

**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  
MONDAY, DECEMBER 21, 2015  
7:00 P.M.

**MEMBERS PRESENT**

Tom Cedel, Chair  
Randy Rosengarten, Vice Chair  
Marshall McHone  
Richard Hayes  
Jennifer Fadal

**STAFF PRESENT**

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

**1. Call to Order.**

Tom Cedel called the meeting to order at 7:04 P.M.

**2. Approval of minutes from June 17, 2015.**

There was a motion by Richard Hayes and seconded by Jennifer Fadal to approve the minutes from the June 17, 2015 meeting, as presented. Tom Cedel abstained from the vote, as he was not present at the meeting. All members voted in favor and the motion carried by a vote of 4-0.

Before the next agenda item was opened, Tom Cedel opened discussion on a procedural error that had been made by the City. Chapter 2, Section 2.300 A(2)b of the Land Development Code requires that a written notification of a public hearing before the Board of Adjustment be provided to neighboring properties within 500 feet, at least 15 days before the hearing date. The error made was that four of the addresses within 500 feet were not included in the mail distribution. When the error was discovered, staff emailed to the impacted addresses to inform them of the situation. Responses emails from two addresses (40 and 44 Pillow) were provided to the Board.

Clay Collins and Doug Young answered questions from the Board and identified possible legal challenges for the City, if the Board were to continue with the hearing and consideration of the application.

With the understanding that this application would be scheduled and heard at the earliest date possible, meeting all notification requirements outlined in the Code, Randy Rosengarten motioned to table item #3 - Public Hearing on an application submitted by Jose and Christina Canales for variances at 32 Reese Drive, (a) from Section 2.604 to construct a rainwater harvesting tank within the 20 foot side yard setback and (b) from Section 2.506 (a)(9) for an accessory structure that exceeds

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the height of the principal building; AND item #4 - Consideration and possible approval of an application submitted by Jose and Christina Canales for variances at 32 Reese Drive (a) from Section 2.604 to construct a rainwater harvesting tank within the 20 foot side yard setback and (b) from Section 2.506 (a)(9) for an accessory structure that exceeds the height of the principal building;

All members voted in favor and the motion carried by a vote of 5-0.

Having no further items on the agenda, a motion was made by Marshall McHone, seconded by Randy Rosengarten, to adjourn the meeting. All voted in favor and the meeting was adjourned at 7:21 P.M.

 1/21/16  
Randy Rosengarten, Vice-Chair

**There is a recorded copy of this meeting.**