CITY OF ANGLETON, TEXAS

BOARD OF ADJUSTMENT

Meeting @ 12 p.m., Wednesday, August 17, 2016
Located at 120 S. Chenango in the Council Chambers,
Angleton, Texas 77515

1.) Declaration of Quorum and Call to Order.

2.) Discussion and Possible Action on approving the May 18, 2016 meeting minutes.

3.) Public Hearing on a request for a 19.7 foot variance to the required 25 foot front yard setback and an 8 foot variance to the maximum allowable depth of 12 feet in order to build a carport (accessory structure) at 128 La Laja Drive, in the City of Angleton, Texas being Lot 40, of Molina Subdivision in Brazoria County, Texas according to the plat thereof recorded in Volume 15, Page 139 of the Plat Records of Brazoria County, Texas.

4.) Discussion and Possible Action on a request for a 19.7 foot variance to the required 25 foot front yard setback and an 8 foot variance to the maximum allowable depth of 12 feet in order to build a carport (accessory structure) at 128 La Laja Drive, in the City of Angleton, Texas being Lot 40, of Molina Subdivision in Brazoria County, Texas according to the plat thereof recorded in Volume 15, Page 139 of the Plat Records of Brazoria County, Texas.

5.) Adjourn.

In compliance with the Americans with Disabilities Act, the City of Angleton will provide reasonable accommodations for persons attending Board of Adjustment Meetings. To better serve you, requests should be received 24 hours prior to the meeting. Please contact Shelly Deisher, City Secretary, at 979-849-4364, extension 2115.

CERTIFICATION

I certify that copies of this agenda of items to be considered by the Board of Adjustment were posted in the following locations:

City Hall Bulletin Board: Date: _____ Time: _____

City of Angleton Website: Date: _____ Time: _____

_____
Alyssa Deaton, Assistant City Secretary

Board of Adjustment

City of Angleton, Texas
Meeting Minutes
Wednesday, May 18, 2016

MEMBERS, STAFF & GUESTS

Marian Goff - Chairperson
Tim Charlson - Vice-Chairperson
Danielle Graham (Absent)
Belinda Gaines
Bonnie Church

Mary Kay Fischer - City Attorney
Karen Barclay – Building Services Dept. Director
Shelly Deisher - City Secretary
Alyssa Deaton - Assistant City Secretary

Those listed on the registry

AGENDA

1. Declaration of Quorum and Call to Order at **12:15pm**.

2. Discussion and Possible Action on approving the April 20, 2016 meeting minutes.

   Motion by Vice-Chairperson Tim Charlson to approve the minutes;
   Second by Belinda Gaines.

   Motion carries 4 for; 0 against; 1 absent (Danielle Graham)

3. Discussion and Possible Action on re-appointing Tim Charlson, Bonnie Church, Belinda Gaines and Danielle Graham to the Board of Adjustment.

   Motion by Vice-Chairperson Tim Charlson;
   Second by Belinda Gaines.

   Motion carries 4 for; 0 against; 1 absent (Danielle Graham)

4. Adjourn.

   Motion by Bonnie Church to adjourn;
   Second by Vice-Chairperson Tim Charlson.

Motion carries 4 for; 0 against; 1 absent (Danielle Graham)

Adjourned at 12:18pm.

CERTIFICATION

Marian Goff, Chairperson	Alyssa Deaton, Asst. City Secretary

BOARD OF ADJUSTMENTS AGENDA ITEM
Meeting Date:
August 17, 2016 @ 12PM

SUBJECT: Public Hearing on a request for a 19.7 foot variance to the required 25 foot front yard setback and an 8 foot variance to the maximum allowable depth of 12 feet in order to build a carport (accessory structure) at 128 La Laja Drive, in the City of Angleton, Texas being Lot 40, of Molina Subdivision in Brazoria County, Texas according to the plat thereof recorded in Volume 15, Page 139 of the Plat Records of Brazoria County, Texas.

__ Consent item __ Discussion item
_ _ Discussion and possible action _ X_ Public Hearing

REQUESTED BY: Mack Yanez, Property Owner

Attachments: (Attachment description)
Public Hearing Notice for The Facts Newspaper and for property owners within 200 ft.

