

AGENDA



**ZONING BOARD OF ADJUSTMENTS AND APPEALS REGULAR MEETING
WEDNESDAY, JANUARY 6, 2021, AT 5:30 P.M.
COUNCIL CHAMBERS, CITY HALL BUILDING
100 SOUTH MONORE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS**

PURSUANT TO SECTION 551.125(b); 551.127(b)(g); 551.007 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-CHARGE VIDEOCONFERENCE LINK: <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, JANUARY 6, 2021 FROM 2:00 P.M. TO 4:00 P.M. AT 830-773-1111 OR SEND EMAIL TO irodriguez@eaglepasstx.us

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

PUBLIC HEARING(S)

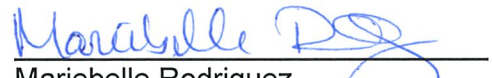
1. Public hearing on a variance request submitted By Maria Guadalupe Roman, to reduce the required front yard building setback area from 25-feet to 12-feet to allow for the construction of an attached addition, on property located at 895 Madison Street; closing of public hearing and possible action.
2. Public hearing on a variance request submitted by Rodolfo Moyeda, to reduce the required side yard building setback area from 5-feet to 0-feet to allow to keep the construction of an attached carport, on property located at 1747 Camarinos Drive; closing of public hearing and possible action.
3. Public hearing on a variance request submitted by Jaime Rodriguez, to reduce the required front yard building setback area from 25-feet to 5-feet to allow for the continuation of construction of a fence along the side yard, on property located at 196 Heritage Farms Drive; closing of public hearing and possible action.
4. Public hearing on a variance request submitted by Cesar Ramos, for a variance to reduce the front yard building setback from 20-feet to 15-feet, to allow for the construction of a new residence, on property located at 239 Trinity Street; closing of public hearing and possible action.
5. Public hearing on a variance request submitted by Jose E. Buentello, for a variance to reduce the front yard building setback from 25-feet to 15-feet and the side yard building setback area from 5-feet to 0-feet to allow to continue construction of a palapa, on property located at 952 Second 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 ASSISTANT 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 December 29, 2020 at 4:15 p.m.



Mariebelle Rodriguez
Assistant Planning Director

Item #1



Planning Department

Report to the Zoning Board of Adjustment and Appeals

I. APPLICANT & PROPERTY INFORMATION

Applicant: Maria Guadalupe Roman
Location: 895 Madison Street
Legal Desc: Lot 3, Block C, Bluff North Heights
MCAD PIN: 5654
Parcel Size: 7,5000-square feet (.1722 acres)
Existing Use: Residential dwelling
Zoning: R-3 Duplex Dwelling District
Master Plan: Residential
Request: Reduction of the front yard building setback area from 25-feet to 12-feet, to allow for the construction of an attached addition.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises
Vegetation: Residential landscaping
Vicinity: Property is bordered by residential developments and the Roberto Gonzalez Filtration Plant in the near vicinity.

III. STAFF ANALYSIS

Applicant is requesting a reduction of the front yard building setback area from 25-feet to 12-feet, to allow for the construction of an attached addition to an existing residence at property located at Madison Street as shown in Figure 1.

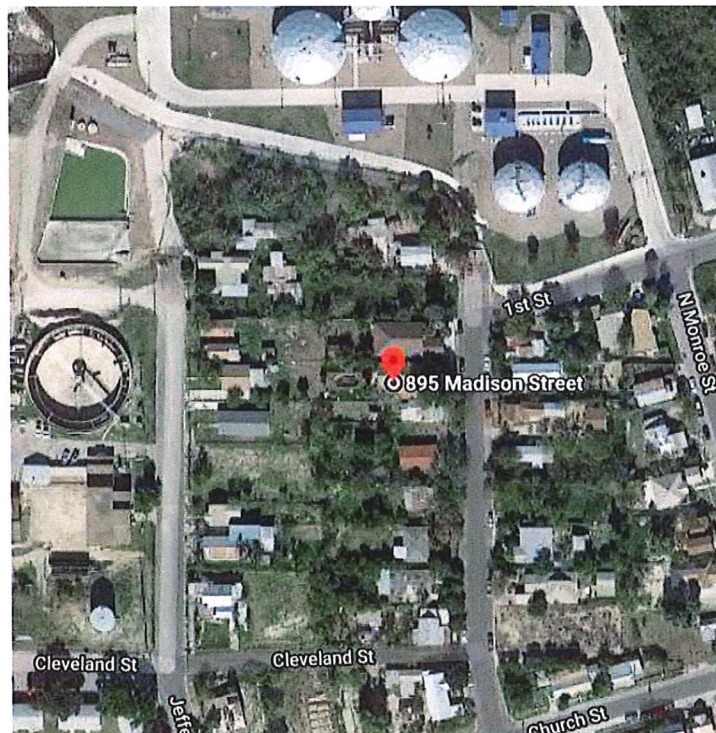


Figure 1. Area Map

The proposed construction measures approximately 92-square feet and requires the reduction in setback as shown in the attached proposed Site Layout. Although the construction will conform with all applicable building codes it does not meet the requirements set forth in the Zoning Ordinance. Planning staff is concerned with the disruption of the neighborhood character that comes with this request.

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

Staff Recommendation

Staff recommends the **DENIAL** of the applicant's variance request of a reduction of the front yard building setback area from 25-feet to 12-feet, to allow for the construction of an attached addition, for property located at 895 Madison Street.



PLANNING DEPARTMENT

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

VARIANCE APPLICATION (ZBAA)

Case No. 4911

Applicant Information	Name: <u>Maria Guadalupe Roman</u>	
	Mailing Address: <u>P. O. Box 324</u>	
	Phone: <u>830752-5582</u> E-mail: _____	
	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 Information	Name: <u>Maria Guadalupe Roman</u>
	Mailing Address: <u>P. O. Box 324</u>
	Phone: <u>830 752-5582</u> E-mail: _____

Property Information	Site Address: <u>815 Madison St</u> MCAD Property ID # _____
	Legal Description: Lot(s) <u>3</u> Block <u>C</u> Subdivision <u>Bluff Range of</u> (Property must be legally subdivided or be lot of record) <u>North</u> <u>Height</u> <u>Width</u>
	Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____

Description of Project:

Want to go 3 extra feet from 4 feet porch frontage on the side where dining room is situation for a total of 7 feet.

Detailed Explanation of Variance Request

How does the strict application of the zoning code impose practical difficulties or particular hardship for your project?

The setback as required by city code create a potential difficulty in the improvement of my property.

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

If request is granted it will conform with code regulations.

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?

By allowing the construction to be legal and comply with applicable codes

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

No

Yes, because dining room area is too small.

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?

Refuse to obtain variance will not allow me to fully use my property.

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

No

No

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

No

No

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

No

No

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

No

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

No, improvement will improve property values in the neighborhood.

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

No

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.

Rodolfo megalan

Applicant Signature

Date

Office Use

Date Application Accepted for Review: 9-17-20 By: Me

Contact Date for Supplemental Info: NA Supplemental Info Received: NA

Completeness Review Date: 9-17-20 By: Me & 12/1/20 Me

Application Returned to Applicant: NA (when applicable)

Note: Processing fee of \$100.00. will be forwarded along w/ publication fee.

MR 6/2020

Property

Account

Property ID: 5654
 Geographic ID: B50000C0000300
 Type: Real
 Property Use Code:
 Property Use Description:

Legal Description: BLUFF NORTH HEIGHTS, BLOCK C, LOT 3
 Zoning: R3
 Agent Code:

Location

Address: 895 MADISON STREET
 EAGLE PASS, TX 78852

Mapco:

Neighborhood:
 Neighborhood CD:

Map ID: NULL

Owner

Name: ROMAN, MARIA GUADALUPE
 Mailing Address: P O BOX 324
 EAGLE PASS, TX 78853-0324

