

AGENDA



ZONING BOARD OF ADJUSTMENTS AND APPEALS REGULAR MEETING
WEDNESDAY, SEPTEMBER 1, 2021, AT 5:30 P.M.
COUNCIL CHAMBERS, CITY HALL BUILDING
100 SOUTH MONORE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS

ESTABLISHMENT OF QUORUM

CITIZENS COMMUNICATIONS

SELECTION OF CHAIRPERSON

SELECTION OF VICE-CHAIRPERSON

MINUTES

1. Approval of the minutes for May 5, July 7, and August 4, 2021 meetings.

EXECUTIVE SESSION


2. Executive Session pursuant to Section 551.071, Chapter 551, Texas Government Code - Consultation with legal counsel regarding Commission responsibilities, Ethics Ordinance, and Standards of Conduct; possible action in open session regarding same.

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 July 29, 2021 at 11:20 a.m.



Mariabelle Rodriguez
Assistant Planning Director

Item #1

Minutes

THE STATE OF TEXAS)
COUNTY OF MAVERICK)
CITY OF EAGLE PASS)

The Zoning Board of Adjustments and Appeals of the City of Eagle Pass held their Regular meeting on May 5, 2021, at 5:30 p.m. in the City Council Chambers of Eagle Pass City Hall, 100 S. Monroe Street. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Eugenio Mireles, Jr.; Vice-Chairperson, Ruben Herrera; Board Members: Jessica Perez, Jesus Diaz-Wever, and Onesimo Elizondo

Absent: None

Staff present: Planning Director, Placido Madera, Assistant Planning Director, Mariebelle Rodriguez, and Records Management Specialist, Ita A. Cortinas

A quorum being present, Chairperson Mireles called the meeting to order, and the items were considered as follows:

CITIZENS COMMUNICATIONS

At this moment, anyone wishing to address the Board on any item was welcome to speak, keeping in mind that although the Board would be unable to take formal action on such item, they would be glad to take it under consideration.

There were not any citizens communication forms submitted.

MINUTES

1. Approval of the minutes of the April 7, 2021 meeting.

Motion: To approve the minutes, as presented.
Made: Elizondo
Second: Herrera
Ayes: 5
Nays: 0
Absent: 0

PUBLIC HEARING(S)

2. Public hearing on a variance request submitted by Joe Villa, to reduce the required off-street parking from fifty (50) spaces to twenty-nine (29) spaces, to allow for the construction of

an athletic gymnasium on property located at 2008 N. Bibb Ave; closing of public hearing and possible action.

Chairperson Mireles opened the public hearing at 5:38 p.m. and invited the public to express their comments.

Planning Director, Placido Madera provided the Board with details on the variance request and recommends the denial of the variance request, based on City Ordinance.

Mr. Joe Villa spoke, stating that he does not foresee the reduction in parking spaces being an issue because he does not anticipate much traffic, being that most of his clients are dropped off. He also mentioned that the gymnasium is for a very specific group of clientele, and therefore will not be open to the general public, per se.

There being no further comments from the public, Chairperson Mireles closed the public hearing at 6:10 p.m.

Motion: To approve the request of Mr. Joe Villa.
Made: Diaz-Wever
Second: Elizondo
Ayes: 5
Nays: 0
Absent: 0

ADJOURNMENT

Motion: To adjourn the meeting at 6:13 p.m.
Made: Elizondo
Second: Herrera
Ayes: 5
Nays: 0
Absent: 0

ATTEST:

Eugenio Mireles, Jr.
Chairperson

Ita A. Cortinas
Records Management Specialist

THE STATE OF TEXAS)
COUNTY OF MAVERICK)
CITY OF EAGLE PASS)

The Zoning Board of Adjustments and Appeals of the City of Eagle Pass held their Regular meeting on July 7, 2021, at 5:30 p.m. in the City Council Chambers of Eagle Pass City Hall, 100 S. Monroe Street. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Board Members, Maria A. Chio, Antonio Elizondo, and Alternate Board Member, Lucia Rosas

Absent: Board Members, Julie Mathiwos, Priscilla Chacon, and Matt Gary

Staff present: Planning Director, Placido Madera, Assistant Planning Director, Mariebelle Rodriguez, and Records Management Specialist, Ita A. Cortinas

A quorum being present, Acting Chairperson Elizondo called the meeting to order, and the items were considered as follows:

OATH OF OFFICE

Assistant City Secretary, Erika Rodriguez administered the oaths of office before the meeting commenced.

