



CITY OF OLMOS PARK

120 WEST EL PRADO DRIVE
OLMOS PARK, TEXAS 78212
(210) 824-3281



Board of Adjustment Members:

Richard Specia, Place 1
Alison Wiesenthal, Place 2
Tim Blazi, Place 3
Travis Block, Place 4
Chris Hargis, Place 5

Board of Adjustment Members:

Brenda Atherton, Alternate 1
John Neely, Alternate 2

BOARD OF ADJUSTMENT MEETING AGENDA

Notice is hereby given that the Board of Adjustment for the City of Olmos Park, Texas will hold a meeting, open to the public, at Olmos Park City Hall at 120 W. El Prado Drive in Olmos Park, Texas on Wednesday, April 8, 2026 at 4:30 PM where the following items will be discussed:

CALL MEETING TO ORDER

1. Roll Call

CITIZENS TO BE HEARD

Citizens wishing to address the Board of Adjustment for items not on the agenda will be received at this time. All members of the public wishing to speak during Citizens to be Heard must sign-up to speak prior to the start of the meeting. In accordance with the Texas Open Meetings Act, no action can or will be taken on issues raised under this portion of the meeting. Please state your name and address for the record and limit your remarks to a period not to exceed three minutes. All remarks shall be addressed to the Board of Adjustment as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Board of Adjustment may be requested to leave the meeting.

REGULAR AGENDA

2. Discussion and possible action on the minutes from the February 11, 2026 Board of Adjustment meeting
3. Public hearing, discussion, and possible action on a request for a 5-foot variance from the 25-foot required distance from the curb line for a proposed garage located on a corner lot with access to the street to the City's Code of Ordinances, Article II – Single-Family Residence Districts, Sec. 40-40 (3)c to allow for a proposed garage to encroach into the required 25-foot distance requirement on the property located at 200 Alameda Circle, Olmos Park, Texas 78212 (BCAD ID#349028)

ADJOURN

CERTIFICATE OF NOTICE

I hereby certify that the above Notice of Meeting was posted on the bulletin board at Olmos Park City Hall and to the City website at www.olmospark.org at 5:00 PM on April 1, 2026.



Irma Duran
City Secretary

The Board of Adjustment reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda as authorized by the Texas Government Code §551.071, Consultation with Attorney. Action, if any, will be taken in open session.

MINUTES OF
BOARD OF ADJUSTMENT MEETING
WEDNESDAY, FEBRUARY 11, 2026

The Board of Adjustment for the City of Olmos Park held a public meeting on Wednesday, February 11, 2026, at 4:30 p.m. at City Hall for the purpose of considering the following agenda:

1. Call the meeting to order and determine if a quorum is present

Present Members: Alison Wiesenthal, Richard Specia, Travis Block, Chris Hargis, and Tim Blazi

Present (non-voting): John Neely

Also Present: City Attorney Corina Sanchez, Building Official Tamarra Callahan, Building Director Albert Lara, City Secretary Irma Duran and City Manager Ashley Maus

Chair Wiesenthal called the meeting to order at 4:34 p.m. and announced a quorum was present

Citizens to be Heard

There were no citizens to be heard.

2. Discussion and possible action on the minutes from the January 12, 2026 Board of Adjustment training

Chris Hargis moved to approve the minutes from the January 12, 2026 Board of Adjustment Training. Richard Specia seconded the motion. The motion passed with 5 in favor and 0 against.

3. Discussion and possible action on the minutes from the January 14, 2026 Board of Adjustment meeting

Travis Block moved to approve the minutes from the January 14, 2026 Board of Adjustment meeting. Richard Specia seconded the motion. The motion passed with 5 in favor and 0 against.

4. Public hearing, discussion, and possible action on a request for a 5-foot variance from the 25-foot required distance from the curb line for a proposed garage located on a corner lot with access to the street to the City's Code of Ordinances, Article II – Single-Family Residence Districts, Sec. 40-40 (3)c to allow for a proposed garage to encroach into the required 25-foot distance requirement on the property located at 200 Alameda Circle, Olmos Park, Texas 78212 (BCAD ID#349028).

City Manager Maus stated there were six members on the dais and that approval would require a 75% vote; therefore, five of six members would need to vote in favor for an item to pass.

Building Director Lara stated that the designer originally submitted plans to the City for review that required revisions, and later submitted the plans to address the necessary changes. Upon revision, the reviewer failed to notice the garage was now 20 feet from the curb line until construction had begun. Because the reviewer did not notice this, the application fee for the BOA hearing was waived.

Member Hargis asked if the designer was a separate individual from the builder and who was responsible for reviewing the plans.

Building Director Lara clarified that there were two separate individuals, and the designer who communicated with the building department was employed by the builder. He added that the City's third-party vendor was responsible for reviewing the plans and the builder is required to check the plans and ensure that they align with the City's requirements.

Member Block asked how far along the garage was in construction.

Building Director Lara answered that the rebar was in place and the concrete was ready to be poured; construction was halted once the issue was identified.

Member Hargis asked for clarification on how the liability fell on the City when the builder was also required to follow the code.

Building Director Lara clarified that the City has a specific code requirement regarding accessory buildings that abut side yards on corner lots that isn't common.

Member Blazi asked what had already been set into the foundation and what comprised \$77,000 of expenses already incurred.

The contractor, Leonard Murillo, responded that rebar and foam boards were currently in place, with \$77,000 incurred in labor and materials.

Member Hargis stated he did not see how it was the City's responsibility when the designer shifted the garage in the plans and did not review the requirements for encroachment.

Building Director Lara stated it was everyone's responsibility. The City was responsible for checking the plans. He clarified that this was not an International Building Code standard, but rather a code provision unique to the City of Olmos Park.

Member Blazi asked whether this was a second garage, the width of the garage, and what hardship this created. He added that he did not have dimensions and wanted to know whether, if five feet were reduced to comply, the garage would still accommodate two vehicles. He stated it appeared it was about three feet on either side of the garage.

Leonard Murillo responded that this was a second garage with an 18-foot-wide door and the hardship was the loss of the \$77,000 in labor and materials.

Another representative of the property joined Leonard Murillo at the podium and responded that it was approximately 18-inches on either side of the garage.

Gustavo Arredondo, architect, stated that before the garage was moved, he was told he could have requested a variance if one was needed.

Member Hargis clarified that a rejection was needed to go before a variance and that he had anticipated having to apply, but the plans were approved instead.

Chair Wiesenthal opened the public hearing at 4:55 p.m.

Holly Rabinowitz, 215 E. Hermosa, read a letter she submitted to the board. Her concern was related to impervious cover due to the flooding caused when the original home was demolished.

Alex Begum, owner of 200 Alameda Circle, stated he met with the landscape architect to eliminate runoff and has invested \$260,000. His goal is to respect the beauty and culture of

Olmos Park and the home will be in line with the Olmos Park décor. Alex Begum continued to state that the design was similar to the Wheeler House and that many homes in the area have detached garages. He stated that moving the structure five feet would result in additional financial loss, requiring the project to rebuild the entire structure. Alex Begum concluded that the structure would be gated and not visible from the street.

