

**BOARD OF ADJUSTMENT
OFFICIAL MINUTES
May 18, 2009**

Members Present:

Michael Gallagher
Paul Klein
Henry Rodriguez
Helen Dutmer
George Britton, Jr,
Narciso Cano
Mary Rogers
Mike Villyard
Andrew Ozuna

Staff:

Fernando De León, Assistant Director
Rudy Niño, Senior Planner
Jacob Floyd, Planner
Michael Farber, Planner
Paul Wendland City Attorney

Call to Order

Pledge of Allegiance to the U.S. and Texas Flags.

Mr. Gallagher, Chairman, called the meeting to order and called roll of the applicants for each case.

Mr. Klein made a motion to move Case No A-09-056 to the beginning of the agenda. Mr. Villyard seconded it with all members voting in the affirmative.

CASE NO. A-09-056

Applicant – Maria Alicia Alvarez
Lots 19 and 20, Block 4, NCB 8093
930 Madrid
Zoned: “R-4” Residential Single-Family District

The applicant is requesting a 14-foot, 7-inch variance from the requirement that a minimum 20-foot rear setback be maintained in “R-4” zoning districts, in order to keep the existing principal structure 5 feet, 5 inches from the rear property line.

MOTION

A motion was made by **Ms. Klein to continue this case to the next regularly scheduled meeting on June 1, 2008.** The motion seconded by **Mr. Villyard.**

AYES: Gallagher, Klein, Rodriguez, Dutmer, Britton, Ozuna, Cano, Rogers, Villyard
NAY: None

THE CONTINUANCE WAS GRANTED.

Board members went into executive session at 1:32 p.m. and returned at 1:45 p.m.

CASE NO. A-09-040

Applicant – Joel Cavazos
The north 32.5 feet of the south 65 feet of Lots 1 and 2, Block 3, NCB 590
122 North Cherry Street
Zoned: "H C-3" General Commercial Dignowity Hill Historic District

The applicant is requesting for an appeal of the decision of the Planning and Development Services Director to enforce Section 491(c)(3)C of Chapter 35: Unified Development Code, requiring that if demolition of a landmark or of any building, object, site or structure found to have significance or located in a historic district, or located in the river improvement overlay districts, or located on the publicly-owned property, or on a public right-of-way occurs without a permit or a certificate of appropriateness, then any permits on subject property will be denied for a period of three (3) years.

MOTION

A motion was made by **Ms. Rogers to continue this case to the next regularly scheduled meeting on June 1, 2008.** The motion seconded by **Mr. Klein.**

AYES: Gallagher, Klein, Rodriguez, Dutmer, Britton, Ozuna, Cano, Rogers, Villyard
NAY: None

THE CONTINUANCE WAS GRANTED.

CASE NO. A-09-041

Applicant – St. Paul Area Development Corporation
The south 47.52 feet of the north 87.52 feet of Lots 1 and 2 ARB A16, Block 3, NCB 590
126 North Cherry Street
Zoned: "H C-3" General Commercial Dignowity Hill Historic District

The applicant is requesting for an appeal of the decision of the Planning and Development Services Director to enforce Section 491(c)(3)C of Chapter 35: Unified Development Code, requiring that if demolition of a landmark or of any building, object, site or structure found to have significance or located in a historic district, or located in the river improvement overlay districts, or located on the publicly-owned property, or on a public right-of-way occurs without a permit or a certificate of appropriateness, then any permits on subject property will be denied for a period of three (3) years.

MOTION

A motion was made by **Ms. Rogers** to continue this case to the next regularly scheduled meeting on **June 1, 2008**. The motion seconded by **Mr. Klein**.

AYES: Gallagher, Klein, Rodriguez, Dutmer, Britton, Ozuna, Cano, Rogers, Villyard

NAY: None

THE CONTINUANCE WAS GRANTED.

Approval of the Minutes

The May 4, 2009 minutes were approved with all members voting in the affirmative.

There being no further discussion, meeting adjourned at 1:49 p.m.

APPROVED BY: Michael R. Malloy OR Paul Klein, Vice-Chair
Michael Gallagher, Chairman

DATE: 6-1-09

ATTESTED BY: [Signature] DATE: 6/2/09
Executive Secretary