

# BOARD OF ADJUSTMENT AGENDA

Thursday September 14, 2023, 6:00 PM

Regular Meeting

Helen Kleberg Groves Community Room,  
1<sup>st</sup> Floor – City Hall, 400 W. King Ave., Kingsville, Texas

## BOARD MEMBERS

Ricki Cunningham, Chair  
Albert Garcia, Vice Chairman  
John Garza  
Larry Garcia  
Orlando Moya

## CITY STAFF

Kobby Agyekum  
Interim Director of Planning  
& Development Services

Herlinda Solis  
Administrative Assistant II

*The following rules of conduct have been adopted by this Board:*

1. Give your name and complete address.
2. No one may speak more than twice on the same item.
3. No one may speak more than 5 minutes at a time without permission from the Chairman.
4. No one may speak a second time on a question until every person who wants to speak has done so.
5. All submissions of evidence, i.e., photos, drawings, will be retained by the Board of Adjustment and will become a part of the permanent file.

***A COPY OF CHAPTER 15 “LAND USAGE”, FROM THE CITY OF KINGSVILLE CODE OF ORDINANCES, IS AVAILABLE.***

## AGENDA

- CALL TO ORDER
- ROLL CALL
- APPROVAL OF MINUTES OF PREVIOUS MEETING(S) – August 10, 2023
- PUBLIC COMMENTS FOR ALL AGENDA & NON-AGENDA ITEMS
- POSTPONEMENTS/ADJUSTMENTS TO THE AGENDA
- OLD BUSINESS – *None.*
- AGENDA ITEMS –

**ITEM #1-Public Hearing on the request from ITEM NO. 2023-5: Joel Torrez, Owner/Applicant requesting a Zoning Variance Request (Carport) for Tomlin, Block 2, Lot 4 also known as 322 Williams St., Kingsville, TX. 78363.**

**ITEM #2- Discuss and Consider Action on the request ITEM NO. 2023-5: Joel Torrez, Owner/Applicant requesting a Zoning Variance Request (Carport) for Tomlin, Block 2, Lot 4 also known as 322 Williams St., Kingsville, TX. 78363.**

**MISCELLANEOUS:** Any topic may be discussed but no action may be taken at this time.

- **ADJOURNMENT**

**Please call the CITY SECRETARY at 595-8002 to obtain definitive and final City Commission Hearing Date.**

It is the intention of the City of Kingsville to comply in all aspects with the Americans with Disabilities Act (ADA). If you plan on attending a meeting to participate or to observe and need special assistance beyond what is routinely provided, the city will attempt to accommodate you in every reasonable manner. Please contact the Planning Secretary, 361-595-8055, at least two business days prior to the meeting to inform the City of your specific needs and to determine if accommodation is feasible.

I certify that this agenda was posted at least seventy-two (72) hours before the commencement of the Zoning Board of Adjustments Meeting scheduled for Thursday, September 14, 2023.



**Kobby Agyekum**  
Interim Director of Planning  
& Development Services

Posted  
@ 3:00pm  
On 9-8-23  
By [Signature]

**BOARD OF ADJUSTMENTS  
REGULAR MEETING MINUTES  
August 10, 2023**

**Board of Adjustments Members Present**

Larry Garcia  
Orlando Moya  
Albert Garcia

**Board of Adjustments Members Absent**

Ricki Cunningham  
John Garza

**Citizens Present**

Robert Zavala  
Robert Garza  
Becky Trant  
Ramon Perez  
Graciela Cuellar  
Mr. Scheoech  
Anthony Boccardi  
Bonni Prince  
Beto Gonzales  
Jasmine Vargas  
Martin Rivas

**Staff Present**

Kobby Agyekum  
Interim Director of  
Planning and Development Services

Herlinda Solis  
Administrative Assistant II

**1. The meeting was called to order at 6:00 p.m.**

**2. Discuss and take action on the meeting minutes of last meeting.**

Larry Garcia made the motion to approve July 13, 2023, minutes, Orlando Moya second the motion.

**3. Public Comments on or off the agenda –**

None

**4. Postponements –**

None

**5. Old Business –**

None

**6. New Business –**

None

**7. Public Hearing on the request from:**

Albert Garcia opened the public hearing at 6:04 PM

Kobby Agyekum addressed the Board and stated that the Roberto Zavala applicant, would like to have a 12-foot electronic sign installed, he would need a variance because we only allow 8-foot signs. This sign would be for advertising and not be a hindrance to the area and recommends approval.

**8. Discuss and Consider Action on the request from:**

**ITEM #2 – Discuss and Consider Action on the request ITEM NO. 2023-2: Roberto Zavala, applicant; Columbus Club Assn. of Kingsville, Owner; requesting a Zoning Variance Request (Sign) for KT & I CO, BLOCK 18, LOT PT 12, REAR 3 Acres, KNIGHTS OF COLUMBUS HALL, and K T & I CO, BLOCK 18, LOT PT 12, (KNIGHTS OF COLUMBUS HALL #3389), 2.0 Acres also known as 320 General Cavazos Blvd., Kingsville, TX. 78363.**

Roberto Zavala addressed the Board and provided a presentation showing the detentions, style, and quality of the sign. He also proved photos of area business that have similar signs in this area, and that studies show that having the sign higher than 8 feet would be safer for advertising. Larry Garcia said he was pleased with the design and Albert Garcia agreed.

Larry Garcia made the motion to approve, with the motion seconded by Orlando Moya. All approved the motion.

**9. Public Hearing on the request from:**

**ITEM #3 Public Hearing on the request from ITEM NO. 2023-3: Alonzo Olguin Jr, Owner/Applicant, requesting a Zoning Variance Request (Steel Garage) for Serenity Estates #2 (Replat), Lot 7-A, 2.2600 Acres also known as 702 W. Sage, Kingsville, TX. 78363.**

Albert Garcia opened the public hearing at 6:18 PM

Kobby Agyekum addressed the Board and stated that Alonzo Olguin Jr., Applicant/owner asking to build an oversized Steel Garage building that would require a variance due to the size of the structure. This structure would house his RV and would also be used for his hobby, this would also have a restroom and be used for storage. This property is large 2.26 acres and the structure would be in the back and not cause any harm to the area. Kobby recommended we approve this item.

**10. Discuss and Consider Action on the request from:**

**ITEM #4 Discuss and Consider Action on the request ITEM NO. 2023-3: Alonzo Olguin Jr, Owner/Applicant, requesting a Zoning Variance Request (Steel Garage) for Serenity Estates #2 (Replat), Lot 7-A, 2.2600 Acres also known as 702 W. Sage, Kingsville, TX. 78363.**

Larry Garcia asked how many letters were sent and if any complaints were received. Herlinda Solis stated that 10 letters were sent with zero complaints. Albert Garcia like that the structure was in the back of the property.

Larry Garcia made the motion to approve, with the motion seconded by Orlando Moya. All approved the motion.

