

**NOTICE OF A REGULAR MEETING AND PUBLIC HEARING
OF THE CITY OF SAGINAW BOARD OF ADJUSTMENT
WILL BE HELD IN THE COUNCIL CHAMBERS
AT THE SAGINAW CITY HALL 333 WEST MCCLEROY BOULEVARD**

Commencing At 6:00 P.M. On The 22ND Day Of August 2023, To Consider And Act Upon Any Lawful Subject Which May Come Before Said Meeting Including Among Others The Following Business;

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|-----|---|--------------------------|
| (1) | Call to Order | Chairman Sanderson |
| (2) | Clarification of Quorum | Chairman Sanderson |
| (3) | Audience Participation | Building Official Little |
| (4) | Administration of Oath | Chairman Sanderson |
| (5) | Approval of Minutes
Regular Meeting and Public Hearing on May 23, 2023 | Chairman Sanderson |

(6) **BOA 0823-01 PUBLIC HEARING**
Consideration of a request for a variance to City Zoning Ordinance
No. 2002-04:

- A. Article 6, Section 6-17 C, to allow relief from the required 25 foot front yard.
 Requesting six foot encroachment for an architectural feature (sign) attached to the building.
- B. Article 6 Section 6-17 C, to allow relief from the required 25 foot front yard and relief from the required 20 foot rear yard for the existing buildings.
 Requesting six foot encroachment into the required front yard and 20 foot encroachment into the required rear yard.
- C. Article 8, Section 8-13 B 2, to allow full relief from the required landscape buffers.
- D. Article 8, Section 8-13 B 5, to allow full relief from the required landscaping.

at 176, 200, 220, and 228 Fairmount St. S.

(7) **BOA 0823-02 PUBLIC HEARING**
Consideration of a request for a variance to City Zoning Ordinance
No. 2002-04 Article 8, Section 8-9 A, to allow a 28% reduction to the
required off-street parking at 300, 304, and 320 McLeroy Blvd. W.

(8)

Executive Session

1 § 551.071, Consultation with Attorney. The Board of Adjustment may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Board of Adjustment seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

- a. Any Posted Item

(9)

Adjournment

Chairman Sanderson

DATE POSTED: 8/18/23 TIME POSTED: 9:10 BY: J. Roberson

DATE RETRIEVED: 8/22/23 TIME RETRIEVED: 6:36^{pm} BY: M. Gaynes

IF YOU PLAN TO ATTEND THE MEETING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AT THE MEETING, CONTACT DEBRA THOMAS WITHIN 72 HOURS OF THE MEETING AT 817-230-0453. REASONABLE ACCOMMODATIONS WILL BE MADE TO ASSIST YOUR NEEDS.

**MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
OF THE CITY OF SAGINAW BOARD OF ADJUSTMENT
HELD AT THE SAGINAW, TEXAS, CITY HALL
ON AUGUST 22, 2023**

Present at the meeting:

Chairman	Place No. 3	Bethany Sanderson
Vice Chairman	Place No. 5	Derrick Thomas
Member	Place No. 1	Mike Colgrove
Member	Place No. 2	Bobby Grayson
Alternate Member	Alt No. 1	Eric King
Alternate Member	Alt No. 2	Pedro Pena
Deputy Chief Building Official		Chris Dyer
Recording Secretary		Debra Thomas

Absent from the meeting:

Member	Place No. 4	James Burgdorf
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Visitors:

Taliah Pena Aric Head Luke Weinheimer Brad Lehman Lee Howell

ITEM 1 CALL TO ORDER

Chairman Sanderson called the meeting to order at 6:01 p.m.

ITEM 2 CLARIFICATION OF QUORUM

In the absence of Member Grayson Alternate Member King will temporarily be promoted to regular member status and in the absence of Member Burgdorf Alternate Member Pena will temporarily be promoted to regular member status.

The quorum for tonight's meeting consists of the following: Chairman Sanderson, Vice Chairman Thomas, Member Colegrove, Alternate Member King, and Alternate Member Pena.

Member Grayson arrived at 6:06 p.m.

ITEM 3 AUDIENCE PARTICIPATION

DCBO Dyer advised the audience the procedure to follow to address the board.

ITEM 4 ADMINISTRATION OF OATH

Chairman Sanderson administered the Oath to the audience members wanting to address the board.

ITEM 5 APPROVAL OF MINUTES

The minutes of a regular meeting and public hearing on May 23, 2023 were presented for approval.

Motion was made by Member Colgrove seconded by Alternate Member King to approve the minutes as presented.

Motion carried unanimously.

ITEM 6 BOA PUBLIC HEARING

Consideration of a request for a variance to City Zoning Ordinance No.2002-04:

- A. Article 6, Section 6-17 C, to allow relief from the required 25 foot front yard.

Requesting six foot encroachment for an architectural feature (sign) attached to the building.

- B. Article 6 Section 6-17 C, to allow relief from the required 25 foot front yard and relief from the required 20 foot rear yard for the existing buildings.

