

City of San Antonio



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

Monday, August 21, 2023

1:00 PM

1901 S. Alamo

1:02 PM – Call to Order

SeproTec not present.

Roll Call – Present: Spielman, Menchaca, Dean, Zuniga, Benavides, Bragman, Ozuna, Brown, Vasquez, Oroian, Cruz

Absent: None

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

Public Hearing and Consideration of the following Plats, Variances, Special Exceptions, Appeals, as identified below.

Commissioner Cruz arrived at 1:07 pm

Commission recessed into Executive Session at 1:09 pm

Commission reconvened at 1:17 pm

SeproTec translator arrived at 1:17 pm.

Item #1

BOA-23-10300179 (Continued from BOA 7/24/23): A request by Vasanti LLC for a one and a half story variance from the maximum 2.5 stories, to allow a building with 4 stories, located at 2203 East Commerce Street. Staff recommends denial. (Council District 2) (Joseph Leos, Planner (210) 207-3074, Joseph.Leos@sanantonio.gov, Development Services Department)

Staff stated 29 notices were mailed to property owners, 0 returned in favor, 2 returned in opposition, and no response from Jefferson Heights Neighborhood Association. Denver Heights, less than 200', submitted their opposition on July 14, 2023.

Rakesh Vazir, applicant, stated he is in partner with American GI and is proposing to extend existing housing facility for additional housing for homeless veterans. He stated they are currently at 80 % capacity and the purpose of this request is to maximize their space, 4 stories. Since July 24th meeting he has made attempts to contact neighborhood associations and adjacent neighbors but was unsuccessful, attempts have gone unresponsive.

No Public Comment

Motion

A motion was made by Commissioner Bragman. Regarding Case No. **BOA-23-10300179**, I move that the Board of Adjustment grant a request for a half story variance from the maximum 2.5 stories to allow a building with 3 stories, situated at 2203 East Commerce Street, applicant being Arihan, LLC DBA; Fantastic Sam's, 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. For this case, the public interest is represented by height requirements for the protection of view for the adjacent residential uses. The applicant is requesting to deviate from the maximum 2 ½ stories permitted if adjacent to residential uses, to allow a structure to be 3 stories tall. Staff finds this request is not contrary to public interest of the abutting properties, as a towering structure will not impose onto the interest of the single-family residential uses.

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 the applicant building the structure 35' or 2 1/2 stories in height. This would result in an unnecessary hardship as the applicant would not have sufficient building height for the proposed use intended.

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. Staff finds the spirit of the ordinance will be observed and substantial justice will be done as the subject property is zoned "IDZ-2" which passed for the allowance of commercial uses and a hotel. The request does not seem to be out of character with the assigned base zoning district.

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 request variance will not substantially injure the appropriate use of adjacent conforming properties or alter the essential character of the district. Upon site visits, staff observed the subject property being located near a high-volume intersection. This intersection is a major thoroughfare for this community where other medium commercial uses were observed thus not being out of character from the surrounding land uses.

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 applicant not having sufficient height requirements for the proposed use. The circumstances do not appear to be merely financial.

The motion was seconded by Commissioner Oroian.

Chair Oroian offered a friendly amendment to be limited to portion in question, which is Lot 32, Block 7, NCB 1440.

Commissioner Bragman accepted friendly amendment.

Commissioner Ozuna inquired if there would be any consideration to amend to a 4-story as originally proposed.

Commissioner Cruz, Vasquez, and Commissioner Brown support 3 story motion.

Chair Oroian stated motion for consideration is for 3 story and amended to solely include Lot 32, Block 7, NCB 1440 portion only.

Favor: Bragman, Oroian, Spielman, Menchaca, Cruz, Ozuna, Vasquez, Brown

Opposed: Dean, Zuniga, Benavides

MOTION FAILS

Commissioner Benavides made a motion for reconsideration and was seconded by Chairman Oroian.

Favor: Benavides, Zuniga, Oroian, Spielman, Menchaca, Cruz, Bragman, Ozuna, Vasquez

Opposed: Brown, Dean

MOTION PASSES

Motion

A motion was made by Commissioner Bragman. Regarding Case No. **BOA-23-10300179**, I move that the Board of Adjustment grant a request for a half story variance from the maximum 2.5 stories to allow a building with 3 stories, situated at 2203 East Commerce Street, applicant being Arihan, LLC DBA; Fantastic Sam's, 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.

The motion was seconded by Commissioner Ozuna.

