



**AGENDA
CITY OF HELOTES
BOARD OF ADJUSTMENT
June 17, 2019
7:00 p.m.**

The City of Helotes Board of Adjustment will meet on Monday, June 17, 2019 at 7:00 p.m. in the City Hall Council Chambers, 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 the City of San Antonio for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required side yard setback of 25 feet to any side property line located at 10088 Rafter S. Trail, Helotes, Texas 78023, more particularly described as BCAD Property ID No. 242732.

ITEMS FOR INDIVIDUAL CONSIDERATION:

3. Discussion of and action on a request by the City of San Antonio for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required side yard setback of 25 feet to any side property line located at 10088 Rafter S. Trail, Helotes, Texas 78023, more particularly described as BCAD Property ID No. 242732. (Applicant)

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.

Board of Adjustment Meeting


June 17, 2019

Page 2

Adjourn.

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 the 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 June 7, 2019 at 3:00 a.m. (p.m.)



Celina Perez, City Secretary

HEARST

MEDIA SOLUTIONS

San Antonio Express-News | ExpressNews.com | mySA.com

2

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: Judy Lambert, who after being duly sworn, says that she is the BOOKKEEPER of HEARST NEWSPAPERS, LLC - dba: SAN ANTONIO EXPRESS-NEWS, 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: 3022862

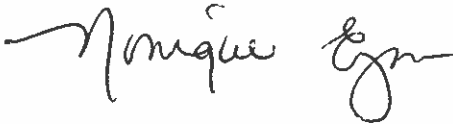
Publication	Pub Date
EN Classified	17-MAY-19

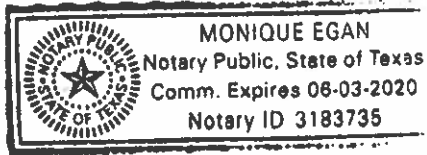


 Judy Lambert
 Bookkeeper

Sworn and subscribed to before me, this 22 day of May A.D. 2019

Notary public in and for the State of Texas





NOTICE OF PUBLIC HEARING

The City of Helotes Board of Adjustment will hold a Public Hearing on June 17, 2019 at 7 p.m. in the City Hall Council Chambers, 12951 Bandera Rd., Helotes, TX 78023 to receive public comments on a request by the City of San Antonio for a variance to Municipal Code of Ordinances Chapter 98 Zoning, Article III District Regulations, Section 98-62 Single-Family Residential District (R-1), authorizing an encroachment in the required side yard setback of 25 feet to any side property line located at 10088 Rafter S. Tr., Helotes, TX 78023 (BCAD Prop. ID No. 242732). For more information, visit www.helotes-tx.gov.



Notice of Public Hearing
Board of Adjustment
June 17, 2019

The City of Helotes Board of Adjustment will hold a Public Hearing on June 17, 2019 at 7:00 p.m. in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas 78023 to receive public comments on a request by the City of San Antonio for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required side yard setback of 25 feet to any side property line located at 10088 Rafter S. Trail, Helotes, Texas 78023 (BCAD Property ID No. 242732).

The subject property map is attached. For more information, visit www.helotes-tx.gov.

I certify the notice was posted on May 17, 2019 at 9:00 a.m.


Celina Perez, City Secretary

Published: May 17, 2019
San Antonio Express News

Property Identification #: 242732

Property Information: 2019

Owner Identification #: 70010

Geo ID: 04525-026-0161
Situs 10088 RAFTER S TRL HELOTES, TX
Address: 78023
Property Type: Real
State Code: C1

Legal Description: CB 4525A BLK 17 LOT 16A
Abstract: A04525
Neighborhood: HELOTES PARK EST.(NS)
Appraised Value: \$22,130.00
Jurisdictions: 06, 08, 42, 11, 56, 10, CAD, 09

Name: CITY OF SAN ANTONIO
Exemptions: EX-XV
DBA: Null



BCAD, Texas Parks & Wildlife, Esri, HERE, Garmin, I

Bexar CAD Map Search

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.



May 17, 2019

Dailey & Wells Communications, Inc.
C/O Richard Wells
3440 E. Houston St.
San Antonio, Texas 78219

Mr. Wells,

The City of Helotes Board of Adjustment will hold a public hearing on June 17, 2019 at 7:00 p.m. in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas 78023 to receive public comments on a request by the City of San Antonio for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required side yard setback of 25 feet to any side property line located at 10088 Rafter S. Trail, Helotes, Texas 78023, more particularly described as BCAD Property ID No. 242732.

