



## City of Abilene

### Board of Adjustment Agenda

Notice is hereby given of a meeting of the Board of Adjustment of City of Abilene to be held on September 14, 2021, at 8:30 a.m., at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

#### CALL TO ORDER

#### MINUTES

1. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on July 13, 2021

#### EXECUTIVE SESSION

2. **Executive Session:** Consultation with Attorney, Section 551.071, Texas Government Code: Discussion regarding HB 1485 granting a Board of Adjustment additional objective grounds to grant a variance to a municipal zoning ordinance.

#### AGENDA ITEMS

3. **BA-2021-09:** Receive a Report and Hold a Discussion and Public Hearing on a request from Titan Towers LP for approval of an 11-foot variance from the ordinary 12-foot limit on the height of signs allowed in Office (O) zoning districts. **(Brad Stone)**
4. **BA-2021-10:** Receive a Report and Hold a Discussion and Public Hearing on a request from KJack Holdings LLC for approval of a 16-foot Variance request to allow a lot width less than 60-feet wide within a Medium Density (MD) Zoning district, on .1414 acres of land at 926 Poplar Street in south-central Abilene. **(Jared Smith)**

#### ADJOURNMENT

#### *Notice*

*In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received forty-eight (48) hours prior to scheduled meetings. Please contact the City Secretary's Office at 325-676-6208. Telecommunication device for the deaf is 325-676-6360.*

#### **CERTIFICATION**

*I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 10th day of September, 2021, at 9:15 a.m.*

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*Shawna Atkinson, TRMC. CMC,*  
City Secretary



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**BOARD OF ADJUSTMENT REGULAR MEETING MINUTES**  
**July 13, 2021**                      **8:30 a.m.**

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

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**Members Present:**        Mr. Scott Hay, Chairman  
                                 Mr. Robert Beermann  
                                 Mr. Mark Odle  
                                 Col. Morton Langholtz, Vice-Chairman

**Members Absent:**        Mr. Jon Loudermilk

**Staff Present:**            Mr. Michael Rice, Assistant City Manager  
                                 Mr. Mike Warrix, Director of Planning and Development Services  
                                 Mr. Tim Littlejohn, Assistant Director and Building Official  
                                 Mr. Van Watson, Assistant Building Official  
                                 Ms. Kelley Messer, First Assistant City Attorney  
                                 Ms. Cheryl Sawyers, Planning Services Manager  
                                 Mr. Brad Stone, Planner III  
                                 Ms. Melissa Farr, Executive Assistant  
                                 Ms. Molly Matties, Plans Examiner Trainee  
                                 Ms. Clarissa Ivey, Plans Examiner Trainee

**Others Present:**         Ms. Rosaelena Landeros

**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**

Colonel Langholtz made the motion to **approve** the minutes of the previous meeting, which was held on May 11, 2021. Mr. Beermann seconded the motion. The vote to **approve** minutes was carried by four (4) with none in opposition.

**AYES: Beermann, Odle, Langholtz, Hay**  
**NAYS: None**

## AGENDA ITEMS

**BA-2021-07:** Receive a report, public hearing, discussion and action on a request for a Special Exception to allow the expansion of a nonconforming use at Lake Breeze Trailer Park, located at 902 East South 11th Street, Abilene, Texas

Mr. Brad Stone presented this request. The applicant is seeking approval of a special exception allowing expansion of a nonconforming use, specifically by increasing the number of spaces available for habitation of recreational vehicles at Lake Breeze Trailer Park.

Mr. Hay opened the public hearing. Mr. Tommy Hendrix, owner, spoke in favor of this request stating he seeks to expand the intensity of use at Lake Breeze Trailer Park, by converting the grass-covered courtyard into “pull-through” spaces for placement of nine additional recreational vehicles. Seeing no one else present and desiring to be heard, Mr. Hay closed the public hearing.

Property owners within 200 feet of the request were notified. There were no responses received in favor nor in opposition.

Colonel Langholtz moved to **approve** this request based upon the findings in the staff report to include the condition the applicant install a backflow prevention device as recommended by the City of Abilene Water Department. Mr. Beermann seconded the motion. The vote to **approve** minutes was carried by four (4) with none in opposition.

**AYES: Beermann, Odle, Langholtz, Hay**

**NAYS: None**

**BA-2021-08:** Receive a report, public hearing, discussion and action on a request for a 3-foot 2-inch Variance from the minimum 6-foot side building setback required in an RS-6 zoning district, located at 326 Shelton Street, being Lot 18 Block 1 of the Oakwood Addition, Abilene, Texas.

Mr. Brad Stone presented this request. The applicant is seeking a 3-foot, 2-inch variance from the minimum 6-foot side building setback ordinarily required in an RS-6 zoning district, to legitimize previous construction of a residential addition situated 2 feet, 10 inches from the south side boundary of her property at 326 Shelton Street.

Mr. Hay opened the public hearing. Ms. Rosaelena Landeros, owner, spoke in favor of this request sharing that she is trying to sell the single-family home site. The residential addition was built approximately ten years ago and was constructed without a building permit. She was unaware of this violation of zoning regulations.

Mr. Van Watson, assistant building official, spoke to clarify the issue of the window on the new construction on south side of her home. Mr. Watson stated the 2012 International Residential Code requires that anything less than three feet parallel to the property line may not have openings, such as windows. Seeing no one else present and desiring to be heard, Mr. Hay closed the public hearing.

Property owners within 200 feet of the request were notified. Two (2) responses were received in favor with none (0) in opposition.

Mr. Beermann moved to **approve** this request with the condition that window reconstruction or replacement with solid wall must meet Abilene building code requirements. Mr. Odle seconded the motion. The vote to **approve** minutes was carried by four (4) with none in opposition.

**AYES: Beermann, Odle, Langholtz, Hay**

**NAYS: None**

### **ADJOURNMENT**

There being no further business, Colonel Langholtz moved to adjourn the meeting. Mr. Beermann seconded the motion. The Board of Adjustment meeting was adjourned at 9:20 a.m.

Approved: \_\_\_\_\_, Chair

# BOARD OF ADJUSTMENT

## BA-2021-09

### STAFF REPORT

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#### **Scheduled Hearing**

Board of Adjustment: September 14, 2021

#### **Applicant**

Owner: Titan Towers, LP

#### **Request**

The applicants are seeking an 11-foot variance from the ordinary 12-foot limit on the height of signs allowed in Office (O) zoning districts. Approval of this variance, as requested, will permit installation of a pole-mounted sign as tall as 23 feet on the subject property. No freestanding signs (either pole-mounted or monument-type) presently exist on this property.

#### **Location**

The subject property lies at 1500 Industrial Boulevard, on the northeast corner of Industrial and South Treadaway Boulevards in south Abilene. This address corresponds with Lot 101 in Block A of the subdivision known as Abilene Country Club Addition.

#### **Zoning and Existing Land Use**

This subject property has been within an Office (O) zoning district since 1980. The three-story office building existing there was permitted for construction in 1981 and later completed during 1982.

#### **Land Development Code Provisions**

Abilene's Land Development Code includes a segment on Sign Regulations in Chapter 4, which generally addresses site development standards. In Office zoning districts, the maximum height allowed for a freestanding sign is 12 feet. This has been the standard since 1974 when the City of Abilene initially adopted sign regulations.

#### **Background**

The 12-foot sign height limit in Office (O) Districts is substantially lower than in most commercial zoning districts where as much as 50-foot-tall, pole-mounted signs are ordinarily allowed. However, as expressed in Section 2.3.3.3 of Abilene's Land Development Code, the Office zoning classification is intended to, "*encourage office development of high quality in a generally noncommercial environment.*" Among other considerations, this means reducing the visual impact of signage, as compared to what is ordinarily allowed for retail-oriented commercial development. The "*noncommercial environment*" characteristic of Office zoning was instrumental in justifying this particular property's rezoning more than 40 years ago, on land adjacent to the Abilene Country Club.