CITIZENS COMMUNICATIONS

At this moment, anyone wishing to address the Board on any item was welcome to speak, keeping in mind that although the Board would be unable to take formal action on such item, they would be glad to take it under consideration.

There were not any citizens communication forms submitted.

SELECTION OF CHAIRPERSON

Motion: To table the item.
Made: Elizondo
Second: Rosas
Ayes: 3
Nays: 0
Absent: Mathiwos, Chacon, and Gary

SELECTION OF VICE-CHAIRPERSON

Motion: To table the item.
Made: Rosas
Second: Chio
Ayes: 3
Nays: 0
Absent: Mathiwos, Chacon, and Gary

MINUTES

1. Approval of the minutes of the May 5, 2021 meeting.

Motion: To table the item.
Made: Elizondo
Second: Rosas
Ayes: 3
Nays: 0
Absent: Mathiwos, Chacon, and Gary

PUBLIC HEARING(S)

2. Public hearing on a variance request submitted by Jesus R. Perez, to reduce the required rear and side yard building setback areas from 5-feet to 0-feet, to allow for an extension of an existing storage and future construction of a carport and an additional storage, including a variance from the minimum fence height, on property located at 3094 Calle Carr; closing of public hearing and possible action.

Planning Director, Placido Madera provided the Board with details on the variance request and recommends the denial of the variance request, based on City Ordinance.

Acting Chairperson Elizondo opened the public hearing at 5:50 p.m. and invited the public to express their comments.

Mr. Perez spoke, stating the reasons he believes the application should be approved.

There being no further comments from the public, Acting Chairperson Elizondo closed the public hearing at 6:04 p.m.

Motion: To approve the existing structure and deny the future construction projects.
Made: Elizondo
Second: Chio
Ayes: 3
Nays: 0
Absent: Mathiwos, Chacon, and Gary

3. Public hearing on a variance request from Section 15 (h)(c) of Appendix A Zoning Ordinance regulating for placement of signs and billboards submitted by Ernesto Fuentes, to allow for the construction of a sign, on property located at 269 Ceylon Street; closing of public hearing and possible action.

Planning Director, Placido Madera provided the Board with details on the variance request and recommends the denial of the variance request, based on City Ordinance.

Acting Chairperson Elizondo opened the public hearing at 6:12 p.m. and invited the public to express their comments.

Mr. Fuentes spoke and stated that the sign, although larger, will not be encroaching the street, but will be placed closer to the building.

There being no further comments from the public, Acting Chairperson Elizondo closed the public hearing at 6:20 p.m.

Motion: To approve the variance request.
Made: Elizondo
Second: Chio
Ayes: 3
Nays: 0
Absent: Mathiwos, Chacon, and Gary

4. Public hearing on a variance request, submitted by Mauricio Perches, Jr., to reduce the required side yard building setback area from 10-feet to 5-feet, to allow for the construction of a new home, on property located at 1204 Bryan Street; closing of public hearing and possible action.

Planning Director, Placido Madera provided the Board with details on the variance request and recommends the denial of the variance request, based on City Ordinance.

Acting Chairperson Elizondo opened the public hearing at 6:30 p.m. and invited the public to express their comments.

Mr. Perches, the applicant, spoke, stating his reasons as to why he believes the variance request should be approved.

There being no further comments from the public, Acting Chairperson Elizondo closed the public hearing at 6:35 p.m.

Motion: To approve the variance request.
Made: Elizondo
Second: Rosales
Ayes: 3

Nays: 0
Absent: Mathiwos, Chacon, and Gary

5. Public hearing on a variance request, submitted by Manuel and Eglantina Lopez, to reduce the required front yard building setback area from 25-feet to 11-feet, to allow for the construction of an attached carport, on property located at 1004 Salonika Drive; closing of public hearing and possible action.

Planning Director, Placido Madera provided the Board with details on the variance request and recommends the denial of the variance request, based on City Ordinance.

Acting Chairperson Elizondo opened the public hearing at 6:41 p.m. and invited the public to express their comments.

Ms. Diana Lopez, daughter of the applicants, spoke, stating the reasons the carport is already erected, the misunderstanding that occurred between the applicants and the Planning Department, and the reasons the carport is needed.

