

MINUTES

On November 12, 2020, the Zoning Board of Adjustments met at 3:30 p.m. for a Regular meeting via video conference (in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus).

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD SINCE APPOINTMENT	NO. OF MEETINGS ATTENDED
Craig Davis	Yes	30	27
Chris Rhynehart	Yes	30	26
Cory Mathis	Yes	11	11
Paul French	Yes	11	10
Claudia Stuart	Yes	23	20
ALTERNATE MEMBERS			
Jackie Payne	No	23	13
Matthew Tavern	No	23	6
Alpesh Patel	No	15	2
Johnnie O'Dell	No	11	1
Mildred Darton	No	11	0

Also in attendance were:

Ismael "Izzy" Rivera Jr.
 Johnny Scholl
 Leslie Schmidt
 Shayla Sotelo

BUILDING OFFICIAL, CITY OF AMARILLO
 DEPUTY BUILDING OFFICIAL, CITY OF AMARILLO
 SENIOR ASSISTANT CITY ATTORNEY, CITY OF AMARILLO
 INTERIM ADMINISTRATIVE SPECIALIST, CITY OF AMARILLO

Mr. Craig Davis called the Zoning Board of Adjustments to order at 3:35 p.m., recited the procedural rules.

Item 1: Approval of the minutes from Regular Meeting held on September 10, 2020. Motion was made by Ms. Claudia Stuart to approve the minutes, seconded by Mr. Chris Rhynehart. The minutes were unanimously approved.

Item 2: Consider Variance V-20-14

Location: 1024 Pryor St
 Legal Description: Lot 038, Block 0006, Sunrise Addition
 Property Owner: Ismael Urias and Norma Urias
 Applicant: Stephen Ismael and Norma Urias
 Variance Requested: Reduce front yard setback for existing carport

Mr. Ismael Urias stated that he requested a variance for a carport due to his disability and the weather. Mr. Urias stated that having the carport would make it easier to get in and out of his vehicle. He also

stated that he does have a garage, but it is difficult to get in and out of his vehicle. Mr. Craig Davis then asked if the Board had any questions. Mr. Cory Mathis asked if the carport was already constructed without a permit. Mr. Urias stated yes. Mr. Cory Mathis then asked if the City has addressed the issue of building without a permit with Mr. Urias. Mr. Urias stated yes. He then stated that the City told him he was in an R-2 zone and there were other carports in the area. Mr. Urias then stated that the carport was already taken down. Mr. Davis then asked if the City had any comment. Mr. Johnny Scholl stated the Zoning Board of Adjustment consideration factors. Mr. Scholl then stated that the existing residence is approximately 22 feet from the property line and maintaining a front yard setback free of structures provides a consistent residential look and feel of a neighborhood. He then stated that considering the existing 24 foot carport encroaches into the setback and is about 13 feet 6 inches from the curb, the residential look and feel will be negatively impacted. Mr. Scholl stated that staff does not recommend approval. Mr. Craig Davis asked if the City sent notices. Mr. Scholl stated that 33 letters were sent; 1 was returned in support. Mr. Davis then asked the property owner if he had already taken down the carport. Mr. Urias stated that yes he had. Mr. Davis then asked the property owner if he wants to rebuild the structure. Mr. Urias stated that he wants to rebuild the carport correctly. Ms. Claudia Stuart asked since the structure has been taken down, is there a way to build it to code. Mr. Urias stated the existing house is already encroaching the setback, but if he could build the carport at even 20 feet from the curb it would help keep his vehicle out of the ice and snow. Mr. Davis asked the City if there was a way for the property owner to build a carport to meet setback requirements. Mr. Scholl stated no because the house already encroaches the setback by a couple of feet. Mr. Izzy Rivera stated the City would be willing to work with the property owner to see if there may be other areas of the property that the carport could be placed that would still be beneficial to Mr. Urias. Mr. Davis then asked if the current application is applicable to the Board being that it is for an existing carport, but that carport has since been taken down. Ms. Leslie Schmidt stated that is correct, a new application would have to be submitted for a future carport to be constructed. Mr. Davis then advised the property owner to bring his plans to the City and work with staff to see where on his property he could build a carport. He also stated that if needed, Mr. Urias could come back before the Board with a proposal. Ms. Leslie Schmidt stated that at this time it would be best to deny the variance. Mr. Davis asked if there were any other comments. There being none, the Chairman asked for a motion. No motion was made; therefore the application failed.

Item 3: Consider Variance V-20-15

Location: 1800 Clubview Dr

Legal Description: Lot 030, Block 0006, Westcliff Park #20

Property Owner: Kyle McAdams and Ronna McAdams

Applicant: Kyle McAdams

Variance Requested: Reduce side and rear yard setbacks to 5 feet for addition of garage/shop and storm shelter.

Mr. McAdams stated the way his house and side driveway are set up, it would be awkward and hard to use the proposed garage with the setback requirements. He then stated that his property butts up to the 14th hole of Tascosa Golf Course, which is rough and unmaintained. Mr. McAdams then stated that he provided a letter from one of his neighbors in support of his proposed construction. Mr. Craig Davis asked Mr. McAdams if a permit was already applied for. Mr. McAdams stated Plains Builders had applied

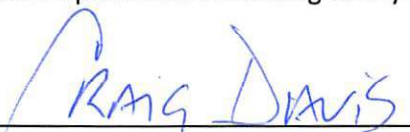
for a permit and that is when they were notified about the setback requirements. Mr. Craig Davis asked if it was possible to build the shop within the setback requirements. Mr. McAdams stated it would not be feasible. Mr. Cory Mathis stated the paperwork he was looking at shows a 20 x 40 structure and another page shows a 29' 2" x 33' 10" structure. He then wanted to know which structure was correct. Mr. McAdams stated he did not know what he was looking at, but he wants to build it to where it is 5 feet off the side and rear setbacks. Mr. Cory Mathis then asked if there was also a storm shelter and if so, was it above ground or below. Mr. McAdams stated yes, there would be an above ground storm shelter as well. Mr. Cory Mathis then asked the property owner what type of privacy fence he has on the side and rear yard. Mr. McAdams stated he has an 8 foot cedar privacy fence. Mr. McAdams then stated that the shop would be 57' x 32' with the 5 foot setbacks and would be a much better use of the property. Mr. Craig Davis stated that what was written on the application was correct, but the drawings are inaccurate to the variance requested. Mr. McAdams stated that the plans that were submitted are supposed to represent the structure as if he was going to follow the setback requirements. Mr. Craig Davis then asked if the Board had any questions. Mr. Davis then asked if the City had any comments. Mr. Scholl then stated the Zoning Board of Adjustment consideration factors and staff analysis. Mr. Craig Davis then asked if the City sent out notifications. Mr. Scholl stated 9 letters were sent, 1 returned in support, which was the same letter that was submitted with the application. Mr. Davis asked if there were any other questions or comments. Ms. Claudia Stuart asked of the notifications that were sent out, was anything received back from Tascosa Golf Course. Mr. Scholl stated a letter was sent to them but no reply. Mr. McAdams stated he knows of two other neighbors that will be sending in approval letters as well. He also stated that it would not be a metal shop; it would be brick to match the home. Mr. Davis then asked for a motion. Mr. Paul French made a motion to approve this variance based on it will not be of any material detriment to the public safety or welfare or injury to the use, enjoyment or value of the property in the vicinity; seconded by Mr. Chris Rhynehart. 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; the motion was seconded by Ms. Claudia Stuart. The motion passed and meeting adjourned at 4:26 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