



City of Abilene Board of Adjustment Agenda

Notice is hereby given of a meeting of the Board of Adjustment to be held on Tuesday, January 10, 2017 at 8:30 AM at 555 Walnut Street, 2nd Floor Council Chambers, for the purpose of considering the following agenda items.

1. Call to Order

2. Minutes

- a. Approval of minutes from December 13, 2016

3. Agenda Items:

a. **BA-2016-45 (tabled from 12-13-2016)**

A public hearing to consider a request from Robert and Hope Sandoval for a Special Exception to locate a carport in the front yard building setback in MD (Medium Density Residential) zoning. Legal description being O T ABILENE, BLOCK 83, LOT WEST 70 FEET OF LOTS 7 AND 8. Located at 1342 S. 5th Street.

b. **BA-2017-01**

A public hearing to consider a request from Robert P. Coffman for a 10' variance to the required 10' interior side building setback in RS12 (Residential Single-Family) zoning. Legal description being ELMWOOD WEST SOUTH EXTENSION, BLOCK 2, LOT 10. Located at 1385 S. Pioneer Drive.

4. Adjournment

NOTICE

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending Board of Adjustment meetings. To better serve you requests should be received forty-eight (48) hours prior to the meetings. Please contact Planning at 676-6237. Telecommunication device for the deaf is 676-6360.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 5 day of January, 2017, at o'clock (A.M.) (P.M.).

City Secretary



**Board of Adjustment
Agenda Memo**

Board of Adjustment Meeting Date: 1/10/2017

TO: Mr. Dana L. Schoening, Director/Planning and Development Services

FROM: Mr. Zack Rainbow, Planning Services Manager

**SUBJECT: BA-2016-45 (tabled from 12-13-2016)
A public hearing to consider a request from Robert and Hope Sandoval for a Special Exception to locate a carport in the front yard building setback in MD (Medium Density Residential) zoning. Legal description being O T ABILENE, BLOCK 83, LOT WEST 70 FEET OF LOTS 7 AND 8. Located at 1342 S. 5th Street.**

GENERAL INFORMATION

The applicant constructed a 21' x 18' front carport extending from the garage. The carport would be 3' from the side property line and 27' from the curb on S. 5th Street. The parkway width on S. 5th Street is 22'. The Board of Adjustment has the authority to grant a special exception for a front carport up to 5' from the front property line. Therefore, if the special exception is granted the carport must be a minimum of 27' from the face of the curb.

SPECIAL CONSIDERATIONS

THE FOLLOWING 3 CRITERIA MUST BE FOUND IN THE AFFIRMATIVE TO APPROVE THIS REQUEST:

1. THE PROPOSED USE IS COMPATIBLE WITH THE AREA:

There are no other front carports built extending into the front building setback located within the surrounding area. However, there are multiple buildings in the surrounding area that do extend to within as little as a few feet from the front property lines.

2. THERE WOULD BE NO SIGNIFICANT NEGATIVE EFFECT ON PUBLIC FACILITIES:

Staff anticipates no negative effects on public facilities from a carport at this location.

3. THE REQUEST IS IN HARMONY WITH THE INTENT OF THE REGULATIONS:

The intent of this regulation is to allow carports in front yards only in areas where such structures already exist. This provides for uniform and consistent development in areas with no front carports while providing an opportunity for property owners in areas with carports to make similar improvement to their properties. Since this proposed carport is in an area without any front carports, from a strict interpretation, the proposal is not consistent with the intent of the regulation.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Denial. From a strict interpretation, the request does not meet the criteria necessary to approve a special exception.

BOARD OR COMMISSION RECOMMENDATION

The Board of Adjustment will hear this request at their next meeting on January 10, 2017.

ATTACHMENTS:

Description	Type
▣ Staff Report	Backup Material

BA-2016-45
(Tabled from 12-13-2016)



OWNER: Robert and Hope Sandoval

AGENT: none

LOCATION: 1342 S. 5th St.

REQUEST: Special Exception to locate a carport in the front yard setback.

