



City of San Antonio

Agenda Memorandum

Agenda Date: March 24, 2025

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon, Director

CASE NUMBER: BOA-25-10300027

APPLICANT: Santos Barrera

OWNER: Juanita & Santos Barrera

COUNCIL DISTRICT IMPACTED: District 5

LOCATION: 610 Northwest 20th Street

LEGAL DESCRIPTION: North 51.28 feet of Lots 11 and 12, Block 49, NCB 3648

ZONING: "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

CASE MANAGER: Colton Unden, Planner

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.

Section 35-310.01

Executive Summary

The subject property is located along Northwest 20th Street, north of West Martin Street, located within the Prospect Hill and West End Hope in Action Neighborhood Associations. The applicant expanded their existing attached carport without permit and is pending Board of Adjustment outcome to pull a permit for the expansion to the existing carport. There is a 20' alleyway to the left of the property, which eliminates the side setback. Historical photographs show the addition to the home and carport were done after 2019.

Code Enforcement History

INV-PBP-24-3100006284 - PMT-Building Without A Permit
INV-PBP-24-3100003358 - PMT-Building Without A Permit
INV-ZRD-22-3170002599 - Zoning - Residential District

Permit History

LSR-MECH-24-39600576
LSR-MEP-APP24-39400576
RES-FEN-PMT23-31900600

Zoning History

The subject property was a part of the original 36 square miles of the City of San Antonio and was originally zoned “B” Apartment District. Upon adoption of the 2001 Unified Development Code, the zoning converted from “B” Residence District to the current “R-4” Residential Single-Family District, established by Ordinance 93881, dated May 3, 2001.

Subject Property Zoning/Land Use**Existing Zoning**

“R-4 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay
Military Lighting Region 2 Airport Hazard Overlay District

Existing Use

Single-Family Dwelling

Surrounding Property Zoning/ Land Use**North****Existing Zoning**

“R-4 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay
Military Lighting Region 2 Airport Hazard Overlay District

Existing Use

Single-Family Dwelling

South**Existing Zoning**

“R-4 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay
Military Lighting Region 2 Airport Hazard Overlay District

Existing Use

Single-Family Dwelling

East**Existing Zoning**

“R-4 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay
Military Lighting Region 2 Airport Hazard Overlay District

Existing Use

Single-Family Dwelling

West

Existing Zoning

“R-4 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Existing Use

Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Westside Community Plan. The subject property is located within the Prospect Hill Neighborhood Association and the West End Hope in Action Neighborhood Association, and they were notified of the case.

Street Classification

Northwest 20th Street is classified as a Local Road.

Criteria for Review – Front Setback for an Attached Carport Variance

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

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 contrary to the public interest as insufficient space will remain for the purposes of water runoff and fire safety.

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

A literal enforcement of the front setback ordinances would not result in unnecessary hardship as the applicant maintains an existing carport that is adequate.

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

The requested front setback variance does not appear to be in the spirit of the ordinance as insufficient space will remain for the purposes of water runoff and fire safety concerns.

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 substantially injure the appropriate use of adjacent properties as the insufficient space provided in the front was not seen in the immediate area in which the property is located.

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 no unique circumstances existing on the property for the front setback variance as the applicant already maintains a significant carport without the expansion.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to the side setback requirements of the UDC Section 35-310.01.

Staff Recommendation – Front Setback for an Attached Carport Variance

Staff recommends Denial in BOA-25-10300027 based on the following findings of fact:

1. Insufficient space will remain for the purposes of water runoff and fire safety, and no structures were seen in the immediate area to be within front setbacks.
2. The requested variance will alter the essential characteristics of the district in which the property is located.