AGENDA
CITY OF HELOTES
BOARD OF ADJUSTMENT
January 11, 2021
7:00 p.m.

The City of Helotes Board of Adjustment will meet on Monday, January 11, 2021 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.

SUPPLEMENTAL NOTICE OF PARTICIPATION BY TELEPHONE CONFERENCE

As a result of COVID-19, the Governor of Texas issued an order on March 16, 2020, suspending various provisions of the Open Meetings Act, which now authorize the participation of a meeting by videoconference and / or teleconference. In order to advance the public health goal of physical distancing, the City of Helotes City Council will conduct this regular meeting by telephone conference. No in person input will be allowed. To speak remotely, register in advance by using the fillable Citizen Comment Form on the City website. The comment form is due by 12:00 pm on Monday, January 11. Once the comment form is received, the speaker will receive a confirmation email with the toll-free phone number and access code. Speakers will be placed in a queue until their time to speak. Watch the livestream meeting broadcast on Spectrum Government Access Channel 21 and/or the City's YouTube channel. The digital meeting packet is available on the City website.

1. Call to Order.

- Confirmation of Quorum.
- Pledge of Allegiance.

ITEMS FOR INDIVIDUAL CONSIDERATION:

2. Discussion of and action on the election of Board Officers to include the following:

- Chairman; and
- Vice-Chairman. (Board)

PUBLIC HEARING:

3. Public hearing to give all interested persons the right to appear and be heard on a request by Brandon and Carol Tate for a variance to Municipal Code of Ordinances Chapter 98 Zoning, Section 98-62, Subparagraph (e) *Accessory Buildings,* authorizing an exception on the required placement of an accessory building on a single-family residential zoned lot located at 15425 Chinquapin, Helotes, Texas 78023, more particularly described as BCAD Property ID No. 241856.

OPEN SESSION:

4. Citizens to be Heard. ***The Board of Adjustment shall not discuss any presented issue, nor may any action be taken on any issue at this time (Attorney General Opinion JC-0169). Comments are limited to three (3) minutes and this time is not transferable. Each person may only speak once. No profanity or threats will be tolerated.***

ITEMS FOR INDIVIDUAL CONSIDERATION:

5. Discussion of and action on a request by Brandon and Carol Tate for a variance to Municipal Code of Ordinances Chapter 98 Zoning, Section 98-62, Subparagraph (e) *Accessory Buildings,* authorizing an exception on the required placement of an accessory building, more specifically, allowing a proposed detached four car garage to be positioned in front of the home and extend beyond the front line of the main building on a single-family residential zoned lot located at 15425 Chinquapin, Helotes, Texas 78023 and described as BCAD Property ID No. 241856. (Applicant)

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 January 4, 2021 at 2:45 p.m.

Celina Perez

Celina Perez, City Secretary

BOARD OF ADJUSTMENT
AGENDA ITEM REQUEST FORM

MEETING DATE: January 11, 2021

AGENDA PLACEMENT:

☐ **PUBLIC HEARING**
☐ **UNFINISHED BUSINESS**
☒ **INDIVIDUAL**

CAPTION:

Discussion of and action on the election of Board Officers to include the following:

- Chairman; and
- Vice-Chairman. (Approval Item; Board)

EXECUTIVE SUMMARY:

Pursuant to Municipal Code of Ordinances Chapter 98 *Zoning*, Article XIII *Board of Adjustment*, Section 98-433 *Meetings,* the Board shall elect a Chairman and Vice-Chairman from among its members before proceeding to any other matter of business at the first meeting of each year.

ATTACHMENTS: N/A

PREPARED BY: Celina Perez, City Secretary

DATE SUBMITTED: December 11, 2020

NOTICE OF PUBLIC HEARING

Board of Adjustment

January 11, 2021 at 7:00 p.m.

The City of Helotes Board of Adjustment will hold a Public Hearing on Monday, January 11, 2021 at 7:00 pm. in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas 78023 to receive public comments on a request by Brandon and Carol Tate for a variance to Municipal Code of Ordinances Chapter 98 *Zoning,* Section 98-62, Subparagraph (e) *Accessory Buildings,* authorizing an exception on the required placement of an accessory building, more specifically, allowing a proposed detached four car garage to be positioned in front of the home and extend beyond the front line of the main building on a single-family residential zoned lot located at 15425 Chinquapin, Helotes, Texas 78023 and described as BCAD Property ID No. 241856.

