillars or remove a dwelling unit from the property.

3. By granting the variance, the spirit of the ordinance will be observed, and substantial justice will be done.

The requested side setback variance does appear to be in the spirit of the ordinance as the property will be abiding by all other lot and building standards.

4. The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.

No uses other than those allowed within the district will be allowed with this variance.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

Staff finds that the side setback variance would not substantially injure the appropriate use of adjacent properties as the abutting property is also owned by the applicant and said property will be abiding by setbacks allowing sufficient space between structures.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the district in which the property is located.

Staff finds the unique circumstances existing on the property are unique shape of the lot, imposing irregular building restrictions and difficulties.

The motion was seconded by Commissioner Cruz.

Favor: Manna, Cruz, Brereton, Stevens, Ybanez, Gomez, Bragman, Benavides, Ozuna, Oroian

Opposed: Dean

MOTION PASSED

Item #3

(continued from 3/24/25) BOA-25-10300027: A request by Santos Barrera for a 5'-4" variance from the minimum 10' front setback to allow a 4' 8" front setback to include a 2'-4" overhang for an attached carport, located at 610 Northwest 20th Street. Staff recommends Denial. (Council District 5) (Vincent Trevino, Senior Planner, (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 23 Notices were mailed to property owners, 0 in favor, 0 in opposition. Prospect Hill and West End Hope in Action Neighborhood Association did not respond. No Response from Lifeline Overeaters Anonymous, Women in Film & Television San Antonio and San Antonio African American Community Archive Museum Community Organizations.

Santos Barrera, applicant, presented the item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Chair Oroian. Regarding Case No. BOA-25-10300027, I move that the Board of Adjustment grant a request for a 5'-4" variance from the minimum 10' front setback to allow a 4'-8" front setback to include a 2'-4" overhang, situated at 610 Northwest 20th Street, applicant being Santos Barrera, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. The variance is not contrary to the public interest.

The public interest is defined as the general health, safety, and welfare of the public. In this case, the public interest is represented by adhering to setback requirements to provide adequate spacing between properties. The front setback variance is not contrary to the public interest as sufficient space will remain for the purposes of fire safety and water runoff.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

A literal enforcement of the front setback ordinance would result in unnecessary hardship as the applicant would need to remove a large portion of the structure and would have inadequate coverage for vehicles and shade.

3. By granting the variance, the spirit of the ordinance will be observed, and substantial justice will be done.

The requested front setback variance appears to be in the spirit of the ordinance as the expansion will be limited towards the right of way and not other properties and the property itself is flanked by an alley to provide adequate buffering.

4. The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.

No uses other than those allowed within the district will be allowed with this variance.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

Staff finds that the front setback variance would not substantially injure the appropriate use of adjacent properties as sufficient space will remain to buffer against neighboring properties and limit fire safety and water runoff issues.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the district in which the property is located.

Staff finds the unique circumstance existing on the property for the setback variance is the location of the primary structure relative to the lot.

The motion was seconded by Commissioner Manna.

Favor: Oroian, Manna, Brereton, Stevens, Ybanez, Dean, Cruz, Gomez, Bragman, Benavides, Ozuna

Opposed: None

MOTION PASSED

Item #4 Postponed

BOA-25-10300040: A request by Image Solutions Sign Company for 1) A 434 square foot variance from the maximum 500 sign square footage to allow a 934 square foot sign and 2) A 20' sign height variance from the maximum 50' sign height to allow a 70' sign height, located at 11235 Fischer Rd. Staff recommends Denial. (Council District 4) (Manuel Mottu, Planner, (210) 207-0198, Manuel.Mottu@sanantonio.gov, Development Services Department)

Item #5

BOA-25-10300020: A request by Our Casas Resident Council, INC. for 1) a 4' variance from the minimum 5' side setback to allow a 1' side setback on the western property lines for 2 residential structures, and 2) a 2' variance from the minimum 5' side setback to allow a 3' side setback on the eastern property lines for 3 residential structures, and 3) a 10' variance from the minimum 15' clear vision to allow a 5' driveway clear vision, located at 2222 Chihuahua Street; 2226 Chihuahua Street; 2230 Chihuahua Street. Staff recommends Denial on the Side Setback Variance. Staff recommends Approval on the Driveway Clear Vision Variance. (Council District 5) (Vincent Trevino, Senior Planner, (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 25 Notices were mailed to property owners, 3 in favor (1 in Favor Outside 200'), 0 in opposition. Historic Westside Residents Neighborhood Association is in favor. No Response from El Charro Neighborhood Association. No Response from Lifeline Overeaters Anonymous, Women in Film & Television San Antonio Community Organizations.

