Zoning Board of Adjustment & Appeals Regular Meeting July 1, 2020

AGENDA

ZONING BOARD OF ADJUSTMENTS AND APPEALS REGULAR MEETING
WEDNESDAY, JULY 1, 2020, AT 5:30 P.M.
COUNCIL CHAMBERS, CITY HALL BUILDING
100 SOUTH MONORE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS

PURSUANT TO SECTION 551.122 OF THE TEXAS GOVERNMENT CODE AND THE DECLARATION BY GOVERNOR GREG ABBOTT ON MARCH 16, 2020, THIS MEETING OF THE ZONING BOARD OF ADJUSTMENT AND APPEALS OF THE CITY OF EAGLE PASS, TEXAS SHALL BE OPEN AND ACCESSIBLE TO THE PUBLIC VIA THE FOLLOWING FREE-OF-CHARGEVIDEOCONFERENCELINK: https://www.facebook.com/OfficialCityEaglePassTexas AN ELECTRONIC COPY OF THE AGENDA PACKET FOR THE REGULAR MEETING OF THE ZONING BOARD OF ADJUSTMENT AND APPEALS IS ALREADY AVAILABLE TO THE PUBLIC AT THE FOLLOWING URL: https://www.eaglepasstx.us/AgendaCenter. IN LIGHT OF THE ONGOING NATIONAL EMERGENCY AND URGENT THREAT TO PUBLIC HEALTH CAUSED BY THE COVID-19 PANDEMIC, MEMBERS OF THE PUBLIC ARE ENCOURAGED TO FOLLOW THE RECOMMENDATIONS OF GOVERNMENT LEADERS AND THE CDC REGARDING SOCIAL DISTANCING AND SELF-QUARANTINE.

IF YOU ARE A CITIZEN WISHING TO PARTICIPATE IN CITIZENS COMMUNICATIONS PLEASE CALL ON WEDNESDAY, JULY 1, 2020 FROM 12:00 P.M. TO 2:00 P.M. AT 830-773-1111 OR SEND EMAIL TO irodriguez@eaglepasstx.us

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

MINUTES

1. Approval of the minutes of the June 3, 2020 meeting.

PUBLIC HEARING(S)

2. Public hearing on a variance request submitted by Gina H. Godina, for a variance to reduce the front yard building setback, to allow for the construction of a 6-foot wooden picket fence on property located at 1410 Bryan Street; closing of public hearing and possible action.

ADJOURNMENT

Note: The Board reserves the right to consider business out of the posted agenda order and reserves the right to adjourn into executive session to discuss an item(s) not listed as an executive session on the posted agenda but which qualifies to be discussed in closed session pursuant to Texas Government Code Chapter 551.

CERTIFICATION

I, THE UNDERSIGNED PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board Located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas, on June 26, 2020 at 4:15 P.M.

for Placido C. Madera
Planning Director

Item #1

THE STATE OF TEXAS)(
COUNTY OF MAVERICK)(
CITY OF EAGLE PASS)(

The Zoning Board of Adjustments and Appeals of the City of Eagle Pass held their Regular meeting on Wednesday, June 3, 2020, at 5:30 p.m. in the City Council Chambers of Eagle Pass City Hall, 100 S. Monroe Street. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Eugenio Mireles, Jr,; Board Members, Jesus Diaz-Wever, Ruben Herrera Onesimo Elizondo and Jessica Perez.

Absent: Alternate Board Members, Marisela Rodriguez, and Janina Ayers.

Other staff present: Planning Director, Placido Madera; and City Secretary, Imelda B. Rodriguez

With a quorum being present, Chairperson Mireles called the meeting to order and the Zoning Board of Adjustments and Appeals considered the items as follows.

CITIZENS COMMUNICATIONS

At this moment, anyone wishing to address the Board, on any item, even one not appearing on the agenda, was welcome to speak, keeping in mind that although the Board would be unable to take formal action on such item, they would be glad to take it under consideration. Planning Director, Placido Madera along with City Secretary, Imelda B. Rodriguez responded that there were none submitted via email or telephone.