**11. Public Hearing on the request from:**

**ITEM #5 Public Hearing on the request from ITEM NO. 2023-4: Rebecca Trant, Owner; Ramon Perez, Applicant, requesting a Zoning Variance Request (Carport) for Forrest Park 1, Block 2, Lot 22 also known as 810 Inez, Kingsville, TX. 78363.**

Albert Garcia opened the public hearing at 6:21 PM

Kobby Agyekum addressed the Board and stated that Ramon Perez applicant/contractor would like to build a carport for Rebecca Trant but the property is irregularly shaped and is on a cul-de-sac. This carport would encroach into the easement by 4 feet. Kobby stated that the only issue would be that if the City had to dig for utility repairs it would be an issue but recommends the approval. Albert Garcia if the construction would be a hazard for the traffic flow, Kobby stated that this is a cul-de-sac and there is not much traffic flow only the residents would reside there. Albert Garcia asked how many letters were sent, Herlinda Solis stated that 27 letters were sent and zero complaints were received.

**12. Discuss and Consider Action on the request from:**



**ITEM #6 Discuss and Consider Action on the request ITEM NO. 2023-4: Rebecca Trant, Owner; Ramon Perez, Applicant, requesting a Zoning Variance Request (Carport) for Forrest Park 1, Block 2, Lot 22 also known as 810 Inez, Kingsville, TX. 78363.**

Ramon Perez addressed the Board and stated that the photos provide were of his property and the design would be very similar, brick matching the home would be used and this would be attached to the home. Ramon Perez stated that this would only use 4 feet of the city's easement. He stated that only quality materials would be used and this would look very nice.

Larry Garcia made the motion to approve, with the motion seconded by Orlando Moya. All approved the motion.

**13. Miscellaneous –**

Kobby Agyekum addressed the board making a statement to recruit Board Members.

**14. Adjournment - Meeting adjourned at 6:33 PM**

# ITEMS 1 & 2



## MEMO

**Date:** September 8, 2023

**To:** Zoning Board of Adjustment

**From:** Kobby Agyekum (Interim Planning and Development Director)

**Subject:** Request to appeal decision of administrative officer regarding to the **request ITEM NO. 2023-5: Joel Torrez, Owner/Applicant requesting a Zoning Variance Request (Carport) for Tomlin, Block 2, Lot 4 also known as 322 Williams St., Kingsville, TX. 78363.**

### Background and summary:

Mr. Torres applicant, and owner, of the property at 322 Williams Street wishes build a carport at the said address which will be installed at the front of the house. This is not in conformity with the City of Kingsville Code of Ordinances Chapter 15-6-Appendix B, Sec. 1, space requirements. However. There is not enough room for the carport to be placed on the side of the building.

Attached are photographs of the proposed carport and diagrams from contractor depicting the approximate distances from the street, and how it will look after construction in relation to the property. The property is in a R-1 (Single Family Residential). The properties adjacent and opposite within 200 feet to the north, south, east, and west have received letters to approve or reject the proposal but none has commented otherwise.

Mr. Torres is requesting a variance from the twenty-foot setback rule to be allowed to construct the carport as proposed in the drawings and photograph attached.

The variance will not substantially or permanently injure the appropriate use of adjacent conforming properties in the same district, but at the same time will alter the essential character of the district even though it will improve the lives of the residents in the said address.

Thank you.

A handwritten signature in black ink, appearing to read "Kobby Agyekum".

**Kobby Agyekum**  
Interim Director of Planning and  
Development Services

**CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION**

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address 322 William S. Nearest Intersection W. Kennedy / Tom Ln  
 (Proposed) Subdivision Name TOMLIN Lot 4 Block 2  
 Legal Description: SAME AS ABOVE  
 Existing Zoning Designation R1 Future Land Use Plan Designation \_\_\_\_\_

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent JOEL TORREZ Phone 445-5526 361-445-5526 FAX \_\_\_\_\_  
 Email Address (for project correspondence only): WOODROW.51@YAHOO.COM  
 Mailing Address 322 William ST City Kingsville State Tx. Zip 78363  
 Property Owner JOEL TORREZ Phone 361-445-5526 FAX \_\_\_\_\_  
 Email Address (for project correspondence only): SAME AS ABOVE.  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Select appropriate process for which approval is sought. Attach completed checklists with this application.

<input type="checkbox"/> Annexation Request _____	No Fee	<input type="checkbox"/> Preliminary Plat _____	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA) _____	\$250.00	<input type="checkbox"/> Final Plat _____	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request _____	\$250.00	<input type="checkbox"/> Minor Plat _____	\$100.00
<input type="checkbox"/> Re-zoning Request _____	\$250.00	<input type="checkbox"/> Re-plat _____	\$250.00
<input type="checkbox"/> SUP Request/Renewal _____	\$250.00	<input type="checkbox"/> Vacating Plat _____	\$50.00
<input checked="" type="checkbox"/> Zoning Variance Request (ZBA) _____	\$250.00	<input type="checkbox"/> Development Plat _____	\$100.00
<input type="checkbox"/> PUD Request _____	\$250.00	<input type="checkbox"/> Subdivision Variance Request _____	\$25.00 ea

Please provide a basic description of the proposed project:  
Installed a Curbside.

I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature \_\_\_\_\_ Date: 15/AUG/23  
 Property Owner's Signature \_\_\_\_\_ Date: 15/AUG/23  
 Accepted by: Maureen [Signature] Date: 8/21/2023



# Kleberg CAD

## Property Search > 20493 TORREZ JOEL F for Year 2023

Tax Year: 2023 - Values not available

### Property

#### Account

Property ID: 20493      Legal Description: TOMLIN, BLOCK 2, LOT 4  
 Geographic ID: 176000204000192      Zoning:  
 Type: Real      Agent Code:  
 Property Use Code:  
 Property Use Description:

#### Location

Address: 322 WILLIAM      Mapsco:  
 Neighborhood: TOMLIN/LANTANA PARK 2      Map ID: A2  
 Neighborhood CD: TM

#### Owner

Name: TORREZ JOEL F      Owner ID: 17538  
 Mailing Address: ETUX ERNESTINA H      % Ownership: 100.0000000000%  
 322 WILLIAMS ST  
 KINGSVILLE, TX 78363-4973  
 Exemptions: OTHER, HS

### Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A
-----			
(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	
-----			
(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	
-----			
(=) Assessed Value:	=	N/A	

### Taxing Jurisdiction

Owner: TORREZ JOEL F  
 % Ownership: 100.0000000000%  
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	N/A	N/A	N/A	N/A
CKI	CITY OF KINGSVILLE	N/A	N/A	N/A	N/A

GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A
SKI	KINGSVILLE I.S.D.	N/A	N/A	N/A	N/A
WST	SOUTH TEXAS WATER AUTHORITY	N/A	N/A	N/A	N/A
Total Tax Rate:		N/A			
				Taxes w/Current Exemptions:	N/A
				Taxes w/o Exemptions:	N/A

### Improvement / Building

**Improvement #1: RESIDENTIAL State Code: A1 Living Area: 1399.0 sqft Value: N/A**

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	FF3	EW1	1955	951.0
OPFA	OPEN PORCH FRAME AVERAGE	*		1955	132.0
AGFU	ATTACHED GARAGE FRAME UNFINISHED	*		1955	280.0
MAD3F	MAIN ADDITION FRAME	*		1955	448.0
STGF	STORAGE FRAME (FAIR)	*		1998	80.0
OPFA	OPEN PORCH FRAME AVERAGE	*		2006	256.0

