



MINUTES OF A CALLED MEETING OF THE
 BOARD OF ADJUSTMENTS
 OF THE CITY OF SUNSET VALLEY, TEXAS
 WEDNESDAY, JANUARY 12, 2011
 7:00 P.M. AT CITY HALL, 3205 JONES ROAD

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Members Present

- Susan Durso, Chair
- Sandy Cox
- Steve Borochoff
- Thomas Cedel
- Marshall McHone (arrived at 7:30)

Others Present

- Randall Robinson
- Donald Hurwitz
- Joyce Hurwitz
- Macy Hurwitz
- Anne Gault
- Helen Besse

Staff Present

- Clay Collins, City Administrator
- Doug Young, City Attorney

A-1: Call to Order.

Susan Durso called the meeting to order at 7:22 p.m.

A-2: Approval of minutes from December 8, 2010 meeting.

Motion was made by Thomas Cedel and seconded by Sandy Cox to approve the minutes from the December 8, 2010 meeting. All voted yes and the motion carried.

Prior to moving on to Agenda item A-3, the Chair asked if there were any citizen comments

Helen Besse, 795 Oakdale addressed the Board and expressed concern about having multiple homes on a single lot.

Anne Gault addressed the Board and said she had concerns about the condominium regime that was being proposed.

EX-1 Executive Session

At 7:30 p.m. the Chair announced that the Board would go into Executive Session pursuant to Texas Government Code Section 551.071, for a private consultation with the City Attorney.

At 8:00 p.m. the Board closed the Executive Session. No action was taken following the Executive Session. The Chair reconvened the meeting at 8:07 p.m.

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A-3: Consider an appeal of a decision by the City Administrator regarding the definition of the term “lot” in the Sunset Valley Land Development Code Sections 1.201 (141) and 1.200. Appeal requested by Randall Robinson on behalf of Donny Hurwitz and the Hurwitz Condominium Regime.

A motion was made by Sandy Cox and seconded by Thomas Cedel to affirm the decision of the City Administrator regarding the definition of the term “lot” in the Sunset Valley Land Development Code Sections 1.201 (141) and 1.200. All members voted yes and the motion carried.

A-4: Consideration and possible approval of a request by Donald Hurwitz for a variance from Section 2.601 (a) of the Land Development Code to construct a second single family detached dwelling on a 4.96 acre tract at the southeast corner of Brodie Lane and Oakdale Drive.

A motion was made by Thomas Cedel and seconded by Steve Borochoff to approve the variance request to allow a second single family detached dwelling to be constructed on this single 4.96 acre tract with the following conditions: (i) all other provisions of the Land Development Code would still apply as if there were only one single family detached dwelling on the property, including with regard to Code §§ 2.506 2.604 regarding accessory structures, Code § 2.506 regarding guest houses, and Code § 2.601 regarding recreational vehicles and home occupations; (ii) the driveway to service the second single family detached dwelling shall provide access to and from only Oakdale Drive; (iii) the second dwelling shall be an undivided single family structure for used and occupation by no more than one family or related group; and (iv) no property shall be withdrawn from the Hurwitz Condominium Regime comprising the 4.96 acre tract unless the condominium regime is terminated in its entirety.

All members voted in favor of the motion.

There being no other business coming before the Board, the Chair adjourned the meeting at 8:13 pm.

Susan Durso, Chair