

City of Windcrest



**AGENDA
BOARD OF ADJUSTMENT MEETING
MAY 23, 2023**

CITY COUNCIL CHAMBERS @ 8601 MIDCROWN

6:00 P.M.

NOTICE IS HEREBY GIVEN THAT A CITY OF WINDCREST BOARD OF ADJUSTMENT MEETING WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 23RD DAY OF MAY 2023, STARTING AT 6:00 P.M. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND THE BOARD MAY TAKE ACTION ON ANY OF THE LISTED SUBJECTS.

THE BOARD OF ADJUSTMENT RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF MAY 23, 2023, AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, MAY 24, 2023, AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Windcrest Council Chambers are wheelchair accessible, and accessible parking spaces are available. In compliance with Americans with Disabilities Act, the City of Windcrest will provide reasonable accommodations for persons attending the meeting. To better serve you, requests should be received 48 hours prior to the meeting. Please contact the City Secretary's Office, at 210-655-0022 ext. 2150 or Fax 210-655-8776, or 711 Texas Relay.

I. Call to Order

II. Roll Call

III. Vote to Excuse Absent Board Members

IV. Pledge of Allegiance

V. Citizens to be Heard

- Citizens may address the Board of Adjustment on topics not on the agenda for no more than three (3) minutes.
- In addition to the foregoing, citizens shall also have the opportunity to address the Board of Adjustment during consideration of posted agenda items for no more than six (6) minutes.
- A City Official may make a statement of specific factual information in response to an inquiry made by a member of the public, or a recitation of existing policy in response to an inquiry made by a member of the public.

VI. Ceremonial

- a) The Board of Adjustment will take action to ratify officer positions of Chair and Secretary.
- b) The Board of Adjustment will take action to elect the officer position of Vice Chair.

VII. Presentation by Applicant

- a) Applicant of 226 Weathercock Ln. may present their request to the Board of Adjustment.
- b) Applicant of 733 Windrock Dr. may present their request to the Board of Adjustment.

VIII. Public HearingRequest 1:***Opening of Public Hearing***

- a) Public Hearing to receive comments from the public to consider a request for a variance from the City of Windcrest Code of Ordinances Sec. 103-58(b)(12)(e), to construct an accessory building to exceed one hundred and forty-four (144) sq ft. and nine (9) feet in height, at 226 Weathercock Ln., more particularly described as BCAD Property #342259.

Closing of Public HearingRequest 2:***Opening of Public Hearing***

- b) Public Hearing to receive comments from the public to consider a request for a variance from the City of Windcrest Code of Ordinances Sec. 103-58(b)(12)(a)&(e), to construct an accessory building to exceed one hundred and forty-four (144) sq ft. and nine (9) feet in height with a sewer connection, at 733 Windrock Dr., more particularly described as BCAD Property #342814.

Closing of Public Hearing**IX. Items for Discussion/Action**

- a) Commission will review, discuss, and may take action on a request for a variance from the City of Windcrest Code of Ordinances Sec. 103-58(b)(12)(e), to construct an accessory building to exceed one hundred and forty-four (144) sq ft. and nine (9) feet in height, at 226 Weathercock Ln., more particularly described as BCAD Property #342259.
- b) Commission will review, discuss, and may take action on a request for a variance from the City of Windcrest Code of Ordinances Sec. 103-58(b)(12)(a)&(e), to construct an accessory building to exceed one hundred and forty-four (144) sq ft. and nine (9) feet in height with a sewer connection, at 733 Windrock Dr., more particularly described as BCAD Property #342814.

X. 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.

XI. Adjournment**AGENDA NOTICES:****DECORUM REQUIRED:**

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

ACTION BY COUNCIL AUTHORIZED:

The Board of Adjustment may vote and/or act upon any item within this Agenda. The Board reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code § 551.072 (Deliberations about Real Property); § 551.073 (Deliberations about Gifts & Donations); § 551.076 (Deliberations about Security Devices); § 551.087 (Economic Development); and, § 551.071 to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The attorney may appear in person or appear in executive session by conference call in accordance with applicable state law.

EXECUTIVE SESSIONS APPROVED BY CITY ATTORNEY:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

ATTENDANCE BY OTHER ELECTED OR APPOINTED OFFICIALS:

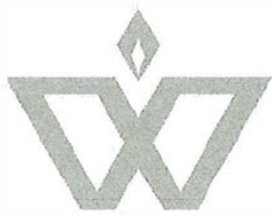
It is anticipated that members of the City Council, or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be

taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission, or committee subject to the Texas Open Meetings Act.

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 (72) hours prior to the meeting on May 23, 2023.

By:

Rachel C. Dominguez, City Secretary



WINDCREST

TEXAS

Universal Development Application

(Please use separate application for each submittal)

- | | | |
|---|---|--|
| ☐ Land Use Amendment | ☐ Land Study | ☐ Replat |
| ☐ Thoroughfare Amendment | ☐ Final Plat | ☐ Amending Plat |
| ☐ Zoning Change (choose one) | ☐ Preliminary Plat | ☐ Minor Plat |
| ☐ Straight Zoning | ☐ Specific Use Permit | ☐ Vacating Plat |
| ☐ PUD (Planned Unit Development) | ☐ Conditional Use Permit | ☐ Site Plan |
| ☒ Variance | ☐ Exception | ☐ Tree Removal Permit |

Project Name: Shed @ 226 Weathercock Ln
Total Acres: N/A Survey Name: N/A Abstract No.: N/A
Project Location (address): 226 Weathercock Ln

Current Zoning: _____ Current Use: _____ # of Lots/Units: _____ For Commercial/Industrial:
Proposed Zoning: _____ Proposed Use: _____ Please Circle One: _____ Total Proposed Sq. Ft. _____
SF MF COMM IND OTHER

Applicant Information:

Property Owner Name: Silvia Turrubiates
Address: 226 Weathercock Ln City: Windcrest St/Zip: TX 78239
Phone: [REDACTED] Fax: [REDACTED] E Mail: [REDACTED]

Applicant (if different than Owner): _____
Address: _____ City: _____ St/Zip: _____
Phone: _____ Fax: _____ E-Mail: _____

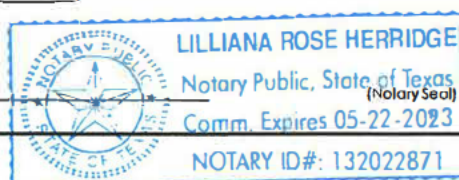
Representative: _____
Address: _____ City: _____ St/Zip: _____
Phone: _____ Fax: _____ E-Mail: _____

Authorization: By signing this application, you hereby grant Staff access to your property to perform work related to your application. Also, you waive the statutory time limits in accordance with Section 211, 212 and 245 of the Texas Local Government Code.

Silvia Turrubiates
Owner's Signature
Silvia Turrubiates
Typed/Printed Name

Known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed and in the capacity herein stated. Given under my hand and seal on this 21 day of March, 2023.

