



## Zoning Board of Adjustment 6/10/2026

Notice is hereby given of a regular meeting of the Zoning Board of Adjustment of the City of San Angelo to be held on June 10, 2026 at 1:30 PM at City Hall – East Mezzanine, 72 W. College Ave., San Angelo, Texas, for the purpose of considering the following agenda items.

### **I. Call to Order**

### **II. Public Comment**

Members of the public may raise issues or concerns not listed on the Regular Agenda during this time. To participate, please sign in before the meeting begins. Speakers will be called in the order they signed in. When speaking, citizens must speak from the podium, begin by stating their name and address or Single Member District number, and limit their remarks to three minutes or less.

### **III. Regular Agenda**

Comments regarding items on the Regular Agenda may be made by the public when each item is discussed as outlined above. To participate, please sign in prior to the beginning of the meeting. Speakers will be called in the order they signed in. Comments are limited to less than three minutes. Applicants, proponents, and appellants are exempt from the time limit above and instead must limit their remarks to less than five minutes.

- A. Consider approving the March 2, 2026 Zoning Board of Adjustment meeting minutes.
- B. Consider approving the May 4, 2026 Zoning Board of Adjustment meeting minutes.
- C. **ZBA26-14 77 Moritz Circle:** A request for approval of a variance from Section 501.C.2 for a 5-foot side yard setback in lieu of the required 10 feet for a detached carport as part of new twinhome construction at 77 Moritz Circle within the Low-Rise Multifamily (RM-1) zoning district.
- D. **ZBA26-15 59 Moritz Circle:** A request for approval of a variance from Section 501.C.2 for a 5-foot side yard setback in lieu of the required 10 feet for a detached carport as part of new twinhome construction at 59 Moritz Circle within the Low-Rise Multifamily (RM-1) zoning district.
- E. **ZBA26-16 204 E 37th Street:** A request for approval of a variance from Section 501.A for a 0-foot side setback in lieu of the required 5 feet for an existing house in the Single-Family Residential (RS-1) zoning district.
- F. **ZBA26-12 2202 Sherwood Way:** A request for approval of a variance from Zoning Ordinance Sec. 502.B for a 4-foot front setback in lieu of the required 25 feet for a canopy for walk-up customers and as a place to put their sign for the property located at 2202 Sherwood Way.

### **IV. Division Report**

**V. Follow Up and Administrative Issues**

- A. The next regular meeting of the Zoning Board of Adjustment is scheduled for the 6th of July 2026, in the East Mezzanine Meeting Room at City Hall.

**VI. Adjournment**

**CERTIFICATION**

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas, the 4th of June 2026, at 4:50PM

A handwritten signature in black ink, appearing to read 'A. Vannoy', is written over a horizontal line.

Aaron Vannoy, Director of Planning and  
Development Services

All agenda items are subject to action. The Zoning Board of Adjustment reserves the right to consider business out of posted order.

In compliance with the Americans with Disabilities Act, the City of San Angelo will provide for reasonable accommodations for persons attending board or commission meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the ADA Coordinator at 325-657-4407 for request, or by completing a request form online at [cosatx.us/ada](http://cosatx.us/ada).



**RECORD OF MINUTES  
CITY OF SAN ANGELO, TX  
ZONING BOARD OF ADJUSTMENT  
March 2, 2026, 1:30 PM**

**Board Present:** Lyndon Roberts-Galindo, Chair  
Teri Jackson, Vice Chair  
Richard Rivas  
Mason Brooks  
Ken Roberts  
Charles Young

**Staff Present:** Aaron Vannoy, Director of Planning and Development Services  
Brandon Dyson, City Attorney  
Rae Lineberry, Lead Planner  
Austin Reed, Senior Planner  
Arden Neff, Planner

**I. Call to Order**

*Chair Roberts-Galindo called the meeting to order at 1:50 PM.*

**II. Public Comment**

*Chair Roberts-Galindo opened public comment. Chair Roberts-Galindo closed public comment.*

**III. Regular Agenda**

A. Consider approving the February 2, 2026 Zoning Board of Adjustment meeting minutes.

*Member Young made a motion to approve the ZBA meeting minutes from February 2, 2026. Vice Chair Jackson seconded the motion. Motion carried 6-0.*

B. ZBA25-17 3325 North Haven Ct: A request for approval of a variance from Section 501.A for a 14-foot front setback in lieu of the required 25 feet for a carport in the Single-Family Residential (RS-1) zoning district.

*Lead Planner Lineberry presented the case. The board asked her questions about the variance.*

*Chair Roberts-Galindo opened public comment.*

*Builder Rocky Templin shared his thoughts on the variance request.*

*Chair Roberts-Galindo closed public comment.*

*Vice Chair Jackson made a motion to approve the motion. Chair Roberts-Galindo seconded the motion. Commissioner Brooks asked a question and Chair Roberts-Galindo responded. The motion to approve failed 5-1. City Attorney Dyson explained that there must be 6 to approve.*

#### **IV. Division Report**

*Director of Planning and Development Services Aaron Vannoy gave his report.*

#### **V. Follow Up and Administrative Issues**

A. The next regular meeting of the Zoning Board of Adjustment is scheduled for April 6, 2026, in the East Mezzanine Meeting Room at City Hall.

#### **VI. Adjournment**

*Member Brooks made a motion to adjourn. Vice Chair Jackson seconded the motion. The motion carried 6-0.*

*Meeting was adjourned at 2:05 PM.*



**RECORD OF MINUTES  
CITY OF SAN ANGELO, TX  
ZONING BOARD OF ADJUSTMENT  
May 4, 2026 1:30 PM**

**Board Present:** Lyndon Roberts-Galindo, Chair  
Teri Jackson, Vice Chair  
Mason Brooks  
Ken Roberts  
Charles Young  
Todd Smith

**Staff Present:** Aaron Vannoy, Director of Planning and Development Services  
Brandon Dyson, City Attorney  
Austin Reed, Planning and Development Administrator

**I. Call to Order**

*Chair Roberts-Galindo called the meeting to order at 1:30 PM. Quorum of 6 was established.*

**II. Public Comment**

*Chair Roberts-Galindo opened public comment. As there were none, Chair Roberts-Galindo closed public comment.*

**III. Regular Agenda**

- A. Consider approving the February 2, 2026 Zoning Board of Adjustment meeting minutes.

*This item was not considered as the February 2<sup>nd</sup> meeting minutes were already approved at the previous meeting.*

- B. ZBA26-06 1052 & 1056 Holiday Drive: A request for approval of a variance from Section 501.A for a 10-foot rear yard setback in lieu of the required 20 feet and a variance from Section 511 for 15-foot long parking spaces in lieu of the required 18 feet for a new duplex within the Low-Rise Multifamily (RM-1) zoning district.

*Planning and Development Administrator, Austin Reed, presented the case.*

*Chair Roberts-Galindo opened public comment.*

*Applicant, Bryan Benson, spoke in favor of the development.*

*Builder, Rocky Templin, shared his thoughts on the development.*

*Chair Roberts-Galindo closed public comment.*

*The board had questions for staff.*

*Member Brooks made a motion to approve as presented. Member Roberts seconded the motion. Motion passed 5-0.*

- C. **ZBA26-07 2951-2963 Skyview Lane:** A request for approval of a variance from Zoning Ordinance Sec. 803.J.3 to allow an awning to extend 4' into the required 10' side yard setback to cover the front door of 4 houses located at 2951, 2955, 2959 & 2963 Skyview Ln within the Zero-lot Line, Twinhome, Townhouse (RS-3) zoning district.

*Director of Planning and Development Services, Aaron Vannoy, presented the case.*

*The board had questions for staff.*

*City Attorney Dyson gave the board a clarification.*

*Chair Roberts-Galindo opened public comment.*

*During public comment, Mary Coffey shared her concerns and opposition to the variance.*

*Neighbor David Duncan shared his concerns with the variance.*

*Applicant Zane Willard shared his thoughts on the variance.*

*The board had questions for Zane.*

*Builder Rocky Templin shared his concerns with the variance.*

*Applicant Zane Willard shared additional thoughts.*

*Neighbor David Duncan shared additional thoughts.*

*Chair Roberts-Galindo closed public comment.*

*The board discussed the case.*

*Chair Roberts-Galindo also read in ZBA26-08 as it was the same applicant and a request for additional addresses as part of the same development.*

- D. **ZBA26-08 2935-2947 Skyview Lane:** A request for approval of a variance from Zoning Ordinance Sec. 803.J.3 to allow an awning to extend 4' into the required 10' side yard setback to cover the front door of 4 houses located at 2935, 2939, 2943, & 2947 Skyview Ln within the Zero-lot Line, Twinhome, Townhouse (RS-3) zoning district.

*Member Smith made a motion to approve as presented. Member Roberts seconded the motion. The motion failed with a vote of 2 to 4, thereby denying the variance.*

- E. **ZBA26-09 Lots 10-11, Block G, Sunnyside Addition:** A request for approval of variances from Section 501.A for 20-foot front setbacks along Deaton St., a 10-foot front setback along Murphy St., and 17-foot rear setbacks for four new homes within the Single-Family Residential (RS-1) zoning district at Lots 10 & 11 of Block G in the Sunnyside Addition.

*Planning and Development Administrator Austin Reed presented the case.*

*The board had questions for staff.*

*Chair Roberts-Galindo opened public comment.*

*Builder Rocky Templin had a question about the variance.*

*Chair Roberts-Galindo closed public comment.*

*Vice Chair Jackson made a motion to approve as presented. Chair Roberts-Galindo seconded the motion. The motion passed 6 to 0.*

#### **IV. Division Report**

*Director of Planning and Development Services Aaron Vannoy gave his report.*

#### **V. Follow Up and Administrative Issues**

A. The next regular meeting of the Zoning Board of Adjustments is scheduled for June 1<sup>st</sup>, 2026 in the East Mezzanine Meeting Room at City Hall.

## **VI. Adjournment**

*Member Brooks made a motion to adjourn. Vice Chair Jackson seconded the motion. The motion carried 6-0.*

*Meeting was adjourned at 2:35 PM.*

**ZONING BOARD OF ADJUSTMENT – June , 2026  
STAFF REPORT**

<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Zoning Variance		ZBA26-14 & ZBA26-15: 77 & 59 Moritz Circle	
<b>SYNOPSIS:</b>			
<p>A request for approval of variances from Section 501.C.2 for 5-foot side yard setbacks in lieu of the required 10 feet for detached carports as part of new twinhome construction at 59 and 77 Moritz Circle within the Low-Rise Multifamily (RM-1) zoning district.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
59 & 77 Moritz Circle		<p>Acres: 0.125, Lot: 6D, Blk: 1, Subd: CLAR-MOR HEIGHTS ADDITION, R/P OF LOTS 5 6A 6B 6C BLK 1          Acres: 0.106, Lot: 4C, Blk: 1, Subd: CLAR-MOR HEIGHTS ADDITION, R/P OF LOTS 4 &amp; 5C BLK 1 REVISED</p>	
<b>SM DISTRICT / NEIGHBORHOOD:</b>		<b>ZONING:</b>	<b>FUTURE LAND USE:</b>
District #5 – Karen Hesse Smith Neighborhood – College Hills		Low-Rise Multifamily (RM-1)	Neighborhood
<b>SIZE:</b>			
0.125 acres and .106 acres			
<b>NOTIFICATIONS:</b>			
<p>77 Moritz (ZBA26-14): 17 notifications were mailed within a 200-foot radius. No responses received.          59 Moritz (ZBA26-15): 11 notifications were mailed within a 200-foot radius. No responses received.</p>			
<b>STAFF RECOMMENDATION:</b>			
<p>Staff recommend APPROVAL of both requests for variances from Section 501.C.2 for 5-foot side yard setbacks in lieu of the required 10 feet for detached carports as part of new twinhome construction at 59 and 77 Moritz Circle within the Low-Rise Multifamily (RM-1) zoning district, subject to three (3) conditions.</p>			
<b>PROPERTY OWNER/PETITIONER:</b>			
<p>Owner:          Artisan Homes SATX, LLC</p>			
<b>STAFF CONTACT:</b>			
<p>Austin Reed          Planning &amp; Dev. Administrator          (325) 657-4210, Extension 1550          austin.reed@sanangelo.gov</p>			

**Additional Information:**

The subject of these variance requests are two lots (one on each end) of a new twinhome development on Moritz Circle. At some point during construction, it was noticed that the detached carport structures to the front of the homes for 59 and 77 Moritz had their concrete pads poured too far to the side. The Zoning Ordinance's Section 501.C.2 requires "a minimum side yard of ten feet along any side boundary not adjacent to another twinhome structure." Because 59 Moritz is adjacent to a vacant commercial property and 77 Moritz is a double frontage lot adjacent to the road, they each require 10-foot side setbacks whereas the carports were poured at 5'. Staff believe the intent of this requirement is to ensure proper separation between a twinhome and a structure like a townhome which could be built upon the adjoining property line. Duplexes, which are functionally similar to twinhomes with even less fire separation requirements, require only 5 feet for a side yard, as do standard detached single-family homes.

**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.**

There are special circumstances in that 77 Moritz is adjacent to a roadway rather than another property, meaning the 10' full separation is not a concern so long as sight triangle visibility is maintained and that the structure remains open in nature. 59 Moritz on the other end of the development is adjacent to vacant commercial property and is therefore unlikely to adversely affect other property.

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

The location and nature of surrounding property are not 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.**

Literal interpretation and enforcement of the Zoning Ordinance may deprive the applicant of rights commonly enjoyed (being a 5-foot side setback) by all other single or two-family residences within the area.

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 a variance in this case would be the minimum action necessary to allow the applicant to make full responsible use of the land by providing sufficient parking and storage to the future residents of the development.

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

Granting a variance is unlikely to adversely affect adjacent land in a material way as to the side of 77 Moritz is a road rather than property, and to the side of 59 Moritz is a vacant commercial lot.