#### **Criteria Assessment**

A variance is used to modify application of certain Zoning Regulations in the Land Development Code as it pertains to a specific property. In reaching a decision on a variance request, the Board shall determine and make written findings that all of the following conditions are present:

1. **There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the land, such that strict application of the provisions of this Code will create an undue hardship or inequity (other than financial) upon or for the applicant in developing the land, or deprive the applicant of reasonable and beneficial use of the land.**

City staff finds no inherently special conditions of the subject site or its surroundings, by which strict application of sign height limitations will create unnecessary hardship for the use and development of this property.

2. **That the granting of the variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare.**

Fundamentally the same sign face\* may lawfully be installed as a monument-type sign lifted only approximately one foot above ground level, so long as it is set back at least 25 feet from property lines.† Such monument-type signage is not as visible (to passing motorists) as a pole-mounted sign lifted twelve feet off the ground, as proposed. But a lower monument-type sign will be more consistent with the “*noncommercial environment*” envisioned for Abilene’s Office zoning districts.

3. **Granting the variance is consistent with the intent of Abilene’s Land Development Code.**

In the absence of hardships or special conditions, granting the variance would be generally inconsistent with the intent and purpose of limitations on the height of signage allowed in Office zoning districts of Abilene.

4. **The hardship or inequity suffered by petitioner is not caused wholly or in substantial part by the petitioner.** No evidence of hardship was presented with the application for variance.

#### Notification

Pursuant to Section 1.2.2.2 of Abilene’s Land Development Code, City staff mailed personal notices on September 3, 2021 to the applicant and other owners of property within a 200-foot radius of this subject property. These property owners and associated addresses are identified in Table 1.

**TABLE 1**

| Owner                    | Situs               | Response |
|--------------------------|---------------------|----------|
| ABILENE COUNTRY CLUB     | 4039 S TREADAWAY BL |          |
| CITIZENS BANK            | 4201 S TREADAWAY BL |          |
| CITY OF ABILENE          |                     |          |
| COATES VINCENT W & CARLA | 4142 S TREADAWAY BL |          |
| OASIS RENTAL HOUSING LTD | 4110 S TREADAWAY BL |          |
| PONTUS OH ABILENE LLC    | 1115 INDUSTRIAL BL  |          |
| PONTUS OH ABILENE LLC    | 1119 INDUSTRIAL BL  |          |
| TITAN TOWERS LP          | 1500 INDUSTRIAL BL  |          |
| WEST TEXAS UTILITIES CO  | 4100 S TREADAWAY BL |          |

\* measuring 10 feet wide and approximately 11 feet high

† that is, at least 37 feet from the face-of-curb on Industrial Boulevard, and at least 49 feet from the face-of-curb on South Treadaway Boulevard

## LOCATION MAP



## ZONING AND EXISTING LAND USE MAP



# PROJECT OVERVIEW

Project Type: Board of Adjustment Application

ID # 21-000112 | Started 08/02/2021 at 3:51 PM



## Address

1500 Industrial Bl,  
Abilene, TX USA 79602

## Legal

Abilene Country Club Blk  
Block A Lot Lot 101 Re  
Abilene Country Club  
Addn, Block A, Lot 101  
Replat

## Property Info

Property ID: 61743

## Description

Replacement of our storm blown-over tenant sign at the corner of our property exactly where it was located, but more importantly and as tall as our other sign was before it was destroyed by winds.

## INFORMATION FIELDS

### BOA Application Type

Variance

### Owner Name

Titan Towers LP

### Agent Name

Gordon Washington

### No. of Lots

1

### Acreage

0

### Legal Description of property

ABILENE COUNTRY CLUB ADDN, BLOCK A, LOT 101 REPLAT

### Current Zoning

Office

### Variance or Special Exception: Explanation

We would like to put our taller sign exactly where the destroyed sign fell and at the height of the previous sign which was over the landscaping established years ago in its circular pattern near the corner of Industrial and Treadaway. Any sign lower in height than what we had will not give the same attraction/visibility. The landscaping around the sign area is circular and surrounded by tall crepe myrtles which is an attractive base with our sign reaching out of the top and catches the eye. Being a three story glass cased building it keeps the height in perspective and mirrors the heights of the property.

### Variance Request

The height should equal the previous fountain and the pole sign that was destroyed by winds inside the fountain to the height of 23' rounded consisting of 10' tenant sign box, pole length of 7'-6" and pole base through fountain of 5'. The Tenants pay a share in their lease to be on the sign, and are aware of the visibility our previous sign gave to them and are asking for same like visibility. Being a three story glass cased building it keeps the height in perspective and mirrors the heights of the property.

### Special Exception

.



**3'x10 ID SIGN  
WITH ROUTED FACE**

**23' OVERALL HEIGHT**

**10' X 8' TENANT SIGN**

Regulated by the Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, TX 78711 1-800-803-6202 1-512-483-6539 website: [www.license.state.tx.us/complaints](http://www.license.state.tx.us/complaints)



**Sign & Plastics Co.**

1225 Walnut  
Arlene, TX 79601  
(325) 677-9469  
Fax (325) 677-3926

**TX Electrical Sign Contractors**  
License #18020

|                         |                        |
|-------------------------|------------------------|
| <b>CLIENT</b>           | <b>The Triad</b>       |
| <b>LOCATION</b>         | <b>1500 Industrial</b> |
| <b>CITY &amp; STATE</b> | <b>Arlene, TX</b>      |
| <b>SALES REP.</b>       | <b>James Whitehead</b> |

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|                    |                 |
|--------------------|-----------------|
| <b>DRAWING NO.</b> | <b>061521-B</b> |
| <b>SAVED AS</b>    | <b>Triad.fs</b> |
| <b>DATE</b>        | <b>06-15-21</b> |
| <b>SCALE</b>       | <b>N.T.S.</b>   |

COLOR OF PRODUCT MAY VARY FROM MONITOR OR  
PRINTER. PLEASE CHOOSE COLORS FROM DEALER  
APPROVED COLOR CHART, CMYK, OR SAMPLE

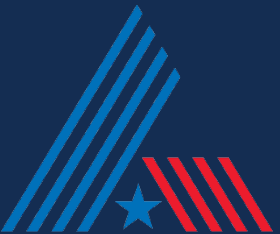
**Client Signature:**

**Date:**

**Landlord Approval:**

**Date**

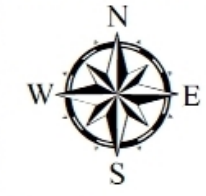
**Case:** BA-2021-09  
**Owner:** Titan Towers  
**Request:** 11-foot variance from the 12-foot limit on the height of signs in Office Zoning  
**Location:** 1500 Industrial Blvd  
**Notification:** 0 in Favor, 0 Opposed  
**Board of Adjustment:** September 14, 2021



