

**BOARD OF ADJUSTMENT
OFFICIAL MINUTES
July 25, 2016**

Members Present: Mary Rogers
Roger Martinez
Maria Cruz
Paul Klein
Alan Neff
Jeffrey Finlay
Denise Ojeda
Christopher Garcia
Henry Rodriguez
Frank Quijano
Jesse Zuniga
Edward P. Magallanes

Staff:
Catherine Hernandez, Planning Manager
Logan Sparrow, Senior Planner
Shepard Beamon, Planner
Paul Wendland, City Attorney

Call to Order

Pledge of Allegiance to the U.S. and Texas Flags.

Ms. Rogers, called the meeting to order and called roll of the applicants for each case.

Arianne Villanueva from World Wide Translators was present.

CASE NO. A-16-094

Applicant – Angelita Bacilio

W 28.15 FT of E 56.3 FT of Lots 1, 2 & 3, Block 2, NCB 6151

106 Lorraine

Zoning: "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District

Request

A request for 1) an elimination of the 30 foot side setback, as described in Section 35-310.01, and 2) an elimination of the 30 foot rear setback, as described in Section 35-310.01, to allow a wrap-around porch to be located on the side and rear property line.

Logan Sparrow, Planner, presented background and staff's recommends approval of the variance. He indicated 27 notices were mailed, 0 returned in favor, and 0 returned in opposition no neighborhood association.

Angelita Bacilio, applicant, stated the only safe way to get to the back of the house was through the porch, it protects from rain and mud.

No citizens appeared to speak.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-16-094 closed.

MOTION

A motion was made by **Mr. Rodriguez**, "Regarding Appeal No. **A-16-094**, variance application for 1) an elimination of the **27** foot side setback and 2) an elimination of the **27** foot rear setback to allow a wrap-around porch to be located on the side and rear property line, subject property description W 28.15 FT of E 56.3 FT of Lots 1, 2 & 3, Block 2, NCB 6151, situated at 106 Lorraine, applicant being Angelita Bacilio.

"I move that the Board of Adjustment grant the applicant's request for a variance to the subject property as described above, 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) Such variance will not be contrary to the public interest in that **the public interest is defined as the general health, safety, and welfare of the public. In this case, the public interest is represented by setbacks that help to ensure that we have uniform, safe development within the City of San Antonio. The subject property was illegally subdivided to create a small lot. Staff finds that a 3 foot side and rear setback would meet the spirit of the code.**
- 2) A literal enforcement of the ordinance would result in unnecessary hardship in that **the small lot size and limited developable space. Staff finds a reduced setback would meet the spirit of the code.**
- 3) The spirit of the ordinance is observed and substantial justice is done in that **the spirit of the ordinance represents the intent of the requirement. Granting a 27 foot variance to allow a porch to be located 3 feet from the rear and side property line will result in substantial justice as the 3 feet of separation provides an area for maintenance without trespass and mitigates water runoff. The applicant will still be required to meet fire standards.**
- 4) Such variance will not authorize the operation of a use other than those uses specifically authorized in the **"C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District.**

- 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 in that **granting a modified request of a 27 foot variance will provide 3 feet of space in the rear and on the side to ensure water does not fall onto adjacent property and provides space for maintenance without trespass. Additionally, the applicant will be required to meet fire standards thus ensuring safety of the adjacent property**
- 6) The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property. **The owner of the property is not responsible for the small lot size. Granting a 27 foot variance will respect the spirit and intent of the code.** The motion was seconded by Mr. Klein.

AYES: Rodriguez, Klein, Zuniga, Cruz, Garcia, Teel, Ojeda, Neff, Rogers.

NAYS: Martinez, Quijano.

THE VARIANCE IS GRANTED.

CASE NO. A-16-121

Applicant – Health Texas

Lot 34, Block 6, NCB 13266

2961 Mossrock Drive

Zoning: “O-2 AHOD” High Rise Office Airport Hazard Overlay District

Request

A request for a 120 square foot variance from the 375 square foot maximum sign area, as described in Section 28-239, to allow for a sign with 495 square feet in area.

Logan Sparrow, Senior Planner, presented the background information and staff’s recommendation. 20 Notices were mailed out, 0 in favor several in opposition and no neighborhood associations.

Ruben Solis, Health Texas, requested approval of the banner to advertise the company’s accomplishment.

Dennis Attard, Senior Sign Inspector, confirmed it is a canvas banner and not a lit sign.

No Citizens signed up to speak.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-16-121 closed.

