



Board of Adjustments

Tuesday, March 26, 2024 at 5:30 PM

Breckenridge City Offices Commission Chambers
105 North Rose Avenue
Breckenridge, Texas 76424

AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

1. Consider approval of the February 27, 2024 meeting minutes as recorded.

CITIZENS PRESENTATIONS

SCHEDULED AGENDA ITEMS

2. Discussion and any necessary action regarding a requested variance on the east side setback at 603 W 7th.

ADJOURN

I certify that this notice was posted at the City Offices, 105 North Rose Avenue, Breckenridge, Texas at 4:00 P.M., Friday, March 22, 2024.

Jessica Sutter, City Secretary

This facility is wheelchair accessible, and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (254)559-8287 or FAX (254)559-7322 for further information.

Board of Adjustments



Tuesday, February 27, 2024 at 5:30 PM

Breckenridge City Offices Commission Chambers
105 North Rose Avenue
Breckenridge, Texas 76424

MINUTES

DIRECTOR, PLACE 1
DIRECTOR, PLACE 2
DIRECTOR, PLACE 3
DIRECTOR, PLACE 4
DIRECTOR, PLACE 5

BONNIE ROBBINS
KEVIN KUTNINK
LESLIE HOWK
BRYAN WOOD
MICHAEL ELLIS

CITY MANAGER
CITY SECRETARY
FIRE & CODE SECRETARY
FIRE CHIEF CODE ENFORCEMENT

CYNTHIA NORTHROP
JESSICA SUTTER
CHRISTI TIDROW
MALCOLM BUFKIN

ABSENT

ALTERNATE DIRECTOR, PLACE 7
ALTERNATE DIRECTOR, PLACE 6

VACANT
TURNER BAUGH

CALL MEETING TO ORDER

Director Lesli Howk called the meeting to order at 5:30 p.m.

APPROVAL OF MINUTES

1. Consider approval of the January 22, 2024, meeting minutes as recorded.

Director Kutnink made a motion to approve the January 22, 2024 meeting minutes as recorded.
Director Wood seconded the motion. The motion passed unanimously.

CITIZEN PRESENTATION

Kelsey Otts-601 W. 7th St.
Belia Contreras-603 W. 7th St.
Angela Palacios-1223 W. 6th

No Action Taken

SCHEDULED AGENDA ITEMS

2. Discussion and any necessary action for a requested variance on the rear setback at 600 W. 4th.

City Manager Northrop explained that the property owner is requesting the rear setback to be modified for 25' as required in our city ordinance to 17' for the purpose of building a new single-family residence. This location is the combination of 2 properties and the owner has not yet had the property replatted. It is recommended if approved for the variance that it be approved with the condition that a replat is approved from Planning and Zoning Commission.

Director Robins made a motion to approve the requested variance on the rear setback at 600 W 4th Street contingent on a an approved replat. Director Kutnink seconded the motion. The motion passed unanimously.

3. Discussion and any necessary action for a requested variance on the east side setback at 603 W. 7th.

City Manager Northrop stated that the property consists of a mobile home that was set back in 2021. It was placed too close to the east side property line. Our Ordinance requires a 5' side yard setback. The owner is requesting to accommodate the current location of the mobile home, which is 3'8" from the east property line vs. the required 5' from the property line established in our ordinance. The City Manager reviewed the applicable ordinances to use to determine if a variance should be granted (Article 3, Section 2-32). Throughout discussion Director Kutnink made several motions to approve the variance that failed for lack of a second.

Director Kutnink made a motion to approve the variance on the east side setback at 603 W. 7th. Director Robins seconded the motion. Directors Kutnink, Robbins, and Wood voted Yay for the motion. Directors Ellis and Howk voted Nay resulting in a vote of 3-2. However, the vote does not satisfy Sec. 2-30 (h) of the City Charter which requires a concurring vote of at least four (4) members of the board approve a variance. This item will be brought back to a future Zoning Board of Adjustment meeting.