Member Specia stated that the lot was irregular and that the variance should be approved because it would not impact the beauty of the neighborhood.

Member Block stated he was looking for the expertise of the other Board members with construction experience. If the issue had been caught earlier, the variance would likely not have been requested.

Member Blazi answered that in new construction, the setback was always there and was clearly identified from the beginning.

Member Hargis asked about the number of garages on the property.

Alex Begum answered that there were two two-car garages, with the only entrance on the side street.

Travis Block moved to approve the requested variance. Richard Specia seconded the motion. The motion failed with 2 in favor (Travis Block and Richard Specia), 2 against (Tim Blazi and Chris Hargis), and 1 abstention (Allison Wiesenthal.)

Attorney Corina Sanchez asked about the composition of the Board. City Manager Maus stated there were five regular members and two alternates and requested clarification from the City Attorney. Chair Wiesenthal clarified for the record that one alternate was seated at the dais but did not vote and that with four votes cast, the variance was denied.

5. Public hearing, discussion, and possible action on a request for a 4-foot variance from the 10-foot required side yard area setback and a 3-foot variance from the 30-foot required rear yard area setback to the City's Code of Ordinances, Article II – Single-Family Residence Districts, Sec. 40-42 – Yard Area Requirements, to allow for an existing main structure and proposed addition to encroach into the required side and rear yard area setbacks on the property located at 209 Paseo Encinal St, Olmos Park, Texas 78212 (BCAD ID#349108).

Ryan Moody, property owner, explained that the project was a restoration, not a renovation, intended to take the façade back to the original 1928 design. The original property was parceled into three lots. One component of restoring the building to its original design was to recreate a sleeping porch, which would project into the side set back.

Member Blazi asked if the variance was due to removing features did not previously exist.

Ryan Moody confirmed that this was the case.

Member Block asked if the feature was encroaching further than the current footprint.

Ryan Moody clarified that the projection was 3 feet, 10 inches into the setback. He responded that he had written support from his neighbors for the project.

Member Blazi asked whether, regardless of what is done to the roof, it would still be an overhang to recreate the original feature. He added, that if the projection was 3 feet instead of 3 feet 10 inches, would that be an issue.

Ryan Moody stated the issue was the roof angle, which would require the projection to go that far out.

Building Official Callahan had nothing to add.

Travis Block moved to approve the requested variance. Chris Hargis seconded the motion. The motion passed with 5 in favor and 0 against.

6. Public hearing, discussion, and possible action on a request for a 5-foot variance from the 10-foot required side yard area setback to the City's Code of Ordinances, Article II – Single-Family Residence Districts, Sec. 40-42 – Yard Area Requirements, to allow for an existing main structure and proposed addition to encroach into the required side yard area setback on the property located at 247 Primera Dr, Olmos Park, Texas 78212 (BCAD ID# 348920).

Blair Jones, contractor, presented. The project is an additional seven feet to be added to a downstairs bathroom to convert it to a primary bathroom for the resident, who has difficulty accessing their master bedroom/bathroom on the second floor.

Member Specia asked if the original footprint was already in the set back and whether the request would change the existing condition.

Member Blazi asked what the section consisted of and if the bathroom would be a full bath.

Blair Jones explained the section was a porch with a deck in the backyard.

Member Hargis asked to see more plans.

Member Block stated the item could be tabled until more plans were received.

Member Blazi asked why no detailed plans were submitted.

Blair Jones stated that the design was drawn as requested by the City. Building Director Lara added that full plans are costly and might have to be redrawn at the request of the City, therefore the only requirement at this stage is a site plan.

Member Blazi asked what the guarantee would be that the extension is only for a bathroom and not any other use.

Building Director Lara stated the conditions could be included in the decision. He concluded that a non-conforming building cannot undergo structural changes unless a variance is approved and that any structural changes would also require board approval.

Chair Wiesenthal stated no letters in support or against had been received

Chris Hargis moved to approve the requested variance with the stipulation that the added space be built solely as a bathroom. Travis Block seconded the motion. The motion passed with 5 in favor and 0 against.

7. Public hearing, discussion, and possible action on a request for a 7.5-foot variance from the 40-foot required front yard area setback to the City's Code of Ordinances, Article II – Single-Family Residence Districts, Sec. 40-42 – Yard Area Requirements, to allow for a proposed new single-family residence to encroach into the required front yard area setback, a request for a 3-

foot variance from the 10-foot required separation distance between an accessory building and main structure per the City's Code of Ordinances, Article II – Single-Family Residence Districts, Sec. 40-40 (3) a. – Building and Land Use Restrictions, Accessory Building Requirements, to allow for an accessory building to encroach into the required separation distance between an accessory building and main structure, and a request for a 5-foot variance from the 25-foot maximum height of an accessory building per the City's Code of Ordinances, Article II – Single-Family Residence Districts, Sec. 40-40 (3) f. – Building and Land Use Restrictions, Accessory Building Requirements on the property located at 146 Paloma Dr, Olmos Park, Texas 78212 (BCAD ID#349367).

John Shipley, property owner, requested three variances on the property. The property size is 9,547 square feet, one of the smallest lots in the city. The new structure would have a 30-foot setback; the original had a 25-foot setback. The existing garage did not burn down when the original structure burned down, and is non-conforming. In addition, the garage is not large enough to accommodate his vehicle and would need to increase in width by 3 feet.

Member Hargis asked for clarification on whether 28.5 feet or 30 feet was being requested for the pitch of the main roof.

John Shipley responded that 30 feet would be the best option, but could accept the more restrictive 28.5-foot height.

Member Block asked if the 30-foot height could be granted if this was not in the original request.

Attorney Sanchez stated the board could modify the request if that is what they decided.

Member Blazi asked if all variances had to be approved.

Attorney Sanchez stated the variances were considered separately.

Member Specia asked if a 3-foot set back was required in the side and rear.

Building Director Lara clarified that it was, but the owner already lost 7 feet due to a utility easement.

Member Blazi asked if the owner would prefer not to have a 9-foot ceiling in the structure.

John Shipley explained that the main house has vaulted ceilings, and wanted the structure to architecturally match the main structure. He added that letters of support from adjacent neighbors were submitted.

Member Blazi asked for clarification about setbacks in the City and about restrictions based on lot size.

Building Director Lara summarized the setback specifications.

Member Hargis reminded the board that a similar variance was approved the previous meeting.

Member Blazi asked why the new build was not designed to conform.

John Shipley answered that the setbacks restrict the buildable area, and the proposed structure is already smaller than the typical home.

Member Blazi asked what utilities were located in the 10-foot easement.

Building Director Lara responded that water, sewer and CPS Energy utilities are in the easement.

Building Official Callahan stated that the City's recommendation would be for the property to have no more than 50% impervious cover.