Maricela Casanova, applicant, presented the item and was available for questions.

PUBLIC COMMENT

In Person

Leticia Sanchez – in favor

A motion was made by Commissioner Manna. Regarding Case No. BOA-25-10300020, I move that the Board of Adjustment grant a request for 1) a 2' variance from the minimum 5' side setback to allow a 3' side setback on the property lines for 3 residential structures, and 2) a 10' variance from the minimum 15' clear vision to allow a 5' driveway clear vision, situated at 2222 Chihuahua, 2226 Chihuahua, and 2230 Chihuahua, applicant being Our Casas Resident Council Inc, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. The variance is not contrary to the public interest.

The variances are not contrary to the public interest as sufficient space will remain for fire safety and water runoff as well safely backing from the driveway onto the local road.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

A literal enforcement of the ordinances would result in unnecessary hardship as insufficient space exists on the lot and the fence and gate line is at an established line in the neighborhood.

3. By granting the variance, the spirit of the ordinance will be observed, and substantial justice will be done.

The requested variances appear to be in the spirit of the ordinance as adequate space will remain for the purposes of fire safety and water runoff and the fence and gate is located on an established line in the neighborhood.

4. The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.

No uses other than those allowed within the district will be allowed with this variance.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

Staff finds that the variances would not substantially injure the appropriate use of adjacent properties as the water runoff will not adversely impact the immediate neighbors and the fence and gate location is consistent in the neighborhood in which relief is sought.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the district in which the property is located.

Staff finds the unique circumstances existing on the property are the lot size and dimensions as well as the established fence and gate line in the neighborhood.

The motion was seconded by Commissioner Cruz.

Favor: Manna, Cruz, Brereton, Stevens, Ybanez, Dean, Gomez, Bragman, Benavides, Ozuna, Oroian

Opposed: None

MOTION PASSED

Item #6

BOA-25-10300033: A request by Gudbrandur Brandsson for a 1' fence height special exception from the maximum 5' front yard fence height to allow a 6' predominately open front yard fence., located at 165 East Petaluma Blvd. Staff recommends Denial. (Council District 3) (Manuel Mottu, Planner, (210) 207-0198, Manuel.Mottu@sanantonio.gov, Development Services Department)

Staff stated 18 Notices were mailed to property owners, 1 in favor, 0 in opposition. Harlendale-McCollum Neighborhood Association did not respond. No Response from Lifeline Overeaters Anonymous, NES Foundation, T.H.U.G.G.I.N for Christ and Women in Film & Television San Antonio Community Organizations.

Gudbrandur Brandsson, applicant, presented the item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-25-10300033, I move that the Board of Adjustment grant a request for a 1' fence height special exception from the maximum 5' front yard fence height to allow a 6' predominately open rod iron front yard fence, situated at 165 East Petaluma Blvd., applicant being Gudbrandur Brandsson, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

A. The special exception will be in harmony with the spirit and purpose of the chapter.

The UDC states the Board of Adjustment can grant a special exception for a fence height modification. Staff finds that the 6' fence height being requested for the front and partial side of the property would be in harmony with the spirit and purpose of the chapter.

B. The public welfare and convenience will be substantially served.

The proposed fence height appears to provide additional security beyond the UDC fence height limitations and appears to be in line with fence types from surrounding properties.

C. The neighboring property will not be substantially injured by such proposed use.

The fence height special exception does appear to create additional enhanced security for the subject and adjacent properties and will not substantially injure said properties.

D. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.

