

City of Alamo Heights
BOARD OF ADJUSTMENT
MINUTES
March 4, 2026

The Board of Adjustment held a regular meeting in the Council Chambers of the City of Alamo Heights, located at 6116 Broadway St on Wednesday, March 4, 2026, at 5:30 p.m.

Members present and composing a quorum of the Board:

Bill Orr, Chairman
David Rose, Vice Chairman
Lott McIlhenny
Jessica Drought

Members absent:

Sean Caporaletti, Alternate
Wayne Woodard

Staff members present:

Phil Laney, Assistant City Manager
Lety Hernandez, Director Community Development Services
Garrett Pringle, Planner

The meeting was called to order by Chairman Orr at 5:31 p.m.

Mr. McIlhenny motioned to approve the January 7, 2026, meeting minutes as presented. Vice Chairman Rose seconded the motion.

In Favor: Orr, Rose, McIlhenny, Drought
Against:

Case No. 2454 – 247 E Elmview Pl (Modified)

Application of Luke Yoder of System Pavers, applicant, representing Beth Wammack & Daniel Ochoa, owners, requesting the following variance(s) in order to allow flatwork, *with proposed modifications, and a retaining wall* to remain in place on the property located at **CB 5572 BLK 14 LOT 21**, also known as **247 E Elmview Pl**, zoned SF-A:

1. The existing driveway exceeds the maximum 14ft width allowed per Section 3-21, and
2. *The existing 3ft 9in tall retaining wall within the minimum required portion of a front yard exceeds the maximum 3ft height allowed per Section 3-81(7), and*
3. *The proposed 30.47% impervious cover in the front yard setback exceeds the maximum 30% of the total square footage within the front yard setback allowed per Section 3-18 of the City's Zoning Ordinance. (Tabled from November 05, 2025 regular meeting) (Tabled from December 03, 2025 regular meeting) (Rescheduled from February 04, 2026 regular meeting).*

Ms. Hernandez presented the case. The first variance request has been modified to comply with the 14th maximum width via separating flatwork by a flowerbed.

Chairman Orr asked clarification questions on the modified proposal.

The property owner, Beth Ochoa, came forward to address the board.

Chairman Orr open the public comment portion of the meeting at 5:37pm. With no one coming forward he closed the public comment portion of the meeting at 5:37pm.

Vice Chairman Rose made motion to approve the requested variances as modified. Mr. McIlhenny seconded the motion.

In Favor: Orr, Rose, McIlhenny, Drought

Against:

Case No. 2463 – 213 Normandy Ave

Application of James Ed Carleton, applicant, representing Richard Garcia of Reasonable Remodelers, owner, requesting the following self-identified variance(s) to construct a second story addition to the existing main structure on the property located at **CB 4024 BLK 135 LOT 14**, also known as **213 Normandy Ave**, zoned SF-B:

1. A proposed 4ft 7in side yard setback to west side of the main structure instead of the minimum 6ft required per Section 3-15(2),
2. The proposed addition exceeds the height looming standard on the west side of the main structure based on a proposed 4ft 7in side yard setback per Section 3-19(2)(a), and
3. The proposed overhang encroaches into the minimum required five (5) foot side yard setback per Section 3-82(2)(b) of the City's Zoning Code. *(Tabled from January 07, 2026 regular meeting) (Rescheduled from February 04, 2026 regular meeting).*

Ms. Hernandez presented the case. She mentioned that staff plan review had been completed and no additional variance requests are expected for the project beyond the initial requests. The looming encroachment from the previous proposed plans has been reduced by the newly proposed plans by shifting the second story over.

Chairman Orr asked a clarifying question to which Ms. Hernandez responded that the 2nd story had been shifted over on the plans to reduce the height looming ratio.

The applicant, James Carleton, came forward to address the board. He reiterated the plans alternation in order to decrease the height looming ratio from the previous plan set.

