

City of Windcrest



AGENDA BOARD OF ADJUSTMENT MEETING AUGUST 14, 2023

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 14TH DAY OF AUGUST 2023, 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 AUGUST 14, 2023, AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, AUGUST 15, 2023, 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 505 Sunhaven Dr. may present their request to the Board of Adjustment.

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

- 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)(b), to construct a second accessory building, at 505 Sunhaven Dr., more particularly described as BCAD Property #343222.

Closing of Public Hearing**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)(b), to construct a second accessory building, at 505 Sunhaven Dr., more particularly described as BCAD Property #343222.

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 August 14, 2023.

By: *Dusty Dehoyos*
Rachel C. Dominguez, City Secretary

JUL 03:29 14:29



WINDCREST TEXAS

Universal Development Application

(Please use separate application for each submittal)

- | | | |
|---|---|--|
| ☐ Land Use Amendment | ☐ Land Study | ☐ Replat |
| ☐ Thoroughfare Amendment | ☐ Final Plat | ☐ Amending Plat |
| ☐ Zoning Change (choose one) | ☐ Preliminary Plat | ☐ Minor Plat |
| ☐ Straight Zoning | ☐ Specific Use Permit | ☐ Vacating Plat |
| ☐ PUD (Planned Unit Development) | ☐ Conditional Use Permit | ☐ Site Plan |
| ☒ Variance | ☐ Exception | ☐ Tree Removal Permit |

Project Name: _____

Total Acres: _____ Survey Name: _____ Abstract No.: _____

Project Location (address): _____

Current Zoning: _____ Current Use: _____ # of Lots/Units: _____ For Commercial/Industrial:
Proposed Zoning: _____ Proposed Use: _____ Please Circle One: _____ Total Proposed Sq. Ft. _____
SF MF COMM IND OTHER

Applicant Information:

Property Owner Name: PETER & ELIA JIMENEZ
Address: 505 SUNHAVEN DR City: WINDCREST St/Zip: TX 78239
Phone: _____ Fax: N/A E-Mail: _____

Applicant (if different than Owner): _____

Address: _____ City: _____ St/Zip: _____

Phone: _____ Fax: _____ E-Mail: _____

Representative: _____

Address: _____ City: _____ St/Zip: _____

Phone: _____ Fax: _____ E-Mail: _____

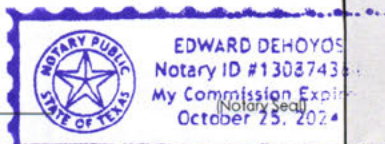
Authorization: By signing this application, you hereby grant Staff access to your property to perform work related to your application. Also, you waive the statutory time limits in accordance with Section 211, 212 and 245 of the Texas Local Government Code.

Peter Jimenez
Owner's Signature
PETER JIMENEZ
Typed/Printed Name

Known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed and in the capacity herein stated. Given under my hand and seal on this 3 day of

July, 20 23.

Notary Public



City of Windcrest Use Only

Project No.: _____

Total Fees: _____

Payment Method: _____

Submittal Date: _____

Accepted by: _____

July 3, 2023

JUL 03 23 14:28

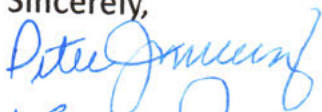
To the City of Windcrest:

We are seeking a permit variance to replace a second utility shed that is covered under the grandfather clause. Our property at 505 Sunhaven Drive had two sheds at the time of purchase in 2009. One shed has become unusable and needs to be replaced. We intend to replace the shed with a Tuff Shed building that meets the Windcrest restrictions. The dimensions of the shed are 12 feet by 12 feet by 9 feet tall at the peak.

We intend to place the shed in the back yard and it will meet the requirement to coordinate with the color of the house.

We ask for your kind consideration in this matter.

