



BOARD OF ADJUSTMENT REGULAR MEETING MINUTES
September 13, 2022 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, Chairman
Col. Morton Langholtz, Vice-Chairman
Mr. Robert Beermann
Mr. Jon Loudermilk
Mr. Bob Thomas, Alternate

Staff Present: Mr. Michael Rice, Assistant City Manager
Ms. Kelley Messer, First Assistant City Attorney
Mr. Tim Littlejohn, Director of Planning and Development Services
Mr. Adam Holland, Planner I
Ms. Clarissa Ivey, Planner I
Ms. Melissa Farr, Executive Assistant

Others Present: Ms. Dianne Dulin Mr. Diehl Estes
Mr. Kelsey Williams

CALL TO ORDER

Mr. Hay called the meeting to order at 8:30 a.m. and Ms. Melissa Farr 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 July 12, 2022. Mr. Loudermilk seconded the motion. The motion to **approve** the minutes prevailed by the following vote:

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

AGENDA ITEMS

BA-2022-04 (Tabled): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request for an 8-foot variance from the minimum 60-foot lot width ordinarily required for RS-6 (Residential Single-family) Zoning districts.

Colonel Langholtz made the motion to remove this item from the table. Mr. Thomas seconded the motion. The motion prevailed by the following vote:

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

Ms. Clarissa Ivey announced the request had been pulled by the applicant.

BA-2022-06: Receive a Report and Hold a Discussion and Public Hearing on a Request from KeyCity Capital of a 10-foot Variance from the Minimum 60-foot Lot Width Ordinarily Required for MD (Medium Density) Zoning Districts.

Ms. Clarissa Ivey presented this request for a variance. The subject property is located at 1242 Pecan Street and within the Medium Density (MD) zoning district and is being used for single-family residential purposes. Properties to the south, west, and east are all zoned MD and are being used for single-family residential and duplexes purposes.

This property is a remainder of the W G Cannon Survey as indicated by neighboring lots and subdivisions. The single-family residence on this site was built in 1930. The City has required a minimum lot width of 50-feet since at least 1946 until 1974, when the standard was changed to a minimum width of 60-feet. The Board of Adjustment approved a variance (BA-2022-01) for the neighboring property at 1150 Grape Street to plat two (2) lots with a width of 50-feet.

Mr. Hay opened the public hearing. Mr. Kelsey Williams spoke in favor, representing the applicant. He clarified there was a prior variance granted for the adjoining lot. The applicant currently does not have plans to build on the vacant lot; however, the variance is required to approve the plat.

Property owners within a 200-foot radius of the property address were notified. There were no (0) responses received in favor, nor in opposition.

Colonel Langholtz made the motion to approve this request based upon the findings in the staff report. Mr. Loudermilk seconded the motion. The motion prevailed by the following vote:

AYES: Langholtz, Beermann, Loudermilk, Thomas, Hay

NAYS: None

BA-2022-07: Receive a Report and Hold a Discussion and Public Hearing on a Request from Blue Heritage Investments, LLC Represented by Geotex Property Solutions of a 20-foot Variance from the Minimum 60-foot Lot Width and 24-foot Variance from the Minimum 100-foot Lot Length Ordinarily Required for RS-6 (Residential Single-Family) Zoning Districts.

Ms. Clarissa Ivey presented this request for a variance. The applicant proposes to split the existing lot into two (2) lots to allow the accessory dwelling unit to be used as a second primary dwelling to facilitate a change in ownership. The desire of the applicant to divide and sell the ADU as noted creates the need for the requested variances.

Mr. Hay opened the public hearing. Mr. Kelsey Williams spoke in favor, representing the applicant. He confirmed that this property currently has a residence on it. The client is hoping to separate the two residences in order to sell them individually.

Property owners within a 200-foot radius of the property address were notified. There were no (0) responses received in favor, with one (1) in opposition.

Mr. Beermann made the motion to deny this request. Mr. Loudermilk seconded the motion. The motion prevailed by the following vote:

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

BA-2022-08: Receive a Report and Hold a Discussion and Public Hearing on a request from Paul Herrera of a 5-foot variance from the minimum 60-foot lot width ordinarily required for MD (Medium Density) Zoning districts.

Mr. Adam Holland presented this request for a variance. This property is a portion of a lot within the Watson & Russel Subdivision. It has remained vacant since annexation in 1895. The subject and surrounding properties are all zoned MD.

Mr. Hay opened the public hearing. Mr. Diehl Estes spoke in favor. He stated the owner has added the two partial lots together, and hopes to build a house to improve the neighborhood rather than leave it as a vacant lot.

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.

Mr. Beermann made the motion to approve this request. Colonel Lankford seconded the motion. The motion prevailed by the following vote:

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

BA-2022-09: Receive a Report and Hold a Discussion and Public Hearing on a request from Paul Herrera of a 10-foot variance from the minimum 60-foot lot width ordinarily required for MF (Multi-family) Zoning districts.

Mr. Adam Holland presented this request. The subject property is a portion of a lot within the Sunnyside Addition to the City of Abilene. It has remained vacant since annexation in 1985. The property is located within Medium Density (MD) zoning district. The land uses surrounding this site are used for single-family residential and duplex purposes surrounding this site, and all are zoned as MD.

Mr. Hay opened the public hearing. Mr. Diehl Estes spoke in favor. Ms. Dianne Dulin inquired about the effects this variance would have on her property. 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. One (1) response was received in favor, with none (0) in opposition.

Colonel Langholtz made the motion to approve this request. Mr. Loudermilk seconded the motion.

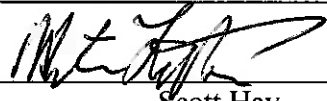
The motion prevailed by the following vote:

AYES: Langholtz, Beermann, Loudermilk, Thomas, Hay

NAYS: None

ADJOURNMENT

There being no further business, Colonel Langholtz moved to adjourn the meeting. Mr. Beermann seconded the motion. The Board of Adjustment meeting was adjourned at 9:21 a.m.

Approved:  _____, ^{Vice} Chairman Scott Hay
