



**NOTICE OF REGULAR MEETING FOR THE  
LA VERNIA ZONING BOARD OF ADJUSTMENT**

**VIA TELEPHONE & VIRTUAL CONFERENCE**

**102 E. Chihuahua St.  
La Vernia, Texas 78121**

**USING TELEPHONE OR MOBILE DEVICE:** To listen to the meeting, please use the phone number and Conference ID below.

**Toll Dial-In Number: 1-512-717-4201**

**Toll-Free Dial-In Number: 1-800-717-4201**

**Conference ID: 130-2088 #**

To address the Council, please select \*5 on your phone; this will place you in queue for speaking. At the appropriate time the City Secretary will call upon each individual separately.

**JOIN VIRTUAL:**

<https://v.ringcentral.com/join/361587438>

**Meeting ID: 361587438**

**Or dial:**

+1 (267) 930-4000

Access Code / Meeting ID: 361587438

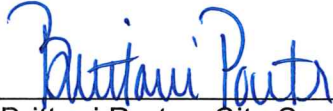
A recording of the conference will be made and will be available to the public in accordance with the Open Meetings Act.

Notice is hereby given that a Regular Meeting of the governing body of the La Vernia Zoning Board of Adjustment will be held on **Thursday, January 14, 2021 at 5:30 P.M.** in the Council Chambers of City Hall, La Vernia, Texas, at which time the following subjects will be discussed, to wit:

- 1. Call to Order and Declare a Quorum.**
- 2. Consent Agenda**
  - A. Minutes from October 8, 2020 Regular Zoning Board of Adjustments Meeting**
- 3. Discuss and consider action on a variance request from 135 Industrial Dr. requesting a variance for the following:**
  - Section 38-208 - waiving the ten (10') setback requirement from the side of property.
    - a. Applicant Presentation
    - b. Staff Presentation
    - c. Comments by Proponents and Opponents
    - d. Applicant Rebuttal
    - e. Question and comments by Board Members
- 4. Deliberation and Board Determination on the following:**
  - Section 38-208 - waiving the ten (10') setback requirement from the side of property.
- 5. Adjournment.**

The Zoning Board of Adjustment reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §§ 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberation about Security Devices), and 551.087 (Economic Development), and any other provision under Texas law that permits a governmental body to discuss a matter in a closed executive session.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named La Vernia Zoning Board of Adjustment is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, in the City Hall of said City of La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **January 11, 2021 at 4:30 P.M.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



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Brittani Porter, City Secretary

Sec. 38-208. - Dimensional and development standards.

All projects or developments shall comply with all of the applicable dimensional and development standards in the following chart and this chapter. Additional requirements may also apply as required in other chapters, sections or articles of this chapter. All area requirements and lot sizes shall be calculated based on gross acres.

ZONING DISTRICT DIMENSIONAL AND DEVELOPMENT STANDARDS

Symbol	District name	Minimum Lot Size and Dimensions			Minimum Yard Setbacks (ft.)			Miscellaneous Lot Requirements		Key
		Area sq. ft.	Width ft.	Depth ft.	Front ft.	Side ft.	Rear ft.	Max. Height ft. <sup>5</sup>	Max. Impervious Cover	
R-A	Single-Family Agricultural District	10,000	75	100	30	10	25	25		
R-1	Single-Family District	6,000	50	100	20	10 <sup>4</sup>	20	2.5 stories		
R-2	General Residence District	6,000 <sup>1</sup>	25	100	20	10 <sup>4</sup>	20	None <sup>3</sup>		
PD	Planned Development District	Refer to sec. 38-202								
H	Historical District	6,000	50	100	20	10	20	2.5 stories		
C-1	Retail District	5,000	25	100	25	5 <sup>2</sup>	5 <sup>2</sup>	30		
C-B	Central Business District	4,000	25	100	0	5 <sup>2</sup>	5 <sup>2</sup>	None <sup>3</sup>		
C-2	General Commercial	5,000	25	100	25	5 <sup>2</sup>	5 <sup>2</sup>	None <sup>3</sup>		

	District				front	side	rear			
I	Industrial District	5,000	50	100	30	10	30	30		
MH	Manufactured Home District	Refer to sec. 38-411	40	60	10	10	10	None		
PI	Public Institutional	5,000	25	100	20	5 <sup>2</sup>	5 <sup>2</sup>	45		
GP	General Professional	5,000	25	100	20	5 <sup>2</sup>	5 <sup>2</sup>	45		

;le=2; <sup>1</sup> Minimum lot area of 6,000 square feet for the first two dwelling units and 2,000 square feet of additional lot area for each unit in excess of first two units.