I certify this notice was posted on December 8, 2020 at 2:00 p.m.

Celina Perez

Celina Perez, City Secretary

Published December 7, 2020 in San Antonio Express News

December 8, 2020

Brandon and Carol Tate
15425 Chinquapin
Helotes, Texas 78023

Dear M/M Tate,

The City of Helotes Board of Adjustment will hold a Public Hearing on January 11, 2021 at 7:00 p.m. in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas 78023 to give all interested persons the right to appear and be heard on a request by you for a variance to Municipal Code of Ordinances Chapter 98 *Zoning,* Section 98-62, Subparagraph (e) *Accessory Buildings,* authorizing an exception on the required placement of an accessory building, more specifically allowing a proposed detached four car garage to be positioned in front of the home and extend beyond the front line of the main building on a single-family residential zoned lot located at 15425 Chinquapin, Helotes, Texas 78023, and described as BCAD Property ID No. 241856.

Although not required, it would probably be advantageous for you, or your authorized representative for the project, to make arrangements to participate in this virtual meeting.

The City of Helotes Board of Adjustment reserves the right, as otherwise permitted by law, to amend this notice by the posting of an amended notice on the official city website at www.helotes-tx.gov (*Notices*), and by posting an official notice of the public hearing and 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.

Should you have any additional questions, please feel free to contact me at 210-695-5911 or citysec@helotes-tx.gov.

