



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 the 8th day of August, 2023, 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 Minutes from the Regular Meeting Held on July 11, 2023

AGENDA ITEMS

2. **BA-2023-03:** (1833 Jeanette Street) Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Christopher and Lajeana Blanchette represented by Angel Orozco for a special exception allowing a detached carport within the front setback to have a setback of 0 feet from the property line.

EXECUTIVE SESSION

The Board of Adjustments of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:
551.071 (Consultation with Attorney)

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 4th day of August, 2023, at 3:45 p.m.

Kaitlin Richardson, Deputy City
Secretary, TRMC



BOARD OF ADJUSTMENT REGULAR MEETING MINUTES
July 11, 2023 **8:30 a.m.**

BOARD OF ADJUSTMENT OF THE CITY OF ABILENE, TEXAS
CITY HALL COUNCIL CHAMBERS, 555 WALNUT STREET, ABILENE

Members Present: Mr. Scott Hay
Col. Morton Langholtz, Vice-Chairman
Mr. Robert Beermann
Ms. Shawnda Rixey
Mr. Bob Thomas, Alternate

Members Absent: Mr. Jon Loudermilk

Staff Present: Ms. Kelley Messer, First Assistant City Attorney
Mr. Tim Littlejohn, Director
Mr. Randy Anderson, Assistant Director
Ms. Clarissa Ivey, Planner I
Ms. Mason Teegardin

Others Present: Mr. Brian Hovey Mr. Donmark Nickson

CALL TO ORDER

Mr. Hay called the meeting to order at 8:31 a.m. and Mr. Randy Anderson recorded the minutes. A quorum of members was present, and the meeting proceeded.

MINUTES

Colonel Langholtz made the motion to approve the minutes from the regular meeting held on May 9, 2023. Mr. Beermann seconded the motion. The motion to **approve** the minutes prevailed by the following vote:

AYES: Langholtz, Beermann, Rixey, Thomas, Hay
NAYS: None

AGENDA ITEMS

BA-2023-05: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Brian Hovey for a Variance to allow for a 1.5-foot setback (5 feet required) for a carport.

Ms. Mason Teegardin presented this request. The lot has historically been undeveloped until recent construction of a medical office building. The owner is finishing out a building permit the new medical office. The subject property is zoned Heavy Commercial (HC). The owner proposes a double car carport along the northern property line to cover the two parking spaces for the doctors.

Mr. Hay opened the public hearing. Mr. Brian Hovey explained the applicant's proposal, saying that separating the parking spaces would detract from the overall design of the building. They are asking for a variance of 3-1/2 feet.

Property owners within a 200-foot radius of the property address were notified. There were no (0) responses received in favor, nor in opposition. Discussion was had to clarify that 22 feet was the correct distance from the back of curb, as shown on the site plan.

Chairman Hay asked Staff to clarify the discrepancy of the measurements. Ms. Teegardin explained that Staff used the measurements of the City GIS map, as opposed to the official field survey.

Mr. Beermann made the motion to approve this request as presented based upon the hardship being the actual zoning location and the difficulty of developing the property. Colonel Langholtz seconded the motion.

Mr. Beermann withdrew his motion to clarify in the motion.

Mr. Beermann made the motion to table the item until the next meeting to clarify the dimension measurements.

Mr. Hay reopened the public hearing. Mr. Hovey expressed his confusion by the discrepancies of measurements.

Mr. Anderson stated that Staff was in error by using a computer generated, rather than the sealed survey of the property by a registered land surveyor, which is the most accurate word on measurements. He recommended the vote be based upon the measurements provided on the survey and to take action on the item as presented. The posted request on the agenda is correct and the only variance to consider is for the 1-1/2' variance.

Mr. Beermann made the motion to **approve** a variance to allow the 1-1/2' setback from the 5' requirement and the previous comments regarding the hardship are included. The motion to approve prevailed by the following vote:

AYES: Langholtz, Beermann, Rixey, Thomas, Hay

NAYS: None

BA-2023-06: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Rick and Angela Willis for a 4-foot 10-inch variance from the minimum 7.5-foot side setback on a residential property.

