

**ZONING BOARD OF ADJUSTMENT – MAY 3, 2021
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Variance		ZBA21-07: 117 Hidalgo Street	
SYNOPSIS:			
The applicant has applied for a variance from Section 501.A the Zoning Ordinance to allow for a rear yard setback of 0-feet in lieu of the required minimum 10-feet (adjacent to an alley) and a side yard setback of 0-feet, in lieu of the required 5-feet minimum, in order to construct a carport immediately adjacent to the rear of a residence within the Two-Family Residence (RS-2) Zoning District located at 117 Hidalgo Street. This lot size is actually 4150 square feet rather than the required 100'x50' lot size, which is the requirements under the current Zoning Ordinance. It is part of the area adjacent to Lake Nasworthy which was annexed into the city 11-1-1997.			
LOCATION:		LEGAL DESCRIPTION:	
117 Hidalgo Street		Being the N 41.5 feet of the S 45.75 feet of Lot 2, Section 1, Block 4 Las Lomas Lake Estates	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #1 – Tommy Hiebert Neighborhood – Nasworthy	Two-Family Residence (RS-2)	N – Neighborhood	0.095 acres
THOROUGHFARE PLAN:			
Hidalgo Street – Urban Local Street – ROW 50' Required (50' Existing) – Pavement Width 40' or 36' with 4' Sidewalk Required (26' Existing)			
NOTIFICATIONS:			
14 notifications mailed within 200-foot radius on April 15, 2021. No letters received to date in support or opposition.			
STAFF RECOMMENDATION:			
Staff's recommendation to the Zoning Board of Adjustment (ZBA) is to APPROVE a variance from 501.A of the Zoning Ordinance to allow for a rear yard setback of 0-feet in lieu of the required minimum 10-feet adjacent to an alley, and to DENY the side ward setback of 0-feet in lieu of the required 5-feet within the Two Family Residence (RS-2) Zoning District located at 117 Hidalgo Street.			
PROPERTY OWNER/PETITIONER:			
Dennis Higgins, representative			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			



VariANCES: Section 207(F) of the Zoning Ordinance requires that an applicant for a variance must show that a hardship exists and that the Zoning Board of Adjustment make an affirmative finding that each and every one of the following six (6) criteria are met:

1. **Special circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district and are not merely financial.** The house on this portion of Lot 2 and on the north portion of Lot 2 are unique to the other homes in the area. Almost all of the other homes are on their own lot, not a portion of the lot. Even the duplexes across the street are on lots that were intended to be for a duplex structure so they are larger than normal. These two homes comprising Lot 2 were built as full homes on small half size portions of Lot 2. They are not conducive to all of the extras other homes put on their lots.
2. **These special circumstances are not the result of the actions of the applicant.** The applicant, in this circumstance, bought a home that was built in 1976, with the house on the other portion of Lot 2 being built in 1974. The applicant is not to blame for the circumstances. However, the applicant does have an existing garage on his property built at the same time as the home. The home and the garage are on or within one foot of the side property line. The applicant's request to build a carport that covers the area from his garage to the alley is intended to cover the double parking size (19 feet) in front of the existing garage existing approach to the garage and then an extra foot over to the side lot line.
3. **Literal interpretation and enforcement of the terms and provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other land in the same zoning district, and would cause an unnecessary and undue hardship.** The proposed carport is too large for the space in front of the existing garage and is intended to extend to the side property line. In the general area there were only one other carport that is similar to what the applicant is asking, but many small additional garages that are entered from the garage are built close to the side lot lines and close to the existing homes. Most all of these occurred before the property was annexed into the city.
4. **Granting the variance is the minimum action that will make possible the use of the land or structure which is not contrary to the public interest, and would carry out the spirit of this Zoning Ordinance and substantial justice.** The existing home complies with the RS-1 zoning standards. Staff does not believe that the proposed variance would be a problem for the alley approach rear yard setback. Many of the garages and the existing carports in the general area all are adjacent to the allies and everyone enters off an alley. The side yard variance is problematic because it is a zero side yard setback request, close to an existing garage (which is two feet from the property line) and the building code will require a one hours wall at five feet from the side yard which will make the carport a structure.
5. **Granting the variance will not adversely affect adjacent land in a material way.** Staff does believe that there will an adverse impacts on adjacent properties if the variance is granted. Setback standards are, in part, based on concerns related to fire separation and allowing such structures could negatively impact adjacent properties.

6. **Granting the variance will be generally consistent with the purposes and intent of this Zoning Ordinance.** Section 104.2 of the Zoning Ordinance states that the purpose of the Ordinance is to “Protect the character and the established pattern of development in each area.” Staff believes the proposed side yard setback is not in keeping with this purpose statement. The home maintains already is closer to the side yard that the ordinance allows and approving the side yard setback for the carport makes a bad situation even worse. The rear yard variance request is a reasonable variance that has been approved in other cases and seems like a reasonable solution to the applicants need.

Allowed Variances:

In addition to the above criteria, in exercising its authority to grant a variance, per Section 207.D of the Zoning Ordinance, the Zoning Board of Adjustment must affirmatively find that one or more of the following circumstances applies:

1. **SPECIAL CIRCUMSTANCES RESULTING IN UNNECESSARY HARDSHIP.** *Where special circumstances exist on the property related to the size, shape, area, topography, surrounding conditions or location that do not generally apply to other property in the same zoning district, and that the circumstances are such that strict application of this zoning ordinance would create an unnecessary hardship or deprive the applicant of reasonable use of the land or building.*
2. **OVERRIDING PUBLIC INTEREST.** *If the variance further an overriding public interest or concern, including, but not limited to: (a) Preserving the natural environment, (b) Promoting maintenance or reuse of older urban or historic buildings, or (c) Helping to eliminate a nonconforming use at another location.*
3. **LITERAL ENFORCEMENT.** *If it is found that the literal enforcement and strict application of this Zoning Ordinance will result in extraordinary circumstances inconsistent with the general provisions and intent of this ordinance, and that, in granting the variance, the spirit of the ordinance will be preserved and substantial justice done.*

Planning Staff does not believe that this request has met the criteria of an unnecessary hardship, overriding public interest, or literal enforcement. The side variance could reasonable be allowed over the existing garage driveway approach which is two feet from the side property line (although the applicant would still have to meet the Building Code requirements) and extend to the alley under granting the rear yard variance request.

Recommendation:


Staff’s recommendation is for the Zoning Board of Adjustment (ZBA) to **DENY** a variance from 501.A of the Zoning Ordinance to allow for a 0-side yard setback in lieu of the required minimum 5 feet, and **APPROVE** the rear yard setback for a 0 foot variance in lieu of the required 10 feet adjacent to an alley within the Two Family Residence (RS-2) Zoning District located at 117 Hidalgo Street.

