

MINUTES
BOARD OF ADJUSTMENT OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Monday Evening, 23 April 2018

1. CALL TO ORDER: Chairman Mat Matecko at 6:00 PM
2. QUORUM CHECK: Kim M. Turner, Assistant City Manager

Members Present:	Present:
Mat Matecko, Chairman	Jacob Jenkins, Code Compliance Officer
Mike Hudson, Member	Jaclyn Redmon, Building Official
Jim Vinci, Member	Ken Taylor, City Manager
Dolly Breithaupt, Member	Mark Brown
Ron Jackson, Member	
Lori Putt, Member	
Mary Andrews, Member	

Members Absent:

3. MINUTES OF PREVIOUS MEETING: Regular Meeting – 26 March 2018

Ms. Andrews moved to approve the minutes as presented. Mr. Hudson seconded the motion. The minutes were approved on a 7/0 vote.

4. NEW BUSINESS:

- A. **Reconsider:** V.C.638—A request for an extension for a variance for a 55.592 acre subdivision [(25 Kitty Hawk (CB 5046 P-10 ABS 309 REFER TO: 05046-013-0361) and (121 Kitty Hawk CB: 5046 P-13 (3.506AC) & P-13A (10.00AC) ABS: 309] to increase the maximum lot coverage for all lots from 50% to 65%, zoned R3-Medium Density Residential per zoning ordinance 581.

Mrs. Turner advised the Board that the plat and the infrastructure plans were being reviewed by the City staff and that a permit was expected to be issued soon, but that the extension of the variance was needed to retain the requested maximum lot coverage.

Mr. Jackson moved to extend the variance request for 65% lot coverage for all lots in the subdivision for an additional ninety-day period. Mr. Hudson seconded the motion; the motion was approved on a 7/0 vote.

- B. **Public Hearing:** V.C. 623.A—A request for variance at 3150 Pat Booker Road (Forum Crossing Shopping Center) to increase the allowable sign face from 264 sq ft to 312 sq ft, zoned C2-Retail per zoning ordinance 581.

Mrs. Turner gave an overview of the signage at this location and some of the surrounding properties. She reviewed the tenanting of the building and the need for more sign facing to accommodate some smaller tenants. Mrs. Turner gave a brief overview of the sign as it related to the topography and the visibility from four different road systems. She noted that eleven notices were sent out to property owners within 200 ft of the subject site. One was returned with no objection to granting the variance.

Mr. Matecko opened the public hearing at 6:08 PM.

No one from the public spoke for or against the variance request.

Mr. Matecko closed the public hearing at 6:09 PM.

- C. **Consider:** V.C. 623.A—A request for variance at 3150 Pat Booker Road (Forum Crossing Shopping Center) to increase the allowable sign face from 264 sq ft to 312 sq ft, zoned C2-Retail per zoning ordinance 581.

Ms. Putt moved to approve the variance request declaring the following:

“The Board of Adjustment shall prescribe only conditions that it deems not prejudicial to the public interest and shall enumerate its decision with findings of fact. In making the required findings, the Board of Adjustment shall take into account the nature of the proposed use of the land involved, the existing use of land in the vicinity, the number of persons who will reside or work in the proposed development, the possibility that a nuisance may be created, and the probable effect of such variance upon traffic conditions and upon public health, convenience, and welfare of the vicinity. No variance shall be granted unless the Board of Adjustment finds all of the following:

Extraordinary Conditions

That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Code will deprive the applicant of a reasonable use of the land. In this instance, the variance is justified because of topographic concerns with the property and its unique relationship with the freeway and the bridge.

Preservation of a Substantial Property Right

That the variance is necessary for the preservation of a substantial property right of the applicant.

Substantial Detriment

That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this Code.

Other Property

That the conditions that create the need for the variance do not generally apply to other property in the vicinity.

Applicant's Actions

The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property.

Future Land Use Plan

That the granting of the variance would not substantially conflict with the Future Land Use Plan and the purposes of this Ordinance.

Utilization

That because of the conditions that create the need for the variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

Therefore, I move to approve V.C. 623.A.”

Mr. Hudson seconded the motion; the motion was approved on a 7/0 vote.

5. CITY MANAGER COMMENTS: None provided.
6. ADJOURNMENT: The meeting adjourned at 6:11 PM.

Mat Matecko, Chairman