Mr. Adam Holland presented this request. The subject property is currently zoned PDD-4 with a base zoning of RS-8. The owner intends to enclose the existing carport on the east side of the house to create a garage. By enclosing the existing open-sided carport, the carport becomes part of the principal building, and is subject to the 7.5-foot side yard setback requirement.

Mr. Hay opened the public hearing. Mr. Donmark Nickson with Luther Construction spoke to represent Rick and Angelo Willis. He was able to respond to the questions asked by the Board. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius of the property address were notified. Four (4) responses were received in favor with none (0) received in opposition.

Colonel Langholtz made the motion to **approve** this request as based upon the staff report and discussions. Mr. Thomas seconded the motion. The motion to approve prevailed by the following vote:

AYES: Langholtz, Beermann, Rixey, Thomas, Hay

NAYS: None

ADJOURNMENT

There being no further business, the Board of Adjustment meeting was adjourned at 9:31 a.m.

Approved: _____, Chairman Scott Hay
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BOARD OF ADJUSTMENT

BA-2023-03

STAFF REPORT



Scheduled Hearings

Board of Adjustment: August 8, 2023

Applicant

Owner: Christopher and Lajeana Blanchette

Agent: Angel Orozco

Case Manager: Clarissa Ivey

Request

Special Exception pursuant to LDC 1.4.4.1(d)(12) to allow a detached carport within the front setback to extend to the property line.

Location

1833 Jeanette Street

Background

This property sits within an established residential neighborhood.

Zoning, Existing and Proposed Land Use

The subject property is zoned Residential Single-Family (RS-6). The owner proposes to construct a detached carport over the existing driveway to cover a large vehicle and trailer.

Land Development Code Provisions

The parkway width along Jeanette Street is 12'. Per LDC Section 2.4.4.2, carports may extend no closer than 5 feet from any lot boundary adjacent to a public or private street as long as the leading edge is separated at least 15 feet from the street curb and the carport or patio cover is attached or abutting the principal residence, in addition to other requirements found in 2.4.4.2(f). The proposed carport is not attached to the main structure, and therefore the 25 foot building setback applies instead of the 5-foot setback. The applicant requests a 0' setback from the property line.

Site Constraints

There are no site constraints.

Reasonable Alternatives

The carport can be placed in the backyard or moved closer to the residence and reduced slightly in size.

Precedents/Findings

The owner to the immediate north and south were granted variances to allow for the construction of carports that are 15 feet from the street curb.

Criteria Assessment

A Special Exception can only be granted when special circumstances are present to justify the expansion of a nonconforming building. In reaching a decision on a Special Exception request, the Board shall determine and make written findings that all of the following conditions are present:

- 1. Will be wholly compatible with the use and permitted development of adjacent property, either as filed or subject to such requirements as the Board finds to be necessary to protect and maintain the stability of adjacent properties.**

The proposed carport is not consistent with the carports on properties to the north and south. The proposed carport will be 2-feet away from the principal structure and at the property line. If the carport was attached to the residence, such adjustment would be more compatible with the surrounding carports and would create slightly more separation from the back of curb.

- 2. Will place no undue burden on public facilities. Public facilities to be considered shall include, but are not limited to, streets and alleys, water and sewer utilities, schools and parks.**

The granting of the special exception will not place a burden on public facilities.

- 3. That approval of the Special Exception is clearly in harmony with the general purposes and intent of this Ordinance and, furthermore, provides for substantial justice.**

The LDC intends for carports to be attached or abutting (less than 6-inches) to the principal structure when carports are extended towards a street. Granting the special exception will create a precedent for accessory structures to be allowed within the front yard setback in residential neighborhoods.