[Signature]
Notary Public



City of Windcrest Use Only

Project No.: _____
Total Fees: _____
Payment Method: _____
Submittal Date: _____
Accepted by: _____



Date: Wednesday, January 18, 2023

Silvia Turrubiates

226 Weathercock Ln
Windcrest 78239
anaisehernandez@live.com

Permit Number 23-1612
Job Address: 226 Weathercock Ln, Windcrest 78239

Dear Silvia Turrubiates,

Staff has completed its review of plans for the Accessory Structure - New Construction that is to be located at 226 Weathercock Ln, Windcrest 78239. Comments from this review follow.

Residential Plan Review

The following comments have been provided by Reviewer BB. Should you have any questions or require additional information regarding any of these comments, please contact Reviewer BB by telephone at or by email at bbihost.mgo@gmail.com.

Shed cannot exceed 144 sq ft. Measurements show 150 sq ft. Provide construction documents from the manufacturer.

Shed cannot exceed 9' height. Measurement taken from grade to ridge (not floor to wall plate height).

Original shed described as leaking. Was it removed? Will new the shed be the only shed on property? Will existing concrete foundation be removed as well?

e.

Excluding masonry buildings, buildings will not exceed 144 square feet of interior space nor nine feet in height (above grade level). The term "grade level" is defined as the highest point of elevation of the finished surface of the ground, paving, or sidewalk between the main structure and the property line.

1/18/2023 11:54:49 AM
Accessory Structure - New Construction
23-1612
Page 2

Please revise the project plans to address the comments noted above. Following revision, please upload one full set of the revised drawings in PDF format. To access your project online, please go to www.mygovernmentonline.org and use the online portal to upload your drawings in PDF format.

Should you have questions regarding specific comments, please contact the staff member referenced under the section in which the comment occurs. Should you have questions or require additional information regarding the plan review process itself, please feel free to contact me directly. I can be reached by telephone at , or by e-mail at rdominguez@windcrest-tx.gov.

Thank you,

Rachel Dominguez

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

WEATHERCOCK LANE (50' R.O.W.)(WEATHER COCK LANE PER PLAT)

SCALE: 1" = 30'

12 feet 3 inches
Peak to ground

8.11 tall inside
9.4 ft wide
Location of new shed

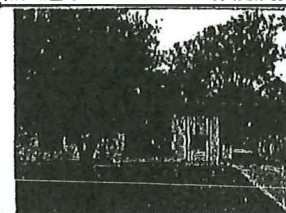
33 ft from the fence

16.11 x 8.11 x 9.4

NOTE:
THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: VOLUME 3535, PAGE 19, DEED AND PLAT RECORDS, AND VOLUME 3930, PAGE 217, DEED RECORDS OF BEXAR COUNTY, TEXAS.

NOTE:
BEARINGS SHOWN HEREON ARE BASED ON RECORD PLAT INDICATED BELOW:

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF THE SURVEYOR TO DETERMINE THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT APPEARS TO BE INCLUDED IN A FLOOD INSURANCE RATE MAP (FIRM), CERTIFIED OR COMMUNITY NO. 330225, PLANT NO. 2010, WHICH IS DATED 8/28/2010, BY WORKING FROM THAT FIRM, APPEARS THAT ALL OR A PORTION OF THE PROPERTY MAY BE IN FLOOD ZONE X. BECAUSE THIS IS A BOUNDARY SURVEY, THE SURVEY DID NOT TAKE ANY ACTIONS TO DETERMINE THE FLOOD ZONE STATUS OF THE SURVEYED PROPERTY OTHER THAN TO INTERPRET THE INFORMATION SET OUT ON FEMA'S FIRM, AS DESCRIBED ABOVE. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONE, WHICH MAY NOT AGREE WITH THE INTERPRETATIONS OF FEMA OR OTHER LOCAL OFFICIALS, AND WHICH MAY NOT AGREE WITH THE TRACT'S ACTUAL CONDITIONS. MORE INFORMATION CONCERNING FEMA'S SPECIAL FLOOD HAZARD AREA AND ZONE BE FOUND AT: <http://www.fema.gov>



Property Address:
226 WEATHERCOCK LANE (WEATHER COCK LANE PER PLAT)
Property Description:
LOT 7, BLOCK 2, WINDCREST UNIT 1, SITUATED IN THE CITY OF WINDCREST, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3535, PAGE 19, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

FIRM REGISTRATION NO.
10111700
Westar Alamo
LAND SURVEYORS, LLC.
P.O. BOX 1848 DOERNE, TEXAS 78008
PHONE (210) 372-9300 FAX (210) 372-9900

- LEGEND**
- ⊙ - FND. 1/2" IRON PIPE
 - ⊙ - FND. 1/2" IRON ROD
 - () - RECORD INFORMATION
 - - BUILDING SETBACK
 - C.M. - CONTROLLING MONUMENT
 - ⊙ - GAS METER
 - ⊙ - WATER METER
 - ⊙ - ELECTRIC METER
 - ⊙ - CABLE TELEVISION
 - ⊙ - POWER POLE
 - - CHAIN LINK FENCE
 - - OVERHEAD ELECTRIC

