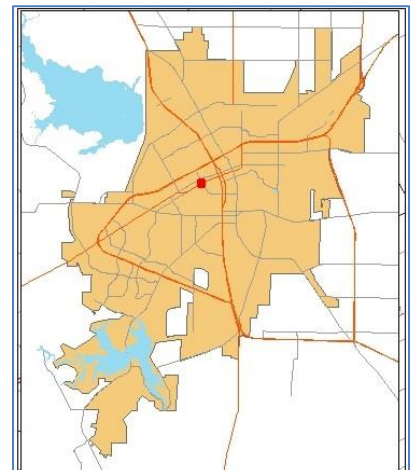


# ZONING BOARD OF ADJUSTMENT – September 9, 2019

## STAFF REPORT



|   |  |  |                         |  |
|---|--|--|-------------------------|--|
| <b>APPLICATION TYPE:</b>  |  | <b>CASE:</b>                                 |                         |  |
| Variance  |  | ZBA19-13: American Component Structures      |                         |  |
| <b>SYNOPSIS:</b>  |  |  |                         |  |
| <p>A request for approval of two variances from Section 502.B of the Zoning Ordinance to allow for a side yard setback of 0 feet in lieu of the required minimum side yard setback of 10 feet adjacent to a residentially zoned district, and a front yard setback of 0 feet in lieu of the required minimum front yard of 25 feet for a commercial use. The applicant is requesting to place a 10 foot four hour fire-rated building wall along the north side yard property line and along the property line on Adams Street.</p> |  |  |                         |  |
| <b>LOCATION:</b>  |  | <b>LEGAL DESCRIPTION:</b>                    |                         |  |
| 1114/1120 W. Beauregard Ave.  |  | Lots 7 – 9, Blk. 71. Angelo Heights Addition |                         |  |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>  |  | <b>ZONING:</b>                               | <b>FUTURE LAND USE:</b> |  |
| SMD #5 – Lane Carter<br>Central Neighborhood  |  | General Commercial/<br>Heavy Commercial      | Neighborhood Center     |  |
|   |  |  | <b>SIZE:</b>            |  |
|   |  |  | 0.460 acre              |  |
| <b>THOROUGHFARE PLAN:</b>   |  |  |                         |  |
| <p><u>Adams Street</u> – Urban Local Street – ROW 50’ Required (60’ Existing) – Pavement Width 40’ or 36’ with 4’ Sidewalk Required (40’ Existing)</p> <p><u>W. Beauregard Ave</u> – Major Arterial – ROW 80’ Required (80’ Existing) – Pavement Width 64’ Required (60’ existing)</p>  |  |  |                         |  |
| <b>NOTIFICATIONS:</b>   |  |  |                         |  |
| 16 notifications were mailed within a 200-foot radius on August 26, 2019. No responses have been received in support or opposition.   |  |  |                         |  |
| <b>STAFF RECOMMENDATION:</b>  |  |  |                         |  |
| <p>Staff recommends <b>APPROVAL</b> of a variance from Section 502.B of the Zoning Ordinance to allow for a side yard setback of 0 feet in lieu of the required minimum side yard setback of 10 feet adjacent to a residentially zoned district, and a front yard setback of 0 feet in lieu of the required minimum front yard of 25 feet for a commercial use.</p>   |  |  |                         |  |
| <b>PETITIONER:</b>  |  |  |                         |  |
| P.V. McMinn, Jr.  |  |  |                         |  |
| <b>STAFF CONTACT:</b>   |  |  |                         |  |
| Sherry L. Bailey<br>Principal Planner<br>(325) 657-4210, Extension 1546<br><a href="mailto:sherry.bailey@cosatx.us">sherry.bailey@cosatx.us</a>   |  |  |                         |  |



**Variance:** Section 207(F) of the Zoning Ordinance requires that the Zoning Board of Adjustments consider six (6) factors in determining the appropriateness of any Variance request.

- 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.** W. Beaugard Ave. is one of the areas where blocks are split between Two Family Residential Zoning (RS-2) and General Commercial/Heavy Commercial (CG/CH). The flooring warehousing and retail sales is an allowed use in CG/CH, but is one of the more intensive uses, especially next to residential zoning. These two uses, though allowed, are not compatible. In this specific case, the allowed outdoor storage that goes with the commercial use is a visual impact on the residential in the neighborhood and by nature it generates site trash. The owner of the flooring business is aware of the visual impact, but at the same time he needs the storage space for product. His solution is to build a storage space (building) that will encompass the entire storage area, place everything inside the building. By building over the entire storage area, property line to property line, he does not leave any unreachable trash gathering areas to become unsightly. Building coverage in this area is 2.0. If he cannot building to the property line and would need to maintain the 25 ft. setback along Adams and 10 ft. along the property line to the north, the applicant would be creating an area that could easily become more of a nuisance for the neighbors compared to enclosing this area.
- 2. These special circumstances are not the result of the actions of the applicant.** The current owner of the property purchased the existing building in 1969. It was a Holsum Bakery warehouse, transport, and retail site before the flooring business moved in. Both uses had a need for large buildings and outdoor storage.
- 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.** Presently the applicant has a chain link fence on the north and west and covers the area with outdoor storage of tile and rock. His intent with building a four hour fire wall is to provide a concrete wall with no openings that forms an opaque wall/fence separating the property to the north much like an opaque wall would do. The visual impact of the existing situation on the residence to the west would be relieved by the same concrete block wall/ opaque fence of the new building.
- 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.** The applicant can continue to use the area as he is presently. This solution would relieve a neighborhood visual problem, contain his product and cut down on the Adams Street traffic.
- 5. Granting the variance will not adversely affect adjacent land in a material way.** The containment of the existing outdoor storage will clean up the area and continue to provide storage space, but shield it from the neighborhood view.

6. **Granting the variance will be generally consistent with the purposes and intent of this Zoning Ordinance.** The purpose of the ordinance setbacks is to provide sufficient separation between structures. The four hour construction will protect the adjoining property, provide a visual barrier to the residential property to the west and contain what is now outdoor storage of materials.

**Allowed Variances:**

In exercising its authority to grant a variance, per Section 207.D of the Zoning Ordinance, the Zoning Board of Adjustment must affirmatively find that one or more of the following circumstances applies:

1. **SPECIAL CIRCUMSTANCES RESULTING IN UNNECESSARY HARDSHIP.** *Where special circumstances exist on the property related to the size, shape, area, topography, surrounding conditions or location that do not generally apply to other property in the same zoning district, and that the circumstances are such that strict application of this zoning ordinance would create an unnecessary hardship or deprive the applicant of reasonable use of the land or building.*

**The applicant believes there is a special circumstance because the proposed building would provide an enclosed space for all of the product storage, act as a sound containment structure, and eliminate a visual existing impact on the residential property across the street and adjacent to the north.**