There being no further comments from the public, Acting Chairperson Elizondo closed the public hearing at 6:47 p.m.

Motion: To approve the variance request.
Made: Elizondo
Second: Rosales
Ayes: 3
Nays: 0
Absent: Mathiwos, Chacon, and Gary

ADJOURNMENT

Motion: To adjourn the meeting at 6:52 p.m.
Made: Elizondo
Second: Rosas
Ayes: 3
Nays: 0
Absent: 0

ATTEST:

Antonio Elizondo
Acting Chairperson

Ita A. Cortinas
Records Management Specialist

THE STATE OF TEXAS)
COUNTY OF MAVERICK)
CITY OF EAGLE PASS)

The Zoning Board of Adjustments and Appeals of the City of Eagle Pass held their Regular meeting on August 4, 2021, at 5:30 p.m. in the City Council Chambers of Eagle Pass City Hall, 100 S. Monroe Street. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Board Members: Matt Gary, Julie Mathiwos, and Antonio Elizondo

Absent: Board Members: Maria A. Chio, and Priscilla Chacon

Staff present: Planning Director, Placido Madera; Assistant Planning Director; Mariebelle Rodriguez; City Attorney Representative, Paul Fletcher; and Records Management Specialist, Ita A. Cortinas

A quorum being present, Acting Chairperson Elizondo called the meeting to order, and the items were considered as follows:

OATH OF OFFICE

Assistant City Secretary, Erika Rodriguez administered the oaths of office before the meeting commenced.

CITIZENS COMMUNICATIONS

At this moment, anyone wishing to address the Board on any item, was welcome to speak, keeping in mind that, although the Board would be unable to take formal action on such item, they would be glad to take it under consideration.

There were not any citizens communication forms submitted.

SELECTION OF CHAIRPERSON

Motion: To table the item.
Made: Mathiwos
Second: Elizondo
Ayes: 3
Nays: 0
Absent: Chio, and Chacon

SELECTION OF VICE-CHAIRPERSON

Motion: To table the item.
Made: Mathiwos
Second: Elizondo
Ayes: 3
Nays: 0
Absent: Chio, and Chacon

MINUTES

1. Approval of the minutes of the May 5, 2021, meeting, and the minutes of the July 7, 2021, meeting.

Motion: To table the item.
Made: Elizondo
Second: Gary
Ayes: 3
Nays: 0
Absent: Chio, and Chacon

PUBLIC HEARING(S)

2. Public hearing on a variance request submitted by Eagle Pass Independent School District, to reduce the required landscaping, to allow for the construction of additional parking at the Student Activity Center, on property located at 5021 E. Hwy 277; closing of public hearing and possible action.

Planning Director, Placido Madera provided the Board with details on the variance request and recommends the approval of the variance request.

City Attorney Representative, Paul Fletcher requested a brief recess at 5:45 p.m. The Board reconvened at 5:55 p.m.

Alternate Board Member, Janina Ayers arrived at this time.

Acting Chairperson Elizondo opened the public hearing at 5:56 p.m. and invited the public to express their comments.

Mr. Davis Powell, variance request applicant for the Eagle Pass Independent School District, spoke on the matter and asked that the Board approve the variance request.

There being no further comments from the public, Acting Chairperson Elizondo closed the public hearing at 6:07 p.m.

Motion: To approve the variance request.
Made: Ayers

Second: Gary
Ayes: 4
Nays: 0
Absent: Chio, and Chacon

EXECUTIVE SESSION

3. Executive Session pursuant to Section 551.071, Chapter 551, Texas Government Code – Consultation with legal counsel regarding Board responsibilities, Ethics Ordinance, and Standards of Conduct; possible action regarding same.

The Board retired into Executive Session at 6:10 p.m. and reconvened, in open session, at 6:37 p.m. No action was taken.

ADJOURNMENT

Motion: To adjourn the meeting at 6:37 p.m.
Made: Elizondo
Second: Ayers
Ayes: 4
Nays: 0
Absent: Chio, and Chacon

ATTEST:

Antonio Elizondo
Acting Chairperson

Ita A. Cortinas
Records Management Specialist

Item #2

Presentation by Langley & Banack, Inc.

Attorney Paul Fletcher