

City of San Antonio



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

Monday, June 2, 2025

1:00 PM

1901 S. Alamo

The meeting was called to 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, Ybanez, Dean, Cruz (via WebEx), Manna, Benavides (via WebEx), Ozuna, Vasquez, Bragman (via WebEx), Oroian

Absent: Gomez

Worldwide Interpreters present.

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

Item #1

Consideration and action to appoint 1 primary and 1 alternate member of the Board of Adjustment to serve a two-year term on the Planning Commission Technical Advisory Committee.

Logan Sparrow, Development Services Administrator, presented the item before the Board of Adjustment.

Chair Oroian nominated Commissioner Bragman as the Primary member of the Board of Adjustment to serve a two-year term on the Planning Commission Technical Advisory Committee.

Commissioner Manna nominated Commissioner Cruz as the alternate member of the Board of Adjustment to serve a two-year term on the Planning Commission Technical Advisory Committee.

Commissioner Brereton seconded the nominated.

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

Item #2

BOA-25-10300074: A request by the Law Office of David E. Dilley, PLLC, for 1) a 3' fence height special exception from the maximum 5' fence height to allow an 8' predominantly open fence along the front yard, and 2) a 15'-6" variance from the minimum 25' corner clear vision to allow a 9'-6" corner clear vision, and 3) a 7' variance from the minimum 15' driveway clear vision to allow an 8' driveway clear vision, located at 133 West Craig Place. Staff recommends Denial (Council District 1) (Joel Vela, Senior Planner, (210) 207-0237, Joel.Vela@sanantonio.gov, Development Services Department)

Staff stated 48 Notices were mailed to property owners, 1 in favor, 1 in opposition. Monte Vista Historical Neighborhood Association is in opposition. No Response from San Antonio Texas District One Resident Association.

Edward Hall, Office of Historic Preservation, made a presentation and was available for questions.

David Dilley, applicant, presented the item and was available for questions.

PUBLIC COMMENT

Voice mails

Anne Van Pelt – 119 W Huisache – in opposition

Barbara Stevens – 211 W Summit Ave – in opposition

Tom Archer – Monte Vista Historical Association – in opposition

Paul Kinnison – 418 W French – in opposition

Cecelia & Randy Osherow – 422 Rosewood – in opposition

John Casey – 210 W Craig Apt S – in opposition

In Person

Ryan Reed – Monte Vista Historical Association Architectural Review Committee – in opposition

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-25-10300074, I move that the Board of Adjustment grant a request for 1) a 15'-6" variance from the minimum 25' corner clear vision to allow a 9'-6" corner clear vision, and 2) a 7' variance from the minimum 15' driveway clear vision allows an 8' driveway clear vision, situated at 133 West Craig Place, applicant being the Law Office of David E. Dilley, 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 as

A sufficient clear vision area would remain to support traffic and public safety.

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

The fenced-in yard area would be significantly reduced by a strict adherence to the ordinance that would negatively impact the overall aesthetic and character of the property.

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

Adequate clear vision area would be maintained to avoid the creation of any traffic hazard or public safety concern as a Stop Sign is located on Howard Street.

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 other uses would be authorized by the granting of 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 because

The general purpose of the district and the residential character of this area would remain unchanged by the granting of this variance.

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.

The plight of the owner of the property is due to the unique circumstance of a narrow sidewalk abutting the subject property, which has created a situation where a fence cannot be built up to the property line without impeding on the clear vision area.

The motion was seconded by Commissioner Manna.

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

Opposed: None

MOTION PASSED

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-25-10300074, 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 an 6' predominantly open fence along the front yard, situated at 133 West Craig Place, applicant being the Law Office of David E. Dilley, PLLC, 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 as

The fence height special exception would not alter the essential characteristics of the district or reduce the openness and visibility that contributes to curb appeal and the overall sense of community in neighborhoods.

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

The special exception is consistent with the aesthetic character of the immediate surrounding area and would not impede sightlines, visibility, or curb appeal of the subject property or adjacent properties.

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

The special exception would not impede on the proper use of those adjacent residential properties. No adverse effects would be imposed to those neighboring properties and their owners or residents that would diminish the utility and enjoyment of that property.

