

**MINUTES OF THE CITY OF PORT NECHES  
ZONING BOARD OF ADJUSTMENT & APPEALS**

**4:00 P.M.**

**January 9, 2017**

**MEETING**

The regular meeting was called to order on Monday, January 09, 2017, 4:00 p.m. at Port Neches City Hall, 1005 Merriman Street, Port Neches, Texas with the following members in attendance to wit:

Matt Vincent, Chairman  
William "B.C." Clemmons, Vice-Chairman  
Sam Loyacano  
Lee West  
Steve Visser  
Gary Boudoin, Alternate (did not participate)  
Daniel Critser, Alternate (did not participate)

Also present:  
Clint Fore, Acting Building Official  
Cari Reynolds, Public Works Secretary

Absent:  
Marc Keith, Alternate  
John Fisher, Alternate

Chairman Vincent called the meeting to order

**AGENDA ITEM 2 – APPROVAL OF MINUTES**

Discuss and take action regarding the approval of the minutes from the regular meeting held on November 14, 2016.

Board Member Visser made a motion to approve the minutes from the regular meeting held on November 14, 2016, seconded by Board Member Lee. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 3 – ARLIE ESTES JR., 3175 MERRIMAN STREET- SIDE YARD**

Discuss and take action regarding the request of Arlie Estes Jr., 3175 Merriman Street, for a seven foot (7') variance, eight foot (8') encroachment, to the fifteen foot (15') side yard building setback requirement for an accessory building.

Arlie Estes Jr., 3175 Merriman Street: (requestor) was present to answer any questions.

Chairman Vincent asked Clint Fore to give the details of the request.

Clint Fore stated that he drove by the property and noticed that there was construction of an accessory building underway, and believed it might be in a utility easement. He stopped the work and after reviewing the property, advised Mr. Estes that a variance would be needed prior to any more construction.

Chairman Vincent asked if there was a permit, if the building was on a slab and if it was an on-sight building or one that is delivered.

Mr. Fore advised that no permit was issued, there is a slab and is being built on-sight.

Mr. Estes stated that he contacted the City, and ask if he needed a permit to build a storage shed and the person he spoke with said he didn't need a permit for a shed. He did not know who he spoke with. Mr. Estes also stated that he has invested almost \$10,000 and it would be a financial hardship to move the shed.

Chairman Vincent asked Clint Fore if the building would obstruct the view of traffic.

Mr. Fore stated that there is no traffic hazards due to the view being obstructed.

Board Member Visser asked Mr. Estes if he knew who he spoke with that told him he didn't have to have a permit for the slab foundation and the building.

Mr. Estes stated he didn't know who he spoke with but there must have been a misunderstanding since no one asked him about the slab foundation or informed him he would need a permit.

Mr. Fore stated that he believes that when Mr. Estes spoke to Mr. Reynolds, the previous Building Official, and was told that a permit would not be necessary for a slab that was being used as a parking pad.

Chairman Vincent asked the Board 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 3175 Merriman Street. In the letters, there are attachments where the property owners could approve or protest this request. There were none received in approval or opposition.

Board Member Visser made a motion to approve the variance request of Arlie Estes Jr., 3175 Merriman Street, for a seven foot (7') variance, eight foot (8') encroachment, to the

fifteen foot (15') side yard building setback requirement for an accessory building, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE.**

**AGENDA ITEM 4 – RICHARD JOFFRION, 712 AVENUE D- FRONT LOT WIDTH**

Discuss and take action regarding the request of Tom Tran, representative for Richard Joffrion, 712 Avenue D, for a fifty six foot (56') variance to the eighty foot (80') minimum lot width requirement, for the front property, for construction of a duplex.

Tom Tran, representative for Richard Joffrion, 712 Avenue D: (requestor) was present to answer any questions.

Mr. Tran stated that this lot was granted a sixty foot (60') variance to the eighty foot (80') minimum lot width requirement at the April 13, 2015 Zoning Board of Adjustment meeting. Since that meeting, a new survey was done that shows the property as fifty six foot (56') not the sixty foot (60') that was originally requested. A driveway and a lean-to shed on the adjacent property are another reason for this request.

Chairman Vincent asked Clint Fore what the property was zoned as.

Mr. Fore stated the property is zoned Residential – Duplex (R-D).

Board Member Visser asked if a Residential – Single Family (R-SF) home could be built on the property.

Mr. Fore stated that a Residential – Single Family (R-SF) home could be built on the property.

Board Member Visser stated that there were three (3) protests submitted to the City regarding parking concerns.

Mr. Tran stated that each unit of the duplex would have a one (1) car garage and two (2) spaces in front of the duplex which would total six (6) parking spots.

Chairman Vincent stated that is a busy corner due to the high school and the variance requested is asking for a lot of structure to be crammed onto one (1) lot.

There was discussion regarding the size of the lot, size of the duplex, parking concerns, amount of variance requested previously and now.

Mr. Fore stated that this variance is not good without the other, which is the next agenda item.

Chairman Vincent asked the Board 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 712 Avenue D. In the letters, there are attachments where the property owners could approve or protest this request. There were none received in approval and three (3) received in opposition: Dale Blanchard, 718 Avenue D, Rudy Weldon, 1414 Merriman Street and Harold Comstock, 715 Avenue D.

Board Member Visser made a motion to approve the variance request of Tom Tran, representative for Richard Joffrion, 712 Avenue D, for a fifty six foot (56') variance to the eighty foot (80') minimum lot width requirement, for the front property, for construction of a duplex, seconded by Board Member Loyacano. **MOTION DID NOT PASS BY UNANIMOUS VOTE.**

**AGENDA ITEM 5 – RICHARD JOFFRION, 712 AVENUE D- REAR LOT WIDTH**

Discuss and take action regarding the request of Tom Tran, representative for Richard Joffrion, 712 Avenue D, for a fifty foot (50') variance to the eighty foot (80') minimum lot width requirement, for the rear property, for construction of a duplex.

Tom Tran, representative for Richard Joffrion, 712 Avenue D: (requestor) was present to answer any questions.

Chairman Vincent stated this is the same property as the previous request.

Chairman Vincent asked the Board 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 712 Avenue D. In the letters, there are attachments where the property owners could approve or protest this request. There were none received in approval and three (3) received in opposition: Dale Blanchard, 718 Avenue D, Rudy Weldon, 1414 Merriman Street and Harold Comstock, 715 Avenue D.

Board Member Visser made a motion to approve the variance request of Tom Tran, representative for Richard Joffrion, 712 Avenue D, for a fifty foot (50') variance to the eighty foot (80') minimum lot width requirement, for the rear property, for construction of a duplex, seconded by Board Member West. **MOTION DID NOT PASS BY UNANIMOUS VOTE.**

**AGENDA ITEM 8– ADJOURN**

There being no further business, Board Member Loyacano made a motion to adjourn, seconded by Board Member West. **MOTION PASSED BY UNANIMOUS VOTE.** The meeting was adjourned at 4:12 p.m.

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Matt Vincent, Chairman

ATTEST:

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Cari Reynolds, Public Works Secretary