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.*

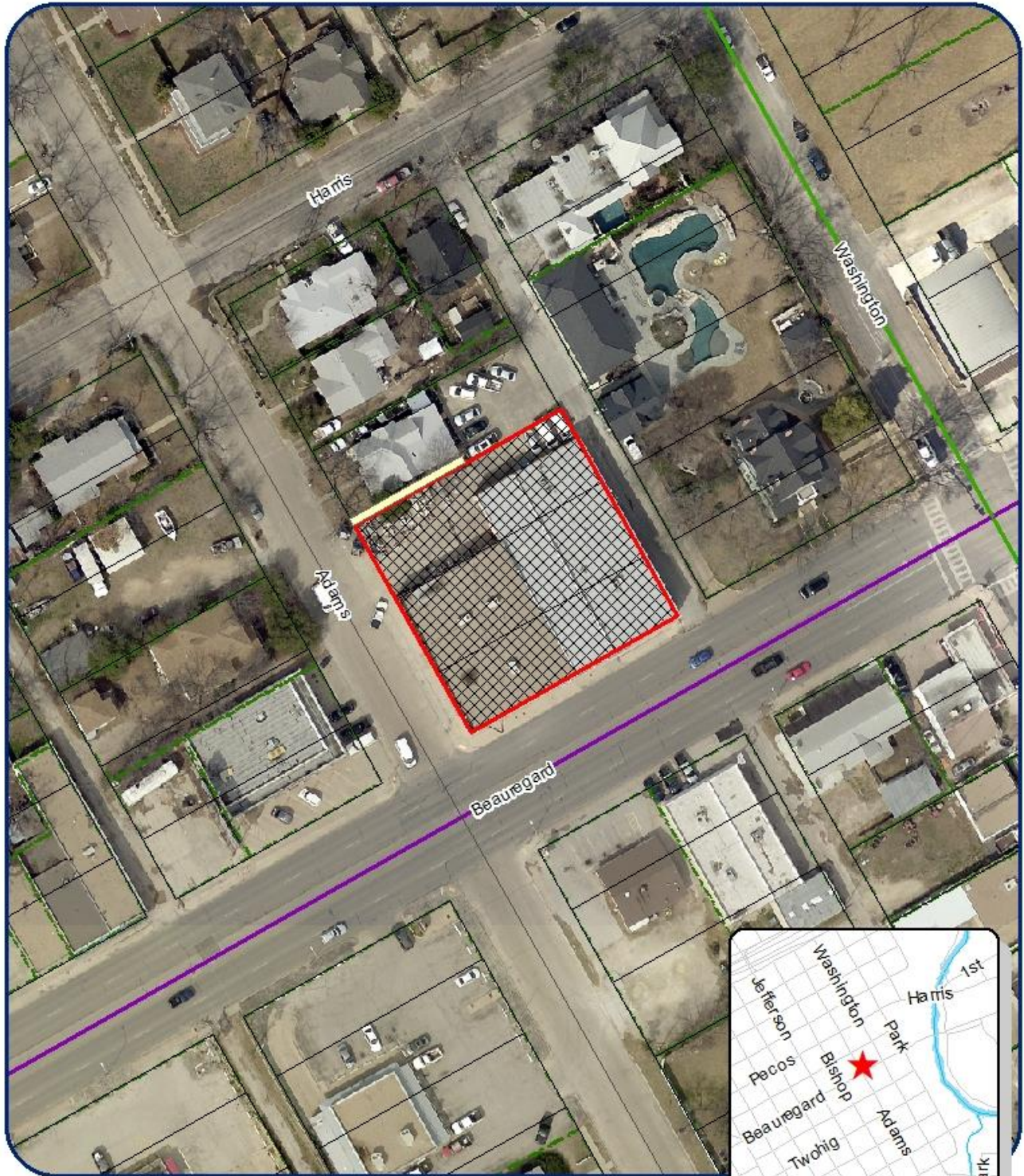
**Recommendation:**

Staff recommends that the Zoning Board of Adjustments **APPROVE** of a variance request from Section 502.B of the Zoning Ordinance **to allow for a 0-foot commercial front yard setback in lieu of 25 feet on Adams St.; to allow a 0-foot side yard setback in lieu of 10 feet setback adjacent to residential zoning,** subject to the following **Condition of Approval:**

1. The applicant shall obtain necessary permits from the Permits and Inspections Division.

**Attachments:**

|                     |             |
|---------------------|-------------|
| Aerial Map          | Zoning Map  |
| Future Land Use Map | Site Plan   |
| Photos of the Site  | Application |
| Notification Map    |             |



**1114 W. Beauregard Ave.**

**ZBA19-13: America's Component Structures**

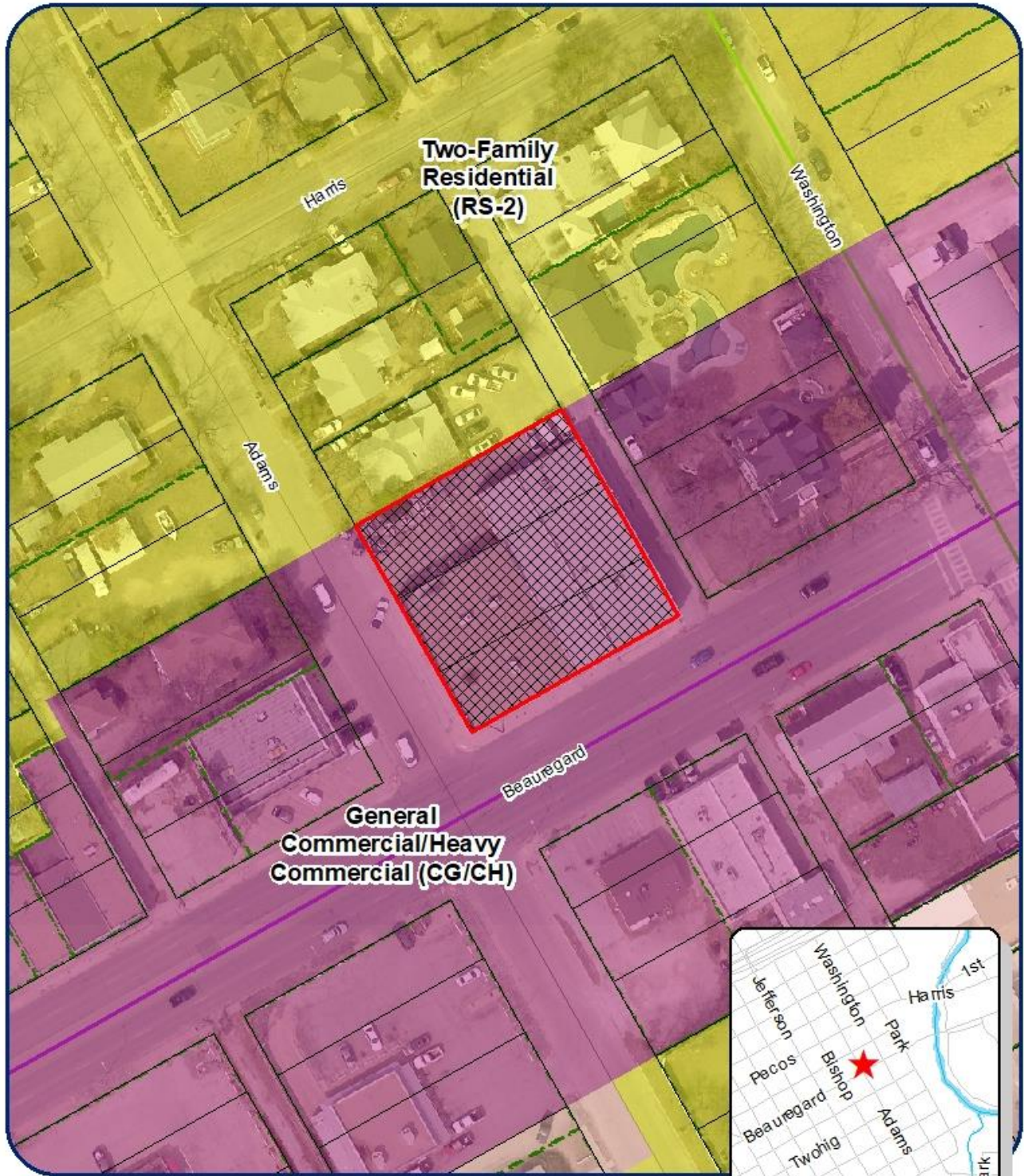
Council District 5 - Lane Carter  
Neighborhood: Central  
Scale: 1" approx. = 75 ft

**Building Wall**

**Legend**

Subject Properties:   
Current Zoning: **CG/CH**  
Requested Zoning Change: **NA**  
Vision: **Neighborhood Center**





