

MINUTES

On November 10, 2021, the Zoning Board of Adjustments met at 3:30 p.m. for a Regular meeting at City Hall, 601 S Buchanan St, third floor, City Council Chambers.

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD SINCE APPOINTMENT	NO. OF MEETINGS ATTENDED
Craig Davis	Yes	36	33
Chris Rhynehart	Yes	36	30
Cory Mathis	Yes	17	15
Paul French	No	18	15
Claudia Stuart	Yes	29	26
ALTERNATE MEMBERS			
Alpesh Patel	No	21	2
Johnnie O'Dell	No	17	1

Also in attendance were:

Justin Oppel
 Courtney White
 Shayla Sotelo

DEPUTY BUILDING OFFICIAL, CITY OF AMARILLO
 CITY ATTORNEY, CITY OF AMARILLO
 ADMINISTRATIVE SPECIALIST, CITY OF AMARILLO

Mr. Craig Davis called the Zoning Board of Adjustments to order at 3:31 p.m., recited the procedural rules.

Item 1: Approval of the minutes from Regular Meeting held on October 14, 2021. Motion was made by Mr. Chris Rhynehart to approve the minutes, seconded by Ms. Claudia Stuart. The minutes were unanimously approved.

Mr. Craig Davis stated that items 2 and 3 have been struck from the agenda and will not be heard today.

Item 4: Consider Variance V-21-27

Location: 1029 Kansas St
 Legal Description: Lawrence Subdivision Unit 3, Lot 013 Block 0015
 Property Owner: Deven F Cross
 Applicant: Deven F Cross
 Variance Requested: Reduce front and side yard setback

Mr. Craig Davis asked if there was anyone who wished to speak. Mr. Davis swore in the applicants due to their late arrival. Mr. Deven Cross presented a handout to the board. He then stated that he purchased this property in January. Mr. Cross stated the property next door is an Air B & B. He stated that the intention is to put a 300 square foot home on the property. Mr. Cross stated that the first two pages of

the handout were before and after pictures of the property. Mr. Craig Davis asked if the property will have its own plumbing and separate meters. Mr. Cross stated yes, it will. Mr. Craig Davis asked if the board had any questions. Mr. Cory Mathis asked if the home was going in place of the trailer in the picture. Mr. Cross stated yes, it would. Mr. Craig Davis asked if the City had comment. Mr. Justin Oppel stated the staff analysis and recommendation. Mr. Craig Davis asked how many notices were sent. Mr. Oppel stated 14 letters were sent out, and 0 were returned. Mr. Craig Davis asked if the board had any further questions or comments. There were none. Mr. Davis then asked for a motion. Mr. Chris Rhynehart made a motion to approve the variance; seconded by Ms. Claudia Stuart. The motion was unanimously approved.

Item 5: Public Forum

Mr. Vince Nowak stated he represents Mrs. Kim Benson who is a property owner adjacent to 1705 SE 15th. He then stated the owner of 1705 SE 15th filed for a variance and they are here to argue against his request for a variance because he built on their property. Mr. Nowak then stated he found out an hour before the meeting from Mr. Oppel that the case would not be heard because there might be a civil matter involved. He then stated that there is not a civil matter at this time, and they need the board to deny the variance. Mr. Nowak then stated if the board does not do their job, they are costing Mrs. Benson \$350/ hour of his time in a courtroom forcing the neighbor off their land. He then asked the board to reconsider taking item 2 off the agenda and hear the case. Mr. Craig Davis stated that the City has taken it off the agenda and action cannot be taken on it. Mr. Cory Mathis then asked what was built. Mrs. Kim Benson stated he has built a warehouse up to the property line and the rainwater is draining on her property. Mr. Cory Mathis stated the board is here to do the job they are tasked to do. Mr. Davis then stated determining property lines and encroachments is beyond the scope of the board.

Item 6: Adjournment

There being no further business, Chairman 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 3:56 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

12/15/2021



Justin Oppel
Deputy Building Official

12/15/21