Owner ID: 14017
 % Ownership: 100.000000000000%

Improvement / Building

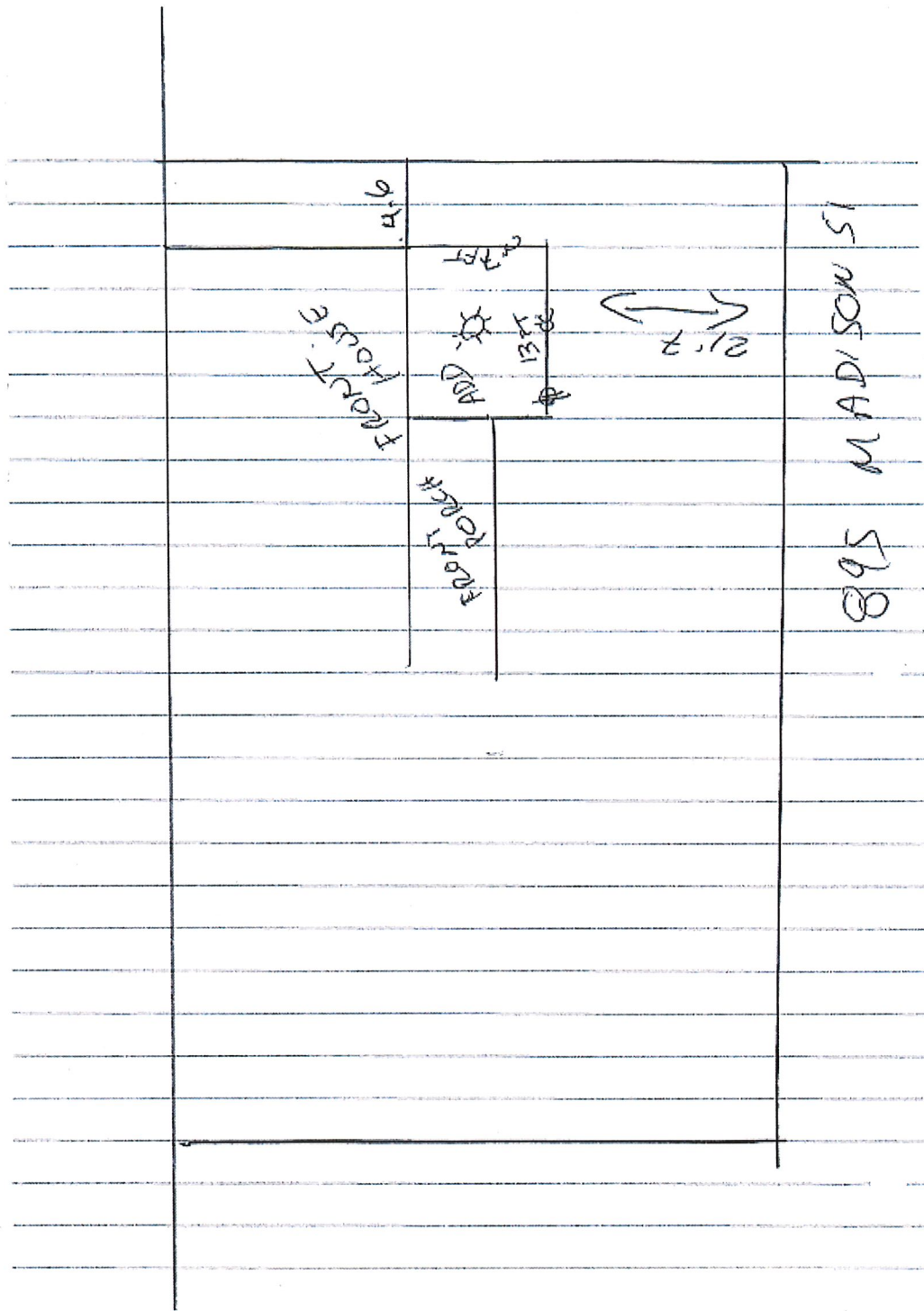
Improvement #1:	RESIDENTIAL	State Code:	A1	Living Area:	2224.0 sqft	Value: \$74,440
Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
MA	MAIN AREA	M2P	BV	0	1160.0	
ADDN	ADDITION	*		0	484.0	
OP	OPEN PORCH	*		0	64.0	
MA	MAIN AREA	F2		1996	448.0	
ADDN	ADDITION	M3		2009	132.0	
SHED	SHED	SW+		2013	140.0	

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth
1	RS	RES SINGLE FAMILY	0.1722	7500.00	50.00	150.00



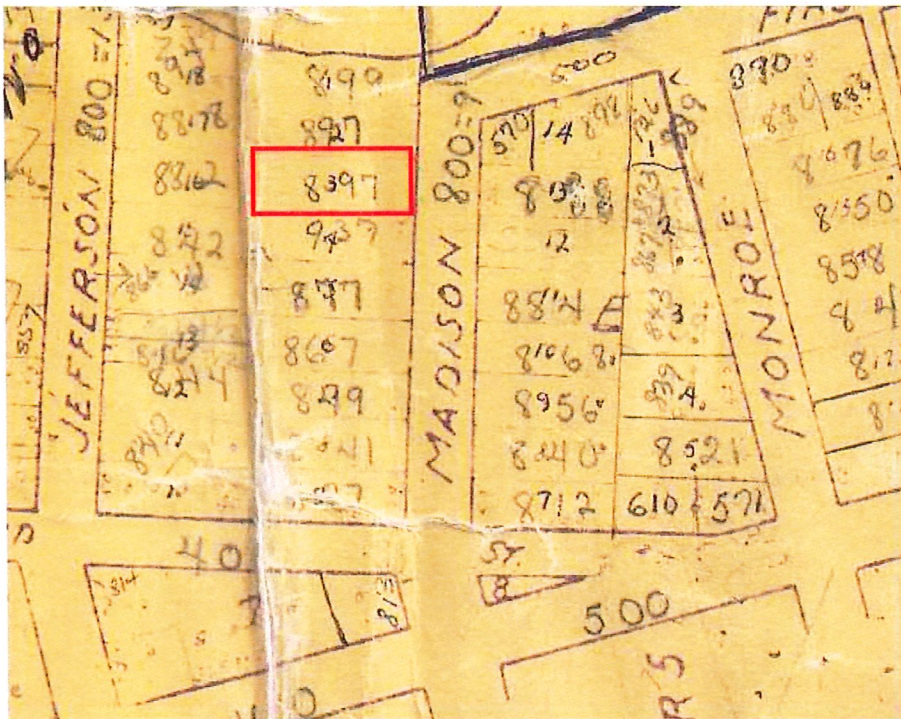
SITE PLAN



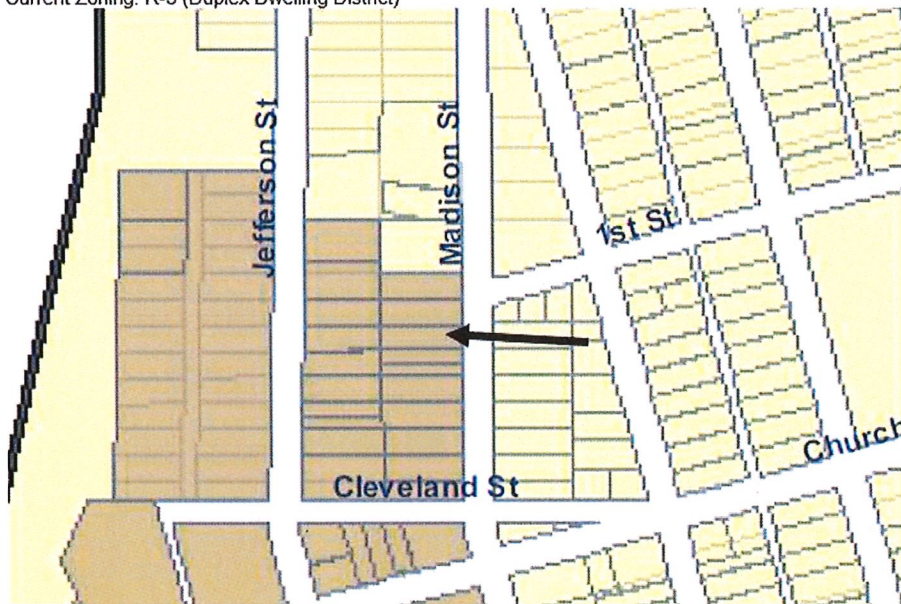


PLAT OF RECORD - Legacy Map

895 Madison Street



Current Zoning: R-3 (Duplex Dwelling District)



Legend

- City Limits Outline
- B1 - Neighborhood Business District (<3,000 Sq. Ft.)
- B2 - Central Business District
- B3 - General Business District (>3,000 Sq. Ft.)
- I - Industrial District
- F - Floodway District
- R1 - First One-Family Dwelling District
- R2 - Second One-Family Dwelling District
- R3 - Duplex Dwelling District
- R3A - Apartment District
- R4 - Townhouse Residence District

Mariebel Rodriguez, Assistant Planning Director
City of Eagle Pass

Item #2



Planning Department Report to the Zoning Board of Adjustment and Appeals

I. APPLICANT & PROPERTY INFORMATION

Applicant: Rodolfo Moyeda
Location: 1747 Camarinos Drive
Legal Desc: Lot 9, Block 19, Carthage Place Unit #9
MCAD PIN: 52672
Parcel Size: 7,502-square feet (.1722 acres)
Existing Use: Residential dwelling
Zoning: R-2 Second One-Family Dwelling District
Master Plan: Residential
Request: Reduction of the side yard building setback area from 5-feet to 0-feet, to allow to keep the construction of an attached carport.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises
Vegetation: Residential landscaping
Vicinity: Property is located within a neighborhood compromised primarily of a mixture of residential and commercial uses.

II. STAFF ANALYSIS

Applicant is requesting a reduction of the side yard building setback area from 5-feet to 0-feet, to allow to keep the construction of an attached carport at property located at Camarinos Drive as shown in Figure 1.

