

**MINUTES
BOARD OF ZONING ADJUSTMENT
MEETING
JUNE 29, 2023**

BOARD MEMBERS PRESENT

Cassia Erwin
Marci Thomas
Tonya Smith
Micki Wesley
Alicia Guthrie

CITY STAFF PRESENT

Michael R. Smith, City Manager
Shalyn Burritt, City Secretary
Colton Guinn, Building Official

BOARD MEMBERS ABSENT

Debbie Reaves
Sebastian Vela

1. CALL TO ORDER

The Board members designated Tonya Smith to serve as Chairperson for the purposes of running the meeting. Member Smith declared a quorum present and called the meeting to order at 5:30 p.m.

The City Manager introduced Alicia Guthrie as a new board member. There are currently two board members requesting to be removed from the board, Debbie Reaves and Sebastian Vela. A second member will be appointed by the Council at the next meeting.

2. CONSIDERATION OF APPROVAL OF MAY 4, 2023 MEETING MINUTES

Member Wesley moved to approve the May 4, 2023 Meeting Minutes as presented.
Member Thomas seconded the motion.
Motion carried with unanimous consent.

3. PUBLIC HEARINGS

BOARD TO HEAR ANY PUBLIC COMMENTS REGARDING SPECIAL EXCEPTION REQUESTS

Member Smith opened for public comments at 5:32 pm.

- a. **Case #:** **V-02-2023**
 Applicant/Owner: **David and Christina Kinder**
 Legal: **Parcel #2442: LT 5 BLK 4, BLUM, City of Jacksboro, Jack County, Texas.**
 Location: **501 N 9th Street, Jacksboro, TX**
 Zoning: **Residential Single Family 1 (SF1)**
 Request for: **Zoning Variance to allow a temporary placement of a mobile home to become a permanent placement and, if granted, to allow for a side yard variance.**

The City Manager introduced the case to the Board and public in attendance. He explained the applicant's home was impacted by the tornado. A temporary permit was granted to allow for a mobile home to be set on the Kinders' property on a temporary basis while the applicants worked on their existing home. The Kinders are now requesting that a variance be approved to make this a permanent placement of the mobile home. The zone in which the mobile home is located is Single Family 1 (SF1), and does not allow for mobile homes to be located in this area. He also pointed out that if this variance was granted, a second variance allowing for a side yard variance would also need to be decided upon.

Mr. David Kinder spoke as the applicant of the variance. He gave the history of the mobile home being placed on the property, the payments for sewer, water and electricity and all City fees. He asked the board to allow for the mobile home to become permanent in order to sell the house and property together. Mr. Kinder supplied a map and photographs of the existing structures, homes and mobile homes in the area and explained that many of the homes were abandoned and in poor shape. He stated that the current property owner across the street from the mobile home insisted that the mobile home would bring down the value of the properties in the neighborhood, but argued he didn't believe that was the case.

Ms. Courtnee Cross spoke as the property owner across the street from the mobile home. She argued that the mobile home's placement had affected the property value of the land that she was attempting to build a home on, and that allowing the mobile home to become permanent would bring down the value of properties in the area.

Mr. Robert (Cody) Van Fleet spoke as the co-owner of the property across the street from the mobile home and expressed that he didn't believe the requested variance met the standard of financial hardship not self-imposed, but was directly imposed by the applicant.

The City Manager addressed the concerns of the abandoned homes and stated several of the properties mentioned by Mr. Kinder are currently in the abatement process by the City.

Mr. Kinder argued that the new build and the mobile home could coexist in the same area. Member Wesley asked if there was any ongoing plan to change the zoning map to have the existing structures be in compliance. The City Manager explained that the zoning map had been recently updated after an eighteen month process, to better suit the lot sizes in each zone with the types of structures that were allowed in those areas, and that the zoning changes had cut down on the number of variances that were previously being filed to accommodate the lot sizes for residential builds. He explained that any structures present prior to the zoning change that didn't meet the current zoning standards were grandfathered in.

Mr. Kinder stated that he was trying to sell the property and mobile home together and that it would have a positive effect on the tax roll and would give a resident a place to live in Jacksboro. Ms. Betty Thompson spoke as a property owner in the area who also lost her home in the tornado, and stated that she was currently building a home to the specifications of the zoning ordinance to raise the values in the area. Mr. Kinder replied that the only drawback that they could give would be a decrease in the property values, and he didn't believe that would happen.

Member Smith closed the public comments at 5:58 p.m.

Member Smith requested that the board meet in Executive Session in accordance with Texas Local Government Code, Chapter 551.

Member Smith moved the meeting into Closed Session at 5:59 p.m.

Member Smith reconvened into Open Session at 6:21 p.m.

4. BOARD TO CONSIDER AND/OR TAKE ACTION REGARDING VARIANCE REQUESTS:

- a. **Case #:** V-02-2023
Applicant/Owner: David and Christina Kinder
Legal: Parcel #2442: LT 5 BLK 4, BLUM, City of Jacksboro, Jack County, Texas.
Location: 501 N 9th Street, Jacksboro, TX
Zoning: Residential Single Family 1 (SF1)
Request for: Zoning Variance to allow a temporary placement of a mobile home to become a permanent placement and, if granted, to allow for a side yard variance.

No further discussion was held.

Board Member Guthrie moved to deny the variance requested.

Board Member Erwin seconded the motion.

Motion carried with unanimous consent.

5. UPDATE TO COMMITTEE REGARDING APPOINTMENTS MADE BY CITY COUNCIL

This matter was discussed earlier on the agenda, after the meeting was called to order.

5. ADJOURNMENT

Prior to closing, the Board received a brief update

from the City Manager regarding:

- March 21, 2022 Tornado Update:
 - The Mennonite workers will be coming to Jacksboro this summer to begin reconstruction on some homes hit by the tornado, and to build homes for residents still displaced.

Member Wesley moved to adjourn.

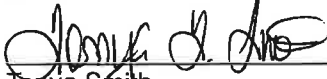
Member Erwin seconded the motion.

Motion carried with unanimous consent.

APPROVED BY THE BOARD OF ZONING ADJUSTMENTS OF THE CITY OF JACKSBORO, TEXAS ON THE

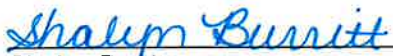
31 DAY OF August, 2023.

APPROVED



Tonya Smith
Board Member Presiding

ATTEST:



Shalyn Burritt
City Secretary