# BA-2021-09 AERIAL LOCATION MAP

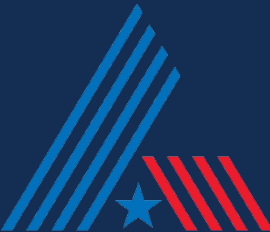


Location Map



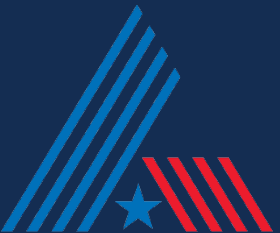
Legend

 BA-2021-09

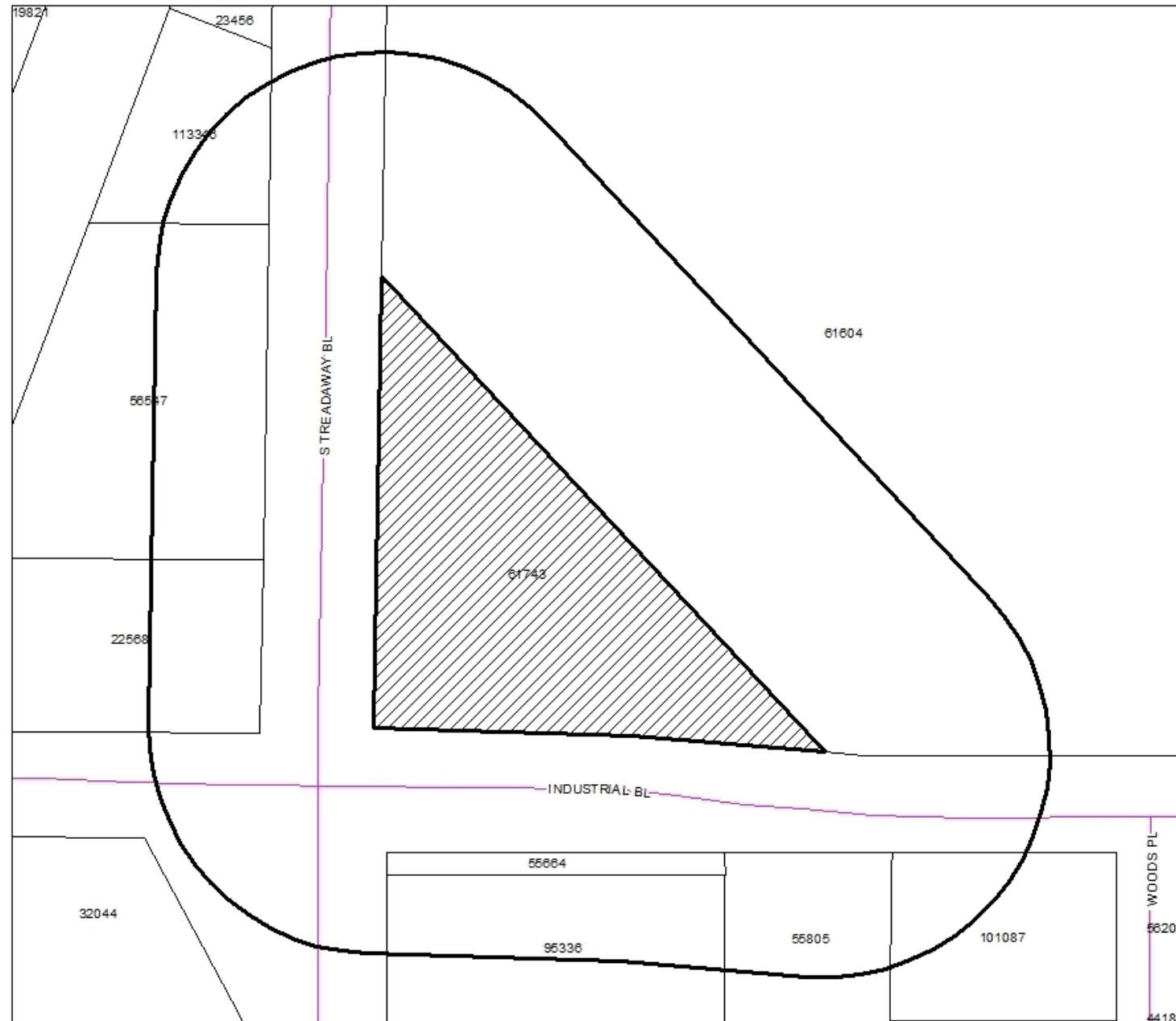


# BA-2021-09 ZONING MAP

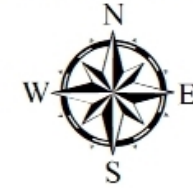




# BA-2021-09 NOTIFICATION AREA MAP



## Notification Map

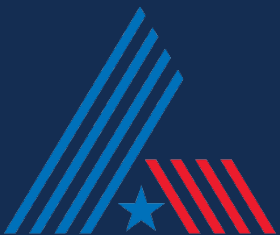


## Legend

- 200'
- Notification Area
- BA-2021-09

0 - In Favor- 

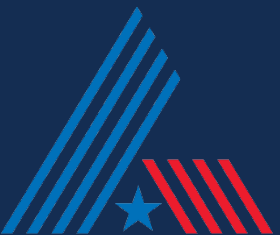
0 - Opposed- 



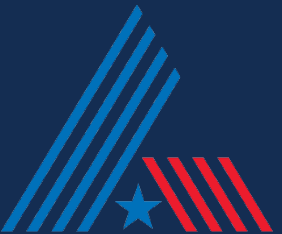
## Section 1.4.4.2 (d) Criteria for Approval

(d) Criteria for Approval. A variance is used to modify the application of this Ordinance as it applies to a specific piece of property which, because of peculiar circumstances applicable only to the property, prevent its being used on the same basis as other property in the same zoning district. In reaching a decision on the variance application, the Board shall determine and make written findings that all of the following conditions are present:

- (1) There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land such that the strict application of the provisions of this Code to the proposed use would create an undue hardship or inequity (other than financial) upon or for the applicant in developing the land or deprive the applicant of the reasonable and beneficial use of the land;
- (2) That the granting of the variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare;
- (3) Granting the variance is consistent with spirit and intent of this LDC and is in harmony herewith.
- (4) The hardship or inequity suffered by petitioner is not caused wholly or in substantial part by the petitioner



# Questions?



# BOARD OF ADJUSTMENT

## BA-2021-10

### STAFF REPORT

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#### **Scheduled Hearing**

Board of Adjustment: September 14, 2021

#### **Applicant**

Owner: KJack Holdings LLC

#### **Request**

The applicant is seeking a 16-foot variance from the minimum 60-foot lot width ordinarily required in Medium Density (MD) Zoning districts. The applicant intends on constructing a single-family dwelling on this tract of land.

#### **Location**

The subject property is addressed as 924 & 926 Poplar Street located in south-central Abilene. The property is not a fully platted lot. Described as being the north 44-feet by east 150-feet of what was Lot 4 of Block B in Geo. W. Jalonick subdivision of Abilene, Taylor County, Texas.

#### **Zoning and Existing Land Use**

The property is located within Medium Density (MD) zoning (previously classified as RM-3) and has been since 1974. Presently, the subject property is vacant. The land uses surrounding this subject property are single-family residences which are all located within MD zoning.

#### **Land Development Code Provisions**

According to Table 2-2 within Division 2 "Residential Zoning Districts" in the Land Development Code; Medium Density zoning requires a minimum lot width of 60-feet.

#### **Background**

In May of 2019, the City of Abilene opened a condemnation case for the structure(s) that previously existed on the subject property. In September 2020, a permit was issued for the demolition of the previously existing structures. The original structure that was located on the subject property predates building permit records. However, between 1946 and 1952 permits were issued for additions to the residence as well as a detached garage on the subject property. The permits at this time identify the subject property to be 44'x140'. The City of Abilene's Code of Ordinances has required a minimum lot width of 50-feet since at least 1946; in 1974 the standard was changed to be a minimum of 60-feet in width.

Prior to the issuance of a building permit for the construction of a new residence on this subject property the property must be platted. A subdivision plat was submitted for consideration by the City of Abilene in July 2021. The plat illustrates a lot that is 44'x150'. Prior to the plat being approved, which would allow subsequent construction of a new residence on the subject property; the owner must receive a 16-foot variance to the minimum 60-foot lot width.

## Criteria Assessment

A variance is used to modify application of certain Zoning Regulations in the Land Development Code as it applies to a specific property. In reaching a decision on a variance request, the Board shall determine and make written findings that all of the following conditions are present:

- 1. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the land, such that strict application of the provisions of this Code will create an undue hardship or inequity (other than financial) upon or for the applicant in developing the land, or deprive the applicant of reasonable and beneficial use of the land.**

City staff believes that the strict application of the lot width requirement for this particular property would create a hardship resulting in inequitable use and development of the property. Strict adherence to the minimum 60-foot lot width requirement would deprive the applicant of reasonable and beneficial use of the land. Without the variance approval, the lot will likely remain undeveloped and only of value to the neighboring property owner to the south if they were to obtain ownership and replat.

- 2. That the granting of the variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare.**

Staff believes that granting the variance will not be contrary to the public interest and will not be injurious to the neighboring properties or detrimental to the public welfare.

