

**BOARD OF ADJUSTMENT
MINUTES
August 27, 2018**

The Board of Adjustment held its regular monthly meeting on Monday, August 27, 2018, at 5:00 p.m., in the Council Chambers at City Hall.

Members Present

Chairman Lannis Nicholson
Secretary Karen Yarbrough
Vice-Chair Wendell Miller
Rob Caldwell
Steve Hubbard
Alderman Brown (non-voter)

Members Absent

Visitors Present: Planner James Walden, City Attorney Trey Smith, Planning Assistant Lequitta Jones, Jim Lynch/City Corp, Zane Bryson/City Corp, J. David Garza/Barrett & Associates, Brent Preddy, Leslie Teaff.

Welcome Visitors

The First Order of Business was a request to review and approve the minutes of the June 25, 2018.

Member Miller made the motion to approve the minutes as written. The motion was seconded by Member Hubbard and passed unanimously.

The Second Order of Business was a request for approval for a 10% *Special Exception* for the front yard setback requirement for R-1, for property located at the corner of South Erie and East 6th Street. Submitted by Dave Garza of Barrett & Associates on behalf of Dan Owens. (BOA.18.01.3644)

City Planner said this request is to approve a 7% reduction in the required lot width for the replat of 3 lots of record into 2 lots. The required lot width is 75 feet and each lot will have a lot with of 70 feet. The property is presently 3 lots of record on which 3 houses could be built. Allowing the exception would permit reinvestment in the neighborhood that will be beneficial to the properties in close proximity. The approval would not likely result in harm on adjacent property or harm the public welfare. The recommendation is approval.

Dave Garza on behalf of Dan Owens, said Mr. Owens has purchased 3 lots along South Erie Avenue that has an existing house on it. The lots run north and south in direction while the house lays east and west cutting the lot in half. There is room to construct another house south of the present one. The lots when re-combined are short of the required front yard width per the zoning code. We are asking for a 10% exception to the front lot width requirement of 75 feet for R-1 Zones. When the lots are divided will be 70 feet in width which is 7% less than the requirement.

Member Hubbard made the motion to approve the 10% Special Exception. The motion was seconded by Member Miller and passed unanimously.

The Third Order of Business was a public hearing requesting a variance to expand a non-conforming use for an existing house located at 704 East “E” Street. Submitted by Dave Garza of Barrett & Associates on behalf of Wendy Tran. (BOA. 18.08.3643)

City Planner Walden said this request is to allow expansion of a non-conforming structure. The expansion is proposed to involve an addition of 596 square feet on the rear of the structure to allow conversion of the house to a duplex. The structure is non-conforming due to a 7.5 encroachment on the front setback. The proposed expansion would not increase the structure’s degree of non-conformity. Approval would not likely result in harm on adjacent property or harm the public welfare. Under currently proposed changes to the zoning.

Dave Garza on behalf of Wendy Tran, is requesting remodel and make an addition on a house that she owns on East “E” Street. The remodel will create a duplex out of a single-family home, which is allowed R-2 zones. The present house is non-conforming as it violates the required front yard setback requirements of 25 feet. The house is 17.5 feet from the front property line.

Member Miller made the motion to approve request. The motion was seconded by Member Caldwell and passed unanimously.

Adjourned.

Chairman Lannis Nicholson