



City of Helotes  
 Development Services  
 Department  
 P.O. Box 507  
 12951 Bandera Road  
 Helotes, TX 78023  
 Phone (210) 695.8877  
 Fax (210) 695.2123

Application Date: 3/19/2024

**APPLICATION TO BOARD OF ADJUSTMENT  
 FOR VARIANCE**  
 CHAPTER 98, *Board of Adjustment*

NAME OF APPLICANT: Daniel Stewart

MAILING ADDRESS: 10309 Rafter S Trail Helotes, Texas 78023

PHONE #: (210) 385-6852 EMAIL: [REDACTED]

STATUS OF APPLICANT: OWNER: X  
 AGENT:        (IF AGENT, ATTACH LETTER OF AUTHORIZATION FROM PROPERTY OWNER)

**PROPERTY DESCRIPTION**

PHYSICAL ADDRESS: 10309 Rafter S Trail Helotes, Texas 78023

LEGAL DESCRIPTION: Helotes Park Estates CB 4525A BLK 15 Lot 5

CURRENT ZONING: R-1 PROPOSED ZONING: R-1

EXISTING USE: Single-Family Residential PROPOSED USE: Single-Family Residential

ACRES/SQ. FT.: 0.88 Acres DOES OWNER OWN ADJACENT PROPERTIES?  YES  NO

REQUESTED BOARD ACTION SPECIAL EXCEPTION \_\_\_\_\_ VARIANCE Add to grandfathered detached garage while accommodating garage corner see drawing in Appendix A.

PURPOSE OF REQUEST: Add garage space. Only option is to add to the existing garage. Back yard has no vehicle access and an extreme slope. SAFETY. It is no longer SAFE to back out of my existing driveway into oncoming (increasing) traffic. The garage will allow for a circular driveway to SAFELY exit my home.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND THE ATTACHED INSTRUCTION SHEET AND KNOW THE INFORMATION I HAVE PROVIDED TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS APPLICATION WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A VARIANCE OR SPECIAL EXCEPTION DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING THE USE OF PROPERTY.

\_\_\_\_\_  
 APPLICANT'S SIGNATURE

3/19/2024  
 DATE

# Helotes Park Estates Variance Request

10309 Rafter S Trail Helotes, TX 78023

March 19, 2024  
City of Helotes  
Development Services Department  
P.O. Box 507  
12951 Bandera Road  
Helotes, TX 78023

To whom it may concern:

Please consider my variance request to increase the size of my existing two car garage. Creating another parking spot will allow for a circular driveway to SAFELY exit my home. This is a safety issue because it is no longer safe to back out of my existing driveway into increasing traffic on Rafter S Trail. I have lived at 10309 Rafter S Trail raising my family for the past 29 years. My home and garage were constructed 40 years ago when the front setback was 30'. Please consider a 25.33' setback to accommodate a small corner of my garage expansion. A new survey of the property was conducted to precisely locate the existing garage. Please also consider a 23.33' side setback (from the typical 25.0') to accommodate the other corner of the garage addition. See Appendix A for drawing.

Your consideration is greatly appreciated.

Respectfully,

A handwritten signature in black ink, appearing to read 'D. Stewart', with a long horizontal flourish extending to the right.

Daniel Stewart  
Home Owner  
10309 Rafter S Trail

Appendix A  
Stewart Site Plan, Garage expansion  
10309 Rafter S Trail Helotes, Texas



Site Plan



Property Identification #: 242691

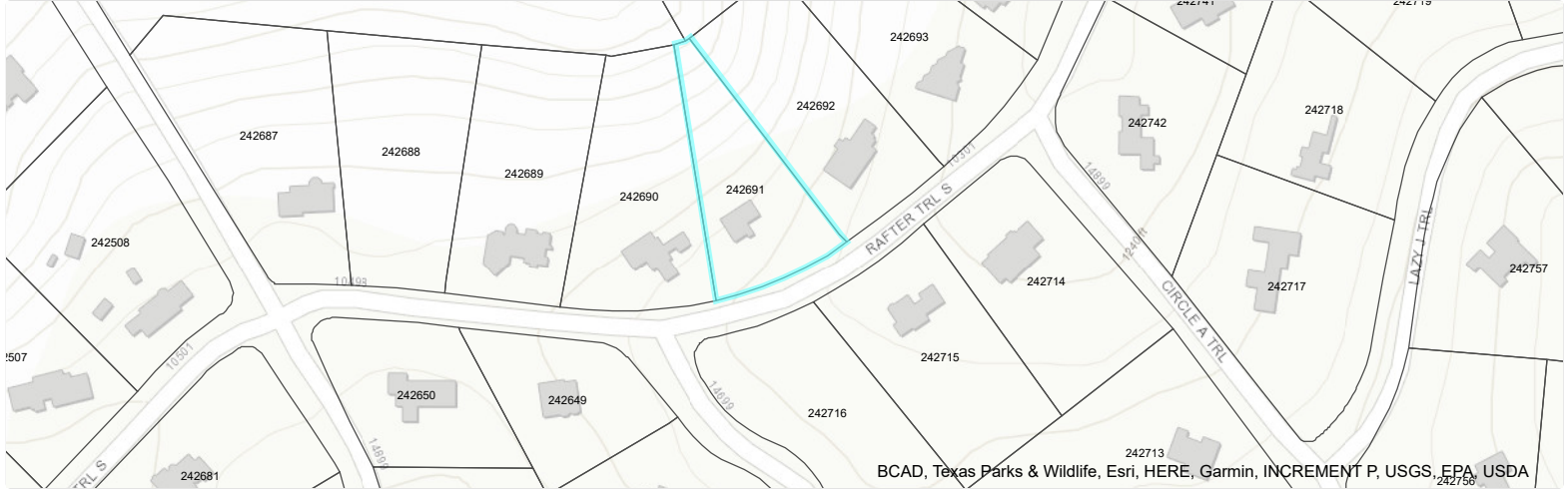
Property Information: 2024

Owner Identification #: 3046919

Geo ID: 04525-024-0050  
Situs Address: 10309 RAFTER S TRL HELOTES, TX 78023  
Property Type: Real  
State Code: A1

