



**AGENDA
CITY OF HELOTES
BOARD OF ADJUSTMENT
March 28, 2016
7:00 p.m.**

The City of Helotes Board of Adjustment will meet on Monday, March 28, 2016 at 7:00 p.m. in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas 78023. This is an open meeting, subject to the open meeting laws of the State of Texas.

1. Call to Order.
 - Confirmation of quorum.
 - Pledge of Allegiance.

PUBLIC HEARING:

2. Public hearing to give all interested persons the right to appear and be heard on a request by Janet and Bill Csanyi for a variance to Code of Ordinances Chapter 98 Zoning, Sec. 98-62(e), a requirement that an accessory building shall not extend beyond the front line of the main building, for property located at 11123 Javalin Trail more particularly described as CB 4481B Blk 1 Lot 135.

ITEM FOR INDIVIDUAL CONSIDERATION:

3. Discussion of and action on the request by Janet and Bill Csanyi for a variance to Code of Ordinances Chapter 98 Zoning, Sec. 98-62(e), a requirement that an accessory building shall not extend beyond the front line of the main building, for property located at 11123 Javalin Trail more particularly described as CB 4481B Blk 1 Lot 135. (Applicant)


Adjourn.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Helotes City Hall is wheelchair accessible, and accessible parking spaces are available. In compliance with the Americans with Disabilities Act, the City of Helotes will provide reasonable accommodations for persons attending the meeting. To better serve you, requests should be received forty-eight (48) hours prior to the meeting. Please contact the City Secretary's Office at 210.695.5911 or by facsimile at 210.695.2123.

NOTE: It is possible that members of and possibly a quorum of the City Council or other governmental bodies of the municipality may be in attendance at the above stated meeting. No action will be taken by City Council or any governmental body at the above stated meeting other than the body specifically referred to in the above notice.

This is to certify that the agenda was posted on March 16, 2016 at 9:00 a.m.



Grace Tamez, City Secretary



City of Helotes
 Development Services
 Department
 P.O. Box 507
 12951 Bandera Road
 Helotes, TX 78023
 Phone (210) 695.8877
 Fax (210) 695.2123

Application Date: 3/3/2016

**APPLICATION TO BOARD OF ADJUSTMENT
 FOR VARIANCE**
 CHAPTER 98, Board of Adjustment

NAME OF APPLICANT: GUY BURNETT Janet and Bill Csanyi
 MAILING ADDRESS: 13438 BANDERA RD STE 201 11123 Javalin TRL
 PHONE #: ~~210 695 8707~~ Bill - 210-585-1430 Janet - 830-459-2483
 STATUS OF APPLICANT: OWNER:
 AGENT: (IF AGENT, ATTACH LETTER OF AUTHORIZATION)

PROPERTY DESCRIPTION

PHYSICAL ADDRESS: 11123 JAVAUN TRAIL CB 4481 B
 LEGAL DESCRIPTION: LOT 135, BLK 1, UNIT 4 HELOTES PANCH ACRES
 CURRENT ZONING: SF RES PROPOSED ZONING: _____
 EXISTING USE: SF RES PROPOSED USE: _____
 ACRES/SQ. FT.: 2.034 AC DOES OWNER OWN ADJACENT PROPERTIES? YES NO
 REQUESTED BOARD ACTION SPECIAL EXCEPTION _____ VARIANCE SETBACK - ACCESSORY BLDG
 PURPOSE OF REQUEST: LOCATE NEW GARAGE IN FRONT OF EXISTING HOUSE

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND THE ATTACHED INSTRUCTION SHEET AND KNOW THE INFORMATION I HAVE PROVIDED TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS APPLICATION WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A VARIANCE OR SPECIAL EXCEPTION DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING THE USE OF PROPERTY.

Guy Burnett
 APPLICANT'S SIGNATURE

3/3/2016
 DATE

CITY OF HELOTES

210-695-8877

***** REPRINT RECEIPT*****

REC#: 00015656 3/10/2016 12:19 PM
OPER: FN TERM: 003
REF#: CK 1027
PAID BY: BELA CSANYI - BOA APPEAL

TRAN: 997.0000 GENERAL FUND - MISC
BELA CSANYI
BOA APPEAL CK 1027
PLANNING & ZONING

TENDERED: 358.00 CHECK
APPLIED: 358.00-
CHANGE: 0.00

THANK YOU FOR YOUR BUSINESS.

