

MINUTES
BOARD OF ADJUSTMENTS
PUBLIC HEARING/ SPECIAL MEETING
MONDAY MARCH 18, 2019 6:30 P.M.
CITY HALL ANNEX – COUNCIL CHAMBERS
310 N. MAIN STREET

1. **Call to order:** Chairman Franklin Boettcher brought the meeting to order at 6:42 pm with the following present: Shifton McShan, Ruby Simms, Brenda Piña, Franklin Boettcher and Regan Dumbeck.

Staff present were: Melissa Lipiec, Acting Secretary, Carlos Navejas, and Orlando Rodriguez.

Absent: None

Guest: Rex Snell, DeAnna Snell, Rebecca Jones, Marc Jones, Pat Mathis, Joan Godfrey, Bo Godfrey, Darren Mogonye, Stephen Kylberg

2. **Minutes:** Approval of minutes from the November 15, 2018 meeting. Regan Dumbeck made a motion to approve the minutes of the meeting as presented. Brenda Piña seconded the motion and a vote was taken. The motion passed unanimously with a vote of five (5) yes and zero (0) no.
3. **Unfinished Business:** None

4. **New Business:**

1. REVIEW AND TAKE ACTION ON A REQUEST FILED BY DARREN MOGONYE, OWNER OF THE PROPERTY LOCATED AT 213 EAST 8TH STREET IN THE WEIGLE ADDITION, BLOCK 3, LOT 1, CITY OF ELGIN, COUNTY OF BASTROP, TEXAS, FOR A VARIANCE TO THE ELGIN CITY CODE CHAPTER 46, ARTICLE IV, DIVISION 2, SECTION 46-233 (AREA REGULATIONS), (4) LOT WIDTH. FOR DWELLINGS THERE SHALL BE A MINIMUM LOT WIDTH OF SEVENTY-FIVE (75) FEET AT THE FRONT BUILDING LINE, AND SUCH LOT SHALL ABUT ON A STREET FOR A DISTANCE OF NOT LESS THAN THIRTY-FIVE (35) FEET. THE REQUEST IS A REDUCTION OF FIVE POINT TWO FEET, (5.2') TO THE LOT WIDTH REQUIREMENT SO THAT HE CAN SUBDIVIDE THE PROPERTY INTO TWO LOTS. EACH LOT WOULD HAVE A LOT WIDTH OF 69.8'. Melissa Lipiec explained to the Board that Zoning regulations require a minimum lot width of 75' and Mr. Mogonye would like to request a variance so that he can subdivide his property into two lots. Joan Godfrey of 204 E 8th Street asked a question about zoning. Melissa Lipiec responded that the property is zoned R-1 which only allows single family homes to be built on those lots. After a bit more discussion Brenda Piña made a motion to grant the variance reducing the required lot width to sixty-nine point eight feet (69.8') for two lots. S.H McShan seconded the motion and a vote was taken. The motion passed unanimously with a vote of five (5) yes and zero (0) no.
2. REVIEW AND TAKE ACTION ON A REQUEST FILED BY REX E. AND DEANNA R. SNELL, OWNERS OF THE PROPERTY LOCATED AT 1130 ROBIN ROAD, IN PARKDALE SUBDIVISION, BLOCK 2, LOT 7 AND BEING APPROXIMATELY .2342 ACRES, CITY OF ELGIN, COUNTY OF BASTROP, TEXAS, FOR A VARIANCE TO THE ELGIN CITY CODE CHAPTER 46, ARTICLE V, DIVISION 2, SECTION 46-534-FENCE, HEDGE OR ENCLOSURE WALL, (A), (1) NO SOLID FENCE OR ENCLOSURE SHALL EXCEED A HEIGHT OF SIX FEET AND NO SUCH SIX FOOT FENCE OR ENCLOSURE SHALL EXTEND CLOSER TO ANY FRONT STREET THAN 40 FEET. THE REQUEST IS AN INCREASE OF ONE FOOT, SEVEN INCHES TO THE MAXIMUM SOLID FENCE REQUIREMENT SO THAT HIS SEVEN FOOT, FOUR INCH PRIVACY FENCE CAN REMAIN. Melissa Lipiec addressed the Board and stated that Mr. Snell recently replaced his six foot (6') privacy fence with a seven foot, four inch (7'4") privacy fence. He was unaware that the fence height limit was six feet (6') until he

received a notice of violation from Code Enforcement. He is requesting a variance to allow the taller fence for privacy since his pool area is 18" above the fence grade. Rex Snell presented the Board with a document containing signatures of Vernon G. Krueger, Marc Jones, Emily Brown, Elizabeth Boyer, Grant Henning, Alan Heineke, and Steve & Lori Markham, all owners of property within 200' of Mr. Snell's property. The document stated that those owners were in favor of granting the variance. After a bit more discussion Regan Dumbeck made a motion to grant the variance as presented. Ruby Simms seconded the motion and a vote was taken. The motion passed unanimously with a vote of five (5) yes and zero (0) no.

3. REVIEW AND TAKE ACTION ON A REQUEST FILED BY MARC AND LILLIAN JONES, OWNERS OF THE PROPERTY LOCATED AT 1201 NORTH AVENUE F, IN PARKDALE SUBDIVISION, BLOCK 2, LOT 8 AND BEING APPROXIMATELY .3030 ACRES, CITY OF ELGIN, COUNTY OF BASTROP, TEXAS, FOR A VARIANCE TO THE ELGIN CITY CODE CHAPTER 46, ARTICLE V, DIVISION 2, SECTION 46-534-FENCE, HEDGE OR ENCLOSURE WALL, (A), (1) NO SOLID FENCE OR ENCLOSURE SHALL EXCEED A HEIGHT OF SIX FEET AND NO SUCH SIX FOOT FENCE OR ENCLOSURE SHALL EXTEND CLOSER TO ANY FRONT STREET THAN 40 FEET. THE REQUEST IS AN INCREASE OF ONE FOOT, SEVEN INCHES TO THE MAXIMUM SOLID FENCE REQUIREMENT SO THAT THEIR SEVEN FOOT, FOUR INCH PRIVACY FENCE CAN REMAIN. Melissa Lipiec stated that this item was related to the previous one and the Jones share a property line with the Snell's. Brenda Piña made a motion to grant the variance as requested. S. H. McShan seconded the motion and a vote was taken. The motion passed unanimously with a vote of five (5) yes and zero (0) no.

5. **Announcements:** Melissa Lipiec announced that a variance request at 405 Old McDade Road for a metal carport has been received. She also announced that interviews have been conducted for the Planning and Development Director position. Melissa also introduced Orlando Rodriguez who replaced Michael Hinds in Code Enforcement.

6. **Adjournment:** Meeting adjourned at 7:09 pm.


Franklin Boettcher, Chairperson

Attested:


Melissa Lipiec, Interim Secretary

On a motion by Regan Dumbeck, seconded by Brenda Piña the foregoing instrument was passed and approved this 25th day of April, 2019.