

City of San Antonio



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

Monday, August 19, 2024

1:00 PM

1901 S. Alamo

The meeting was called to by order by Chair Ozuna at 1:00 PM and roll was called by Monica Reyes-Urdiales noting the following members present:

Roll Call – Present: Brereton, Stevens, Ybanez, Dean, Gomez, Manna, Bragman, Benavides, Ozuna, Vasquez, Bonillas (via WebEx), Oroian

Absent: Cruz

Worldwide Interpreters present.

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

Item #1

BOA-24-10300137: A request by Avani Bhansali 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 2639 East Commerce Street, Unit 201. Staff recommends Denial. (Council District 2) (Joseph Leos, Senior Planner (210) 207-0315, Joseph.Leos@sanantonio.gov, Development Services Department).

Staff stated 41 Notices were mailed to property owners, 0 in favor, 1 in opposition. No response from the Jefferson Heights Neighborhood Association.

Avani Bhansoli, applicant, spoke of request for special exception to allow for a short-term rental.

NO PUBLIC COMMENT

A motion was made by Commissioner Manna. Regarding Case No. BOA-24-10300137, I move that the Board of Adjustment grant a special exception to allow for (1) Type 2 short term rental unit, situated at 2639 East Commerce Street Unit 201, applicant being Avani Bhansali, 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 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 faculties 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 does not have any history of revocation, citations, or convictions for violations of Chapter 16 for the subject 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 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 Ozuna.

Favor: Bragman, Gomez, Benavides, Ozuna, Vasquez, Oroian

Opposed: Manna, Brereton, Stevens, Ybanez, Dean

MOTION FAILED

Item #2

(Continued from 7/1/2024) BOA-24-10300105: A request by Martin Hagan for 1) a request for a 3’-6” variance from the minimum 5’ side setback to allow a detached accessory structure with a 1’-6” side setback, and 2) a 4’ variance from the minimum 5’ rear setback to allow a detached accessory structure with a 1’ rear setback, located at 3240 LeBlanc Street. Staff recommends Denial. (Council District 10) (Melanie Clark, Planner, (210) 207-5550, melanie.clark@sanantonio.gov, Development Services Department)

Staff stated 32 Notices were mailed to property owners, 1 in favor, 0 in opposition. No response from the Eden Neighborhood Association.

Martin Hagan, applicant, presented item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-24-10300105, I move that the Board of Adjustment grant a request for request for 1) a 3’-6” variance from the minimum 5’ side setback to allow a detached accessory structure with a 1’-6” side setback, and 2) a 4’ variance from the minimum 5’ rear setback to allow a detached accessory structure with a 1’ rear setback, situated at 3240 LeBlanc Street, applicant being Martin Hagan, 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. Staff finds that a 1’-6” side setback and 1’ rear setback is a suitable distance from the shared property line and will not limit access around structure for upkeep or injure neighboring lot.

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 rear yard has limited available space to adjust accessory structure to meet side and rear setback requirements.

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

The 3'-6" side setback and 4' rear setback variances appear to observe the spirit of the ordinance as the variances will not injure the surrounding properties in the area.

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 requested variance will not injure the appropriate use of adjacent conforming properties and would not alter the essential character of the district.

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 as the current lot size restricts the property owner's options for accessory structure placement.

The motion was seconded by Commissioner Bragman.

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

Opposed: None

MOTION PASSED

Chair Oroian stepped out from the Board of Adjustment meeting at 1:33 PM for recusal propose for Item #3. Commissioner Bonillas joined the Board of Adjustment meeting via WebEx at 1:33 PM. Commissioner Ozuna stepped in as Chair.

Item #3

(Continued from 7/15/2024) BOA-24-10300121: A request by Oxbow Development Group for a 4'-11" variance from the minimum 5' side and rear setbacks to allow a 1" side and rear setback, located at 1301 and 1311 East Elmira Street, 813 East Myrtle Street, 818 East Locust Street, and 1212-1218 East Euclid Street. Staff recommends Approval. (Council District 1) (Colton Unden, Planner, (210) 207-0120, Colton.Unden2@sanantonio.gov, Development Services Department)

Staff stated 36 Notices were mailed to property owners, 0 In Favor, 1 in opposition. The Tobin Hill Community Neighborhood Association is in favor. The Sojo Homeowners Association is in favor.