ZONING: Parcel: MD (Medium Density Residential) East: CB
North: MD West: MD
South: MD

LAND USES:

This property and many of the surrounding properties are developed with single and multiple-family homes. The properties to the east are developed with commercial uses located in the Central Business zoning district.

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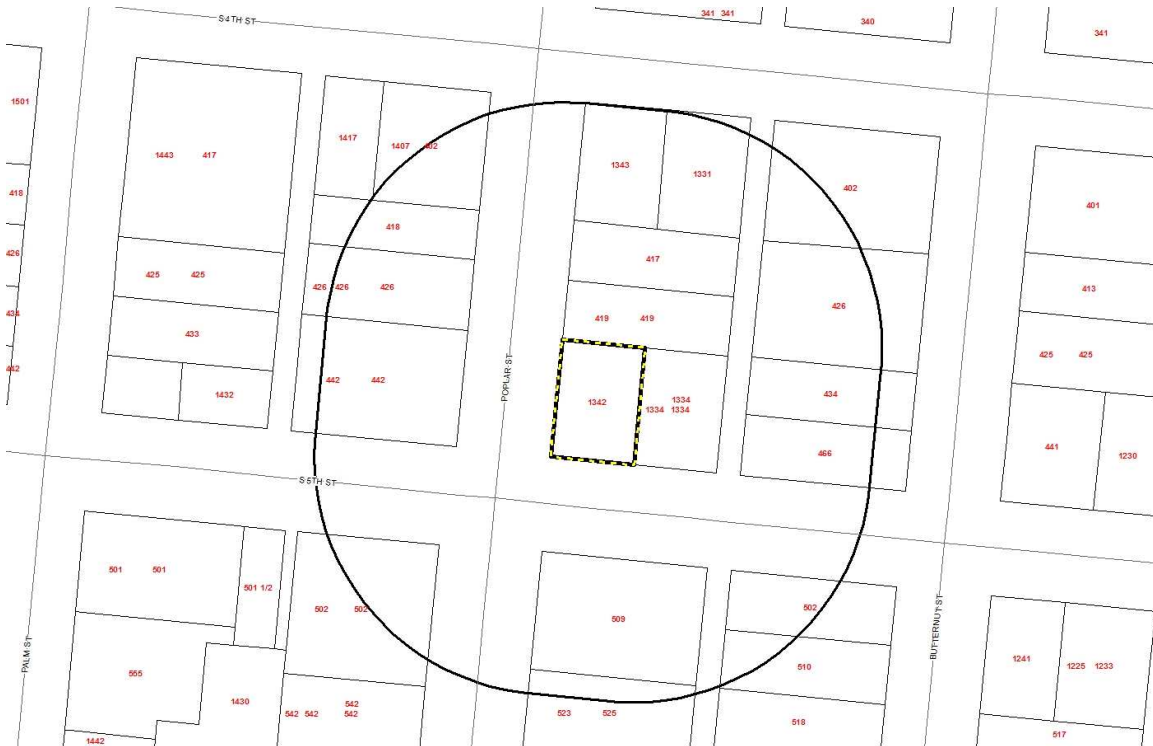
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REQUEST ANALYSIS:

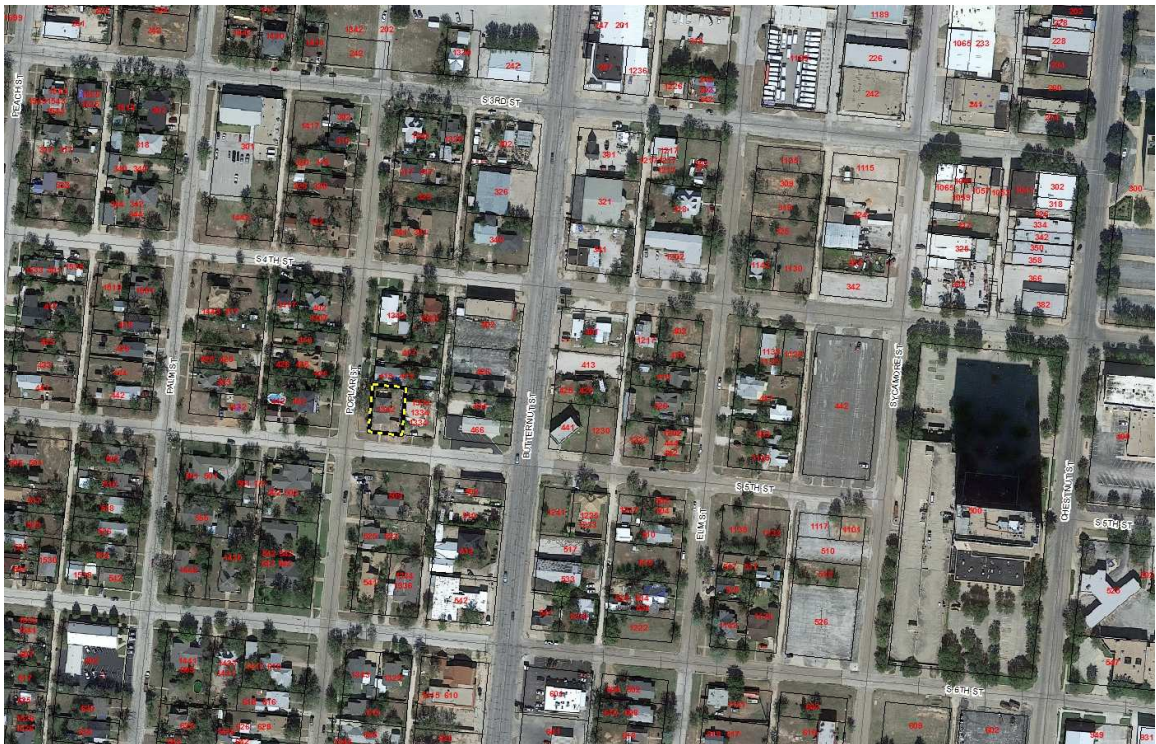
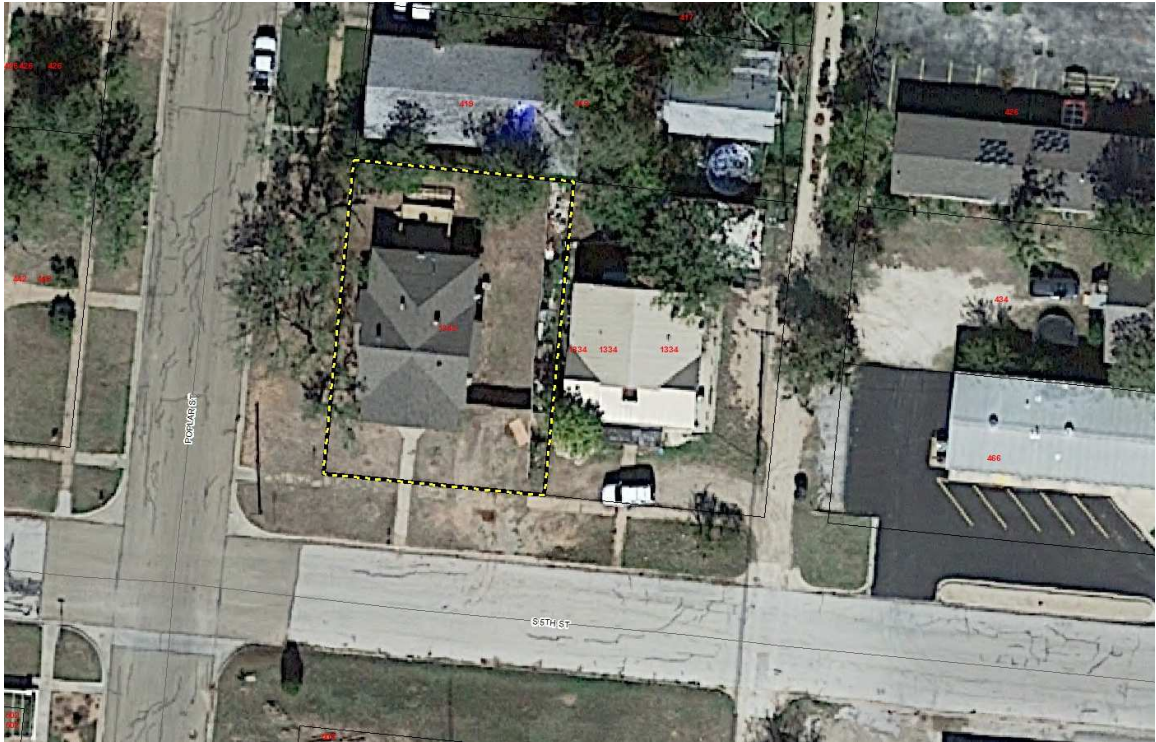
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STAFF RECOMMENDATION:

Denial. From a strict interpretation, the request does not meet the criteria necessary to approve a special exception.

BA-2016-45

OWNER	SITUS	RESPONSE
BIG COUNTRY AIDS SUPPORT GROUP	426 BUTTERNUT ST	
BIG COUNTRY AIDS SUPPORT GROUP	402 BUTTERNUT ST	
BRIGHT DAWN L	1343 S 4TH ST	
BROWN JIMMIE G & NORMA	466 BUTTERNUT ST	
COOK ALEX & TAMMY L	426 B POPLAR ST	
COOK ALEX & TAMMY L	426 A POPLAR ST	
COOK ALEX & TAMMY L	426 C POPLAR ST	
CORPIAN GARY L & MARILU	509 POPLAR ST	
GARCIA TRINIDAD & ALEGANDRA	1334 S 5TH ST	
GARCIA TRINIDAD & ALEGANDRA	1334 S 5TH ST	
GARCIA TRINIDAD & ALEGANDRA	1334 S 5TH ST	
GONZALES SEBASTIAN	418 POPLAR ST	
GUERRA ARNULFO SR & DOROTHY	1342 S 5TH ST	
HERRERA MARIA FRANCISCA	417 POPLAR ST	
KENNEDY RICHARD & TRACY	442 A POPLAR ST	
KENNEDY RICHARD & TRACY	442 POPLAR ST	
LOPEZ ANTONIO V & ADELIA	1417 S 4TH ST	
MALDONADO ROMONA	434 BUTTERNUT ST	
MORRIS LETHA	402 POPLAR ST	
MORRIS LETHA	1407 N 4TH ST	
OGLESBY LINDA C	1331 S 4TH ST	
PARIS JOEL M	502 1/2 POPLAR ST	
PARIS JOEL M	502 POPLAR ST	
PATTERSON ARCHIE T	518 BUTTERNUT ST	
RAINWATER HOUSING LLC	419 POPLAR ST	
RAINWATER HOUSING LLC	419 1/2 POPLAR ST	
SERRANO PEDRO & JOSEFINA	502 BUTTERNUT ST	
SERRANO PEDRO & JOSEFINA	510 BUTTERNUT ST	
VG PARTNERS LTD	525 POPLAR ST	
VG PARTNERS LTD	523 POPLAR ST	







**Board of Adjustment
Agenda Memo**

Board of Adjustment Meeting Date: 1/10/2017

TO: Mr. Dana L. Schoening, Director/Planning & Development Services

FROM: Mr. Zack Rainbow, Planning Services Manager

BA-2017-01

SUBJECT: A public hearing to consider a request from Robert P. Coffman for a 10' variance to the required 10' interior side building setback in RS12 (Residential Single-Family) zoning. Legal description being ELMWOOD WEST SOUTH EXTENSION, BLOCK 2, LOT 10. Located at 1385 S. Pioneer Drive.

