



**AGENDA
CITY OF WINDCREST, TEXAS**

BOARD OF ADJUSTMENT

July 08, 2013

6:00 P.M.

NOTICE IS HEREBY GIVEN THAT A WINDCREST BOARD OF ADJUSTMENT MEETING WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 8th DAY OF JUNE 2013 STARTING AT 6:00 P.M. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND THE BOARD OF ADJUSTMENT MAY TAKE ACTION ON ANY OF THE LISTED SUBJECTS.

THE BOARD OF ADJUSTMENT RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF JULY 8, 2013 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, JULY 9, 2013 AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

IT IS ANTICIPATED THAT MEMBERS OF OTHER CITY COUNCIL, BOARDS, COMMISSIONS AND COMMITTEES MAY ATTEND THE MEETING IN NUMBERS THAT MAY CONSTITUTE A QUORUM OF SUCH OTHER CITY COUNCIL, BOARDS, COMMISSIONS AND COMMITTEES, SO THAT NOTICE IS HEREBY GIVEN THAT THE MEETING IS ALSO A MEETING OF THE OTHER CITY COUNCIL, BOARDS, COMMISSIONS AND COMMITTEES WHOSE MEMBERS ARE IN ATTENDANCE. THE MEMBERS OF THE OTHER CITY COUNCIL, BOARDS, COMMISSIONS AND COMMITTEES MAY PARTICIPATE IN DISCUSSIONS WHICH OCCUR AT THE MEETING, BUT NO ACTION WILL BE TAKEN BY THE OTHER COUNCIL, BOARDS, COMMISSIONS AND COMMITTEES WHOSE MEMBERS ARE IN ATTENDANCE.

Ordinance No. 618 (09/20/10), Repealing Ordinance No. 593

At all City Council, City Commission or City Board meetings, the agenda shall include a "citizens to be heard" item. It is suggested that Citizens wishing to speak during this item sign in on the sign up roster prior to the meeting. During "citizens to be heard" comments, each individual may speak on an agenda item or any other matter affecting the city. In addition to the "citizens to be heard" portion of meetings, a person may make comments on agenda items prior to the vote on the agenda item. A member of the public will have a total of six (6) minutes to be heard during a City Council, City Commission or City Board Meeting. This does not include any responses from the body. The six (6) minutes time limit authorized herein may not be transferred to another speaker in whole or in part. The presiding Officer or his/her designee will assign a Time Keeper to each meeting. The Time Keeper will maintain strict compliance of the six (6) minute rule, stopping speakers who exceed the allotted time. As authorized by Section 551.042 of the Texas Government

Code, the Presiding Officer may direct a City Official to make: a statement of specific factual information in response to an inquiry made by a member of the public or of the City Council, or; a recitation of existing policy in response to an inquiry made by a member of the public or the City Council. Any deliberation or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting. Any question posed by a Citizen, Council Member, Board Member or Commission Member for which an answer is not available at a meeting shall be answered by a member of the staff or Presiding Officer at the next regular meeting of the Body, if an answer is reasonably available and prudent. If the information is sensitive, staff will seek advice from the City Attorney.

REQUEST ALL PAGERS AND CELL PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL. CITIZENS ARE ASKED TO REFRAIN FROM TALKING DURING COUNCIL PROCEEDINGS.

Meeting Chair: please remind each participant in your meeting that they must speak into a microphone; the recording is the Official Minutes of your meeting and all who speak must be recorded. All guest speakers and citizens to be heard must speak from podium. Please interrupt speakers during meeting if you recognize that they are not speaking into microphone and have them do so.

I. Call to Order, Pledge of Allegiance, Invocation and Announcement

II. Citizens to be Heard on Subsequent and Non-Subsequent Agenda Items

1. A member of the public will have three (3) minutes to discuss non-subsequent agenda items.
2. A member of the public will have six (6) minutes to discuss subsequent agenda items.
3. City Council may discuss and respond to current and past agendas on subsequent and non-subsequent agenda items by citizens to be heard.

III. Swearing in of Alternate Board Members

1. The newly appointed alternate Board Members of the Windcrest Board of Adjustment will be sworn in.

IV. Discuss and Act

1. The Board of Adjustment will review, discuss and may take action on Case #13-001 a request from the property owner at 6127 Crescent Falls, Windcrest, TX 78239 who built this patio cover without first obtaining a building permit. The property owner was directed to obtain a building permit. The inspection of the patio cover was completed and the permit was denied due to the cover being built over the three (3) foot side setback.
2. The Board of Adjustment will review, discuss and may take action on Case #13-002, a request from the property owner at 5903 Winterhaven, Windcrest, TX 78239 requesting a variance to overrule Ordinance #193 in order to build a 12x16 shed. Maximum allowable

square footage is 144; the property owner is requesting an additional 48 square footage out to 192.

3. The Board of Adjustment will review, discuss and may take action on Case #13-003, a request from the property owner at 662 Richfield Drive, Windcrest, TX 78239 who built an outside patio without first obtaining a building permit. The property owner was directed to obtain a building permit. The inspection of the outside patio was completed and the permit was denied due to the outside patio being built within the 10 foot main building setback.
4. The Board of Adjustment will review, discuss and may take action on a Case #13-004 a request from the property owner at 309 Zephyr, Windcrest, TX 78239 requesting a variance to construct a full sized shed with roof peak height adjusted to 10'6 feet. The permit was denied due to the shed height being built over 9 feet tall.

V. General Announcements & Future Agenda Items Requested

Per Ordinance No. 618, repealing Ordinance No. 593; Section 9: Every agenda shall include an item entry granting a member the opportunity to propose an item for consideration of future agendas for Regular or Special Meetings. Any member may request the inclusion of such items at any meeting.

VI. Adjournment

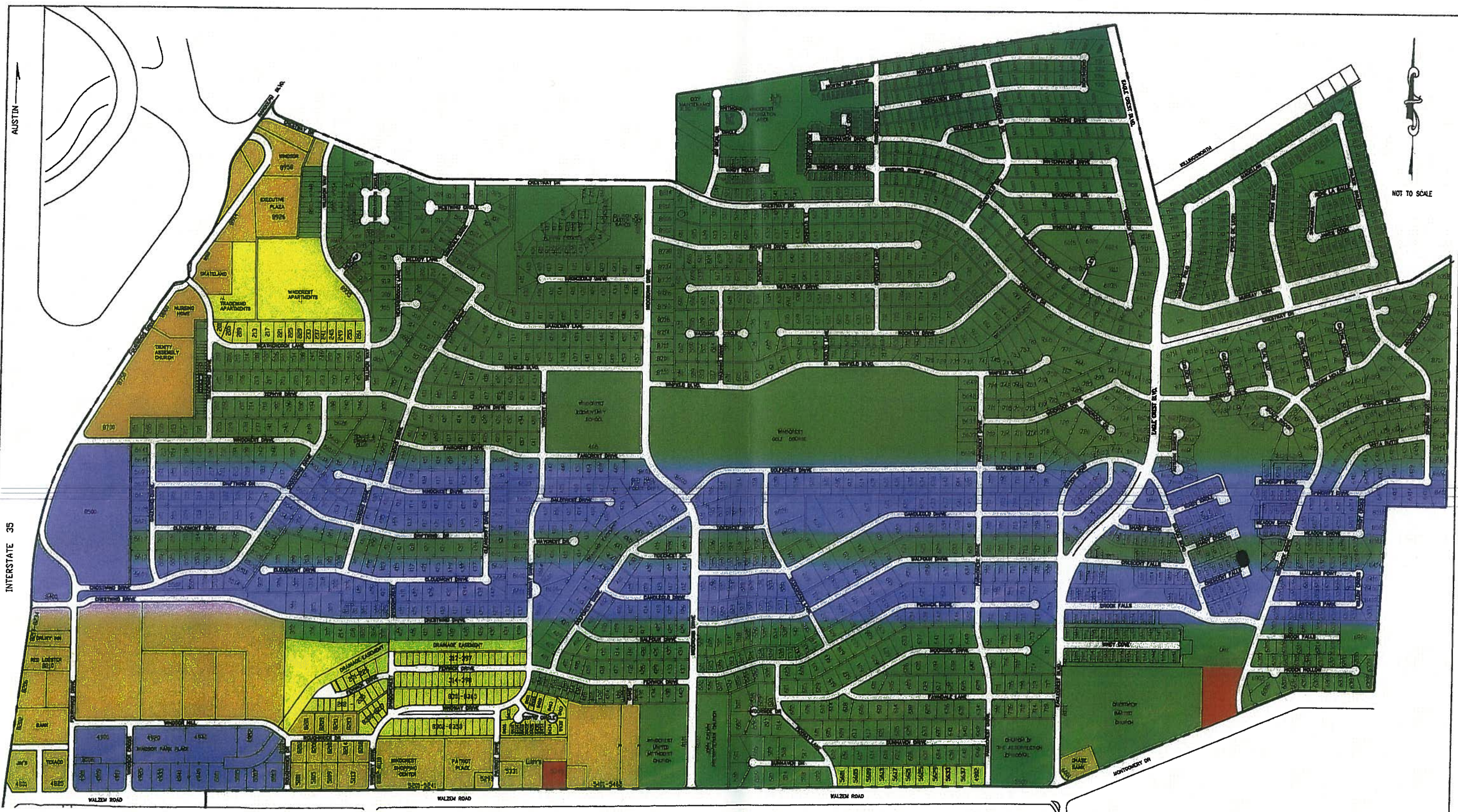
I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Board of Adjustment of the City of Windcrest is a true and correct copy of said Notice and was posted on the bulletin board at City Hall of said City in a convenient place to the public and said Notice was posted more than seventy-two hours prior to the meeting on July 08, 2013.