;le=2; <sup>2</sup> None where fire wall is erected on property line.

;le=2; <sup>3</sup> No maximum height; however, any portion of a building erected in excess of 30 feet in height shall maintain setback in accordance with section 38-401.

;le=2; <sup>4</sup> For single-family zero lot line dwellings, the side yard setback may be zero feet on one side lot line but shall be ten feet on the other side lot line.

;le=2; <sup>5</sup> The calculation of maximum building height shall not include the height of a cellar if one is present.

(Ord. No. 120910-01, § 1(ch. 3, § 8), 12-9-2010; Ord. No. 013014-01, § 1(Exh. A), 1-30-2014)

Date Received 01/05/2021

Payment \$100.00  
ck # 034092

**PETITION FOR VARIANCE – SUBDIVISION ORDINANCE**  
**La Vernia Planning and Zoning Commission**

Date 1/5/2021

I (we) the undersigned, having an interest in property located at \_\_\_\_\_

135 Industrial Dr., La Vernia, TX 78121 Zoning \_\_\_\_\_

Subdivision City of La Vernia, Lot 109A Lot 15 Block 33 Prop ID No. 27321

Property Owner Name William Fowler Jr.

Phone Chuck (830) 305-1024 Cell (210) 860-7565

Mailing Address 2795 Church Rd., Seguin State TX Zip 78155

The variance requested being more particularly the Board's consideration for relief from

Ord. No. \_\_\_\_\_, Appendix \_\_\_\_\_, Section \_\_\_\_\_; to permit

the construction of a storage building 6' off of the property  
line as opposed to 10' off of the property line.

**The petitioner will provide a building plan, sketch, plat and/or survey for the purpose of clearly and accurately depicting the type and extent of relief being sought.**

Explain how the hardship is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and that the spirit of the ordinance is observed and substantial justice is done: This will have no affect  
on public interest. The 10' setback does not allow for the required steel  
lengths to be handled, nor does it allow the passage of trucks to be loaded and  
unloaded, both of which will interfere with our manufacturing process.  
The Commission shall not approve a waiver unless it shall make findings based upon the evidence presented to it in each specific case that:

1. Granting the waiver will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the waiver will not prevent the orderly subdivision of other property in the vicinity;
2. Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; or an alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein;
3. The waiver will not in any manner vary the provisions of the Zoning Ordinance or other ordinance(s) of the City.

