

**Board of Adjustment Meeting Minutes of April 6, 2016**  
**6:00 pm**  
**City Council Chambers**  
**1311 Chestnut Street**  
**Bastrop, Texas**

1. Call to Order.

At 6:03 p.m. Dan Hays-Clark called the meeting to order.

2. Roll call and confirmation of a quorum of Board members.

Blas Coy	- present
Michael Gibbons	- present
Dan Hays-Clark	- present
Matthew Lassen	- present
Herb Goldsmith	- present
Bob Rogers (Alternate)	- present
Daniel Ducloux (Alternate)	- absent

3. Citizen comments.

There were no citizen comments.

4. Consideration and approval of the March 9, 2016, Board of Adjustment meeting minutes.

Herb Goldsmith made a motion to approve the meeting minutes of March 9, 2016 with a correction. The motion was seconded by Matthew Lassen and approved unanimously.

5. Public Hearing Case BOAV16:03: The Board of Adjustment will convene a public hearing on a variance request as follows:

Variance to Zoning Ordinance, Section 28.4.B.1, and 28.4.B.3, to allow a 10 foot setback where 25 feet is required for the front and exterior side yard setback for 901 College being +/-0.29 acres within Building Block 18 East of Water Street located between College, Gutierrez, and Paul C. Bell Streets within the City Limits.

***Agenda items No. 5-7 were discussed in unison.***

6. Public Hearing Case BOAV16:04: The Board of Adjustment will convene a public hearing on variances requested as follows:

Variance to Zoning Ordinance, Section 28.4.B.1, to allow a 10 foot setback where 25 feet is required for the front yard setback for 905 College being +/-

0.137 acres within Building Block 18 East of Water Street located between College and Gutierrez Streets within the City Limits.

***Agenda items No. 5-7 were discussed in unison.***

7. Public Hearing Case BOAV16:05: The Board of Adjustment will convene a public hearing on variances requested as follows:

Variance to Zoning Ordinance, Section 28.4.B.1, and 28.4.B.3, to allow a 10 foot setback where 25 feet is required for the front and exterior side yard setback for 907 College being +/-0.206 acres within Building Block 18 East of Water Street located between College and Gutierrez (Jefferson) Streets within the City Limits.

***Agenda items No. 5-7 were discussed in unison.***

Melissa McCollum addressed the Board stating these properties (901, 905, and 907 College) were rezoned as part of a city initiated rezoning from, SF-7, Single Family-7 to C-1, Commercial (Light) and approved by City Council on May 27, 2014. At this time, the three properties would be required to have a 25' (foot) setback from each street and the applicant is asking for a reduced setback of 10' (ten feet) instead of the 25' (twenty-five feet) required. She stated this would leave the buildable area to 117.68 feet by 33.33 feet or 3,922 square feet, and the variance(s) would facilitate future construction of potentially new structures on the sites. The variance would increase the buildable area to 132.68 feet by 63.33 feet or 8,402 square feet. She stated the properties were reduced in size with the imminent domain by TxDOT for construction of Highway 71, back in 1958.

The Board members inquired of Staff about the surrounding properties asking if this would affect those properties and it was stated this would not; they will need to apply for their own separate variance. Also discussed was if this variance were granted to make three separate properties, and later the lots were reconfigured, this would make the variance null and void. Discussions were held regarding parking, if Form Based Code would be considered for this area and TxDOT plans.

Mr. Gutierrez addressed the Board members referencing the projection screen and speaking of the properties on the other side of College Street stating those properties are right on the property line. He further stated with a 10' (ten foot) setback there will be plenty of room for sidewalks and landscaping. Discussions were held between the applicant, Board and Staff regarding the driveways for the parcels and how they would be accessed via Gutierrez Street. Clarification was given on how measurements are from property line to property line and that an approved variance would not go with the properties if they want all three lots combined at a future date.

After much discussion, Mr. Gutierrez addressed the Board stating he has decided to table the above three agenda items to the May, 2016 BOA meeting so that he may

be able to consult with others and make their decision. The items were tabled until the May 4, 2016 meeting.

**8. Director's Report.**

Melissa gave a brief update on the Comprehensive Plan Steering Committee meeting from last week in which Chapters 2 and 3 were discussed, stating the Steering Committee gave good insight.

Melissa also gave an update on the North Area Form Based Code stating at the last FBC SWOT analysis Task Force meeting, there were concerns raised about the current infrastructure in this part of town.

The Board discussed a question regarding the Sign Review Board confirming that appeals go to Court and that it would be a better choice and cheaper to go to mediation/arbitration for these appeals. Members requested to discuss 'quasi-judicial board' on a future agenda item.

**9. Adjourn.**

Herb Goldsmith made a motion to adjourn. Seconded by Matthew Lassen and the meeting adjourned at 6:45 p.m.

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Dan Hays-Clark, Chair