

CITY OF INGLESIDE
REGULAR BOARD OF ADJUSTMENTS MEETING
AGENDA
JUNE 10, 2024
6:00 PM

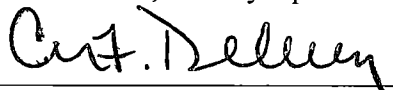
Notice is hereby given that the Board of Adjustments of the City of Ingleside, Texas, will conduct a meeting at City Hall, 2671 San Angelo Street, on June 10, 2024, at 6:00 PM.

1. Call Meeting to Order.
2. Pledge of Allegiance.
3. Oath of Office for all Board of Adjustment members.
4. Election of a Chairman and Vice-Chairman for the Board of Adjustment.
5. Consideration and action of the Minutes of the Board of Adjustments Meeting of December 12, 2022.
6. Other Business
 - a. Conduct a Public Hearing concerning an application filed by Whataburger LLC, requesting a variance on for the following property: a portion of Property ID# 58113 proposed Lot 2, Block 6 WHATABURGER INGLESIDE.
 - b. Discussion and possible action on (a) above.
7. Discussion and possible action on recommendations for member appointment.
8. Comments from The Public
9. Reports from Board of Adjustments members
10. Reports from Staff
11. Adjournment

City Hall is wheelchair accessible and there are special parking spaces near the main entrance. Requests for accommodations or special services must be made 48 hours prior to this meeting. Please contact Ingleside Development Services Department, at (361) 776-3815 for further information.

Certification

I, Gene Delauro, certify that the above notice of this Regular Meeting of the Board of Adjustments was posted on the City Hall bulletin board at 2671 San Angelo Street, Ingleside, Texas on June 7, 2024 by 2 p.m.


Gene Delauro, Interim Building Official

BOARD OF ADJUSTMENTS

December 12, 2022

MINUTES

I. Call the meeting to order.

The meeting was called to order at 6:00 p.m.

Board Members Present: Kelly Shepperd, Diane Brady, Gary Patton, Frank Truitt, and Alternate Board Member Tom Mannering. Board Members Absent: Theresa Finch, Alternate Member Ronnie Benton, and Alternate Member Mike Francesco. City of Ingleside Staff Present: Interim Building Official Gene Delauro, Deputy Building Official Dale Wells, and Information Technical Coordinator Josh Ligman.

II. Pledge of Allegiance

III. Consideration and action of the Minutes of the Board of Adjustments Meeting of June 13, 2022.

Board Member Gary Patton made a motion to approve the minutes from June 6, 2022, which was seconded by Board Member Tom Mannering. The motion passed unanimously by all members present.

IV. Other Business.

- (A) Public hearing concerning an application filed by Carol Watt. Mrs. Watt is requesting a variance on Sec. 78-333 – Height and area table, located at Property ID# 46948 also known as 2662 Ave F Ingleside, Texas previously known as 2415 4th Street Ingleside, Texas.

The Public Hearing was opened at 6:01 p.m.

Speaking For: Carol Watt spoke in favor of the variance request. Mrs. Watt is requesting a variance on lot size to build duplex versus single family home with an extended yard to provide affordable housing for those who do not want to live in an apartment. She noted that the lot size was previously allowed for the construction of duplexes. She has owned the property for six months and changed the frontage from Fourth Street to Ave F.

Speaking Against: There was no one speaking against.

There was one call of objection due to the fact it would be a rental property.

The Public Hearing was closed at 6:05 p.m.

(B) Consideration and possible action on (A) above.

The Findings of Fact for Zoning Ordinance Variance was read and then the motion was made.

Board Member Frank Truitt made a motion to deny the variance request of Sec. 78-341 Dwelling min. sq. ft., which was not seconded.

Board Member Gary Patton made a motion to approve the variance request of Sec. 78-341 Dwelling min. sq. ft., which was seconded by Board Member Tom Mannering. The motion passed 4 for and 1 against.

V. Discussion, consideration, & action regarding recommendations for member appointment/reappointment.

Board Member Diane Brady asked if the letters of interest were still up to date and interested in the Board. Interim Building Official, Gene Delauro confirmed that were still interested and two of the applicants were present.

Michael Morgan and Ashley Wirz stated that they were willing to serve on the Board.

Board Member Diane Brady made a motion to recommend appointment of Michael Morgan and Ashley Wirz to the Board of Adjustment, which was seconded by Board Member Gary Patton. The motion passed unanimously by all members present.

