

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

4:00 P.M.

September 10, 2018

MEETING

The regular meeting was called to order on Monday, September 10, 2018, 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
Steve Visser
Sam Loyacano
Gary Boudoin, Alternate
Johnny Powers, Alternate (Did not participate)

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

Absent:
Lee West

Chairman Vincent called the meeting to order at 4:00 p.m.

AGENDA ITEM 2 – APPROVAL OF MINUTES

Discuss and take action regarding the approval of the minutes from the regular meeting held on August 13, 2018.

Board Member Visser made a motion to approve the minutes from the regular meeting held on August 13, 2018, seconded by Vice-Chairman Clemmons. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 3 – LYNDA WOOD, 2314 1ST STREET- FRONT- CARPORT

Discuss and take action regarding the request of Lynda Wood, 2314 1st Street, for a five foot (5') variance, twenty foot (20') encroachment, to the twenty five foot (25') front yard building setback requirement for construction of a carport.

Lynda Wood was in attendance to answer any questions.

Chairman Vincent stated if the variance is approved, the carport must remain open.

There were twenty four (24) notices mailed to property owners surrounding two hundred feet (200') of 2314 1st Street. In the letters, there are attachments where the property owners could approve or protest this request. There were nine (9) received in approval: James Lee, 2322 1st Street, Michael Wayne Stephens, 2302 1st Street, Johnnie Viator, 2329 1st Street, Jo Anne Beard, 2306 1st Street, Sandy Daigle, 2333 1st Street, James Doyle Hale, 2334 1st Street, Jean Lapeyrolerie, Nicholas Gammill, 2259 1st Street and Deanna Giblin, 2313 1st Street, and none received in protest of the request.

Board Member Visser made a motion to approve the variance request of Lynda Wood, 2314 1st Street for a five foot (5') variance, twenty foot (20') encroachment, to the twenty five foot (25') front yard building setback requirement for construction of a carport with the stipulation that it remains open, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 4 – GEORGE BALLEW, 2216 MAGNOLIA- LOT SQUARE FOOT

Discuss and take action regarding the request of George Ballew, 2216 Magnolia Avenue, for a five thousand square foot (5,000 sq. ft.) variance to the minimum fifty five hundred square foot (5,500 sq. ft.) requirement for a lot.

George Ballew and Randall Creel of Soutex Surveyors & Engineers, representative for George Ballew, were in attendance to answer any questions.

Board Member Visser asked Clint Fore to give the details of the request.

Clint stated Mr. Ballew has two (2) properties that face 2nd Street. Due to the placement of the home in relation to his business, he is requesting to turn the properties to face Magnolia. For this to be accomplished, both variances must be granted and the properties be replatted. This will not create a lot but will enable it to be developed. The property is already zoned commercial and his intentions are to operate his dumpster service business at that location.

There was discussion regarding the two (2) separate lots, replatting the property, zoning of the property and minimum lot requirements.

There were eighteen (18) notices mailed to property owners surrounding two hundred feet (200') of 2216 Magnolia Avenue. In the letters, there are attachments where the property owners could approve or protest this request. There were none received in approval or protest of the request.

Board Member Visser made a motion to approve the variance request of George Ballew, 2216 Magnolia Avenue for a five thousand square foot (5,000 sq. ft.) variance to the minimum fifty five hundred square foot (5,500 sq. ft.) requirement for a lot, seconded by Alternate Board Member Boudoin. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 5 – GEORGE BALLEW, 2216 MAGNOLIA- LOT DEPTH

Discuss and take action regarding the request of George Ballew, 2216 Magnolia Avenue, for a one hundred foot (100') variance to the minimum one hundred ten foot (110') depth requirement for a lot.

George Ballew and Randall Creel of Soutex Surveyors & Engineers, representative for George Ballew, were in attendance to answer any questions.

Chairman Vincent stated this is the same property as the previous request.

There were eighteen (18) notices mailed to property owners surrounding two hundred feet (200') of 2216 Magnolia Avenue. In the letters, there are attachments where the property owners could approve or protest this request. There were none received in approval or protest of the request.

Board Member Visser made a motion to approve the variance request of George Ballew, 2216 Magnolia Avenue for a one hundred foot (100') variance to the minimum one hundred ten foot (110') depth requirement for a lot, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 6- JERRY ZIMMERMAN, 1836 ETHRIDGE COURT- SIDE- NEW HOME

Discuss and take action regarding the request of Jerry Zimmerman, 1836 Ethridge Court, for a three foot (3') variance, two foot (2') encroachment, to the five foot (5') side yard building setback requirement for construction of a new home.

Jerry Zimmerman was in attendance to answer any questions.

Mr. Zimmerman stated that due to the irregular shaped lot he is requesting to have his garage encroach into the side setback. Without the variance, the driveway will have a sharp turn creating an issue pulling into the garage. If the variance is granted it will allow a straighter driveway making it easier to pull into the garage.

There was discussion regarding the irregular shaped lot, the property being on a cul de sac, and Alternate Board Member Boudoin living within the 200' of the property requesting the variance.

There were thirteen (13) notices mailed to property owners surrounding two hundred feet (200') of 1836 Ethridge Court. In the letters, there are attachments where the property owners could approve or protest this request. There were none received in approval or protest of the request.

Board Member Visser made a motion to approve the variance request of Jerry Zimmerman, 1836 Ethridge Court, for a three foot (3') variance, two foot (2') encroachment, to the five foot (5') side yard building setback requirement for construction of a new home, seconded by Board Member

Loyacano. Alternate Board Member Boudoin abstained from the vote. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 5 – ADJOURN

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

The meeting was adjourned at 4:10 p.m.

Matt Vincent, Chairman

ATTEST:

Cari Reynolds, Public Works Secretary