Although not required, it would probably be advantageous for you and / or a City of San Antonio representative to be present at this meeting.

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 (*Notices*), 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.

Sincerely,

Celina Perez,
City Secretary



May 17, 2019

Dear Property Owner,

The City of Helotes Board of Adjustment will hold a public hearing on June 17, 2019 at 7:00 p.m. in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas 78023 to receive public comments on a request by the City of San Antonio for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required side yard setback of 25 feet to any side property line located at 10088 Rafter S. Trail, Helotes, Texas 78023, more particularly described as BCAD Property ID No. 242732.

You are being notified of this public hearing because you own property within two hundred feet (200') of the subject property as it appears on this date in the BCAD map. As an interested property owner, you are invited to attend the meetings to express your opinion. You may also send written comments to the attention of the City Secretary at PO Box 507, Helotes, Texas 78023 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 (*Notices*), 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.

For more information, visit *Notices* on www.helotes-tx.gov. Thank you for your interest and participation on this matter. A BCAD map of the subject property is enclosed with this letter.

Sincerely,

Celina Perez,
City Secretary

**CITY OF SAN ANTONIO
PUBLIC HEARING MAIL OUT**

**DAILEY & WELLS
COMMUNICATIONS INC
RICHARD WELLS
3440 E HOUSTON ST
SAN ANTONIO, TX 78219**

**IRMA I & GERHARD WASSNER
10106 RAFTER S TRL
HELOTES, TX 78023**

**MICHAEL DICKEY
10110 RAFTER S TRL
HELOTES, TX 78023**

**CORT C & MICHELE M RUSSELL
15319 SEVEN L TRL
HELOTES, TX 78023**

**RYAN S & GRETCHEN L ELKINS
10100 RAFTER S TRL
HELOTES, TX 78023**

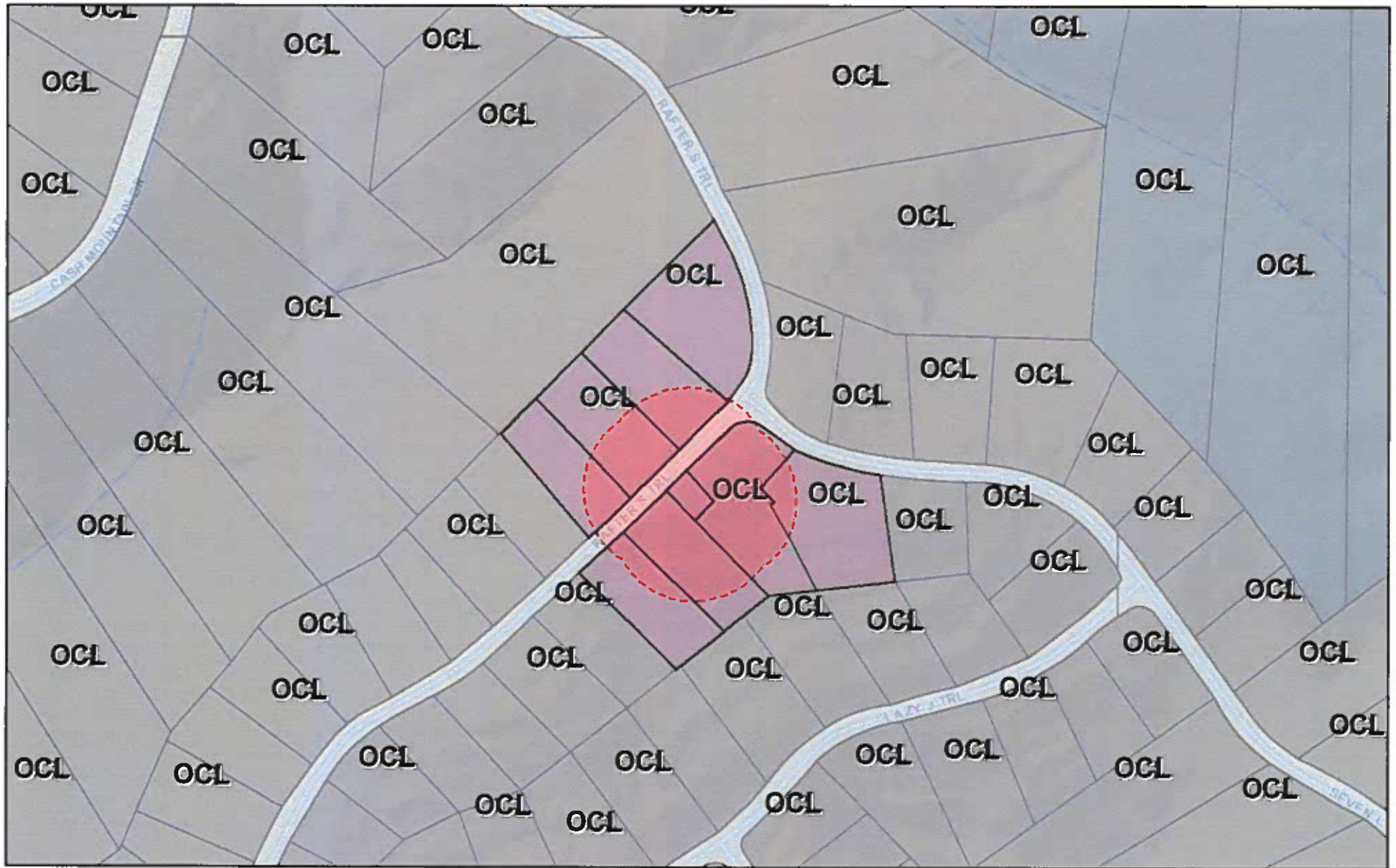
**ALAN R & WANDA J THIELE
124 LUMBERJACK CT
BASTROP, TX 78602**

