

City of Alamo Heights
BOARD OF ADJUSTMENT
MINUTES
June 07, 2023

The Board of Adjustment held a regular meeting in the Council Chambers of the City of Alamo Heights, located at 6116 Broadway St, and via Zoom with teleconference on Wednesday, June 07, 2023, at 5:30 p.m.

Members present and composing a quorum of the Board:

David Rose, Acting Chairman
Jessica Drought
Lott McIlhenny
Wayne Woodard
Sean Caporaletti, Alternate

Members absent:

Bill Orr, Chairman
Jimmy Satel, Alternate

Staff members present:

Phil Laney, Assistant City Manager
Lety Hernandez, Director of Community Development Services

The meeting was called to order by Chairman Rose at 5:33p.m.

The April 05, 2023 meeting minutes were not available for review and rescheduled for the July 05, 2023 meeting. No action was taken.

Case No. 2384 – 525 Argo Ave

Application of David Varga of Iconic Development, LLC representing Stephanie Hagee, owner, requesting the following variance(s) in order to construct a carport and rear addition to the existing main structure at the property located at **CB 4024, BLK 129, LOT 20**, also known as **525 Argo Ave**, zoned SF-B:

1. A proposed 3ft side yard setback on the west side of the main structure instead of the minimum 6ft required per Section 3-15(2),
2. A proposed lot coverage of 42.96% instead of the maximum 40% allowed per Section 3-17,
3. The proposed main structure exceeds the height looming standard on the west side by 3ft 8-inches with a proposed top of plate height of 9ft 8-inches instead of the maximum 6ft allowed based on a 3ft side yard setback per Section 3-19(2)(a), and
4. A proposed 2ft 6-inch side yard setback to the eave/overhang instead of the minimum 5ft required per Section 3-82(3)(a) of the City's Zoning Code.

Ms. Hernandez presented the case. Stephanie Hagee, owner, was present and addressed the board.

The board asked for clarification regarding the proposed scope, articulation, and lot coverage and whether or not they could modify it. The applicant responded. The board commended the applicant on their efforts.

Chairman Rose open the public hearing at 5:46pm. No one requested to speak regarding the case so the public hearing was closed.

At that time, Mr. Rose moved to approve all requested variances. Mr. McIlhenny seconded the motion. Unanimous consent.

The motion was approved with the following vote:

FOR: Rose, Caporaletti, Drought, McIlhenny, Woodard

AGAINST: None

Case No. 2385 – 606 Patterson Ave

Application of Thomas Bradley of Thomas Bradley & Associates representing Ann & Andrew Himoff, owners, requesting the following variance(s) in order to construct/expand a driveway at the property located at **CB 4024, BLK 29, LOT SE ½ OF 33 & N 15 FT OF 32**, also known as **606 Patterson Ave**, zoned SF-A:

1. A proposed driveway width of 19ft instead of the maximum 10ft allowed per Section 3-21 of the City's Zoning Code.

Ms. Hernandez presented the case. Mr. Himoff, owner, and Thomas Bradley, Landscape Architect, were present.

Mr. Himoff spoke regarding the existing conditions and stated that it was difficult to drive due to the tree post located in the middle of the driveway that is used to hold up the tree branch of the existing heritage tree on the adjoining property. They informed that the tree would continue to grow and would be an issue in the future either way. An open discussion followed regarding the proposed materials.

Chairman Rose opened the public hearing at 5:57pm. One (1) citizen addressed the board but did not state their name or address.

Chairman Rose closed the public hearing at 5:59pm.

Ms. Drought moved to approve the variance as requested. Mr. McIlhenny seconded the motion.

The motion was approved with the following vote:

FOR: Rose, Caporaletti, Drought, McIlhenny, Woodard

AGAINST: None

Case No. 2386 – 326 Wildrose Ave

Application of David and Mallory Schindler, owners, requesting the following variance(s) in order to construct a 2nd story addition to the existing detached accessory structure at the

property located at **CB 5571A, BLK 10, LOT 14 and 15**, also known as **326 Wildrose Ave**, zoned SF-A:

1. The proposed Floor to Area Ratio (FAR) of .55 exceeds the maximum .50 allowed with bonuses per Section 3-18, and
2. The proposed 2nd story addition exceeds the height looming standard by 7ft 8-inches instead of the maximum top of plate height of 11ft allowed based on the existing 4ft side yard setback per Section 3-19(5)(a), and
3. The proposed overall height exceeds the maximum 20ft allowed by 1ft 9-inches per Section 3-19(3)(a) of the City's Zoning Code.

Ms. Hernandez presented the case. Mr. and Mrs. David Schindler, owners, was present and addressed the board.

The owner spoke regarding the existing two-car garage and the reason regarding his request.

Ms. Drought asked for clarification regarding the height followed by additional questions regarding the top of plate and overall heights. Discussion followed regarding the proposed and concerns regarding the need for additional review.

Chairman Rose opened the public hearing at 6:20pm. Those requesting to speak with interest in the case were as follows:

Garner, Neighbor
Richard Menger, 325 Blue Bonnet Blvd

Chairman Rose closed the public hearing was closed at 6:28pm.