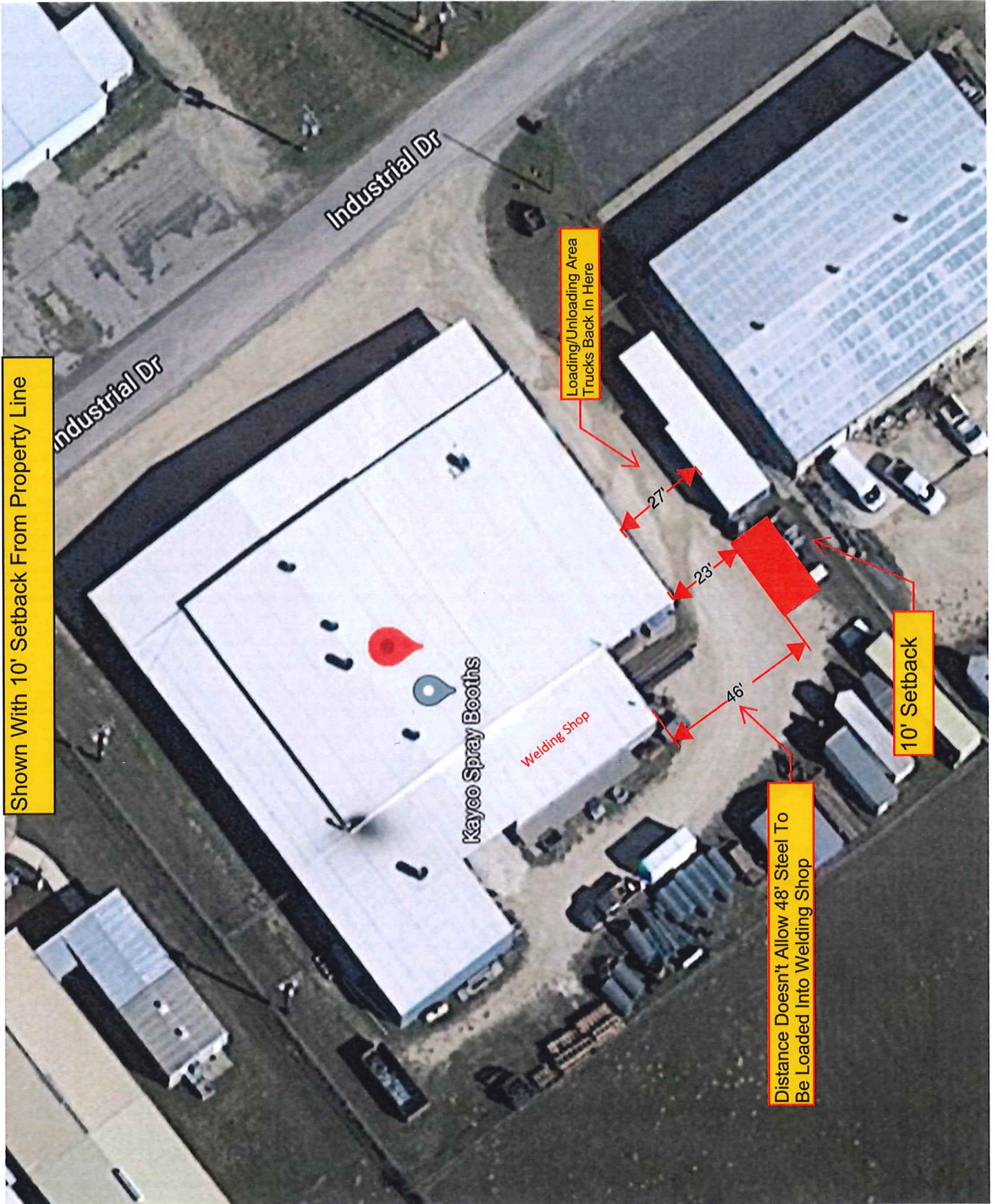
Charles Koenen Jr.  
Charles Koenen Jr.  
Signature of Petitioner

William Fowler Jr.  
William Fowler Jr.  
Property Owner(s) of Record or Authorized Agent

