



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 November 14, 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 August 8, 2023.

AGENDA ITEMS

2. **BA-2023-09:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Wes Brooks for a special exception located at **7102 Sable Circle** allowing a detached accessory structure within the front setback and a variance to allow the accessory structure to extend to the property line. **(Clarissa Ivey)**

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 9th day of November, 2023, at 12:00 p.m.

Shawna Atkinson, City Secretary



BOARD OF ADJUSTMENT REGULAR MEETING MINUTES
August 8, 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. Jon Loudermilk
 Mr. Robert Beermann
 Ms. Shawnda Rixey
 Mr. Bob Thomas, Alternate
 Ms. Joy Ellinger, Alternate

Members Absent: Mr. Scott Hay
 Col. Morton Langholtz, Vice-Chairman

Staff Present: Mr. Stanley Smith, City Attorney
 Mr. Tim Littlejohn, Director
 Mr. Randy Anderson, Assistant Director
 Ms. Clarissa Ivey, Planner I
 Ms. Kiley Hannah, Planner I
 Ms. Kera Valois, Planning Technician
 Ms. Melissa Farr, Executive Assistant

Others Present: Mr. Angel Orozco Mr. Chris Blanchette

CALL TO ORDER

Mr. Loudermilk called the meeting to order at 8:31 a.m. and Ms. Melissa Farr recorded the minutes. A quorum was present, and the meeting proceeded.

MINUTES

Mr. Beermann made the motion to approve the minutes from the regular meeting held on July 11, 2023. Mr. Thomas seconded the motion. The motion to **approve** the minutes prevailed by the following vote:

AYES: Ellinger, Rixey, Beermann, Thomas, Loudermilk
NAYS: None

AGENDA ITEMS

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.

Ms. Clarissa Ivey presented this request for a special exception. The subject property sits within an established residential neighborhood, and 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.

Mr. Loudermilk opened the public hearing. Mr. Chris Blanchette spoke in favor of this request. He stated there is no room in the alley for him to turn his vehicles, if he constructs the carport in the backyard. 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. There were no (0) responses received in favor, nor in opposition.

Ms. Ellinger made the motion to **approve** this request as presented. Ms. Rixey seconded the motion. The motion to **approve the special exception** prevailed by the following vote:

AYES: Ellinger, Rixey, Beermann, Thomas, Loudermilk

NAYS: None

ADJOURNMENT

There being no further business, the Board of Adjustment meeting was adjourned at 8:46 a.m.

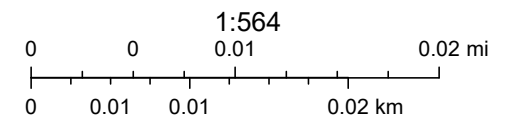
Approved: _____, Acting Chairman Jon Loudermilk
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ArcGIS Web Map



10/26/2023, 4:10:17 PM

— Road Centerlines • Address Points □ Courier Parcels ZoningSetbacks



City of Abilene, Taylor County , Texas Parks & Wildlife, Esri, HERE, Garmin,
INCREMENT P, USGS, EPA, USDA

ArcGIS Web AppBuilder

City of Abilene, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Page 5 of 20

BOARD OF ADJUSTMENT

BA-2023-09

STAFF REPORT



Scheduled Hearings

Board of Adjustment: November 14, 2023

Applicant

Owner: Wes Brooks

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

7102 Sable Circle

Background

This property sits within an established residential neighborhood.

Zoning, Existing and Proposed Land Use

The subject property is zoned Residential Single-Family (RS-8).

Land Development Code Provisions

The parkway width along Sable Circle is 10'. Per LDC Section 2.4.4.2, carports may extend no closer than 5 feet from any lot line adjacent to a public or private street if:

1. The leading edge is separated by at least 15 feet from the street curb;
2. The carport or patio cover is attached or abutting the principal residence; and
3. Compliant with all other requirements of Section 2.4.4.2(f).

The proposed carport is not attached to the main structure. As a result, 15-foot building setback would apply instead of a 5-foot setback. The applicant requests a 0' setback from the property line and wishes to encroach into the right-of-way an additional four feet. If the requested Special Exception is approved, in order to build in the right-of-way, the applicant would need to request an Extended Street Use Permit (ESP) with the Land Office for the proposed 4-foot right-of-way encroachment. The ESP would require City Council approval.