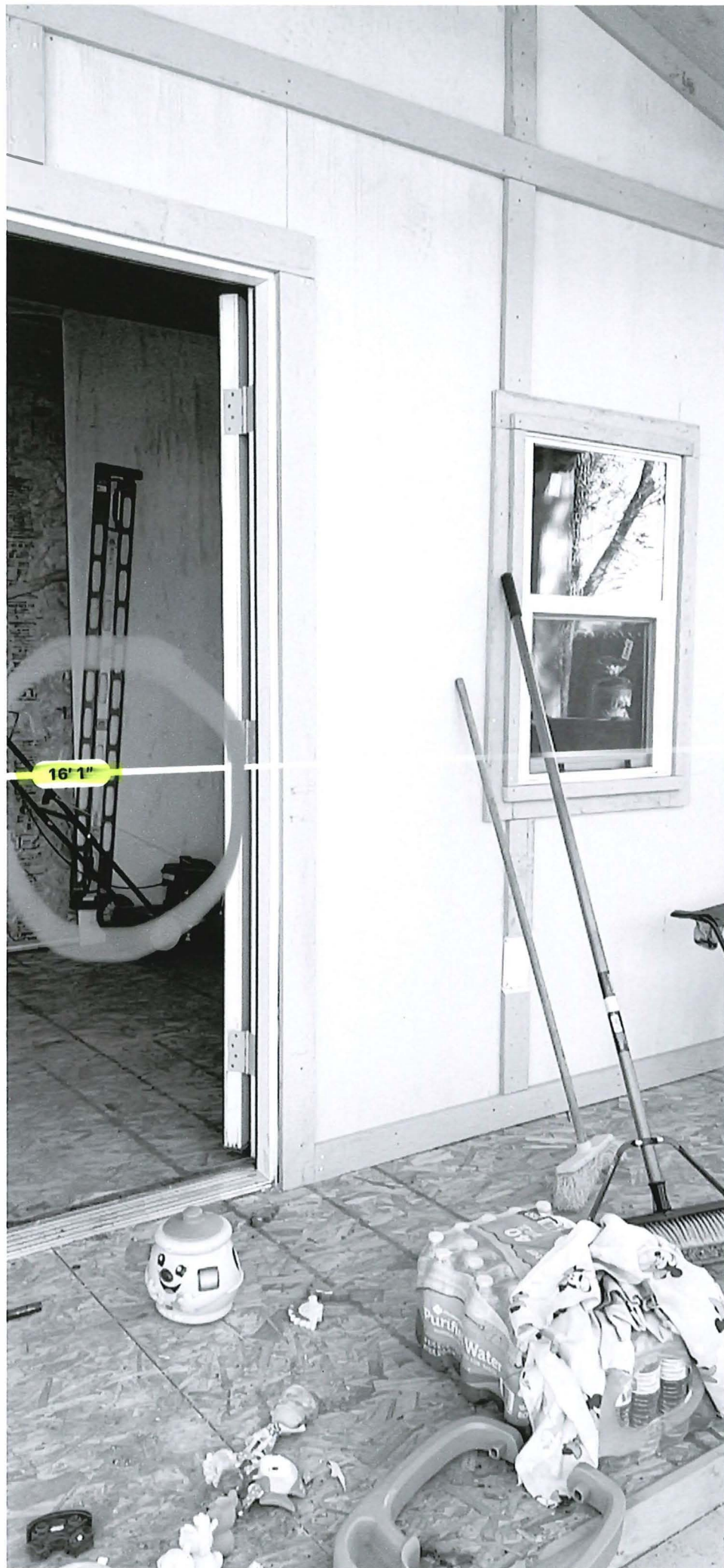
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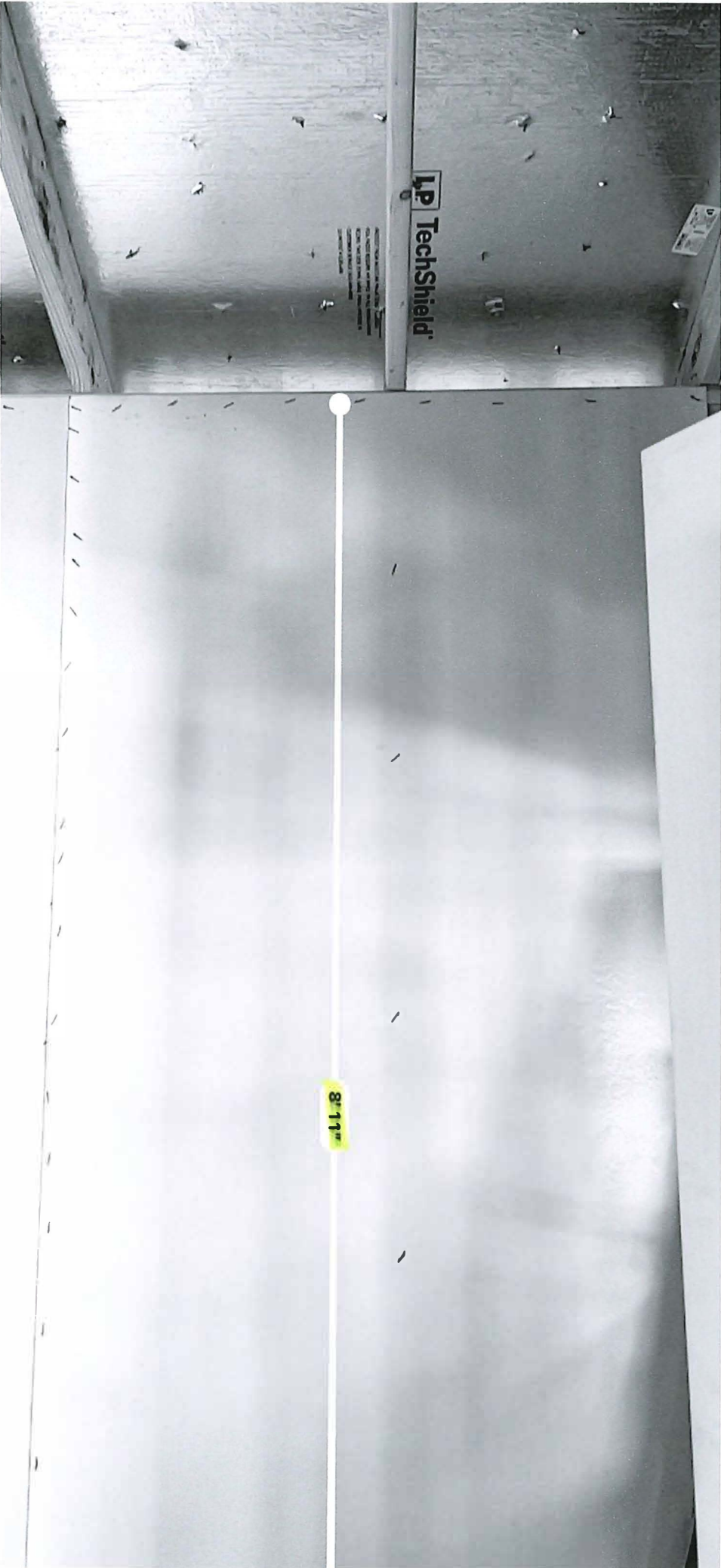
Owner:
KEVIN TWE
I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

MARK J. EWALD
Registered Professional Land Surveyor
Texas Registration No. 5095

Site Plan







LP TechShield

DO NOT REMOVE OR REUSE THIS LABEL
FOR THE PURPOSE OF THE
WARRANTY

8.11



WINDCREST

TEXAS

Universal Development Application

(Please use separate application for each submittal)

- | | | |
|---|---|--|
| ☐ Land Use Amendment | ☐ Land Study | ☐ Replat |
| ☐ Thoroughfare Amendment | ☐ Final Plat | ☐ Amending Plat |
| ☐ Zoning Change (choose one) | ☐ Preliminary Plat | ☐ Minor Plat |
| ☐ Straight Zoning | ☐ Specific Use Permit | ☐ Vacating Plat |
| ☐ PUD (Planned Unit Development) | ☐ Conditional Use Permit | ☐ Site Plan |
| ☐ Variance | ☐ Exception | ☐ Tree Removal Permit |

Project Name: Kelly's Shed & Patio
Total Acres: _____ Survey Name: _____ Abstract No.: _____
Project Location (address): 733 Windrock, Windcrest TX

Current Zoning: _____ Current Use: _____ # of Lots/Units: _____ For Commercial/Industrial:
Proposed Zoning: _____ Proposed Use: _____ Please Circle One: _____ Total Proposed Sq. Ft. _____
SF MF COMM IND OTHER

Applicant Information:

Property Owner Name: Steven & Elizabeth Kelly
Address: 733 Windrock Dr. City: Windcrest TX St/Zip: 78239
Phone: _____ Fax: _____ E-Mail: _____

Applicant (if different than Owner):

Address: _____ City: _____ St/Zip: _____
Phone: _____ Fax: _____ E-Mail: _____

Representative: Joseph Klappenger

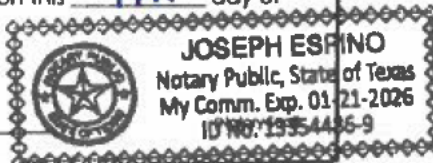
Address: 8102 Timber Grove City: SA, TX St/Zip: 78250
Phone: _____ Fax: _____ E-Mail: _____

Authorization: By signing this application, you hereby grant Staff access to your property to perform work related to your application. Also, you waive the statutory time limits in accordance with Section 211, 212 and 245 of the Texas Local Government Code.