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 considered generally compatible with the intent of and the purpose statements set forth in 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 apply:

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:**

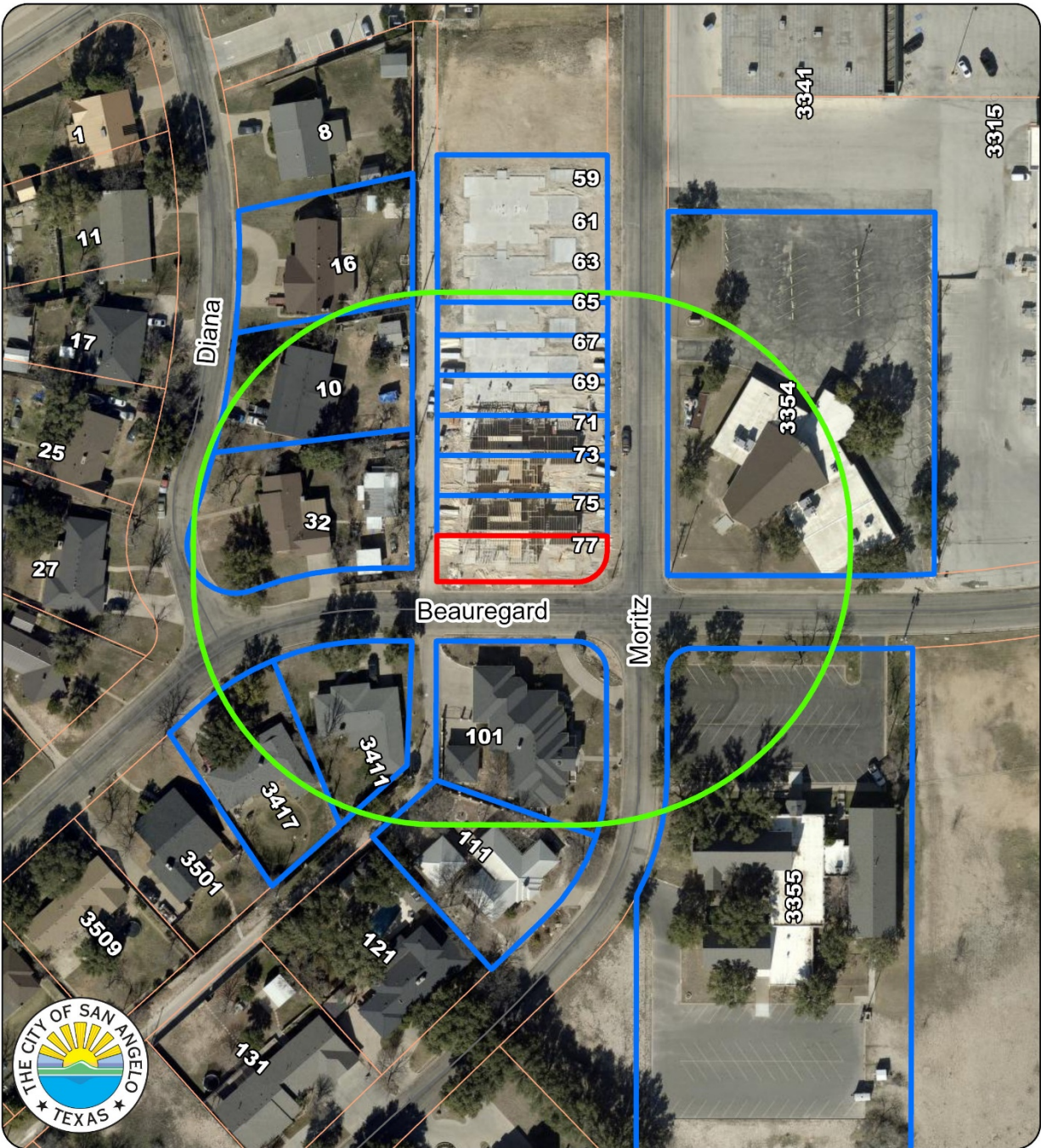
Staff recommend APPROVAL of both requests for variances from Section 501.C.2 for 5-foot side yard setbacks in lieu of the required 10 feet for detached carports as part of new twinhome construction at 59 and 77 Moritz Circle within the Low-Rise Multifamily (RM-1) zoning district, subject to three (3) conditions.

1. Applicant must receive approval of all necessary building permits through the Building Permits and Inspections department.
2. Applicant must maintain 30 feet of visual clearance from the intersection of Moritz and Beauregard
3. Approval of this variance applies only to a substantially open structure (i.e., a carport), defined as being unencumbered on 3 sides for a full 7 feet upwards from the finished floor level, with vertical posts no greater than 12 inches in diameter.

**Attachments:**

Notification Maps  
Aerial Maps  
Zoning Maps  
Concept Plan

Notification Maps



**Notification Map**  
**ZBA26-14: 77 Moritz Cir**

Council District: #5 - Karen Hesse Smith  
 Neighborhood: ASU - College Hills

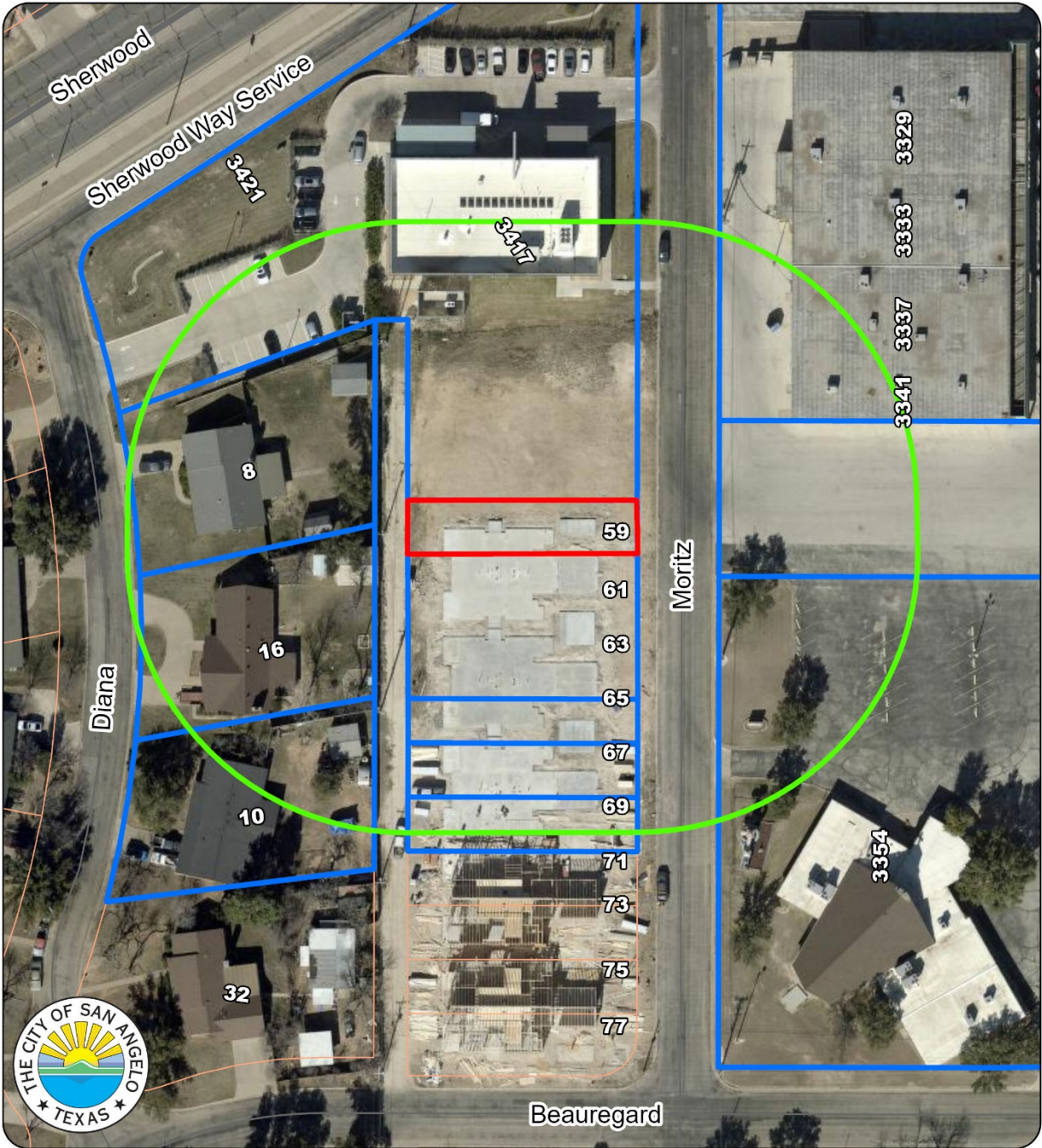
Scale: 0 0.00 0.01 0.02 0.03 0.04 Miles

200' Range: —

Subject Property: —

Notified Properties: —






**Notification Map**  
**ZBA26-15: 59 Moritz Cir**  
 Council District: #5 - Karen Hesse Smith  
 Neighborhood: ASU - College Hills

Scale: 0 0.01 0.02 0.03 0.04 Miles

200' Range: —  
 Subject Property: —  
 Notified Properties: —

N  


Aerial Maps




**Aerial Map**

**ZBA26-14: 77 Moritz Cir**

Council District: #5 - Karen Hesse Smith

Neighborhood: ASU - College Hills

Scale: 0 0 0.01 0.02 0.02 0.03 Miles

Subject Property: 





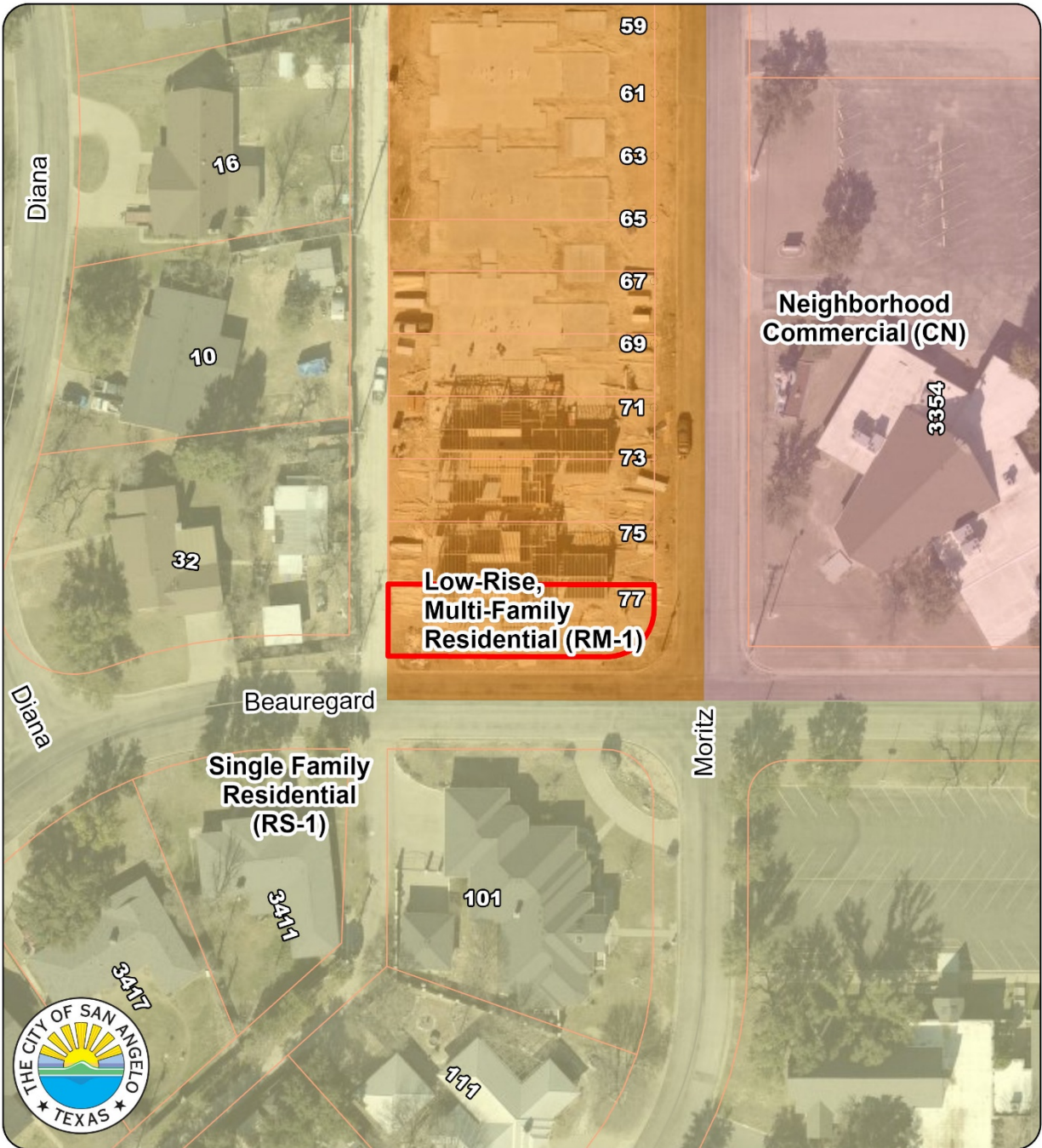
**Aerial Map**  
**ZBA26-15: 59 Moritz Cir**  
Council District: #5 - Karen Hesse Smith  
Neighborhood: ASU - College Hills

