



MEETING MINUTES

CITY OF SAN ANGELO, TEXAS
ZONING BOARD OF ADJUSTMENT
MONDAY, November 6, 2023, AT 1:30 P.M.
72 W. College Avenue
City Hall East Mezzanine Meeting Room

BOARD PRESENT: Gary Cortese, Chairperson
Don Barnhart
Lyndon Roberts-Galindo
Teri Jackson
Bobby Guerrero
Julie Efferson
Mimi Clark

STAFF PRESENT: Aaron Vannoy, Assistant Director of Development Services
Rick Weise
Brandon Dyson, Assistant City Attorney
Sherry Bailey, Principal Planner
Rae Lineberry, Planner I
Austin Reed, Planning Technician
Olga Truman, Planning Technician

- I. Call to order and establish that a quorum is present.
- II. Review and take any action related to minute records of the regular meeting held on **Monday, September 11, 2023.**
A motion to approve the corrected minutes was made by Lyndon Roberts Galindo and seconded by Julie Efferson. September 11, 2023, minutes were approved. The vote to approve was 7-0.
- III. Review and take any action related to minute records of the regular meeting held on **Monday, October 2, 2023.**
A motion to correct the minutes was made by Lyndon Roberts Galindo and seconded by Teri Jackson. October 2, 2023, minutes were approved as corrected. The vote to approve was 7-0.

- IV. ZBA23-29: 1910 S Concho Dr. SMD #1 – Tommy Hiebert**
Request for a variance from Section 501 of the Zoning Ordinance to allow for a 5 to 7 foot front yard setback from the property line setback for 1910 S Concho Drive, in a Single Family (RS-1) Zoning District.

Principal Planner, Sherry Bailey, presented the request to the Board of Adjustment. The applicant has submitted a request for approval of a variance from Section 501.A of the Zoning Ordinance

to allow for a 5 to 7 foot front yard setback from the property line setback for 1910 S Concho Drive. The property line is 27 feet from the existing garage. The measurement from property line to property line for S Concho Drive shows a 92 foot width right of way, with 40 feet of pavement. This area is not in the Open Structures Overlay zone, so the front yard setback, even for the existing garage, is 25 feet. 10 notifications mailed within a 200-foot radius on October 11, 2023. No letters received to date in support or opposition.

Staff believes this application has not meet the criteria for a variance and therefore the request for a variance from 501.A of the Zoning Ordinance to allow for a 5 foot front yard setback in lieu of the required 25-foot setback at 1910 S Concho Drive should to be **DENIED**.

Questions from the Board:

The chair: What are they whating to build?

Sherry Bailey: They want to build a carport extended out from the garage and have the same pitch as the roof of the garage.

The chair: No construction is taking place now?

Sherry Bailey: No, they are asking permission first.

The chair: Are there any other carports in the neighborhood?

Sherry Bailey: Yes, but all of them meet 25 foot set back requirements.

The Chair opened Public Comment.

Mr. and Mrs. Lee: On the drawing that has been submitted we have all the dimensions, width, and length of what we are proposing. To us, a hardship, is this nice big two car garage, but it is not usable. The previous owners built this garage on to the existing home, and we have less than half on one side we cannot use. The previous owner used it as a workout area. We need this carport to be able to protect our property, our vehicles. The carport would not block any of the view from the neighbors property or the road. We are matching the roof pitch of the existing garage with the roof of the new carport. Our neighbor has exactly the same thing, except he is meeting the setback, our house was already built this way. The neighbors also have gates up to their property line, ours will be open. Also, for handicap reasons, we need to have covered parking.

Chairman: How long have you lived in this house?

Mr. Lee: Since July. We are still renovating.

Mrs. Lee passing the pictures and explaining what their intention is for the carport.

Commissioner Mimi Clark: Have you gotten approval from the HOA?

Mrs. Lee: Yes, we received approval.

The Chair called for a motion and discussion.

A motion to approve this case with the condition that it will meet the requirements and match the existing garage, was initiated by Don Barnhart and seconded by Teri Jackson. The motion passed 6-1.

V. ZBA23-30: 2609 A & M Circle

SMD #5 – Karen Hesse

Request for a variance from Zoning Code Section 406 A.4 which requires 500’ from the lot line of one Short Term Rental to another Short Term Rental. ASU-College Hills Neighborhood.

Planner Rae Lineberry presented this request to the Board of Adjustment. The applicant has submitted a request for a variance from Section 406.A.4. of the Zoning Ordinance for a Short Term Rental to be within 500’ of another Short-Term Rental. Measuring from lot line to lot line, per the ordinance, this property is 493 feet from the nearest lot with an STR. However, measuring along the street frontage, this lot is 606 feet from the nearest lot with an STR. 14 notifications mailed within a 200-foot radius. We received 2 letters back in favor and 3 in opposition. Staff did have a discussion with the Planning Commission, and they want us to keep the 500 feet distance property line to property line. Staff does not have a recommendation for the board.

Questions from the Board:

Lyndon Roberts Galindo: Does this individual own this property?

Rae Lineberry: Yes, he owns the property. Including those 2 properties next to the subject property.

Board and City staff discussed the STR ordinance future modifications, specifically 500 feet requirement.

The Chair called for a motion and discussion.

Thorne Campbell: I spoke to 3 people who said they are mailing out the letters in support. I don’t know what happened, must be one week is not enough time for mail to arrive. Also, if you look at the map 2 out of 3 properties that opposed aren’t even located next to the subject property. I understand that there has ready been an approval to another STR with a distance less than 500 feet going in other direction.

Rae Lineberry: Yes, it was the property on Princeton, variance has been approved by Planning Commission.

Thorne Campbell: It’s my understanding the nearest STR property doesn’t have a Conditional Use, looking at the Princeton property. I don’t see they are renting it either.

Rae Lineberry: Princeton just got an approval, and they are in the process of Change of Occupancy. The one that is located withing 500 feet on Baylor applied for Change Of Occupancy, but they have not finished. They are up for renewal next month.

Chair asked: For how long have you owned this home?

Thorne Campbell: I have owned this home for 15 years.

The Chair called for a motion and discussion. A motion to deny this case was initiated by Lyndon Roberts-Galindo and seconded by Julie Efferson. The motion passed for denial 7-0.

VI. 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 made.

VII. Next Meeting Agenda

The next regular meeting of the Zoning Board of Adjustment is scheduled to begin at 1:30 p.m. on **Monday, December 4, 2023**, in the City Hall East Mezzanine Meeting Room.

- X. Adjournment** Teri Jackson moved to adjourn, and Lyndon Roberts- Galindo. The meeting was adjourned at 2.46 PM

This notice of the 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 28th day of September 2023, in accordance with Chapter 551 in the Government Code of the State of Texas.

Aaron Vannoy
Asst. Director, Planning and Development Services