

Case Number:	BOA-22-10300193
Applicant:	Catherine Ann Reichardt
Owner:	Catherine Ann Reichardt
Council District:	1
Location:	254 Savannah Drive
Legal Description:	Lot 21, Block 7, NCB 10006
Zoning:	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District
Case Manager:	Vincent Trevino, Senior Planner

Request

A request for 9' variance from the minimum 10' front setback requirement, as described in Section 35-310.01 to allow an attached carport to be 1' from the front property line.

Executive Summary

The subject property is located along Savannah Drive near the intersection of Vance Jackson Road and North of I.H. 10 and currently has an existing single-family residence. Built without a permit, the applicant constructed an attached carport which encroaches into the front setback. A Zoning UDC Investigation began on July 7th, 2022, for a property setback violation. The length of the carport is 27'. A variance was recently granted on the same block for a carport front setback.

Code Enforcement History

A Zoning UDC Investigation began on July 7th, 2022, for a property setback violation.

Permit History

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

Zoning History

The subject property was annexed into the City of San Antonio by Ordinance 10710, dated November 30, 1949, and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single-Family District.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Residence

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
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North	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Residence
South	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Residence
East	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Residence
West	"R-4 AHOD" Residential Single-Family Airport Hazard Overlay District	Single-Family Residence

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Greater Dellview Area Community Plan and is designated "Low Density Residential" in the future land use component of the plan. The subject property is within the Dellview Area Neighborhood Association and were notified of the case.

Street Classification

Savannah Drive is classified as a local road.

Criteria for Review – Front Setback 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.*

The front yard does not have adequate space to have a front setback of 10'-0". The structure will meet the side setback requirement but 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.*

Staff finds hardship on the lot as there is not adequate space to meet the minimum front setback requirement for the carport.

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 attached carport cannot meet the 10' minimum front setback requirement and fit a vehicle.

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 evidence that the requested variance would not alter the essential character of the district as the front yard cannot support the length of a vehicle under a carport.

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 width of the lot and configuration of the existing residence, maintaining a 10' front setback is not appropriate for the area. The request is not merely financial.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to the Setbacks per 35-310.01 of the UDC.

Staff Recommendation – Front Setback Variance

Staff recommends Approval in BOA-22-10300193 based on the following findings of fact:

1. There is not sufficient space available to have a 10' front setback for the structure; and
2. Similar Zoning Variance was approved on the same block.