

Planning and Zoning Commission  
City of Blanco  
Minutes of the Meeting  
February 7, 2022

Members: Susan Moore, Christine Anderson, Loris Perkins, Brandon Carlson, Heinz Roesch

**REGULAR MEETING**

**1. The meeting was called to order at 6:31 p.m.**

**2. A quorum was established.**

Commissioners: Moore, Anderson, Perkins, Carlson, Roesch.

**4. Announcements (No Action May be Taken)**

None

**5. Public Comments**

Al Shacklett – Recently purchased property directly next door to Texas Cannon. Seeking a variance between Texas Cannon Real Estate Office. Request a variance to build a structure that we can turn into a multi-type of business. Property wine bar, couple units for air B&B. Understand there is a process, we thought it was a simple as put together and complete a variance application with money, and hand into the city. Turn application over to P&Z for discussion. Let's assume this was the process, if you approve or disapprove it would go to the next level. City staff send letter that the application has been denied. We need someone to point us in the right direction to find out how who to talk with to keep this ball rolling.

**OPEN PUBLIC HEARING:**

**Discussion on Re-Zoning Request at 413 9<sup>th</sup> Street & 281.**

No one attended the meeting to represent the applicant or to answer questions regarding the request.

NO ACTION: TABLED

**Discussion on variance request for 631 Academy St.**

**1<sup>st</sup> Speaker Joe & Linda Sullivan** – We were told we need to put in a variance for supplemental use permit for two existing structures we had remodeled there. On August 21, 2020 we went under contract with Rio Blanco Contractors to remodel two existing units located behind the main house located at 631 Academy. One unit defined as a carport the other as a woodshed. Consultation between the City of Blanco Code and Compliance enforcement office that a remodel permit was needed to comply with the code since no major structural changes we to be made to the existing structures. Also, compliance office ensured us that the property was classified as mixed use and was correctly classified for either short-term or long-term rental properties. We worked with Blanco public works to determine both water/sewer options which would work for both parties. We were not made aware of any additional requirements to pursue a special use permit for the two remodeled units. The remodel project was completed in late June 2021 and we started renting the units as short-term properties. On November 1, 2021, Ms. Kuensler (City Administrator, Interim) informed us our two short-term rentals were not properly approved and recommended we request a SUP through P&Z review board. We have operated our business in good faith before during and after the remodeling process. All water usage and HOT taxes have been paid and are up to date. We are requesting a SUP for the two remodeled units (carport, woodshed) and for two additional units if we decide to pursue that opportunity after zoning laws change (request grandfathered in if we decide to pursue at a later date). Mr. Warren (City Administrator) recommended we continue with this process with the P&Z Commission and seek the supplemental use permit for the two remodeled units. Additionally, we were talking to the city about putting two more units in the back half of that property .918 acre unit. We would like to provide short-term housing which we believe is in agreement with the UDC code sect 1.2. Also, sect 1.5 paragraph 2 and sect 1.9 paragraph 1.

Commissioner – So there are two things you are asking us tonight. First, what is already established and has been since early 2020 and the second part is some additional rental units that you are asking to have a variance on. (Answer-Yes, correct)

Linda Sullivan- One comment I might add, the city was aware of our intentions to add those units in the back; our sewer was ran along our garage so we could tap into it. Our properties are very well maintained.

**2<sup>nd</sup> Speaker Mike Smith** – This is a variance, not a special use permit. Is that correct? **Joe-Kelly** told me didn't have the SUP request, you must use the variance application and ask for a special use permit. **Mike**-You basically used the variance request form and did the supplement request within that form. Current zoning – is R2 and does allow for additional dwelling units supplemental to the primary residence. Allows for three units per acre. What is the size of the lot, .918 acres. When you did the permits under the direction of Mr. Daves, did you submit plans? (Answer: No; We were told they were not required.) I went back and looked at the permits and they said remodel out buildings and listed the sq footage; went back to the plats from 2002 and it shows the primary residence, it shows a primary residence and a proposed workshop (woodshed). What was the zone prior to the new zoning map? (Answer: MX) [Later corrected to prior zoning was R]

**3<sup>rd</sup> Speaker Rodney Thrailkill** – I live in the neighborhood where the property is located. I have been confused as to the rights to use have been allowed on this property. I am strongly opposed to doubling this commercial enterprise in a single-family neighborhood. It will change the character of the neighborhood and our quality of life.