Requesting six foot encroachment into the required front yard and 20 foot encroachment into the required rear yard.

- C. Article 8, Section 8-13 B 2, to allow full relief from the required landscape buffers.

- D. Article 8, Section 8-13 B 5, to allow full relief from the required landscaping.

at 176, 200, 220, and 228 Fairmount St. S.

Chairman Sanderson read the request and opened the public hearing at 6:03p.m.

Aric Head, with Peloton Land Solutions, representing Miller Milling, addressed the board, he stated that the property in question is zoned HI heavy industrial and Miller Milling is proposing new buildings on the lots. He explained that the hardship is the depth of the lot and following the regulations in the zoning code would render the buildings not feasible. Mr. Head then went through each request one at a time:

- A. The request is for a six foot encroachment into the required 25 foot front yard. The encroachment is for an attached architectural feature, a sign. They could have a monument sign within the front yard, however that would take up some of their required and needed parking.
- B. The request is for a six foot encroachment into the required 25 foot front yard and a 20 foot encroachment into the required 20 foot rear yard for the existing buildings. If the facility is to expand these buildings would be removed and the new building would sit within the front and rear yard setbacks.
- C. The request is for the elimination of the landscape buffer. The biggest issue is size. The lot depth is 140 feet. We have about 15 parking spaces against the building, right off the street. If we have to put in the landscape buffer, we would also have to have a 24 foot drive isle for the parking spaces. This would require us to shrink the size of the building which hinders the operation, the purpose of the building, non-usable. This would also cut the future project in half.
- D. The request is for the elimination of the required interior landscaping. Right now, there is pavement and gravel, and not a lot of landscaping. The parking is tight and if we add landscaping it will reduce our parking. The street is a dead end and is not used by the general public, it is used primarily by vendors and employees. We feel the aesthetic elements of the building will improve the street scape itself.

The board asked Mr. Head a few questions about the interior landscaping.

DCBO Dyer addressed the board and explained that due to the lot size and dimensions, the city staff is in support of the requests for A, B, and C. He stated, the city believes item D for interior landscaping can be met and bring some beautification to the City of Saginaw.

The board asked DCBO Dyer some questions for clarification.

Chairman Sanderson closed the public hearing at 6:16 p.m.

There was discussion among the board members.

Motion was made by Member Colegrove and seconded by Alternate Member Pena to grant the variance request, as written, for both items BOA 0823-01 A and B.

Motion carried unanimously.

There was further discussion among the board members and questions for DCBO Dyer.

Motion was made by Member Colegrove and seconded by Alternate Member King to grant the variance request, as written, for item BOA 0823-01 C.

Motion carried unanimously.

Motion was made by Member Thomas and seconded by Member Colegrove to deny the variance request, as written, for item BOA 0823-01 D.

Motion carried unanimously.

ITEM 7 BOA PUBLIC HEARING

Consideration of a request for a variance to City Zoning Ordinance No.2002-04 Article 8, Section 8-9 A, to allow a 28% reduction to the required off-street parking at 300, 304, and 320 McLeroy Blvd. W.

Chairman Sanderson read the request and opened the public hearing at 6:23p.m.

Lee Howell, Assistant City Manager of the City of Saginaw, addressed the board and stated the future Library and Senior Center location is made up of three lots, that will be re-platted into one lot. He explained the site plan is for lots 304 McLeroy W. and 320 McLeroy W. and shows 165 parking spaces surrounding the building, 28% less than required. The city has obtained lot 300 McLeroy W. and it will be used for an additional 30 parking spaces. This will bring the total number of parking spaces at the completion of the project to 195, 15% less than required.

DCBO Dyer addressed the board and explained that due to the site plan not including the lot at 300 McLeroy W. the request is for a 28% reduction to the required parking. He explained that at the completion of the project the additional 30 parking spaces will be included, resulting in a 15% reduction of the required parking.

Chairman Sanderson closed the public hearing at 6:29 p.m.

There was discussion among the board members.

Motion was made by Member Colegrove and seconded by Alternate Member King to grant a variance to allow a 28% reduction to the required off-street parking at 300, 304, and 320 McLeroy Blvd W.

Motion carried unanimously.

ITEM 8 EXECUTIVE SESSION

This item was not needed.

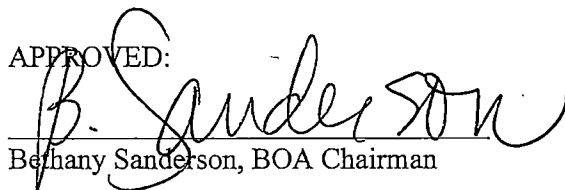
ITEM 9 ADJOURNMENT

Motion was made by Member Thomas and seconded by Member Colegrove to adjourn the meeting.

Motion carried unanimously.

Meeting was adjourned at 6:29 p.m.

APPROVED:


Bethany Sanderson, BOA Chairman

ATTEST


Debra Thomas, BOA Recording Secretary