SELECTION OF CHAIRPERSON

Board Member Diaz-Wever nominated Mr. Eugenio Mireles for Chairperson.

Motion:	To select Mr. Eugenio Mireles, Jr.as chairperson.
Made:	Diaz-Wever
Second:	Herrera
Ayes:	5
Nays:	0
Abstained:	0
Absent:	0

SELECTION OF VICE CHAIRPERSON

Board Member Mireles nominated Mr. Ruben Herrera for Vice-Chairperson.

Motion: To select Mr. Ruben Herrera as vice-chairperson.

Made:	Mireles
Second:	Diaz-Wever
Ayes:	5
Nays:	0
Abstained:	0
Absent:	0

MINUTES

1. Approval of the minutes of the April 1, 2020 and May 6, 2020 meeting.

Motion:	To approve the minutes of April 1, 2020 and May 6, 2020.
Made:	Herrera
Second:	Diaz-Wever
Ayes:	5
Nays:	0
Abstained	0
Absent:	0

PUBLIC HEARING(S)

2. Public hearing on a variance request submitted by Mario Mata, for a variance to reduce the rear yard building setback from 25-feet to 0-feet and the side yard building setback from 5-feet to 0-feet, to allow for the construction of a palapa with storage room on property located at 2080 Fox Borough Drive; closing of public hearing and possible action.

Chairperson Mireles opened the public hearing at 5:45 p.m.

Planning Director Placido Madera informed the Board with details on the variance request, stating this is an R-2 residential dwelling. He stated that 18 notices were sent out to abutting property owners; three were received in favor. Mr. Madera presented the Board with images of other properties with structure encroaching on setback. The Planning Department is recommending approval of this request.

In response to a question posed by Board Member Herrera regarding water runoff from structure. Mr. Madera responded that there is some separation, but the owner is going to place a gutter to keep the runoff water in his property and he is addressing this issue.

Board Member Elizondo asked if any negative responses. Mr. Madera stated, "no from the letter sent out."

Board Member Perez asked if the structure is finished or in current stage. Mr. Madera responded that it has advanced from the image presented today, but they have submitted all the proper documents to complete the roofing in order to protect the environment and this

was approved by the Planning Department in order to avoid any damage while the decision was being made.
Mr. Mario Mata addressed the Board by thanking them for taking the time to address his request.

Chairperson Mireles closed the public at 5:54 p.m.

Motion:	To approve the variance request submitted by Mario Mata.
Made:	Perez
Second:	Herrera
Ayes:	5
Nays:	0
Abstained:	0
Absent:	0

ADJOURNMENT

Motion:	To adjourn the meeting at 5:56 p.m.
Made:	Diaz-Wever
Second:	Perez
Ayes:	5
Nays:	0
Abstained:	0
Absent:	0

ATTEST:

Jesus Diaz-Wever
Acting Chairperson

Imelda B. Rodriguez
City Secretary

Item #2

Planning Department
Report to the Zoning Board of Adjustment and Appeals

I. APPLICANT & PROPERTY INFORMATION

Applicant: Gina H. Godina

Location: 1410 Bryan Street

Legal Desc: Lot 1 & 2, Block 1, South Heights Unit #3

MCAD PIN: 19542

Parcel Size: 14,000-square feet

Existing Use: Residential

Zoning: *R-1 First One-Family Dwelling District*

Master Plan: Residential

Request: Reduction of the front yard building setback, to allow for the construction of a 6-foot wooden picket fence.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises

Vegetation: residential landscaping

Vicinity: Property is bordered by residential developments to the north, south, east, and west.

III. STAFF ANALYSIS

Applicant is requesting a front yard building setback reduction from, to allow for the construction of a 6-foot picket wooden fence. The subject property is located at the corner of Bryan Street and Travis Street as shown in Figure 1.

Figure 1. Area Map

The subject structure will comply and conform with all applicable Building Codes. In terms of planning and land use, the variance does not cause a detriment to the quality of life of the surrounding areas nor does it detract from the neighborhood's character.

As required, the public hearing was posted and published in a newspaper with a second class postage. Also, eighteen (18) notices were mailed to the abutting property owners with the 200 feet radius of subject property.