Sincerely,




Peter & Elia Jimenez

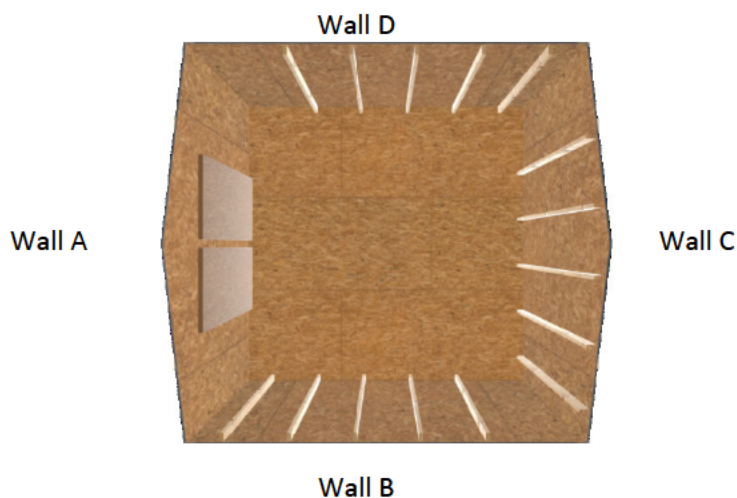
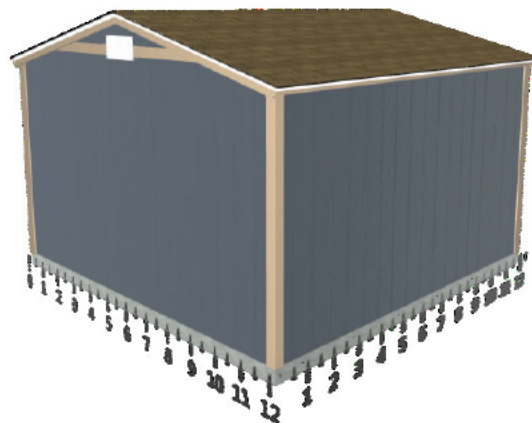
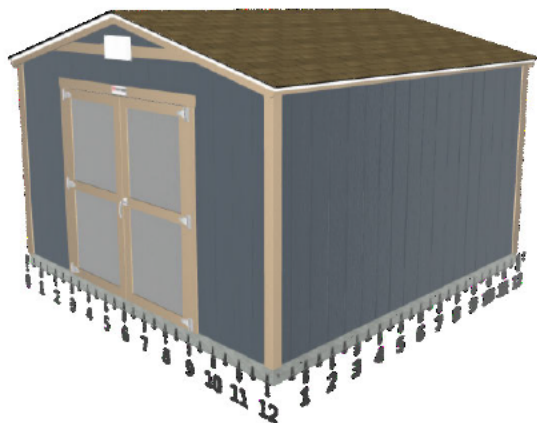
505 Sunhaven Drive





Peter Jimenez
505 sunhaven dr
windcrest TX 78239
Q7234718-7221991

Shed Height Dimensions for TR700: 12'ft wide X 12'ft long X 9'ft height



Base Details

Building Size & Style

TR-700 - 12' wide by 12' long

Paint Selection

Base: Goblin, Trim: Ponytail, Accent
(Doors): Dover Gray

Roof Selection

Golden Cedar 3 Tab

Drip Edge

White

Is a permit required for this job?

No, If local jurisdiction requires a permit, fees will be added before installation can take place

Options Details

Doors

3' x 6'2" Double Door (6')

Roof

161 Sq Ft Roof - 3/12 Roof Pitch
Upgrade

Vents

2 Ea 16"x8" Wall Vent - White

Custom Services

PERMIT PRICING WRONG

Jobsite/Installer Details

Do you plan to insulate this building after Tuff Shed installs it?

No

Is there a power outlet within 100 feet of installation location?

Yes

The building location must be level to properly install the building. How level is the install location?

Within 4" of level

Will there be 18" of unobstructed workspace around the perimeter of all four walls?

Yes

Can the installers park their pickup truck & trailer within approximately 200' of your installation site?

