



## CITY OF FAIR OAKS RANCH

# ZONING BOARD OF ADJUSTMENT (ZBOA) MEETING

Wednesday, July 27, 2022 at 6:30 PM

Public Safety Training Room, Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

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## MINUTES

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### OPEN MEETING

1. Roll Call - Declaration of a Quorum

Members Present: Michael Rey, Rich Nichols, J.C. Taylor, and Roderick Terrell

Members Absent: Dean Gaubatz

With a quorum present, the meeting was called to order at 6:34 PM.

2. Pledge of Allegiance – The Pledge of Allegiance was recited in unison.

*Jonathan Lisenby arrived at 6:36 PM.*

### CITIZENS and GUEST FORUM

3. **Citizens to be heard.**

David Horwath, P&Z Vice Chairman, let the Board know he was attending to observe as he is curious about how the ZBOA conducts business.

### CONSENT AGENDA

4. **Approval of the June 22, 2022 Special ZBOA meeting minutes.**

MOTION: Made by Board Member Nichols, seconded by Board Member Taylor, to approve the Consent Agenda.

VOTE: 5-0; Motion Passed.

### CONSIDERATION/DISCUSSION ITEMS

5. **Consideration and possible action on the Variance Application No. ZBOA 2022-06-22 from Damon Gray of D & A Gray Enterprises LLC, applicant and property owner, to grant the variances for the property located at 29105 Noll Road, Fair Oaks Ranch, TX, also listed as 29105 Noll Road, Boerne, TX in the Bexar County Property Records.**

#### Variance # 1

MOTION: Made by Board Member J.C. Taylor (friendly motion adjustments made by Chairperson Rey and accepted by Board Member J.C. Taylor), seconded by Board Member Jonathan Lisenby, to approve the following Variance as per the attached Site Layout Exhibit (Attachment 4), **Variance from Section 6.7 (4) c – Allow access to parking lots directly from the street and not from an aisle or driveway** with the following conditions:

1. Add the following notes to the site plan:
  - a. All other requirements of the UDC and other applicable codes, not specifically mentioned in the variance request shall be met.
  - b. No outdoor activity is permitted on site.
  - c. Allow direct access from the street and waive the 3' parking setback and 3' tall landscape screening for the seven existing spaces, the garage access, and the four new parking spaces as shown by the shaded area.
2. No parking spots be constructed within the area under the mature pecan trees on the northeast side of the property as indicated on the site plan.
3. Variances are approved as shown on the site plan.

VOTE: 4-1; Motion Passed. Board Member Nichols voted nay.

### **Variance # 2**

MOTION: Made by Board Member Jonathan Lisenby, seconded by Chairman Michael Rey, to approve the following Variance as per the attached Site Layout Exhibit (Attachment 4), **Variance from Section 6.7, Table 6.2 – Reduce the number of parking spaces from 19 spaces to 11 spaces** with the following conditions:

1. The mature pecan trees identified on the site map will not be removed as part of this construction.
2. All other requirements of the UDC and other applicable codes, not specifically mentioned in the variance request shall be met.
3. The constructed height of the building not exceed 16 feet.

VOTE: 4-1; Motion Passed. Board Member Nichols voted nay.

### **Variance # 3**

MOTION: Made by Board Member Jonathan Lisenby, seconded by Board Member J.C. Taylor, to approve the following Variance as per the attached Site Layout Exhibit (Attachment 4), **Variance from Section 6.8, (2) d – Eliminate requirement for a 3' parking setback from the street** with the following conditions:

1. All other requirements of the UDC and other applicable codes, not specifically mentioned in the variance request shall be met.
2. All construction is maintained in accordance with the site plan.

VOTE: 4-1; Motion Passed. Board Member Nichols voted nay.

**Variance # 4**

MOTION: Made by Board Member Jonathan Lisenby, seconded by Chairman Michael Rey, to approve the following Variance as per the attached Site Layout Exhibit (Attachment 4), **Variance from Section 7.7 (1) – Allow removal of the three feet high street screen required along the street to screen the parking area** with the following conditions:

1. All other requirements of the UDC and other applicable codes, not specifically mentioned in the variance request shall be met.
2. All construction is maintained in accordance with the site plan as amended.

VOTE: 4-1; Motion Passed. Board Member Nichols voted nay.

**ADJOURNMENT**

Chairperson Rey adjourned the meeting at 7:19 PM.

ATTEST:

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Michael Rey, Chairperson

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Christina Picioccio, TRMC  
City Secretary