**114 W. Beauregard Ave.**

**ZBA19-13: America's Component Structures**

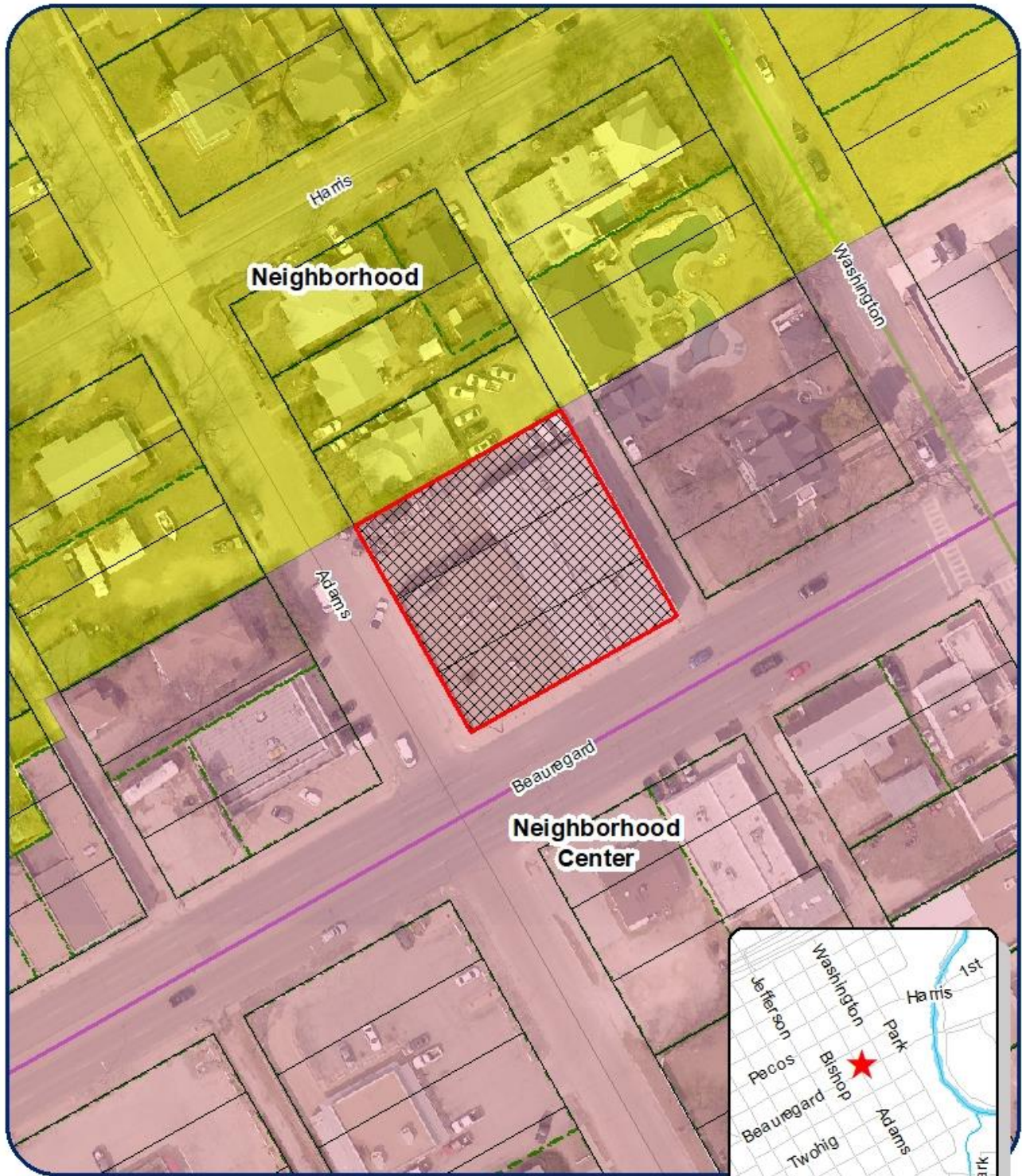
Council District 5 - Lane Carter  
Neighborhood: Central  
Scale: 1" approx. = 75 ft

**Existing Zoning**

**Legend**

Subject Properties:   
Current Zoning: **CG/CH**  
Requested Zoning Change: **NA**  
Vision: **Neighborhood Center**





**1114 W. Beauregard Ave.**

**ZBA19-13: America's Component Structures**

Council District 5 - Lane Carter  
Neighborhood: Central  
Scale: 1" approx. = 75 ft

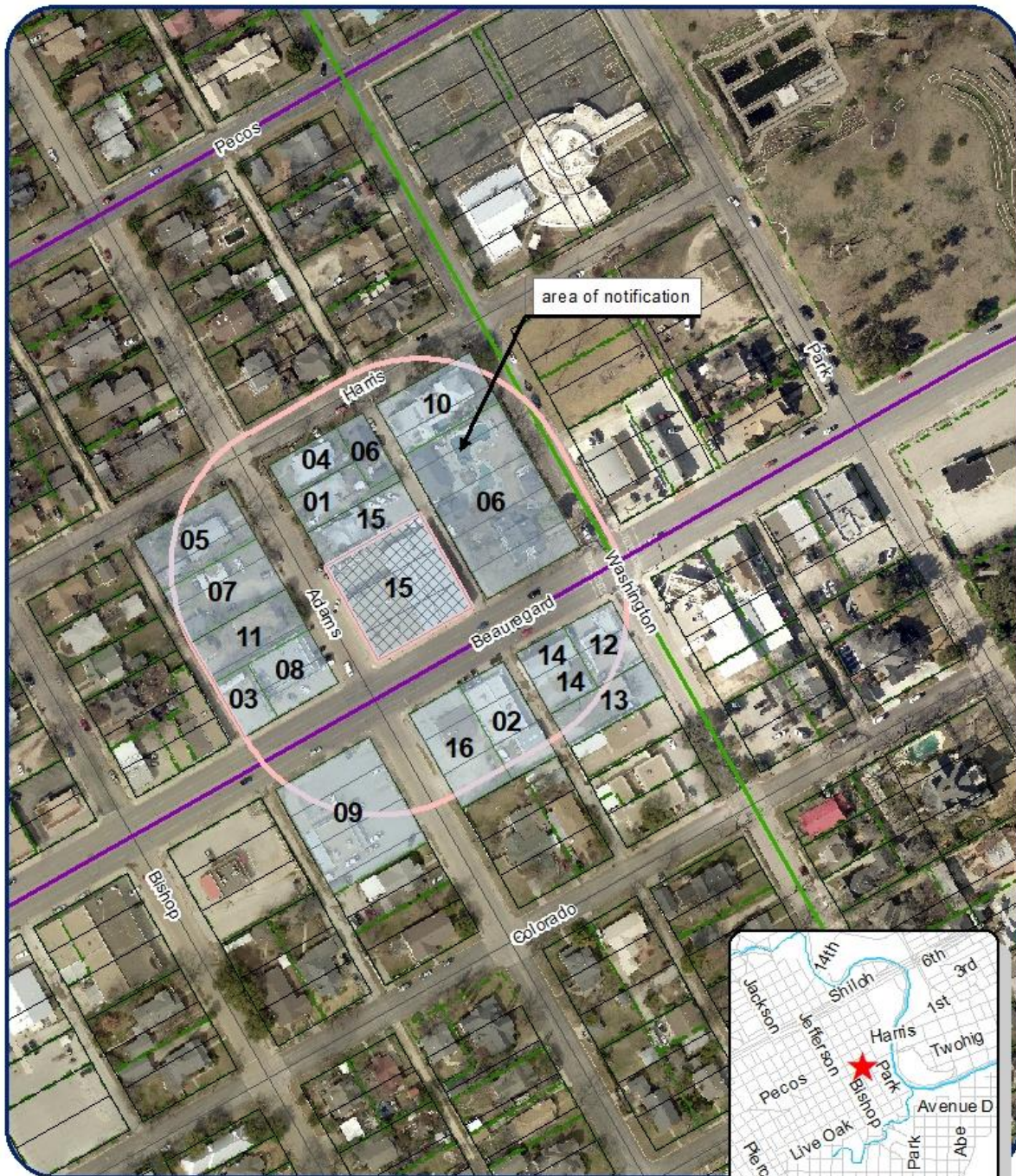
**Future Land Use**

**Legend**

Subject Properties:   
Current Zoning: **CG/CH**  
Requested Zoning Change: **NA**  
Vision: **Neighborhood Center**



### Site Plan



**1114 W. Beauregard Ave.**

**ZBA19-13: America's Components Structures** Subject Properties:

Council District 5 - Lane Carter  
 Neighborhood: Santa Rita  
 Scale: 1" approx. = 165 ft

Property owner notification map

**Legend**

- Current Zoning: CG/CH
- Requested Zoning Change: NA
- Vision: Neighborhood Center



Effective January 3, 2017



City of San Angelo, Texas – Planning Division  
 52 West College Ave



**Application for Variance from Zoning Regulations**

**Section 1: Basic Information**

Name of Applicant(s): America's Component Structures, LLC / P. V. McMinn, Jr., Member/Manager

