

**ZONING BOARD OF ADJUSTMENT – April 7, 2025**  
**STAFF REPORT**

<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Variance		ZBA25-03: 2501 W Avenue L	
<b>SYNOPSIS:</b>			
A request for approval of a zoning variance from section 501 for a 5-foot front yard setback to accommodate an open structure being a carport.			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
2501 W Avenue L		Lot: 1 & E5 OF 2, Blk: 29, Subd: WESTMORELAND ADDITION	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
SMD District #5 – Karen Hesse Smith Neighborhood – Santa Rita	RS-1	Neighborhood	Acres: 0.138
<b>NOTIFICATIONS:</b>			
14 notifications were mailed within a 200-foot radius on. Received 1 in support and 0 opposition.			
<b>STAFF RECOMMENDATION:</b>			
Staff recommend DENIAL of the zoning variance for a 5-foot front yard setback to accommodate an open structure being a carport.			
<b>PROPERTY OWNER/PETITIONER:</b>			
Applicant: Keeva Stone			
<b>STAFF CONTACT:</b>			
Kim Garmany Planning & Development Services Administrator (325) 657-4210, Extension 1217 <a href="mailto:kimberly.garmany@cosatx.us">kimberly.garmany@cosatx.us</a>			

**Additional Information:** The address in question is not located in the Open Structure Overlay, so the usual setbacks for a building in RS-1 (25 ft) are applicable in this situation. The total square footage of the lot is 6,007, which exceeds the minimum lot size for RS-1. Carport was built within the last 5 years. Applicants have also paved into the ROW in their side yard to accommodate an RV, which is not allowed according to Section 10.04.062 of the Code of Ordinance.

**Variances:** In addition to the six criteria in the City’s Zoning Ordinance, in exercising its authority to grant a variance, per Section 207.F of the Zoning Ordinance, the Zoning Board of Adjustment must affirmatively find that each of the following circumstances applies:

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.** This lot is oddly shaped and does not have access to an alley. However, many other homes in this neighborhood do not have alley access and the total lot square footage of the lot (6,007 sq.ft.) is more than the minimum lot size in RS-1 (5,000 sq.ft.).
2. **These special circumstances are not the result of the actions of the applicant.** No special circumstances exist.
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.** Literal interpretation and enforcement of the terms and provisions of this Zoning Ordinance does not deprive the applicant of rights commonly enjoyed by other land in RS-1.
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.** There are other actions possible by applicant to be in compliance with the Zoning Ordinance.
5. **Granting the variance will not adversely affect adjacent land in a material way.** Granting the variance could adversely affect adjacent land in a material way by allowing an open structure in this front yard which is not consistent with the surrounding area or the style of the home built in 1949 according to Tom green County Appraisal District.
6. **Granting the variance will be generally consistent with the purposes and intent of this Zoning Ordinance.** No, a 5’ front yard setback in this zoning is generally not allowed.

**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.*

**Recommendation:**

Staff recommend DENIAL of the zoning variance for a 5-foot front yard setback to accommodate an on-site carport. Additionally, ordinance requires removal of the Recreational Vehicle currently being parked in the Right Of Way.

