

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

December 07, 2022

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 07, 2022, at 5:30 p.m.

Members present and composing a quorum of the Board:

Bill Orr, Chairman  
David Rose  
Jimmy Satel  
Wayne Woodard

Members absent:

Lott McIlhenny  
Sean Caporaletti, Alternate  
Jessica Drought, Alternate

Staff members present:

Lety Hernandez, Director of Community Development Services

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

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Mr. Rose moved to approve the meeting minutes of the October 05, 2022 meeting as presented. Mr. Woodard seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, Satel, Woodard

AGAINST: None

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**Case No. 2369 – 321 Argo**

Application of Jonathan Rodriguez of Vision Design Build representing Alexa & Sam Simpson, owners, requesting the following variance(s) in order to construct a 2nd story addition to the existing main structure at the property located at CB 4024, BLK 131, LOT 15, also known as 321 Argo, zoned SF-B:

1. A proposed chimney height of 36ft 4-inches exceeds the maximum height allowed of 34ft with bonus by 2ft 4-inches per Section 3-19(1)(b),
2. The proposed chimney exceeds the height looming standard on the west side by 31ft 8-inches with a proposed chimney height of 36ft 4-inches instead of the maximum 4ft 8-inches allowed based on a 2ft 4-inch side yard setback per Section 3-19(2)(a),
3. The proposed main structure exceeds the height looming standard on the west side by 15ft 8-inches with a proposed top of plate height of 20ft 10-inches instead of the maximum 5ft 2-inches allowed based on a 2ft 7-inch side yard setback per Section 3-19(2)(a),

4. A proposed 1ft 7-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. Bryan Smith of Vision Design Build was present and addressed the board. Jonathan Rodriguez was also present. The case was tabled from the November 02, 2022 meeting.

The board asked for clarification regarding the overall improvements and the variances regarding the chimney. Mr. Smith responded and went on to speak regarding the existing wood burning chimney.

An open discussion followed where the board expressed concerns regarding the request. Mr. Rodriguez spoke regarding the design and added that it was the only way to fit three (3) bedrooms for the family.

After further discussion, Mr. Rose moved to table the case for the January 04, 2023 board meeting pending revisions. Mr. Woodard seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, Satel, Woodard

AGAINST: None

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**Case No. 2368 – 212 Lamont Ave**

Application of Shannon Ahern of Shannon Ahern Design representing Jerry Tomasovic, owner, requesting the following variance(s) in order to construct a new carport at the property located at CB 4024, BLK 180, LOT E 44 FT OF 6, also known as 212 Lamont Ave, zoned SF-A:

1. A proposed 6-inch side yard setback to the carport instead of the minimum 10ft required per Section 3-15,
2. A proposed floor area ratio (FAR) of .64 instead of the maximum .49 allowed with bonus per Section 3-18,
3. The proposed carport exceeds the height looming standard on the west side by 10ft 6-inches with an overall top of plate height of 11ft instead of the maximum 1ft allowed based on a 6-inch side yard setback per Section 3-19(2)(a),
4. The proposed carport is located towards the side instead of towards the rear of the main structure per Section 3-21, and
5. A proposed 0ft 0-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. Benny Ahern was present and addressed the board. Shannon Ahern was also present.

The board asked for clarification regarding the design and the applicant responded. They stated that the proposed parking was to provide a covered space for the owner. The applicants spoke to the design and added that the posts would be located outside of the driveway in the ground area. An open discussion followed.

No one was present to speak regarding the case.

Mr. Woodward moved to deny the requested variances. Mr. Rose seconded the motion.

The motion to deny was approved with the following vote:

FOR: Orr, Rose, Satel, Woodard

AGAINST: None

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**Case No. 2376 – 130 Evans Ave**

Application of Jeffrey Nash, owner, requesting the following variance(s) in order to construct a driveway and parking pad at the property located at CB 4024, BLK 166, LOT 3, also known as 130 Evans Ave, zoned SF-A:

1. The proposed impervious cover in the front yard setback is 33% instead of the maximum 30% allowed per Section 3-18,
2. Zero (0) covered parking spaces instead of the minimum two (2) required per Section 3-21,
3. A proposed parking pad within the front yard setback of a 49.98ft wide lot instead of the minimum 65ft required per Section 3-21,
4. A proposed driveway width of 20ft instead of the maximum 10ft allowed per Section 3-21, and
5. A proposed curb cut and apron width of 20ft instead of the maximum 12ft allowed per Section 3-21 of the City's Zoning Code.

Ms. Hernandez presented the case. Jeff Nash was present and addressed the board.

The applicant spoke regarding the existing conditions and an open discussion followed regarding the design.

Chairman Orr opened the public hearing at 6:23pm. No one was present to speak regarding the case so the public hearing was closed.