Owner's Signature: Elizabeth A. Kelly
Typed/Printed Name: _____

Known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed and in the capacity herein stated. Given under my hand and seal on this 12th day of March, 2023.

Notary Public



City of Windcrest Use Only

Project No.: _____
Total Fees: _____
Payment Method: _____
Submittal Date: _____
Accepted by: _____

10 x 12 GARDEN SHED

PLANS

PLAN#: BB02S002



Plans Include:

- Material & Cut List
- Tools List
- Step-by-Step Instructions
- Full 2D Plans
- 3D Diagrams
- Detailed Drawings
- Helpful Tips

Build Features:

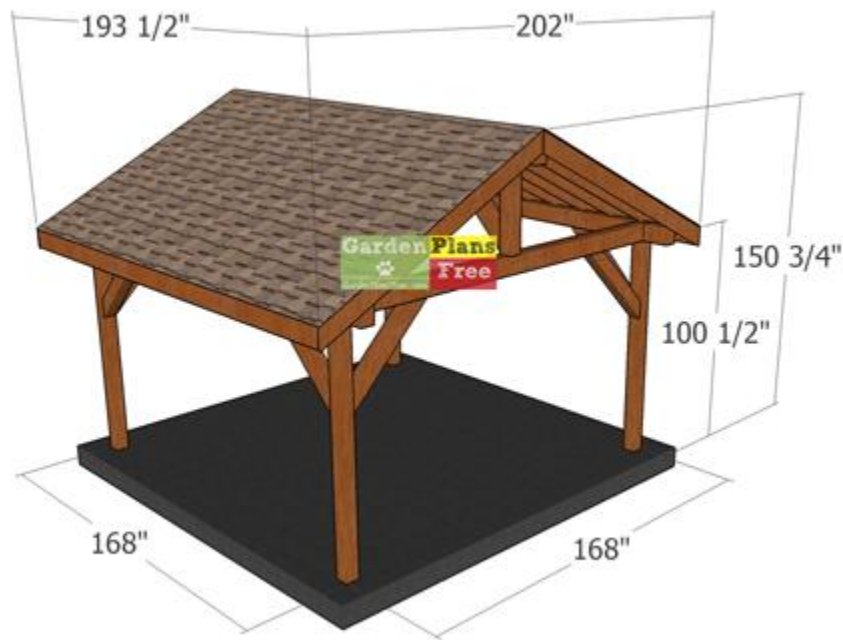
- Build Size: 10'x12'
- Overall Height: 11'-7 3/4"
- Roof Pitch: 6/12
- Roof Truss: 2x4 24" O.C.
- Foundation: 4x4 Skid
- Floor Framing: 2x4 16" O.C.
- Wall Framing: 2x4 16" O.C.

PAINT

You've completed your very own 12 x 10 Garden Shed! Now it's time to paint the masterpiece.

First, wipe off any dirt or dust off the T1-11 siding surface. Prime the siding with a heavy acrylic primer, a single thorough coat will do the job. It's best to use a small brush to fill in the grooves and corners first, and then use a larger roller to cover up the flat areas. Let it sit and dry. Then apply two coats of exterior grade acrylic paint, allow enough time between coats to completely dry.