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	A1	A1	0.1791	7800.00	60.00	130.00	N/A	N/A

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$58,200	\$6,000	0	64,200	\$13,502	\$50,698
2021	\$58,190	\$6,000	0	64,190	\$18,101	\$46,089
2020	\$53,640	\$6,000	0	59,640	\$17,741	\$41,899
2019	\$32,090	\$6,000	0	38,090	\$0	\$38,090
2018	\$33,910	\$6,000	0	39,910	\$0	\$39,910
2017	\$33,910	\$6,000	0	39,910	\$0	\$39,910
2016	\$33,910	\$6,000	0	39,910	\$0	\$39,910
2015	\$33,910	\$6,000	0	39,910	\$0	\$39,910
2014	\$33,910	\$6,000	0	39,910	\$0	\$39,910
2013	\$33,540	\$6,000	0	39,540	\$0	\$39,540
2012	\$33,540	\$6,000	0	39,540	\$0	\$39,540
2011	\$33,540	\$6,000	0	39,540	\$0	\$39,540
2010	\$33,540	\$6,000	0	39,540	\$0	\$39,540
2009	\$33,540	\$6,000	0	39,540	\$0	\$39,540

Questions Please Call (361) 595-5775

This year is not certified and ALL values will be represented with "N/A".

## ADMINISTRATION AND PROCEDURES

## Sec. 15-6-155. - Enforcement by building official.

The Building Official appointed under the provisions of the Building Code of the city, is hereby charged with the enforcement of this article. The City Manager may charge such other city officers or officials with the enforcement of this article, in whole or in part, as may be necessary without amending this article.

(1962 Code, § 11-6-1)

## Sec. 15-6-156. - Certificate of compliance and occupancy.

No land shall be used or occupied and no building hereafter structurally altered or erected shall be used or changed in use, until a certificate of occupancy shall have been issued by the Building Inspector, stating that the building or the proposed use of the land, complies with the provisions of this renewing, changing or extending of nonconforming use. A certificate of occupancy either for the whole or a part of a building or structure shall be applied for coincidentally with the application for a building permit, and shall be issued within the 10 days after the erection or structural alteration of such building or structure, or part thereof, shall have been completed in conformity with the provisions of this article.

(1962 Code, § 11-6-5)

**Cross reference**— Penalty, see § 15-6-999.

## Sec. 15-6-157. - Board of adjustment.

- (A) *Organization.* The Board of Adjustment shall consist of five members each to be appointed by the City Commission for a term of two years. The Board of Adjustment shall also consist of three alternate members, each to be appointed by the City Commission for a term of two years, who will serve in the absence of one or more regular members when requested to do so by the mayor or city manager. Any member may be removed by the City Commission upon written charges after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. A maximum of five members may attend and vote at a Board of Adjustment meeting.
- (B) *Chairman.* The Board shall elect a chairman and adopt rules to govern its proceedings in accordance with this article and the statutes of the State of Texas. Meetings shall be held at the call of the chairman or such times as designated by the Board. The Board shall have the power to administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each



member upon the question, or if absent and failing to vote, indicating such fact, and shall keep records of its examinations and other official action; all of which shall be immediately filed in the office of the Planning Department and shall be a public record.

- (C) *Appeals.* Appeals to the Board of Adjustment may be taken by any person aggrieved or by an officer, department, board or department municipality affected by any decision of an administrative officer. Such appeal shall be made within a reasonable time as provided by the rules of the Board by filing with the officer from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall secure all papers and facts constituting the basis of the action being appealed for transmittal to the Board.
- (D) *Stay of proceeding.* An appeal stays all proceedings in furtherance of the action appealed, unless the officer from whom the appeal is taken certifies to the Board of Adjustment that by reason of acts stated in his certificate that a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed except by a restraining order granted by the Board of Adjustment or by the District Court on applications and notice and on the cause shown.
- (E) *Notice.* The secretary of the Planning Division of the Management Services Department in charge of handling Board of Adjustment appeals shall: mail announcements of appeals to all property owners within 200 feet of the site or parcel in question; advertise the hearing; and collect an application fee of \$250.00 (to cover the actual costs of materials used, mailing and publication costs), which must be collected prior to scheduling any hearing or appeal. Interested parties may appear in person, or be represented by an agent or attorney.
- (F) *Powers of the Board of Adjustment.* The Board of Adjustment shall have the following powers: to hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination made by an administrative official. To authorize upon appeal such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this article will result in unnecessary hardship; provided, that the spirit of the ordinance shall be observed and substantial justice done. Before any variance may be authorized, the Board shall find specifically all of the following conditions exist:
- (1) The variance will not authorize the operation of a use other than those uses specifically enumerated for the district in which is located the property for which the variance is sought.
  - (2) The development or use of the property for which the variance is sought, if limited by a literal enforcement of the provisions of this article, cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district.
  - (3)



The variance will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district.

- (4) The variance will not alter the essential character of the district in which is located the property for which the variance is sought.
  - (5) The variance will not weaken the general purposes of this article or the regulations herein established for the specific district.
  - (6) The variance will be in harmony with the spirit and purposes of this article.
  - (7) The variance will not adversely affect the public health, safety, or welfare.
  - (8) The variance will not substantially affect the comprehensive plan or zoning in the city and that adherence to the strict letter of the article will cause difficulties and hardships, the imposition of which upon the petitioner is unnecessary in or to carry out the general purpose of the plan.
  - (9) Special circumstances attached to the property covered by the application which do not generally apply to the other property in the same district.
  - (10) Because of the special circumstances, property covered by application is deprived of privileges possessed by other properties in the same district; and that the granting of the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district.
- (G) *Findings of fact.* Every decision of the Board shall be based upon findings of fact and every finding of fact shall be supported in the record of its proceedings. The enumerated conditions required to exist on any matter upon which the Board is required to pass under this article shall be construed as limitation on the power of the Board to act. A mere finding or recitation of the enumerated conditions unaccompanied by findings of specific fact shall not be deemed findings of fact, and shall not be deemed compliance with this article.
- (H) *Decisions permitted.* The Board may affirm, modify, or reverse the order, requirement, decision or determination appealed.
- (I) *Vote for modification or reversal.* The concurring vote of four members of the Board shall be necessary to modify or reverse any order, requirement, decision or determination of any administrative officer or to decide in favor of the appellant or to effect any variation in the ordinance.
- (J) *Appeal from Board.* The city or any person aggrieved by any decision of the Board may have and maintain plenary action for relief therefrom in any court of competent jurisdiction; provided, petition for such relief is presented to the court within 10 days after the filing of such decision in the office of the City Recorder.
- (K) *Advertisement and announcement procedure.* When required, advertisement giving the time, place and subject of the hearing shall be published in a newspaper of general circulation in the city no less than 15 days prior to such hearing for the Board of Adjustment. Mailings to property

owners in the vicinity, when required, shall contain the time, place, and subject of the hearing and be mailed at least 10 days prior to the hearing.

