



MEETING MINUTES

CITY OF SAN ANGELO, TEXAS
ZONING BOARD OF ADJUSTMENT
MONDAY, June 6, 2022 AT 1:30 P.M.
72 W. College Avenue
City Hall East Mezzanine Meeting Room

Staff present: Brandon Dyson, Legal
Aaron Vannoy, Assistant Director of Planning & Development
Jeff Fisher, Planner
Kyle Warren, Planner

Present: Julie Efferson
Stephanie Hamby
Don Barnhart
Gary Cortese
— Bobby Guerro
Bill Feist
Dietrich Tillis

Absent: Paul Keeton

- I. Call to order and establish that a quorum is present.

Chair Cortese establishes a quorum of seven at 1:30 PM.

- II. Review and take any action related to minute records of the regular meetings held on Monday, April 4, 2022.

Chair Cortese asked if there were any questions to which there were none.

A motion to approve is made by Board Member Feist to approve both February 7th and April 4th minutes.

The motion is seconded by Board Member Tillis.

III. ZBA22-07: 1940 Saint Ann Street Street SMD #4 – Lucy Gonzales

Chair Cortese reads the case: A request to allow 60% recreational vehicle use in an MHP (mobile home park) zoned area, in lieu of the maximum 30% set by city council.

Planner Warren presents the case and explains that notifications were sent out but most of it is city property that surrounds it. Of the 4 notifications sent out, zero were mailed back in favor or opposition.

Planner Warren then goes on to explain the variance requested proves no hardship on the property or any other reason to suggest that the normal rules should not apply in this case. There are no special circumstances with this property, only that the applicant wants the ability to allow more of their property to be allowed for RV use contrary to ordinance limitations.

Planner Warren explains that staff sees no unnecessary/undue hardship as all MHP zoning is held to this same standard of 30% RV use. If the variance were granted the use of land would be contrary to public interest as city council approved the maximum 30% rule for RV use in the zoning ordinance (Chapter 12, Exhibit A, Article 4, Section 416, Item F.2). This was done to limit transient occupancy in mobile home parks and temporary oilfield camps.

Planner Warren then goes on to read the zoning ordinance listed above and he mentions the Planning Director says city council is pretty strict on the 30% standard.

Planner Warren concludes his presentation with a recommendation of denial for the case. He mentions he did speak to the applicant who is from the Ft Worth area, and 60% is an estimated percentage as the applicant mentioned adding 6 or 7 more RVs to the property. **Planner Warren** says he has not received a site plan to really show what spots or areas were affected so cannot say a certain percentage.

Board Member Feist asks if there are any other mobile home parks in the city of San Angelo that has any percentage higher than 30%. **Planner Warren** answers that none that staff is aware of.

Board Member Feist asks if there is any length restrictions that would classify an RV as a mobile home. **Planner Warren** answers that its more about whether or not it's a permanent structure. An RV can be moved the next day without a flatbed truck. A mobile home is more permanent and not be able to move the next day.

Chair Cortese requests to return to the satellite image and asks about the city owning most the property around it the mobile home park. **Planner Warren** answers with that yes, and that might hinder expansion but staff doesn't consider that a hardship for the variance as its more about here's your land, here's what you can do with it.

Board Member Hamby asks if there's anywhere within the property they can put an RV. For example, mobile home, mobile home, RV, mobile home, etc. **Planner Warren** answers that it doesn't matter where as long as you don't exceed the 30%.

Board Member Hamby asks if the mobile home residents were allowed to respond or if it was only surrounding properties. **Planner Warren** answers that it was only surrounding properties as the mobile home park is one large property and not parceled out.

Board Member Feist asks if RV homes or parks are allowed in the city limits. **Assistant Director Vannoy** says he believes there is a difference between camp grounds/RV parks and mobile home parks. There is a discussion following about if there is a difference between the parks.

Board Member Feist asks where the percentage is in the park or how many of the spots are vacant that is not in that 30%. **Planner Warren** answers that its hard to say as we never received a site plan and they may not even be over the 30%. **Board Member Feist** says he understands that without a site plan, we cannot determine what spaces are taken and what is not.

Chair Cortese asks how many acres we are dealing with. **Board Member Hamby** answers that it is 4.75 acres for the whole lot. **Planner Warren** reminds everyone that it is how many are mobile and how many are RV that this concerns, not the size of the lot. **Board Member Barnhart** says the ordinance says "No more than 10 spaces per acre." **Assistant Director Vannoy** says so that would mean about 47 spaces. **Chair Cortese** counts about 30 or 35 in the picture.

Assistant Director Vannoy mentioned it looks like they can have about 14 more before they'd hit the 30% and not be in compliance. The board members agreed. It was suggested to hear from the applicant as to how many they are looking to add to see about compliance.

Board Member Efferson asked if anyone counted how many RVs are out there or if there's pictures of what is out there now. **Planner Kyle** responded that its private property so he did not take pictures.

Chair Cortese opens the public comment.

Applicant William Chad Countess gives a history of how he found and purchased the property. He thought he would be grandfathered in and not have to comply. He said the original plat from the 50's or 60's shows the park has 43 slots. He feels he was treated unfairly with the new zoning ordinance on mobile home parks.