ADJOURN

There being no further business, the meeting was adjourned at 6:10 p.m.

Director

Jessica Sutter, City Secretary



BRECKENRIDGE CITY COMMISSION AGENDA SUMMARY FORM

Subject: Discussion and any necessary action regarding a requested variance on the East Side setback at 603 W. 7th

Department: Administration

Staff Contact: Cynthia Northrop

Title: City manager

BACKGROUND INFORMATION:

The property owners at 603 W. 7th have requested a variance to the setback on their property. Ordinance requires a 5' side yard setback. The current location of the mobile home is 1'4" from the east side property line vs. the required 5' from the property line established.

The property was purchased by the owners after it had been placed in the current location which was approved by Code Enforcement at the time based on the fence line. Since then, the property owners at 601 W. 7th have obtained a survey that shows the fence line is not on the property line. This now makes the mobile home closer to the property line than the 5' required.

This item has been brought to the Board of Adjustments on 2 different occasions and a satisfactory vote has not been established to either deny or approve this variance. A concurrent vote of at least 4 members of the board is required to authorize a variance from the terms of a zoning ordinance according to Sec. 2-30 (h) of the City Charter.

ZONING BOARD OF ADJUSTMENT STAFF REPORT

Meeting

Date: March 26, 2024
To: Chairman and Members of the Zoning Board of Adjustment
From: Cynthia Northrop
Subject: Request for variance at 603 W. 7th

Purpose:

Conduct a discussion and any necessary action for a requested variance on the east side setback at 603 W. 7th. The property owner has recently purchased a mobile home that was set on this property back in 2021. The mobile home was set too close to the east property line. According to city of Breckenridge ordinance Article III, Section 2-30(h), the decision of the board requires concurring votes of at least four board members to authorize a variance.

Existing Condition of Property:

The property currently consists of a mobile home that was set back in 2021. It was placed too close to the east side property line. Our ordinance requires a 5' side yard setback.

Adjacent Existing Land Uses and Zoning:

North: Mobile home – Zoned R4
South: Multi-family dwelling – Zoned R4
East: Single family home – Zoned R4
West: Single family home – Zoned R4

Development Review Analysis:

The owner is requesting to accommodate the current location of the mobile home, which is 3'8" from the east property line vs. the required 5' from property line as established in our ordinance.

Staff Recommendation:

City staff forwards this request for your consideration.

Attachments:

BA request application
Aerial view map

CITY OF BRECKENRIDGE VARIANCE APPLICATION

Applicant	Owner (if different from applicant)
Name: <u>Ricardo Contreras</u>	Name:
Company:	Company:
Address: <u>603 W. 7th Street</u>	Address:
City, State, Zip: <u>Breckenridge, Tx 76424</u>	City, State, Zip:
Phone: <u>202-868-1252</u>	Phone:
Fax:	Fax:
Email: <u>Rycontreras1@gmail.com</u>	Email:

Submittal Checklist

	Site Plan
✓	Letter of Intent
✓	\$200.00 Application Fee (Check Payable to City of Breckenridge)

Legal description of property:

603 W. 7th Street, Breckenridge, Tx - Property ID R15797

Describe the subject property (address, location, size, etc.):

603 W. 7th Street, Breckenridge, Texas 76424

A0119, Lot Sec 4 w/ 2 of SE 1/4, Tract 9C (50 x 160) Acres 0.184

Describe the proposed variance (how much, where on the property, for what purpose):

1'4" east side of variance for mobile that was

set by previous owner too close to east property line.

Owner Signature

Date

Office Use

	Fee
	Date



Item 2.