Commission Action:  Approved  Disapproved  Approved with Conditions

Date: \_\_\_\_\_

Shown With 10' Setback From Property Line



Industrial Dr

Industrial Dr

Kayco Spray Booths

Welding Shop

Loading/Unloading Area  
Trucks Back In Here

10' Setback

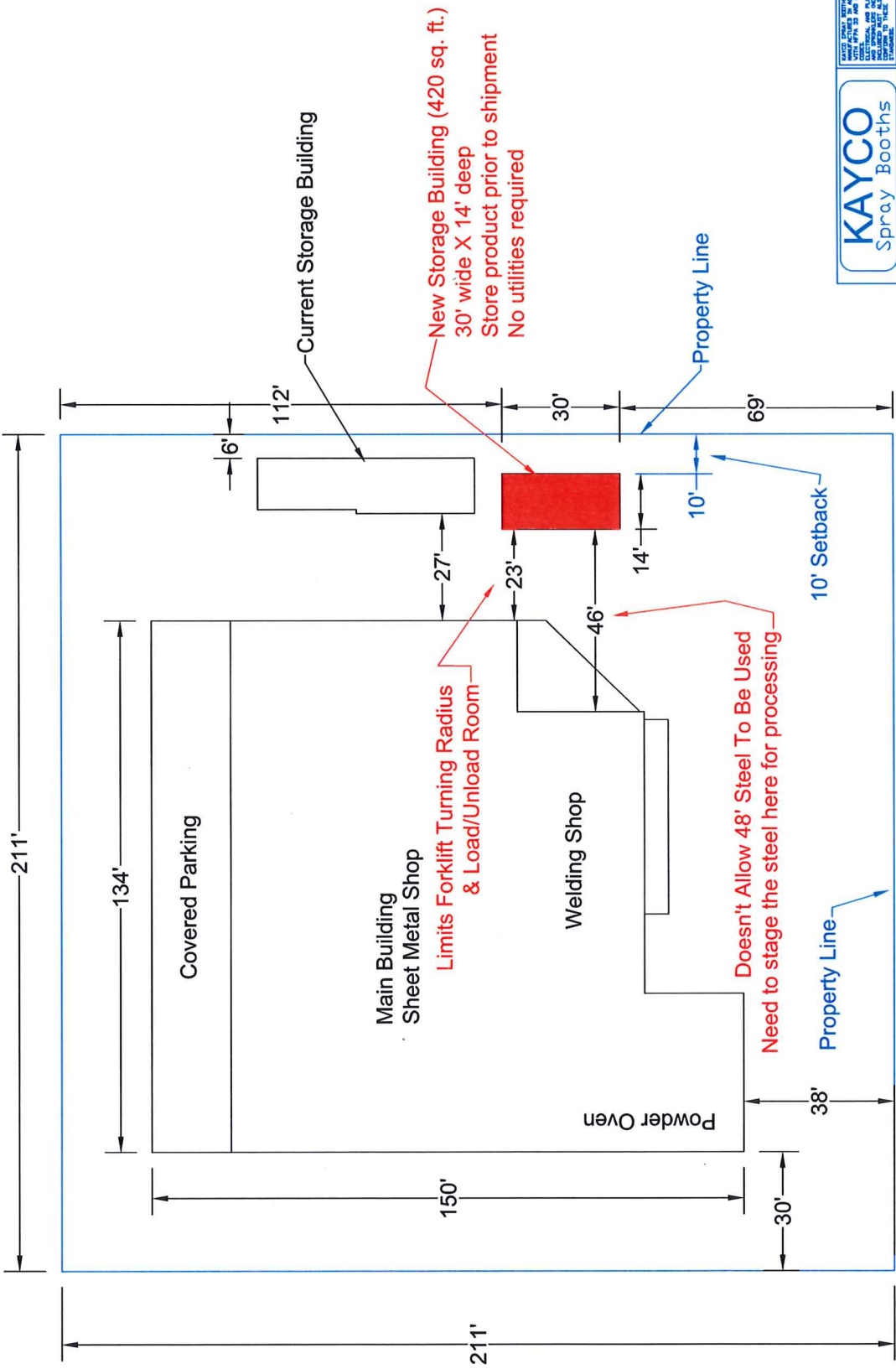
Distance Doesn't Allow 48' Steel To  
Be Loaded Into Welding Shop

27'

23'

46'