**MC RANCH CO LTD
11550 W INT 10 STE 293
SAN ANTONIO, TX 78230**

**DAVID M & JULIE A ANDERSON
10101 RAFTER S TRL
HELOTES, TX 78023**

**DANNY RAMIREZ
914 SOMERSET RD
SAN ANTONIO, TX 78211**

City of San Antonio Public Hearing 200 ft. Requirement



May 16, 2019

polygonLayer

Override 1

polygonLayer

Override 1

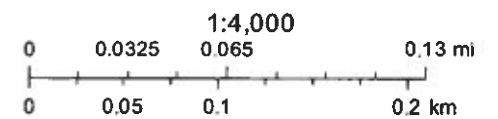
multipointLayer

• Override 1

● Community Service Centers



Pre-K Sites



**City of Helotes
BOARD OF ADJUSTMENT**

AGENDA ITEM REQUEST FORM

DATE: June 17, 2019

AGENDA PLACEMENT: CONSENT
 INDIVIDUAL
 PRESENTATION
 CLOSED

CAPTION:

Discussion of and action on a request by the City of San Antonio for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required side yard setback of 25 feet to any side property line located at 10088 Rafter S. Trail, Helotes, Texas 78023, more particularly described as BCAD Property ID No. 242732. (Applicant)

BACKGROUND:

On July 24, 2018 the City of San Antonio (COSA) submitted a request for a Specific City Council Approved Use Permit for the construction of a municipal utility shelter and radio tower on property zoned Single-Family Residential District (R-1), located at 10031 Rafter S Trail. In the middle of the process, COSA withdrew the request, citing that another property owned by COSA was being considered for the project.

Present day, a request by COSA was submitted for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required 25 feet side yard setback on property located at 10088 Rafter S. Trail. COSA is proposing to replace an existing 6'x8' fiberglass utility shelter with an improved 11'x18' pre-fabricated concrete utility shelter that is 1.5' from the side property line. The improved utility shelter will house critical municipal infrastructure necessary for public safety agencies, CPS Energy, and San Antonio Water System.

The proposed utility shelter meets the regulations as outlined in Section 98-62 *Single-Family Residential District (R-1)*, with the exception of the following:

Code	Compliant	Variance Required
(c) Area Regulations		
(2) <i>Side yard setback</i> . 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	No; The proposed utility shelter is located 40' feet from the front property line and must therefore adhere to the 25' side	Yes.

ITEM NO. 3

feet or more from the front property line shall not be located nearer than five feet to any side property line.	yard setback. The proposed utility shelter is 1.5' from the side property line and encroaching on the side yard setback.	
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FINANCIAL: N/a

RECOMMENDATION:

City Staff recommends approval of a request by the City of San Antonio for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required side yard setback of 25 feet to any side property line located at 10088 Rafter S. Trail, Helotes, Texas 78023, more particularly described as BCAD Property ID No. 242732.

