



BOARD OF ADJUSTMENT REGULAR MEETING MINUTES
February 13, 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
 Ms. Shawnda Rixey
 Ms. Joy Ellinger
 Louis Zientek
 Melissa Sparks

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

Others Present: Mr. Morton Langholtz Mr. Sergio Vazquez
 Mr. Wilson Wallace Ms. Tammy Fogel

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. Loudermilk made the motion to approve the minutes from the regular meeting held on January 9, 2024. Ms. Ellinger seconded the motion. The motion to **approve** the minutes prevailed by the following vote:

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

AGENDA ITEMS

BA-2023-11: (Tabled) Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Sergio Vazquez for a Variance to allow for a 3-foot setback (7 feet required) for an accessory building that is 14 feet tall located at 1460 Tanglewood Road.

Mr. Loudermilk moved to remove this item from the table. Ms. Rixey seconded the motion. All members of the Board were in favor.

Ms. Mason Teegardin presented this request. This request was tabled on January 9, 2024 to give the applicant an opportunity to determine if the height of the subject accessory building could be reduced to lessen the setback requirement for the building. The applicant informed staff on January 23, 2024 that the variance request will not be amended.

The public hearing was opened. Mr. Vasquez stepped forward to speak. Mr. Wilson Wallace also spoke in favor. Seeing no one else present and desiring to be heard, the public hearing was closed.

Property owners within a 200-foot radius were notified of this request. Four (4) responses were received in favor, with one (1) in opposition.

Ms. Rixey moved to **approve this request based upon the conditions being present:**

- The hardship is partially created by the applicant; however, it improves the neighborhood and provides security.
- Granting the request would not be contrary to the public because the building is located within private property and does not impose in to the neighbor's property.
- It is consistent with Land Development Code.

Ms. Sparks seconded the motion. The motion to **approve** prevailed by the following vote:

AYES: Zientek, Ellinger, Rixey, Loudermilk, Sparks

NAYS: None

BA-2024-02: (Tabled) Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request from Jana Dover for a 1' variance from the 7' maximum fence height indicated in the LDC on the rear fence located at 2918 Arlington Avenue.

Mr. Loudermilk moved to remove this item from the table. Ms. Rixey seconded the motion. All members of the Board were in favor.

Ms. Kiley Hannah presented this request. The Board tabled this item on January 9, 2024 because the applicant was not present. When informed of that action by staff, the applicant requested to withdraw this item. The Board will need to remove this item from the table and recognize that the item is withdrawn.

Mr. Loudermilk moved to **withdraw this item from the agenda**. Mr. Zientek seconded the motion. All members of the Board were in favor.

ADJOURNMENT

There being no further business, the Board of Adjustment meeting was adjourned at 8:53 a.m.

Approved: Shale B, Chairman