Sincerely,

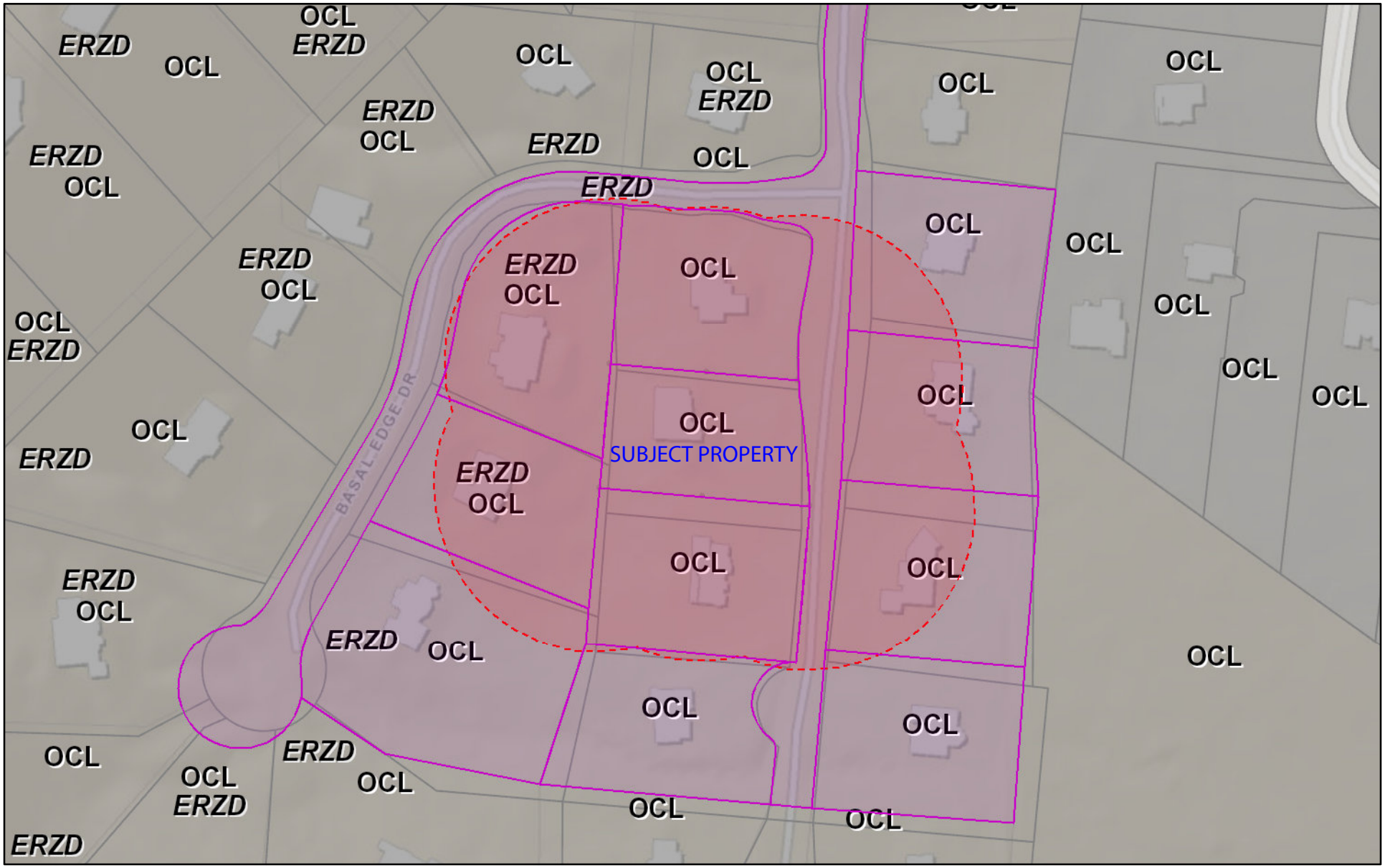
Celina Perez

Celina Perez, City Secretary

cc: Jacob Torres, Towers Contractors, LLC

BRANDON & CAROL TATE HEARING - 200 FT MAIL OUT

Agenda Item No. 3



December 8, 2020

1:2,000

0 0.015 0.03 0.06 mi

0 0.0275 0.055 0.11 km

CoSA

City of San Antonio GIS
Copyright 12-8-2020

BECERRA GILBERT JR & DENISE
10842 BASAL EDGE RD
HELOTES, TX 78023

MALISH TROY E & STEPHANIE A
15331 CHINQUAPIN
HELOTES, TX 78023

MURRAY TERRENCE & MONICA
15355 CHINQUAPIN
HELOTES, TX 78023

MILLICAN SHARON M & MICHAEL S
15430 CHINQUAPIN
HELOTES, TX 78023

CAMPBELL LINDA CRICK
15360 CHINQUAPIN
HELOTES, TX 78023

MACIAS EDDIE & MELINDA J
15330 CHINQUAPIN
HELOTES, TX 78023

OHOLENDT MARK B & KATHERINE P
15470 CHINQUAPIN
HELOTES, TX 78023

KINNEY BRADLEY S & PAMELA S
10618 WIND WALKER
HELOTES, TX 78023

LOS REYES CANYONS HOA INC C/O
SPECTRUM ASSOC MGT
17319 SAN PEDRO AVE STE 318
SAN ANTONIO, TX 78232

MARTIN KENT W & STEPHANIE K
15465 CHINQUAPIN
HELOTES, TX 78023

VILLANUEVA EDWARD D & DEBRA
1955 BABCOCK RD
SAN ANTONIO, TX 78229

December 8, 2020

Dear Property Owner,

The City of Helotes Board of Adjustment will hold a Public Hearing on January 11, 2021 at 7:00 p.m. in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas 78023 to give all interested persons the right to attend and be heard on a request by Brandon and Carol Tate for a variance to Municipal Code of Ordinances Chapter 98 *Zoning,* Section 98-62, Subparagraph (e) *Accessory Buildings,* authorizing an exception on the required placement of an accessory building, more specifically, allowing a proposed detached four car garage to be positioned in front of the home and extend beyond the front line of the main building on a single-family residential zoned lot located at 15425 Chinquapin, Helotes, Texas 78023, and described as BCAD Property ID No. 241856.

You are being notified of this virtual public hearing because you own property within 200 feet of the subject property as it appears on this date in the BCAD Map. You are invited to send in comments, if any, on this matter. Please send written comments via mail to City Secretary, PO Box 507, Helotes, Texas 78023 or via email to citysec@helotes-tx.gov. Written comments may also be delivered in person to Helotes City Hall, 12951 Bandera Road, Helotes, Texas 78023.

The City of Helotes Board of Adjustment reserves the right, as otherwise permitted by law, to amend this notice by the posting of an amended notice on the official city website at www.helotes-tx.gov (*Notices*), and by posting an official notice of the public hearing and 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 BCAD Map of the subject property is included with this letter. For more information, visit *Notices* on the city website at www.helotes-tx.gov. Thank you for your interest on this matter.

