

City of San Antonio



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

Monday, December 16, 2024

1:00 PM

1901 S. Alamo

The meeting was called to by order by Chair Oroian at 1:01 PM and roll was called by Monica Reyes-Urdiales noting the following members present:

**Roll Call – Present:** Brereton, Stevens, Cruz (via WebEx), Manna, Bragman, Benavides, Vasquez (via WebEx), Bonillas, Oroian

**Absent:** Ybanez, Dean, Gomez, Ozuna

**Worldwide Interpreters present.**

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

**Item #1**

(Continued from 12/2/2024) BOA-24-10300221: A request by Killen, Griffin & Farrimond, PLLC 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 335 East Park Avenue. Staff recommends Denial. (Council District 1) (Joseph Leos, Senior Planner (210) 207-0315, Joseph.Leos@sanantonio.gov, Development Services Department)

Staff stated 39 Notices were mailed to property owners, 2 in favor, 5 in opposition. 3 returned in favor outside 200'. The Tobin Hill Community Neighborhood Association is in opposition. No response from the San Antonio Texas District One Resident Association.

Ashley Farrimond, applicant, presented the item and was available for questions.

**PUBLIC COMMENT**

Rick Schell – in opposition

Frederica Kushner – in opposition

Martin Kushner – in opposition

A motion was made by Commissioner Bragman to continue BOA-24-10300221 to the January 27, 2025, Board of Adjustment meeting.

The motion was seconded by Commissioner Benavides.

**Favor:** Bragman, Benavides, Brereton, Cruz, Vasquez, Bonillas, Oroian

**Opposed:** Stevens, Manna

## **MOTION PASSED**

### **Item #2**

Withdrawn

### **Item #3**

(CONTINUED from 11/18/2024) BOA-24-10300198: A request by Leticia Martinez-Perez for 1) a 9'-11" variance from the minimum 10' front setback requirement to allow a detached carport to be 1" from the front setback, 2) a 4'-11" variance from the minimum 5' side setback to allow an accessory structure to remain 1" from the east side setback, 3) a 4'-6" variance from the minimum 5' side setback to allow an accessory structure to remain 6" from the west side setback, 4) a 2' variance from the minimum 5' rear setback to allow an accessory structure to be 3' from the rear setback, 5) a 49% impervious cover variance to from the maximum 50% impervious cover to allow 99% impervious coverage in the front yard, 6) a 20% lot coverage variance from the maximum 50% lot coverage to allow 70% total coverage for an accessory structure side and rear yard, and 7) a 600 square foot variance from the maximum 2,500 Square foot floor area to allow 3,100 square foot floor area for an accessory structure in the side and rear yard, located at 1010 Steves Avenue. Staff recommends Denial. (Council District 3) (Melanie Clark, Planner, (210) 207-5550, melanie.clark@sanantonio.gov, Development Services Department)

Staff stated 26 Notices were mailed to property owners, 0 in favor, 0 in opposition. The Roosevelt Park Neighborhood Association is in favor.

Leticia Martinez-Perez, applicant, presented the item and was available for questions. Applicant amended the application to add gutters to the carport.

## **NO PUBLIC COMMENT**

A motion was made by Commissioner Manna. Regarding Case No. BOA-24-10300198, I move that the Board of Adjustment grant a request for 1) a 9'-11" variance from the minimum 10' front setback requirement to allow a detached carport to be 1" from the front setback, 2) a 4'-11" variance from the minimum 5' side setback to allow an accessory structure to remain 1" from the east side setback, 3) a 4'-6" variance from the minimum 5' side setback to allow an accessory structure to remain 6" from the west side setback, 4) a 2' variance from the minimum 5' rear setback to allow an accessory structure to be 3' from the rear setback, with appropriate gutters, situated at 1010 Steves Avenue, applicant being Leticia Martinez-Perez, 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 adequate space provides a safe distance from the neighboring properties for the purposes of fire safety, water runoff drainage, and safe access from the property onto the roadway.**

*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 front carport, rear accessory structure and impervious cover will need to be removed or reconstructed to meet the UDC requirements and enhance safety and privacy concerns for the property owner and tenants.**

*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 remains for the purposes of accessory structures safety and maintenance, fire safety and water runoff drainage.**

*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 setbacks provide a safe distance and water runoff from the property will not adversely impact the immediate neighbors.**

*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 were not created by the owner of the property and are not merely financial as the accessory structures provide privacy, protection and safety for property and tenants.**

The motion was seconded by Commissioner Bragman.

**Favor:** Manna, Bragman, Brereton, Stevens, Cruz, Benavides, Vasquez, Bonillas, Oroian  
**Opposed:** None

**MOTION PASSED**

A motion was made by Chair Oroian for BOA-24-10300198, item #5.

