



**AGENDA  
CITY OF HELOTES  
BOARD OF ADJUSTMENT  
April 13, 2015  
7:00 p.m.**

The City of Helotes Board of Adjustment will meet on Monday, April 13, 2015 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 Nancy and Martin Clausewitz for a variance to Code of Ordinances Chapter 98 *Zoning*, Sec. 98-62(c)(2), a requirement of a side yard setback (width) of not less than 25 feet for property located at 10080 Rafter S Trail more particularly described as CB 4553A Block 19 Lot 35. (Applicant)

**ITEM FOR INDIVIDUAL CONSIDERATION:**

3. Discussion of and action on the request by Nancy and Martin Clausewitz for a variance to Code of Ordinances Chapter 98 *Zoning*, Sec. 98-62(c)(2), a requirement of a side yard setback (width) of not less than 25 feet for property located at 10080 Rafter S Trail more particularly described as CB 4553A Block 19 Lot 35. (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 April 6, 2015 at 3:00 p.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

RECEIVED  
 MAR 17 2015

CITY OF HELOTES

Application Date: 3/16/2015

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

NAME OF APPLICANT: NANCY & MARTIN CLAUSEWITZ

MAILING ADDRESS: 13514 REHM, HELOTES, TX 78023

PHONE #: (210) 695-9005

STATUS OF APPLICANT: OWNER: \_\_\_\_\_

AGENT: \_\_\_\_\_ (IF AGENT, ATTACH LETTER OF AUTHORIZATION)

PROPERTY DESCRIPTION

PHYSICAL ADDRESS: 10080 RAFTER S TRAIL

LEGAL DESCRIPTION: LOT 35, BLOCK 19, HELOTES CREEK SUBDIVISION, UNIT 1

CURRENT ZONING: SINGLE FAMILY PROPOSED ZONING: NO CHANGE

EXISTING USE: RESIDENCE PROPOSED USE: NO CHANGE

ACRES/SQ. FT.: 7.975 DOES OWNER OWN ADJACENT PROPERTIES?  YES  NO

REQUESTED BOARD ACTION SPECIAL EXCEPTION \_\_\_\_\_ VARIANCE \_\_\_\_\_

PURPOSE OF REQUEST: ALLOW ACCESSORY BUILDING-POOL CABANA TO BE ATTACHED TO THE MAIN STRUCTURE

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.