SUBMITTED BY: City Staff

DATE SUBMITTED: May 29, 2019

SUGGESTED MOTION:

Move to approve a request by the City of San Antonio for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required side yard setback of 25 feet to any side property line located at 10088 Rafter S. Trail, Helotes, Texas 78023, more particularly described as BCAD Property ID No. 242732.



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: 05/07/2019

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

NAME OF APPLICANT: City of San Antonio ITSD (SAWS)

MAILING ADDRESS: 515 S. Frio Street, San Antonio, Texas 78205

PHONE #: (512)656-2522

EMAIL: Bruce.Sims@SanAntonio.Gov

STATUS OF APPLICANT: OWNER: X

AGENT: _____ (IF AGENT, ATTACH LETTER OF AUTHORIZATION FROM PROPERTY OWNER)

PROPERTY DESCRIPTION

PHYSICAL ADDRESS: 10088 Rafter S. Trail

LEGAL DESCRIPTION: CB 4525, BLK 17, Lot 16A

CURRENT ZONING: R1 PROPOSED ZONING: R1

EXISTING USE: Waterworks & Radio Site PROPOSED USE: Waterworks & Radio Site

ACRES/SQ. FT.: 0.166ac DOES OWNER OWN ADJACENT PROPERTIES? Yes No

REQUESTED BOARD ACTION SPECIAL EXCEPTION _____ VARIANCE X

PURPOSE OF REQUEST: Replace existing radio shelter(s) with new pre-fab Concrete Shelter. Request variance to place new shelter within 1.5' of property line.

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.

Richard Wells Digitally signed by Richard Wells
 Date: 2019.05.07 17:29:07 -05'00'