Scale: 0 0.01 0.02 0.03 0.04 Miles

Subject Property: —

N  
▲

Zoning Maps

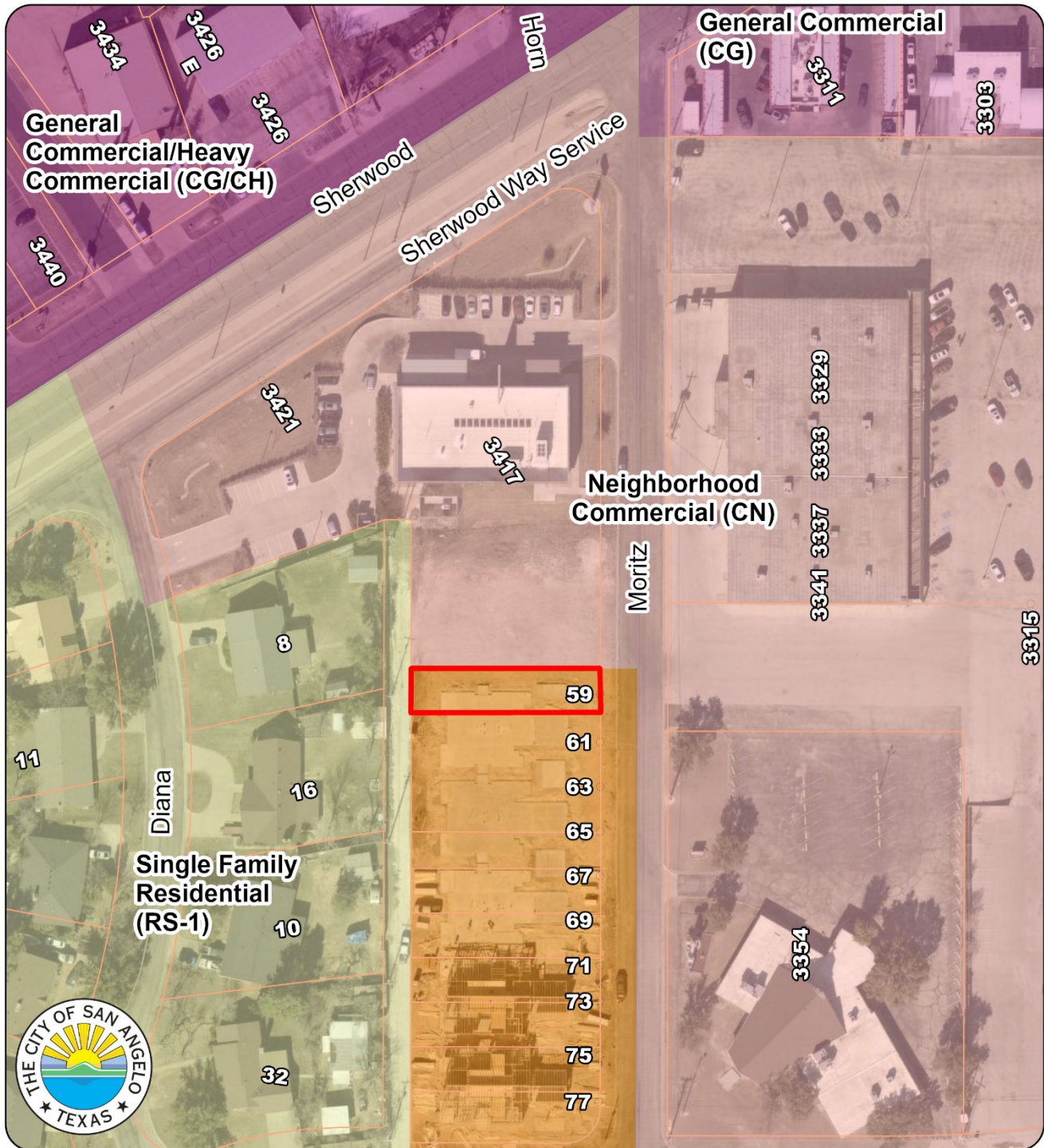


**Zone Map**  
**ZBA26-14: 77 Moritz Cir**  
Council District: #5 - Karen Hesse Smith  
Neighborhood: ASU - College Hills

Scale: 0 0.01 0.02 0.03 Miles

Subject Property: —

N



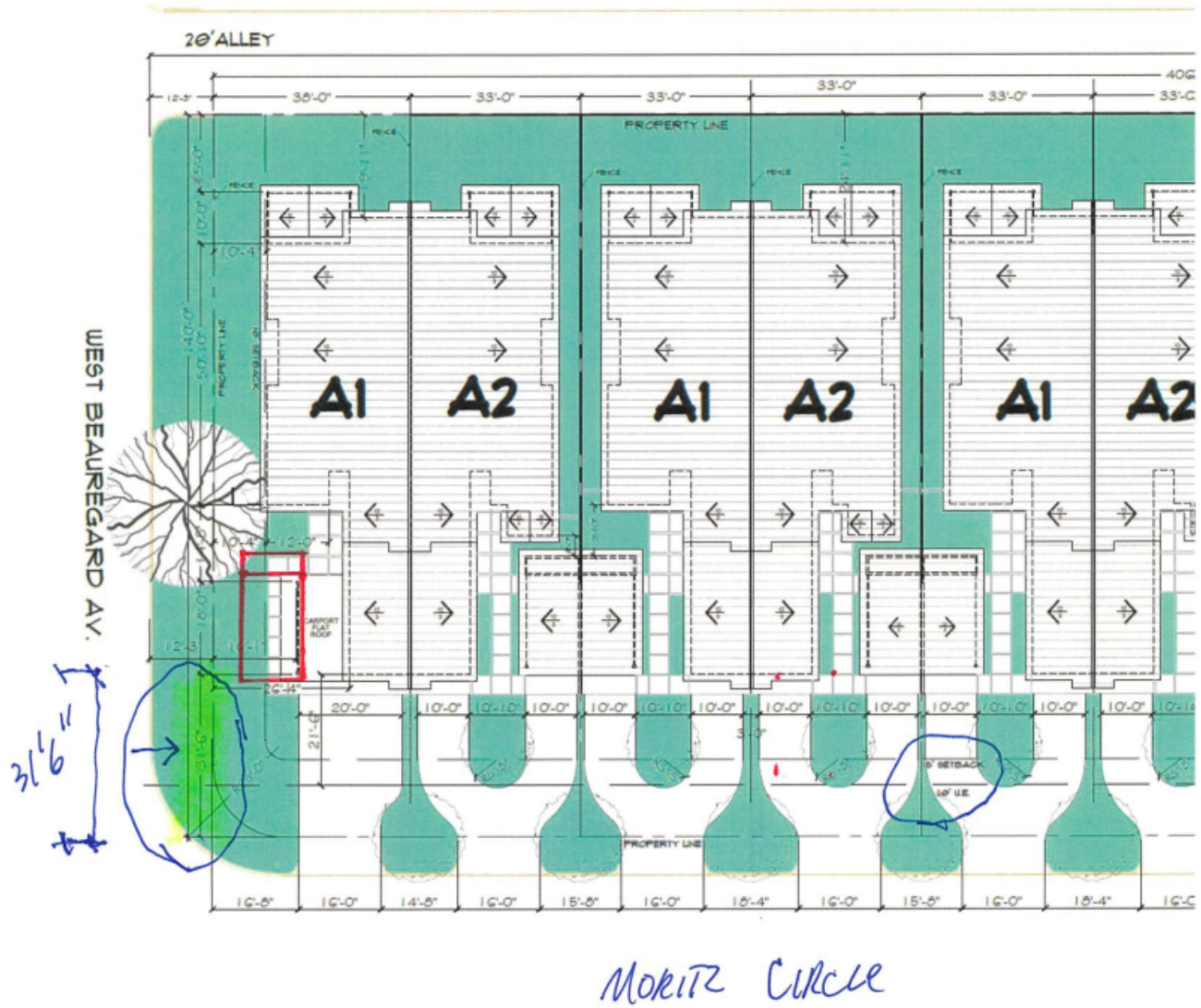
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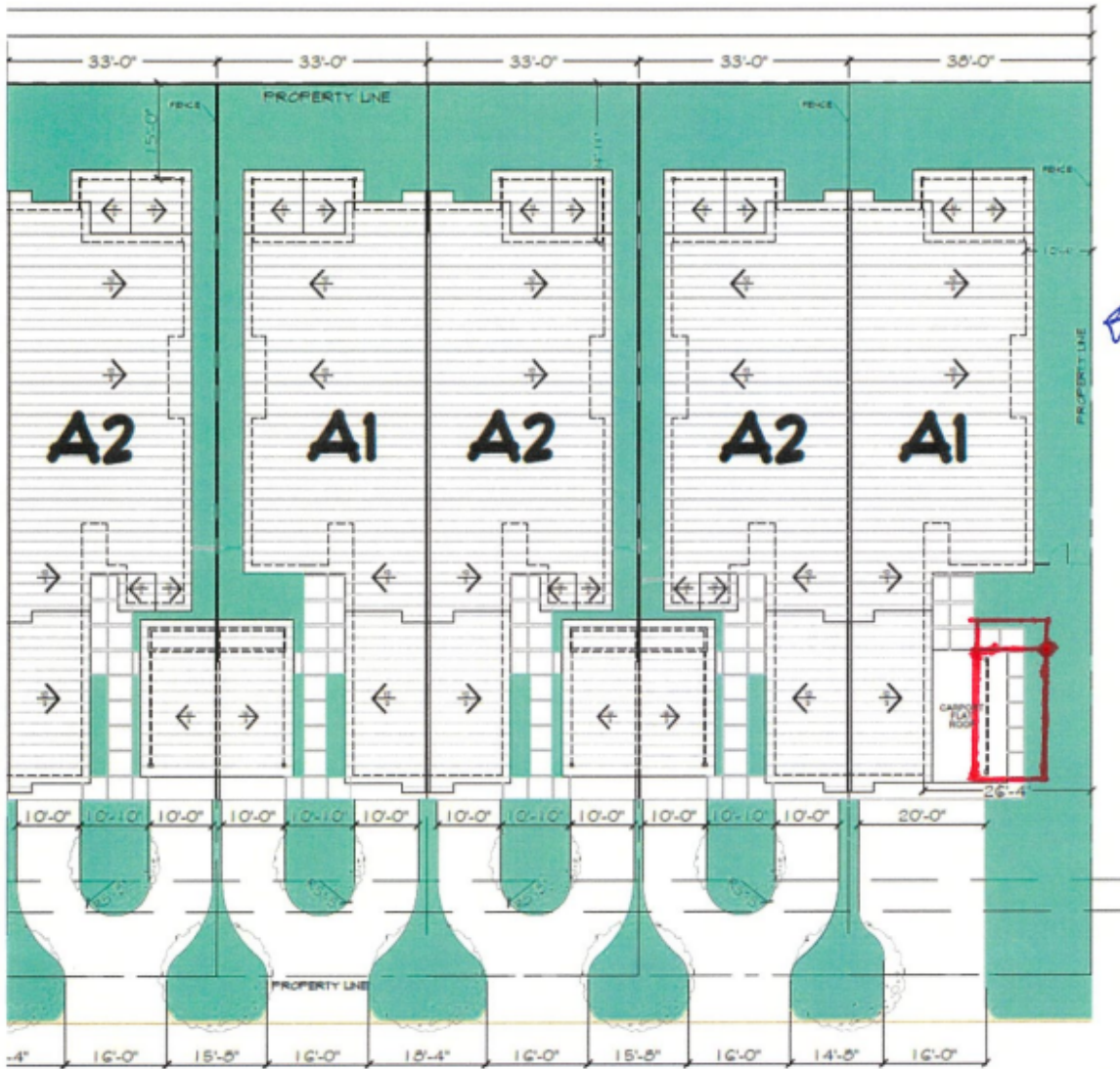
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Scale: 0 0.01 0.02 0.03 0.04 Miles

N

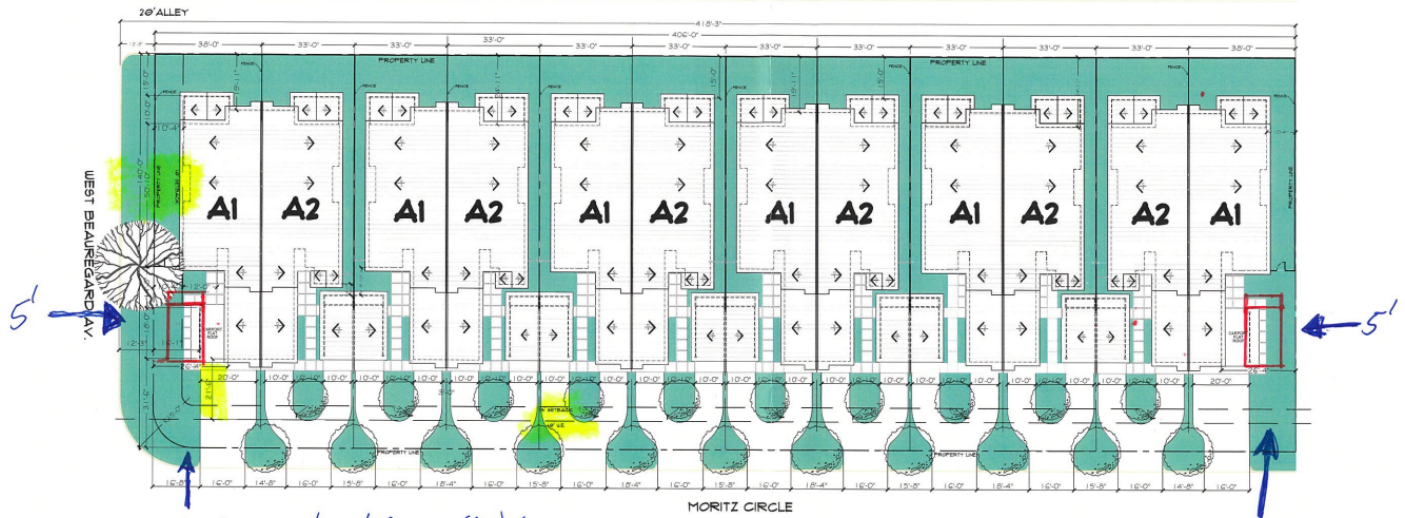
Concept Plan





← Vacant Lot

Moritz Circle



- Front of Carport and Garage (door) is approximately 31'6" back from Moritz (street) Property line. (21'6" + 10' ≈ 31'6"). (Required) Front Setback is 15'.
- The Side of Carport is presently foundation was poured only 5' from Side Property line, rather than at the 10' Side Setback. Other side is basically currently the same; Concrete for carport was poured only 5' from the Side property line.

