



BOARD OF ADJUSTMENT REGULAR MEETING MINUTES

October 8, 2024

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, Chair
Ms. Shawnda Rixey, Chair Pro Tem
Mr. Louis Zientek, Secretary
Ms. Melissa Sparks, Sergeant at Arms
Mr. John Havard, Alternate

Staff Present: Mr. Michael Rice, Assistant City Manager
Ms. Kelley Messer, First Assistant City Attorney
Mr. Randy Anderson, Assistant Director
Ms. Mason Teegardin, Planner II
Ms. Melissa Farr, Executive Assistant

CALL TO ORDER

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

MINUTES

The public hearing was opened. Seeing no one present and desiring to be heard, the public hearing was closed. Mr. Havard made the motion to approve the minutes from the regular meeting held on September 10, 2024. Ms. Rixey seconded the motion. The motion to **approve** the minutes prevailed by the following vote:

AYES: Zientek, Havard, Rixey, Sparks, Loudermilk

NAYS: None

AGENDA ITEMS

BA-2024-14: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a variance request by Erica Pangburn and John Gallagher. The subject property is located at 2042 South 8th Street, Abilene, Texas. The variance request is to allow for an accessory building to be re-built with a side yard setback of 2 feet, where 3 feet is required.

Ms. Mason Teegardin presented this request. The subject property is zoned Single Family Residential (RS-12), with an attributing Historic Overlay (H) designation. The residence and

accompanying accessory buildings were built in 1932, according to Taylor County Appraisal District. The applicant is requesting a variance to rebuild one of the accessory buildings in the same location where it currently exists. The existing accessory building is badly deteriorating and sits roughly 2' from the alley side property line. Staff located a building permit for a roof replacement on the main residence and both accessory buildings in 2020, no additional permits were located for this property.

Mr. Loudermilk opened the public hearing. Mr. John Gallagher stepped forward to speak about his request. Seeing no one else present and desiring to speak, the public hearing was closed.

Property owners within a 200-foot radius of the property address were notified. One (1) response was received in favor with none (0) in opposition.

Based on staff findings and Board discussion, Mr. Havard moved to **approve** the request for a variance. Mr. Zientek seconded the motion. The hardship suffered by the petitioner is the conflict with other requirements in the LDC designed to maintain the historic character of historic properties. The motion to **approve** prevailed by the following vote:

AYES: Zientek, Havard, Rixey, Sparks, Loudermilk
NAYS: None

BA-2024-15: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the following variance requests by Austin Butler for a garage addition located at 1273 Canterbury Drive, Abilene.

- (1) 4-foot 9-inch side yard setback, where 10 feet is required.
- (2) 14-foot 9-inch rear yard setback, where 30 feet is required.
- (3) Maximum lot coverage of 56.7%, where 40% is required.

Ms. Mason Teegardin presented this request. The subject property is zoned Single Family Residential (RS-12). The residence was built in 1981, according to Taylor County Appraisal District. The applicant is requesting multiple variances for a garage addition that includes a large patio area for and outdoor kitchen. According to building permit history, a pool was installed in 2022, and the previous existing garage was converted into a master suite in 2023. Because of the remodel, a garage is not located on this property.

Mr. Loudermilk opened the public hearing. Mr. Austin Butler stepped forward to explain the request. Seeing no one else present and desiring to speak, the public hearing was closed.

Property owners within a 200-foot radius of the property address were notified.

After reviewing Staff findings and discussion, Mr. Loudermilk moved to **approve two of the requests** (Maximum lot coverage of 56.7%, where 40% is required, and 4-foot 9-inch side yard setback, where 10 feet is required) based on the irregular shape of the lot, the stairs are required because of the existing structure of the house. Ms. Rixey seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Zientek, Havard, Rixey, Sparks, Loudermilk
NAYS: None

ADJOURNMENT

Mr. Loudermilk moved to adjourn the meeting. Mr. Havard seconded the motion. There being no further business, the Board of Adjustment meeting was adjourned at 9:37 a.m.

Approved: Lois Zientek, Chair
Secretary