APPLICANT'S SIGNATURE

5/7/2019
 DATE

Property Identification #: 242732

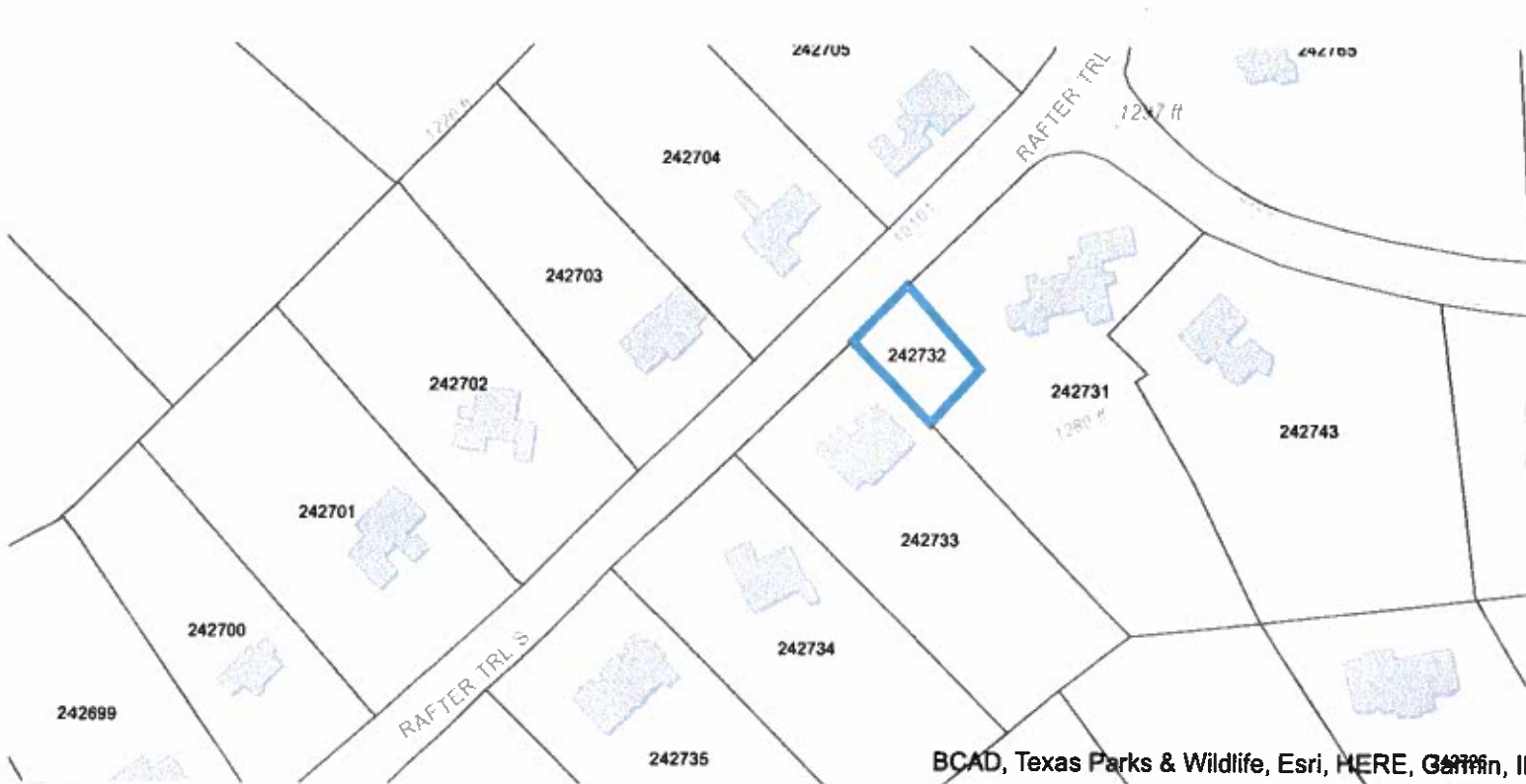
Property Information: 2019

Owner Identification #: 70010

Geo ID: 04525-026-0161
Situs 10088 RAFTER S TRL HELOTES, TX
Address: 78023
Property Type: Real
State Code: C1

Legal Description: CB 4525A BLK 17 LOT 16A
Abstract: A04525
Neighborhood: HELOTES PARK EST.(NS)
Appraised Value: \$22,130.00
Jurisdictions: 06, 08, 42, 11, 56, 10, CAD, 09

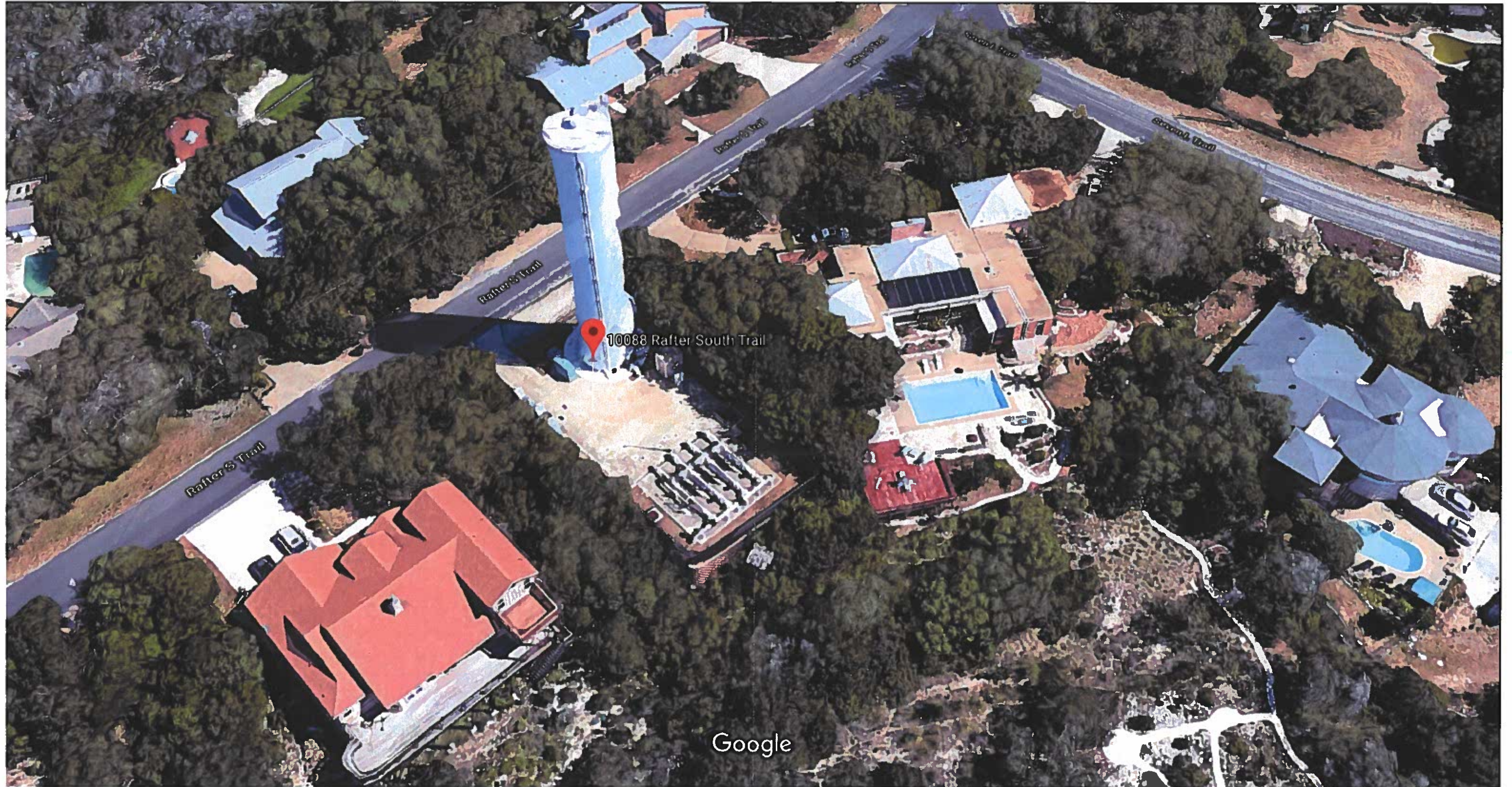
Name: CITY OF SAN ANTONIO
Exemptions: EX-XV
DBA: Null