- 3. Granting the variance is consistent with the intent of Abilene's Land Development Code.**

Granting the variance would be generally consistent with the intent and purpose of lot width requirements for residential lots. The reason for minimum lot widths and depths is to provide minimum square footage of lot area in order to promote open space and avoid the creation of high-density development in areas where such density is otherwise incompatible with surrounding land use(s). The lot which is intended to be created following this variance approval would be 6,160 square feet; which exceeds the minimum 6,000 square foot requirement for lots within MD zoning. Furthermore, per the graphic exhibit provided by the applicant, the proposed residence that would be constructed on the subject property would meet the minimum setback ordinarily required within MD zoning.

- 4. The hardship or inequity suffered by the petitioner is not caused wholly or in substantial part by the petitioner.**

The hardship or inequity is not caused by the petitioner.

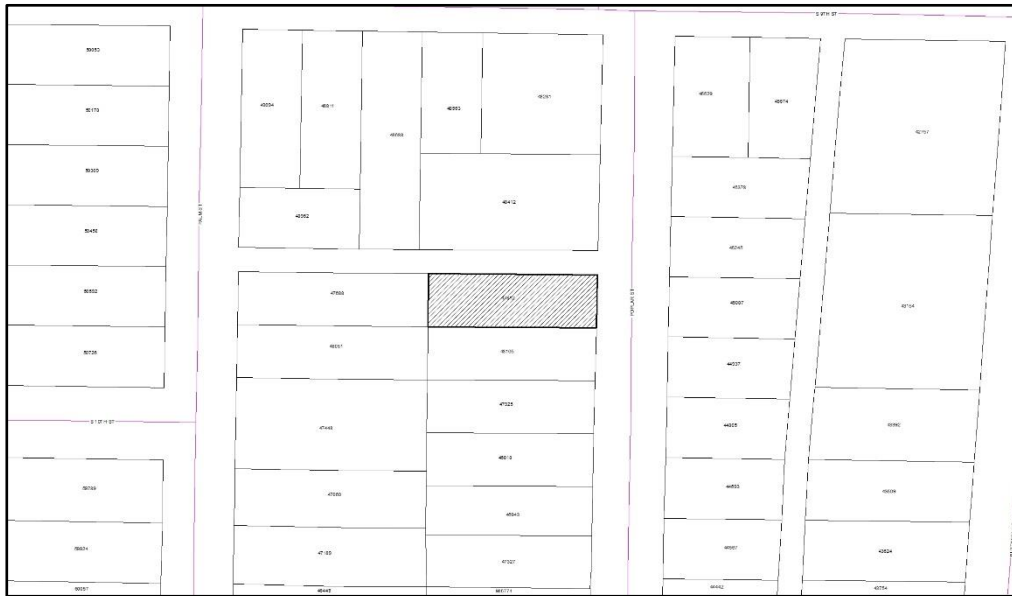
## Notification

Pursuant to Section 1.2.2.2 of Abilene's Land Development Code, City staff mailed personal notices on September 3, 2021, to the applicant and other owners of property within a 200-foot radius of this subject property. These property owners and associated addresses are identified in Table 1.

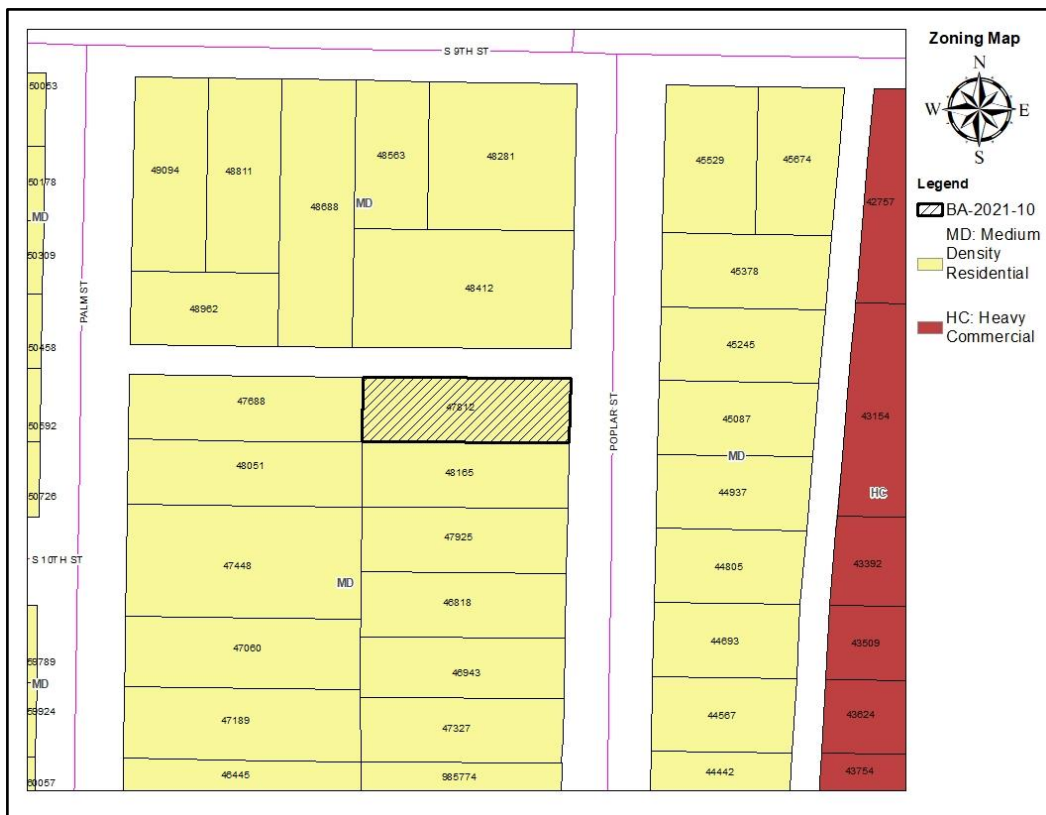
**TABLE 1**

| Owner                           | Situs            | Response |
|---------------------------------|------------------|----------|
| ALSIDES ESPERANZA               | 949 POPLAR ST    |          |
| BRADEN BAILEY TANNER & SIERRA A | 925 PALM ST      |          |
| BROWN KENDRA ELAINE             | 1425 S 9TH ST    |          |
| CEDILLO MILDA S                 | 1001 PALM ST     |          |
| CORPIAN GARY LEE & MARILU LEE   | 1441 S 9TH ST    |          |
| COX MILTON L                    | 933 PALM ST      |          |
| DAVIDSON JERRY                  | 1009 POPLAR ST   |          |
| DURRINGTON WALLS LLC            | 941 PALM ST      |          |
| FAULKNER LYNDA                  | 918 POPLAR ST    |          |
| HOEMKE PROPERTY LLC             | 926 BUTTERNUT ST |          |
| IMPACT GROUP EQUITIES LLC       | 1333 S 9TH ST    |          |
| KERR DONNA                      | 925 POPLAR ST    |          |
| KJACK HOLDINGS LLC              | 926 POPLAR ST    |          |
| MADISON JESS WARREN             | 1018 A POPLAR ST |          |
| MENDOZA CHRISTINA               | 933 POPLAR ST    |          |
| MENDOZA JOSE G & CHRISTINA      | 941 POPLAR ST    |          |
| MENDOZA THOMAS                  | 934 POPLAR ST    |          |
| MUSOSA ALBERTINA                | 1010 POPLAR ST   |          |
| MYERS JOHN VERNON &             | 902 POPLAR ST    |          |
| OLVERA RAMONA                   | 1001 POPLAR ST   |          |
| OWENS KAREN A                   | 1009 PALM ST     |          |
| PARE JOHN ROBERT &              | 917 POPLAR ST    |          |
| PARKER MICHAEL R                | 942 POPLAR ST    |          |
| RIOS ERMINIA                    | 1002 POPLAR ST   |          |
| RODRIGUEZ JOSE L                | 942 BUTTERNUT ST |          |
| SEAMAN CLIFFORD JR              | 1345 S 9TH ST    |          |
| SHUTE ALEXANDER & CAROLINE      | 949 PALM ST      |          |
| SMITH BILL PROPERTIES INC       | 912 BUTTERNUT ST |          |
| STANLEY BRANDON T               | 1433 S 9TH ST    |          |
| TERUEL JOSE ELI FLORES &        | 1417 S 9TH ST    |          |

