

Case Number:	BOA-24-10300008
Applicant:	Paloma Blanca Investments LLC
Owner:	Paloma Blanca Investments LLC
Council District:	3
Location:	624 West Harding Boulevard
Legal Description:	Lot 21, Block 77, NCB 9359
Zoning:	“R-6 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.
Case Manager:	Melanie Clark, Planner

A request for

A 7’ variance from the minimum 50' lot width requirement to allow a lot to be 43' wide.

Executive Summary

The subject property is located on West Harding Boulevard. Subdivision Plat 22-11800289, approved January 26, 2023, split the 0.34-acre lot into two separate properties. Due to the narrowness of the newly established lot, the applicant is requesting a 7’ variance from the minimum 50’ lot width requirement to allow a lot to be 43’ wide for development of a single-family dwelling.

Code Enforcement History

There is no code history for the subject property.

Permit History

The issuance of a building permit is pending the outcome of the Board of Adjustment.

Zoning History

The property was annexed by the City of San Antonio by Ordinance 4745, dated March 7, 1947, and zoned “C” Apartment District. The property was rezoned by Ordinance 66677 dated, February 25, 1988, from “C” Apartment District to “R-1” Single-Family Residential District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-1” Single-Family Residence District converted to the current “R-6” Residential Single-Family District.

Subject Property Zoning/Land Use

Existing Zoning

“R-6 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

Existing Use

Vacant Lot

Surrounding Zoning/Land Use

North

Existing Zoning District(s)

“R-6 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

Existing Use

Single-Family Residence

South

Existing Zoning District(s)

“R-6 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

Existing Use

Single-Family Residence

East

Existing Zoning District(s)

“R-6 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

Existing Use

Single-Family Residence

West

Existing Zoning District(s)

“R-6 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

Existing Use

Single-Family Residence

Comprehensive Plan Consistency/Neighborhood Association

The subject property is currently located in West/Southwest Sector Plan and is designated as “General Urban Tier” in the future land use component of the plan. The subject property is located within the Harlandale-McCollum Community Neighborhood Association and were notified of the case.

Street Classification

West Harding Boulevard is classified as a local road.

Criteria for Review – Lot Width Variance

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. *The variance is not contrary to the public interest.*

Due to the size of the property, a 7’ variance to allow a lot of width of 43’ will not affect the general health, safety, and welfare of the neighbor or surrounding properties.

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

A literal enforcement of the ordinance would prevent the applicant from development of single-family dwelling 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 granting of this variance will observe the spirit of the ordinance, as the new build will be abiding all other 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.*

The width variance will allow a single-family dwelling to be constructed within the boundaries of a 43' lot. This will not injure the appropriate use of adjacent properties and will not alter the essential character of the district as similar lot widths can be seen throughout 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 the size and orientation of the lot. This circumstance does not appear to be merely financial.

Staff Recommendation – Lot Width Variance

Staff recommends **Approval** in **BOA-24-10300008** based on the following findings of fact:

- 1. The reduced lot width will not injure neighboring properties; and**
- 2. The development within the property will be abiding all other setback requirements.**