

**MINUTES OF THE CITY OF PORT NECHES  
ZONING BOARD OF ADJUSTMENT & APPEALS  
JUNE 11, 2012**

The City of Port Neches Zoning Board of Adjustment and Appeals met on Monday, June 11, 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  
Chad Belanger, Alternate (did not participate)  
Dennis Mangioni, Alternate (did not participate)

**Also present:**

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

**Absent:**

Corey Belanger  
Karen Schexnayder, Alternate

Chairman John Fisher called the meeting to order.

**APPROVAL OF MINUTES FROM MEETING HELD ON MAY 14, 2012**

Board Member Stretcher made a motion to approve the minutes of the regular meeting held on May 14, 2012, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE.**

**REQUEST OF DAVID ORR, 791 BAKER AVENUE**

Mr. David Orr, 791 Baker Avenue, requested a four hundred forty square foot (440 sq. ft.) variance to the maximum one thousand square foot (1,000 sq. ft.), total of fourteen hundred forty square foot (1,440 sq. ft.) for a garage.

Mr. David Orr was present to answer any questions. Mr. Orr stated that he is requesting to build a metal building large enough to hold lawn equipment, 2 vehicles and a shop area. Mr. Orr stated that it would be on a concrete slab with a driveway leading to it. Mr. Orr advised that his yard is large and this building will be hidden behind his home and not seen from the street.

Chairman Fisher asked Mr. Larry Reynolds if a change in the ordinance to allow more square footage for accessory buildings would be heard by City Council. Mr. Reynolds stated that there has been discussion regarding a change in the ordinance but a request has not been presented to City Council.

There was discussion regarding the ordinance, other accessory buildings in the area and if there was a hardship.

Board Member Stretcher stated that all setbacks and green space requirements were met.

Board Member Loyacano asked how tall the building would be. Mr. Orr stated that it would have an eight foot (8') ceiling with a small amount of storage space above and a low pitch roof.

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

There were eighteen (18) notices mailed to property owners surrounding two hundred feet (200') of 791 Baker Avenue. In the letters, there are attachments where the property owners could approve or protest this request. There were four (4) returned approving the request: James Roberts, 781 Baker Avenue, Marilyn Hightower, 788 Goodwin Avenue, Gerald Gassen, 786 Goodwin Avenue and Dr. Jan Shook, 2428 Goodwin Courts and none opposed the request.

Board Member Loyacano made a motion to approve the request of Mr. David Orr, 791 Baker Avenue, for a four hundred forty square foot (440 sq. ft.) variance to the maximum one thousand square foot (1,000 sq. ft.) requirement, total of fourteen hundred forty square foot (1,440 sq. ft.) for a garage, seconded by Vice Chairman Parks. Vice Chairman Parks, Board Member Stretcher, Board Member Loyacano and Alternate Board Member Mitchell voted to approve the request, Chairman Fisher voted to deny the request. **MOTION PASSED BY MAJORITY VOTE.**

### **REQUEST OF MCT CREDIT UNION, 2736 NALL STREET**

Mid County Teachers Credit Union, 2736 Nall Street, requested a fifteen foot (15') variance, ten foot (10') encroachment to the twenty five foot (25') front yard building setback requirement for the purpose of construction of a new drive thru building.

Mr. Jim English of Construction Zone of Southeast Texas, LLC., representative for MCT Credit Union, was present to answer any questions. Mr. English stated that MCT Credit Union wants to streamline by combining the three (3) existing buildings. The current drive thru is across the street in a separate building and MCT Credit Union has available space to build the new drive thru between the two (2) existing buildings.

Board Member Stretcher asked what is MCT Credit Union going to do with the current drive thru. Mr. English stated that it could possibly be sold but there is discussion of leasing the property to another tenant.

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

There were fourteen (14) notices mailed to property owners surrounding two hundred feet (200') of 2736 Nall Street. In the letters, there are attachments where the property owners could approve or protest this request. There were none returned in approval or opposed to the request.

Vice Chairman Parks made a motion to approve the request of Mid County Teachers Credit Union, 2736 Nall Street, for a fifteen foot (15') variance, ten foot (10') encroachment, to the twenty five foot (25') front yard building setback requirement for the purpose of construction of a new drive thru building, seconded by Board Member Stretcher. **MOTION PASSED BY UNANIMOUS VOTE.**

#### **REQUEST OF CHAD LEWIS, 2646 12<sup>TH</sup> STREET**

Mr. Chad Lewis, 2646 12<sup>th</sup> Street, requested a five hundred square foot (500 sq. ft.) variance to the maximum one thousand square foot (1,000 sq. ft.) requirement, total of fifteen hundred square foot (1,500 sq. ft.) for a garage.

Mr. Chad Lewis was present to answer any questions. Mr. Lewis stated he wants to build a garage in his back yard to house his camper trailer, golf cart, four-wheeler, lawn mower and an older truck that he is restoring. Mr. Lewis stated that the current accessory building is not large enough and will be moved off the property to make room for the larger garage.

Mr. Lewis stated that his property faces 12<sup>th</sup> Street but he is on a corner so the garage would be accessed from South Avenue.

There was discussion regarding the ordinance, amount of green space, setbacks, and the location of the building on the property.

Board Member Stretcher asked Mr. Lewis if he could purchase a smaller building that would store all of his belongings. Mr. Lewis stated he had looked at a twelve hundred square foot (1,200 sq. ft) building, but it would not hold everything.

There was more discussion regarding the ordinance.

Board Member Loyacano stated that he noticed that Mr. Lewis needed a larger building because it does not look good to have his camper, recreational vehicles and lawn equipment in the yard.

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

There were nineteen (19) notices mailed to property owners surrounding two hundred feet (200') of 2646 12<sup>th</sup> Street. In the letters, there are attachments where the property owners could approve or protest this request. There were two (2) returned approving the request: Terry Grissom, 2643 12<sup>th</sup> Street and Marvin & Lynn Terrier, 2645 11<sup>th</sup> Street, and none opposed the request.

Vice Chairman Parks made a motion to approve the request of Mr. Chad Lewis, 2646 12<sup>th</sup> Street, for a five hundred square foot (500 sq. ft.) variance to the maximum one thousand square foot (1,000 sq. ft.) requirement, total of fifteen hundred square foot (1,500 sq. ft.) for a garage, seconded by Board Member Loyacano. Vice Chairman Parks, Board Member Stretcher, Board Member Loyacano and Alternate Board Member Mitchell voted to approve the request, Chairman Fisher voted to deny the request. **MOTION PASSED BY MAJORITY VOTE.**

**ADJOURN**

There being no further business Board Member Stretcher made a motion to adjourn, seconded by 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 6:23 p.m.