

This is not a transcript of the meeting. A video of this meeting is on file in the office of the City Secretary and is made a part of the official minutes of this meeting.



MINUTES OF A REGULAR MEETING OF THE
BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET VALLEY, TEXAS
WEDNESDAY, MAY 13, 2015
7:00 P.M.

MEMBERS PRESENT

Randy Rosengarten, Vice Chair
Marshall McHone
Steve Borochoff
Richard Hayes
Jennifer Fadal

STAFF PRESENT

Sara Wilson, Assistant City Administrator
Katy Phillips, Public Works Director
Josh Ronson, Operations Manager
Doug Young, City Attorney

A-1: Call to Order.

Vice Chair Randy Rosengarten called the meeting to order at 7:00 P.M.

A-2: Approval of minutes from December 10, 2014 meeting.

There was a motion by Marshall McHone and seconded by Richard Hayes to approve the minutes from the December 10, 2014 meeting. Jennifer Fadal abstained, and all other members voted in favor and the motion carried by a vote of 4-0.

A-3: Public Hearing on an application submitted by Mark Wells for variances at 6 Sunset Trail

- a) From Section 2.506(a)(7) exceed the maximum number accessory structures in the Single Family Zoning District. Three structures are allowed and the request is to have five.**
- b) From Section 2.604 to have an accessory structure located in the side yard setback.**

The Public Hearing was opened. A presentation was given by Sara Wilson giving an overview of the request. The variance request is to allow an existing 12x20 red shed, built by the property owner, to remain on the property in its current location, which is within the side yard setback 6 feet from the adjoining property. There are currently five accessory structures on the property, including the 12x20 red shed.

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Mark Wells, property owner and applicant, made a presentation, explaining primarily through pictures, the existing uses of the red shed and his property. He stated that there is no other location for this shed on the property.

Randy Rosengarten read the names and address of written comments received by the City.

Writing in favor of variance approval:

- Irene Moore, 15 Lone Oak Trail
- John Moore, 15 Lone Oak Trail
- Sharon Drinkwine, 5 Reese Drive
- James Isaacson, 5 Sunset Trail
- Judy Isaacson, 5 Sunset Trail
- Cynthia Nelson, 12 Sunset Trail
- Bill Nelson, 12 Sunset Trail
- Daniel Flores, 4 Reese Drive
- Mrs. Patricia Flores, 4 Reese Drive
- Brett Bunner, 2 Reese Drive
- Molly Bunner, 2 Reese Drive
- Mark Wells, 6 Sunset Trail
- Ian Kasnoff, 8 Sunset Trail
- Phillip Petty, 9 Sunset Trail
- Barbara Walsworth, 11 Sunset Trail
- William T. Walsworth, 11 Sunset Trail
- Matthew Young, 15 Sunset Trail
- Katherine Johnson, 1 Reese Drive
- Robert E. Johnson, Jr, 1 Reese Drive
- Darby Perkins, 16 Sunset Trail
- John Perkins, 16 Sunset Trail
- Tammy West, 3 Reese Drive
- Baslan Omar, 46 Lovegrass Lane

Writing against variance approval:

- Robert D. Skewis, 19 Sunset Trail

The following residents came forward to speak:

- Patricia Flores, 4 Reese, spoke in favor of the variances.
- Daniel Flores, 4 Reese, spoke in favor of the variances.
- Forrest Arnold, 4 Sunset Trail, spoke against the variance.

Mark Wells, offered a rebuttal, speaking again in favor of the variance.

No one else appeared and the Public Hearing was closed at 7:45 P.M

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A-4: Consideration and possible approval of an application submitted by Mark Wells for variances at 6 Sunset Trail:

a) From Section 2.506(a)(7) exceed the maximum number accessory structures in the Single Family Zoning District. Three structures are allowed and the request is to have five.

The Board members posed several questions to both staff and Mark Wells. The Board and staff then discussed the variance request and other compliance issues with the property.

Jennifer Fadal motioned, seconded by Marshall McHone, for approval of the request for variance from Section 2.506(2) (7) to exceed the accessory structures to allow for a total of five structures on the property.

Doug Young advised the Board that actions granting the variance must also determine that the applicant's request met the findings. Board members then asked for additional clarification on this requirement of the Board.

A motion was made by Steve Borochoff, seconded by Richard Hayes, for the Board to go into Executive Session for consultation with the City Attorney.

Board went into Executive Session at 8:19 PM.

Board rejoined at 8:30 P.M.

Jennifer Fadal withdrew the motion, agreed by Marshall McHone.

Richard Hayes motioned for approval from Section 2.506(a)(7) to exceed the maximum number accessory structures, amending the request to allow for a total number of four (4) structures with the choice being on the applicant which structure to remove. *The motion died for a lack of second.*

A motion was made by Randy Rosengarten, seconded by Marshall McHone, for approval of a variance request to exceed the number of accessory structures at 6 Sunset Trail with the findings presented and the application provided by the applicant. All voted and the motion passed unanimously.

b) From Section 2.604 to have an accessory structure located in the side yard setback.

A motion was made by Richard Hayes, seconded by Marshall McHone, to deny the request for variance from Section 2.603 to allow the accessory structure to be located in the side yard setback. The applicant still will have the option to move the structure and

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have five (5) structures, as previously approved. All voted, and the motion passed with a 4-0-1 vote, with Steve Borochoff abstaining from the vote (no statement made for the abstention).

A-5: Consider a request to move the regular meeting date of the June Board meeting from Wednesday June 10 to Wednesday June 17.

The motion was made by Marshall McHone, seconded by Richard Hayes, to move the date to June 17, 2015. All voted and the motion passed unanimously.

A motion was made by Jennifer Fadal, seconded by Randy Rosengarten, to adjourn the meeting. All voted and the motion passed unanimously. The meeting was adjourned at 9:07 P.M.


Randy Rosengarten, Vice Chair 1/21/16

There is a recorded copy of this meeting.