Attachments:


Aerial Map
Future Land Use Map
Zoning Map
Zoomed in Aerial
Proposed Plan
Application




Location Map ZBA21-07
117 Hidalgo Street:Higgins
Council District 1 -Tommy Hiebert
Neighborhood: Nasworthy
Scale: 1" approx. = 60 ft
Las Lomas Estates Blk.4; N41.5 ft. of the S45.75 ft. of Lot 2 Section 1

Legend
Subject Properties: 
Current Zoning: **RS-2**
Requested Zoning Change: **Variance for a carport**
Vision: **Neighborhood**

Aerial Map

N 






Location Map ZBA21-07

117 Hidalgo Street

Council District 1 - Tommy Hiebert
Neighborhood: Nasworthy
Scale: 1" approx. = 85 ft

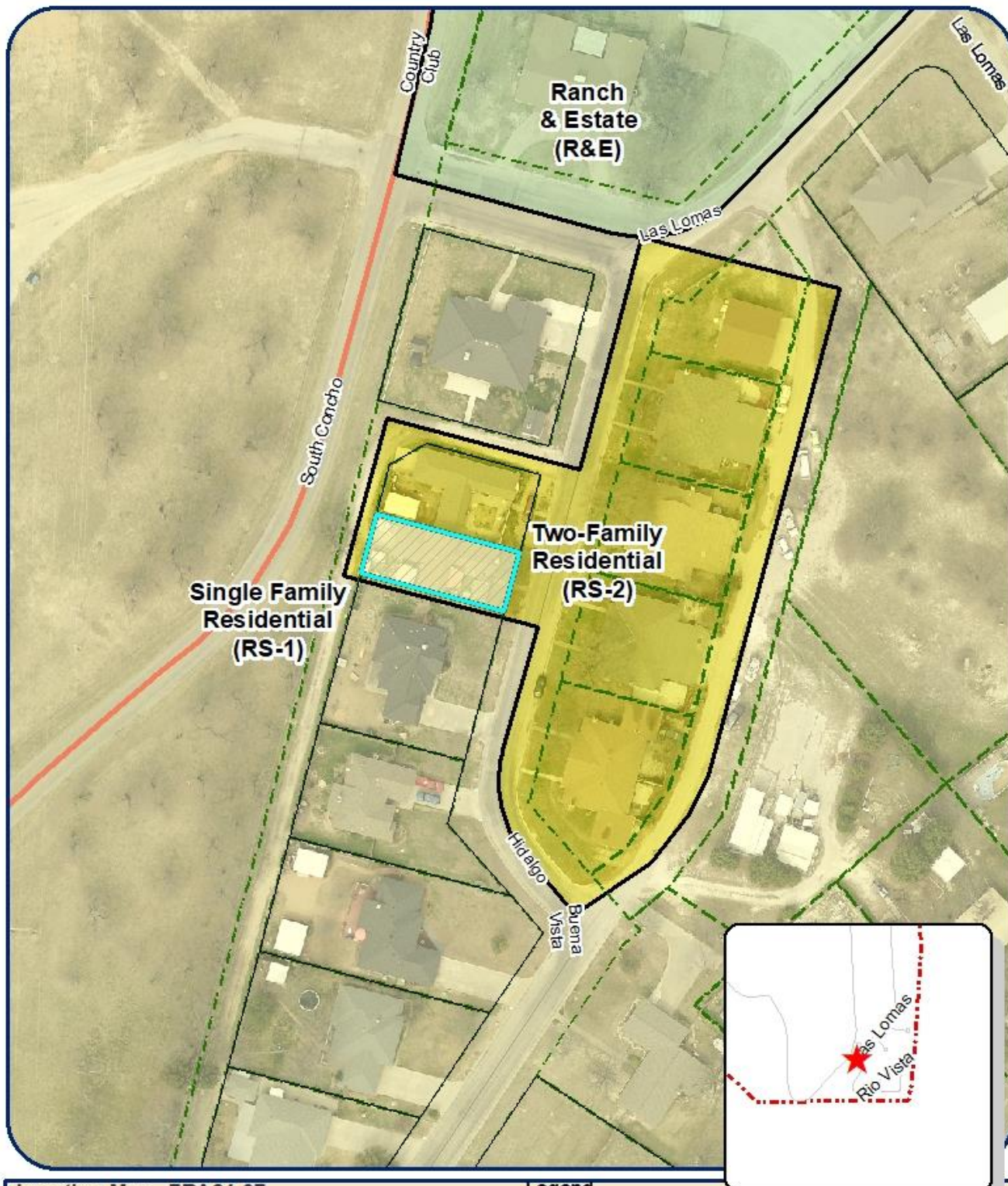
Las Lomas Estates, Blk. 4, N41.5 ft. of S45.75 ft. of Lot 2 Section 1

Legend

Subject Properties: 
Current Zoning: **RS-2**
Requested Zoning Change: **Garage Variance**
Vision: **Neighborhood**



Notification Map




Location Map ZBA21-07

117 Hidalgo Street

Council District 1 - Tommy Hiebert
Neighborhood: Nasworthy
Scale: 1" approx. = 85 ft

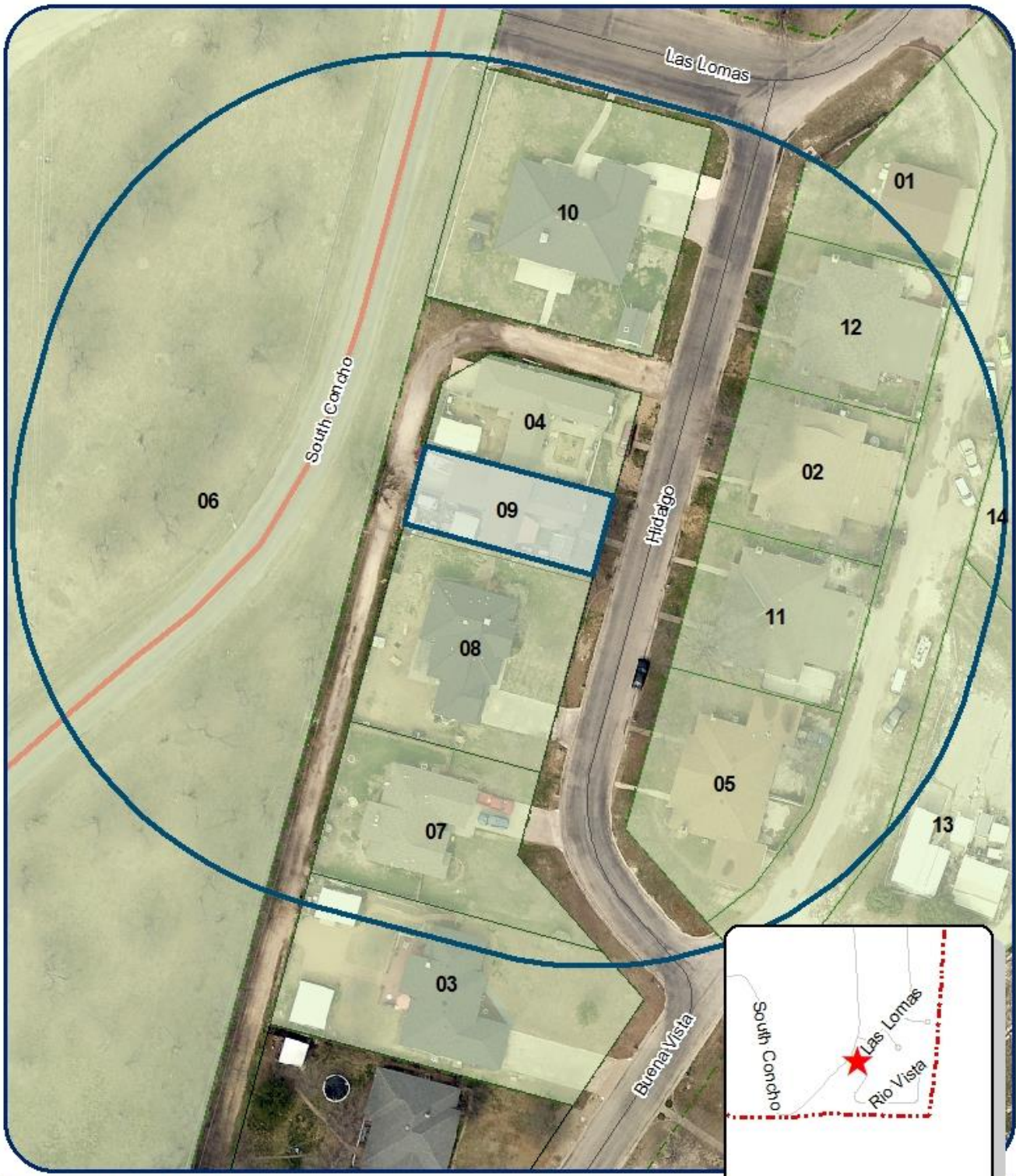
Las Lomas Estates, Blk. 4, N41.5 ft. of S45.75 ft. of Lot 2 Section 1




Legend

Subject Properties: 
Current Zoning: **RS-2**
Requested Zoning Change: **Garage Variance**
Vision: **Neighborhood**



Notification Map



<p>Location Map ZBA21-07 117 Hidalgo Street:Higgins Council District 1 -Tommy Hiebert Neighborhood: Nasworthy Scale: 1" approx. = 65 ft Las Lomas Estates Blk.4; N41.5 ft. of the S45.75 ft. of Lot 2 Section 1</p>	<p>Legend Subject Properties:  Current Zoning: RS-2 Requested Zoning Change: Variance for a carport Vision: Neighborhood</p>	<p>Notification Map</p>  
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Existing garage with driveway entrance.