Site Constraints

The lot's frontage is considerably larger than the other boundary lines. Both the front and side of the home face the lot's frontage. A significant amount of frontage on Sable Circle is curved.

Reasonable Alternatives

The carport can be reduced in size and attached to the home to meet all requirements. A one car carport would be well behind setback and would only require the Special Exception to allow a detached carport in the front setback.

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 a use we see in most residential properties. However, it appears that a carport within the front setback would not be compatible with this established neighborhood. The adjacent properties do not have any carports visible from the public right-of-way.

- 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 place a burden on public facilities. The applicant will need to get approved for an Extended Street Use Permit, because 4 feet of the proposed carport will be built on the right-of-way.

- 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
TILLSON KYLE LEE & MIRANDA PAIGE	1003621	6734 SUMMERWOOD TR	
PHARRIS TOM & MICA	970074	7101 SABLE CR	
BLAIR GREGORY W & JANICE L	62787	5073 HOLLY WY	
ROSE BARRY P & KELLY L A	970076	7117 SABLE CR	
JOHNSON LOLA	1080487	4918 CRYSTAL CREEK	
COWLING FAMILY MGT CO LLC	970078	7133 SABLE CR	
FALADE OLUGBENGA	1003619	6909 TRADITION DR	
YATES ROY L	970069	4934 CRYSTAL CREEK	
BROOKS WESLEY ALAN & MARY FRANCES	970082	7102 SABLE CR	
FARBER DOUGLAS S	65089	6549 TODD RUN	
CITY OF ABILENE	970133		
MCALLISTER KEVIN LANE	1003620	6917 TRADITION DR	
HOOD JEFFREY W & STEPHANIE L	104969	5142 CRYSTAL CREEK	
HOPE ANDREW S & MARGARET C	62921	5065 HOLLY WY	
OWENS JARRETT J &	104976	5002 CRYSTAL CREEK	
DAVILA JOSE CARLOS PAGAN &	970077	7125 SABLE CR	
DANIELS DONNIE R & MELISSA C	64965	6541 TODD RUN	
BAILS ROBERT W	104970	5134 CRYSTAL CREEK	
FOSTER BUDDY G & CHRISTINE	970075	7109 SABLE CR	
FIKE MICHAEL D & JOLIENE K	970079	7134 SABLE CR	
ORNER MARC	970080	7126 SABLE CR	
NGUYEN HAI CONG &	970070	4926 CRYSTAL CREEK	
CAMPBELL EARNEST CRAIG &	104971	5126 CRYSTAL CREEK	
BROWN NATHANAEL L & ADINA J	970072	4910 CRYSTAL CREEK	
MORENO ALEXANDER M &	970081	7118 SABLE CR	