By:  , City Secretary

In compliance with the Americans With Disabilities Act, the City of Windcrest Council Chambers are wheelchair accessible, and accessible parking spaces are available. The City of Windcrest will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact Kelly Rodriguez, City Secretary, at 210-655-0022 ext. 2150 or Fax 210-655-8776.

I certify that the attached notice and agenda of items to be considered by the Board of Adjustment was removed by me from the City Hall bulletin board on the ____ July, 2013.

____ Title: _____



LEGEND

- | | |
|---|--|
|  - "B1" NEIGHBORHOOD BUSINESS DISTRICT |  - "R1" ONE FAMILY DWELLING DISTRICT |
|  - "B2" BUSINESS DISTRICT |  - "R2" DUPLEX AND APARTMENT DISTRICT |
|  - "O1" PROFESSIONAL OFFICE DISTRICT | |



DON MCCRARY & ASSOCIATES, INC.
 ENGINEERS & SURVEYORS
 323 BRESPOST
 SAN ANTONIO, TEXAS 78216-2602
 (210) 349-2651

**CITY OF WINDCREST
 ZONING MAP**

MARCH 2012

Date: Jan 12, 2012, 1:04pm User: D. McCrary
 File: P:\WORK\33081\WINDCREST\WINDCREST_ZONING_MAP.dwg

May 27th, 2013

13-001

From: Han Pho, resident, 6127 Crescent Falls Windcrest, TX 78239

To: Mr. Bealor, building Inspector, City of Windcrest
Police Officer Rosales, Code Enforcement Officer.

Ref: Application for VARIANCE of the Patior cover at above address.

Dear Gentlemen,

Thank your very much for taking your time to come to our house to explain to us
Of the building code of the City.

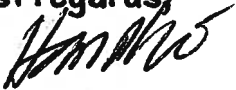
You also advised us that since there is no neighbor on both BACK and SIDE of
house and also since we did not do anything more than the PRE-EXISTING
STRUCTURES; our chance to keep the STRUCTURE as it is very good.

Dear sirs, since we moved to the house, we have been doing a lot of improvements
around the house, landscaping, painting exterior, added more lights ect.....

We really hope that you would consider us that chance to keep the patio like it is.

Your consideration is greatly appreciated

Best regards,



Han and Phan Pho

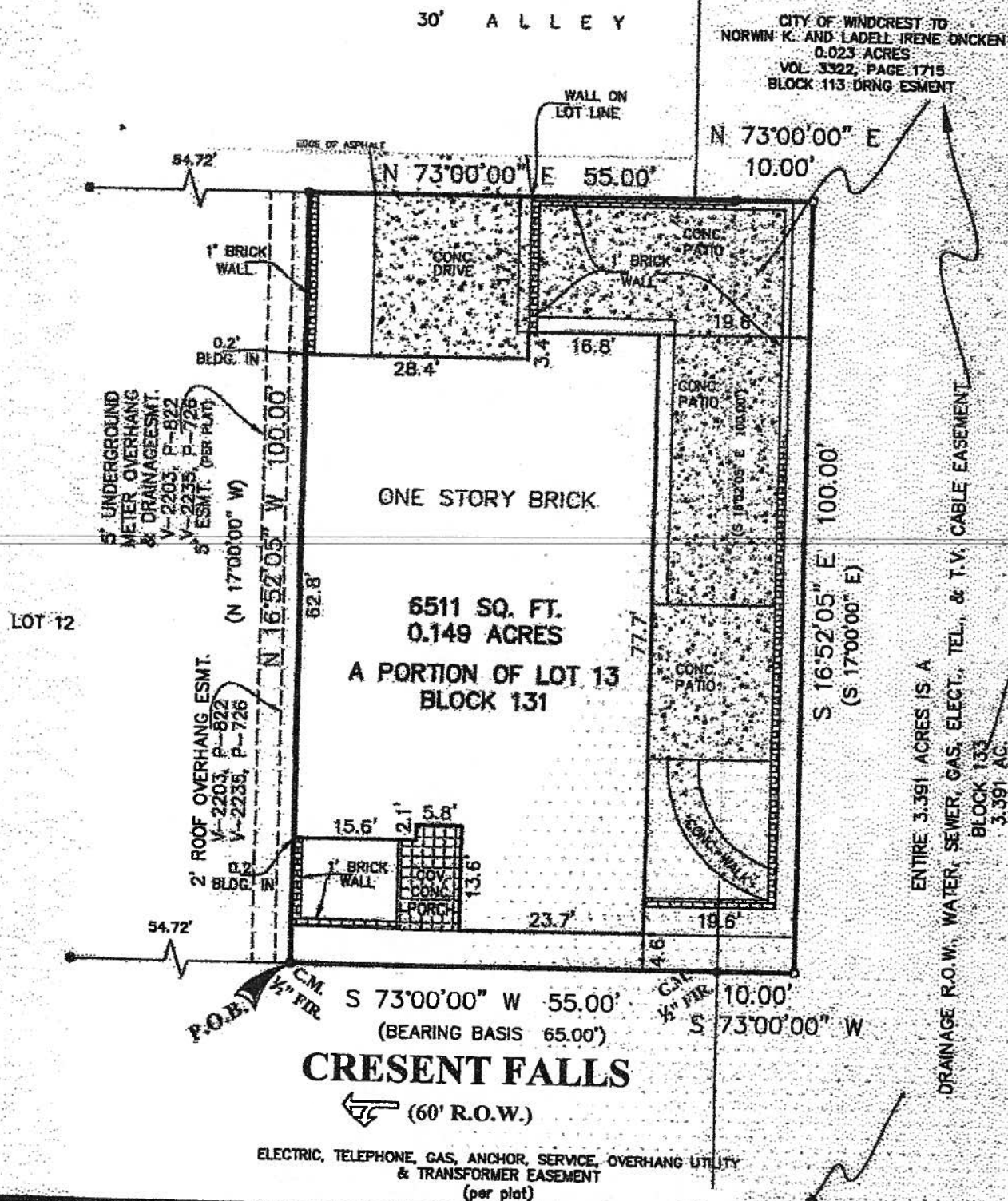
Note: This plat was done under the supervision of JOSE ANTONIO TREVINO RPLS # 5552 on MAY 5, 29, 2009 as evidenced by Westar-Alamo Land Surveyors, LLC records, and on NOVEMBER 9, 2011 this plat of Survey is revised to ADD CONC. PATID, under the supervision of MARK J. EWALD RPLS #5095, requested by the title company. This Revised Plat is provided to the original client and those addressed in the certification for the sole purpose of providing this revision. This Revised Plat does not represent a current survey of the property shown herein.

NOTE:
BEARINGS SHOWN HEREON ARE BASED
ON RECORD DEED INDICATED BELOW.

THIS PLAT IS SUBJECT TO RESTRICTIVE COVENANTS,
EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES
(IF ANY) AS FOLLOWS:
VOLUME 2203, PAGE 822, VOLUME 2235, PAGE 728,
REAL PROPERTY RECORDS, VOLUME 9000, PAGE 726;
PLAT RECORDS OF BEXAR COUNTY, TEXAS.

NOTE:
APPROXIMATE LOCATION OF 100 YEAR
FLOOD ZONE AS DEPICTED ON FEMA MAP
PANEL STATED BELOW

SCALE: 1"=20'



ENTIRE 3.391 ACRES IS A
DRAINAGE R.O.W., WATER, SEWER, GAS, ELECT.
BLOCK 133
3.391 AC.

