

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 CALLED MEETING OF THE
BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET VALLEY, TEXAS
WEDNESDAY, JANUARY 20, 2016
7:00 P.M.**

MEMBERS PRESENT

Randall Rosengarten, Vice Chair
Marshall McHone, Alternate
Richard Hayes
Wade Buckner, Alternate
Robert Browning

STAFF PRESENT

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

1. Call to Order.

Randall Rosengarten called the meeting to order at 7:04 P.M. Robert Browning was recognized as a newly appointed member of the Board.

2. Approval of minutes from December 21, 2015.

Richard Hayes noted on line #27 to delete the word "the" before Tom Cedel. A motion by Randall Rosengarten, seconded by Richard Hayes to approve the minutes from the December 21, 2015, meeting with change. Wade Buckner and Robert Browning abstained from the vote. All members voted in favor and the motion carried by a vote of 3-0.

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.**
- b. **From Section 2.506 (a)(9) for an accessory structure that exceeds the height of the principal building;**

- Randall Rosengarten opened the Public Hearing at 7:06 PM.
- Clay Collins provided an overview of the project, after first reporting to the Board that one (1) comment card had been received by the City and was included in their packet.
- Following the staff presentations, Jose Canales, applicant/property owner, along with Ed Hughey, project architect, provided information about the project and the request for the variance.
- The Board members asked questions of the applicant, city staff, city legal, primarily related to actions the Board could take to better insure that the primary structure would be built to a height greater than the proposed accessory structure, as is the

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- stated intention of the applicant.
- Clint Smith, 761 Oakdale Drive, spoke in favor of granting the variance without any additional conditions placed on the property or owners.
 - Randall Rosengarten called for any further comments supporting the variance. Clay Collins referred to the comments received in support of the variance, from the residents of 43 Pillow and 40 Pillow. These comments were provided in the Board packet prior to the meeting.
 - Randall Rosengarten called for any further comments in opposition to the variance. Clay Collins, referred to the comment received from 35 Pillow that questioned the applicants plan to first build the accessory structure and not the primary structure.
 - The Public Hearing was closed at 7:57 P.M.
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.**
 - b. **From Section 2.506 (a)(9) for an accessory structure that exceeds the height of the principal building;**

Robert Browning motioned to approve both variances, accepting the findings of the applicant, with the condition that the primary structure be built within 2 to 3 years and for the sanctions for non-compliance be enforced by the City. Motion died for a lack of second.

Randall Rosengarten motioned to approve both variance requests, accepting the findings of the applicant and plans, as presented, with the condition that a restrictive covenant be completed by the applicant/property owners with language accepted by the City Attorney, to require the existing home to be rebuilt to a minimum height of the accessory structure. This motion was seconded by Robert Browning.

Following a brief discussion and clarification on the motion, Randall Rosengarten called for the vote. All voted, and the motion passed four (4) votes YEA, and one (1) vote NAY. Voting to approve the variance requests Randall Rosengarten, Wade Buckner, Richard Hayes and Robert Browning; voting against, Marshall McHone.

Having no further items on the agenda, a motion was made by Randall Rosengarten, seconded by Wade Buckner, to adjourn the meeting. All voted in favor and the meeting was adjourned at 8:25 P.M.


Randall Rosengarten, Vice Chair

There is a recorded copy of this meeting.