The additional fence height will not alter the essential character of the location for which the special exception is sought due to the neighboring single-family residence properties within the immediate vicinity all having fences of similar design.

E. The special exception will not weaken the general purpose of the district, or the regulations herein established for the specific district.

The requested special exception will not weaken the general purpose of the district as it will provide additional safety and security for the property and neighboring properties.

The motion was seconded by Commissioner Bragman.

Favor: Ozuna, Bragman, Brereton, Stevens, Ybanez, Dean, Cruz, Gomez, Manna, Benavides, Oroian

Opposed: None

MOTION PASSED

Item #7

BOA-25-10300034: A request by Rudolph Cavazos for 1) a 4'-6" variance from the minimum 5' side setback to allow an attached carport to be 6" from the side setback, and 2) a 1' fence height special exception from the maximum 5' fence height to allow the fence gate support beams of a predominately open front yard fence to be 6' in height, located at 135 East Palfrey Street. Staff recommends Denial on the side setback. Staff recommends Approval for the Fence Height Special Exception. (Council District 3) (Melanie Clark, Planner, (210) 207-5550, Melanie.Clark@sanantonio.gov, Development Services Department)

Staff stated 23 Notices were mailed to property owners, 3 in favor, 0 in opposition. Highland Hills Neighborhood Association did not respond. No Response from Lifeline Overeaters Anonymous, NES Foundation, T.H.U.G.G.I.N for Christ and Women in Film & Television San Antonio Community Organizations.

Rudolph Cavazos, applicant, presented the item and was available for questions. The applicant amended his application to include gutters.

NO PUBLIC COMMENT

A motion was made by Commissioner Manna. Regarding Case No. BOA-25-10300034, I move that the Board of Adjustment grant a request a 4'-6" variance from the minimum 5' side setback to allow an attached carport 50' in length with gutters to be 6" from the side setback, situated at 135 East Palfrey Avenue, applicant being Rudolph Cavazos, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. The variance is not contrary to the public interest.

The requested variance is not contrary to the public interest as the setback provides enough spacing between the neighboring property to maintain safety and general upkeep.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

A literal enforcement of the ordinance would result in unnecessary hardship as the applicant would need to reconfigure or remove the accessory the carport to meet requirements.

3. By granting the variance, the spirit of the ordinance will be observed, and substantial justice will be done.

The requested variance appears to be in the spirit of the ordinance as a 6” side setback provides a reasonable distance from the right of way and the abutting properties.

4. The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.

No uses other than those allowed within the district will be allowed with this variance.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

If granted, the reduced side setback will not alter the essential character of the district as a 6” side setback will provide enough space between properties.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the district in which the property is located.

Staff finds the plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property.

The motion was seconded by Commissioner Cruz.

Favor: Manna, Cruz, Brereton, Stevens, Ybanez, Dean, Gomez, Bragman, Benavides, Ozuna, Oroian

Opposed: None

MOTION PASSED

A motion was made by Chair Oroian. Regarding Case No. BOA-25-10300034, I move that the Board of Adjustment grant a request for a 1’ fence height special exception from the maximum 5’ fence height to allow the fence gate support beams of a predominately open front yard fence to be 6’ in height, situated at 135 East Palfrey Avenue, applicant being Rudolph Cavazos, because the testimony

presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

A. The special exception will be in harmony with the spirit and purpose of the chapter.

Staff finds the request would be in harmony with the spirit and purpose of the ordinance, as the beams for the predominately open fence do not interfere with clear vision or injure the properties within the surrounding area.

B. The public welfare and convenience will be substantially served.

The proposed fence appears to serve the public welfare, as the beams are limited to the fence gate and the remaining front yard fence maintains height regulations.

C. The neighboring property will not be substantially injured by such proposed use.

The fence special exception appears to provide additional enhanced security and privacy for the subject and adjacent properties as they are utilized in providing stability for the rolling gate entrance.

D. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.

The additional fence height in the front yard does not appear to alter the location for which the special exception is sought.

E. The special exception will not weaken the general purpose of the district, or the regulations herein established for the specific district.