**4<sup>th</sup> Speaker Helen M Knoll** – Want to talk about the variance request on 631 Academy St. Also been called a SUP. I have lived on Academy St for 27 years. Mr. Sullivan extended a new driveway, rebuilt a carport shell and workshop, no electricity, no water to construct two cabins behind a large rental house calling it a remodel. He should have gotten a SUP before he started any construction. Now he is requesting to construct two more cabins on less than one acre. Zoning allows no more than three dwellings per acre. Close my remarks tonight with the issue of safety. Cabins rented on short-term rentals. I am a senior citizen, living alone and these rentals are a little unsettling. I am not in favor of Mr. Sullivans request for SUP.

**5<sup>th</sup> Speaker Susan Villarrel** – I have lived on Academy St for 20 years. This property has always been zoned residential. Looking at it from a different standpoint from the Sullivan's. It is a business for them, they are there to make money. My home is my neighborhood, I not only had a problem with the zoning of the property but also this is a residential property neighborhood. The property owner doesn't live on the property or in the neighborhood. Whose is checking the ID of the people that are staying on the property. The norm is one & they already have two, so they have already exceeded the norm for the one acre. Now they are asking for five units on less than an acre.

#### Discussion on variance request at 205 Hackberry St.

**1<sup>st</sup> Speaker John McCann** – We are here to seek the approval to fix the problem that we have a commercial building in a residential zone. We have submitted everything required and request an approval for variance on the replat at 205Hackberry St.

#### **CLOSE PUBLIC HEARING**

#### **OPEN REGULAR MEETING:**

##### **NEW BUSINESS:**

##### **1. Approve the Minutes of the December 6, 2021 Regular Meeting.**

Commissioner Perkins moved to approve the minutes. Commissioner Carlson 2<sup>nd</sup> the motion. Motion carried unanimously.

##### **2. Discussion, consideration and Action on Variance Request at 413 9<sup>th</sup> Street and 281.**

Applicant did not show up for P&Z commission meeting. **Mr. Warren** (City Administrator) spoke regarding this property. Looking at this listed as a variance request but when you look at this it is a request to rezone as commercial. I am just looking at the information that I was provided. That area, after looking at it and walking around. That area is a R5, the applicant needs something specific rather than doing a rezone. Rezoning should be a last resort; we really should be looking at what specific they want to do with the property. Rezoning should be a last resort. Commissioner - I have some notes here in regard to what you are specifically speaking to. They want to rezone to commercial, but even at C1 they can't have outdoor storage and that would have to be a discussion if they come before us. Warren – if they want outdoor storage, they would also have to request an SUP. Commissioner- Since they didn't show up, I don't know what they are asking.

**Tabled/ No Action**

### **3. Discussion, consideration and Action on Variance Request at 631 Academy.**

Do we have any discussion on that commissioners? Commissioner Roesch- I think it is a two-part question. One is to be considering the current use with the three structures on it. The second request is the additional two units. The second one is the easier to answer as the property is zoned R2 meaning three (3) units per acre. The existing three unit make up the allowed units.

My take on the additional units would be not to allow that. Warren - This is a SUP for the first two. A long-term rental and two cabins that are behind it, that's your Special Use Permit, the variance would be the additional two units. From the standpoint of the city already allowed. The second question would be the additional two units and the staff recommendation would be to deny. That is where we are at, now it is all up to you. Thank you. Commissioner- The first one makes a lot of sense, the second on less so. Commissioner - We all could wish that a developer would talk to the neighbors before they get started. There is a B&B in the neighborhood – not across the street from this property. From a planning standpoint, I believe what they are proposing to do makes a lot of sense. But you have neighbors that have been there for 20 years, and they don't want it. Commissioner – I get your point, but I still think that people have a right to buy property and make an investment in it. The neighbors may not agree but as long as it is done the right way then I can't fault them for wanting to make that investment. Commissioner – He is okay right now with three. He has that, he has been using that, been paying tax on that, he's been approved for that. I don't see any reason to go back on the three he has there. But I don't think we should go further. We need a motion.