Sincerely,

Celina Perez

Celina Perez, City Secretary

Property Identification #: 241856

Geo ID:	04522-101-0540
Situs Address:	15425 CHINQUAPIN HELOTES, TX 78023
Property Type:	Real
State Code:	A1

Property Information: 2021

Legal Description:	CB 4522A BLK 1 LOT 54 (LOS REYES CANYONS UT-5 PUD)
Abstract:	A04522
Neighborhood:	LOS REYES CANYONS (NS)
Appraised Value:	N/A
Jurisdictions:	10, 09, 56, 06, CAD, 08, 42, 11

Owner Identification #: 2478970

Name:	TATE BRANDON M & CAROL R
Exemptions:	HS
DBA:	Null

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.

BOARD OF ADJUSTMENT
AGENDA ITEM REQUEST FORM

MEETING DATE: January 11, 2021

AGENDA PLACEMENT:

☐ **PUBLIC HEARING**
☐ **UNFINISHED BUSINESS**
☒ **INDIVIDUAL**

CAPTION:

Discussion of and action on a request by Brandon and Carol Tate for a variance to Municipal Code of Ordinances Chapter 98 Zoning, Section 98-62, Subparagraph (e) *Accessory Buildings,* authorizing an exception on the required placement of an accessory building, more specifically, allowing a proposed detached four car garage to be positioned in front of the home and extend beyond the front line of the main building on a single-family residential zoned lot located at 15425 Chinquapin, Helotes, Texas 78023 and described as BCAD Property ID No. 241856. (Applicant)

EXECUTIVE SUMMARY:

The subject property is a 1.00 acre single-family residential zoned lot located at 15425 Chinquapin in the Los Reyes Canyons Subdivision. The property owners wish to construct a new detached four car garage (25'x43' or 1,075 sq. ft.) and a screen covered patio (20'x17'or 340 sq. ft.) that will be attached to the existing garage on the home.

The Building Official conducted a plan review and disapproved the project, due to the placement of the proposed garage extending beyond the front line of the home. Section 98-62, Subparagraph (e) *Accessory Buildings* dictates that an accessory building, associated living quarters, or storage building shall not extend beyond the front line of the main building.

The owners submitted a variance request to allow the proposed detached garage to be positioned in front of the home. The owners cite that the home has an existing garage, but accessibility is an issue. The new, detached garage will be a safer alternative and not visible from the street due to the natural vegetation that surrounds the lot.

ATTACHMENTS:

Attachment A – Building Official Plan Review
Attachment B – Variance Application

PREPARED BY: Celina Perez, City Secretary

DATE SUBMITTED: December 11, 2020

Attachment A

CITY OF HELOTES

12951 Bandera Road
Helotes, TX 78023
Phone: (210) 695-8877
Fax: (210) 695-2123

PLAN REVIEW COMMENTS SHEET

Project Information

Project Name:	**SFR, Garage and Screen Porch**		
Address:	**15425 Chinquapin**	Phone Number:	
Contact:			

Department:

	☐	Fire Official	☐	City Engineer	☐	City Arborist	☐ Storm Water Management Plans Reviewer & Inspector
	☒	Building Inspector	☐	City Council Official	☐	Health Inspector	☐ Other

Date of Request:

Department Approval

	☐	Approved To Issue Building Permit
	☑	Disapproved

Comments:

Section 98-62
"(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.)"

Accessory building can not be located in the front yard.

Please provide a PDF formatted copy on compact disc or thumb drive, of the final approved plans.

Bealor 3170	**10.1.2020**
Reviewing Official's Signature	*Date*

Final approval of the permit application is contingent upon review and approval from all required city departments.
Construction to comply with all current state and local codes and ordinances.
Failure to discover all code violations through the city's review process does not relieve the designer/architect and contractor from the responsibility of producing a product in total compliance with all requirements of the currently adopted International Code Series, the NEC, and local ordinances.

Permit and address must be posted and visible from the street. Plans to be onsite.

Attachment B

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
NOV 09 2020
CITY OF HELOTES

PAID NOV 2020 CK. 2103 R#25516

Application Date: _____

APPLICATION TO BOARD OF ADJUSTMENT FOR VARIANCE

CHAPTER 98, *Board of Adjustment*

#384.30

NAME OF APPLICANT: Jacob Torres - Towers Contractors LLC

MAILING ADDRESS: 2070 SE Loop 410 SA, TX, 78220

PHONE #: 210-279-3464 EMAIL: jacob@towerscontractors.com

STATUS OF APPLICANT: OWNER: ____

Builder ~~AGENT~~: ✓ (IF AGENT, ATTACH LETTER OF AUTHORIZATION FROM PROPERTY OWNER)

PROPERTY DESCRIPTION

PHYSICAL ADDRESS: 15425 Chinquapin

LEGAL DESCRIPTION: Lot 54 Block 1

CURRENT ZONING: ____ PROPOSED ZONING: ____

EXISTING USE: yard PROPOSED USE: Garage functional

ACRES/SQ. FT.: ____ DOES OWNER OWN ADJACENT PROPERTIES? ☐ YES ☑ NO

REQUESTED BOARD ACTION SPECIAL EXCEPTION ____ VARIANCE ✓

PURPOSE OF REQUEST: Exception on city code section 98-62. Please see attached documents. Clients need a functional garage for many reasons, one being safety of the family.