Owner  Representative (Notarized Affidavit Required)

PO Box 61305 San Angelo TX 76906  
 Mailing Address City State Zip Code

325-234-9424 pvmcminnjr@gmail.com  
 Contact Phone Number Contact E-mail Address

1114 W. Beauregard San Angelo TX 76901  
 Subject Property Address and/Location City State Zip Code

Lots 7 thru 9, Block 71, Angelo Heights Addition

Legal Description (can be found on property tax statement or at [www.tornarencad.com](http://www.tornarencad.com))

Zoning District:

- CN  CO  CG  CH  CG/CH  CBD  OW  ML  MHS  MHP  PD  
 RS-1  RS-2  RS-3  RM-1  RM-2  R&E

(Zoning Map available on [City Maps](#))

**Section 2: Variance Request(s)**

List each variance request separately:

- Zoning Ordinance section: Section 502-B  
 Describe variance: Place a four (4) hour firewall as the north wall of an addition on the north, east-west, property line adjacent to Zoning RS2.
- Zoning Ordinance section: \_\_\_\_\_  
 Describe variance: \_\_\_\_\_
- Zoning Ordinance section: \_\_\_\_\_  
 Describe variance: \_\_\_\_\_
- Zoning Ordinance section: \_\_\_\_\_  
 Describe variance: \_\_\_\_\_

**Section 3: Variance Request Criteria**

I assert that my request for variance meets all of the required criteria based on my explanation(s) below:

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;  
 Explanation: Existing building built in 1957 - commercial & industrial use. Adjacent house built in 1958. Many existing commercial structures along West Beauregard are built on zero lot lines. Owner desires to enclose existing outdoor storage within a new building providing a four (4) hour firewall as the north wall situated on the property line being approximately 14' in overall height and 70 feet long w/ no openings.



Effective January 3, 2017

**Section 3 continued: Variance Request Criteria**

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

Explanation: The Owner purchased the existing building in 1969 to house Aladdin's Flooring. The proposed improvement will eliminate outside storage of materials and equipment and will be the final improvement to complete the facility.

3. Literal interpretation and enforcement of the 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;

Explanation: Meeting the ten foot (10') side yard setback would accomplish no purpose. It would leave an unusable 10' strip of land that would accumulate trash and debris.

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 the Zoning Ordinance and substantial justice;

Explanation: In this case, building a building approximately the same size as the existing outdoor storage area cleans up the site, provides inside storage for materials, forklifts & miscellaneous equipment, and conceals the commercial activity from the adjacent property owner.

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

Explanation: From the standpoint of the adjacent property owner, a 14' solid firewall with an attractive exposed aggregate finish on the property line will eliminate unsightly outside storage and the noise of commercial operations, as well as eliminate what would otherwise be an unusable, unmaintained 10' strip of land that would accumulate unsightly trash and debris.

6. Granting the variance will be generally consistent with the purposes and intent of the Zoning Ordinance.

Explanation: Enclosing the existing outside storage and commercial operations provides the buffer to the adjoining residential use that the Zoning Ordinance requires.

Effective January 3, 2017

**Section 4: Applicant(s) Acknowledgement**

Please initial the following:

- I/we understand that the Zoning Board of Adjustment (ZBA) is bound by criteria established by state law; I further understand that my request is not guaranteed to be approved and that it constitutes an exception from regulations of the City of San Angelo;
- I/we understand that any variation(s) authorized by the ZBA will require me/us to obtain a building permit for that stated variation within twelve (12) months of the approval date by the ZBA, unless the ZBA has specifically granted a longer period;
- I/we understand that all drawings, pictures, documents or other information used during your testimony to the ZBA must be kept in the permanent files of the Planning Division; and
- I/we understand that any appeal of a decision made by the ZBA must be presented to a court of record with a verified petition stating that the decision of the ZBA is illegal in whole or in part and specifying the grounds of the illegality. This petition for appeal must be presented within ten (10) days after the date the decision is filed in the board's office.

I/We the undersigned acknowledge that the information provided above is true and correct.

  
\_\_\_\_\_  
Signature of licensee or authorized representative

August 8, 2019  
\_\_\_\_\_  
Date

P. V. McMinn, Jr.  
\_\_\_\_\_  
Printed name of licensee or authorized representative

America's Component Structures, LLC  
\_\_\_\_\_  
Name of business/Entity of representative

**FOR OFFICE USE ONLY:**

Reviewed/Accepted by: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Case No.: ZBA: 19 -- 13

ZBA Hearing Date: 9 / 9 / 2019

Fully-Dimensioned and scaled Site Plan: \_\_\_ Yes \_\_\_ No

Date of Application: 8 / 8 / 19

Non-Refundable Fee: \$ 275.00 Receipt #: 329299

Date paid: 8 / 8 / 19

Ordinance section(s) from which variance(s) is/are requested: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AFFIDAVIT**

STATE OF TEXAS )  
COUNTY OF TOM GREEN )

I, Ronnie Walcott, Owner of Aladdin's Flooring, make this affidavit and hereby on oath state the following:

I, being the sole ~~partial~~ owner of the following property:

PROPERTY ADDRESS: 1114 West Beauregard, San Angelo, TX 76901

LEGAL DESCRIPTION\*: Lots 7 thru 9, Block 71, ANGELO HEIGHTS ADDITION

give my permission to below named representative, to apply for approval of a "Application for Variance from Zoning Regulations" on the above-described property.

REPRESENTATIVE'S NAME:  
America's Component Structures, LLC, General Contractor  
P. V. McMinn, Jr., Member/Manager  
(325)234-9424 (Cell)

Signed this the 7<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
Signature of property owner  
Telephone #: 325-653-4259 (Aladdin's Flooring)

BEFORE ME, the undersigned authority, this day personally appeared Ronnie  
Walcott and on oath stated that the facts hereinabove stated are true to the best of my knowledge or belief.

SWORN TO AND SUBSCRIBED before me on this the 7<sup>th</sup> day of August, 2019

  
\_\_\_\_\_  
Notary Public, State of Texas





**Building covers the entire half block.**



**Storage yard and house to north.**



**Parking on back of building and house to the north.**



**Storage yard, dumpster area and house to the north.**



**Storage yard to be enclosed.**




**Alley access to building rear.**

# ZONING BOARD OF ADJUSTMENT – September 9, 2019

## STAFF REPORT



|  |                                     |   |              |
|--|-------------------------------------|---|--------------|
| <b>APPLICATION TYPE:</b>   |                                     | <b>CASE:</b>  |              |
| Variance   |                                     | ZBA19-14: Steel Handlers  |              |
| <b>SYNOPSIS:</b>   |                                     |   |              |
| A request for approval of a variance from Section 402.A.2 of the Zoning Ordinance to allow for 93% accessory building floor area in lieu of the maximum 50% in a residential zoning district.  |                                     |   |              |
| <b>LOCATION:</b>   |                                     | <b>LEGAL DESCRIPTION:</b>   |              |
| 2121 Mesquite Lane   |                                     | Lot 2, Blk. 1; Lake Nasworthy, Group 10   |              |
| <b>SM DISTRICT / NEIGHBORHOOD:</b>   | <b>ZONING:</b>                      | <b>FUTURE LAND USE:</b>   | <b>SIZE:</b> |
| SMD #1 – Tommy Hiebert<br>Nasworthy Neighborhood   | Single Family Residential<br>(RS-1) | Neighborhood  | 1.759 acres  |
| <b>THOROUGHFARE PLAN:</b>  |                                     |   |              |
| <u>Mesquite Lane</u> – Local Street – ROW 50’ Required (64’ Existing) – Pavement Width 40’ or 36’ with 4’ Sidewalk Required (17’ Existing)   |                                     |   |              |
| <b>NOTIFICATIONS:</b>  |                                     |   |              |
| 8 notifications were mailed within a 200-foot radius on August 28, 2019. One response was received in opposition, none in support.   |                                     |   |              |
| <b>STAFF RECOMMENDATION:</b>   |                                     |   |              |
| Staff makes <b>no recommendation</b> on this case regarding the variance request from Section 402.A.2 of the Zoning Ordinance to allow for 93% accessory building floor area in lieu of the maximum 50% in a residential zoning district for a property is located at 2121 Mesquite Lane. (See additional information) |                                     |   |              |
| <b>PETITIONER:</b>   |                                     |  |              |
| Terry Thomas/Steel Handlers  |                                     |   |              |
| <b>STAFF CONTACT:</b>  |                                     |   |              |
| Sherry L. Bailey<br>Principal Planner<br>(325) 657-4210, Extension 1546<br><a href="mailto:sherry.bailey@cosatx.us">sherry.bailey@cosatx.us</a>  |                                     |   |              |

