

**POSSIBLE QUORUM NOTICE: Notice is hereby given that there may be a quorum of The City of Balcones Heights City Council Members. There will be no formal action taken by city council members.**

NOTICE OF MEETING OF THE  
**City of Balcones Heights**  
PLANNING AND ZONING COMMISSION

**AGENDA**

Notice is hereby given that a meeting of the Planning and Zoning Commission of the City of Balcones Heights, Bexar County, Texas will be held **Tuesday, January 17, 2023 at 6:00 p.m.**, at the Justice Center, located at 3300 Hillcrest Drive, Balcones Heights, Texas, at which time the following subjects will be discussed, to-wit:

**I. CALL TO ORDER AND RECORDING OF QUORUM:**

**II. BUSINESS ITEMS:**

1. Approval of minutes for the meeting held on August 16, 2022.
2. Commission will hold a **Public Hearing** giving all interested parties the right to be heard on the proposal to amend Sec. 153.3.1.1 R-1 Single Family Residence modifying side setback requirements for accessory buildings.
3. Commission will consider and take **ACTION** on the recommendation to city council amending Sec. 153.3.1.1 R-1 Single Family Residence modifying side setback requirements for accessory buildings.

**III. CITIZENS TO BE HEARD:**

At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body *so long as that topic is not on the agenda for this meeting*. Citizens may speak on specific agenda items when that item is called for discussion. During the *Citizens to be Heard* section no action may take place and no discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.

**IV. ADJOURNMENT:**

**City of Balcones Heights**

**DELIA R. SANCHEZ**  
**City Secretary**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at the City of Balcones Heights, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: **January 13, 2023 at 4:30 p.m.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

**POSSIBLE QUORUM NOTICE: Notice is hereby given that there may be a quorum of  
The City of Balcones Heights City Council Members. There will be no formal action  
taken by city council members.**

The Balcones Heights Planning and Zoning Commission reserves the right to adjourn into **executive session** at any time to discuss any of the matters listed above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.073 (Deliberations about Gifts and Donations) § 551.074 (Personnel Matters) § 551.076 (Deliberations about Security Devices), and § 551.086 (Economic Development)

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETING**

The City of Balcones Heights Planning and Zoning commission meeting is available to all persons regardless of disability. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary's office at (210) 957-3542 or write to 3300 Hillcrest Drive, Balcones Heights, Texas 78201.

NOTICE OF MEETING OF THE  
**City of Balcones Heights**  
PLANNING AND ZONING COMMISSION  
3300 Hillcrest Drive, Balcones Heights, TX 78201

**MINUTES**

DATE: August 16, 2022

TIME: 6:34 p.m.

PZ Members Present: Mark Saenz      Shana Halpin      Helen Nicholson (Alternate)

PZ Members Absent: George Monsive      Coral Lising      Richard C. Adam (Alternate)

SIGN IN SHEET:

**I. CALL TO ORDER AND RECORDING OF QUORUM:**

Meeting was called to order and quorum was present.

**II. BUSINESS ITEMS:**

1. Approval of minutes for the meeting held on July 19, 2022.

MOTION: I make a motion to approve the minutes.

Motion by: Shana Halpin      Seconded: Helen Nicholson      3/0/0      PASSED

2. Commission will hold a Public Hearing on the application submitted by Cody Cliff Company, DBA Central Finance for a Special Use Permit to operate a Financial Services – Personal Loan facility for the property located at 2810 Hillcrest Dr.

Public Hearing opened at 6:35 p.m.

Power Point Presentation (Janet Thelen)

- Amendment review criteria
- Central Finance background
- Zoning
- Infrastructure
- Parking requirements
- Impact on adjacent properties
- Recommendation

Public Hearing closed at 6:44 p.m.

3. Commission will consider and take **ACTION** on the recommendation to city council regarding the Special Use Permit for Cody Cliff Company, DBA Central Finance for property located at 2810 Hillcrest Dr.

MOTION: I make a motion to approve. (SUP application for 2810 Hillcrest Dr.)

Motion by: Shana Halpin                      Seconded: Helen Nicholson                      3/0/0 PASSED

4. Commission will consider and take **ACTION** on the recommendation to city council regarding an application for Site Plan Review submitted by Rapid Express Car Wash, DBA Club Carwash for the property located at 4441 Fredericksburg Rd.