Favor: Bragman, Oroian, Spielman, Brown, Menchaca, Cruz, Zuniga, Benavides, Ozuna, Vasquez

Opposed: Dean

MOTION PASSES

Item #2

BOA-23-10300208: A request by Hacam Properties LLC for 1) a 3'7" variance from the minimum 20' driveway throat requirement to allow a 16'5" driveway throat or a 3'7" variance from the minimum 10' rear setback requirement to allow a structure to be 6'5" from the rear property line, 2) a variance to allow three separate structures on an "MF-33" zoned lot that is less than one third of an acre, 3) a variance from the front entry oriented to the primary street to allow a side door, and 4) a half story variance from the maximum 2.5 stories, to allow a structure with 3 stories, located at 1823 Burnet Street. Staff recommends approval for the Rear Setback Variance. Staff recommends denial for the driveway throat, three separate structures, front entry orientation and half story variances. (Council District 2) (Joseph Leos, Planner (210) 207-3074, Joseph.Leos@sanantonio.gov, Development Services Department)

Staff stated 32 notices were mailed to property owners, 0 returned in favor, 0 returned in opposition, and no response from Harvard Place Eastlawn Neighborhood Association.

Alejandro Schwartzman, representative, stated they are proposing 3 townhome units on the subject property. Unfortunately, their project currently has 6 ½ in the front yard so to meet the 20-foot front set back they moved their project back 10 feet. In doing so, they were still unable to meet the setback as this brought them to 16 ½ feet. Also, in moving the project back 10 feet, this raised a concern with the existing tree to the rear of the property and would not allow for the planting of the proposed trees. He stated that there are other similar townhomes in the neighborhood that also encountered almost the same scenario.

No Public Comment

Motion

A motion was made by Commissioner Ozuna. Regarding Case No. **BOA-23-10300208**, I move that the Board of Adjustment grant a request for 1) a 3'-7" variance from the minimum 20' driveway throat requirement to allow a 16'-5" driveway throat, 2) a variance to allow three separate structures on an "MF-33" zoned lot that is less than one-third of an acre, 3) a variance from the front entry oriented to the primary street to allow a side door, and 4) a half story variance from the maximum 2.5 stories to allow a structure with 3 stories situated at 1823 Burnet Street, applicant being Hacam Properties, LLC, 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. In this case, the public interest is represented by minimum rear setback requirements, driveway throat lengths for vehicle circulation, density allowances to prevent overcrowding of lots less than 1/3 of an acre, front entry orientation to allow for pedestrian circulation, and height restrictions to prevent towering structures imposing onto single-family residential uses. Staff finds these requests which will not infringe on interest of the public.

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

The special condition found is the size of the property. Abiding by the minimum rear setback and driveway throat requirements, three separate structures on an "MF-33" zoned lot that is less than one-third of an acre, front entry oriented to the primary street to allow a side door, and to allow a structure with 3 stories adjacent to single-family uses would result in an unnecessary hardship, as reduction in livable space and parking areas would be drastically reduced.

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. In this case, the intention is for sufficient spacing between structures and property lines, minimum driveway throat requirements to ensure safe and efficient traffic flow within a property, providing front entry orientation for proper pedestrian circulation in and out of the property, containment of units within a single structure for smaller properties from becoming overcrowded, and height restrictions to provide access to light and air. The requested variances will observe these requirements.

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 the requests will not injure the appropriate use of adjacent conforming properties and alter the essential character of the district, as other lots in the area appeared to not abide by rear setback requirement. If granted, the driveway throat length would be reduced, which will not interfere with the flow of traffic, the “MF-33” zoned lot will be allowed to contain three separate structures on a lot that is less than one-third of an acre, which won’t interfere with the development pattern of the neighborhood, front entry will be on side, which will not impact the community feel of the neighborhood, and three stories won’t infringe on the abutting neighbor. All of which will not injure 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 applicant not having sufficient spacing on the property for the proposed use. The circumstances do not appear to be merely financial.

The motion was seconded by Commissioner Zuniga.

Favor: Ozuna, Zuniga, Spielman, Menchaca, Cruz, Benavides, Bragman, Vasquez, Oroian

Opposed: Brown, Dean

MOTION PASSES

Item #3

BOA-23-10300209: A request by Spesen Management, LLC for a variance to allow two separate structures on an “RM-4” that is less than one third of an acre, located at 211 West Sheridan Street. Staff recommends denial. (Council District 1) (Joseph Leos, Planner (210) 207-3074, Joseph.Leos@sanantonio.gov, Development Services Department)

Staff stated 19 notices were mailed to property owners, 0 returned in favor with 1 received outside 200’ radius, 11 returned in opposition, and King William Neighborhood Association is in favor.

Public Comment

Voicemail

Elisa Guzman, spoke in opposition.

In Person

Diane Terin, spoke in opposition.

John Terin, spoke in opposition.

Naomi Nye, spoke in opposition.

