

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

December 06, 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, December 06, 2023, at 5:30 p.m.

Members present and composing a quorum of the Board:

Bill Orr, Chairman
Lott McIlhenny
David Rose
Wayne Woodard
Sean Caporaletti, Alternate

Members absent:

Jessica Drought
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 Orr at 5:30p.m.

Mr. McIlhenny moved to approve the minutes of the June 07, 2023 and October 04, 2023 meetings. Mr. Rose seconded the motion.

The motion was approved with the following vote:

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

Due to the cancelation of the September 06, 2023 meeting, no minutes would be available. The meeting minutes of the November 01, 2023 meeting were not available for review and rescheduled for the next regularly scheduled meeting.

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 that was tabled from the previous meeting. Mr. Benke was present and addressed the board. He spoke regarding the revisions to the fence height adding that he had come to an agreement with the neighbor at 268 Retama Pl. The neighbor, Ms. Desormeaux, was present and confirmed she was in approval of the revisions.

The board questioned if the improvements were completed and Mr. Benke informed that the fence was installed and would adjust, if needed.

Don Turgeon of 259 Retama Pl provided a diagram and stated that it illustrated the heights that were approved by Ms. Desormeaux.

Chairman Orr opened the public hearing at 5:38pm. No one requested to speak with interest in the case so the public hearing was closed.

The board discussed the height dimensions and, at that time, Mr. Woodard moved to approve the fence on the east side with the conditions that 1) it not exceed a maximum ten-foot four-inches (10ft 4in) and that the fence step down with increments as shown on the diagram provided. Mr. Rose seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Caporaletti, 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 announced the request was withdrawn at the request of the applicant. No action was taken.

Case No. 2399 – 204 E Fair Oaks Pl

Application of Daniel Potter of Janus Custom Homes representing Jonathan and Dawn Peterson, owners, requesting the following variance(s) in order to construct a circular driveway with a curb cut at the property located at **CB 5572, BLK 16, LOT 1**, also known as **204 E Fair Oaks Place**, zoned SF-A:

1. The proposed 34ft 3-inch curb cut on the side street of the corner lot exceeds the maximum 24ft width allowed to provide access to the required covered parking spaces only per Section 3-21(5) of the City's Zoning Code.

Ms. Hernandez presented the case. Mr. Potter and the owners were present. They spoke regarding limited parking in the school area.

Mr. Peterson, owner, addressed the board and spoke regarding the tree and retaining walls in the front. The board questioned if there were other ways to resolve without extending the curb cut. An open discussion followed.

At that time, Mr. Rose moved to table the case for the January 03, 2024 meeting pending redesign. Mr. McIlhenny seconded the motion.

The motion to table was approved with the following vote:

FOR: Orr, Caporaletti, McIlhenny, Rose, Woodard

AGAINST: None

Case No. 2400 – 730 Corona Ave

Application of Evan Morris of Lake Flato Architects representing Connie & Sandy McNab, owners, requesting the following variance(s) in order to construct a new single-family residence with detached carport at the property located at **CB 4024, BLK 140, LOT NE IRR 21.31FT OF 1, N IRR 50.48FT OF 2 & 3**, also known as **730 Corona Ave**, zoned SF-A:

1. A proposed detached carport is located to the side of the proposed main structure instead of to the rear as required per Section 3-21 and
2. The detached accessory building is located to the side of the main building instead of to the rear as required per Section 3-85(1) of the City's Zoning Code.

Ms. Hernandez presented the case. Evan Morris, applicant, was present and addressed the board. Mr. Morris went on to speak regarding the inability to meet the zoning requirements without material impact to the site.

Discussion followed regarding the size of the property and the site and Mr. Morris went on to say that the code was not clear regarding carports.

After further discussion, Mr. Rose moved to table the case for the January 03, 2024 meeting. Mr. McIlhenny seconded the motion.

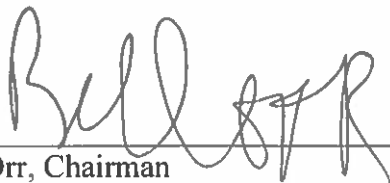
The motion to table was approved with the following vote:

FOR: Orr, Caporaletti, McIlhenny, Rose, Woodard

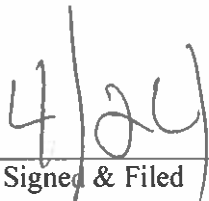
AGAINST: None

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 6:25p.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