MOTION

A motion was made by **Mr. Martinez**. “Regarding Appeal No **A-16-121**, variance application for a 120 square foot **banner** variance from the 375 square foot maximum sign area to allow for a sign with 495 square feet including the **banner** area, subject property description Lot 34, Block 6, NCB 13266, situated at 2961 Mossrock Drive, applicant being Health Texas.

“I move that the Board of Adjustment grant the applicant’s request for a variance to the subject property as described above, 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:

The board finds that:

- a. Granting the variance does not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated in that **granting this variance will permit the property owner to advertise themselves in a location that the signage is visible. Other businesses along Mossrock Drive do not have as much landscaping and trees blocking the view of signage.**
- b. Granting the variance will not have a substantially adverse impact upon neighboring properties in that **it is unlikely that other properties around the subject property to be negatively affected by the requested variance. The request allows an addition to an existing (banner) sign, rather than the construction of an entirely new sign.**
- c. Granting the variance will not substantially conflict with the stated purposes of this article in that **the requested variance does not conflict with the stated purpose of this chapter and provides the owner an opportunity to advertise the an award.” The motion was seconded by Mr. Garcia.**

AYES: Garcia, Cruz, Zuniga, Rodriguez

NAYS: Martinez, Klein, Teel, Ojeda, Neff, Quijano, Rogers

THE VARIANCE FAILED.

CASE NO. A-16-115

Applicant – Hyoson K. Albert

Lot 3, Block A, NCB 1653

922 North Pine Street

Zoning: “R-5 H AHOD” Single-Family Residential Dignowity Hill Historic Airport Hazard Overlay District

Request

A request for a special exception, pursuant to Section 35-399.01 (i) of the Unified Development Code, to allow a one operator beauty/barber shop in a home.

Logan Sparrow, Senior Planner, presented background and staff's recommendation of approval of the variance. He indicated 27 notices were mailed, 1 returned in favor, and 0 returned in opposition. Dignowity Hill Neighborhood Association was notified.

Hyoson Albert, applicant, stated she recently moved from Chicago and chose this neighborhood and loves the area and wants to have a home based business to be with her family.

The following citizens appeared to speak:

Liz Franklin, President of the Dignowity Hill Neighborhood Association, spoke in favor of the special exception and believes this is a great opportunity for other small home businesses.

Juan Garcia, owner of property, spoke in favor of the special exception.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-16-115 closed.

MOTION

A motion was made by **Ms. Cruz**. Regarding Appeal No. **A-16-115**, request for a special exception to allow a one operator beauty/barber shop in a home, subject property description Lot 3, Block A, NCB 1653, situated at 922 North Pine Street, applicant being Hyoson Albert.

"I move that the Board of Adjustment grant the applicant's request for a special exception to the subject property as described above, 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 in that the purpose of the review is to ensure that the operation of one-operator beauty/barber shop does not negatively impact the character of the community. The applicant has demonstrated that he will fulfill requirements for a one-operator shop as established in the Unified Development Code. As such, staff finds that the special exception will be in harmony with the purpose of the chapter.**
- B. The public welfare and convenience will be substantially served in that the public welfare and convenience will be served as it will provide a valuable service to the residents of the neighborhood.**

- C. The neighboring property will not be substantially injured by such proposed use in that **the subject property will be primarily used as a single family residence. The beauty/barber shop will occupy only a small portion of the home, as required by the UDC. A neighboring property owner should not have any indication that a portion of the home is being used for this purpose.**
- 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 in that **the requested special exception is not likely to negatively impact adjacent property owners as the home is in character with those around it. During the field visit, staff noted nothing visible from the street that would indicate the presence of a beauty/barber shop. Also, staff noted a driveway capable of providing necessary parking for the proposed use, in addition to available on-street parking.**
- E. The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district in that **the primary use of the dwelling remains a single-family home. The granting of this special exception will not weaken the purposes of the residential zoning district. Staff recommends a two year exception and business hours between 9am to 6pm.” The motion was seconded by Mr. Garcia.**

AYES: Cruz, Garcia, Neff, Martinez, Klein, Quijano, Ojeda, Zuniga, Teel, Rodriguez, Rogers

NAYS: None

THE SPECIAL EXCEPTION IS GRANTED.

CASE NO. A-16-120

Applicant – Ashley Magno

Lot 6, Block 3, NCB 16015

14122 Swallow Drive

Zoning: “R-6 AHOD” Single-Family Residential Airport Hazard Overlay District

Request

A request for a special exception, pursuant to Section 35-399.01 (i) of the Unified Development Code, to allow a one-operator beauty/barber shop in the home.

