

## MINUTES

### ZONING BOARD of ADJUSTMENT REGULAR MEETING

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Tuesday, January 24, 2006 – 6:00 P.M.  
CITY HALL  
209 South Washington Street, Kaufman, Texas 75142

CHAIRMAN	JOHN ELZNER	
VICE CHAIRMAN	DIANE CHILES	
BOARD MEMBER	JIMMY REED	
BOARD MEMBER	STEVE HULME	
BOARD MEMBER	CLAYTON KELLY	
ALT. BOARD MEMBER	BRAD WHITE	(Absent)

#### CALL TO ORDER

##### 1. CHAIRMAN STATES TIME AND DATE; DECLARES A QUORUM PRESENT.

Chairman Elzner called the meeting to order on Tuesday, January 24, 2006 at 6:01 p.m. Board Members present were John Elzner, Diane Chiles, Jimmy Reed, Steve Hulme, and Clayton Kelly. Chairman Elzner declared a quorum present. Director of Development Services Terry Capehart, Robert Hager, and Una Garland were present. Present in the audience were Tim Miller, Pamela Bertsch, Robert Eldridge, Carolyn Long, Zita Herrera, and Benjamine Prente.

#### INVOCATION & PLEDGE OF ALLEGIANCE

#### PUBLIC HEARINGS

##### 1. RECONVENE OPEN PUBLIC HEARING FROM THE NOVEMBER 29, 2005 ZONING BOARD OF ADJUSTMENT MEETING FOR THE CONTINUATION OF RECEIVING PUBLIC INPUT AND EVIDENCE REGARDING THE DISCONTINUANCE OR TERMINATION OF A CERTAIN NONCONFORMING USE, A.K.A. DALLAS CROWN, INC., ACCORDING TO SECTION 9.9 OF THE COMPREHENSIVE ZONING ORDINANCE, LOCATED AT 2000 W. FAIR STREET, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS. (CASE NO. V-05-05)

##### a. CHAIRMAN STATES TIME PUBLIC HEARING WAS RECONVENED.

Chairman Elzner declared the Public Hearing open at 6:05 p.m., by asking if anyone would like to speak for or against this request.

b. **CONTINUE PUBLIC HEARING TO SPECIFIC TIME AND DATE OR CLOSE HEARING (CHAIRMAN STATES TIME)**

Not hearing any requests to speak, Chairman Elzner declared the Public Hearing will not be closed and additional testimony will be taken at the next meeting.

c. **BOARD DISCUSSION**

Additional information has been requested and should be available at the February 7, 2006 meeting.

d. **TAKE ACTION ON CASE NO. V-05-05 IF ANY.**

Board Member Hulme made a motion to continue the agenda at the February 7, 2006 meeting, seconded by Vice-Chairman Chiles. Chairman Elzner called for a vote with all voting AYE, the motion carried by a vote of 5-0

e. **CHAIRMAN/VICE CHAIRMAN SIGNS ORDER**

No orders to be signed at this time.

2. **CONSIDER A REQUEST BY ZITA HERRERA, FOR A VARIANCE TO SECTION 28.4.B.1 AND 28.4.B.2 IN ORDER TO REDUCE THE REQUIRED FRONT YARD AND SIDE YARD SETBACKS FROM 20 FEET TO 18 FEET ON AN EXISTING NONCONFORMING BUILDING, ALSO A VARIANCE TO SECTION 28.4.B.3 IN ORDER TO REDUCE THE REAR YARD SETBACK FROM 20 FEET TO 7.5 FEET ON A NEW ADDITION. THE PROPERTY IS LOCATED AT 300 E. CHERRY STREET CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS. (CASE NO. V-01-06)**

a. **OPEN PUBLIC HEARING (CHAIRMAN STATES TIME)**

Chairman Elzner declared the Public Hearing open at 6:18 p.m., by asking if anyone would like to speak for or against this request.

b. **CLOSE PUBLIC HEARING (CHAIRMAN STATES TIME)**

Not hearing any requests to speak, Chairman Elzner declared the Public Hearing will not be closed.

c. Board Discussion

d. **TAKE ACTION ON REQUEST**

Board Member Hulme made a motion to reduce the required front yard and side yard setbacks from 20 feet to 18 feet on the existing nonconforming building, seconded by Board Member Reed. Chairman Elzner called for a vote with all voting AYE, the motion carried by a vote of 5-0.

Chairman Elzner called for a motion to reduce the rear yard setback from 20 feet to 7.5 feet on a new addition, not hearing a motion the variance is denied for a lack of a motion.

**e. CHAIRMAN/VICE CHAIRMAN SIGNS ORDER**

The orders were signed.

**OPEN FORUM**

**1. DISCUSS SCHEDULE FOR FUTURE MEETINGS.**

Next meeting will be held on February 6, 2006 at 6:00 p.m.

**2. DISCUSS H.B. 914 – CONFLICTS DISCLOSURE STATEMENT.**

A handout has been included in each member's packet. Members were asked to review the forms and turn them in to Jo Ann Talbot if applicable

**ADJOURNMENT**

Board Member Hulme made a motion to adjourn, seconded by Board Member Kelly. Chairman Elzner called for a vote with all voting AYE, the motion carried by a vote of 5-0. The meeting adjourned at 6:53 p.m.

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JOHN ELZNER  
CHAIRMAN

ATTEST:

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JOY HENDERSON  
PLANNING TECHNICIAN

**Attachment:** Dictation of the January 24, 2006 meeting prepared by Una Garland of Carson Reporting and Associates.