

City of Windcrest



AGENDA BOARD OF ADJUSTMENT MEETING MARCH 25, 2024

CITY COUNCIL CHAMBERS @ 8601 MIDCROWN

6:00 P.M.

NOTICE IS HEREBY GIVEN THAT A CITY OF WINDCREST BOARD OF ADJUSTMENT MEETING WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 25TH DAY OF MARCH 2024, STARTING AT 6:00 P.M. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND THE BOARD MAY TAKE ACTION ON ANY OF THE LISTED SUBJECTS.

THE BOARD OF ADJUSTMENT RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF MARCH 25, 2024, AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, MARCH 26 2024, AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Windcrest Council Chambers are wheelchair accessible, and accessible parking spaces are available. In compliance with Americans with Disabilities Act, the City of Windcrest will provide reasonable accommodations for persons attending the meeting. To better serve you, requests should be received 48 hours prior to the meeting. Please contact the City Secretary's Office, at 210-655-0022 ext. 2150 or Fax 210-655-8776, or 711 Texas Relay.

I. Call to Order

II. Roll Call

III. Vote to Excuse Absent Board Members

IV. Pledge of Allegiance

V. Citizens to be Heard

- Citizens may address the Board of Adjustment on topics not on the agenda for no more than three (3) minutes.
- In addition to the foregoing, citizens shall also have the opportunity to address the Board of Adjustment during consideration of posted agenda items for no more than six (6) minutes.
- A City Official may make a statement of specific factual information in response to an inquiry made by a member of the public, or a recitation of existing policy in response to an inquiry made by a member of the public.

VI. Presentation by Applicant

- a) Applicant of 213 Driftwind Dr. may present their request to the Board of Adjustment.

VII. Public Hearing***Opening of Public Hearing One***

- a) Public Hearing to receive comments from the public to consider a request for a variance from the City of Windcrest Code of Ordinances Sec. 103-58(b)(12)(e), to construct an accessory building exceeding one hundred and forty-four (144) sq/ft and nine (9) feet in height, at 213 Driftwind Dr., more particularly described as BCAD Property #342413.

Close of Public Hearing One***Opening of Public Hearing Two***

- a) Public Hearing to receive comments from the public to consider a request for a variance from the City of Windcrest Code of Ordinances Sec. 103-58(b)(12)(d), to construct an accessory building that is setback less than ten (10) feet from the main dwelling, at 213 Driftwind Dr., more particularly described as BCAD Property #342413.

Closing of Public Hearing Two**VIII. Items for Discussion/Action**

- a) The Board of Adjustment will review, discuss, and may take action on a request for a variance from the City of Windcrest Code of Ordinances Sec. 103-58(b)(12)(e), to construct an accessory building exceeding one hundred and forty-four (144) sq/ft and nine (9) feet in height, at 213 Driftwind Dr., more particularly described as BCAD Property #342413.
- b) The Board of Adjustment will review, discuss, and may take action on a request for a variance from the City of Windcrest Code of Ordinances Sec. 103-58(b)(12)(d), to construct an accessory building setback less than ten (10) feet from the main dwelling, at 213 Driftwind Dr., more particularly described as BCAD Property #342413.

IX. General Announcements & Future Agenda Items Requested

Per Ordinance No. 618, repealing Ordinance No. 593; Section 9: Every agenda shall include an item entry granting a member the opportunity to propose an item for consideration of future agendas for Regular or Special Meetings. Any member may request the inclusion of such items at any meeting.

X. Adjournment**AGENDA NOTICES:****DECORUM REQUIRED:**

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

ACTION BY COUNCIL AUTHORIZED:

The Board of Adjustment may vote and/or act upon any item within this Agenda. The Board reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code § 551.072 (Deliberations about Real Property); § 551.073 (Deliberations about Gifts & Donations); § 551.076 (Deliberations about Security Devices); §551.087 (Economic Development); and, § 551.071 to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The attorney may appear in person or appear in executive session by conference call in accordance with applicable state law.

EXECUTIVE SESSIONS APPROVED BY CITY ATTORNEY:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

ATTENDANCE BY OTHER ELECTED OR APPOINTED OFFICIALS:

It is anticipated that members of the City Council, or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission, or committee subject to the Texas Open Meetings Act.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Board of Adjustment of the City of Windcrest is a true and correct copy of said Notice and was posted on the bulletin board at City Hall of said City in a convenient place to the public and said Notice was posted more than seventy-two (72) hours prior to the meeting on March 25, 2024.

By: _____
Rachel C. Dominguez, City Secretary