

CITY OF HUNTSVILLE, TEXAS

Ken Holland, Chairman

Nate Grigsby, Position 1
Cheryl Reader, Position 2
Michelle Spencer, Position 3
Elliot Herzlich, Position 5



Jason Warren, Alternate A
Tracy Richardson, Alternate B

BOARD OF ADJUSTMENT AGENDA

THURSDAY, AUGUST 31, 2023, 5:30 PM

NASH BOARD ROOM
HUNTSVILLE PUBLIC LIBRARY, 1219 13th STREET

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the Planning Division, at 936-294-5782 two working days prior to the meeting so that appropriate arrangements can be made.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

- a. U.S. Flag
- b. Texas Flag - *Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

3. INVOCATION

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

5. PUBLIC HEARING

- a. For a variance request, (BOA Case 05-2023), by Benny Franklin, applicant, to *Article 4.203.H (Use Regulations)* of the Development Code for the placement of a manufactured home older than 20 years old within the city limits of Huntsville on property located at 2723-3 Angier Road.

6. CONSIDER

- a. The variance request, (BOA Case 05-2023), by Benny Franklin, applicant, to *Article 4.203.H (Use Regulations)* of the Development Code for the placement of a manufactured home older than 20 years old within the city limits of Huntsville on property located at 2723-3 Angier Road.
- b. The minutes of the February 23, 2023, April 27, 2023, and June 29, 2023, meetings.

7. ADJOURNMENT

If, during the course of the meeting and discussion of any items covered by this notice, the Board of Adjustment determines that a Closed or Executive session of the Commission is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Sections: 551.071 – consultation with counsel on legal matters; 551.072 – deliberation regarding purchase, exchange, lease or value of real property; 551.073 – deliberation regarding a prospective gift; 551.074 – personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; 551.076 – implementation of security personnel or devices; 551.087 – deliberation regarding economic development negotiation; and/or other matters as authorized under the Texas Government Code. If a Closed or Executive session is held in accordance with the Texas Government Code as set out above, the Board of Adjustment will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

CERTIFICATE

I, Sharon Schultz, Deputy City Secretary, do hereby certify that a copy of the August 31, 2023, Board of Adjustment Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: August 24, 2023

TIME OF POSTING: 4:15 p.m.

DATE REMOVED: _____

Sharon Schultz
Sharon Schultz, Deputy City Secretary



BOARD OF ADJUSTMENT AGENDA ITEM DISCUSSION FORM

Prepared by: Layne Yeager
Planner

Armon Irones
City Planner

MEETING DATE: August 31, 2023

TYPE OF REVIEW: Variance from the Requirements of *Development Code*

SUBJECT: Mobile Homes and Manufactured Housing Units (Article 4.203)

REQUESTED BY: Nationwide Housing System, LLC

CASE OVERVIEW: CASE 05-2023

Benny Franklin has submitted an application for a **Variance** from the *Development Code* to allow the placement of a manufactured home that is older than 20 years old at 2723 Angier Road lot number 3. The property is in the Management (M) District.

The applicant has provided responses to the Variance Criteria in the attached application. The applicant is requesting a variance from one sub-section of the Development Code: 4.203.H. The applicant is requesting to replace an existing manufactured home that is in a state of disrepair with a different manufactured home that is within the ETJ that is older than 20 years old.

STAFF RECOMMENDATION

Within Development Code Section 4.203.H states that any new manufactured housing units placed inside the city limits shall be less than 20 years old on the date of application. Staff has received comments from the letters mailed out in opposition to the placement of a manufactured home as presented. The City Building Official has also made a site visit and performed an inspection of this proposed manufactured home and determined that the structure is acceptable pending the completion of exterior cosmetic repairs and finishing upon placement of the manufactured home.

Staff recommend approval of the variance.