## LOCATION MAP



## ZONING AND EXISTING LAND USE MAP



# PROJECT OVERVIEW

**Project Type:** Board of Adjustment Application

**ID #** 21-000123 | **Started** 08/17/2021 at 12:22 PM



## Address

926 Poplar St, Abilene,  
TX USA 79602

## Legal

Jalonick 1st Blk Block B  
Lot Lot N44 E1  
Jalonick 1st, Block B, Lot  
N44 E140 Of 4

## Property Info

**Property ID:** 47812

## Description

Property has already had the existing structure demolished after pulling necessary permits with the city of Abilene. From here the plan would be to go back with a new build consisting of a concrete slab duplex with a total square footage of approximately 1808 square feet. Previous dwelling was approximately 2054 square feet. Request is to allow a 16-foot variance to the ordinary 60-foot lot width; to permit a lot as narrow as 44-feet wide. Furthermore, if possible the owner would like to receive a variance of the 12-units per acre requirement in MD zoning to allow a duplex on the subject property which is .1414 of an acre. This would be a request to allow a density of 14.5 units per acre if permissible per City's legal staff.

## INFORMATION FIELDS

### BOA Application Type

Variance

### Owner Name

KJACK

### Agent Name

Geotex

### No. of Lots

1

### Acreage

.16

### Legal Description of property

Lot N44 E1 40 of 4 Block B of Jalonick 1st

### Current Zoning

MD

### Variance or Special Exception: Explanation

Lot is only 45' in width, when it was purchased there was an existing multifamily property on site. Property had been condemned by the City of Abilene. Pulled permits and demoed existing structure in order to build back with new multifamily with similar footprint. During the platting process with Geotex we were notified that the lot was below the 60' minimum width when adjacent to a city street necessary for a property to be built. In order to continue with the new build we would need to get a variance from the City of Abilene.

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**Variance Request**

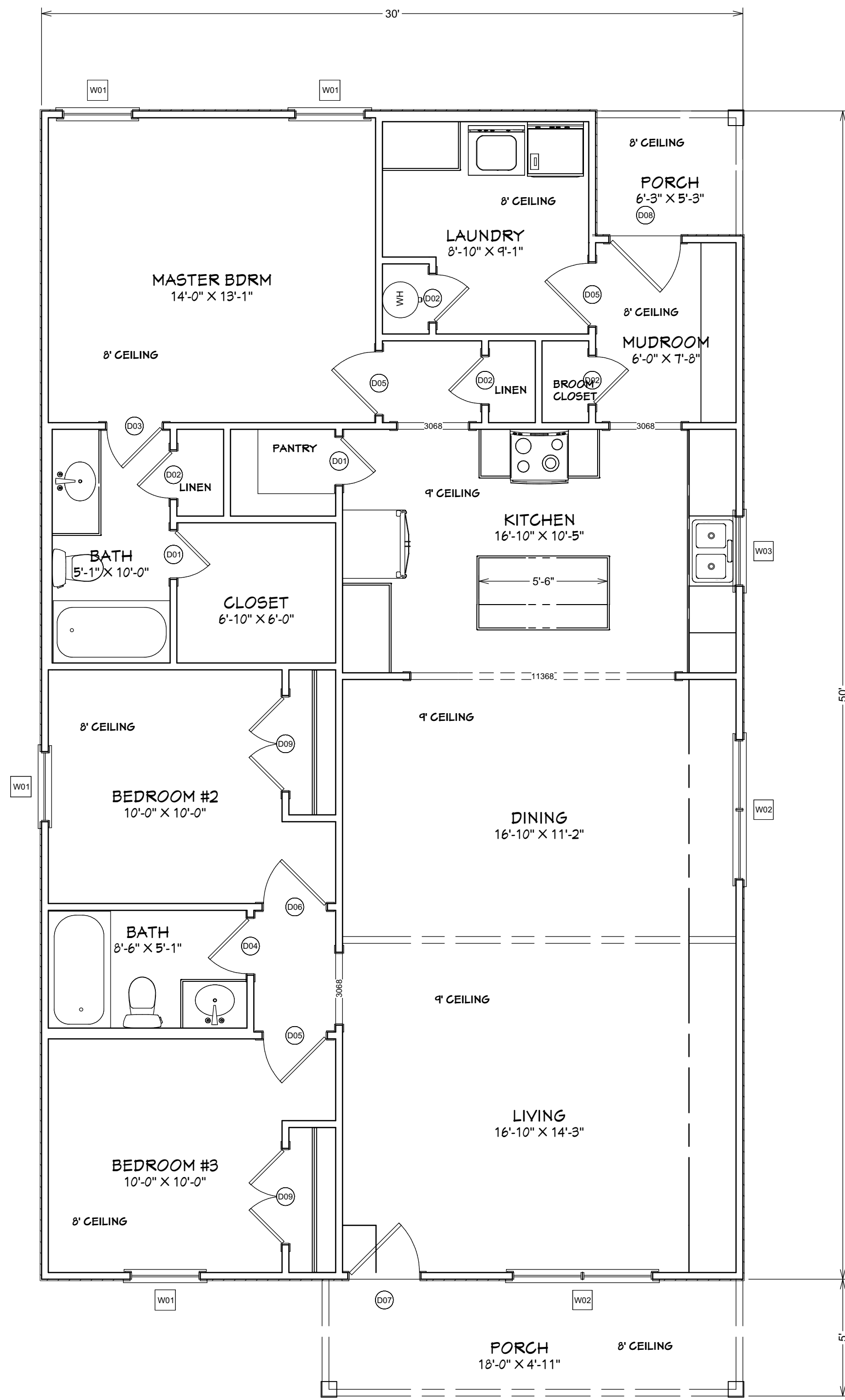
We request that the 60' minimum requirement be waived due to the property already having a dwelling on it when it was purchased. This dwelling was in a state of disrepair that would have made it financially inadvisable and incredibly difficult to repair back to code and a level that is fit for habitation. The new dwelling would be similar in size to the previous structure at 926 Poplar

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**Special Exception**

Special exception is that there was already a structure on the 45' width site. It was condemned and in an extreme state of disrepair. This would require demoing and going back with a new build multifamily structure.

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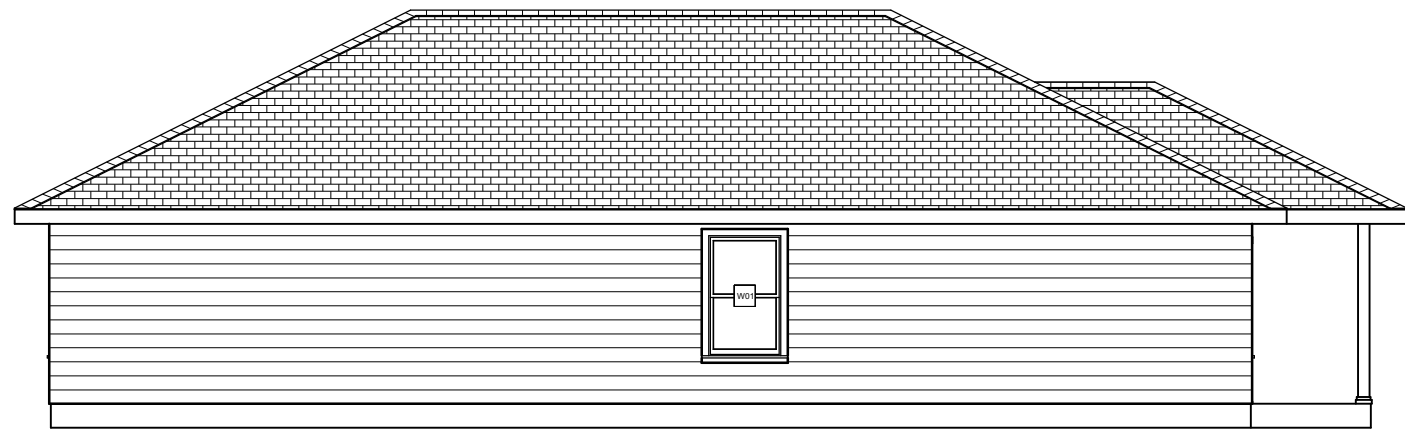


LIVING AREA  
1475 SQ. FT.

