

**MINUTE RECORD OF THE CITY OF SAN ANGELO ZONING BOARD OF ADJUSTMENT MEETING HELD ON MONDAY, NOVEMBER 4, 2013 AT 1:30 PM, KENNETH MCNEASE CONVENTION CENTER**

**PRESENT: Louis Rork, Jimmy Mitchell, Lloyd Woodfin Jr., David Nowlin**

**ABSENT: John Rowland (UA)**

**STAFF: Kevin Boyd, Planner  
Jeff Hintz, Interim Senior Planner  
Charlie Kemp, Assistant Building Official**

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

The meeting was called to order at 1:31 PM a quorum of 4 was present

**II. Review and take any action related to minute record of the rescheduled regular meeting held on October 15, 2013.**

Mr. Rork motioned to approve the minutes as presented which was seconded by Mr. Mitchell and passed 4-0.

**III. Consideration of requested variance from zoning regulations.**

**A. ZBA 13-34: Alcohol-Drug Abuse Council of the Concho Valley.....Mitchell**

A request for approval of a complete variance from Section 501.A of the Zoning Ordinance, which requires a side yard of 10 feet for group living structures -and- an 18 foot 8 inch variance to allow for a rear setback of one foot four inches, to allow for the construction of a covered porch area in a Low-Rise Multi-Family Residential (RM-1) Zoning District on the following property:

134 West College Avenue, located on the northeast corner of the intersection of West College Avenue & Farr Street; more specifically occupying the Miles Addition, Block T, Lots 8-10, in central San Angelo.

Jeff Hintz, Interim Senior Planner, came forward to present the case consistent with staff's recommendation of approval, subject to conditions. Eleven notices were sent, none returned. Mr. Hintz used photos and maps to orient the commission with the surrounding area and the subject property. The options available to the board and the criteria mandated of the request were discussed with the board. The side yard structure also lies within the required right-of-way, council approval is required to keep it there. It is one of the oldest parts of the city. Special circumstances were warranted in this case given the surrounding properties and unique set of circumstances on this particular lot. Much of structures are established and were built many years ago. The request is consistent with existing land development. The only condition is that the covered porch is granted approval

Mr. Rork asked if the city owns the property and how the leasing arrangement worked. He also asked when the fence and covered porch were built.

Eric Sanchez, the proponent, came forward to speak in favor of the request and gave some history on the property. The house was built in the 1920's and moved to the location in the late 1960's. The structure in question in the rear was built without a permit after a contractor failed to obtain one for the work. The work had been done without any type of permitting.

No one else came forward to speak in favor or in opposition of the request.

The board had inquired about the right-of-way issues for the property and how that would be resolved at the City Council level when the time came.

Mr. Nowlin stated the board cannot take a look at finances and other personal issues and inquired a bit further about what special circumstances staff had found as a result of the request.

Mr. Mitchell made a motion to accept with the condition the encroachment of the fence and structure go before council, this was seconded by Mr. Rork and passed 4-0.

**B. ZBA 13-35: Terry Thomas 'Steel Handler'.....Nowlin**

A request for approval of a 12 foot variance from Section 501.A of the Zoning Ordinance which requires a 25 foot front yard, to allow for a 13 foot front yard, to construct a 22' x 30' carport / storage building in a Single-Family Residential (RS-1) zoning district, on the following property:

2209 Hillside Drive, located approximately 2,780 feet west of the intersection of Hillside Drive and Knickerbocker Road; more specifically occupying Lake Nasworthy Addition, Group 20, Block 1, Lot 18, in southwest San Angelo.

Kevin Boyd, Planner came forward to present the case consistent with staff's recommendation of approval. Seven notices were sent and one was returned in favor. Mr. Boyd used photos and maps to orient the commission with the surrounding area and the subject property. There is a large frontage that serves as an access easement in front of the property and this preserves the openness on the property. The options available to the board and the criteria mandated of the request were discussed with the board. The surrounding area has many topographical changes and this request would reflect consistent and predictable development in harmony with that of the surrounding area. Disapproval of this request would deprive this owner of the property of rights commonly enjoyed by the others in the area. A map of the area with approved variances was presented to the Board to highlight this point. This request is not anticipated to create any adverse effects on neighboring properties.

Mr. Mitchell inquired about the width of the access easement. Mr. Boyd identified it as 80-100 feet depending upon where it is measured from.

Mr. Rork inquired about the width of the lot for this request. Mr. Boyd stated the lot was approximately 76 feet wide. Mr. Rork asked if this structure would prohibit or hinder access to the primary structure.

The History of the Lake Nasworthy was discussed and some general discussion about setbacks took place.

Terry Thomas, the proponent came forward to speak in favor of the request. This project was started by another contractor and was not done to the specifications required by the City and now Mr. Thomas was brought in to permit the project correctly.

No one else came forward to speak in favor or in opposition of the request.

Mr. Nowlin stated the area lacks consistency and a lot of the properties have developed uniquely. Mr. Nowlin stated he would be ok with the variance.

Mr. Mitchell inquired about the access easement and if it could be built on.

Mr. Woodfin inquired about the other variances in the area that were shown on a previous slide.

Mr. Nowlin motioned to approve the variance as presented which was seconded by Mr. Woodfin and passed 4-0.

**IV. 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 2nd of 2013 in the McNease Convention Center.

**V. Adjournment.**

Mr. Mitchell motioned the meeting be adjourned, which was seconded by Mr. Woodfin and passed 4-0. The meeting adjourned at 2:12 PM

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David Nowlin, Chairperson  
Zoning Board of Adjustment