ATTACHMENTS:

- Pictures of home
- Vicinity Map



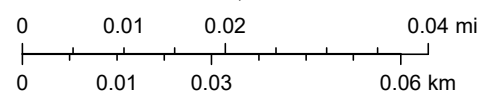
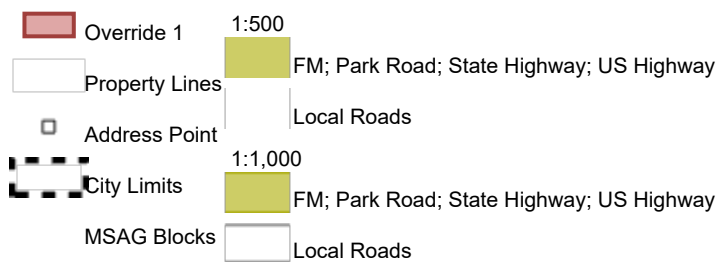


Vicinity Map



8/24/2023, 11:33:49 AM

1:1,200



MINUTES OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD IN THE NASH BOARD ROOM, AT THE HUNTSVILLE PUBLIC LIBRARY, 1219 13th STREET, HUNTSVILLE, TEXAS, ON THE 23RD DAY OF FEBRUARY 2023 AT 5:30 PM.

Members present: Grigsby; Reader; Herzlich; Alternate Warren

Members absent: Holland; Spencer; Alternate Richardson

Staff present: Yeager; Byal; Gibson

1. CALL TO ORDER

Vice-Chairman Grigsby called the meeting to order. [05:35 PM]

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

A quorum was present. Holland, Spencer, and alternate Richardson were absent.

~~3. INVOCATION~~

~~4. PLEDGE OF ALLEGIANCE~~

- ~~a. U.S. Flag~~
- ~~b. Texas Flag~~

5. PUBLIC HEARING

- a. For a variance request, (BOA Case 01-2023), by Daniel White, applicant, to *Article 10.200, 10.201, and 10.201.B (Infrastructure and Improvements Required)* of the Development Code not to extend Col. Etheredge Boulevard across the intersection of Col Etheredge Boulevard and Veterans Memorial Parkway, to connect to property located at 1157 Veterans Memorial Parkway.

Board Member, Grigsby pulled item from agenda to be presented at a later date.

- b. For a variance request, (BOA Case 02-2023), by Cynthia Hardy, applicant, to *Article 4.203.H (Use Regulations)* of the Development Code for the placement of a manufactured home older than 20 years old within the city limits of Huntsville on property located at 1180C Fish Hatchery Road. Vice-Chairman Grigsby opened the Public Hearing at 5:35 p.m.

Applicant Presentation:

Cindy Hardie presented her case for the requested variance. The applicant explained the circumstances that require a variance. Director Byal's spoke in approval of variance stating he inspected the mobile home in question prior to meeting.

City Staff and Hardie addressed Board Member's questions.

Variance Request Item

Variance for the placement of a manufactured home older than 20 years old within the city limits of Huntsville on property located at 1180C Fish Hatchery Road.

Speakers in support of the variance request:

Two people spoke in support of the variance request: Cindy Hardy and Theresa Frazier

Speakers in opposition of the variance request:

None spoke in opposition of the variance.

6. CONSIDER

- b.** The variance request, (BOA Case 02-2023), by Cynthia Hardy, applicant, to *Article 4.203.H (Use Regulations)* of the Development Code for the placement of a manufactured home older than 20 years old within the city limits of Huntsville on property located at 1180C Fish Hatchery Road.

Staff Planner Layne Yeager gave the staff report for the requested variance.

Vice-Chairman Grigsby moved to Approve the Variance Request. The vote passed 4-0. None opposed.

7. CONSIDER the minutes of the November 29, 2022, meeting.

Board Member Reader moved to approve the minutes. It was seconded by Board Member Warren. The vote was unanimous.

8. ADJOURNMENT

Board Member Warren moved to adjourn the meeting. Second was by Board Member Reader. The vote was unanimous. [05:44 pm]

MINUTES OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD IN THE NASH BOARD ROOM, AT THE HUNTSVILLE PUBLIC LIBRARY, 1219 13th STREET, HUNTSVILLE, TEXAS, ON THE 27th DAY OF APRIL 2023 AT 5:30 PM.

Members present: Holland; Grigsby; Reader; Spencer; Alternate Warren

Members absent: Herzlich; Alternate Richardson

Staff present: Irones; Yeager; Gibson

1. CALL TO ORDER

Chairman Holland called the meeting to order. [5:30 PM]

~~2. PLEDGE OF ALLEGIANCE~~

~~a. — U.S. Flag~~

~~b. — Texas Flag~~

~~3. INVOCATION~~

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

Board member Herzlich and Alternate Richardson were absent.

