

THE STATE OF TEXAS §  
CITY OF BROWNSVILLE §  
COUNTY OF CAMERON §

**MINUTES** of a **Regular Meeting** of Board of Adjustment of the City of Brownsville, Texas, held in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Old Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, on **Wednesday, August 1, 2018 at 5:30 P.M.** with the following members present:

**PRESENT:**

**DILLON VANDERFORD, JR.**  
**HOWARD SLACKMAN**  
**JOHN KINCH**  
**DONALD DE LEON**  
**ANA HERNANDEZ**

**OMAR OCHOA**  
**FRANCESCA LINDER**

**MYRNA LEAL**

**CHAIRMAN**  
**BOARD MEMBER**  
**BOARD MEMBER**  
**ALTERNATE BOARD MEMBER**  
**PLANNING & DEVELOPMENT**  
**SERVICES ASSISTANT DIRECTOR**  
**BUILDING OFFICIAL**  
**ZONING & SUBDIVISION**  
**ADMINISTRATOR**  
**PLANNER I**

**ABSENT:**

**ROY DE LOS SANTOS**  
**MARY ALICE LOYA**  
**CONSTANZA MINER**

**NORMA CASTANEDA**  
**ELEAZAR RODRIGUEZ**

**VICE CHAIRMAN**  
**BOARD MEMBER**  
**PLANNING AND DEVELOPMENT**  
**SERVICES DIRECTOR**  
**ADMINISTRATIVE SPECIALIST II**  
**PLANS EXAMINER MANAGER**

A quorum being present, Chairman Dillon Vanderford called the meeting to order at 5:54 PM.

**Item No. 1: Approval of minutes for the meeting of June 27, 2018.**

Board Member Donald De Leon made a motion to **approve** the minutes with corrections for the meeting of June 27, 2018; the motion was seconded by Board Member Howard Slackman and was **unanimously approved**.

**Item No. 2: Public Hearing and Action on Case Number 2018-027-V: Public Hearing and Action to consider a variance from Chapter 320, Article II.- Sidewalk Facilities, to exempt the property from ROW sidewalk along**

Old Military Road and Old Military Highway, for 5.204 acres being all of 7.98 acre tract, In Private Survey 412, Share 2, Espiritu Santo Grant, located at 7555 Old Military Highway 281, as requested by Aracely Alvarez.

Mr. Omar Ochoa, Building Official, presented on the sidewalk variance request and stated that the property has two fronts that would require sidewalks. The sidewalk found across the street of the applicant's property along Old Military Road was possibly built through a CDBG grant and the side fronting Old Military Highway is owned by TXDOT who has no future plan to develop a curb and gutter on that highway. Mr. Omar Ochoa also stated that the Planning and Development Services Department has no objection to the variance request.

Applicant Aracely Alvarez approached the Board for comment and requested that a variance request be granted for her property.

Alternate Board Member Donald De Leon translated and ensured that the Spanish speaking applicant understands the reasons for the necessity of the variance request.

Board Member Howard Slackman addressed Mr. Omar Ochoa and questioned why the City has no objection to the variance request when there is a sidewalk found across the street from the applicant's property.

Mr. Omar Ochoa explained that the existing sidewalk was not built by the City of Brownsville and was possibly built through a grant.

Board Member Howard Slackman made a motion to close public hearing, motion was seconded by Board Member John Kinch, and carried unanimously; the public hearing was **closed**.

Alternate Board Member Donald De Leon made a motion to **approve** the variance from Chapter 320, Article II.-Sidewalk Facilities, to exempt the property from ROW sidewalk along Old Military Road and Old Military Highway, for 5.204 acres being all of 7.98 acre tract, In Private Survey 412, Share 2, Espiritu Santo Grant, located at 7555 Old Military Highway 281. Board Member John Kinch seconded the motion and carried unanimously, the motion **passes**.

**Item No. 3: Public Hearing and Action to Adopt Rules of Procedure for the Board of Adjustment.**

Board Member Howard Slackman made a motion to **approve** and adopt the amended the Rules of Procedure that the Board put together at the workshop on July 5, 2018 and that it supersede any other Rules of Procedure that were approved before. The motion was seconded by Board Member John Kinch and carried unanimously, the motion **passes**.

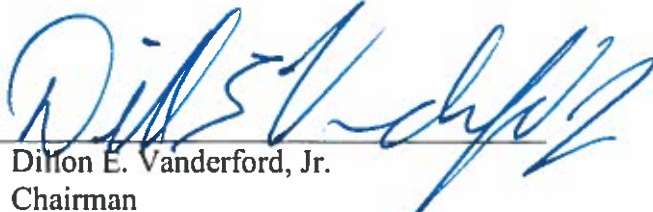
**Item No. 4: Presentation on new Board of Adjustment application.**

Ms. Francesca Linder, Zoning and Subdivision Administrator, addressed the Board to verify that everyone had received a copy of the new application and states that it incorporates comments from the Board made at the workshop.

Adjournment:

Board Member John Kinch made a motion to adjourn; motion was seconded by Alternate Board Member Donald De Leon, and carried unanimously. Meeting adjourned at 6:09p.m.

Approved this 03 day of oct, 2018.

  
Dillon E. Vanderford, Jr.  
Chairman

Attest:

  
Myrna Leal  
Planner I

Respectfully submitted by:  
Myrna Leal, Planner I  
Planning and Development Services Department