

**MINUTES OF THE CITY OF PORT NECHES
ZONING BOARD OF ADJUSTMENT & APPEALS**

4:00 P.M.

September 12, 2016

MEETING

The regular meeting was called to order at Monday, September 12, 2016 4:00 p.m. at Port Neches City Hall, 1005 Merriman Street, Port Neches, Texas with the following members in attendance to wit:

Matt Vincent, Chairman
William "B.C." Clemmons, Vice-Chairman
Lee West
Steve Visser
Marc Keith, Alternate
Gary Boudoin, Alternate (did not participate)

Also present:
Clint Fore, Acting Building Official
Cari Reynolds, Public Works Secretary

Absent:
Sam Loyacano
Donald Ware, Alternate
James Ware, Alternate

Chairman Vincent called the meeting to order

AGENDA ITEM 2 – APPROVAL OF MINUTES

Discuss and take action regarding the approval of the minutes from the regular meeting held on August 8, 2016.

Board Member Visser made a motion to approve the minutes from the regular meeting held on August 8, 2016, seconded by Board Member West. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 3 – JOHN & SHAWNA BUCHANAN, 3144 NOTTINGHAM- CARPORT

Discuss and take action regarding the request of John & Shawna Buchanan, 3144 Nottingham for a two foot (2') variance, three foot (3') encroachment, to the five foot (5') side yard building setback requirement for a carport.

Chairman Vincent asked Clint Fore to give the details of the request.

Clint Fore stated that this is an irregular shaped lot and Mr. Buchanan is requesting the variance to construct a recreation vehicle cover. I recommend if the variance is granted that it have the stipulation that it remain open.

Chairman Vincent asked for anyone who would like to support the variance request to speak.

John Buchanan, 3144 Nottingham: (requestor) stated that his house faces Nottingham but driveway access is in the rear off of Meadowgreen. When pulling the permit for the concrete slab, he was informed that a variance would be needed to construct a cover for the RV.

Chairman Vincent stated that the carport must remain open.

Chairman Vincent asked for anyone who was in opposition to the variance request to speak. There were none.

There were twenty one (21) notices mailed to property owners surrounding two hundred feet (200') of 3144 Nottingham. In the letters, there are attachments where the property owners could approve or protest this request. There was one (1) received in approval: Lisa Johnson, 3147 Nottingham and none received in opposition.

Vice – Chairman Clemmons made a motion to approve the variance request of John & Shawna Buchanan, 3144 Nottingham for a two foot (2') variance, three foot (3') encroachment, to the five foot (5') side yard building setback requirement for a carport with the stipulation that it remain open, seconded by Board Member Visser. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 4 – AUSTIN MILLER, 1722 10TH STREET- NEW HOME- FRONT

Discuss and take action regarding the request of Austin Miller, 1722 10th Street, for a fifteen foot (15') variance, ten foot (10') encroachment, to the twenty five foot (25') front yard building setback requirement for a new home.

Chairman Vincent asked Clint Fore to give the details of the request.

Clint Fore stated that the house down the street located at 1710 10th Street has a sewer line that runs across this vacant lot. It was my recommendation to Mr. Miller (owner) that the sewer line be moved to the rear five foot (5') of the property. I believe that in an effort to save money he is requesting this variance so the sewer line will not have to be moved. The house will be located closer to the front and the sewer line will run between the house and the shop. The sale of the property is contingent on this variance being granted. Both the Miller's (seller) and the Stone's (buyer) are aware there will have to be a private easement, that way if any rehab, maintenance or moving of the sewer line needs to take place then Mr. Miller will have access to it on their property.

Chairman Vincent asked Mrs. Anna Stone, representative for Mr. Austin Miller, if they are aware and in agreement with the private easement for the sewer line.

Anna Stone stated that they are aware and in agreement with a private easement for the sewer line.

There was discussion regarding the sale of the lot being contingent on the variance, location of the sewer line and new construction home on the property, access to the sewer line by both parties, filing of easement with County Clerk and copies of filed easement given to the City.

There were twenty five (25) notices mailed to property owners surrounding two hundred feet (200') of 1722 10th Street. In the letters, there are attachments where the property owners could approve or protest this request. There were none received in approval or in opposition.

Board Member Visser made a motion to approve the variance request of Austin Miller, 1722 10th Street, for a fifteen foot (15') variance, ten foot (10') encroachment, to the twenty five foot (25') front yard building setback requirement for a new home contingent that an easement be filed with the County Clerk's office, copies of the filed easement be given to the City for retention and with the understanding that both parties will have access to the sewer line, seconded by Alternate Board Member Keith. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 5– ADJOURN

There being no further business, Board Member West made a motion to adjourn, seconded by Alternate Board Member Keith. **MOTION PASSED BY UNANIMOUS VOTE.** The meeting was adjourned at 4:10 p.m.

Matt Vincent, Chairman

ATTEST:

Cari Reynolds, Public Works Secretary