

**CITY OF EASTLAND
BOARD OF ADJUSTMENT**

November 19, 2019

On the 19th day of November 2019, the Board of Adjustment for the City of Eastland, Texas, convened in Open Session at Eastland City Hall, as scheduled, and notice was posted 72 hours in advance and prior to the meeting.

Members Present:	Gordon Woolam (alternate) Vicki Armstrong (alternate) Norman Owens (alternate) Mary Warford Kelly Sikes Gena Camacho
Members Absent:	Terry Jones
Staff Present:	Tony Stubblefield, Director of Planning Ron Duncan, City Manager Terry Simmons, Code Enforcement Officer Roma Holley, City Secretary
Guests Present:	Anna Maynard, Jim Maynard, Dayna Fain, Kody Fain

I. Meeting Called to Order

Gena Camacho called the meeting to order at 6:00 p.m.

II. Invocation and Pledge of Allegiance

Mary Warford gave the invocation and Gena Camacho led the Pledge of Allegiance.

III. Approve Minutes of the Meeting Conducted on May 6, 2019 Meeting

Kelly Sikes made a motion, seconded by Vicki Armstrong, to approve the minutes of the May 6, 2019 meeting, as written. Motion prevailed by the following vote:

Ayes: Warford, Armstrong, Sikes, Woolam
Nays: None
Absent: Terry Jones

IV. The Board of Adjustment may Discuss and Take Action on the Following Agenda items:

Case #19-002: Applicant Kody Fain has requested a 2 foot variance from the required 5 foot side yard building setback as required in Eastland Code of Ordinances, *Chapter 19, Article II Permitted Uses and Area Regulations, Section 19-*

12 Height and Area Requirements for a SF – Single Family Zoned District, in order to complete construction of an addition to a residential structure located at 416 E Foch Street, being E15 of 16 and all of 17, Block A, Connellee Place, Eastland, Texas.

Gena Camacho introduced the item and asked for comment from Staff and Applicant.

Tony Stubblefield, Planning and Zoning Director, briefed the Board regarding the variance request submitted by Kody Fain, who is new to the area. Mr. Fain did not know that there was a setback requirement, nor did he know about the necessity of obtaining a building permit. He had demolished a carport and storage area and rebuilt an addition using the same footprint as the original home. The issue being that the new addition encroached 2 feet in to the setback. At that point he was notified about the building permit and setback necessity and he was asked to stop construction until a meeting of the Board of Adjustment could be convened and a variance requested.

Mr. Stubblefield stated that he sent letters to 18 property owners that were within 200 feet of the property line asking for opposition or agreement with the request of the project. Two responses were received and they were both in agreement with the request.

At this time a woman in the audience, later identified as Anna Maynard, stated that she had been out of town and had just returned today and picked up her mail with the letter. Mrs. Maynard stated that she has the property adjacent to the property at 416 E. Foch where the addition is allocated and that she has no opposition to the request. She stated that the property has been improved greatly since the Fain's purchased it.

Discussion followed between board members and the applicant's wife Dayna Fain and Mr. Stubblefield. It centered around the fact that not only was this new addition encroaching on the 5-foot set back, but the neighboring property was also encroaching on it by the same amount, 2 feet. There was discussion about the fact that the neighboring property was built like that before zoning regulations were introduced.

There was also discussion regarding the amount of water coming off of the new addition and a suggestion was made to include gutters in their construction.

Mr. Stubblefield stated that the City has no objection to the variance if the board is in agreement.

Gordon Woolam made a motion, seconded by Kelly Sikes, to approve the variance from the required 5-foot side yard building setback. Motion prevailed by the following vote:

Ayes: Warford, Armstrong, Sikes, Woolam
Nays: None
Absent: Terry Jones

- V. To discuss and take action on application to fill a Mark Pipkins vacancy on the board by Don Griffin.

Tony Stubblefield advised that Mark Pipkin had resigned in order to serve on the Economic Development Board and the vacancy has never been filled.

Board Members discussed the applications and Kelly Sikes made a motion, seconded by Vicki Armstrong, to accept Don Griffin as a new board member.

Ayes: Warford, Armstrong, Sikes, Woolam
Nays: None
Absent: Terry Jones

VI. Staff Briefing

Tony Stubblefield stated that he had gone through all of the records available to try to determine which board members terms of service were expiring.

Terry Jones has served the three terms that are allowed.
Mary Warford has served the three terms that are allowed

Gena Camacho is eligible to be reappointed
Kelly Sikes is eligible to be reappointed. He has served two full terms and one partial term.

Vicki Armstrong, Gordon Woolam and Norman Owen are all alternates and the same rules regarding terms apply for the alternates. All three agreed to continue as alternates.

There will be a meeting in January and we will look at other applications and fill the positions. We will also elect the officers at that time.

Also, all of this is subject to City Commission approval.

VII. Adjournment

Gordon Woolam made a motion, seconded by Kelly Sikes, to adjourn at 6:50 p.m. Motion passed unanimously.

Approved

Gena Camacho
Eastland Board of Adjustment

Attest

Roma Holley, City Secretary