

**CITY OF PENITAS
BOARD OF ADJUSTMENT
WEDNESDAY , OCTOBER 26, 2022 – 6:00 PM
PENITAS PUBLIC LIBRARY, 1111 S. MAIN STREET**

Notice is hereby given in accordance with S.B.270 chapter 277, Page Acts of the 61st Legislature of the State of Texas, 1969 that the following matters will be considered by the Board of Adjustment of the City of Penitas, Texas at said meeting, Board of Adjustment of the City of Penitas reserve the right to adjourn into Executive (closed) session at any time during the course of the meeting to discuss any of the items listed on the agenda as authorized by the Texas Open Meeting Act. No final action will be taken in Executive session

Agenda

CALL TO ORDER -

1. OPEN MEETING & DETERMINATION OF QUORUM

- a) Pledge of Allegiance
- b) Prayer

2. CERTIFICATE OF POSTING

3. DISCLOSURE OF CONFLICT OF INTEREST

4. OPEN PUBLIC HEARING/ DISCUSSION AND APPROPRIATE ACTION

- A)** Variance request by Fernando Garza to allow 3 ½ foot side setback instead 6 foot side setback on the south side setback and a 4ft rear setback instead of a 10 ft setback to place a storage at King Ranch No.1 Lot 6 Blk1
- B)** Variance request by Alberto Chapa not to provide paving improvements to a 25' foot dedicated PRIVATE RAOD along the west side of this 3 lot residential subdivision.
- C)** Variance request by Alberto Chapa not to provide street lights along the proposed PRIVATE ROAD along the 3 proposed residential lots.
- D)** Variance request by Alberto Chapa not to provide side walks along the PRIVATE ROAD or along U.S EXPRESSWAY 8
- E)** Variance request by Alberto Chapa not to provide fire hydrants along PRIVATE ROAD.
- F)** Variance request by Alberto Chapa to connect to OSSF System instead of Sewer Connection along PRIVATE ROAD.

5. CLOSE PUBLIC HEARING

6. PUBLIC COMMENTS

- a) Public Comments are limited to three (3) minutes. If a resident desires to make a public comment, please notify the Chairperson prior to the start of the meeting. A spokesperson for large groups is required. We ask for everyone's cooperation in following these procedures.

7. THE FOLLOWING ARE THE MEETING PROCEDURES USED BY THE BOARD OF ADJUSTMENTS:

- a) All items are generally considered as they appear on the agenda. As each item is introduced.
- b) Staff will present its findings and recommendation on the item being considered.

- c) The party making the request may make a presentation and may address the Board on any issues arising during the discussion of the item being considered.
- d) Anyone in the audience desiring to speak in favor or in opposition may do so. A 3 – 5-minute time limit will be given to each person interested in speaking on the item. The use of a spokesperson for large groups of people will be required.
- e) Once the Chair closes the public hearing, the board may question anyone and maintain any discussion which clarifies the proposal and will then take what action it believes to be appropriate
- f) A minimum of four votes are required for an item to be approved by the Board.

8. MINUTES

Consider Approval of the Minutes for the August 18, 2022 Regular Meeting

9. OTHER BUSINESS-

A) ADJOURNMENT:

***Note If during the meeting the Board of Adjustment should determine that a closed or executive session is required, then such closed or executive session is authorized by Article 6252-17 Revised Civil Statute of Texas Section 2(e), 2(g). Notice of the closed or executive session will be given after the commencement of the meeting covered by this notice. Should any final decision, final notice upon reconvening of the public meeting.**

Posted on this 21st day of October 2022 at 5:00 pm at the Penitas Public Library. A Duplicate copy of this agenda has been posted at the Penitas Post Office.

“CERTIFICATION ON POSTING”

I, JAQUELINE MONTOYA CERTIFY THAT I POSTED A TRUE AND CORRECT COPY OF THE FOREGOING NOTICE OF THIS AGENDA AT A PLACE ACCESSIBLE TO THE PUBLIC AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.


City Clerk Jaqueline Montoya

POSTED THIS 21st Day Of OCTOBER 2022