**Additional Information:** Memo from the Building Official



## *City of San Angelo*

08/19/19

Front staff received a complaint on 08/15/19 in regards to a structure being built at 2121 Mesquite Ln. They pulled the property file and determined that the building permit 19-1336 had been issued in error. Per the City's Zoning Ordinance (Section 402.A.2.A) the floor area for accessory buildings on a residential lot may not exceed 600 square feet or 50% of the floor area of the principal building, whichever is greater. The total area of the existing accessory structures are a pool house of 944 square feet, an existing garage of 600 square feet and the proposed garage (30'x50') 1,500 square feet, for a total of 3,044 square feet. The total floor area of the residence is 3,263 square feet, making the maximum floor area for accessory buildings 1,631.5 square feet (50% of 3,263). Including the proposed garage, the property would have accessory structures totaling 93% of the principal building.

The contractor can amend the permit for the proposed structure to be an open carport or request a variance from the Zoning Board of Adjustments. The application for the Zoning Board of Adjustments would be submitted with the Planning and Zoning division.

Charlie Kemp  
Building Official  
City of San Angelo

**Variance:** Section 207(F) of the Zoning Ordinance requires that the Zoning Board of Adjustments consider six (6) factors in determining the appropriateness of any Variance request.

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.** In addressing this factor staff reviewed what the applicant stated in his submittal, in that the building had been placed on the property in an area to not impose on neighboring properties. However, the Building Permits and Inspection Division was made aware of the permit mistake by a neighbor who was concerned about the large garage structure being built on the property adding to the existing accessory structures. In looking at the existing lot and structures (both the existing house and the accessory structures) the total lot coverage is still just over 10 percent. This is the largest lot in



this housing group along the lake.

2. **These special circumstances are not the result of the actions of the applicant.** The existing home is 3,263 square feet. Per the Zoning Ordinance, Section 402. A.2., the allowable total of accessory building square footage is 50% of the existing home, or 1,631.5 square feet. The owner already has a pool house with 944 sq. ft. and an existing garage with 600 sq. ft., so the existing accessory square footage is 1544 which is 47% and meets the 50% coverage percentage maximum. When you add the additional 1500 sq. ft. of garage area the coverage percentage goes to 93% which is well above the allowed amount. In this case these additions are a direct result of the current owner desiring to add enclosed space. The applicant's representative is correct in that he applied for and initially received a building permit. However, this error does not cancel out the requirement nor the rationale behind that requirement.
3. **Literal interpretation and enforcement of the terms and provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other land in the same zoning district, and would cause an unnecessary and undue hardship.** The new garage is partially built. The applicant makes a strong case that the expense that has already been incurred and the additional expense of removing the structure would cause an undue hardship. However, allowing the completion of the garage would allow an excessive coverage not allowed other land owners in the same district and could create a negative precedent.
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.** The applicant can remove his existing garage or add on to the existing home to add additional enclosed space to his property. Another option would be to modify this structure and convert it into a carport, the area of which is not included in the calculation for accessory buildings.
5. **Granting the variance will not adversely affect adjacent land in a material way.** The fact that this issue was brought to the attention of the Building Inspection Division by a neighbor indicates that the adjacent property owners are very protective of the neighborhood and would see this construction as having an adverse effect on their properties. The owner maintains that the proposed structure will not have an impact on neighbors, but neighbors have expressed opposition.
6. **Granting the variance will be generally consistent with the purposes and intent of this Zoning Ordinance.** The purpose of the ordinance limiting accessory building coverage is two-fold. First, it ensures consistency in the neighborhood. Each lot contributes to an overall neighborhood look that establishes an expectation among neighbors. Allowing a greater lot coverage, especially for only one owner, could negatively impact the look of the overall area. Second, open space for family gathering, play and entertainment has long been part of a community value. Ensuring sufficient open space on lots throughout a neighborhood is an important goal.

**Allowed Variances:**

In exercising its authority to grant a variance, per Section 207.D of the Zoning Ordinance, the Zoning Board of Adjustment must affirmatively find that one or more of the following circumstances applies:

1. **SPECIAL CIRCUMSTANCES RESULTING IN UNNECESSARY HARDSHIP.** *Where special circumstances exist on the property related to the size, shape, area, topography, surrounding conditions or location that do not generally apply to other property in the same zoning district, and that the circumstances are such that strict application of this zoning ordinance would create an unnecessary hardship or deprive the applicant of reasonable use of the land or building.*

**The applicant believes there is a special circumstance because the construction of the new garage provides enclosed space that the owner needs and has been placed so it does not affect the adjacent property owners. He also believes that he applied for a permit as required, which was issued, and started his project in good faith. To have this come up after the project is substantially built is an undue hardship.**

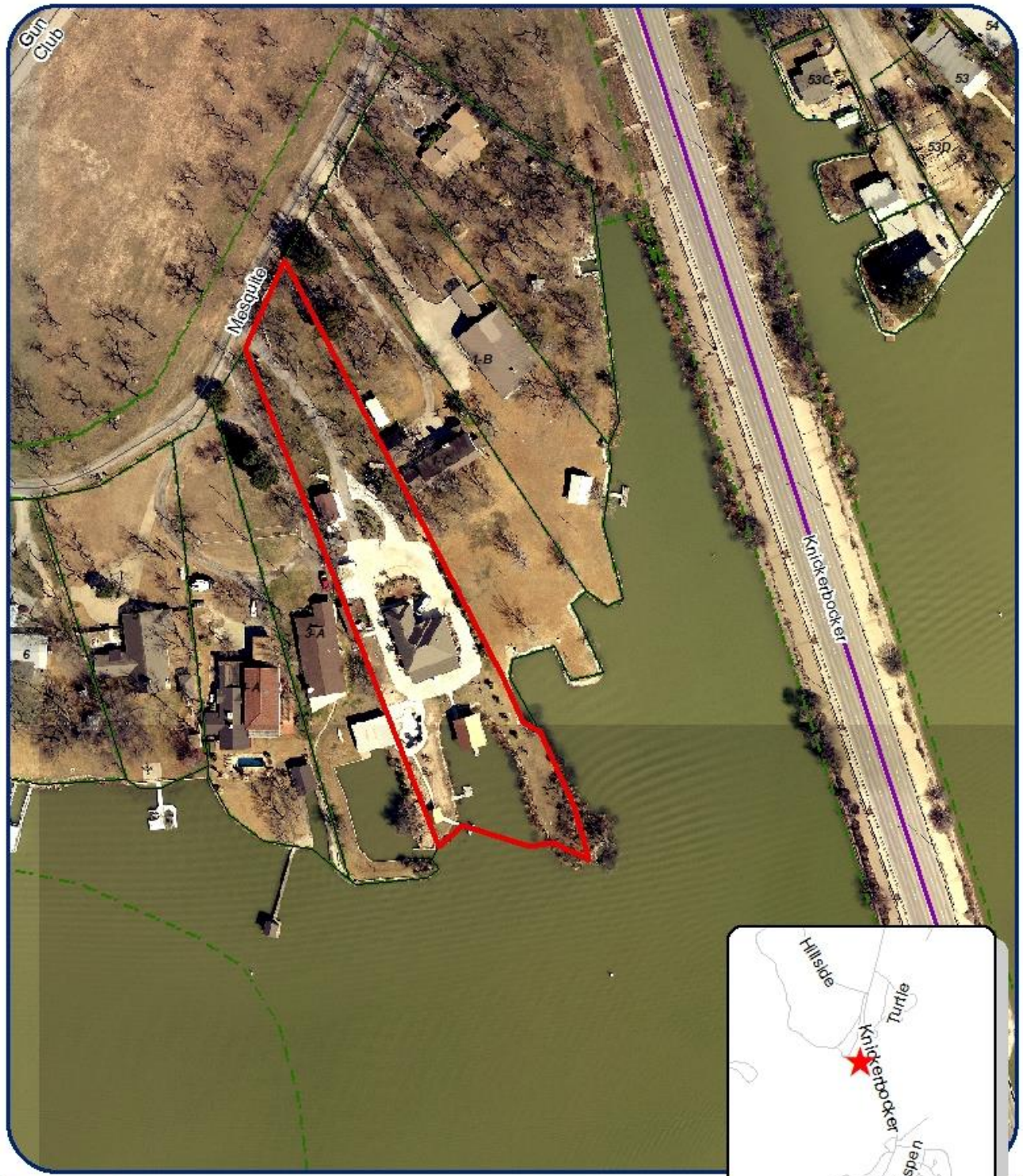
2. **OVERRIDING PUBLIC INTEREST.** *If the variance further an overriding public interest or concern, including, but not limited to: (a) Preserving the natural environment, (b) Promoting maintenance or reuse of older urban or historic buildings, or (c) Helping to eliminate a nonconforming use at another 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 makes **no recommendation** on this variance request from Section 402.A.2 of the Zoning Ordinance to allow for 93% accessory building floor area in lieu of the maximum 50% in a residential zoning district for a property is located at 2121 Mesquite Lane.