NOTIFICATIONS

Legend:
O- Opposed
F- In Favor

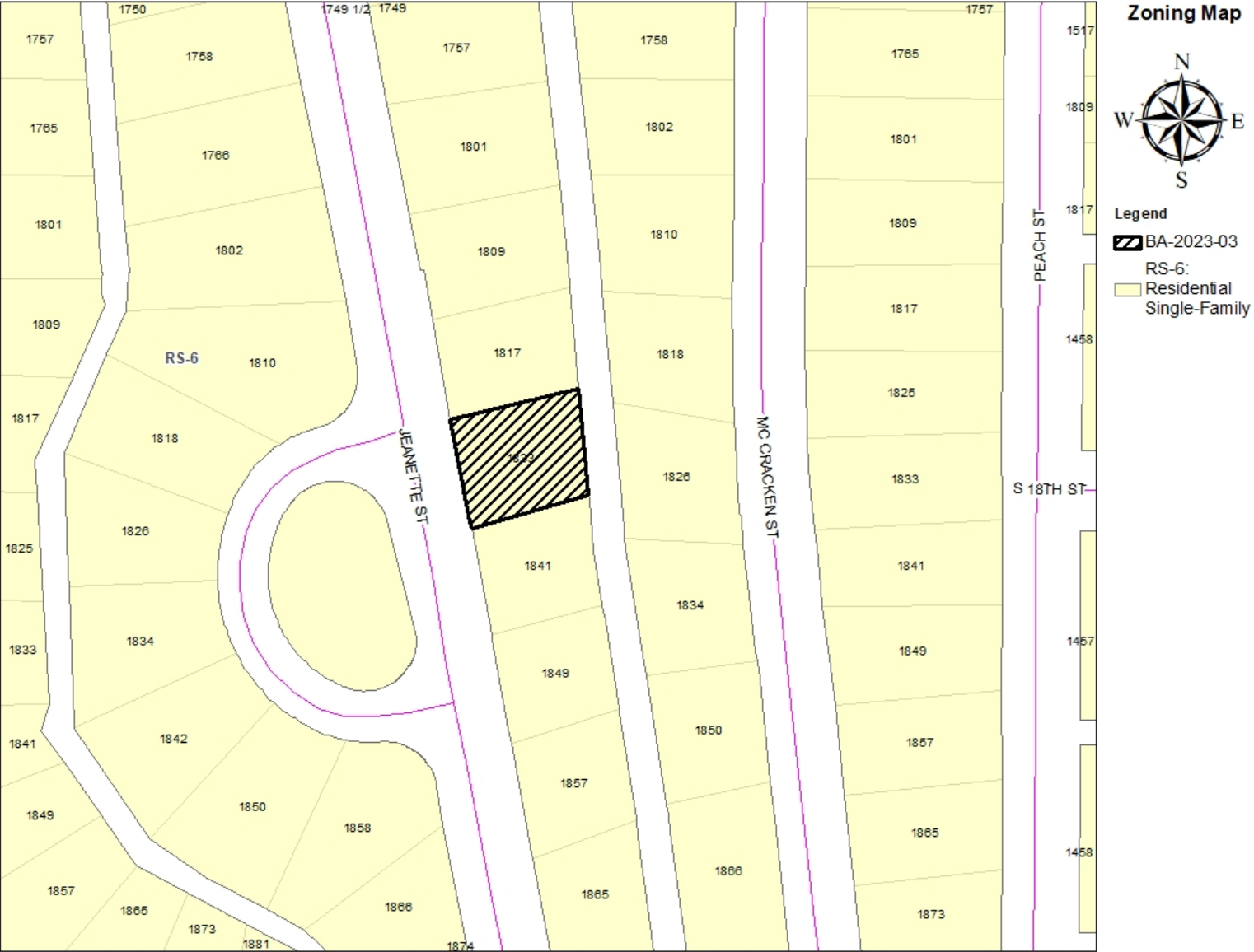
Owner	Property ID	Situs	Response
DIAZ EUNICE R	58528	1809 MC CRACKEN ST	
STOVALL STEVEN B & W JUANITA	58656	1817 MC CRACKEN ST	
SPENCER DREW	58803	1825 MC CRACKEN ST	
WOODARD BOBBY J & MENDY	58949	1833 MC CRACKEN ST	
CASTLEBERRY ROBERT SEAN	59091	1841 MC CRACKEN ST	
PARTAIN SUSAN D WRISTEN	59258	1849 MC CRACKEN ST	
STRICKLAND JERAMIE S	59800	1850 MC CRACKEN ST	
ARMSTRONG JEROLD R & DORIS J	60216	1857 JEANETTE ST	
DUMIS KAMI DANIELLE	60361	1849 JEANETTE ST	
FEDERAL NATIONAL MORTGAGE ASSOCIATION	61576	1802 MC CRACKEN ST	
CORRAL JOSE E	61709	1810 MC CRACKEN ST	
WASHBURN RUSTY & KAYLA	61844	1818 MC CRACKEN ST	
TWISTED MESQUITE PROPERTY	61969	1826 MC CRACKEN ST	
NEAL ETHEY ROSE	62092	1834 MC CRACKEN ST	
RYAN GUADALUPE SUAREZ	62229	1841 JEANETTE ST	
BLANCHETTE CHRISTOPHER & LAJEANA E	62353	1833 JEANETTE ST	
ESPINOZA ADRIAN C JR	62491	1817 JEANETTE ST	
LEE BRIANNA	62616	1809 JEANETTE ST	
SLABAUGH ROBERT P	62742	1801 JEANETTE ST	
MORALES CLEMENTE JR &	64927	1766 JEANETTE ST	
DALRYMPLE ALEX	65053	1802 JEANETTE ST	
HOTHAN EASTER B	65179	1810 JEANETTE ST	
BROWNING ROCKIE & CATRENA	65298	1818 JEANETTE ST	
COLEN TREVA ANN	65428	1826 JEANETTE ST	
NOKSHIQI SHKEIQIM	65677	1842 JEANETTE ST	
SMITH BETHLYN E	65800	1850 JEANETTE ST	
SPAUNHORST WILLIAM F	65925	1858 JEANETTE ST	
GOMEZ EDDIE	1057565	1834 JEANETTE ST	