Shepard Beamon, Planner, indicated 33 notices were mailed, 2 returned in favor, 5 returned in opposition, and El Chapparral Valley Neighborhood Association was notified.

Ashley and David Magno, stated with their recent addition to the family they wish to start a home based business and requested approval.

No citizens appeared to speak.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-16-120 closed.

MOTION

A motion was made by **Mr. Rodriguez**. Regarding Appeal No. **A-16-120**, request for a special exception to allow a one operator beauty/barber shop in a single-family home, subject property description Lot 6, Block 3, NCB 16015, situated at 14122 Swallow Drive, applicant being Ashley Magno.

"I move that the Board of Adjustment grant the applicant's request for a special exception to the subject property as described above, 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 in that **the applicant has fulfilled all requirements for a one-operator shop as established in the Unified Development Code.**
- B. The public welfare and convenience will be substantially served in that **the public welfare and convenience will be served as it will provide a valuable service to the residents of the neighborhood.**
- C. The neighboring property will not be substantially injured by such proposed use in that **the subject property will be primarily used as a single family residence. The beauty/barber shop will occupy only a small portion of the home, as required by the UDC. A neighboring property owner should not have any indication that a portion of the home is being used for this purpose.**
- 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 in that **the requested special exception is not likely to negatively impact adjacent property owners as the home is in character with those around it and that nothing visible from the street that would indicate the presence of a beauty/barber shop. There is a driveway available for parking in addition to on-street parking.**
- E. The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district in that **the granting of this special exception will not weaken the purposes of the residential zoning district as the primary use of the dwelling remains a single-family home for a period of two years with the hours of**

operation from Tuesday through Saturday from 11am to 6pm.” The motion was seconded by Ms. Cruz.

AYES: Rodriguez, Cruz, Teel, Neff, Martinez, Klein, Garcia, Quijano, Ojeda, Zuniga, Rogers,

NAYS: Martinez

THE SPECIAL EXCEPTION IS GRANTED AS AMENDED.

The Board of Adjustment recessed for a 10 minute break at 3:00 p.m.

The Board of Adjustment reconvened at 3:10 p.m.

CASE NO. A-16-116

Applicant – Veronica Martinez

Lot 6, Block 21, NCB 13274

411 Patricia Drive

Zoning: “R-5 AHOD” Residential Single-Family Airport Hazard Overlay District

Request

A request for a sixteen (16) foot variance from the thirty (30) foot platted front setback, as described in Section 35-516 (O), to allow a carport to be fourteen (14) feet from the front property line.

Logan Sparrow, Planner, presented background and staff’s recommendation. He indicated 20 notices were mailed, 1 returned in favor, and 1 returned in opposition. No response from Greater Harmony Hills Neighborhood Association.

Veronica Martinez, applicant, stated she will comply with staff to get approval of the carport.

No citizens appeared to speak.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-16-116 closed.

MOTION

A motion was made by **Mr. Quijano**. “Regarding Appeal No. **A-16-116**, variance request for a sixteen (16) foot variance from the thirty (30) foot platted front setback to allow a carport to be fourteen (14) feet from the front property line, subject property description Lot 6, Block 21, NCB 13274, situated at 411 Patricia Drive, applicant being Veronica Martinez.

"I move that the Board of Adjustment grant the applicant's request for a variance to the subject property as described above, 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) Such variance will not be contrary to the public interest in that **the public interest is defined as the general health, safety, and welfare of the public. In this case, the public interest is represented by setbacks that help to ensure that we have uniform, safe development within the City of San Antonio. The proposed design meets the required front setback as required by the UDC but encroaches into the platted front setback. The proposed carport will allow for maintenance without trespass and is not likely to increase risk of fire spread or water run-off to adjacent properties. This carport is not contrary to the public interest.**
- 2) Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship in that **the 30 foot platted front setback greatly limits the location for a carport or any future development.**
- 3) The spirit of the ordinance is observed and substantial justice is done in that **granting the requested variance will result in substantial justice as the proposed design will meet the UDC requirements thus respecting and upholding the spirit of the ordinance. Additionally, the carport is not likely to cause an increase in fire spread to adjacent properties.**
- 4) Such variance will not authorize the operation of a use other than those uses specifically authorized in the **"R-5 AHOD" Residential Single-Family Airport Hazard Overlay District.**
- 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 in that **carport is proposed to be built within the UDC standard and thus will not negatively impact adjacent properties or 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, **because a home built at the platted setback limits future additions creates a hardship. This hardship was not caused by the owner and is not merely financial in nature.** The motion was seconded by Mr. Martinez.

