
BOARD OF ADJUSTMENT REGULAR MEETING MINUTES
March 9, 2021 **8:30 a.m.**

BOARD OF ADJUSTMENT OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

Members Present: Mr. Scott Hay, Chairman
Mr. Robert Beermann
Mr. Mark Odle
Mr. Bryce Stickney
Mr. Bob Thomas, Alternate

Member Absent: Col. Morton Langholtz, Vice-Chairman
Mr. Jon Loudermilk, Alternate

Staff Present: Mr. Mike Warrix, Director of Planning and Development Services
Mr. Zack Rainbow, Assistant Director
Ms. Kelley Messer, First Assistant City Attorney
Ms. Cheryl Sawyers, Planning Services Manager
Mr. Brad Stone, Planner III
Ms. Melissa Farr, Executive Assistant

Others Present: Mr. Chris Berry Mr. Ron Kettler
Mr. Jim Gunn Mr. Ron Harrell

CALL TO ORDER

Mr. Hay called the meeting to order at 8:30 a.m. and Ms. Melissa Farr recorded the minutes. A quorum of members was present, and the meeting proceeded.

MINUTES

Mr. Beermann made the motion to approve the minutes of the previous meeting, which was held on January 12, 2021. Mr. Odle seconded the motion. The vote to approve minutes was carried by five (5) with none in opposition.

AYES: Stickney, Thomas, Odle, Beermann, Hay
NAYS: None

AGENDA ITEMS

BA-2021-02: Receive a Report and Hold a Discussion and Public Hearing on a request from owners Skinny's Inc., as well as Melody and Lyndell Cook, agent Berry Engineers, to seek a 7-foot variance from the minimum 15-foot exterior streetside setback required for a new commercial building on a site presently occupied by buildings at 1301 and 1357 South 14th Street. At the south west corner of Butternut and South 14th Streets, as well as the north 142.1 feet of an adjacent lot at the southeast corner of Poplar and South 14th Streets (With only landscaping provided between the building and streetside property line).

Mr. Brad Stone presented this request. The applicants plan to demolish all existing buildings on this subject property and replace them with a new retail store encompassing 9,180 square feet. The applicants desire to construct a new retail building set back 8-feet from the property's north boundary on the South 14th right-of-way. Thereby seeking a 7-foot variance from the minimum 15-foot setback required there.

Mr. Hay opened the public hearing. Those who spoke in favor were Mr. Chris Berry and Mr. Jim Gunn. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within 200 feet of the request were notified. There was one (1) response received in favor, with none (0) in opposition.

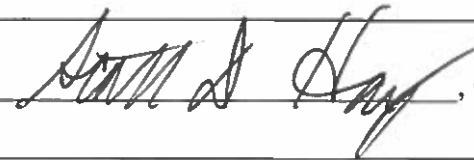
Based upon the findings provided in the staff report as criteria for approval, Mr. Beermann moved to approve the request. He recognized there are special circumstances, as the developer tried to obtain additional property, but the neighboring properties were not for sale. The planned placement of this proposed new building will not interfere with any future need to expand the adjoining right-of-way. Additionally, the proposed new building will set farther back from the roadway than the existing gas station canopy that currently exists on the property as well as reduce the number of driveways down from eight to three. The hardship is that if the building was oriented differently in order to accommodate the setback, the applicant would not be able to conduct normal operations. Moreover, the hardship is not generated by the petitioner. Mr. Stickney seconded the motion. The motion to approve this Variance prevailed by the following vote:

AYES: Stickney, Thomas, Odle, Beermann, Hay

NAYS: None

ADJOURNMENT

There being no further business, Mr. Beermann moved to adjourn the meeting. Mr. Odle seconded the motion. The Board of Adjustment meeting was adjourned at 9:10 a.m.

Approved: , Chair