Chairman Orr opened the meeting for public comment at 5:41pm. With no one coming forward to comment, Chairman Orr closed the public comment portion of the meeting at 5:41pm

Mr. McIlhenny motioned to approve variances requested as modified. Vice Chairman Rose seconded the motion.

In Favor: Orr, Rose, McIlhenny, Drought

Against:

Case No. 2464 – 211 Kennedy Ave

Application of Kyle Brooks, applicant, representing Dabney Homes, LLC, owner, requesting the following variance(s) to construct an accessory structure in the rear yard on the property located at **CB 4024 BLK 31 LOT 12**, also known as **211 Kennedy Ave**, zoned SF-A:

1. A proposed 0ft rear yard setback to the accessory structure instead of the minimum 3ft required per Section 3-85(3) of the City's Zoning Code. *(Rescheduled from February 04, 2026 regular meeting).*

Ms. Hernandez presented the case. She mentioned related history of a previous variance approved to give a garage on the property a 0-foot setback.

Multiple people representing the case including Jack Dabney, Kyle Brooks, and Tom Furlow approached the board.

Chairman Orr opened the public comment portion of the meeting at 5:49pm. With no one coming forward to comment, Chairman Orr closed the public comment portion of the meeting at 5:49pm

Vice Chairman Rose motioned to approve the variance as requested. Mr. McIlhenny seconded the motion.

In Favor: Orr, Rose, McIlhenny, Drought

Against:

Case No. 2465 – 115 Normandy Ave

Application of Morgan Penix, applicant, representing Weston and Lauren Sharples, owners, requesting the following variance(s) to construct a circular driveway on the property located at **CB 4024 BLK 134 LOT 11**, also known as **115 Normandy Ave**, zoned SF-B:

1. A proposed circular driveway on a fifty (50) foot wide lot instead of the minimum sixty-five (65) feet required per Section 3-21, and
2. The proposed 12ft 11in curb cut width exceeds the 12ft maximum allowed for lots less than or equal to 65ft in width required per Section 3-21, and
3. The proposed 15ft 4in driveway width in the front yard setback exceeds the 10ft maximum allowed for lots less than or equal to 65ft in width required per Section 3-21, and
4. The proposed 51.96% impervious cover in the front yard setback exceeds the maximum 30% of the total square footage within the front yard setback allowed per Section 3-18 of the City's Zoning Code. *(Rescheduled from February 04, 2026 regular meeting).*

Ms. Hernandez presented the case. An exhibit was handed out to the board members by the applicant.

Wes Sharp, the homeowner, and Morgan Penix, the applicant, came forward and addressed the board.

Chairman Orr mentioned a concern of the increase of impervious coverage. Ms. Penix spoke of the existing 37% impervious coverage in the front yard setback.

Chairman Orr mentioned using pervious pavers to lower the impervious coverage.

Chairman Orr opened the public comment portion of the meeting at 5:53pm. With no one coming forward to speak, Chairman Orr closed the public comment portion at 5:54pm

Vice Chairman Rose made a motion to approve variances 1, 2, and 3 while denying variance 4. Ms. Drought seconded the motion.

In Favor: Orr, Rose, McIlhenny, Drought
Against:

Case No. 2466 – 202 Rosemary Ave

Application of Jay Corder, applicant, representing Paul Graves, owner, requesting the following variance(s) to construct a new addition to the existing single-family structure on the property located at **CB 5571A BLK 7 LOTS 1, 2, 3 and 4**, also known as **202 Rosemary Ave**, zoned SF-A:

1. A proposed 22ft 3-3/8in front yard setback to the first story addition to the main structure instead of the minimum 30ft required per Section 3-14, and
2. The north elevation of the main structure does not comply with the front articulation standards required per Section 3-14, and
3. The west elevation of the main structure does not comply with the side articulation standards required per Section 3-15, and
4. The proposed 17ft 2-1/8in height of the parapet wall on the north elevation exceeds the height looming standard for a main structure by 0ft 6-1/8in instead of the maximum 16ft 8in allowed for a 8ft 4in side yard setback per Section 3-19(2), and
5. The proposed 15ft 2-1/8in height of the parapet wall on the south elevation exceeds the height looming standard for a main structure by 3ft 2-1/8in instead of the maximum 12ft 0in allowed for a 6ft 0in side yard setback per Section 3-19(2) of the City's Zoning Code. (*Rescheduled from February 04, 2026 regular meeting*).