(1962 Code, § 11-6-7; Ord. 84009, passed 6-18-84; Ord. 90027, passed 6-25-90; Ord. 200022, passed 11-20-00; Ord. No. 2015-05, § I, passed 1-26-2015, eff. 2-11-2015)

**Statutory reference**—Board of Adjustment, see Tex. Loc. Gov't Code, §§ 211.008 et seq.

Sec. 15-6-158. - Completion of buildings already under construction.

Nothing contained herein shall require any change in the plans, construction, or designated use of a building actually under construction at the time of passage of this article provided that the entire building shall be completed within one year from the date of the passage of this article.

(1962 Code, § 11-6-8)

Secs. 15-6-159—15-6-164. - Reserved.

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## Sec. 15-6-27. Accessory uses and structures.

(A) *Purpose and findings.* This section establishes additional zoning district standards, exceptions to standards or alternative standards (e.g. screening, landscaping, and/or design standards) for particular uses which are subordinate to the principal use. The purpose of this section is to:

- Provide supplemental standards for individual uses in order to protect surrounding property values and uses;
- Protect the public health, safety and general welfare; and
- Implement the Master Plan of the City.

The section provides supplemental regulations for certain uses, structures and facilities. These regulations are in addition to the other applicable standards of this Code. In some cases, the establishment of these standards streamlines the permitting process by permitting the use as of right in certain districts subject to these regulations rather than a case-by-case consideration for a Special Use Permit (SUP). In other instances, the regulations do not streamline the process but address the unique development challenges of certain uses and structures whether permitted as of right or as a special use.

(B) *Compliance Mandatory.* No accessory use may be initiated, established, or maintained unless it complies with the standards set forth for such use in this section and/or article.

(C) *Regulations Supplement Other Code Regulations.* The regulations of this section shall supplement the requirements of the applicable base and overlay zoning district regulations and other applicable standards of this section. These standards are in addition to, and do not replace, the other standards for development set forth in any other sections or articles of the code of ordinances unless otherwise provided. To the extent that there is a conflict between a standard in another section of the code of ordinances and a standard in this section, the standard in this section governs unless otherwise indicated.

(D) *Applicability.* This section applies to any subordinate use of the building or other structure, or use of land that is:

- (1) Conducted on the same lot as the principal use to which it is related; and
- (2) Clearly incidental to, and customarily and commonly associated with, the main permitted use of the premises. Such accessory buildings and uses shall be so constructed, maintained and conducted as to not produce noise, vibration, concussion, dust, dirt, fly ash, odor, noxious gases, heat or glare which is injurious, damaging or unhealthful to adjacent property or the uses thereof and shall be on the premises of the main use.

Where a principal use or structure is permitted, such use shall include accessory uses and structures subject to this section.

(E) *Permit Required.* Every accessory building requires a building permit. Application for such a permit shall be made to the Building Official. The building permit for the accessory building may be included on the permit for the main building or main land use if constructed or established simultaneously, otherwise a separate permit will be required.

(F) The Director of Planning & Development Services, or his/her designee, shall determine whether a proposed accessory use/structure, or in the case of an enforcement action, an existing accessory use/structure is permitted under this ordinance. In reviewing and approving an accessory use/structure, the Director of Planning & Development Services, or his/her designee, shall find that the proposed use meets the following criteria:



- 
- (1) Is not to be constructed or established on a lot until construction of the principal structure is completed or the principal use is established;
  - (2) Is not to be established on a vacant lot and/or is located on the same lot as the principal use served;
  - (3) Is subordinate to and serves a principal use;
  - (4) Is subordinate in area, extent or purpose to the principal use served;
  - (5) Contributes to the comfort, convenience or necessity of the occupants, business or industry of the principal use;
  - (6) Is not injurious, noxious or offensive to the neighborhood;
  - (7) Accessory uses of a storage nature are not located in the front yard area; and
  - (8) Accessory buildings shall not be used for dwelling purposes except where permitted in the Land Use Chart (Appendix A, Section 1 Land Use Chart or Article 6 of Chapter 15 of the Code of Ordinances).

In the event the Building Official denies the accessory building, or the Director of Planning and Development Services denies the accessory use, the applicant may appeal to the Board of Adjustment as provided in Section 15-6-157, or seek a special exception as allowed in Subsection 15-6-27(J). Any accessory use to a use requiring a special use permit is prohibited unless specifically allowed by the special use permit.

- (G) *General Requirements.* Unless otherwise specified in this section, all attached and detached accessory structures shall conform to the same use, height and area regulations required of the main use or structure and with the following additional limitations:
- (1) Accessory uses shall not include the conduct of trade unless permitted in conjunction with a permitted use.
  - (2) Accessory uses shall be located on the same lot as the principal use for which they serve.
- (H) *Dimensional and Density Standards.* The location of accessory uses and structures is subject to Appendix B "Space Requirements" Section 1 & 2 of Article 6, Chapter 15 of the Code of Ordinances.
- (1) For residential lots not exceeding one and one-half (1.5) acres, detached accessory structures shall not be located in the front yard. Detached accessory structures may be located in the rear yard area.
  - (2) For residential lots exceeding one and one-half (1.5) acres, detached accessory structures may be located in the front yard if it is required due to topographical issues or other impediment that prevents the placement of the structure in the rear yard area.
  - (3) Accessory uses and structures shall not exceed 60 percent of the gross floor area (GFA) of the principal use.
  - (4) Within nonresidential districts, accessory structures, except for carports, are prohibited within the side and rear yards of lots adjacent to a residential use or district. The total floor area of all accessory structures shall not exceed 2500 square feet.
- (I) *Permitted Accessory Uses and Structures.* Accessory uses and structures include, but are not limited to, the following list of examples, provided that each accessory use or building shall comply with all the provisions of this chapter.
- (1) Drop-off boxes, such as mail or donation boxes, at all commercial establishments in C1 through I2 zone districts provided the drop-off box:
    - a. Is located behind the minimum setbacks required in the respective zones;