5. PUBLIC HEARING

- a.** For a variance request, (BOA Case 03-2023), by George Spentzos, applicant, to Article 5.200 (Lot and Setback Regulations) of the Development Code to allow the replacement of a covered patio for a restaurant to encroach into the front setback along Sam Houston Avenue, located at 1930 Sam Houston Avenue.

Planner, Layne Yeager, gave the staff report for the requested variance. Staff recommended approval of the variance.

Applicant Presentation:

Clint Wilson presented his case for the requested variance. The applicant explained the circumstances that require a variance.

City Staff & Clint Wilson addressed questions from public and Board Members.

Variance Request Item

Variance to allow the replacement of a covered patio for a restaurant to encroach into the front setback along Sam Houston Avenue, located at 1930 Sam Houston Avenue.

Speakers in support of the variance request:

None spoke in support of the variance.

Speakers in opposition of the variance request:

Neighboring homeowners, Susan & Wes Sanders voiced concerns with the location of the patio and possible increase in neighborhood noise.

6. CONSIDER

- a. The variance request, (BOA Case 03-2023), by George Spentzos, applicant, to Article 5.200 (Lot and Setback Regulations) of the Development Code to allow the replacement of a covered patio for a restaurant to encroach into the front setback along Sam Houston Avenue, located at 1930 Sam Houston Avenue.

Board Member Spencer moved to Approve the Variance Request. Second was by Vice-Chairman Grigsby. The vote was unanimous.

- b. **CONSIDER** the minutes of the February 23, 2023, and March 23, 2023, meetings.

A quorum was not present to vote on the February 23rd minutes. Will be carried over to the next meeting.

Board Member Spencer moved to approve the March 23rd minutes. It was seconded by Board Member Reader. The vote was unanimous.

7. ADJOURNMENT

Vice-Chairman Grigsby moved to adjourn the meeting. Second was by Board Member Reader. The vote was unanimous. [05:44 pm]

MINUTES OF THE MEETING OF THE BOARD OF ADJUSTMENT HELD IN THE NASH BOARD ROOM, AT THE HUNTSVILLE PUBLIC LIBRARY, 1219 13th STREET, HUNTSVILLE, TEXAS, ON THE 29th DAY OF JUNE 2023 AT 5:30 PM.

Members present: Grigsby; Reader; Spencer; Herzlich

Members absent: Holland; Alternate Richardson; Alternate Warren

Staff present: Irones; Byal; Yeager; Gibson

1. CALL TO ORDER

Vice-Chairman Grigsby called the meeting to order. [5:30 PM]

~~2. PLEDGE OF ALLEGIANCE~~

~~a. U.S. Flag~~

~~b. Texas Flag~~

~~3. INVOCATION~~

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

Chairman Holland as well as Alternates Warren and Richardson were absent.

5. PUBLIC HEARING

- a. For a variance request, (BOA Case 04-2023), by Randy Wilson, applicant, to Article 6.1106.A (Driveway Width) of the Development Code to allow a temporary driveway of 60' along Elks Drive as secondary access for a modular home business, located at 664 IH-45 South.

Applicant Presentation:

Randy Wilson presented his case for the requested variance. The applicant explained the circumstances that require a variance.

Staff recommended approval of the variance. Stated that they have not received any opposition from neighboring residents.

City Staff & Randy Wilson addressed questions from Board Members.

Variance Request Item

Variance to allow a temporary driveway of 60' along Elks Drive as secondary access for a modular home business, located at 664 IH-45 South.

Speakers in support of the variance request:

None spoke in support of the variance.

Speakers in opposition of the variance request:

None spoke in support of the variance.

6. CONSIDER

- a. The variance request, (BOA Case 04-2023), by Randy Wilson, applicant, to Article 6.1106.A (Driveway Width) of the Development Code to allow a temporary driveway of 60' along Elks Drive as secondary access for a modular home business, located at 664 IH-45 South.

Board Member Reader moved to Approve the Variance Request. Second was by Board Member Spencer. The vote was unanimous.

- b. **CONSIDER** the minutes of the February 23, 2023, and April 27, 2023, meetings.

A quorum was not present to vote on the minutes. It will be carried over to the next meeting.

7. ADJOURNMENT

Board Member Herzlich moved to adjourn the meeting. Second was by Board Member Reader. The vote was unanimous. [05:45 pm]