[Signature]  
 APPLICANT'S SIGNATURE

3/17/2015  
 DATE



Office Use Only

**PAID**

MAR 17 2015

CITY OF HELOTES

*ck. 5726*  
*#358.00*

City of Helotes, Texas  
210-695-8877

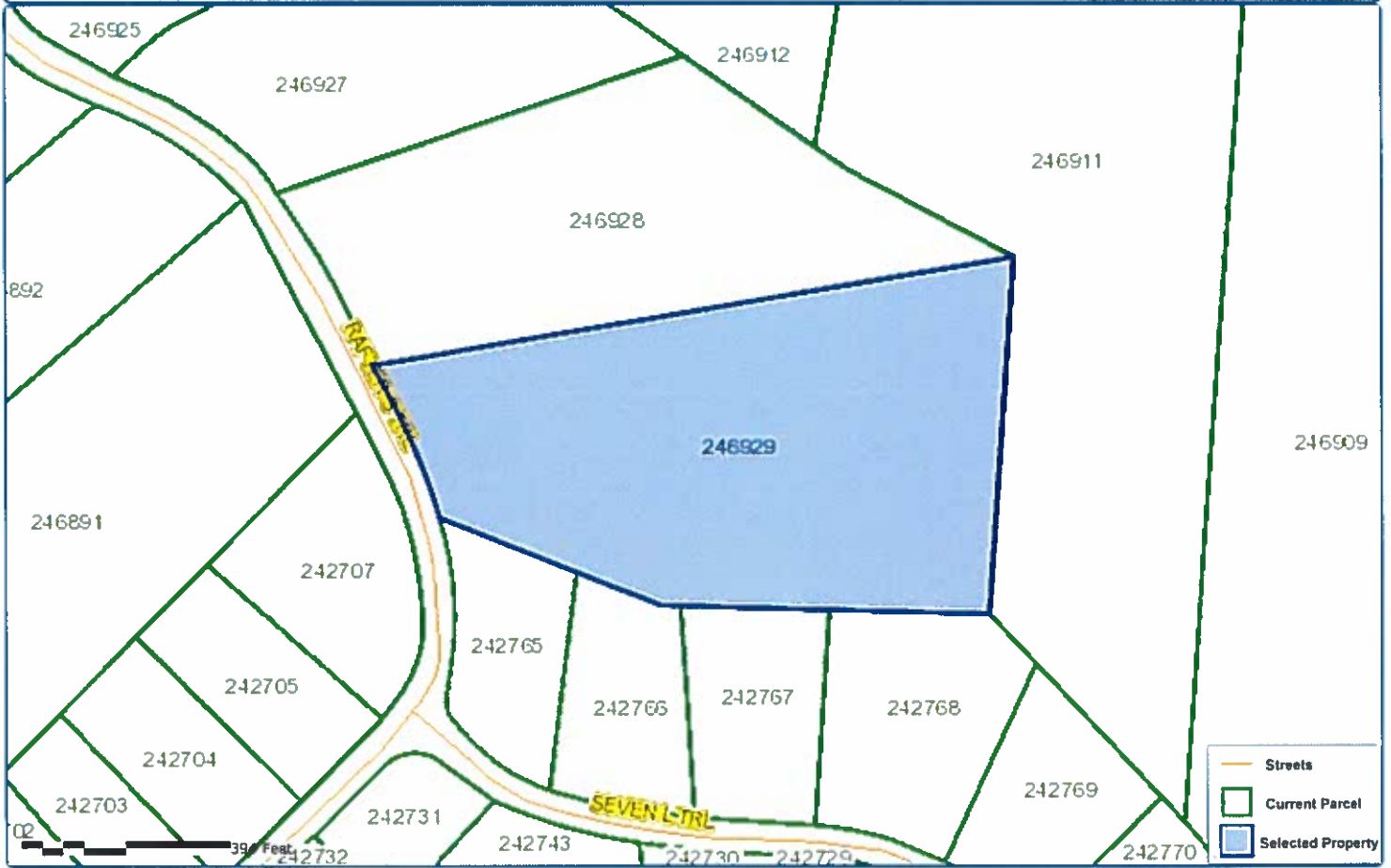
REC#: 00012973    3/17/2015    3:18 PM  
OPER: EC    TERM: 002  
REF#: 5726  
PAID BY:

TRAN: 997.0000    GENERAL FUND - MISC  
                  B.O.A. - 10080 RAFTER S TRAIL  
                  NANCY & MARTIN CLAUSEWITZ  
                  PLANNING & ZONING                    358.00CR

TENDERED:            358.00    CHECK  
APPLIED:             358.00-  
CHANGE:                            0.00

THANK YOU FOR YOUR BUSINESS.

## Bexar CAD - Map of Property ID 246929 for Year 2015



### Property Details

#### Account

Property ID: 246929  
Geo ID: 04553-119-0350  
Type: Real  
Legal Description: CB 4553A BLK 19 LOT 35

#### Location

Situs Address: 10080 RAFTER S TRL HELOTES, TX 78023  
Neighborhood: HELOTES CK RANCH (NS)  
Mapsc0: 512F5  
Jurisdictions: CAD, 08, 06, 10, 09, 42, 11, 56

#### Owner

Owner Name: CLAUSEWITZ MARTIN F & NANCY  
Mailing Address: , 10080 RAFTER S TRL, HELOTES, TX 78023-3820