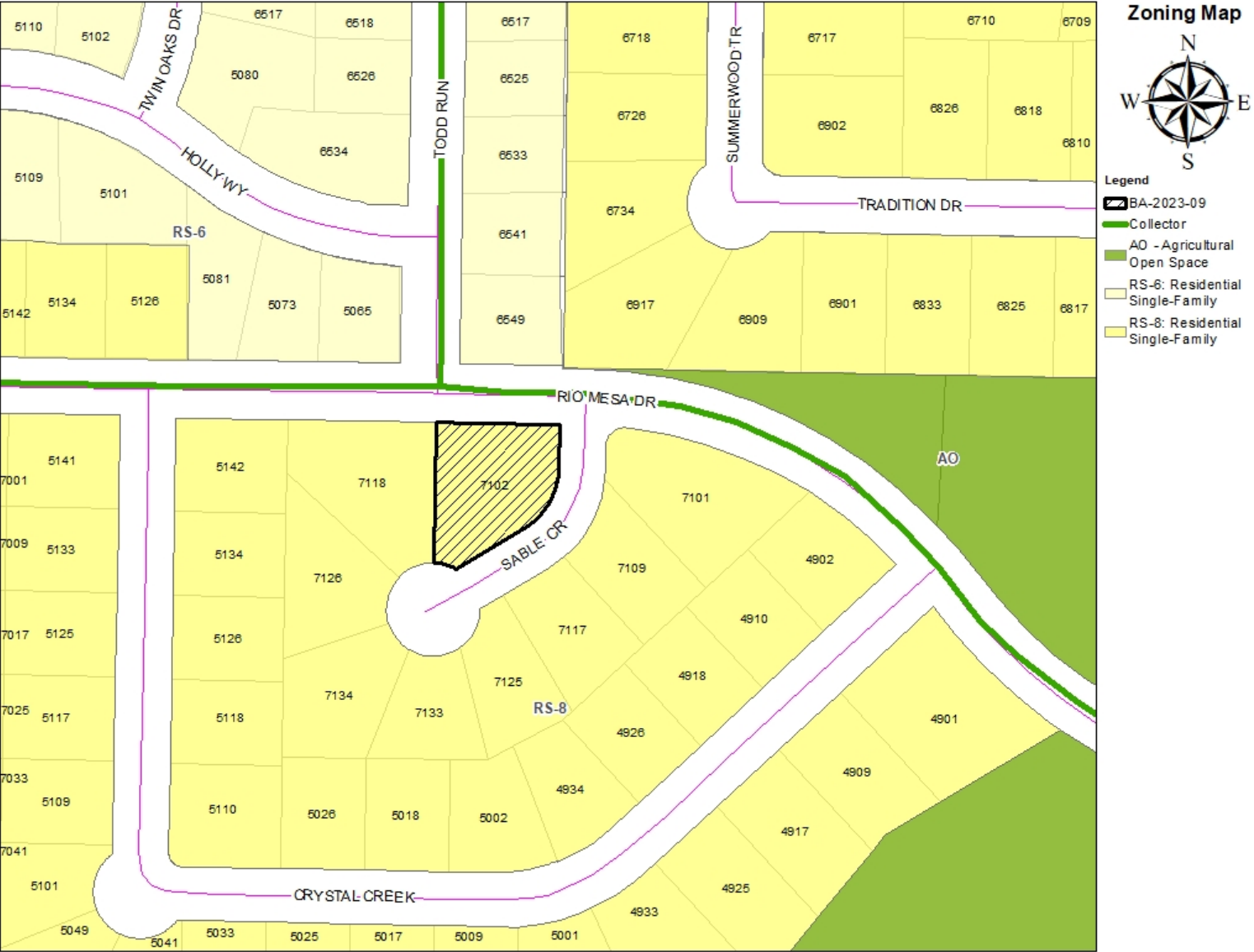
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LOCATION MAP



Legend
 BA-2023-09
 CourierParcels

ZONING MAP



Case: BA-2023-09

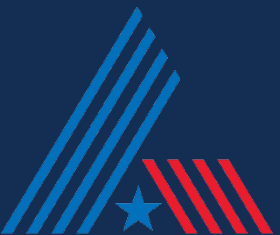
Owner: Wes Brooks

Request: Special Exception pursuant to LDC Section
1.4.4.1(d)(12) to allow a detached carport with a 0-
foot front setback