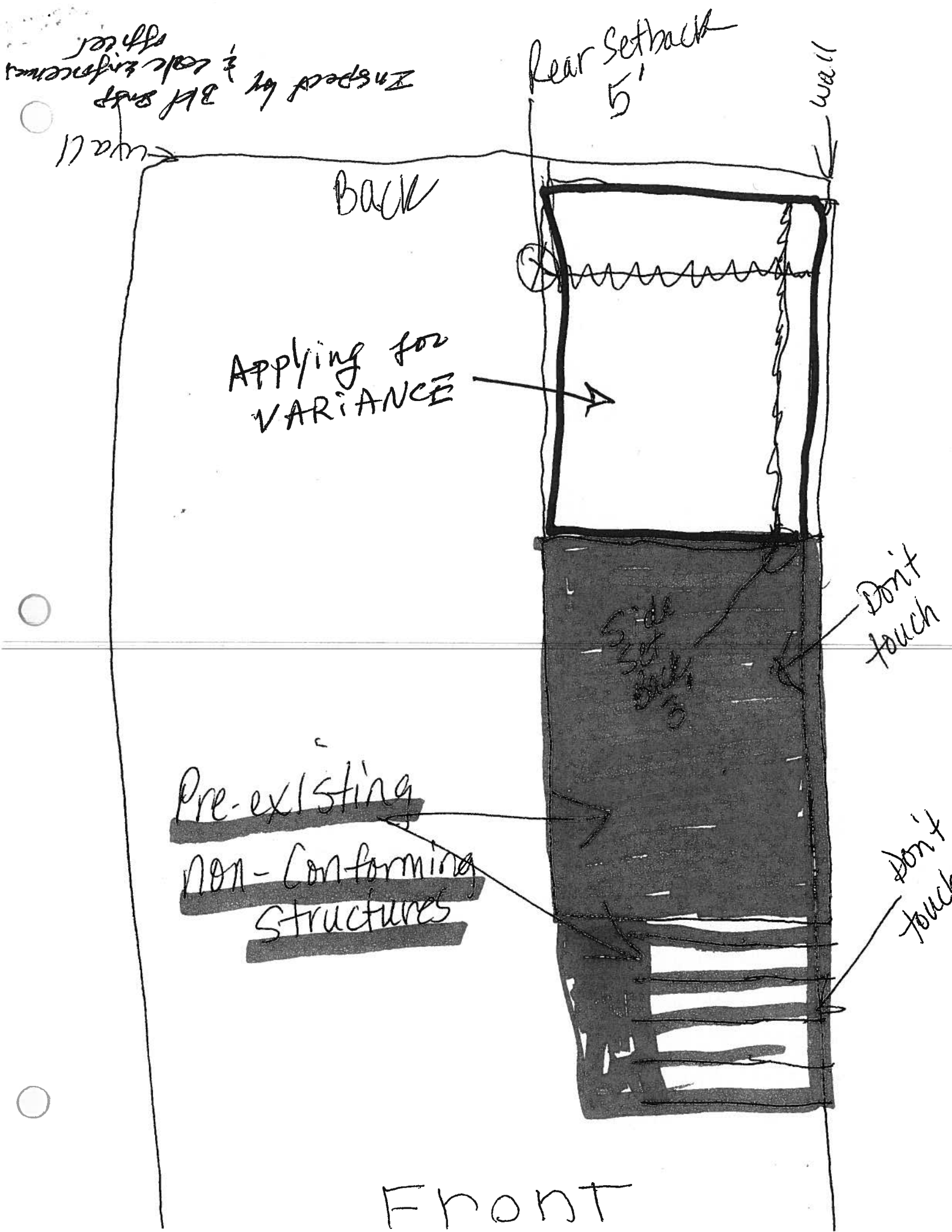
ELECTRIC, TELEPHONE, GAS, ANCHOR, SERVICE, OVERHANG UTILITY
& TRANSFORMER EASEMENT
(per plot)

PROPERTY ADDRESS

6127 CRESENT FALLS

BORROWER CHARLES K. THOMPSON &
MICHELLE M. THOMPSON

As noted from FEMA's FLOOD INSURANCE RATE MAP, Community No. 48029C, Panel No. 0313, Panel Dated 02-02-08, this tract is in Zone(s) A. This flood zone identification is this surveyor's interpretation, which may or may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. This surveyor does not warrant the accuracy of this flood zone designation. It is the responsibility of any interested persons to verify the accuracy of the flood zone designation with FEMA and state and local officials. If this tract is a boundary survey, the surveyor did not take any actions to determine the flood status of the surveyed property other than interpret the status off of FEMA's FIRI. This surveyor is not responsible for misinterpreting the flood zone designation or any flood information printed on this survey. This surveyors is not aware of or responsible for determining the tract's flood risk. Its intended function is as indicated on the map.



Inspect by 3rd party
inspect
wall

Rear Setback
5'

Back

Applying for
VARIANCE

Pre-existing
Non-Conforming
Structures

Don't
touch

Don't
touch

Front

CITY OF WINDCREST
CITY OF WINDCREST

<http://windcrest-tx.gov>

REC#: 00222502 6/10/2013 12:07 PM

OPER: B TERM: 005

REF#: NW

ACCT #: XXXX-XXXX-XXX2-002

AUTH #: 532347

TRAN #: 000000001208

TRAN: 410.0000 PLATTING/ZONING/VAR

6127 CRESCENT FALLS

PLATTING/ZONING/VAR 35.00CR

TENDERED: 35.00 CREDIT CARD

APPLIED: 35.00

CHANGE: 0.00

BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-001

Home Owner Name: Han Pho

Address: 6127 Crescent Falls

Phone: _____

Variance Requested: The property owner at 6127 Crescent Falls, Windcrest, TX 78239 built this patio cover without first obtaining a building permit. The property owner was directed to obtain a building permit. The inspection of the patio cover was completed and the permit was denied due to the cover being built over the three (3) foot side setback

DEPARTMENT: POLICE

NO RECOMMENDATIONS

Recommendation FOR:

Recommendation AGAINST:

BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-001

Home Owner Name: Han Pho

Address: 6127 Crescent Falls

Phone: _____

Variance Requested: The property owner at 6127 Crescent Falls, Windcrest, TX 78239 built this patio cover without first obtaining a building permit. The property owner was directed to obtain a building permit. The inspection of the patio cover was completed and the permit was denied due to the cover being built over the three (3) foot side setback

DEPARTMENT: Fire Dept

Recommendation FOR: 

Recommendation AGAINST:

BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-001

Home Owner Name: Han Pho

Address: 6127 Crescent Falls

Phone: _____

Variance Requested: The property owner at 6127 Crescent Falls, Windcrest, TX 78239 built this patio cover without first obtaining a building permit. The property owner was directed to obtain a building permit. The inspection of the patio cover was completed and the permit was denied due to the cover being built over the three (3) foot side setback

DEPARTMENT:

Windcrest Economic Development Corporation
No Recommendation (PWE) 7/2/13

Recommendation FOR:

Recommendation AGAINST:



June 20, 2013

Dear Property Owner:

The Board of Adjustment of the City of Windcrest will conduct a Public Hearing on a request for variance on July 8, 2013, at 6:00 P.M. in the City Hall located at 8601 Midcrown, Windcrest, Bexar County, Texas.

The purpose of the Public Hearing will be for the Board of Adjustment to consider and act upon the following variance request:

In accordance with the Windcrest City Code of Ordinances, Chapter 5.503 / General Plan Requirements, The City Council may consider an appeal of any refusal of the City of Windcrest Building Inspector to issue any permit for any building, or use of any premises which would violate the provisions of this chapter. (Please refer to the attached sheet for more information on this code). The property owner at 6127 Crescent Falls, Windcrest, TX 78239 built this patio cover without first obtaining a building permit. The property owner was directed to obtain a building permit. The inspection of the patio cover was completed and the permit was denied due to the cover being built over the three (3) foot side setback. In order to keep structure as built the owner is required to request a variance from the Board of Adjustment.

All interested parties are invited to attend. For additional information contact the City Secretary at the above address or at 210-655-0022.

Kelly Rodriguez
City Secretary

Return to: Board of Adjustment at 8601 Midcrown, Windcrest, Texas 78239.

Name: MARTHA KLAJNOWSKI Address: 6122 SHADY CREEK

Variance Request – (address)
(Reason for Variance)

☒ In Favor

☐ Opposed

Comments:

They have been diligent in improving the area and meeting the requirements of the city code. Since their ownership of this property it is the 1ST time the area (drifts) has been cleared. The city's tree limbs are hanging four feet above the ground in the alley & nothing has been done by city crews!



June 20, 2013

Dear Property Owner:

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All interested parties are invited to attend. For additional information contact the City Secretary at the above address or at 210-655-0022.

Kelly Rodriguez
City Secretary

Return to: Board of Adjustment at 8601 Midcrown, Windcrest, Texas 78239.

Name: Raymond Swan Address: 6123 Crescent Falls

Variance Request – (address)
(Reason for Variance)

☒ In Favor

☐ Opposed

Comments:

Additions should always be permitted & built according
to the permit.
Our neighbors have made significant improvements
and should be granted this waiver.

AUSTIN

INTERSTATE 35

NOT TO SCALE

LEGEND

- "B1" NEIGHBORHOOD BUSINESS DISTRICT
- "B2" BUSINESS DISTRICT
- "O1" PROFESSIONAL OFFICE DISTRICT
- "R1" ONE FAMILY DWELLING DISTRICT
- "R2" DUPLEX AND APARTMENT DISTRICT

CITY OF WINDCREST
ZONING MAP

MARCH 2012

SHEET 1 OF 2

Don McCrary & Associates, Inc.
Engineers & Surveyors
323 Breesport
San Antonio, Texas 78216-2602
(210) 349-2651



DON MCCRARY & ASSOCIATES, INC.
ENGINEERS & SURVEYORS
323 BREESPORT
SAN ANTONIO, TEXAS 78216-2602
(210) 349-2651

WINDCREST PLAN REVIEW

☐ **Project Name** Sharp Residence
Project Address 5903 Winterhaven Dr.

PlanReview

☐ TDLR Registration # Required ☐ Asbestos Survey Required

☐ OK to issue ☒ Building Permit ☐ Electrical Permit
☐ Plumbing Permit ☐ HVAC ☐ Other
☒ See comments below ☒ Return for corrections as indicated below

Reviewer Comments:

Permit disapproved:

Sec. 5.501, 12., E., limits accessory buildings (storage sheds) to a maximum of 144 square feet and no more than nine feet above finished grade (Height above the ground to the top of the building).

