



MEETING MINUTES

CITY OF SAN ANGELO, TEXAS
ZONING BOARD OF ADJUSTMENT
MONDAY, March 4, 2024, AT 1:30 P.M.
72 W. College Avenue
City Hall East Mezzanine Meeting Room

ALL CELLULAR PHONES MUST BE PLACED ON EITHER "SILENT" OR "VIBRATE" DURING THE PROCEEDINGS.

ALL MATTERS LISTED ON THE AGENDA ARE SUBJECT TO INDIVIDUAL DISCUSSION AND ACTION BY THE ZONING BOARD OF ADJUSTMENT.

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

The Chair recognized a quorum of six and introduced the new Board member, Mr. Lorenzo Lasater. *The meeting was called to order at 1:51pm.*

II. Review and take any action related to minute records of the regular meeting held on Monday, January 8, 2024.

Roberts-Galindo moved to approve, seconded by Jackson. The minutes were approved 6-0.

III. ZBA24-01: 124 Medina Street

SMD#4 – Lucy Gonzales

A request for a 17-foot rear setback in lieu of the required 20 feet from Section 501 for a new home at 124 Medina Street in the RS-1 zoning district.

Planner Austin Reed presented the request to the Board. 124 Medina is an empty, recently platted lot in the Belaire neighborhood where the applicant intends to build a home. There was no response to the 26 mailed notices. When platting, the City required a sewer easement to run north-south through the side of the subject property. Already being a relatively small lot (58'x100'), this easement cut into the lot's buildable area. The area to the rear, where the variance will be, is currently vacant. When developed, it can be inferred that another backyard will adjoin the subject property's backyard. *In finding all necessary criteria present, staff is recommending approval.*

The Chair opened and closed public comment to no response.

The Chair sought a motion. *Teri Jackson moved to approve, seconded by Lyndon Roberts-Galindo. The motion carried 6-0, thereby granting the variance.*

IV. ZBA24-02: 1015 E. 40th Street

SMD#2 – Tom Thompson

A request for a 17-foot rear setback in lieu of the required 20 feet from Section 501 for a new home at 1015 E. 40th Street in the RS-1 zoning district.

Planner Austin Reed presented the request. This item, ZBA24-01, and ZBA24-03 share the same applicant and same request. This time coming out of the Lake View neighborhood,

1015 E 40th is again an empty lot where a home is to be built. There was no response to the 7 mailed notices. This lot, along with 1013 E 40th (the next item on the agenda) were cut shorter than other lots on the same block when platted in 2019. This is due to a drainage area that runs near and behind the lots, leaving both lots at the RS-1 minimum of 50 by 100 feet. This means that nothing can be built to the homes' rears, which is where the variance request is. Therefore, granting a variance would be inconsequential for future development. Finally, there is little right-of-way to the front on a relatively busy road, so it is preferable to extend the homes to the rear. *In finding all necessary criteria present, staff is recommending approval.*

Member Roberts-Galindo asked if this item and the next were able to be voted on together given their closeness and similarity. Deputy City Attorney Brandon Dyson answered that one motion could suffice for both cases after the Chair reads the caption of the next item and staff gives their presentation. The Chair asked if the applicant - who was present - was okay with this, to which the applicant said yes. The Chair then began to read in the next item.

V. ZBA24-03: 1013 E. 40th Street

SMD#2 – Tom Thompson

A request for a 17-foot rear setback in lieu of the required 20 feet from Section 501 for a new home at 1013 E. 40th Street in the RS-1 zoning district.

Planner Austin Reed presented this request. Because they are next door to each other, virtually all details of the last item apply to this request, as well. The request remains the same and the houses even use the same floorplan. This lot, however, is closer to and directly adjoins the drainage area. There were no responses to the 8 mailed notices. *Staff is again recommending approval.*

Stephanie Hamby asked about the nature of the drainage area and if, for instance, if it would stop the property owner from building a fence or improvements in the rear yard. Austin Reed and Aaron Vannoy answered that the drainage area does have an actual easement as shown on the plat and should remain unobstructed, but the lot currently as planned does not encroach into that drainage.

The Chair opened and closed public comment to no response.

In reference to both the current item (ZBA24-03) and the last (ZBA24-02), Lyndon Roberts-Galindo moved to approve. Lasater would second this motion, followed by a vote of 6-0, thereby granting both variance requests.

VI. ZBA24-05: 1905 Beaty Road

SMD#1 – Tommy Hiebert

Request for a variance to allow for a .50 Floor-Area Ratio instead of the required .40 in the RS-1 Single-Family Residential district at 1905 Beaty Road.

Principal Planner Sherry Bailey presented this item to the Board. This request is for a new home on a very small lot with water access off Lake Nasworthy. Because the home is two stories and the lot is so small, the threshold for floor-area ratio is being surpassed. The lot does have a variance for its size. Out of the 8 notices sent, two were opposed, including one of the immediate neighbors. *In finding all necessary criteria present, staff is recommending approval.*

Hamby asked staff what exactly floor-area ratio was, to which Sherry Bailey explained how it is calculated, that standards are different between zones, and that higher floor-area ratios are not uncommon for Lake Nasworthy homes. Notably, a home's additional stories do count towards the floor-area ratio, as we see in this case. Hamby also asked if the proposed home would meet all setback requirements, which Bailey confirmed.

Bailey also provided the Board with items showing the Homeowner Association's approval of the project. While often discussed, Director Aaron Vannoy reminded the Board that an HOA decision cannot have any bearing on the ZBA's decision.

The Chair opened public comment and the applicant, Bryan Benson, approached the podium to answer any questions the Board may have. Roberts-Galindo asked if the lot had water access, which Benson and Vannoy said there was.

Daniel Valenzuela, one of the immediate neighbors who was notified, spoke to the Board. He explained that he was initially opposed given the size of the lot. However, he has since spoken with Mr. Benson to address concerns and is now in support of the request, believing it to be a good project.

The Chair closed public comment and sought a motion. Teri Jackson moved to approve, seconded by Mimi Clark. The motion passed unanimously, granting the variance.

VII. Division Report

Aaron Vannoy spoke, informing the Board that he was now Director of Planning and Development Services whereas he was the Assistant Director before. He gave the Board a small update concerning the extension of the Open Structures Overlay Zone and that more is to follow in April.

VIII. Public Comment

Issues or concerns not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, address all comments to the dais, and begin by stating their name and address or Single Member District number. Please limit all remarks to less than three minutes.

No public comment was raised.

IX. Next Meeting Agenda

The next regular meeting of the Zoning Board of Adjustment is scheduled to begin at 1:30 p.m. on **Monday, April 1st, 2024**, in the City Hall East Mezzanine Meeting Room.

XII. Adjournment

Roberts-Galindo moved to adjourn, seconded by Jackson. All present voted in favor, and the meeting adjourned at 2:16pm.

Gary Cortese, Chairperson