



# MEETING MINUTES

CITY OF SAN ANGELO, TEXAS  
**ZONING BOARD OF ADJUSTMENT**  
**MONDAY, July 10, 2023, AT 1:30 P.M.**  
**72 W. College Avenue**  
**City Hall East Mezzanine Meeting Room**

**Board Present:** Gary Cortese, Chairperson  
Don Barnhart  
Teri Jackson  
Lyndon Roberts-Galindo  
Julie Efferson  
Stephanie Hamby

**Staff Present:** Jon James, Director of Development Services  
Brandon Dyson, Assistant City Attorney  
Sherry Bailey, Senior Planner  
Rae Lineberry, Planner I  
Austin Reed, 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, June 5, 2023.**

A motion was made by Lyndon Roberts-Galindo and seconded by Don Barnhart to approve the June 5, 2023 minutes as presented. The vote to approve was 6-0.

- III. **ZBA23-09b: 6610 Clarice Court, SMD #1 – Tommy Hiebert**

A request for approval of a variance from Section 402.A.2 of the Zoning Ordinance to allow a six-foot rear setback in lieu of the required twenty-foot setback within the Single-Family Residence (RS-1) Zoning District.

Senior Planner Sherry Bailey presented the request to the Board of Adjustment. In June's meeting, this applicant received a variance towards maximum accessory structure size for a building in their back yard. This building acts as a personal shop, storage, game-room, and sleepover area. The applicant is now seeking a variance towards allowing a 6-foot rear setback in lieu of the standard 20-foot setback for said building. The applicant has a pool and landscaping feature that would confine the building to an area that would require a rear setback variance. The rear of the home is adjacent to manufacturing and warehouses.

Stephanie Hamby asked to clarify the proposed rear and side setbacks – which are 6 feet and 5 feet, respectively. The Chair asked if the applicant was present and opened for public comment. The applicant spoke and specified that the side setback will be 6 feet and not 5, which is within the minimum setback and does not require a variance. The Chair informed the applicant that he should follow the variance accordingly should he eventually need to sell the property and survey.

A motion to approve was made by Teri Jackson and seconded by Julie Efferson. The motion passed 6-0.

**IV. ZBA23-12: 2389 Fishermans Road**

A request to allow for a front yard setback of 11 feet in lieu the required 25 feet within the Single-Family Residence (RS-1) Zoning District located at 2386 Fishermans Road.

Senior Planner Sherry Bailey presented the request to the Board of Adjustment. A note was made that this property's address varies between 2386 Fisherman's Road and 2389 Fisherman's Road. This property is backed to the lake and, while it is addressed off Fisherman's Road, it is accessed through Rock Slough Road. In front of the property lie an access easement connecting further down to Fisherman's Road, followed by around 200 feet of empty city-owned land. The applicant seeks the variance in order to build an attached garage closer to the access easement than allowed. The property has two neighbors directly to its east that share similar conditions. The one directly adjacent received a variance in 2011 to build an accessory structure into the easement, thereby blocking it, and they access their property from Rock Slough. The other neighbor, furthest east of the three, also built into the easement through a variance, but accesses their property through the easement.

The Chair asked if the applicant is building over the easement, to which it was clarified that they do not intend to build into it, only closer than allowed. The Chair opened and closed public comment with no responses.

A motion to approve was initiated by Lyndon Roberts-Galindo and seconded by Don Barnhart. The motion passed 6-0.

**V. ZBA23-15: 2702, 2706, 2720, 2714 Lindell Avenue**

A request for approval of a variance from Section 501.A of the Zoning Ordinance to allow for a 10-foot rear yard setback in lieu of the required 20-foot setback for four existing lots on Lindell Avenue.

Senior Planner Sherry Bailey presented this request to the Board of Adjustment. These four lots had previously received a variance for minimum lot size. The lots are located in RS-2 zoning. The applicant has one home design that they intend to replicate four times, thereby requiring a variance in four places for the rear of each home. There was an existing home on the lot prior to platting that lies 30 feet behind the prospective houses – a distance the applicant feels will not impact the homeowner. The applicant wishes to build houses that more closely match the size of the other homes in the area. The houses meet the require front setbacks, and only a portion of the rear of the houses jut into the required rear setbacks.

The Chair asked what the typically required rear setback would be, to which 20 feet was answered. It was also clarified that this request technically represents four variances. The Chair asked about the original home on the lot behind and its distance from the homes in question. The Board recognized that only a portion of the home extends past the setback. Stephanie Hamby expressed concern about homeowners having no room to build into their back yards without further variances. Don Barnhart asked of the differences between RS-1 and RS-2 zoning, and it was determined that RS-2 zoning would not disqualify these homes from becoming

single-family. The Chair asked about the percentage threshold for a variance to be eligible for administrative approval, and whether or not that still stood. Jon James answered that 10% is the threshold, that it still stands, and that this request exceeds a 10% variance. Some discussion ensued about the exact figures displayed on the building plans, to which it was determined that some figures may be slightly inaccurate but inconsequential. The Chair opened public comment and the applicant approached, asking for approval as presented.

A motion for approval was initiated by Teri Jackson and seconded by Lyndon Roberts-Galindo. The motion passed 6-0.

**VI. Division Report**

Director of Development Services Jon James informed the board that the previous Planning Manager Zach Rainbow has resigned and that the department will be seeking a replacement.

**VII. Public Comment**

No public comment was raised.

**VIII. Next Meeting Agenda**

The next meeting will take place at 1:30pm on August 7<sup>th</sup>, 2023, in the City Hall's East Mezzanine.

**IX. Adjournment**

Motion to adjourn was given by Teri Jackson and seconded by Julie Efferson, passing 6-0. The Board adjourned at 2:07pm.

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 6th day of July 2023, in accordance with Chapter 551 in the Government Code of the State of Texas.

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Gary Cortese, Chairperson