Ms. Hernandez presented the case.

Paul Graves, the homeowner, and Dave Issavs, the builder, came forward and addressed the board.

Chairman Orr addressed concerns with variance requests 4 and 5. Mr. Graves explained with the roof style that this minimizes visual mass. Mr. Issacs spoke to this helping keep the Spanish Colonial look of the house. Mr. Rose asked if it was possible to lower the height. Mr. Graves explained that the proposed height keeps the height the same throughout the house while Mr. Issac mentioned that the house is on a pier and beam foundation which adds to the house height.

Chairman Orr opened the meeting for public comment at 6:00pm. With no one coming forward for comment, Chairman Orr closed the public comment portion of the meeting at 6:00pm.

Vice Chairman Rose motioned to approve all the variances as requested. Ms. Drought seconded the motion.

In Favor: Orr, Rose, McIlhenny, Drought
Against:

Case No. 2467 – 306 Kennedy Ave

Application of Collin Stone, applicant, representing Charles Jones, owner, requesting the following variance(s) to replace an existing driveway on the property located at **CB 4024 BLK 44 LOT 12, NW 25 FT of 11 & SE IRR 29 FT of 13 & P-100 (0.017 AC PART OF ALLEY)**, also known as **306 Kennedy Ave**, zoned SF-A:

1. The proposed 25ft 0in curb cut width exceeds the 14ft maximum allowed for lots greater than 65ft in width required per Section 3-21, and
2. The proposed 18ft 8in driveway width within the front yard setback exceeds the 14ft maximum allowed for lots greater than 65ft in width required per Section 3-21 of the City's Zoning Code.

Ms. Hernandez presented the case.

The owner, Charles Jones, approached the board.

Chairman Orr clarified that the driveway is a replacement of an existing condition.

Chairman Orr opened the public comment portion of the meeting at 6:03pm. With no one coming forward to comment, Chairman Orr closed the public comment portion of the meeting at 6:03pm

Ms. Drought motioned to approve all variances as requested. Mr. McIlhenny seconded the motion.

In Favor: Orr, Rose, McIlhenny, Drought
Against:

Case No. 2468 – 215 Morse St

Application of Myles Caudill, applicant, representing La Pita Ventures, LLC, owner, requesting the following variance(s) in order to construct a new single-family residence on the property located at **CB 4024 BLK 60 LOT 2**, also known as **215 Morse St**, zoned SF-A:

1. A proposed 0ft front yard setback to the main structure instead of the minimum 30ft required per Section 3-14, and
2. A proposed 5ft side yard setback on the northern side of the main structure instead of the minimum 6ft required per Section 3-15(2) of the City's Zoning Code.

Ms. Hernandez mentioned that this request has been rescheduled for April 1, 2026.

Case No. 2469 – 223 Allen St

Appeal of Yvette Almendarez, owner, pursuant to Section 2-47(b)(1) of the City of Alamo Heights Code of Ordinances, regarding city staff's denial of a rear yard fence permit application on the property located at **CB 4024 BLK 58 LOT 16 & 17 & W 40.81 X 50 OF ALLEN ST**, also known as **223 Allen St**, zoned SF-A.

Ms. Hernandez presented the case.

Brandon Melland approached the board. He introduced an exhibit to the board. He spoke to this case not being a variance request but an appeal. In referring to the applicable code of section 3-83(4), he believed city staff did not apply it correctly.

Chairman Orr asked to hear from staff on the case. Ms. Hernandez explained that staff has consistently used the same interpretation of this rule in other requests.

Ms. Drought asked if the BOA previously approved a variance that allows the planter box to be created. Ms. Hernandez confirmed. Ms. Drought stated that it sounded like the applicant wanted to count the planter box they built as grade.