Staff Recommendation

Staff recommends the **APPROVAL** of the applicant's variance request of a reduction to the front yard building setback reduction to allow for the construction of a 6-foot wooden fence, for property located at Bryan Street.

PLANNING DEPARTMENT

#4306 #4317

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-7781 • Fax: (830) 773-7803

VARIANCE APPLICATION (ZBAA)

COPY

Applicant Information

Name: Gina Godina

Mailing Address: 982 Travis St. Eagle Pass Tx 78852

Phone: 830-513 5238 E-mail: ginaw-05@hotmail.com

Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Informationn

Name: Gina Godina

Mailing Address: 982 Travis St. Eagle Pass Tx 78852

Phone: 830-513-5238 E-mail: ginaw-05@hotmail.com

Property Information

Site Address: 1410 Bryan St. MCAD Property ID # _____

Legal Description: Lot(s) _____ Block _____ Subdivision _____
(Property must be legally subdivided or be lot of record)

Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____

Description of Project:

6 feet wooden fence on bryan st. 6 feet privacy wooden fences between each unit, 6 feet wooden gates between each unit.

Detailed Explanation of Variance Request

How does the strict application of the zoning code impose practical difficulties or particular hardship for your project? The purpose of the project was for tenants to have their own space, the backyard is facing bryan st, the reason for building the fences as describes above is for the tenants to have privacy.

How is your variance request consistent with the general purpose and intent of the zoning code?

How will the granting of the variance not merely serve as a convenience to you, but will alleviate some demonstrable hardship or difficulty so great as to warrant the variance?

To be honest having 6 feet wooden fences all around is very expensive but we wanted to give tenants quality of living area, and privacy is the main goal.

Is your variance request necessary because of exceptional narrowness, shallowness, or shape of your property?

No

Is your variance necessary because of exceptional topographical conditions or other extraordinary or exceptional situation or condition of your property?

NO

Will the strict application of the zoning code result in peculiar and exceptional practical difficulties and particular hardship to you, and amount to a practical confiscation of the property and not a mere inconvenience?

It will not be a hardship for me, but again I believe the tenants should be able to gather in their backyard in the privacy of their own home.

Will the granting of the variance create substantial detriment to the public good?

NO

Will your variance impair an adequate supply of light and air to adjacent property?

NO

Will your variance materially increase the traffic congestion on public streets?

NO

Will your variance increase the public danger of fires and safety?

NO, there are no stop sign on the corner of this lot ~~it is a~~

Will your variance materially diminish or impair established property values within the surrounding area?

NO

Will your variance impair the public health, safety, comfort, morals and welfare of the City of Eagle Pass?

NO, in the contrary I believe aside from privacy, curb appeal is also very important, the way something looks brings greater awareness of surroundings.

Applicant Authorization

I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of variance approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.

Applicant Signature _____ Date _____

Office Use

Date Application Accepted for Review: _____ By: _____

Contact Date for Supplemental Info: _____ Supplemental Info Received: _____

Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

Note: Processing fee will be invoiced along with newspaper publication fee. MR:9/2016

Maverick CAD

Property Search Results > 19542 GODINA, GINA HORTENCIA for Year 2020

Tax Year: 2020

Property

Account

Property ID:	19542	Legal Description:	SOUTH HEIGHTS UNIT # 3, BLOCK 1, LOT 1 & 2
Geographic ID:	S5503010000100	Zoning:	R3A
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address:	1410 BRYAN STREET EAGLE PASS, TX 78852	Mapsco:	
Neighborhood:		Map ID:	
Neighborhood CD:			

Owner

Name:	GODINA, GINA HORTENCIA	Owner ID:	110881
Mailing Address:	982 TRAVIS STREET EAGLE PASS, TX 78852	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	$0	
(+) Improvement Non-Homesite Value:	+	$311,230	
(+) Land Homesite Value:	+	$0	
(+) Land Non-Homesite Value:	+	$56,000	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	$0	$0
(+) Timber Market Valuation:	+	$0	$0

