

**MINUTES OF THE CITY OF PORT NECHES
BOARD OF ADJUSTMENT
APRIL 11, 2011**

The City of Port Neches Board of Adjustment met on Monday, April 11, 2011 at 6:00 p.m. in the City Hall Council Chambers, 634 Avenue C, Port Neches, Texas. Notice of the meeting was given in accordance with Section 551.041 of the Texas Governmental Code, with the following members in attendance:

John Fisher, Chairman
Boyd Parks, Vice Chairman
Gary Stretcher
Corey Belanger
Sam Loyacano
Karen Schexnayder, Alternate
Dennis Mangioni, Alternate
James Mitchell, Alternate

Also present:

Larry Reynolds, Assistant Public Works Director/Building Official
Cari Reynolds, Public Works Secretary

Absent:

Julie Gauthier, Alternate

Chairman John Fisher called the meeting to order.

APPROVAL OF MINUTES FROM MEETING HELD ON FEBRUARY 14, 2011

Board Member Stretcher made a motion to approve the minutes of the regular meeting held on February 14, 2011, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE.**

REQUEST OF DANNY MARIONEUX, 2605 CIRCLE DRIVE

Mr. Danny Marioneaux, 2605 Circle Drive, requested a seventeen foot (17') variance, eight foot (8') encroachment, to the twenty five foot (25') rear yard building setback.

Mr. Marioneaux was present to answer any questions. He informed the Board that there was a mistake on the previous variance received before his house was built. Mr. Marioneaux stated that all information submitted is the same as the previous variance request that was approved.

There were twenty-two (22) notices mailed to property owners surrounding two hundred feet (200') of 2605 Circle Drive. In the letters, there are attachments where the property owners could approve or protest this request. There was one (1) returned approving the request: James Temple, 2612 Circle Drive, and none opposed the request.

Board Member Loyacano made a motion to approve the request of Danny Marioneaux, 2605 Circle Drive, for a seventeen foot (17') variance, eight foot (8') encroachment, to the twenty five foot (25') rear yard building setback, seconded by Board Member Belanger. **MOTION PASSED BY UNANIMOUS VOTE.**

REQUEST OF ROBERT "JAY" WILLIAMS, 1201 MACARTHUR DRIVE

Mr. Robert "Jay" Williams, 1201 MacArthur Drive, requested a five foot (5') variance, ten foot (10') encroachment, to the fifteen foot (15') side yard building setback.

Mr. Williams was present to answer any questions. He informed the Board that he purchased the property with intentions of building a house on it. The property behind his is the same size and he assumed he would be able to build the same size house on his property. Upon speaking with Larry Reynolds he was informed he would not be able to because it was a corner lot.

Mr. Larry Reynolds informed the Board that because he is on a corner lot he has a fifteen foot (15') side yard setback instead of a five foot (5') side yard setback.

There was a lengthy discussion about the size and location of the City right away, possible visibility problems and the size of the house compared to the lot size.

There were thirty three (33) notices mailed to property owners surrounding two hundred feet (200') of 1201 MacArthur. In the letters, there are attachments where the property owners could approve or protest this request. There were seven (7) returned approving the request: Stephen & Pamela Vincent, 2611 Merriman, BBG Group LLC., 1202 MacArthur, Matt Burnett, 1202 Montrose, Everett Culver, 1122 MacArthur, Matthew Vincent, 1734 Green Oaks Drive, Matthew Vincent, 1734 Green Oaks Drive and Sara Hebert, 1205 West Drive, and none opposed the request.

Vice Chairman Parks made a motion to approve the request of Robert "Jay" Williams, 1201 MacArthur Drive, for a five foot (5') variance, ten foot (10') encroachment, to the fifteen foot (15') side yard building setback, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE.**

REQUEST OF RICKY RETZLAFF, 2241 13TH STREET

Mr. Ricky Retzlaff, 2241 13th Street, requested a fifteen foot (15') variance, ten foot (10') encroachment, to the twenty five foot (25') front yard building setback.

Mr. Retzlaff was present to answer any questions. He informed the Board that he built an aluminum carport on the front of his house. He stated that he was in the process of building the carport when Larry Reynolds informed him that he was encroaching into his front yard setback and he would need to get a variance.

Mr. Larry Reynolds informed the Board that there are several other houses on that street that have received variances for carports.

There were twenty four (24) notices mailed to property owners surrounding two hundred feet (200') of 2241 13th Street. In the letters, there are attachments where the property owners could approve or protest this request. There were six (6) returned approving the request: Lucille Landry, 2245 13th Street, Albert DeCuir Jr., 2240 13th Street, Charles Landry, 2301 13th Street, Hulet Holcomb, 2310 13th Street, Melba Price, 2225 13th Street and Guy Reynolds, 2302 13th Street, and none opposed the request.

Board Member Loyacano made a motion to approve the request of Ricky Retzlaff, 2241 13th Street, for a fifteen foot (15') variance, ten foot (10') encroachment, to the twenty five foot (25') front yard building setback, seconded by Board Member Belanger. Vote was as follows: four (4) approved Chairman Fisher, Vice-Chairman Parks, Board Member Loyacano and Board Member Belanger; one (1) against Board Member Stretcher.
MOTION PASSED BY MAJORITY VOTE.

REQUEST OF SHAWN SPARROW, HOUSEMAN DEVELOPMET CO., 1722 PORT NECHES AVENUE

Mr. Shawn Sparrow, Houseman Development Co., 1722 Port Neches Avenue, requested a parking space variance to allow six (6) parking spaces instead of the required eight (8) parking spaces.

Mr. Sparrow was present to answer any questions. He informed the Board that a new tenant moved into this building and was informed by Larry Reynolds that due to size and because his business is retail that it would need two (2) additional parking spaces. Mr. Sparrow stated that Houseman Development Co. has done everything that has been required of them to make the building leasable, at their expense.

Mr. Larry Reynolds informed the Board that the two (2) spaces that Houseman Development Co. added to the side of the business do not meet the twenty three foot (23') minimum size of a parking space. Mr. Reynolds also stated that section of Port Neches Avenue is not set up for on-street parking. Mr. Reynolds advised that in the short amount of time the business has been there it has already had overflow problems.

There was a lengthy discussion about placement of parking spaces in the rear and on the side of the business, changing the angle parking to parallel parking, ADA compliance, police enforcement of overflow, and expense of taking the curb out or pouring a concrete pad in rear of building.

There were fifteen (15) notices mailed to property owners surrounding two hundred feet (200') of 1722 Port Neches Avenue. In the letters, there are attachments where the property owners could approve or protest this request. There were two (2) returned approving the request: Andrew Vincent, 1734 Green Oaks Drive and Barnett Real Estate Holdings, 1701 Port Neches Avenue, and none opposed the request.

Board Member Stretcher made a motion to approve the request of Shawn Sparrow, Houseman Development Co., 1722 Port Neches Avenue, for a parking space variance to allow six (6) parking spaces instead of the required eight (8) parking spaces, seconded by Board Member Parks. Vote was as follows: none (0) approved; five (5) against Chairman Fisher, Vice-Chairman Parks, Board Member Stretcher, Board Member Loyacano and Board Member Belanger. **MOTION FAILED BY UNANIMOUS VOTE.**

ADJOURN

There being no further business Board Member Loyacano made a motion to adjourn, seconded by Board Member Stretcher. **MOTION PASSED BY UNANIMOUS VOTE.**

Cari Reynolds, Public Works Secretary

Approved

Meeting Adjourned at 6:40 p.m.