Mr. McIlhenny asked who created the increase in the natural grade. Ms. Hernandez confirmed that the applicant would have done it.

Chairman Orr opened the public comment portion of the meeting at 6:15pm

Yvette Almedez, the homeowner, spoke in favor of the appeal
Ken Brown spoke in favor of the appeal

With no one else coming forward to comment, Chairman Orr closed the public comment portion of the meeting at 6:21pm

Vice Chairman Rose made a motion to deny the appeal of staff's decision. Ms. Drought seconded the motion.

In Favor: Orr, Rose, McIlhenny, Drought
Against:

Case No. 2470 – 5701 N New Braunfels Ave

Application of Patrick Christensen, applicant, representing Schroeder Management Trust, owner, requesting the following self-identified variance(s) to construct an office building on the property located at **CB 4050 BLK 75 LOT 23 & 24**, also known as **5701 N New Braunfels Ave**, zoned MF-D and pending consideration for rezoning to O:

1. A proposed lot width of 56.1ft instead of the minimum 75ft required per Section 3-63(1), and
2. A proposed 10ft side yard setback to the main structure on the east side of the property instead of the minimum 15ft required per Section 3-65(1)(a), and
3. No sidewalk in the right-of-way on the east side of the property as required per Section 3-70(5), and
4. A proposed 5ft wide landscape area along the front property line instead of the 8ft required per Section 3-70(1), and
5. A proposed minimum off-street parking requirement of 5 parking spaces instead of the 6 parking spaces required for a gross building floor area of 1,604 sq ft of Office use per Section 3-84(1)(e), and
6. A proposed 8ft landscape area along the eastern boundary of the surface parking area instead of along all surface parking area boundaries required per Section 3-69(3)(a), and

7. A proposed trash receptacle abutting the west side property line instead of being located at least 10ft from an adjacent lot required per Section 3-70(8)(a) of the City's Zoning Code.

Ms. Hernandez presented the case. She mentioned that there is an active rezoning case that is dependent on if these variances were to be approved.

Patrick Chistenson, John Cloglazer, Don Seidel approached the board. They spoke to the narrowness of the lot and surrounding features.

Vice Chairman Rose asked staff about rules on dumpster locations. Ms. Hernandez clarified that dumpsters must be permitted but a standard trash can does not.

Vice Chairman Rose mentioned these variances being self-identified rather than found in plan review by staff. He mentioned wanting to approve any variances that will be needed in one meeting rather than additional variance requests coming forward once the plan is provided to staff. Mr. Seidel stated he does not plan to come back for more variance requests.

Chairman Orr opened the public comment portion of the meeting at 6:33pm. With no one coming forward to speak he closed the public comment portion at 6:33pm.

Vice Chairman Rose made a motion to approve the variances as requested. Ms. Drought seconded the motion

In Favor: Orr, Rose, McIlhenny, Drought
Against:

Case No. 2471 – 220 Allen St

Application of Maggie Herdeg, applicant, representing Pablo and Gabriela Pergola, owners, requesting the following variance(s) to construct a single-car detached garage as well as convert part of the main structure to a single-car attached garage on the property located at **CB 4024 BLK 59 LOT 12 & 13**, also known as **220 Allen St**, zoned SF-A:

1. The detached accessory structure is located to the front of the main structure instead of in the rear as required per Section 3-85, and
2. The attached garage on a lot greater than 65ft in width is located 22ft 7.2in from the front yard property line instead of the 50ft required as well as set back 4ft 8in from the front façade instead of the 18ft required per Section 3-21, and
3. The proposed impervious coverage within the front yard setback area of 57% exceeds the maximum 30% allowed per Section 3-18 of the City's Zoning Code.

Ms. Hernandez presented the case.

Chairman Orr asked about the current parking situation and Ms. Hernandez confirmed there is currently no covered parking at the property.

The applicant, Maggie Herdeg, approached the board. She explained that with these variances they would be able to be compliant with the requirement for two covered parking spaces.