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 because

The request will not alter the essential character of the district as the front yard fencing is not uncharacteristic of multi-family districts.

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

The special exception will only allow for increased security, and the general purpose of the district will remain unchanged.

The motion was seconded by Commissioner Manna.

Chair Oroian offered a friendly amendment of 6" fence height special exception to allow for a 5'-6" fence height.

The friendly amendment was accepted by Commissioner Ozuna. Seconded by Commissioner Manna.

Favor: Ybanez, Dean, Cruz, Benavides, Vasquez

Opposed: Ozuna, Manna, Brereton, Stevens, Bragman, Oroian

MOTION FAILED

Item #3

BOA-25-10300067: A request by the Law Office of David E. Dilley, PLLC, for an Appeal of a Certificate of Appropriateness, located at 133 West Craig Place. Staff recommends Denial. (Council District 1) (Joel Vela, Senior Planner, (210) 207-0237, Joel.Vela@sanantonio.gov, Development Services Department)

Staff stated 48 Notices were mailed to property owners, 1 in favor, 1 in opposition. Monte Vista Historical Neighborhood Association is in opposition. No Response from San Antonio Texas District

One Resident Association, San Antonio African American Community Archive Museum, or Women in Film & Television San Antonio.

Edward Hall, Office of Historic Preservation, made a presentation and was available for questions.

David Dilley, applicant, presented the item and was available for questions.

PUBLIC COMMENT

Voice mails

Anne Van Pelt – 119 W Huisache – in opposition

Barbara Stevens – 211 W Summit Ave – in opposition

Tom Archer – Monte Vista Historical Association – in opposition

Paul Kinnison – 418 W French – in opposition

In Person

Ryan Reed – Monta Vista Historical Association Architectural Review Committee – in opposition

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-25-10300067, I move that the Board of Adjustment grant the appeal of a Certificate of Appropriateness for the property situated at 133 West Craig Place, applicant being the Law Office of David E. Dilley, PLLC, because the information provided by the applicant shows that City staff made an error in a decision made by the Office of Historic Preservation.

The motion was seconded by Commissioner Manna.

Favor: Ybanez, Dean, Cruz, Bragman, Benavides, Vasquez, Oroian

Opposed: Manna, Stevens, Brereton, Ozuna

MOTION FAILED

Item #4

BOA-25-10300077: A request by Alyssa Tamez for an appeal of the Administrator's decision to deny a Type 1 Short-Term Rental permit; located at 125 Glass Avenue. Staff recommends Denial. (Council District 5) (Joseph Leos, Senior Planner (210) 207-0315, Joseph.Leos@sanantonio.gov, Development Services Department)

Staff stated 30 Notices were mailed to property owners, 0 in favor, 0 in opposition. Collins Garden Neighborhood Association is in opposition. No Response from Lifeline Overeaters Anonymous, San Antonio African American Community Archive Museum, and Women in Film & Television San Antonio Community Organizations.

Alyssa Tamez, applicant, presented the item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Bragman to continue BOA-25-10300077 to the June 16th Board of Adjustment meeting.

The motion was seconded by Commissioner Cruz.

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

MOTION PASSED

The Board went into recess at 2:42 PM and reconvened at 2:51 PM.

Item #5

BOA-25-10300079: A request by Keisha Harper for a Special Exception to allow one (1) additional Type 2 Short Term Rental permit on the block face, per UDC Section 35-374.01(c), located at 311 East Evergreen Street Unit 5. Staff recommends Denial. (Council District 1) (Juan Alvarez, Planner (210) 207-7232, Juan.Alvarez2@sanantonio.gov, Development Services Department)

Staff stated 38 Notices were mailed to property owners, 1 in favor, 1 in favor outside of the 200ft notification area, and 0 in opposition. No response from the Tobin Hill Community Neighborhood Association. No Response from San Antonio District One Resident Association, Lifeline Overeaters Anonymous, San Antonio African American Community Archive Museum, and Women in Film & Television San Antonio Community Organizations.

Glenn Martinez, representing the applicant, presented the item and was available for questions.