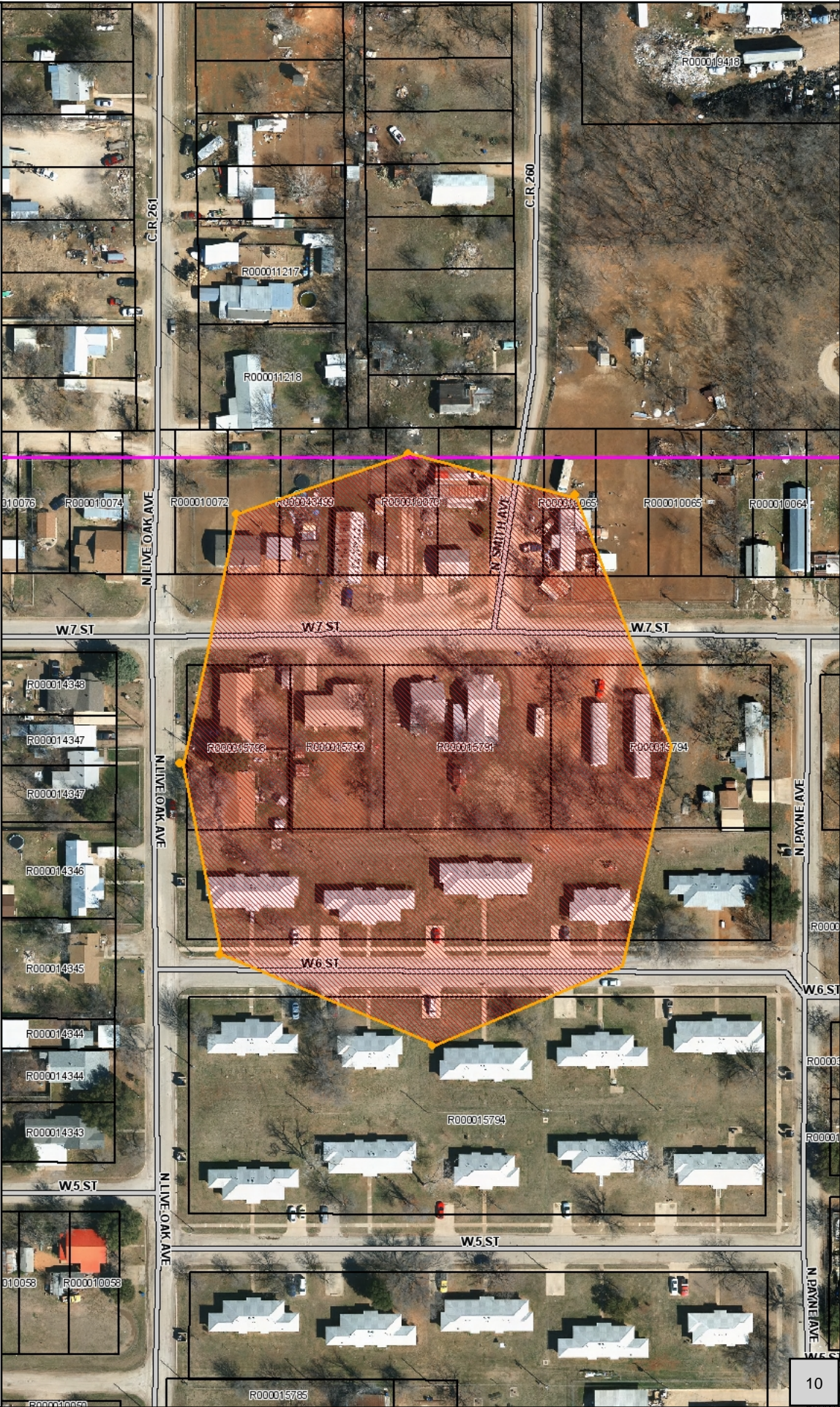
Item 2.





Map

- Extra-territorial Jurisdiction
- City Limits
- Local Road Labels
- Local Roads
- Stephens CAD Parcels



Data displayed were gathered by the City of Breckenridge for municipal purposes. No guarantee is made regarding suitability for any other use or purpose.



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