Regarding Case No. BOA-24-10300198, I move that the Board of Adjustment grant a request for a 25% impervious cover variance to from the maximum 50% impervious cover to allow 75% impervious coverage in the front yard, situated at 1010 Steves Avenue, applicant being Leticia Martinez-Perez, 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 variance is not contrary to the public interest as adequate space provides a safe distance from the neighboring properties for the purposes of fire safety, water runoff drainage, and safe access from the property onto the roadway.**

*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 a front carport not covering a structure 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 requested variance appears to be in the spirit of the ordinance as adequate space remains for the purposes of water runoff drainage.**

*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 the slight increase in impervious cover will not adversely impact the immediate neighbors.**

*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 were not created by the owner of the property and are not merely financial as the slight increase of impervious cover in the front yard is not a safety concern for the property owner and tenants.**

The motion was seconded by Commissioner Bragman.

**Favor:** Oroian, Bragman, Brereton, Stevens, Manna, Benavides, Vasquez, Bonillas, Cruz  
**Opposed:** None

**MOTION PASSED**

**Item #4**

(CONTINUED from 11/04/2024) BOA-24-10300186: A request by Cairo Developments, LLC for a variance to allow separate structures on an "RM-4" that is less than one-third of an acre, located at 1410 Montana. Staff recommends Denial. (Council District 2) (Colton Uden, Planner, (210) 207-0120, Colton.Uden2@sanantonio.gov, Development Services Department)

A motion was made by Commissioner Bragman to continue BOA-24-10300186 to the January 6, 2025, Board of Adjustment meeting.

The motion was seconded by Commissioner Cruz.

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

**MOTION PASSED**

**Item #9**

BOA-24-10300223: A request by Janelle Chase for 1) a 2' side setback variance from the minimum 5' side setback to allow a 3' side setback, 2) a 17' rear setback variance from the minimum 20' rear setback to allow a 3' rear setback, located at 2127 West Woodlawn Avenue. Staff recommends Approval on the Side Setback. Staff recommends Denial on the Rear Setback. (Council District 7) (Colton Uden, Planner, (210) 207-0120, Colton.Uden2@sanantonio.gov, Development Services Department)

A motion was made by Commissioner Bragman to continue BOA-24-10300223 to the January 6, 2025, Board of Adjustment meeting.

The motion was seconded by Commissioner Manna.

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

**MOTION PASSED**

**Item #5**

(CONTINUED from 12/02/2024) BOA-24-10300215: A request by Nancy Cade for 1) a 4' Special Exception from the maximum 6' height to allow a 10' predominately open fence on the front yard and 2) a 2' Special Exception from the maximum 8' height to allow a 10' predominately open fence on the side and rear yard, located at 5331 Lockhill Road. Staff recommends Denial. (Council District 8) (Colton Unden, Planner, (210) 207-0120, Colton.Unden2@sanantonio.gov, Development Services Department)

Staff stated 8 Notices were mailed to property owners, 3 in favor, 0 in opposition. Oakland Estates Neighborhood Association has no objection.

Nancy Cade, applicant, presented the item and was available for questions.

**NO PUBLIC COMMENT**

A motion was made by Commissioner Bragman. Regarding Case No. BOA-24-10300215, I move that the Board of Adjustment grant a request for a 2' Special Exception from the maximum 6' height to allow a 8' predominately open fence on the front yard, situated at 5331 Lockhill Road, applicant being Nancy Cade, 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 request is for providing additional security for the property and does not adversely impact surrounding properties.**

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

**The proposed predominately open fence appears to serve the public welfare and convenience, as the additional security and screening provided will add to the security and protection of property in the area.**

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

**The fence height special exceptions 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 location for which the special exception is sought, as the lot maintains significant greenery and the large lot configurations of the neighborhood adequately screen the additional fence height.**

*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 the property will not weaken the general purpose of the district as it will provide additional safety and security for the property.**

The motion was seconded by Commissioner Manna.

**Favor:** Bragman, Manna, Brereton, Stevens, Cruz, Benavides, Vasquez, Bonillas, Oroian  
**Opposed:** None

**MOTION PASSED**

Commission went into recess at 2:24 PM and reconvened at 2:33 PM.

**Item #6**

BOA-24-10300229: A request by Cathy Song for 1) a 15' variance from "MC-3" Austin Highway/Harry Wurzbach Metropolitan Corridor District's maximum 35' sign height (to include 10' for adjacent grade) to allow a 50' sign height and, 2) a 101 square foot variance from "MC-3" Austin Highway/Harry Wurzbach Metropolitan Corridor District's maximum 65 sign square footage to allow a 166-sign square footage, located at 1638 Northeast Loop 410. Staff recommends Denial. (Council District 10) (Vincent Trevino, Senior Planner, (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 14 Notices were mailed to property owners, 0 in favor, 0 in opposition. The Oak Park Northwood Neighborhood Association is in favor. 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.