- 
- b. Is located so it is not (1) blocking driveways, (2) blocking pass-through traffic in parking aisles, (3) blocking pedestrian traffic, (4) creating any safety issue as determined by the Director of Planning and Development Services; and
  - c. Does not eliminate any required parking spaces or is not located in any parking aisle.
- (2) Employee restaurants and cafeterias when located in a permitted business or manufacturing building. (The size of these accessory uses may be no more than 10% of the gross square footage of the business.)
  - (3) Home occupations in accordance with Section 15-6-26.
  - (4) Management offices for multi-tenant properties.
  - (5) The operation of service facilities and equipment in connection with schools, hospitals and other similar institutions or uses.
  - (6) The overnight parking of a truck which is a non-commercially licensed box truck or non-CDL licensed vehicle in working condition in a residential zone district.
  - (7) Recreational uses and structures for the use and convenience of occupants, employees or guests of a principal use or facility.
  - (8) Refreshment and service facilities in parks and playgrounds, and in permitted public or private recreation facilities or schools.
  - (9) Repair or construction of power boats, large sailing vessels or racing vehicles may be allowed only in zone districts for which repair or construction of vehicles as a commercial business is permitted. Repairs of personal vehicles or recreational boats or vehicles which are legally stored on a lot may be permitted in residential districts provided the vehicles are owned by the occupants of the dwelling and must take place within a private garage.
  - (10) *Residential accessory buildings.* Garages, carports, parking facilities, tool/storage sheds in residential zoning districts and for residential uses in all other zoning districts, provided:
    - a. *Attached accessory structures.* Garages, carports, parking facilities or tool/storage sheds attached to the main structure shall conform to the same height, area and setback regulations required for the main use or structure, except:
      - 1. The structure shall not occupy more than 50% of the required rear yard.
    - b. *Detached accessory structures.* Garages, carports, gazebos, parking facilities or tool/storage sheds detached from the main structure shall:
      - 1. Be in accordance with Appendix B, Section 1 "Space Requirements" Article 6 of Chapter 15 of the Code of Ordinances;
      - 2. Be located only in the side or rear yard area;
      - 3. Occupy an area no greater than 50% of the rear yard area behind the principal structure; and
      - 4. Be at least seven feet from the main dwelling.
    - c. Detached accessory structures located in any residential zoning district shall meet the following standards as approved by city staff:
      - 1. Galvanized (painted and unpainted) metal is prohibited as an exterior siding material, however roofs may utilize painted galvanized panels;

- 
2. All accessory structures shall have enclosed eaves at a minimum length or depth of twelve inches unless it is a pre-manufactured and/or a preassembled metal or wood storage building and under 250 square feet in gross floor area.
  3. Freestanding metal carports that are not certified and sealed by a State of Texas licensed engineer and arched steel structures (aka Quonset huts) are prohibited. Freestanding metal carports accompanied by engineered stamped plans may be approved.
  4. Structures larger than 400 square feet in ground floor area shall meet the following additional requirements:
    - i. Exterior materials shall consist of the same or similar materials as the principal structure.
    - ii. In order to prevent an institutional or uncharacteristic appearance, any wall or fascia with a square footage greater than 400 sq. ft. shall have at least one window with a minimum measurement of two foot six inches by three feet six inches or a typical thirty six inch wide walk-in door.
  5. No visible exterior stairways to a second floor or attic is permitted at the front or side of the building.

The requirements of this subsection shall not apply to agricultural operations in residential or agricultural zoning districts.

- (11) Solar Energy Systems in accordance with 15-6-174 through 15-6-187.
  - (12) Storage of one boat, travel trailer, RV or pick-up camper in residential districts, but not in the front yard or the street side yard of a corner lot, and provided they are not used as living quarters.
  - (13) Telecommunications equipment buildings as provided for in, Section 15-6-47(D) of this article and chapter.
  - (14) Temporary construction trailers used for offices and/or storage, located on a lot for which building permits have been issued, provided the trailer meets the setbacks for an accessory structure and is limited to the duration of construction, not to exceed one year.
  - (15) Temporary real estate sales offices, located on a subdivision or property being sold, and limited to the period of sale, but not exceeding two years without a special use permit.
  - (16) The storage of building materials including, but not limited to, bricks, blocks, cement, concrete, electrical materials, glass, linoleum, lumber, plumbing materials, rocks and tile provided that these materials are to be used for construction on the premises and, if stored for more than 24 consecutive hours in a 30 day period, that they are screened from view of neighboring properties and adjacent streets and alleys, and provided that the storage use is in accordance with the provisions of Subsection (F). In no case shall building materials be stored outside of a building on residentially zoned property for a period of time exceeding 90 days.
  - (17) Public and private utility lines and structures, including, but not limited to, sanitary sewers, storm sewers, water, natural gas, electric, cable television and telephone.
  - (18) Wind Energy Conversion Systems (Exempt and Small Wind Energy Facilities) in accordance with Section 15-6-186 through 15-6-194.
- (J) *Variances*: A variance may be granted by the Board of Adjustment in accordance with the procedures contained in Section 15-6-157 for the following accessory uses:
- (1) The overnight parking of a commercially licensed box truck, CDL licensed vehicle or moving van for more than one night.

- 
- (2) The storage of one boat, travel trailer, RV or pick-up camper in the front yard of any residential district.
- (K) *Prohibited Accessory Uses.* None of the following shall be permitted as an accessory use:
- (1) Equipment, material or vehicles, other than a registered motor vehicle in operable condition, boat, travel trailer, recreational vehicle or pick-up camper as permitted above, for more than 24 hours in a 30 day period in a residential district.
  - (2) The overnight parking of a semi-tractor trailers, dump trucks, service/delivery van or similar scale of vehicle in residential districts.
  - (3) Storage of any materials not directly related to the principal use of the property and located outside of a building in a residentially zoned district is specifically prohibited except for building materials as provided in Subsection 15-6-27(l)(15) and materials customarily associated with a residential use such as, but not limited to, above ground swimming pools and associated equipment buildings, arbors, barbecue pits and grills, firewood neatly stacked, gazebos, operational and licensed vehicles, planters, play structures, toys, trash cans used for normal on-site garbage collection and trellises attached to a building.

(Ord. 2014-30, § I, passed 4-23-14)







Show NORTH arrow on (PLOT PLAN)

LOT SIZE:

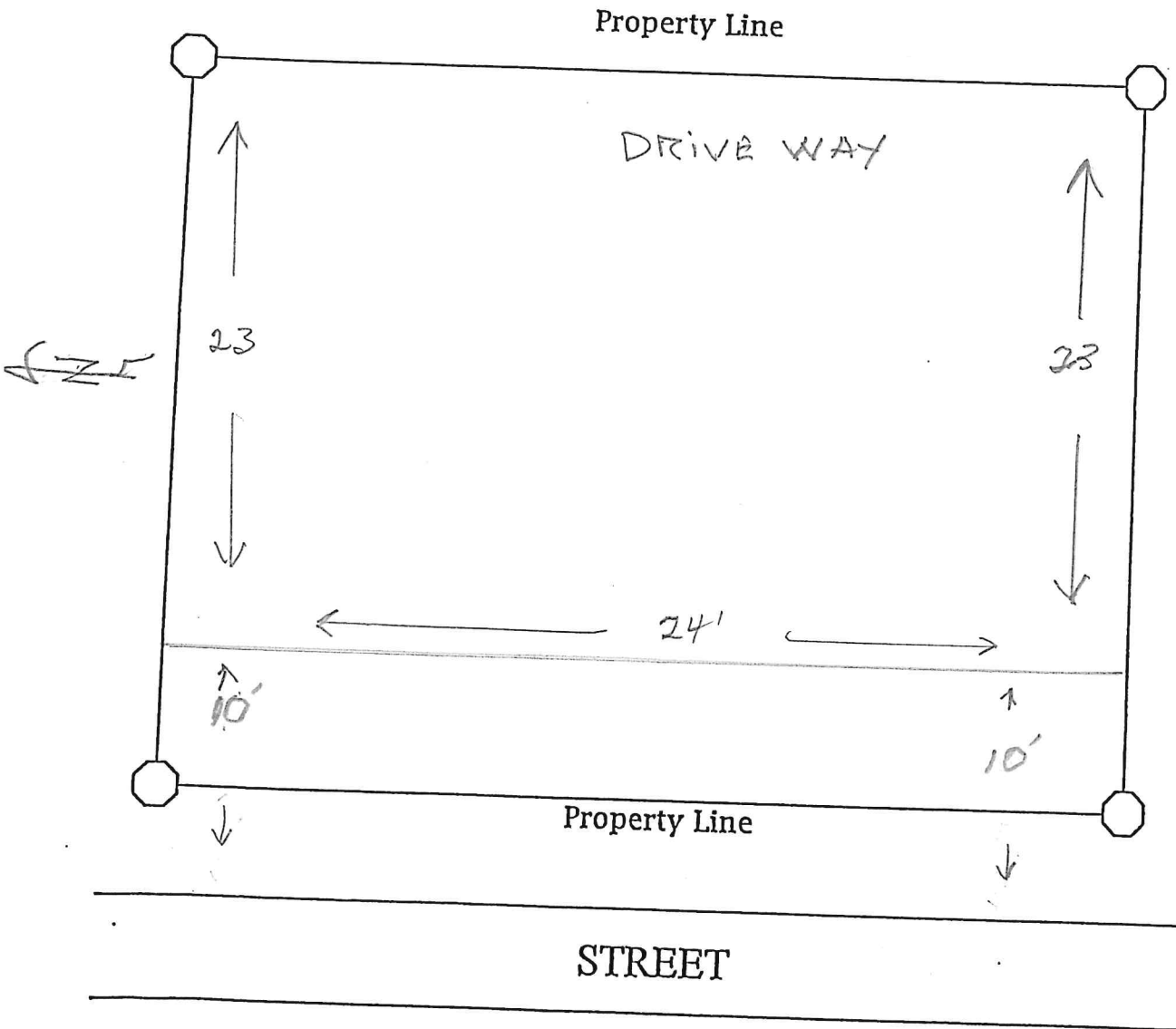
1. Width of lot \_\_\_\_\_ 2. Length of lot \_\_\_\_\_