PUBLIC COMMENT

Voice mail

Mollee Clark – 311 E Evergreen #6 – in opposition

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-25-10300079, I move that the Board of Adjustment grant a special exception to allow for (1) Type 2 short term rental unit, situated at 311 East Evergreen Unit 5, applicant being Keisha Harper, 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 not materially endanger the public health or safety.

The Board finds that the request to operate an additional short-term rental is unlikely to materially endanger the public health, safety, or welfare. There is nothing obvious that would distinguish a short-term rental versus a long term rental at this facility.

B. The special exception does not create a public nuisance.

There does not appear to be a reason to believe a public nuisance would be created if an additional short term rental permit was approved.

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

The neighboring properties consist of commercial and single-family structures. This scenario does not cause reason to believe it will substantially injure neighboring property as a Type 2 Short Term Rental.

D. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided.

The subject property provides off-street parking and appears to have adequate utilities, access, and open space.

E. The applicant or owner for the special exception does not have any previously revoked short term rental licenses, confirmed citations, or adjudicated offenses convictions for violations of Chapter 16, Article XXII of the City Code within one year prior to the date of the application.

The applicant or owner does not have confirmed citations, or adjudicated offenses or convictions for this property or other properties, as they only received a notice of violation for operating without a permit and submitted a BOA application shortly afterwards.

F. 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 subject property is located in close proximity to other residential. With the property owner providing off-street parking and maintaining it from the neighboring property, the special exception does not appear to alter the essential character of the district and location in which the property is seeking the special exception.

The motion was seconded by Commissioner Bragman.

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

Opposed: Dean

MOTION PASSED

Item #6

BOA-25-10300075: A request by McCall McPherson for a Special Exception to allow one (1) additional Type 2 Short Term Rental permit on the block face, per UDC Section 35-374.01(c), located at 2152 Hays Street. Staff recommends Approval. (Council District 2) (Juan Alvarez, Senior Planner (210) 207-7232, Juan.Alvarez2@sanantonio.gov, Development Services Department)

Staff stated 30 Notices were mailed to property owners, 0 in favor, 0 in opposition. Harvard Place Eastlawn Neighborhood Association is neutral. No Response from Lifeline Overeaters Anonymous, San Antonio African American Community Archive Museum, and Women in Film & Television San Antonio Community Organizations.

McCall McPherson, applicant, presented the item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Bragman. Regarding Case No. BOA-25-10300075, I move that the Board of Adjustment grant a special exception to allow for one (1) additional Type 2 short term rental unit, situated at 2152 Hays Street, applicant being McCall McPherson, 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 not materially endanger the public health or safety

In that this is a renewal applicant, and staff has been unable to identify any code enforcement history at this location in the past three (3) years, staff finds that the request to operate an additional short-term rental beyond the 12.5% density cap is not likely to materially endanger the public health and/or safety, if approved. Additionally, the structure in which the STR is located within does not pose a hazard to life, health, or public safety.

B. The special exception does not create a public nuisance.

The applicant has demonstrated, over the previous three (3) years, that the operation of this STR does not cause a public nuisance. Staff finds that this trend is more than likely to continue, with zero complaints registered against the property or operator.

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

The density caps were established to ensure that neighbors are not inundated by the presence of Type 2 STRs. Allowing this additional STR on this blockface will not substantially injure neighboring properties as it has been operating since 2022 and has not impacted the surrounding areas since then.

D. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided.

The subject property provides off-street parking and appears to have adequate utilities, access, and open space.

E. The applicant or owner for the special exception does not have any previously revoked short term rental licenses, confirmed citations, or adjudicated offenses convictions for violations of Chapter 16, Article XXII of the City Code within one year prior to the date of the application.

The applicant or owner does not have confirmed citations, or adjudicated offenses or convictions for this property or other properties.

F. 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 requested special exception is not likely to alter the essential character of the district as the property is zoned “R-6”, which allows for the land use of a STR and general residential land

uses. The density limits established by City Council exist to ensure that neighborhood remain, primarily, residential. Staff finds that exceeding the 12.5% blockface density is not likely to alter the essential character of the district.

The motion was seconded by Commissioner Benavides.