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LOCATION MAP



ZONING MAP



Case: BA-2023-03

Owner: Christopher and Lajeana Blanchette

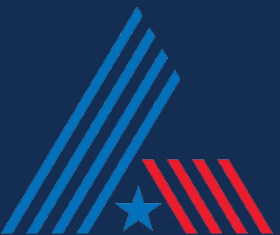
Agent: Angel Orozco

Request: *Special Exception pursuant to LDC 1.4.4.1(d)(12) to allow a detached carport within the front setback to extend to the property line.*

Location: 1833 Jeanette Street

Notification: 0 in Favor, 0 Opposed

Board of Adjustment: August 8, 2023



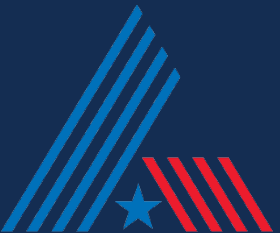
BA-2023-03 AERIAL LOCATION MAP



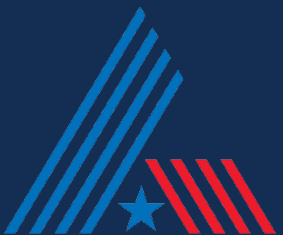
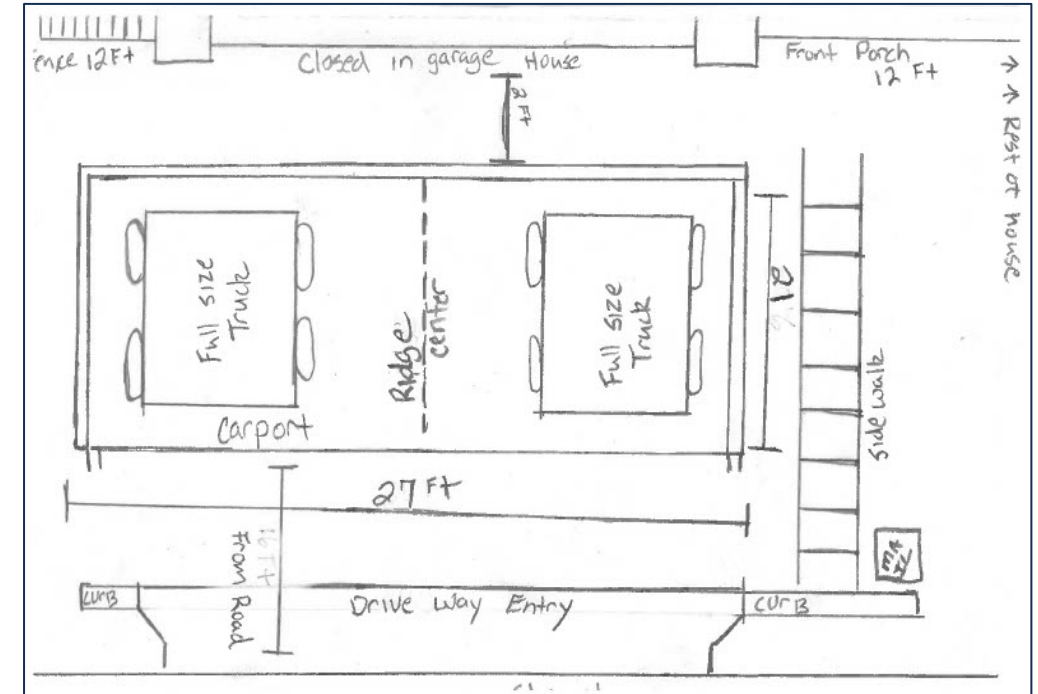
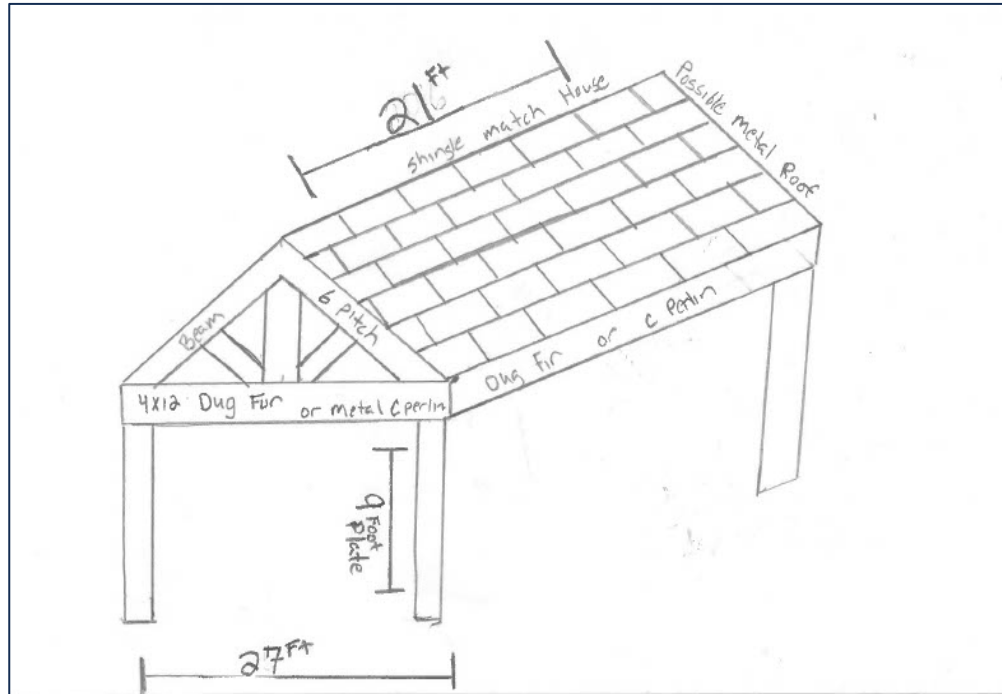
BA-2023-03 ZONING MAP



