

STATE OF TEXAS §
 COUNTIES OF POTTER §
 AND RANDALL §
 CITY OF AMARILLO §

On the 14th day of March, 2013 the Zoning Board of Adjustment of the City of Amarillo met at 4:00 p.m. in a work session in the City Commission Work Room of City Hall. They reviewed the agenda items for the meeting. The Board adjourned the work session and convened to the regular meeting in the City Commission Chamber of City Hall at 4:30 P.M., with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Matt Thomas, Chairman	Yes	31	28
Sandera Dear-DeWeese	Yes	24	20
Wayne Osteen	Yes	20	15
Richard Walton	Yes	12	7
Larry Mills	Yes	19	14
ALTERNATE MEMBERS			
Farrar Mansfield	Yes	4	3
Ryan Brewster	No	2	1
Barry Lynch	No	2	0

ADMINISTRATIVE MEMBERS PRESENT

Scott McDonald, Building Official
 Randy Schuster, Deputy Building Official

Teresa Hook, Administrative Technician

Chairman Matt Thomas called the regular meeting to order at 4:30 P.M., recited the procedural rules, and swore in those who planned to give testimony.

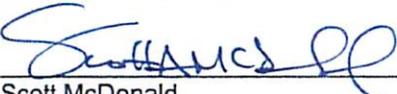
Item 1: Approval of the minutes of the February 14, 2013 meeting. Sandera Dear-DeWeese made a motion to approve the minutes. The motion was seconded by Richard Walton and passed on a 5:0 vote.

Item 2: V-03-13 Location: 4239 Erik Ave Zoned: R-1
Legal Description: Lots 2 & 3, Block 0026k Olsen Subdivision #2
Property Owner: Derek Davis
Applicant: Derek Davis
Variance Requested: Increase the maximum allowed fence height in the front yard setback from 4' to 7'.

Mr. Derek Davis, property owner, appeared before the Board to explain that the 7' fence was installed to provide security and privacy for his family. He was unaware of the ordinance when the fence was constructed.

Mr. McDonald provided a staff summary and the reasons for denial. Mr. McDonald recognized the aesthetically pleasing appearance of the fence and acknowledged the property has a unique character; however, he explained that it still does not comply with the Municipal Code. Mr. McDonald stated that the City of Amarillo mailed 17 letters to area property owners and received three letters supporting approval of the variance and one strongly opposing it.

After discussion, Larry Mills made a motion to deny the variance since there were no other properties in the area legally enjoying similar conditions; it would adversely affect the land use pattern in the area and it would adversely affect the public health, safety and welfare. Mr. Mills suggested that Mr. Davis approach the Planning and Zoning Commission to propose/recommend an opportunity for a special use permit. Sandera Dear-DeWeese seconded the motion and the variance was denied with a vote of 4:1.


 Scott McDonald
 Secretary to the Board

On the 15th day of March, 2013, I caused the minutes to be filed in the original minute records of the Zoning Board of Adjustment, which are on file in the office of the Building Official.