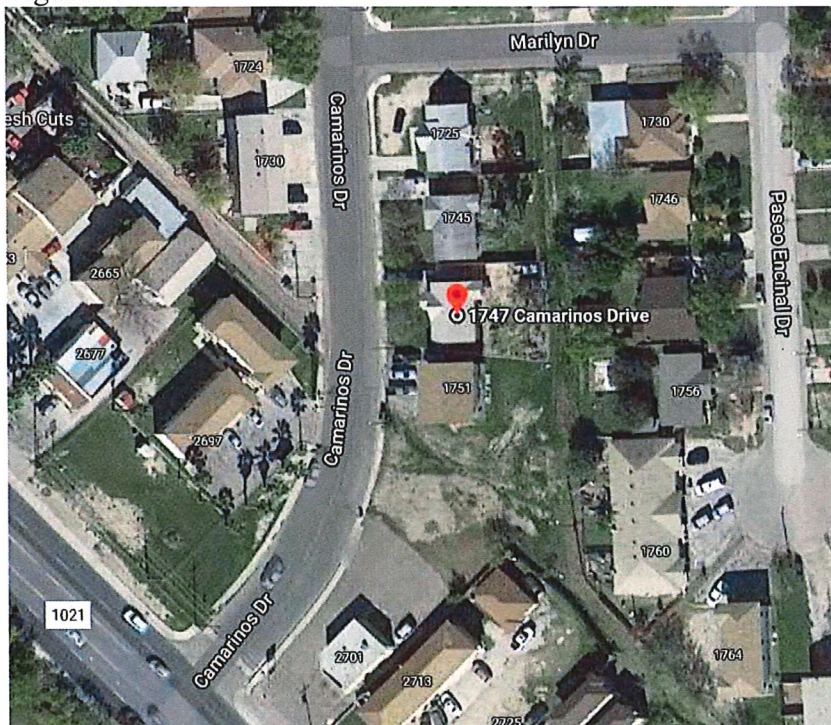


Figure 1. Area Map

The proposed construction measures approximately 348 square feet and requires the reduction in setback area as shown in the attached proposed Site Layout. Planning staff is concerned with the disruption of the neighborhood character that comes with this request and that no other property within the immediate vicinity has observed or encroached a front yard. This too is subject to a fire hazard being that the structure is within a close proximity of the neighboring structure.

As required, the public hearing was posted and published in a newspaper with a second class postage. Thirteen (13) notices were mailed to the abutting property owners within a 200 feet radius of the subject property.

Staff Recommendation

Staff recommends the **DENIAL** of the applicant's variance request of a reduction of the side yard building setback area from 5-feet to 0-feet, to allow to keep the construction of an attached carport to the existing residence encroaching on to the side yard, for property located at 1747 Camarinos Drive.



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepass.tx.us • planning@eaglepass.tx.us

VARIANCE APPLICATION (ZBAA)

Case No. 5482

Applicant Information	Name: _____
	Mailing Address: _____
	Phone: _____ E-mail: _____
	<u>Note:</u> 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 Information	Name: <u>Rocio L. Mayeda</u>
	Mailing Address: <u>1747 Camarinos Drive</u>
	Phone: <u>213-1528</u> E-mail: <u>none</u>

Property Information	Site Address: <u>1747 Camarinos Drive</u> MCAD Property ID # <u>52672</u>
	Legal Description: Lot(s) <u>9</u> Block <u>19</u> Subdivision <u>Carriage Place Unit #9</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>53.23</u> Rear Yard Width (feet) <u>70</u> Side Yard Width (feet) <u>120</u> <u>121.17</u>

Description of Project:

constructed an attached carport up to my
site property line

Detailed Explanation of Variance Request

How does the strict application of the zoning code impose practical difficulties or particular hardship for your project?

The setbacks as noted and referenced in the
city zoning ordinance create a potential
difficulty in the improvement of my property.

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

If request is given approval it will comply with
all other regulations.

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?

By allowing the construction to be legal and in conformance with applicable codes

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?

Failure to obtain variance will not allow me to fully use property.

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

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

This will improve property values.

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

No

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.

M. Roman
Applicant Signature

6/22/20
Date

Office Use

Date Application Accepted for Review: 8/25/20 By: NAC

Contact Date for Supplemental Info: 8/25/20 Supplemental Info Received: 9-17-20

Completeness Review Date: 11-17-20 By: NAC

Application Returned to Applicant: DA (when applicable)

Note: Processing fee will be invoiced along with newspaper publication fee.

check #588 for \$100.00 ✓

WR 02010

▼ Property

Account

Property ID: 52672
 Geographic ID: C1009190000900
 Type: Real
 Property Use Code:
 Property Use Description:

Legal Description: CARTHAGE PLACE UNIT # 9, BLOCK 19, LOT 9
 Zoning:
 Agent Code:

Location

Address: 1747 CAMARINOS DRIVE
 EAGLE PASS, TX 78852

Mapsc:

Neighborhood:
 Neighborhood CD:

Map ID:

Owner

Name: MOYEDA, RODOLFO & MARIA ELENA
 Mailing Address: 1747 CAMARINOS DR
 EAGLE PASS, TX 78852

Owner ID: 30017
 % Ownership: 100.000000000000%

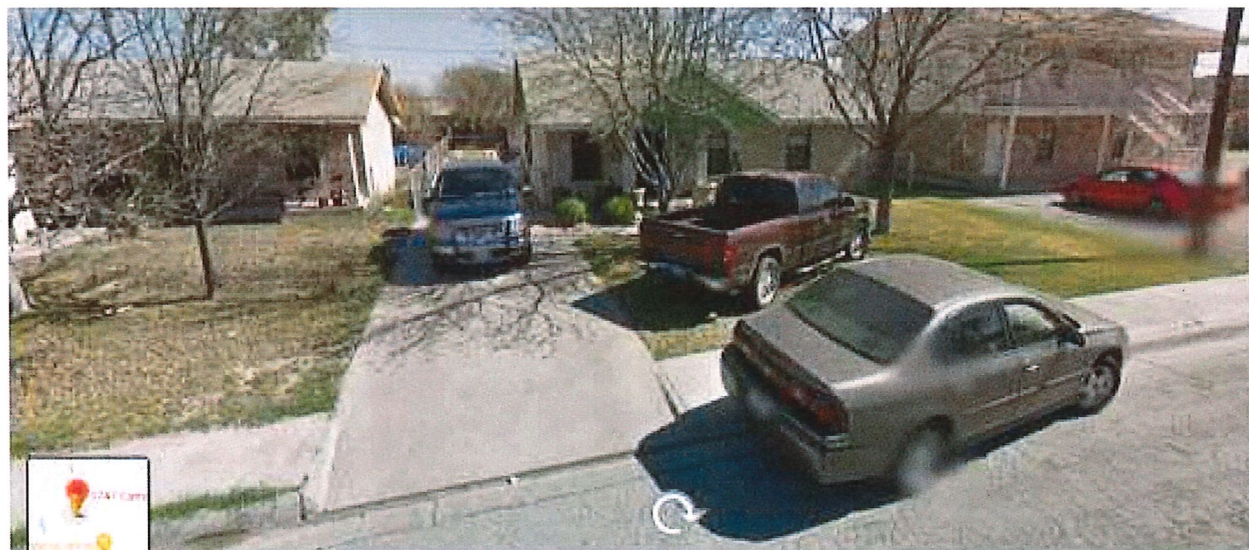
▼ Improvement / Building

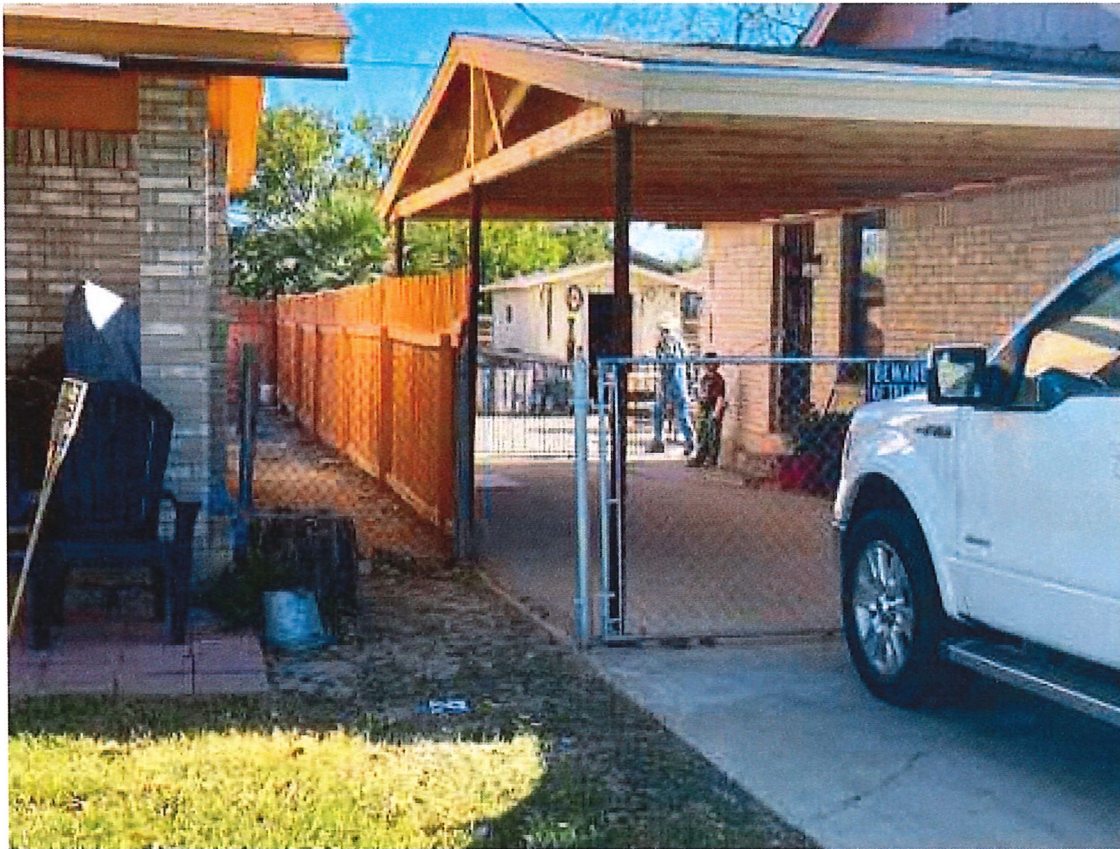
Improvement #1: RESIDENTIAL State Code: A1 Living Area: 1048.0 sqft Value: \$55,770