All work performed shall comply with the International Codes – 2009 Editions and the NEC 2008 Edition.

Reviewer: Bealor



Date: 1/23/13



City of Windcrest
8601 Midcrown
Windcrest, TX 78239
(210)655-0022, Fax (210)655-8776

REMODEL PERMIT APPLICATION

DATE: 1-17-2013

PERMIT NO. _____

JOB ADDRESS: <u>5903 Winterhaven Dr</u>		
OWNER: <u>SHARP</u>	ADDRESS: <u>5903 Winterhaven Dr</u>	PHONE: <u>379-2610</u> <u>210 286-8615</u>
CONTRACTOR:	ADDRESS:	PHONE:
VALUATION OF WORK: <u>\$2500. - See ATTch.</u>		PERMIT FEE:

Replacement CLASS OF WORK: NEW ☒ ADDITION ☐ ALTERATION ☐ REPAIR ☐

DESCRIBE WORK:
Request Variance To Ord No 193 for interior
floor space for work shop. We have a large yard
and would like a 12x16 shed = 192 sq. ft. floor space
We need the extra space for work room and convenience due to our age.

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED IN NINETY (90) DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF SIXTY (60) DAYS AT ANY TIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT, THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT

DATE

[Signature]
SIGNATURE OF OWNER (IF BUILDER)

1-17-13
DATE

CITY OFFICIAL COMMENTS:

Person(s) operating within city limits may ONLY use
Dumpsters units provided by Allied Waste Services
Please call (210) 648-5222 for assistance.

APPROVED BY:

DATE:



City of Windcrest
8601 Midcrown
Windcrest, TX 78239
(210)655-0022, Fax (210)655-8776

REMODEL PERMIT APPLICATION

DATE: 1-17-2013

PERMIT NO. _____

JOB ADDRESS: <u>5903 Winterhaven Dr</u>		
OWNER: <u>SHARPI</u>	ADDRESS: <u>5903 Winterhaven Dr</u>	PHONE: <u>379-2610</u> <u>210 286-8615</u>
CONTRACTOR: <u>HARRIS</u>	ADDRESS: <u>5903 Winterhaven Dr</u>	PHONE: <u>379-2610</u> <u>210 286-8615</u>
VALUATION OF WORK: <u>\$2500.- See ATTch.</u>		PERMIT FEE: _____

Replacement CLASS OF WORK: NEW ☒ ADDITION ☐ ALTERATION ☐ REPAIR ☐

DESCRIBE WORK:

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1-17-13
DATE

CITY OFFICIAL COMMENTS:

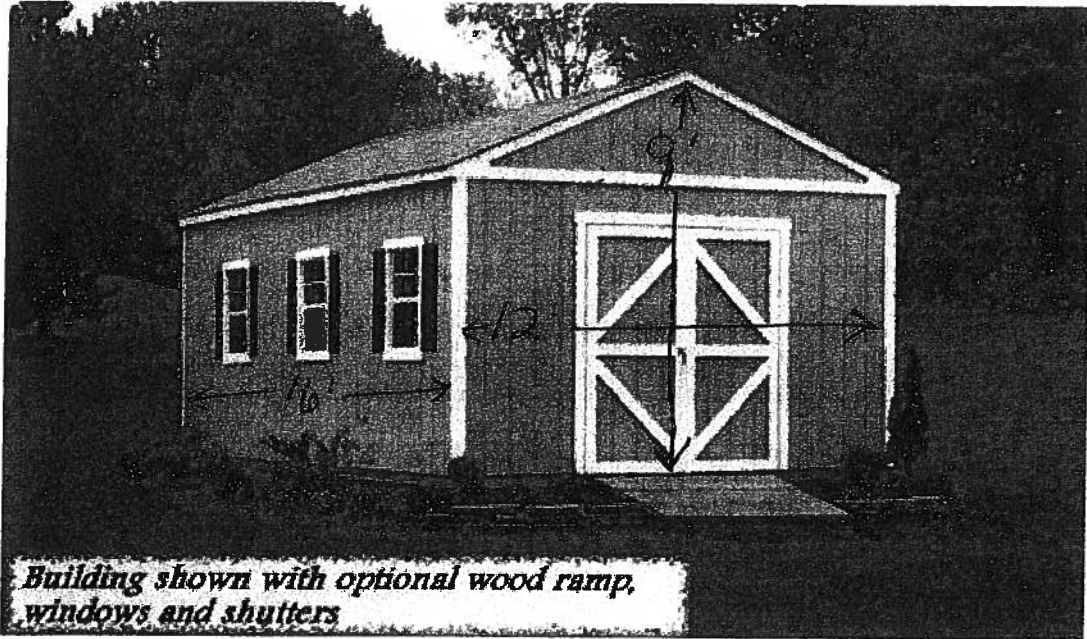
APPROVED BY:

DATE:

SHARK

286-8615

Winterhaven Dr



12'W x 16'D x 9'H

To replace an existing metal storage
bldg 10x12 in bad shape.

(5ft from rear fence)

WINDCREST PLAN REVIEW

Project Name Sharp Residence

Project Address 5903 Winterhaven Dr.

PlanReview

☐ TDLR Registration # Required

☐ Asbestos Survey Required

☐ OK to issue

☒ Building Permit

☐ Electrical Permit

☐ Plumbing Permit

☐ HVAC

☐ Other

☒ See comments below

☒ Return for corrections as indicated below

Reviewer Comments:

Permit disapproved:

Sec. 5.501, 12., E., limits accessory buildings (storage sheds) to a maximum of 144 square feet and no more than nine feet above finished grade (Height above the ground to the top of the building).

All work performed shall comply with the International Codes – 2009 Editions and the NEC 2008 Edition.

Reviewer: Bealor

Date: 2/17/13



City of Windcrest
8601 Midcrown
Windcrest, TX 78239
(210)655-0022, Fax (210)655-8776

REMODEL PERMIT APPLICATION

DATE: 1-17-2013

PERMIT NO. _____

JOB ADDRESS: <u>5903 Winterhaven Dr</u>		
OWNER: <u>SHARP</u>	ADDRESS: <u>5903 Winterhaven Dr</u>	PHONE: <u>379-2610</u> <u>210 286-8615</u>
CONTRACTOR:	ADDRESS:	PHONE:
VALUATION OF WORK: <u>\$2500. - See ATTch.</u>		PERMIT FEE:

CLASS OF WORK: NEW ☒ ADDITION ☐ ALTERATION ☐ REPAIR ☐

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SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT

DATE

[Signature]
SIGNATURE OF OWNER (IF BUILDERS)

1-17-13
DATE

CITY OFFICIAL COMMENTS:

Person(s) operating within city limits may ONLY use
Dumpsters units provided by Allied Waste Services
Please call (210) 648-5222 for assistance.

APPROVED BY:

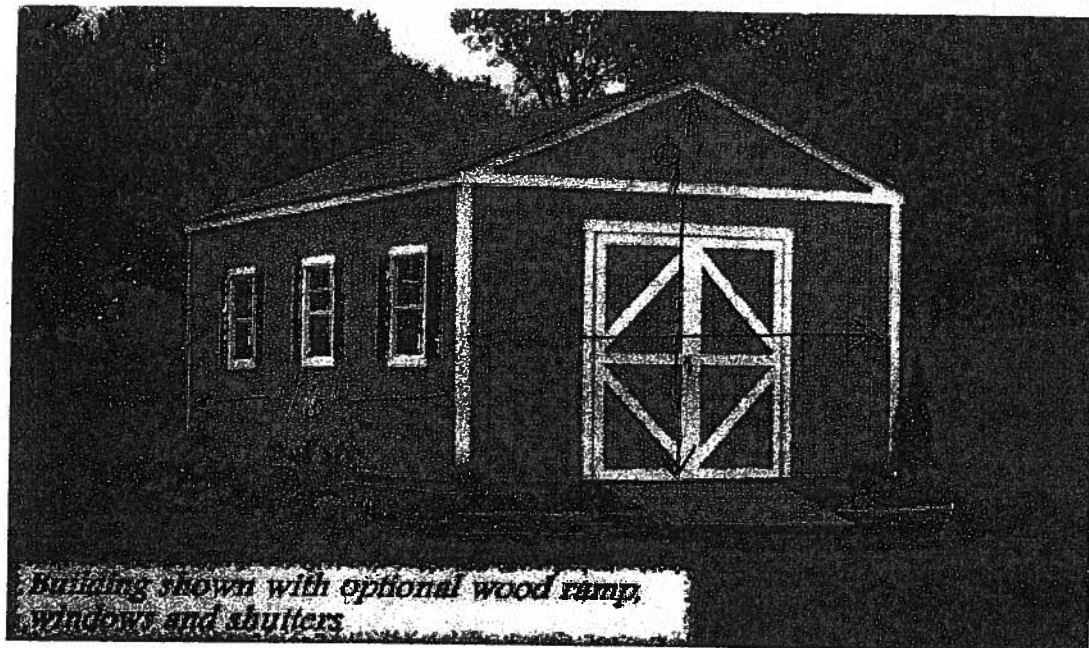
DATE:

SHARP

286-8615

Winterhaven Dr

Page 1 of 1



12'W x 16'D x 9'H

ACCESSORY BUILDING INFORMATION

1. Accessory buildings, used as a tool and/or storage shed play house or similar use, located in an R-1 zoning district, and erected, sited, constructed, altered, reconstructed, enlarged, finished out, or demolished in compliance with the following requirements:
 - a). No sewer connections are or will be installed.
 - b). Electric, water, and/or gas connections **may be allowed** with appropriate permit.
 - c). The accessory building is not or will be erected, sited, or constructed forward of the rear-most portion of the main structure.
 - d). The accessory building is or will be set back not less than ten (10') feet from any other building and not less than three (3') feet from all side lot lines and easements.
 - e). The accessory building is or will not exceed the following dimensions:
 1. Height: nine (9') feet above grade level*
 2. Length x Width = 144 sq. ft. interior floor space (Ord. No. 193)
 - f). The accessory building is or will be constructed of masonry, lumber, metal, fiberglass, and /or other exterior grade pre-finished materials, which is or will be painted or stained to match or harmonize with the existing main structure or, with respect to factory finish pre-painted metal and/or fiberglass accessory building, finished as appropriate.