AYES: Quijano, Martinez, Garcia, Ojeda, Zuniga, Neff, Teel, Cruz, Rodriguez, Rogers

NAYS: Klein

THE VARIANCE IS GRANTED.**CASE NO. A-16-117**

Applicant – Rodolfo Z. Uribe
Lot 48, Block 3, NCB 13616
2626 Navajo Street
Zoning: “I-2 AHOD” Heavy Industrial Airport Hazard Overlay District

Request

A request for 1) a 17 foot variance from the 25 foot platted front setback, as described in Section 35-516(o), to allow a carport to be eight feet from the front property line and 2) a 22 foot variance from the 30 foot front zoning setback, as described in Section 35-310.01, to allow the carport to be eight feet from the front property line and 3) a two foot variance from the three foot side yard setback, as described in Section 35-370(b)(1), to allow a carport with no eave overhang to be one foot from the side property line.

Logan Sparrow, Senior Planner, presented the background information and staff’s recommendation of the variance request. He indicated 22 notices were mailed, 0 returned in opposition and 0 in favor and no neighborhood association.

Rodolfo Z. Uribe, applicant, stated they hired a contractor and that every contractor they spoke to said they did not need a permit. The carport is made of metal and requested approval.

No citizens appeared to speak.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-16-117 closed.

MOTION

A motion was made by **Mr. Martinez**. “Regarding Appeal No. **A-16-117**, variance application for 1) a 17 foot variance from the 25 foot platted front setback to allow a carport to be 8 feet from the front property line and 2) a 22 foot variance from the 30 foot front zoning setback to allow the carport to be 8 foot from the front property line and 3) a 2 foot variance from the 3 foot side yard setback to allow a carport with no eave overhang to be one foot from the side property line, subject property description Lot 48, Block 3, NCB 13616, situated at 2626 Navajo, applicant being Rodolfo Z. Uribe.

“I move that the Board of Adjustment grant the applicant’s request for a variance to the subject property as described above, 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) Such variance will not be contrary to the public interest in that **the public interest is defined as the general health, safety, and welfare of the public. In this case, the public interest is represented by setbacks and the applicant has provided enough of a setback to ensure that the structures are safe. Further, the setbacks established by the zoning and the plat are too restrictive.**
- 2) A literal enforcement of the ordinance would result in unnecessary hardship in that **a literal enforcement would result in the property owner having no space for any carport addition.**
- 3) The spirit of the ordinance is observed and substantial justice is done in that **the spirit of the ordinance requires setbacks to ensure safety. The metal structure poses no fire threat and the applicant has addressed drainage concerns.**
- 4) Such variance will not authorize the operation of a use other than those uses specifically authorized in the **"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District.**
- 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" in that **the applicant has addressed fire and drainage concerns.**
- 6) The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property **in that the non-conforming zoning, as well as the platted setback, creates unreasonable obstacles for carport construction.** The motion was seconded by Mr. Rodriguez.

AYES: Martinez, Rodriguez, Klein, Neff, Ojeda, Teel, Quijano, Cruz, Garcia, Zuniga, Rogers

NAYS: None

THE VARIANCE IS GRANTED

CASE NO. A-16-118

Applicant – Steven R. Smith

Lot 4, Block 8, NCB 12518

2743 Hitching Post Drive

Zoning: "NP-8 AHOD" Neighborhood Preservation Airport Hazard Overlay District

Request

A request for a ten foot variance from the 30 foot platted front setback, as described in Section 35-516(o), to allow a carport to be 20 feet from the front property line.

Logan Sparrow, Senior Planner, presented background and staff's recommendation of the request. He indicated 20 notices were mailed, 2 returned in favor, 0 returned in opposition, MacArthur Park Neighborhood Association is in favor.

Steven R. Smith, applicant, wishes to build a carport to protect from hail and wants to go through all the proper channels.

No citizens appeared to speak.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-16-118 closed.

MOTION

A motion was made by **Mr. Garcia**. "Regarding Appeal No. **A-16-118**, variance application for a 10 foot variance from the 30 foot platted front setback to allow a carport to be 20 feet from the front property line, subject property description Lot 4, Block 8, NCB 12518, situated at 2743 Hitching Post, applicant being Steven R. Smith.

