

**MINUTES OF A PUBLIC MEETING
OF THE CITY OF BUNKER HILL VILLAGE
ZONING BOARD OF ADJUSTMENT
MARCH 26, 2025**

Only four (4) members attended the meeting on March 26, 2025. City Attorney Smith asked the applicants whether they wished to proceed with a four-member board. Although four members constitute a quorum, any request considered with only four members must receive a unanimous vote to be approved. Should one member vote against the request, it would not pass. He stated that a unanimous vote is not guaranteed, and applicants acknowledged this if they chose to proceed. Additionally, if a request is denied due to a lack of unanimous approval, it cannot be resubmitted to the Board at a later date and may only be appealed through the Harris County courts.

City Administrator Barrera offered to reschedule the meeting and informed the applicants of their two options: (1) continue with the meeting as scheduled or (2) defer the request to a future meeting date when additional board members may be present. He explained that the meeting had been scheduled for a month and board members are volunteers appointed by City Council. He stated that the next meeting would be scheduled as soon as possible in consideration of the availability of the board and the 15-day notice requirement.

Following this discussion, Keith Williams chose to rescind his application and reschedule to a later meeting date when additional members were present.

Jon Slagle chose to proceed with presenting his requests.

Due to the absence of both the Chair and Vice-Chair, City Attorney Smith recommended that the Board nominate an interim chair to preside over the meeting.

A motion was made by Board Member Pratt and seconded by Board Member Marshall to name Josh Pratt interim chair to preside over the March 26, 2025, meeting.

The motion carried 4-0

I. CALL TO ORDER

Interim Chair Josh Pratt called the Zoning Board of Adjustment Meeting to order at 5:16 p.m. based on a quorum of members present:

Present

Josh Pratt, Member

David Marshall, Member

Louis Crappito, Alternate Member (voting member)

Ryan West, Alternate Member (voting member)

Staff in Attendance

Gerardo Barrera, City Administrator

Elvin Hernandez, Public Works Director

Loren Smith, City Attorney

Mallory Pack, Management Analyst

Absent

David Light, Chair

Patricia Shuford, Vice-Chair

Michelle Belco, Member

II. PUBLIC COMMENT

There were no public comments.

III. CONSIDERATION AND POSSIBLE ACTION REGARDING APPROVAL OF THE OCTOBER 30, 2024, MEETING MINUTES

A motion was made by Board Member Marshall and seconded by Board Member Crappito to approve the October 30, 2024, meeting minutes.

The motion carried 4-0

IV. PUBLIC HEARING REGARDING A REQUEST FROM KEITH WILLIAMS FOR A VARIANCE TO SECTION 4-75(6)(G) OF THE CITY'S CODE OF ORDINANCES REQUIRING A GENERATOR NOT TO BE LOCATED WITHIN THE REQUIRED FRONT YARD OF A LOT FOR THE PROPERTY LOCATED AT 11651 GREENBAY STREET

ALL INTERESTED PARTIES SHALL HAVE THE RIGHT AND OPPORTUNITY TO APPEAR AND BE HEARD ON THE ITEM LISTED ABOVE

The applicant rescinded the application prior to the start of the meeting until a later meeting date.

There was no public hearing.

V. CONSIDERATION AND POSSIBLE ACTION REGARDING A REQUEST FROM KEITH WILLIAMS FOR A VARIANCE TO SECTION 4-75(6)(G) OF THE CITY'S CODE OF ORDINANCES REQUIRING A GENERATOR NOT TO BE LOCATED WITHIN THE REQUIRED FRONT YARD OF A LOT FOR THE PROPERTY LOCATED AT 11651 GREENBAY STREET

No action was taken on this item.

VI. PUBLIC HEARING REGARDING A REQUEST FROM JON SLAGLE FOR A VARIANCE TO APPENDIX A, SECTION 7.14 OF THE CITY'S CODE OF ORDINANCES REQUIRING LOTS ADJACENT TO A MAJOR STREET AND A MINOR STREET HAVE VEHICULAR DRIVEWAYS CONNECTING WITH THE MINOR STREET ONLY FOR THE PROPERTY LOCATED AT 301 RAINIER DRIVE

ALL INTERESTED PARTIES SHALL HAVE THE RIGHT AND OPPORTUNITY TO APPEAR AND BE HEARD ON THE ITEM LISTED ABOVE

Interim Chair Pratt opened the public hearing at 5:17 p.m.

Applicant's Request

Jon Slagle, applicant and property owner, presented a request for a variance to keep the existing driveway connection to a major street (Memorial Dr.) rather than relocating it to the adjacent minor street (Rainier Dr.) as required by Appendix A, Section 7.14 of the City's Code of Ordinances. The applicant explained that relocating the existing driveway and garage to the front of the house on Rainier Dr. is not possible, safe, or economically viable without completely demolishing and reconstructing the home. Additionally, the garage is poured on a slab that sits slightly lower than the rest of the house for drainage purposes.

