



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 January 14, 2020 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

PUBLIC COMMENTS

There will be no votes or any formal actions taken on subjects presented during public comment. The public comment period will only allow members of the public to present ideas and information to city officials and staff.

MINUTES

AGENDA ITEMS

1. **BA-2020-01:** A request from Manuel Soto for a variance from minimum lot width for Residential Single-Family District 6 (RS-6); Legal description being NORTH PARK ADDITION OF JAMES, Block 26, Lot E69 W854 S193 11 AC TR, located at 20206 Anson Avenue, Abilene

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 January, 2020, at 4:45 p.m.

Kaitlin Richardson, Deputy City
Secretary

Case: BA-2020-01

Applicant: Manuel Soto

Request: Approval of a 5.65' variance from from the minimum 60' lot width for Residential Single Family District-6 (RS-6)

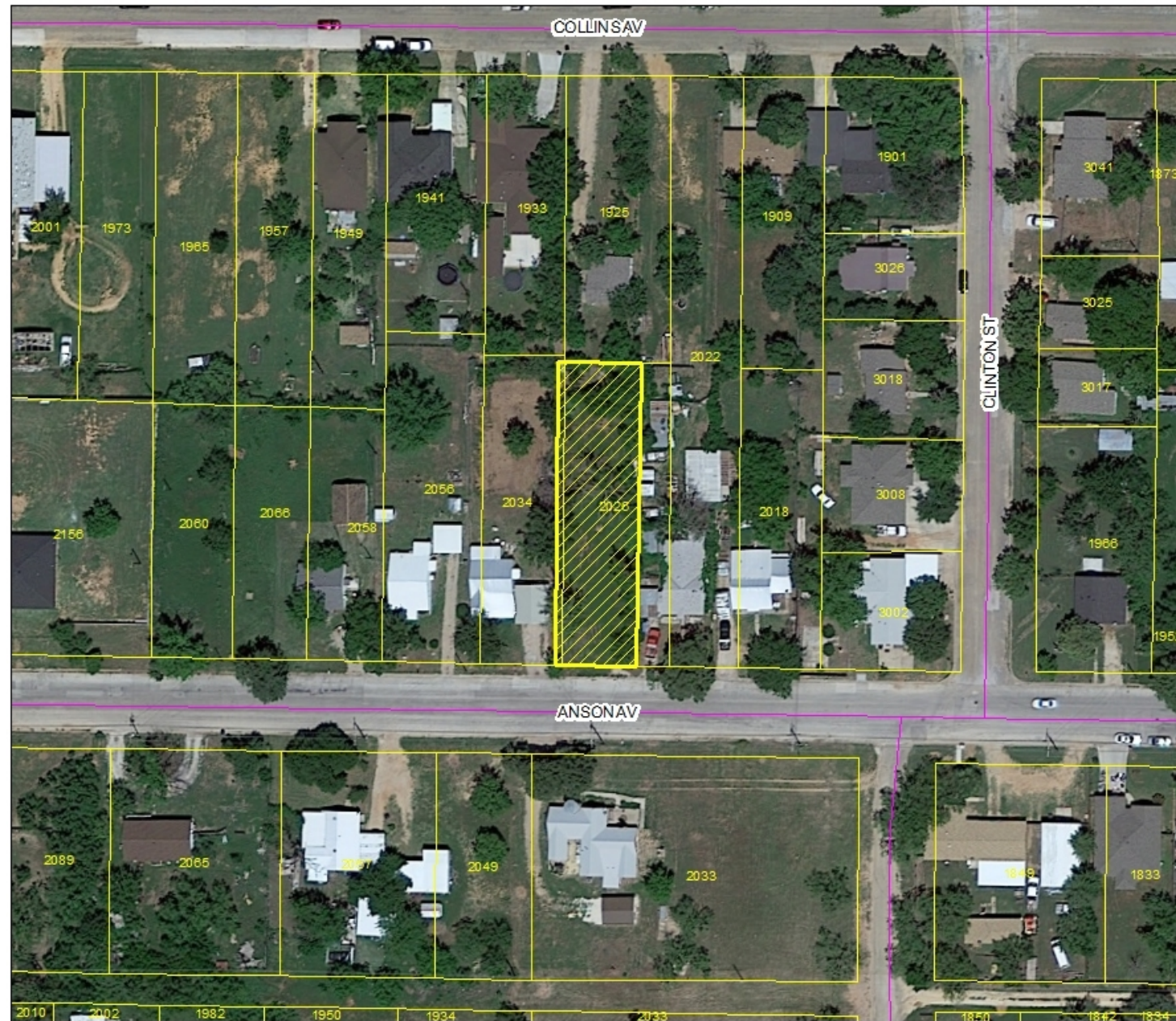
Location: 2026 Anson Ave. Abilene, TX

Notification: 0 in Favor, 0 Opposed

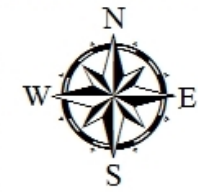
Board of Adjustment: January 14, 2020



BA-2020-01 AERIAL LOCATION MAP



Location Map



Legend

 BA-2020-01



BA-2020-01 ZONING MAP





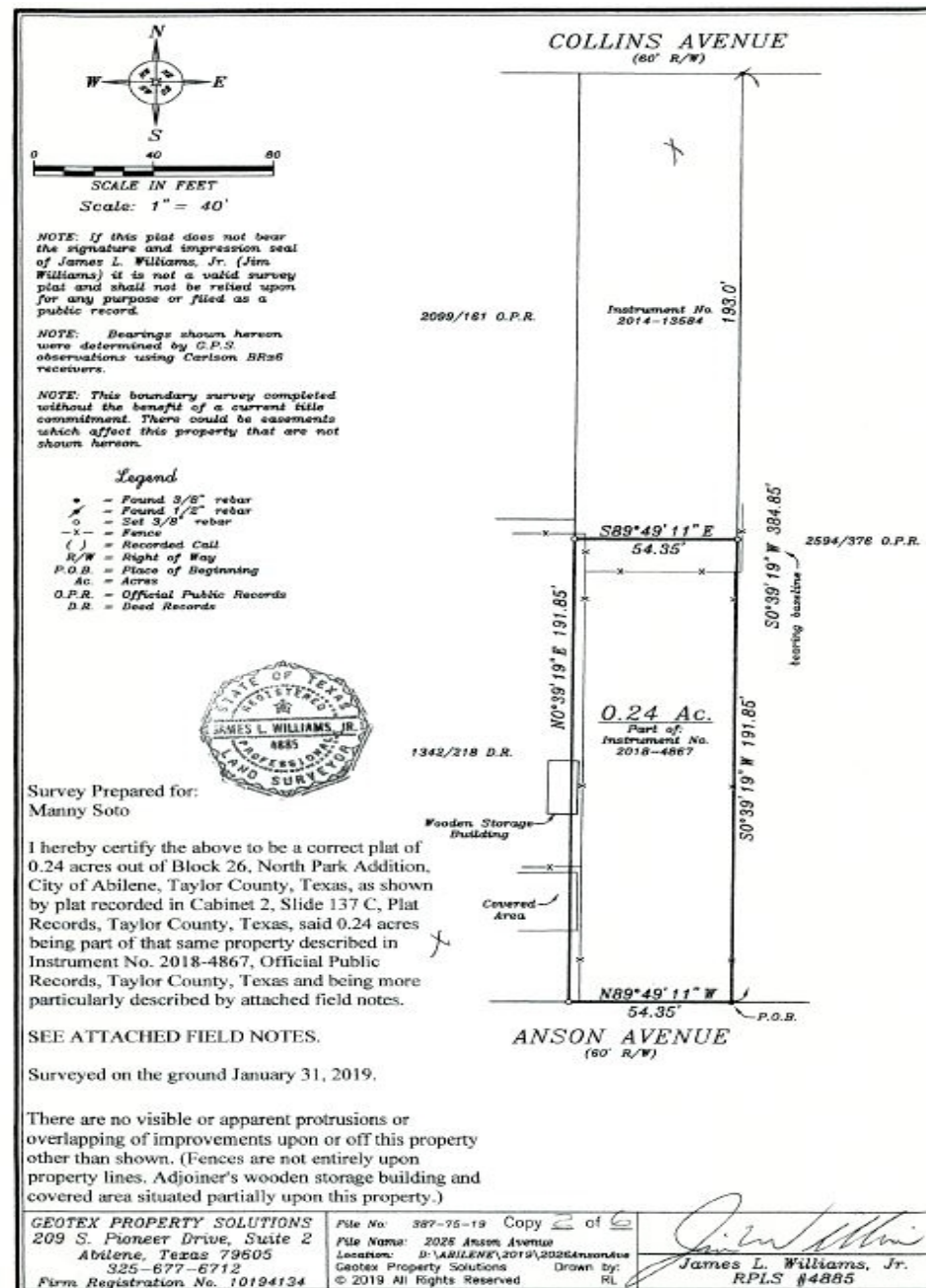
N.E.Z Map



Legend

- BA-2020-01
