

CITY OF OLMOS PARK
BOARD OF ADJUSTMENT
MINUTES OF PUBLIC MEETING
HELD APRIL 11, 2018

The Board of Adjustment for the City of Olmos Park, Texas held a public meeting at 4:30 p.m. on Wednesday, April 11, 2018, at City Hall. Members present were Melissa Phillips, Richard Specia, Erin Harrison, Sandra Hornberger and Sarah Cochran. Administrative Staff present were Celia DeLeon, City Manager; Diane Gonzales, City Secretary; Ricardo Cavazos, Building Official and City Attorney, Richard Lindner. Also present was Robert Amezcuita, Designer; Martin Flores, 206 Paseo Encinal; Susie Flores, 206 paseo Encinal; Daria Flores, 212 Primera and Mallory Baird 212 Primera.

Chairman Melissa Phillips called the meeting to order at 4:35 p.m. and announced a quorum was present.

Approve minutes of meeting held December 18, 2017.

Richard Specia moved to approve the minutes for December 18, 2017.

Sandy Hornberger seconded the motion.

The vote in favor of the motion was unanimous by all Board members present.

Ms. Daria Flores of 212 Primera AKA CB 5700 BLK 1 LOT 7 is requesting 3 variances from Chapter 40, section 40-40 *Building and Land Use Restrictions* (3) (b) (c), section 40-42 *Yard Area Requirements* Table 40-42.1 and Article VII *Non-Conforming Uses*, section 40-189 *Buildings*. The projects involve altering an existing non-conforming structure and if completed would violate our zoning ordinances.

Ricardo Cavazos stated on February 27, 2018, Ms. Daria Flores applied for building permits to remodel the main structure at 212 Primera Drive. Upon examination of the proposed surveyed site plan he noticed that this project involves altering an existing non-confirming structure. First, the rear attached bedroom is over the rear setback by approximately 18.5' feet. By removing 190 square feet of the rear bedroom on a non-conforming structure will require a variance. Second, the structural alteration of the current roof on a non-conforming structure would require a variance. Third, because of the non-conforming status of the main structure any structural alterations of the interior/exterior master bathroom, kitchen, windows and entrances would require a variance.

Richard Specia asked once the space in the back is removed would it be then a conforming structure?

Ricardo Cavazos stated it will continue being a non-conforming structure and what they are removing from the back is to remove it in from the utility easement because the structure is intruding into the utility easement. The structure continues to be non-conforming even with the alterations of the roofing, bedroom remodeling, and the roof reconfiguration.

Melissa Phillips asked will the footprint be smaller?

Ricardo Cavazos stated yes. There is a carport to the west side of the main structure that a variance was issued back in 1988 and that is not being altered and as long as they don't touch it, it can continued being used . The bedroom structure in the back is connected to a breezeway to the main structure and will pass the rear setback by 18.5 feet.

City Manager DeLeon stated for the record all the residents within 200 feet have been notified.

Ricardo Cavazos stated even with the 190 square feet being removed that back portion is still connected to the main structure which is in violation of the rear setback and will continuing being non-conforming.

Robert Amezcuita stated he is the designer of the project. Ms. Flores purchased the house less than a year ago. The original structure had a garage and a main house and they were separated at one time. Someone connected the garage to the main structure with the master bedroom before it was in compliance with the setbacks but once the two structures were connected then that made in non-compliance. The master bedroom and master bathroom are there now so in order to be fully compliant we would have to remove the master bedroom from the project taking it back to a small bedroom space. Since these are existing conditions we are asking that Ms. Flores is allowed to replace the roof, fix the patios and the porches and repair some structural elements to the existing structure. They will remove 190 square feet but we are still in non-compliance because someone built that master bedroom and connected the two structures together.

Chair Phillips asked what structural repairs would you be making?

Robert Amezcuita stated the porches were enclosed and exposed and now there is water intrusion where modifications were made previously and we want to raise it up about a foot so it would be a structural modification, there is mold and some termite damage so we are trying to clean up and remove all the damaged wood. Ms. Flores also wants to remodel the bathroom and kitchen which will all require permits and she can't obtain any permits because the structure is non-conforming. We will reduce the square footage; bring everything up to code and have a new roof and stucco.

Chair Phillips stated you are trying to fix the framing issues and upgrading the bathroom and kitchen so from the outside it will look the same but be less of it.

Robert Amezcuita stated same footprint on the front side and less of the back side and the roof will be the same height. He stated they did submit a hardship letter.

City Secretary Gonzales stated we have received a letter in favor of the project from 203 Primera.

Sandra Hornberger stated the house is in bad shape but has some points of interest and needs a lot of love and care.

Chair Phillips stated we appreciate when someone is trying to maintain the character of the neighborhood and the openness of the neighborhood instead of tearing down and starting over.

Richard Specia stated he believes the hardship is the pre-existing conditions and they are not adding to that, they are reducing the foot print.

Chair Phillips stated we have a policy towards openness and non-density.

The board agreed to vote on each request separately.

First, the rear attached bedroom is over the rear setback by approximately 18.5' feet. By removing 190 square feet of the rear bedroom on a non-conforming structure will require a variance.

Richard Specia moved to approve the first variance.

Sandy Hornberger seconded the motion.

The vote in favor of the motion was unanimous by all Board members present.

Second, the structural alteration of the current roof on a non-conforming structure would require a variance.

Sandy Hornberger moved to approve the second variance.

Richard Specia seconded the motion.

The vote in favor of the motion was unanimous by all Board members present.

Third, because of the non-conforming status of the main structure any structural alterations of the interior/exterior master bathroom, kitchen, windows and entrance would require a variance.

Erin Harrison moved to approve the third variance.

Richard Specia seconded the motion.

The vote in favor of the motion was unanimous by all Board members present.

There was no other business and the meeting adjourned at 4:56 p.m.

Melissa Phillips
Chairman

ATTEST:

Diane Gonzales
City Secretary