**Attachments:**

Aerial Map  
Zoning Map  
Future Land Use  
Notification Map  
Site Photos  
Application



**Location Map Lot coverage variance**

**Legend**

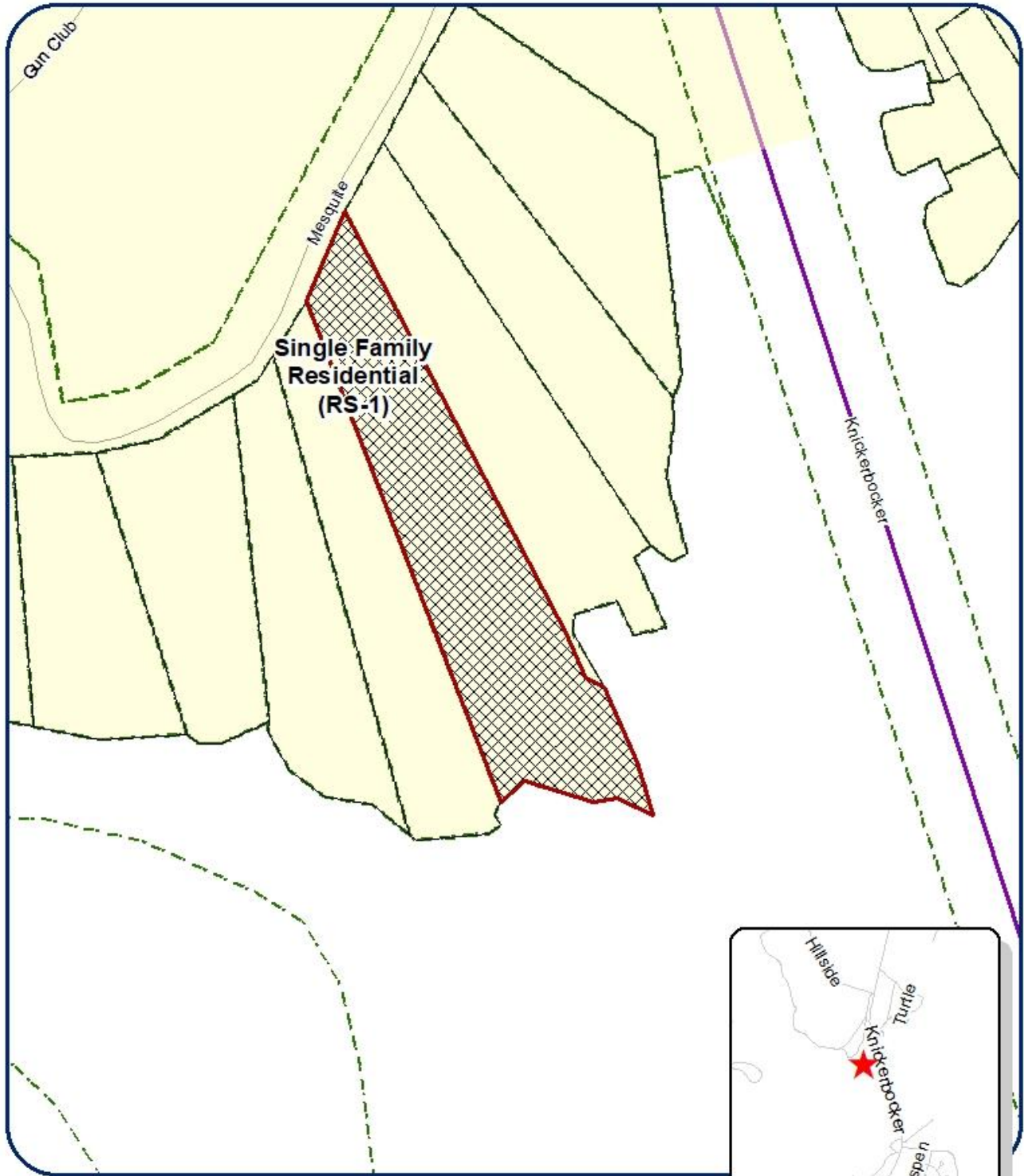
**ZBA 19-14: Steel Handlers**

Council District 5 - Lane Carter  
Neighborhood: Nasworthy  
Scale: 1" approx. = 140 ft

**2121 Mesquite Lane**

Subject Properties:   
Current Zoning: **Single Family Residential RS-1**  
Requested Zoning Change: **NA**  
Vision: **Neighborhood**








**Zoning Map Lot Coverage Variance**

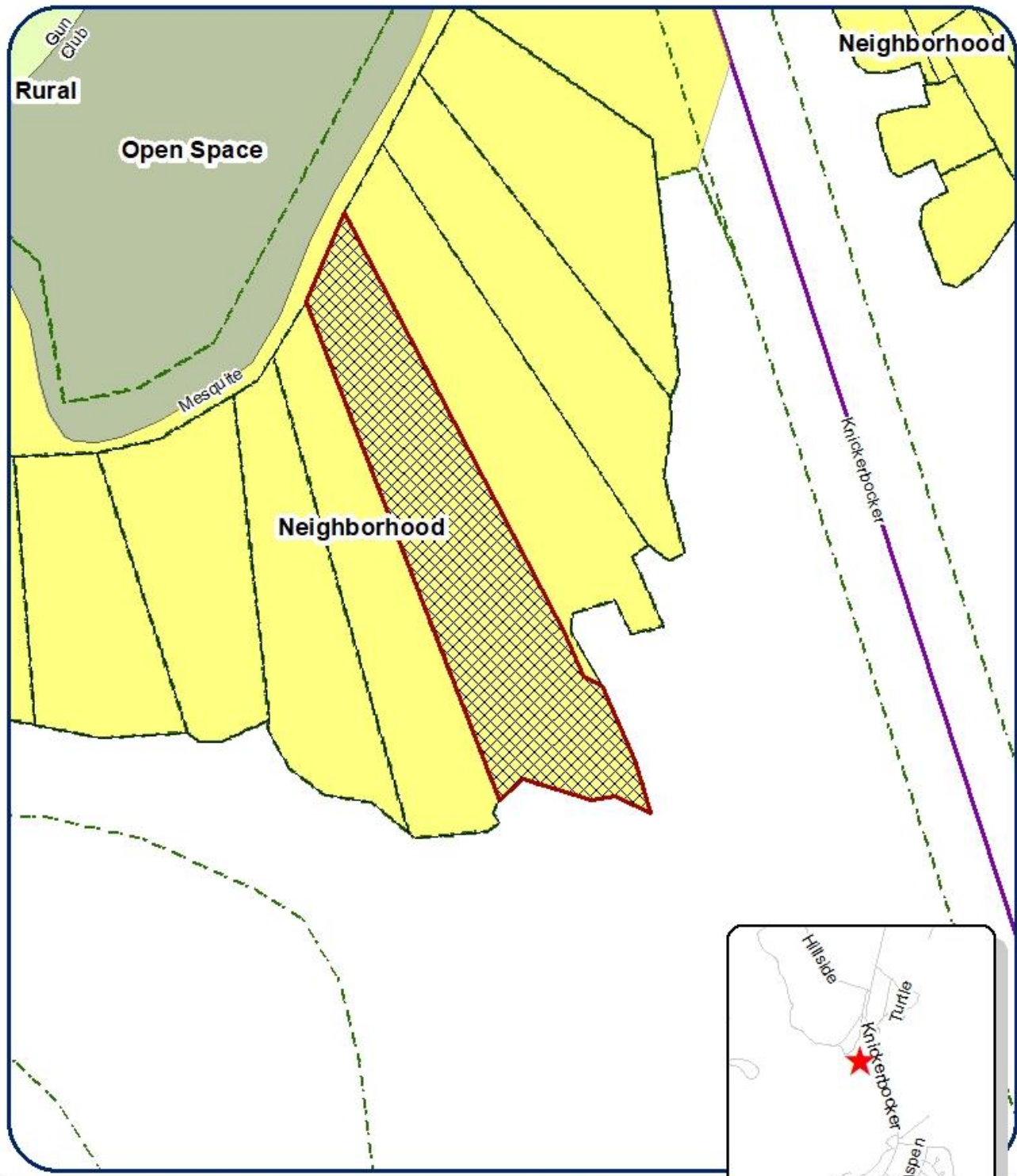
**ZBA 19-14: Steel Handlers**  
Council District 1 - Tommy Hieibert  
Neighborhood: Nasworthy  
Scale: 1" approx. = 140 ft  
**2121 Mesquite Ln**

