

**City of Alamo Heights**  
**BOARD OF ADJUSTMENT**  
**MINUTES**  
May 11, 2016

The Board of Adjustment held a special meeting at the Council Chambers of the City of Alamo Heights located at 6116 Broadway St, San Antonio, Texas on Wednesday, May 11, 2016, at 5:30 p.m.

Members present and composing a quorum of the Board:

Bill Orr, Chair  
Cindy Culver  
Lott McIlhenny  
Wayne Woodard  
Hall Hammond, Alternate

Members absent:

Jimmy Satel  
Wes Sharples, Alternate

Staff members present:

Jason B. Lutz, Director of Community Development Services  
Fred R Jones, City Attorney  
Michael S Brenan, City Attorney  
Jennifer Reyna, City Secretary  
Lety Hernandez, Planner  
Eli Briseno, Combination Inspector

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The meeting was called to order by Chairman Orr at 5:35 p.m and adjourned the regular Board of Adjustment meeting to conduct a closed meeting as authorized by Section 551.071(1)(A) of the Texas Government Code to consult with its attorneys pending litigation – Jim Polasek et al vs City of Alamo Heights in Cause No. 2015-CI-19185.

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Chairman Orr reconvened the regular meeting at 5:53pm. There was no action taken during the closed session.

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Mr. Hammond made a motion to approve the minutes from February 03, 2016 as corrected. Mr. Woodard seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Culver, Hammond, McIlhenny, Woodard  
AGAINST: None

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**Case No. 2243 – 306 Kokomo St**

Application of Jim and Lisa Polasek, owners, requesting the following variance(s) in order to add to the existing residence on the property located at 306 Kokomo St, zoned SF-A:

- 1) A garage face located 33 feet 5 ½ inches past the midpoint of the main structure per Section 3-21(1) and
- 2) The attached garage will be 13 feet 7 3/8 inches from the front property line instead of the minimum 50 feet required per Section 3-21(1) of the City's Zoning Code.

Chairman Orr asked if they would be swearing in any witnesses and Matthew Cowart, attorney for the owners, responded yes. Mr. Jones, City Attorney, clarified who would need to be sworn in. Jennifer Reyna, City Secretary, administered the oath to the witnesses.

Mr. Lutz presented the case and provided background information.

Chairman Orr asked if staff had discussed the options presented with the resident and Mr. Lutz responded they had. He went on to ask if new postcards were mailed for the current meeting and Mr. Lutz responded staff had as this was a new case and previous responses were not part of the new count.

Mr. Woodard asked for clarification regarding the current scope of work and if any work had been done to the existing garage. Mr. Lutz responded.

At that time, Mr. Cowart, questioned Mr. Lutz regarding staff's previous findings regarding hardships, minimum requirements for lot size in the zoning district, setback requirements, when the original structure was constructed, previous zoning codes, and the number of attached garages in the area. He added that they would have a licensed realtor, testify to what they were able to find out.

Mr. Polasek spoke regarding the case and his regretting starting construction without a permit.

Chairman Orr asked if any of the options staff provided were viable and Mr. Polasek responded stating that the maximum roof height allowed for a breezeway and wanting to have air conditioning would create a problem. He added that he had spoken to those present at the last meeting speaking in opposition and that they were in agreement with the project now.

Mrs. Polasek spoke regarding the number of attached garages in the area. Mr. Woodard posed several questions regarding her findings.

Chairman Orr opened the public hearing. Those present and speaking regarding the case were as follows:

Jim Metcalf, Bulverde

No additional people were present to speak regarding this case.

Mr. Woodard moved to deny the variances as requested. The motion was seconded by Ms. Culver.

The motion was approved with the following vote:  
FOR: Orr, Culver, Hammond, McIlhenny, Woodard  
AGAINST: None

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**Case No. 2244 – 111 Viesca Ave**

Application of Don Seidel, Architect, applicant, representing Jennifer Wood, owner, requesting the following variance(s) in order to add to the existing main structure on the property located at 111 Viesca Ave, zoned SF-A:

- 1) A proposed front yard setback of 16 feet to the main structure instead of the minimum 30ft required per Section 3-14 of the City's Zoning Code.

Mr. Lutz presented the case. Mr. Wood, owner, was present and spoke regarding the case. An open discussion followed regarding the neighboring property to the east and drainage issues at the rear of the property in question.

At that time, Chairman Orr opened the public hearing. No one was present to speak regarding the case.

Mr. Hammond moved to approve the variances as requested. The motion was seconded by Mr. Woodard.

The motion was approved with the following vote:  
FOR: Orr, Hammond, McIlhenny, Woodard  
AGAINST: Culver

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**Case No. 2245 – 616 Ogden Lane**

Application of Brett Corrigan, applicant, representing Patrick Atkerson, owner, requesting the following variance(s) in order to add a detached accessory structure on the property located at 616 Ogden Lane, zoned SF-A:

- 1) Zero (0) covered parking spaces instead of the minimum two (2) covered spaces required per Section 3-21 of the City's Zoning Code.

Mr. Lutz presented the case. The owner and contractor were present. The owner spoke regarding the case. He stated that they have ample off street parking but are built out to setbacks on the main structure. Since they don't have alley access, the only other place to put covered parking would be in the front of the main structure which would also require a variance.

Mr. Hammond moved to approve the variances as requested. The motion was seconded by Ms. Culver.

The motion was approved with the following vote:  
FOR: Orr, Culver, Hammond, McIlhenny, Woodard.  
AGAINST: None

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Case No. 2240 – 115 Harrison Ave, Peggy Richardson – requested a 90-day extension. The Board voted unanimously to approve the 90-day extension.

Case No. 2241 – 6061 Broadway St, Phyllis Browning – requested a 90-day extension. The Board voted to approve the 90-day extension with Mr. Hammond abstaining.

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New members, Lott McIlhenny and Wes Sharples, were introduced.

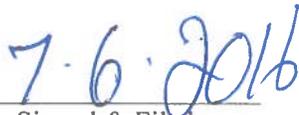
There being no further business, Mr. Woodard moved to adjourn the meeting, seconded by Ms. Culver, and unanimous vote to support the motion. The meeting was adjourned at 6:50 p.m.

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**THE PROCEEDINGS OF THE MEETING ARE ALSO DIGITALLY RECORDED, AND THESE MINUTES ARE ONLY A SUMMARY OF THE MEETING. THESE MINUTES ARE NOT A VERBATIM TRANSCRIPT OF THE PROCEEDINGS AND DO NOT PURPORT TO INCLUDE ALL IMPORTANT EVIDENCE PRESENTED OR STATEMENTS MADE.**



Bill Orr, Chairman  
(Board Approval)



Date Signed & Filed



Lety Hernandez, Planner  
Community Development Services