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.

APPLICANT'S SIGNATURE

11-4-2020
DATE

Attachment B

City of Helotes, October 16, 2020

Hi, we are asking that you clear the go ahead on our garage addition. We would like for you to consider several things in weighing our variance. First is that though our house has a garage, this garage was unusable for vehicles due to the driveway to get a vehicle up the hill. For fifteen years we have had a garage that we have never been able to put a vehicle in. Also, because our house was built on the back of the buildable zone, there simply is nowhere else to put a garage. Another item is that the garage addition will not be visible from the street due to heavy brush and trees at the front of our lot. We ask that you consider the variance for the safety of our family as well. It would be much safer for the family to be able to use a garage and then access the house through the back yard than to access the house from the front in the heavy brush. I am not sure if it matters but this is a private subdivision that was built and we bought prior to annexation, therefore the ordinance did not apply when built which may have altered where the house was placed in the build zone. The homeowners' association is very difficult to gain clearance for building and seeks to maintain a natural environment to the extent possible. I would like to note that at this point we have homeowners' approval. We love Helotes and would like very much to stay in our home but at this point in our lives we need an accessible garage and have worked very hard to make this fifteen year dream a reality. We appreciate any consideration for the variance that you may lend us. Thank you for your time.

Sincerely,

Carol R Tate

Brandon and Carol Tate
15425 Chinquapin
Helotes, Texas 78023
[redacted]

Attachment B

Los Reyes Canyons Homeowners' Association, Inc.

17319 San Pedro Ave #318

San Antonio TX, 78232

September 21, 2020

Brandon & Carol Tate
15425 Chinquapin
Helotes, TX 78023

RE: Home Improvement Request Approved

Dear Brandon & Carol Tate:

On behalf of the Architectural Control Committee for Los Reyes Canyons Homeowners' Association, Inc. , we would like to congratulate you on the approval to revise the original garage plans and screen in current patio as submitted at 15425 Chinquapin! Thank you for taking the time to properly document your improvement and seek approval. It is good neighbors like you that keep your community looking great!

Please be advised that your submitted request has been approved with the following conditions:

1. All design plans submitted within your approved request must be followed;
2. Any future maintenance of the improvement will be at the expense of the homeowner;
3. The improvement/installation and/or construction shall not affect drainage or water flow on this lot or neighboring lots;
4. The Homeowner is responsible for obtaining all City/County Permits that may apply to State Laws for the improvement.

Approval does not constitute the improvement being safe or sound; only that the improvement, as requested, is not prohibited by the restrictive covenants of the association.

Thank you for submitting your plans to the Architectural Control Committee, and congratulations on your new home improvement project!