BUILDING SETBACKS

1. Front \_\_\_\_\_ 2. Right Side \_\_\_\_\_

3. Left Side \_\_\_\_\_ 4. Back \_\_\_\_\_

SHOW \_\_\_\_\_ FOR EXISTING SHOW \_\_\_\_\_ FOR ALTERATION







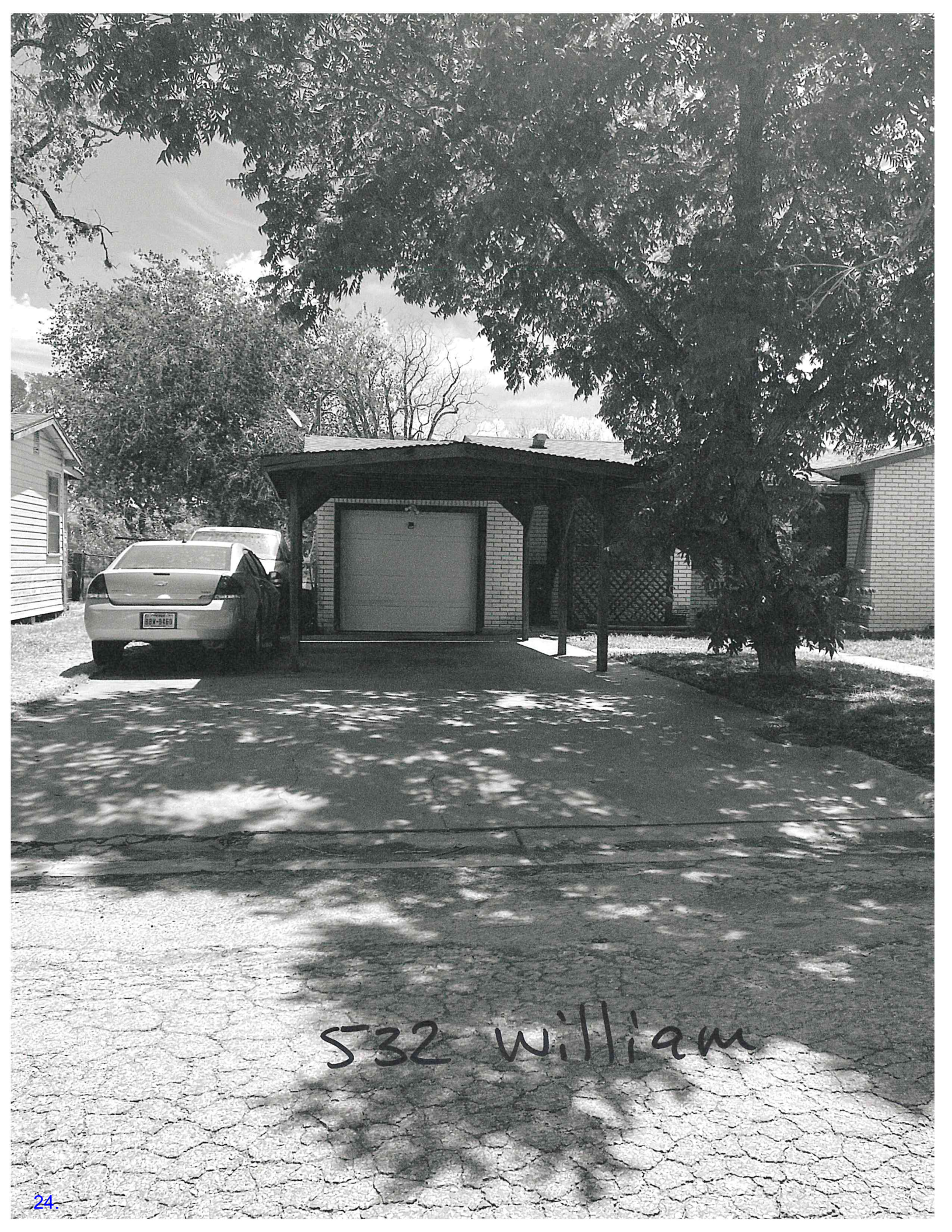
322 Williams





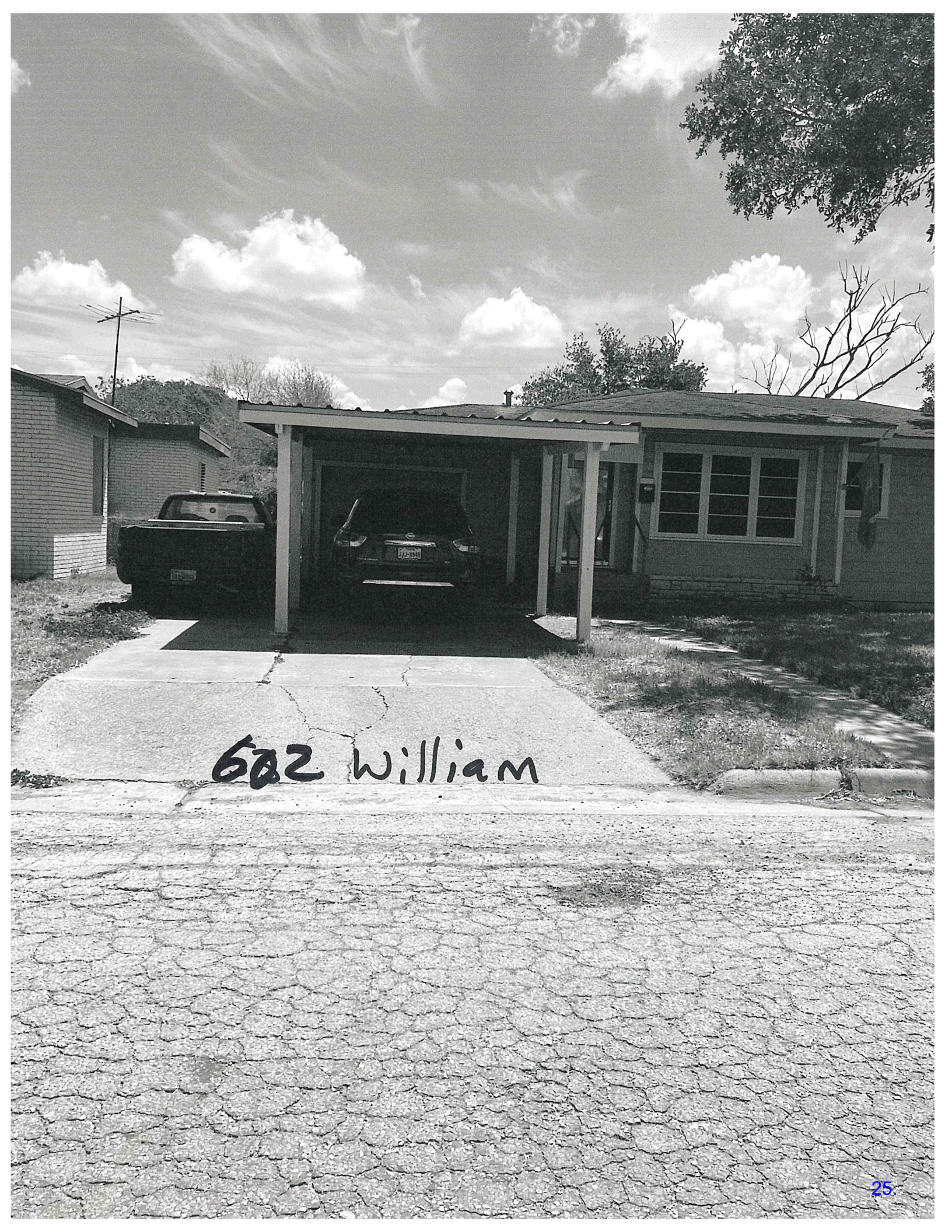
526 William Example





532 William

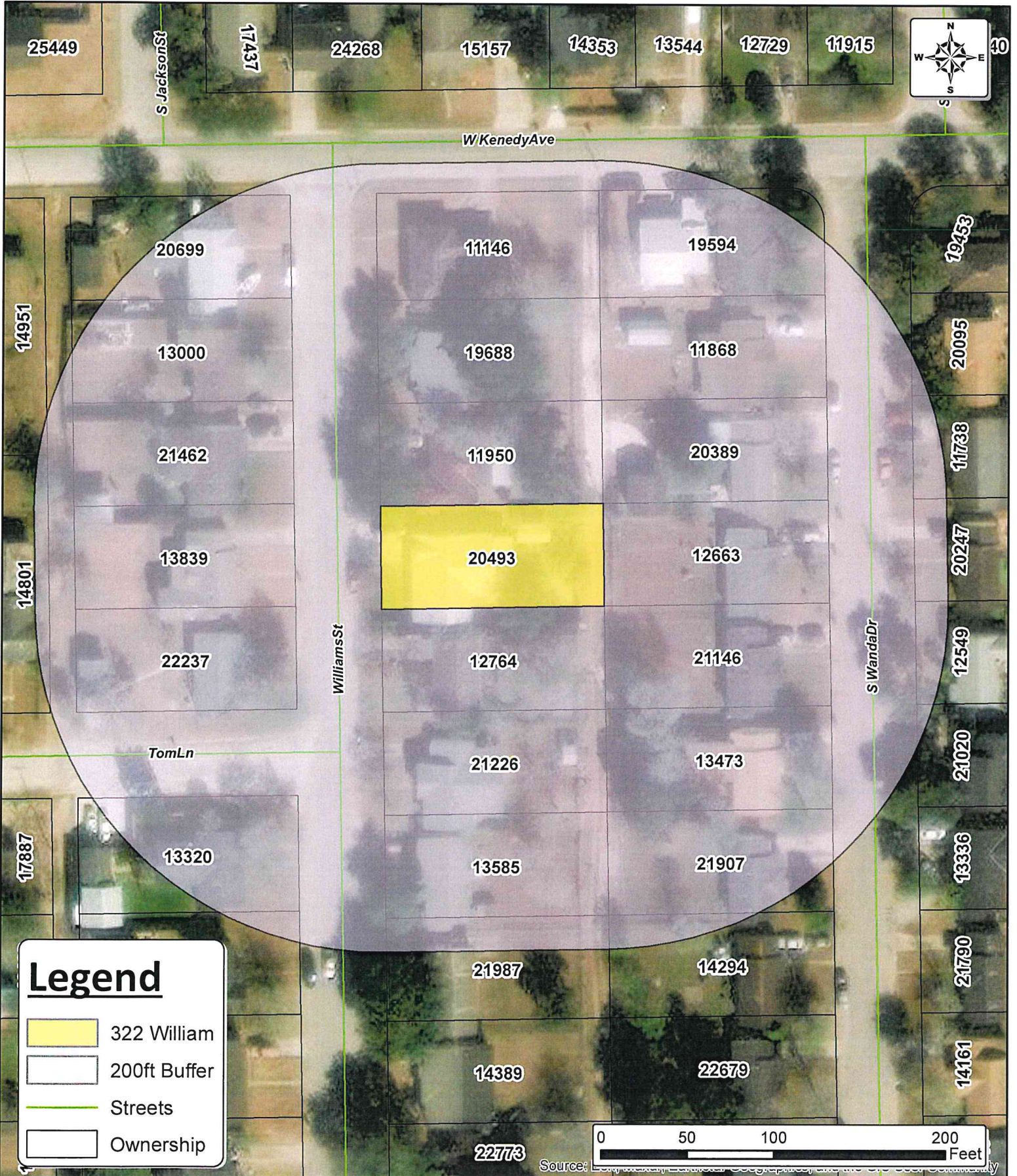




602 William



# 200ft Buffer at 322 William



Page: 1 / 1	Drawn By: G. AMAYA
	Last Update: 8/15/2023
	Note: Ownership is labeled with its Prop ID.