Those requesting to speak regarding the case spoke regarding the proposed use, looming, size, access from the alley, and height.

It was stated that the board was more concerned with the looming encroachments instead of the Floor to Area Ratio (FAR) and suggested reducing and/or revising variances 1 and 2.

At that time, Mr. McIlhenny moved to table the case for the July 05, 2023 meeting. Ms. Drought seconded the motion.

The motion was approved with the following vote:

FOR: Rose, Caporaletti, Drought, McIlhenny, Woodard
AGAINST: None

Case No. 2387 – 501 Evans Ave

Application of Trebes Sasser, owner, requesting the following variance(s) in order to add a 248 sq ft covered patio to the rear of the existing main structure and relocate/install new air-conditioning units with pads at the property located at **CB 4024, BLK 178, LOT 6**, also known as **501 Evans Ave**, zoned SF-A:

1. The proposed Lot Coverage of 42.5% exceeds the maximum 40% allowed per Section 3-17 and
2. A proposed 1ft side yard setback to the proposed air-conditioning units with pad instead of the minimum 3ft required per Section 3-15 and 3-82(5) of the City's Zoning Code.

Ms. Hernandez presented the case. Trebes Sasser, owner, was present and addressed the board.

Staff clarified regarding the zoning code and discrepancies. After further discussion, Mr. McIlhenny moved to approve the requested variances. Ms. Drought seconded the motion.

The motion was approved with the following vote:

FOR: Rose, Caporaletti, Drought, McIlhenny, Woodard
AGAINST: None

Case No. 2388 – 141 Patterson Ave

Application of Sarah Mallory Geis, owner, requesting the following variance(s) in order to construct a wall in front of the main structure at the property located at **CB 4024, BLK 3, LOT 45**, also known as **141 Patterson Ave**, zoned SF-A:

1. The proposed 6ft high wall located within the minimum required portion of a front yard exceeds the maximum 3ft height allowed per 3-81(7) of the City's Zoning Code.

Ms. Hernandez announced that the case was rescheduled for the July 05, 2023 meeting due to staff error regarding the required notice. No action was taken.

Case No. 2389 – 222 Claiborne Way

Application of Hilary Scruggs-Beebe of Hilary Scruggs Design, applicant, representing Trace and Laura Nell Burton, owners, requesting the following variance(s) in order to add a 2nd story to the existing garage at the property located at **CB 4024, BLK 58, LOT 9**, also known as **222 Claiborne Way**, zoned SF-A:

1. The proposed northeastern addition exceeds the height looming standard by 10ft 8-inches with an overall top of plate height of 18ft 8-inches instead of the maximum 8ft allowed based on the existing 4ft rear yard setback per Section 3-19(2)(a) of the City's Zoning Code.

Ms. Hernandez announced the case was rescheduled for the July 05, 2023 meeting at the request of the applicant. No action was taken.

Case No. 2390 – 218 E. Edgewood Pl

Application of Jon Butler, owner, requesting the following variance(s) in order to add a 2nd story to the existing garage at the property located at **CB 5572, BLK 14, LOT 3 & W 25FT OF 4**, also known as **218 E. Edgewood Pl**, zoned SF-A:

1. The gable exception does not apply to accessory structures per Section 3-19(2)(a)(1),
2. The proposed 23ft 1¼-inch building height of the accessory structure with a sloping roof to top of ridge exceeds the maximum 20ft allowed per Section 3-19(3)(a),
3. The proposed 17ft 5-inch top of plate height exceeds the looming standard by 11ft 5-inches instead of the maximum 11ft allowed based on the existing 3ft side yard setback per Section 3-19(5)(a),
4. The proposed 5ft 8¼-inch high gable encroaches into the height looming standard as prohibited per Section 3-19(5)(a) of the City's Zoning Code.

Ms. Hernandez presented the case. Jason Moran, Designer, and Erik Breide, contractor, were present and addressed the board.

Mr. Moran spoke regarding the scope and looming variance followed by an open discussion by the board regarding minimizing the looming encroachment. Alyssa Butler, owner, requested to speak regarding the proposed.

Mr. Moran went on to speak regarding the existing detached accessory structure and use of the existing wall for support.

Chairman Rose opened the public hearing at 6:54pm. No one requested to speak with interest in the case so the public hearing was closed.

An open discussion followed regarding looming and the board expressed concerns regarding the proposed overall height and looming encroachment and the need for consistency with the surrounding.

After further discussion, Mr. Woodard moved to table the case for the July 05, 2023 meeting. Ms. Drought seconded the motion.

The motion was approved with the following vote:

FOR: Rose, Caporaletti, Drought, McIlhenny, Woodard

AGAINST: None

There being no further business, Mr. McIlhenny moved to adjourn the meeting. Mr. Caporaletti seconded the motion followed by unanimous consent of the board. The meeting was adjourned at 7:16p.m.

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.



David Rose, Acting Chairman
(Board Approval)

12/06/23
Date Signed & Filed



Loty Hernandez, Director
Community Development Services