(=) Market Value:	=	$367,230	
(–) Ag or Timber Use Value Reduction:	–	$0	

(=) Appraised Value:	=	$367,230	
(–) HS Cap:	–	$0	

(=) Assessed Value: = $367,230

Taxing Jurisdiction

Owner: GODINA, GINA HORTENCIA

% Ownership: 100.0000000000%

Total Value: $367,230

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	Central Appraisal District	0.000000	$367,230	$367,230	$0.00
CIT	City of Eagle Pass	0.540743	$367,230	$367,230	$1,985.77
GMC	Maverick County	0.568700	$367,230	$367,230	$2,088.43
HOS	Hospital	0.148960	$367,230	$367,230	$547.03
SCH	Eagle Pass ISD	1.161600	$367,230	$367,230	$4,265.74
	Total Tax Rate:	2.420003			
				Taxes w/Current Exemptions:	$8,886.97
				Taxes w/o Exemptions:	$8,886.98

Improvement / Building

All improvements valued at income

Improvement #1: COMMERCIAL **State Code:** B2 **Living Area:** 1120.0 sqft **Value:** N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	F3P	WS	2014	560.0
MA2	SECOND STORY	*		2014	560.0
OP	OPEN PORCH	*		2014	87.5
OP	OPEN PORCH	*		2014	36.0

Improvement #2: COMMERCIAL **State Code:** B2 **Living Area:** 1120.0 sqft **Value:** N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	F3P	WS	2014	560.0
MA2	SECOND STORY	*		2014	560.0
OP	OPEN PORCH	*		2014	87.5
OP	OPEN PORCH	*		2014	36.0

Improvement #3: COMMERCIAL **State Code:** B2 **Living Area:** 1120.0 sqft **Value:** N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	F3P	WS	2014	560.0
MA2	SECOND STORY	*		2014	560.0
OP	OPEN PORCH	*		2014	87.5
OP	OPEN PORCH	*		2014	36.0

Improvement #4: COMMERCIAL **State Code:** B2 **Living Area:** 1120.0 sqft **Value:** N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	F3P	N	2014	560.0
MA2	SECOND STORY	*	N	2014	560.0
OP	OPEN PORCH	*		2014	36.0
OP	OPEN PORCH	*		2014	87.5

Improvement #5:	COMMERCIAL	**State Code:**	B2	**Living Area:**	1120.0 sqft	**Value:**	N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	F3P	N	2014	560.0
MA2	SECOND STORY	*	N	2014	560.0
OP	OPEN PORCH	*		2014	36.0
OP	OPEN PORCH	*		2014	87.5

Improvement #6:	COMMERCIAL	**State Code:**	B2	**Living Area:**	1120.0 sqft	**Value:**	N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	F3P	N	2014	560.0
MA2	SECOND STORY	*	N	2014	560.0
OP	OPEN PORCH	*		2014	36.0
OP	OPEN PORCH	*		2014	87.5
CONC	CONCRETE	3IN		2014	6929.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RM	RES MULTI-FAMILY	0.3213	14000.00	0.00	0.00	$0	$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2020	$311,230	$56,000	0	367,230	$0	$367,230
2019	$213,560	$56,000	0	269,560	$0	$269,560
2018	$208,360	$56,000	0	264,360	$0	$264,360
2017	$209,160	$56,000	0	265,160	$0	$265,160
2016	$220,010	$56,000	0	276,010	$0	$276,010
2015	$220,010	$44,800	0	264,810	$0	$264,810
2014	$0	$35,000	0	35,000	$0	$35,000
2013	$0	$35,000	0	35,000	$0	$35,000
2012	$840	$35,000	0	35,840	$0	$35,840
2011	$74,580	$35,000	0	109,580	$0	$109,580
2010	$74,580	$35,000	0	109,580	$0	$109,580
2009	$74,580	$35,000	0	109,580	$0	$109,580
2008	$74,580	$35,000	0	109,580	$0	$109,580
2007	$74,580	$28,000	0	102,580	$0	$102,580