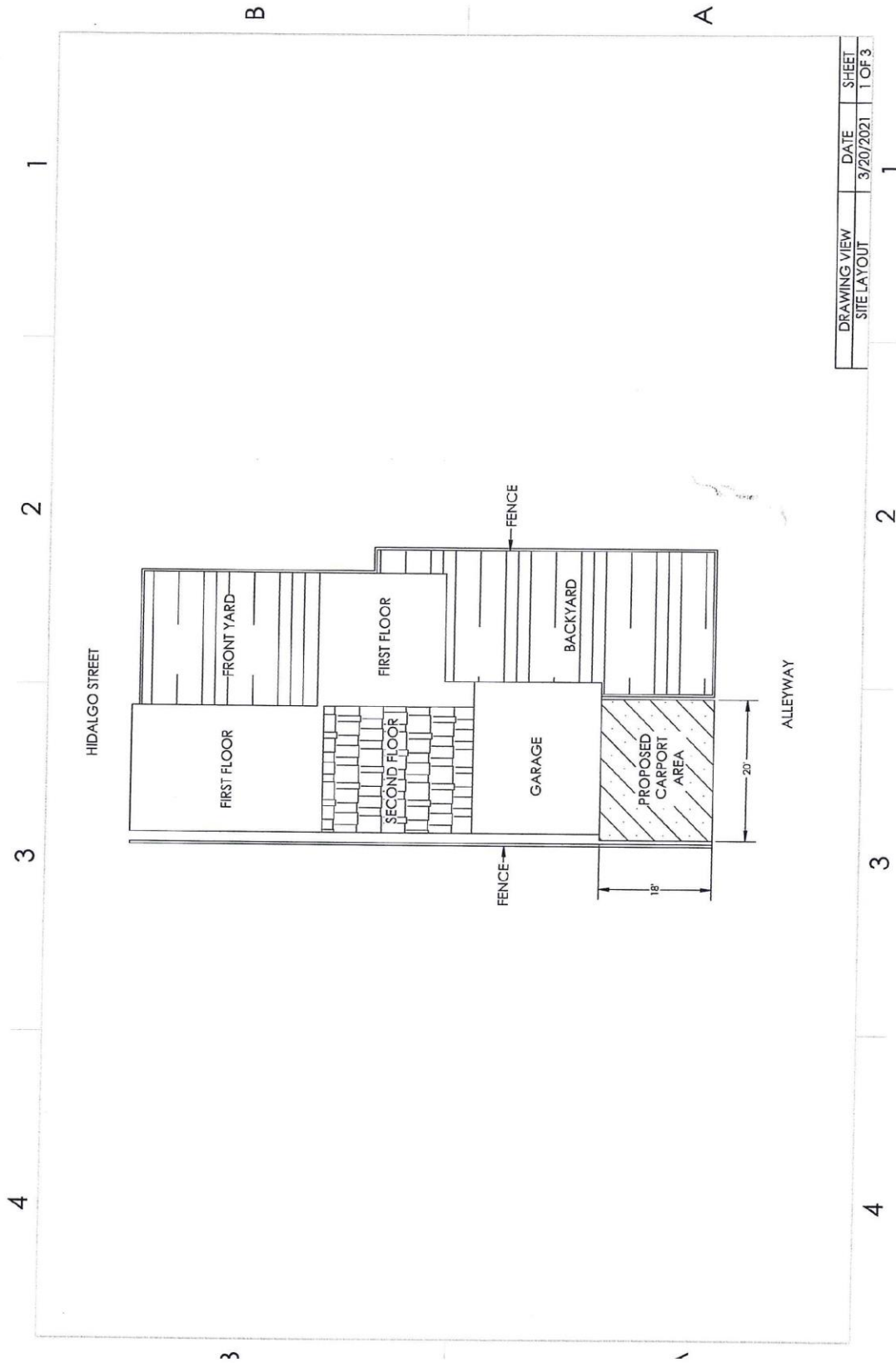
Neighbors garage two feet from the property line.



Grass yard to the right of the garage.



Picture shows the closeness of the house/garage structure and the neighbor's garage.



Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Ave

Application for Variance from Zoning Regulations



Section 1: Basic Information

Name of Applicant(s): Dennis Higgins

Owner Representative (Notarized Affidavit Required)

P.O. Box 60224 San Angelk TX 76906
Mailing Address City State Zip Code

325-245-1168 dennis.higgins.1@icloud.com
Contact Phone Number Contact E-mail Address

117 Hidalgo Street San Angelk TX 76904
Subject Property Address and/Location City State Zip Code

Acres: 0.095, Blk: 4, Subd: LAS LOMAS LAKE ESTATES,
Legal Description (can be found on property tax statement or at www.tomgreencad.com)
N41.5 FT OF S45.75 FT OF LOT 2 SEC 1

Zoning District:

- CN CO CG CH CG/CH CBD OW ML MHS MHP PD
 RS-1 RS-2 RS-3 RM-1 RM-2 R&E

(Zoning Map available on [City Maps](#))

Section 2: Variance Request(s)

List each variance request separately:

- Zoning Ordinance section: _____
Describe variance: To construct a carport with exceptions to current regulations
- Zoning Ordinance section: _____
Describe variance: _____
- Zoning Ordinance section: _____
Describe variance: _____
- Zoning Ordinance section: _____
Describe variance: _____

Section 3: Variance Request Criteria

I assert that my request for variance meets all of the required criteria based on my explanation(s) below:

1. Special circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district and are not merely financial;

Explanation: _____

Effective January 3, 2017

Section 3 continued: Variance Request Criteria

2. These special circumstances are not the result of the actions of the applicant;

Explanation: _____

3. Literal interpretation and enforcement of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other land in the same zoning district, and would cause an unnecessary and undue hardship;

Explanation: _____

4. Granting the variance is the minimum action that will make possible the use of the land or structure which is not contrary to the public interest, and would carry out the spirit of the Zoning Ordinance and substantial justice;

Explanation: _____

5. Granting the variance will not adversely affect adjacent land in a material way; and

Explanation: _____

6. Granting the variance will be generally consistent with the purposes and intent of the Zoning Ordinance.

Explanation: _____

Effective January 3, 2017

Section 4: Applicant(s) Acknowledgement

Please initial the following:

DH

I/we understand that the Zoning Board of Adjustment (ZBA) is bound by criteria established by state law; I further understand that my request is not guaranteed to be approved and that it constitutes an exception from regulations of the City of San Angelo;

DH

I/we understand that any variation(s) authorized by the ZBA will require me/us to obtain a building permit for that stated variation within twelve (12) months of the approval date by the ZBA, unless the ZBA has specifically granted a longer period;

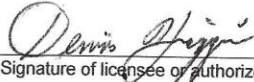
DH

I/we understand that all drawings, pictures, documents or other information used during your testimony to the ZBA must be kept in the permanent files of the Planning Division; and

DH

I/we understand that any appeal of a decision made by the ZBA must be presented to a court of record with a verified petition stating that the decision of the ZBA is illegal in whole or in part and specifying the grounds of the illegality. This petition for appeal must be presented within ten (10) days after the date the decision is filed in the board's office.

