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**BOARD OF ADJUSTMENT REGULAR MEETING MINUTES**  
**September 12, 2017** **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. Roger Huber, Secretary  
Mr. Mark Odle

**Member Absent:** Col. Morton Langholtz, Vice-Chairman

**Staff Present:** Mr. Taurus Freeman, Assistant Director  
Mr. Zack Rainbow, Planning Services Manager  
Mr. James Prescott, Planner  
Ms. Kelley Messer, First Assistant City Attorney  
Ms. Melissa Farr, Administrative Assistant

**Others Present:** Councilman Bruce Kreidler    Mr. Van L. Miller  
Mrs. Francine R. Miller    Mr. R. Stubblefield  
Mr. Tommy Roberts    Mr. Wade White  
Ms. Monica James    Mr. Roger Sashington  
Mr. Mike Dunnahoo    Mr. Tracy Gilliam  
Mr. Leland Nelson    Mr. Terry Wolfer  
Mr. Jason Hankins

**Item One: Call to Order**

Mr. Scott Hay called the meeting to order at 8:33 a.m. and declared a quorum present.

**Item Two: Approval of the Minutes**

Mr. Beerman made the motion to approve the minutes of previous meeting August 8, 2017 as presented, there being no deletions, no additions, and no corrections. Mr. Huber seconded the motion. The vote to approve minutes was carried by four with none in opposition.

**AYES: Huber, Odle, Beerman, and Hay**

**NAYS: None**

**Item Three: Agenda Items**

**BA-2017-15 (Tabled from 8-08-2017)**

A public hearing to consider a request from Mr. Miller (Homeowner) for a Special Exception to locate a carport in the front building setback in RS-6 (Residential Single-Family) zoning. Legal

description being QUAIL PARK SECTION 4, BLOCK G, LOT 34. Located at 15 Woodcock Circle.

**Mr. Huber made the motion to remove this request from the table. Mr. Beerman seconded the motion. The vote to remove this Special Exception from the table was carried by four with none in opposition.**

**AYES: Huber, Odle, Beerman, and Hay**

**NAYS: None**

Mr. Hay opened the public hearing and the Board heard from the following citizens:

Mr. Van Miller and Mrs. Francine Miller spoke in favor of this request.

There being no one else present and desiring to be heard the public hearing was closed.

Property owners within 200-feet of the request were notified. There was one (1) response received in favor and two (2) in opposition of the request.

**STAFF RECOMMENDATION:**

Staff recommends denial.

Board discussion included:

1. Concern of opposition
2. Clarification requested from city attorney regarding official responses and personal petition.

**Mr. Huber made the motion to deny this request. Mr. Beerman seconded the motion. The vote to deny this Special Exception was carried by four with none in opposition.**

**AYES: Huber, Odle, Beerman, and Hay**

**NAYS: None**

**b. BA-2017-30**

A public hearing to consider a request from Jason Hankins (Agent) for Jared Frazier (Owner) for a Special Exception to locate an Off-Site Advertising sign in an AO (Agricultural Open Space) zoning. Legal description being A1041 SUR 44 B A L NW/4, ACRES 9.843. Located at 4425 X East Stamford Street.

Mr. Hay opened the public hearing and the Board heard from the following citizen:

Mr. Jason Hankins spoke in favor of this request.

There being no one else present and desiring to be heard the public hearing was closed.

Property owners within 200-feet of the request were notified. Zero (0) responses were received in favor and none (0) in opposition of the request.

**STAFF RECOMMENDATION:**  
Staff recommends approval.

**Mr. Huber made the motion to approve this request. Mr. Beerman seconded the motion. The vote to approve this Special Exception was carried by four with none in opposition.**

**AYES: Huber, Odle, Beerman, and Hay**  
**NAYS: None**

**c. BA-2017-31**

A public hearing to consider a request from Michael Dixson (Agent) for Abilene Village, LLC (Owner) for a 5' variance to the required 25' required exterior side building setback in GC (General Commercial) zoning. Legal description being ABILENE VILLAGE, BLOCK A, LOT 5. Located at 3502 Curry Lane, 3500, 3550 S. Clack Street.