Mr. Rose moved to table the case for the January 04, 2023 meeting. Mr. Satel seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, Satel, Woodard

AGAINST: None

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**Case No. 2377 – 333 Blue Bonnet Blvd**

Application of David Meaden, owner, requesting the following variance(s) in order to add to the rear of the existing main structure at the property located at CB 5571A, BLK 10, LOTS 39-42, also known as 333 Blue Bonnet Blvd, zoned SF-A:

1. A proposed rear yard setback of 12ft 10-1/2 inches instead of the minimum 20ft required per Section 3-16(1) of the City's Zoning Code.

Ms. Hernandez presented the case. David Meaden was present and addressed the board.

Chairman Orr opened the public hearing at 6:28pm. No one was present to speak regarding the case so the public hearing was closed.

Mr. Rose moved to approve the variance as requested. Mr. Satel seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, Satel, Woodard

AGAINST: None

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**Case No. 2378 – 952 Cambridge Oval**

Application of Jay Thomas Scholz, owner, requesting the following variance(s) in order to construct a 96 sq ft detached storage shed at the rear of the property located at CB 4024, BLK 50, LOT PT OF 13, also known as 952 Cambridge Oval, zoned MF-D:

1. A proposed side yard setback of 2ft instead of the minimum 3ft required per Section 3-45(4)(b) of the City's Zoning Code.

Ms. Hernandez presented the case. Jay and Belinda Scholz were present and addressed the board.

A discussion took place regarding detached accessory structures and setback requirements.

Chairman Orr opened the public hearing at 6:30pm. No one was present to speak regarding the case so the public hearing was closed.

Mr. Satel moved to approve the variance as requested. Mr. Rose seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Rose, Satel, Woodard

AGAINST: None

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**Case No. 2379 – 260 Retama Pl**

Application of Robert Benke of Retama Funding, LLC, owner, requesting the following variance(s) in order to build a retaining wall on the left side of the property located at CB 5572, BLK 17, LOT 10, also known as 260 Retama Pl, zoned SF-A:

1. The proposed 5ft high retaining wall on the west side of the property exceeds the maximum 3ft height allowed within the minimum required 30ft front yard setback area per Section 3-81(7) of the City's Zoning Code.

Ms. Hernandez presented the case. Robert Benke was present and addressed the board.

A discussion took place regarding the grade in the area of the wall. The applicant informed that the design and height was to make visually pleasing.

The board asked for clarification regarding the ongoing work and staff responded. Ms. Hernandez informed that staff had issued a permit for a compliant height and would amend that permit based on the board's decision. The board questioned the applicant regarding the

finishing of the wall, specifically if it would be finished on both sides. The applicant confirmed that it would be.

Chairman Orr opened the public hearing at 6:39pm.

Those present and speaking regarding the case were as follows:  
Don Turgeon, 259 Retama Pl (Neutral)

Concerns of those speaking were the overall height of the wall and landscaping.

Chairman Orr closed the public hearing at 6:40pm.

Mr. Satel moved to approve the variance as requested. Mr. Rose seconded the motion.

The motion was approved with the following vote:  
FOR: Orr, Rose, Satel, Woodard  
AGAINST: None

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**Case No. 2380 – 110 Kennedy Ave, Unit 2**

Application of Grant Winston of Current Power Technologies, representing Ralph E. Lehr Jr. Trust 4B, owner, requesting the following variance(s) in order to install a generator within the side yard setback at the property located at CB 4024, BLK 32, LOT NE IRR 137.14ft of LOT 4, also known as 110 Kennedy Ave, Unit 2, zoned MF-D:

1. The proposed generator placement is prohibited per Section 3-45(7) of the City's Zoning Code.

Ms. Hernandez presented the case. Grant Winston was present and addressed the board. Ralph Lehr was also present.

A discussion took place regarding the proposed placement and the applicant clarified adding that there were other generator units on site. Ms. Hernandez spoke regarding the existing site plan and went on to say that the proposed location, although designated a side yard, was utilized as a rear yard. Pictures of the rear yard were illustrated. She added that placement outside of the side yard would mean placing the generator in the courtyard area that is where each unit has their front door access.

Chairman Orr opened the public hearing at 6:46pm. No one was present so the public hearing was closed.

Mr. Satel moved to approve the variance as requested. Mr. Rose seconded the motion.

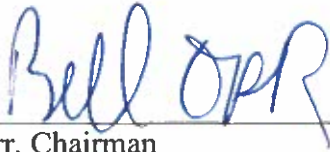
The motion was approved with the following vote:  
FOR: Orr, Rose, Satel, Woodard  
AGAINST: None

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There being no further business, Mr. Woodard moved to adjourn the meeting. Mr. Satel seconded the motion with unanimous consent. The meeting was adjourned at 6:50p.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.**



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Bill Orr, Chairman  
(Board Approval)

  
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Date Signed & Filed

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Lety Hernandez, Director  
Community Development Services