



City of San Antonio

Agenda Memorandum

Agenda Date: June 2, 2025

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

CASE NUMBER: BOA-25-10300077

APPLICANT: Alyssa Tamez

OWNER: Utopia Estates LLC

COUNCIL DISTRICT IMPACTED: District 5

LOCATION: 125 Glass Avenue

LEGAL DESCRIPTION: Lot 1, Block 16, NCB 3884

ZONING: "R-4 WQ MLOD-2 MLR-2 AHOD" Residential Single-Family Westside Creeks Water Quality Protection Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

CASE MANAGER: Joseph Leos, Senior Planner

A request for

An appeal of the Administrator's decision to deny a Type 1 Short Term Rental (STR) permit.

Executive Summary

The property is located at 125 Glass Avenue, immediately north of the intersection of Glass Avenue and Midway Street. The property owner operates six other STRs in San Antonio.

To obtain a Type 1 STR permit, the owner or operator must demonstrate that they reside at that location as their primary residence and that they will be "generally present," in accordance with Chapter 16: Business Licenses. In reviewing the application, staff was not satisfied that the owner or operator satisfied these requirements. As such, the application was denied. The applicant was

provided two options: appeal staff's decision or apply for a Type 2 STR permit, which does not require residency or general presence.

Code Enforcement History

This property has been the subject of substantial Code Enforcement activity. There are no active cases on this location.

Permit History

An application for a Type 2 STR permit was submitted on July 30, 2024. Staff requested additional information and required that outstanding remodel permits obtain final inspections. On September 6, 2024, the applicant's attorney contacted DSD staff and withdrew the application for a Type 2 STR permit.

Zoning History

The subject property is legally zoned for a Short-Term Rental. Per the ordinance Short Term Rentals are prohibited only on properties zoned "C-3" General Commercial District, as well as all Industrial Districts.

Subject Property Zoning/Land Use

Existing Zoning

"R-4 WQ MLOD-2 MLR-2 AHOD" Residential Single-Family Westside Creeks Water Quality Protection Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Existing Use

Residential Single-Family

Surrounding Property Zoning/ Land Use

North

Existing Zoning

Un-zoned Right of Way

Existing Use

Zarzamora Creek

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

Residential Single-Family

East

Existing Zoning

"R-4 WQ MLOD-2 MLR-2 AHOD" Residential Single-Family Westside Creeks Water Quality Protection Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Existing Use

Residential Single-Family

West

Existing Zoning

"C-2 S WQ MLOD-2 MLR-2 AHOD" Commercial Westside Creeks Water Quality Protection Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Specific Use Authorization for a Hotel

Existing Use

Hotel

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Lonestar Community Plan and is designated as “Low Density Residential” in the future land use component of the plan. The subject property is located within the notification area of Collins Gardens Neighborhood Association, and they have been notified of the request. The subject property is located within the notification areas of three registered community organizations, and they have been notified of the request.

Street Classification

Glass Avenue is classified as a local street.

Board of Adjustment

The Board of Adjustment is asked to determine whether to uphold the Administrator’s denial of the Type 1 STR permit. The Board may reverse, in whole or in part, the decision of the Administrator or uphold the denial.

Staff Recommendation

Staff recommends Denial in BOA-25-10300077 based on the following findings of fact:

1. Staff finds that the requirements to obtain a Type 1 STR permit, namely the owner or operator being “generally present” at the location, was not satisfied.