GENERAL INFORMATION

REQUEST ANALYSIS:

The current house was built in 1955, setback 10' from the interior property line. The applicant built a carport on to the existing attached garage without a building permit. The carport was later enclosed without a building permit. Therefore, making the structure a building addition. The addition is approximately 11'x 32' and extends towards the south side of the property towards the neighboring property, and might extend over the property line. The existing house was built at a 10' setback on the south side property line. The unpermitted "addition" sits approximately 0' from the interior property line. Therefore, the reason for the request.

The applicant states that he did not know he needed a permit to construct the "addition". He is currently trying to sell the house and is seeking the variance in order to keep the structure.

SPECIAL CONSIDERATIONS

THE FOLLOWING 3 CRITERIA MUST BE FOUND IN THE AFFIRMATIVE TO APPROVE THIS REQUEST:

1. THERE ARE CONDITIONS PECULIAR TO THE LAND:

Staff Position: Staff was unable to determine a peculiarity to the property.

2. STRICT APPLICATION OF THE REGULATION WOULD RESULT IN A NON-FINANCIAL HARDSHIP:

Staff Position: Staff was unable to determine a non-financial hardship.

3. APPROVAL OF THE REQUEST WOULD NOT HAVE A NEGATIVE EFFECT ON THE PUBLIC HEALTH, SAFETY, OR WELFARE:

Staff Position: Staff anticipates no effect on the general public from this request.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Denial, the request does not meet the criteria necessary to approve a variance. If the Board of Adjustment is inclined to grant the variance request, staff feels that a survey needs to be required showing the exact location of the structure, and mitigation of any drainage of water onto the adjacent property.

BOARD OR COMMISSION RECOMMENDATION

The Board of Adjustment will hear this request at their next meeting on January 10, 2017.

ATTACHMENTS:

Description	Type
▣ Staff Report	Backup Material



BA-2017-01

APPLICANT: Robert P. Coffman

AGENT: None

LOCATION: 1385 S Pioneer Dr.

REQUEST: A 10' variance from the required 10' side yard setback

ZONING: Parcel: RS-12
North: RS-12
South: RS-12

West: RS-12
East: RS-12

SECTION AND REQUIREMENT OF ZONING ORDINANCE BEING VARIED:

Chapter 2, Table 2-2: Setback from interior lot boundary in RS-12: 10'

LAND USES:

The parcel, as well as the most of the surrounding parcels are developed with single-family residences.

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The applicant states that he did not know he needed a permit to construct the "addition". He is currently trying to sell the house and is seeking the variance in order to keep the structure.

STAFF RECOMMENDATION: Denial, the request does not meet the criteria necessary to approve a variance. If the Board of Adjustment is inclined to grant the variance request, staff feels that a survey needs to be required showing the exact location of the structure, and mitigation of any drainage of water onto the adjacent property.

BA-2017-01



OWNER	SITUS	RESPONSE
ARAUZA ISAAC & KIMBERLEE	1374 BUCCANEER DR	
ARROYO RAFAEL	1389 S PIONEER DR	
BEARD BILL DOUGLAS & JOYCE	1394 S PIONEER DR	
CADOO VALORIE	1378 BUCCANEER DR	
COFFMAN ROBERT P SR & JUDY A	1385 S PIONEER DR	
EMERY DENISE ANN	1378 S PIONEER DR	
FLORES JERARDO & JAMI K	1386 S PIONEER DR	
FRY REAL PROPERTY	1374 S PIONEER DR	
GRIGGS PEGGY	1386 BUCCANEER DR	
HARRIS LOGAN D & PAITON	1377 S PIONEER DR	
KNERR JOHN J JR &	1382 S PIONEER DR	
LABARTHE NORMA SAYLES	1471 TANGLEWOOD RD	
MACIEL ELVA C	1369 S PIONEER DR	
MC KISSACK TOMMY E	1390 S PIONEER DR	
METCALF BETTY JO	1370 BUCCANEER DR	
MEYER BENJAMIN TODD	1373 S PIONEER DR	
MEYER TOMMY R & SANDRA L	1482 WOODLAND TR	
SNYDER BEVERLY ANN	1382 BUCCANEER DR	
SUMNER SARAH SWINDLE	1381 S PIONEER DR	