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

Opposed: Dean

MOTION PASSED

Item #7

(Continued from 5/5/2025) BOA-25-10300055: A request by Brandon Wurz for 1) a 3' special exception from the maximum 3' fence height to allow a 6' solid fence in the front yard and 2) a variance from the fence materials to allow for a corrugated metal fence, located at 9419 Poteet Jourdanton Freeway and 2314 Palo Alto Road. Staff recommends Denial. (Council District 4) (Jewel Polimis, Planner, (210) 207-8208, Jewel.Polimis@sanantonio.gov, Development Services Department)

Staff stated 16 Notices were mailed to property owners, 1 in favor, 0 in opposition. No Registered Neighborhood Association. No Response from San Antonio African American Community Archive Museum and Women in Film & Television San Antonio Community Organizations.

Brandon Wurz, applicant, presented the item and was available for questions. The applicant withdrew the fence height special exception.

NO PUBLIC COMMENT

A motion was made by Commissioner Stevens. Regarding Case No. BOA-25-10300055, I move that the Board of Adjustment grant a request for a variance from the fence materials to allow for a corrugated metal fence, situated at 9419 Poteet Jourdanton Freeway and 2314 Palo Alto Road, applicant being Brandon Wurz, 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 as

The fence material will provide additional security and provide privacy for the property.

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

The applicant would lose the additional security and privacy afforded by the fence.

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

The requested fence material will provide additional security for the property.

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 as

The fence material utilized is not uncharacteristic of properties and districts designated for nonresidential use.

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 such as the location of the property and the need for enhanced security.

The motion was seconded by Commissioner Manna.

Commissioner Manna offered a friendly amendment to include a cap on the corrugated metal fence as proposed by the applicant.

The friendly amendment was accepted by Commissioner Stevens.

Favor: Stevens, Manna, Brereton, Ybanez, Dean, Cruz, Bragman, Benavides, Ozuna, Vasquez, Oroian
Opposed: None

MOTION PASSED

Item #8

(Continued from 5/5/2025) BOA-25-10300056: A request by Alice Estrada for 1) a 4'-6" variance from the minimum 5' side setback to allow for a carport with a 6" side setback, and 2) a 3' variance from the minimum 5' side setback to allow a 2' side setback for a front addition, located at 507 East Whittier Street. Staff recommends Denial for the carport side setback request and Approval for the addition side setback request. (Council District 2) (Joel Vela, Senior Planner, (210) 207-0237, Joel.Vela@sanantonio.gov, Development Services Department)

Staff stated 29 Notices were mailed to property owners, 1 in favor, 1 in opposition. The Denver Heights Neighborhood Association is in opposition. No Response from San Antonio African American Community Archive Museum and Women in Film & Television San Antonio Community Organizations.

Alice Estrada, applicant, presented the item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Stevens. Regarding Case No. BOA-25-10300056, I move that the Board of Adjustment grant 1) a 4'-1" variance from the minimum 5' side setback to allow for a carport with an 11" side setback and 2) a 3' variance from the minimum 5' side setback to allow a 2' side setback for a front addition, situated at 507 E. Whittier Street, applicant being Alice Estrada, 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 as

Sufficient 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 because

The configuration of the existing driveways on this block face limits the developable space on the sides of the home.

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

Fire safety and proper water runoff can be maintained with the proper permitting and adherence to building code 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 as

The separation distance between homes that is characteristic of this block face will be adequately maintained.

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.

The unique circumstance existing on the property is the limited developable space.

The motion was seconded by Commissioner Manna.

Chair Oroian asked for the maker and second to list the directions, as the eastside for the carport and westside for the addition. Commissioner Stevens agreed to include the directions in the actual motion read and seconded by Commissioner Manna.

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

Opposed: None

MOTION PASSED

Commissioner Cruz left the Board of Adjustment meeting at 4:03 PM.

The Board went into recess at 4:03 PM and reconvened at 4:07 PM.

