

## Board of Adjustment

The Board of Adjustment met Wednesday, August 6, 2014 at 6:00 p.m. in the City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. Call to Order: Open the regular meeting of the Board of Adjustment and welcome visitors.

Dan Hays-Clark called the meeting to order at 6:00 p.m.

2. Oath of office for new Board Alternate, Bob Rogers.

Melissa McCollum introduced Bob Rogers to the Board and administered the Oath of Office to Mr. Rogers.

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

Blas Coy	- present
Michael Gibbons	- present
Dan Hays-Clark	- present
Clifford Wright	- present
Herb Goldsmith	- present
Matthew Lassen	- present
Bob Rogers	- present

4. Citizen comments.

There were no citizen comments.

5. Consideration and approval of the July 2, 2014, Board of Adjustment/Municipal Sign Review Board meeting minutes.

Clifford Wright made a motion to approve the meeting minutes of July 2, 2014. Seconded by Michael Gibbons and the motion passed unanimously.

6. **Public Hearing Case BOAV14:05:** The Board of Adjustment will convene a public hearing on a variance request as follows:

Variance to Zoning Ordinance Sections:

40.7.A.1, 40.7.A.2 area regulations for accessory buildings in residential districts, front and side yard; 17.4.B.1, 17.4.B.2, 17.4.D.1 area regulations, size of yards, parking regulations; and 38.2.B residential district special off-street parking provisions.

To allow a carport structure to be built within the front yard and interior side yard setback area approximately two (2') feet from the north property line and approximately four (4') feet from the front property line; and continued use of existing river rock base for the driveway. The subject property consists of +/- 0.300 acres in the Resubdivision No. 2 The Compound, Lot 7 commonly known

as 1406 Wilson Street in an area zoned SF7, Single Family Residential in the city limits of Bastrop, Texas.

Melissa McCollum addressed the Board stating the applicants, Karol Rice and Victor Gonzalez, of 1406 Wilson Street are requesting variances to allow a carport structure to be built within the front yard and interior side yard setback area approximately two (2') feet from the north (side) property line and approximately four (4') feet from the front property line; and continued use of existing river rock base for the driveway. Melissa stated the new proposed carport is 400 square feet, to be placed over existing river rock driveway surface within the front and side setback area. She stated the applicants are requesting variances prior to the submittal of any building permit applications.

Melissa stated staff recommends approval of the Variance to Sections 40.7.A.1, 40.7.A.2 and 17.4.B.1, 17.4.B.2, 17.4.D.1 to place the carport in front of the main structure and within the front and side setbacks. She said staff recommends denial of the variance to Section 38.2.B, which would allow the owner to keep the existing river rock driveway; and recommends with this new/upgrade of the carport the owner build an appropriate city approved concrete driveway apron within the ROW and paved surface underneath the new carport. Melissa stated staff would also suggest adding the following conditions, in accordance with granting the variance Findings of Fact.

- Drainage of the new carport structure must be designed to eliminate drainage and overflow onto neighboring property.
- New driveway apron with appropriate drainage will be installed at the time the new carport is built, in conformance with the City's construction manual.
- All permits must be pulled, and comply with approved clearance around utilities.

Victor Gonzales addressed the Board handing out an updated rendering of the proposed carport showing a lower pitch to the roof compared to the rendering of the carport placed in the Board's packets. Mr. Gonzales stated they have done substantial remodeling to the property, and would now like to complete their project by building the carport to protect their vehicles. Ms. Gonzales and Karol Rice both stated with the position of the house, it is not possible to attach a garage due to several obstacles including existing trees, the location of their air conditioning unit and the existing fence.

Several discussions were held between the Board members, applicants and Planning Director, Melissa McCollum in reference to the water flow from the roof of the carport, lighting, existing trees, distance from the street to the carport and installation of a concrete apron.

Dan Hays-Clark closed the public hearing.

Michael Gibbons made a motion to approve the variance with the following conditions:

- (a) Drainage of the new carport structure must be designed to eliminate drainage and overflow onto neighboring property

- (b) New Driveway apron with appropriate drainage will be installed at the time the new carport is built in conformance with the City's construction manual
- (c) Deny the continued use of the river rock as the driveway/carport base
- (d) Permits must be applied for and once issued, applicants must comply with the approved plans
- (e) Carport/new structure must remain open, not allowed to enclose the walls
- (f) Allowed alternative \*granite driveway if engineering built in conformance with City standards from Befco

The motion was seconded by Blas Coy and the motion passed unanimously.

7. Director's Report

Melissa gave a brief update on the Form Base Code Task Force and Gateway Planning's visit from July. Matt Lassen stated he enjoyed the meetings he attended stating they were very informative. Melissa stated there is a webpage on the City's webpage for the Form Based Code for all to view.

8. Adjourn.

Michael Gibbons made a motion to adjourn the meeting. Seconded by Matt Lassen and the meeting adjourned at 6:54 p.m.



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Dan Hays-Clark, Chair