1. 5:30 P.M.  Board Of Adjustment Meeting

Documents:

BOARD OF ADJUSTMENT.PDF
SMARTCOM APPLICATION.PDF
AGENDA
CITY OF SINTON
BOARD OF ADJUSTMENT
DATE: April 16, 2024    TIME: 5:30 P.M.

CITY HALL

Notice is hereby given that the Sinton Board of Adjustment Meeting will be held on the 16th day of April, 2024 at 5:30 p.m. in the Council Chambers, City Hall, 301 East Market Street, Sinton, Texas. The items below are placed on the agenda for discussion and/or action.

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meeting.

A. CALL TO ORDER
B. ROLL CALL

       John Curlee
       Joe Escamilla
       Dolores Hinojosa
       Danny Davila
       Maureen Stevens

       Luther Salas, Alternate Board Member
       Ruby Rodriguez, Alternate Board Member
       Roland Cantu, Alternate Board Member

       John Hobson, City Manager
       Desiree Voth, City Attorney
       Cathy Duhart, City Secretary
       Angela Montemayor, Utility Clerk

C. PUBLIC HEARING:

Public Hearings for Input concerning the Following Requests:

1. Smartcom Telephone, LLC., is requesting a Specific Use Permit to install a telecom switching remote cabinet with back up generator on the property located at 617 S Rachal, Sinton, Texas. Legal description: Lot 5 Block 1 Geo H. Paul Addition.

D. ACTION ITEMS TO BE CONSIDERED

1. Discussion and action on a request submitted by Smartcom Telephone, LLC., who is requesting a Specific Use Permit to install a telecom switching remote cabinet with back up generator on the property located at 617 S Rachal, Sinton, Texas. Legal description: Lot 5 Block 1 Geo H. Paul Addition.

E. ADJOURNMENT

Executive Session: The Board of Adjustment of the City of Sinton reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.086 (Deliberations, vote or final action about competitive matters of the public power utility), and 551.087 (Economic Development).
I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the City of Sinton official website, www.sinton.texas.org and official bulletin board, places convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting, in compliance with Chapter 551, Texas Government Code.

Cathy Duhart City Secretary

Date & Time Posted: 4/10/2024 3:54pm Taken Down: __________ am/pm

Notice of Assistance at the Public Meetings: The City Council Chamber is wheelchair accessible. Persons with special needs who plan to attend this meeting and who may need assistance should contact City Hall at 361-364-2381 two (2) days prior to the meeting so that appropriate arrangements can be made.
APPLICATION TO BOARD OF ADJUSTMENT

TYPE OF REQUEST:  □ Variance  □ Appeal  ☑ Specific Use

PROPERTY INFORMATION:
Address: 617 S. Rachal
Lot: 5  Block: 1  Subdivision: George H. Paul Add.  Current Zoning: R2
Lot Width: 50'  Lot Depth: 137.80'  Total SF of Lot: 6890

Is this property located on a corner lot?  □ Yes  ☑ No

OWNER INFORMATION:
Owner's Name: Smartcom Telephone LLC
Owner's Address: 600 Ash McAllen, TX 78501  Phone: 956-687-7070

IF APPLICABLE: Owner hereby gives permission to seek the variance
or appeal stated herein and to represent him/her at the meeting of the Board of Adjustment.

I hereby certify that the above statements are true and correct to the best of my knowledge.

Owner’s Signature

STATE OF TEXAS
COUNTY OF

Subscribed and sworn to before me this _____ day of ________________, 20___
(seal)

Notary Public
My Commission expires:

IF DIFFERENT FROM ABOVE, APPLICANT INFORMATION:

Applicant’s Name:
Applicant’s Address:
Phone:

ACTION REQUESTED:

☐ Seeking an appeal from Zoning Ordinance No. 156, Section ______________________

☐ Seeking a permit for the reconstruction, extension, or enlargement of a building occupied by a nonconforming use.

☑ Seeking a Specific Use Permit

☐ Seeking a variance as follows:

<table>
<thead>
<tr>
<th>Ordinance Requirements</th>
<th>Requested Dimensions</th>
<th>Variance From Ordinance</th>
</tr>
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<tbody>
<tr>
<td>LOT SIZE</td>
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<td>LOT WIDTH</td>
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<td>REAR YARD</td>
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<td>PARKING SPACES</td>
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<tr>
<td>OTHER: Specify</td>
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**HARDSHIP FINDINGS**

**IN ORDER TO MAKE A FINDING OF HARDSHIP AND TO GRANT A VARIANCE, THE BOARD OF ADJUSTMENT MUST DETERMINE THAT ALL OF THE FOLLOWING CONDITIONS ARE MET. STATE HOW YOUR REQUEST MEETS THESE CONDITIONS. PLEASE NOTE THAT THE STATED HARDSHIP MAY NOT BE FINANCIAL OR SELF-CREATED.**

1. The request for variance is in harmony with the general purposes and intent of Zoning Ordinance No. 1710, as amended, and continues to protect surrounding properties from any negative impacts because:

   [Handwritten note: Snapper Telephone, LLC is requesting to install a telecom equipment remote cabinet with backup generator in the above property to provide service to local community and school district. The proposed installation will not impact the local surrounding properties.]