I/We the undersigned acknowledge that the information provided above is true and correct.



Signature of licensee or authorized representative

April 8, 2021

Date

Dennis Higgins

Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Reviewed/Accepted by: _____

Date: ____/____/____

Case No.: ZBA: _____ -- _____

ZBA Hearing Date: ____/____/____

Fully-Dimensioned and scaled Site Plan: Yes No

Date of Application: ____/____/____


Non-Refundable Fee: \$ _____ Receipt #: _____

Date paid: ____/____/____

Ordinance section(s) from which variance(s) is/are requested: _____

**ZONING BOARD OF ADJUSTMENT – May 3, 2021
STAFF REPORT**



APPLICATION TYPE:		CASE:	
Variance		ZBA21-08: 1412 South Oakes Street	
SYNOPSIS:			
<p>The applicant has submitted a request for approval of a variance from Section 501.A the Zoning Ordinance to allow for a side yard setback of 0 feet in lieu of the required minimum 5 feet in order to enclose an existing carport immediately adjacent to the rear of a residence within the General Commercial/Heavy Commercial Zoning District at 1412 South Oakes Street.</p>			
LOCATION:		LEGAL DESCRIPTION:	
1412 South Oakes Street		Being 0.115 acre, Blk. 99, FORT CONCHO ADDITION, S50'OF LOTS 1 & 2	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Ft. Concho Neighborhood	General Commercial/Heavy Commercial (CG/CH)	N – Commercial	0.115 acres
THOROUGHFARE PLAN:			
<p>South Oakes Street – Urban Local Street, Required: 50’ right-of-way, 40’ pavement or 36’ with a 4’ wide sidewalk, Provided: 100’ right-of-way, 60’ pavement (existed at time of platting)</p>			
NOTIFICATIONS:			
<p>16 notifications mailed within 200-foot radius on April 14, 2021. No letters received to date in support or opposition.</p>			
STAFF RECOMMENDATION:			
<p>Staff’s recommendation is for the Zoning Board of Adjustment (ZBA) to DENY a variance from 501.A of the Zoning Ordinance to allow for a side yard setback of 0 feet in lieu of the required minimum 5 feet in order to enclose an existing carport immediately adjacent to the rear of a residence within the General Commercial/Heavy Commercial Zoning District at 1412 South Oakes Street.</p>			
PROPERTY OWNER/PETITIONER:			
Applicant: Michael Lepak			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Additional Information: Staff met with the applicant when he came in to apply for a building permit to enclose the existing carport. At that time we explained that because the existing carport was at or over the alley property line he could not meet the required setback because the carport was attached to the existing residence and he would need to make an application to the Zoning Board of Adjustment to request the variance. He filled out the application, returned it to staff and was told at that time when the meeting would be and that he must wait for the item to be considered by the Board and to not continue with his project because a building permit could not be issued without that variance. Staff drove by the address that evening after work to better get a feel for the application and to confirm there was a problem with the carport extending into the alley. When staff went back to take pictures for the staff report, Mr. Lepak had already enclosed the carport. His carport now has concrete block walls, a glass window or door and has become part of his house without the needed design review by the Building Department or the needed inspections. When it was discovered it was already enclosed, he was issued a stop work order and a citation. However, when staff talked with him he still wanted to appear before the Board and continue with his request even though he was aware that there was no support from staff or the Fire Marshall.

Variations: Section 207(F) of the Zoning Ordinance requires that an applicant for a variance must show that a hardship exists and that the Zoning Board of Adjustment make an affirmative finding that each and every one of the following six (6) criteria are met:

1. **Special circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district and are not merely financial.** Planning Staff does not believe that there are any special circumstances that are peculiar to this request. The carport was existing, but it was built right next to the house and appears to be built into the alley right of way. The zoning on this property is commercial but when a structure is still being used as a house the residential rules apply. A five foot side yard normally would be required and in this case since the existing carport is right on or over the property line if the Zoning Board of Adjustment was to approve the enclosing of the carport they would be approving the zero lot line. The applicant would still have to meet the building code requirements and apply for a encroachment permit if it is determined the carport is on the alley right of way.
2. **These special circumstances are not the result of the actions of the applicant.** The applicant may or may not have built the carport we do not know. From what we can determine, it appears the carport was there in 2009. A permit was not issued for the carport in the past. However, the applicant did enclose the existing carport in the last two weeks, without a permit and without inspections or an approved plan which would have to show that it did not encroach into the alley. These problems are the result of actions by the applicant.
3. **Literal interpretation and enforcement of the terms and provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other land in the same zoning district, and would cause an unnecessary and undue hardship.** Many of the homes in the CG/CH zoning district and over into the adjacent RS-1 zoning district in this neighborhood do have carports and storage buildings. The general request before the ZBA board is not uncommon in this area; however, this specific request had multiple problems before the applicant went ahead

and enclosed the carport.

4. **Granting the variance is the minimum action that will make possible the use of the land or structure which is not contrary to the public interest, and would carry out the spirit of this Zoning Ordinance and substantial justice.** The proposed variance, if granted, would still leave a project that has issues that need to be addressed. Now that he already enclosed the carport the issues have increased. The reason the applicant wanted to enclose the carport as stated on the application was because it made the area more functional. The applicant believes the carport was not used as a carport because of disagreements with the adjacent property owner and an inability to pull under the carport to park without crossing over their property.
5. **Granting the variance will not adversely affect adjacent land in a material way.** Staff believes granting the variance could have an adverse effect on adjacent property including City of San Angelo property, the alley.
6. **Granting the variance will be generally consistent with the purposes and intent of this Zoning Ordinance.** Section 104.2 of the Zoning Ordinance states that the purpose of the Ordinance is to “Protect the character and the established pattern of development in each area.” Staff believes that the proposed variance would be in conflict with the basic need for setback requirements. It also could have an effect on safety, both by encroaching into the alley and the structure density and the need for structure separation requirements.

Allowed Variances:

In addition to the above criteria, in exercising its authority to grant a variance, per Section 207.D of the Zoning Ordinance, the Zoning Board of Adjustment must affirmatively find that one or more of the following circumstances applies:

1. **SPECIAL CIRCUMSTANCES RESULTING IN UNNECESSARY HARDSHIP.** *Where special circumstances exist on the property related to the size, shape, area, topography, surrounding conditions or location that do not generally apply to other property in the same zoning district, and that the circumstances are such that strict application of this zoning ordinance would create an unnecessary hardship or deprive the applicant of reasonable use of the land or building.*

The applicant believes there is a special circumstance given the inability to utilize the carport for its original intended use.