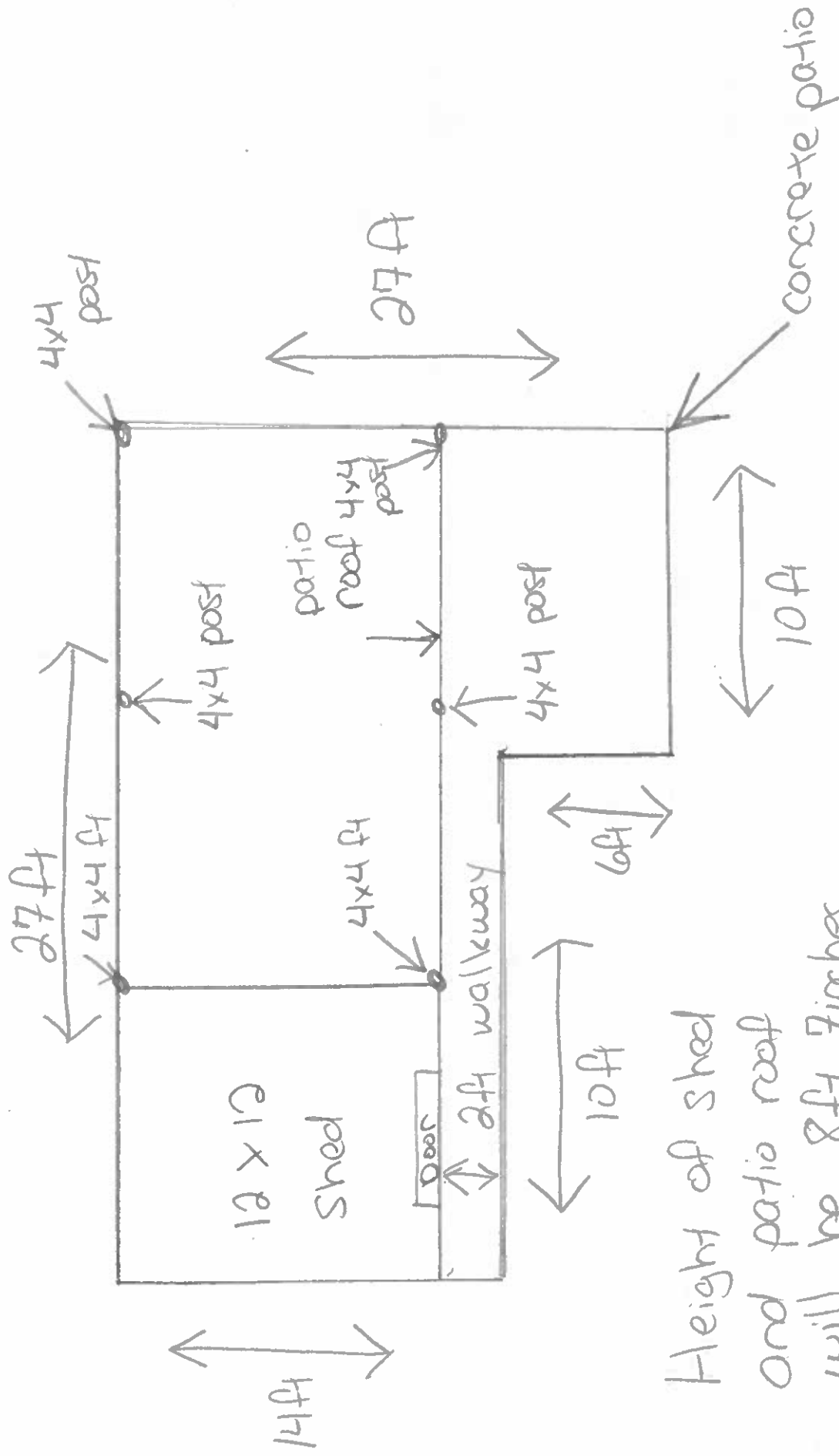




14x14-gable-pavilion-plans---overall-dimensions

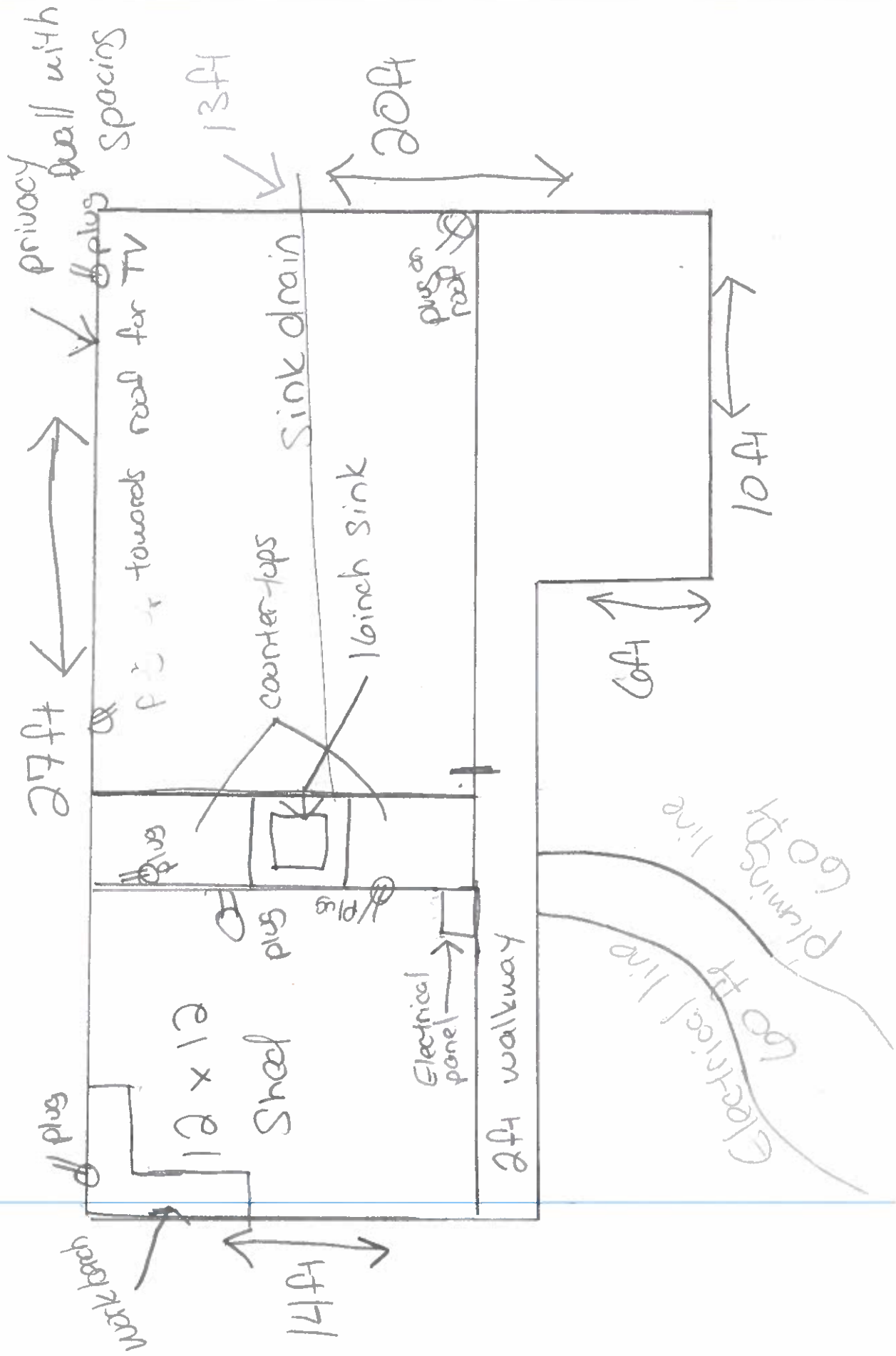
This pavilion has a 6:12 pitch, so if you live in a rainy area this will be great. Moreover, the steep angle of the roof will help you create something with an outstanding design. This pavilion is built on a really sturdy frame, making it durable.

PRO TIP: Apply several coats of paint or stain over the components, in order to protect them from decay. Check out the rest of the project to learn more about building garden projects. I also have free [plans for you to build a 14x14 lean to pavilion](#), so you should consider checking them out, as well.



Height of shed and patio roof will be 8ft 7 inches with the height of concrete being 5 inches