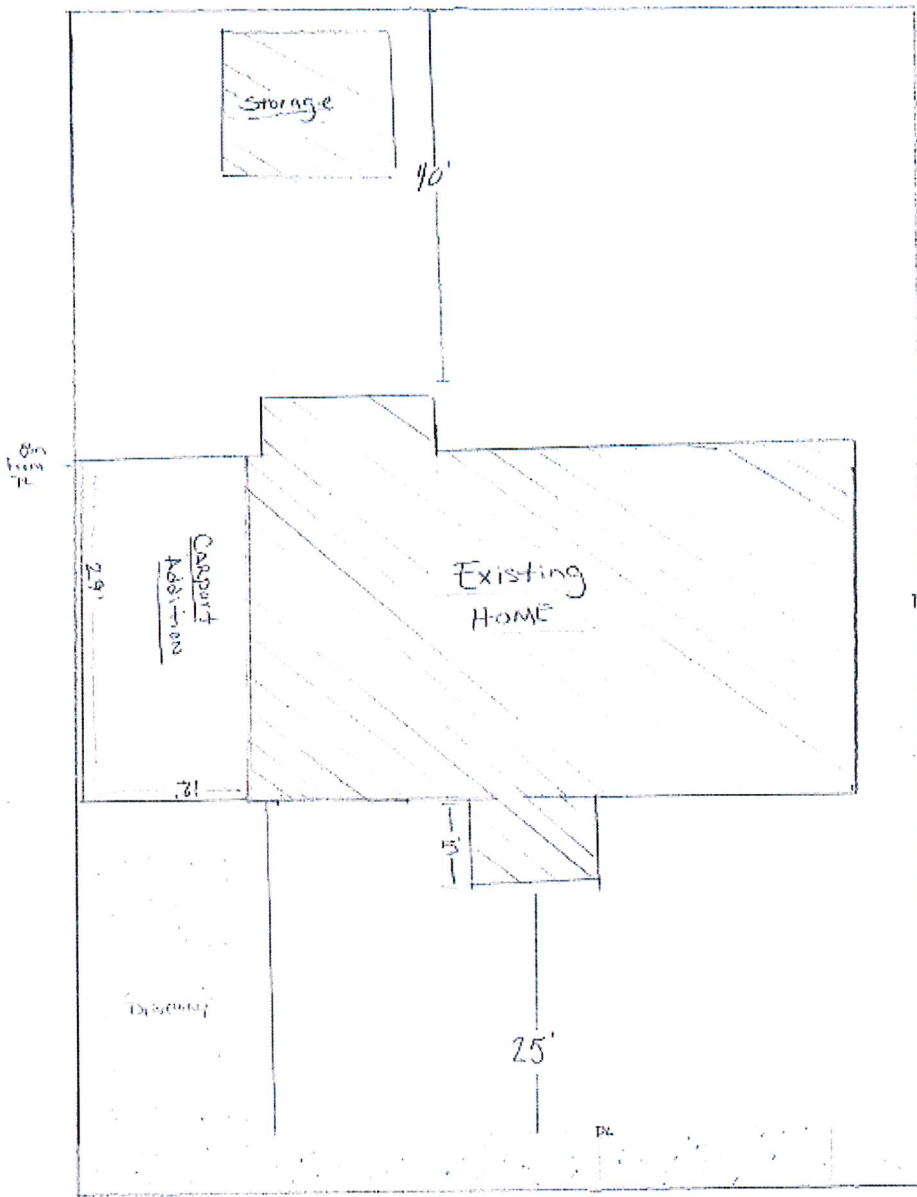
Type	Description	Class CD	Exterior Wall	Year Built	SQFT
→ MA	MAIN AREA	M3	BV	1990	1048.0
→ OP	OPEN PORCH	*		1990	40.0
→ STGF	STORAGE FRAME	*		0	64.0

▼ Land

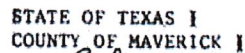
#	Type	Description	Acres	Sqft	Eff Front	Eff Depth
1	RS	RES SINGLE FAMILY	0.1722	7502.00	0.00	0.00







CARTHAGE PLACE UNIT N°9

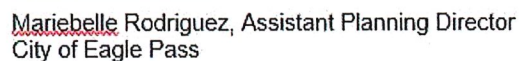


IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS
2 DAY OF May 1988.

BY :



Current Zoning: R-2 (Second One-Family Dwelling District)



Item #3



Planning Department

Report to the Zoning Board of Adjustment and Appeals

I. APPLICANT & PROPERTY INFORMATION

Applicant: Jaime Rodriguez
Location: 196 Heritage Farms Drive
Legal Desc: Lot 4A, Heritage Farms
MCAD PIN: 9614
Parcel Size: 37,026-square feet (.8500 acres)
Existing Use: Residential dwelling
Zoning: R-1 Single One-Family Dwelling District
Master Plan: Residential
Request: Reduction of the front yard building setback area from 25-feet to 5-feet, to allow for the continuation of construction of a 6-foot high wooden picket fence along the side yard.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises
Vegetation: Residential landscaping
Vicinity: Property is located within a neighborhood compromised primarily of a mixture of residential and commercial uses.

III. STAFF ANALYSIS

Applicant is requesting a reduction of the front yard building setback area from 25-feet to 5-feet to allow for the continuation of construction of a 6-foot picket wooden fence along the side yard towards the front yard property line. The subject property is located at the corner of Heritage Farms Drive and El Indio Highway as shown in Figure 1.

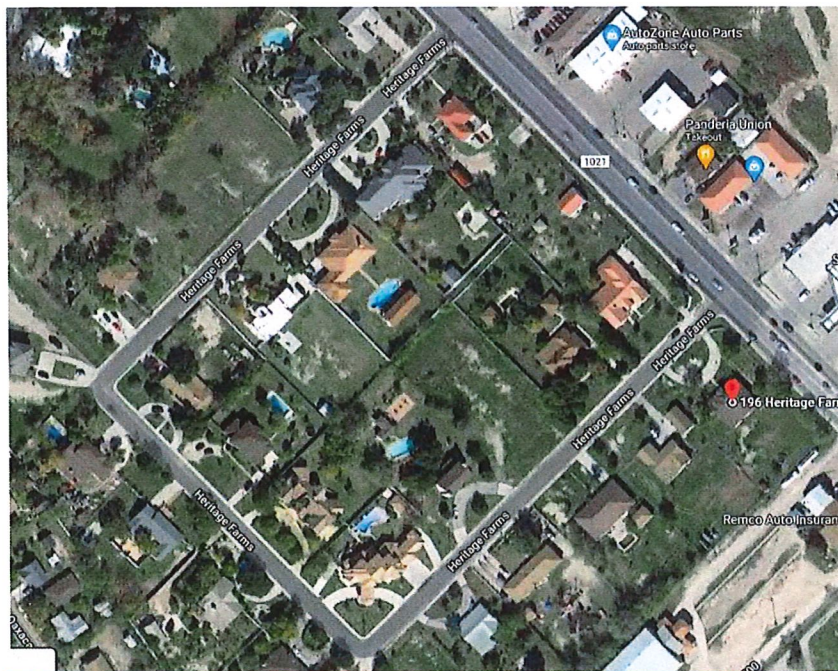


Figure 1. Area Map

The subject structure will be required to comply and conform with all applicable Building Codes, if the variance was to be granted. In terms of planning and land use, the variance does cause a detriment to the quality of life of the surrounding areas. At a minimum, a visibility triangle should be in place for the road.

As required, the public hearing was posted and published in a newspaper with a second class postage. Four (4) notices were mailed to the abutting property owners within a 200 feet radius of the subject property.

Staff Recommendation

Staff recommends the **DENIAL** of the applicant's variance request of a reduction of the front yard building setback area from 25-feet to 5-feet, to allow for the construction of a 6-foot wooden picket fence, for property located at 196 Heritage Farms Drive.



