

**ZONING BOARD OF ADJUSTMENTS  
JULY 2, 2018  
CITY HALL'S COUNCIL CHAMBERS**

**MEMBERS PRESENT**

Ned Sheats  
Terry Meewes  
Kathy Olivarez  
Julian Gonzalez

**MEMBER ABSENT**

Sam Rodio  
Jaime Gutierrez

**STAFF PRESENT**

Jaime Acevedo  
Virgil Gonzalez  
Kristin J. Warshak  
Maribel Castellanos

**GUEST PRESENT**

Terry Meewes  
Beverly Sedor  
Joseph T. Sedor  
John F. Neely  
Albert Dremert  
Emigdio Villanueva  
Ricardo Rodriguez  
John Connot

**CALL TO ORDER**

Chairman Ned Sheats called the meeting to order at 12:04 p.m.

**CITIZENS PARTICIPATION**

Chairman 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 MAY 16, 2018**

Chairman Sheats asked if there were any corrections to the minutes. Mr. Terry Meewes moved to approve the minutes subject to typographical error on page 4, paragraph 4 being corrected. Mr. Julian Gonzalez seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #1.1**

**TO CONSIDER A VARIANCE REQUEST TO ALLOW AN ENCROACHMENT OF A 5' 1/2" SIDE SETBACK INSTEAD OF THE REQUIRED 10' SETBACK AT 516 JUPITER ST., BEING LOT 166, ALADDIN VILLAS, AS REQUESTED BY TERRY MEEWES**

Mr. Jaime Acevedo explained Item 1.1 will not be acted on due not having a quorum.

Mr. Terry Meewes moved to take no action for Item 1.1 as per staff's recommendations. Mr. Julian Gonzalez seconded the motion. Mrs. Olivarez clarified that taking no action does not mean that the board will not pursue going after the contractor involved. Upon a vote, the motion to take no action passed unanimously.

**ITEM #1.2**

**TO CONSIDER A VARIANCE REQUEST TO ALLOW AN ENCROACHMENT ONTO THE FRONT GARAGE SETBACK AT 3000 PAYTON DRIVE, BEING LOT 15, SOMMERSET COURT SUBDIVISION, AS REQUESTED BY RGV VILLA HOMES**

Mr. Jaime Acevedo went over the write-up stating the subject site is located 600' west of Payton Drive along the south side if Payton Drive. The irregular cul-de-sac lot has a total square footage of 8,625 sq. ft. whereas other lots in Sommerset Court Subdivision measure over 9,000 sq. ft.

The applicant desires to retain a 15' garage setback instead of the plat-specified 18' garage setback for a single-family residence at this site. Staff calls your attention to the pre-pour survey which shows the residence with a 15' garage setback. Staff requires that all irregular lots provide a pre-pour survey. In this case the pre-pour survey identified the non-conformity and allowed Staff to get with the applicant to correct the matter. The applicant decided to apply for a variance instead of moving the entire foundations forms back 3 feet. Because of the lots irregular shape, Staff does not object to the request. The lot is setback further back than others along the south side of Payton thus this lot was never going to be in alignment with the rest of the homes anyways. Also, in reviewing this request Staff learned that this lot is smaller than most at Sommerset Court Subdivision. All other setbacks are being complied with.

**RECOMMENDATION:** Since the lot is not in direct alignment with the others Staff recommends approval and recommend that a 15' garage setback be granted. This matter is now before you.

Chairman Sheats asked if the Commissioners had any questions to Staff.

There being none.

Mr. Emigdio Villanueva, Applicant was present to answer any questions the Board might have.

Chairman Sheats stated as Mr. Acevedo pointed out there will be overlapping on the sidewalk causing parking over the sidewalk. The sidewalk needs to be kept clear.

Mrs. Kathy Olivarez asked to clarify on the address.

Chairman Sheats asked if there was any audience objection.

There being no further discussion, Chairman Sheats entertained a motion. Mrs. Kathy Olivarez moved to approve the variance requests as per staff's recommendations. Mr. Julian Gonzalez seconded the motion. Upon a vote, the motion to approve the variance passed unanimously.

**ITEM #2.0**  
**ADJOURNMENT**

There being no further business, Chairman Sheats entertained a motion to adjourn. Mr. Terry Meewes moved to adjourn. Mr. Julian Gonzalez seconded the motion. Upon a vote, the motion passed unanimously at 12:13 p.m.

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Ned Sheats, Chairman  
Zoning Board of Adjustments