

**MINUTES
ZONING & PLANNING
BOARD OF ADJUSTMENTS
September 2, 2021**

The Board of Adjustments of the City of Monahans, Texas, convened on the above date at 1:15 P.M. in the Council Chambers of City Hall with the following members, officers and visitors present:

<i>Billy Neace</i>	<i>Board Chairman</i>	<i>Rex Thee</i>	<i>City Manager</i>
<i>Gerald Carlson</i>	<i>Board Co-Chairman</i>	<i>Bobby Sinclair</i>	<i>Building Inspector</i>
<i>Johnny King</i>	<i>Board Member</i>	<i>Jennifer Merrick</i>	<i>Utility Clerk</i>
<i>Rudy Sustaita</i>	<i>Alternate Board Member</i>	<i>Ashley Aduato</i>	<i>MEDC Director</i>
<i>Krislynn Neace</i>	<i>Alternate Board Member</i>	<i>Eddie Nelms</i>	<i>MEDC Board Member</i>
<i>Emini Paso</i>	<i>Property Owner</i>	<i>Hal Upchurch</i>	<i>MEDC Board Member</i>
<i>Richard Erwin</i>	<i>MEDC Board Member</i>	<i>Adam Steen</i>	<i>Mayor</i>
<i>Joel Melendez</i>	<i>Building Inspector</i>		

Item #1 Chairman Billy Neace called the meeting to order at 1:15 p.m., five board members present.

Item #2 Motion by Gerald Carlson, seconded by Johnny King to approve minutes of July 29, 2021 meeting.

Votes were as follows:	Billy Neace	“Aye”
	Gerald Carlson	“Aye”
	Johnny King	“Aye”
	Krislynn Neace	“Aye”
	Rudy Sustaita	“Aye”

Motion carried.

Item #3 Chairman Billy Neace read agenda item to consider and act upon a request by the property owner, Emini Paso, for a re-zone at 1601, 1607, 1613, & 1617 E. 15th St., East Monahans Subdivision, Block 23, Lots 1, 2, 3, & 4, from an R-1 (Single-Family Dwelling) to an R-3 (Multi-Family Dwelling) to build an apartment complex.
(5 letters sent out, 2 returned, 0 “do not oppose”, 2 oppose)

Mr. Carlson started the conversation by stating technically Mr. Paso is not the property owner, MEDC is, and questioning if the request and subsequent notice are legal. Mr. Thee responded by stating Mr. Paso is acting in good faith along with MEDC and the procedure is perfectly legal. Mr. Neace asked Ms. Aduato if the contract between MEDC and Mr. Paso had been amended from the original contract to build houses. Ms. Aduato produced the amendment showing the change as well as a date change. Mr. Carlson questioned why apartments would be built in this area and not the planned development area for apartments. Mr. Nelms pointed out no builder would want to build houses right next to the retention pond and across the street from a car wash.

Mr. Carlson asked for the size of the complex. Mr. Paso specified the apartment complex would have 20 units, 40 parking spots, and be two stories high. Mr. Neace then expressed concerns over the neighbors close by and their opinions. Mr. Thee pointed out the properties are all across the street from property zoned commercial and that was known. Mr. Thee also stated there is a need for housing rather than a vacant lot. Mr. Neace asked Mr. Upchurch his opinion on the contract and property. Mr. Upchurch indicated if the rezone was turned down, Mr. Paso would walk and the lots would stay vacant. Mr. Steen interjected by stating he sees an opportunity to build quality housing. Mr. Steen also pointed out Mr. Paso's ability to make a property better. Mr. Nelms and Mr. Erwin explained the apartment complex would be in an area where nothing can be built on any side of the property. The retention pond is in the rear and west of the property and a car wash is on the south. Mr. Nelms also pointed out the very wide easement between the lots and existing homes. Mr. Paso stated the property would have 6 ft. wood fence per the MEDC requirements.

Motion by Billy Neace, seconded by Johnny King, to approve the request by the property owner, Emini Paso, for a re-zone at 1601, 1607, 1613, & 1617 E. 15th St., East Monahans Subdivision, Block 23, Lots 1, 2, 3, & 4, from an R-1 (Single-Family Dwelling) to an R-3 (Multi-Family Dwelling) to build an apartment complex.

Votes were as follows:	Billy Neace	“Aye”
	Gerald Carlson	“Nay”
	Johnny King	“Aye”
	Krislynn Neace	“Aye”
	Rudy Sustaita	“Aye”

Motion carried.

Item #4 Chairman Billy Neace read the tabled agenda item to consider and act upon a request by the property owner Rosalva Juarez, for a variance Section 27 (13.2-1) of the City Code of Ordinance, reference front yard setback restriction, at 1101 S. Bruce Ave., Block 1, Lot 1, Roxana Addition, City of Monahans, Ward County, Texas, to build a 4 ft. wrought iron fence.

Motion by Gerald Carlson, seconded by Johnny King to take no action on the tabled item therefore letting it die due to lack of motion.
(Property owner moved and no longer wanted the request)

Votes were as follows:	Billy Neace	“Aye”
	Gerald Carlson	“Aye”
	Johnny King	“Aye”
	Krislynn Neace	“Aye”
	Rudy Sustaita	“Aye”

Item #5 Motion by Gerald Carlson, seconded by Johnny King to adjourn at 1:52 p.m.

Votes were as follows:	Billy Neace	“Aye”
	Gerald Carlson	“Aye”
	Johnny King	“Aye”
	Krislynn Neace	“Aye”
	Rudy Sustaita	“Aye”

Motion carried.

Billy Neace, Chairman

ATTEST: _____
Jennifer Merrick, Utility Clerk