Executive Summary:

Recommendation:

_Alyssa Deaton_____ **8/8/15_____**
Name **Date**

Public Hearing Notice:

The City of Angleton has received a request for a 19.7 foot variance to the required 25 foot front yard setback and an 8 foot variance to the maximum allowable depth of 12 feet in order to build a carport (accessory structure) at 128 La Laja Drive, in the City of Angleton, Texas being Lot 40, of Molina Subdivision in Brazoria County, Texas according to the plat thereof recorded in Volume 15, Page 139 of the Plat Records of Brazoria County, Texas. The Board of Adjustment Commission will conduct a public hearing on this request on Wednesday, August 17, 2016 at 12:00 pm. The Public Hearing will be held in the Council Chambers at City Hall, 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearing is to receive comments from residents and property owners on this variance request. If you are unable to attend the public hearing, comments may be sent to:

City of Angleton
121 South Velasco
Angleton, Texas 77515
Attn: Shelly Deisher, City Secretary

For additional information concerning this variance, please contact Alyssa Deaton at (979) 849-4364 ext. 2114.

Date: 7-26-16

To: The Facts – Public Hearing

From: City of Angleton

To be published in the Legal Notice Section once on: Sunday, July 31, 2016

Please provide publisher's affidavit and total amount to be billed.

If you have any questions, please contact Alyssa Deaton, 979-849-4364 ext. 2114.

Shelly Deisher,
City Secretary

Alyssa Deaton,
Asst. City Secretary

Mayor
Randy Rhyne

Mayor Pro Tem
Hardwick Bieri
Position 1

Council Members:
Williams Tigner
Position 2

Wesley Rolan
Position 3

Bonnie McDaniel
Position 4

Cody Vasut
Position 5

City Manager
Michael Stoldt

121 S Velasco
Angleton, TX 77515
Phone: 979-849-4364
Fax: 979-849-5561

www.angleton.tx.us

July 26, 2016

Public Hearing Notice

The City of Angleton has received a request for a 19.7 foot variance to the required 25 foot front yard setback and an 8 foot variance to the maximum allowable depth of 12 feet in order to build a carport (accessory structure) at 128 La Laja Drive, in the City of Angleton, Texas being Lot 40, of Molina Subdivision in Brazoria County, Texas according to the plat thereof recorded in Volume 15, Page 139 of the Plat Records of Brazoria County, Texas. The Board of Adjustment Commission will conduct a public hearing on this request on Wednesday, August 17, 2016 at 12:00 pm. The Public Hearing will be held in the Council Chambers at City Hall located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearing is to receive comments from residents and property owners on this variance request. If you are unable to attend the public hearing, comments may be sent to:

City of Angleton
121 South Velasco
Angleton, Texas 77515
Attn: Shelly Deisher, City Secretary

This notice has been sent to you as it has been determined that the property you own possibly lies within 200 feet of the above-referenced property. Property owners should be aware that if they oppose or protest the requested variance, such opposition must be submitted in written form, with the property owner's signature and address included.

For additional information concerning this variance request, please contact Alyssa Deaton at 979-849-4364 ext. 2114.

Cordially,

Alyssa Deaton
Assistant City Secretary

BOARD OF ADJUSTMENTS AGENDA ITEM
Meeting Date:
August 17, 2016 @ 12PM

SUBJECT: Discussion and Possible Action on a request for a 19.7 foot variance to the required 25 foot front yard setback and an 8 foot variance to the maximum allowable depth of 12 feet in order to build a carport (accessory structure) at 128 La Laja Drive, in the City of Angleton, Texas being Lot 40, of Molina Subdivision in Brazoria County, Texas according to the plat thereof recorded in Volume 15, Page 139 of the Plat Records of Brazoria County, Texas.