**Legend**

Subject Properties:  **Single Family Residential (RS-1)**  
Current Zoning: **Single Family Residential (RS-1)**  
Requested Zoning Change: **NA**  
Vision: **Neighborhood**

N 





**Future Land Use Lot Coverage Variance**

**Legend**

**ZBA 19-14: Steel Handlers**

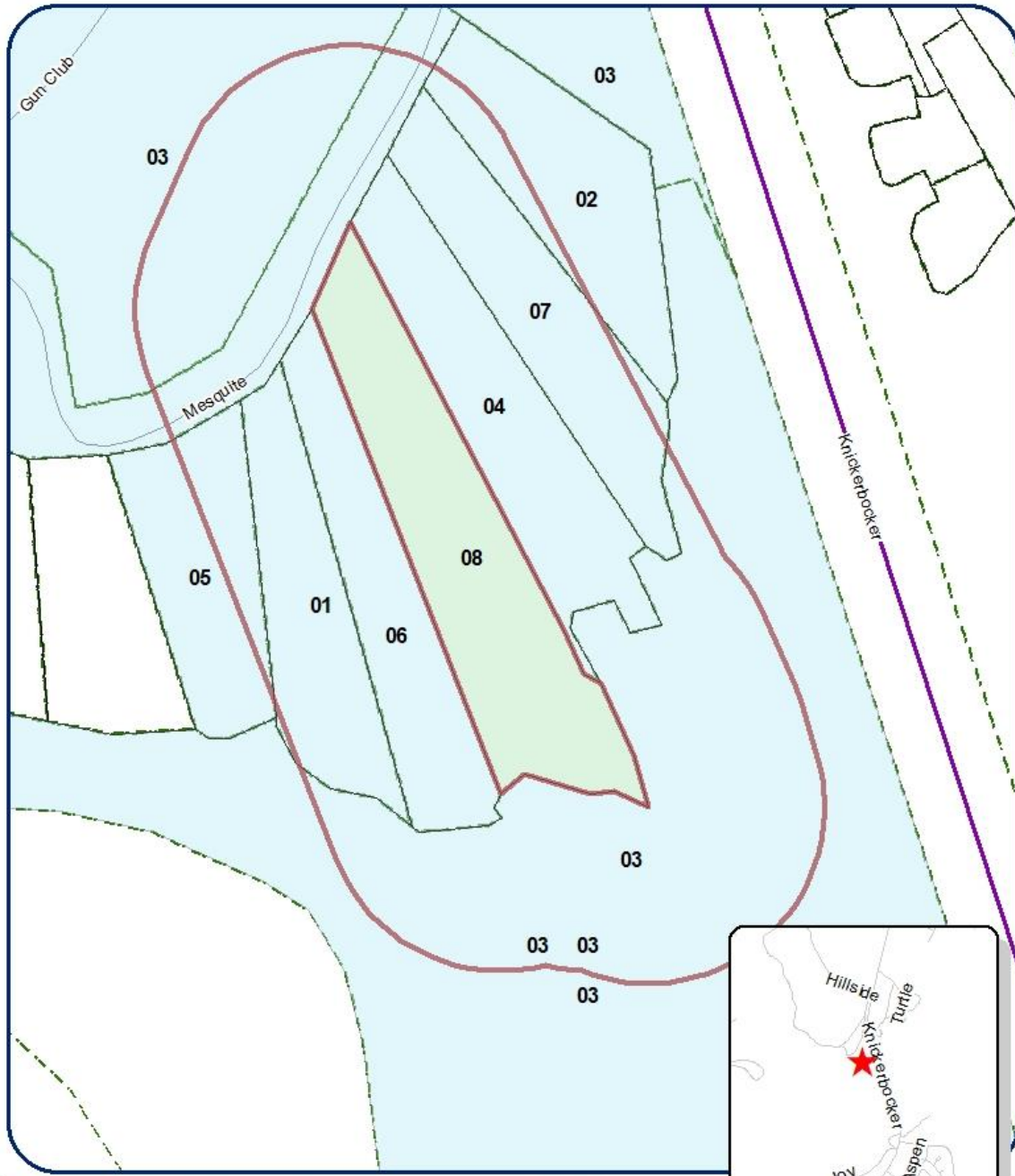
Council District 1 - Tommy Hieibert  
Neighborhood: Nasworthy  
Scale: 1" approx. = 140 ft

Subject Properties:  **Single Family Residential (RS-1)**  
Current Zoning: **NA**  
Requested Zoning Change: **NA**  
Vision: **Neighborhood**



**2121 Mesquite Ln**

# SITE PLAN



**Location Map Lot Coverage Variance**

**Legend**

**ZBA 19-14: Steel Haulers**

Council District 1 - Tommy Hieibert  
Neighborhood: Nasworthy  
Scale: 1" approx. = 143 ft

Subject Properties:   
Current Zoning: **Single Family Residential (RS-1)**  
Requested Zoning Change: **NA**  
Vision: **Neighborhood**



**2121 Mesquite Ln**

TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

( ) IN FAVOR (  ) IN OPPOSITION

REASON(S) residentially zoned district can not be used as working place.

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: \_\_\_\_\_

ZBA 19-14: Steel Handlers

Property owner number: 2

If you have any questions about these proceedings, please call Sherry Bailey, Principal Planner, with the City of San Angelo's Planning Division at (325) 657-4210 or by email at [sherrybailey@cosatx.us](mailto:sherrybailey@cosatx.us).