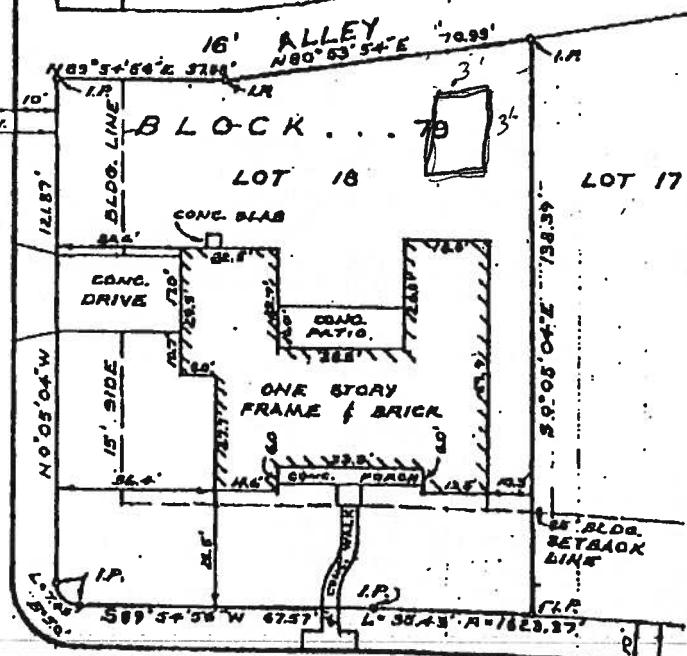
*Grade level is defined at the highest point of elevation of the finished surface of the ground, paving, or sidewalk between the main structure and the property line.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the City Code or any other laws of the State of Texas or ordinance of Windcrest.

side 4.5
back 3.5
set back
from
26 ft

N
SCALE: 1"=30'

WINDBORO DRIVE
(PAVED & CURBED)



WINTERHAVEN DRIVE
(PAVED & CURBED)



PLAT SHOWING:

Lot 18, Block 79, Winderest Unit 20,
City of Winderest, Texas.
5903 Winterhaven Drive

Reference Volume 6500, Pages 223-224,
Deed and Plat Records of Bexar County,
Texas.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT
ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER
MY SUPERVISION AND THAT THERE ARE NO VIOLATIONS OR
ENCROACHMENTS OF BUILDINGS ON ADJACENT PROPERTY AND THAT
ALL BUILDINGS ARE WHOLLY LOCATED ON THE PROPERTY EXCEPT AS
SHOWN ABOVE.

This 14th day of AUGUST, 1973 A. D.

D. R. Frazor, P.E.

Field Book Page Job No. N.P.C.

CITY OF WINDCREST

<http://windcrest-tx.gov>

RECH: 00222500 6/10/2013 11:39 AM
OPER: B TERM: 005
REF#: CC3394

TRAN: 410.0000 PLATTING/ZONING/VAR
5903 WINTERHAVEN DR.
VARIENCE
PLATTING/ZONING/VAR 35.00CR

TENDERED: 35.00 CHECK
APPLIED: 35.00

CHANGE: 0.00

BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-002
Home Owner Name: Sharp Residence
Address: 5903 Winterhaven
Phone: 379-2610 / 286-8615
Variance Requested: The property owner at 5903 Winterhaven, Windcrest, TX 78239 is requesting variance to overrule Ordinance #193 in order to build a 12x16 shed. Maximum allowable square footage is 144; the property owner is requesting an additional 48 square footage out to 192.

DEPARTMENT: POLICE

NO RECOMMENDATIONS

Recommendation FOR:

Recommendation AGAINST:

BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-002
Home Owner Name: Sharp Residence
Address: ~~602 N. Highway 12~~ 5903 Winterhaven
Phone: 379-2610 / 286-8615
Variance Requested: The property owner at 5903 Winterhaven, Windcrest, TX 78239 is requesting variance to overrule Ordinance #193 in order to build a 12x16 shed. Maximum allowable square footage is 144; the property owner is requesting an additional 48 square footage out to 192.

DEPARTMENT:

Fine

Recommendation FOR:

Recommendation AGAINST:

✓

BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-00 2
Home Owner Name: Sharp Residence
Address: 5903 Winterhaven
Phone: 379-2610 / 286-8615
Variance Requested: The property owner at 5903 Winterhaven, Windcrest, TX 78239 is requesting variance to overrule Ordinance #193 in order to build a 12x16 shed. Maximum allowable square footage is 144; the property owner is requesting an additional 48 square footage out to 192.

DEPARTMENT:

Windcrest Economic Development Corporation
No Recommendation (WED) 7/2/13

Recommendation FOR:

Recommendation AGAINST:



June 20, 2013

Dear Property Owner:

The Board of Adjustment of the City of Windcrest will conduct a Public Hearing on a request for variance on July 8, 2013, at 6:00 P.M. in the City Hall located at 8601 Midcrown, Windcrest, Bexar County, Texas.

The purpose of the Public Hearing will be for the Board of Adjustment to consider and act upon the following variance request:

In accordance with the Windcrest City Code of Ordinances, Chapter 5.503 / General Plan Requirements, The City Council may consider an appeal of any refusal of the City of Windcrest Building Inspector to issue any permit for any building, or use of any premises which would violate the provisions of this chapter. The property owner at 5903 Winterhaven, Windcrest, TX 78239 is requesting variance to overrule Ordinance #193 in order to build a 12x16 shed. Maximum allowable square footage is 144; the property owner is requesting an additional 48 square footage out to 192. In order to allow the extra square footage, the owner is required to request a variance from the Board of Adjustment.

All interested parties are invited to attend. For additional information contact the City Secretary at the above address or at 210-655-0022.

Kelly Rodriguez
City Secretary

Return to: Board of Adjustment at 8601 Midcrown, Windcrest, Texas 78239.

Name: Franklin Adams Address: 9201 Windham

Variance Request – (address)
(Reason for Variance)

☒ In Favor

☐ Opposed

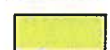
Comments:

AUSTIN

INTERSTATE 35

NOT TO SCALE

LEGEND

- | | |
|---|--|
|  - "B1" NEIGHBORHOOD BUSINESS DISTRICT |  - "R1" ONE FAMILY DWELLING DISTRICT |
|  - "B2" BUSINESS DISTRICT |  - "R2" DUPLEX AND APARTMENT DISTRICT |
|  - "O1" PROFESSIONAL OFFICE DISTRICT | |



DON MCCRARY & ASSOCIATES, INC.
ENGINEERS & SURVEYORS
323 BRESPOST
SAN ANTONIO, TEXAS 78216-2602
(210) 349-2651

CITY OF WINDCREST
ZONING MAP

MARCH 2012

SHEET 1 OF 2

WINDCREST PLAN REVIEW

Project Name Gerardo Diaz
Project Address 662 Richfield Dr.

PlanReview

☐ TDLR Registration # Required☐ Asbestos Survey Required☐ OK to issue☒ Building Permit☐ Electrical Permit☐ Plumbing Permit☐ HVAC☐ Other☒ See comments below☒ Return for corrections as indicated below**Reviewer Comments:**

Permit is denied at this time.

There are no plans provided.

Please provide:

Site plan showing the location of the house and the proposed location of the new structure.

Show distances to all property lines and the main house from proposed structure.

Elevation drawings of the proposed structure.

Framing plans of proposed structure.

Electrical layout (if any).

He already
did the
work then
Pulled the
Permit!

All work performed shall comply with the International Codes – 2009 Editions and the NEC 2008 Edition.