__ Consent item
_x_ Discussion and possible action
__ Discussion item
__ Public Hearing

REQUESTED BY: Mack Yanez, Property Owner

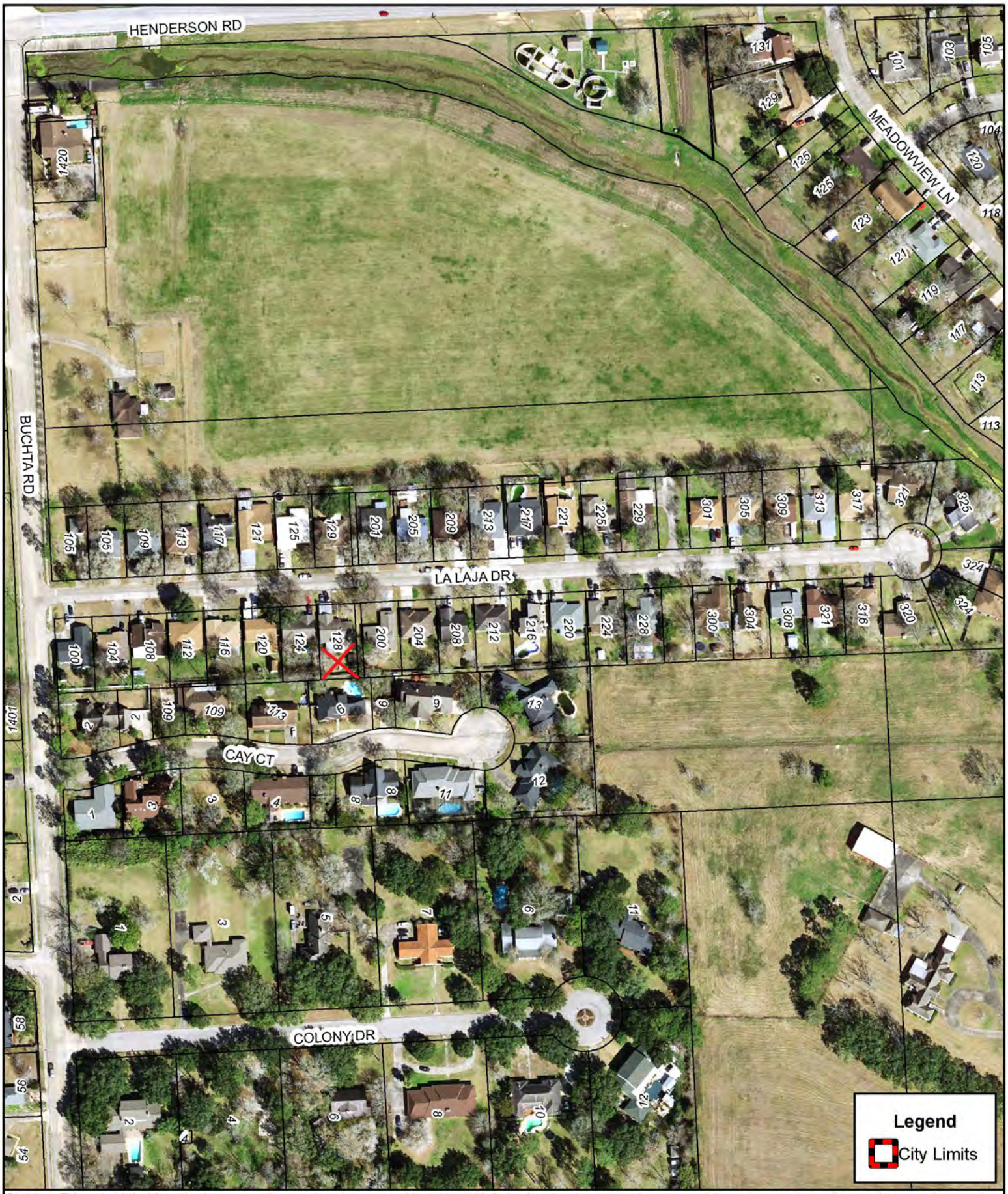
Attachments: (Attachment description)
Application, GIS map, site drawing

Executive Summary:
Mr. Yanez currently has a carport that is dilapidated and in order to replace it, he must come before the Board for a variance.

