

**ZONING BOARD OF ADJUSTMENTS
MARCH 18, 2015
CITY HALL'S COUNCIL CHAMBERS**

MEMBERS PRESENT

Ned Sheats
Mike Friedrichs
Jaime Acevedo
Kathy Olivarez

MEMBER ABSENT

Raul Sesin
Sam Rodio

STAFF PRESENT

Joe Garza
Susie De Luna

GUEST PRESENT

Sandra Duran
Jorge & G. Bazan

CALL TO ORDER

Vice-Chairman Sheats called the meeting to order at 4:35 p.m.

CITIZENS PARTICIPATION

Vice-Chairman Ned Sheats asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR FEBRUARY 18, 2015

Vice-Chairman Sheats entertained a motion to approve the minutes as noted with corrections. Mr. Mike Friedrichs moved to approve the minutes as corrected. Mrs. Olivarez seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.1

APPOINTMENT OF ZONING BOARD OF ADJUSTMENTS CHAIRMAN AND VICE CHAIRMAN FOR 2015

Mr. Joe Garza stated that it was common procedure to elect a Chairman and a Vice-Chairman every year.

Vice-Chairman Ned Sheats asked if there were any nominations.

Mr. Mike Friedrichs moved to nominate Mr. Ned Sheats as Chairman and Mr. Jaime Acevedo as Vice-Chairman. Mrs. Olivarez seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.2

CONSIDER A VARIANCE REQUEST TO HAVE A 14' FRONT SETBACK INSTEAD OF THE REQUIRED 30' AND A 0' SIDE SETBACK INSTEAD OF THE REQUIRED 6' FOR A CARPORT AT 1311 E. 2ND ST., BEING LOT 6, BLOCK 6, BRYAN RIDGE SUBDIVISION, AS REQUESTED BY MRS. SANDRA L. DURAN

Mr. Joe Garza went over the write-up stating that the site is located 300' West of Bryan Road along the North side of 2nd Street. The site measures 55' x 136.35' = 7,499.25 sq. ft.

The applicant installed a portable carport within the front and side setbacks of the lot without first obtaining a building permit. Staff spoke with Mrs. Duran and she advised us that she placed a carport due to no other place for it in her lot which is in an older subdivision. The mother lives at the home and has had knee surgery recently not allowing her to walk excessively.

Staff recommends approval subject to: 1) the execution and recording of a Hold Harmless Agreement, and 2) that the carport be removed once the need is no longer evident.

Mr. Mike Friedrichs asked how it came to staff's attention.

Mr. Garza stated that they were seeking more permits and once the inspectors went out to the site they discovered the violation.

Mr. Jaime Acevedo asked if there were seeking permits for something else.

Mr. Garza replied, "Yes".

Chairman Ned Sheats stated that being that this is an accommodation for a physical issue in the past there have been no problems and he didn't see any difficulty in granting this variance as long as everyone understand the situation.

Chairman Ned Sheats asked if there was any opposition.

There was none.

Chairman Ned Sheats asked if the applicant or representative were present.

The applicant, Mrs. Sandra Duran was present to address any questions from the Board.

Chairman Ned Sheats mentioned that to his understanding from Mrs. Duran by having this carport where it is remarkably allows her mother better access or less pain getting there.

Mrs. Duran replied, "Yes".

Chairman Ned Sheats advised Mrs. Duran that as long as she agree that the carport will be removed once the need is no longer evident and that the City will not be liable for negative things that may happen because of it being there.

There being no further discussion, Chairman Sheats entertained a motion. Mrs. Kathy Olivarez moved to approve the variance request as recommended by staff. Mr. Mike Friedrichs seconded the motion. Upon a vote, the motion to approve passed unanimously.

ITEM #1.3

CONSIDER A VARIANCE REQUEST TO HAVE A 6.5' FRONT SETBACK INSTEAD OF THE REQUIRED 15' AND A 6' CORNER SETBACK INSTEAD OF THE REQUIRED 10' AT 1510 E. BUSINESS HWY 83., LOT E-19, LEMON TREE ESTATES SUBDIVISION, AS REQUESTED BY LEMON TREE ESTATES

Chairman Ned Sheats entertained a motion to remove the item permanently from the Table. Mr. Mike Friedrichs moved to remove the item from the Table. Mr. Jaime Acevedo seconded the motion. Upon a vote, the motion passed unanimously.

No action taken on this item.

ITEM #2.0

OTHER BUSINESS

There was no other business.

ITEM #3.0

ADJOURNMENT

There being no further business, Chairman Ned Sheats entertained a motion to adjourn. Mrs. Kathy Olivarez moved to adjourn. Mr. Jaime Acevedo seconded the motion. Upon a vote, the motion passed unanimously at 4:48 p.m.

Ned Sheats, Chairman
Zoning Board of Adjustments