Board Member Barnhart asks if he is in favor of getting rid of some of the mobile homes to make them RV slots. **Applicant Countess** responds that the existing electrical meters are

only 30 amp which is only enough for a RV. He is being told he can't turn those on as he has hit is 30% for RVs. Newer existing mobile homes have paid to put their own in. He is looking to turn 4 or 5 on as to get the spots filled without having to pay for a larger meter.

Legal Representative Dyson asked if after 2014 city council meeting establishing the new mobile home park ordinance, the special permit was removed. **Applicant Countess** responded that it wasn't removed but that he was told the city would work with him on his property.

Chair Cortese suggests making 18 spaces RV and the rest of the 25 out of 43 spots be for mobile homes. The applicant agreed that would work.

Board Member Efferson makes a motion to allow up to 45% of RV use in a mobile home park zoned area instead of the 30% set by council. This needs to include an updated site plan.

Board Member Guerro seconds the motion.

Chair Cortese then takes a vote, and the motion passed 7-0

IV. ZBA22-08: 1613 Canal Road SMD #1 – Tommy Hiebert

Chair Cortese reads the case: A request for appeal of a denial by the Planning Director of an administrative adjustment from Section 203.B.4 of the Zoning Ordinance to allow for an all-weather surface driveway in lieu of a paved driveway, in order to construct a carport within the Single Family Residential (RS-1) Zoning District located at 1613 Canal Road.

Planner Fisher presents the case. The applicant came in for a building permit for a covered structure wide enough for 3 cars. Zoning requires a paved driveway to any covered parking area. This case is whether or not to allow for a caliche drive instead of paved. Staff estimated about 45% of the homes have paved driveways. This is not a variance but a request to overrule the Planning Director decision on the denial of the administrative adjustment. There were 4 variances approved by either Planning Director or the board in the past but they were right by the lake.

Chair Cortese asks if a ribbon driveway would be acceptable. **Assistant Director Vannoy** answers that it would take an interpretation by the Planning Director to say whether a ribbon driveway is allowable. He goes on to say alternatives have been considered in the past, but currently the ordinance does not mention any alternatives.

Assistant Director Vannoy and Planner Fisher tries to clarify the reason this case is being reviewed is the owner was cited for a building violation having constructed the carport without a permit. Since they are adding a carport, or a place to park, this requires Planning to review the parking which now requires them to pave a driveway.

Chair Cortese calls for public comment.

Charlene Schmidt is the co-owner of the house next door. Her driveway is not paved as they are grandfathered in. They had a civil matter handled by the courts about having a driveway next to their property. She is opposed of a caliche driveway next door as it will runoff onto her property.

Victoria Beach the homeowner, speaks next. They are putting up a fence so the caliche going into **Charlene Schmidt's** property will not happen. **Charlene Schmidt** said if they do put up a fence, she is no longer opposed.

Board Member Barnhart asks the owner if they are requesting this because of an expense hardship. **Victoria Beach** says not really, they just prefer caliche.

Lyndon Roberts is an owner near the property, asks if this is a blanket approval that includes other houses with caliche drives. It is explained by **Assistant Director Vannoy** that this is for the specific property and will not address any others. It is a case by case issue that would be triggered by certain work being done on the property.

Chair Cortese asks the applicant on what they would like to do. It seems their options are to remove the carport and not have to pave anything or keep the carport and have to pave.

Planner Fisher lets the board know the porch has an approved permit. It's the carport that has triggered the driveway paving.

Board Members and City Staff discuss whether the site plan presented is correct. The owner has presented a picture that shows the carport at the end and the site plan shows the carport between 2 porches.

911 Addressing City Staff Melissa Szyplinski comes forward with the building permit information. The approved permits that were issued did not have a label but said they were just creating 2 porches. A carport was assumed to be on the south end and would be permitted separately. So the site plan staff presented is incorrect.

Board Members and City Staff discuss if they deny this appeal and the owner just has the 2 porches, will they still need parking? **Planner Fisher** says no, they would be exempt.

Board Member Barnhart makes a motion to table until they have more information and an actual permit application for a carport.

Board Member Efferson seconds the motion.

Chair Cortese then takes a vote, and the motion passed 7-0

V. Open for Public Comment none

VI. Division Report

Chair Cortese asks if there is a division report.

Assistant Director Vannoy says at the next meeting there will hopefully be a presentation of some statistics on zoning cases. He also lets the board know they have hired another Planner, Rae Lineberry. The Planning Manager is still out on medical leave.

VII. Next Meeting Agenda

Chair Cortese reads that the next regular meeting of the Zoning Board of Adjustment is scheduled to begin at 1:30 p.m. on **Monday, July 11, 2022** in the City Hall East Mezzanine Meeting Room.

VIII. Adjournment

Board Member Feist makes a motion to adjourn.

Board Member Tillis then seconds the motion.

Chair Cortese takes a vote, motion passes 7-0, meeting is adjourned



Gary Cortese

Zoning Board of Adjustment chair