Regards,

Jennifer Garza
ACC Coordinator
arc@spectrumam.com

Attachment B

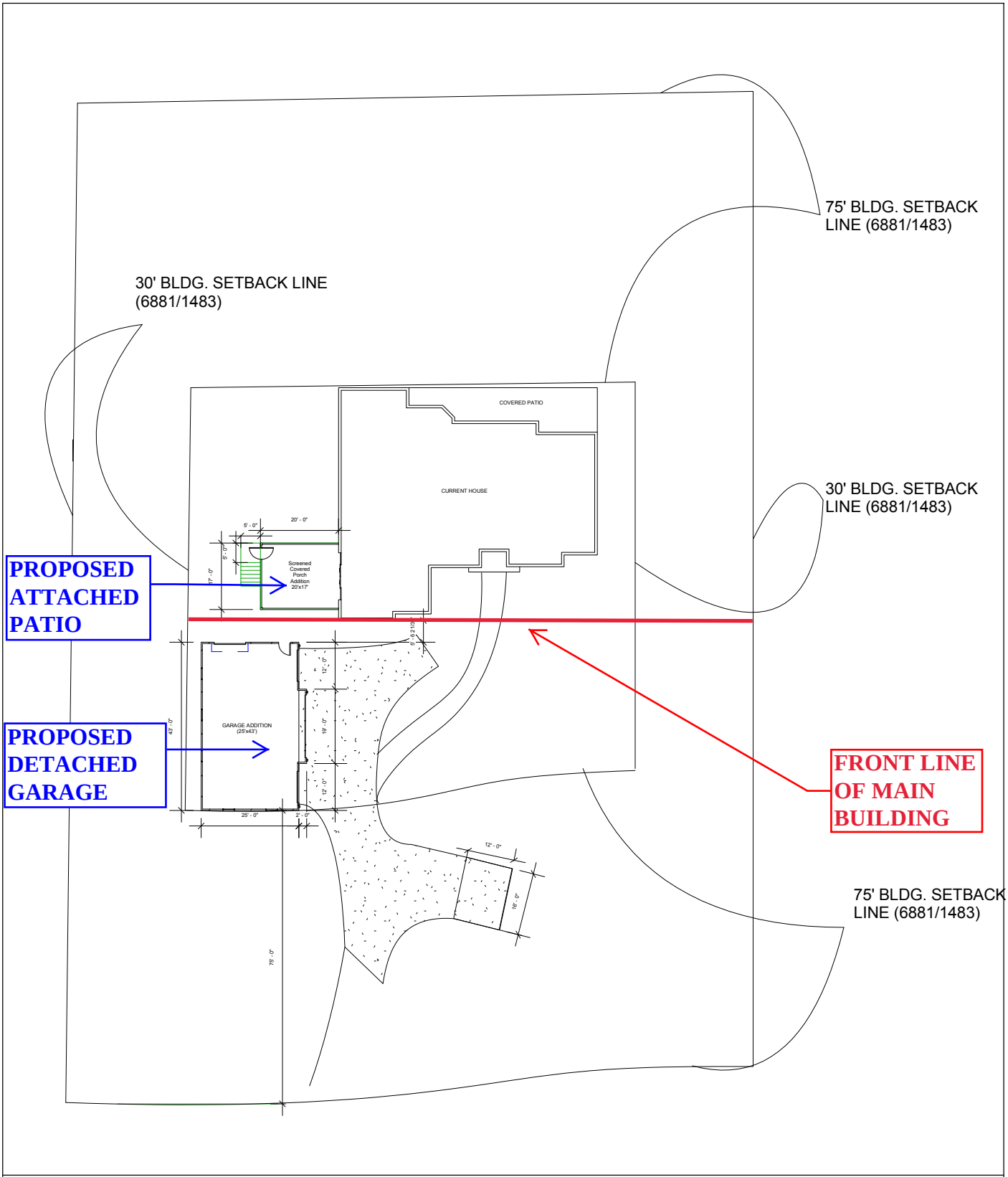
Google Maps 15425 Chinquapin

Map data ©2020 , Map data ©2020 20 ft

SUBJECT PROPERTY

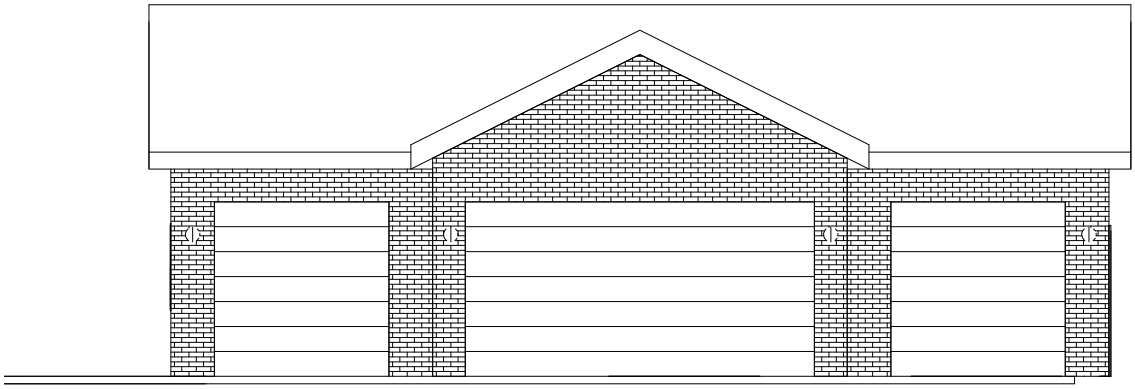
Attachment B

Attachment B

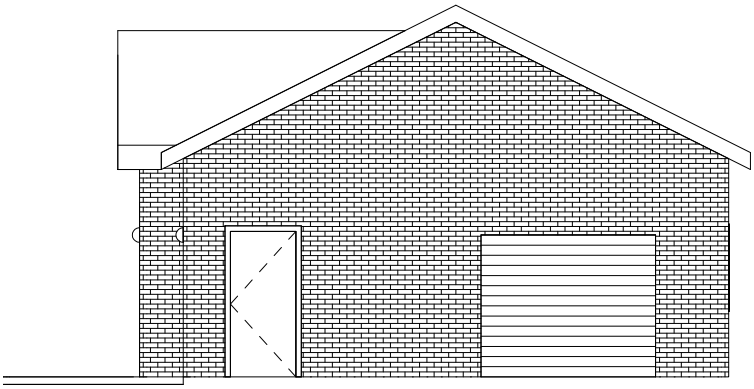


TOWERS CONTRACTORS	15425 Chinquapin	Garage Addition	
		Project number 5.20Tow	A101
		Date 5-7-2020	
210-279-3464	Los Reyes Canyons	Drawn by JAIV	
			Scale 1/32" = 1'-0"

9/10/2020 5:50:11 PM



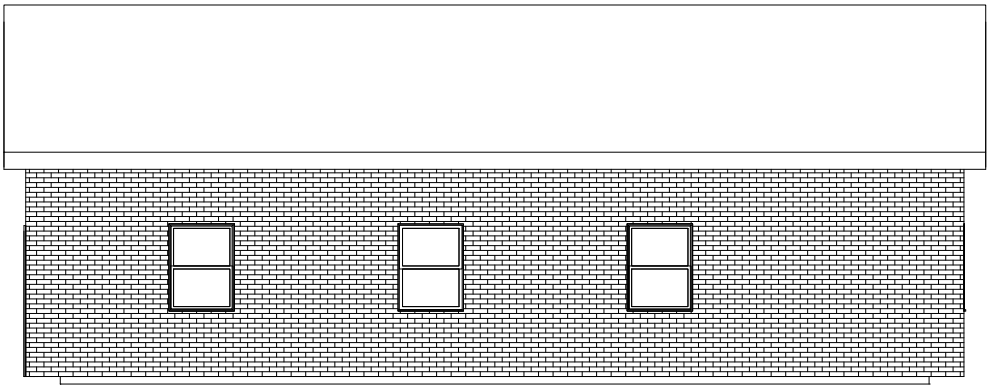