2.1 **SITE PLAN**  
 SCALE: 1/16" = 1' @"

**ZONING BOARD OF ADJUSTMENT – June , 2026  
STAFF REPORT**

<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Zoning Variance		ZBA26-14 & ZBA26-15: 77 & 59 Moritz Circle	
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<b>SM DISTRICT / NEIGHBORHOOD:</b>		<b>ZONING:</b>	<b>FUTURE LAND USE:</b>
District #5 – Karen Hesse Smith Neighborhood – College Hills		Low-Rise Multifamily (RM-1)	Neighborhood
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**Additional Information:**

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**Recommendation:**

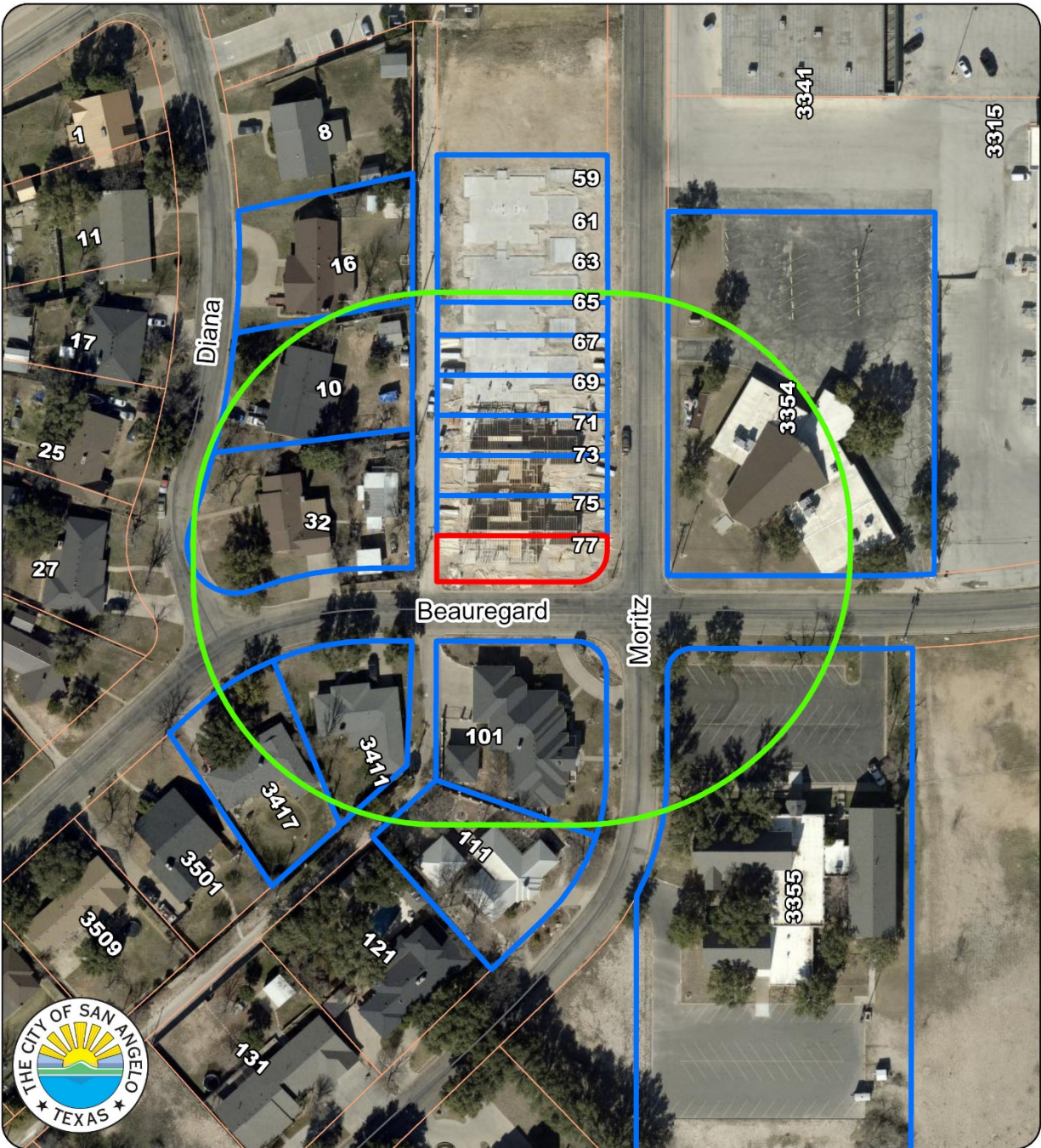
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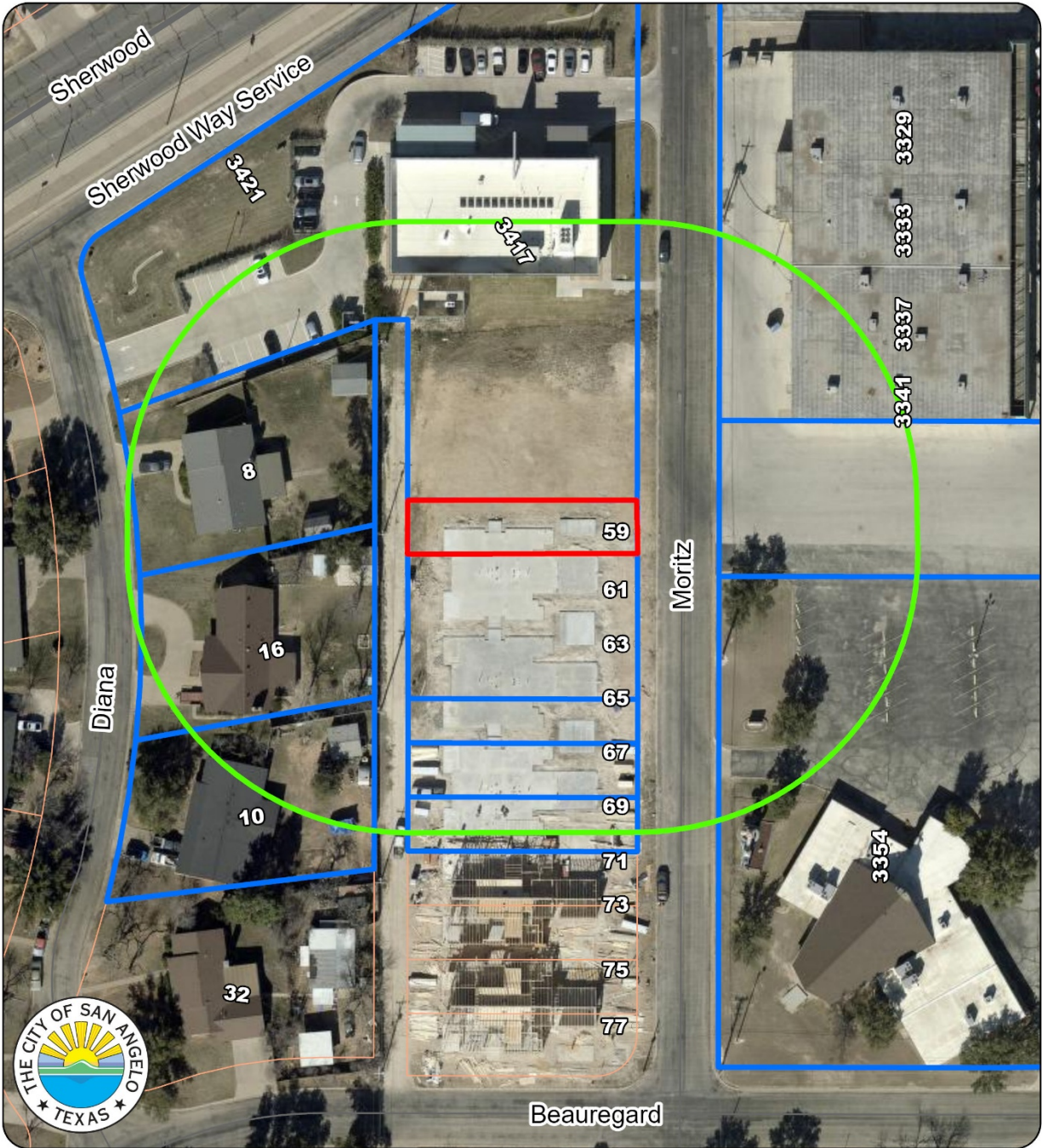
Scale: 0 0.00 0.01 0.02 0.03 0.04 Miles

200' Range: —

Subject Property: —




Notified Properties: —






**Notification Map**  
**ZBA26-15: 59 Moritz Cir**  
Council District: #5 - Karen Hesse Smith  
Neighborhood: ASU - College Hills

Scale: 0 0.01 0.02 0.03 0.04 Miles

200' Range:   
Subject Property:   
Notified Properties: 

N  


Aerial Maps




**Aerial Map**

**ZBA26-14: 77 Moritz Cir**

Council District: #5 - Karen Hesse Smith

Neighborhood: ASU - College Hills

Scale: 0 0 0.01 0.02 0.02 0.03 Miles

Subject Property: 





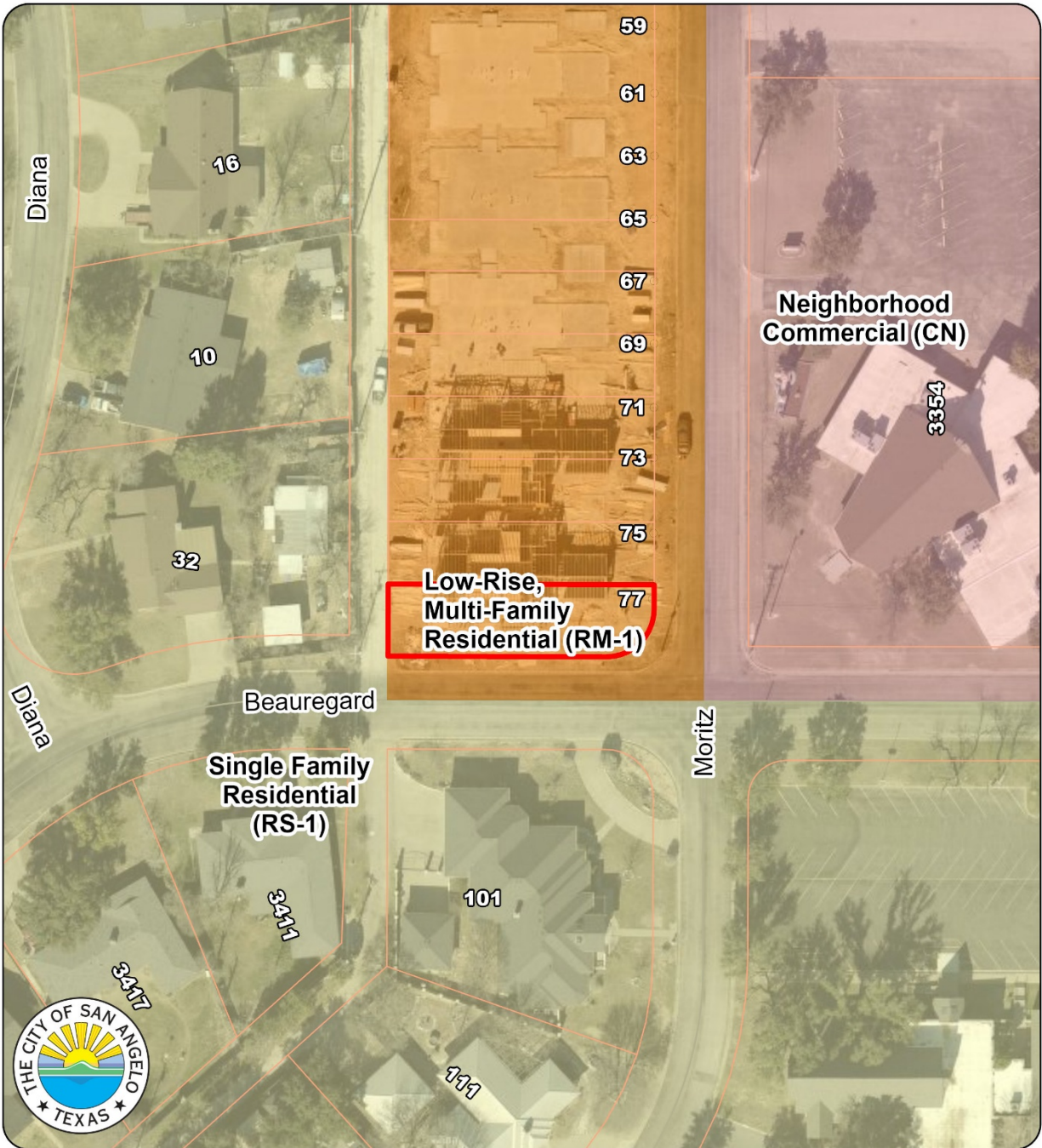
**Aerial Map**  
**ZBA26-15: 59 Moritz Cir**  
Council District: #5 - Karen Hesse Smith  
Neighborhood: ASU - College Hills