"I move that the Board of Adjustment grant the applicant's request for a variance to the subject property as described above, 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) Such variance will not be contrary to the public interest in that **the public interest is defined as the general health, safety, and welfare of the public. In this case, the public interest is represented by setbacks and the proposed design meets the zoning setback.**
- 2) A literal enforcement of the ordinance would result in unnecessary hardship in that **a literal enforcement would result in a carport of insufficient depth to protect vehicles.**
- 3) The spirit of the ordinance is observed and substantial justice is done in that **the spirit of the ordinance requires setbacks to ensure safety. The proposed structure meets the side setback requirement and thus will not pose a fire or drainage threat.**
- 4) Such variance will not authorize the operation of a use other than those uses specifically authorized in the **"NP-8 AHOD" Neighborhood Preservation Airport Hazard Overlay District.**

- 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 in that **the proposed design does not encroach into any side setback where it could affect adjacent properties.**
- 6) The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property in that **the platted setback imposes an additional construction barrier. The proposed carport meets the front setback. The motion was seconded by Mr. Martinez.**

AYES: Garcia, Martinez, Zuniga, Neff, Ojeda, Quijano, Klein, Rogers, Teel, Cruz, Rodriguez

NAYS: None

THE VARIANCE IS GRANTED.

CASE NO. A-16-124

Applicant – Barbara Divila
Lot 113, Block 18, NCB 17733
4819 Castle Stream Drive
Zoning: “R-6 AHOD” Single-Family Residential Airport Hazard Overlay District

Request

A request for a twenty (20) foot variance from the thirty (30) foot platted front setback, as described in Section 35-516 (O), to allow a carport to be ten (10) feet from the front property line.

Logan Sparrow, Senior Planner, presented background for the requested variance. He indicated 32 notices were mailed, 1 returned in favor, 0 returned in opposition, and no response from the East Village Neighborhood Association.

Barbara Divila, applicant, stated she recently received \$9000 worth of damage to her new vehicle and requested approval of the variance for a carport.

No citizens appeared to speak.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-16-124 closed.

MOTION

A motion was made by Neff. "Regarding Appeal No. **A-16-124**, for twenty (20) foot variance from the thirty (30) foot platted front setback to allow a carport to be ten (10) feet from the front property line, subject property description Lot 113, Block 18, NCB 1773, situated at 4819 Castle Stream, applicant being Barbara Divila.

"I move that the Board of Adjustment grant the applicant's request for a variance to the subject property as described above, 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) Such variance will not be contrary to the public interest in that **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 limitations to protect property owners and create a cohesive streetscape. The proposed ten (10) feet in the front of the property provides this streetscape protection in other areas. Since the carport meets the side setback, a modified 20 foot variance would not be contrary to the public interest.**
- 2) A literal enforcement of the ordinance would result in unnecessary hardship in that **enforcement of the platted setback would not allow any carport. Allowing a reduced front setback will provide equal treatment for all residential properties.**
- 3) The spirit of the ordinance is observed and substantial justice is done in that **the spirit of the ordinance represents the intent of the requirement. The requested variance for a ten (10) foot front setback meets the zoning requirement established in most residential districts.**
- 4) Such variance will not authorize the operation of a use other than those uses specifically authorized in the **"R-5 AHOD" Residential Single-Family Airport Hazard Overlay District.**
- 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 in that **the carport will be an attractive addition to the home when it is completed. A twenty (20) foot variance from the thirty (30) foot platted setback will not cause harm to adjacent properties. Additionally, the property will not increase fire hazard, as the carport will be constructed out of metal material, nor will it create issues with water runoff on the adjacent property, and will allow room for maintenance without trespass.**
- 6) The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, **the thirty (30) foot platted front setback poses an additional barrier to property development and does not provide this property owner**

equal rights for development. The City of San Antonio has an established 10 foot front setback, applied in all residential districts, and the proposed carport meets this established setback.” Mr. Klein seconded the motion.

AYES: Neff, Klein Garcia, Ojeda, Quijano, Cruz, Rodriguez, Martinez, Teel, Zuniga, Rogers

NAYS: None

THE VARIANCE IS GRANTED.

Ms. Rogers made a motion to approve the July 25, 2016 minutes with all members voting in the affirmative.

Directors Report: None

There being no further discussion, meeting adjourned at 4:28 pm.

APPROVED BY: Mary Rogers OR _____
Chairman Vice-Chair

DATE: _____

ATTESTED BY: John Raj DATE: 8-8-16
Executive Secretary