

**MINUTES OF THE CITY OF PORT NECHES  
ZONING BOARD OF ADJUSTMENT & APPEALS  
JANUARY 12, 2015**

The City of Port Neches Zoning Board of Adjustment and Appeals met on Monday, January 12, 2015 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  
Vice Chairman Boyd Parks (did not participate)  
Gary Stretcher  
Sam Loyacano  
Charles Bales  
James Ware, Alternate  
Donald Ware, Alternate (did not participate)

**Also present:**

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

**Absent:**

Chris Swanson, Alternate

Chairman Belanger called the meeting to order at 6:00 p.m.

**APPROVAL OF MINUTES FROM MEETING HELD ON DECEMBER 8, 2014**

Board Member Loyacano made a motion to approve the minutes of the regular meeting held on December 8, 2014, seconded by Board Member Bales. **MOTION PASSED BY UNANIMOUS VOTE.**

**MICHAEL WHITNEY, 910 LLANO STREET**

Michael Whitney, 910 Llano Street, requested to provide a separate electric meter for an accessory building.

Mr. Whitney was present to answer any questions.

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

Mr. Reynolds stated the Board granted a variance to the size of an accessory building on May 12, 2014 for this property. The cost of running the wire from the existing meter to the garage is expensive.

Board Member Stretcher stated that the Board has turned down several of this type of requests in the past.

Mr. Reynolds stated that due to the large number of request, the City is in the process of amending the Zoning Ordinance to allow a second meter for this purpose.

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

There were twenty (20) notices mailed to property owners surrounding two hundred feet (200') of 910 Llano Street. In the letters, there are attachments where the property owners could approve or protest this request. There were two (2) returned in approval: Dennis & Donna Osgood, 835 Llano Street and Gary Geoffroy, 909 Llano Street, and none in opposition to the request.

Board Member Bales made a motion to approve the request of Michael Whitney, 910 Llano Street to provide a separate electric meter with the stipulation that the building will not be used as a residence or business, seconded by Alternate Board Member James Ware. **MOTION PASSED BY UNANIMOUS VOTE.**

**ROBERTO ORTIZ, 1021 MAGNOLIA AVENUE**

Roberto Ortiz, 1021 Magnolia Avenue, requested a fifteen and half foot (15 ½') variance, nine and half foot (9 ½') encroachment, to the twenty five foot (25') front yard building setback for an addition to a restaurant.

Mr. Ortiz and Mr. Bert Lampson (representative for Mr. Ortiz) were present to answer any questions.

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

Mr. Reynolds stated that normally on a commercial building the twenty five foot (25') setbacks do not apply but because this property is within one hundred feet (100') of a residential district the building must meet the twenty five foot (25') setback. The building is already encroaching five foot (5') into the front setback.

Mr. Lampson stated that the request is to extend the façade of the building another four and half foot (4 ½'). The front entrance will be the only section that extends out, not the entire front of the building.

Board Member Stretcher asked if the encroachment would do away with the parking in the front of the building.

Mr. Lampson stated that there would be no parking directly in front of the entrance but would still be parking on each side of the entrance. Mr. Lampson also stated that because they are doing away with the drive thru, there would be additional parking on the side of the restaurant.

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

There were sixteen (16) notices mailed to property owners surrounding two hundred feet (200') of 1021 Magnolia Avenue. In the letters, there are attachments where the property owners could approve or protest this request. There were three (3) returned in approval: Orlando Vergara, 2217 14<sup>th</sup> Street, Brian Swindel, 1022 Magnolia Avenue and Chad LaBove, 1007 Magnolia Avenue, and none in opposition to the request.

Board Member Loyacano made a motion to approve the request of Roberto Ortiz, for a fifteen and half foot (15 ½') variance, nine and half foot (9 ½') encroachment, to the twenty five foot (25') front yard building setback for an addition to a restaurant, seconded by Board Member Bales. **MOTION PASSED BY UNANIMOUS VOTE.**

**ADJOURN**

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

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Corey Belanger, Chairman

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Cari Reynolds, Public Works Secretary

Meeting Adjourned at 6:08 p.m.