PLANNING DEPARTMENT

5481

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

VARIANCE APPLICATION (ZBAA)

Applicant Information	Name: <u>JAIME RODRIGUEZ</u>
	Mailing Address: <u>196 HERITAGE FARMS</u>
	Phone: <u>830-352-1613</u> E-mail: <u>Huc.dog.467@hotmail.com</u>
	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 Information	Name: <u>LETICIA RODRIGUEZ</u>
	Mailing Address: <u>196 HERITAGE FARMS</u>
	Phone: <u>830-352-7090</u> E-mail: <u>MITO AND ISA@hotmail.com</u>

Property Information	Site Address: <u>196 HERITAGE FARMS</u> MCAD Property ID # <u>9614</u>
	Legal Description: Lot(s) <u>4A</u> Block <u>N/A</u> Subdivision <u>HERITAGE FARMS</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>140 FT</u> Rear Yard Width (feet) <u>144.15</u> Side Yard Width (feet) <u>R 260.85 L 260.06</u>

Description of Project:
<u>FENCE</u>

Detailed Explanation of Variance Request
How does the strict application of the zoning code impose practical difficulties or particular hardship for your project?
<u>BECAUSE I LIVE ALONG THE "EL INDIO HWY" I CONSIDER IT TO BE A SAFETY ISSUE FOR ME & MY FAMILY ESPECIALLY CHILDREN.</u>

How is your variance request consistent with the general purpose and intent of the zoning code?
<u>SAFETY & BEAUTIFICATION</u>

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?

Safety of my family especially small children

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?

Property Along the Highway

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?

Yes, in this case due to safety issue because of high traffic area -

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

Property

Account

Property ID: 9614
 Geographic ID: H20000000004A0
 Type: Real
 Property Use Code:
 Property Use Description:

Legal Description: HERITAGE FARMS, LOT 4A
 Zoning:
 Agent Code:

Location

Address: 196 HERITAGE FARMS DRIVE
 EAGLE PASS, TX 78852

Mapsco:

Neighborhood:
 Neighborhood CD:

Map ID:

Owner

Name: RODRIGUEZ, LETICIA F
 Mailing Address: 196 HERITAGE FARMS
 EAGLE PASS, TX 78852

Owner ID: 47313
 % Ownership: 100.0000000000%

Improvement / Building

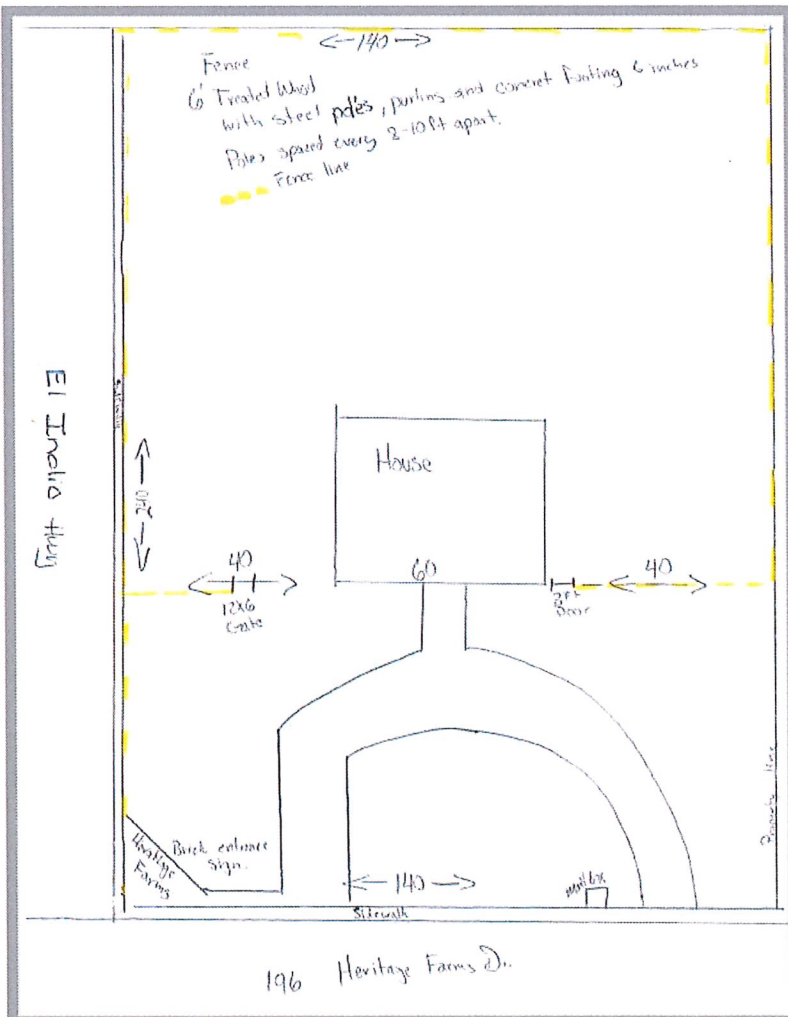
Improvement #1: RESIDENTIAL State Code: A1 Living Area: 2499.0 sqft Value: \$196,620

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	F4	ST	0	2499.0
OP	OPEN PORCH	*		0	36.0
OP	OPEN PORCH	*		1986	576.0
STG	STORAGE	*		0	0.0

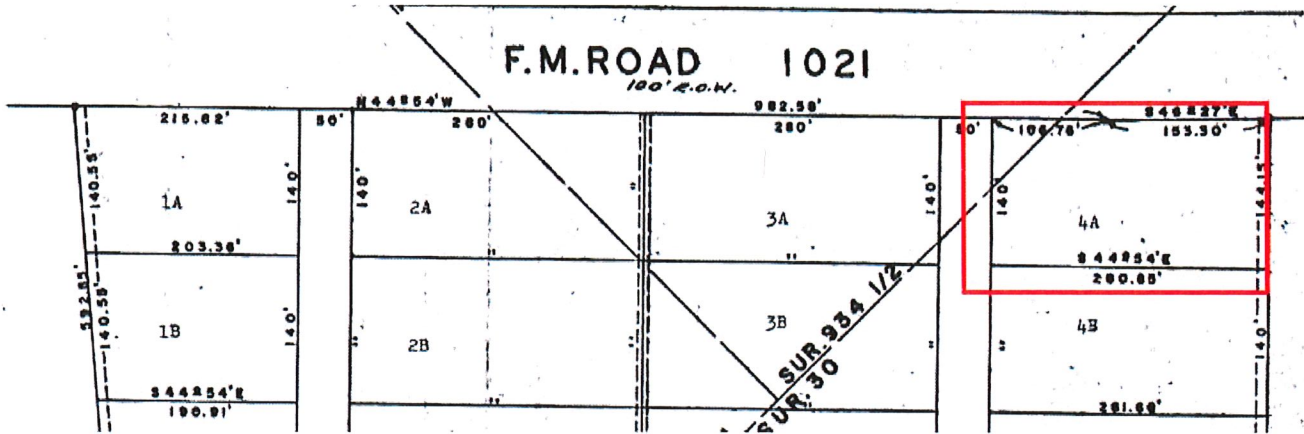
Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth
1	RS	RES SINGLE FAMILY	0.8500	37026.00	0.00	0.00





HERITAGE FARMS



CITY OF EAGLE PASS ZONING MAP

Current Zoning: R-1 (First One-Family Dwelling District)



- ### Legend

- City Limits Outline
- B1 - Neighborhood Business District (<8,000 Sq. Ft.)
- B2 - Central Business District
- B3 - General Business District (>8,000 Sq. Ft.)
- I - Industrial District
- F - Floodway District
- R1 - First One-Family Dwelling District
- R2 - Second One-Family Dwelling District
- R3 - Duplex Dwelling District
- R3A - Apartment District
- R4 - Townhouse Residence District

Maribel Rodriguez, Assistant Planning Director
City of Eagle Pass

Item #4



Planning Department

Report to the Zoning Board of Adjustment and Appeals

I. APPLICANT & PROPERTY INFORMATION

Applicant: Cesar Ramos
Location: 239 Trinity Street
Legal Desc: Lot 9, Block 22, Hillcrest Addition
MCAD PIN: 10012
Parcel Size: 7,650-square feet
Existing Use: Vacant
Zoning: R-3 Duplex District
Master Plan: Residential
Request: Reduction of front yard building setback from 20 feet to 15 feet for the construction of a new residence.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises
Vegetation: Native vegetation
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 20 feet to 15 feet to accommodate the construction of a new residence at property located at Trinity Street as shown in Figure 1.



Figure 1. Area Map

The proposed construction measures approximately 480 square feet as shown in the attached proposed Site Layout. The Zoning Board of Adjustments and Appeals (ZBAA) has previously approved similar variances for the same uses. 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.

Staff Recommendation

Staff recommends the **APPROVAL** of the applicant's variance request of a reduction to the front yard building setback from 20 feet to 15 feet, for property located at 239 Trinity Street.



PLANNING DEPARTMENT

#3867

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

VARIANCE APPLICATION (ZBAA)

Applicant Information	Name: <u>Cesar Alejandro Romas Trevino</u>
	Mailing Address: <u>229 N. Adams St</u>
	Phone: <u>830-308-5208</u> E-mail: <u>cesarromas@solucionesromas.com</u>
	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 Information	Name: <u>Cesar Alejandro Romas Trevino</u>
	Mailing Address: <u>229 N. Adams St</u>
	Phone: <u>830-308-5208</u> E-mail: _____

Property Information	Site Address: <u>239 Trinity St</u> MCAD Property ID # <u>10012</u>
	Legal Description: Lot(s) <u>9</u> Block <u>22</u> Subdivision <u>Hillcrest</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>50</u> Rear Yard Width (feet) <u>50</u> Side Yard Width (feet) <u>150</u>

Zoning is R3-Duplex District

Description of Project:

Build a small apartment for my family - Residence

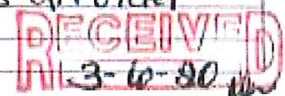
Detailed Explanation of Variance Request

How does the strict application of the zoning code impose practical difficulties or particular hardship for your project?