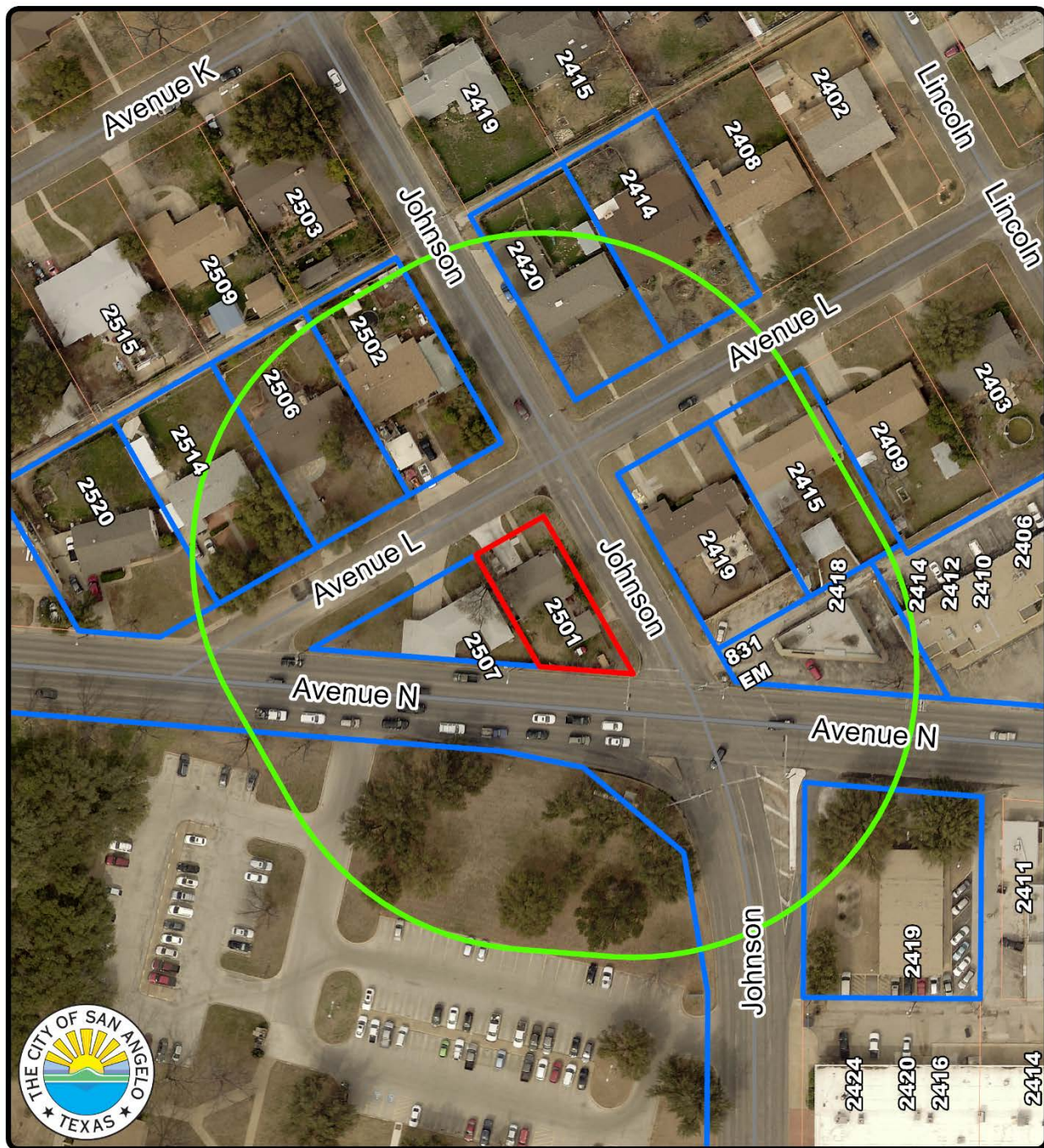
**Attachments:**

Notification Map

Subject property photos



**Notification Map**



**200' Notification Map  
ZBA25-03: 2501 W Ave L**

Council District: #5 Karen Hesse Smith  
Neighborhood: Santa Rita

Scale: 0 0.01 0.01 0.02 0.03 0.04 Miles

200' Range: —

Subject Property: —

Notified Properties: —





Site Photos







**ZONING BOARD OF ADJUSTMENT – April 7, 2025  
STAFF REPORT**

<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Variance		ZBA25-04: 314 W 12 <sup>th</sup> Street	
<b>SYNOPSIS:</b>			
A request for approval of a variance from Zoning Ordinance Sec. 501.A for a 15-foot front setback in lieu of the required 25 feet for a new single-family residence on a Two-Family Residential (RS-2) lot.			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
314 W 12 <sup>th</sup> Street		Acres: 0.115, Lot: 17, Blk: 67, Subd: MILES ADDITION	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
District #4 - Lucy Gonzales Neighborhood – Blackshear	Two-Family Residential (RS-2)	Neighborhood	0.115 acres
<b>NOTIFICATIONS:</b>			
31 notifications were mailed within 200-foot radius on March 21, 2025. No response as of yet.			
<b>STAFF RECOMMENDATION:</b>			
Staff recommend APPROVAL of a variance from Section 501.A for a 15-foot front setback in lieu of the required 25 feet.			
<b>PROPERTY OWNER/PETITIONER:</b>			
Applicant: Cole McCrory			
<b>STAFF CONTACT:</b>			
Austin Reed Planner (325) 657-4210, Extension 1550 <a href="mailto:austin.reed@cosatx.us">austin.reed@cosatx.us</a>			



**Additional Information:**

This is an undeveloped residential lot where the applicant is looking to construct a new home. Upon submittal of building plans, it was noticed that a setback variance would be necessary. The applicant originally requested a rear setback variance, but it was determined that a front setback variance would be more appropriate and the applicant consented to changing their request.