**DRAWING SHOWN USING 10' SETBACK FROM PROPERTY LINE**

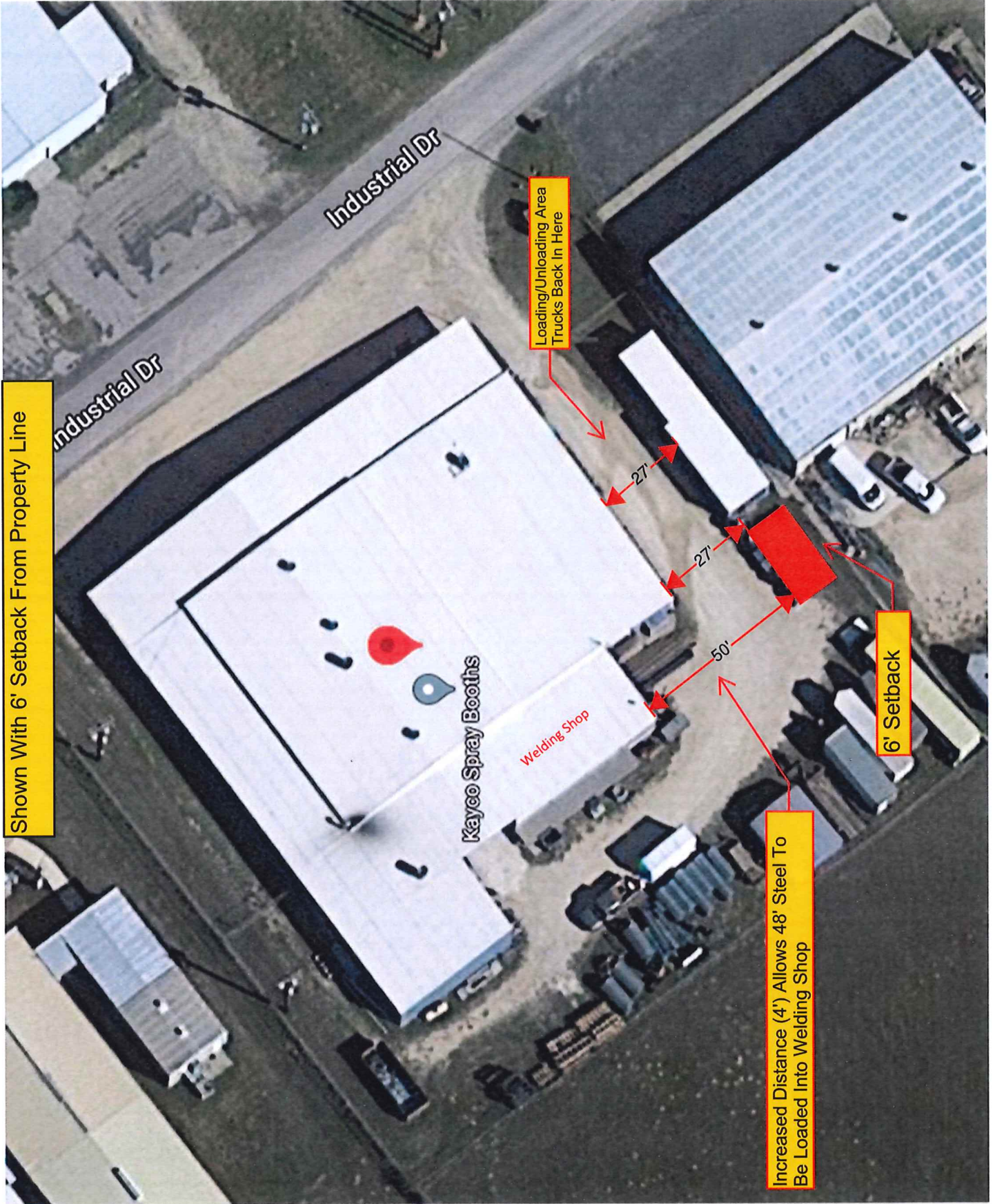


**KAYCO**  
Spray Booths

PROJECT No. Kayco Storage Building  
TITLE Property Line-Top View  
DRAWN BY CK DATE -  
CHECKED BY WF DATE -  
SCALE 1/4"=1'-0"  
TWO 10  
REV 1-1

KAYCO SPRAY BOOTHS ARE  
DESIGNED AND MANUFACTURED  
IN ACCORDANCE WITH THE  
NATIONAL FIRE PROTECTION  
ASSOCIATION (NFPA) 33 AND CANADA'S  
CANADIAN BURNING STANDARDS  
INSTITUTE (CSA) Z462  
STANDARDS.