**DISCLAIMER:**  
 THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.



**CITY OF KINGSVILLE**  
**ENGINEERING DEPARTMENT**  
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Ginger Linares  
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Jeremy Edward Meyer  
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Etux Linda J  
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Elizabeth Serna  
307 William  
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Cindy C Osborne  
316 S Wanda Dr  
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Joann Brandenburg  
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Richard Rickman  
Etux Carrie  
301 Williams St  
Kingsville, TX 78363  
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Veronica Guzman  
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#20247

Elizabeth C Martinez  
Etvir Rolando  
401 Williams St  
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#13320

Gabino Sanchez Jr  
307 S Wanda Dr  
Kingsville, TX 78363  
#11868

Fred Antone Peters VI  
332 Williams St  
Kingsville, TX 78363  
#21226

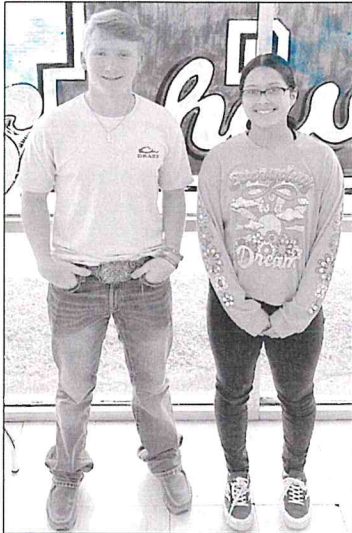
Jane E Catherman Est  
401 S Wanda Dr  
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#21970

Delwin Randall  
1006 Clinton ST  
Carrollton, TX 75007  
#11146

Ramon Rodriguez  
Sonia Rodriguez  
2001 Webberwood Dr  
Webberville, TX 78621  
#12549

Anthony Boccardi  
327 Williams ST  
Kingsville, TX 78363  
#22237

Marcel C Alaniz  
REVOC Living Trust  
Marcel C Alaniz (TR)  
301 S Wanda  
Kingsville, TX 78363  
#19594



FCA members Zane Henske and Zoey Ochoa. (Photo by Ted Figueroa)

## 80 students join Fellowship of Christian Athletes at Riviera ISD

By Ted Figueroa  
Reporter

Riviera ISD has joined a number of other school districts in the area and started the Fellowship of Christian Athletes group in their Jr. High and High School campuses. Rhonda Yaklin (Director of Student Affairs) at Riviera ISD said that last year they conducted a survey and asked the students what kind of new programs they would like to join. A total of 33% of those surveyed said they wanted to join the FCA.

At the beginning of this school year, over 80 students joined the FCA between the two campuses.

"These students grab lunch and go straight to the meeting, they could be sitting in the cafeteria but they made a choice to join FCA," Yaklin said.

During the lunchtime meetings, students read scriptures from the bible, have ice breaker exercises, and the terminology used to get their points across are all sports based. Oscar "lil Oscar" Cantu leads the group during the lunch meetings.

"I think the meetings are amazing. All of us agree in saying that the kids are all wanting Christ and want to be part of the FCA. It's a comfortable environment to not only share Christ but to leave the bad past. This year's theme is "GREATER". He must increase but I must decrease," Cantu said.

Zoey Ochoa, a sophomore in Riviera, is involved in FCA, student council, Spanish Club, softball, tennis, basketball, cross country, and plays the base drum in the band. She plans to enlist in the Air Force after graduation and was eager to join the FCA.

"I heard it was Christian based and I want to get closer to God and form a better relationship with him. Ochoa said.

Zane Henske a junior at Riviera, is also a member of the FCA. He is involved in NHS, FFA (president), student council, and baseball.

"As soon as I heard the name Fellowship of Christian Athletes, I was drawn to it. All of our abilities come from our creator. In the meetings we talk about not getting our identity wrapped up in your sport, but to be humble," Henske said.

## Bishop CISD School Board adopts budget for 2023-2024

By Ted Figueroa  
Reporter

The Bishop CISD School Board met on Aug. 28 and held a public hearing on the 2023-2024 school budget and tax rate. There were no public comments and the budget was adopted during the regular meeting.

The board approved the minutes from last meeting, bills for payment ending July 31 2023, budget transfers and amendments, the tax collection report, quarterly investment

report, and financial reports.

A motion was made to establish remote viewing of board meetings but it died due to a lack of a second.

Bishop High School Principal Claudia Esquivel gave a report on the first day of school.

She advised the board that the first day went great and was happy to report that 425 students attended meet the teacher night prior to the first day of school.

She said that the volleyball team was 7-11 and have not played any district games as of yet.

She also informed the board that senior Logan Borchart has signed with the TAMUK javelinas to play basketball after she graduates.

Superintendent Christina Gutierrez said that current enrollment is at 1,361 but she expects that number to increase after Labor Day.

"Bishop CISD had a great first day of school. Enrollment looks good and we anxiously await for some of our students who don't normally return until after Labor Day. It was a great day to be a Badger!" Gutierrez said.



## Material Girls make donation

On Aug. 24, The Material Girls of Kingsville gave Dr. Frank Escobedo from AgrLife Extension a \$300 donation for their scholarship fund. The money was raised from their recent quilt raffle. The Material Girls also thanked Tractor Supply for allowing them to sell tickets. (Submitted photo)

## Garbage Schedule Changes In observance of Labor Day

City Sanitation, City Hall and other Administrative Offices will be closed on Monday, September 4th, 2023 in observance of Labor Day.

The City Sanitation garbage pick-up schedule will temporarily change for the week of September 4th – September 8th, 2023.

### Residential Sanitation Schedule

Residential Monday/ Thursday service will be done on TUESDAY AND THURSDAY

Residential Tuesday/ Friday service will be done on WEDNESDAY AND FRIDAY

### Commercial Sanitation Schedule

Commercial Monday and Tuesday service will be done on TUESDAY

The schedule will resume to its normal schedule on Monday, September 11th, 2023.



### PUBLIC HEARING NOTICE

The Zoning Board of Adjustments of the City of Kingsville will hold a Public Hearing Thursday, September 14, 2023, at 6:00 p.m. wherein the Board will discuss and/or take action on the following items and at which time all interested persons will be heard:

ITEM NO. 2023-5: Joel Torrez, Owner/Applicant requesting a Zoning Variance Request (Carport) for Tomlin, Block 2, Lot 4 also known as 322 Williams St., Kingsville, TX. 78363.

The meeting will be held at City Hall, 400 West King, Kingsville, TX in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

### NOTICE OF PUBLIC HEARING ON CITY OF BISHOP BUDGET

The City of Bishop will hold a public hearing on a proposed budget for the fiscal year beginning October 1, 2023 – September 30, 2024.

The public hearing will be held on September 12, 2023, at 6:00 p.m. at Bishop City Hall, 203 East Main St, Bishop Texas 78343.

This budget will raise more total property taxes than last year's budget by \$44,045 or 4.36%, and of that amount, \$12,379 is tax revenue to be raised from new property added to the tax roll this year.

A copy of the proposed budget is available at City Hall, 203 East Main St, Bishop Texas 78343 during regular business hours.