- Neighborhood
- Empowerment Zone





VIEW OF SUBJECT PROPERTY



VIEW OF SUBJECT PROPERTY



NIEGHBOR TO THE WEST



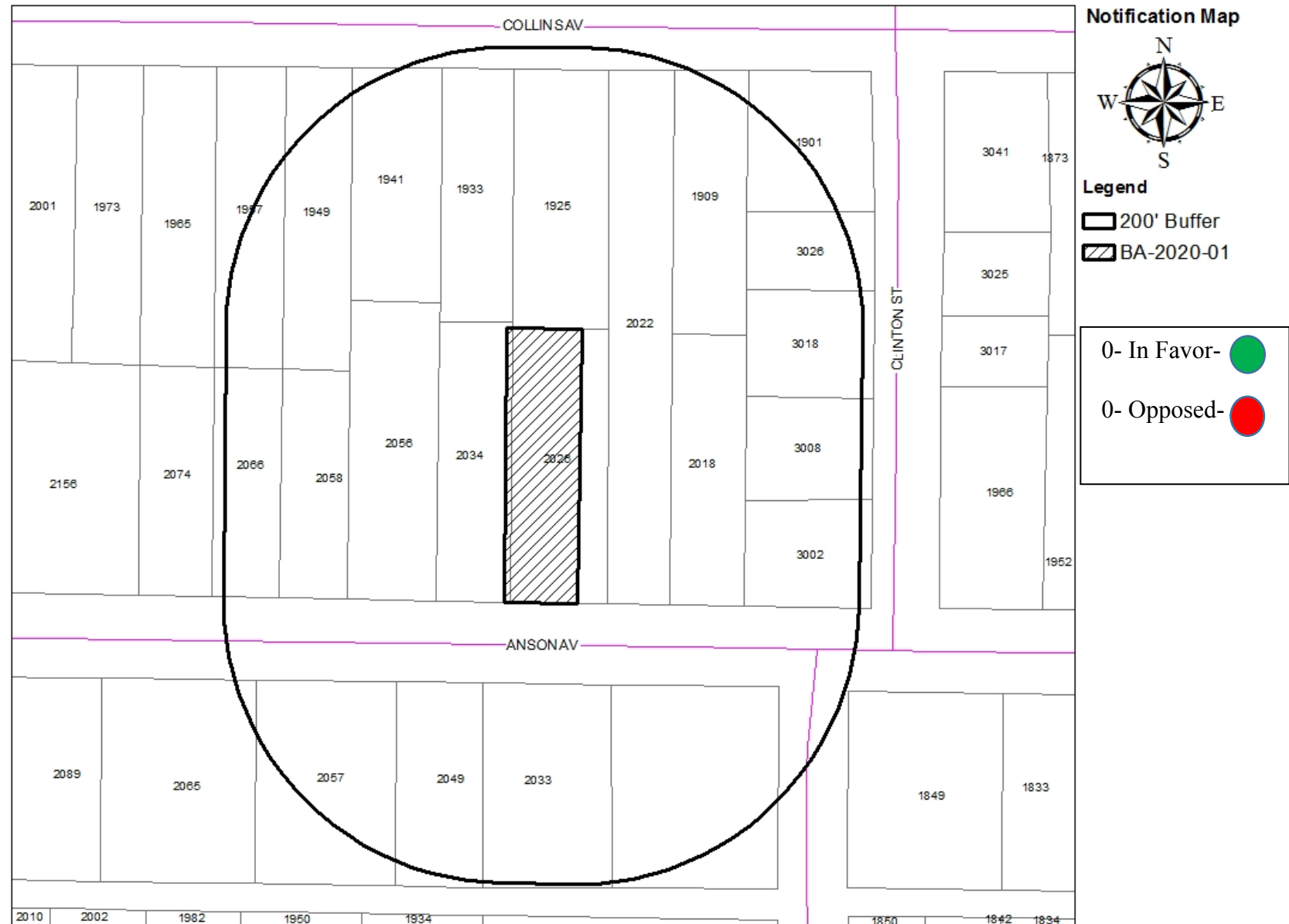
NIEGHBOR TO THE EAST



NIEGHBOR TO THE SOUTH



BA-2020-01 NOTIFICATION AREA MAP



- Reviewed Pursuant Development Standards of Land Development Code (Section 2.3.2.5)
- Reviewed Pursuant to Section 1.4.4.2 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval



Questions?



BA-2020-01

STAFF REPORT



REQUEST:

The applicant requests an approval of a 5.65 foot variance from minimum 60 foot lot width for Residential Single-Family District-6 (RS-6).

AGENT/OWNER:

Manuel Soto Jr.