Omar Gonzalez, applicant, presented item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Bragman. Regarding Case No. BOA-24-10300121, I move that the Board of Adjustment grant a request for a 4'-11" variance from the minimum 5' side and rear setbacks to allow a 1" side and rear setback, situated at 1301 and 1311 East Elmira Street, 813 East Myrtle Street, 818 East Locust Street, and 1212-1218 East Euclid Street, applicant being Oxbow Development Group, 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.*

Given the property is separated from all other structures by public right-of-way on all sides, enough spacing is present for fire safety.

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

Staff has found special conditions existing on the subject property that would warrant the need for the side and rear setback variance requested such as not having abutting properties, only right of ways.

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

The granting of this variance will observe the spirit of the ordinance, the entire block is associated with the project and there are no abutting uses.

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 will not injure the appropriate use of adjacent conforming properties as there are none. Staff recognizes a public right of way will be containing the property on all sides, and the immediate uses around the variance are directly off the public right.

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 side and rear setback variances are sought is due to unique circumstances existing on the property such as the entire block being the subject property.

NO PUBLIC COMMENT

The motion was seconded by Commissioner Manna.

Favor: Bragman, Manna, Brereton, Stevens, Ybanez, Gomez, Benavides, Vasquez, Bonillas, Ozuna
Opposed: Dean
Recused: Oroian

MOTION PASSED

Chair Oroian rejoined the Board of Adjustment meeting at 1:49 PM. Commissioner Bonillas left the Board of Adjustment meeting at 1:49 PM.

Item #4

BOA-24-10300128: A request by Guadalupe Ibarra for 1) a 7' variance from the minimum 10' front setback to allow a 3' front carport setback, 2) a 4' variance from the minimum 5' side setback to allow a 1' carport side setback, and 3) a 5' variance from the minimum 15' clear vision to allow a 10' driveway clear vision, located at 2918 Linn Road. Staff recommends Approval for the Driveway Clear Vision Variance. Staff recommends Denial for the Front and Side Setback Variance. (Council District 3) (Melanie Clark, Planner, (210) 207-5550, melanie.clark@sanantonio.gov, Development Services Department)

Staff stated 34 Notices were mailed to property owners, 0 returned in favor, 0 returned in opposition. No response from the Highland Hills Neighborhood Association.

Guadalupe Ibarra, applicant, spoke of being the property owner after her divorce and not knowing about the permitting process. Her boyfriend, Adolfo De Leon, also spoke about fence being inside the property line.

NO PUBLIC COMMENT

A motion was made by Commissioner Manna. Regarding Case No. BOA-24-10300128, I move that the Board of Adjustment grant a request for 1) a 4' variance from the minimum 5' side setback to allow a 1' carport side setback, and 2) a 5' variance from the minimum 15' clear vision to allow a 10' driveway clear vision, situated at 2918 Linn Road, applicant being Guadalupe Ibarra, 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 request would not be contrary to the public interest as the location of the carport leaves sufficient room on the side and front of the property for any required maintenance and enough separation to between neighboring property. The reduced 10' driveway clear vision leaves enough space for sight distance to assure vehicular traffic protection.

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 structure would have to be moved to meet the required setbacks. Also, the entire fence would have to be reconfigured to abide by the driveway clear vision.

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

The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The side setback variances along with the clear vision variance, will observe the spirit of the ordinance by providing a maintainable distance between property lines, neighboring properties, and right-of-way.

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 setbacks and clear vision will not injure the use of adjacent conforming properties nor alter the essential character of the district.

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 limited space to provide adequate covered parking.

The motion was seconded by Commissioner Benavides.

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

Opposed: None

MOTION PASSED

Item #5

BOA-24-10300139: A request by Randy Cunniff for a 14’ variance from the 15’ setback to allow a Structure to be 1’ from the Urban Corridor district front setback, located at 1420 North Main Avenue. Staff recommends Approval. (Council District 1) (Colton Uden, Planner, (210) 207-0120, Colton.Uden2@sanantonio.gov, Development Services Department)

Staff stated 7 Notices were mailed to property owners, 0 returned in favor, 0 returned in opposition. The Tobin Hill Community Neighborhood Association is in opposition.

Randy Cumiff, applicant, property owner of the Heat Nightclub as well, presented item and was available for questions.

PUBLIC COMMENT

Voicemail

Rick Shell, Tobin Hill Neighborhood Association – In opposition

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-24-10300139, I move that the Board of Adjustment grant a request for a 14’ variance from the 15’ setback to allow a Structure to be 1’ from the Urban Corridor district front setback, situated at 1420 North Main Avenue, applicant being Randy Cunniff, 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. The public interest is represented by minimum setback requirements along a corridor. Staff finds the reduced setbacks to be consistent with other structures in along the corridor in the immediate vicinity, and not out of character for the urban corridor district.

