

**City of Alamo Heights
BOARD OF ADJUSTMENT
MINUTES**

November 01, 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, November 01, 2023, at 5:30 p.m.

Members present and composing a quorum of the Board:

Bill Orr, Chairman
Lott McIlhenny
David Rose
Wayne Woodard

Members absent:

Jessica Drought
Jimmy Satel, Alternate
Sean Caporaletti, Alternate

Staff members present:

Lety Hernandez, Director of Community Development Services

The meeting was called to order by Chairman Orr at 5:32p.m.

Staff announced that the June 07, 2023 and October 04, 2023 meeting minutes were not available for review and rescheduled for the next regularly scheduled meeting. No action was taken.

Case No. 2394 – 260 Retama Pl

Application of Retama Funding LLC, owner, represented by Robert Benke, applicant, requesting the following variance(s) in order to install a fence on an existing retaining wall at the property located at **CB 5572, BLK 17, LOT 10**, also known as **260 Retama Pl**, zoned SF-A:

1. The proposed 11ft 6-inch high fence/wall located within the side and rear yards exceed the maximum 8ft height allowed per Sections 3-82(4) and 3-83(4) of the City's Zoning Code.

Ms. Hernandez presented the case and informed that no new information was provided. Mr. Benke, owner, was present and addressed the board. Attorney Luke Bashara was present via teleconference and addressed the board.

Mr. Bashara spoke regarding the natural grade of the land on the property and a discussion regarding the height followed. The board questioned staff regarding determining the height of a fence. Ms. Hernandez responded that staff measures the overall height of a fence/wall from the lower grade when there is a difference in grade and have been consistent in applying the rule. She went on to speak regarding the intent of the regulation.

Chairman Orr opened the public hearing at 5:58pm. Those speaking regarding the case were as follows:

Nancy Desormeaux, 268 Retama Pl (Oppose)
Don Turgeon, 259 Retama Pl (Oppose)
Mr. Rodriguez (Did not state address) (Neutral)
Jack Dabney, 100 Cardinal (Neutral)

Chairman Orr closed the public hearing at 6:10pm.

Staff recommended tabling the case to allow for the attendance of five (5) board members.

At that time, Mr. Rose moved to table the case for the next regularly scheduled meeting of December 06, 2023. Mr. McIlhenny seconded the motion.

The motion was approved with the following vote:

FOR: Orr, McIlhenny, Rose, Woodard
AGAINST: None

Case No. 2396 – 328 Albany St

Application of Daryl A Lange, owner, requesting the following variance(s) in order to add to the rear of the existing residence at the property located at **CB 4050, BLK 76, LOTS 21, 22, & 23**, also known as **328 Albany St**, zoned SF-A:

1. A 5.9ft side yard setback on the west side of the main structure instead of the minimum 6ft required per Section 3-15(2) of the City's Zoning Code.

Ms. Hernandez presented the case. Mr. Lange was present and addressed the board.

An open discussion followed between the board members and the owner regarding the proposed improvements.

Chairman Orr opened the public hearing at 6:14pm. No one requested to speak with interest in the case so the public hearing was closed.

At that time, Mr. Rose moved to approve the variance as requested. Mr. McIlhenny seconded the motion.

The motion was approved with the following vote:

FOR: Orr, McIlhenny, Rose, Woodard
AGAINST: None

Case No. 2397 – 307 Joliet Ave

Application of Fernanda Vuilleumier of Flora & Designs representing Deborah and Martin Roos, owners, requesting the following variance(s) in order to construct a circular driveway at the property located at **CB 4024, BLK 43, LOT 9**, also known as **307 Joliet Ave**, zoned MF-D:

1. The proposed off-street parking is located in the front of the property in front of the front face of the building instead of in the rear or side of the property, behind the front face of the building as required per Section 3-49(1) and
2. The proposed parking area is not screened via a three (3) foot fence or screening wall as required per Section 3-49(2) of the City's Zoning Code.

Ms. Hernandez presented the case. Ms. Vuilleumier and owners were present and addressed the board.

The board asked for clarification regarding removal of a tree located in the area of improvements and the applicant informed that the tree was not proposed for removal. In addition, they were proposing use of pervious concrete to decrease any negative impacts on the tree.

Chairman Orr opened the public hearing at 6:22pm. No one requested to speak with interest in the case so the public hearing was closed.

Mr. Woodard moved to recommend approval with the stipulation that the circular driveway comply with single-family zoning code requirements in all respects. Mr. Rose seconded the motion.

The motion was approved with the following vote:

FOR: Orr, McIlhenny, Rose, Woodard

AGAINST: None

Case No. 2398 – 229 Rosemary Ave

Application of Jack Dabney of Dabney Homes, representing McCollum Family Trust, owner, requesting the following variance(s) in order to construct an accessory structure at the property located at **CB 5571A (Rosemary Subdivision), BLK 8, LOT 30**, also known as **229 Rosemary Ave**, zoned SF-A:

1. The accessory structure is proposed on a residential lot that does not have a primary structure/dwelling as required per Section 3-2, Definitions, and Section 3-8, Use of land and buildings, of the City's Zoning Code.

Ms. Hernandez presented the case. Jack Dabney was present and addressed the board. He provided background on the property that was previously subdivided. Chad McCollum, owner, spoke regarding the use of the existing garage. Pearson Dabney of Dabney Homes addressed the board at that time regarding the proposed improvements.

After further discussion, Mr. Rose moved to table the case for the December 06, 2023 meeting. Mr. McIlhenny seconded the motion.

The motion to table was approved with the following vote:

FOR: Orr, McIlhenny, Rose, Woodard

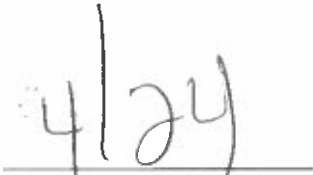
AGAINST: None

There being no further business, Mr. Woodard moved to adjourn the meeting. Mr. McIlhenny seconded the motion followed by unanimous consent of the board. The meeting was adjourned at 6:45p.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.



Bill Orr, Chairman
(Board Approval)



Date Signed & Filed



Lety Hernandez, Director
Community Development Services