John Shipley stated his design had 32% impervious cover, including a circle driveway. He added there are code requirements regarding windows, stating the south facing side will have no windows and the west facing side will have frosted glass.

Member Hargis asked if the neighbors who submitted letters of support were aware of the requested 30-foot height rather than the 28.5 feet referenced in the application.

John Shipley clarified the distinction between what was stated in the hardship letter versus the notice mailed by the City and stated he would be satisfied with either height.

Chair Wiesenthal asked what benefit a 30-foot height would provide compared to 28.5 feet.

John Shipley explained that a 30-foot height allows for a 9-foot ceiling in the garage and a 7-foot top plate on the second floor. He stated that trusses between floors are typically 18 inches, while 12-inch trusses would be required at 28.5 feet.

Travis Block moved to approve a 7.5-foot variance from the 40-foot required front yard area setback with the condition that the 50% impervious cover limit be determined using the original 40-foot setback. Chris Hargis seconded the motion. The motion passed with 5 in favor and 0 against.

Richard Specia moved to approve a 3-foot variance from the 10-foot required separation distance between an accessory building and main structure. Travis Block seconded the motion. The motion passed with 5 in favor and 0 against.

Chris Hargis moved to approve a request for a 5-foot variance from the 25-foot maximum height of an accessory building for a maximum height of 30 feet. Tim Blazi seconded the motion. The motion passed with 5 in favor and 0 against.

There being no further business, the meeting was adjourned at 5:53 p.m.

Minutes approved on the _____ day of _____, 2026.

Alison Wiesenthal
Chair

ATTEST:

Irma Duran
City Secretary



City of Olmos Park
Building Department
120 West El Prado Drive
Olmos Park, TX 78212
210-824-3281

March 31, 2026

Emailed

Jennifer Hatch
Paul Allen Homes, Inc.
200 Alameda Circle
Olmos Park, TX 78212

Project Number 2026-6668
Job Address: 200 Alameda Circle
BCAD Property ID: 349028

Dear Ms. Hatch,

The city reviewed your plans to build a new detached garage at 200 Alameda Circle and denied your building permit application with the following comments.

Building Department Review Comments

The site plan submitted for this project shows the proposed new detached garage encroaching 5-feet into the 25-foot distance from the curb line requirement. This violation conflicts with the city's code of ordinances as noted below.

Sec. 40-40. - Building and land use restrictions.

(3) Accessory building.

- c. Where a side yard abuts a street on a corner lot, no garage, carport or other motor vehicle storage structure with access to the street may be erected nearer to the curb line of said street than 25 feet.***

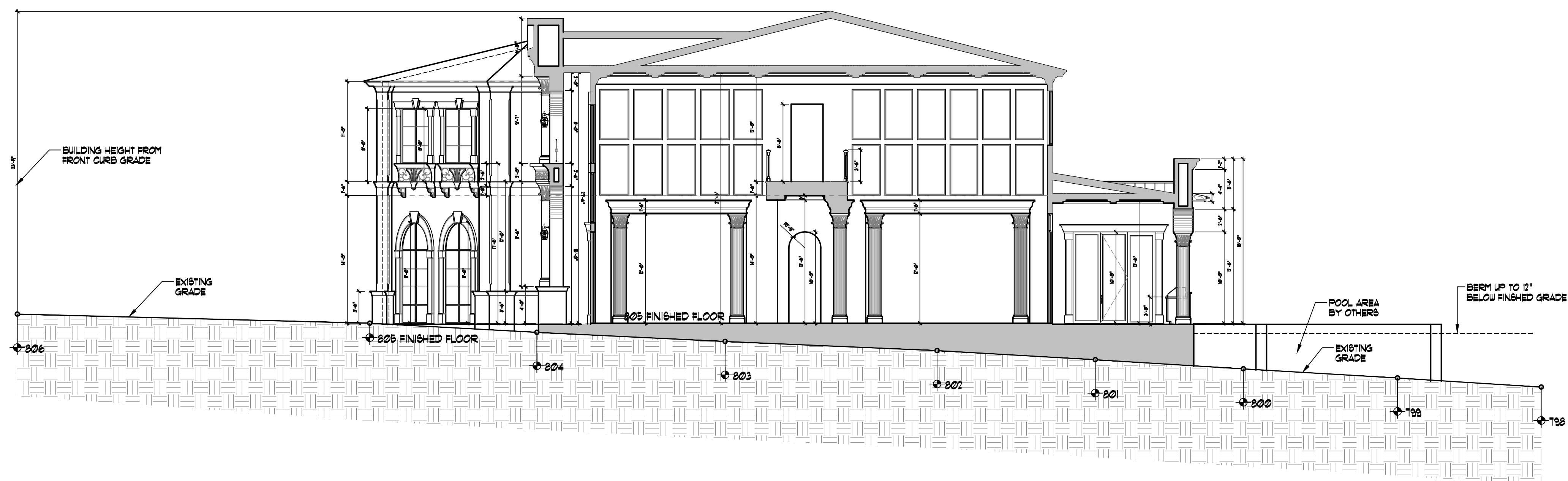
This matter is currently set for a variance hearing before the Zoning Board of Adjustment (ZBOA) on April 8, 2026 at 4:30 p.m.