Recommendation:

_Alyssa Deaton_____
Name

8/8/16_____
Date



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.

City of Angleton

Operated by:
City of Angleton
121 S. Velasco St.
Angleton, TX 77515
979-849-4364

City of Angleton GIS Mapping

1 " = 200 '

BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE

City of Angleton
121 S. Velasco
Angleton, TX 77515
979-849-4364

Applicant: Mack Yanez Phone: _____ Cell: _____

Address: 128 La Laja

City: Angleton State: TX Zip: 77515

Applicant's Status: (check one) ☑ Owner ☐ Representative ☐ Tenant

Property owner: _____ Phone: _____ Cell: _____

Address: _____

City: _____ State: _____ Zip: _____

Applicant Signature _____ Date _____ Owner Signature [signature] Date 6-17-16

Property Information:

This application must be accompanied by a site plan and any other documents requested, such as plot plans, photographs, topographic contour maps that are necessary to properly review the application..

Street address or location: 128 La Laja, Angleton TX 77515

Legal Description: Molina (Angleton) Lot 40
(please provide copy of metes and bounds)

Present zoning: Residential Present land use: Residence

Is a site plan, preliminary or final plat pending on the agenda of the Planning & Zoning Commission or the City Council? _____ Yes _____ No

Have you applied for a building permit? ✓ Yes ____ No Date denied: 6-13-16

Has the Board of Adjustments issued an unfavorable ruling on this property within the last six months?
____ Yes ✓ No

If yes, when: _____

Please provide proof of taxes paid on this property.

Request Information:
Please answer the following questions as completely as possible. Failure to outline fully the situation by answering these questions could cause unnecessary delay in evaluating your appeal. Additional pages may be attached if necessary.

1. Will any undue hardship result if a variance is not granted? ✓ Yes ____ No

If yes, please explain: This existing structure is in need of repair from age and weather events. This is negatively impacting my property value & risking my vehicles to severe weather events.

2. If the variance is granted, describe the effect it will have upon traffic conditions and the public health, safety, convenience and welfare of the community. There are no ill effects to the community at large from granting this variance. The benefit is improved value & appearance of the property.

3. Completely describe the variance you are requesting. I want to remove an existing carport and replace it with a new structure. It will not be any larger than the existing car port & will be windstorm certified. 19.7 feet for front yard set back 8ft for depth. MY

4. Do similar conditions exist in the area? Explain. Yes, there are existing car ports on La Laja. Even the exact design I want to install.

5. Describe how the unique conditions or circumstances do not result from your actions. This is a simple replacement of an existing structure. This structure has aged with time & has suffered weather damage. MY

A completed variance application is due 30 days prior to the next Board of Adjustment meeting. Board of Adjustment meetings are held at noon on the third Wednesday of each month. At this meeting, a public hearing will be held. A public hearing notice must be published in the local newspaper (at least 14 days before the meeting) and a notice must be sent to all property owners within 200' of the property where the variance is being requested (the notice must be sent at least 10 days prior to the meeting).

Acknowledgements

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Board of Adjustments hearing.

I understand that in the event that I am not present or represented at the public hearing, the Board shall have the power to dismiss the proposal either at the call of the case or after the hearing, and that such dismissal shall constitute denial.

I reserve the right to withdraw this proposal at any time upon written request filed with the City Secretary's office, and such withdraw shall immediately stop all proceedings. I understand the filing fee is not refundable upon withdraw of the proposal after public notice.

I understand that if the request is approved, I must obtain a building permit from the City before any work is started on the property and that the Board of Adjustment action does not constitute the approval of the building permit.

