



**City of Harker Heights**  
**Zoning Board of Adjustment Minutes**  
**November 19, 2020**

Present:	Thomas G. Wilson	Chairman
	David McClure	Vice Chairman
	Edward Paul Loughran III	Secretary
	David Hermosillo	Board Member
	Anthony Canterino	Alternate Board Member
	Jeffery K. Harris	Alternate Board Member
Staff:	Kristina Ramirez	Planning & Development Director
	Michael Beard	Building Official
	Courtney Peres	Senior Planner
	Wilson Everett	Administrative Assistant
		Planning & Development
	Yvonne Spell	Customer Service Relations Supervisor

Agenda Item I: A quorum was established with Alternate Board Member Anthony Canterino voting due to a Board Member position being vacant. The meeting was called to order at 6:00 P.M..

Agenda Item II: Approval of minutes from the August 20, 2020 regular ZBA meeting. Board Member Loughran made the motion to approve the minutes and Board Member Hermosillo seconded the motion. The motion passed unanimously (5-0).

Agenda Item III: The next item on the agenda was Citizens to be Heard. There was no one attending in person or virtually who wished to address the Zoning Board of Adjustment.

Agenda Item IV: **Public Hearings:**

Mrs. Courtney Peres presented case **ZBA20-05:** Conduct a public hearing to discuss and consider a request for a variance from the City of Harker Heights Code of Ordinances Section 155.020 (A) (5) (b) Large Accessory Structures, to allow for a large accessory structure to encroach by five (5) feet into the rear ten (10) foot setback on property described as Skipcha Mountain Estates Phase Twenty One, Block Six (6), Lot Eleven (11), generally located at 311 Crowfoot Drive, Harker Heights, Bell County, Texas.

Mrs. Peres explained the applicant's request for a variance for a large accessory building to be placed in the rear of said property within the setbacks. Mrs. Peres stated the homeowner applied for a small accessory building permit and was approved to place a small accessory building at the property located at 311 Crowfoot Drive. She explained the definition of a small accessory building from the City's Code. The code states a small

accessory building is considered to be a 144 square foot building or less in size, includes a moveable foundation, and has a height restriction of 12 feet. The setbacks for a small accessory structure are required to be a minimum of five feet from the rear property line and six feet from the side property line. Mrs. Peres explained that the owner had since poured a permanent concrete foundation and also bricked in the structure, which changed the classification of the structure from a small accessory building to a large accessory structure. Since the classification of the accessory building was altered, the setbacks from the rear property line should have been a minimum of ten feet. To include, the owner's structure was built five feet off the rear property line. There was a question brought up by one of the board members about existing utilities on the property and it was noted that there are no existing utilities in the rear of the property.

Chairman Wilson then asked who was present to represent the request.

Bryan Ahlborn, of 311 Crowfoot, Harker Heights, TX 76548 was present to speak on behalf of the request for the variance. Mr. Ahlborn explained staff's presentation had accurate information in reference to his request and he had no other information to provide about the accessory structure. The owner of the property stated he believed the reason that this error of setbacks had occurred was due to an overall lack of communication in the end result of his structure between himself and City Staff.

Chairman Wilson then opened the public hearing and asked if there was anyone to speak in favor or against the variance. There was no one attending virtually or in person to speak in favor or against the variance.

Board Member Hermosillo made a motion to approve the request. Board Member Loughran seconded the motion. **The motion passed (5-0).**

Mrs. Peres presented the next case, **ZBA20-06**: Conduct a public hearing to discuss and consider a request for a variance from the City of Harker Heights Code of Ordinances Section 155.020 (A) (5) (b) Large Accessory Structures, to allow for a screened pool enclosure to exceed the maximum aggregate size of all accessory structures of 1,500 square feet by 1,100 square feet on property described as A&J Garcia Addition, Block One (1), Lot One (1), 1 acre, generally located at 1421 Gomer Lane, Harker Heights, Bell County, Texas.

Mrs. Peres explained the applicant's variance request for a large accessory square footage requirement for the property located at 1421 Gomer Lane. Within the past year, the owner of the property was permitted to build a 900 square foot large accessory structure for the purpose of a pool house. At this time, the owner is requesting an additional accessory structure to the allowable square footage based on his lot size. City code states lots that are greater than an acre cannot exceed a total aggregate square footage of 1,500 square feet. The owner of the property is requesting a pool enclosure, which would be approximately 1,710 square feet. To include, the square footage of the proposed enclosure would be 1,100 square feet over the property's allowable square footage. Mrs. Peres mentioned that the homeowner is requesting to build the structure based on safety

concerns he has with the wildlife abutting and entering his property. The homeowner would like to prevent the wildlife from infiltrating the pool area and to avoid any potential risks from occurring.

Chairman Wilson then opened the public hearing and asked if there was anyone present to represent the request.

Mr. Andres Garcia, owner of 1421 Gomer Lane was present to represent his request. Mr. Garcia clarified that he has no plans to enclose the structure. He also mentioned the structure will be framed for the purpose of screening for pool and to prevent any wildlife from entering and causing potential damage to the property.

Chairman Wilson then opened the public hearing and asked if there was anyone to speak in favor or against the variance. There was no one attending virtually or in person to speak in favor or against the variance.


Board Member Loughran made the motion to approve the request. Vice Chairman McClure seconded the motion. **The motion passed (5-0).**

Chairman Wilson then adjourned the meeting at 6:25 P.M.

  
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Thomas G. Wilson, Chairman

5/25/2021  
Date

ATTEST:

  
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David McClure, Vice Chairman

5/25/21  
Date