2. **OVERRIDING PUBLIC INTEREST.** *If the variance further an overriding public interest or concern, including, but not limited to: (a) Preserving the natural environment, (b) Promoting maintenance or reuse of older urban or historic buildings, or (c) Helping to eliminate a nonconforming use at another location.*
3. **LITERAL ENFORCEMENT.** *If it is found that the literal enforcement and strict application of this Zoning Ordinance will result in extraordinary circumstances inconsistent with the general*

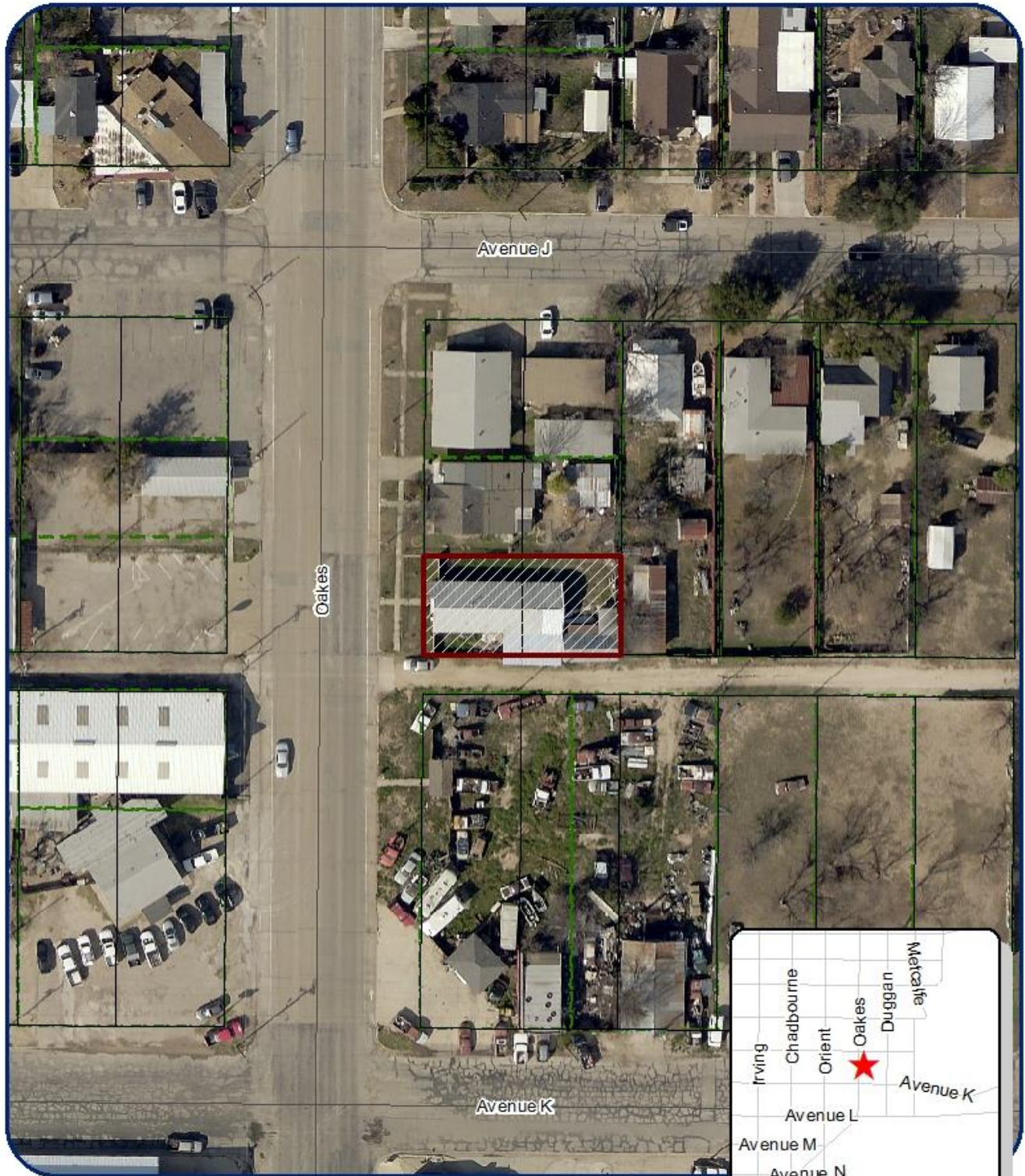
provisions and intent of this ordinance, and that, in granting the variance, the spirit of the ordinance will be preserved and substantial justice done.

Recommendation:

Staff's recommendation is for the Zoning Board of Adjustment (ZBA) to **DENY** a variance from 501.A of the Zoning Ordinance to allow for a side yard setback of 0 feet in lieu of the required minimum 5 feet in order to enclose an existing carport immediately adjacent to the rear of a residence within the General Commercial/Heavy Commercial Zoning District at 1412 South Oakes Street.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Concept Plan
Application

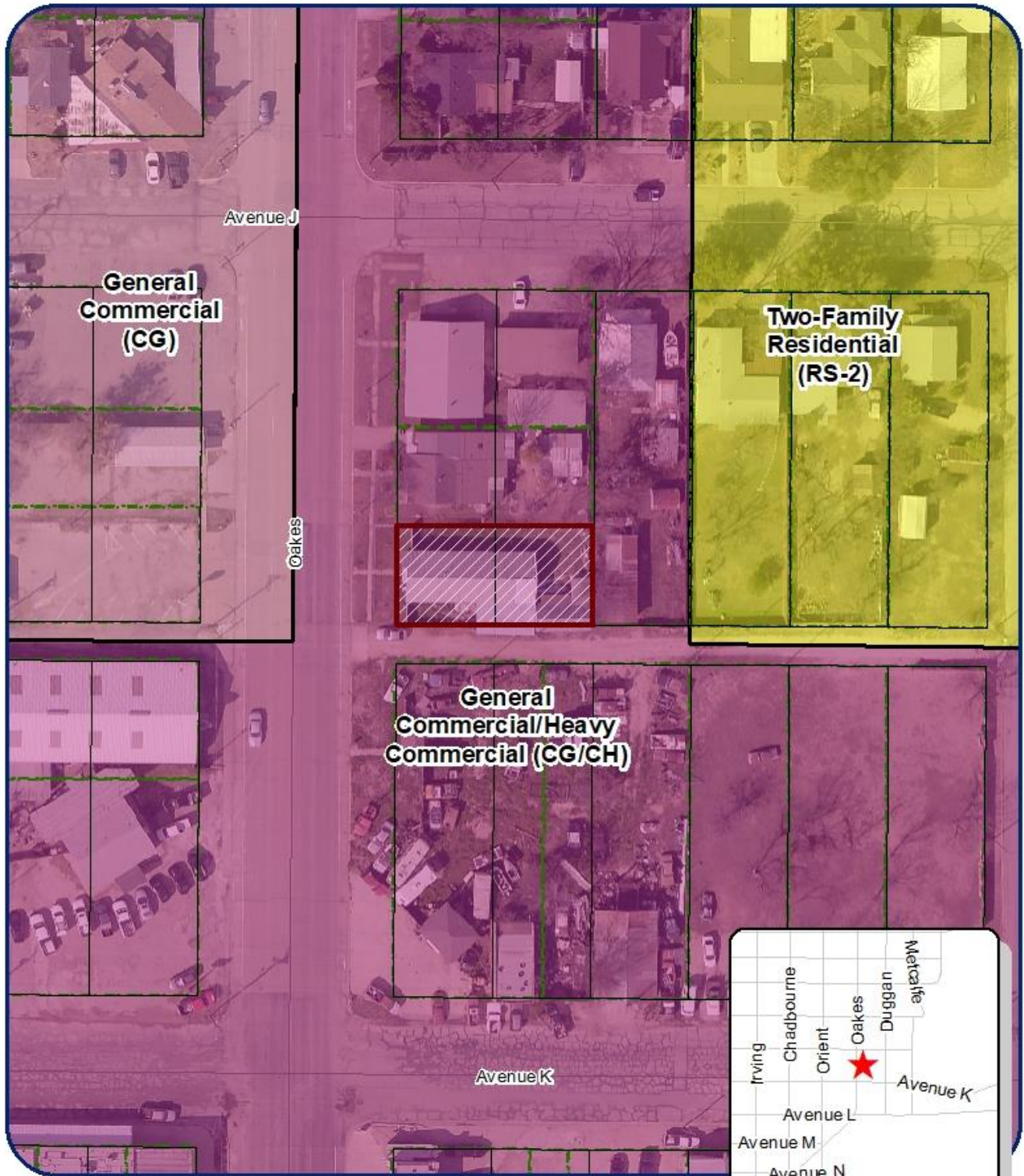


Location Map ZBA21-08
1412 S Oakes Street - Lepak
 Council District 3 - Harry Thomas
 Neighborhood: Ft. Concho
 Scale: 1" approx. = 65 ft
 Fort Concho Addition, Blk 99, S 50 ft. of Lots 1 & 2