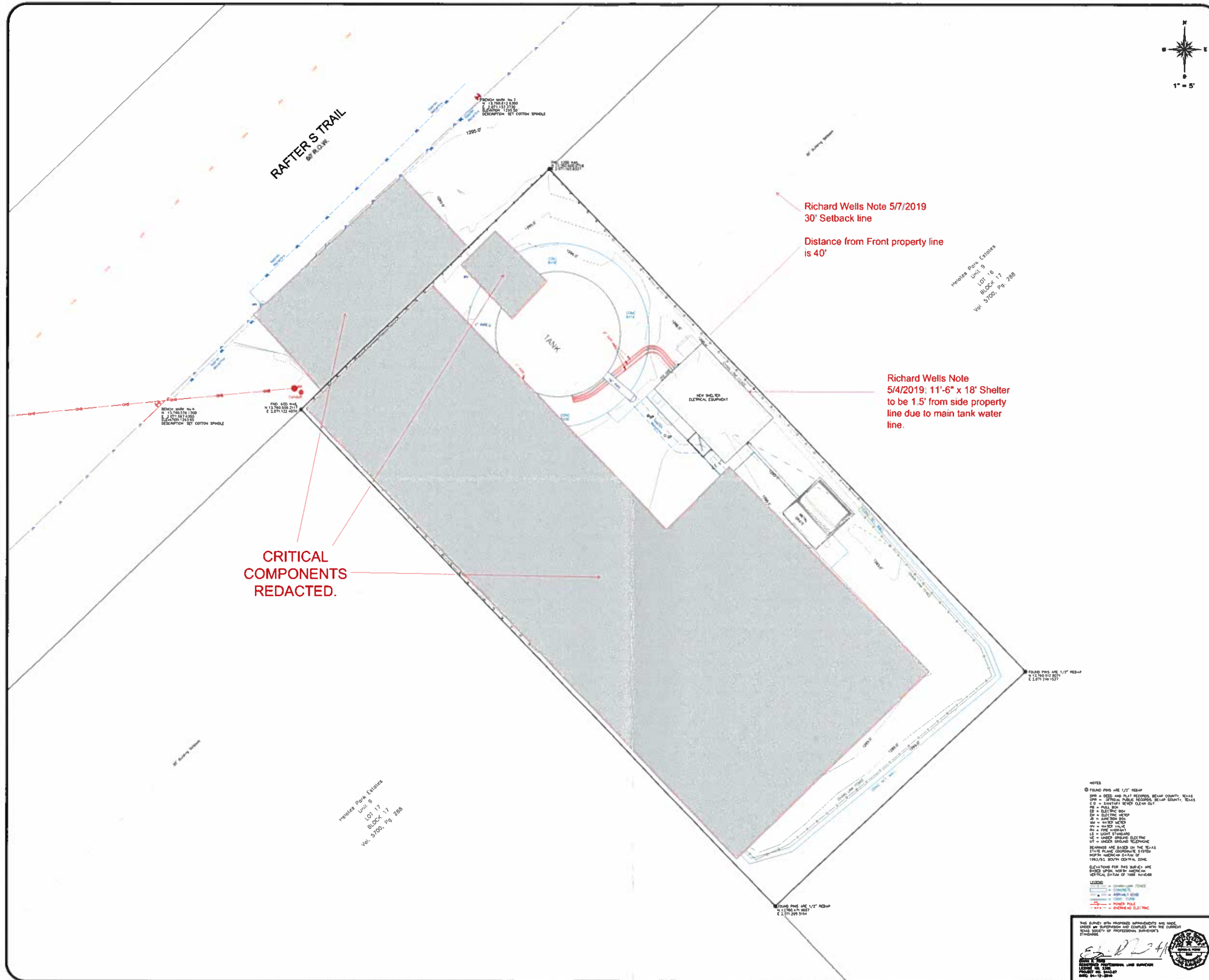
BCAD, Texas Parks & Wildlife, Esri, HERE, Garmin, II

