Minutes ZAC May 29, 2019

I. Welcome- Meeting started at 1:30pm.

Present: Tim Dent, Valeria Keese, Bill Dilibero, Chad Dowell, Jody Weaver, Jodie Thorne, Justin Weaver, Jyoti Naik, Jan Regan, Jennifer O’Riley & Maricela Gonzales

Absent: Roshandra Gray

II. Action Items:

    a. Previous meeting Recap: A quick review of the discussion from last meeting to remind members both present at last meeting and not present, some of the major points decided.

        - Is important to have a 2nd level independent appeal (1st level is Planning and Zoning Board)

        - The ZBA, as a separate board from the Planning and Zoning Board, is necessary in order for citizens to have access to a repeal process other than going straight to court.

     b. Continue with Chap 2:

        - Discussion and recommendations regarding makeup of the ZBA

            1) determined that Council cannot be the ZBA (Attorney General opinion, 1989)

            2) after much discussion regarding the makeup of the ZBA, it was decided that 2 members of planning board would sit on the ZBA with 5 qualified voters of the city, that the planning board members would represent the position of the planning board and provide technical understanding of the ordinances during an appeal, and that the planning board members would only be voting members if there was not a quorum of the other 5 ZBA members.  Initial thoughts were to have the planning members be voting members, but concern that the applicant for appeal was not getting a true independent review led the team to this position.

            3) highlighted recently approved Texas legislation stating that an appeal must be processed within a 60 day window, otherwise the opinion automatically favors the applicant.

            4) discussion regarding special use vs. special exception, and which the planning/zoning board can approve was not conclusive as there was not clear understanding of what each of these terms actually meant so was agreed to bring back up in a later section.

            5) paragraph by paragraph review of Section 202 thru 204 was completed with some minor revisions that will be picked up and presented for review at next meeting.

III. Next meeting - Confirmed for June 12th at 1:00 PM with main topic to start review of Chapter 3.  Action Item for everyone is to review Chapter 3 located in the team dropbox prior to next meeting.

IV: Meeting adjourned.