February 24, 2016

APPLICATION TO BOARD OF ADJUSTMENT

Csanyi Garage

11123 Javalin Trail

Lot 135 Blk 1

Helotes Ranch Acres Unit 4

Description of Project:

- A proposed 2 car garage - separate but attached to the existing house by a covered breezeway.
- Located 150 feet from the front property line and 26.5 feet from the side property line.
- Existing house is 175 feet from the front property line - built originally without a garage.
- The proposed location is 25 feet in front of the existing house front building line.

Variance from Helotes Zoning Ordinance

Janet & Bill Csanyi are requesting a variance from Zoning Ordinance Sec.98-62 part "e" In order to place the proposed Garage beyond the front building line of the existing house.

Sec. 98-62. Single-family residential district (R-1).

(e) Accessory buildings, associated living quarters and storage buildings. An accessory building, associated living quarters, or storage building shall not extend beyond the front line of the main building, and shall be a minimum of 25 feet from the side property line and five feet from the rear property line. (Exception: An accessory building located 70 feet or more from the front property line shall be a minimum of five feet from the side property line.)

(Ord. No. 253, §1 (art. III, §2), 4-8-2004; Ord. No. 387, §1, 12-8-2008; Ord. 419, §2, 11-12-2009)

Reasons for the Variance

1. House was built in 1983 without a garage
2. Subdivision existed prior to the incorporation of Helotes and has no restrictions prohibiting a Garage in front of the house
 - a. Unit 4 Helotes Ranch Acres was platted August 15, 1973
 - b. Deed Restrictions were filed March 29, 1974
 - c. Front setback is 90 feet on the Plat; 50 feet in the Deed Restrictions
 - d. No deed restrictions regarding placement of "customary outbuildings"
 - e. Other homes in the subdivision have front garages

3. Garage building site cannot be seen from the street.



4. The Garage cannot be located under the existing overhead electric service line (code height).
5. The driveway is existing on the left and the area behind the house on the left is entirely wooded and slopes up. The proposed site is clear of vegetation and has less slope. The angled approach is more level with the existing driveway and is surrounded by trees.



6. The proposed Garage is designed in the same style and character with matching materials as the existing house.

THE STATE OF TEXAS

COUNTY OF BEXAR.

KNOW ALL MEN BY THESE PRESENTS:

That I, John D. Smith, of the County of Bexar, State of Texas, being the owner Tracts 112 to 196, both inclusive, BELLOTES RANCH ACRES, UNIT FOUR, lying and being situated in Bexar County, Texas, according to a plat recorded in Volume 7200, pages 175-181, Deed and Plat Records of Bexar County, Texas, hereby declare that said tracts are held and shall be conveyed subject to the following conditions and restrictions.

1. The tracts above described shall be used for residential purposes only. The operation of any form of commercial enterprise, such as hotels, tourist courts, trailer courts, taverns or bars, is expressly prohibited.

2. Not more than one single family dwelling, with customary out-buildings shall be situated on each lot. No tract may be subdivided to avoid this restriction. Any building erected on any tract shall not be placed nearer than 50 feet from the front property line and 25 feet from any side lot line. Each dwelling or residence shall contain at least 1600 ft. of floor space excluding open or screened porches or garages.

3. Commercial breeding of livestock, including cattle, sheep, goats, horses, hogs or poultry, the operation of a commercial dairy, dog breeding or boarding kennel, veterinary hospital, or riding stable are strictly prohibited. The owner of a tract may keep 1 horse, 1 cow, and poultry, provided the owner erects good and sufficient fence, of permanent construction, to confine such animals to his property, and further provided the owner maintains such premises in a clean and sanitary condition, free from flies and noxious odors. Hogs are expressly prohibited. No pen, corral, or other structure erected for domestic animals shall be placed within 25 feet of any side line and must be on the rear of the lot.

4. No noxious or offensive trade shall be carried on upon any tract nor shall anything be done thereon which may become offensive or an annoyance or a nuisance to the neighborhood.

5. No buyer, or his heirs or assigns shall at any time use as a residence, temporarily or permanently, a trailer, house trailer, tent shack, garage or other outbuilding erected on any of said tracts.

6. No purchaser shall dump trash, cans, garbage, automobiles, or other refuse on any tract, public road or easement in said subdivision and each purchaser shall maintain each tract owned by him in a clean and neat manner.