Legend
 Subject Properties: 
 Current Zoning: **CG/CH**
 Requested Zoning Change: **Garage Variance**
 Vision: **Commercial**





Aerial Map



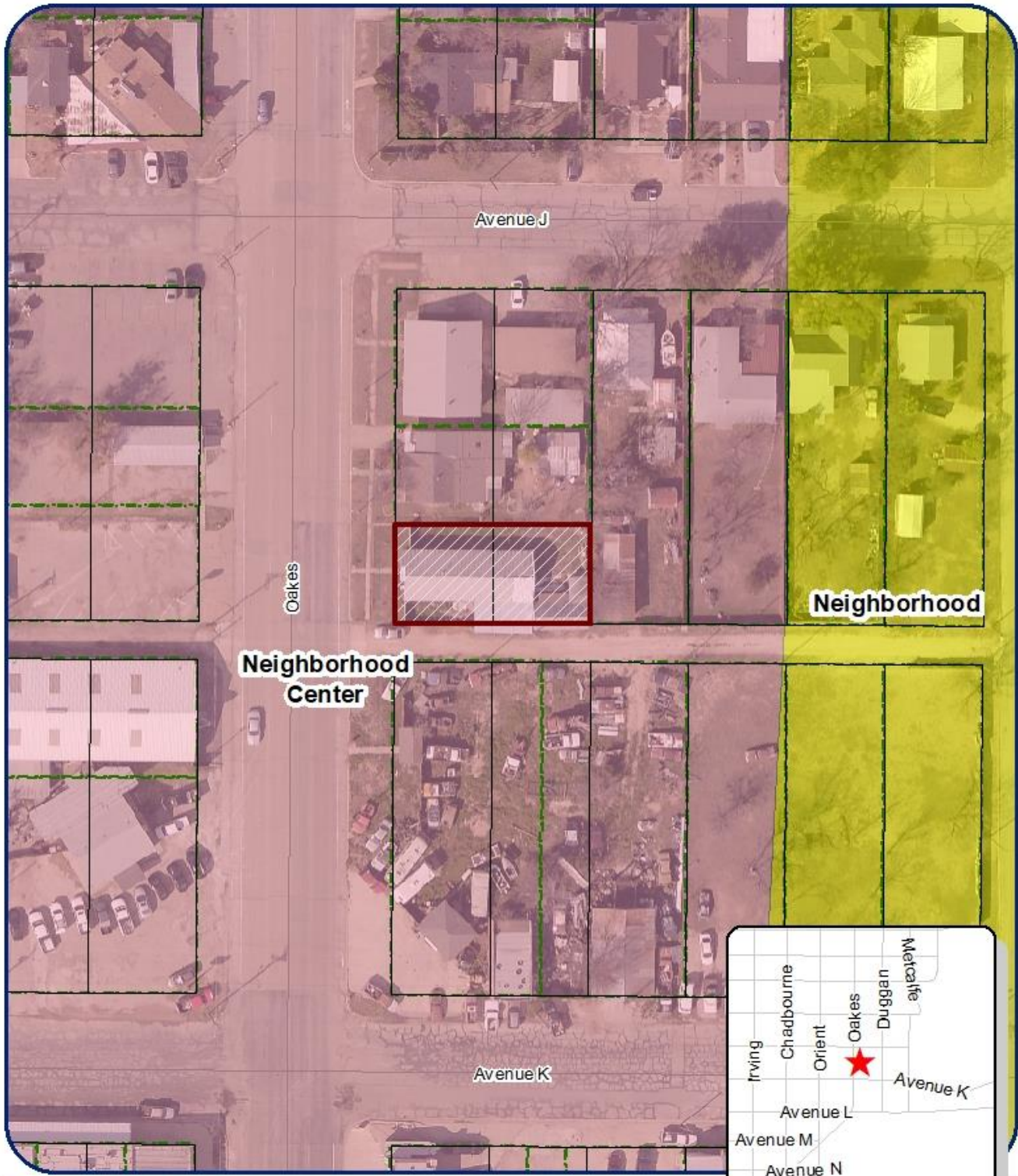
Location Map ZBA21-08
1412 S Oakes Street - Lepak
 Council District 3 - Harry Thomas
 Neighborhood: Ft. Concho
 Scale: 1" approx. = 65 ft
 Fort Concho Addition, Blk 99, S 50 ft. of Lots 1 & 2

Legend
 Subject Properties:
 Current Zoning: **CG/CH**
 Requested Zoning Change: **Garage Variance**
 Vision: **Commercial**

N




Zoning Map




Location Map ZBA21-08
1412 S Oakes Street - Lepak

Council District 3 - Harry Thomas
 Neighborhood: Ft. Concho
 Scale: 1" approx. = 65 ft

Fort Concho Addition, Blk 99, S 50 ft. of Lots 1 & 2

Legend

Subject Properties: 
 Current Zoning: **CG/CH**
 Requested Zoning Change: **Garage Variance**
 Vision: **Commercial**