733 Windrock



Back Alley

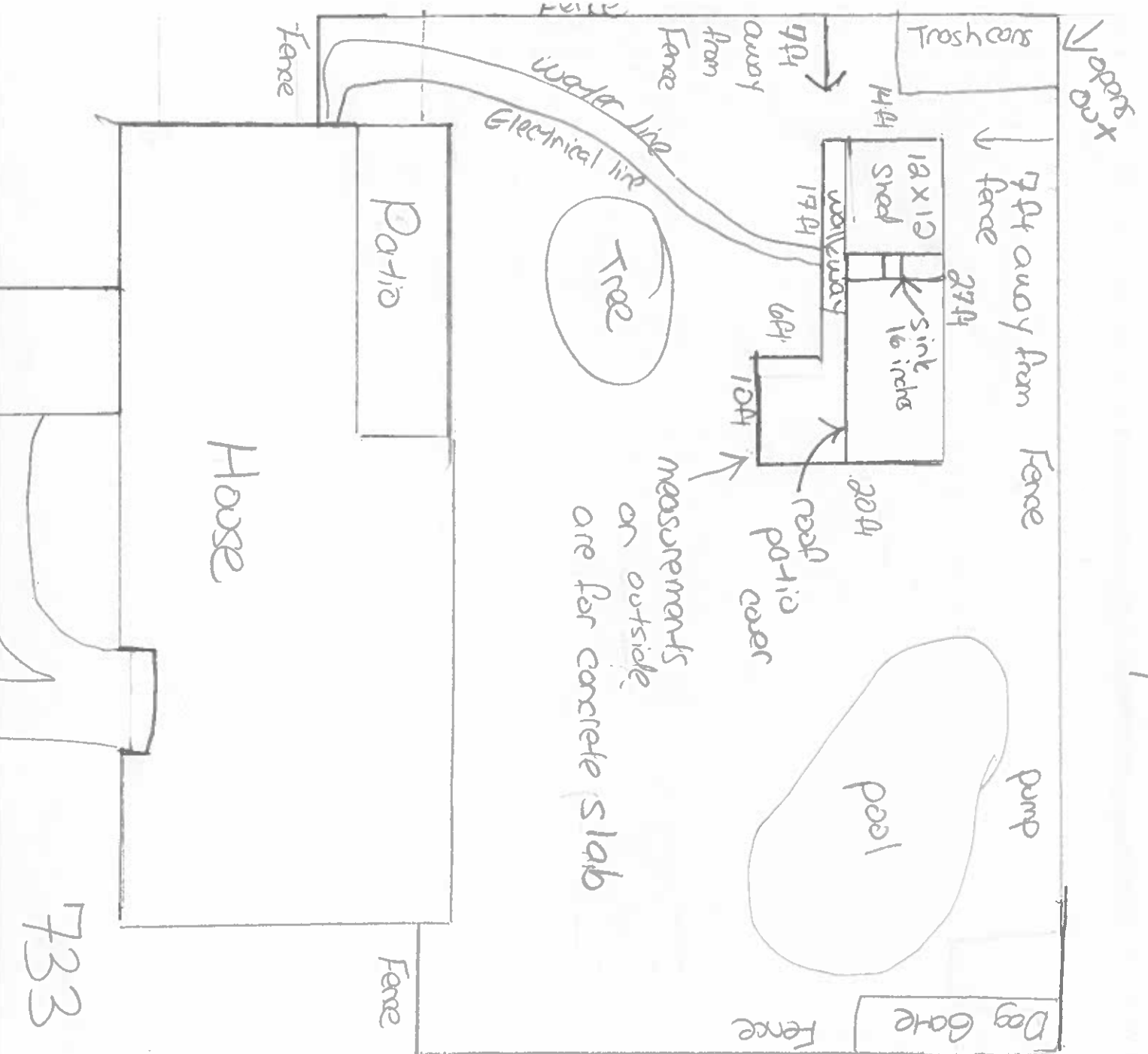
APP-2944

CR-2023-21

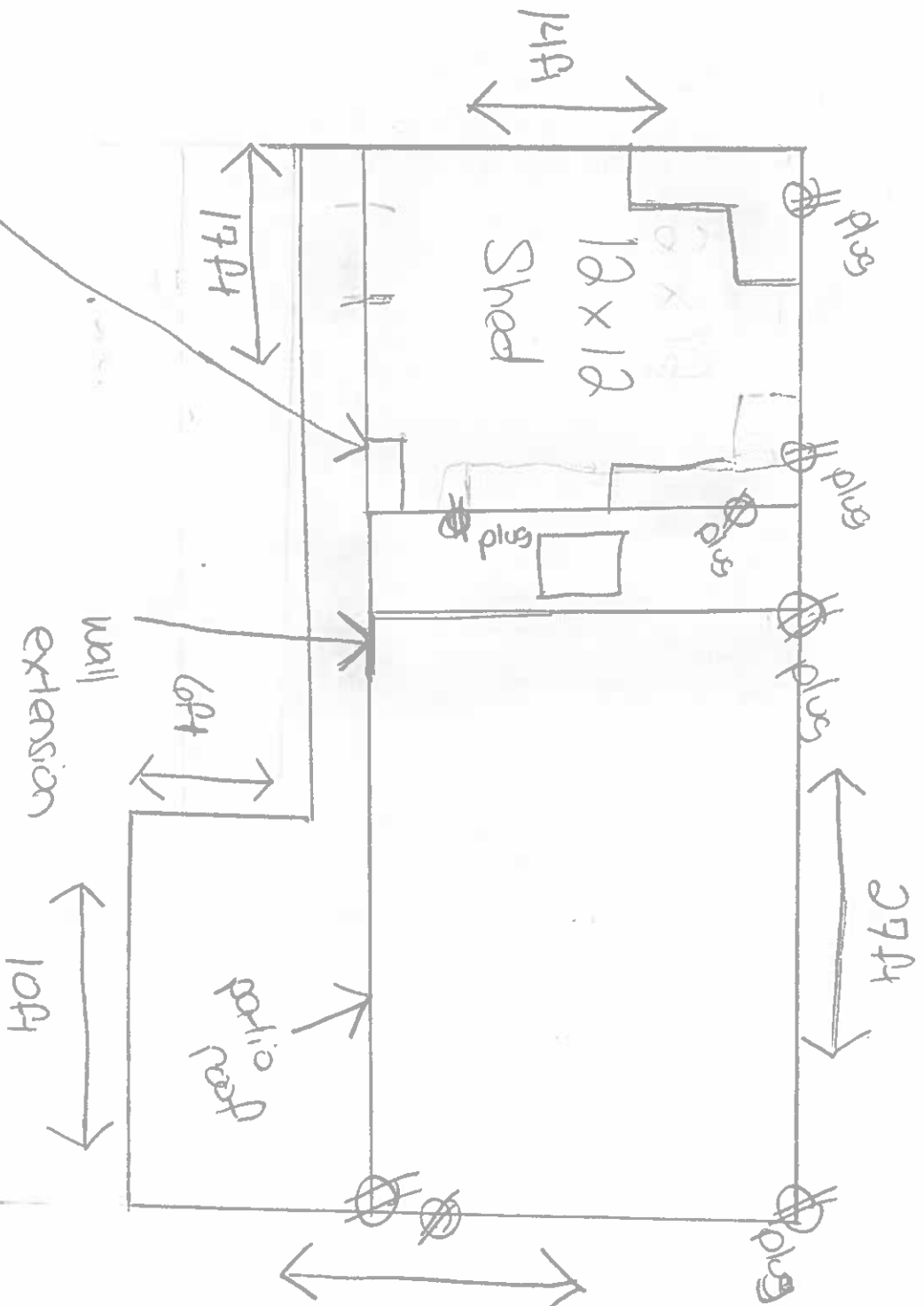
On the concrete slab there will be a 12x12 sheet with a height of 9ft and there will be a patio roof all the way across. There will also be a underground water line and electrical line