Shown With 6' Setback From Property Line



Loading/Unloading Area  
Trucks Back In Here

6' Setback

Increased Distance (4') Allows 48' Steel To  
Be Loaded Into Welding Shop

Industrial Dr

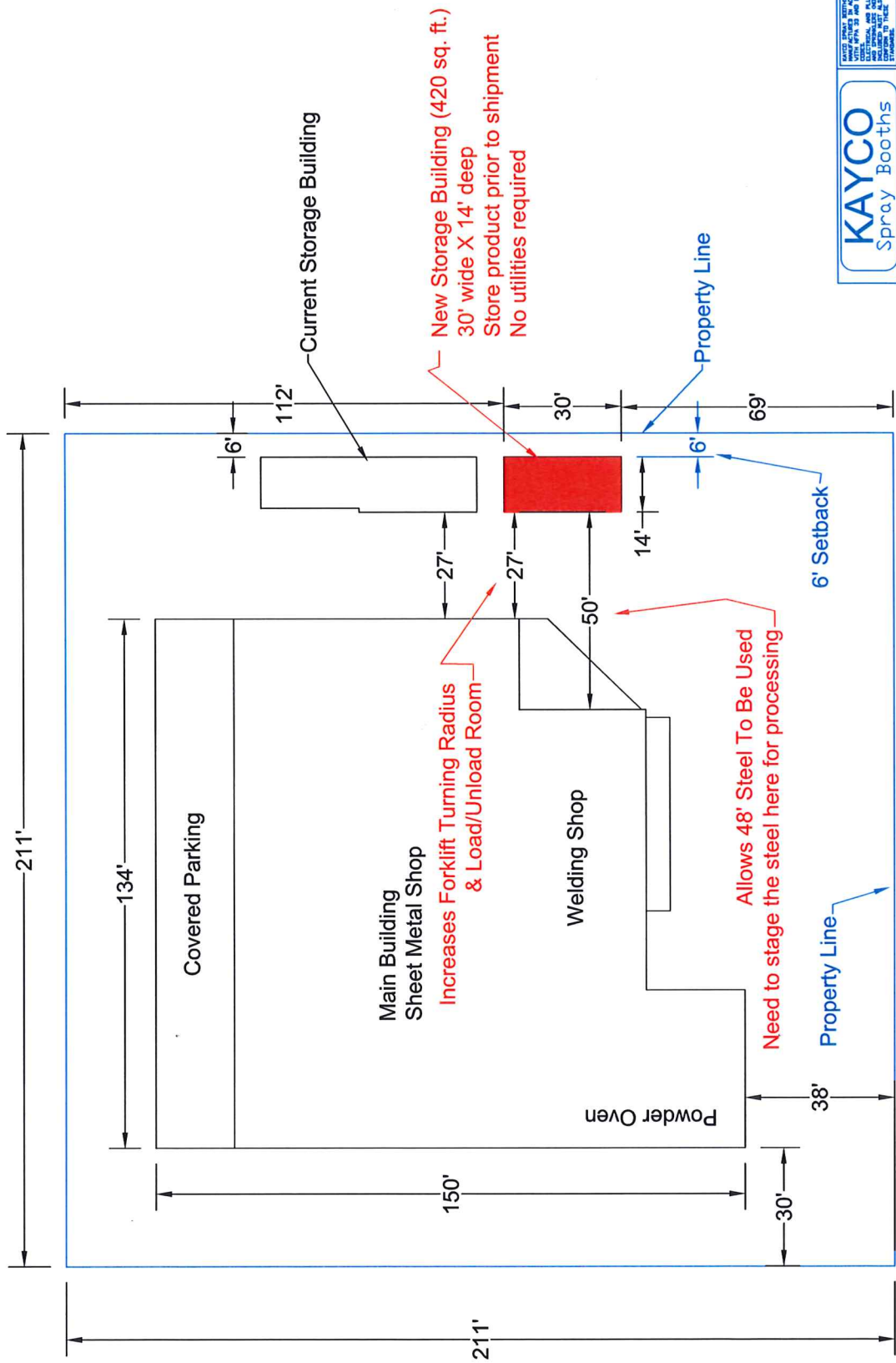
Industrial Dr

Kayco Spray Booths

Welding Shop



**DRAWING SHOWN USING 6' SETBACK FROM PROPERTY LINE**



**KAYCO**  
Spray Booths

PROJECT No. Kayco Storage Building  
TITLE Property Line-Top View

DESIGNER CK DATE -  
APPROVED WF DATE -  
SCALE 1/4"=1'-0"  
PAGE NO. TV01-2

WE SELL SPRAY BOOTHS AND WE CAN DESIGN AND BUILD THEM WITH APT. 30 AND 30A OF THE NATIONAL FIRE PROTECTION ASSOCIATION. WE CAN ALSO DESIGN AND BUILD THEM TO MEET THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION.