Heidi Hando, spoke in opposition.

Applicant

Carlos Otterbach, owner, stated he is proposing to develop a detached structure on the subject property. He stated they have presented to the Historic Design Review Commission and started the renovation. The surrounding neighbors expressed their support for this renovation. Prior to starting project, he contacted their SAFE officer to address the trespassing of vagrants. He was surprised and unaware of the opposition up until recent. In revisiting the development, he feels a detached structure would be more aesthetically pleasing.

Motion

A motion was made by Commissioner Cruz. Regarding Case No. **BOA-23-10300209**, I move that the Board of Adjustment grant a request for a variance to allow two separate structures on an “RM-4” that is less than one-third of an acre, situated at 211 West Sheridan Street, applicant being Spesen Management, LLC 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. In this case, the public interest is defined by density requirements to prevent overcrowding on smaller lots. Staff finds this request is not contrary to the public interest as the applicant is abiding by all other setback requirements, which will not infringe on surrounding property owners.

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

The special condition on this property is that the lot is less than one-third of an acre, which previously did not require development to be within a single structure. A literal enforcement of the ordinance would result in the applicant alter their plans to abide by the recently changed UDC requirement.

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. Staff finds the spirit will be observed, as the applicant will be abiding by all other building requirements and has not begun construction. Additionally, this will allow for infill development of a vacant rear 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.*

If granted, the “RM-4” zoned lot will be allowed to contain two separate structures on a lot that is less than one-third of an acre. The granting of this variance will not injure the appropriate use of adjacent conforming properties, as this type of development is not out of character with the surrounding zoning districts.

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 lot being less than one-third of acre. The circumstances do not appear to be merely financial.

The motion was seconded by Commissioner Bragman.

Favor: None

Opposed: Cruz, Bragman, Spielman, Brown, Menchaca, Dean, Zuniga, Benavides, Ozuna, Vasquez, Oroian

MOTION FAILS

Item #4

BOA-23-10300210: A request by Shannan Lowry for 1) a 6’ variance from the minimum 20’ rear setback requirement to allow a structure to be 14’ from the rear property line and 2) a 4’ variance from the minimum 5’ side setback requirement to allow a structure to be 1’ from the side property line to include a 1’ overhang, located at 3711 Pipers Cross Street. Staff recommends approval for the Rear Setback Variance. Staff recommends denial for the side setback variance. (Council District 6) (Richard Bautista-Vazquez, Planner (210)207-0215, richard.bautistavazquez@sanantonio.gov, Development Services Department)

Staff stated 33 notices were mailed to property owners, 0 returned in favor, 0 returned in opposition, and no response from Pipers Meadow Neighborhood Association.

Shannan Lowry, applicant, stated her home needs repairs. Due to weather conditions and ageing of home, her home has shifted and caused damages to the siding on the house. In conversations with the contractor, her concern is with the amount of damage her home would have to be lifted which she is concerned would cause more damage or possibly collapsing. Therefore she is requesting this variance to allow for an addition that would encroach onto the rear setback.

No Public Comment

Motion

A motion was made by Commissioner Benavides. Regarding Case No. **BOA-23-10300210**, I move that the Board of Adjustment grant a request for 1) a 6' variance from the minimum 20' rear setback requirement to allow a structure to be 14' from the rear property line and 2) a 4' variance from the minimum 5' side setback requirement to allow a structure to be 1' from the side property line to include a 1' overhang, situated at 3711 Pipers Cross Street, applicant being Shannan Lowry, 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 applicant is requesting a 6' variance to allow a structure to be 14' from the rear property line, which does not appear to be contrary to the public interest as there is adequate space remaining from the property line to the proposed structure. The applicant is also requesting a side setback variance to allow a structure to be 1' with 1' of overhang. This request is not contrary to the public interest as the proposed structure will have minimal water runoff onto the adjacent right of way.

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

Staff finds an unnecessary hardship present due to the size of the lot. A sizable addition cannot be built without obtaining variances for the side and rear setback. The proposed structure will maintain ample space to extend into the side and rear.

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

The requested setback variances are to allow a structure to be closer to the side and rear property line. The request will observe the spirit of the ordinance because the proposed structure will still maintain a reasonable distance between the structure, surrounding properties, and the 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.*

Staff does not find evidence that the requested variances would alter the essential character of the district. The property is located on a cul-de-sac and surrounding residences appear closer to the property lines due to the irregular shaped lots.

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 setback variances are sought due to unique circumstances existing on the property. The property is irregular shaped and a corner lot. An addition cannot be built on the property with the base district's setback regulations.

The motion was seconded by Commissioner Bragman.