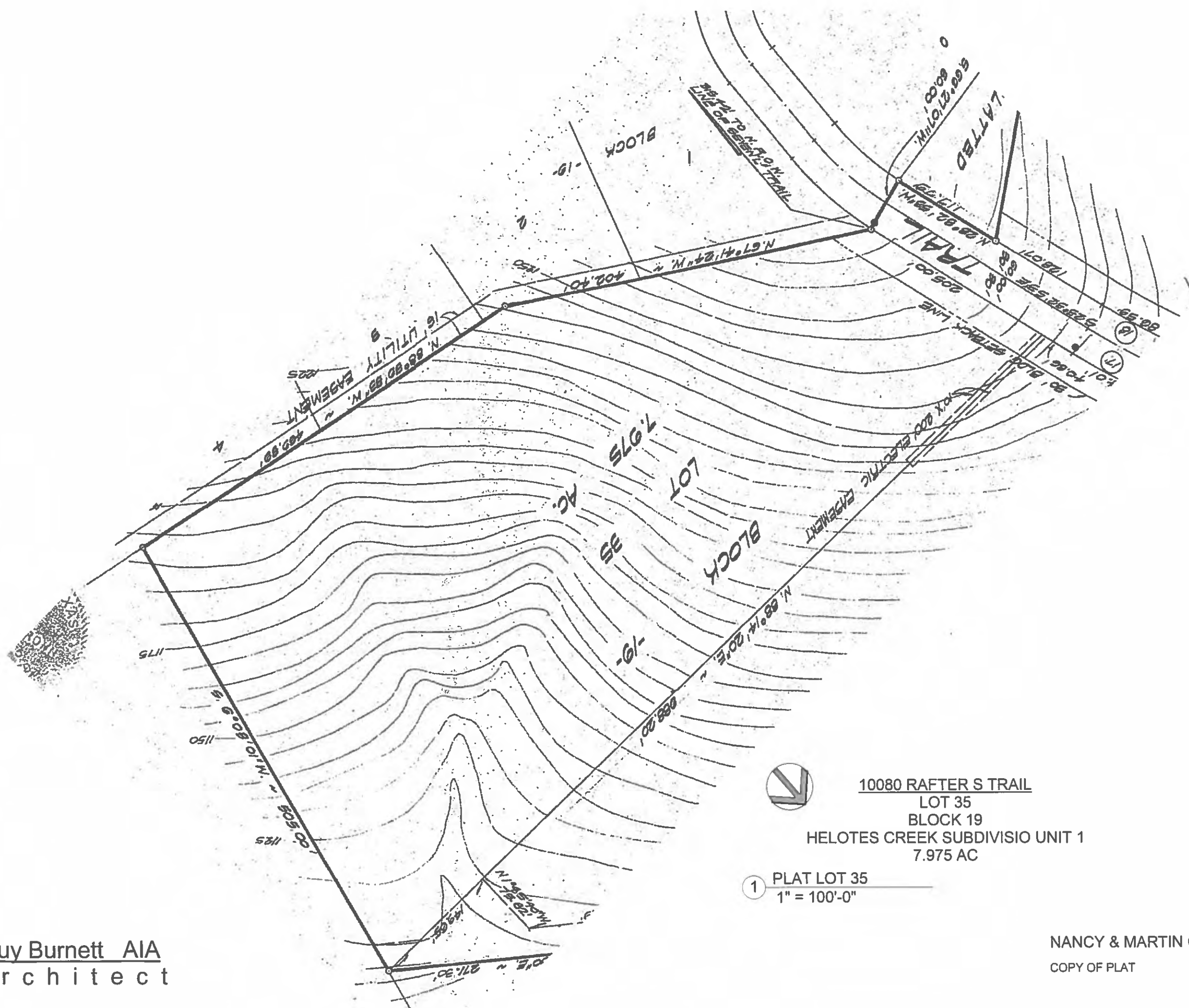
#### Property

Appraised Value: N/A

<http://www.bcad.org/Map/View/Map/1/246929/2015>