The requested special exception will not weaken the general purpose of the district as the beams are limited to supporting the rolling gate and the remaining fencing meets UDC requirements.

The motion was seconded by Commissioner Manna.

Favor: Oroian, Manna, Brereton, Stevens, Ybanez, Dean, Cruz, Gomez, Bragman, Benavides, Ozuna

Opposed: None

MOTION PASSED

Item #8

BOA-25-10300036: A request by Leroy B Horn III for a request for a 3' fence height special exception from the maximum 3' solid front yard fence height to allow a 6' privacy fence in the front yard, located at 9115 Callaghan Road. Staff recommends Approval. (Council District 1) (Melanie Clark, Planner, (210) 207-5550, Melanie.Clark@sanantonio.gov, Development Services Department) Staff stated 28 Notices were mailed to property owners, 1 in favor, 0 in opposition. San Antonio Texas

District One Resident Association did not respond. No Response from Lifeline Overeaters Anonymous, NES Foundation, T.H.U.G.G.I.N for Christ and Women in Film & Television San Antonio Community Organizations.

Leroy Horn, applicant, presented the item and was available for questions.

PUBLIC COMMENT

In Person

Vince Zapata – in opposition

A motion was made by Commissioner Bragman. Regarding Case No. BOA-25-10300036, I move that the Board of Adjustment grant a request for a 3' fence height special exception from the maximum 3' solid front yard fence height to allow a 6' privacy fence in the front yard, situated at 9115 Callaghan Road, applicant being Leroy B Horn III, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

A. The special exception will be in harmony with the spirit and purpose of the chapter.

Staff finds the request would be in harmony with the spirit and purpose of the ordinance, as the 6' privacy fence will not interfere with clear vision or injure the properties within the surrounding area.

B. The public welfare and convenience will be substantially served.

The proposed fence appears to serve the public welfare, as the 6' front yard fence will match the existing appearance and previously approved variance.

C. The neighboring property will not be substantially injured by such proposed use.

The fence special exception will not injure neighboring properties as the immediate area is dominated with 6' privacy fences.

D. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.

The additional fence height in the front yard does not appear to alter the location for which the special exception is sought, as it will match the immediate area.

E. The special exception will not weaken the general purpose of the district, or the regulations herein established for the specific district.

The requested special exception for a 6' privacy front yard fence will not weaken the general purpose as multiple side and rear fences that face Callaghan Road.

The motion was seconded by Commissioner Brereton.

Favor: Bragman, Brereton, Stevens, Ybanez, Dean, Cruz, Gomez, Manna, Benavides, Ozuna, Oroian

Opposed: None

MOTION PASSED

Item #9

BOA-25-10300037: A request by Raymond Johnson for 1) a 4'-6" fence height special exception from the maximum 3' solid front yard fence height to allow a 7'-6" privacy fence in the front yard, and 2) a 5' driveway clear vision variance from the minimum 15' driveway clear vision to allow a 10' driveway clear vision, located at 9103 Callaghan Road. Staff recommends Denial with an alternate recommendation for the Fence Height Special Exception. Staff recommends Denial for the Clear Vision Variance. (Council District 1) (Vincent Trevino, Senior Planner, (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 23 Notices were mailed to property owners, 1 in favor, 0 in opposition. No response from the registered Community Organizations

Raymond & Christina Johnson, applicants, presented the item and were available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-25-10300037, I move that the Board of Adjustment grant a request for a 2' driveway clear vision variance from the minimum 15' driveway clear vision to allow a 13' driveway clear vision applies to the east and west side of the property, situated at 9103 Callaghan Road, applicant being Raymond Johnson L JR, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

1. The variance is not contrary to the public interest.

The requested variance is not contrary to the public interest as the clear vision requested provides enough distance to maintain safety and general upkeep of the neighboring properties by backing out of the property and walking down Callaghan Road.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

A literal enforcement of the ordinance would require a hardship on the applicant that they would have to rebuild their fence.

3. By granting the variance, the spirit of the ordinance will be observed, and substantial justice will be done.

The requested variance appears to be in the spirit of the ordinance as one side of the driveway complies with the Clear Vision and the other east side has requested an amendment to comply with the clear vision ordinance.