Respectfully,

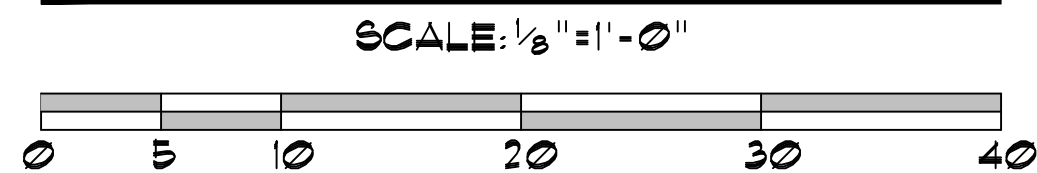
Ashley Maus
City Manager

City of Olmos Park
(210) 824-3281
permits@olmospark.org

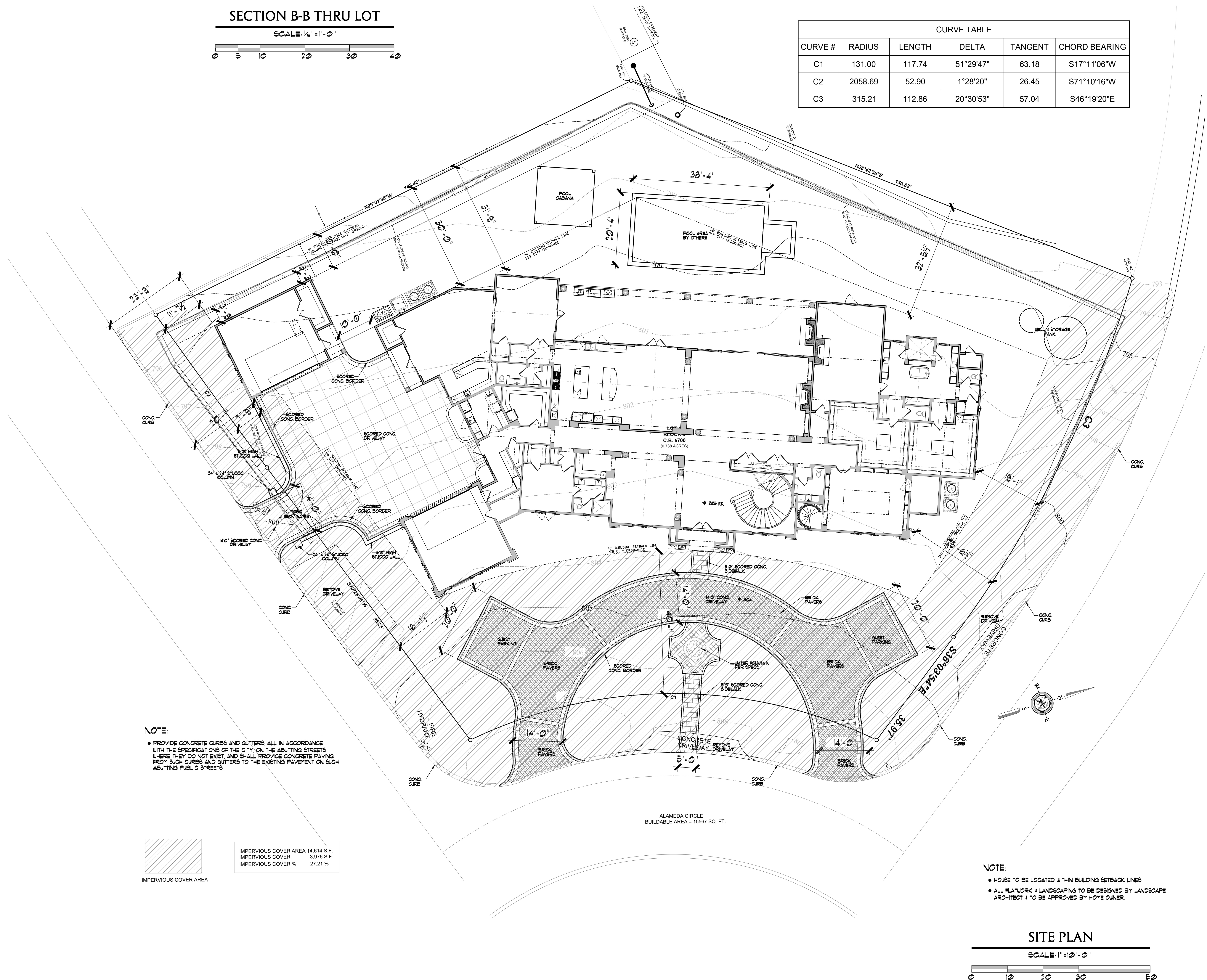
Attachment: Site Plan



SECTION B-B THRU LOT



CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING
C1	131.00	117.74	51°2947"	63.18	S17°11'06"W
C2	2058.69	52.90	1°28'20"	26.45	S71°10'16"W
C3	315.21	112.86	20°30'53"	57.04	S46°19'20"E



NOTE:

- PROVIDE CONCRETE CURBS AND GUTTERS, ALL IN ACCORDANCE WITH THE SPECIFICATIONS OF THE CITY, ON THE ABUTTING STREETS WHERE THEY DO NOT EXIST, AND SHALL PROVIDE CONCRETE PAVING FROM SUCH CURBS AND GUTTERS TO THE EXISTING PAVEMENT ON SUCH ABUTTING PUBLIC STREETS.



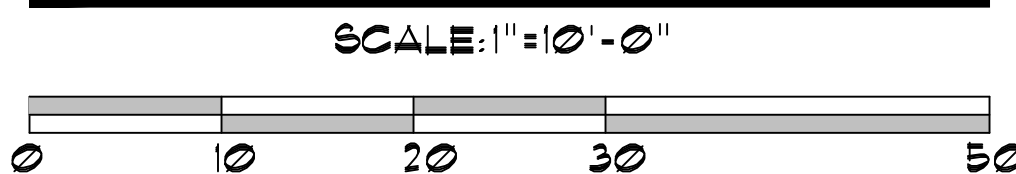
IMPERVIOUS COVER AREA

IMPERVIOUS COVER AREA	14,614 S.F.
IMPERVIOUS COVER	3,976 S.F.
IMPERVIOUS COVER %	27.21 %

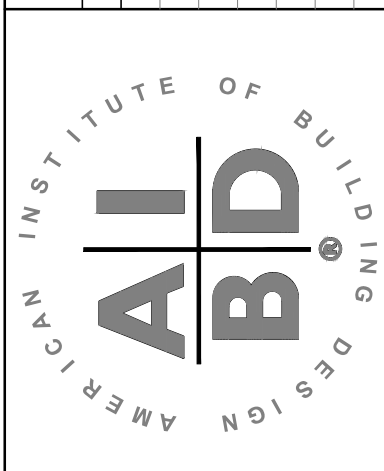
NOTE:

- HOUSE TO BE LOCATED WITHIN BUILDING SETBACK LINES.
- ALL FLATWORK & LANDSCAPING TO BE DESIGNED BY LANDSCAPE ARCHITECT & TO BE APPROVED BY HOME OWNER.

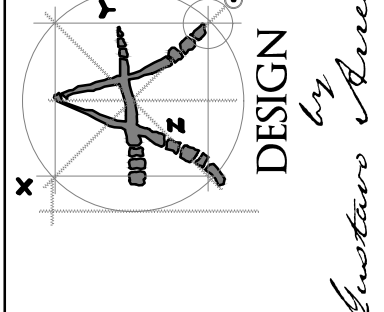
SITE PLAN



REVISIONS			
REVISIONS DATE	OPERATIONS	INITIALS	REVISIONS DATE
4-15-24	CHECK, SET	G.P.	8-11-22
10-25-24	CHECK, SET	G.P.	8-12-22
11-7-24	G.A. FINAL REVIEW	G.P.	8-12-22
11-25-24	G.A. FINAL REVISIONS	G.P.	
12-2-25	CLIENT REVISIONS	G.P.	



16015 VIA SHAVANO
SUITE 101
SAN ANTONIO, TEXAS
78249
TEL: (210) 499-4700
E-Mail: info@adbyga.com
www.adesignbyga.com



PAUL ALLEN
CUSTOM HOMES

BEGUM
RESIDENCE
200 ALAMEDA CIRCLE
LOT 5, BLK. 9
OLMOS PARK

site plan

JOB No.:	PR-13,644-PACH
DATE:	AUGUST 15, 2025
DRAWN BY:	G.P.
CHECKED BY:	G.A.
EXPIRATION DATE:	AUGUST 15, 2026

A-3

LAW OFFICE OF RENE D. RUIZ
A Professional Corporation



P.O. Box 831294
San Antonio, Texas 78283

Tel: (210) 621-8071
Fax: (210) 507-7898
rene@reneruizlaw.com

March 23, 2026

Via Email:

The City of Olmos Park
Board of Adjustments
120 West El Prado Drive
Olmos Park, Texas 78212
Attention: City Manager

Re: Variance Request – Garage Setback (25 ft required / 20 ft proposed)
Property Address: 200 Alameda Circle
Owner/Applicant Name: Marquee Holdings, LLC

Dear City Manager:

I enclose Marquee Holdings, LLC, application for a variance. The fee has been paid.