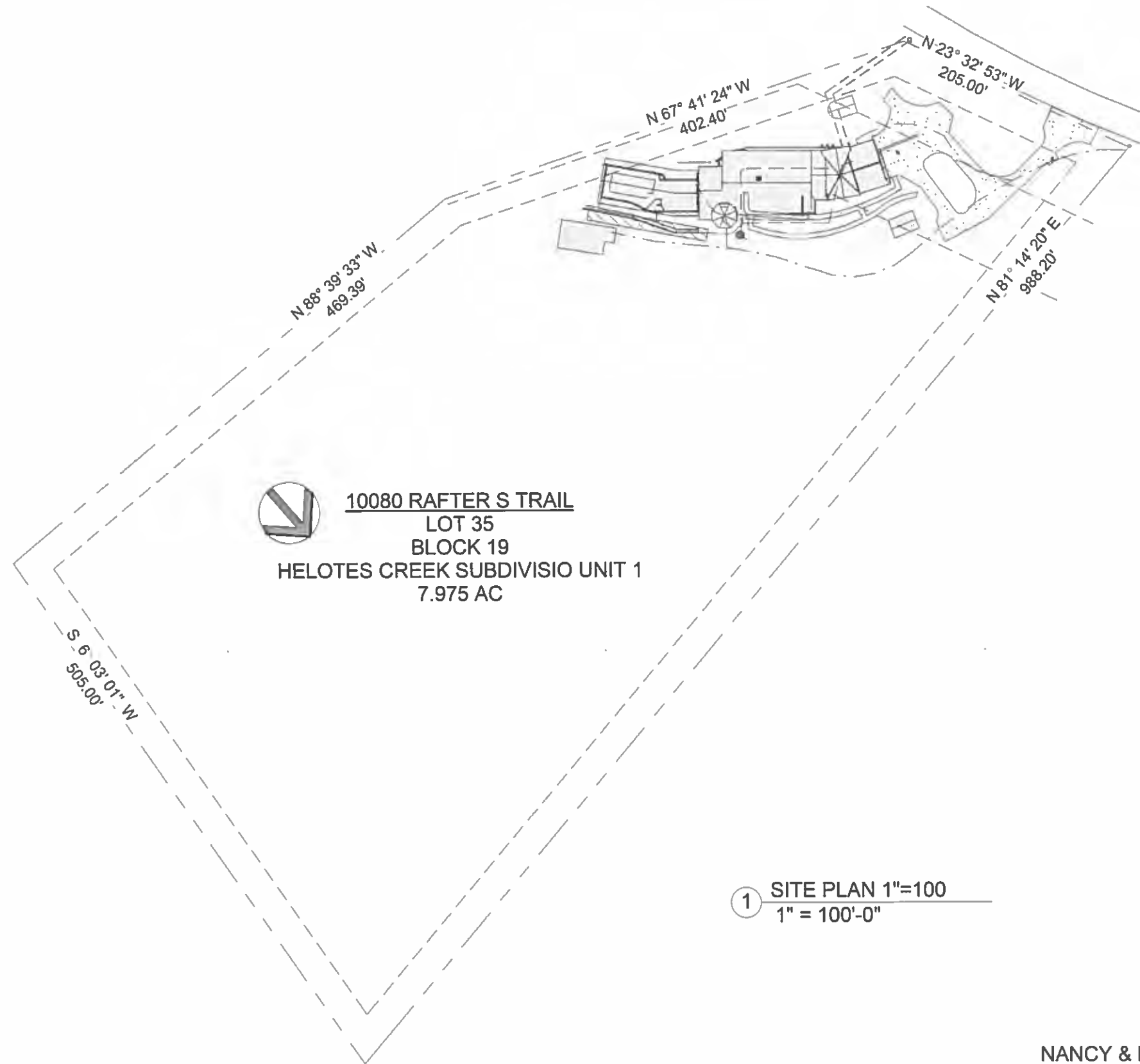
powered by:  
**PropertyACCESS**  
www.trueautomation.com

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.



