

Village of Salado
Zoning Board of Adjustments
Meeting Minutes
Friday, May 18, 2012 @ 4:00PM
Municipal Building

Members Present: Rod Russell, Don Ellis, Sheila Lehmann, James Hansen, James Walls

Members Absent: Rob Petro, Bill Shepperd

Others Present: 18 citizens

Meeting was called to order by Rod Russell at 4:00PM

1. Variance Request to Zoning Ordinance from Property Owner at 3700 Chisholm Trail to Encroach on the Rear Yard Setback by 5 feet.

Motion was made by Don Ellis to grant the request from the property owner, Donny Sequin, and allow him to encroach on his rear yard setback by five feet to install a pool. Motion was seconded by Jim Hansen; motion carried unanimously.

2. Variance Request to the Flood Plain Ordinance from Property Owner at 742 McKay Lane to Add Fill to his Lot

Victor Turley with Turley Associates is the engineer on this project and stated that the plan was to take out some existing material from the neighboring tributary and place it on the street side of the lot so that the lot is buildable. John Simcik, Village's engineer, stated that this should not have an adverse effect on the neighboring lots and recommends approval of the request.

Jim Lassiter, lot owner, stated he would like to build on his lot and will make every effort to save the existing trees.

Public Hearing

Jerry Smith, 737 McKay Lane - encouraged the commission to review the request carefully, concerned about adding fill and causing the area to flood more.

Ken Culver, 736 McKay Lane - presented an email from two years ago from John Simcik indicating that he would not recommend any variance request to alter this lot in the future and is concerned with additional flooding.

Jay Valentine - concerned with change of rapidity of water if the variance is granted. Also feels the engineering studies are one sided.

June Ritterbusch - asked if there is a margin of error and is concerned that additional flooding may affect her septic system.

Sharon Smith, 737 McKay Lane - concerned changes will increase flooding.

Gene Williams, 701 Ashley Court - stated that there are more sources of water that funnel into the neighborhood other than the dry creek adjacent to the neighborhood.

Joe Price - concerned about the effects of the IH35 construction as well.

Motion was made by Jim Walls to grant the variance request contingent on another look at the runoff conditions the change will/may cause and do another study of water runoff before building on the lot. Motion was seconded by Don Ellis; motion carried 3 to 2.

Meeting Adjourned at 5:08PM.

Respectfully submitted,



Dianna Barker
Village Secretary

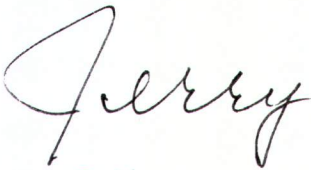
05-16-2012

RECEIVED
MAY 16 2012

The Village of Salado:

I live in the house next to the lot that has asked for a variance so the owner can bring in fill to make the lot buildable. I hope that this is not allowed. Each time this type of variance is granted, it weakens the Village of Salado's Subdivision Ordinance and each time we have a major rain, we see more and more homes being flooded. It just doesn't seem right that you can buy a lot in the flood plain at a discounted price, get a variance, bring in a bunch of dirt, build your lot up higher than all others, sell it and watch those below you deal with the water issues that the fill caused. We would like to have neighbors next to us, just not at our expense. A beautiful home and yard would be much nicer than an overgrown lot. The lot can be built on without fill; it would have to be flood-proofed and built of flood resistant materials in accordance with the National Flood Insurance Program's regulations. This would be the best answer. They get a home and we don't get flooded. The money they saved on buying a lot in the floodplain can be spent on building a flood-proof house.

Thanks,



Jerry Smith

737 McKay Lane

Salado, TX 76571



Sep 9, 2010



02/04/2010

Jerry L. Smith

From: K. Culver [texaslonghorns1981@yahoo.com]
Sent: Sunday, April 29, 2012 8:00 PM
To: Jerry Smith
Subject: Fw: Carriagehouse Sub-division

Jerry,
FYI

----- Forwarded Message -----

From: John A. Simcik <jsimcik@kpaengineers.com>
To: K. Culver <texaslonghorns1981@yahoo.com>
Cc: Dianna Zulauf <vos@saladotx.gov>; mstalcup@vvm.com
Sent: Monday, April 20, 2009 7:31 AM
Subject: RE: Carriagehouse Sub-division

Ken,

It is the Village of Salado's Subdivision Ordinance that does not allow any reclaiming of the floodplain by fill or any other means. The property owner would have to first get a variance from the Village of Salado Board of Aldermen to be able to reclaim the floodplain. We have been advised by the Texas Water Development Board that we should not be granting variances for this type of activity in that every variance granted weakens the effectiveness of the ordinance; therefore, we would not recommend approval of a variance to the Board of Aldermen.

The lot theoretically could be built on (without fill), but the house would have to be flood-proofed and built of flood resistant materials in accordance with the National Flood Insurance Program's regulations.

Let me know if you have any additional questions.

John A. Simcik, P.E., C.F.M.
Kasberg, Patrick & Associates, LP
(254) 773-3731

From: K. Culver [<mailto:texaslonghorns1981@yahoo.com>]
Sent: Sunday, April 19, 2009 8:33 PM
To: John A. Simcik
Subject: Carriagehouse Sub-division

Hello John,

A while back you met with me and looked at a proposed driveway on McKay Lane in Salado . While you were here you walked the creek with me and I remember you telling me that no one would be able to build on the lot next to me because of the flood plain. I remember you saying they would not be able to bring a bunch of fill in. I think someone is seriously looking at the lot and talking about a swimming pool in addition to a house. The best I can tell the entire lot is in the flood plain.

Is it possible for someone to build on this lot?

If so what process would they need to go through with FEMA?

Could they start bringing in fill before any FEMA approval?

We have some serious concerns about some of our residents down stream from the lot especially since the commercial development on the backside of the lot.

Please let me know what you think.

Thanks, Ken Culver

05-16-2012

The Village of Salado:

RE: 742 McKay Lane

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Thanks,

A handwritten signature in blue ink that reads "Jerry". The signature is stylized with a large, sweeping initial "J" and a cursive "erry".

Jerry Smith

737 McKay Lane

Salado, TX 76571