

**BOARD OF ADJUSTMENT
MEETING MINUTES OF JULY 1, 2015**

The Bastrop Board of Adjustment met Wednesday, July 1, 2015 at 6:00 p.m. in the City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. Call to Order.

Blas Coy called the meeting to order at 6:00 p.m.

2. Roll call and confirmation of a quorum of Board members.

Blas Coy	- present
Michael Gibbons	- present
Dan Hays-Clark	- absent (prior notice given)
Herb Goldsmith	- present
Matthew Lassen	- present
Bob Rogers (Alternate)	- present

3. Citizen comments.

There were no citizen comments.

4. Consideration and approval of the April 1, 2015 Board of Adjustment meeting minutes.

Matthew Lassen made a motion to approve the April 1, 2015 meeting minutes. Seconded by Herb Goldsmith and the motion passed unanimously.

5. Public Hearing Case BOAV15:01: The Board of Adjustment will convene a public hearing on a variance request as follows:

Section 17.4.B.2 to allow a minimum interior side yard setback of 5 feet on the west side where 10 feet is required. The subject property consists of +/-0.497 acres within Farm Lot 7, East of Main Street known as 904 Linden Street and zoned SF-7, single family residential in the city limits of Bastrop, Texas.

Yvonne Pritchard, Interim Planning Director, addressed the Board stating this property was recently purchased by the Connell's and is vacant. She states there is a 20' drainage easement on the east side of the property that was granted to the City in 1992. A copy of this recorded easement is included in the package submittal, and that the drainage easement extends the entire length of the property. Yvonne stated the Applicants wish to build a single family residence on this vacant lot but they are limited to buildable space due to the easement that created a twenty foot (20') setback. Per City regulations, permanent structures cannot be built within the drainage easement. The Applicants feel the improvements they are proposing will enhance the neighborhood.

Yvonne stated the applicants are requesting a variance prior to the submittal of any building permit application and if the variance is approved, the applicant proposes to

build a new single family residence on the vacant lot. She stated utilities are available to the site and any extensions that might be required as part of the building permit application will be at the owner/applicants expense. Also that the owner/applicant will be required to follow all other building code requirements.

Yvonne stated staff is recommending approval and that the provided factual comments above in relation to the variance criteria is for the Board's consideration. She also mentioned the applicant provided a letter and documentation supporting their request.

Matt Lassen inquired about the nature of the drainage easement asking if there was a pipe. The applicant, Mr. Patrick Connell, addressed the question stating there is a pipe within the drainage easement, that it is not just a ditch, it has a pipe in which he is aware access may be needed at some point and time. Michael Gibbons asked Mr. Connell and staff if the driveway can be placed over it. The response was yes, but if the City needed access, the driveway could be torn up.

Mr. Connell stated their goal is to construct a single story family residence. Mr. Connell was asked if he intends to live in the newly construction home and he stated he intends to build the home and sell it.

Several discussions were held between the Applicant, Board member and Staff with all questions being answered.

Blas Coy closed the public hearing.


Michael Gibbons made a motion to grant the variance per Staff's recommendations with the condition that all building codes and drainage requirements are met. Matt Lassen seconded the motion and the motion passed unanimously.

6. Discussion and possible action to nominate a Board of Adjustment board member to the Comprehensive Plan Steering Committee.

Michael Gibbons made a motion to nominate Blas Coy to the Comprehensive Plan Steering Committee as the primary member. Herb Goldsmith nominated Matthew Lassen to serve on this committee as the alternate. Both motions were passed unanimously.

7. Adjourn.

Matthew Lassen made a motion to adjourn the meeting. Bob Rogers seconded the motion and the meeting adjourned at 6:32 pm.



Dan Hays-Clark, Chair