The board discussed alternative options for location of the covered parking with Ms. Herdeg to which she believed the only option to maintain lighting in bedrooms was the one presented.

Chairman Orr opened the public comment portion of the meeting at 6:47pm

John Hanks came forward in opposition to the request. He cited his experience as an architect and subsequent considerations for the board

Pablo Pergola, the owner, came forward to speak in favor of the request.

Andrew Hudle came forward to speak in favor of the request. He cited his experience as an architect and his belief of limited visual impact due to the topography.

With no one else coming forward to comment, Chairman Orr closed the public comment portion of the meeting at 6:59pm

Mr. Rose made a motion to approve the variances as requested. Mr. McIlhenny seconded the motion.

In Favor: Orr, Rose, McIlhenny, Drought

Against:

Case No. 2472 – 225 Westover Rd

Application of Richard Baum, applicant, representing Luci Leykum, owner, requesting the following variance(s) to reconstruct an existing driveway approach on the property located at **CB 4024 BLK 11 LOT 44**, also known as **225 Westover Rd**, zoned SF-A:

1. The proposed 34ft 0in curb cut width exceeds the 14ft maximum allowed for lots greater than 65ft in width required per Section 3-21 of the City's Zoning Code.

Ms. Hernandez presented the case.

Richard Baum approached the board and introduced an exhibit.

Ms. Drought asked if this was an existing driveway width that is a replacement. Ms. Hernandez confirmed this is the case.

Chairman Orr opened the public comment portion of the meeting at 7:04pm With no one coming forward for comment Chairman Orr closed the public comment portion at 7:04pm.

Mr. Rose motioned to approve the variance as requested. Ms. Drought seconded the motion

In Favor: Orr, Rose, McIlhenny, Drought

Against:

Case No. 2473 – 101 Albany St

Application of Ramiro O. Zapata, applicant, representing JHJ of Texas, LLC, owner, requesting the following self-identified variance(s) to expand an existing driveway, construct retaining walls around the driveway, construct a fence, and allow an existing wall to remain in place on the property located at **CB 4050 BLK 78 LOT 55**, also known as **101 Albany St**, zoned SF-A:

1. The proposed 30ft 8in curb cut width exceeds the 14ft maximum allowed for lots greater than 65ft in width required per Section 3-21, and
2. The proposed 27ft 0in driveway width within the front yard setback exceeds the maximum 14ft allowed for lots greater than 65ft in width required per Section 3-21, and
3. The proposed 4ft 9in tall retaining wall within the minimum required portion of a front yard exceeds the maximum 3ft height allowed per Section 3-81(7), and
4. The proposed 10ft tall fence on the west side of the property exceeds the maximum 8ft height allowed per Section 3-82(4), and
5. The existing wall on the east side of the property exceeds the maximum 8ft height allowed per Section 3-82(4) of the City's Zoning Code.

Ms. Hernandez presented the case. She noted that the topography of the lot was identified as a hardship.

The owner, Jeffrey Jaffey, and the applicant, Ramiro Zapata, came forward and addressed the board.

The Board had questions on how tall the west side fence would be towards the front of the property. Mr. Zapata confirmed that the wall on the west side of the property would taper down in the front yard to match the existing wall.

Mr. Rose made a motion to deny variance 1 and approve variances 2, 3, 4, and 5. Ms. Drought seconded the motion.

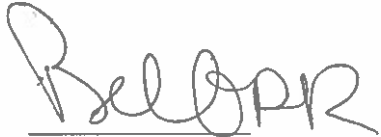
In Favor: Orr, Rose, McIlhenny, Drought

Against:

ADJOURNMENT

There being no further business to attend to, Chairman Orr made a motion to close the meeting, and Mr. McIlhenny seconded the motion. The meeting was closed with unanimous consent at 7:21pm

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

Bill Orr, Chairman
(Board Approval)



4/1/2006

Date Signed & Filed



Garrett Pringle

Garrett Pringle, Planner
Community Development Services