Scale: 0 0.01 0.02 0.03 0.04 Miles

Subject Property: —

N

Zoning Maps

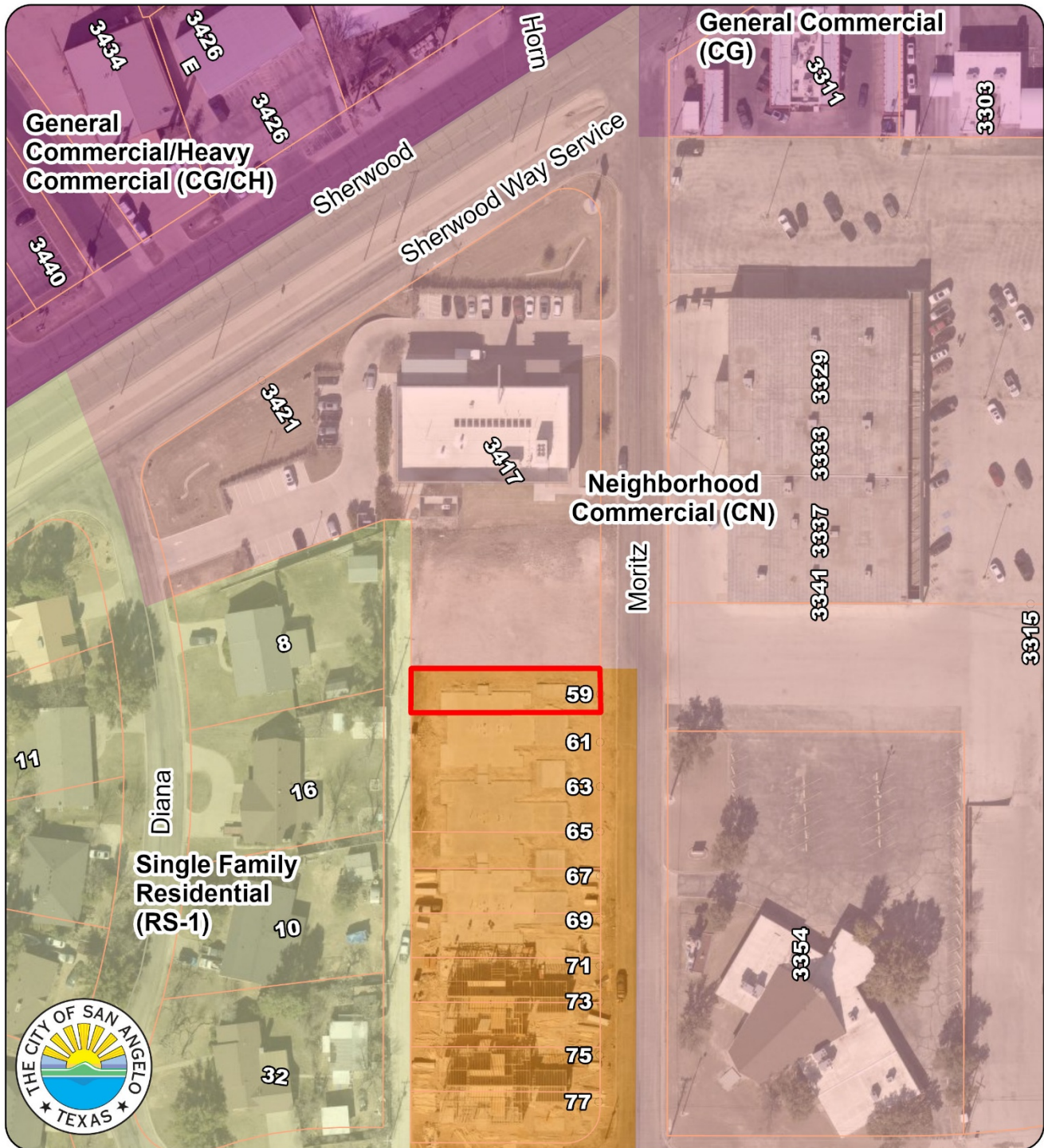


**Zone Map**  
**ZBA26-14: 77 Moritz Cir**  
Council District: #5 - Karen Hesse Smith  
Neighborhood: ASU - College Hills

Subject Property: —

Scale: 0 0.01 0.02 0.03 Miles


N



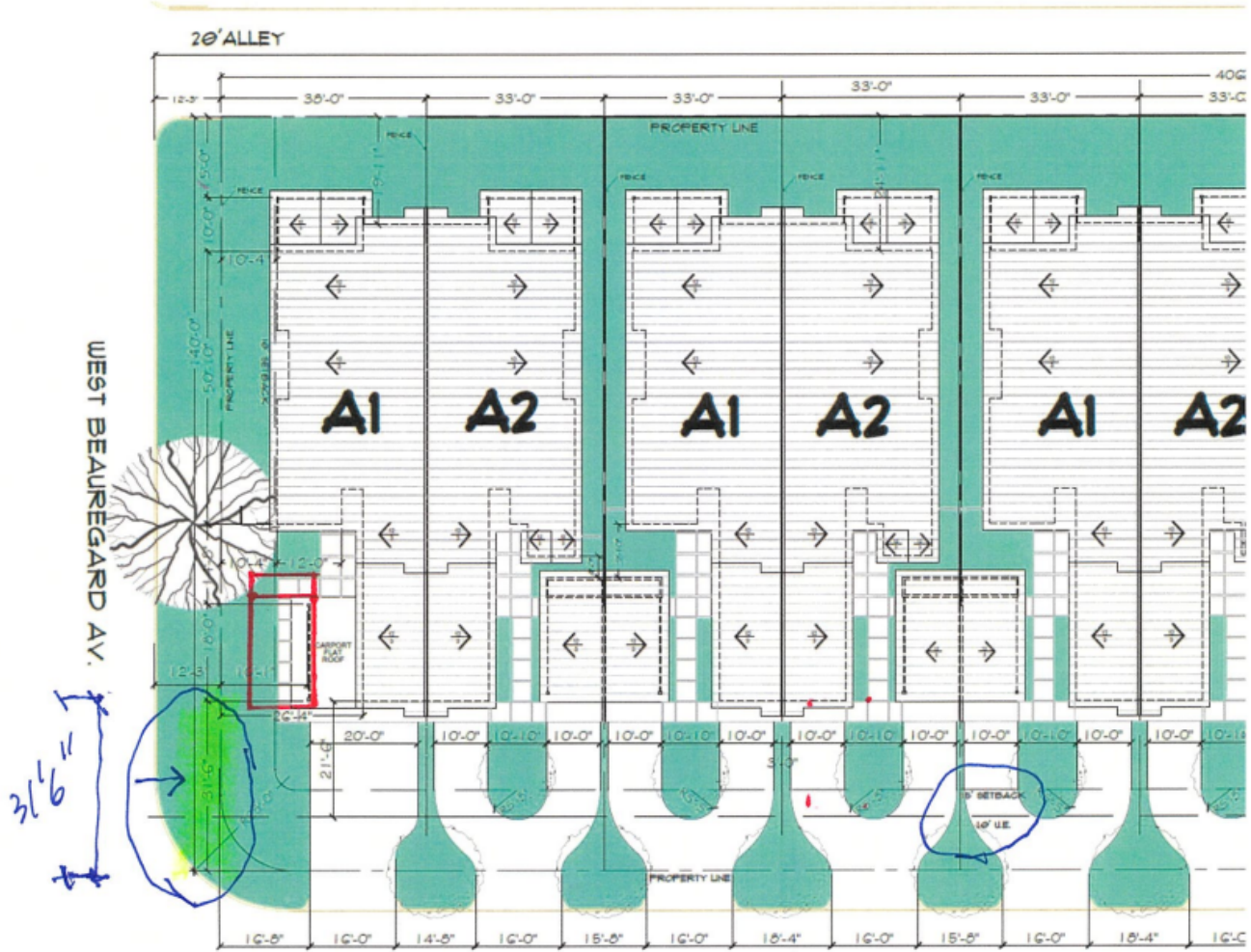
**Zone Map**  
**ZBA26-15: 59 Moritz Cir**  
 Council District: #5 - Karen Hesse Smith  
 Neighborhood: ASU - College Hills

Scale: 0 0.01 0.02 0.03 0.04 Miles

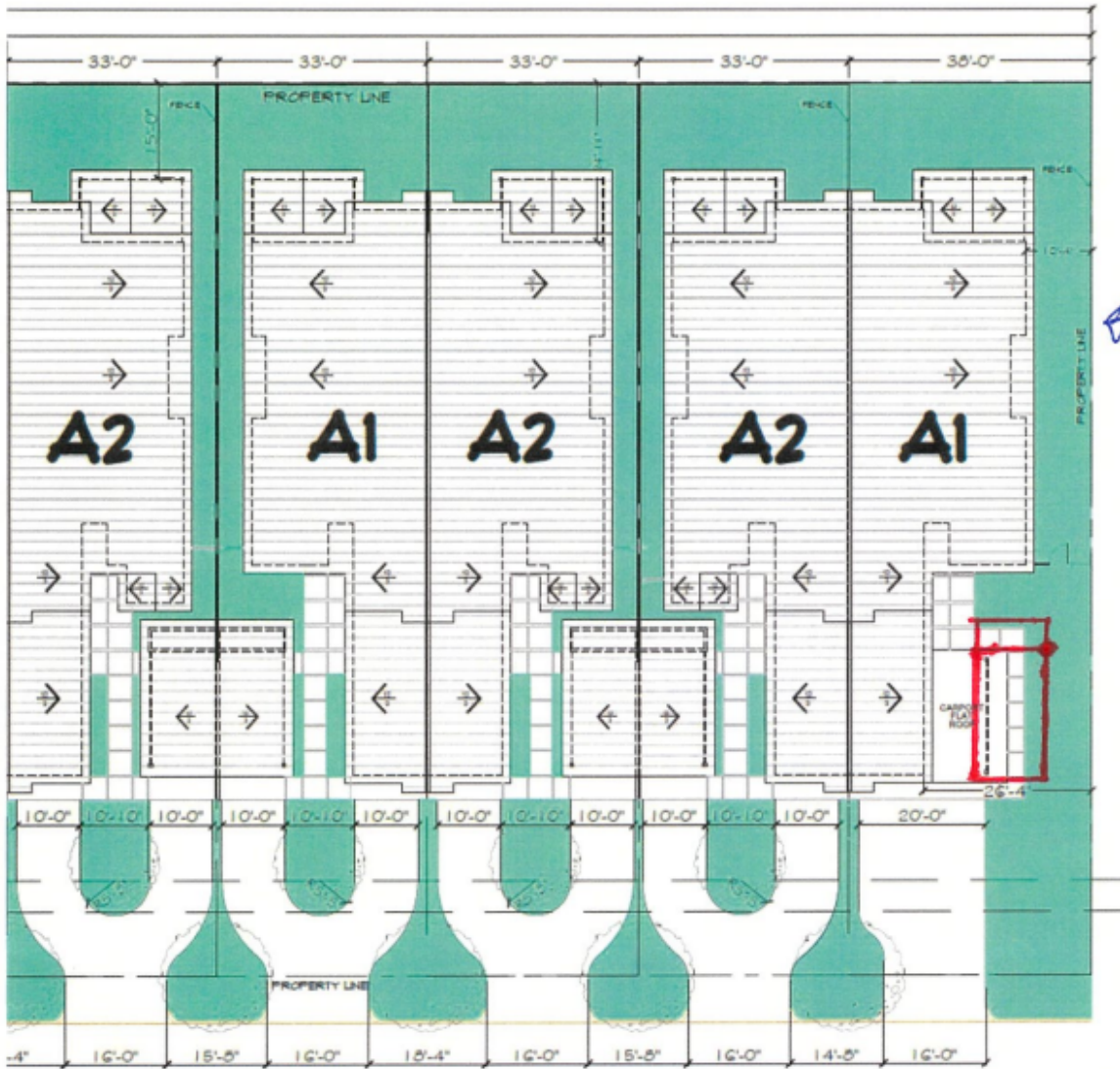
Subject Property: █

N  


Concept Plan

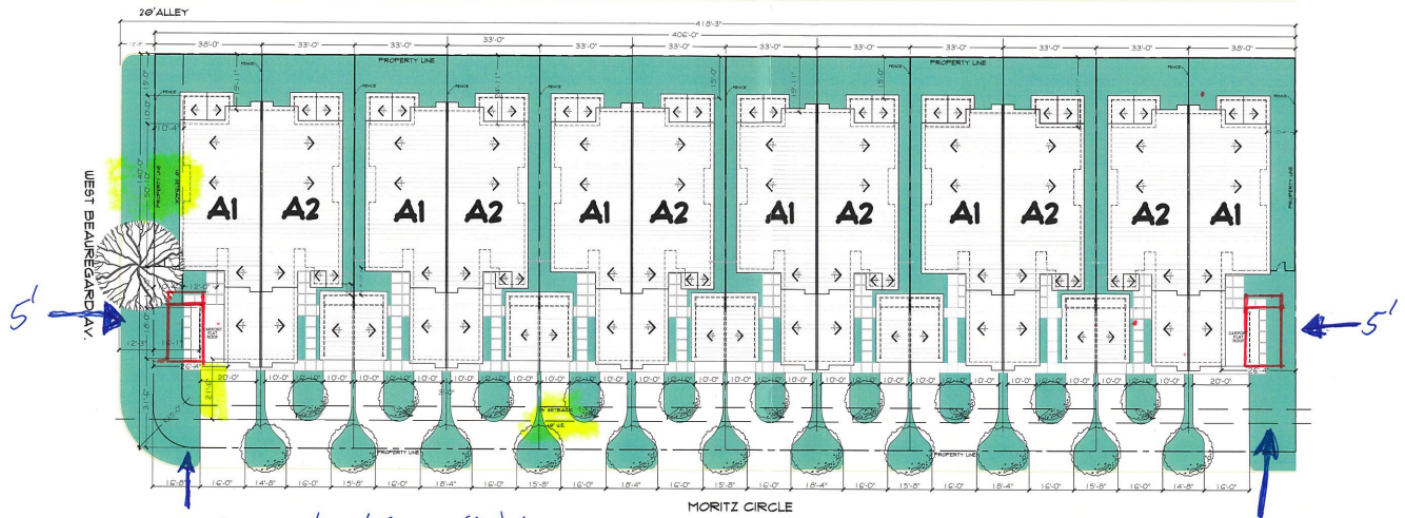


MORITZ CURVE



← Vacant Lot

Moritz Circle



- Front of Carport and Garage (door) is approximately 31'6" back from Moritz (street) Property line. (21'6" + 10' ≈ 31'6"). (Required) Front Setback is 15'.
- The Side of Carport is presently foundation was poured only 5' from Side Property line, rather than at the 10' Side Setback. Other side is basically currently the same; Concrete for carport was poured only 5' from the Side property line.

2.1 **SITE PLAN**  
 SCALE: 1/16" = 1' @"

**ZONING BOARD OF ADJUSTMENT – June 10, 2026  
STAFF REPORT**

<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Zoning variance		ZBA26-16: 204 E 37 <sup>th</sup> St	
<b>SYNOPSIS:</b>			
<p>A request for approval of a variance from Section 501.A for a 0-foot side setback in lieu of the required 5-foot for an existing house in Single-family Residential (RS-1) zoning district.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
204 E 37 <sup>th</sup> Street		Acres: 0.172, Lot: 7, Blk: 78, Subd: LAKEVIEW ADDITION	
<b>SM DISTRICT / NEIGHBORHOOD:</b>	<b>ZONING:</b>	<b>FUTURE LAND USE:</b>	<b>SIZE:</b>
District #2 – Joe Self Neighborhood – Lakeview	Single-family Residential (RS-1)	Neighborhood	0.172 acres
<b>NOTIFICATIONS:</b>			
<p>16 notifications were mailed within a 200-foot radius. Opposition received and is included in this report.</p>			
<b>STAFF RECOMMENDATION:</b>			
<p>Staff recommend <b>APPROVAL</b> of a variance from Section 501.A for a 0-foot side setback in lieu of the required 5-foot for an existing house in Single-family Residential (RS-1) zoning district.</p>			
<b>PROPERTY OWNER/PETITIONER:</b>			
Petitioner: Wilde Engineering and Surveying, LLC			
<b>STAFF CONTACT:</b>			
Rae Lineberry Lead Planner (325) 657-4210, Extension 1533 <a href="mailto:Rae.lineberry@sanangelo.gov">Rae.lineberry@sanangelo.gov</a>			

**Additional Information:**

This request is to allow an existing house to have a 0-foot side yard setback in lieu of the required 5-foot to remain where it is as the property owner would like to replat their lot and subdivide it. In order to replat, the variance would need to be approved for the existing house, built in 1953, to be on the property line along Goliad St.

**Variations:** 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.**  
There are special circumstances in this case as the structure has existed where it is for over fifty years and that there is 10 feet of right-of-way.
2. **These special circumstances are not the result of the actions of the applicant.**  
The age of the structure and amount of right-of-way are in no way a result of the actions of the current property owner and 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.**  
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 a variance in this case would be the minimum action necessary to allow the applicant to replat their property and leave the building undisturbed.
5. **Granting the variance will not adversely affect adjacent land in a material way.**  
Granting a variance would not adversely affect adjacent land in a material way.
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 considered 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 apply:

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.*

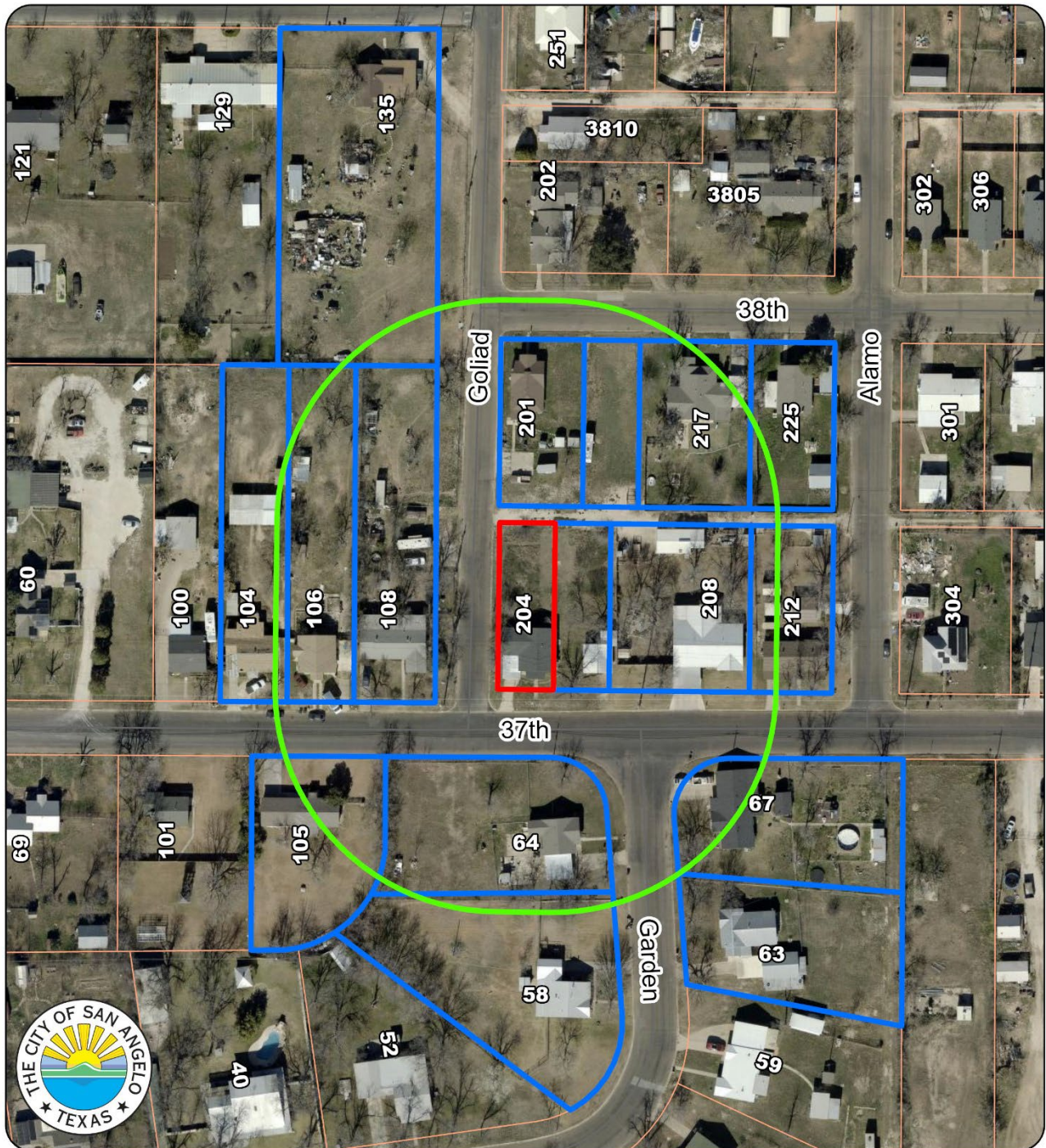
**Recommendation:**

Staff recommend **APPROVAL** of a variance from Section 501.A for a 0-foot side setback in lieu of the required 5-foot for an existing house in Single-family Residential (RS-1) zoning district.

**Attachments:**

- Notification Map
- Aerial Map
- Zoning Map
- Site Plan
- Opposition

Notification Map



**Notification Map**  
**ZBA26-16: 204 E 37th St**

Council District: #2 - Joe Self  
Neighborhood: Lakeview

Scale: 00.00.01 0.02 0.03 0.04 Miles

200' Range: 

Subject Property: 

Notified Properties: 




Aerial Map



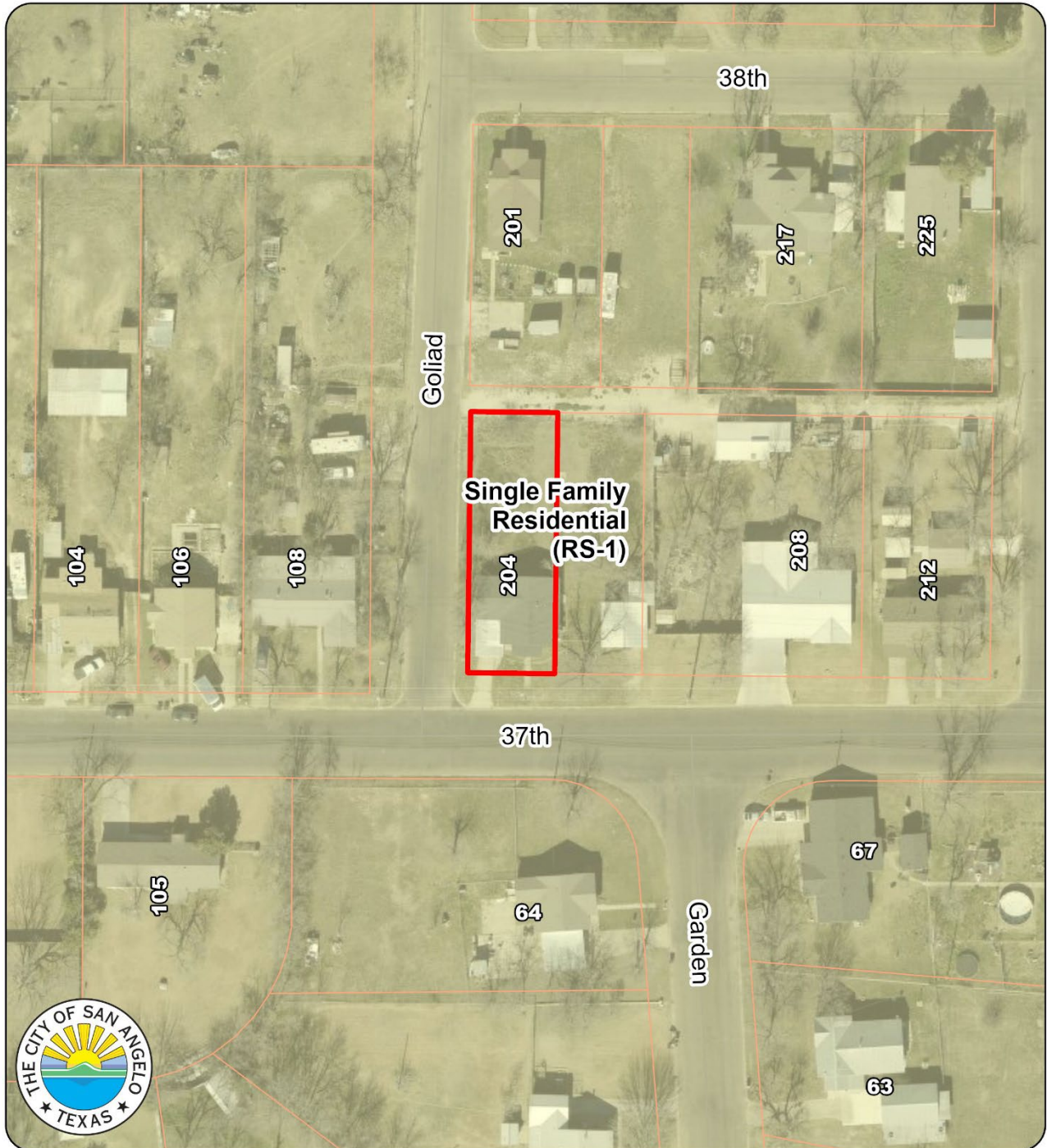
**Aerial Map**  
**ZBA26-16: 204 E 37th St**  
Council District: #2 - Joe Self  
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Scale: 0 0.01 0.02 0.03 0.03 Miles

Subject Property: —




Zoning Map



**Vision Map**  
**ZBA26-16: 204 E 37th St**

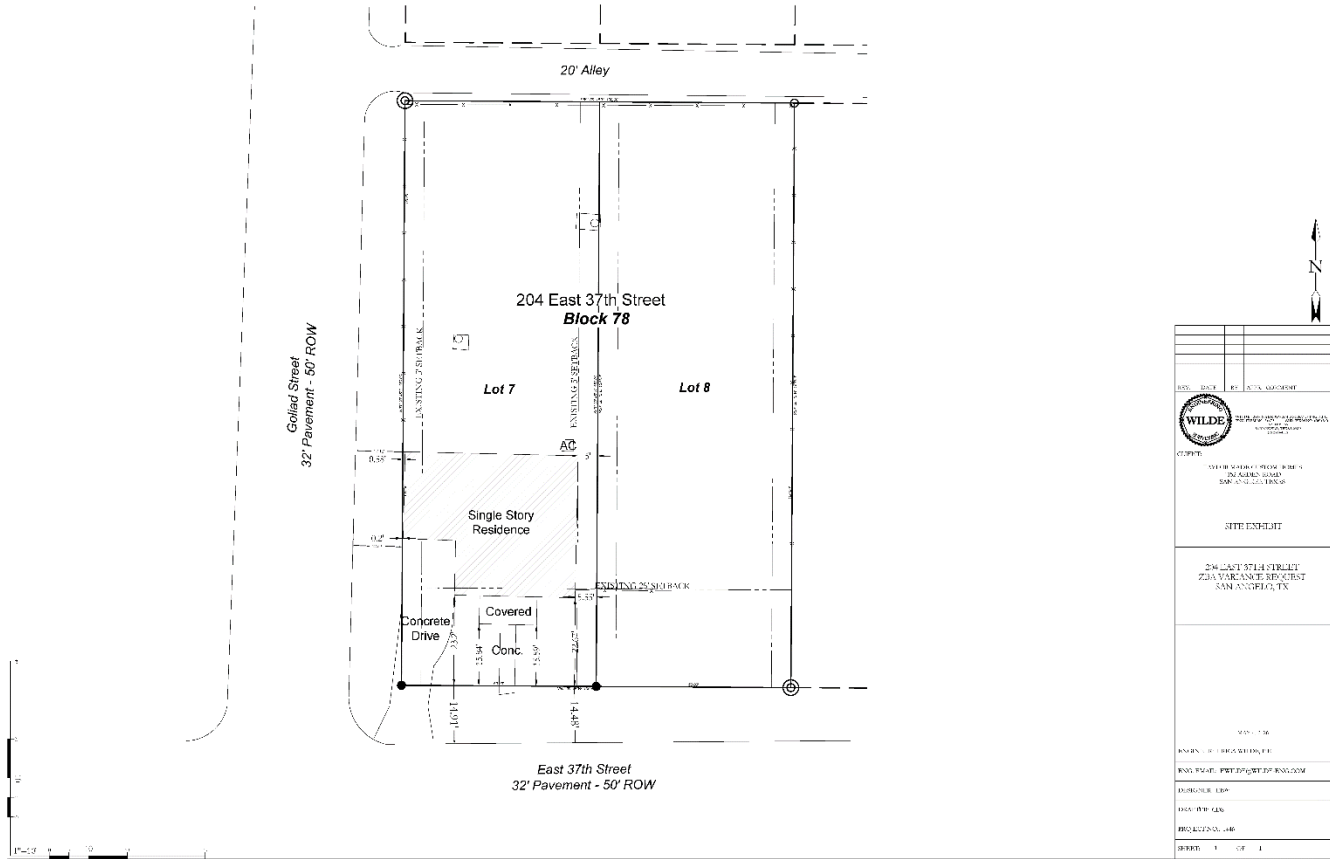
Council District: #2 - Joe Self  
Neighborhood: Lakeview

Scale: 0 0.01 0.02 0.03 0.03 Miles

Subject Property: 



Site Plan



REV.	DATE	BY	DESCRIPTION
 WILDE ENGINEERING & ARCHITECTURE 500 N. LAMAR STREET SAN ANGELO, TX 76901 TEL: 361-251-1111 FAX: 361-251-1112 WWW.WILDE-ARCH.COM			
SITE EXHIBIT			
204 EAST 37TH STREET ZBA VARIANCE REQUEST SAN ANGELO, TX			
SCALE: 1/8" = 1'-0"			
DRAWN BY: J. B. BROWN, P.E.			
ENG. EXAM. BY: J. B. BROWN, P.E.			
ARCH. EXAM. BY: J. B. BROWN, P.E.			
PROJECT NO.: 166			
SHEET 1 OF 1			

## PETITION TO THE ZONING BOARD

Date: 5/29/26

To: The Zoning Board of San Angelo, Texas

Subject: Request to Deny Additional Residential Construction in Our Single-Family Residential Neighborhood

We, the undersigned residents of the surrounding neighborhood, respectfully request that the Zoning Board deny approval for any variance request for a 0-foot setback in lieu of the required 5-foot for a residential lot, along with any proposed construction of two additional homes located on 204 & 206 E. 37<sup>th</sup> Street property (Block 78 : Lot 7& 8).

Our neighborhood is zoned and established as a single-family residential district. The proposed construction appears to prioritize financial gain over the character, safety, and stability of our community. We believe this development would negatively impact our neighborhood for several reasons, including but not limited to:

1. Increased traffic and congestion on residential streets not designed for higher-density housing.
2. Reduced privacy and overcrowding within a neighborhood intended for single-family residences.
3. Potential strain on parking, utilities, drainage, and other neighborhood infrastructure.
4. Concerns regarding property values and preservation of the character and appearance of our community.
5. Lack of communication and consideration for neighboring homeowners and residents directly affected by this proposed development.

Our neighborhood was established and purchased by residents with the understanding that it would remain a single-family residential area. Approving additional high-density construction in this location would set a precedent inconsistent with the intent of the current zoning and the expectations of homeowners in this community.

We are opposed to the 0-foot variance setback request. And we respectfully ask the Zoning Board to protect the integrity of our neighborhood and deny any requests for rezoning, variances, permits, or approvals related to this construction project.

Thank you for your time, consideration, and commitment to preserving the quality and character of our residential community.

Sincerely,

### Neighborhood Petition Signatures

Name	Address	Signature
Jock Stewart	208 E 37th St	<i>Jock Stewart</i>
Debra Stewart	208 E 37th St	<i>Debra Stewart</i>
Paul E Jr Stewart	212 E 37th St	<i>Paul E Stewart</i>
Barbara Stewart	212 E 37th St	<i>Barbara Stewart</i>
Robert Raymond Murphy	108 E 37th St	<i>Robert Murphy</i>
Betty Murphy	108 E 37th St	<i>Betty Murphy</i>
Henry Ramos	106 E 37 St	<i>During live here due to flood</i>
Leland Turnbow	105 E 37 St	<i>Leland Turnbow</i>
Theresa Turnbow	105 E 37 St	<i>Theresa Turnbow</i>
<sup>JOE</sup> Juan J Alcala	104 E 37 St	<i>Joe Alcala</i>
Leland Turnbow	101 E 37 St	<i>Leland Turnbow</i>
Theresa Turnbow	101 E 37 St	<i>Theresa Turnbow</i>
Jose A Galindo	100 E 37 St	
Gretcen N Smith	69 E 37 St	<i>GS</i>
Justin Polk	67 E 37 St	<i>House for Sale</i>
Linda Guevara	61 E 37 St	
Marcelo Sanchez	60 E 37 St	
Carolina Sanchez	60 E 37 St	
Dylan Eubank	58 E 37 St	<i>Dylan Eubank</i>
Meg Levesque Eubank	58 E 37 St	<i>Meg Eubank</i>
Alvaro Calderon	56 E 37 St	
Kathy Maberry	54 E 37 St	
James Valincano	52 E 37 St	
Guillermo G II Fino	52 E 37 St	
Paula Preston	50 E 37 St	
William H Banks Jr	10 E 37 St	<i>Out of town</i>

Name	Address	Signature
Victor Perez Jr	201 E 38 St	Victor Perez Jr
Jessica Sarrat Gonzales	217 E 38 St	Jessica Sarrat Gonzales
Randy Carter	225 E 38 St	Randy Carter
Mary L Carter	225 E 38 St	Mary L Carter
Jeffrey Stewart	3805 Alamo St	Jeffrey Stewart
Jesus Sepeda	135 E 39 St	Jesus Sepeda
Christal Arroyo Garcia	64 Garden Rd	Christal Garcia
Michael Smith	67 Garden Rd	Michael Smith
Cindy Smith	67 Garden Rd	Cindy Smith
William Keating (PAT Keating)	63 Garden Rd	PAT Keating
Lance Crouser	58 Garden Rd	Lance Crouser
Amy Crouser	58 Garden Rd	Amy Crouser
Scott Vancil	59 Garden Rd	Scott Vancil
Deandra Vancil	59 Garden Rd	Deandra Vancil
Arnold Guzman	55 Garden Rd	Arnold Guzman
Angela Kay Baker Heroy	52 Garden Rd	Angie Heroy
Todd Biddick	51 Garden Rd	Todd Biddick
David Peizel Kathy Novian	47 Garden Rd	Kathy Novian
Roy McIntyre	43 Garden Rd	Roy McIntyre
Leland Turnbow	40 Garden Rd	Leland Turnbow
Theresa Turnbow	40 Garden Rd	Theresa Turnbow
Jason Helms	39 Garden Rd	
Henry Martinez Jr	35 Garden Rd	
Sean Kolbert	34 Garden Rd	Sean Kolbert
Robert Swink	32 Garden Rd	Robert Swink
Jose Moreno	27 Garden Rd	
Nick Celaya	23 Garden Rd	
Jane Celaya	23 Garden Rd	





The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

**SUBJECT:** A request for approval of a variance from Section 501.A for a 0-foot side setback in lieu of the required 5-foot for an existing house in Single-family Residential (RS-1) zoning district.

**WHEN:** Monday, June 1<sup>st</sup>, 2026 at 1:30PM

**WHERE:** East Mezzanine Room, City Hall, located at 72 W College Ave.

**REASON:** To change the side setback for an existing house.

This hearing is open to any interested person. Opinions, objections, and comments on this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that can be cut off, filled out, and mailed. Comments are also accepted by email, listed below.

The attached map shows the area of this request. The **property that is marked red is the subject of the hearing.** The green boundary line around the subject property is the notification area, while properties outlined in blue are those being notified.

Zoning Board of Adjustment members are citizens appointed by San Angelo's City Council specifically to hear and decide certain matters regarding the use and development of land within the city limits of San Angelo. If you have questions about these proceedings, don't hesitate to get in touch with **the Planning Department** by telephone at number 325-657-4210 or by email at [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

-----  
For the Zoning Board of Adjustment  
Please call (325) 657-4210 if you have any questions about this notice.

**CASE #: ZBA26-16: 204 E 37<sup>th</sup> St**

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Name:  
Address:

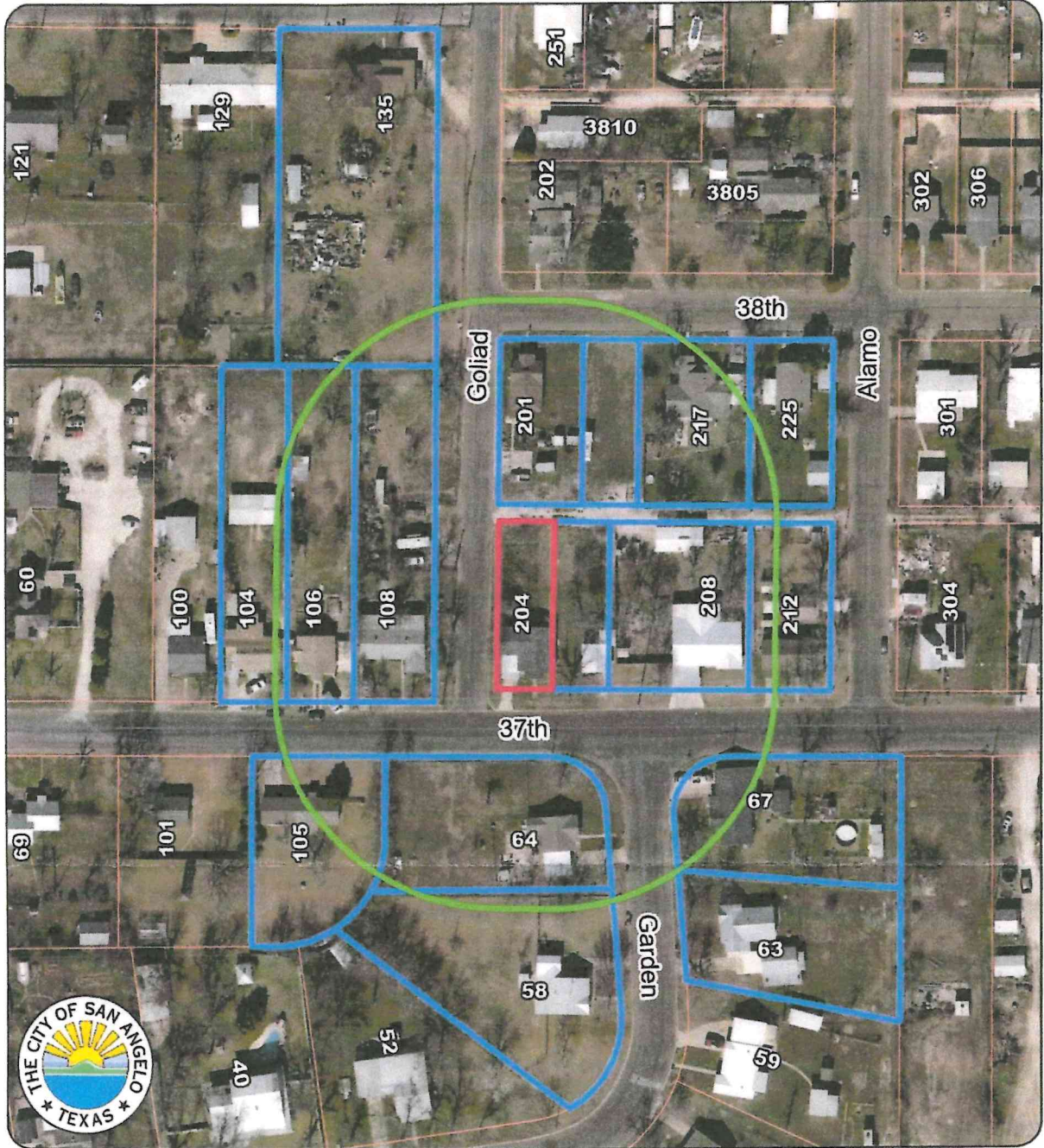
Mailing To:      ATTN: Planning and Development Services  
-----            52 W. College Ave  
                         San Angelo, TX, 76903            Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor       I am opposed

Signature: \_\_\_\_\_



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903



**Notification Map**  
**ZBA26-16: 204 E 37th St**

Council District: #2 - Joe Self  
Neighborhood: Lakeview

Scale: 00.00.01 0.02 0.03 0.04 Miles

- 200' Range:
- Subject Property:
- Notified Properties:





The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

STEWART PAUL E JR & BARBARA N  
212 E 37TH ST  
SAN ANGELO, TX 76903-2220

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

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Name: STEWART PAUL E JR & BARBARA N  
Address: 212 E 37TH ST

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

*also  
e mailed  
opposed on  
5/23/26 @ 12:40pm*

Signature: *Barbara N. Stewart*  
*Paul E Stewart Jr.*  
*via POA*



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

STEWART JOCK C & DEBRA A  
208 E 37TH ST  
SAN ANGELO, TX 76903-2220

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

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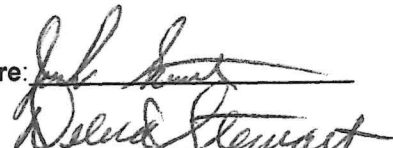
Name: STEWART JOCK C & DEBRA A  
Address: 208 E 37TH ST

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature: 



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

MURPHY ROBERT RAYMOND  
108 E 37TH ST  
SAN ANGELO, TX 76903-2108

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

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For the Zoning Board of Adjustment  
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Name: MURPHY ROBERT RAYMOND  
Address: 108 E 37TH ST

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature 

\* Never received a form



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

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**CASE #:** ZBA26-16: 204 E 37<sup>th</sup> St

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You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: *WILLIAM KEATING (SON) PAT KEATING (MOTHER)*  
Address: *63 GARDEN RD.*

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature: *Pat Keating*



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

SMITH MICHAEL  
67 GARDEN RD  
SAN ANGELO, TX 76903-2115

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

**SUBJECT:** A request for approval of a variance from Section 501.A for a 0-foot side setback in lieu of the required 5-foot for an existing house in Single-family Residential (RS-1) zoning district.

**WHEN:** Monday, June 1<sup>st</sup>, 2026 at 1:30PM

**WHERE:** East Mezzanine Room, City Hall, located at 72 W College Ave.

**REASON:** To change the side setback for an existing house.

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For the Zoning Board of Adjustment  
Please call (325) 657-4210 if you have any questions about this notice.

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Name: SMITH MICHAEL  
Address: 67 GARDEN RD

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature: 



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

CROUSER LANCE  
58 GARDEN RD  
SAN ANGELO, TX 76903-2116

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

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Name: CROUSER LANCE  
Address: 58 GARDEN RD

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903      Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor       I am opposed

Signature: Lance Crouser



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

GARCIA CHRISTAL ARROYO  
64 GARDEN RD  
SAN ANGELO, TX 76903-2116

### NOTICE OF PUBLIC HEARING

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

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For the Zoning Board of Adjustment  
Please call (325) 657-4210 if you have any questions about this notice.

**CASE #: ZBA26-16: 204 E 37<sup>th</sup> St**

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Name: GARCIA CHRISTAL ARROYO  
Address: 64 GARDEN RD

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature: 



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

PEREZ VICTOR JR  
201 E 38TH ST  
SAN ANGELO, TX 76903-2227

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

**SUBJECT: A request for approval of a variance from Section 501.A for a 0-foot side setback in lieu of the required 5-foot for an existing house in Single-family Residential (RS-1) zoning district.**

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Name: PEREZ VICTOR JR  
Address: 201 E 38TH ST

*X 2 Lots*

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature: *Victor Perez Jr*



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

SEPEDA JESUS  
135 E 39TH ST  
SAN ANGELO, TX 76903-2123

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

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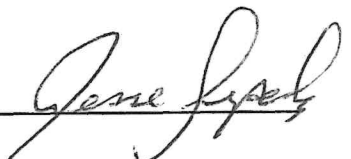
Name: SEPEDA JESUS  
Address: 135 E 39TH ST

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature: 

*\* Never received a form*



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

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Name: *Randy & Marylou Carter*  
Address: *225 E 38<sup>th</sup> St*

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature: *Randy Carter*  
*Marylou Carter*



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

SARRAT GONZALES JESSICA  
217 E 38TH ST  
SAN ANGELO, TX 76903-2227

**NOTICE OF PUBLIC HEARING**

RE: ZBA26-16: 204 E 37<sup>th</sup> St

5/21/2026

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Name: SARRAT GONZALES JESSICA  
Address: 217 E 38TH ST

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature



The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

TURNBOW LELAND & THERESA  
40 GARDEN RD  
SAN ANGELO, TX 76903-2116

**NOTICE OF PUBLIC HEARING**

RE: ~~ZBA26-16: 204 E 37<sup>th</sup> St~~

~~5/21/2026~~

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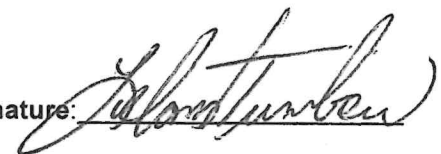

Name: TURNBOW LELAND & THERESA  
Address: 105 E 37TH ST

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature:   




The City of San Angelo, Texas  
Planning Division  
52 West College Avenue, 76903

**NOTICE OF PUBLIC HEARING**

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Name: *Joe Alcaia*  
Address: *104 E. 37<sup>th</sup> St*

Mailing To: ATTN: Planning and Development Services  
52 W. College Ave  
San Angelo, TX, 76903

Email: [planning@sanangelo.gov](mailto:planning@sanangelo.gov)

I am in favor

I am opposed

Signature: *Joe Alcaia*

**ZONING BOARD OF ADJUSTMENT – June 10, 2026  
STAFF REPORT**

<b>APPLICATION TYPE:</b>		<b>CASE:</b>	
Variance		ZBA26-12: 2202 Sherwood Way	
<b>SYNOPSIS:</b>			
<p>A request for approval of a variance from Zoning Ordinance Sec. 502.B for a 4-foot front setback in lieu of the required 25 feet for a canopy for walk-up customers and as a place to put their sign for the property located at 2202 Sherwood Way within the General/Heavy Commercial (CG/CH) zoning district.</p>			
<b>LOCATION:</b>		<b>LEGAL DESCRIPTION:</b>	
2202 Sherwood Way		Acres: 0.317, Lot: 96 & 97, Subd: SUNSET TERRACE ADDITION	
<b>SM DISTRICT / NEIGHBORHOOD:</b>		<b>ZONING:</b>	<b>FUTURE LAND USE:</b>
District #5 – Karen Hesse Smith Neighborhood – Central		General/Heavy Commercial (CG/CH)	Neighborhood Center
		<b>SIZE:</b>	
			0.317 acres
<b>NOTIFICATIONS:</b>			
26 notifications were mailed within 200-foot radius on May 26, 2026. No responses received to date.			
<b>STAFF RECOMMENDATION:</b>			
Staff recommend DENIAL of a variance from Sec. 502.B for a 4-foot front setback in lieu of the required 25 feet.			
<b>PROPERTY OWNER/PETITIONER:</b>			
Applicant: Francisco Perez			
<b>STAFF CONTACT:</b>			
Rae Lineberry Lead Planner (325) 657-4210, Extension 1533 <a href="mailto:Rae.lineberry@sanangelo.gov">Rae.lineberry@sanangelo.gov</a>			

**Additional Information:**

This request is for an awning that will extend out from the front of the building into the front yard setback approximately 21'. The restaurant while mainly a drive-thru establishment would like the awning for walk-up customers and as a place to put their sign as there is already a freestanding sign on the lot. The Texas Department of Transportation controls the right-of-way along the Sherwood Way frontage and do not have an issue with the request.

**Variations:** 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.**  
Staff could not determine that a special circumstance exists. The lot was recently updated to show the property line as being 25 feet from the building, as City records previously indicated that the building sat directly on the property line.
2. **These special circumstances are not the result of the actions of the applicant.**  
This is an existing building that has recently been renovated, and an awning has not previously existed on the structure. The request to install a new awning is the result of the applicant's own actions, rather than a condition inherent to the property.
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.**  
There is a 10-foot right-of-way, and approval of this variance would result in an open structure being located approximately 14-feet from the curb. The existing buildings along this block generally align with the current building façade. Installing the proposed awning would place the structure closer to the curb than others on the block.
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 allow a structure on this property to be located closer to the curb, whereas other existing buildings along this block would not be permitted a similar encroachment.
5. **Granting the variance will not adversely affect adjacent land in a material way.**  
Because the proposed awning would extend significantly closer to the curb than existing structures on the block, granting this variance would disrupt the established building line and create an inconsistency not permitted for adjacent properties. This deviation could materially affect the character, uniformity, and functional use of the surrounding area.
6. **Granting the variance will be generally consistent with the purposes and intent of this Zoning Ordinance.**  
Granting this variance would not be 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 apply:

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 a variance from Sec. 502.B for a 4-foot front setback in lieu of the required 25 feet.

**Attachments:**

Notification Map  
Zoning Map  
Site Plan  
Drawing of Awning  
Site Photo

Notification Map



**Notification Map**  
**ZBA26-12: 2202 Sherwood Way**

Council District: #5 - Karen Hesse Smith  
 Neighborhood: Central

Scale: 0 0.01 0.03 0.04 0.06 Miles

200' Range: —

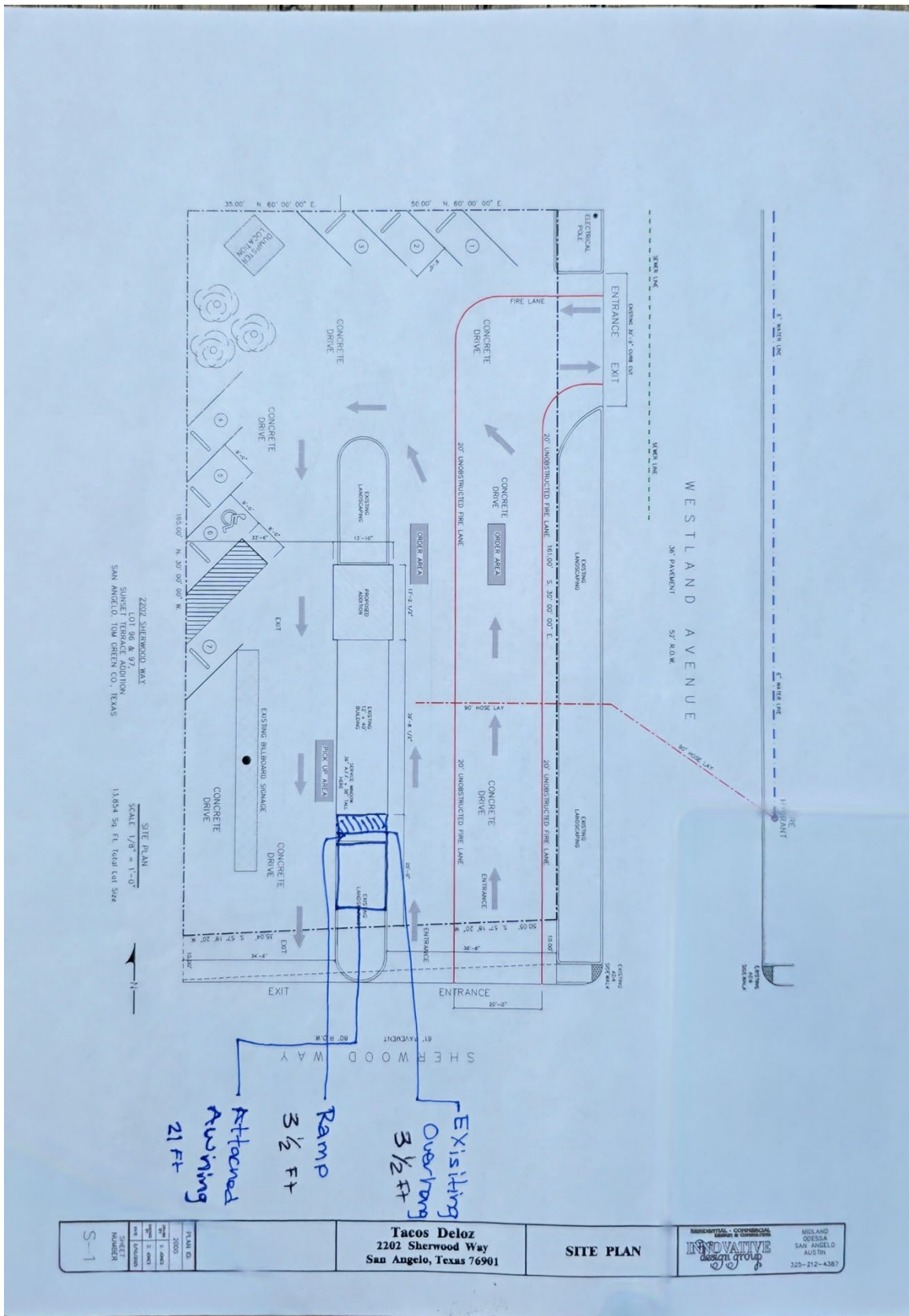
Subject Property: —

Notified Properties: —

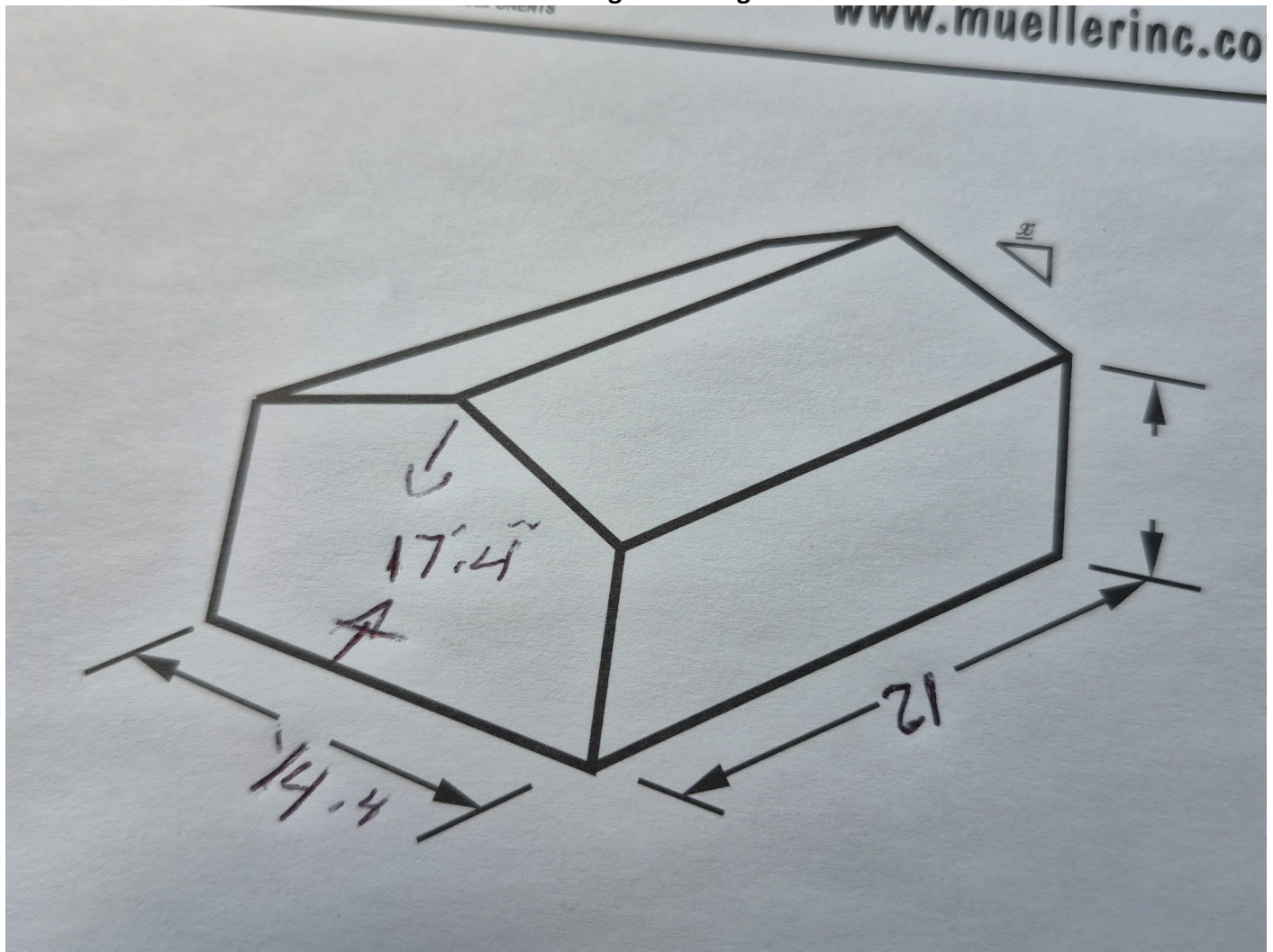




Site Plan



Drawing of Awning



Site Photo