The application is conditioned on the City issuing a formal written permit denial letter to satisfy Section 1 of the application.

Respectfully submitted,

/ s / Rene D. Ruiz

Rene D. Ruiz
Counsel for Applicant

Enclosures

- Application
- Approved Plat
- Hardship Letter
- Formal Permit Denial Letter (Pending)

Cc: Clarissa M. Rodriguez, Esq.
Denton Navarro Rodriguez Bernal Santee & Zech
2517 N. Main Ave.
San Antonio, Texas 78212



THE CITY OF OLMOS PARK

120 WEST EL PRADO DRIVE
SAN ANTONIO, TEXAS 78212-2095



(210) 824-3281
FAX (210) 826-5008
WWW.OLMOSPARK.ORG

APPLICATION FOR A VARIANCE

Name of property owner:	MARQUEE HOLDINGS, LLC
Address of Variance:	200 ALAMEDA CIRCLE
Phone Number:	(210) 710-7090
Applicable City Code(s) of non-conformity:	Art. II. Sec. 40-40 (3) c
Contact person, if different from property owner:	Rene Ruiz, Attorney
Contact's phone number:	(210) 621-8071

A variance begins with a building permit being denied in writing due to non-compliance with zoning or building codes. Variance requests are heard and approved or denied by the Board of Adjustment. The **following items are required** for scheduling a Board of Adjustment hearing **and are due to City Hall with the application:**

1. The formal written permit denial letter. This letter is issued to the property owner or duly appointed representative by the Building Official. In order to obtain this written denial, the property owner or representative must have submitted the necessary documents to apply for a Building Permit from the Building Department. The necessary documents include, but are not limited to, a current certified survey and height statement reflecting the height as measured according to the guidelines set forth by City Ordinance, or full architectural plans if said plans include the two aforementioned items. Once the Building Official denies the request for a building permit, the Building Department will provide the property owner or representative with the written denial necessary for the variance application. **This application for a Board of Adjustment hearing will NOT be accepted without this denial statement.**

2. An approved plat, being a current certified survey of the property containing the stamp or seal of a certified surveyor. This survey is to accurately show the location of the proposed project with accurate dimensions to any and all building and setback lines. In the case of a detached structure, the survey must show accurate dimensions of distance to existing structures. Photographs are helpful. Any power point presentation must also be turned in with the documents.

3. A letter stating hardship. The property owner or representative must prove a hardship and provide a letter containing an explanation of hardship. The letter must also **include all measures** (actual dimensions or distances regarding the project and, particularly, the amounts and/or distances

that put the project into non-compliance) **or counts** (if applicable) **to be considered.**

Hardship definition:

31.1401.3 GRANT ZONING VARIANCES

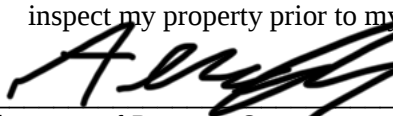
To authorize, upon appeals and specific cases, variances from the terms of this Chapter as will not be contrary to the public interest. This authority is to be used in instances where, owing to special conditions, a literal enforcement of the provision of this ordinance will result in unnecessary hardship, and in such a manner that the spirit of this Chapter shall be observed and substantial justice done. The special conditions must be unique to the applicant's property and beyond the applicant's control. Any variance will be deemed contrary to the public interest if it adversely affects other property owners in the vicinity of the subject property. (amended 12/13/00, Ord. No. 00-18)

- 4. A fee in the amount of \$500.00** is due for an appeal to the Board of Adjustment for one variance plus **\$150.00 for each additional variance requested.** It must be in the form of **cash, check, or money order** payable to the City of Olmos Park. **All fees are non-refundable.**

NOTE: The Board of Adjustment meets as needed on a case-by-case basis. Due to scheduling and legal notice requirements, **THE APPLICATION DEADLINE IS THE 10TH OF THE MONTH** preceding the subsequent month's Board of Adjustment meeting. (Eg. In order to be heard at the January meeting, the application must be turned in by December 10th.) **NO EXCEPTIONS**