Board Member Pratt inquired how the location of the driveway was not identified as an issue during the City's plan review process. Public Works Director Hernandez clarified that the original project application submitted to the City was for a remodel, and under that classification, the driveway's location was acceptable at time of submittal. However, because the work ultimately exceeded the 50% improvement threshold, the project is now classified as reconstruction. He stated that when the applicant was granted a variance at the October 30, 2024, meeting, the applicant was informed and acknowledged that all non-conforming aspects of the lot applicable for a reconstruction project would need to comply with the City's ordinances.

The applicant stated that the reason the project exceeded the 50% threshold was the need to upgrade outdated and unsafe electrical systems to meet current safety standards and code.

City Administrator Barrera and Public Works Director Hernandez addressed the Board that although the City's Planning and Zoning Commission is actively discussing amendments to the 50% improvement rule, it is the responsibility of City staff to enforce ordinances as written.

Public Comment

There were no public comments.

Interim Chair Pratt closed the public hearing at 5:41 p.m.

VII. CONSIDERATION AND POSSIBLE ACTION REGARDING A REQUEST FROM JON SLAGLE FOR A VARIANCE TO APPENDIX A, SECTION 7.14 OF THE CITY’S CODE OF ORDINANCES REQUIRING LOTS ADJACENT TO A MAJOR STREET AND A MINOR STREET HAVE VEHICULAR DRIVEWAYS CONNECTING WITH THE MINOR STREET ONLY FOR THE PROPERTY LOCATED AT 301 RAINIER DRIVE

City Attorney Smith addressed the Board that the motion must be made in the affirmative first. This action does not constitute granting the variance but allows for discussion before making a final motion to grant or deny the variance.

The Board discussed support for allowing property owners to safely modernize and upgrade outdated utilities to current code standards without being penalized for doing so.

A motion was made by Board Member West and seconded by Board Member Crappito to grant a variance to Appendix A, Section 7.14 of the City’s Code of Ordinances requiring a lots adjacent to a major street and a minor street have vehicular driveways connecting with the minor street only for the property located at 301 Rainier Drive.

Roll Call Vote

David Marshall.....YES

Louis Crappito..... YES

Ryan West.....YES

Josh Pratt..... YES

The motion carried 4-0

VIII. PUBLIC HEARING REGARDING A REQUEST FROM JON SLAGLE FOR AN APPEAL OF THE BUILDING OFFICIAL’S INTERPRETATION OF SECTION 4-3 (RECONSTRUCTION) OF THE CITY’S CODE OF ORDINANCES FOR THE PROPERTY LOCATED AT 301 RAINIER DRIVE

ALL INTERESTED PARTIES SHALL HAVE THE RIGHT AND OPPORTUNITY TO APPEAR AND BE HEARD ON THE ITEM LISTED ABOVE

Interim Chair Pratt opened the public hearing at 5:48 p.m.

Applicant’s Request

Jon Slagle, applicant and property owner, presented an appeal of Section 4-3 (Reconstruction) of the City’s Code of Ordinances, requesting that the project be classified as a remodel rather than a reconstruction. He explained that updating the home’s outdated and unsafe electrical and plumbing requires removing drywall, thus triggering the reconstruction definition. He stated that he is willing to do anything economically reasonable to bring the home into compliance with City ordinances.

The applicant noted that he has appeared before the Board three (3) times, and this request intends to avoid having to return to the Board again if any unexpected additional issues arise during the project.

City Attorney Smith addressed the Board regarding whether a true controversy exists in this case, and whether the request should be considered a “blanket request.”

City Administrator Barrera reminded the Board that previous case decisions made by ZBOA do not set precedent, and City staff is responsible for enforcing the ordinance as written. Mr. Slagle was made aware that the project was defined as a reconstruction project when it exceeded the 50% improvement threshold. When the applicant was granted a variance on October 30, 2024, he acknowledged that the project would need to comply with current building standards.

Public Comment

There were no public comments.

Interim Chair Pratt closed the public hearing at 5:57 p.m.

IX. CONSIDERATION AND POSSIBLE ACTION REGARDING A REQUEST FROM JON SLAGLE FOR AN APPEAL OF THE BUILDING OFFICIAL’S INTERPRETATION OF SECTION 4-3 (RECONSTRUCTION) OF THE CITY’S CODE OF ORDINANCES FOR THE PROPERTY LOCATED AT 301 RAINIER DRIVE

City Attorney Smith addressed the Board that the motion must be made in the affirmative first. This action does not constitute granting the variance but allows for discussion before making a final motion to grant or deny the variance.

The Board discussed the request and that the applicant should be able to accomplish what he wants with the variances that have already been granted.

A motion was made by Board Member Marshall and seconded by Board Member Crappito to grant an appeal of the Building Official’s interpretation of Section 4-3 (reconstruction) of the City’s Code of Ordinances for the property located at 301 Rainier Drive.

Roll Call Vote

David Marshall.....NO
Louis Crappito..... NO
Ryan West.....NO
Josh Pratt..... NO

The motion failed 0-4


X. ADJOURN

Interim Chair Pratt adjourned the meeting at 6:06 p.m.

Approved and accepted on April 30, 2025.



Josh Pratt, Interim Chair

ATTEST:


Gerardo Barrera, City Administrator/ Acting City Secretary