Chair Oroian offered a friendly amendment to remove the portion of the side encroachment. Commissioner Benavides and Commissioner Bragman accepted friendly amendment.

Chair Oroian stated the motion is amended for a 6' variance to the rear.

Favor: Benavides, Bragman, Spielman, Brown, Menchaca, Dean, Cruz, Zuniga, Ozuna, Vasquez, Oroian

Opposed: None

MOTION PASSES

Commission went into recess at 3:08 pm and reconvened at 3:13 pm.

Item #14

BOA-23-10300206: An appeal by Mu Zhang of the Administrator's decision to revoke the short-term rental permit, located at 15703 Grey Fox Terrace. Staff recommends denial. (Council District 8) (Ashley Leal, Senior Planner (210) 207-6311, Ashley.Leal@SanAntonio.gov, Development Services Department)

Staff stated 21 notices were mailed to property owners, 0 returned in favor, 4 returned in opposition, and no response from Red Robin Neighborhood Association.

Mu Zhang, applicant, stated, with assistance, he submitted his Short-Term Rental application online and was approved in May of 2022. He was not aware a HOT tax account was to also be established until his revocation. He is unsure if he received notification, if he did, it went unnoticed due to the language barrier. Upon revocation, he contacted city officials to have this addressed this issue and all debt were paid.

Public Comment

Voicemails

Frank Gentile, spoke in opposition.

Laurine Gentile, spoke in opposition.

Mrs. Martinez, spoke in opposition.

Motion

A motion was made by Commissioner Spielman. Regarding Case No. **BOA-23-10300206**, I move that the Board of Adjustment grant the appeal for the property, situated at 15703 Grey Fox Terrace, applicant being Mu Zhang, because the information provided by the applicant shows that City staff made an error in revoking the Short-Term Rental permit.

The motion was seconded by Commissioner Oroian.

Favor: Spielman, Oroian, Brown, Menchaca, Cruz, Zuniga, Benavides, Bragman, Ozuna

Opposed: Dean, Vasquez

MOTION PASSES**Item #5**

BOA-23-10300211: A request by Ion Homes & Resort USA for 1) a 975 square feet variance from the maximum 4530 square feet lot coverage to allow 5505 square feet development on a “RM-5” with over 65% lot coverage and 2) a variance from the maximum 50% impervious cover requirement to allow the front yard to exceed the maximum 50% impervious cover, located at 202 Packard Street. Staff recommends denial. (Council District 5) (Vincent Trevino, Senior Planner (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 23 notices were mailed to property owners, 0 returned in favor, 0 returned in opposition, and no registered neighborhood association.

Idowu Ntoka, owner, stated they are proposing a triplex with enclosed car garage per unit which instigated this variance request. She further stated to reduce impervious coverage, they are revising front yard design.

No Public Comment**Motion**

A motion was made by Commissioner Bragman. Regarding Case No. **BOA-23-10300211**, I move that the Board of Adjustment grant a request for 1) a 975 square feet variance from the maximum 4530 square feet lot coverage to allow 5505 square feet development on a “RM-5” with over 65% lot coverage, situated at 202 Packard Street, applicant being Ion Homes & Resort USA, 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 variance to exceed the 65% lot coverage requirement. The variance request does not appear to be contrary to the public interest.

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 reduce the square footage of the triplex, 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 will be observed as all other development standards will be met and the increased impervious coverage is required for parking.
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 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 size of the proposed triplex and the proposed parking area.

The motion was seconded by Commissioner Cruz.

Favor: Bragman, Cruz, Spielman, Brown, Menchaca, Benavides, Ozuna, Oroian

Opposed: Dean, Zuniga, Vasquez

MOTION FAILS

Item #9

BOA-23-10300217: A request by Alamo Consulting Services for 1) a 21'2" variance from the required minimum 30' rear setback to allow a structure with an 8'10" rear setback and 2) a 6'2" variance from the minimum 15' Landscape Buffer to allow a 8'10" landscape buffer on the western property line, located at 2523 Nacogdoches Road. Staff recommends denial. (Council District 10) (Vincent Trevino, Senior Planner (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 15 notices were mailed to property owners, 0 returned in favor, 1 returned in opposition, and no registered neighborhood association.

Clay Crane, applicant, stated their proposing to expand their building with saving the existing trees. He stated they hired a contractor and was presented with the 2-story design as to not disturb the trees. Once construction started, he was informed by city officials permits were not pulled. He stated he has visited with his adjacent neighbors who have expressed their support.

