

CITY OF COTTONWOOD SHORES

3808 Cottonwood Drive, Cottonwood Shores, Texas 78657
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Chair: Robert Goodall
Vice Chair: Jim Bristow
Boardmember: Rex Holloway



Boardmember: Manny Trinidad
Boardmember: Brigitte Thomas
Alternate: Ray Whitis
Alternate: Doris Basham

People, Parks and Prosperity

BOARD OF ADJUSTMENT SPECIAL MEETING MINUTES

**** NOTICE ****

The Board of Adjustment held a special meeting on Thursday, September 8, 2015. The meeting was held at 6:00 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 Trinidad		Arrived 6:05pm	
Boardmember Holloway	✓		
Alternate Whitis		Arrived 6:10pm	
Alternate Basham	✓		

Activate Alternate if necessary.

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

3. **Consent Agenda**
 - 3.1. **Minutes from July 27, 2015 Workshop Meeting**
 - 3.2.1. **Motion to approve July 27, 2015 minutes**
 - 3.2.1.1. **Motion:** Boardmember Holloway
 - 3.2.1.2. **Second:** Vice Chair Thomas

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

3.2. **Vote: Yea: 4 Nay: 0 Abstain: 1**

3.3. **Motion: Passed**

Special Meeting of the Board of Adjustment on September 8, 2015

4. Discussed and considered action on grievance request to allow long term occupancy in an accessory structure, which would include a kitchen. As requested by Trisha Gallagher, 834 Birch Lane, Cottonwood Shores, TX

Ms. Gallagher opened the discussion stating she had requested an address for a second structure which would imply she had intended the accessory structure to be a full time residence. She said the building plan clearly showed a driveway to the accessory structure. Nowhere in the Ordinance does it mention not allowing a kitchen. How would an average person know that was not allowed?

Boardmember Holloway: As BOA, we are here to recognize an issue, to protect other citizens and their property values. One cannot manipulate the system by building a structure next to the road which gives the appearance of a homestead. BOA needs to protect the intent of the Zoning Ordinance. It is the City's shortcoming having not clearly defined a secondary structure, but the intent is still there.

Ms. Gallagher stated she could move the structure next to the house and attach it with an awning or something. She believed there was a miscommunication between her, the City Administrator, Building Official and Public Works Director. Not having a kitchen ever came up until the City Administrator called and discussed it with her.

Chairman Goodall: This is a dilemma, but the Board must rule based on the Ordinance and the best interest of the community. Ordinance states under definition of Accessory Structure: accessories shall not be used in the conduct of a business or occupancy by any long-term or paying guest(s). If you want your son to occupy the structure, the best solution would be to move the structure and connect it to the main house.

Boardmember Bristow: The current accessory structure as placed has no dedicated foundation. There is an incline right behind it. When it rains heavily, the structure will slide of the pad. The BOA cannot set a precedent with families living in structures on the same lot as a main structure.

Mayor Orr: The basic problem is City's write out an ordinance and try to define R1, R2, and R3. Ordinances cannot spell out every single rule. Must go by intent. In R1, a structure must be a single family home, trying to prevent multiple families living on one lot. If BOA grants a variance, what happens when the current owner sells or moves away and another "family" moves into the accessory structure.

4.1. Motion to deny request to allow occupancy by any long-term or paying guest in accessory structure

4.1.1. Motion: Boardmember Bristow

4.1.2. Second: Chairman Goodall

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

4.2. Vote: Yea: 5 Nay: 0 Abstain: 0

4.3. Motion: Passed

5. Adjournment at 7:06 pm

The preceding document is a true and accurate reflection of the minutes of the meeting of the Board of Adjustment held on September 8, 2015.



A handwritten signature in blue ink that reads "Sheila C. Moore". The signature is written in a cursive style and is positioned above a horizontal line.

Sheila C. Moore
City Administrator/City Secretary