Reviewer: Bealor

Date: 3/5/13



City of Windcrest
8601 Midcrown
Windcrest, TX 78239
(210)655-0022, Fax (210)655-8776

RECEIVED
3.05.13

REMODEL PERMIT APPLICATION

DATE: 3/4/13

PERMIT NO. _____

JOB ADDRESS: <u>662 Richfield Dr</u>		
OWNER: <u>GERARDO DIAZ</u>	ADDRESS: <u>662 Richfield Dr.</u>	PHONE: <u>(210) 379 7053</u>
CONTRACTOR: <u>Self</u>	ADDRESS:	PHONE:
VALUATION OF WORK:		PERMIT FEE:

CLASS OF WORK: NEW ☐ ADDITION ☐ ALTERATION ☐ REPAIR ☐

DESCRIBE WORK: <u>Outside patio (parche) made of cedar and concrete floor</u> <u>Dimensions: 15'10" wide x 27'8" long. Holden roof with</u> <u>6 bins (8x8)</u>
--

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED IN NINETY (90) DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF SIXTY (60) DAYS AT ANY TIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT, THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

Self
SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT

3/4/13
DATE

[Signature]
SIGNATURE OF OWNER (IF BUILDER)

3/4/13
DATE

CITY OFFICIAL COMMENTS:

Person(s) operating within city limits may ONLY use
Dumpsters units provided by Allied Waste Services
Please call (210) 648-5222 for assistance.

APPROVED BY:

DATE:

Gerardo Diaz
662 Richfield
Windcrest, TX 78239
(210) 379-7053

RECEIVED
R4.7.13
HW
3:20pm

City of Windcrest
Code Enforcement

April 5, 2013

RE: Variance Request to *City of Windcrest Code of Ordinances*, Chapter 5, **Section 5.501 (12)(D)**

To the Director of Building Services or To Whom It May Concern,

My letter serves as official request for a variance to *City of Windcrest Code of Ordinances*, Chapter 5, Section 5.501 (12)(D):

Accessory buildings as defined as defined herein above and (See Chapter 23 for additional accessory building requirements) used as a tool, greenhouse, playhouse, storage shed or similar use, located in an R-1 Zoned District, and erected, sited, constructed, reconstructed, or enlarged must comply with the following requirements:

D. All accessory buildings shall be set-back not less that ten (10) feet from the main dwelling and not less that three (3) feet from all lot lines and shall not occupy any portion of easements if placed on permanent foundation. If portable the three (3) foot setback applies. Masonry buildings shall not be less than ten (10) feet from all lot lines and shall not occupy any portion of easements.

The concrete foundation of my pergola/lanai is 8 feet 10 inches from my main dwelling. This constitutes a deviation of this section of the code of 1 foot 2 inches (approximately 10% deviation encroachment on one side only). All other dimensions are within the code for this type of structure as are all setbacks as shown on the drawing. There are no plans for electrical service to this pergola/lanai at this time.

Removal of 1 one foot of foundation and structure constitutes a financial hardship as the structure would essentially have to be completely rebuilt. The current design, with its existing sidewalks and distances, coincide with future plans to accommodate handicap ramps assisting me with my physical handicaps and challenges.

I respectfully request variance to accommodate this 10% deviation on one corner of my pergola/lanai.

Sincerely,

Gerardo Diaz



CITY OF WINDCREST

<http://windcrest-tx.gov>

RECH: 00222496 6/10/2013 11:04 AM
OPER: B TERM: 005
REF#: CC

ACCT #: XXXX-XXXX-XXXX-0428
AUTH #: 427620
TRAN #: 000000001207

TRAN: 410.0000 PLATTING/ZONING/VAR
662 RICHFIELD DR.
PLATTING/ZONING/VAR 35.00CR

TENDERED:	35.00	CREDIT CARD
APPLIED:	35.00-	
CHANGE:	0.00	

<----->

140' F

662 Richfield Dr.

RECEIVED
3.6.13
10:17am
HW

Pool

materials

a. 6 Cedar pieces (8x8)

b. Concrete Foundation
(27'8" x 15'10")

d. Roof (9' High)

e. Screws

f. Ceiling bins: 6x2
12x2

D. Bins 9ft

House

Bin's elevation
PORCHE 9' F

total height of
structure 12.8 ft.

New Porche

27'8"

9' F

15'10"

