

Board of Adjustment October 25, 2011

Present

Joe Milkes, Chair
Michael Pirek
Carolyn Kalchthaler
Ed Stankunas
Bill Gibson, Alternate
Jackie Hager, Alternate, Not seated

Staff

Victoria Huynh, Deputy City Attorney
Selso Mata, Building Official
Cliff Bormann, Assistant Building Official
Patti Hoffer, Code Compliance Representative
Diana Casady, Sr. Administrative Assistant

A public hearing of the Board of Adjustment was called to order by Chairman Joe Milkes on Tuesday October 25, 2011 at 3:00 p.m. in the Council Chamber of the Municipal Center. A quorum was present and notice of the meeting had been posted for the time and manner required by law. Chairman Milkes admitted all records and testimony given into the official Board of Adjustment record.

Below is a summary of the actions taken under each of the posted item.

1. Public comments: **There was no public comment.**
2. Approval of Minutes from October 11, 2011

Board member Mike Pirek made the motion to approve the minutes from October 11, 2011. Board Member Carolyn Kalchthaler seconded the motion. The Board voted 5/0 to approve the meeting minutes from October 11, 2011.

3. **APPEAL # 11-22Z 3212 St. George Drive:** A request to vary Subsection 2.811 (3) of the Zoning Ordinance number 2006-4-24 to allow an existing arbor to encroach 15 feet into the required 15 feet building line setback. This appeal is requested by property owner Kevin Barnes.

Patti Hoffer, Code Compliance Representative, gave a presentation on the property at 3212 St. George Drive and answered questions from the Board.

Kevin Barnes, Property Owner, testified he contacted the City in September of 2010 and was told he did not need a permit if the structure was less than 120 square feet. He proceeded to build the gazebo in his yard similar to others in the neighborhood. In November, he received an inspection notice from the City. He again contacted the City


asking if he needed a permit and that he received an inspection notice from the City, he was told to submit an application. He submitted the application but the application was returned because the building was located in the easement. Code Compliance told him he could not get a permit because of the 15' easement. To maintain the structure, he would need to apply for a variance and also obtain permission from ONCOR to build in the easement. He has since received permission from ONCOR. Mr. Barnes also testified that his HOA had contacted him and told him he would need a permit from the City. Mr. Barnes answered questions from the Board.

After discussion, Bill Gibson made the motion to approve the variance request for Appeal #11-22Z. Board Member Carolyn Kalchthaler seconded the motion. The Board voted 5/0 to approve the motion.

4. There are no cases for the November 8, 2011 meeting

Selso Mata took this time to thank Mr. Milkes for his service as Chairman for the Board of Adjustment.

The Public Hearing adjourned at 3:33 P.M.



Joe Milkes, Chairman