7. The sale of liquor, beer and other intoxicants is strictly prohibited.

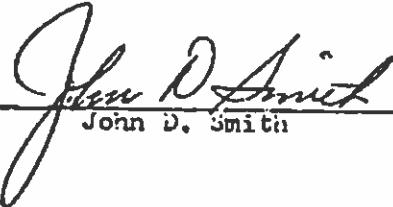
8. No fire arms, sling shots, air guns, or similar devices shall be discharged on or across any tract or tracts.

9. An assessment of One Thousand (1000.00) dollars shall run against each and every tract and part thereof of this subdivision. Such assessment shall be and is hereby secured by a lien on each tract respectively, and if and when water is made available to same, said assessment aforesaid shall become due and payable to John D. Smith in San Antonio, Texas, his heirs or assigns. Should said assessment not be paid when due as specified above, the unpaid amount shall be charged interest at the rate of 10 percent per annum.

If the owner of said tracts, or any one of said tracts, or their heirs or assigns, shall violate or attempt to violate any of the said covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

EXECUTED on this the first day of July A.D.1970.

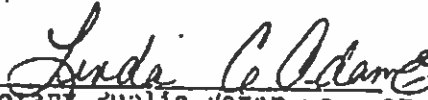

John D. Smith

THE STATE OF TEXAS
COUNTY OF BEXAR :

Before me, the undersigned authority, on this day personally appeared John D. Smith, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 29 day of March 1973

MAR 29 1974


Linda C. Adams
Notary Public Bexar Co. Tex.

LINDA C. ADAMS
Notary Public, Bexar County, Texas

Not 7311 Enc 392

FILED IN MY OFFICE
JAMES W. KNIGHT
COUNTY CLERK, BEXAR CO.

1974 MAR 29 AM 8 57

STATE OF TEXAS
COUNTY OF BEXAR
I hereby certify that this instrument was FILED on the
date and at the time stated herein by me and was duly
RECORDED in the Volume and Page of the DEED RECORDS
of Bexar County, Texas, as stated herein by me.

MAR 29 1974



James W. Knight
COUNTY CLERK
BEXAR COUNTY, TEXAS

*Return to:
John D. Smith
P.O. 15, Box 188 B,
San Antonio, Texas
78228*

REC'D
MAR 29 1974
7311
PAGE 393

City of Helotes
Code of Ordinances
Chapter 98 - Zoning

Sec. 98-62. Single-family residential district (R-1).

- (a) *Use regulations.* A building or premises shall be used only for the following purpose: See Schedule of Uses in the appendix at the end of this chapter and section 98-34.
- (b) *Height regulations.* No building shall exceed thirty-five (35) feet in height and be greater than two floors. Refer to Sec. 98-4.
- (c) *Area regulations.*
 - (1) *Front yard setback.* A front yard setback shall be a minimum of 40 feet, except in areas platted where setback minimums are established prior to the effective date of this chapter. Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.
 - (2) *Side yard setback.* There shall be a side yard on each side of the lot, having a width of not less than 25 feet, except a detached garage or other permitted accessory building located 70 feet or more from the front property line shall not be located nearer than five feet to any side property line.
 - (3) *Rear yard setback.* There shall be a rear yard, having a depth of not less than 25 feet, except a detached garage or other permitted accessory building which shall not be located nearer than five feet from the rear property line.
 - (4) *Area of lot.* The minimum area of the lot shall be 32,000 square feet.
 - (5) *Width of lot.* The minimum area of the lot shall be 120 feet.
 - (6) *Depth of lot.* The minimum depth of the lot shall be 120 feet.
- (d) *Parking regulations.* Off-street parking spaces behind the front setback line of property shall be provided on the lot to accommodate a minimum of two automobiles for each dwelling unit.
- (e) *Accessory buildings, associated living quarters and storage buildings.* An accessory building, associated living quarters, or storage building shall not extend beyond the front line of the main building, and shall be a minimum of 25 feet from the side property line and five feet from the rear property line. (Exception: An accessory building located 70 feet or more from the front property line shall be a minimum of five feet from the side property line.)

