

MINUTES OF THE MEETING OF THE ZONING BOARD OF ADJUSTMENT HELD IN THE COUNCIL CHAMBERS, AT CITY HALL, 1212 AVENUE M, HUNTSVILLE, TEXAS ON THE 26TH DAY OF MAY, 2017 AT 12:00 NOON.

Members present: Cromer; Hannes; Holland; Grigsby; Alternate Watkins

Members absent: Montgomery; Alternate Zuniga

Staff present: Kulhavy; Ridley; Hodgson

1. CALL TO ORDER

This meeting was called to order by Chairman Hannes. [12:00 PM]

2. PLEDGE OF ALLEGIANCE

a. U.S. Flag

b. Texas Flag

3. INVOCATION

Board Member Grigsby led the invocation.

4. ROLL CALL and selection of Alternate(s) if needed.

Due to the absences of Board Member Montgomery and Alternate Zuniga, Alternate Watkins will vote.

5. PUBLIC HEARING for the variance request by Jason Turner, applicant, for a variance to **Section 4.205 Recreational Vehicle Parks, Subsection 4.205.D in Article 4: Use Regulations; Section 10.413 Private Street, Sub-section 10.413.E Design and Construction Standards; and Section 10.400 Streets, Subsection 10.403.B Design and Construction in Article 10: Infrastructure and Public Improvements** of the *City of Huntsville Development Code* to not construct paved streets within a RV park proposed for development on property located at 758 IH 45 N.

Chairman Hannes opened the public hearing. [12:02 PM]

Aron Kulhavy gave a brief overview of this case per the staff discussion noting that per the Development Code streets within a RV park must be constructed to city street standards. He also noted that the subject property is unique in that it does have access from two (2) streets, the IH 45 N Feeder/Service Road and from Gambrell Road which is a rock surfaced Walker County maintained road. The location of the existing house and pond on the front, south, portion of the property prohibits access for the proposed RV Park to be from the IH 45 N Feeder/Service Road.

Applicant Presentation:

Jason Turner, applicant, presented his case for the variances stating that the back portion of his 5 acre tract is not currently being used and has decided to develop an RV Park on this unused portion of the property. The access for the park will be from the rock surfaced Gambrell Road and the property does not have access to City sanitary sewer service. Standard 6" height street curbs would be hazardous to RVs. He feels that the RV Park will benefit the economy of the City of Huntsville by providing an RV Park for visitors to SHSU, the State Park, Museums, and other area attractions. He also clarified for **Board Member Holland** that the only access to the rear of his property is from Gambrell Road.

Speakers in support of the variance request:

There were none.

Speakers in opposition of the variance request:

There were none.

Rebuttal by the Applicant:

No rebuttal was given.

Chairman Hannes closed the public hearing. [12:10 PM]

6. **CONSIDER** the variance request by Jason Turner, applicant, for a variance to **Section 4.205 Recreational Vehicle Parks, Subsection 4.205.D in Article 4: Use Regulations; Section 10.413 Private Street, Sub-section 10.413.E Design and Construction Standards; and Section 10.400 Streets, Subsection 10.403.B Design and Construction in Article 10: Infrastructure and Public Improvements** of the *City of Huntsville Development Code* to not construct paved streets within a RV park proposed for development on property located at 758 IH 45 N.

Board Member Holland questioned Aron Kulhavy regarding the condition that was recommended by staff in the Discussion form. Kulhavy stated that per the updated Development Code all parking and driveways are required to be paved. The condition to the variance recommended by staff is that all driveways and parking within the park be held to this requirement of the Development Code. This would be a greater than the requested variance, but lesser than construction to city street standards.

The Board further expressed concern that proper drainage would be provided for the project and that emergency vehicles will be able to access the park.

Board Member Holland made a motion to approve the variance request with the condition that the road and driveway aisles meet the minimum code requirements for parking and driveways as outlined in the Development Code. Second was by Board Member Watkins. The vote was unanimous.

7. **PUBLIC HEARING** for the variance request by Shaniquwa Merchant, applicant, for a variance to the manufactured home relocation regulation of **Section 4.203.C Mobile homes and Manufactured Housing Units in Article 4: Use Regulations** of the *Development Code Update* to allow for the relocation of a 23 year old manufactured home within the city limits.

Chairman Hannes opened the public hearing. [12:21 PM]

Aron Kulhavy gave a brief overview of the variance request per the staff discussion form. He also stated that there has not been a similar case on which the Board has taken action and that within the last year City Council had reviewed the standards for placement of manufactured homes within the City Limits. At such time Council did approve the 20 year age requirement for moving/placing a manufactured home within the City Limits. Kulhavy also noted that staff does recommend denial of the variance request because it does not meet all of the six specific requirements for granting a variance.

Applicant Presentation:

Norris Hill, the applicant's fiancée, presented the case for the requested variance. In his presentation he noted that the home is already located in the City Limits under grandfathered status. The home is in good condition and is going to be moved within the same neighborhood, only approximately .2 mile from its present location on Mary Avenue. The home is going to be placed on property owned by the applicant. He is going to do any necessary renovation of the home. The home, even at over 20 years in age will be an upgrade for the neighborhood and will not harm the community.

Speakers in support of the variance request:

Anita Davison, residing at 2304 Gainous Street, spoke in support.

Speakers in opposition of the variance request:

There were none.

Rebuttal by the Applicant:

No Rebuttal was given by the Applicant.

Chairman Hannes closed the public hearing. [12:29 PM]

- 8. PUBLIC HEARING** for the variance request by Shaniquwa Merchant, applicant, for a variance to the manufactured home relocation regulation of **Section 4.203.C Mobile homes and Manufactured Housing Units** in **Article 4: Use Regulations** of the *Development Code Update* to allow for the relocation of a 23 year old manufactured home within the city limits.

The **Board** discussed and questioned staff regarding the ability of building inspectors to inspect manufactured home. Kulhavy stated that the only things that city inspectors are able to inspect on manufactured homes is the plumbing, electrical, and mechanical connections to the home and the home will have to meet all of the other requirements for placing the home on the property such as required building setbacks, skirting, permitting, driveway & parking.

Board Member Grigsby made a motion to approve the relocation of the 23 year old manufactured home within the City Limits, from 106 Mary Avenue to 100 Smith Hill Road. Second was by Chairman Hannes. The vote was unanimous.

- 9. CONSIDER** the minutes of April 28, 2017.

Board Member Cromer made a motion to accept the minutes. Second was by Board Member Grigsby. The vote was unanimous.

10. ADJOURNMENT

The meeting was adjourned. [12:37 PM]