

**ZONING BOARD OF ADJUSTMENTS  
APRIL 19, 2017  
CITY HALL'S COUNCIL CHAMBERS**

<b><u>MEMBERS PRESENT</u></b>	<b><u>MEMBER ABSENT</u></b>	<b><u>STAFF PRESENT</u></b>	<b><u>GUEST PRESENT</u></b>
Ned Sheats	Sam Rodio	Jaime Acevedo	Rick Elbaor
Mike Friedrichs	Kathy Olivarez	Virgil Gonzalez	Ray Dale
Jaime Gutierrez	Terry Meewes	Annette Zavala	Norma Mcclellan
Julian Gonzalez			

**CALL TO ORDER**

Chairman Mr. Sheats called the meeting to order at 4:30 p.m.

**CITIZENS PARTICIPATION**

Chairman Mr. Sheats asked if there was anyone in the audience that had anything to present or express that was not on the agenda. The audience remained un-responsive.

**APPROVAL OF MINUTES FOR MARCH 15, 2017**

Chairman Mr. Sheats asked if there were any corrections to the minutes. Mr. Friedrichs moved to approve the minutes with corrections. Mr. Gutierrez seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #1.1**

**CONSIDER A VARIANCE REQUEST TO ALLOW EXISTING ENCROACHMENT FOR A REAR SETBACK AT 105 BUNDLE WAGON, BEING LOT 143, WAGON CITY SOUTH SUBDIVISION, AS REQUESTED BY MR. RICHARD ELBAOR**

Mr. Acevedo mentioned that the site is near the Boot Drive/Bundle Wagon intersection along the south side of Bundle Wagon. The irregular cul-de-sac lot has a total square foot of 5,013 sq. ft. The owner, Richard Elbaor, desires to construct a 16' x 9' or 144 sq. ft. attached storage/workshop addition to his mobile home on the irregular shaped lot and is requesting to have a 6" rear setback instead of the required 5' rear setback. Being Wagon City South, Lot 143 is unique in that it abuts an open canal. There are no recorded utility easements and the applicant has obtained approval from the Wagon City Architectural Control Committee for his proposal. Typical rear setbacks for this development should be 5' for this R-4 zone. When viewing the vicinity map, there is a 200' of canal ROW and a 20' alley directly abutting the subject site to the south, thus not affecting anyone to the rear.

RECOMMENDATION: Since there are no known utilities and since this applicant abuts an alley and 200' of canal ROW, Staff recommends approval subject to a recorded document that the storage shed/workshop will remain as a ' non-living' area' subject to City re-evaluation with a minimum 30-day notice to the owner.

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NOTE: The applicant is receptive to Staff's conditions with a recorded document, too.

Chairman Mr. Sheats asked if there was any opposition.

Mr. Ray Dale lives at 109 Covered Wagon his President for the Architectural to his understanding there should be a 5' setback and his in violation of 2' and his on the City ROW.

Mr. Acevedo mentioned that the City of Mission will not do a survey it would be the property owner at their expense, and in this case they are not requiring the applicant to obtain a survey for a 6" setback.

Mr. Friedrichs also mentioned that there was a copy from the Architectural Committee approving the application dated March of 2017.

Mr. Ray Dale mentioned that he was not aware of the letter since he was newly appointed to the board two months ago.

Chairman Mr. Sheats asked if the applicant or representative was present.

Mr. Richard Elbaor was present to answer any questions the board might have, his address 105 Bundle wagon lot 143, Mission TX., he mentioned that he bought the property from his father, the shed has been there for the past 22 years, and he is going to replace the storage room for his golf cart.

Mr. Julian Gonzalez asked who uses the alley.

Mr. Acevedo replied that the alley is used by the property owners and they use golf carts, and the alley raps around the subdivision. Trash pick-up is in the front, the alley is in need of repairs and they would look into the alley. The alley is also used for the entrance of the R.V.'s when they are coming in and out of the subdivision.

Mr. Sheats mentioned that there are other structures that are in the property line.

Mr. Friedrichs will there be any document needed they will attach them to the deeds, and will they also include a hold harmless document

There being no further discussion, Chairman Mr. Sheats entertained a motion. Mr. Friedrichs moved to 'Approve' the variance request. Mr. Gonzalez seconded the motion. Upon a vote the motion to approve the variance passed unanimously.

**ITEM #2.0  
OTHER BUSINESS**

**ITEM #3.0  
ADJOURNMENT**

There being no further business, Chairman Mr. Sheats entertained a motion to adjourn. Mr. Friedrichs moved to adjourn. Mr. Gutierrez seconded the motion. Upon a vote, the motion passed unanimously at 4:54 p.m.

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Ned Sheats Chairman  
Zoning Board of Adjustments