The lot is in a ditch and requires a lot of material to fill up. We are requesting to allow us to move the construction from 25 to 15 feet in the front.

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

Zoning code provides uniformity and this is an older part of town. Other homes in the vicinity adapted to the topography of the lots



to minimize flooding or eliminate flooding other properties.

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

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

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?
Failure to obtain variance will not allow me to fully use my property.

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

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

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.

Cesar Ramos
Applicant Signature

03/16/20
Date

Office Use

Date Application Accepted for Review: 3-16-20 By: HL

Contact Date for Supplemental Info: 3-10-20 Supplemental Info Received: _____

Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

Note: Processing fee will be invoiced along with newspaper publication fee.

WR 00316

300.00 fee paid record #

Revised
Plot Plan

Property Identification #: 10012

Geo ID: H300022000900
Situation Address: 239 TRINITY ST EAGLE PASS, TX 78852
Property Type: Real
State Code: C1

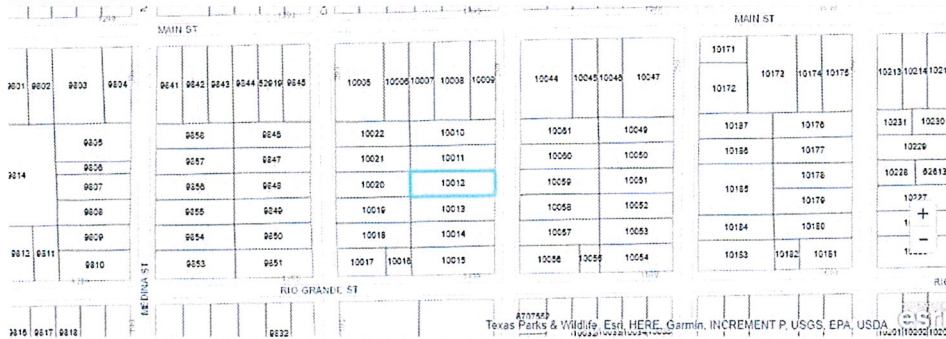
Property Information: 2021

Legal Description: HILLCREST ADDN. BLOCK 22, LOT 9
Abstract: SHC
Neighborhood: Null
Appraised Value: N/A
Jurisdictions: GMC, HOS, SCH, CIT, CAD

Owner Identification #: 109251

Name: TREVINO, CESAR ALEJANDRO RAMOS & SONIA MARIBEL
BARCO MORALES
Exemptions:
DBA: Null

Re-Center Map



Maverick CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Maverick County Appraisal District expressly disclaims any and all liability in connection herewith.

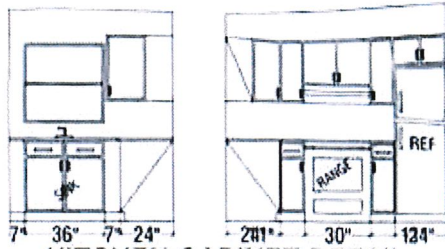
Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth
1	RM	RES MULTI-FAMILY	0.1756	7650.00	51.00	150.00



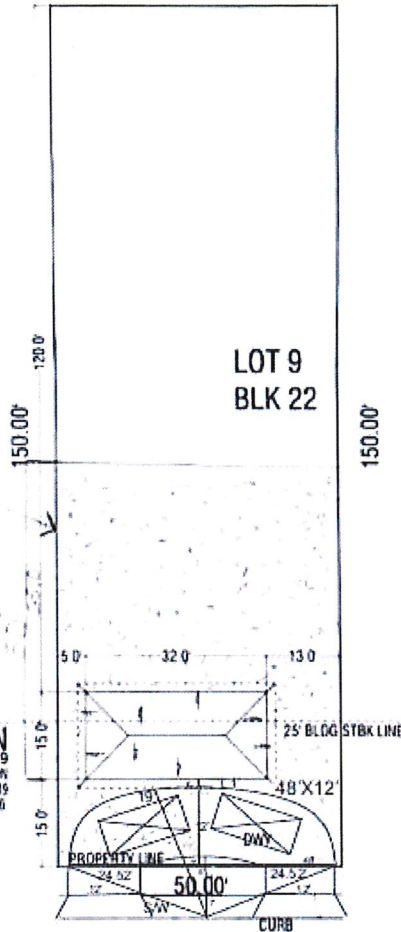


KITCHEN CABINET DETAIL

50.00'

Back of
50' H

PLOT PLAN
239 TRINITY ST LOT 9
BLK 22 HILLCREST ADDITION
EAGLE PASS TX NOVEMBER 2019
SCALE 1/16"



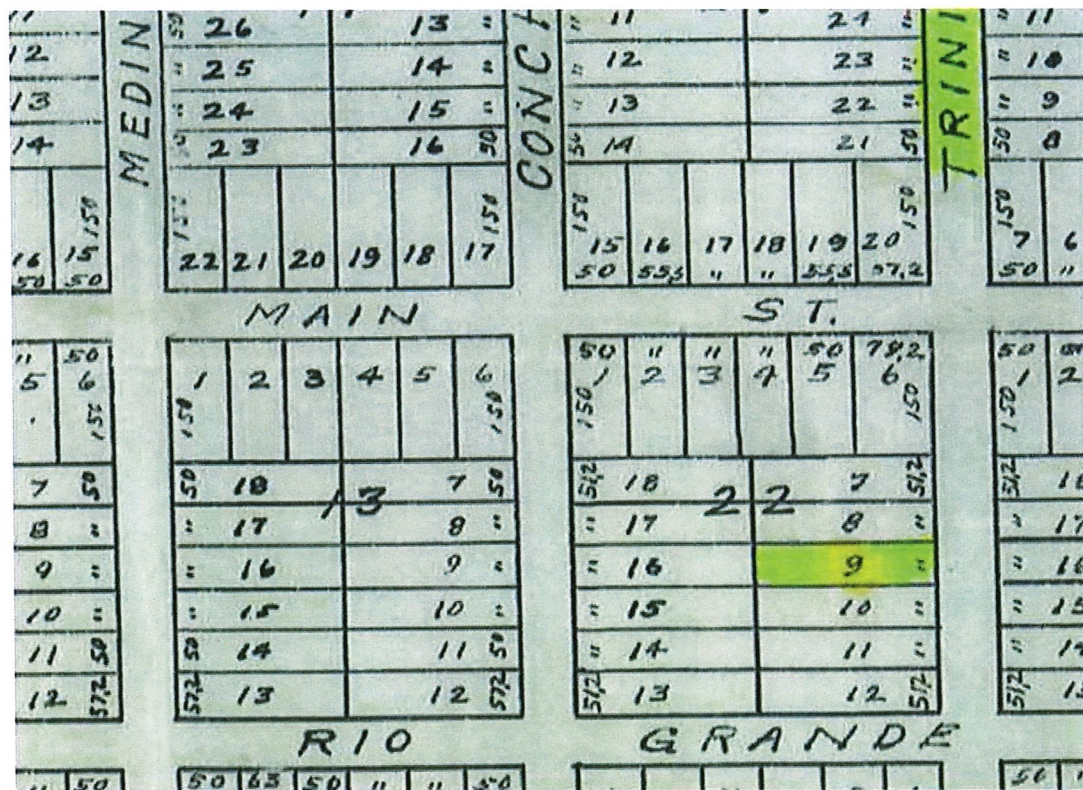
TRINITY ST

3 OF 3

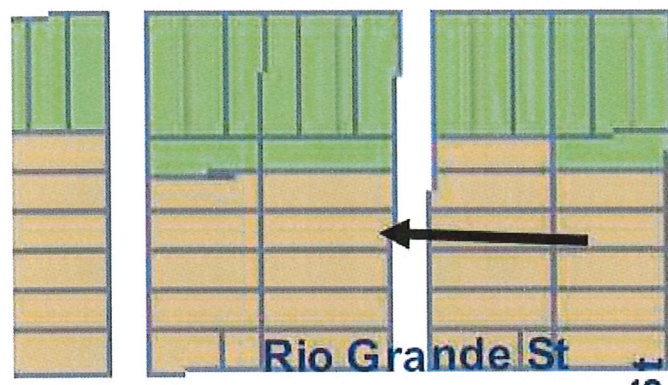
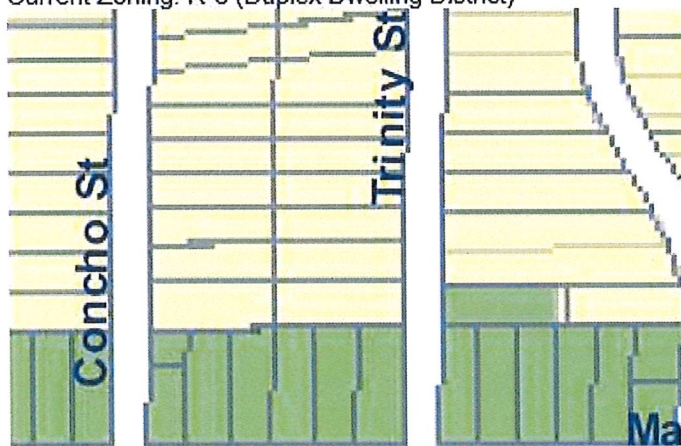
DATE: 1/17/20 BY: JGD		PLAN OF NEW RESIDENCE CESAR RAMOS 239 TRINITY ST LOT 9
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PLAT OF RECORD - Legacy Map