VI. Comments from the Public.

There were not comments from the Public.

VII. Reports from Board of Adjustment members.

There were no reports from the Board Members.

VIII. Reports from Staff

There were no reports from Staff.

IX. Adjournment.

Board Member Frank Truitt made a motion to adjourn the meeting, which was seconded by Gary Patton. The motion passed unanimously by all members present.

The meeting adjourned at 6:20 p.m.

APPROVED:

ATTEST:

Chairman

Interim Building Official, Gene Delauro



PO Drawer 400 • 2665 San Angelo • Ingleside, TX 78362
Phone: 361-776-3815 - building@inglesidetx.gov

REQUEST FOR VARIANCE

TO THE BOARD OF ADJUSTMENTS, CITY OF INGLESIDE, TEXAS

In accordance with Article 10, Planning and Zoning Section 10.05, Board of Adjustments of the City Charter and Article 1011g, Vernon's Annotated Texas Civil Statutes, the undersigned submits this request for a variance on the property herein described:
(Proof of Ownership Must Accompany this Request)

Property Owner Name: Whataburger LLC

Address: 300 Concord Plaza Drive

Phone No.: 210-476-6614

Email Address: avazquez@wbhq.com

Property Description:

Lot: 2 Blk: 6 Subdivision: Whataburger Ingleside

Lot Size: 155.80' Feet X 256.40' Feet Street Name Facing Location: SH 361

Current Zoning Classification: C-2

Reason for Requesting Variance (be specific): WB's business model is created with the full time use of 2 order point menu boards. If only allowed to have a single menu board it will work against standard business operation, business model and go against the success of the restaurant. We ask that you consider allowing 2 drive thru point of order locations to maintain standard business operation and basic business model.

☒ **Yes** ☐ **No** Will this variance be in harmony with the general intent and purpose of the code and will not be detrimental to the health, safety, and general welfare?

☐ **Yes** ☒ **No** Would the enforcement thereof do manifest injustice, and would it be contrary to the spirit and purpose of the code or public interest?

☐ **Yes** ☒ **No** Does special conditions and circumstances exist which are peculiar to the building, structure, service system, or other item involved, and which are not applicable to others?

☐ **Yes** ☒ **No** Do the special conditions and circumstances result from the action or inaction of the applicant?

☐ **Yes** ☒ **No** Does granting the variance confer on the applicant any special privilege that is denied by the code to other buildings, structures, systems, or items?

☐ **Yes** ☒ **No** If granted, is it the minimum variance that will make possible the reasonable use of the building, structure, system, or other item?

I CERTIFY THAT THE ABOVE ANSWERS ARE TRUE AND CORRECT. I ALSO UNDERSTAND THAT ATTENDANCE IS MANDATORY, EITHER BY MYSELF OR A REPRESENTATIVE. I ALSO UNDERSTAND THAT FAILURE TO ATTEND WILL RESULT IN TERMINATION OF PROCESS AND RE-APPLICATION WILL BE REQUIRED.

Date of Board of Adjustment Meeting: 6/10/2024 Time: 6:00 pm

Signature of Owner: [Signature] Date: 3/12/24

REQUEST FOR VARIANCE: GRANTED: DENIED:



Whataburger Ingleside
Final Plat

HEB, LP

File Date: 5/01/2024

Product Date 5/27/2024

BOA Date: 6/10/2024

Council Date: 5/27/2024

Legend

CD Subject Parcels

General Commercial

Light Industrial

Multi-Family Residential

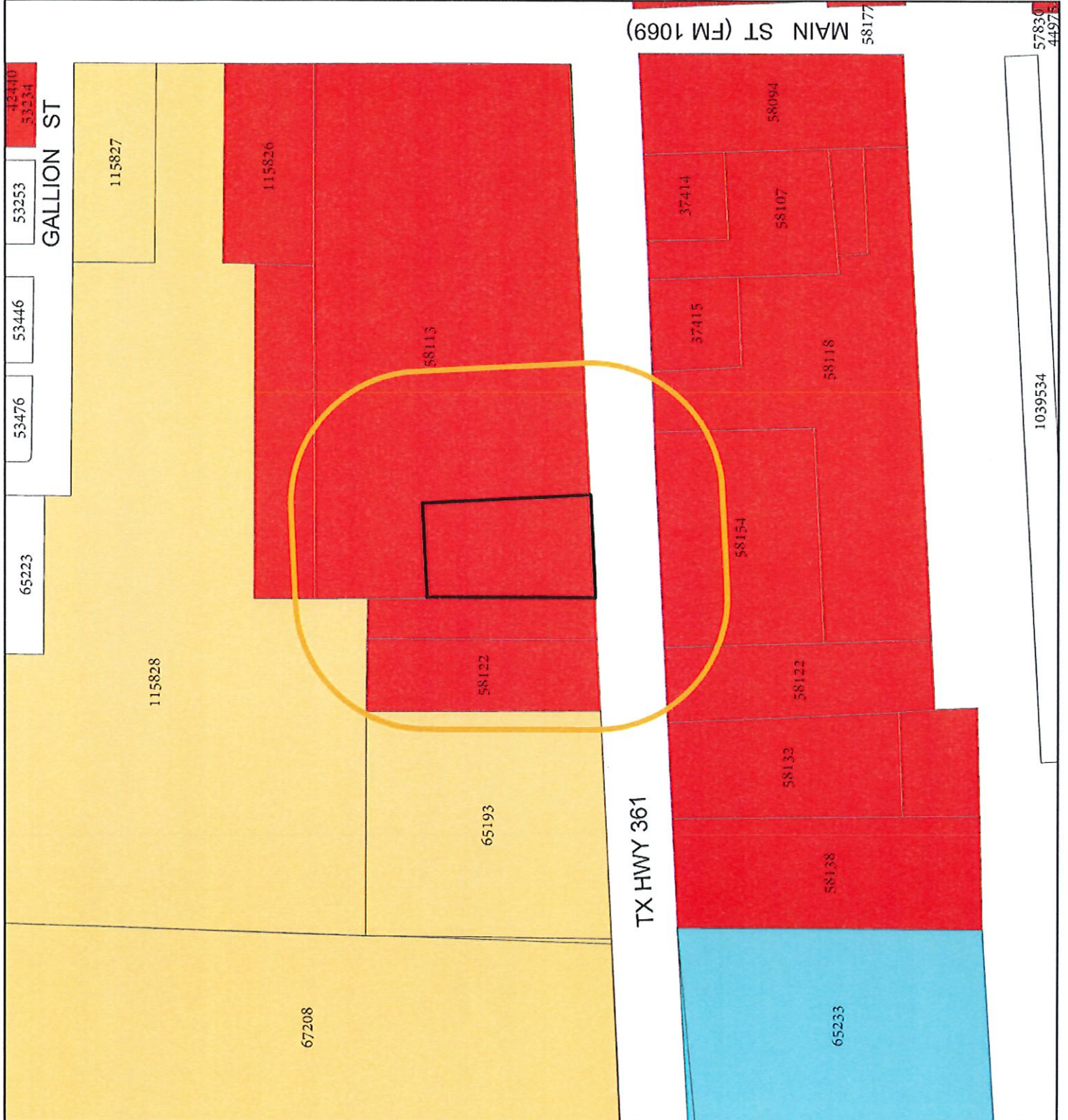
Single Family Residential

200' Buffer

This product is for informational purposes only and may not have been prepared for or be suitable for use in legal, engineering, or surveying products. It does not represent an on-the-ground survey and only represents the relative location of property boundaries.



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HOUSTON, TX 77027

ZEBA INC
PO BOX 3696
CORPUS CHRISTI, TX 78463

2696 HWY 361 LLC
501 WEST AVE #1507
AUSTIN, TX 78701

H E BUTT GROCERY 171
PO BOX 839999
SAN ANTONIO, TX 78283

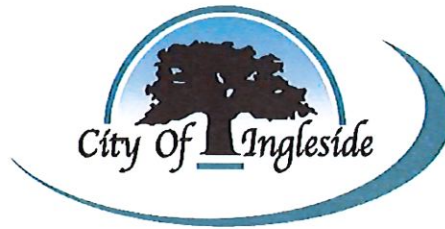
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NOTICE OF PUBLIC HEARING

In accordance with the provisions of the City of Ingleside Code of Ordinances and the laws of the State of Texas, all interested parties are hereby notified that the Board of Adjustment will hold a public hearing at 6:00 p.m. on Monday, June 10, 2024 at City Hall, 2671 San Angelo Street, Ingleside, Texas.

