

**ZONING BOARD OF ADJUSTMENTS
JANUARY 25, 2012
CITY HALL'S COUNCIL CHAMBERS**

MEMBERS PRESENT

Kathy Olivarez
Jon Lown
Jorge Garcia
Raul Sesin
Danny Tijerina

MEMBER ABSENT

Keri Amen
1 VACANCY

STAFF PRESENT

Bobby Salinas
Sergio Zavala
Sonia Marroquin
Annette Zavala

GUEST PRESENT

Diamantina S. Luna
Hijinio Luna
Jessica McCauley
Tom McCauley
Dora S. Del Real

CALL TO ORDER

Chairwoman Olivarez called the meeting to order at 4:35 p.m.

CITIZENS PARTICIPATION

Chairwoman Olivarez asked if there was anyone in the audience that had anything to present or express that was not on the agenda. The audience remained un-responsive.

APPROVAL OF MINUTES FOR NOVEMBER 16, 2012

Chairwoman Olivarez asked if there were any corrections to the minutes. There being none, Mr. Garcia moved to approve the minutes as presented. Mr. Lown seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.1

APPOINTMENT OF ZONING BOARD OF ADJUSTMENTS CHAIRMAN AND VICE CHAIRMAN FOR 2012

Chairwoman Mrs. Olivarez stated that the appointment of a Chairman & Vice-Chair is up for consideration.

Mr. Tijerina moved to keep Mrs. Olivarez as Chair. Mr. Lown seconded the motion. Upon a vote, the motion was unanimously approved.

Mr. Tijerina moved to appoint Mr. Sesin as Vice-Chair. Mr. Lown seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM #1.2

CONSIDER A VARIANCE REQUEST TO HAVE A 10' FRONT YARD SETBACK INSTEAD OF THE REQUIRED 20' FRONT YARD SETBACK, AT

1829 FAIRWAY CIRCLE, BEING LOT 50, MARINEL SUBDIVISION, AS REQUESTED BY DORA DEL REAL

Mr. Salinas stated that the site is located on the NE area of Fairway Circle, wraps around the north and east side of this lot, This irregular lot measures 87.29 on the south, 137.07 on the west, 106.91 on the east, and the northern curve is a total of 52.19 or 7,230 sq. ft., This is a 10' easement to the south, and the minimum 25' building setback to the north. A new residence is proposed with the front door facing east. If the house faces east, then the minimum 20' front setback is imposed. They are proposing a 10' front setback to the east and would be meeting all other setbacks. The home would be facing other residential homes and the proposed 'alley' location of the garage would be facing other garages. Below are several similar requests where 10' front setbacks were granted at other corner lots and where special features or lot circumstances were evident.

SIMILAR REQUESTS

DATE	LOT	ADDRESS	ACTION
7/5/05	Lot 4, Blk 2 Browning	1114 Reynosa	APPROVED: 10' Front SB to Typical Corner Side Instead of 20'
10/19/05	Lot 36, Bougainvillea Est.	900 West "E"	APPROVED (Same as above)
3/7/06	Lot 103, Bougainvillea Est.	600 Alma	APPROVED (Same as above)
9/17/08	Lot 168, Aladdin Villas	*519 Saturn	APPROVED (Same as above)
3/24/10	Lot 199, Aladdin Villas	1418 Saturn	APPROVED (Same as above)
3/16/11	Lot 19, Mayberry Garden	500 E. Ramirez	APPROVED (Same as above)

Staff did not object due to: 1.) precedence, 2.) unique lot's shape (all four sides are different), 3.) the home would be facing other homes, and would not be considered a detriment to the neighborhood.

Chairwoman Olivarez asked if there was any public opposition to the request.

Mr. Salinas mentioned that there was a letter sent with three signatures in opposition.

Mr. Tom McCauley, of 811 Fairway Dr., wanted to know the direction the house was going to face, and how many feet remained in the front. He

mentioned that they had problems with cars driving very fast, and said it was a concern.

Mr. Sesin asked if anyone who signed the letter of opposition was present, and if the list of approved variances that was included, were all from the same neighborhood.

Mr. Salinas replied that there was none present who signed the letter; and the variance list was from different neighborhoods but had similar requests as the one being presented.

Chairwoman Olivarez asked if the applicant or representative were present.

The applicant Mrs. Dora Del Real said that she didn't drive fast, and that the neighborhood didn't have a lot of traffic; that's the reason she wanted to build there.

Mr. Zavala mentioned that if the traffic speed was an issue, Mission has an ordinance where the neighborhood could apply to get speed humps, but they'd they need to fill the paperwork and submit it.

There being no further discussion, Chair Olivarez entertained a motion. Mr. Tijerina moved to approve the variance request as recommended by staff with a 1.) for contractor to provide a pre pour survey, and 2.) verify with legal counsel to see if ZBA could impose 'no fencing' along the east property line. Mr. Sesin seconded the motion. Upon a vote, the motion passed.

**ITEM #2.0
OTHER BUSINESS**

There was no other business

**ITEM #3.0
ADJOURNMENT**

There being no further business, Chairwoman Olivarez entertained a motion to adjourn. Mr. Garcia moved to adjourn. Mr. Sesin seconded the motion. Upon a vote, the motion passed unanimously at 5:00 p.m.

Kathy Olivarez, Chairwoman
Zoning Board of Adjustments