**Variances:** In addition to the six criteria in the City’s Zoning Ordinance, in exercising its authority to grant a variance, per Section 207.F of the Zoning Ordinance, the Zoning Board of Adjustment must affirmatively find that each of the following circumstances applies:

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.**  
This is a minimum-sized undeveloped lot surrounded by developed lots of the same size who have not built according to the same restraints.
2. **These special circumstances are not the result of the actions of the applicant.**  
The circumstances surrounding this land are in no way a result of the actions of 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.**  
The majority of other structures directly surrounding the applicant’s property do not comply with front setback regulations, therefore literal interpretation and enforcement would deprive the applicant of commonly enjoyed rights.
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.**  
Granting this variance would help to promote infill and realize the potential use of the land, therefore aligning with the public interest, as well.
5. **Granting the variance will not adversely affect adjacent land in a material way.**  
Granting this variance would not adversely affect adjacent land in a material way as a front setback of 15 feet would seem ordinary for the block face.
6. **Granting the variance will be generally consistent with the purposes and intent of this Zoning Ordinance.**  
Granting a variance in this scenario would be generally consistent with the purposes and intent of the Zoning Ordinance.

**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.*

**Recommendation:**

Staff recommend APPROVAL of a variance from Section 501.A for a 15' front yard setback in lieu of the required 25 feet.

**Attachments:**

Notification Map  
Aerial Map  
Site Photo  
Site Plan

The map shows a grid of streets in the City of San Angelo. The streets labeled are 11th, 12th, and 13th Streets running horizontally, and Wright, Bryant, and Martin Luther King Streets running vertically. A green line traces a path through the grid, likely indicating a proposed corridor or route. A red rectangle highlights a specific area within the grid, bounded by 12th Street, Wright Street, and Bryant Street. The map also shows various lot numbers and building footprints.

Streets shown: 13th, 12th, 11th, Wright, Bryant, Martin Luther King.

Lot numbers visible: 315, 311, 319, 308, 306, 302, 320, 316, 314, 301, 305, 309, 312, 308, 329, 325, 317, 313, 316, 318, 314, 1210, 1107, 1103, 1101, 1011, 313, 318, 314, 317, 313, 323, 329, 331, 333, 328, 326, 324, 322, 320, 318, 314, 312, 308, 305, 309, 313, 317, 325, 329, 322, 320, 316, 314, 308, 306, 302, 319, 315, 311, 221, 225, 1218, 1212, 217, 224, 1204, 334.

N



Notified Properties: ————



Aerial Map



**Aerial Map**

**ZBA25-04: 314 W 12th St.**

Council District: #4 Lucy Gonzales

Neighborhood: Blackshear

Subject Property: —

Scale: 0 0.01 0.02 0.03 Miles



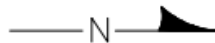


**Site Photo**



Site plan showing a property with dimensions and setbacks. The property is bounded by ALLEY on the left and WEST 12TH STREET on the right. The plan includes a building footprint, a driveway, and a sidewalk. Key dimensions and setbacks are indicated:

- Overall width: 100.00'
- Overall depth: 50.00'
- Building setbacks: 6'-6" (left), 6'-6" (right), 6'-6" (bottom), 25' BUILDING SETBACK (top)
- Driveway width: 15'-0"
- Sidewalk width: 6'-6"
- Property dimensions: 47'-5" (top), 15'-0" (right), 100.00' (bottom), 20'-0 1/2" (left), 49'-11 1/2" (bottom), 30'-0" (bottom right)



SCALE: 1/8" = 1'-0"

314 W. 12th STREET  
LOT 17, BLOCK 67,  
MILES ADDITION  
SAN ANGELO, TOM GREEN CO., TEXAS

5,000 Sq. Ft. Total Lot Size