



**PLANNING AND ZONING BOARD REGULAR MEETING MINUTES  
SEPTEMBER 07, 2023 – 6:00 P.M.  
COUNCIL CHAMBERS -RUHMAN C. FRANKLIN MUNICIPAL BUILDING  
303 W. MAIN ST., KENEDY, TX. 78119**

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**MEMBERS PRESENT:**

JEFFERY FREEMAN – CHAIR  
GRETCHEN DUPNIK – VICE CHAIR  
GARY RICHARDS  
ROBERT TREVINO  
ALBERTO “BERT “BALDARRAMOS

**MEMBERS ABSENT:**

**CITY PRESENT:**

Mayor Brandon Brionez  
Building Official, Jamie Albiar  
Code Officer, Christino Garcia  
City Secretary, Sharon Chesser

1. **Call Regular Planning and Zoning Board meeting to order and establish a quorum is present.**  
Chair, Jeffery Freeman called the meeting to order at 6:00pm and announced a quorum was present.
2. **Welcome Guests.**  
Chair, Jeffery Freeman welcomed the Guests.
3. **Citizen comments.**  
None
4. Discussion and approval of P & Z Regular Meeting Minutes for July 01, 2023.

**Motion made by, Gary Richards to table agenda item 4 to read June 01, 2023 and make the correction to Vice Chair as Gretchen Dupnik, and place on the October 2023 agenda. Second by Gretchen Dupnik. All Present voted in favor. Motion Carried.**

5. Discussion and approval of the Workshop Meeting Minutes for June 22, 2023.

**Motion made by, Gary Richards to table agenda item 5 and make the correction to Vice Chair as Gretchen Dupnik, and place on the October 2023 agenda. Second by Gretchen Dupnik. All Present voted in favor. Motion Carried.**

6. Discussion and take possible action to Consider a request on a variance of the property located at 515 Lavaca St. of Lot E. ½ of 2 Block 68 in the Kenedy Addition in the City of Kenedy, Karnes County, Texas. The request is to allow a front building setback construction of 17.5’ as opposed to the 25’ front building

setback set by the City of Kenedy in Ordinance 11-11; Section 13 "MH-1" Manufactured Housing District - 1 (C) Height and Regulations #4.

Presented by, Building Official, Jamie Albiar Mr. Padron had started work on a 2-story living area (addition) to 515 Lavaca St. at home owner Isidro Amaya resident without obtaining any permits prior to the construction. A stop work order was submitted and work was stopped by Mr. Padron until further investigation from Jamie Albiar could be determined. Jamie Albiar ordered a survey of the section of Lavaca St. and a determination was made that a 17 ½ foot intrusion. Mr. Albiar stated that this is why permits need to be submitted prior to construction. Mr. Jamie Albiar is not in favor of a variance for a 25-foot set back. This the new construction on the property will be in the fire zone and the addition need to be moved. Not to be completed as is or moved further back. No. 1 not to be approved or No. 2 Pushed Back. Mr. Albiar stated that Mr. Padron will come to speak on the intrusion. Variance of the 25-foot set back.

Mr. Padron stated he was not informed to getting a permit on my own property. I do not think I should on my own property. Mr. Padron stated that Jamie Albiar said that the addition is in the fire zone and I do not believe it is. The Street is not maintained and it is in disrepair. Mr. Albiar states it is a closed section of Lavaca however if Mr. Sandoval who owns the property under goes any new development this portion of unpermitted construction would be next to the street. Mr. Trevino asked could the construction be moved 17 ½ feet back? Gary Richards what is the house set at is it correct. Jamie Albiar stated that the house was a grant home and was built sideways. Mr. Padron there is no Street. Jamie Albiar it is if you put it in the addition will be 3 ½ feet next to the street. Mr. Padron stated it is not in the street it has no traffic it is a dead end it is a no cross road. It is not developed. Mr. Trevino stated there are ordinances.

Mayor Brandon Briones asked if the street would be open? Jamie Albiar stated there are lots for potential development. Ms. Dupnik states safety is important for Emergency Management. In this line of work, you want and need safety in working on revisions for planning and zoning.

**Motion Made by: Gary Richards to Disapprove the variance. Second made by: Gretchen Dupnik. All Present voted in favor for the disapproval of the variance. Motion Carried.**

7. Discussion and take possible action to Consider a request to vacate and re-plat of all Lot 3 and the south 5' of Lot 4 Block 2 in the Nichols addition #1 in the City of Kenedy of the plat records of Karnes County, Texas, to be known as Lot 3A Block 2 in the Nichols Addition #1 in the plat of records of Karnes County, Texas to be further know as 303 S. 7<sup>th</sup>. St.

Christino Garcia Code office spoke in request to the re-plating of all Lot 3 and the south 5' of Lot 4 Block 2 in the Nichols addition #1.

**Motion Made by: Gretchen Dupnik to approve Item# 7 as recommended. Second made by: Albert Baldarramos. All Present voted in favor for the disapproval of the variance. Motion Carried.**

8. Discussion and take possible action to Consider a request to vacate and re-plat of Lot 26 and Lot 27 Block 1 in the Garza Subdivision to the City of Kenedy as shown on the plat of record in Cabinet "A" Page 68 plat records of Karnes County, Texas to be known as Lot 26A Block 1 in the Garza Subdivision and to be further known as 821 Helena Rd.

**Motion Made by: Albert Baldarramos to table Item # 8. Second made by: Gretchen Dupnik. All Present voted in favor. Motion Carried.**

9. Discussion and take possible action to Consider a request to vacate and re-plat of Lot 6 and Lot 7 Block 3 in the Calhoun Subdivision to the City of Kenedy as shown on the plat of record in Cabinet "A" Page 99 plat

records of Karnes County, Texas to be known as Lot 6A Block 3 in the Calhoun Subdivision and to be further known as 109 Shady Lane.

**Motion Made by: Gary Richards to approve Item # 9as is. Second made by: Robert Trevino. All Present voted in favor. Motion Carried.**


10. Discussion and take possible action to move the October 05, 2023 Regular P & Z Meeting to another date.  
**Motion Made by: Gretchen Dupnik to move the October meeting to Tuesday October 3<sup>rd</sup>, 2023. Second made by:  
Gary Richards. All Present voted in favor for the disapproval of the variance. Motion Carried.**

11. Items to consider for placement on future agendas.  
**Place items 4, 5, and 8. On the October 3<sup>rd</sup> meeting.**


12. **Adjourn.**  
**Motion Made by: Gretchen Dupnik to adjourn. Second made by: Albert Baldarramos.**

Time: 6:48pm

ATTEST:

  
Sharon Chesser, City Secretary

APPROVED:

  
Jeffery Freeman, Chair