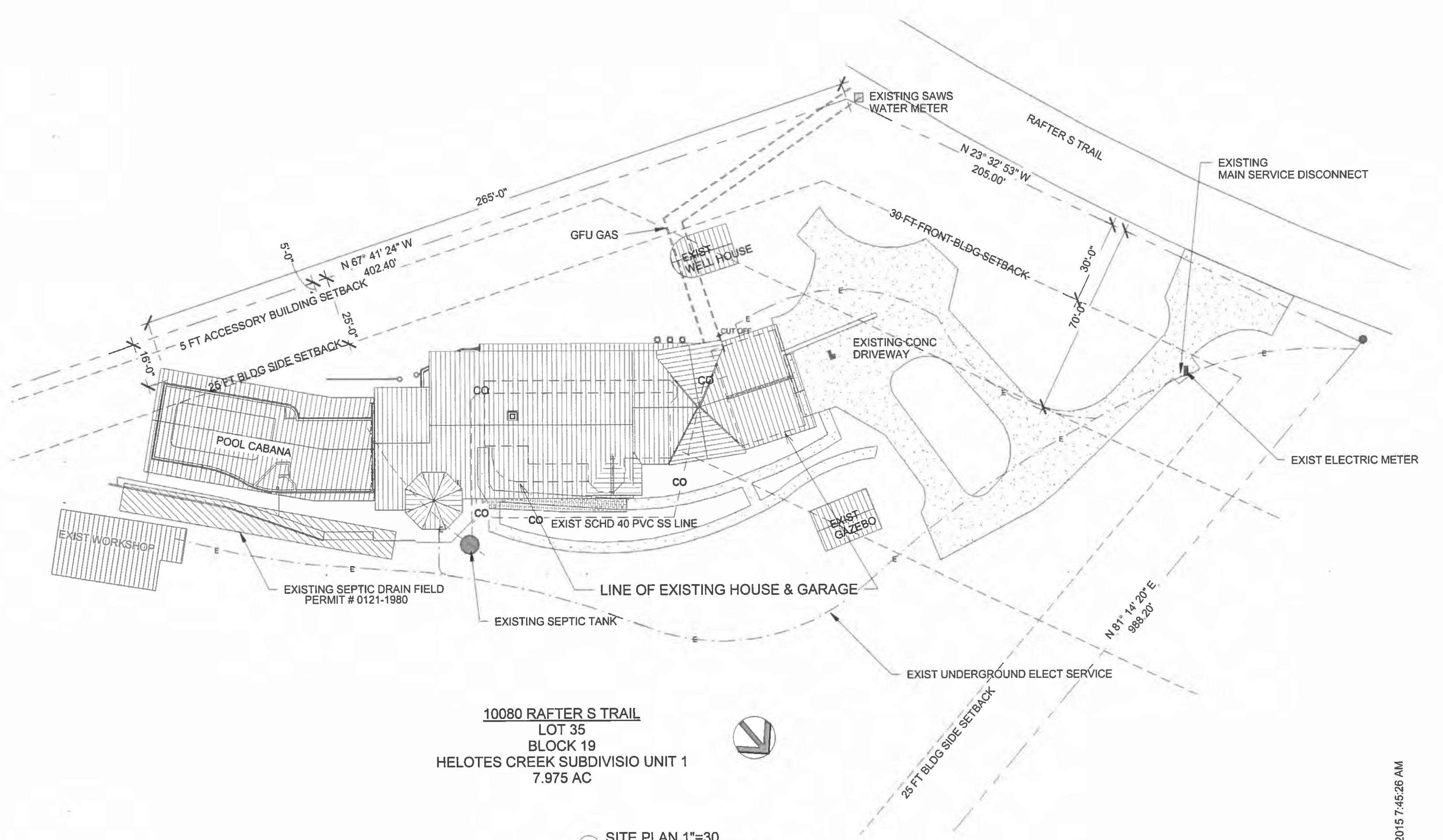
10080 RAFTER S TRAIL  
LOT 35  
BLOCK 19  
HELOTES CREEK SUBDIVISIO UNIT 1  
7.975 AC