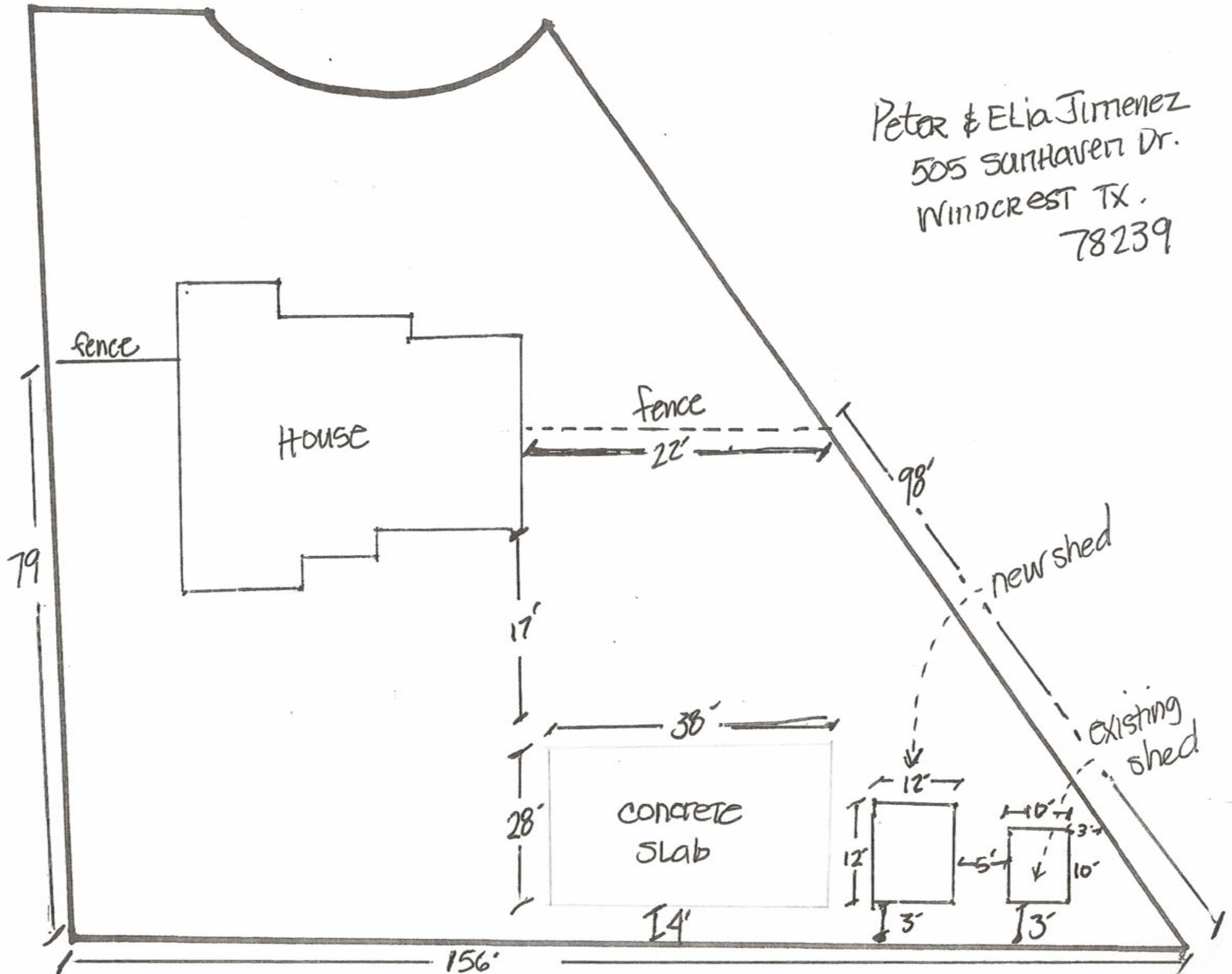
Yes

Substrate Shed will be installed on?

Grass

DocuSigned by:
Signature: Peter Jimenez Date: 5/31/2023
7EC18C4DCCA14A5...

Peter & Elia Jimenez
505 SunHaven Dr.
WINDCREST TX.
78239



Residential Plan Review

The following comments have been provided by Reviewer BB. Should you have any questions or require additional information regarding any of these comments, please contact Reviewer BB by telephone at or by email at bbihost.mgo@gmail.com.

Denied.

b. No more than two buildings, one being a greenhouse, may be erected if other than 90 percent masonry buildings

Sec. 103-58. - Permits.

(12) Accessory buildings as defined herein above (see [chapter 113](#) for additional accessory building requirements) and used as a tool, greenhouse, playhouse, storage shed or similar use, located in an R-1 zoned district, and erected, sited, constructed, reconstructed, or enlarged must comply with the following requirements:

- a. No sewer connections shall be installed. Electrical, water or gas connections may be made with appropriate permits.**
- b. No more than two buildings, one being a greenhouse, may be erected if other than 90 percent masonry buildings.**
- c. Buildings shall not be sited or constructed forward of the rear-most portion of the main structure.**
- d. All accessory buildings shall be set-back not less than ten feet from the main dwelling and not less than three feet from all lot lines and shall not occupy any portion of easements if placed on permanent foundation. If portable the three-foot setback applies. Masonry buildings shall not be less than ten feet from all lot lines and shall not occupy any portion of easements.**
- e. Excluding masonry buildings, buildings will not exceed 144 square feet of interior space nor nine feet in height (above grade level). The term "grade level" is defined as the highest point of elevation of the finished surface of the ground, paving, or sidewalk between the main structure and the property line.**
- f. Buildings will be of a color which matches or is in harmony with the existing main structure. Masonry buildings will be in harmony in design, color and materials with the existing main structure.**

BB 2708

Please revise the project plans to address the comments noted above. Following revision, please upload one full set of the revised drawings in PDF format. To access your project online, please go to www.mygovernmentonline.org and use the online portal to upload your drawings in PDF format.

Should you have questions regarding specific comments, please contact the staff member referenced under the section in which the comment occurs. Should you have questions or require additional information regarding the plan review process itself, please feel free to contact me directly. I can be reached by telephone at (210) 655-0022, or by e-mail at [sstrey@windcrest-tx.gov](mailto:ssstrey@windcrest-tx.gov).

Thank you,