



RECORD OF MINUTES

CITY OF SAN ANGELO, TEXAS
ZONING BOARD OF ADJUSTMENT
MONDAY, FEBRUARY 3, 2020 AT 1:30 P.M.
CITY HALL, EAST RECEPTION ROOM,
72 W. COLLEGE AVENUE

PRESENT: Gary Cortese (Vice Chair), Bobby Guerrero, Jean Cornell, Debbie Cunningham, Jason Fernandez, David Morales, Stephanie Hamby

ABSENT:

STAFF: Aaron Vannoy, Planning and Development Services Asst. Director
Hillary Bueker, Planning Manager
Sherry Bailey, Principal Planner
Jeff Fisher, Principal Planner
Shelly Paschal, Planner
Charlie Kemp, Building Official
Brandon Dyson, Assistant City Attorney

- I. **Call to order and establish that a quorum is present.**
Meeting called to order at 1:30 pm. Seven members were present.
- II. **Review and take any action related to minute record of the regular meeting held on Monday, December 2, 2019.**
The Vice Chair called for corrections to the December minutes or a motion to approve. Motion was made by Ms. Hamby, seconded by Ms. Cornell. The vote to approve was unanimous.
- III. **Election of Chair and Vice Chair.**
Mr. Cortese called for nominations from the floor for Chair. Ms. Cornell nominated Mr. Cortese for Chair; Mr. Fernandez seconded. The vote was unanimous.
The Chair called for nominations for Vice Chair. Mr. Fernandez nominated Bobby Guerrero, Ms. Hamby seconded. The vote was unanimous.
- IV. **ZBA20-01: Duran** **SMD #1 – Tommy Hiebert**
A request for approval of a variance from Section 501.A of the Zoning Ordinance to allow for a front yard setback of 11 feet facing Freeland Avenue in lieu of the required minimum 25 feet for a home within the Single Family Residential (RS-1) Zoning District located at 2822 Freeland Avenue.

Principal Planner Jeff Fisher presented the request for a variance to the Board. Mr. Fisher reviewed the history of the property and explained the request before the Zoning Board. 31 notices were mailed out. Two were in favor and two against the request. Mr. Fisher reviewed the surrounding neighborhood with similar conditions. This application maintains the rear yard setback adjacent to the Expressway. Mr. Fisher asked if there were questions from the board. Ms. Cunningham asked when the homes on either side were built. They were built before the Expressway project.

The Chair asked if there were additional questions.

A motion was made by Ms. Cornell and seconded by Mr. Fernandez to APPROVE the variance as requested. The vote was unanimous, 7-0.

V. ZBA20-02: Brumley

SMD #3 – Harry Thomas

A request for approval of a variance from Section 509.B.3 of the Zoning Ordinance to allow an 8 foot high fence within the required 25 foot front yard in lieu of the maximum 4 feet for a business within the General Commercial/Heavy Commercial-zoning district located at 15 East Highland Boulevard.

Principal Planner Sherry Bailey presented the request for a variance to the Board. Mr. Brumley has had numerous thefts from his enclosed yard area. He has fenced with solid fencing most of the perimeter of his business site, along both allies. He would like to fence the front yard area with the same 8 foot solid fencing which requires a front yard setback variance. His right of way in front of the business is 15 feet deep so that the fencing will not restrict visibility. The Police Dept. has concurred with his request. This is a security and safety issue for the business owner. Discussion followed concerning the existing buildings placement at the front property line, comments from any of the neighbors and the existing right of way along Highland Boulevard.

A motion was made by Ms. Cornell and seconded by Mr. Morales to APPROVE the variance as requested. The vote was unanimous, 7-0.

VI. ZBA20-03: Weiershausen

SMD #2 – Tom Thompson

A request for approval of a variance from Section 501.A of the Zoning Ordinance to allow for a 11.5-foot rear yard setback in lieu of 20-foot for a home within the Single Family Residential (RS-1) Zoning District located at 2830 Coleman Street.

Planner Shelly Paschal presented the request for both 20-03 and 20-04. These are two lots that are back to back, owned by the same person and requesting the same basic request for a rear yard setback variance. These lots were platted in 1920. Similar variances have been granted in the neighborhood. Staff is recommending approval. These lots are 92 ft. deep which is 8 ft. short from the required 100 ft. depth per lot of today's standards. An

established building line for the front yard was established for both homes. Some general clarification questions were asked of the Planning Manager who indicated a separate motion and vote would be necessary for each application.

A motion to approve the variance for ZBA20-03 as requested with one condition was made by Mr. Fernandez and seconded by Ms. Hamby. The motion passed unanimously, 7-0.