Future Land Use Map

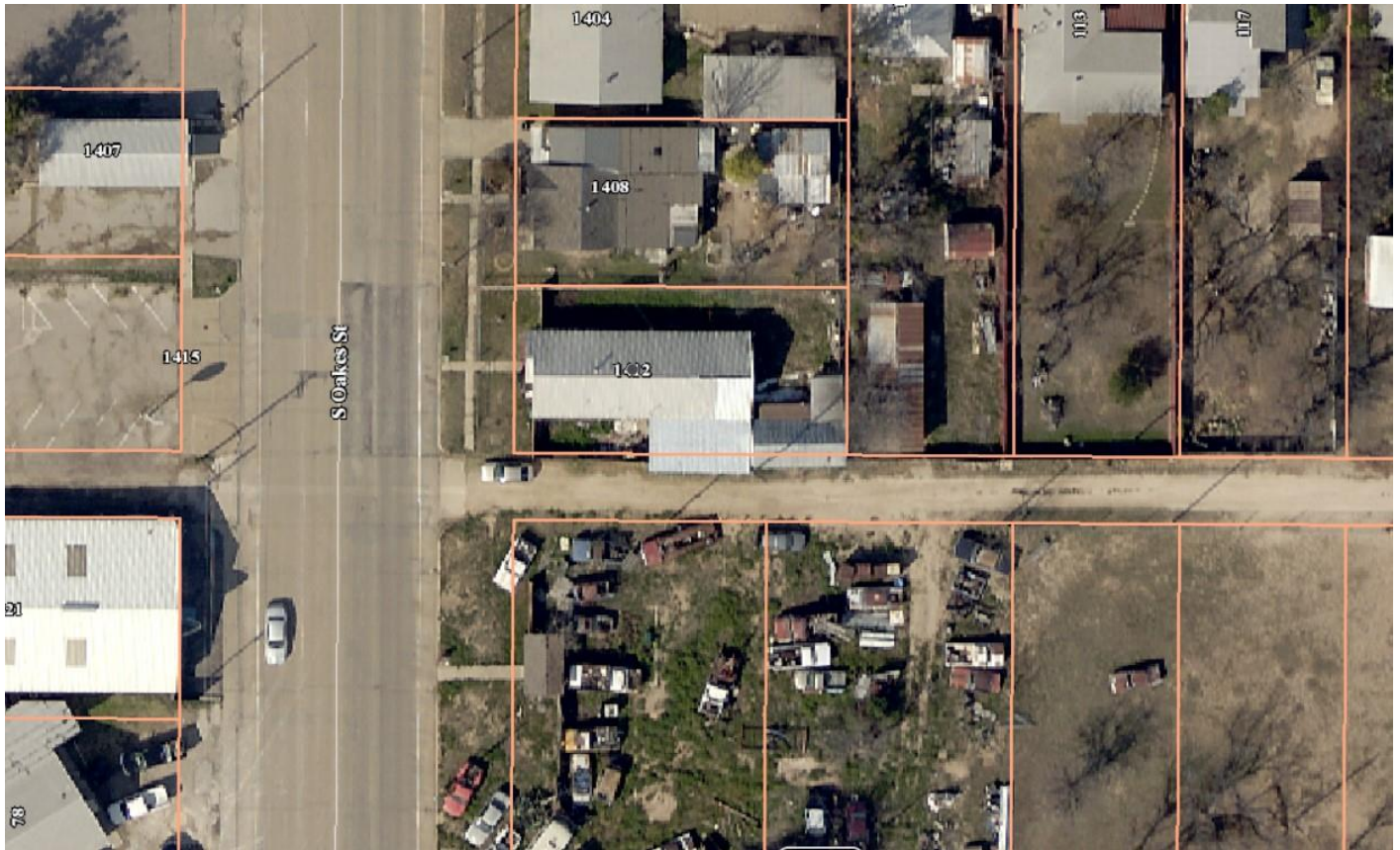
Photos of Site and Surrounding Area



Enclosed carport with a partial fence covering.



Front of house with fencing covering the enclosed carport.



Overhead view of 1412 South Oakes.

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
 52 West College Ave
Application for Variance from Zoning Regulations



Section 1: Basic Information

Name of Applicant(s): Michael Douglas Lepak
 Owner Representative (Notarized Affidavit Required)

Mailing Address: 1412 S. OAKS City: San Angelo TX State: TX Zip Code: 76903

Contact Phone Number: 915 303 0004 Contact E-mail Address: 0001hoale@gmail.com *Michael.lepak@gmail.com*

Subject Property Address and/Location: 1412 S. OAKS City: SAN ANGELO State: TX Zip Code: 76903

Legal Description (can be found on property tax statement or at www.tamgreen cad.com)

Zoning District:

CN CO CG CH CG/CH CBD OW ML MHS MHP PD

RS-1 RS-2 RS-3 RM-1 RM-2 R&E

(Zoning Map available on [City Maps](#))

Section 2: Variance Request(s)

List each variance request separately:

- Zoning Ordinance section: _____
Describe variance: ENCLOSED CARPORT
- Zoning Ordinance section: _____
Describe variance: ENCLOSE STORAGE BUILDING
- Zoning Ordinance section: _____
Describe variance: _____
- Zoning Ordinance section: _____
Describe variance: _____

Section 3: Variance Request Criteria

I assert that my request for variance meets all of the required criteria based on my explanation(s) below:

1. Special circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district and are not merely financial;
 Explanation: SIDE ENTRANCE CARPORT, CONFLICT ACROSS ALLEY WITH NEIGHBOR, MAKES CAR ENTRANCE UNSUPPORTABLE CANT PARK IN ALLEY, CALL POLICE, CANT DRIVE INSIDE USE NEIGHBORS OPEN LAND AREA, NOPE, PARKING UD FROM FRONT PORCH WALKWAY, FENCE AREA

Effective January 3, 2017

Section 3 continued: Variance Request Criteria

2. These special circumstances are not the result of the actions of the applicant;

Explanation: HOUSE IS 80 YEAR OLD TIN ROOF LAST 10 YEARS
CENTRAL AIR

3. Literal interpretation and enforcement of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other land in the same zoning district, and would cause an unnecessary and undue hardship;

Explanation: LIMITED PARKING MAKES HOME LAYOUT
UNWORKABLE

4. Granting the variance is the minimum action that will make possible the use of the land or structure which is not contrary to the public interest, and would carry out the spirit of the Zoning Ordinance and substantial justice;

Explanation: ENCLOSE CARPORT

5. Granting the variance will not adversely affect adjacent land in a material way; and

Explanation: WITH IN

6. Granting the variance will be generally consistent with the purposes and intent of the Zoning Ordinance.

Explanation: ENCLOSED CARPORT STORAGE BACK BUILDING
MAKES FUNCTIONAL AREA.

Effective January 3, 2017

Section 4: Applicant(s) Acknowledgement

Please initial the following:

- md* /we understand that the Zoning Board of Adjustment (ZBA) is bound by criteria established by state law; I further understand that my request is not guaranteed to be approved and that it constitutes an exception from regulations of the City of San Angelo;
- md* /we understand that any variation(s) authorized by the ZBA will require me/us to obtain a building permit for that stated variation within twelve (12) months of the approval date by the ZBA, unless the ZBA has specifically granted a longer period;
- md* /we understand that all drawings, pictures, documents or other information used during your testimony to the ZBA must be kept in the permanent files of the Planning Division; and
- md* /we understand that any appeal of a decision made by the ZBA must be presented to a court of record with a verified petition stating that the decision of the ZBA is illegal in whole or in part and specifying the grounds of the illegality. This petition for appeal must be presented within ten (10) days after the date the decision is filed in the board's office.

I/We the undersigned acknowledge that the information provided above is true and correct.

Michael Douglas Gubel 07 Apr 2020
 Signature of licensee or authorized representative Date

 Printed name of licensee or authorized representative

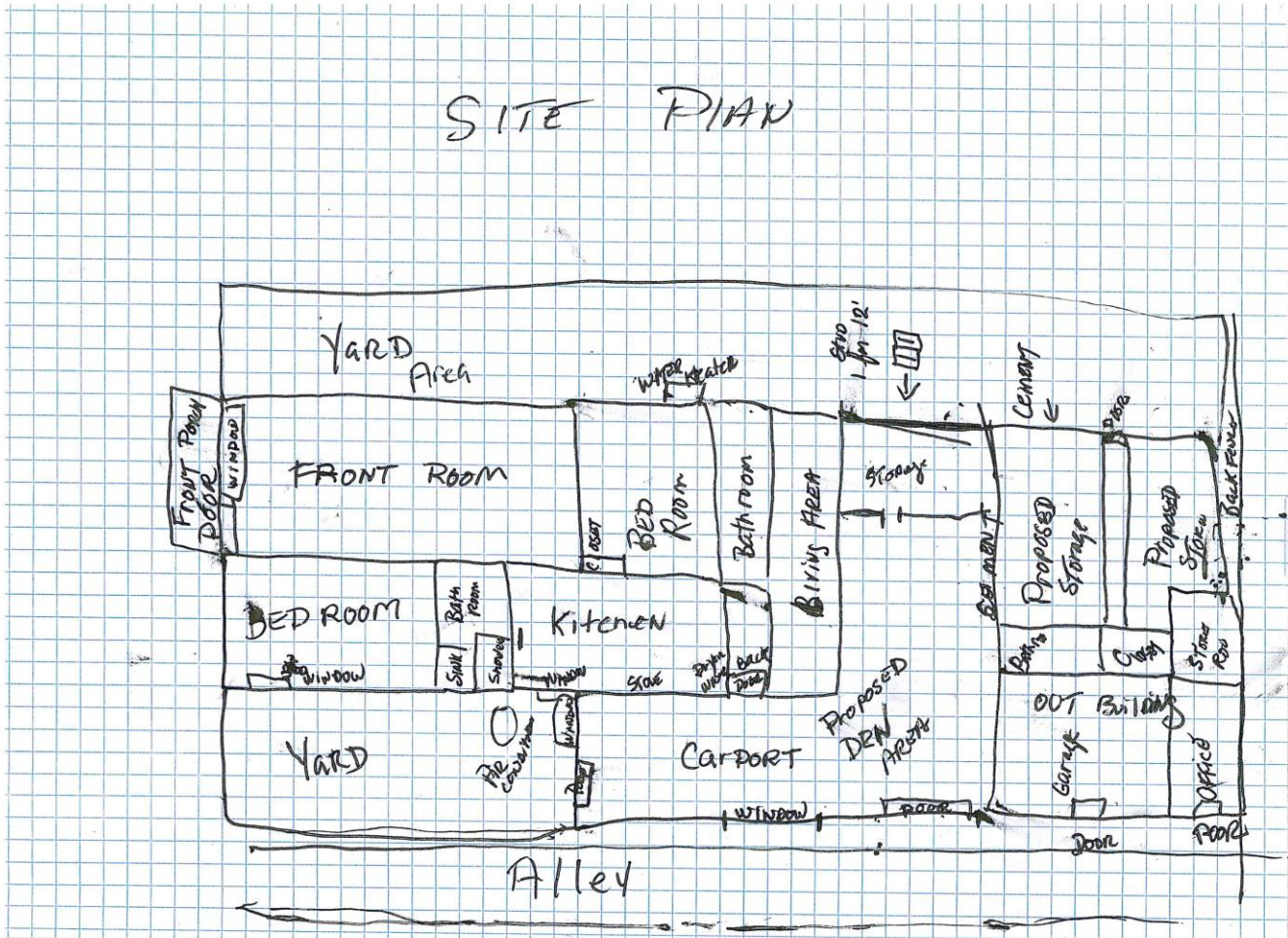
 Name of business/Entity of representative