2006	$74,580	$28,000	0	102,580	$0	$102,580

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	6/6/2017	GWD	GIFT WARRANTY DEED	GUAJARDO, MARICELA & ROSA GODINA	GODINA, GINA HORTENCIA	1649	480	
2	8/12/2011	WD	WARRANTY DEED	OUR LADY OF REFUGE CHURCH	GUAJARDO, MARICELA & ROSA GODINA	1306	252	167108

Tax Due

Property Tax Information as of 06/03/2020

Amount Due if Paid on:

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due

NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

Questions Please Call (830) 773-0255

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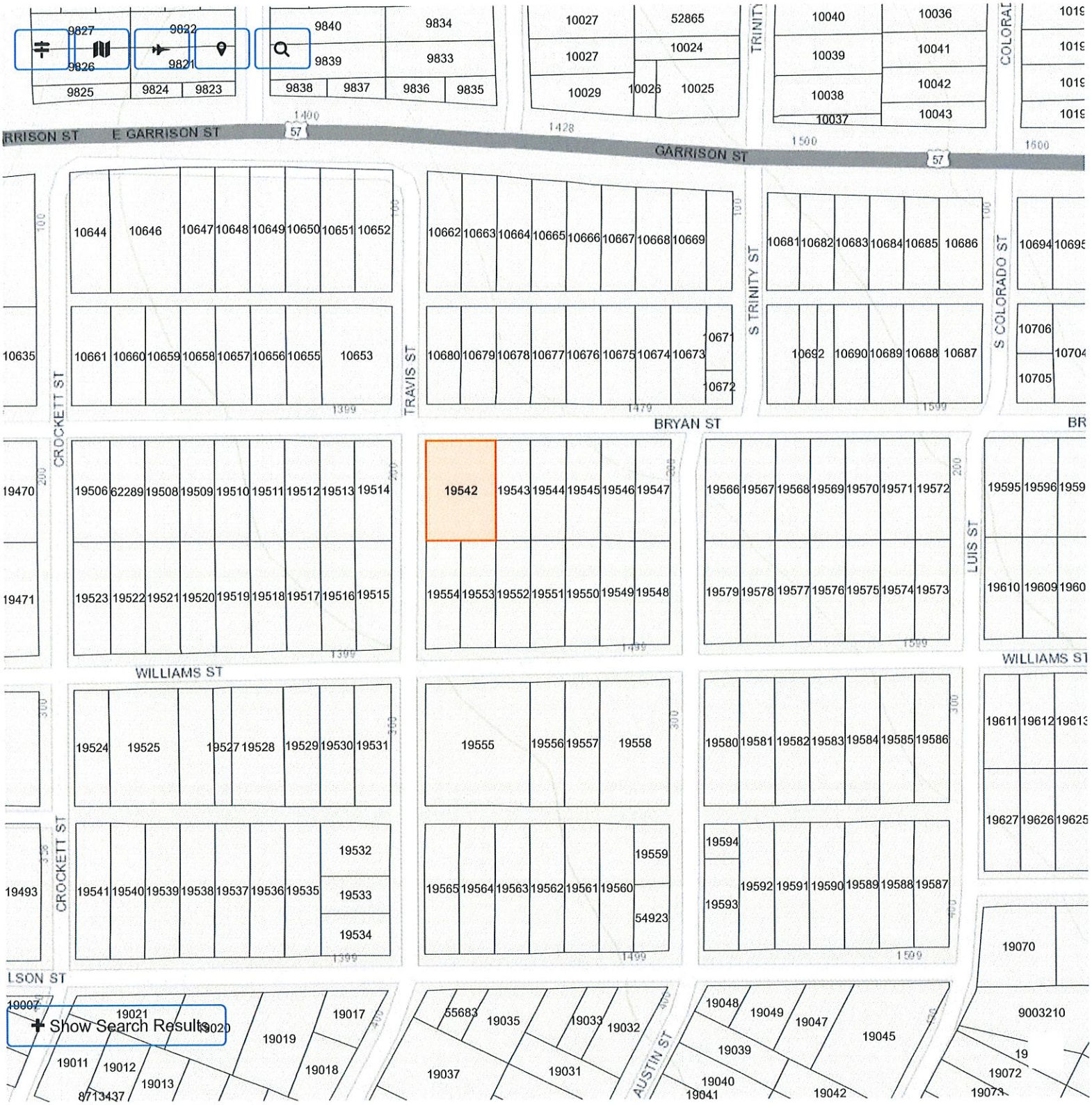
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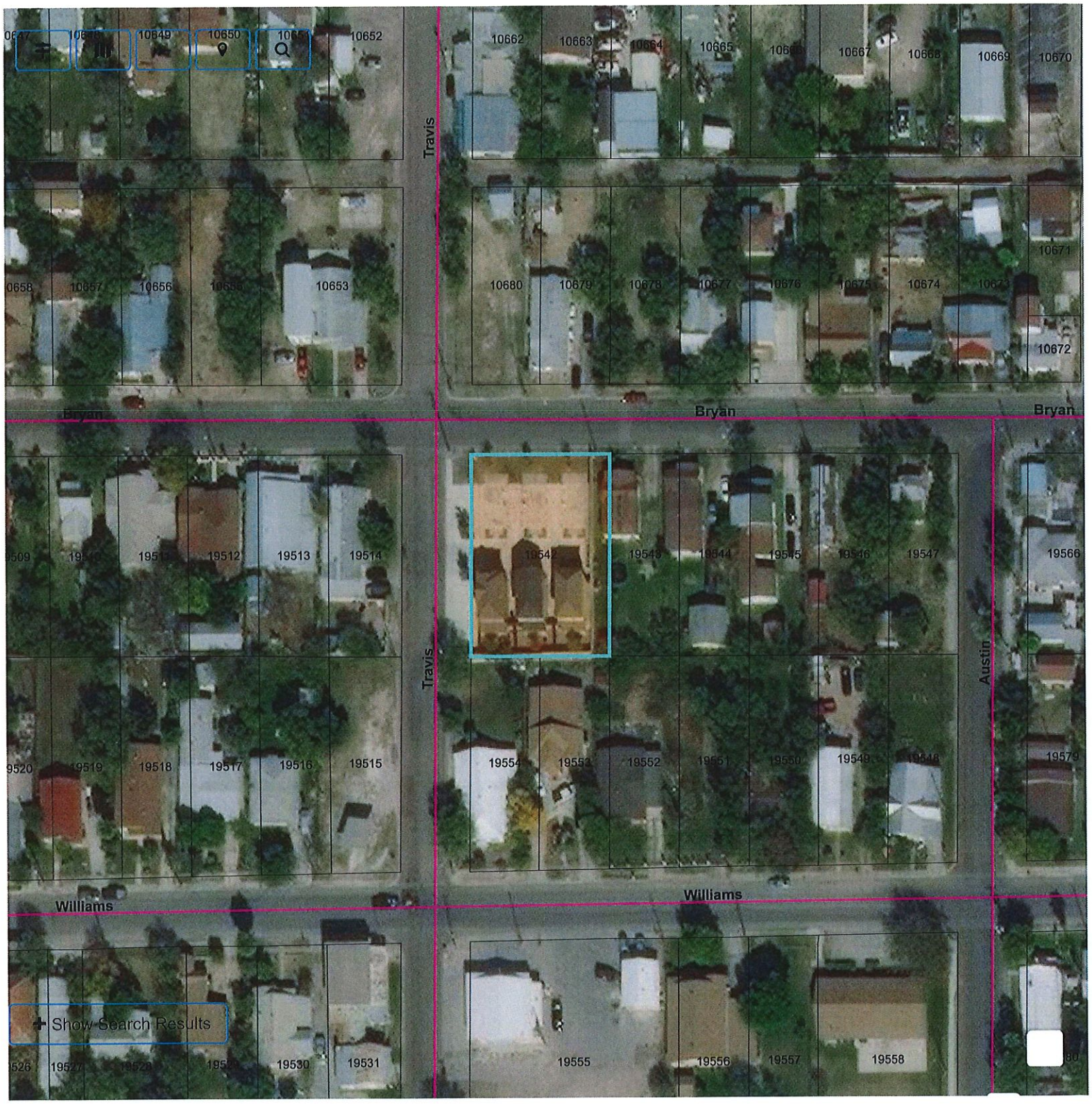
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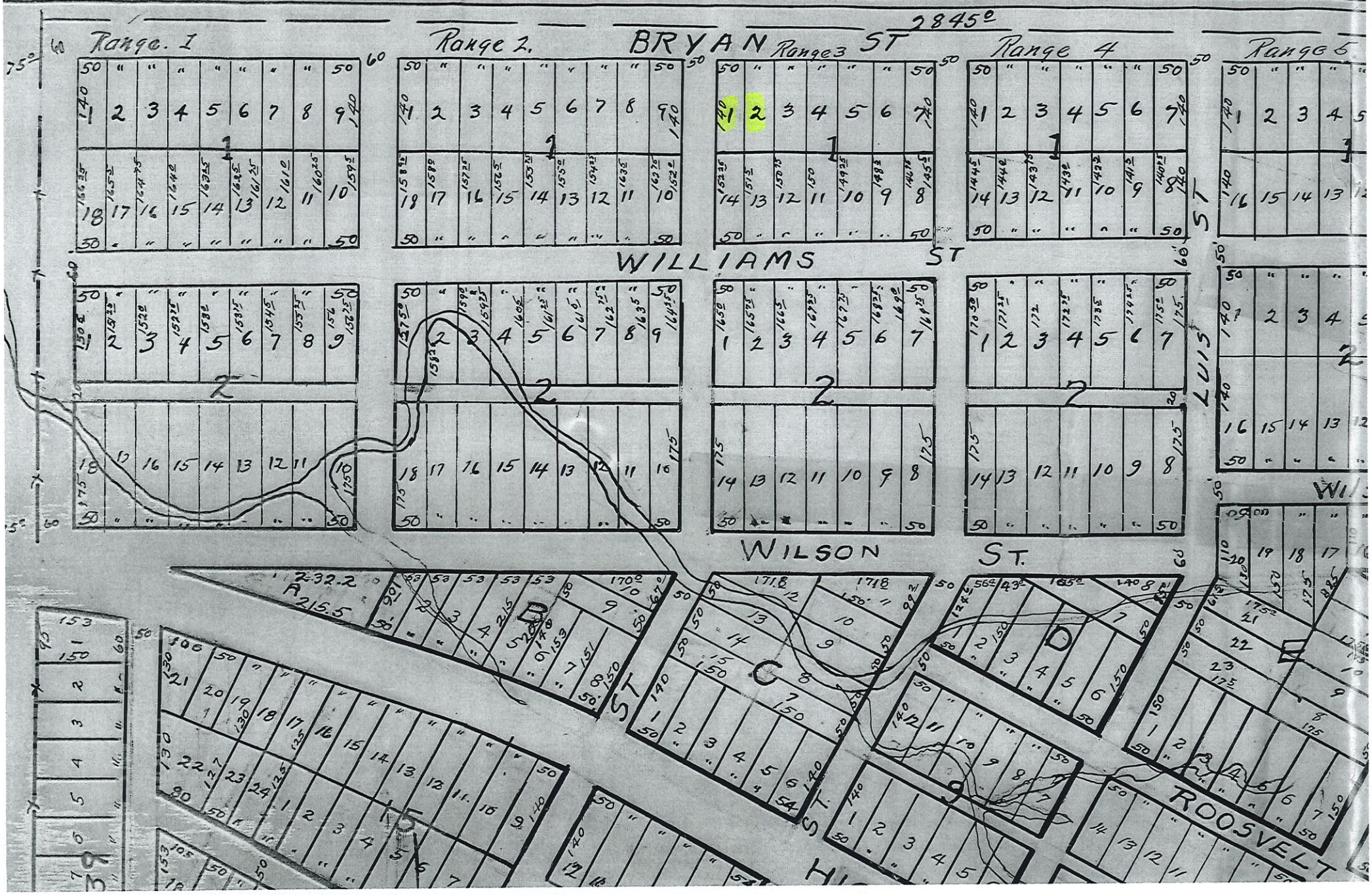
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