1 PLAT LOT 35  
1" = 100'-0"



**10080 RAFTER S TRAIL**  
 LOT 35  
 BLOCK 19  
 HELOTES CREEK SUBDIVISIO UNIT 1  
 7.975 AC

① SITE PLAN 1"=100'  
 1" = 100'-0"



10080 RAFTER S TRAIL  
 LOT 35  
 BLOCK 19  
 HELOTES CREEK SUBDIVISIO UNIT 1  
 7.975 AC



1 SITE PLAN 1"=30  
 1" = 30'-0"

Guy Burnett AIA  
 Architect

NANCY & MARTIN CLAUSEWITZ  
 SITE PLAN  
 Scale 1" = 30'-0"

3/17/2015 7:45:26 AM

**Ernest Cruz**

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**From:** BB Inspections . <  
**Sent:** Monday, March 16, 2015 9:20 AM  
**To:** Ernest Cruz  
**Subject:** RE: 10080 Rafter S Trail

Guy,  
I have taken a look at the proposed plan and will recommend, if submitted as is, it go to the board of adjustment for a final ruling. If the cabana is not substantially detached from the main structure, in my opinion it becomes a part of the main residence and as such must meet the current setback requirements(25').

*Bruce C. Bealor, Sr.  
BB Inspections, LLC*

*Office/Fax (210) 494-3050*

**BUILDING INSPECTIONS**  
*ICC Certified Inspectors*  
**ENERGY TESTING**  
*HERS/ENERGY STAR Certified*



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)

BOA

Calendar  
10080 Rafter S  
Clausewitz  
variance request for variance to side yard set back

March 16, 2015	Application submitted
March 23	Notice sent to applicant.
March 23	Notice mailed to neighbors within 200 feet
March 26	Notice published in Helotes Echo
March 27	16 day deadline
April 13	BOA hearing

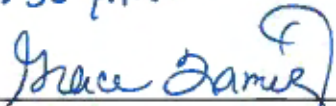


CITY OF HELOTES  
BOARD OF ADJUSTMENT  
April 13, 2015  
7:00 p.m.

NOTICE OF PUBLIC HEARING

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Posted:  
March 27, 2015  
3:30 p.m.

  
By: Grace Tamez, City Secretary

Published: March 26, 2015  
The Echo

March 26, 2015

RE: Notice of Public Hearing

Dear Property Owner,

The City of Helotes Board of Adjustment will hold a public hearing on Monday, April 13, 2015 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 Nancy and Martin Clausewitz for a variance to Zoning Code Section 98-62(c)(2), a requirement of a side yard setback (width) of not less than 25 feet for property located at 10080 Rafter S Trail, more particularly described as CB 4553A Block 19 Lot 35. The applicants propose to build an addition to the existing home that will encroach into the side yard setback.

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](mailto: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](http://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.

Code of Ordinances Section 98-62 [(c) (2)] and a map of the subject property are included with this letter for your reference. Thank you for your interest and participation in this matter.

Regards,

Grace Tamez  
City Secretary

Nancy and Martin Clausewitz  
10080 Rafter S Trl  
Helotes, TX 78023-3820

Nancy and Martin Clausewitz  
13514 Rehm  
Helotes, TX 78023

Miguel and Sylvia Gonzales  
10070 Rafter S Trl  
Helotes, TX 78023-3820

Sanford and Mary Hildebrand  
15322 Seven L Trl  
Helotes, TX 78023-3808

Nancy and Martin Clausewitz  
13514 Rehm  
Helotes, TX 78023

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