(Ord. No. 253, §1 (art. III, §2), 4-8-2004; Ord. No. 387, §1, 12-8-2008; Ord. 419, §2, 11-12-2009)

Bexar CAD - Map of Property ID 240208 for Year 2015



Property Details

Account

Property ID: 240208
Geo ID: 04481-201-1350
Type: Real

Legal Description: CB 4481B BLK 1 LOT 135

Location

Situs Address: 11123 JAVALIN TRL HELOTES, TX 78023
Neighborhood: HELOTES RNCH AC I (NS)
Mapsco: 546A2
Jurisdictions: 42, CAD, 56, 08, 06, 11, 09, 10

Owner

Owner Name: CSANYI BELA
Mailing Address: , 11123 JAVALIN TRL, HELOTES, TX 78023-4293

Property

Appraised Value: \$330,330.00

<http://www.bcad.org/Map/View/Map/1/240208/2015>

powered by:
PropertyACCESS
www.LandInformation.com

Map Disclaimer: This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

**SAN ANTONIO EXPRESS NEWS
AFFIDAVIT OF PUBLICATION**

**STATE OF TEXAS:
COUNTY OF BEXAR**

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared: Lynette Nelson, who after being duly sworn, says that she is the BOOKKEEPER of THE HEARST CORPORATON (SAN ANTONIO EXPRESS-NEWS DIVISION), a daily newspaper published in Bexar County, Texas and that the publication, of which the annexed is a true copy, was published to wit:

Customer ID: 702738
Customer Name: City Of Helotes
Order ID: 2784191

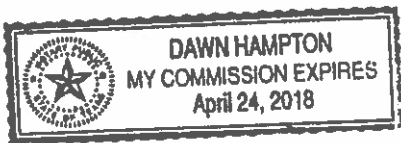
Publication EN Classified Pub Date 11-MAR-16


Lynette Nelson
Bookkeeper

Sworn and subscribed to before me, this 11 day of March A.D. 2016

Notary public in and for the State of Texas





PUBLIC NOTICE
City of Helotes Board of Adjustment will hold a public hearing on March 28, 2016, 7 pm, City Hall, 12951 Bandera Rd, Helotes, TX on a request for a variance to Code of Ordinances Sec. 98-62(e), a requirement that an accessory building shall not extend beyond the front line of the main building, for property located at 11123 Javalin Trail, www.helotes-tx.gov for more info.

March 11, 2016

RE: Notice of Public Hearing

Dear Property Owner,

The City of Helotes Board of Adjustment will hold a public hearing on Monday, March 28, 2016 at 7:00 p.m. at City Hall, 12951 Bandera Road, Helotes, Texas to give all interested persons the right to appear and be heard on a request by Janet and Bill Csanyi for a variance to the Municipal Code of Ordinances Chapter 98 *Zoning*, sub-section 98-62(e), a requirement that an accessory building shall not extend beyond the front line of the main building, for property located at 11123 Javalin Trail more particularly described as CB 4481B Blk 1 Lot 135. The property owners are proposing to build a garage that will extend beyond the front building line of the existing house.

You are being notified of this hearing because you own property within two hundred feet (200') of the subject property. As an interested property owner, you are invited to attend this hearing to express your opinion. You may also send written comments via mail to the address on this letter or via email to citysec@helotes-tx.gov.