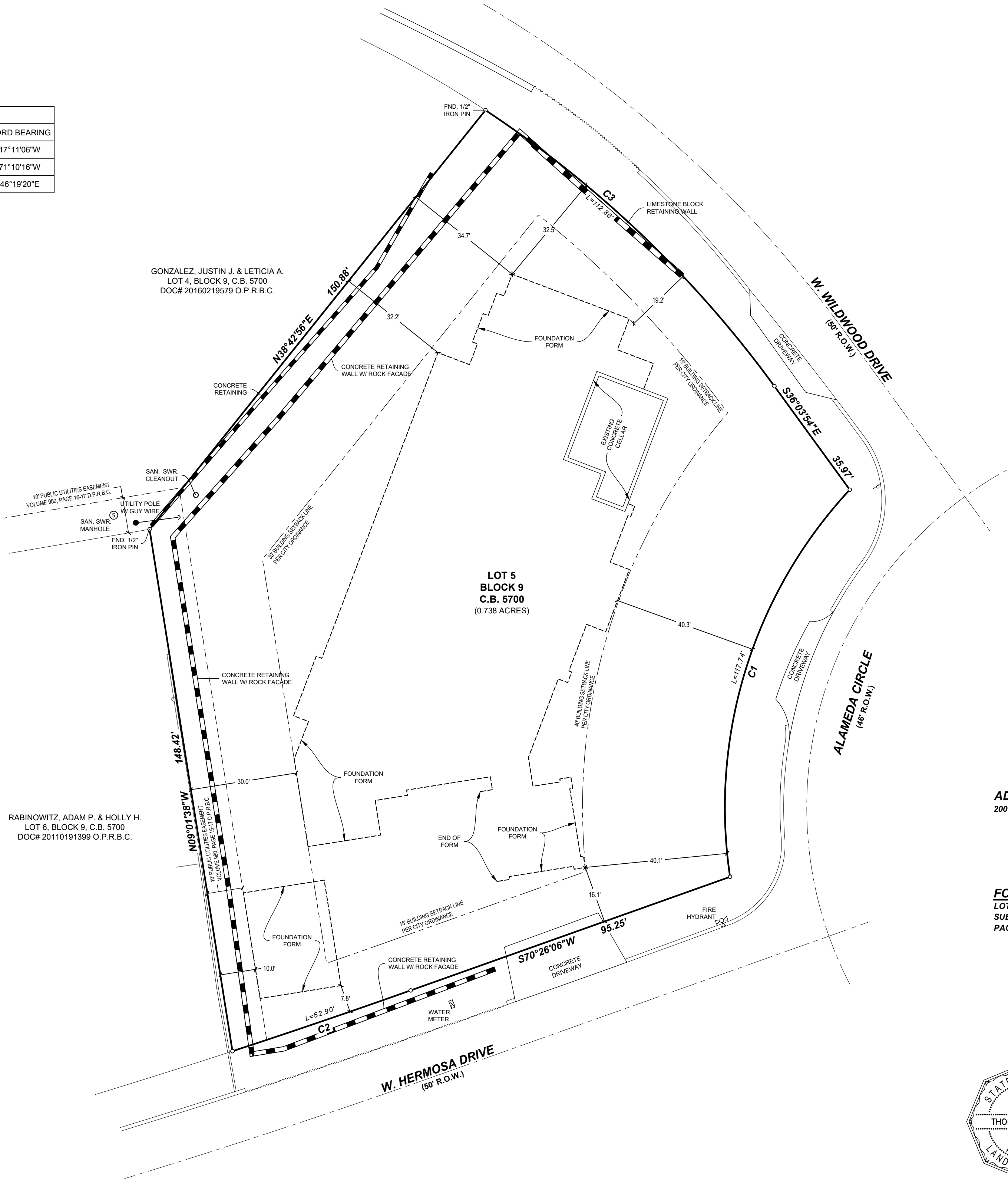
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- It is the responsibility of the applicant to familiarize him/herself with the variance application process and meet all requirements necessary to schedule a hearing.
 - Upon receipt of all of this information, a hearing will be set for the following month taking into consideration the above-mentioned deadline constraints.
 - Public Notice of the hearing must and will be made twice in the City's official newspaper: North Central News.
 - Individual notices will be sent to all residents within 200' of the affected property.
 - The property owner or duly appointed representative will be given a list of these residents and copies of all documents sent.
 - The Board may be addressed by the property owner, or by his or her representative.
 - Residents may speak in favor of or in opposition to the requested variance (either in person or in writing). Please direct all discussion to the Board of Adjustments.
 - If the Board rules in favor of the variance (four concurring votes), the property owner may proceed by obtaining a building permit within the scope of the variance.

By signing below, I authorize any official or staff member of the City of Olmos Park to inspect my property prior to my variance hearing.

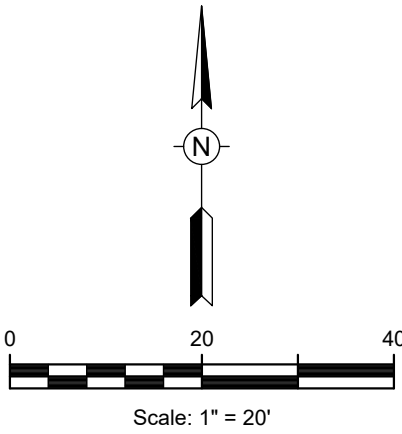

Signature of Property Owner


Date

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING
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C2	2058.69	52.90	1°28'20"	26.45	S71°10'16"W
C3	315.21	112.86	20°30'53"	57.04	S46°19'20"E



- NOTES:
1. IRON PINS (1/2") FOUND AT ALL CORNER, UNLESS OTHERWISE NOTED.
 2. OLMOS PARK ESTATES SUBDIVISION IS MOSTLY ILLEGIBLE AND APPEARS NOT TO CLOSE. SURVEYED GEOMETRY CREATED FROM A COMBINATION OF EXISTING PINS FOUND ALONG BLOCK 9 AND ASSUMED PLAT INFORMATION.



ADDRESS:
200 ALAMEDA CIRCLE

FORM SURVEY OF:
LOT 5, BLOCK 9, COUNTY BLOCK 5700, OLMOS PARK ESTATES
SUBDIVISION, OLMOS PARK, TEXAS, AS RECORDED IN VOLUME 980,
PAGE 16-17, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

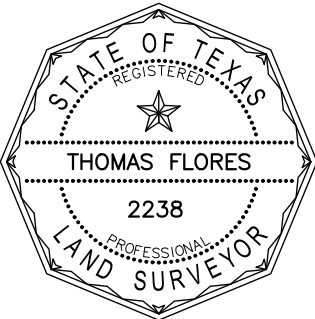
CERTIFICATION

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 visible easements or encroachments of buildings on adjoining property and that all buildings are wholly located on this property except as shown above.

This 9th Day of JANUARY, A.D. 2026

Thomas Flores
THOMAS FLORES
RPLS # 2238

Job No.: 23-02



LAW OFFICE OF RENE D. RUIZ
A Professional Corporation



P.O. Box 831294
San Antonio, Texas 78283

Tel: (210) 621-8071
Fax: (210) 507-7898
rene@reneruizlaw.com

March 23, 2026

The City of Olmos Park
Board of Adjustments
120 West El Prado Drive
Olmos Park, Texas 78212

Re: Variance Request – Garage Setback (25 ft required / 20 ft proposed)
Property Address: 200 Alameda Circle
Owner/Applicant Name: Marquee Holdings, LLC

Dear Members of the Board of Adjustment:

This letter is submitted in support of the Applicant's request for a 5-foot variance from the 25-foot setback requirement applicable to a garage located in a side yard abutting a street. (Art. II, Sec. 40-40 (3)c).

This case presents a straightforward situation where granting a variance is necessary to achieve substantial justice. My client did exactly what the ordinance requires. He submitted plans clearly showing a 20-foot setback, applied for a permit, and the City approved those plans and issued the permit. Relying on that approval, he began construction and has invested approximately \$75,000 in the project.

This is not a case of a property owner trying to work around the code. This is a case of a property owner who followed the process, obtained approval, and relied on it in good faith.

Under Texas law, the Board may grant a variance where, due to special conditions, strict enforcement would result in unnecessary hardship, and where the variance is consistent with the spirit of the ordinance and substantial justice is done.

Those standards are met here.

1. Unique Property Conditions

The subject property presents special conditions not common to other residential lots.

It is a 2-corner lot where both side yards abut public streets, effectively creating dual street frontage. As a result, areas that would typically function as interior side yards are subject to

street-facing setback constraints on two sides, significantly reducing the buildable envelope compared to a typical interior lot.

The property is in a unique condition not common to other properties because

- The owner fully disclosed the 20-foot setback in the plans
- The City had the opportunity to review and approve the plans
- The owner relied in good faith on the permit issued by the City
- Substantial improvements have been made

At this point, the site is no longer theoretical – the configuration is physically fixed and embedded in the property.

2. Not Self-Created Condition

The hardship at issue is not self-created.

The garage was originally designed in full compliance with the 25-foot setback requirement. However, that configuration violated a separate requirement mandating a minimum 10-foot separation from the main residence. (Art. II, Sec. 40-40 (3)a).