Effective January 3, 2017



City of San Angelo, Texas – Planning Division  
 52 West College Ave  
**Application for Variance from Zoning Regulations**



**Section 1: Basic Information**

Name of Applicant(s): STEEL HANDIERS / TERRY THOMAS  
 Owner  Representative (Notarized Affidavit Required)

Mailing Address: 10694 TWIN LAKES LN SAN ANGELO TX 76904  
City State Zip Code

Contact Phone Number: (325) 277-1613  
 Contact E-mail Address: STEELHANDIERS@gmail.com

Subject Property Address and/Location: 2121 MESQUITE SAN ANGELO TX 76904  
City State Zip Code

Legal Description (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com)):  
LOT 2 BLK 1 SUBD: LAKE NEWCOMB

**Zoning District:**

- CN  CO  CG  CH  CG/CH  CBD  OW  ML  MHS  MHP  PD  
 RS-1  RS-2  RS-3  RM-1  RM-2  R&E

(Zoning Map available on [City Maps](#))

**Section 2: Variance Request(s)**

List each variance request separately:

- Zoning Ordinance section: 402. A. 2.  
 Describe variance: INCREASE ALLOWED SQ. FOOTAGE FOR ACC. BLDG.
- Zoning Ordinance section: \_\_\_\_\_  
 Describe variance: \_\_\_\_\_
- Zoning Ordinance section: \_\_\_\_\_  
 Describe variance: \_\_\_\_\_
- Zoning Ordinance section: \_\_\_\_\_  
 Describe variance: \_\_\_\_\_

**Section 3: Variance Request Criteria**

I assert that my request for variance meets all of the required criteria based on my explanation(s) below:

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:

Explanation: BLDG. IS PLACED ON PROPERTY IN AREA  
NOT TO IMPOSE ON NEIGHBORS

Effective January 3, 2017

**Section 3 continued: Variance Request Criteria**

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

Explanation: APPLIED FOR AND RECEIVED PERMIT

3. Literal interpretation and enforcement of the 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;

Explanation: EXPENSE OF + REMOVAL AND ORIG. COST

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 the Zoning Ordinance and substantial justice;

Explanation: STRUCTURE IS BUILT - WILL BE FINISHED TO MATCH HOUSE + IS PLACED TO BEST SUIT PROPERTY

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

Explanation: BLDG TO BE FINISHED W/ ROCK + STUCCO TO MATCH PRIMARY RESIDENCE

6. Granting the variance will be generally consistent with the purposes and intent of the Zoning Ordinance.

Explanation: OWNER TO ADD TO EXISTING RESIDENCE

Effective January 3, 2017

**Section 4: Applicant(s) Acknowledgement**

Please initial the following:

I/we understand that the Zoning Board of Adjustment (ZBA) is bound by criteria established by state law; I further understand that my request is not guaranteed to be approved and that it constitutes an exception from regulations of the City of San Angelo;

I/we understand that any variation(s) authorized by the ZBA will require me/us to obtain a building permit for that stated variation within twelve (12) months of the approval date by the ZBA, unless the ZBA has specifically granted a longer period;

I/we understand that all drawings, pictures, documents or other information used during your testimony to the ZBA must be kept in the permanent files of the Planning Division; and

I/we understand that any appeal of a decision made by the ZBA must be presented to a court of record with a verified petition stating that the decision of the ZBA is illegal in whole or in part and specifying the grounds of the illegality. This petition for appeal must be presented within ten (10) days after the date the decision is filed in the board's office.

I/We the undersigned acknowledge that the information provided above is true and correct.

*Terry Thomas*  
Signature of licensee or authorized representative

8-26-19  
Date

TERRY THOMAS  
Printed name of licensee or authorized representative

STEEL HANDLERS  
Name of business/Entity of representative

**FOR OFFICE USE ONLY:**

Reviewed/Accepted by: H. Becker

Date: 8, 26, 19

Case No.: ZBA: 19 -- 14

ZBA Hearing Date: 10, 7, 19

Fully-Dimensioned and scaled Site Plan:  Yes  No

Date of Application: 8 24, 19

Non-Refundable Fee: \$ \_\_\_\_\_ Receipt #: \_\_\_\_\_

Date paid: 1 / 1 N/A per Jon

Ordinance section(s) from which variance(s) is/are requested: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Effective January 3, 2017



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



**AFFIDAVIT**  
**Owner Permission-To-Named-Representative**

STATE OF TEXAS  
COUNTY OF TOM GREEN

**Section 1: Owner, Property, and Representative Information**

I, JESS & HEATHER SLAUGHTER, make this affidavit and hereby on oath state the following:  
Print Property Owner Name

I, being the  sole  partial owner of the following property:

2121 MESQUITE SAN ANGELO TX 76909  
Property Address City State Zip Code Contact Number E-mail Address

Legal Description of Location (can be found on property tax statement or at [www.tomgreencad.com](http://www.tomgreencad.com)):  
LOT 2 BLK 1 SUBD. LAKE NAWORTH Group 10

give my permission to below named representative, to apply for approval of a Planning application (e.g. Zone Change, Special Use, Conditional Use, etc.) on the above-described property.

STEEL HANDLERS/ TERRY THOMAS  
(Please print) Representative's Organization or Entity

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

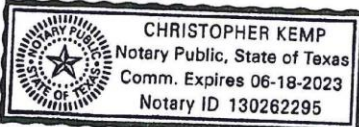
HSS Enterprises [Signature]  
Signature of the Property Owner

**Section 2: Notary Public Information**

BEFORE ME, the undersigned authority, this day personally appeared Jess and Heather Slaughter and  
Name

on oath stated that the facts hereinabove stated are true to the best of His/Her knowledge or belief.  
His/Her

SWORN TO AND SUBSCRIBED before me on this the 23 day of August, 2019.



[Signature]  
Notary Public, State of Texas

## Site Photos



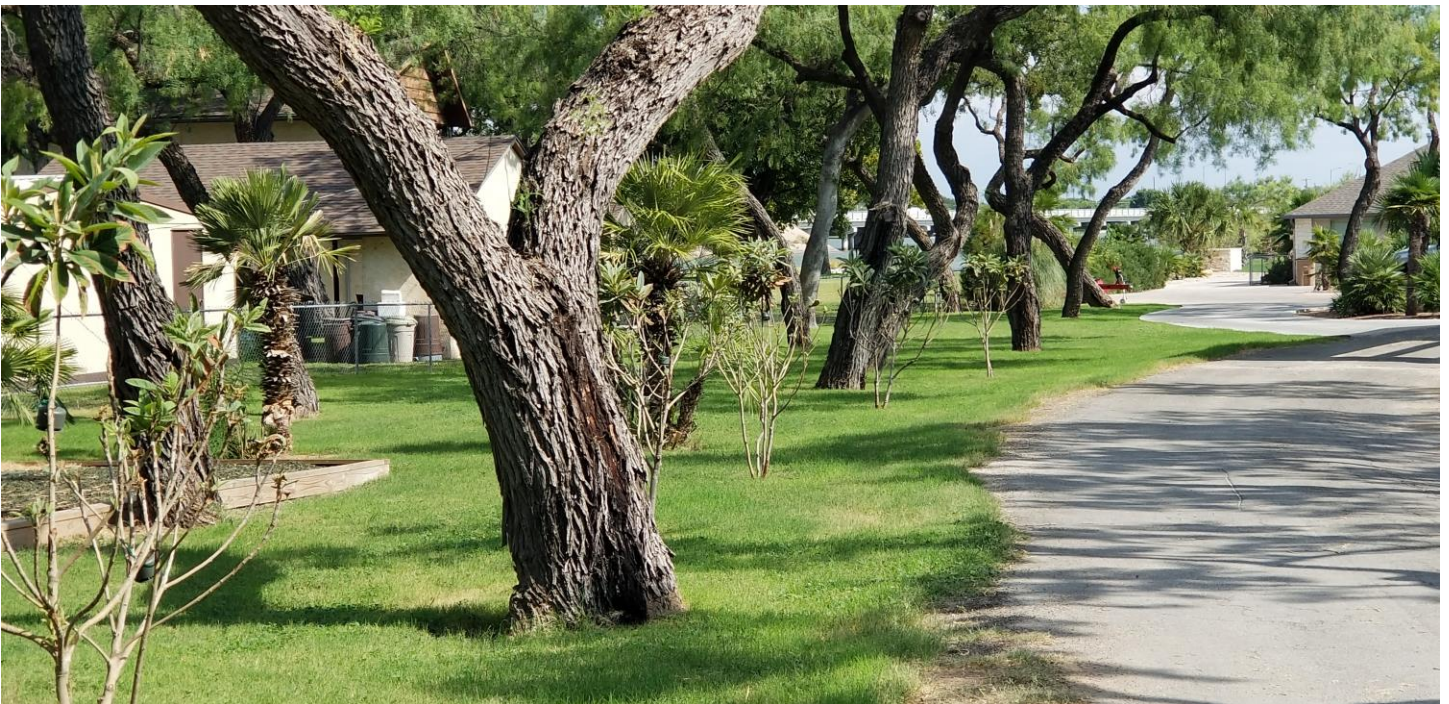
Taken from the neighbor's driveway.



Taken from the applicant's entrance drive.



**Close up of the relationship of the new garage to the house and the existing garage.**



**Taken from the neighbor on the opposite side's perspective.**



**Close up of structure and placement.**