HEARING DATE:

January 14, 2020

LOCATION:

2026 Anson Ave. Abilene, TX 79603

LEGAL DESCRIPTION:

North Park Addition of James, Block 26, Lot E69 W854 S193 11 AC TR

ZONING CLASSIFICATION:

This particular property is currently zoned as Residential Single-Family District 6 (RS-6)

BACKGROUND:

Since 1974, the City of Abilene's Zoning Ordinance has required Residential Single-Family District 6 (RS-6) lots to have a minimum lot width of 60 feet and a minimum lot depth of 100 feet. Prior to 1974, when much of the North Park Addition was developed, Residential Single-Family District 6 (RS-6) lots were only required to have lot widths of 50 feet and lot depth of 100 feet. A majority of the lots that surround 2026 Anson Ave. have similar lot dimensions measuring from 50 feet to 60 feet in width. This lot is currently non-conforming and has not previously been platted.

PROPOSAL AND REQUESTED ACTION:

The applicant is seeking to construct a single family residence at 2026 Anson Ave. and must obtain variance approval from the Board of Adjustment before platting process and site development/construction.

DEVELOPMENT STANDARDS:

Land Development Code Table 2-2: Site Layout and Building Requirements for Residential Zoning Districts

This table stipulates that in Residential Single-Family District 6 (RS-6) zoning, a minimum lot width of 60 feet is required.

APPLICATION REVIEW:

Criteria for Approval 1.4.4.2 (d): A variance is used to modify the application of the Land Development Code [Chapters 2 and 4] as it applies to a specific piece of property. 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 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.**

Finding: City staff finds that several lots to the east and west have similar lot widths and that this lot is merely a remnant between two existing and developed lots. Without a variance, this lot remnant could not be developed and would remain as an unusable lot.

- 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.**

Finding: Granting this variance request will not be contrary to public interest. Approving this variance could help encourage new development and/or construction on adjacent vacant lots and destruction of dilapidated buildings.

	Zoning	Existing Land Use
North	RS-6	single-family residence
South	RS-6	single-family residence
East	RS-6	single-family residence
West	RS-6	single-family residence

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

Finding: Granting the variance promotes the development of an otherwise unusable tract of land and could encourage future development of similar constrained lots. For several decades, RS-6 lots had minimum lot widths of 50 feet which suggests that residences constructed today could fit on such lots without overcrowding neighborhoods.

STAFF RECOMMENDATION: Staff recommends approval as this tract of land has been undeveloped for some time and historical evidence suggest that a residence could be constructed on this vacant land without overcrowding the neighborhood. Additionally, this request is in support of the Neighborhood Empowerment Zone which was established to increase infill development of the City of Abilene for both commercial and residential.

NOTIFICATION: The Planning Services Division sent, with a certificate of mailing, a notice of this requested Special Exception to the applicant and to owners of all property within a 200-foot radius of this subject property:

Owner	Situs	Response
ALY ALY E & SAFAR FATMA M	2066 ANSON AV	
BROOKS LARRY D	2065 ANSON AV	
FLATT DANIEL R & DEBBIE L	2058 ANSON AV	
FLOREZ BRYSON	3026 CLINTON ST	
GONZALES VIRGINIA	1957 COLLINS AV	
GONZALES VIRGINIA	1949 COLLINS AV	
KELLY PEGGY	1901 COLLINS AV	
LIZARRARS GLORIA F SEARS ET AL	2049 ANSON AV	
LOPEZ JOSE HECTOR & MARIA D	1933 COLLINS AV	
LUNA JUAN & ELDA	1941 COLLINS AV	
MARTINEZ DAVID	2022 ANSON AV	
MARTINEZ DAVID	2018 ANSON AV	
OLVERA BEATRICE	3002 CLINTON ST	
ORTIZ JOVITA		
ORTIZ JOVITA	2033 ANSON AV	
PACHECO ELLIS	2056 ANSON AV	
PATTERSON DIANE CHRISTINE SEARS	2057 ANSON AV	
RODRIGUEZ ADOLFO	1925 COLLINS AV	
SERRANO JOSE L & CONSUELO	3008 CLINTON ST	
SERRANO JOSE L & CONSUELO	3018 CLINTON ST	
SOTO MANUEL JR	2026 ANSON AV	
TALIB FRANCES L	1909 COLLINS AV	
WAGGONER REBECCA JENNINGS	2034 ANSON AV	

ATTACHMENTS:

- Application
- Presentation



OWNER AND/OR AGENT AUTHORIZATION

Owner Name: Manuel Soto Jr.
Address: 1849 Anson Ave
City, State, Zip: Abilene, Texas 79603 Fax: _____
Phone: 325-280-2922 Email: _____
Agent Name: Manuel Soto Jr.
Address: 1849 Anson Ave
City, State, Zip: Abilene, Texas 79603 Fax: _____
Phone: 325-280-2922 Email: _____

"I am the property owner, and I certify that the information included in this application is true to the best of my knowledge.
(Name) Manuel Soto Jr. will act as my agent before the Board of Adjustment."