over →

733 Windrock 78239



Electrical Layout



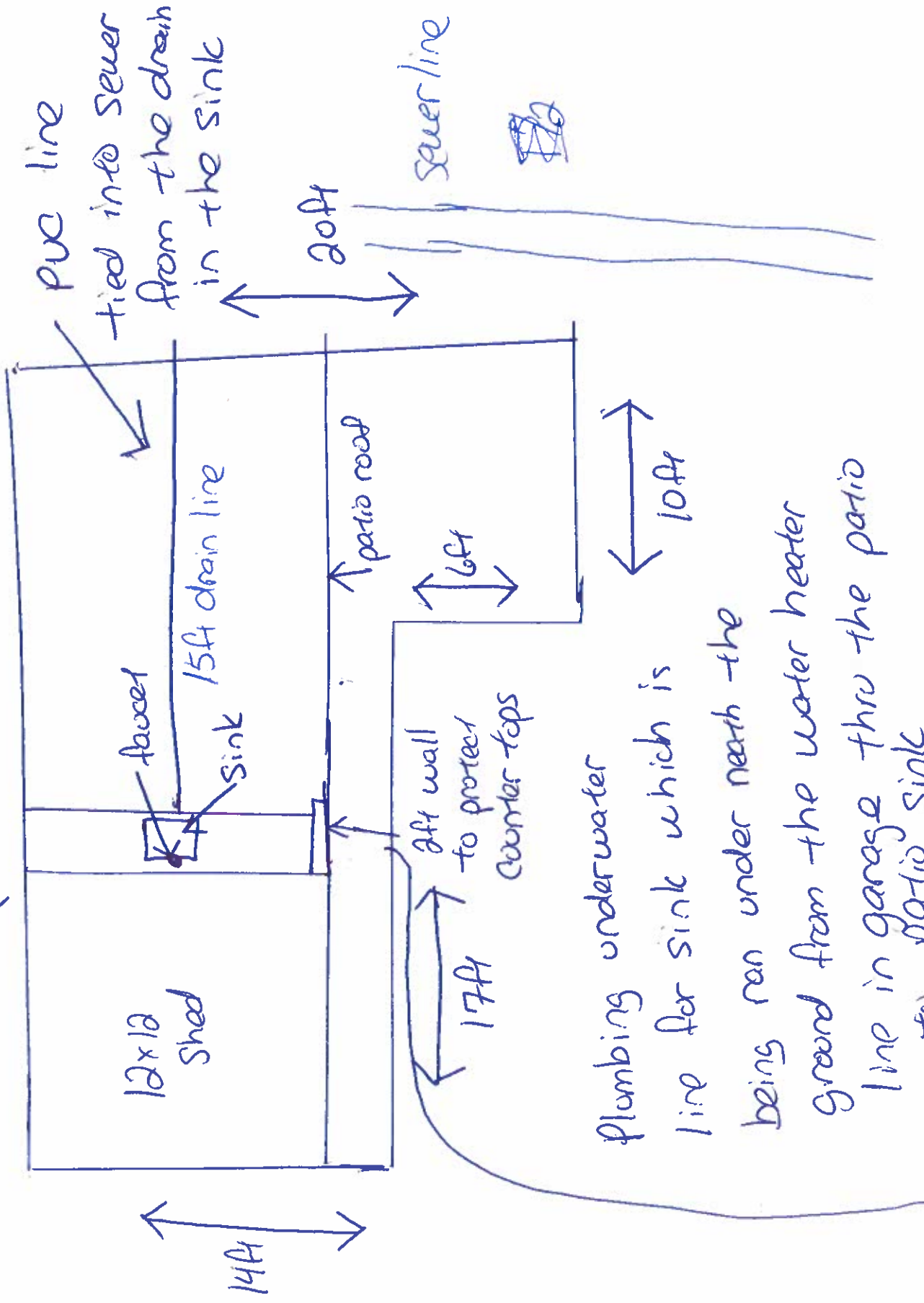
3 plugs will be up towards the patio roof
 20ft 1 plug
 will be toward the bottom and will be on the 4x4 post

unground electrical line will be coming from outdoor electrical panel

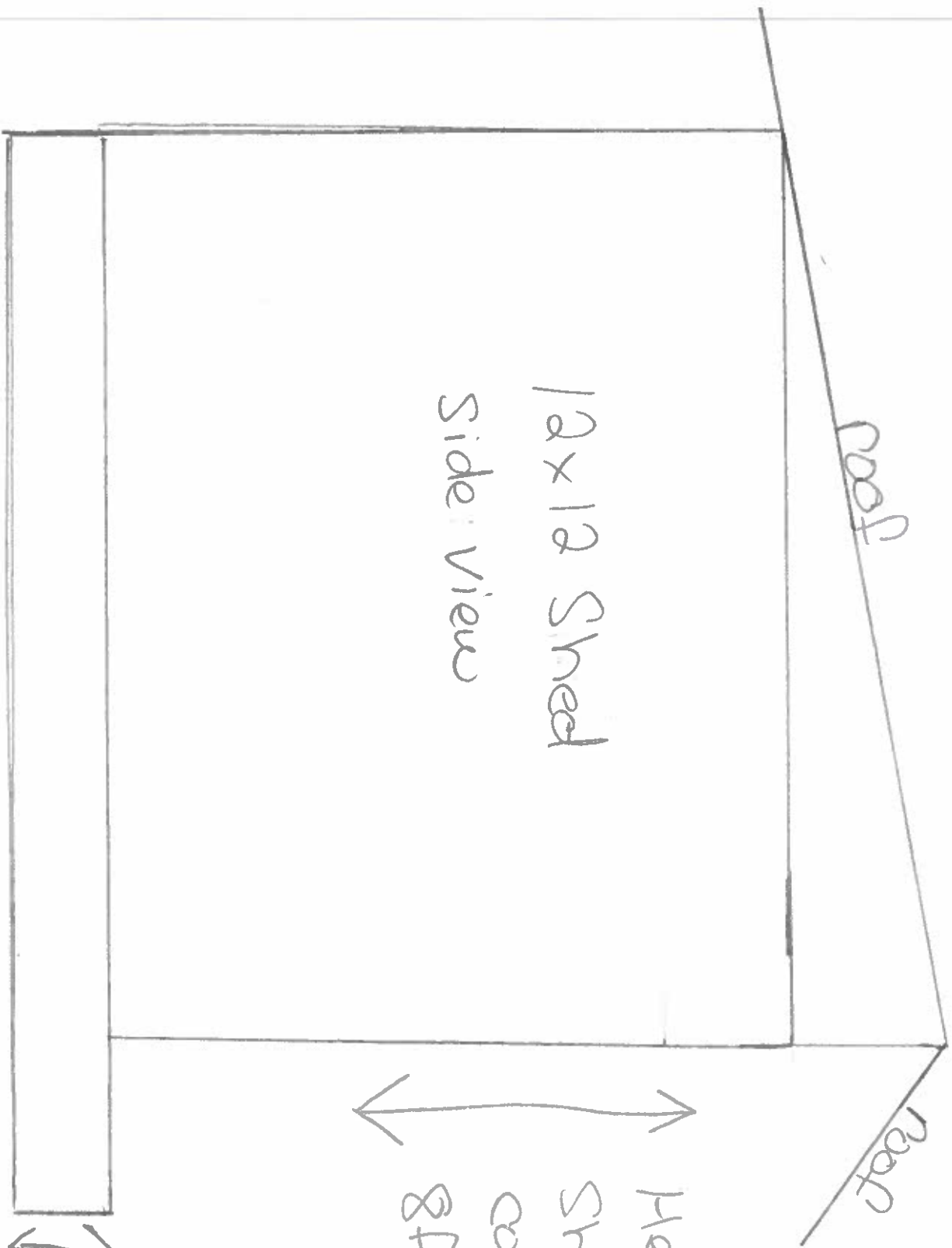
Plumbing

Layout

← 27ft →



plumbing underwater
line for sink which is
being ran under north the
ground from the water heater
line in garage thru the patio
in patio sink



