

MINUTES
CITY OF HELOTES
BOARD OF ADJUSTMENT

The City of Helotes Board of Adjustment met on Monday, June 17, 2019 at 7:00 p.m. in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas 78023. This was an open meeting, subject to the open meeting laws of the State of Texas.

BOA Members Present: Doug Deptuch, Chair
 Charles Roberts
 Robert Logue
 Blair Weaver
 Donny Jones

Staff Present: Joshua Mair, Public Works Supervisor

1. Call to Order.

Chair Deptuch called the meeting to order at 7:02 p.m. See above for members present. Chair Deptuch led the pledge to the U.S. flag.

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.**

Chair Deptuch opened the public hearing at 7:03 p.m. Gretchen Elkins and Gerhard Wassner spoke on seeking clarification on the item. Chair Deptuch pointed out this item was on the agenda for consideration and that perhaps that would be an opportunity for both of the speakers to learn more about the variance request. There being no further comments, Chair Deptuch closed the public hearing at 7:07 p.m.

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)**

Discussion included the City of San Antonio's proposition to replace an existing 6'x8' fiberglass utility shelter with an improved 11'x18' pre-fabricated concrete utility shelter that will house critical municipal infrastructure necessary for public safety agencies, CPS Energy, and San Antonio Water System (SAWS). The proposed utility shelter is located 40' from the front property line and must therefore comply with the 25' side yard setback as required by City code. The proposed utility shelter is located 1.5' from the side property line and encroaching on the required 25' side yard setback. Consequently, a variance is being requested.

Motion was made by Robert Logue, second by Blair Weaver, to approve the request for the variance as written. Motion to approve carried unanimously.

Adjourn.

With no more business to come before the Board, Chair Deptuch adjourned the meeting at 7:33 pm.

Respectfully submitted,



Doug Deptuch, Chair

ATTEST:



Celina Perez, City Secretary

The BOA findings of fact are attached to these minutes.





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

Applicant: City of San Antonio
Address: 10088 Rafter S. Trail, Helotes, Texas 78023
BCAD Property ID No. 1046345

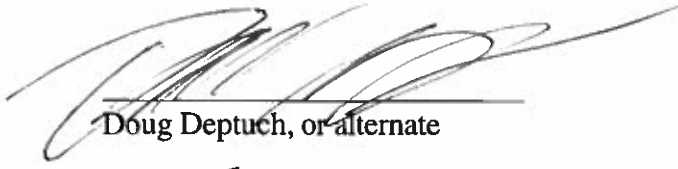
A request for a variance to Municipal Code of Ordinances Chapter 98 *Zoning*, Article III *District Regulations*, Section 98-62 *Single-Family Residential District (R-1)*, authorizing an encroachment in the required side yard setback of 25 feet to any side property line for the replacement of an existing utility shelter with a new utility shelter.

Upon giving public notice and conducting a Public Hearing on June 17, 2019 in accordance with Code of Ordinances Chapter 98 *Zoning* and State Law, the Board of Adjustment adopts these specific, written findings as follows:

With 5 Members present, and upon a vote of 5 for and 0 against and 0 abstaining, the above variance request is: granted or denied.


Any interested person wishing to appeal this decision is required to file a Writ of Certiorari in a district court, county court, or county court at law within ten (10) days of the date this decision is filed with the City Secretary, in accordance with Texas Local Government Code Section 211.011. This decision was filed with the City Secretary on 5/17/19.

PRESIDING BOA CHAIRMAN:



Doug Deptuch, or alternate
Date: 5/17/19

ATTEST:


~~Rick A. Schroder~~
~~City Administrator~~
for
Josh Mair
Public Works Supervisor