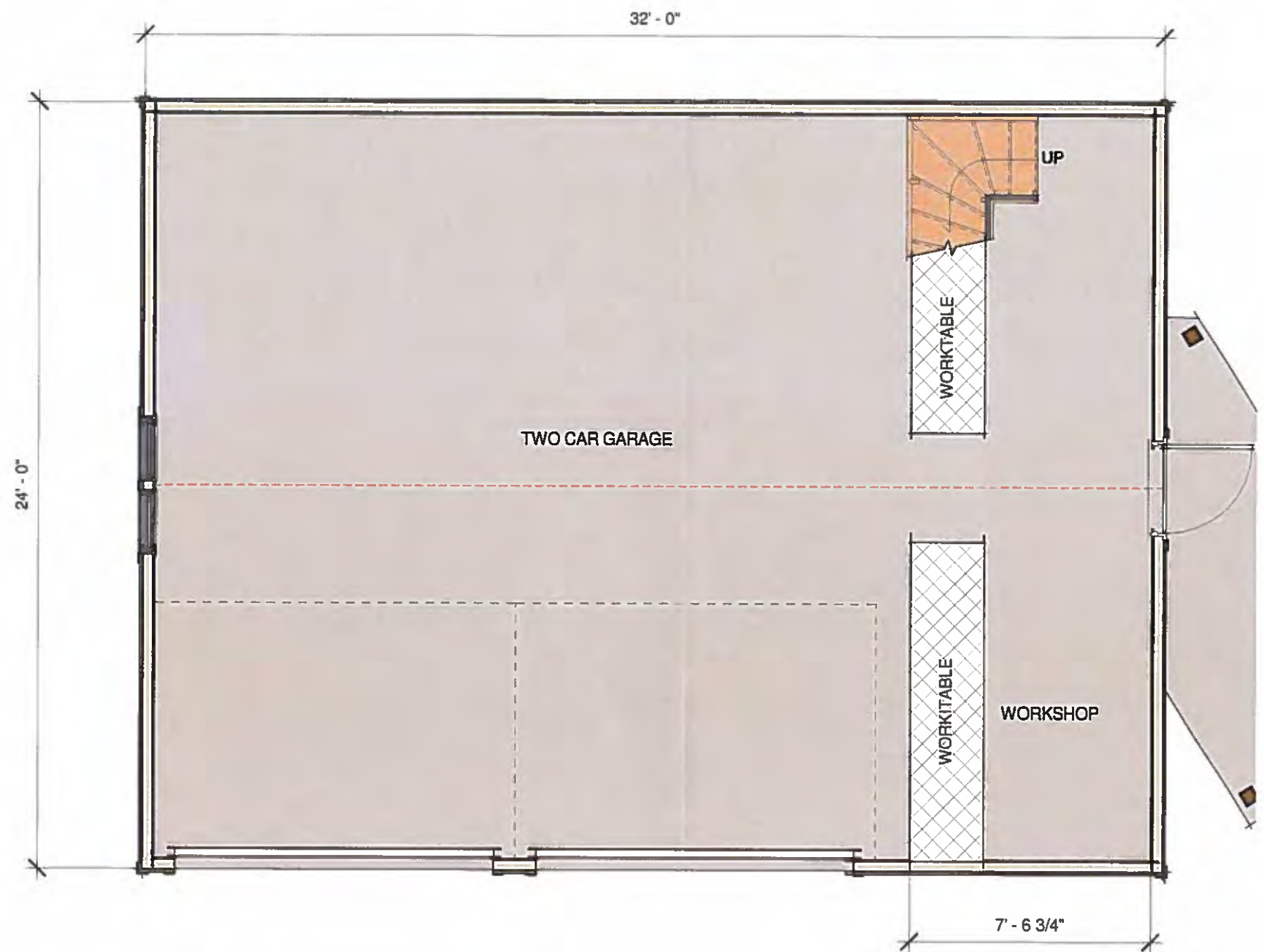
The City of Helotes Board of Adjustment reserves the right, as otherwise permitted by law, to amend this notice by the publication of an amended notice on the official municipal website www.helotes-tx.gov, and by the posting of official notice of the public hearing with the agenda for the meeting at which the hearing will take place in the manner required by Tex. Gov't Code Ann. Sec. 551.043. Members of the public are requested to check all official postings and the meeting agenda prior to the commencement of the public hearing.

A map of the subject property and Code of Ordinances Section 98-62[(e)] are enclosed with this letter for your reference. Thank you for your interest and participation in this matter.