Applicant's Initials: MY Date: 6-17-16

Office use only

Date received: 6-17-16 Received by: AD

Fee of $150.00 received: ✓

Proof of taxes paid: ✓ date verified: 6-17-16

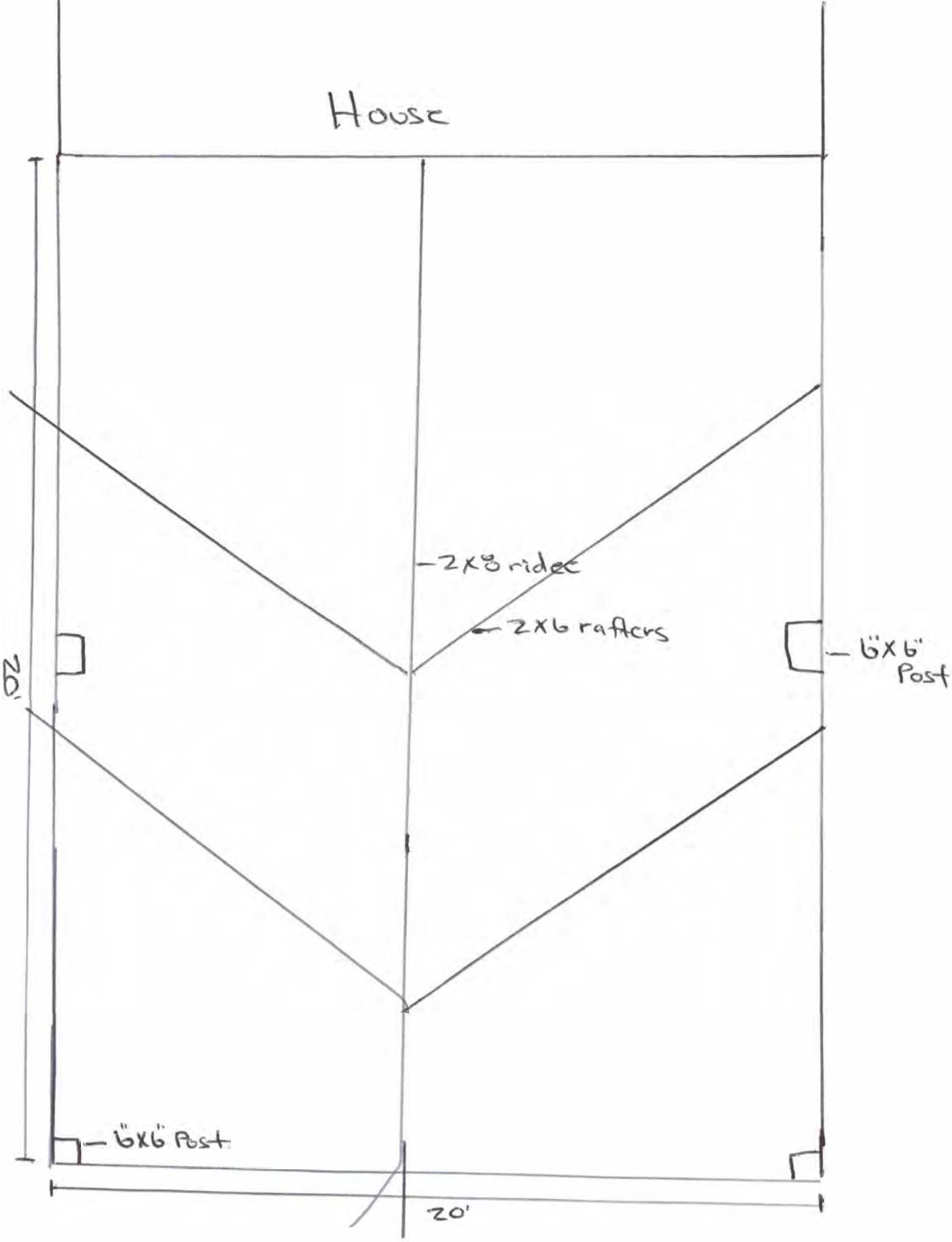
Appointment of agent form attached if required: N/A