Item #9

BOA-25-10300076: A request by Steve Hazzard for a request for a 3' special exception from the maximum 3' privacy fence to allow a 6' front yard privacy fence limited to 17' past the front façade and on the eastern property line, located at 1118 Dawson Street. Staff recommends Approval. (Council District 2) (Jewel Polimis, Planner, (210) 207-8208, Jewel.Polimis@sanantonio.gov, Development Services Department)

Staff stated 25 Notices were mailed to property owners, 2 in favor, 0 in opposition. Dignowity Hill Neighborhood Association is in Opposition. No Response from San Antonio African American Community Archive Museum and Women in Film & Television San Antonio Community Organizations.

Steve Hazzard, applicant, presented the item and was available for questions.

PUBLIC COMMENT

Voice mail

Lulu Francois – Dignowity Hill Neighborhood Association – in opposition

In Person

James Cruz – 1112 Dawson Street – in favor

Virginia Cruz – 1112 Dawson Street – in favor

A motion was made by Commissioner Manna. Regarding Case No. BOA-25-10300076, I move that the Board of Adjustment grant a 3' special exception from the maximum 3' privacy fence to allow a 6' front yard privacy fence limited to 17' past the front façade and on the eastern property line, situated at 1118 Dawson Street, applicant being Steve Hazzard, 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 as

The privacy fence does not encroach on the minimum required driveway clear vision area.

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

The special exception would be limited to 17-feet past the front façade along the east side property line. This limitation would work to maintain the curb appeal and residential character of the neighborhood.

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

The neighboring property has substantial open yard space that ensures there will be no significant loss of light, airflow, or visibility to the neighboring property.

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 as

The special exception is limited in scope and specifically situated in a location that minimizes its impact on the broader community. The nature of the project is compatible with the existing characteristics of the district, and its placement ensures that the overall character of the area remains intact.

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

The special exception pertains only to a small section of the front yard privacy fence standards. The 6-foot privacy fence complies with the driveway clear vision requirements, ensuring safety and maintaining the character of the district.

The motion was seconded by Commissioner Stevens.

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

Opposed: None

MOTION PASSED

Item #10

BOA-25-10300078: A request by Jovanna Canel for 1) a 7'-6" variance from the minimum 10' front setback to allow a carport with a 2'-6" front setback, 2) a 4'-11" variance from the minimum 5' side setback to allow a carport with a 1" side setback, 3) a 6' variance from the minimum 15' driveway clear vision to allow a 9' driveway clear vision, and 4) a 10% variance from the maximum 50% impervious cover to allow a front yard with 60% impervious coverage, located at 714 South Brownleaf Drive. Staff recommends Approval for the Driveway Clear Vision Variance. Staff recommends Denial for the Attached Carport Front and Side Setback and Impervious Cover Variances. (Council District 6) (Jewel Polimis, Planner, (210) 207-8208, Jewel.Polimis@sanantonio.gov, Development Services Department)

Staff stated 22 Notices were mailed to property owners, 6 in favor, 1 in opposition. No Registered

Neighborhood Association. No Response from San Antonio African American Community Archive Museum and Women in Film & Television San Antonio Community Organizations.

Jovanna Canel, applicant, presented the item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Chair Oroian. Regarding Case No. BOA-25-10300078, I move that the Board of Adjustment grant 1) a 7'-6" variance from the minimum 10' front setback to allow a carport with a 2'-6" front setback limited to the pitched portion of the carport provided in the application, 2) a 3' variance from the minimum 5' side setback to allow a carport with a 2' side setback which includes an overhang not to exceed the existing northside of the home, 3) a 6' variance from the minimum 15' driveway clear vision to allow a 9' driveway clear vision and, 4) a 10% variance from the maximum 50% impervious cover to allow a front yard with 60% impervious coverage, situated at 714 South Brownleaf Drive, applicant being Jovanna Canel, 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 because

(Carport Side and Front Setback)

The reduced front and side setbacks do not reduce the ability to maintain and repair the structure without encroaching upon the adjacent lot. While other carports with reduced front setback exist in the area, no variances were historically approved by the Board of Adjustment.

(Driveway Clear Vision)

There is sufficient clear vision to safely observe oncoming traffic and exit the driveway onto the local street.

(Impervious Cover Variance)

It would not increase the volume and speed of stormwater runoff, which can lead to flooding, erosion, and strain on drainage systems.

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

(Carport Side and Front Setback)

The carport cannot be relocated to meet the side and front setback requirements and provide adequate protection to the vehicles.

