

CITY OF COTTONWOOD SHORES

3808 Cottonwood Drive, Cottonwood Shores, Texas 78657
Office: (830) 693-3830 www.cottonwoodshores.org Fax: (830) 693-6436

Chair: Robert Goodall
Vice Chair: Jim Bristow
Boardmember: Rex Holloway



Boardmember: Manny Trinidad
Boardmember: Brigitte Thomas
Alternate: Vacant
Alternate: Vacant

People, Parks and Prosperity

BOARD OF ADJUSTMENT SPECIAL MEETING MINUTES

**** NOTICE ****

The Board of Adjustment held a special meeting on Tuesday, February 24, 2015.
The meeting was held at 06:00 P.M. at the Cottonwood Shores City Hall, Located at:
3808 Cottonwood Drive, Cottonwood Shores, Texas 78657

AGENDA

1. **Call to Order:** 6:00 pm
2. **Roll Call:** Roll call taken by City Administrator/City Secretary Sheila C. Moore

NAME	PRESENT	ABSENT EXCUSED	ABSENT UNEXCUSED
Chairman Goodall	✓		
Vice-Chair Thomas	✓		
Boardmember Bristow	✓		
Boardmember			
Boardmember			
Alternate Trinidad		Arrived at 6:20pm	

Activate Alternate if necessary.

City Administrator/City Secretary Sheila Moore announced that a quorum was present.

3. **Consent Agenda:**
 - 3.1. **Minutes from the Board of Adjustments Special Meeting on January 12, 2015:**
 - 3.1.1. **Motion** to approve January 12, 2015 Minutes
 - 3.1.1.1. **Motion:** Boardmember Bristow
 - 3.1.1.2. **Second:** Vice Chair Thomas

NAME	Yea	Nay	Abstain
Chairman Goodall	✓		
Vice-Chair Thomas	✓		
Boardmember Bristow	✓		
Boardmember			
Boardmember			
Alternate Trinidad			

3.2. **Yea:** 3 **Nay:** 0 **Abstain:** 0

3.3. **Motion:** **Passed**

4. **Discussed and considered action on moving alternate Boardmember Manny Trinidad to a full member.**

Special Meeting of the Board of Adjustment on February 24, 2015

4.1. Motion to move alternate Manny Trinidad to full member

4.1.1. Motion: Boardmember Bristow

4.1.2. Second: Vice Chair Thomas

NAME	Yea	Nay	Abstain
Chairman Goodall	✓		
Vice-Chair Thomas	✓		
Boardmember Bristow	✓		
Boardmember			
Boardmember			
Alternate Trinidad			

4.2. Yea: 3 Nay: 0 Abstain: 0

4.3. Motion: **Passed**

5. Swore in new Boardmember Rex Holloway

6. PUBLIC HEARING BEFORE THE BOARD OF ADJUSTMENT OF THE CITY OF COTTONWOOD SHORES, TEXAS, ON TUESDAY, FEBRUARY 24, 2015 AT 6:00 P.M., HELD AT 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS 78657, REGARDING DECLARING PROPERTY AT 658 PECAN LANE, COTTOWOOD SHORES, TEXAS AS SUBSTANDARD AND ISSUEING AN ORDER TO DEMOLISH, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE § 214.001; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Mr. Ken Frank spoke representing the property at 658 Pecan Lane owned by his mother. Stated that the property had sentimental value to his mother. Stated reasons for not having property in compliance by deadline imposed by BOA at previous meeting as bad weather, other houses in CWS in worse shape than his, may get a permit to remodel, may put up no trespassing signs, may move portable building, may repair the portable building. He has replaced the windows and mowed the lawn. There was nothing structurally unsound. He is considering fixing it up and moving into it. Wasn't sure if the 30 days he was given was calendar days or business days.

7. Discussed and considered action on Public Hearing regarding condemnation of structure at 658 Pecan Lane.

Boardmember Holloway said that the objective was to meet certain criteria and that Mr. Frank was not privy to code enforcement of other properties in the City. That Mr. Frank had nothing to base his comments on. He appreciated Mr. Frank's efforts and asked when he would make the decision to repair or take the shed away. Mr. Frank stated "by this weekend". Chairman Holloway recommended bringing the shed in compliance in 2 weeks, the rest of the property 30 days. President Goodall stated that the windows in the shed are still broken, the roof is caving in and the building is not secured. Mr. Frank had made an effort, but was not complete. He felt the property needed to look like someone was living in it all year long and not like a vacant property. It is an issue with the neighbors and brings others property values down. Mr. Frank said he would be replacing the front door of the house with a metal door. Councilmember Bristow: What was actually done in the 30 days the Board gave you? It was very clear that it was 30 days (calendar). The board gave you extra time in good faith and, in good faith, expected it to be done. You end of the bargain was not upheld. The BOA is setting a precedent here on what other property owners can and cannot do. Boardmember Trinidad said he felt the shed is the main issue now. Get it done or the next step should be to order condemnation. He then asked that the City Secretary provide the minutes from the last BOA meeting held on Dec. 9, 2014 so Mr. Frank could be reminded exactly of the motion the Board had made and how much time he had to comply.

7.1. Motion to grant 2 weeks to repair the out building and 30 calendar days to have house, door and yard finalized or appear again before the BOA.

7.1.1. Motion: Vice Chair Thomas

7.1.2. Second: Boardmember Holloway

NAME	Yea	Nay	Abstain

Chairman - Goodall	✓		
Vice-Chair Thomas	✓		
Boardmember Bristow		✓	
Boardmember Trinidad	✓		
Boardmember Holloway	✓		

7.2. Yea: 4 Nay: 1 Abstain: 0

7.3. Motion: **Passed**

7.1.A. **Friendly Amended Motion** to add to the first motion that if all is not completed in time allotted the structure at 658 Pecan will automatically be declared in default and proceed to condemnation.

7.1.1. Motion: Boardmember Trinidad

7.1.2. Second: Chairman Goodall

NAME	Yea	Nay	Abstain
Chairman - Goodall	✓		
Vice-Chair Thomas	✓		
Boardmember Bristow	✓		
Boardmember Trinidad	✓		
Boardmember Holloway	✓		

7.2. Yea: 5 Nay: 0 Abstain: 0

7.3. Motion: **Passed**

8. **Discussed and Considered Action** on variance request. *As requested by Dennis and Victoria Lee, 850 Fir Lane*

Mr. Lee explained that the house was built over the lot line and easement prior to City Incorporation. A lot combination had been granted by City Council at their last meeting. Releasing the easement by the City's is all he lacks before he can sell the property.

8.1. Motion to grant variance and release easement.

8.1.1. Motion: Boardmember Trinidad

8.1.2. Second: Boardmember Bristow

NAME	Yea	Nay	Abstain
Chairman - Goodall	✓		
Vice-Chair Thomas	✓		
Boardmember Bristow	✓		
Boardmember Trinidad	✓		
Boardmember Holloway	✓		

8.2. Yea: 5 Nay: 0 Abstain: 0

8.3. Motion: **Passed**

9. **Adjournment at 7:04 pm**

The preceding document is a true and accurate reflection of the minutes of the meeting of the Board of Adjustment held on February 24, 2015.



Sheila C. Moore

Sheila C. Moore
City Administrator/City Secretary