No Public Comment

Motion

A motion was made by Commissioner Ozuna. Regarding Case No. **BOA-23-10300217**, I move that the Board of Adjustment grant a request for 1) a 21'-2" variance from the required minimum 30' rear setback to allow a structure with an 8'-10" rear setback no more than 25' width and 2) a request for a 6'-2" variance from the minimum 15' Landscape Buffer to allow an 8'-10" Landscape Buffer limited to 25' on the western property line, situated at 2523 Nacogdoches Road, applicant being Alamo Consulting Services, 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. In this case, the public interest is represented by restricted rear setback and buffer yard to provide spacing between the commercial use lot and the abutting residential lot. The applicant is requesting a variance to the rear setback and buffer yard to be 8'-10" from the rear property line. Staff finds this distance is suitable, as the residential structure is a distance away from the property line in question.

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

Staff finds an unnecessary hardship due to the location of the property and there being an adjacent residential zoned property.

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

The spirit of the ordinance will be observed as the structure cannot meet the 20' minimum rear setback and the 15' minimum Landscape Buffer requirement due to the placement of the new addition.

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 addition will be 8'-10" from the rear and have an 8'-10" Landscape Buffer. The structure does not appear to 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.*
Because of the existing structure, an addition maintaining a 20' rear setback is difficult to achieve. The request is not merely financial.

The motion was seconded by Commissioner Zuniga.

Favor: Ozuna, Zuniga, Spielman, Brown, Menchaca, Dean, Cruz, Benavides, Bragman, Vasquez, Oroian

Opposed: None

MOTION PASSES

Item #6

BOA-23-10300212: A request by Carlos Vargas for a 6'-6" variance from the minimum 10' front setback to allow a detached carport to be 3'-6" from the front property line, located at 5900 Lake Placid. Staff recommends approval. (Council District 2) (Joseph Leos, Planner (210) 207-3074, Joseph.Leos@sanantonio.gov, Development Services Department)

Staff stated 26 notices were mailed to property owners, 1 returned in favor, 0 returned in opposition, and no response from Lakeside Neighborhood Association.

Carlos Vargas, stated the purpose of this request is to allow for carport on his property.

No Public Comment

Motion

A motion was made by Commissioner Cruz. Regarding Case No. **BOA-23-10300212**, I move that the Board of Adjustment grant a request for a 4'-6" variance from the minimum 10' front setback to allow a detached carport to be 3'-6" from the front property line situated at 5900 Lake Placid, applicant being Carlos Vargas, 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. In this case, the public interest is represented by setback requirements to prevent water runoff and adequate spacing between properties. The applicant is requesting a variance to the front setback to allow a detached carport to be 3'-6" from the front property line. The carport will not be contrary, as the mitigation of storm water runoff will fall on the applicant's property and won't interfere with the neighboring property.

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

The special condition found on the subject property is the size of the lot. The minimum front setback requirement is 10', resulting in the variance being necessary for the construction of the carport. The applicant would undergo a hardship without a variance, as the construction of a sizeable carport to fit their vehicles would be unattainable.

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. Granting this variance will observe the spirit of the ordinance, as the carport will be located within their property and is abiding by all other setback requirements. Additionally, a building permit was issued but once notified about the need for the variance, the applicant halted construction to obtain one. All of which appears to 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.*

If granted, the carport will be 3'-6" from the front property line. This will not injure the appropriate use of adjacent conforming properties, as other carports imposing into the setback were found in the immediate vicinity. The request does not seem to be out of character with the district and is harmonious with the neighborhood.

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 limited spacing on the property.

The motion was seconded by Commissioner Zuniga.

Favor: Cruz, Zuniga, Spielman, Brown, Menchaca, Dean, Benavides, Bragman, Vasquez, Oroian
Opposed: None

MOTION PASSES

Item #7

BOA-23-10300213: A request by KJ Investor TX LLC for 1) a 15'2" variance from the minimum 20' rear setback to allow an addition to be 4'10" from the rear setback with a 1'8" overhang and 2) a 2'3" variance from the minimum 5' side setback to allow an addition to be 2'9" from the side setback with a 8" overhang, located at 139 Valdez Avenue. Staff recommends approval. (Council District 1) (Vincent Trevino, Senior Planner (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 28 notices were mailed to property owners, 0 returned in favor, 0 returned in opposition, and no response from Tobin Hill Neighborhood Association.

Jared Baker, representative, stated they applied a minor repair permit for the repairs to the home. As construction started, they observed framing and foundation repairs were needed. In the process of inquiring of permits needed for such extensive repairs, they received notification from city officials from neighbor complaints.