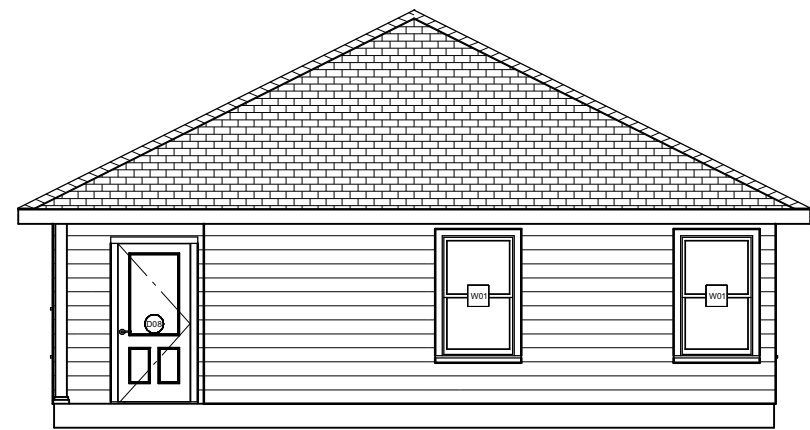
1st Floor

| DOOR SCHEDULE |             |               |           |          |     |
|---------------|-------------|---------------|-----------|----------|-----|
| LABEL         | SIZE        | TYPE          | THICKNESS | COMMENTS | QTY |
| D01           | 2068 L IN   | HINGED        | 1 3/8"    |          | 2   |
| D02           | 2068 R IN   | HINGED        | 1 3/8"    |          | 4   |
| D03           | 2468 L IN   | HINGED        | 1 3/8"    |          | 1   |
| D04           | 2468 R IN   | HINGED        | 1 3/8"    |          | 1   |
| D05           | 2868 L IN   | HINGED        | 1 3/8"    |          | 3   |
| D06           | 2868 R IN   | HINGED        | 1 3/8"    |          | 1   |
| D07           | 3068 L EX   | HINGED        | 1 3/4"    |          | 1   |
| D08           | 3068 R EX   | HINGED        | 1 3/4"    |          | 1   |
| D09           | 4068 L/R IN | DOUBLE HINGED | 1 3/8"    |          | 2   |

| WINDOW SCHEDULE |     |      |     |          |
|-----------------|-----|------|-----|----------|
| LABEL           | QTY | SIZE | TOP | COMMENTS |
| W01             | 4   | 3050 | 84" |          |
| W02             | 2   | 6050 | 84" |          |
| W03             | 1   | 3030 | 84" |          |