(Driveway Clear Vision)

There are similarly positioned fences on adjacent properties and throughout this area.

(Impervious Cover)

By following the impervious cover limitation, a driveway of adequate size cannot be accommodated within the requested impervious cover.

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

(Carport Side and Front Setback)

Sufficient space will remain for the purposes of water runoff and fire safety concerns as well as for the maintenance of the structure.

(Driveway Clear Vision)

The current clear vision area of 9' leaves sufficient room to back into the street.

(Impervious Cover)

The front yard will not largely consist of impervious cover that can create excess water overflow and reduce green space on the lot.

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 because

(Carport Side and Front Setback)

Sufficient space will remain for the maintenance of the carport and the purposes of water runoff and fire safety concerns.

(Driveway Clear Vision)

It appears to be the established fence distance in the area, with the adjacent neighbor sharing the side fence at the same distance.

(Impervious Cover)

It would not create pooling water, foundation issues, and landscape damage.

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.

The plight of the owner of the property for which the variance is sought is due to unique circumstances such as:

(Carport Side and Front Setback)

The location of the carport cannot be altered to fit within the minimum required setbacks while still protecting vehicles.

(Driveway Clear Vision)

Having a small front yard to park a vehicle.

(Impervious Cover)

The maximum impervious cover does not provide adequate parking on the property.

The motion was seconded by Commissioner Manna.

Chair Oroian removed item #4 from the read motion.

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

Opposed: None

MOTION PASSED

Commissioner Ozuna made a motion for a 10% variance from the maximum 50% impervious cover to allow a front yard with 60% impervious coverage, situated at 714 South Brownleaf Drive, applicant being Jovanna Canel, 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. With the same findings of fact as previously read.

The motion was seconded by Commissioner Stevens.

Favor: Ozuna, Stevens, Ybanez, Dean, Benavides, Vasquez, Oroian

Opposed: Brereton, Manna, Bragman

MOTION FAILED

Commissioner Manna made a motion to reconsider.

The motion was seconded by Commissioner Bragman.

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

A motion was made by Chair Oroian for a 5% variance from the maximum 50% impervious cover to allow a front yard with 55% impervious coverage.

The motion was seconded by Commissioner Dean.

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

MOTION PASSED

Commissioner Bragman left the Board of Adjustment meeting at 5:06 PM.

Item #11

BOA-25-10300080: A request by Eneida Y. Flores for 1) a 3'-6" special exception from the maximum

5' predominantly open fence to allow a 6' predominantly open fence with 8'-6' support beams, and 2) a fence material variance to allow corrugated metal fencing in the side and rear yard, located at 2512 SW Loop 410. Staff recommends Denial. (Council District 4) (Jewel Polimis, Planner, (210) 207-8208, Jewel.Polimis@sanantonio.gov, Development Services Department)

Staff stated 16 Notices were mailed to property owners, 0 in favor, 0 in opposition. No Response from the Lackland Terrace Neighborhood Association. No Response from San Antonio African American Community Archive Museum and Women in Film & Television San Antonio Community Organizations.

Eneida Flores, applicant, presented the item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Brereton to continue BOA-25-10300080 to the June 16th Board of Adjustment meeting.

The motion was seconded by Chair Oroian.

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

MOTION PASSED

Item #12 WITHDRAWN

BOA-25-10300072: A request by Millennial Homes for a variance from the requirement for all lots to front a public or private street or platted irrevocable ingress/egress easement to allow for primary access and frontage to be located off an alley, located at 1102 South Olive Street #1. (Council District 2) (Joel Vela, Senior Planner, 210-207-0237, Joel.Vela@sanantonio.gov, Development Services Department)

Item #13

Approval of the minutes from the Board of Adjustment meeting on May 19, 2025.

A motion was made by Commissioner Manna for approval of the May 19, 2025, minutes.

The motion was seconded by Commissioner Brereton.

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

MOTION PASSED

Director's Report – None

There being no further business, the meeting was adjourned at 5:15 PM.

APPROVED BY: _____ or _____
Chairman Vice-Chair

DATE: _____

ATTESTED BY: _____ DATE: _____
Executive Secretary