



AGENDA

BOARD OF ADJUSTMENT

SPECIAL MEETING

THURSDAY, DECEMBER 1, 2022, 6:30 P.M.

CHAMBER OF COMMERCE BOARD ROOM

114 CENTRAL AVE.

1. CALL TO ORDER

2. CONSENT AGENDA

All matters listed below are to be considered routine by the Board and will be enacted in one motion. There will not be separate discussion on the items. If discussion is desired, that items can be removed from the consent agenda and will be considered separately as a new business item.

1. Consider approval of the following Minutes

2.I. September 1, 2022 Minutes

Documents:

[SEPTEMBER 1, 2022 MINUTES.PDF](#)

3. NEW BUSINESS

3.I. ELECTION OF CHAIR AND VICE CHAIR FOR 2023.

Documents:

[CHAIR-VICE CHAIR SELECTION LETTER.PDF](#)

4. ANNOUNCEMENTS

5. ADJOURNMENT

The Board may adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government

Code. The board will return to an open session for possible discussion and action as a result of the Executive Session.

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512) 281-5724. Please provide a forty-eight (48) hour notice when feasible.

Para informacion en espanol favor de llamar (512) 281-0119. Servicios de traduccion disponible en la reunion.

**MINUTES  
CITY OF ELGIN BOARD OF ADJUSTMENTS  
SPECIAL MEETING  
MONDAY, SEPTEMBER 1, 2022**

**I. CALL TO ORDER - ROLL CALL:** The Chair called the meeting to order at 6:30 P.M. at the Public Library Annex (Civic Center), located at 404 N. Main St., Elgin, TX U.S.A.

**BOARD PRESENT:** Chair Regan Dumbeck, Franklin Boettcher, Darren Mogonye (Junior Alternate), and Shifton McShan.

**BOARD ABSENT:** Vice-Chair Stephen Kylberg (Senior Alternate) & Ruby Simms.

**STAFF PRESENT:** David Harrell, Development Services Director; Melissa Lipiec, Secretary.

**II. PUBLIC COMMENT FOR NON-AGENDA RELATED ITEMS:** No members of the public were present to speak.

**III. CONSENT AGENDA.**

1. August 1, 2022, Minutes.

On a motion by Shifton McShan, seconded by Franklin Boettcher, the Board voted unanimously (4-0) to approve the Minutes.

**IV. NEW BUSINESS.**

1. Project #202200114: Zoning variance from Section 46-303 to reduce the side setback from seven-point five (7.5) feet to five (5) feet for a new two (2) story home at 415 Gettysburg Loop (Shenandoah Subdivision Phase IV, Lot 30, Acres 0.1380).
  - A. Staff Presentation – David Harrell conducted a PowerPoint presentation of the staff report.
  - B. Applicant Presentation – Bret Krohn, applicant’s representative, indicated other area cities allow for a five (5) foot setback, purpose of setbacks is for fire related purposes, and costs of redrawing plans to current Code standards.
  - C. Open Public Hearing - The public hearing was opened at 6:44 P.M. with no members of the public desiring to speak on the item.
  - D. Close Public Hearing – The public hearing was closed at 6:44 P.M.
  - E. Discussion – There was brief discussion between City Staff, the Board, and the Applicant regarding setbacks, purpose of setbacks, & oversight of designing plans before knowing zoning setbacks.
  - F. Consideration – Franklin Boettcher made a motion to deny the item, seconded by Darren Mogonye, the Board unanimously voted four (4) to zero (0) to deny Project #202200114.

**V. ANNOUNCEMENTS:** David Harrell indicated that the Council has passed a new Ordinance that limits members to two (2) two (2) year terms on the Board with a two (2) year setting off period. Also, he indicated that starting next year he would like to have the Board have a set time of month for the Board to meet like the Planning & Zoning Commission.

**VI. ADJOURNMENT:** With no other items on the agenda, the Chair adjourned the meeting at 7:11 P.M.

\_\_\_\_\_  
Regan Dumbeck, Chair

Attested: \_\_\_\_\_  
David Harrell, Acting Secretary

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_ the  
foregoing instrument was passed and approved this 1<sup>st</sup> day of December 2022.



November 15, 2022

Board of Adjustment:

**RE: Election of Chair and Vice-Chair for 2023.**

This is for the election of officers for 2023. All that needs to be done is the item opened by the Chair and nominations can begin. Nominations do not need a second and can just be voted upon once they are made, if desired by the Board. It is up to that person to decide if they wish to serve in the position after the voting. If not, another nomination must be made and the same format followed in each instance.