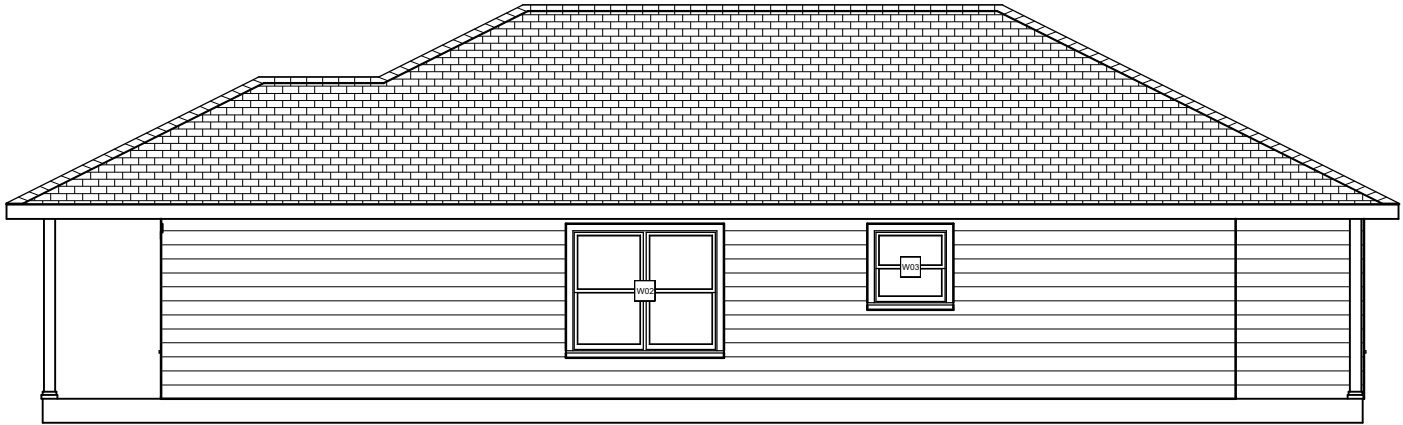
LEFT ELEVATION



REAR ELEVATION



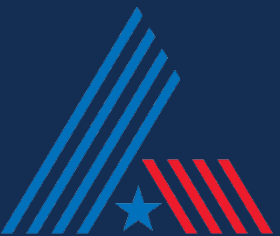
FRONT ELEVATION 1/8 in = 1 ft



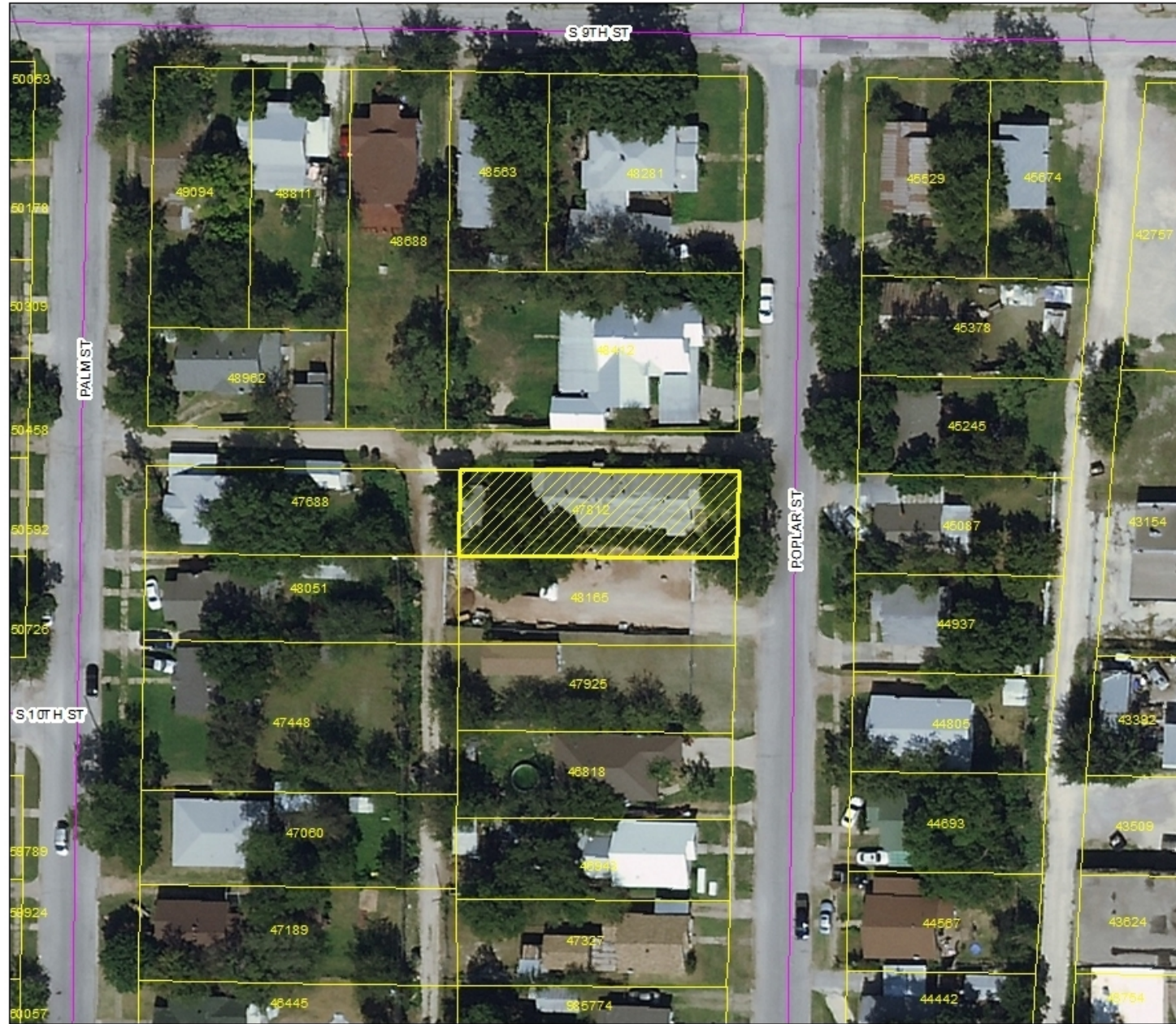
RIGHT ELEVATION

|                                             |                  |         |     |
|---------------------------------------------|------------------|---------|-----|
| ACH - 1500 FOR FILLER LOTS - ROUGH DRAFT #1 |                  |         |     |
| Date: AUG 2021                              | Scale: 1/4" = 1' | Sq. Ft. | gpr |
| FLOOR PLAN, ROOF PLAN AND ELEVATIONS        |                  |         |     |
| Page #: 1 OF 1                              | Drawing #:       |         |     |

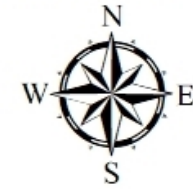
**Case:** BA-2021-10  
**Owner:** Kjack Holdings, LLC  
**Request:** 16-foot variance from the minimum 60-foot lot width required in Medium Density (MD)  
**Location:** 924 & 926 Poplar Street  
**Notification:** 0 in Favor, 0 Opposed  
**Board of Adjustment:** September 14, 2021