Power Point Presentation (Janet Thelen)

- Redevelopment 4441 Fredericksburg Road:
- Site Plan Application
- Planning and Zoning Review
- Street View
- Plat
- Preliminary Site Plan
- Overall Site Plan
- Utility Plan
- Fire Protection Plan
- Hydrology/Drainage
- Building Elevations
- Screening requirements
- Signage
- Landscaping
- Recommendation

Power Point Presentation – (Attorney Ashley Ferman)

- View
- Exterior Elevations

MOTION: I make a motion to approve the site plan as presented.

Motion by: Shana Halpin                      Seconded: Helen Nicholson                      3/0/0 PASSED

### **III. CITIZENS TO BE HEARD:**

There were no citizens signed up to be heard.

### **IV. ADJOURNMENT:**

Motion to adjourn 7:05 p.m.

**Submitted by:**

**DELIA R. SANCHEZ**  
**City Secretary**

**City of Balcones Heights  
Public Hearing**

The City of Balcones Heights Planning and Zoning Commission will hold a Public Hearing on Tuesday, **January 17, 2023**, at **6 pm** at 3300 Hillcrest Dr., Balcones Heights, TX 78201.

The following will be considered:

**Amending Sec. 153.3.1.1 R-1 Single-Family Residence modifying side setback requirements for accessory buildings.**

The City Council will hold a public hearing on **Monday, January 23, 2023, at 6:00 p.m.** at 3300 Hillcrest Dr., Balcones Heights, TX and consider the recommendation of the Planning and Zoning Commission.

Please direct questions to: Janet Thelen, Director of Community Development at (210) 957-3545.

Mark Saenz, Chairman  
Planning and Zoning Commission.



# MEMORANDUM OF RECORD

**TO:** Chairman Saenz  
Planning and Zoning Commissioners

**FROM:** Janet Thelen  
Director of Community Development

**REF:** Amending Sec. 153.3.1.1 R-1 Single-Family Residence  
Modifying side setback requirements for accessory buildings.

**DATE:** 12-27-22

## BACKGROUND

The City Council asked staff to consider preparing language to amend Section 153.3.1.1 regulating side setback requirements for accessory buildings within the single-family residence zoning district. The Planning and Zoning Commission is asked to convene on Tuesday, January 17, 2022, at 6:00 p.m. at the Justice Center to consider amending the zoning code. The code reads as follows:

### § 153.3.1.1 R-1 SINGLE-FAMILY RESIDENCE.

- (1) Purpose. The R-1 District is intended to provide single-family residential dwellings in a setting of moderate urban density.
- (2) Accessory buildings. Accessory buildings shall be permitted, including a private garage and excluding servants' quarters when located at least:
  - (a) Sixty feet from the front lot line;
  - (b) Ten feet from any other street line;
  - (c) Ten feet from any side lot line;
  - (d) Five feet from any rear lot line;
  - (e) Accessory buildings shall not be located closer to the front lot line than the front line of the main structure.

(Ord. 2011-06, passed 4-11-11; Am. Ord. 2011-22, passed 11-14-11)

### Historical Data – Board of Adjustment Hearings for Side Setback Variance Requests:

Date	Address	Type of Encroachment	Status
8/27/2018	125 Concord Plc	Side Setback 5' encroach	Approved

			ment - detached garage		
10/22/2018	202 Bobbies Ln			Side/Front Setbacks - carport	Approved
11/19/2018	708 Beryl Dr		Side Setback 6'7" encroachment - access. bldg.		Approved
3/25/2019	205 Leisure Dr			Side Setback 2'8" encroachment - carport	Approved
1/24/2022	220 Crestview Dr		Side Setback 5' encroachment - access. bldg.		Denied
6/27/2022	202 Altgelt Ave		Side Setback 3' encroachment side street - access. bldg		Approved
6/27/2022	302 Glenarm Plc		Side Setback 8' encroachment - patio cover		Approved
9/26/2022	708 Beryl Dr		Side Setback 7' encroachment - access. bldg.		Approved

### STAFF RECOMMENDATION

Staff supports amending Section 153.3.1.1(2)(c) reducing the current (10) ten feet required setback to the side lot line to (5) five feet. Historically, variances for side setback encroachment



are granted and amending the code simplifies the permitting process for the construction of accessory buildings for residents wishing to add structures to their properties.

Staff further asks that the Planning and Zoning Commission engage in discussions regarding amending Section 153.3.1.1(2)(b) that requires ten feet from any other street line. Staff does not wish to offer an opinion as this type of variance request is less frequent and has a greater visual impact being visible along the line of sight adjacent to a roadway.

Thank you for serving the citizens and businesses of the City of Balcones Heights as a commissioner on the Planning and Zoning Commission.

*Janet Thelen*