

**CITY OF PENITAS**  
**BOARD OF ADJUSTMENT**  
**WEDNESDAY, FEBRUARY 22, 2023 – 6:30 PM**  
**PENITAS PUBLIC LIBRARY, 1111 S. MAIN STREET**

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Notice is hereby given in accordance with S.B.270 chapter 277, Page Acts of the 61<sup>st</sup> 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

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## **Agenda**

### **Call To Order –**

- 1. Open Meeting & Determination of Quorum**
- 2. Pledge of Allegiance / Prayer**
- 3. Certificate of Posting**
- 4. Minutes – Consider Approval of Minutes for the December 7<sup>TH</sup> 2022 Regular Meeting**
- 5. Disclosure of Conflict of Interest**

### **\*Note 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.

### **6. Open Public Hearing/ Discussion And Appropriate Action**

- A) Variance request by Alberto Chapa not to provide paving improvements to a 25' foot dedicated PRIVATE ROAD along the west side of this 3 lot residential subdivision.
- B) Variance request by Alberto Chapa not to provide street lights along the proposed PRIVATE ROAD along the 3 proposed residential lots.
- C) Variance request by Alberto Chapa not to provide side walks along the PRIVATE ROAD or along U.S EXPRESSWAY 8
- D) Variance request by Alberto Chapa not to provide fire hydrants along PRIVATE ROAD.

E) Variance request by Alberto Chapa to connect to OSSF System instead of Sewer Connection along PRIVATE ROAD.

7. 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 17<sup>st</sup> day of February 2023 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.**

  
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City Clerk Jaqueline Montoya  
Posted this 17<sup>th</sup> Day of February 2023