Mr. Hay opened the public hearing and the Board heard from the following citizen:

Mr. Leland Nelson spoke in favor of this request, saying the design of the building had to be changed in order to keep one of the proposed tenants.

There being no one else present and desiring to be heard the public hearing was closed.

Property owners within 200-feet of the request were notified. There was one (1) response received in favor and none (0) in opposition of the request.

**STAFF RECOMMENDATION:**  
Staff recommends denial.

**Mr. Odle made the motion to approve this request due to the specifics of the site and additional structures required, as well as the curvature of the public roadway. Mr. Huber seconded the motion. The vote to approve this Variance Request was carried by four with none in opposition.**

**AYES: Huber, Odle, Beerman, and Hay**  
**NAYS: None**

**d. BA-2017-32**

A public hearing to consider a request from Don Steele (Agent) for William C. III & Jana Sojourner (Homeowners) for an 8'3" variance request to the required 25' exterior side building setback in RS-12 (Residential Single-Family) zoning. Legal description being BAY SHORE ADD, BLOCK A, LOT LOTS 5 & 6. Located at 130 Castle Drive.

Mr. Hay opened the public hearing.

There being no one present and desiring to be heard the public hearing was closed.

Property owners within 200-feet of the request were notified. There were no (0) responses received in favor and one (1) in opposition of the request.

**STAFF RECOMMENDATION:**

Staff recommends denial.

**Mr. Beerman made the motion to table this request. Mr. Huber seconded the motion. The vote to table this Variance Request until the meeting scheduled for October was carried by four with none in opposition.**

**AYES: Huber, Odle, Beerman, and Hay**

**NAYS: None**

**e. BA-2017-33**

A public hearing to consider a request from Brian Storm (Agent) for HPD Real Estate (Owner) four (4) variance requests to reduce the street side setback from: (1) 15-foot variance to the 25-foot street side setback along S. 1st Street; (2) 12.5-foot variance to the 12.5-foot platted exterior side building setback along S. Clack Street; (3) six (6) - foot variance to the 12.5- platted exterior side building setback along Alameda Street; (4) 25-foot variance to the 25-foot platted rear building setback adjacent to the alley in HC (Heavy Commercial) zoning. Legal description being CHRYSLER MOTORS SUBDIVISION, BLOCK SUB #1, ACRES 3.647 and M A STAGGS SUBDIVISION, BLOCK A, LOT 2 PT OF LT 1. Located at 5101 S. 1st St. & 200 S. Clack St.

Mr. Hay opened the public hearing and the Board heard from the following citizens:

- Mr. Wade White – Request is time sensitive due to the dealership’s insurance requirements
- Mr. Mike Dunnahoo – Hardship of cost/increase in business insurance
- Councilman Bruce Kreitler spoke in favor of this request.

There being no one else present and desiring to be heard the public hearing was closed.

Property owners within 200-feet of the request were notified. There were three (3) responses received in favor and none (0) in opposition of the request.

**STAFF RECOMMENDATION:**

Staff recommends denial.

Board discussion included the precedence of this decision and how it may affect other dealerships in future requests.

**Mr. Beerman made the motion to table this request to a special called meeting due to posting error for this item. Mr. Odle seconded the motion. The vote to table this Variance Request until the special meeting scheduled within the next two weeks was carried by four with none in opposition.**

**AYES: Huber, Odle, Beerman, and Hay**

**NAYS: None**

**f. Executive Session**

1. 551.071 (Consultation with Attorney)

The public was dismissed and the Board participated in orientation and legal training at 9:38 a.m.

**g. Reconvene**

The Board reconvened at 11:13 a.m.

**Item Four: Adjourn**

**Colonel Langholtz moved to adjourn, and Mr. Beerman seconded the motion. There being no further business the Board of Adjustment meeting was adjourned at 11:18 a.m.**

Approved: , Chairman