No Public Comment

Motion

A motion was made by Commissioner Bragman. Regarding Case No. **BOA-23-10300213**, I move that the Board of Adjustment grant a request for 1) a 15'-2" variance from the minimum 20' rear setback requirement to allow an addition to be 4'-10" from the rear setback with a 1'-8" overhang and 2) a 2'-3" variance from the minimum 5' side setback requirement to allow an addition to be 2'-9" from the side setback with an 8" overhang, situated at 139 Valdez Avenue, applicant being Jorge Jimenez, 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 rear setback of 20' and a side setback of 5' cannot be met due to the size of the lot. The structure will maintain a reasonable distance from surrounding structures therefore is not contrary to the public interest.
2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*
Staff finds a hardship due to the size of the lot. A new addition cannot be built while still maintaining the base district's setback requirements.

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

The spirit of the ordinance will be observed with the proposed setbacks. The variance will allow the property to maintain a new room addition while still closely aligning to the setback requirements.

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 addition will be 4'-10" from the rear property line and 2'-9" from the side property line. Similar structures and lot sizes are observed throughout the entire street therefore the request 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.*

Because of the placement of the existing structure, maintaining a 20' rear setback and 5' side setback for a new addition is unattainable.

The motion was seconded by Commissioner Ozuna.

Favor: Bragman, Ozuna, Spielman, Brown, Menchaca, Dean, Cruz, Zuniga, Benavides, Vasquez, Oroian

Opposed: None

MOTION PASSES

Item #8

BOA-23-10300215: A request by Civil Engineering Services for a 25' variance from the minimum 30' Landscape Buffer to allow a 5' Landscape Buffer along the southern property line, located at 2215 SE Loop 410. Staff recommends approval. (Council District 2) (Vincent Trevino, Senior Planner (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department).

Commissioner Brown left meeting at 4:46 pm

Staff stated 8 notices were mailed to property owners, 0 returned in favor, 0 returned in opposition, and no response from Dellcrest Area Neighborhood Association.

Commissioner Dean exited at 4:47 pm

Ray Flake, engineer, stated they are proposing a 2,400 square foot Panda Express restaurant on subject property. Subject property is surrounded by restaurants. He stated they would be providing a 30-foot landscape buffer to the abutting “C-2” property as required by code.

Commissioner Dean reentered at 4:51 pm

Public Comment

Voicemail

Anita L. Franklin, Dellcrest Neighborhood Association, in support.

Motion

A motion was made by Commissioner Cruz. Regarding Case No. **BOA-23-10300215**, I move that the Board of Adjustment grant a request for a 25’ variance from the minimum 30’ landscape buffer to allow a 5’ landscape buffer along the southern property line, situated at 2215 SE Loop 410, applicant being Civil Engineering Services, 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 reduced buffer will leave enough room between properties to reduce noise therefore is not contrary to the public interest.
2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*
Complying with the required landscape buffer would reduce the amount of space the applicant can build on the property.
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 reduced landscape buffer will observe the spirit of the ordinance as it will leave space between properties.
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 landscape buffer will not substantially injure the appropriate use of adjacent properties as the buffer variances being sought after are bordering commercial uses.

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 reduced landscape variances are sought is due to unique circumstances existing on the property, such as the location of the property.

The motion was seconded by Commissioner Bragman.

Favor: Cruz, Bragman, Spielman, Menchaca, Dean, Zuniga, Benavides, Ozuna, Vasquez, Oroian

Opposed: None

MOTION PASSES

Item #11

BOA-23-10300219: A request by Killen, Griffin & Farrimond, PLLC for 1) a driveway variance to allow two driveways within 50' and 2) a variance from the maximum 50% impervious cover requirement to allow the front yard to exceed the maximum 50% impervious cover, located at 760 East Locust Street. Staff recommends approval. (Council District 1) (Vincent Trevino, Senior Planner (210) 207-5501, Vincent.Trevino@sanantonio.gov, Development Services Department)

Staff stated 45 notices were mailed to property owners, 0 returned in favor, 1 returned in opposition with 2 received in opposition outside 200' radius, and no response from Tobin Hill Neighborhood Association.

Ashley Farrimond, representative, stated they are proposing multi residential development. This project would consist of 3 total units with 1 being occupied by the owner. The variance request is to allow for 2 driveways for development.

Commissioner Manna joined Web Ex at 5:05 pm

Public Comment

Jonathan Card, spoke in opposition.

Motion

A motion was made by Commissioner Ozuna. Regarding Case No. **BOA-23-10300219**, I move that the Board of Adjustment grant a request for 1) a driveway variance to allow two driveways within 50' with the driveway that is to be constructed limited to 14' and 2) a variance from the maximum 50% impervious cover requirement to allow the front yard to exceed the maximum 50% impervious cover while the applicant has provided testimony they intend to use decompose or crushed granite as the impervious cover, situated at 760 East Locust Street, applicant being Killen, Griffin & Farrimond, 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:

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 to have a driveway within 50' of another driveway and to allow the front yard to exceed 50% impervious cover for the front yard. The variance request does not appear to be contrary to the public interest.