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

Staff found a special condition existing on the property where a literal enforcement of the ordinance does not leave adequate space to fully develop the lot.

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

The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The request appears to be in the spirit of the ordinance as the requirement is there to protect the urban corridor, and there are other structures along the corridor also within the urban corridor setback in the immediate vicinity.

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 urban corridor setback variance will not substantially injure the appropriate use of the adjacent conforming property. Proposed development will leave sufficient room from the property and not alter the essential character of the district, as it would adhere to other setback requirements.

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 with a friendly amendment to include 23 feet in height by Commissioner Bragman. Commissioner Ozuna accepted the amendment.

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

MOTION PASSED

Item #6

BOA-24-10300141: A request by Ernest Romero for an 1,838 square feet variance from the minimum lot size requirement of 4,000 square feet to allow development on 2,162 square feet lot, located at 621 Iowa Street. Staff recommends Approval. (Council District 2) (Colton Unden, Planner, (210) 207-0120, Colton.Unden2@sanantonio.gov, Development Services Department)

Staff stated 36 Notices were mailed to property owners, 1 returned in favor, 0 returned in opposition. No response from the Denver Heights Neighborhood Association.

Ernest Romero, applicant, spoke of variance request to build a home. Applicant was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Bragman. Regarding Case No. BOA-24-10300141, I move that the Board of Adjustment grant a request for a 1,838 square feet variance from the minimum lot size requirement of 4,000 square feet to allow development on 2,162 square feet lot, situated at 621 Iowa Street, applicant being Ernest Romero, 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. The applicant is requesting a 1,838 square feet variance from the 4,000 square feet minimum lot size requirement. The variance request does not appear to be contrary to the public interest as granting the variance would be in line with other lot sizes in the area.

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 having to rezone which would result in an unnecessary hardship.

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

The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The request appears to be in the spirit of the ordinance as the requirement is there to protect the neighborhood, and there are other single-family homes on similar lot sizes in the area.

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 variance would not substantially injure the appropriate use of adjacent properties as many other lots do not meet the minimum lot size requirements.

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 limited space on the lot.

The motion was seconded by Commissioner Benavides.

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

Opposed: NA

MOTION PASSED

Item #7

BOA-24-10300143: A request by Juan Delallata for 1) a 1,330 square feet variance from the minimum lot size requirement of 4,000 square feet to allow development on 2,670 square feet lot, 2) a 4' variance from the minimum 5' side setback requirement to allow a structure to have 1' side setbacks, and 3) a 6' variance from the minimum 10' rear setback requirement to allow a structure to have a 4' rear setback, located at 1204 Delaware Street. Staff recommends Approval for the Minimum Lot Size Variance. Staff recommends Denial for Side and Rear Setback Variances. (Council District 2) (Colton Unden, Planner, (210) 207-0120, Colton.Unden2@sanantonio.gov, Development Services Department)

Staff stated 34 Notices were mailed to property owners, 1 returned in favor, 0 returned in opposition. No response from the Denver Heights Neighborhood Association.

Juan Delallata, applicant, spoke of need for variance to add on to the current dwelling to make the home larger.

NO PUBLIC COMMENT

A motion was made by Commissioner Stevens. Regarding Case No. BOA-24-10300143, I move that the Board of Adjustment grant a request for 1) a 1,330 square feet variance from the minimum lot size requirement of 4,000 square feet to allow development on 2,670 square feet lot, 2) a 1' variance from the minimum 5' side setback requirement to allow a structure to have 4' side setbacks and 3) a 6' variance from the minimum 10' rear setback requirement to allow a structure to have a 4' rear setback, situated at 1204 Delaware Street, applicant being Juan Delallata, 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. The public interest is represented by minimum side and rear setback, and minimum lot size requirements between residential properties, as the space ensures that buildings, drives, and parking is positioned a safe and suitable distance from property lines. Staff finds the reduced setbacks with the proposed development does provide a suitable distance. The variance request does not appear to be contrary to the public interest as granting the variance would be in line with other lot sizes in the area.

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

Staff finds a special condition exists for the side and rear setback and minimum lot size variances, as this lot, and many other lots in the area are below the minimum lot size for their zoning and a rezoning will produce equal results for one dwelling unit.

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

The minimum lot size and setback variances will be following the spirit of the ordinance as many lots in the neighborhood are already below the minimum lot size or encroaching into setbacks and it is not out of character for the neighborhood in which the lot is located.

