



**PLANNING AND ZONING BOARD MINUTES
DECEMBER 02, 2021 – 6:00 P.M.
COUNCIL CHAMBERS IN THE RUHMAN C. FRANKLIN MUNICIPAL BUILDING
303 W. MAIN ST., KENEDY, TX. 78119**

MEMBERS PRESENT:

Gretchen Dupnik, Chair
Jeffery Freeman, Vice Chair
Gary Richards
Robert Trevino

MEMBERS ABSENT:

Brandon Briones

CITY PRESENT:

City Manager William Linn
City Secretary Ruby Beaven
Building Official Jaime Albiar
Public Works Director Jerry Higgins

CITY ABSENT:

1. **Call Regular Planning and Zoning Board meeting to order and establish a quorum is present.**

Chair Dupnik called the meeting to order at 6:00 p.m. and announced a quorum was present.

2. **Welcome Guests.**

No guest present.

3. **Citizen comments.**

No citizen comments.

4. Discussion and approval of Regular Meeting Minutes for August 05, 2021 and Regular Meeting Minutes for September 02, 2021. No minutes to approve for October and November 2021.

Motion: Gary Richards made the motion to approve the Regular Meeting Minutes for August 05, 2021 and Regular Meeting Minutes for September 02, 2021 as presented. Vice Chair Freeman seconded the motion. Motion carried with all present voting in favor.

5. **Consider/Act on a variance request of Ordinance Chapter 74 “Subdivisions”, Section 74-13 “Special provisions”, to allow the continued use of a Onsite Sewer System Facility (OSSF) to be located on said property in the Carlos Martinez 19 League Grant Abstract 6, location being known as 515 East State Hwy 72.**

Sharon Chesser addressed the Board and stated she has been a resident for 30 years. Chesser stated Hurricane Harvey caused them to have to rebuild a new home and is unable to connect to City sewer since it is over 150 to 180 feet away. Chesser stated this location has always had an on-site sewer system on it and is requesting for a variance to update an on-site sewer system.

Public Works Director Jerry Higgins addressed the Board and explained this is an extraordinary situation for connection. Higgins explained there is one potential for an easement but it would cause future issues with land utilization if easement is utilized.

Building Official Jaime Albiar addressed the Board and recommended the variance and assured the Board this update for the on-site sewer system would be in compliance with code and have permits and inspections.

Discussion held among the Board, City Manager Linn, Building Official Jaime Albiar, Public Works Director Jerry Higgins, and home owner Sharon Chesser about the current system in place and the type of system seeking such as a conventional or aerobics system.

City Manager Linn recommended the variance be considered with the restriction for the on-site sewer system to be on the plat that the homestead currently resides on.

Motion: Gary Richards made the motion to approve a variance request of Ordinance Chapter 74 "Subdivisions", Section 74-13 "Special provisions", to allow the continued use of a Onsite Sewer System Facility (OSSF) to be located on said property in the Carlos Martinez 19 League Grant Abstract 6, location being known as 515 East State Hwy 72 with the restriction the new onsite sewer system be located on the plat the homestead resides on. Robert Trevino seconded the motion. Motion carried with all present voting in favor.

6. **Consider/Act on a variance request of Ordinance 11-11, Section 8 "SF" Single Family District; Section B "Use Regulations", Article (a), "Permitted Uses" (1), Ordinance 08-9-2011; to allow the placement of a manufactured home to be located on said property in the JDN Addition of Kenedy Block 4 Lot East Part of 1 known as 249 Booe St.**

Building Official Jaime Albiar addressed the Board and discussed the owners request for a variance to place a manufactured home on the property. Albiar recommended the variance request to be approved.

Discussion held among the Board and Building Official Jaime Albiar and explained the difference between a mobile home / manufactured home and the area already having manufactured homes.

Motion: Vice Chair Freeman made the motion to approve a variance request of Ordinance 11-11, Section 8 "SF" Single Family District; Section B "Use Regulations", Article (a), "Permitted Uses" (1), Ordinance 08-9-2011; to allow the placement of a manufactured home to be located on said property in the JDN Addition of Kenedy Block 4 Lot East Part of 1 known as 249 Booe St. Gary Richards seconded the motion. Motion carried with all present voting in favor.

7. **Discussion and possible action for the Planning and Zoning manual revisions.**

Gary Richards reviewed assigned section for pages 56-60 on behalf of Brandon Briones. No recommended changes for the pages.

Gary Richards reviewed assigned section for pages 61-65. No recommended changes for the pages.

Chair Dupnik reviewed assigned section for pages 66-70. No recommended changes for the pages.

Robert Trevino reviewed assigned section for pages 71-75.

Page 74, item 18 Handicapped Parking Spaces recommend moving the number up by one (1) and the 401 to 500 section to increase by 2% of total and be 401 and over. Recommend to eliminate the 501 and over section and make it fall under 401 and over.

Vice Chair Freeman reviewed assigned section for pages 76-80. No recommended changes for the pages.

Last section to be reviewed was pages 81-85. Chair Dupnik questioned if Board of Adjustments (BOA) could be removed from the Planning and Zoning Manual.

City Manager Linn addressed Chair Dupnik's question by stating yes, the verbiage will be updated throughout the manual to remove Board of Adjustments. Linn also stated the following needed to be revised:

Section 19 Board of Adjustment on pages 77, 78 and 79:
Remove Items: A, B, C, F, G, I
Keep Items: D, E

Section 20 Certificate of Occupancy on page 81 to insert the word "business" as follows:
...issued within ten (10) business days....

City Manager Linn asked for an updated summary of changes, additions, deletions for all the other sections.

Discussion held among the Board and City Manager Linn about definitions to include water park / splash pad and bar. Linn suggested we use the governor's definition with 51% revenues. Linn explained need to create an updated revision and do one more review, then go to council for approval.

8. Items to consider for placement on future agendas.

City Manager suggested Planning and Zoning manual revisions draft on the February agenda.

Building Official Jaime Albiar stated a January meeting is necessary too since currently have four items pending approval.

9. Adjourn.


Gary Richards made the motion to adjourn the meeting at 7:01 p.m. Robert Trevino seconded the motion. Motion carried with all present voting in favor.

APPROVED:



Gretchen Dupnik, Chair

ATTEST:



Ruby Mowles, City Secretary