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 only having one driveway on an Infill Development that allows 4 dwelling units. Based on the design and configuration of the lot, an additional driveway is required, thus adding additional impervious cover.

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. Based on the design and configuration of the lot only one driveway can be allowed on a lot that is under 50' frontage, an additional driveway is being requested for the structure for the use. Additionally, due to the additional driveway the impervious coverage will exceed 50%. The request appears to 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.*

Staff does not find evidence that the requested variance would alter the essential character of the district. The additional driveway being requested for the structure is for the use. Additionally, due to the additional driveway the impervious coverage will exceed 50%. The additional driveway and impervious cover are based on the design and configuration of the lot.

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. Based on the design and configuration of the lot the additional driveway and increase in impervious cover request do not appear merely financial.

The motion was seconded by Commissioner Bragman.

Favor: Ozuna, Bragman, Spielman, Manna, Menchaca, Cruz, Zuniga, Benavides, Vasquez, Oroian
Opposed: Dean

MOTION PASSES

Commission went into recess at 5:20 pm and reconvened at 5:31 pm.

Item #12

BOA-23-10300220: A request by Julian Rotnofsky for a half story variance from the maximum 2.5 stories, to allow a building with 3 stories, located at 617 East Euclid Avenue. Staff recommends approval. (Council District 1) (Joseph Leos, Planner (210) 207-3074, Joseph.Leos@sanantonio.gov, Development Services Department)

Staff stated 30 notices were mailed to property owners, 0 returned in favor, 0 returned in opposition, and Tobin Hill Community Neighborhood Association is in favor.

Patrick Christensen, representative, stated his client was granted a zoning change to IDZ-2 with the site plan with 3 stories with the support of the Tobin Hill Neighborhood Association. His client proceeds with submitting building plans, pulling permits and construction. During the time of submittal to construction the city changed the UDC (Unified Development Code) to have the 2 ½ story limitation that was adopted in January 2023. When final inspection was done prior to moving in, the inspector informed them they did not comply with code being that the code change from 3 stories to 2 ½ stories which is the purpose of this variance request. He stated they have reached out to Tobin Hill Neighborhood Association along with surrounding property owner who have all expressed support.

No Public Comment

Motion

A motion was made by Commissioner Bragman. Regarding Case No. **BOA-23-10300220**, I move that the Board of Adjustment grant a request for a half story variance from the maximum 2.5 stories to allow a building with 3 stories, situated at 617 East Euclid Avenue, applicant being Julian Ratnofsky, 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. For this case, the public interest is represented by height requirements for the protection of view for the adjacent residential uses. The applicant is requesting to deviate from the maximum 2 ½ stories permitted if adjacent to residential uses, to allow a structure to be 3 stories tall. Staff finds this request is not contrary to public interest of the abutting properties, as a towering structure will not impose onto the interest of the single-family residential uses and is located at the edge of a residential 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 the applicant building the structure 35' or 2 1/2 stories in height. This would result in an unnecessary hardship as the applicant would not have sufficient building height for the proposed use intended, living space would be drastically reduced, and alterations would need to be made.

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. Staff finds the spirit of the ordinance will be observed and substantial justice will be done as the subject property is zoned "IDZ-2" and has the allowance of up to 4 stories. The request does not seem to be out of character with the assigned base zoning district.

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 requested variance will not substantially injure the appropriate use of adjacent conforming properties or alter the essential character of the district. Upon site visits, staff observed the subject property being located near a high-volume intersection. This intersection is a major thoroughfare for this community where other three-story structures were observed thus not being out of character from the surrounding land uses.

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 applicant not having sufficient height requirements for the proposed use. The circumstances do not appear to be merely financial.

The motion was seconded by Commissioner Ozuna.

Favor: Bragman, Ozuna, Spielman, Manna, Menchaca, Dean, Cruz, Zuniga, Benavides, Vasquez, Oroian

Opposed: None

MOTION PASSES

Item #10

BOA-23-10300218: A request by Christensen P.C. for 1) a 1’7” variance from the minimum 5’ side setback to allow a structure to be 3’5” from the side property line, 2) a variance to allow three separate structures on an “RM-4” lot that is less than one third of an acre, 3) a variance to exceed the maximum 50% impervious cover, and 4) a half story variance from the maximum 2.5 stories, to allow a building with 3 stories, located at 815 South Pine Street. Staff recommends approval for side setback variance. Staff recommends denial for the three separate structures on an “RM-4” lot that is less than one third of an acre, impervious cover, and half story variances. (Council District 2) (Joseph Leos, Planner (210) 207-3074, Joseph.Leos@sanantonio.gov, Development Services Department)

Staff stated 46 notices were mailed to property owners, 0 returned in favor, 0 returned in opposition, and no response from Denver Heights Neighborhood Association.