FOR OFFICE USE ONLY:

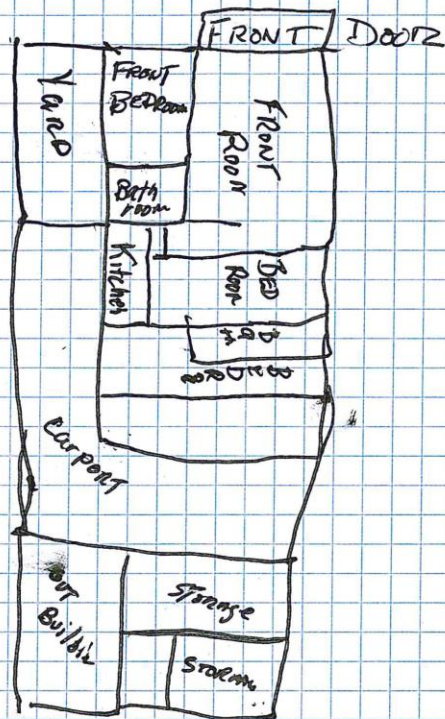
Reviewed/Accepted by: _____ Date: 4, 7, 21
 Case No.: ZBA: _____ ZBA Hearing Date: 05, 03, 21
 Fully-Dimensioned and scaled Site Plan: Yes No Date of Application: ____/____/____
 Non-Refundable Fee: \$ _____ Receipt #: _____ Date paid: ____/____/____
 Ordinance section(s) from which variance(s) is/are requested: _____

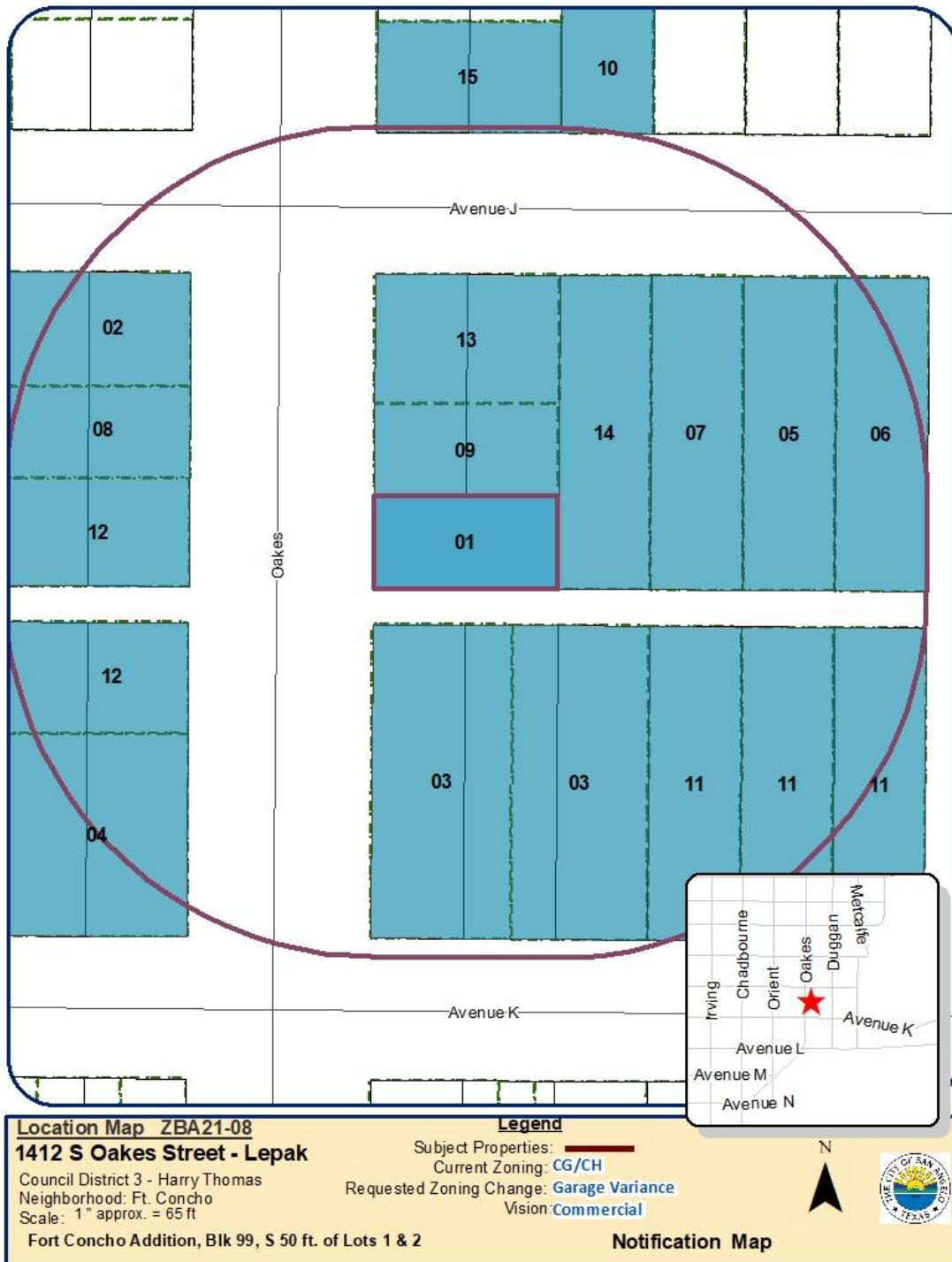
Concept Plan

SITE PLAN



FLOOR PLAN





Location Map ZBA21-08
1412 S Oakes Street - Lepak
 Council District 3 - Harry Thomas
 Neighborhood: Ft. Concho
 Scale: 1" approx. = 65 ft
 Fort Concho Addition, Blk 99, S 50 ft. of Lots 1 & 2

Legend
 Subject Properties:
 Current Zoning: **CG/CH**
 Requested Zoning Change: **Garage Variance**
 Vision: **Commercial**

Notification Map

North arrow and City of Oak Ridge, Tennessee logo.