

MINUTES
CITY OF HELOTES
BOARD OF ADJUSTMENT

The City of Helotes Board of Adjustment met on Monday, January 11, 2021 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. Due to COVID-19, this meeting was conducted via teleconference. Physical distancing and the 10 people maximum were adhered to.

BOA Members Present: Donny Jones, Chair (teleconference)
Alan Holmes, Vice-Chair
Charles Roberts
Robert Logue (teleconference)
Blair Weaver

Staff Present: Celina Perez, City Secretary
Marian Mendoza, City Administrator
Cynthia Massey, Council Liaison (teleconference)

1. Call to Order.

Donny Jones called the meeting to order at 7:04 p.m. and led the pledge to the U.S. flag. See above for members present.

ITEMS FOR INDIVIDUAL CONSIDERATION:

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

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

Motion was made by Board Member Holmes to nominate Donny Jones as Chairman. Second by Board Member Logue. The motion carried unanimously.

Motion was made by Board Member Roberts to nominate Alan Holmes as Vice-Chairman. Second by Board Member Weaver. The motion carried unanimously.

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.**

Chair Jones opened the public hearing at 7:08 p.m. One written comment was received in response to the public hearing notice mail out. Linda Campbell wrote in opposition of the variance request, citing that ordinances exist for a reason. Chair Jones closed the public hearing at 7:09 p.m.

OPEN SESSION:

4. Citizens to be Heard.

No one signed up to speak on this item.

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)

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 that measures 25'x43', or 1,075 square feet. 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.

Speaking on this item was the property owner, Brandon Tate, who advised that the home has an existing garage situated on a hill, and accessibility is an issue. The proposed detached garage will be built on the property's lower elevation grade, where accessibility and safety will not be an issue. Mr. Tate went on to say that shifting the proposed garage behind the front line of the home, towards the rear corner of the property, was not an option. This area is on the same hill, like the existing garage, and would not solve the accessibility issue. Furthermore, this area is the only yard space. The proposed garage will be built out of the same brick as the existing home and will not be visible from the street due to the landscaping in front of the lot.

Motion was made by Board Member Roberts, second by Board Member Logue, to approve a variance request by Brandon and Carol Tate, authorizing the proposed detached four car garage to be built beyond the font line of the home located at 15425 Chinquapin.

Motion to approve carried: 4 Ayes – Board Member Roberts, Board Member Weaver, Board Member Logue, and Chair Jones; 1 Nay – Vice-Chair Holmes.

Before adjourning, Chair Jones welcomed Alan Holmes to the Board of Adjustment. City Council appointed Alan on December 10, 2020, to fill the vacancy of Board Member, Place 1. The Place 1 seat was held by Dough Deptuch, who resigned due to moving out of the City.

Adjourn.

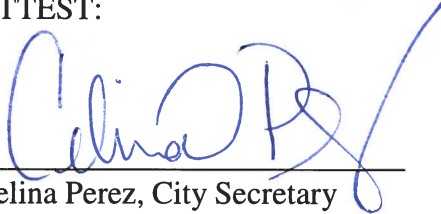
With no more business to come before the Board, Chair Jones adjourned the meeting at 7:30 pm.

Respectfully submitted,



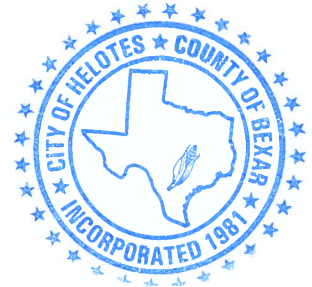
Donny Jones, Chair

ATTEST:



Celina Perez, City Secretary

The BOA findings of fact are attached to these minutes.





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

Applicant: Brandon and Carol Tate, Owner
Jacob Torres, Towers Contractors, LLC – Contractor

Address: 15425 Chinquapin, Helotes, Texas 78023
BCAD Property ID No. 241856

A request 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, more specifically, allowing the proposed detached four car garage to remain positioned in front of the home and extend beyond the front line of the main building.

Upon giving public notice and conducting a Public Hearing on January 11, 2021 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 4 for and 1 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 January 12, 2021.

PRESIDING BOA CHAIRMAN:

Donny Jones, Chair
Date: 01 / 12 / 2021

ATTEST:

Celina Perez, City Secretary