

**MINUTES OF THE CITY OF PORT NECHES  
ZONING BOARD OF ADJUSTMENT & APPEALS  
MAY 14, 2012**

The City of Port Neches Zoning Board of Adjustment and Appeals met on Monday, May 14, 2012 at 6:00 p.m. in the City Hall Conference Room, 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  
Sam Loyacano  
James Mitchell, Alternate

**Also present:**

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

**Absent:**

Corey Belanger  
Karen Schexnayder, Alternate  
Chad Belanger, Alternate  
Dennis Mangioni, Alternate

Chairman John Fisher called the meeting to order.

**APPROVAL OF MINUTES FROM MEETING HELD ON MARCH 12, 2012**

Board Member Stretcher made a motion to approve the minutes of the regular meeting held on March 12, 2012, seconded by Vice Chairman Parks. **MOTION PASSED BY UNANIMOUS VOTE.**

**REQUEST OF LEWIS DAWS, 3160 CREST DRIVE**

Mr. Lewis Daws, 3160 Crest Drive, requested a twenty two foot (22') variance, three foot (3') encroachment, to the twenty five foot (25') rear yard building setback requirement.

Mr. Lewis Daws was present to answer any questions. Mr. Daws stated that he wants to replace the metal patio cover that has been in place since before he purchased the house in 1999. Mr. Daws stated that he wants to replace it with a shingled roof that will

be tied into the house. Mr. Daws stated that the current structure is twenty two foot (22') from the rear property line.

Board Member Stretcher stated that it will be the same footprint as the current structure.

There was discussion regarding differences between metal and composite roofing, fire hazards, and the detached accessory building.

Chairman Fisher asked if there were any questions or comments. There were none.

There were twenty eight (28) notices mailed to property owners surrounding two hundred feet (200') of 3160 Crest 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: Robert Seaberg, 3156 Crest Drive, and none opposed the request.

Board Member Loyacano made a motion to approve the request of Mr. Lewis Daws, 3160 Crest Drive, for a twenty two foot (22') variance, three foot (3') encroachment, to the twenty five foot (25') rear yard building setback requirement for a rear patio with a composition roof with the stipulation that it remains open, seconded by Board Member Mitchell. **MOTION PASSED BY UNANIMOUS VOTE.**

#### **REQUEST OF TIMOTHY ALLEN, 2021 6<sup>TH</sup> STREET**

Mr. Timothy Allen, 2021 6<sup>th</sup> Street, requested an eighteen foot eight inch (18'8") variance, six foot four inch (6'4") encroachment to the twenty five foot (25') rear yard building setback requirement.

Mr. Timothy Allen was present to answer any questions. Mr. Allen stated that in December of 2011 the house that was located on this property was lost due to a house fire. Mr. Allen stated he wants to rebuild on this same property a new home that is larger than the previous home. The new home will have a back patio under the same roof, and the patio will be encroaching.

Mr. Reynolds stated that the patio is not living area but is covered under the same roof line.

Chairman Fisher asked if there were any questions or comments. There were none.

There were twenty eight (28) notices mailed to property owners surrounding two hundred feet (200') of 2021 6<sup>th</sup> Street. In the letters, there are attachments where the property owners could approve or protest this request. There were three (3) returned

approving the request: Bertha Davis, 2006 6<sup>th</sup> Street, Jimmy Denzlinger, 2037 6<sup>th</sup> Street and Jeffrey Robbins, 2038 6<sup>th</sup> Street, and none opposed the request.

Board Member Stretcher made a motion to approve the request of Mr. Timothy Allen, 2021 6<sup>th</sup> Street, for an eighteen foot eight inch (18'8") variance, six foot four inch (6'4") encroachment, to the twenty five foot (25') rear yard building setback requirement for new home with the stipulation that the rear patio remains open, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE**

### **REQUEST OF WAYNE BYERLY, 2633 HAMPTON LANE**

Mr. Wayne Byerly, 2633 Hampton Lane, requested two (2) variances to construct a carport. The first is a one foot (1') variance, four foot (4') encroachment to the twenty five foot (25') front yard building setback requirement and the second is a four foot (4') variance, one foot (1') encroachment to the five foot (5') side yard building setback requirement.

Mr. Byerly, the owner and Mr. James Hall of Vintage Elite Builders, Inc. were present to answer any questions. Mr. Byerly stated he would like a carport to extend out far enough to protect his vehicles.

There was discussion regarding the overhang of the carport, size of City right-of-way, distance to neighbor's house, drainage and other carports in the area.

Chairman Fisher asked if there were any questions or comments. There were none.

There were twenty nine (29) notices mailed to property owners surrounding two hundred feet (200') of 2633 Hampton Lane. In the letters, there are attachments where the property owners could approve or protest this request. There were nine (9) returned approving the request: Mae Krohn, 2705 Hampton Lane, Peggy Thames, 2637 Hampton Lane, Melvin Trahan, 2701 Hampton Lane, Wayne Winn, 2713 S. Kitchen, Ken & Ruth Gilliam, 2709 S. Kitchen, Donald Ware, 2625 Hampton Lane, Charlotte Thurston, 2702 Mazur Drive, Audrey Stephens, 2709 Hampton Lane and George & Margaret Boland, 2626 Hampton Lane, and none opposed the request.

Board Member Stretcher made a motion to approve the requests of Mr. Wayne Byerly, 2633 Hampton Lane, for a one foot (1') variance, twenty four foot (24') encroachment, to the twenty five foot (25') front yard building setback requirement and a four foot (4') variance, one foot (1') encroachment to the five foot (5') side yard building setback requirement for the construction of a carport with the stipulation that the it remains open, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE**

**ADJOURN**

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

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Cari Reynolds, Public Works Secretary

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Approved

Meeting Adjourned at 6:18 p.m.