Regards,

Grace Tamez
City Secretary

prop_id	owner_name	addr_line1	addr_line2	addr_city	addr_state	addr_zip
240069	CITY OF HELOTES		PO BOX 507	HELOTES	TX	78023-0507
240184	FIELDS J D & PARKER DONNA K		11114 INDIAN TRL	HELOTES	TX	78023-4292
240185	RODRIGUEZ HUGO I & GILDA M		11050 INDIAN TRL	HELOTES	TX	78023-4291
240186	KLEIN BOBBY L & BARBARA J		11040 INDIAN TRL	HELOTES	TX	78023-4291
240188	PERCE CLAYTON B & KATHERINE		11020 INDIAN TRL	HELOTES	TX	78023-4291
240206	JAVALINA PROPERTIES LLC		11220 W LOOP 1604 N	SAN ANTONIO	TX	78254-6600
240207	WRIGHT RONALD & MARY E		11117 JAVALIN TRL	HELOTES	TX	78023-4293
240208	CSANYI BELA		11123 JAVALIN TRL	HELOTES	TX	78023-4293
240209	JONES CHRISTINA & DON		11133 JAVALIN TRL	HELOTES	TX	78023-4293
240210	MELNIK-VERMILLON CLARA A		4917 RAVENSWOOD DR APT 610	SAN ANTONIO	TX	78227-4340
240274	MCDONALD SHAWN F		11142 JAVALIN TRL	HELOTES	TX	78023-4293
240275	RAMIREZ RUBEN &	SANDRA A	11132 JAVALIN TRL	HELOTES	TX	78023-4293
240276	FEOLA PAUL & PATRICIA		11122 JAVALIN TRL	HELOTES	TX	78023-4293
240277	MICHALEC DAVID C & EVELYN		11112 JAVALIN TRL	HELOTES	TX	78023-4293
240278	MENDEZ OSCAR & GLORIA		11040 JAVALIN TRL	HELOTES	TX	78023-4294