Patrick Christensen, representative, stated they no longer asked for the variance to exceed the 50% impervious cover. He stated the purpose of the other 3 variances is to allow for 3 individual properties for condo development on each lot as they would be individually owned. He further stated he contact Denver Heights Neighborhood Association but did not received response.

Public Comment

Voicemail

Richard Fredrick, spoke in opposition.

Motion

A motion was made by Commissioner Ozuna to continue Case No. **BOA-23-10300218** until September 11, 2023, and was seconded by Commissioner Zuniga.

A verbal was vote was taken and all voted in affirmative except Commissioner Dean.

MOTION PASSES

3:00 pm Time Certain**Item #13**

BOA-23-10300204: A request for a Special Exception to allow one (1) additional Type 2 Short Term Rental permit on the block face, per UDC Section 35374.01(c). Staff recommends denial. (Council District 2) (Ashley Leal, Senior Planner (210) 207-6311, Ashley.Leal@sanantonio.gov, Development Services Department)

Staff stated 39 notices were mailed to property owners, 0 returned in favor, 0 returned in opposition, and no response from Jefferson Heights Neighborhood Association.

Travis Hurdlebrink, applicant, stated he has been a member of this community since 1998. He purchased this home with the idea that he was going to need supplemental income. When he purchased the home, it previously had a Type 2 permit. He stated he would be living in the home, but the purpose of the Type 2 permit request is, due to his job, he called away for long periods of time.

No Public Comment**Motion**

A motion was made by Commissioner Benavides. Regarding Case No. **BOA-23-10300204**, I move that the Board of Adjustment grant a special exception to allow for (1) Type 2 short term rental unit, situated at 536 Canton Street, applicant being Travis Hurdlebrink, 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.

- 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: Benavides, Ozuna, Spielman, Menchaca, Cruz, Zuniga, Bragman, Vasquez, Oroian

Opposed: Manna, Dean

MOTION PASSES

Item #15

BOA-23-10300207: An appeal by Priscilla Garcia of the Administrator's decision to revoke the short-term rental permit, located at 709 East Evergreen Court. Staff recommends denial. (Council District 1) (Ashley Leal, Senior Planner (210) 207-6311, Ashley.Leal@sanantonio.gov, Development Services Department)

Staff stated 29 notices were mailed to property owners, 1 returned in favor, 3 returned in opposition, and no response from Tobin Hill Community Neighborhood Association.

Priscilla Garcia, owner, stated she purchased the property in mid-December of 2021 and made this her homestead. She submitted for STR permit late December 2021 early January 2022, during pandemic. She made several attempts in contacting city staff to get a status on her application but never received any response. On January 11, 2022, she received her STR permit but due to family emergency she did not start her rentals until mid-March 2022. It was not until she received notice in March 2023 from the city stating she was delinquent in her taxes, so she made contact to pay debt and make things right. She was under the impression that AirBnB platform was taking care of the taxes. Her permit was revoked in June of 2022 and received a door hanger on July 12, 2022, at which all booking were cancelled. She has been working with the new payment collection company, Avenue to make payment arrangements and bring account to current.

No Public Comment

Motion

A motion was made by Commissioner Cruz. Regarding Case No. **BOA-23-10300207**, I move that the Board of Adjustment grant the appeal for the property, situated at 709 East Evergreen Court, applicant being Priscilla Garcia, because the information provided by the applicant shows that City staff made an error in revoking the Short-Term Rental permit.

The motion was seconded by Commissioner Bragman.

Favor: Cruz, Bragman, Spielman, Manna, Menchaca, Zuniga, Benavides, Ozuna, Vasquez, Oroian
Opposed: Dean

MOTION PASSES

Item #16

Consideration of a Special Board of Adjustment Meeting on Monday, September 18, 2023.

Motion

A motion was made by Commissioner Manna to accept the Special Board of Adjustment Meeting on September 18, 2023, and was seconded by Commissioner Cruz.

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

MOTION PASSES

Item #17

Approval of the minutes from the August 7, 2023, meeting.

A motion was made by Commissioner Bragman and seconded Commissioner Zuniga for approval of the August 7, 2023, minutes as presented.

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

MOTION PASSES

Adjournment

There being no further business, the meeting was adjourned at 6:50 PM.

APPROVED BY: _____ or _____
Chairman Vice-Chair

DATE: _____

ATTESTED BY: _____ DATE: _____
Executive Secretary