Current Zoning: R-3 (Duplex Dwelling District)



Legend

- City Limits Outline
- B1 - Neighborhood Business District (<8,000 Sq. Ft.)
- B2 - Central Business District
- B3 - General Business District (>8,000 Sq. Ft.)
- I - Industrial District
- F - Floodway District
- R1 - First One-Family Dwelling District
- R2 - Second One-Family Dwelling District
- R3 - Duplex Dwelling District
- R3A - Apartment District
- R4 - Townhouse Residence District

Mariebelle Rodriguez, Assistant Planning Director
City of Eagle Pass

Item #5



Planning Department

Report to the Zoning Board of Adjustment and Appeals

I. APPLICANT & PROPERTY INFORMATION

Applicant: Jose E. Buentello
Location: 952 Second Street
Legal Desc: Lots 1 & 2, Block 9, North Heights Unit #4 (West 50ft)
MCAD PIN: 14027
Parcel Size: 5,000-square feet (.1148 acres)
Existing Use: Residential dwelling
Zoning: R-1 Single One-Family Dwelling District
Master Plan: Residential
Request: Reduction of front yard building setback area from 25-feet to 15-feet and the side yard building setback area from 5-feet to 0-feet to allow to continue construction of a detached palapa located in the front yard of said property.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises
Vegetation: Residential Landscaping
Vicinity: Property is bordered by residential and commercial developments.

III. STAFF ANALYSIS

Applicant is requesting reduction of the front yard building setback reduction from 25-feet to 15-feet and side yard building setback area from 5-feet to 0-feet to allow to continue construction of a palapa. The subject property is located at Second Street as shown in Figure 1.

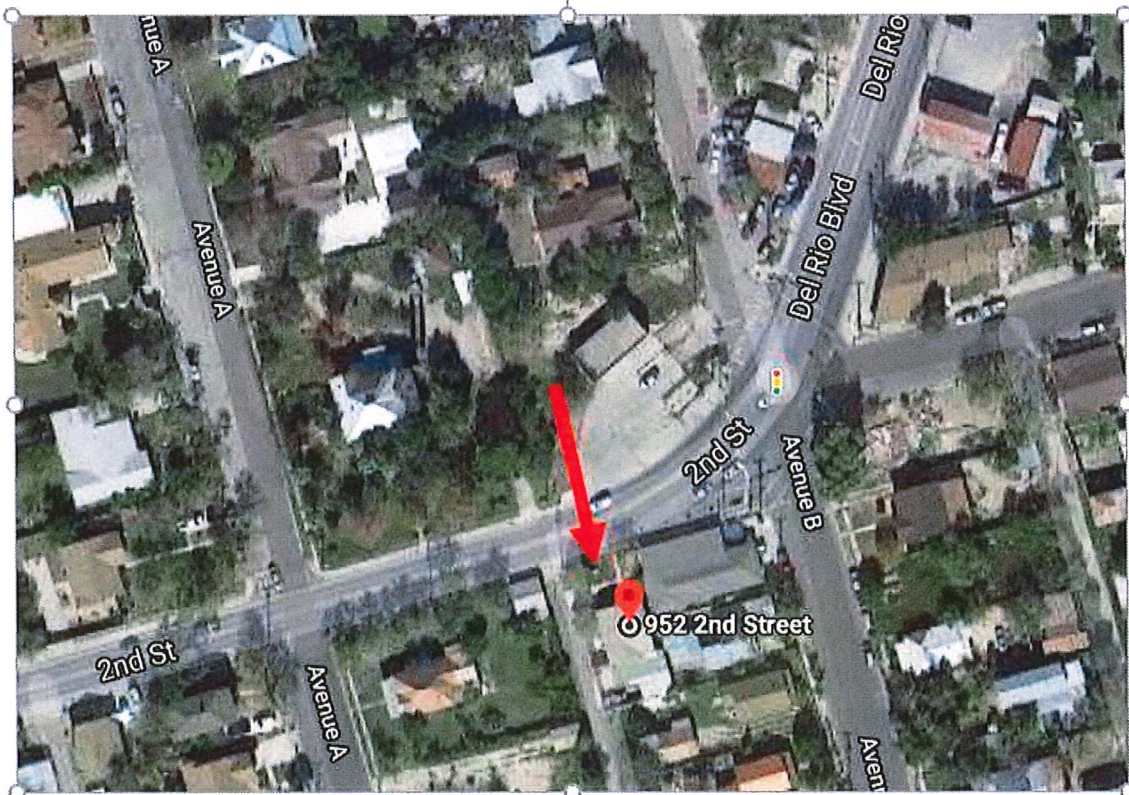


Figure 1. Area Map

The proposed construction measures approximately 161 square feet and requires the reduction in setback areas as shown in the attached proposed Site Layout. Planning staff is concerned with the disruption of the neighborhood character that comes with this request and that no other property within the immediate vicinity has observed or encroached a front yard. This too is subject to a fire hazard being that the structure is within a close proximity of the neighboring structure.

Staff Recommendation

Staff recommends the **DENIAL** of the applicant's variance request of a reduction of setbacks areas for property located at 952 Second Street.



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepasstx.us • planning@eaglepasstx.us

VARIANCE APPLICATION (ZBAA)

Case No. 5362

Applicant Information	Name: <u>Jose E. Buenteello</u>
	Mailing Address: <u>952 Second St.</u>
	Phone: <u>830 421 0608</u> E-mail: <u>joseeb72.jb@gmail</u>
	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 Information	Name: <u>Jose E. Buenteello</u>
	Mailing Address: <u>952 Second St.</u>
	Phone: <u>830 421 0608</u> E-mail: <u>joseeb72-jb@gmail</u>

Property Information	Site Address: <u>952 Second St.</u> MCAD Property ID # <u>14027</u>
	Legal Description: Lot(s) <u>1, 2</u> Block <u>9</u> Subdivision <u>North Heights Unit #4</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>50</u> Rear Yard Width (feet) <u>50</u> Side Yard Width (feet) <u>100</u>

Description of Project:

creating a palapa so the family can have a place to sit in the shade

Detailed Explanation of Variance Request

How does the strict application of the zoning code impose practical difficulties or particular hardship for your project?

The wait time for approval takes some time which I could use on the project

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

It is needed so I can continue the construction of my project.

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?

By giving me permission to create my project my family and I will be able to spend more time together during this pandemic.

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

Yes, it is necessary because I live in the city.

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

It is not necessary due to those conditions, but due to others.

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?

Yes, if I'm not given permission to construct the Dalapa I would have wasted my time and money that has already been spent.

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

I believe it will not affect anyone because it is close to my house and my neighbors have no problem with me constructing it.

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

It will have no affect on either of those.

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

No, it will have no affect to the public streets, and in no way will it cause more traffic.

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

The only way for it to be a danger to the public would be if we had a grill under it which we will not have close by.

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

NO it will have no affect on the property or surrounding areas.

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

It will in no way affect the publics safety.

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.

Jon E Bruntlett
Applicant Signature

12/2/20
Date

Office Use

Date Application Accepted for Review: 12/02/20 By: LV

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

Completeness Review Date: _____ By: _____

Application Returned to Applicant _____ (when applicable)

Note: Processing fee of \$100.00.