To comply with that requirement, the City Building Director required the owner to relocate the garage an additional 5 feet away from the main residence into the side setback.

The owner submitted revised plans clearly showing a 20-foot setback, applied for a permit, and the City approved those plans and issued the permit. Relying on that approval, he began construction and has invested approximately \$75,000 in the project.

The Applicant relied on that approval and proceeded with construction. The main residence is now substantially constructed and fully framed, and the site configuration is effectively fixed. The foundation of the garage is fully framed and site configuration fixed.

3. Unnecessary Hardship

Strict enforcement of the 25-foot setback at this stage would result in an unnecessary hardship that is now embedded in the property itself.

Compliance would require significant redesign and structural modification to a partially constructed custom residence, or significant redesign and structural modification to a partially constructed custom garage, resulting in substantial cost and disruption. This condition arises from the unique configuration of the property, the interaction of multiple setback requirements, and the Applicant's good-faith reliance on City-approved plans.

4. No Adverse Impact on Public Interest

Granting the requested variance will not adversely affect the public interest.

At a 20-foot setback:

- Adequate space remains for vehicle stacking
- There is no encroachment into the public right-of-way
- There are no visibility or safety concerns
- The garage is not visibly dominant
- The garage is compatible with surrounding development patterns, ex. 300 Alameda Circle.

Accordingly, the purpose of the ordinance is satisfied.

Additionally, this is a grand home in a neighborhood of similar homes. If the garage is forced to be reduced by 5 feet:

- It will become visually disproportionate
- It will appear out of scale with the home
- It will be inconsistent with the character of the neighborhood, making the surrounding area less aesthetically pleasing, not more.

Denying the variance would have an adverse impact on the public interest.

5. Minimum Variance Necessary

The requested variance is limited to a 5-foot reduction and represents the minimum necessary to address the hardship.

6. Substantial Justice

At the end of the day the Owner:

- Started compliant
- At the request of the City Building Inspector adjusted plans to comply with another City requirement
- Obtained City approval
- Relied on that approval in good faith
- Now faces a condition that cannot be corrected without significant harm

Hardship exists and no public harm results from granting a variance and granting a variance would provide substantial justice.

7. The Board may consider the following for determining unnecessary hardship

- Compliance with the 25-foot set back would result in noncompliance with the 10-foot setback.

Conclusion

Requiring demolition or redesign after the owner revised the plans at the request of the City Building Director and the City approved the plans and allowed construction to begin would be inequitable and would not serve the public interest.

Due to the property's special condition, regulatory interaction, and reliance on City approval, strict enforcement would result in unnecessary hardship.

Here, the spirit of the ordinance and substantial justice is done if a variance is granted.

This case is precisely the reason why BOAs exist, and the exact situation Texas courts say that granting a variance is not only appropriate – but necessary to avoid abuse of discretion under Texas law.

The Applicant respectfully requests that the Board grant the variance.

Respectfully submitted,

/ s / RENE D. RUIZ

Rene D. Ruiz

Law Office of Rene D. Ruiz

Counsel for Marquee Holdings, LLC

Enclosures:

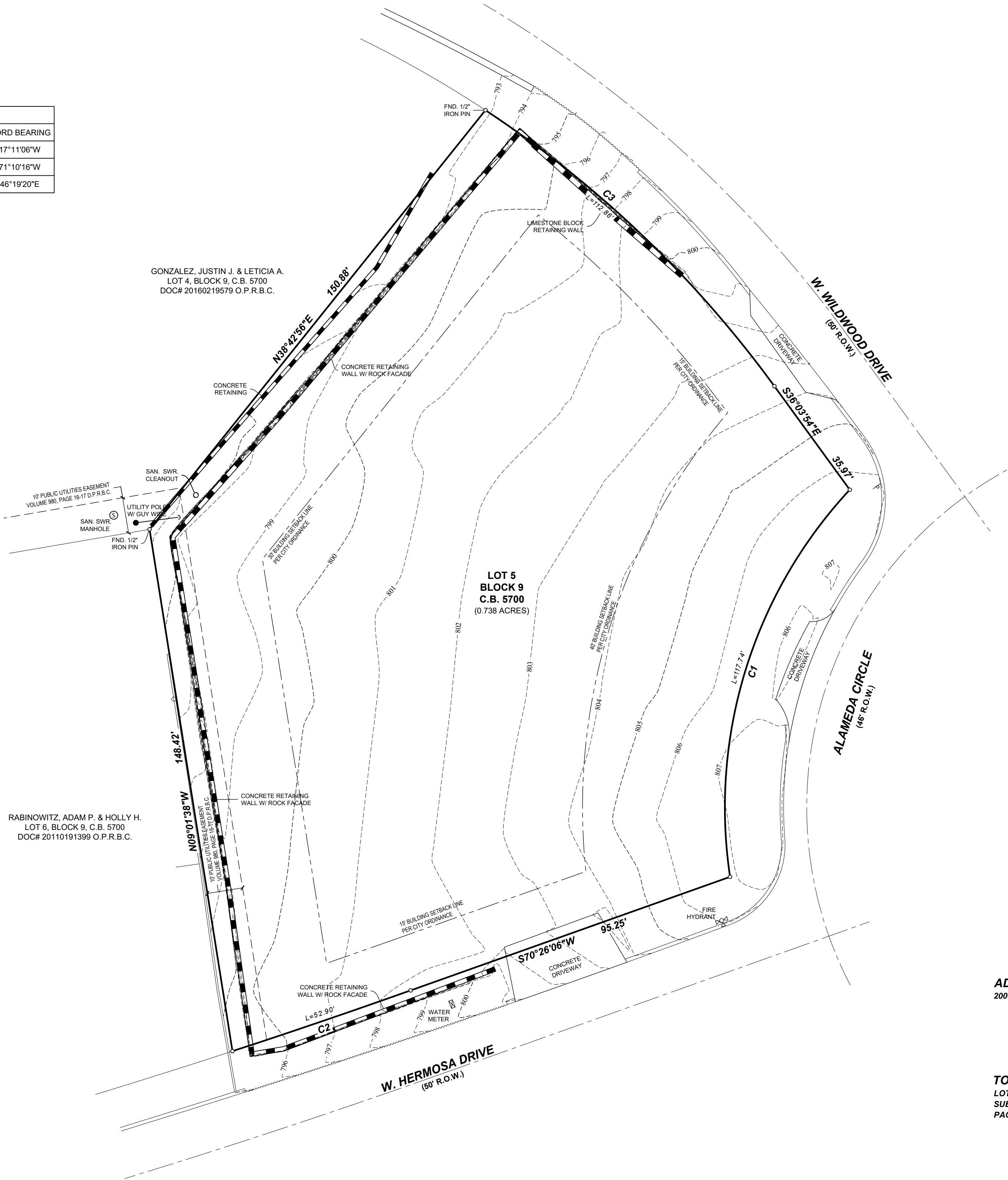
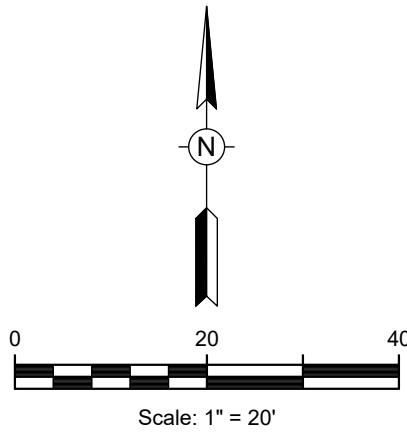
Proposed Findings of Fact Supported by the Record