Bexar CAD Map Search

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.



Imagery ©2019 Google, Map data ©2019 Google 20 ft



FORD ENGINEERING INC.
 ENGINEERING SURVEYING PLANNING
 10007 WYE DRIVE, STE 104, SAN ANTONIO, TEXAS 78217 • P: (210) 664-7777 • F: (210) 664-4849
 WWW.FORDENGINEERING.COM • TEL#1: 800-880-1840

Helotes Park Estates
 Unit 9
 LOT 16
 BLOCK 17
 Vol. 5700, Pg. 288

Richard Wells Note
 5/4/2019: 11'-6" x 18' Shelter
 to be 1.5' from side property
 line due to main tank water
 line.

Richard Wells Note 5/7/2019
 30' Setback line
 Distance from Front property line
 is 40'

CRITICAL
 COMPONENTS
 REDACTED.

Helotes Park Estates
 Unit 9
 LOT 17
 BLOCK 17
 Vol. 5700, Pg. 288

NO.	DATE	REVISIONS	DESCRIPTION

NW-02 SAWS HELOTES #3 TANK
10088 RAFTER S TRAIL
 HELOTES, BEXAR COUNTY, TEXAS
SURVEY EXHIBIT-PROPOSED IMPROVEMENTS

NOTES
 FOUND PINS ARE 1/2" REBAR
 SPS = SPOKE AND PLAT RECORD, BEXAR COUNTY, TEXAS
 CRP = CRITICAL IMAGE RECORD, BEXAR COUNTY, TEXAS
 C-2 = CENTER POINT CLEAR OUT
 PE = PULL BOX
 EB = ELECTRIC BOX
 EW = ELECTRIC METER
 ES = ELECTRIC SERVICE
 SW = WATER METER
 WY = WATER VALVE
 AV = FIRE VALVE
 LE = UNDER GROUND ELECTRIC
 LT = UNDER GROUND TELEPHONE
 UT = UNDER GROUND TELEPHONE
 SEARCHES ARE BASED ON THE TEXAS
 STATE PLANS, COORDINATE SYSTEM
 NORTH AMERICAN DATUM OF
 1983, STATE COORDINATE ZONE.
 ELEVATIONS FOR THIS SURVEY ARE
 GIVEN UPON WITH RESPECT TO
 VERTICAL DATUM OF 1988 TIA-0488

LEGEND
 FOUND PINS ARE 1/2" REBAR
 SPS = SPOKE AND PLAT RECORD
 CRP = CRITICAL IMAGE RECORD
 C-2 = CENTER POINT CLEAR OUT
 PE = PULL BOX
 EB = ELECTRIC BOX
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 ES = ELECTRIC SERVICE
 SW = WATER METER
 WY = WATER VALVE
 AV = FIRE VALVE
 LE = UNDER GROUND ELECTRIC
 LT = UNDER GROUND TELEPHONE
 UT = UNDER GROUND TELEPHONE

This Survey was prepared in accordance with the laws and rules of the State of Texas and the rules of the Board of Professional Surveyors of the State of Texas.
 I, **Richard Wells**, a Professional Surveyor, certify that I am the author of this Survey and that it was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor in the State of Texas.
 License No. 12443
 Exp. 08-12-2024

PROJECT_NO 2443 07

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)