# BA-2021-10 AERIAL LOCATION MAP

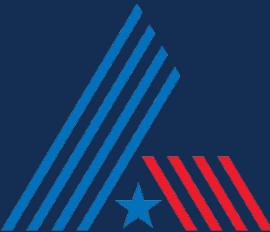


Location Map

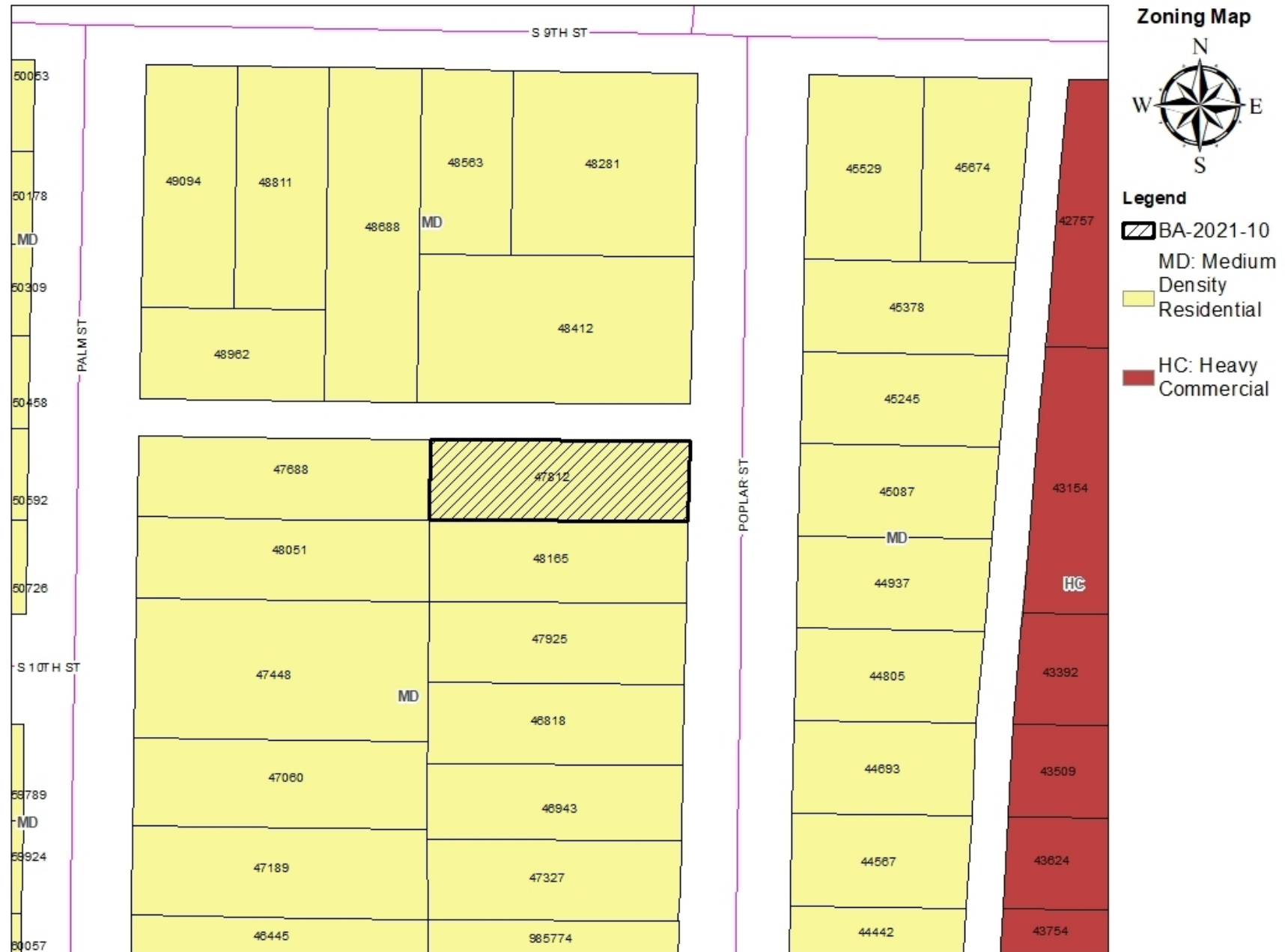


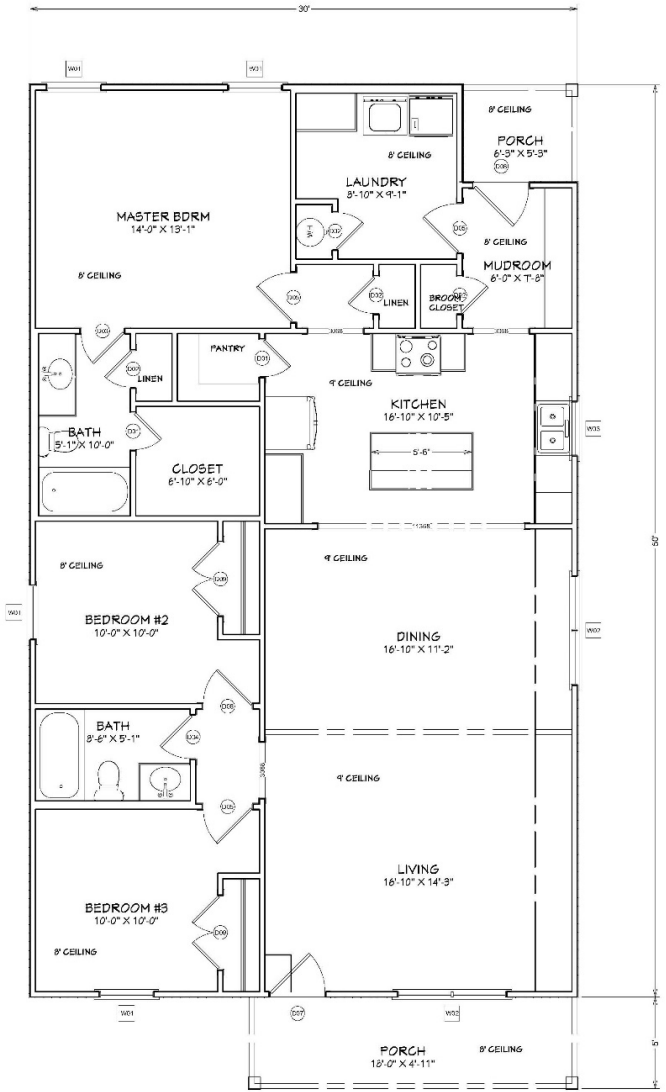
Legend

 BA-2021-10



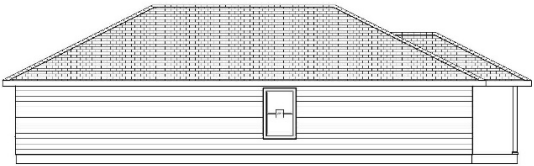
# BA-2021-10 ZONING MAP



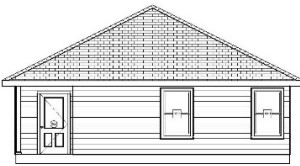


| DOOR SCHEDULE |             |               |           |          |     |
|---------------|-------------|---------------|-----------|----------|-----|
| LABEL         | SIZE        | TYPE          | THICKNESS | COMMENTS | QTY |
| D01           | 2048 L IN   | HINGED        | 1 3/8"    |          | 2   |
| D02           | 2048 R IN   | HINGED        | 1 3/8"    |          | 4   |
| D03           | 2468 L IN   | HINGED        | 1 3/8"    |          | 1   |
| D04           | 2468 R IN   | HINGED        | 1 3/8"    |          | 1   |
| D05           | 2868 L IN   | HINGED        | 1 3/8"    |          | 3   |
| D06           | 2868 R IN   | HINGED        | 1 3/8"    |          | 1   |
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| WINDOW SCHEDULE |     |      |     |          |
|-----------------|-----|------|-----|----------|
| LABEL           | QTY | SIZE | TOP | COMMENTS |
| W01             | 4   | 3050 | 84" |          |
| W02             | 2   | 6050 | 84" |          |
| W03             | 1   | 3030 | 84" |          |



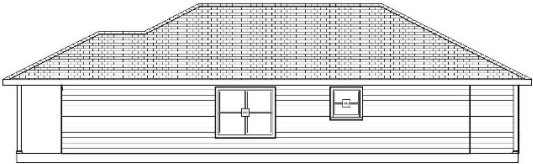
LEFT ELEVATION



REAR ELEVATION

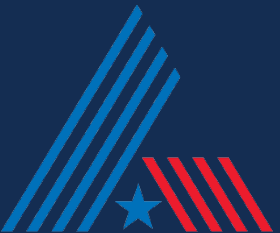


FRONT ELEVATION 1/8 in = 1 ft

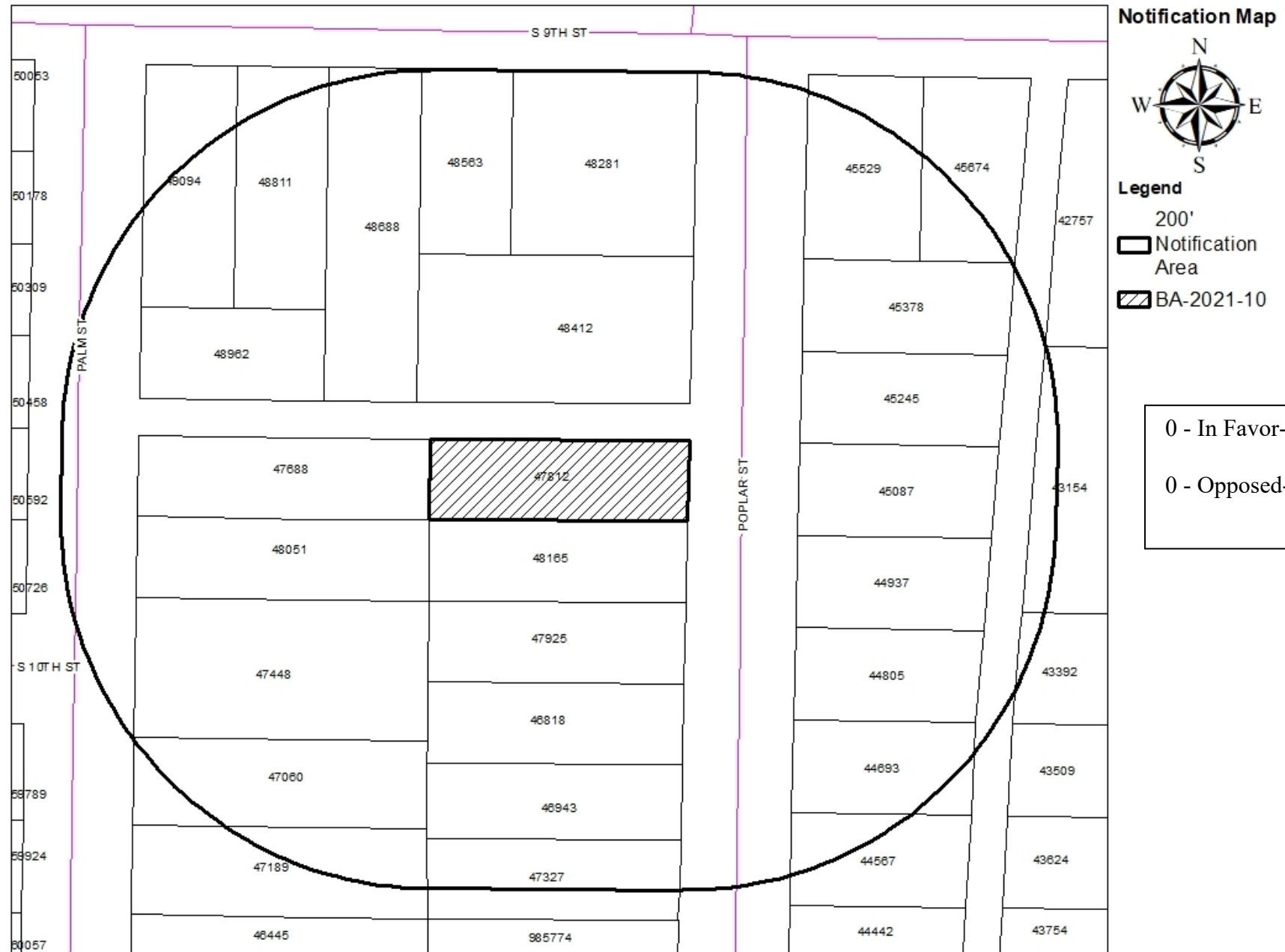


RIGHT ELEVATION

LIVING AREA  
1475 SQ FT



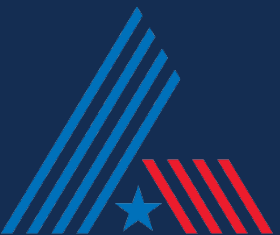
# BA-2021-10 NOTIFICATION AREA MAP



## Section 1.4.4.2 (d) Criteria for Approval

(d) Criteria for Approval. A variance is used to modify the application of this Ordinance as it applies to a specific piece of property which, because of peculiar circumstances applicable only to the property, prevent its being used on the same basis as other property in the same zoning district. In reaching a decision on the variance application, the Board shall determine and make written findings that all of the following conditions are present:

- (1) There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land such that the strict application of the provisions of this Code to the proposed use would create an undue hardship or inequity (other than financial) upon or for the applicant in developing the land or deprive the applicant of the reasonable and beneficial use of the land;
- (2) That the granting of the variance will not be contrary to the public interest and will not be injurious to neighboring properties or otherwise detrimental to the public welfare;
- (3) Granting the variance is consistent with spirit and intent of this LDC and is in harmony herewith.
- (4) The hardship or inequity suffered by petitioner is not caused wholly or in substantial part by the petitioner



# Questions?