Cathy Song, applicant, presented the item and was available for questions.

**PUBLIC COMMENT**

Voicemail

Colleen Taylor, 1603 Tarton Lane, is opposed to the request.

A motion was made by Commissioner Manna to continue BOA-24-10300229 to the January 6, 2025, Board of Adjustment meeting.

The motion was seconded by Commissioner Bragman.

A verbal vote was taken and passed with a majority. Commissioner Stevens was in opposition.

**MOTION PASSED**

**Item #7**

BOA-24-10300235: A request by David Rodriguez for a 13’ variance from the minimum 50’ lot width to allow a lot width to be 37’, located at 153 Stribling. Staff recommends Approval. (Council District 5) (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. No response from the Collins Garden Neighborhood Association. 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.

Fernando De Leon, applicant, presented the item and was available for questions.

**NO PUBLIC COMMENT**

A motion was made by Commissioner Bragman. Regarding Case No. BOA-24-10300235, I move that the Board of Adjustment grant a request for a 13’ variance from the minimum 50’ lot width to allow a lot width to be 37’, situated at 153 Stribling, applicant being David Rodriguez, 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 variance request does not appear to be contrary to the public interest as granting the variance would be in line with other lot widths 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 not being able to construct a single-family residence 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 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 width 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 width 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.**

The motion was seconded by Commissioner Benavides.

**Favor:** Bragman, Benavides, Brereton, Stevens, Cruz, Manna, Vasquez, Bonillas, Oroian

**Opposed:** None

## **MOTION PASSED**

### **Item #8**

BOA-24-10300222: A request by Addison Thomas Martinez for 1) a variance to allow three separate structures on an "RM-4" that is less than one-third of an acre, 2) a 7' variance from the minimum 10' rear setback regulation to allow a residential structure to be 3' from the rear setback, 3) a 10' garage setback from the minimum 20' garage setback to allow (3) one car garages to be 10' from the property line, and 4) a request for a 2 parking spaces variance from the minimum 5 required parking spaces to allow 3 parking spaces, located at 715 and 719 Piedmont Avenue. Staff recommends Denial. (Council District 2) (Melanie Clark, Planner, (210) 207-5550, melanie.clark@sanantonio.gov, Development Services Department)

Staff stated 27 Notices were mailed to property owners, 1 in favor, 0 in opposition. 1 returned in favor outside 200'. The Denver Heights Neighborhood Association is in opposition.

Addison Thomas, applicant, presented the item and was available for questions.

## **PUBLIC COMMENT**

Voicemail

Maria Villa, 928 Iowa, is opposed to the request.

A motion was made by Commissioner Manna to continue BOA-24-10300222 to the January 27, 2025, Board of Adjustment meeting.

The motion was seconded by Commissioner Bragman.

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

## **MOTION PASSED**

### **Item #10**

BOA-24-10300224: A request by Jose Dominguez for a 1) a 3'-6" variance from the minimum 5' side setback to allow an attached carport to be 1'-6" from the side property line, 2) a 4' Fence height Special Exception from the maximum 3' fence height, limited to 10' past the front facade, to allow a 7' solid front yard fence, and 3) a 8'-9' variance from the minimum 15' clear vision to allow a driveway with a 6'-3" clear vision, located at 3726 Electra Drive. Staff recommends Denial. (Council District 2) (Melanie Clark, Planner, (210) 207-5550, melanie.clark@sanantonio.gov, Development Services Department)

Staff stated 29 Notices were mailed to property owners, 1 in favor, 0 in opposition. No registered Neighborhood Association.

Jose Dominguez, applicant, presented the item and was available for questions.

## **PUBLIC COMMENT**

Angelica Guzman, neighbor, spoke in favor of request.

A motion was made by Commissioner Manna. Regarding Case No. BOA-24-10300224, I move that the Board of Adjustment grant a request for a 4' Fence height Special Exception from the maximum 3' fence height, limited the front façade of 3722 Electra Drive, to allow a 7' solid front yard fence, situated at 3726 Electra Drive, applicant being Jose Dominguez, 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 7' front yard privacy fence is limited to the front façade of the neighboring residential structure at 3722 Electra Drive and will not injure the neighboring properties or impede the right-of-way.**

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

**The proposed fence appears to serve the public welfare and convenience, as the additional fence height provides privacy and additional security to the subject property and abutting properties.**

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

**The fence special exception appears to create enhanced security and privacy for the subject and adjacent properties, limited to the front façade of the neighboring residential structure at 3722 Electra Drive, and is within 4-feet of the Unified Development Code fence guidelines.**

*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 does not appear to alter the essential character of the district and 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 it is limited to 10' at most, and no more than the front façade of the abutting property and will provide privacy for the subject property.**

The motion was seconded by Commissioner Bragman.