Proposed Findings of Fact Supported by the Record

The evidence demonstrates:

- Unique conditions exist due to dual street frontage
- Unique conditions exist due to reliance on City permit
- Substantial improvements have been made
- Hardship not self-created and embedded in property
- Unnecessary hardship would result if plans were required to be revised at this stage
- No adverse impact on public interest
- Minimum variance necessary
- Compliance with Sec. 40-40 (3) c (25-foot setback between curb and garage) would result in non-compliance with the Sec. 40-40 (3) a (10-foot setback between garage and main house).

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING
C1	131.00	117.74	51°29'47"	63.18	S17°11'06"W
C2	2058.69	52.90	1°28'20"	26.45	S71°10'16"W
C3	315.21	112.86	20°30'53"	57.04	S46°19'20"E



ADDRESS:
200 ALAMEDA CIRCLE

TOPOGRAPHIC SURVEY OF:
LOT 5, BLOCK 9, COUNTY BLOCK 5700, OLMOS PARK ESTATES
SUBDIVISION, OLMOS PARK, TEXAS, AS RECORDED IN VOLUME 980,
PAGE 16-17, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.



THE CITY OF OLMOS PARK

120 WEST EL PRADO DRIVE
SAN ANTONIO, TEXAS 78212-2095



(210) 824-3281
FAX (210) 826-5008
WWW.OLMOSPARK.ORG

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THE CITY OF OLMOS PARK BOARD OF ADJUSTMENT WEDNESDAY, APRIL 8, 2026 4:30 p.m.

The Board of Adjustment for the City of Olmos Park held a regular meeting on the 8th day of April, 2026 at 4:30 p.m. at City Hall to consider and take possible action on the following variance request:

a. Public hearing, discussion, and possible action on a request for a 5-foot variance from the 25-foot required distance from the curb line for a proposed garage located on a corner lot with access to the street to the City's Code of Ordinances, Article II – Single-Family Residence Districts, Sec. 40-40 (3)c to allow for a proposed garage to encroach into the required 25-foot distance requirement on the property located at 200 Alameda Circle, Olmos Park, Texas 78212 (BCAD ID#349028)

Upon consideration of the requests, and based on the criteria and findings outlined in Section 40-222, *Powers*, of the City's Code of Ordinances and the Texas Local Government Code Section 211.008, the Board of Adjustment for the City of Olmos Park voted to:

☐ Grant the requested variance to allow a 5-foot variance from the 25-foot required distance from the curb line for a proposed garage located on a corner lot with access to the street

☐ Deny the requested variance

Alison Wiesenthal
Chair

ATTEST:

Irma Iris Duran de Rodriguez
City Secretary

**Note that there is a separate “Finding of Fact for Zoning Ordinance Variance” form which documents the vote of the Board of Adjustment*

City of Olmos Park, Texas
Board of Adjustment
Finding of Fact for Zoning Ordinance Variance

Applicant: Marquee Holdings, LLC

Address: 200 Alameda Circle

Request for variance to Zoning Code Section 40-40 (3) C Building and Land Use Restrictions: Accessory Building-- Where a side yard abuts a street on a corner lot, no garage, carport or other motor vehicle storage structure with access to the street may be erected nearer to the curb line of said street than 25 feet.

Description of variance request: Allow a 5-foot variance from the 25-foot required distance from the curb line for a proposed garage located on a corner lot with access to the street

Upon giving public notice and conducting a public hearing on this variance request in accordance with Code of Ordinances Sec. 40-222 Powers, and the Texas Local Government Code Section 211.008, the Board of Adjustment adopts these specific, written findings as follows:

Public hearing, discussion, and possible action on a request for a 5-foot variance from the 25-foot required distance from the curb line for a proposed garage located on a corner lot with access to the street to the City's Code of Ordinances, Article II – Single-Family Residence Districts, Sec. 40-40 (3)c to allow for a proposed garage to encroach into the required 25-foot distance requirement on the property located at 200 Alameda Circle, Olmos Park, Texas 78212 (BCAD ID#349028)

	Yes	No
1. That there are special circumstances or conditions (including restricted area, topography, or physical features) affecting the land involved, are unique to applicant's property, such that the application of the zoning ordinance's provisions would deprive the applicant of the reasonable use of his/her land.		
2. The variance is not contrary to the public interest.		
3. The variance is necessary because such special conditions are beyond the applicant's control; and		
4. The variance is necessary because the special conditions are unique to the applicant's property.		
5. The variance will not have the effect of preventing the orderly use of other land within the area in accordance with and to meet the spirit of the provisions of the zoning ordinance.		
6. An undue hardship exists (see criteria below)		
Hardship Criteria: In determining if a hardship exists, use the following criteria:		

- a) That literal enforcement of the ordinance will create an undue hardship or practical difficulty in the development of the affected property; and
- b) That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district; and
- c) That the relief sought will not injure the permitted use of adjacent conforming property; and
- d) That the granting of a variance will be in harmony with the spirit and purpose of the zoning ordinance; and
- e) A financial hardship alone is not an undue hardship if the property can be used, meeting the requirements of the zoning district in which the property is located.

In considering a variance *as applied to a structure*, the Board may use the following criteria to determine if a hardship exists:

- a) The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under section 26.01 Tax Code; or
- b) Compliance would result in a loss to the lot on which the structure is located of at least 25% of the area on which development may physically occur; or
- c) Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement; or
- d) Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- e) The city considers the structure to be a nonconforming structure.

Additional Notes: _____

With ___ members present, and upon a vote of ___ for, ___ against, ___ abstaining, the variance is hereby: ___ granted _____ denied

 Alison Wiesenthal, Chair

 Date

Dear Members of the Board,

I am writing in support of the variance requested by my neighbor at 200 Alameda Circle. I am the owner of the property located at 215 East Hermosa Drive, immediately adjacent to the portion of the 200 Alameda property affected by the variance.

I have reviewed the plans for the garage and believe the project is reasonable and I have no objection to the variance requested.

I respectfully request that the Board consider this letter in full support of the variance request and withdraw my prior expressed concerns shared at the February 11, 2026 meeting related to the requested variance.

Thank you for your time and consideration.

Sincerely,

Holly Rabinowitz
215 East Hermosa Drive
Olmos Park, Texas 78212
210-296-9847