Witness my hand this day, of _____ 20 _____

☐ Special Exceptions ☒ Variance ☐ Appeal

What is the specific nature of the request?

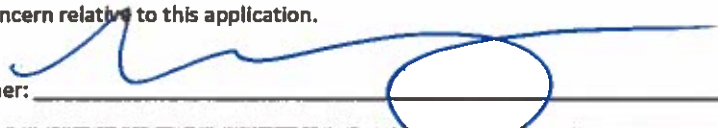
Review permit to build on said property. ~~at~~ Property
measures 54.35' wide x 191.85' L
5.65' Variance to minimum lot width

Project Address: 2026 Anson Ave No. of lots: _____ Acreage: _____

Legal Description (Use attachment if necessary): _____

Current Zoning: RS-6

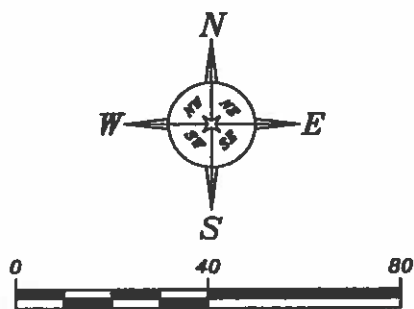
I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner:  Date: 11/20/19

FOR OFFICE USE ONLY

Received: _____ Fee: \$ _____ Receipt No.: _____

Case No.: _____ Reviewed By: _____



SCALE IN FEET

Scale: 1" = 40'

NOTE: If this plat does not bear the signature and impression seal of James L. Williams, Jr. (Jim Williams) it is not a valid survey plat and shall not be relied upon for any purpose or filed as a public record.

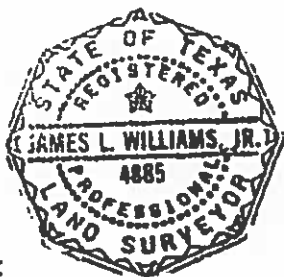
2099/161 O.P.R.

NOTE: Bearings shown hereon were determined by G.P.S. observations using Carlson BR28 receivers.

NOTE: This boundary survey completed without the benefit of a current title commitment. There could be easements which affect this property that are not shown hereon.

Legend

- = Found 3/8" rebar
- ⌘ = Found 1/2" rebar
- = Set 3/8" rebar
- x- = Fence
- () = Recorded Call
- R/W = Right of Way
- P.O.B. = Place of Beginning
- Ac. = Acres
- O.P.R. = Official Public Records
- D.R. = Deed Records



Survey Prepared for:
Manny Soto

I hereby certify the above to be a correct plat of 0.24 acres out of Block 26, North Park Addition, City of Abilene, Taylor County, Texas, as shown by plat recorded in Cabinet 2, Slide 137 C, Plat Records, Taylor County, Texas, said 0.24 acres being part of that same property described in Instrument No. 2018-4867, Official Public Records, Taylor County, Texas and being more particularly described by attached field notes.

SEE ATTACHED FIELD NOTES.

Surveyed on the ground January 31, 2019.

There are no visible or apparent protrusions or overlapping of improvements upon or off this property other than shown. (Fences are not entirely upon property lines. Adjoiner's wooden storage building and covered area situated partially upon this property.)

GEOTEX PROPERTY SOLUTIONS
209 S. Pioneer Drive, Suite 2
Abilene, Texas 79605
325-677-6712
Firm Registration No. 10194134

File No: 387-75-19 Copy 2 of 6
File Name: 2026 Anson Avenue
Location: D:\ABILENE\2019\2026AnsonAve
Geotex Property Solutions
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Drawn by:
RL

James L. Williams, Jr.
RPLS #4885

COLLINS AVENUE

(60' R/W)

Instrument No.
2014-13584

193.0'

S89°49'11"E

54.35'

N0°39'19"E 191.85'

S0°39'19"W 384.85'

bearing baseline

2594/376 O.P.R.

0.24 Ac.

Part of:
Instrument No.
2018-4867

1342/218 D.R.

Wooden Storage
Building

Covered
Area

N89°49'11"W

54.35'

P.O.B.

ANSON AVENUE

(60' R/W)