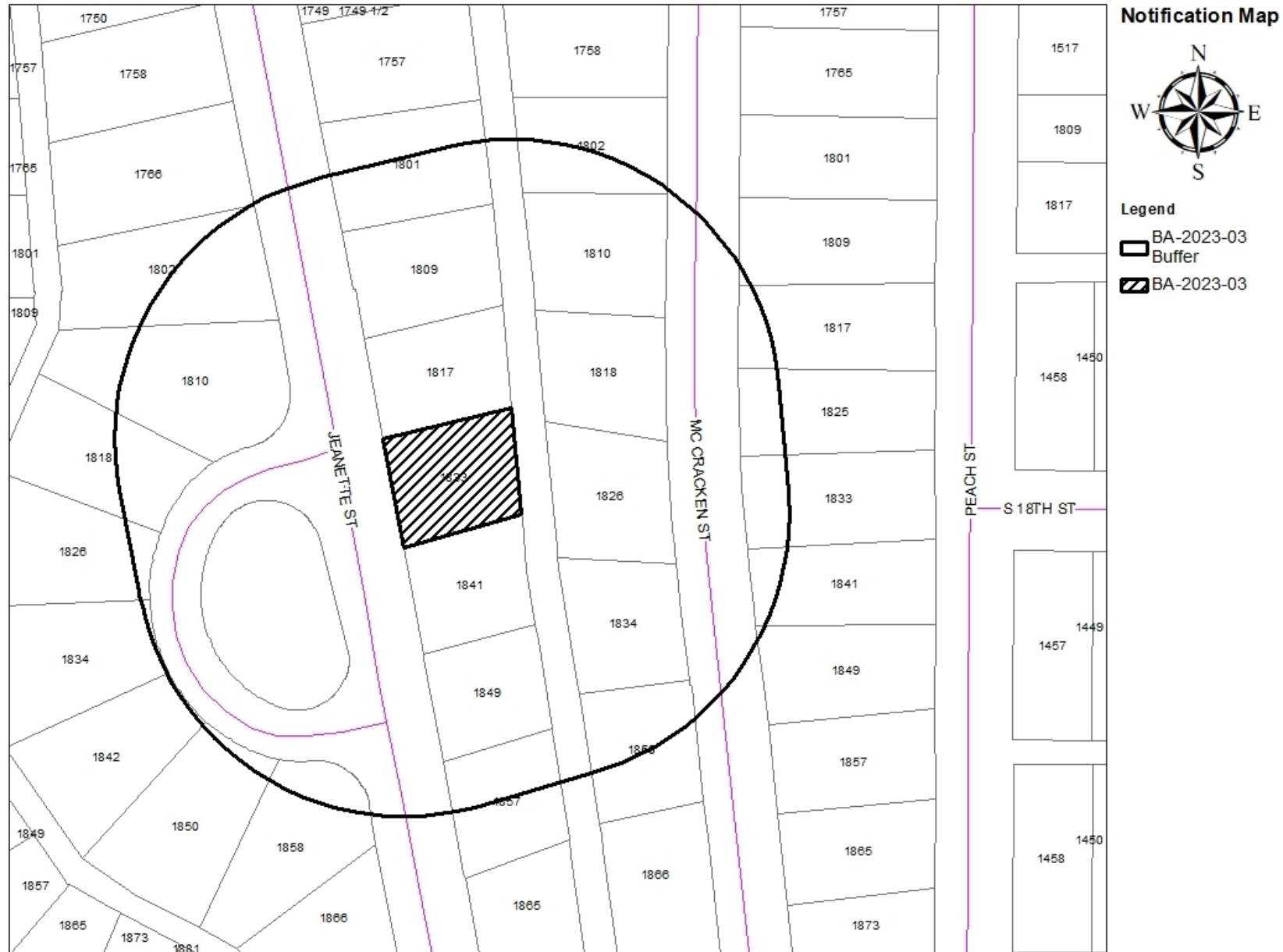
BA-2023-03 VIEWS OF SUBJECT PROPERTY



BA-2023-03 Proposed Site Plan



BA-2023-03 NOTIFICATION AREA MAP



Reviewed Pursuant to Section 1.4.4.1 (d) of Land Development Code (Criteria for Approval of Special Exception)

Will be wholly compatible with the use and permitted development of adjacent property, either as filed or subject to such requirements as the Board finds to be necessary to protect and maintain the stability of adjacent properties.

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Questions?