**Favor:** Manna, Bragman, Brereton, Stevens, Cruz, Benavides, Vasquez, Bonillas, Oroian

**Opposed:** None

### **MOTION PASSED**

A motion was made by Commissioner Manna. Regarding Case No. BOA-24-10300224, I move that the Board of Adjustment grant a request for 1) a 3'-6" variance from the minimum 5' side setback to allow an attached carport to be 1'-6" from the side property line, and 2) an 8'-9" variance from the minimum 15' clear vision to allow a driveway with a 6'-3" clear vision, situated at 3726 Electra Drive, applicant being Jose Dominguez, 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 1'-6" side setback is not contrary to public interest as it provides a safe distance between the subject property and the abutting property for proper maintenance and separation to occur. The location of the predominately open front yard fence will not impede driveway clear vision or right-of-way.**

*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 carport and a portion of the front yard fence would need be reconstructed to abide by the side setback and driveway clear vision UDC standards.**

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

**The 1'-6" side setback allows for proper separation between properties and the clear vision provides enough room onto street access and will observe the spirit of the 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.*

**The reduced side setback will not alter the essential character of the district. The reduced driveway clear vision would not obstruct safety on a residential street.**

*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 Bragman.

**Favor:** Manna, Bragman, Brereton, Stevens, Cruz, Benavides, Vasquez, Bonillas, Oroian

**Opposed:** None

**MOTION PASSED**

**Item #11**

BOA-24-10300225: A request by Leticia Ramirez for 1) a driveway configuration variance from the NCD-7 driveway configuration standards to allow a circular driveway, and 2) a driveway variance from the driveway requirements to allow two driveways on a single-family detached residential lot that is fronting a collector or major thoroughfare, located at 354 Babcock Road. Staff recommends Denial. (Council District 7) (Colton Uden, Planner, (210) 207-0120, Colton.Uden2@sanantonio.gov, Development Services Department)

Staff stated 26 Notices were mailed to property owners, 1 in favor, 0 in opposition. No response from the Maverick Neighborhood Association. No response from the Jefferson Neighborhood Association. No response from the San Antonio District One Residents Organization.

Raul Ramirez, applicant, presented the item and was available for questions.

### **NO PUBLIC COMMENT**

A motion was made by Commissioner Manna. Regarding Case No. BOA-24-10300225, I move that the Board of Adjustment grant a request for 1) a driveway configuration variance from the NCD-7 driveway configuration standards to allow a circular driveway and 2) a driveway variance from the driveway requirements to allow two driveways on a single-family detached residential lot that is fronting a collector or major thoroughfare, situated at 354 Babcock Road, applicant being Leticia Ramirez, 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 variances are not contrary to the public interest as numerous other circular and two driveway configurations were seen in the area, and it will allow greater safety in going to and from Babcock Road.**

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

**A literal enforcement of the driveway ordinances would result in unnecessary hardship as the applicant would be flanked on either side by circular driveways in providing safety but would otherwise not be able to construct a driveway conducive to their safety needs.**

*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 numerous other properties with frontage on Babcock Road also maintain circular and two driveway configurations to ease traversing on to and from the busy road.**

*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 presence of circular and two driveway configurations are already established in the neighborhood 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 the unique circumstances existing on the property is presence of a single-family lot on an arterial road, necessitating specific need to ensure traffic safety.**

The motion was seconded by Commissioner Benavides.

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

**MOTION PASSED**

**Item #12**

BOA-24-10300228: A request by Cesar Puente for a 3’-6” variance from the minimum 5’ side setback requirement to allow a detached accessory structure to be 1’-6” from the side property line, located at 2806 Hopeton Drive. Staff recommends Denial. (Council District 1) (Melanie Clark, Planner, (210) 207-5550, melanie.clark@sanantonio.gov, Development Services Department)

Staff stated 18 Notices were mailed to property owners, 0 in favor, 3 in opposition. No response from the Colonial Hills Neighborhood Association. No response from the San Antonio Texas District One Resident Association.

Cesar Puente, applicant, presented the item and was available for questions.

**NO PUBLIC COMMENT**

A motion was made by Commissioner Manna to continue BOA-24-10300228 to the January 27, 2025, Board of Adjustment meeting.

The motion was seconded by Commissioner Benavides.

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

**MOTION PASSED**

**Item #13**

Approval of the minutes from the Board of Adjustment meetings on December 2, 2024.

A motion was made by Commissioner Brereton for approval of the December 2, 2024, minutes.

The motion was seconded by Commissioner Manna.

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 3:59 PM.

APPROVED BY: \_\_\_\_\_ or \_\_\_\_\_  
Chairman Vice-Chair

DATE: \_\_\_\_\_

ATTESTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Executive Secretary