



BOARD OF ADJUSTMENT REGULAR MEETING MINUTES

November 14, 2023

8:30 a.m.

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

Members Present: Col. Morton Langholtz, Vice-Chairman
Mr. Jon Loudermilk
Ms. Shawnda Rixey
Mr. Bob Thomas, Alternate
Mr. Chip Whitlock, Alternate

Members Absent: Mr. Robert Beermann
Ms. Joy Ellinger, Alternate

Staff Present: Ms. Kelley Messer, First Assistant City Attorney
Mr. Michael Rice, Assistant City Manager
Mr. Randy Anderson, Assistant Director
Ms. Clarissa Ivey, Planner I
Ms. Kera Valois, Planning Technician
Ms. Melissa Farr, Executive Assistant

Others Present: Mr. Wes Brooks

CALL TO ORDER

Colonel Langholtz 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. Loudermilk made the motion to approve the minutes from the regular meeting held on August 8 2023. Ms. Rixey seconded the motion. The motion to **approve** the minutes prevailed by the following vote:

AYES: Whitlock, Loudermilk, Rixey, Thomas, Langholtz

NAYS: None

AGENDA ITEMS

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.

Ms. Clarissa Ivey presented this request. The proposed carport is not attached to the main structure. As a result, a 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.

Colonel Langholtz opened the public hearing. Mr. Wes Brooks, applicant, stepped forward to provide additional details and respond to any questions. He has resided at this address since the house was built in 2004. A 24 X 24 concrete slab was added at that time for his children to use for a basketball goal.

The proposed carport would be a rectangular tubing design with sheets from Mueller, Inc. There will be no purlin, as purlin frames seem to attract birds. 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 one (1) in opposition.

Discussion among the Board revealed a common concern of creating a precedence for construction of carports, which are not attached or abutting to the principal structure. Conversation was had pertaining to the challenges of residing in a cul-de-sac; however, the granting of this request would place a burden on public facilities.

Based upon the criteria assessment, Mr. Loudermilk moved to **deny** this request for a special exception. Ms. Rixey seconded the motion. The motion prevailed by the following vote:

AYES: Whitlock, Loudermilk, Rixey, Langholtz

NAYS: Thomas

ADJOURNMENT

There being no further business, the Board of Adjustment meeting was adjourned at 9:04 a.m.

Approved:  Vice-Chairman
Colonel Morton Langholtz