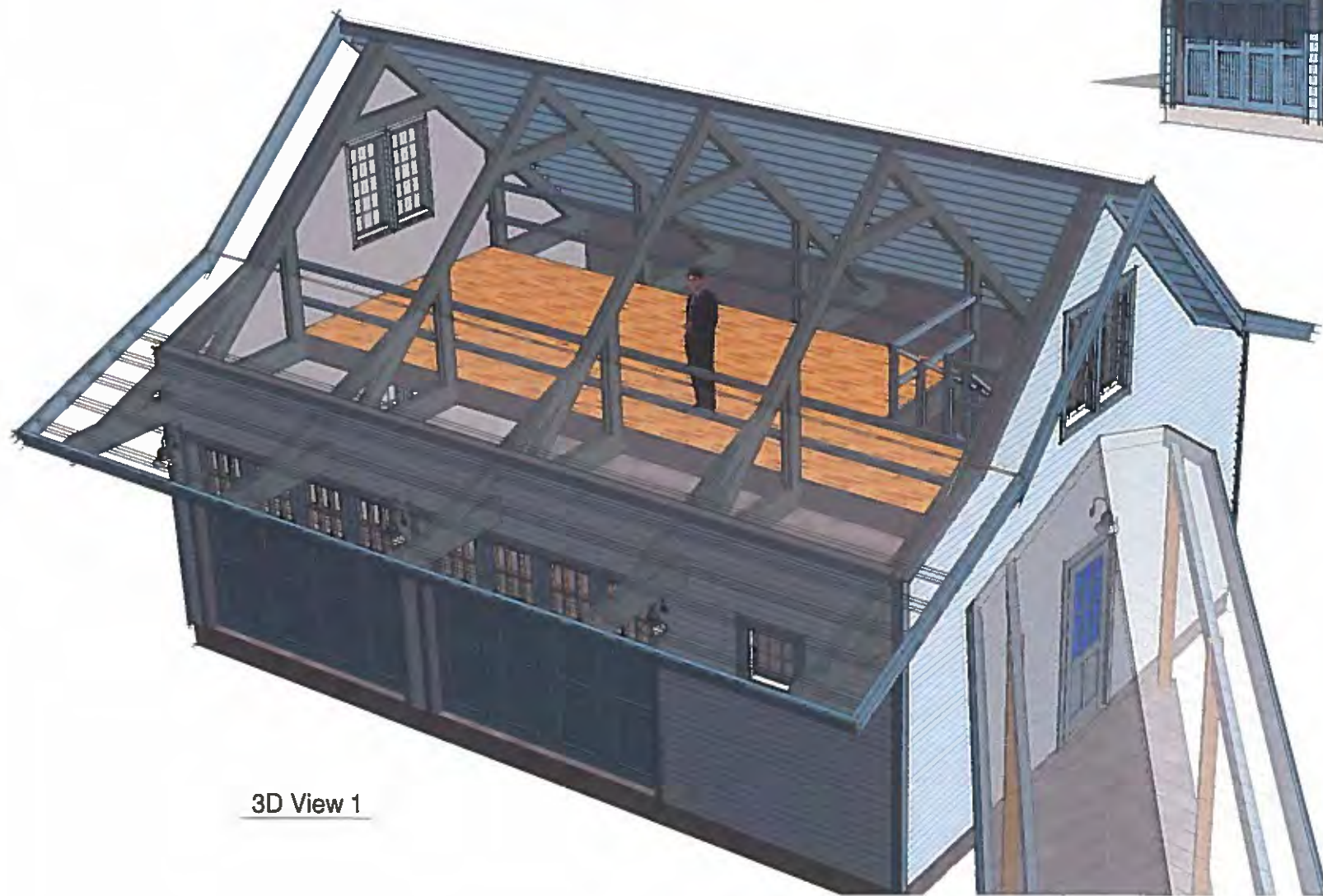




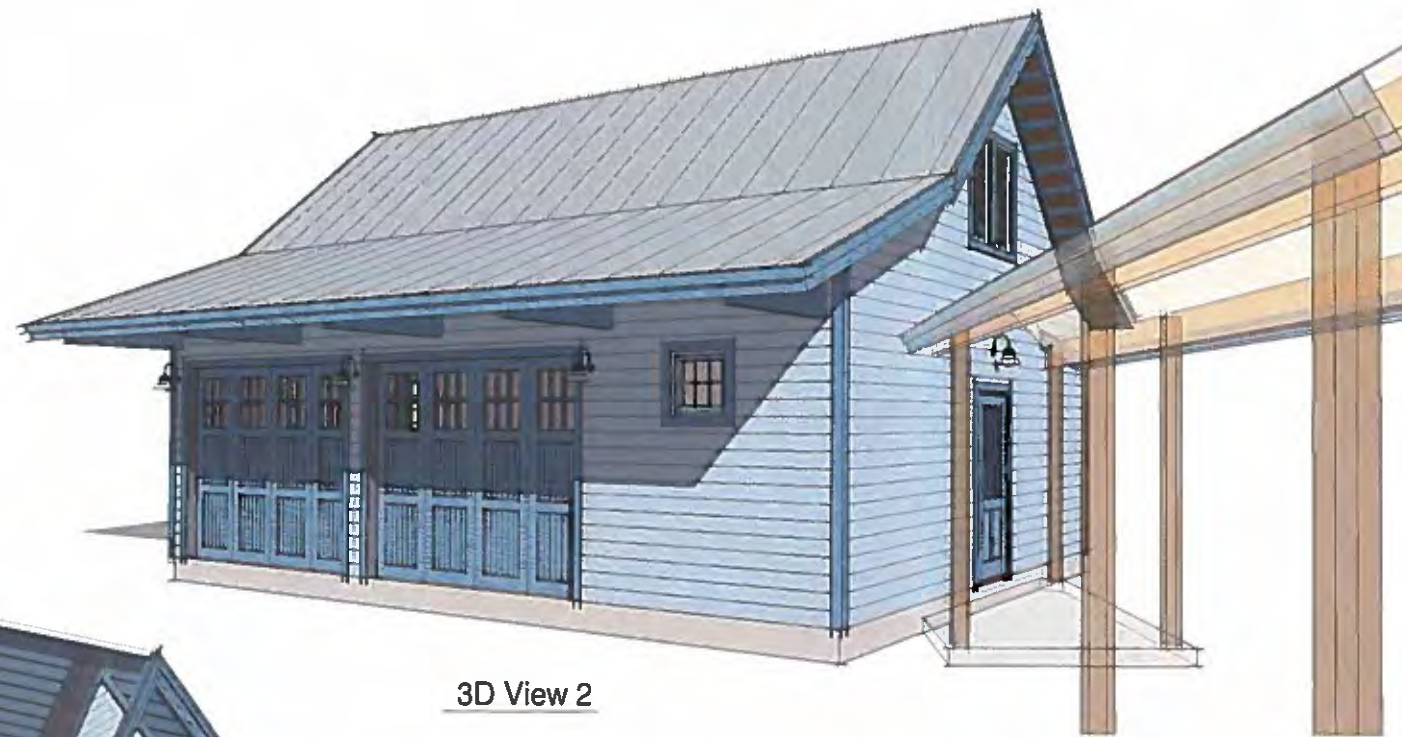
Guy Burnett AIA
Architect

Csanyi Residence
PROPOSED GARAGE ADDITION STREET VIEW

2/22/2016 3:26:27 PM



3D View 1



3D View 2



Guy Burnett AIA
Architect

Csanyi Residence
PROPOSED STREET VIEW OF GARAGE ADDITION

2/22/2016 3:26:33 PM