

MINUTES
BOARD OF ADJUSTMENTS
PUBLIC HEARING/ SPECIAL MEETING
THURSDAY APRIL 25, 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 6:30 pm with the following present: Shifton McShan, Ruby Simms, Brenda Piña, Franklin Boettcher and Regan Dumbeck. Staff present were: Melissa Lipiec, Interim Secretary, Orlando Rodriguez.

Absent: None

Guest: Rosalinda Escalon, Monica Kylberg, Stephen Kylberg, Luis Velasquez

2. **Minutes:** Approval of minutes from the March 18, 2019 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 GABRIEL AND ROSALINDA ESCALON, OWNERS OF THE PROPERTY LOCATED IN ELGIN CITY, DIVISION 1, LOT 1 (FR) AT 405 MCDADE ROAD, CITY OF ELGIN, COUNTY OF BASTROP, TEXAS, FOR A VARIANCE TO THE ELGIN CITY CODE CHAPTER 46, ARTICLE IV, DIVISION 3, SECTION 46-265 AREA REGULATIONS, (1) FRONT YARD. THE MINIMUM DEPTH OF THE FRONT YARD SHALL BE 25 FEET AND (2) SIDE YARD. B. FOR UNATTACHED BUILDINGS OF ACCESSORY USE THERE SHALL BE A SIDE YARD OF NOT LESS FIVE FEET. THE REQUEST IS A REDUCTION OF NINE (9) FEET TO THE FRONT SETBACK LINE AND A REDUCTION OF FOUR FEET, SIX AND TWO THIRD INCHES (4'6 2/3") TO THE SIDE SETBACK LINE. Melissa Lipiec addressed the board and stated that Rosalinda Escalon was not aware that she needed a permit for this unattached metal carport and letters were sent certified to the neighbors within 200 feet of Ms. Escalon and as of this date, no one has come forward to contest the building. Rosalinda Escalon addressed the board and stated she is willing to install gutters to direct water away from adjacent property and will correct anything else the Board feels is necessary to improve the structure, but is requesting a variance to leave the carport as is. After a bit more discussion, Regan Dumbeck made a motion to allow a 15 foot front setback for the carport only and a 6 inch clearance on the side of the property line and the carport needs to be guttered and cannot be enclosed. 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.

2. REVIEW AND TAKE ACTION ON A REQUEST FILED BY STEPHEN AND MONICA C. KYLBERG, OWNERS OF THE PROPERTY LOCATED IN GARRETT, BLOCK D, LOT 2 (FR) AT 708 NORTH AVENUE F, CITY OF ELGIN, COUNTY OF BASTROP, TEXAS, FOR A VARIANCE TO THE ELGIN CITY CODE CHAPTER 46, ARTICLE IV, DIVISION 3, SECTION 46-265 AREA REGULATIONS, (2) SIDE YARD. C. FOR DWELLINGS AND ACCESSORY BUILDINGS LOCATED ON CORNER LOTS THERE SHALL BE A SIDE YARD SETBACK FROM THE INTERSECTING STREET OF NOT LESS THAN 15 FEET IN CASE SUCH LOT IS BACK WITH ANOTHER CORNER LOT, AND 25 FEET IN EVERY OTHER CASE AND 6) COVERAGE. MAIN AND ACCESSORY BUILDINGS SHALL NOT COVER MORE THAN 45 PERCENT OF THE LOT AREA ON INTERIOR LOTS, AND 50 PERCENT OF THE AREA ON CORNER LOTS. ACCESSORY BUILDINGS SHALL NOT COVER MORE THAN TEN PERCENT OF THE IMPERVIOUS COVER REQUIREMENTS. THE REQUESTS ARE A REDUCTION OF TEN FEET (10') TO THE SIDE YARD SETBACK AND AN INCREASE OF 40% TO THE ACCESSORY BUILDING IMPERVIOUS COVER LIMIT. Melissa Lipiec addressed the Board and stated that Mr. Kylberg would like to build a workshop in his backyard, but needs a

variance because Zoning requires a 25 foot side setback for corner lots zoned R-2 and Mr. Kylberg is proposing to place the building 15 feet from the property line. Melissa also stated there is a swimming pool which prevents relocation of the structure. Melissa explained that Mr. Kylberg is also requesting an increase of the impervious cover limit. After a bit more discussion, Brenda Piña made a motion to allow the 15 foot setback with either a swale or gutters to direct water to drainage ditch. Shifton 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 there is still no replacement for the Planning and Zoning Director, but interviews have been conducted and an offer will be made soon for the position.
6. **Adjournment:** Meeting adjourned at 7:17 pm.



Franklin Boettcher, Chairperson

Attested:



Melissa Lipiec, Interim Secretary

On a motion by Regan Dumbeck, seconded by Ruby Simms the foregoing instrument was passed and approved this 22nd day of July 2019.