



MINUTES OF A REGULAR MEETING OF THE
BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET VALLEY, TEXAS
WEDNESDAY, FEBRUARY 13, 2013
7:00 P.M.

MEMBERS PRESENT

Sandy Cox, Chair
Wade Buckner
Randall Rosengarten
Marshall McHone
Tom Cedel

STAFF PRESENT

Clay Collins, City Administrator
Sara Wilson, Assistant City Administrator
Josh Ronson, Operations Manager
Willie Schmerler, City Attorney's Office

A-1: Call to Order.

Sandy Cox called the meeting to order at 7:05 P.M.

A-2: Approval of minutes from the December 12, 2012 meeting.

After reviewing the minutes and discussing a revision to agenda item 7, line 117 to delete the wording "to be allowed" at the end of the sentence, a motion was made by Randall Rosengarten and seconded by Marshall McHone to approve the minutes as amended for the December 12, 2012 meeting. All members voted in favor and the motion carried.

A-3: Public Hearing on an application submitted by Myles and Jo Fox for a variance from Section 2.1301 of the Land Development Code to encroach 5 feet into the 20 foot side yard building setback at 29 Pillow Road for air conditioning and other mechanical equipment on the south side of a proposed new house to be constructed at this address.

The Chair declared the Public Hearing to be opened. A brief presentation was made by Clay Collins. This is one of the half acre lots on Pillow Road. The applicant owns both 29 and 31 Pillow, but is proposing to build a house on 29 Pillow Road and then sell 31 Pillow Road as a vacant lot in the future. Due to the topography of the lot, the back portion of the lot being in the Water Quality Transition Zone, and the 20 foot side yard setback, it has been difficult to locate a house on the lot. The City Council has previously granted a watershed variance to allow the proposed house to be built; however, the air conditioning and pool pump mechanical equipment is within the 20 foot setback.

Myles Fox, applicant, appeared to represent the request and respond to questions. He said that he had talked to neighbors and had designed the house to fit within all requirements, but that the mechanical equipment could not fit without going into the setback. He said that he would be providing landscaping to buffer around the air conditioning units but that he did not plan to sell the adjoining lot for some time, so that the potential buyers of the new lot would be able to see the house that had been built on 29 Pillow.

Clay Collins noted that two written comments had been received in support of the request. Gerald Lowe, 27 Pillow was at the meeting to listen to the presentation and said he did not have opposition to the request.

There was no additional public comment and the public hearing was closed at 7:30 P.M.


A-4: Consider action on an application submitted by Myles and Jo Fox for a variance from Section 2.1301 of the Land Development Code to encroach 5 feet into the 20 foot side yard building setback at 29 Pillow Road for air conditioning and other mechanical equipment on the south side of a proposed new house to be constructed at this address.

Following the Public Hearing, the Board members discussed the requested variance. There was discussion about possibly including a condition regarding landscaping around the air conditioning units for screening, but since the applicant owns the adjoining lot on the side where the units are located, he would want to make improvements to enhance the appearance to the adjoining lot, so no condition was included in a motion. A motion was made by Randall Rosengarten to approve the variances from Section 2.1301 of the Land Development Code to encroach 5 feet into the 20 foot side yard building setback at 29 Pillow Road for air conditioning and other mechanical equipment on the south side of a proposed new house to be constructed at this address. The motion included acknowledgment that the required findings had been met as documented by the applicant and that the variance was further conditioned by the drawings and representations provided to the Board. The motion was seconded by Tom Cedel. All members voted in favor and the variance was approved by a 5-0 vote.

A-5: Review and Discuss Board of Adjustment Procedures

Clay Collins made a brief presentation about the procedures for public hearings and public comment by the Board. The Board procedures do not restrict public comment if a person is not a resident of Sunset Valley. No action was required on this item.

There being no other business coming before the Board, the meeting was adjourned at 7:50 P.M.


Sandy Cox, Chair