



MINUTES OF A CALLED MEETING OF THE
BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET VALLEY, TEXAS
MONDAY, JULY 9, 2012
7:00 P.M.

Members Present

Sandy Cox, Chair
Tom Cedel
Randall Rosengarten
Steve Borochoff, Alternate
Richard Hayes, Alternate

Staff Present

Clay Collins, City Administrator
Sara Wilson, Assistant City Administrator
Josh Ronson, Code Compliance Inspector
Doug Young, 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 April 11, 2012 meeting.

Minutes were not available for approval.

A-3: Consider action on following items tabled from the April 11, 2012 meeting.

Consideration and possible approval of an application submitted by Allan-Thrasher, LLC, for variances (a-b) for Lot 1 and 2 of Block A of the Sunset Valley Village Homestead Subdivision at 5207 Brodie Lane.

- Committee discussed the requested variances at length including which portions of the variance were within their jurisdiction to grant and what is subject to City Council approval.
- Dan Ross, applicant, representing Allan-Thrasher, discussed the parking plan and the various provisions that will be made in order to prevent any potential parking issues.
- Rick Albers, Attorney with Kuperman, Orr and Albers, representing the owners of lots 3, 4 and 5 discussed his clients objections to the proposed parking plan due to the highly intensive use of parking which inherently impact his clients and illegally places signage on Lot 5.

A motion was made by Tom Cedel to approve variance A-3 (a) Section 2.904 regarding minimum lot size in the Highway Commercial Zoning District. Lot 1 has an area of 1.458 acres and Lot 2 has an area of 1.401 acres. The required minimum lot size is 3 acres. Randall Rosengarten seconded the motion. The motion passed on a four to one vote. Richard Hayes voted against.

A motion was made by Randall Rosengarten and seconded by Steve Borochoff to approve variance A-3 (b) Section 2.904 regarding and minimum side setback in the Highway Commercial Zoning District. The existing structure (Barn) on Lot 1 encroaches 10 feet into the 20 foot side yard setback. The motion passed on a four to one vote. Richard Hayes voted against.

A motion was made by Randall Rosengarten and seconded by Tom Cedel to approve A-3 (c) was to

allow less than a fifteen (15) foot curb to building zone to use for sidewalks, landscape buffering and pedestrian spaces with the following conditions:

1. That the curb to building zone be no less than five (5) feet;
2. That the owner/operator at all times shall operate under a parking plan to be provided in similar format to the one submitted to the Board and attached to this notice of action to include the provisions included therein (except Sections 1-A, 1-C, 3-B, 4-B-3 of the attached plan) and to otherwise be acceptable to the City Administrator, Section 1-B of the attached plan may be included if approved by the City Council;
3. That the owner/operator shall be responsible for providing notification to Lessees of the parking plan and regulations, as applicable;
4. The Parking Plan will not provide for any use of parking on Lot 5 of Block A;
5. The variance is further conditioned on the drawings and representations submitted to the Board.

The motion passed on a four to one vote. Richard Hayes voted against.

A motion was made by Tom Cedel and seconded by Randall Rosengarten to add an amendment to the first two variances previously approved (agenda items A-3a and A-3b) that the variances are conditioned by the drawings and representations submitted to the Board by the applicant. All members voted in favor and the motion carried by unanimous vote.

There being no other business coming before the Board, the meeting was adjourned at 8:15 P.M.


Sandy Cox, Chair