



MINUTES OF A REGULAR MEETING OF THE  
BOARD OF ADJUSTMENTS  
OF THE CITY OF SUNSET VALLEY, TEXAS  
WEDNESDAY, JANUARY 11, 2017  
7:00 P.M. AT CITY HALL, 3205 JONES ROAD

Members Present

Randall Rosengarten, Chair  
Susan Durso, Vice Chair  
Robert Browning  
Jennifer Fadal  
Richard Hayes

Staff Present

Clay Collins, City Administrator  
Doug Young, City Attorney  
Sara Wilson, Assistant City Administrator

1. **Call to order.** Randall Rosengarten called the meeting to order at 7:05 P.M. and called the roll of members in attendance. A quorum of the Board was present.
2. **Approval of minutes from the September 14, 2016 meeting.** Jennifer Fadal made a motion to approve the minutes, as presented, seconded by Richard Hayes. All voted yes and the minutes were approved.
3. **Public Hearing on an application submitted by the City of Sunset Valley at 3205 Jones Road:**
  - a. From Section 2.505 (b)(1) which requires a minimum 100-foot landscape buffer for both the east and west side of the property.
  - b. From Section 2.1004 which requires a 20-foot side setback for the west side of the property for the new proposed Police Facility.
  - c. From Section 2.1004 which requires a 50-foot front setback from Jones Road.

Randall Rosengarten opened the public hearing at 7:07 P.M. and began with a review of procedural instructions to the Board, staff and audience.

Clay Collins presented an overview of the proposed development, new Police and Public Works facilities, and the regulations for which the variances were being requested. Mr. Collins went through the information provided to the Board in the packet, as well as additional comments and handouts provided at the meeting.

Don Greer, BSW Architects, representing the applicant, gave an overview of the development process, focusing on the various designs considered by the City and the existing challenges (land, regulations and neighbor impacts) of the development.

Mayor Rose Cardona, applicant, spoke in favor of approving the request.

Mayor Pro tem Mark Bruner, applicant, spoke in favor of approving the request.

Council Member Mickie Powers, applicant, spoke in favor of approving the request.

Council Member Walter Jenkins, applicant, spoke in favor of approving the request.

Council Member Rudi Rosengarten, applicant, spoke in favor of approving the request.

Randall Rosengarten read into the record written comments received prior to the meeting, in support of the request:

- Applicant Letter (Mayor Cardona)
- Rob Johnson, 1 Reese Drive
- Karen Medicus, 36 Pillow Road
- Leal Anderson, Burger Center
- Forrest Arnold, 4 Sunset Trail
- Erwin Haddon, 775 Oakdale Drive
- Art and Sandi Williams, 1066 Sunflower Trail

Speaking in support of the approval of the request

- Melissa Gonzales, 26 Reese Drive

Randall Rosengarten read into the record written comments received prior to the meeting, not in support of the request:

- Dan Bristol, 1040 Sunflower Trail
- Myrna Zapata, 1044 Sunflower Trail

Speaking against the approval of the request

- Ariel Cloud, 1038 Sunflower Trail – Ms. Cloud also passed out a petition dated July 19, 2016 signed by several residents which demanded that the 100-foot buffer be provided in compliance with the Code. The petition addressed other items related to the project as well.

Board Member Durso noted that the petition was prepared before the current variance application had been submitted and asked the City Attorney if the petition should be considered by the Board. In response, the City Attorney advised that the Board could determine how much weight to give the survey, given that it was addressed to the City Council and does not contain recently obtained signatures, but that it was legitimate for it to be presented to the Board.

- Alfonso Carmona, 1038 Sunflower Trail

Mayor Cardona and Council Member Jenkins returned to the podium for brief rebuttal of the comments.

Hearing no to calls for further testimony, Randall Rosengarten closed the public hearing at 7:45 P.M.

**4. Consideration and possible approval of an application submitted by the City of Sunset Valley at 3205 Jones Road:**

There was lengthy Board discussion and questions of applicant and staff. Board members reviewed and commented on the applicant's response to the findings. The Board then addressed the three separate variance requests:

- a. From Section 2.505 (b)(1) which requires a minimum 100-foot landscape buffer for both the east and west side of the property.

Robert Browning made a motion to approve the variance from the 100-foot landscape buffer requirements with the condition that on the west side the applicant comply with landscaping requirements by installing required buffering on the applicant's adjacent property, and compliance with all drainage requirements. The motion included adopting the supporting findings proposed by the applicant and based on the substantial conformance with the site plans, drawings and representations submitted. Motion seconded by Richard Hayes. All voted yes, and the motion passed unanimously.

- b. From Section 2.1004 which requires a 20-foot side setback for the west side of the property for the new proposed Police Facility.

Susan Durso made a motion to adopt the findings as presented on Section 2.1004 the variance request to require a 20-foot setback on the west side of the property for the new Police facility in substantial conformance with the site development plan presented by the applicant. The motion was seconded by Richard Hayes. All voted yes, and the motion passed unanimously.

- c. From Section 2.1004 which requires a 50-foot front setback from Jones Road.

Susan Durso made a motion to approve the variance request requiring 50-foot front setback from Jones Road for the development of new Police and Public Works facilities in accordance with the applicant's request, and to adopt the findings as presented with the caveat the development be in substantial conformance with the site development plan, as presented. The motion was seconded by Robert Browning. All voted yes, and the motion passed unanimously.

With no items remaining on the agenda, Robert Browning made a motion to adjourn the meeting. The motion was seconded by Jennifer Fadal. All voted and the motion passed unanimously. The meeting adjourned at 8:47 P.M.



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Randall Rosengarten, Chair

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