VII. ZBA20-04: Weiershausen

SMD #2 – Tom Thompson

A request for approval of a variance from Section 501.A of the Zoning Ordinance to allow for a 14.5-foot rear yard setback in lieu of 20-foot for a home within the Single Family Residential (RS-1) Zoning District located at 2827 North Street.

A motion to approve the variance for ZBA20-04 as requested with one condition was made by Mr. Guerrero and seconded by Mr. Fernandez. The motion passed unanimously, 7-0.

2:00 pm., Ms. Hamby removed herself from the next discussion for conflict of interest.

VIII. ZBA20-05: Hargraves

SMD #4 – Lucy Gonzales

A request for approval of a variance from Section 509.B.3.a of the Zoning Ordinance to allow an opaque privacy fence with a maximum height of 6 feet in the front yard adjacent to West 17th Street in lieu of the maximum 4 feet within the Neighborhood Commercial (CN) Zoning District; located at 510 West 17th Street.

Principal Planner Jeff Fisher made the presentation for the variance request by Mr. Hargraves. In 2017 a Special Use was permitted in this zoning district to allow car and light truck sales. The applicant is required to build an opaque separation fence between the sales lot and the residential use. The applicant is requesting to building the 6 ft. fence in the front yard area. Staff is in support of the request for safety reasons to screen this area from the residential area. Other similar requests have been granted in the area. This area serves as a side yard to the adjoining residential uses.

A motion to approve the variance as requested for ZBA20-05 with one condition was made by Ms. Cornell, seconded by Bobby Guerrero. The motion passed unanimously, 6-0.

2:08 pm., Ms. Hamby returned.

IX. ZBA20-06: Benson

SMD #3 – Harry Thomas

A request for approval of a variances from Section 501.A of the Zoning Ordinance to allow for a 10 foot front yard setback in lieu of the required 15 feet for a Townhouse development within the Low Rise Multifamily Residence Zoning District (RM-1), Monterrey Addition Block

1 Lots 5 – 8 & Block 2 Lots 1 - 8, generally located on the north side of Holiday St. west of the intersection of S. Concho Park Dr. and Holiday St.

Principal Planner Sherry Bailey made the presentation for the variance request by Mr. Mr. for both ZBA20-06 and ZBA20-07 since they are the same development, just different sides of Holiday Street. This Townhouse subdivision was platted in 1984 meeting the setbacks as required at that time. When the first four buildings were built they were built to the 1984 requirements with a front yard at 10 ft. and a back yard setback of 5 ft. Mr. Benson is wanting to build the remaining lots out at the platted setback of 10 ft. to match the existing townhouses. He feels that if he loses the additional 5 ft. he will be losing up to 300 sq. ft. of buildable area. Staff is in support of the requested variance.

A motion to approve the variance request for ZBA20-06 with one condition was made by Ms. Cornell, seconded by Mr. Fernandez. The motion passed unanimously, 7-0.

X. ZBA20-07: Benson

SMD #3 – Harry Thomas

A request for approval of a variances from Section 501.A of the Zoning Ordinance to allow for a 10 foot front yard setback in lieu of the required 15 feet for a Townhouse development within the Low Rise Multifamily Residence Zoning District (RM-1), Monterrey Addition Block 3 Lots 1 – 13 & Block 4 Lots 1 – 5, generally located on the south side of Holiday St. west of the intersection of S. Concho Park Dr. and Holiday St.

A motion to approve the variance request for ZBA20-07 with one condition was made by Bobby Guerrero, seconded by David Morales. The motion passed unanimously, 7-0.

XI. Division Report

No report was presented.

XII. Next Meeting Agenda

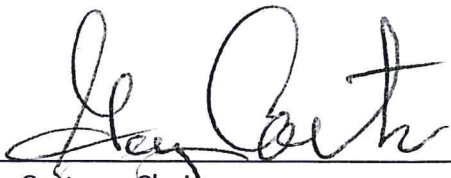
The next regular meeting of the Zoning Board of Adjustment is scheduled to begin at 1:30 p.m. on **Monday, March 2, 2020**, in the City Hall East Reception Room.

Chair Cortese read an email from the past Chair, Mr. Rork, thanking everyone for their work while he was Chair, saying how he enjoyed working with them and wishing all of the members well.

VII. Adjournment

A motion was made by Board-member Cornell to adjourn and seconded by Board-member Fernandez. The meeting was adjourned at 2:21 pm.

This notice of meeting was posted on the bulletin board at the City of San Angelo's City Hall before 1:30 p.m. on or before the 31st day of January, 2020 in accordance with Chapter 551 in the Government Code of the State of Texas.

A handwritten signature in black ink, appearing to read "Gary Cortese". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Gary Cortese, Chair