MA 6/5/2020

Property

Account

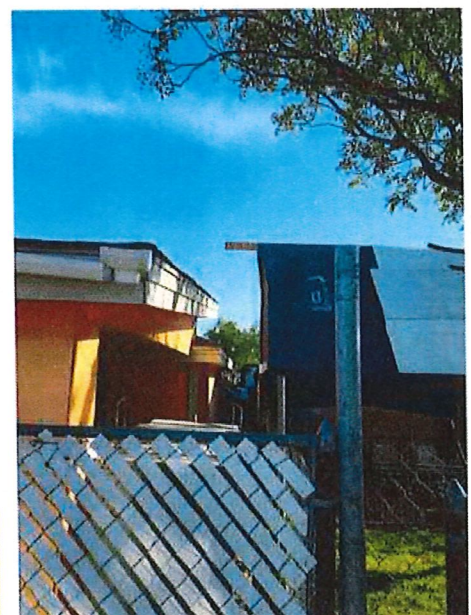
Property ID:	14027	Legal Description:	NORTH HEIGHTS UNIT # 4, BLOCK 9, LOT 1 & 2, (WEST 50FT)
Geographic ID:	N8004090000100	Zoning:	R1
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

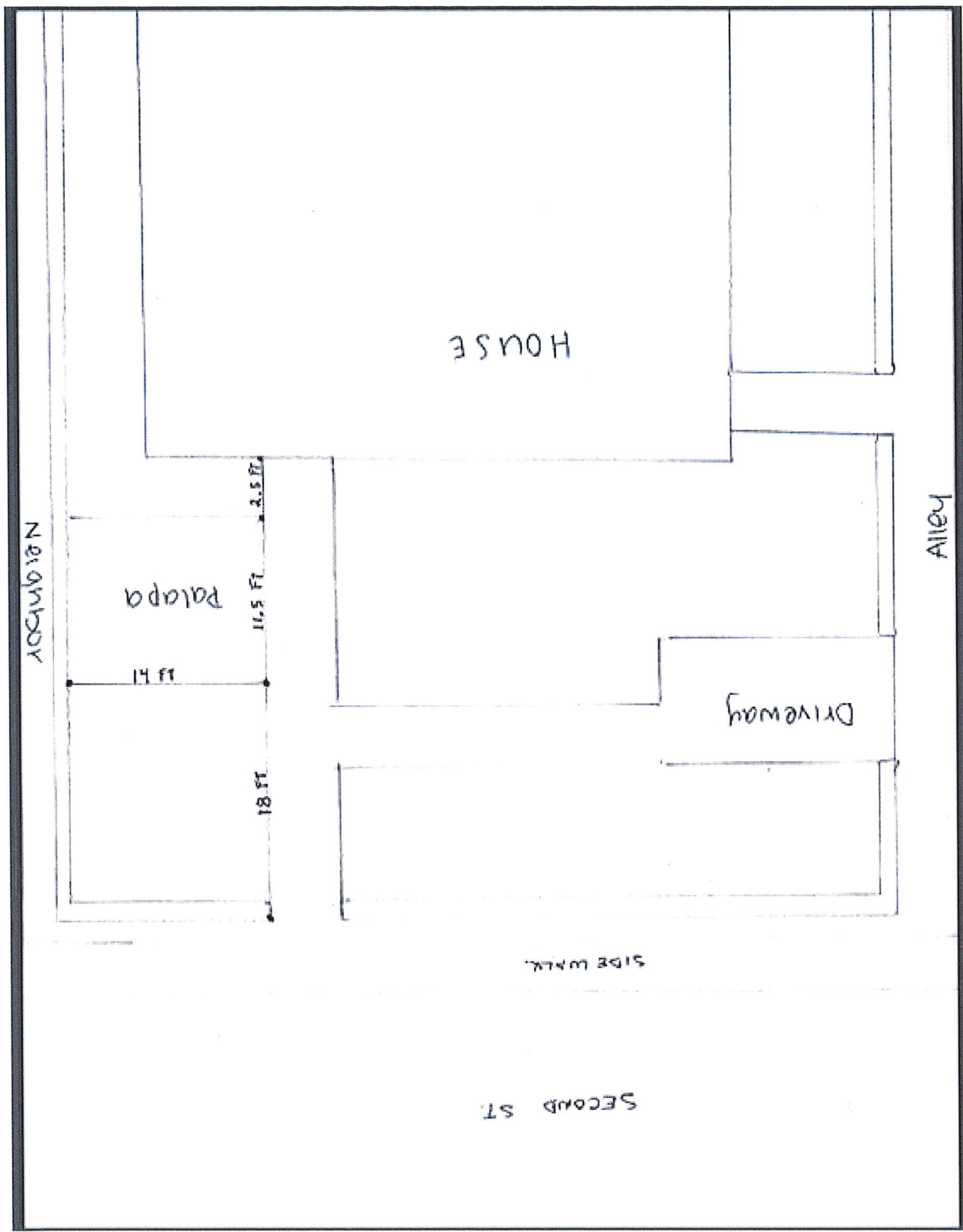
Improvement / Building

Improvement #1:	RESIDENTIAL	State Code:	A1	Living Area:	1137.6 sqft	Value: \$66,490
Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
→ MA	MAIN AREA	F3P	BV,WS	1999	833.6	
→ OP	OPEN PORCH	*		1999	29.2	
→ STGF	STORAGE FRAME	SP		0	384.0	
→ ADDN	ADDITION	*		2005	304.0	

Land

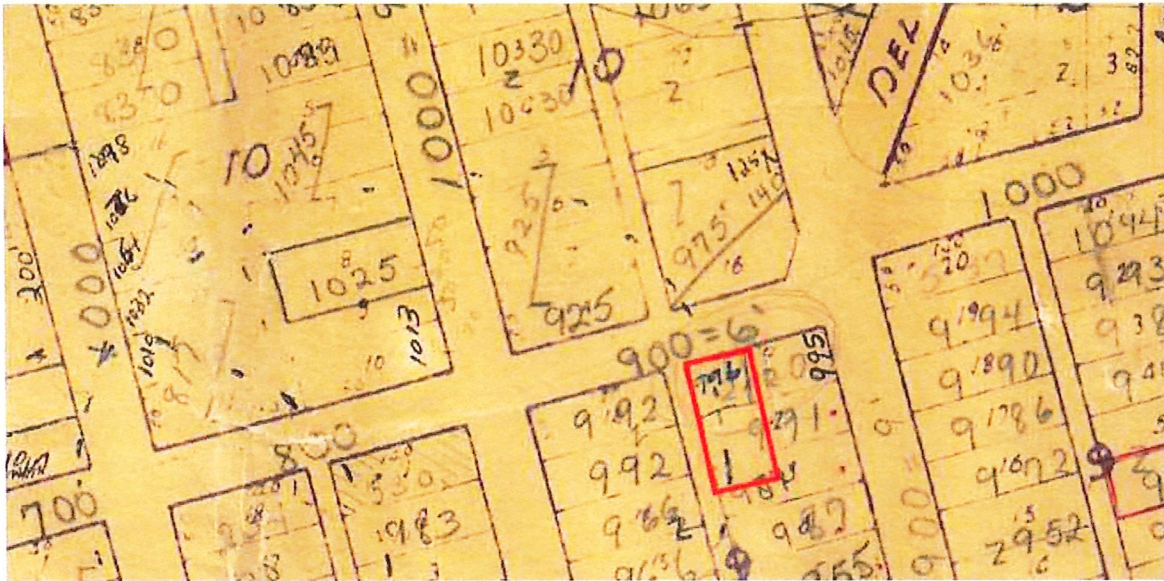
#	Type	Description	Acres	Sqft	Eff Front	Eff Depth
1	RS	RES SINGLE FAMILY	0.1148	5000.00	50.00	100.00







PLAT OF RECORD - Legacy Map

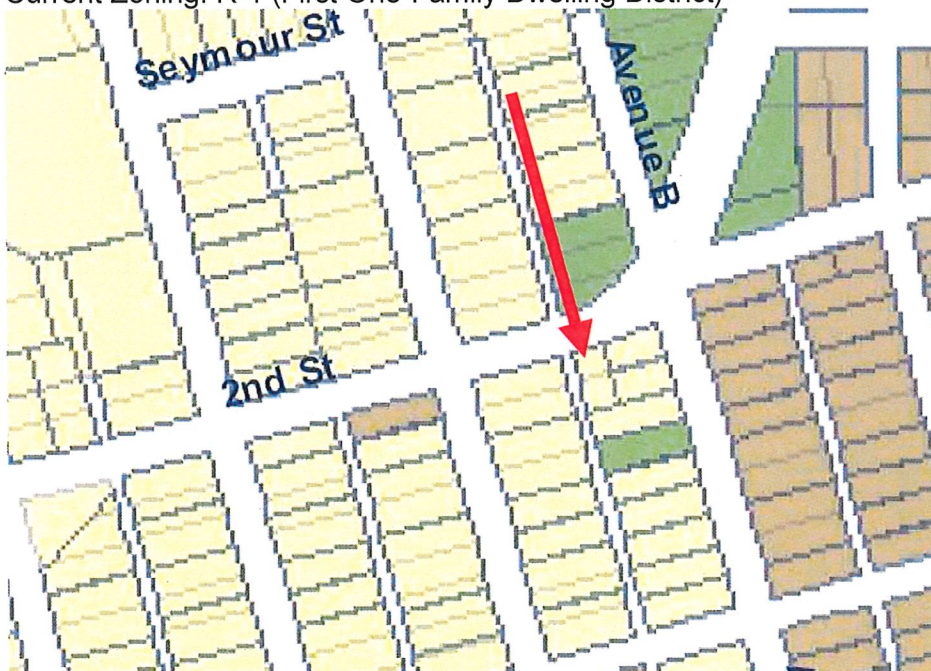


Mariebel Rodriguez, Assistant Planning Director
City of Eagle Pass

CITY OF EAGLE PASS ZONING MAP

952 Second Street

Current Zoning: R-1 (First One-Family Dwelling District)



Legend

- City Limits Outline
- B1 - Neighborhood Business District (<8,00 Sq. Ft.)
- B2 - Central Business District
- B3 - General Business District (>8,000 Sq. Ft.)
- I - Industrial District
- F - Floodway District
- R1 - First One-Family Dwelling District
- R2 - Second One-Family Dwelling District
- R3 - Duplex Dwelling District
- R3A - Apartment District
- R4 - Townhouse Residence District