Legal Description: CB 4525A BLK 15 LOT 5  
Abstract: A04525  
Neighborhood: HELOTES PARK EST.(NS)  
Appraised Value: N/A  
Jurisdictions: CAD, 06, 11, 08, 42, 56, 10, 09

Name: STEWART DANIEL & JUANITA L/TR  
Exemptions: HS  
DBA: Null



BCAD, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.



# CITY OF HELOTES

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## PLAN REVIEW COMMENTS SHEET

Project Information					
Project Name:		<b>Garage Variance</b>			
Address:		<b>10309 Rafter S Trail</b>		Phone Number:	<b>NA</b>
Contact:		<b>NA</b>			
Department:					
<input type="checkbox"/>	Fire Official	<input type="checkbox"/>	City Engineer	<input type="checkbox"/>	City Arborist
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	Storm Water Management Plans Reviewer & Inspector
<input checked="" type="checkbox"/>	Building Inspector	<input type="checkbox"/>	City Council Official	<input type="checkbox"/>	Health Inspector
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	Other
Date of Request:					
Department Approval					
<input type="checkbox"/>	Approved To Issue Building Permit				
<input checked="" type="checkbox"/>	Disapproved				
Comments:					
<p><b>Proposed garage expansion is not permitted, Existing garage is non conforming and the footprint and/or square footage cannot be increased. Accessory structures cannot be placed in the front yard or beyond the front building line of the house. Also, the side 25' setback cannot be encroached. Front setback distances for accessory structures are not addressed by COH zoning code because accessory structures are not permitted beyond the front building line of house. Variances required for front yard proximity, side yard setback, and platted setback encroachment.</b></p> <p><b>"Sec. 98-62. - Single-family residential district (R-1).            An accessory building, associated living quarters, or storage building shall not extend beyond the front line of the main building,...</b></p> <p><b>Side yard setback. There shall be a side yard on each side of the lot, having a width of not less than 25 feet, except a detached garage or other permitted accessory building located 70 feet or more from the front property line shall not be located nearer than five feet to any side property line.</b></p> <p><b>Front yard setback. A front yard setback shall be a minimum of 40 feet, except in areas platted where setback minimums are established prior to the effective date of this chapter."</b></p>					
Please provide a PDF formatted copy on compact disc or thumb drive, of the final approved plans.					
<b>Bealor 3170</b>				<b>3.28.2024</b>	
<i>Reviewing Official's Signature</i>				<i>Date</i>	

Final approval of the permit application is contingent upon review and approval from all required city departments. Construction to comply with all current state and local codes and ordinances. Failure to discover all code violations through the city's review process does not relieve the designer/architect and contractor from the responsibility of producing a product in total compliance with all requirements of the currently adopted International Code Series, the NEC, and local ordinances.

**Permit and address must be posted and visible from the street. Plans to be onsite.**

**Sec. 98-62. - Single-family residential district (R-1).**

- (a) *Use regulations.* A building or premises shall be used only for the following purpose: See Schedule of Uses in the appendix at the end of this chapter and section 98-34.
- (b) *Height regulations.* No building shall exceed thirty-five (35) feet in height and be greater than two floors. Refer to Sec. 98-4.

**(c) *Area regulations.***

- (1) *Front yard setback.*** A front yard setback shall be a minimum of 40 feet, except in areas platted where setback minimums are established prior to the effective date of this chapter. Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.
- (2) *Side yard setback.*** There shall be a side yard on each side of the lot, having a width of not less than 25 feet, except a detached garage or other permitted accessory building located 70 feet or more from the front property line shall not be located nearer than five feet to any side property line.
- (3) *Rear yard setback.* There shall be a rear yard, having a depth of not less than 25 feet, except a detached garage or other permitted accessory building which shall not be located nearer than five feet from the rear property line.
- (4) *Area of lot.* The minimum area of the lot shall be 32,000 square feet.
- (5) *Width of lot.* The minimum area of the lot shall be 120 feet.
- (6) *Depth of lot.* The minimum depth of the lot shall be 120 feet.
- (d) *Parking regulations.* Off-street parking spaces behind the front setback line of property shall be provided on the lot to accommodate a minimum of two automobiles for each dwelling unit.
- (e) *Accessory buildings, associated living quarters and storage buildings.*** An accessory building, associated living quarters, or storage building shall not extend beyond the front line of the main building, and shall be a minimum of 25 feet from the side property line and five feet from the rear property line. (Exception: An accessory building located 70 feet or more from the front property line shall be a minimum of five feet from the side property line.)

(Ord. No. 253, § 1(art. III, § 2), 4-8-2004; Ord. No. 387, § 1, 12-8-2008; Ord. 419, § 2, 11-12-2009)