



City of San Antonio

Legislation Details (With Text)

File #: 21-5157

Type: Staff Briefing - Without Ordinance

In control: Board of Adjustment

On agenda: 8/16/2021

Title: BOA-21-10300078: A request by Doronio Filamor for a 9' 9" variance from the minimum 10' front setback to allow a carport to be 1" away from the front property line, located at 10318 Coral Village. Staff recommends Approval. (Council District 4) (Kayla Leal, Senior Planner (210) 207-0197, kayla.leal@sanantonio.gov, Development Services Department)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachments

Date	Ver.	Action By	Action	Result
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Case Number:	BOA-21-10300078
Applicant:	Doronio Filamor
Owner:	Doronio Filamor
Council District:	4
Location:	10318 Coral Village
Legal Description:	Lot 36, Block 85, NCB 15910
Zoning:	"R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Air Force Base Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District
Case Manager:	Kayla Leal, Senior Planner

Request

A request for a 9' 9" variance from the minimum 10' front setback, as described in Section 35-510, to allow a carport to be 1" away from the front property line.

Executive Summary

The subject property is located on Coral Village within a single-family subdivision. The applicant is requesting to build a carport in the front yard and has a limited amount of space. While staff did note a few other carports in the surrounding area, there were not any carports along Coral Village. The property does have a short driveway, and there is not much room to place a carport on the property. Even though the carport is being

proposed one inch from the front property line, the Right-Of-Way and driveway approach offer a good distance to the street.

Code Enforcement History

There are no relevant Code Enforcement violations pending.

Permit History

Permits have recently been pulled for the renovation of the structure.

Zoning History

The subject property was annexed into San Antonio City Limits on December 31, 1995, established by Ordinance 83136. The property was zoned Temporary “R-1” Single Family Residence District. The zoning changed to “R-1” Single Family Residence District, established by Ordinance 85420, dated January 9, 1997. The “R-1” zoning converted to the current “R-6” Residential Single-Family District upon adoption of the 2001 Unified Development Code (Ordinance 93881, established May 3, 2001).

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Air Force Base Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Residence

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Air Force Base Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Residence
South	“R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Air Force Base Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Residence
East	“R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Air Force Base Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Residence
West	“R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family Lackland Air Force Base Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District	Single-Family Residence

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located in the North Sector Plan and is designated “Suburban Tier” in the future land use component of the plan. The subject property is located within the Heritage Neighborhood Association, and they were notified of this application.

Street Classification

Coral Village is classified as a Local Road.

Criteria for Review - Variances

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 public interest is defined as the general health, safety, and welfare of the public. The applicant is requesting to reduce the front setback in order to construct a carport. With the driveway approach offering space between the structure and the street, the variance 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 a ten foot setback from the front property line. The required setback would reduce the driveway to about half, which is not adequate space for the length of a vehicle.

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. With the driveway approach in front of the carport, there will still appear to be adequate space between the carport and the street frontage.

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 proposed variance does not appear to substantially injure adjacent conforming properties or the essential character of the district. A few other carports were observed in the surrounding area.

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 the limited space in the front yard and is not merely financial.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to the Landscape Buffer Requirements Section 35-510.

Staff Recommendation

Staff recommends **Approval** in **BOA-21-10300078** based on the following findings of fact:

1. The Right-Of-Way is 50' wide which reduces the amount of space in the front yard; and
2. The proposed carport will be one inch away from the front property line.