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 numerous other lots in the area do not meet the minimum lot size requirements or infringe into the setbacks prescribed by the zoning district.

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 that the variances would not substantially injure the appropriate use of adjacent properties as many other lots do not meet the minimum lot size requirements or infringe into the setbacks prescribed by the zoning district.

The motion was seconded by Commissioner Bragman.

Commissioner Brereton made a friendly amendment to remove item #3. Seconded by Chair Oroian.

Favor: Brereton, Dean, Manna

Opposed: Stevens, Ybanez, Gomez, Bragman, Benavides, Ozuna, Vasquez, Oroian

MOTION FAILED

Motion was made by Commissioner Stevens to remove the rear setback from the motion to be considered separately. Motion was seconded by Commissioner Bragman.

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

Opposed: None

MOTION PASSED

Motion was made by Chair Oroian for item #3. Motion was seconded by Commissioner Ozuna.

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

Opposed: Brereton, Dean, Manna, Vasquez

MOTION FAILED

Commission went into recess at 3:18 PM and reconvened at 3:25 PM.

Commissioner Stevens stepped out of the Board of Adjustment meeting for recusal purposes at 3:25 PM. Commissioner Bonillas joined the Board of Adjustment meeting via WebEx at 3:25 PM.

Item #8

BOA-24-10300144: A request by WG Inc. for an appeal from an Administrator's Decision for a sidewalk Administrative Variance, located at 2711 West Avenue. Staff recommends Denial. (Council District 1) (Vincent Trevino, Senior Planner, (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 14 Notices were mailed to property owners, 0 returned in favor, 0 returned in opposition. No registered Neighborhood Association.

Erin Sandoval, WGI and Kathy Buestos, President of Assistance League of San Antonio, presented item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Commissioner Ozuna. Regarding Case No. BOA-24-10300144, I move that the Board of Adjustment grant the appeal for the property, situated at 2711 West Avenue, applicant

being WG Inc., because the information provided by the applicant shows that City staff made an error in the Administrator's decision on the interpretation of Section 35-506(a)(1)(c)(2). The motion was seconded by Commissioner Bragman.

Favor: Ybanez, Ozuna

Opposed: Brereton, Dean, Gomez, Manna, Bragman, Benavides, Vasquez, Bonillas, Oroian

Recused: Stevens

MOTION FAILED

Commissioner Stevens rejoined the Board of Adjustment meeting at 4:05 PM. Commissioner Bonillas left the Board of Adjustment meeting at 4:05 PM.

Item #9

BOA-24-10300146: A request by Yolanda Alvarado for a 19' variance from the minimum 25' clear vision to allow a corner with a 6' clear vision, located at 939 Wallace Street. Staff recommends Denial. (Council District 5) (Melanie Clark, Planner, (210) 207-5550, melanie.clark@sanantonio.gov, Development Services Department)

Staff stated 41 Notices were mailed to property owners, 0 returned in favor, 0 returned in opposition. Los Jardines Neighborhood Association is in opposition. No response from the Las Palmas Neighborhood Association.

Staff stated the applicant requested for a continuance to the September 23rd Board of Adjustment meeting.

PUBLIC COMMENT

Gloria Hernandez, Las Palmas Neighborhood Association – in opposition.

A motion was made by Commissioner Ozuna to continue BOA-24-10300146 to the September 23rd Board of Adjustment meeting.

The motion was seconded by Commissioner Brereton.

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

MOTION PASSED

Item #10

Consideration of a request by Killen, Griffin and Farrimond to waive the 12-month time limitation under UDC Sec. 35-480(f) for a subsequent Board of Adjustment application located at 1702 Mountjoy Drive.

Rob Killen, Attorney for Ernie Flores, presented item and was available for questions.

NO PUBLIC COMMENT

A motion was made by Chair Oroian to grant the 12-month time limitation waiver. The motion was seconded by Commissioner Ozuna.

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

Opposed: None

MOTION PASSED

Item #11

Approval of the minutes from the Board of Adjustment meetings on August 5, 2024.

A motion was made by Commissioner Brereton for approval of the August 5, 2024 minutes.

The motion was seconded by Commissioner Bragman.

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

MOTION PASSED

Director's Report - None

Adjournment

There being no further business, the meeting was adjourned at 4:27 PM.

APPROVED BY: _____ or _____
Chairman Vice-Chair

DATE: _____

ATTESTED BY: _____ DATE: _____
Executive Secretary