2 Elevation Front
1/8" = 1'-0"



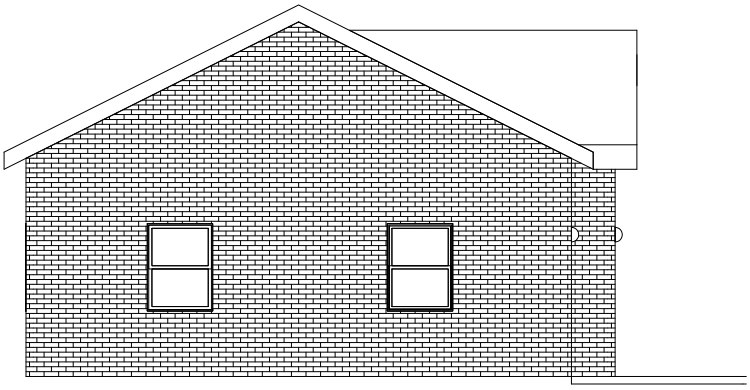
1 Elevation Right Side
1/8" = 1'-0"

TOWERS CONTRACTORS	15425 Chinquapin	Elevations I	
		Project number 5.20Tow	A102
		Date 5-7-2020	
		Drawn by Author	
210-279-3464	Los Reyes Canyons		Scale 1/8" = 1'-0"

9/10/2020 3:51:51 PM



2 Elevation Back
1/8" = 1'-0"



1 Elevation Left Side
1/8" = 1'-0"

TOWERS CONTRACTORS	15425 Chinquapin	Elevations II	
		Project number 5.20Tow	A103
		Date 5-7-2020	
		Drawn by Author	
210-279-3464	Los Reyes Canyons		Scale 1/8" = 1'-0"

9/10/2020 3:48:55 PM