4. The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.

No uses other than those allowed within the district will be allowed with this variance.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

This Clear Vision request will not alter the district in which the variance is located. If granted, the Clear Vision will provide adequate safety for the applicants to backup safely and provide vision for people up and down Callaghan and walking up and down to be able to see the cars and pedestrians.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the district in which the property is located.

Staff finds the plight of the owner of the property for which the variance is sought is due to reference to dimensions of the geometry of the property and fence maintaining the Clear Vision with the variances that were requested.

The motion was seconded by Commissioner Manna.

Favor: Ozuna, Brereton, Stevens, Ybanez, Gomez, Bragman, Benavides, Oroian

Opposed: Manna, Dean, Cruz

MOTION FAILED

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-25-10300037, I move that the Board of Adjustment grant a request for a 4'-6" fence height special exception from the maximum 3' solid front yard fence height to allow 7'-6" privacy fencing in the front yard, limited to the exterior 8' panels on either side of the driveway being able to extend up to 7'-6" to account for slope change, situated at 9103 Callaghan Road, applicant being Raymond Johnson L JR, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship.

Specifically, we find that:

A. The special exception will be in harmony with the spirit and purpose of the chapter.

Staff finds the request would be in harmony with the spirit and purpose of the ordinance, as the privacy fence in the front yard does not interfere with Clear Vision or injure the properties

within the surrounding area, as amending the fence to meet the Clear Vision requirement.

B. The public welfare and convenience will be substantially served.

The proposed fence appears to serve the public welfare, as the privacy fence is limited to the front yard and maintains security for the subject property and surrounding properties.

C. The neighboring property will not be substantially injured by such proposed use.

The fence special exception appears to provide additional enhanced security and privacy for the subject and adjacent properties.

D. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.

The additional fence height in the front yard does not appear to alter the location for which the special exception is sought.

E. The special exception will not weaken the general purpose of the district, or the regulations herein established for the specific district.

The requested special exception will not weaken the general purpose of the district as the privacy fence meets UDC requirements.

The motion was seconded by Commissioner Manna.

Favor: Ozuna, Manna, Brereton, Stevens, Ybanez, Dean, Cruz, Gomez, Bragman, Benavides, Oroian

Opposed: None

MOTION PASSED

The Board went into recess at 3:24 PM and reconvened at 3:32 PM.

Item #10

BOA-25-10300039: A request by Wendell Brown for a 4'-11" variance from the minimum 5' rear setback to allow an addition to a detached accessory structure to be 1" from the rear property line, located at 215 South Pinto Street. Staff recommends Denial. (Council District 5) (Melanie Clark, Planner, (210) 207-5550, Melanie.Clark@sanantonio.gov, Development Services Department)

Staff stated 23 Notices were mailed to property owners, 1 in favor, 0 in opposition. Historic Westside Residents Neighborhood Association is in opposition. No Response from Lifeline Overeaters Anonymous, NES Foundation, T.H.U.G.G.I.N for Christ and Women in Film & Television San Antonio Community Organizations.

Wendell Brown, applicant, presented the item and was available for questions.

PUBLIC COMMENT

Voice mail

Leticia Sanchez – in opposition

After discussion, the Applicant requested to continue the item in order to meet with his Neighbor and the Neighborhood Association.

A motion was made by Commissioner Cruz to hear BOA-25-1030039 at the April 21st Board of Adjustment meeting.

The motion was seconded by Commissioner Brereton.

A verbal vote was taken, and all voted in affirmative.

MOTION PASSED

Item #11

Approval of the minutes from the Board of Adjustment meetings on March 24, 2025.

A motion was made by Commissioner Brereton for approval of the March 24, 2025, minutes.

The motion was seconded by Commissioner Cruz.

A verbal vote was taken, and all voted in affirmative.

MOTION PASSED

Director's Report – None

There being no further business, the meeting was adjourned at 3:50 PM.

APPROVED BY: _____ or _____
Chairman Vice-Chair

DATE: _____

ATTESTED BY: _____ DATE: _____
Executive Secretary