Height of
Shed from
concrete floor
8ft 7 inches

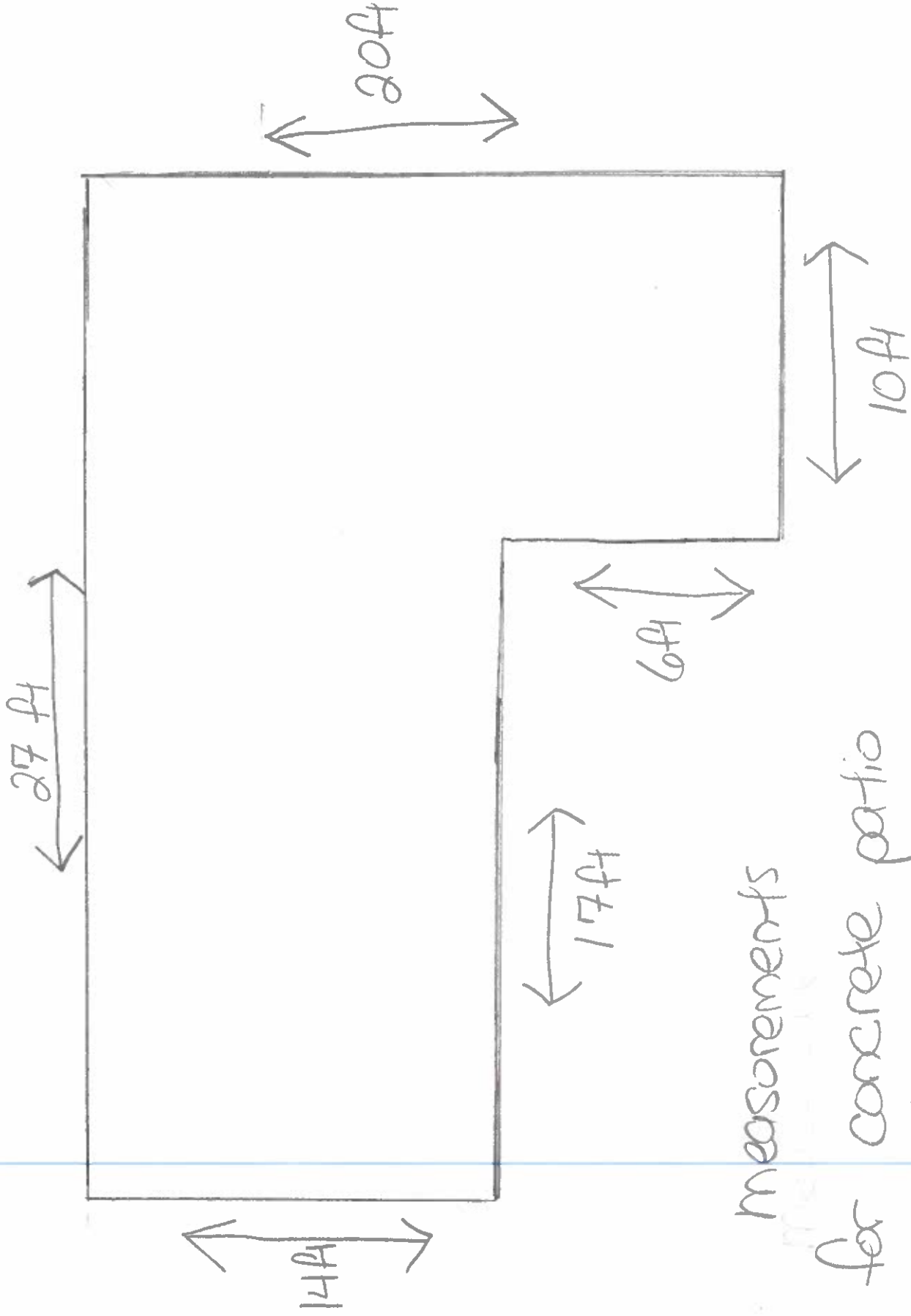
5 inches

This is the actual thickness that the concrete will be, based of the length and width of the patio.



5 inches

1733 Windrock



measurements
for concrete patio
slab

733 Windrock



Date: Wednesday, March 15, 2023

Joseph Klappenger
JAKS Independent Technology Consultants LLC
8102 Timber Grove
San Antonio 78250
jaksitc@gmail.com

Permit Number 23-1676
Job Address: 733 Windrock, Windcrest 78239

Dear Joseph Klappenger,

Staff has completed its review of plans for the that is to be located at 733 Windrock, Windcrest 78239. Comments from this review follow.

Residential Plan Review

The following comments have been provided by Reviewer BB. Should you have any questions or require additional information regarding any of these comments, please contact Reviewer BB by telephone at or by email at cbo@cibolotx.gov.

Permit denied.

Building shown exceeds the maximum allowed 144 square feet for a single structure.

If permitted as two separate structures the patio area and cover exceed the maximum allowed 144 square feet in size.

Sewer may not be connected to an accessory building.

No construction/framing plans provided.

Provide framing plans showing roof and ceiling framing, bracing, materials, and means of attachment to the ground.

Please see the maximum nine foot height restriction noted below.

Accessory building and use means a lesser building or a portion of the main building, the use of which is incidental to that of the main building or to the main use of the premises. An accessory use is one which is incidental to the main use of the premises.

Sec. 103-58. - Permits.

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[DOWNLOAD \(DOCX\) OF SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

(12)

Accessory buildings as defined herein above (see [chapter 113](#) for additional accessory building requirements) and 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:

a.

No sewer connections shall be installed. Electrical, water or gas connections may be made with appropriate permits.

b.

No more than two buildings, one being a greenhouse, may be erected if other than 90 percent masonry buildings.

e.

Excluding masonry buildings, buildings will not exceed 144 square feet of interior space nor nine feet in height (above grade level). The term "grade level" is defined as the highest point of elevation of the finished surface of the ground, paving, or sidewalk between the main structure and the property line.

f.

Buildings will be of a color which matches or is in harmony with the existing main structure. Masonry buildings will be in harmony in design, color and materials with the existing main structure.

3/15/2023 2:03:27 PM

23-1676

Page 3

Please revise the project plans to address the comments noted above. Following revision, please upload one full set of the revised drawings in PDF format. To access your project online, please go to www.mygovernmentonline.org and use the online portal to upload your drawings in PDF format.

Should you have questions regarding specific comments, please contact the staff member referenced under the section in which the comment occurs. Should you have questions or require additional information regarding the plan review process itself, please feel free to contact me directly. I can be reached by telephone at (210) 655-0022, or by e-mail at ssrey@windcrest-tx.gov.

Thank you,

Shannon Strey

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