BOA Public Hearing date: 7-20-16

Date to send letters to residents: 6-30-16

Letters Mailed: _____

Date to publish: 7-3-16 Date published: _____



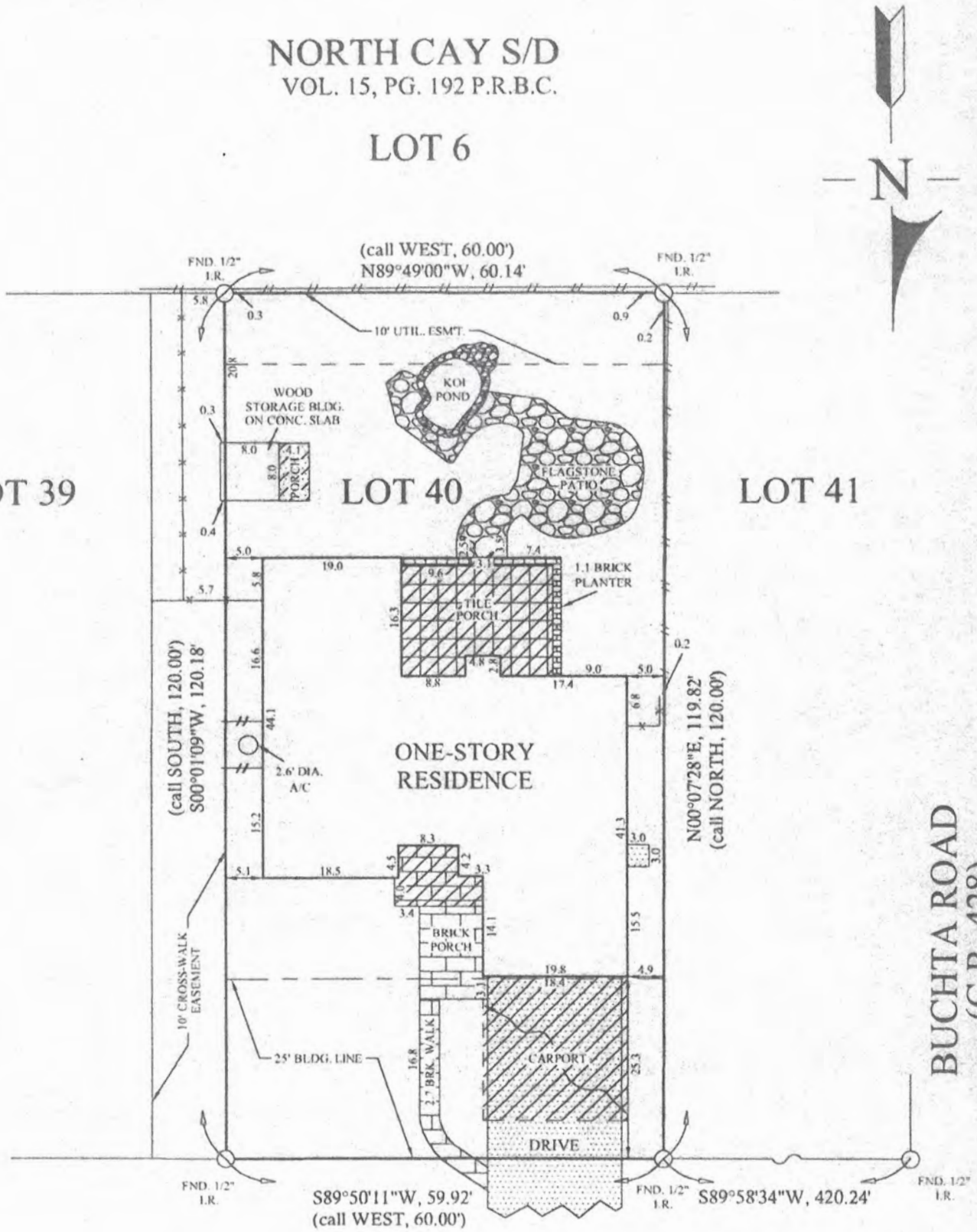
Care Port
128 LaLaJa St.

SINGLETARY SURVEYING, INC.

Buyers: Mack L. Yanez
Serena Yanez

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this day, made a survey on the ground of property located at **128 La Laja Drive**, in the City of **Angleton**, Texas being Lot **40**, of **Molina Subdivision** in Brazoria County, Texas according to the plat thereof recorded in Volume **15**, Page **139** of the Plat Records of Brazoria County, Texas.



℄ LA LAJA DRIVE