1005

ALLEY

REAR LOT LINE

YARD AREA

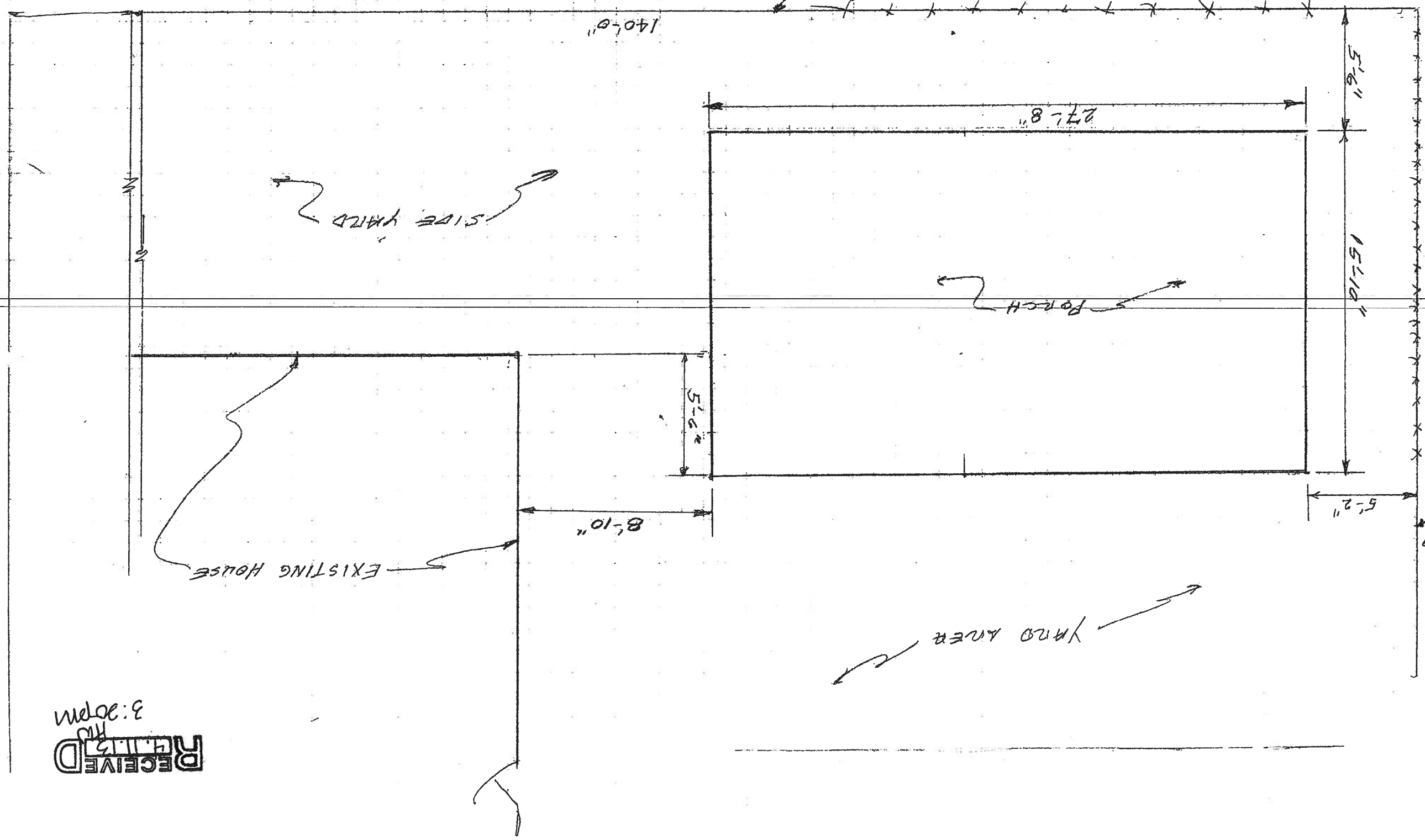
SIDE LOT LINE

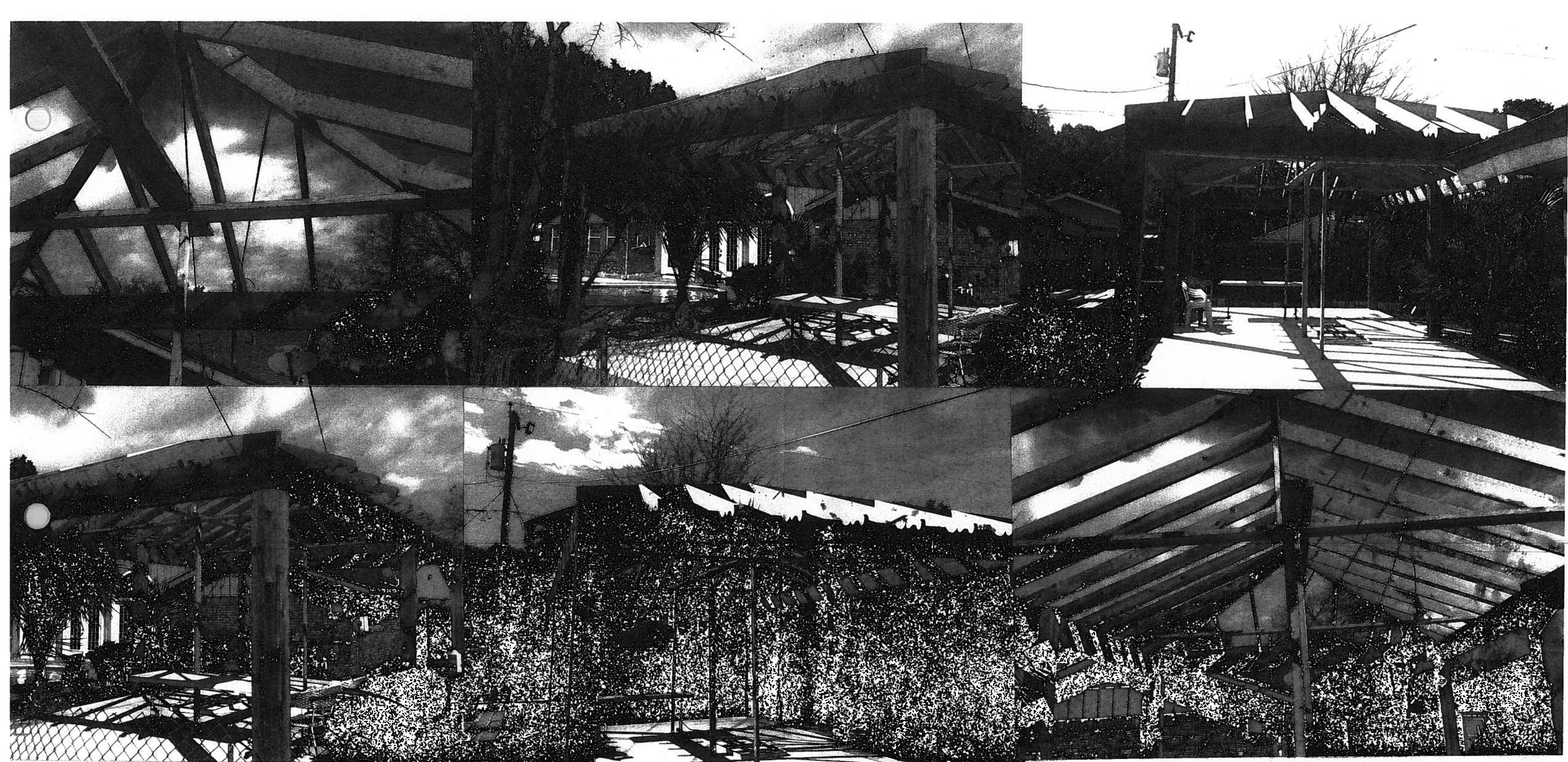
SIDE YARD

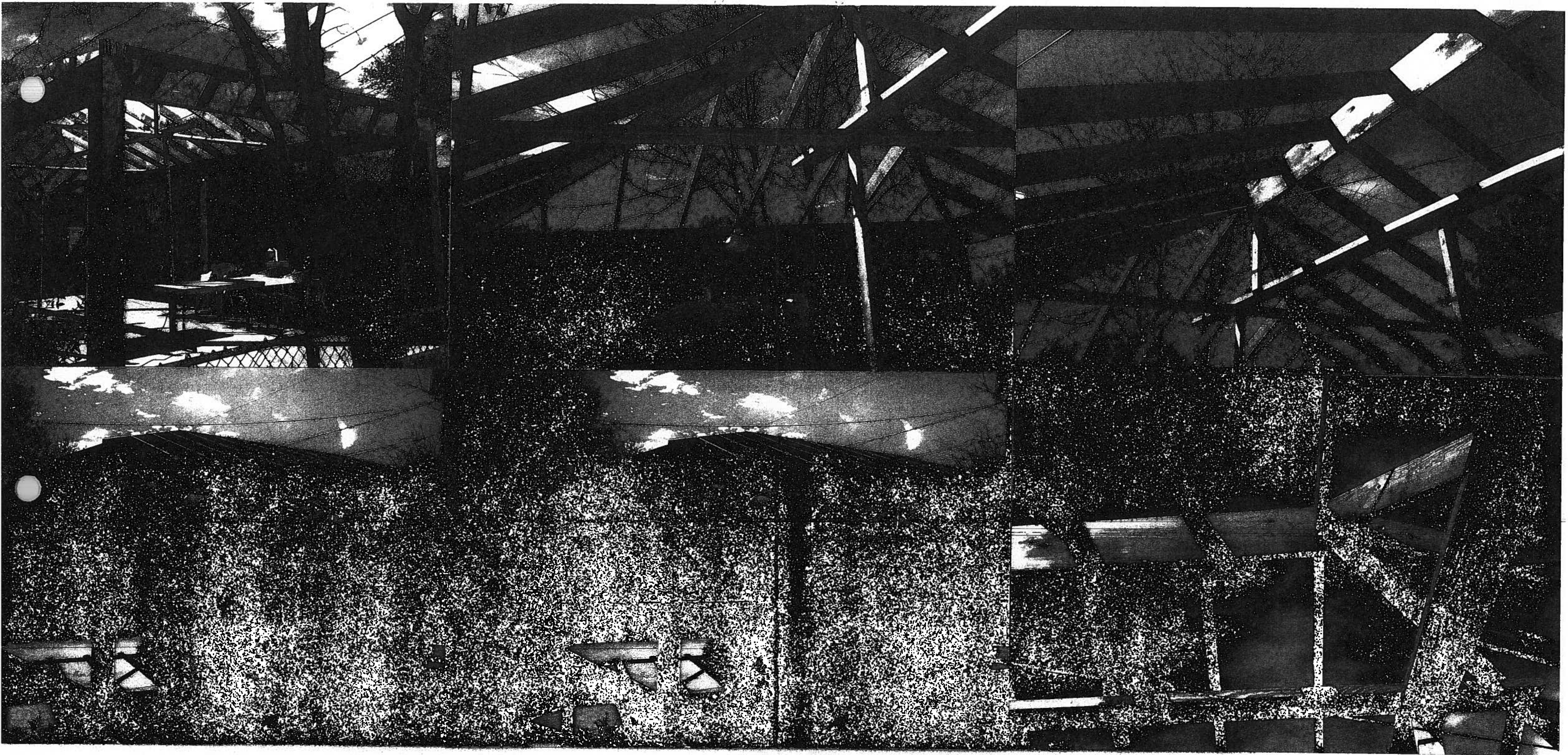
EXISTING HOUSE

BRICKFIELD ST

RECEIVED
MAY 3 3:30pm







BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-003
Home Owner Name: Gerardo Diaz
Address: 662 Richfield Dr.
Phone: 379.7053
Variance Requested: The property owner at 662 Richfield Drive, Windcrest, TX 78239 built an outside patio without first obtaining a building permit. The property owner was directed to obtain a building permit. The inspection of the outside patio was completed and the permit was denied due to the outside patio being built within the 10 foot main building setback.

DEPARTMENT:

Windcrest Economic Development Corporation
No Recommendation

(Signature) 7/2/13

Recommendation FOR:

Recommendation AGAINST:

BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-003
Home Owner Name: Gerardo Diaz
Address: 662 Richfield Dr.
Phone: 379.7053
Variance Requested: The property owner at 662 Richfield Drive, Windcrest, TX 78239 built an outside patio without first obtaining a building permit. The property owner was directed to obtain a building permit. The inspection of the outside patio was completed and the permit was denied due to the outside patio being built within the 10 foot main building setback.

DEPARTMENT:

Five

Recommendation FOR: ✓

Recommendation AGAINST:

BOARD OF ADJUSTMENT

Staff Recommendation

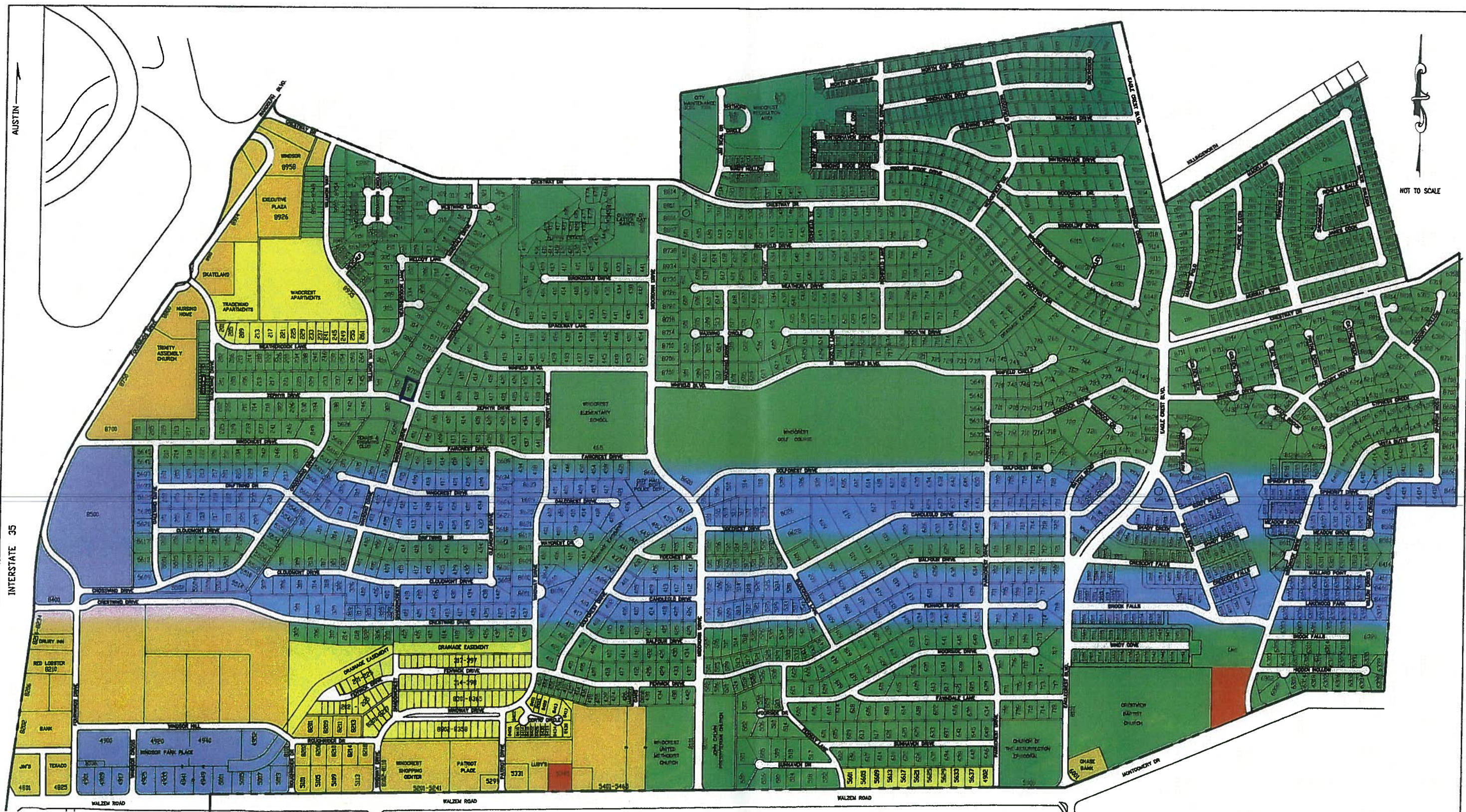
Case #: 13-00~~2~~³
Home Owner Name: Gerardo Diaz
Address: 662 Richfield Dr.
Phone: 379.7053
Variance Requested: The property owner at 662 Richfield Drive, Windcrest, TX 78239 built an outside patio without first obtaining a building permit. The property owner was directed to obtain a building permit. The inspection of the outside patio was completed and the permit was denied due to the outside patio being built within the 10 foot main building setback.

DEPARTMENT: POLICE

NO RECOMMENDATIONS

Recommendation FOR:

Recommendation AGAINST:



LEGEND

- "B1" NEIGHBORHOOD BUSINESS DISTRICT
- "B2" BUSINESS DISTRICT
- "O1" PROFESSIONAL OFFICE DISTRICT
- "R1" ONE FAMILY DWELLING DISTRICT
- "R2" DUPLEX AND APARTMENT DISTRICT

Don McCrary & Associates, Inc.
 ENGINEERS & SURVEYORS
 323 BRESPORT
 SAN ANTONIO, TEXAS 78216-2602
 (210) 349-2651

CITY OF WINDCREST
ZONING MAP
 MARCH 2012
 SHEET 1 OF 2

Date: Jan 12, 2012, 1:00pm, User: G. J. Jaramila
 Drawn by: G. J. Jaramila, Windcrest Zoning Map

12002

Paid: 6.6.13 M
check: 35.

TO: City of Windcrest Board of Adjustment

FROM: Phillip and Jannett Conwell

RE: Variance Request concerning Permit # 130429001

DATE: June 4, 2013

Dear Sirs,

This is to request a variance to construct a full sized shed with a roof peak height adjusted to 10'6".

The "Tuff Shed TR800 12 x 12" we had intended to purchase and have installed from Home Depot is standard at 10'6". The roof could be redesigned, but the lower pitch would require rolled roofing or corrugated sheet metal.

We live at the corner of a 4-way stop with a highly visible back yard and have considered that the roll roofing or corrugated sheet metal required by a flatter pitch would present a less attractive view. Also, given the 4:12 pitch of our house roof, a more proportionate and harmonious appearance can be achieved with a higher shed roof pitch.

Respectfully,



Phillip and Jannett Conwell

WINDCREST
TEXAS

City of Windcrest
8601 Midcrown
Windcrest, TX 78239
(210)655-0022, Fax (210)655-8776

RESIDENTIAL REMODEL PERMIT

PERMIT #:	130429001	DATE ISSUED:	4/29/2013
JOB ADDRESS:	309 ZEPHYR	LOT #:	
PARCEL ID:		BLK #:	
SUBDIVISION:		ZONING:	
ISSUED TO:	PHILLIP CONWELL	CONTRACTOR:	PHILLIP CONWELL
ADDRESS:	309 ZEPHYR	ADDRESS:	309 ZEPHYR
CITY, STATE ZIP:	WINDCREST TX 78239	CITY, STATE ZIP:	WINDCREST TX 78239
PHONE:	210-535-5189	PHONE:	
WORK DESC:	STORAGE SHED	SETBACKS:	
VALUATION:	\$ 0.00	FRONT:	
SQ FT	0.00	REAR:	
OCCP TYPE:			
CNST TYPE:			

FEE CODE	DESCRIPTION	AMOUNT
RES-REM	RESIDENTIAL REMODEL	\$ 5.00
TOTAL		\$ 5.00

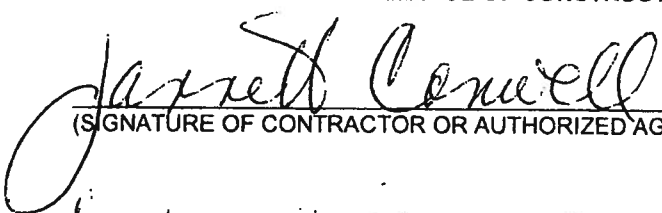
NOTES: INSTALL 12'X12' STORAGE SHED.

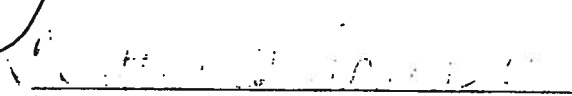
NOTICE

PERSON'S OPERATING WITHIN CITY LIMITS MAY ONLY USE DUMPSTER UNITS PROVIDED BY ALLIED WASTE SERVICES.
PLEASE CALL (210) 648-5222 FOR ASSISTANCE.

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 90 DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 60 DAYS AT ANY TIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.


(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)


(APPROVED BY)

4/29/2013
DATE

4/29/2013
DATE

BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-004
Home Owner Name: Phillip Conwell
Address: 309 Zephyr
Phone: 535.5189
Variance Requested: The property owner at 309 Zephyr, Windcrest, TX 78239 request a variance to construct a full sized shed with roof peak height adjusted to 10'6 feet. The permit was denied due to the shed height being built over 9 feet tall.

DEPARTMENT: POLICE

NO RECOMMENDATIONS

Recommendation FOR:

Recommendation AGAINST:

BOARD OF ADJUSTMENT

Staff Recommendation

Case #: 13-004

Home Owner Name: Phillip Conwell

Address: 309 Zephyr

Phone: 535.5189

Variance Requested: The property owner at 309 Zephyr, Windcrest, TX 78239 request a variance to construct a full sized shed with roof peak height adjusted to 10'6 feet. The permit was denied due to the shed height being built over 9 feet tall.

DEPARTMENT:

Fine

Recommendation FOR:

Recommendation AGAINST:



BOARD OF ADJUSTMENT

Staff Recommendation

Case #:

13-002

Home Owner Name:

Phillip Conwell

Address:

309 Zephyr

Phone:

535.5189

Variance Requested:

The property owner at 309 Zephyr, Windcrest, TX 78239 request a variance to construct a full sized shed with roof peak height adjusted to 10'6 feet. The permit was denied due to the shed height being built over 9 feet tall.

DEPARTMENT:

Windcrest Economic Development Corporation
No Recommendation

(Signature) 7/2/13

Recommendation FOR:

Recommendation AGAINST:



Rec 6/26/13
R. Sanford

June 20, 2013

Dear Property Owner:

The Board of Adjustment of the City of Windcrest will conduct a Public Hearing on a request for variance on July 8, 2013, at 6:00 P.M. in the City Hall located at 8601 Midcrown, Windcrest, Bexar County, Texas.

The purpose of the Public Hearing will be for the Board of Adjustment to consider and act upon the following variance request:

In accordance with the Windcrest City Code of Ordinances, Chapter 5.503 / General Plan Requirements, The City Council may consider an appeal of any refusal of the City of Windcrest Building Inspector to issue any permit for any building, or use of any premises which would violate the provisions of this chapter. (Please refer to the attached sheet for more information on this code). The property owner at 309 Zephyr, Windcrest, TX 78239 request a variance to construct a full sized shed with roof peak height adjusted to 10'6 feet. The permit was denied due to the shed height being built over 9 feet tall. In order to keep structure as built with roof peak height adjusted to 10'6 the owner is required to request a variance from the Board of Adjustment.

All interested parties are invited to attend. For additional information contact the City Secretary at the above address or at 210-655-0022.

Kelly Rodriguez
City Secretary

Return to: Board of Adjustment at 8601 Midcrown, Windcrest, Texas 78239.

Name: Charles J. Haskins Address: 305 Zephyr Dr. Windcrest, TX

Variance Request – (address)
(Reason for Variance)

☒ In Favor

☐ Opposed

Comments:
