



CITY OF ALAMO HEIGHTS  
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT  
6116 BROADWAY  
SAN ANTONIO, TX 78209  
210-826-0516

**Board of Adjustment Meeting  
Wednesday, March 05, 2025 – 5:30 P.M.**

Take notice that a regular meeting of the Board of Adjustment of the City of Alamo Heights will be held on **Wednesday, March 05, 2025, at 5:30pm** in the City Council Chambers, located at 6116 Broadway St, San Antonio, Texas, 78209, to consider and act upon any lawful subjects which may come before it.

*INSTRUCTIONS FOR TELECONFERENCE: The City will make reasonable efforts to allow members of the public to participate via audio by dialing 1- 346-248-7799 and enter access number 893 9488 9735#. If you would like to speak on a particular item, when the item is considered, press \*9 to “raise your hand”. Citizens will have three (3) minutes to share their comments. The meeting will be recorded.*

*The City cannot guarantee participation by phone due to unforeseen technical difficulties or provide prior notice if they occur; therefore, the City urges your in-person attendance if you require participation.*

**Case No. 2430 – 423 Evans Ave**

Application of Courtney Collins, owner, requesting the following variance(s) in order to allow the 8ft high front-facing fence to remain 22.2ft from the front property line on the property located at **CB 4024 BLK 179 LOT 16 AND E 25FT OF 17**, also known as **423 Evans Ave**, zoned SF-A:

1. The fence is located within the front yard setback area as prohibited per Section 3-14 and 3-81(7) of the City’s Zoning Code.

Plans may be viewed online\* ([www.alamoheightstx.gov/departments/planning-and-development-services/public-notices](http://www.alamoheightstx.gov/departments/planning-and-development-services/public-notices)) and at the Community Development Services Department located at 6116 Broadway St. You may also contact Dakotah Procell, Planner, ([dprocell@alamoheightstx.gov](mailto:dprocell@alamoheightstx.gov)) or Lety Hernandez, Director, ([lhernandez@alamoheightstx.gov](mailto:lhernandez@alamoheightstx.gov)) by email or our office at (210) 826-0516 for additional information regarding this case. Please note floor plans will not be available online.

Dear Alamo Heights,

We are writing to formally request a variance regarding the setback requirement for a fence on our property at 423 Evans Ave. According to the township's zoning regulations, the fence is required to be set back 30 feet from the property pin. However, after further review and consideration, it has become evident that there are multiple property pins associated with our lot, creating ambiguity regarding which pin should be used to measure the setback.

We recently purchased the 423 Evans Ave property from my parents in 2024. My parents purchased 423 Evans in 2021 and demolished the existing home with plans to build one of their own. Ultimately, they had a change of plans, and asked us to purchase the property from them, which we agreed. I met with Alamo Heights on several occasions to discuss the re-grading and fence installation before any improvements were installed to make sure I was following the regulations and rules. We had the excavator remove 18" of soil below grade to clean up debris, glass, subterranean plumbing, foundation, wiring and other hazardous building materials that were left behind after the demolition was complete. Our contractor informed us that it would be best to install the fence prior to putting back the soil so he could have a stronger foundation for the posts. So in 2024 we built an 8ft tall fence to secure the property and add topsoil back to the original grade. We do not have any plans to build any structures at this time.

In late 2024 the city of Alamo Heights reached out to me about a complaint filed. And it was brought to my attention, that we were possibly not in compliance with the fence height and setback after the fence had already been constructed.

Instead of the complainant knocking on my door and calmly discussing his concerns with me, he bypassed any neighborly communication with me and instead he trespassed on both of my properties on multiple occasions to rummage around searching for the property pins. I found his unhinged behavior disrespectful and alarming. In particular because I have never met this man, so my experience was that I had no idea why a strange man was coming onto my property and wandering through my yard without an obvious purpose.

On each trespassing occasion the complainant was asked several times to leave by various contractors and, on one occasion, by the Code Compliance Officer of AH. His repeated trespassing prompted me to file a police report for trespassing to prevent further unauthorized intrusions and because for the first time, after living in our sweet neighborhood for over a decade, I felt unsafe for myself and my three little children. I can provide the police report upon request. It was at that time that I learned the complainant was a planning and zoning commissioner for Alamo Heights. After the commissioner was served by the Alamo Heights Police Department and warned by the police not to return to my property, his friend came onto my property in his place. The commissioner's friend was also asked to leave the

property when he became confrontational with an onsite contractor. The commissioner's actions, including rummaging for property pins, raised significant concerns about the integrity of my property pin locations.

These actions suggest an abuse of his role and authority and could potentially lead to harm and distress to residents of our community. It is crucial that commissioners uphold the highest standards of conduct and respect for the rights of the citizens in AH. This commissioner's behavior is concerning, especially because he is a neighbor.

It was at this time that multiple pins were discovered on our property. When the fence was initially installed, the contractor went based on the only property pin that was visible /exposed and accessible at the time; which was 2 feet in from the curb set between our property at 423 and 427 Evans Ave. The three other property pins were not uncovered until after the commissioner had trespassed and after the fence had already been constructed.

Our constructed fence is 32 feet back from the curb, 30 feet back from one of the exposed pins (used as reference by the fence contractor) and 22.2 feet back from a second exposed pin (found by the zoning and planning commissioner). As such, the fence was erected in good faith based on the exposed pin which was 2 feet from the curb, which we understood to be the correct reference point at the time. Since then, we had another survey completed in order to determine the exact property boundaries and measurements including the fence location to determine if the placement was indeed non-compliant. Please see the handout provided.

Given this situation, I am respectfully requesting a variance to allow the existing fence to remain in place, as it was installed based on the most accessible and visible property pin at the time. I would greatly appreciate your consideration of this request. Thank you

**Courtney Collins Tuttle**



SCALE 1"=30'

LOT 3 & 4  
(VOL. 105, PG. 290-296 DPR)

LOT 5 & WEST 40'  
OF LOT 6

(VOL. 105, PG. 290-296 DPR)  
JOYCE M. GRIFFIN  
LIVING TRUST  
DEED: (VOL. 16917, PG. 1588, OPR)

Fnd. 1/2" I.R. N 89°44'15" E ~ 60.00' Fnd. 1/2" I.R. (MLS Co.)

BLOCK 179  
COUNTY BLOCK 4204

WEST 25' OF LOT 17  
& LOT 18  
(VOL. 105, PG. 290-296 DPR)  
DREW & ELIZABETH CAUTHORN  
DEED: (VOL. 5984, PG. 594, RPR)  
HOUSE

LOT 23  
VACANT

LOT 22  
HOUSE

N 00°16'01" W ~ 150.07'

N 00°16'01" W ~ 150.06'

WOOD FENCE OUTSET  
8" OAK  
15" OAK  
19" OAK  
WOOD FENCE OUTSET

2.0'± WOOD GATE

14.6'  
14' GAS, ELECTRIC, TELEPHONE  
& CABLE T.V. EASEMENT  
(VOL. 20003, PG. 2009, PR)

LOT 20  
LOT 19

LOT 12

(125.0')  
125.32'

Set. 1/2" I.R.  
IN PLACE OF  
PREVIOUSLY  
Fnd. 1/2" I.R.

S 89°43'11" W ~ 60.00'

Fnd. 1/2" I.R. (MLS Co.)

(164.49')  
164.51'

Fnd. 1/2" I.R. (MLS Co.)

### EVANS AVENUE

(50' R.O.W.)

(VOL. 105, PG. 290-296 DPR)

PLAT REFERENCE: DEED & PLAT RECORDS (DPR)  
EVANS AVENUE ADDITION  
VOL. 20003 PAGE 2009 DATE SEP. 10, 2024

#### ADDRESS:

423 EVANS AVENUE  
ALAMO HEIGHTS, TX 78209

#### EXHIBIT OF:

**FENCE & TREES**  
ACROSS  
THE FRONT OF  
LOT 23, BLOCK 179  
NEW CITY BLOCK 4204  
EVANS AVENUE ADDITION

ALAMO HEIGHTS, BEXAR COUNTY, TEXAS

### Maverick Land Surveying Co.

1856 Lockhill-Selma, Suite 105

San Antonio, Texas 78213

PH. 210-342-9455

FAX 210-342-9524

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TBPELS FIRM No. 10132700

MLS JOB No. 59087-0008

DATE: JAN. 17, 2025

PRINTED: FEB. 7, 2025



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LOT 23  
VACANT

LOT 22  
HOUSE

N 00°16'01" W ~ 150.07'

N 00°16'01" W ~ 150.06'

WOOD FENCE OUTSET  
WOOD GATE  
WOOD FENCE OUTSET  
WOOD GATE  
WOOD FENCE OUTSET  
WOOD FENCE OUTSET

approx 30 ft from pin

14' GAS, ELECTRIC, TELEPHONE  
& CABLE T.V. EASEMENT  
(VOL. 20003, PG. 2009, PR)

LOT 20  
LOT 19

LOT 12

(125.0')  
125.32'

Set. 1/2" I.R.  
IN PLACE OF  
PREVIOUSLY  
Fnd. 1/2" I.R.

S 89°43'11" W ~ 60.00'

Fnd. 1/2" I.R. (MLS Co.)

(164.49')  
164.51'

Fnd. 1/2" I.R. (MLS Co.)

32 ft from outside the w/f

EVANS AVENUE  
(50' R.O.W.)

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ALAMO HEIGHTS, TX 78209

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