Commissioner Carlson made a motion to approve the special use on the three existing units, not approve any additional. Commissioner Roesch 2<sup>nd</sup> the motion. Passed unanimously.

### **4. Discussion, consideration and Action on Variance Request at 205 Hackberry.**

This is Mr. McCann property. I believe we saw him before in November. He is asking for a variance on the replat to allow the 45' lot next to his residence. Commissioner – What I remember is he had a building setting there that was an eye sore, and not useful and they want to turn it into something that looked good to the community and was useful.

Commissioner Perkins made a motion to approve as submitted. Commissioner Carlson 2<sup>nd</sup> the motion. Passed unanimously.

### **5. Discussion, consideration and Action on Replat of Lots 1 and 2, 5.09 Acres off Cielo Springs Drive & Hwy 281.**

Request for replat of Lot 2 Cielo Springs Subdivision Section Two to establish Lots 2A and 2B. No one appeared to represent request. Warren, City Administrator, spoke on their behalf. Further, Warren stated the request for Replat meets all the requirements for the new plat.

Commissioner Carlson mad a motion to approve the replat. Commissioner Rosch 2<sup>nd</sup> the motion. Passed unanimously.

### **6. Review and Discussion Only – Live Oak Medical Cntr Remodel.**

Mike Arnold – Clarification/ approval of plans for conversion of Live Oak Medical Cntr into 15 Unit apartment complex. There is no market for a nursing home or they would be using it as a nursing home. Vacant since 2017. Was told all we need was a building permit. You don't need anything from P&Z multiple times throughout the process. We have the building permits in place and all the plans. It is existing structure, not changing the footprint. Building approximately 14,000 square feet, sits on 8.6 acres. Resurface parking area. Will not be subsidized. Will be affordable but not low end. Will be fully furnished. If any action needed, lets talk about that. Commissioner- It is in an R5 zone which means that if a multi-family unit there, it must have a Special Use Permit. UDC code Sec 3.5(4) and Table 4.2 Residential Uses > Multi-Family. Warren – I am pretty new to your zoning, but my understanding was that he has everything he needs we'll have to look at whether he needs a special use permit. Only issues we (the administration) have is would they need more parking and those sorts of things. Pull permits for water, electrical and all building permits. I didn't think there would be an issue with zoning but we'll take a look at it. Commissioner- My thought is that it is something that Blanco really needs and that is a place that is perfect for it. It has been there for 5 years doing nothing and this will help our community. Commissioner – No one is against what you are doing, we just need to make sure we do it correctly. Get with Warren on that. You will need a special use permit.

**7. Applicant for P&Z Commission – Teri McKenzie**

No Show

**8. Applicant for P&Z commission – \* Marissa Mensik > Lives in Blanco.**

**9. Applicant for P&Z Commission – Jan West Granburg**

No Show

**10. Applicant for P&Z Commission – \* Lynn Eubanks DeVincenzo > Lives in Blanco**

**11. Applicant for P&Z Commission – \*Laura Swinson > Lives in Blanco**

Commissioners. Two applicants didn't show up. We talked with Marissa, Lynn, and Laura. We have three applicants here tonight and we have three seats.

Loris made a motion to elect Marissa Mensik, Lynn DeVincenzo, and Laura Swinson to P&Z Commission. Brandon 2<sup>nd</sup> the motion. Three approved the motion. Commissioner Roesch recused himself.

Address New Members: Please appear at the City Council meeting tomorrow and if approved we will see you at our March P&Z meeting.

**12. Elect a Vice Chair to serve through May 2022.**

Last thing on the agenda, although we don't have a full commission yet. I am very concerned we don't have a vice-chair. We have not had enough people here to come forward to make the consideration for vice-chair and secretary. Tonight, we need to at least elect our vice-chair person. Keep in mind that this is only until May when we elect new officers.

Commissioner Perkins made a motion to elect Commissioner Carlson for vice-chair. Commissioner Roesch 2<sup>nd</sup> the motion. The motion passed unanimously.

**ADJOURN**

Meeting adjourned.