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6 MINUTES OF A REGULAR MEETING OF THE
7 **BOARD OF ADJUSTMENT**
8 OF THE CITY OF SUNSET VALLEY, TEXAS
9 WEDNESDAY, DECEMBER 10, 2014
10 7:00 P.M.
11

12 **MEMBERS PRESENT**

13 Tom Cedel, Chair
14 Randy Rosengarten
15 Marshall McHone
16 Steve Borochoff
17 Richard Hayes
18
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STAFF PRESENT

Clay Collins, City Administrator
Josh Ronson, Operations Manager
Doug Young, City Attorney

21 **A-1: Call to Order.**

22 Chairman Tom Cedel called the meeting to order at 7:10 P.M.
23

24 **A-2: Approval of minutes from November 12, 2014 meeting.**

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26 There was a motion by Randy Rosengarten and seconded by Richard Hayes to approve the
27 minutes for the November 12, 2014 meeting. Tom Cedel abstained and all other members voted
28 in favor and the motion carried by a vote of 4-0.
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30 **A-3: Public Hearing on an application submitted by Teresa Anderson, on behalf of Little**
31 **House of Love, for variances at 1 Pillow Road**
32

- 33 **a) From Section 2.506(a)(8) exceed the cumulative total of 1,500 square**
34 **feet of accessory structures per lot (350 sq. ft. of rainwater harvesting**
35 **facilities are exempt from the total; however, there are already**
36 **rainwater harvesting facilities on this lot which exceed 350 sq. ft.)**
37

38 The Public Hearing was opened. A presentation was given by Clay Collins giving an
39 overview of the request. There is currently an unpermitted rainwater harvesting tank on the
40 property. The applicant is proposing to move it to a location that is not in any building setbacks,
41 but because there are already other structures and rainwater harvesting tanks on the property,
42 the variance would be required.
43

44 Ward Davidson made a presentation representing the applicant. He explained that the proposal

45 is to locate the tank in an area behind the house and that this would resolve the issue of the
46 location of the tank but that there would still need to be a variance because of the total of all
47 accessory structures on the property. The proposal is to bury the tank so that it would not be
48 visible and as a result, he requested that the Board approve the variance to allow the applicant
49 to complete the project.

50

51 The following residents came forward to speak:

52

- 53 – Mitch Chazan, 2 Curley Mesquite Cove, spoke against the variance.
- 54 – Daniel Horrigan, 3 Pillow Road, spoke against the variance.
- 55 – Charles Goyette, 5 Pillow Road, posed questions to the Board regarding what he felt
56 were pressing issues with the Little House of Love regarding compliance with city
57 code, but did not directly address the variance request.

58

59 Ward Davidson, representing the Little House of Love, offered a rebuttal, speaking again in
60 favor of the variance.

61

62 No one else appeared and the Public Hearing was closed at 7:35 P.M

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64

65 **A-4: Consideration and possible approval of an application submitted by Teresa**
66 **Anderson, on behalf of Little House of Love, for variances at 1 Pillow Road**

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68 **a) From Section 2.506(a)(8) exceed the cumulative total of 1,500 square**
69 **feet of accessory structures per lot**

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71

72 The Board members posed several questions to both staff and Ward Davidson, representing
73 the Little House of Love. The Board and staff then discussed the variance request and other
74 compliance issues with the property.

75

76 A motion was made by Randy Rosengarten for approval of a variance requested by Teresa
77 Anderson on behalf of the Little House at 1 Pillow Road to exceed the cumulative total of
78 1,500 square feet of accessory structures per lot allowed under Section 2.506(a)(8) for the
79 installation of an underground rainwater harvesting tank to be located in the back yard (not
80 within any setback), with the following conditions:

81

- 82 1) The new rainwater harvesting tank shall not exceed 254 square feet in total area
83 and shall be limited to the square footage consisting of the perimeter of the oblong
84 rainwater harvesting tank that is the subject of the application. (This would allow
85 for 54 square feet to count toward the balance of 350 of exempted rainwater
86 harvesting facilities and an additional 200 square feet which would be in excess of
87 the 1,500 square foot cumulative total of accessory structures.)

88

89 2) This variance only applies to the subject additional tank. If this tank does not
90 require the full 254 square feet, any excess cannot be applied toward any other
91 accessory structures.

92
93 3) The underground tank will be placed a minimum distance of one foot below the
94 existing grade and a soil mix will be placed over the tank that will be capable of
95 supporting vegetative growth.

96
97 4) All construction under this variance must be completed in compliance with
98 applicable codes and permits no later than March 30, 2015 or this variance is void.

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100 The motion was seconded by Richard Hayes. All voted in favor of the motion except
101 Marshal McHone, who abstained and the variance was approved on a vote of 4-0.

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103 A motion was made by Marshall McHone and seconded by Richard Hayes to adjourn the
104 meeting. All members voted in favor and the meeting was adjourned at 8:25 P.M.

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Randy Rosengarten, Vice Chair

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112 There is a recorded copy of this meeting.

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