

MINUTES

On November 14, 2019, the Zoning Board of Adjustments met at 4:00 p.m. at City Hall, 601 S Buchanan St, third floor Room 306 to review of agenda items and consideration of future agenda items. The board then met at 4:30 p.m. for a Regular meeting at City Hall, 601 S Buchanan St, in City Council Chambers.

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD SINCE APPOINTMENT	NO. OF MEETINGS ATTENDED
Craig Davis	Yes	25	22
Chris Rhynehart	Yes	25	21
Cory Mathis	Yes	6	6
Paul French	Yes	6	5
Claudia Stuart	Yes	18	15
ALTERNATE MEMBERS			
Jackie Payne	Yes	18	12
Matthew Tavern	No	18	6
Alpesh Patel	No	10	2
Johnnie O'Dell	No	6	1
Mildred Darton	No	6	0

Also in attendance were:

Ismael "Izzy" Rivera Jr.
 Shawna Hammonds
 Leslie Schmidt
 Leopoldo Mendez

BUILDING OFFICAL, CITY OF AMARILLO
 ADMINSTRATIVE TECHNICIAN, CITY OF AMARILLO
 SENIOR ASSISTANT CITY ATTORNEY, CITY OF AMARILLO
 APPLICANT, PROPERTY OWNER

Mr. Craig Davis called the Zoning Board of Adjustments to order at 4:30p.m., recited the procedural rules.

Item 1: Approval of the minutes from Regular Meeting held on October 10, 2019. Ms. Claudia Stuart stated that name was misspelled. Motion was made by Mr. Paul French to approve the minutes with corrections, seconded by Ms. Claudia Stuart. The minutes were unanimously approved with corrections.

Item 2: Consider Variance V-09-19

Location: 3200 Hawthorn Dr
 Legal Description: Lot 007, Block 0087, Wolflin Park #8 Addition
 Property Owner: Brian & Savannah Singleton
 Applicant: Mason Rogers
 Variance Requested: Reduce rear yard setback from 10 feet to 5 feet for attached garage.

Applicant withdrew application.

Item 3: Consider Variance V-10-19

Location: 4420 SE 25th Ave

Legal Description: Lot, Block 0003, Famous Heights Addition

Property Owner: Leopoldo & Blanca Mendez

Applicant: Leopoldo Mendez

Variance Requested: Allow fence height to remain in place

Mr. Leopoldo Mendez, applicant, stated that he would like to keep the fence height. Mr. Davis asked for a description. Mr. Mendez responded fence is six (6) foot tall, with stucco and wrought iron. Construction of the fence was built four (4) years ago. The applicant was unaware of the ordinance for the height of fence in front of property. Mr. Cory Mathis asked if a fence was already there and what type was it. Mr. Mendez replied that it was a chain link six (6) foot tall fence. Mr. Ismael "Izzy" Rivera Jr., Building Official City of Amarillo, staff does not recommend approval for this variance. There are no other properties in the same area enjoying this condition. Staff often tells citizen and contractors that a permit is not required for a fence greater than 8' in height. However, that does not negate the requirement for the fence meeting all requirements for zoning and building code. There are no physical conditions on the property that would prohibit compliance. Granting the variance would hinder 1st responder access to the property in the event of an emergency. Since no other properties in the area are enjoying this benefit, this would in fact upset the land use pattern in the area. Mr. Davis requested information if any responses were returned from the notifications that were sent out to neighboring residents. Mr. Rivera responded zero (0) against and one (1) for. Ms. Claudia Stuart made the motion to deny the variance. No second motion was made; therefore, the motion failed. Mr. Davis offered if a different motion would be made. Mr. Paul French made the motion to approve this variance, Mr. Chris Rhynehart second the motion. The variance was unanimously approved 5:0.

Item 4: Public Forum

There was no public forum

Item 5: Adjournment

There being no further business, Chairman Mr. Craig Davis called for a motion to adjourn. Mr. Chris Rhynehart made a motion to adjourn, seconded by Mr. Paul French. The motion passed and meeting adjourned at 4:18 p.m. This meeting was recorded and all comments are on file with the Department of Building Safety.

Craig Davis
Chairman, Zoning Board of Adjustments

Ismael "Izzy" Rivera Jr.
Building Official