Location: 7102 Sable Circle

Notification: 0 in Favor, 0 Opposed

BOA Action: November 14, 2023



BA-2023-09 AERIAL LOCATION MAP



BA-2023-09 ZONING MAP



BA-2023-09 VIEWS OF SUBJECT PROPERTY



Subject Property



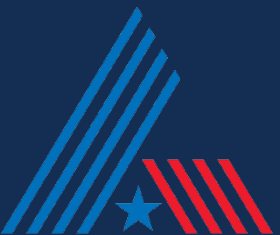
Southeast Neighboring Property



South Neighboring Property



West Neighboring Property



BA-2023-09 PROPOSED CARPORT LOCATION



BA-2023-09 Proposed Site Plan

ArcGIS Web Map



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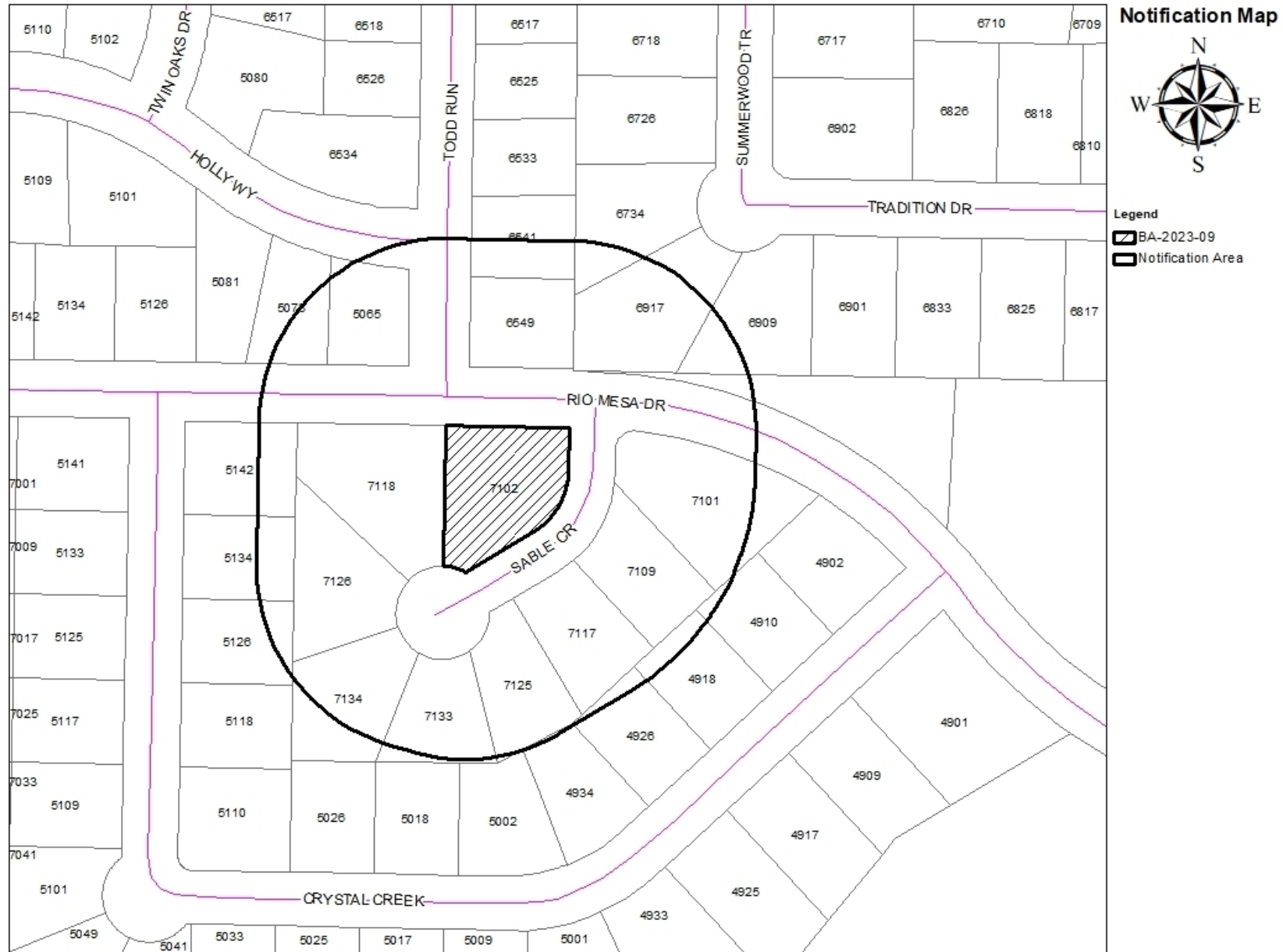
— Road Centerlines ● Address Points Current Courier Parcels ZoningSetbacks

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City of Abilene, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, ERA, USDA

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City of Abilene, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, ERA, USDA |

BA-2023-09 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.

The proposed carport is a use we see in most residential properties. However, it appears that a carport within the front setback would not be compatible with this established neighborhood. The adjacent properties do not have any carports visible from the public right-of-way.

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Questions?

