

**MINUTES OF THE CITY OF PORT NECHES
ZONING BOARD OF ADJUSTMENT & APPEALS
SEPTEMBER 8, 2014**

The City of Port Neches Zoning Board of Adjustment and Appeals met on Monday, September 8, 2014 at 6:00 p.m. in the City Hall Council Room, 1005 Merriman, 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:

Chairman Corey Belanger
Sam Loyacano
Charles Bales
Chris Swanson, Alternate
James Ware, Alternate

Also present:

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

Absent:

Vice Chairman Boyd Parks
Gary Stretcher
Karen Schexnayder, Alternate

Chairman Corey Belanger called the meeting to order.

APPROVAL OF MINUTES FROM MEETING HELD ON AUGUST 11, 2014

Board Member Sam Loyacano made a motion to approve the minutes of the regular meeting held on August 11, 2014, seconded by Alternate Board Member Chris Swanson. **MOTION PASSED BY UNANIMOUS VOTE.**

CHAD LEWIS, 2646 12TH STREET

Chad Lewis, 2646 12th Street, requested a variance to provide a separate electric meter to an accessory building.

Mr. Chad Lewis was present to answer any questions.

Chairman Belanger asked Mr. Larry Reynolds to give the details of the request.

Larry Reynolds stated there is a large expense to run the wire underground from the house to the accessory building. If he has a separate meter on the building then Entergy will run it for free.

Mr. Lewis stated that it's about one hundred foot (100') from the house to the accessory building. It would be shorter, about half the distance, for Entergy to run from the pole straight to the accessory building.

Chairman Belanger stated that there seems to be a financial hardship.

Chairman Belanger 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 2646 12th Street. In the letters, there are attachments where the property owners could approve or protest this request. There was three (3) returned in approval: Felicia Therrien, 2645 11th Street, Terry Grissom, 2643 12th Street, and Jose Saavedra, 2629 12th Street, and none in opposition to the request.

Board Member Loyacano made a motion to approve the request of Chad Lewis, 2646 12th Street for a variance to provide a separate electric meter to an accessory building, seconded by Alternate Board Member Swanson. **MOTION PASSED BY UNANIMOUS VOTE.**

ADOLFO RUBIO, 930 MONTROSE STREET

Adolfo Rubio, 930 Montrose Street, requested a thirteen foot (13') variance, twelve foot (12') encroachment to the twenty five foot (25') front yard building setback for construction of a new home.

Mr. Adolfo Rubio was present to answer any questions.

Chairman Belanger asked Mr. Reynolds to give the details of the request.

Mr. Reynolds stated this property currently fronts Montrose but Mr. Rubio wants to turn the house to face Grigsby. This variance, if granted, needs to be contingent on replatting the property. There are other homes in that area that have built in the past that do not have variances, so I have instructed Mr. Rubio that he needs a variance to be in compliance.

Mr. Reynolds stated that Mr. Rubio originally requested a thirteen foot (13') variance, twelve foot (12') encroachment, but the original setback for a corner lot would have a fifteen foot (15') side yard setback. Since the house will be turned to face Grigsby, my opinion is that the variance reflect the same fifteen foot (15') setback. So instead of the requested thirteen foot (13') variance, twelve foot (12') encroachment, it should be a fifteen foot (15') variance, ten foot (10') encroachment. That way there will be no visibility issues.

Mr. Reynolds stated that this will affect the rear yard variance request which is the next agenda item.

Chairman Belanger asked since the request was for a twelve foot (12') encroachment, can we ask for a motion to approve the ten foot (10') encroachment or does he need to submit another request?

Mr. Reynolds stated the Board can grant the ten foot (10') encroachment instead of the twelve foot (12') encroachment.

There was discussion regarding the front and rear setbacks and the amount of variance and encroachment for both front and rear.

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

There were twenty seven (27) notices mailed to property owners surrounding two hundred feet (200') of 930 Montrose Street. In the letters, there are attachments where the property owners could approve or protest this request. There was one (1) returned in approval: Vickie Arkeen, 1010 Montrose Street and three (3) in opposition to the request: Mrs. Arthur Green, 211 S 2nd ½ Street, Nederland, Matt Vincent/Kontiki Hotel Partners, L.P., 1734 Green Oaks Drive and Matt Vincent, 1734 Green Oaks Drive.

Board Member Loyacano made a motion to approve the request of Adolfo Rubio, 930 Montrose for a fifteen foot (15') variance, ten foot (10') encroachment (not a thirteen foot (13') variance, twelve foot (12') encroachment) to the twenty five foot (25') front yard building setback for construction of a new home contingent on the replat of the property, seconded by Alternate Board Member Swanson. **MOTION PASSED BY UNANIMOUS VOTE.**

ADOLFO RUBIO, 930 MONTROSE STREET

Adolfo Rubio, 930 Montrose Street, requested a ten foot (10') variance, fifteen foot (15') encroachment to the twenty five foot (25') rear yard building setback for construction of a new home.

Chairman Belanger stated that this is the same property. Since the front variance request was altered, the rear request will have to be altered.

There was discussion regarding the amount of variance and encroachment for the rear setback since the front yard variance request was altered.

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

There were twenty seven (27) notices mailed to property owners surrounding two hundred feet (200') of 930 Montrose Street. In the letters, there are attachments where the property owners could approve or protest this request. There was one (1) returned in approval: Vickie Arkeen, 1010 Montrose Street and three (3) in opposition to the request: Mrs. Arthur Green, 211 S 2nd ½ Street, Nederland, Matt Vincent/Kontiki Hotel Partners, L.P., 1734 Green Oaks Drive and Matt Vincent, 1734 Green Oaks Drive.

Board Member Bales made a motion to approve the request of Adolfo Rubio, 930 Montrose for a twelve foot (12') variance, thirteen foot (13') encroachment (not a ten foot (10') variance, fifteen foot (15') encroachment) to the twenty five foot (25') rear yard building setback for construction of a new home contingent on the replat of the property, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE.**

MARK LOUPE, 1029 EAST PORT NECHES AVENUE

Mark Loupe, 1029 East Port Neches Avenue, requested a seventeen foot six inch (17'6") variance, seven foot six inch (7'6") encroachment to the twenty five foot (25') front yard building setback for a metal carport.

Mr. Mark Loupe was present to answer any questions.

Chairman Belanger asked Mr. Reynolds if there were any drainage issues.

Mr. Reynolds stated there were no issues.

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

There were seven (7) notices mailed to property owners surrounding two hundred feet (200') of 1029 East Port Neches Avenue. In the letters, there are attachments where the property owners could approve or protest this request. There were three (3) returned in approval: Richard Anderson, 1039 E. Port Neches Avenue, Mark English, 230 E 2nd Street, and Chris Johnson, 1124 E. Port Neches Avenue and none in opposition to the request.

Board Member Bales made a motion to approve the request of Mark Loupe, 1029 East Port Neches Avenue for a seventeen foot six inch (17'6") variance, seven foot six inch (7'6") encroachment for a metal carport with the stipulation that it remain open, seconded by Alternate Board Member Swanson. **MOTION PASSED BY UNANIMOUS VOTE.**

ADJOURN

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

Corey Belanger, Chairman

Cari Reynolds, Public Works Secretary

Meeting Adjourned at 6:15 p.m.