



ZONING BOARD OF ADJUSTMENT MINUTES

Notice is hereby given that the **Regular Meeting of the Zoning Board of Adjustments** of the City of Burnet, Texas will be held on **March 28, 2024**, at **2:30 p.m.** at the City of Burnet's Council Chambers located at 2401 S Water Street, Burnet, Texas 78611 at which time the following subjects will be discussed, to-wit:

1) **CALL TO ORDER:** The meeting was called to order at 2:30PM by Chair, Tommy Gaut

2) **ROLL CALL:**

Members Present: Tommy Gaut, Kim Winkler, Derek Fortin and Calib Williams

Guests: Nathan Bush (Daily Trib), Tanis Jamar, David Jamar, Carlos Hernandez

Others Present: Leslie Kimbler, Planning Manager, Habib Erkan Jr., Assistant City Manager, Bobbi Havins, Development Services Coordinator

3) **CONSENT AGENDA:**
Minutes of the Regular Meeting held May 17, 2023.

There being no objections, Chairman Tommy Gaut approved the minutes as presented.

4) **ACTION ITEMS:**

4.1) The Board of Adjustment of the City of Burnet, Texas shall discuss and consider action regarding a request for variance to the Zoning Code's building setback requirements as shown in City Code Chapter 118 - Chart One. The property subject to the variance request is located at: 600 Buchanan Drive, Burnet, Texas: L Kimbler

- a) Staff presentation of the variance request
- b) Applicant's presentation to the board
- c) Allow members from the public to speak for or against the variance request
- d) Board deliberations and action

Planning Manager, Leslie Kimbler, gave staff's presentation on the request for variance.

Property representative, Carlos Hernandez, spoke in favor of this request for the variance stating the conditions were pre-existing and feels the variance is necessary to keep and remodel the existing building.

Motion to Approve request for variance: Calib Williams

Second: Derek Fortin

Motion Approved: 4 in favor/0 in opposition

4.2) The Board of Adjustment of the City of Burnet, Texas shall discuss and consider action regarding a request for variance to the Zoning Code's site development regulations for property zoned District "C-1" as shown in City Code Chapter 118-4(c)(2). The property subject to the variance request is located at: 5388 South US Hwy 281, Burnet, Texas: L Kimbler

- a) Staff presentation of the variance request
- b) Applicant's presentation to the board
- c) Allow members from the public to speak for or against the variance request
- d) Board deliberations and action

Planning Manager, Leslie Kimbler, gave staff's presentation on the request for variance.

Property owner, David Jamar, spoke in favor of his request for the variance stating that not approving the variance would put an undue burden on himself due to his due diligence, planning and budgeting. Mr. Jamar also brought up conversations that he had with city staff that he feels led him awry.

Assistant City Manager, Habib Erkan, Jr., addressed the Board Members and reiterated the findings that the Board must make to authorize a variance. Mr. Erkan informed the Board of their right to request the staff mentioned in Mr. Jamar's statement be present at a future meeting to discuss the hear-say comments made by Mr. Jamar. Mr. Erkan also clarified that the Board may not make a determination on the interpretation

of the code as requested by Mr. Jamar in his statement as that was not the applicant's request and therefore was not included on the posted agenda.

After much deliberation and consideration, the Board made a motion to table the item to call upon city staff members David Vaughn, Eric Belaj, and Johnny Carraway to speak on the statements made in Mr. Jamar's statement and asked that city staff work with the applicant, so the applicant is better prepared for his request.

Motion to Table request for variance: Tommy Gaut
Second: Calib Williams
Motion Tabled: 4 in favor/0 in opposition

5) **STAFF REPORTS:**

6) **REQUESTS FOR FUTURE AGENDA ITEMS:**

7) **ADJOURN:**

There being no further business, Chair, Tommy Gaut adjourned the meeting at 3:15PM.



Tommy Gaut, Chair
City of Burnet Zoning Board of Adjustment

Attest:



Derek Fortin, Secretary