The purpose of these hearings is to give all interested parties and citizens an opportunity to be heard concerning an application filed by Whataburger LLC, requesting a variance on for the following property: a portion of Property ID# 58113 proposed Lot 2, Block 6 WHATABURGER INGLESIDE.

Information regarding the application is on file at the Development Services Department and is available for your inspection any time during normal office hours. If you have any questions, please contact our office at (361) 776-3815.

Published one time in the Ingleside Index on May 23, 2024

Sec. 78-402. - Permitted sign types.

The following sign types must be properly permitted by the building official before installation:

- (11) *Menu boards*: Establishments with drive-through service are permitted one menu board sign per lot, limited to 36 square feet in area and six feet in height.

**Volunteer Application for Boards,
Commissions, Committees & Groups**



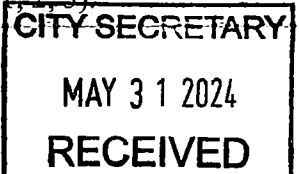
**City
Secretary
Department**

Requirements: (1) A resident of the City of Ingleside for 12 months; (2) A current registered voter. Please return the completed form to the City Secretary's Office for processing either via email at citysecretary@inglesidetx.gov or via mail to: Boards & Commissions. c/o City Secretary – PO Drawer 400, Ingleside, TX 78362 or in person: City Secretary's Office 2671 San Angelo Ave. Ingleside, TX 78362. Please note when this is filed with the City the information included will become public information that may be disclosed per the Texas Public Information Act.

If you are interested in applying for more than one position, please indicate the order of your preference by placing a number in the space to the left for which you are applying (i.e., 1, 2, 3).

☒ Board of Adjustments
☐ Planning & Zoning Commission
☐ Ingleside Development Corporation
☐ Library Board

☐ Charter Review Committee
☐ Cove Park Advisory Group
☐ Street Advisory Group



If asked to serve on a different board than you indicated, would you be interested? ☐ Yes ☐ No

Name: Linda Timmerman

Address: 1702 Indian Trl

Telephone Number: 361-551-0783 E-Mail Address: gee_wolf@yahoo.com

Number of years as resident of City: life Qualified voter in the City of Ingleside? ☒ Yes ☐ No

Do you or your employer have any business or other dealings with the City of Ingleside which may present a conflict of interest? ☐ Yes ☒ No If "Yes", please explain:

Describe any qualifications, credentials or special interests that relate to your possible appointment. Attach additional sheet(s) if needed.

30+ years experience dealing with public,
Work well with others, want to see our
City thrive to its potential.

Signature: Linda Timmerman Date: 5/23/24

BOARD OF ADJUSTMENT – 2024 - **CURRENT**

REGULAR PLACE NAME	1 ST TERM	2 ND TERM	ODD/EVEN
1 MIKE FRANCESCO	01/01/21 – 12/31/22	01/01/23 – 12/31/24	ODD
2 MICHAEL MORGAN	01/01/23 – 12/31/24		ODD
3 ASHLEY WIRZ	01/01/23 – 12/31/24		ODD
4 ROBERT VANA	05/14/24 – 12/31/25		EVEN
5 VACANT	01/01/24 – 12/31/25		EVEN
ALTERNATE PLACE NAME	1 ST TERM	2 ND TERM	ODD/EVEN
6 VACANT	01/01/24 – 12/31/25		EVEN
7 VACANT	01/01/24 – 12/31/25		EVEN
8 VACANT	01/01/23 – 12/31/24		ODD
9 VACANT	01/01/23 – 12/31/24		ODD

BOARD OF ADJUSTMENT – 2024 - **PROPOSED**

REGULAR PLACE NAME	1 ST TERM	2 ND TERM	ODD/EVEN
1 MIKE FRANCESCO	01/01/21 – 12/31/22	01/01/23 – 12/31/24	ODD
2 MICHAEL MORGAN	01/01/23 – 12/31/24		ODD
3 ASHLEY WIRZ	01/01/23 – 12/31/24		ODD
4 ROBERT VANA	05/14/24 – 12/31/25		EVEN
5 LINDA TIMMERMAN	06/25/24 – 12/31/25		EVEN
ALTERNATE PLACE NAME	1 ST TERM	2 ND TERM	ODD/EVEN
6 VACANT	01/01/24 – 12/31/25		EVEN
7 VACANT	01/01/24 – 12/31/25		EVEN
8 VACANT	01/01/23 – 12/31/24		ODD
9 VACANT	01/01/23 – 12/31/24		ODD

Updated March 25, 2024