Welding Shop

48' Long Steel

Cones Show Corner Of Building With 10' setback

Load/Unload Area

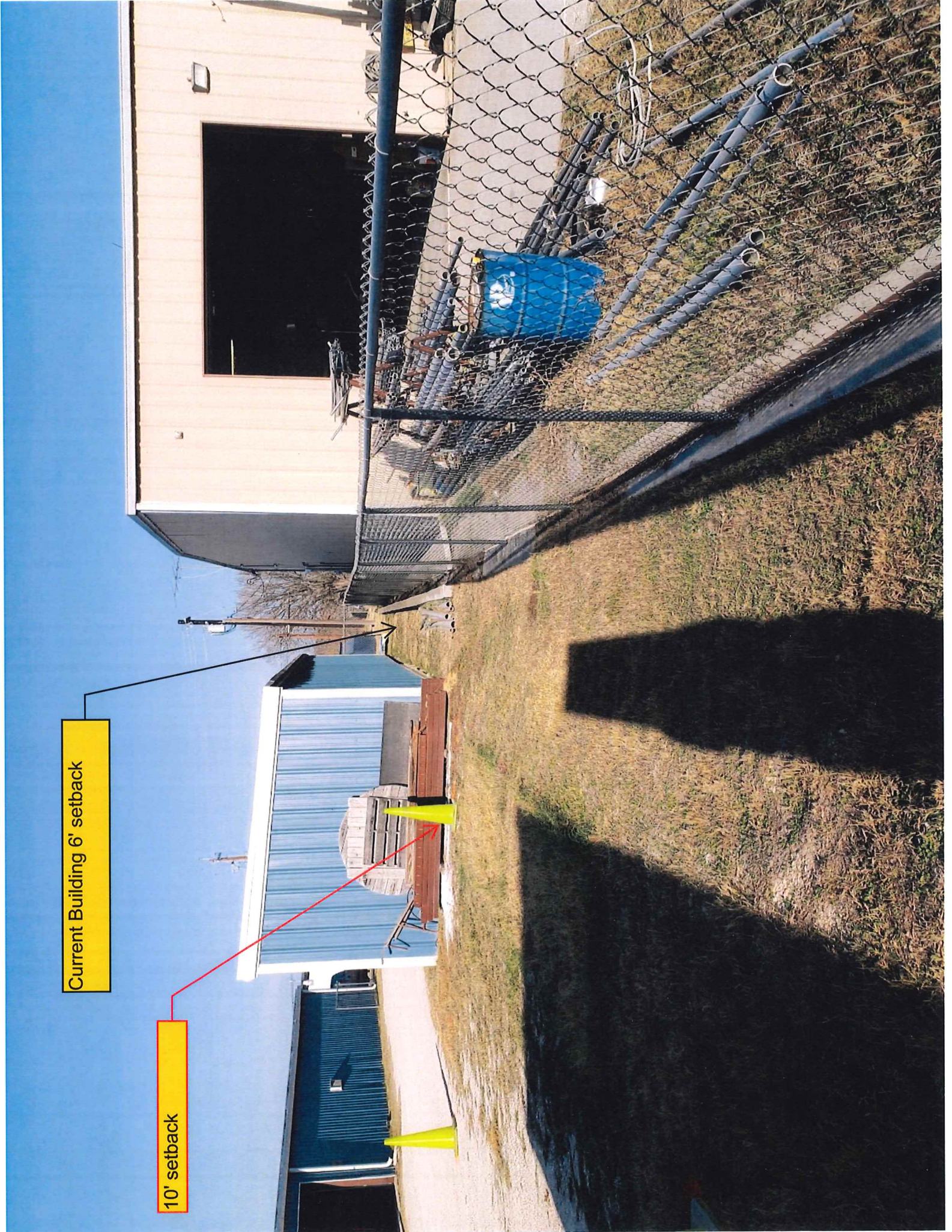
48' Long Steel

Cones Show Building Corners With 10' Setback



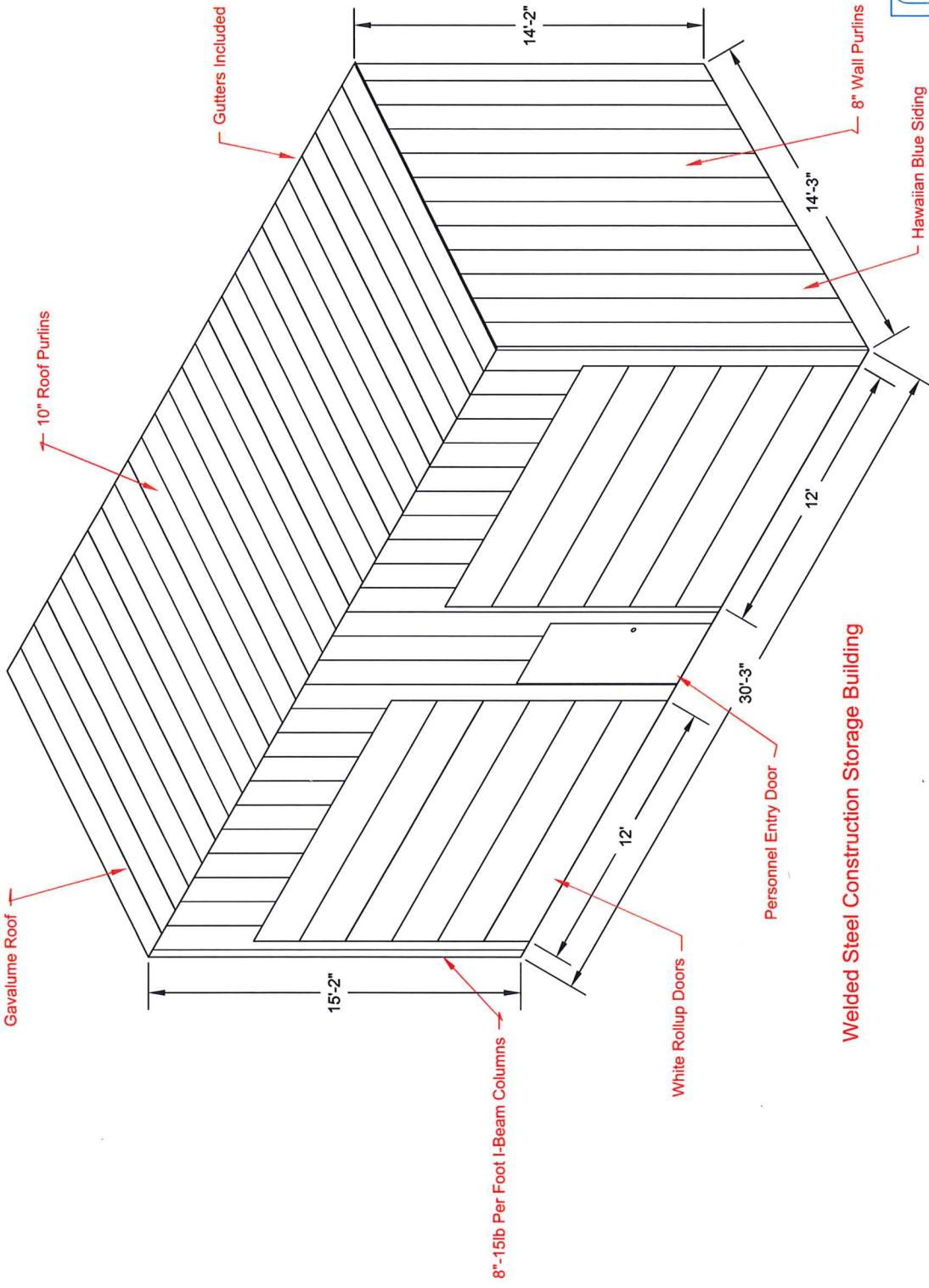


10' setback would impede loading/unloading of trucks



Current Building 6' setback

10' setback



**Welded Steel Construction Storage Building**

<small>                 KAYCO SPRAY BOOTHS, INC.                  1000 W. 10TH ST. SUITE 100                  DENVER, CO 80202                  (303) 733-1111                  WWW.KAYCOBOOTH.COM             </small>	<small>                 ARCH. NO.                  TITLE                  DRAWN BY                  CHECKED BY                  APPROVED BY                  DATE                  SCALE                  PROJECT NO.             </small>
Storage Building ISO	Kayco
CK	WF
1/4" = 1'-0"	ISO01