2. If the request is to permit the reconstruction, extension, or enlargement of a building occupied by a nonconforming use, such reconstruction will not prevent the return of such property to a conforming use. because:

   [Handwritten notes: Please provide additional information here.]

3. The special or unique condition(s) of restricted area, shape, topography, or physical features that exist on the subject parcel of land, which are not applicable to other parcels of land in the same zoning district, and which cause unusual and practical difficulty or unnecessary hardship in compliance with the provisions sought here to be varied are:

   [Handwritten notes: Please provide additional information here.]

4. The hardship sought to be avoided is NOT the result of (a) the applicant's own actions (self-imposed or self-created) and (b) economic or financial hardship because:

   [Handwritten notes: Please provide additional information here.]

5. The provisions of Zoning Ordinance No. 1710, and its amendments, that are sought to be varied deprive the applicant of the following rights to use his property that are commonly enjoyed by other properties in the same zoning district which comply with these ordinance provisions:

   [Handwritten notes: Please provide additional information here.]
REQUIRED SUBMITTALS:
- Completed application
- Owner permission, if applicable
- Application Fee ($200.00)
- Site Plan or Survey drawn to scale

NOTICE TO APPLICANT:
I have carefully read the complete application and know the same is true and correct. I hereby agree to comply with all provisions of local, State, and Federal Laws will be complied with, whether herein specified or not. As the owner of the above property or a duly authorized agent as provided herein, I hereby grant permission to enter the premises and make all necessary inspections.

Signed: [Signature]
Print Name: Alan Yoder
Address: 600 Ash Mall Rd 78501
Phone Number: 956-687-7070
Date: 3-19-2024
E-Mail: AYODER@SCTEL.CO

STATE OF TEXAS
COUNTY OF Hidalgo
Subscribed and sworn to before me this 19th day of March, 2024
(seal)

SANDI DEE VILLANUEVA
My Notary ID # 10508729
Expires April 25, 2028
Notary Public
My Commission expires: 4/25/2028
Lot 5 - Block 1

George H. Paul Add.
City of Sinton
Vol. 1 Pg. 28
M.R. S.P.C., TX

Lot 6

N99°29'06"W 137.80'

FEMA Flood Insurance Rate Map Community Panel No. 48409C0245E, effective date November 4, 2016, shows that the property described herein is located in Flood Zone X, an area of minimal flooding.

There may be existing pipelines not shown on this map. Use the Texas One Call System to locate pipelines before performing any excavation on this property.

I, Gregory A. Hauger, Registered Professional Land Surveyor of Texas, do hereby state that this plat represents an actual survey made on the ground on March 7, 2024, under my supervision, to the best of my knowledge and ability, this 11th day of March, 2024.

King & Petrus, Inc.
P. O. Box 606
Firm No. 10127600
Sinton, Texas 78387
Phone 361-364-2522
Randy\28318

PLAT SHOWING SURVEY OF
LOT 5 - BLOCK 1
GEORGE H. PAUL ADDITION
TO THE CITY OF SINTON
AS SHOWN ON MAP RECORDED IN
VOLUME 1, PAGE 28
MAP RECORDS
OF SAN PATRICIO COUNTY, TEXAS
SCALE: 1" = 20'
617 South Rachal Street

Note: All construction shall meet the city of Sinton current Building Codes.

Lot 5 - Block 1
GEORGE H. Paul addition
to the city of Sinton as shown on map
as recorded in Volume 1, Page 28 map
records of San Patricio County, Texas
Bldr: Smartcom Telephone L.L.C.
scale: 1"=20'-0" Date: 3/15/2024

SHT. #1
Valley Plans, Inc.
P.O. Box 3182
McAllen, Texas 78502
956-624-8844
Design Standards:
1) Foundation design In accordance with the following:
2) Testing equipment requirements for reinforced concrete, section 11.0101, AASHTO.
3) Soil information furnished: none assumed differential swell, ym=1.0' & assumed max. PH15%

Materials:
1) Concrete shall have a minimum compressive strength of 3,000 PSI @ 28 days.
2) Calcium chloride or admixtures containing calcium chloride shall not be used as additions. Additional provisions for calcium chloride shall conform to applicable requirements of ACI 302.4 Recommended Practice for floor and slab construction.
3) Prestressing bars shall conform to ASTM A-416 grade 60.

Construction:
1) Site grading shall be performed in such a manner that surface or ground water will not flow under or adjacent to slab.
2) All fill under slabs shall be stable fill having a CI of between 10% to 15% & proportioned to minimize settlement & compacted to 95% standard proctor density.
3) All slabs shall have a minimum cover of granular select fill.
4) Finds & lath shall be covered with 1.5" of concrete per ASTM C97.
5) Finishing, concrete placement, & curing shall conform to the requirements of ACI 302.

Foundation Plan sc: 1/8"=1'-0"
Note: Finished Floor 24" above grade min.

Owner: Smart Com Telephone L.L.C.
Lot 5-Bock1
George H. Paul addition to the city of Sinton as shown on map recorded in Volume 1, Page 28
Map records of
San Patricio County, Texas

Sht. #2
Valley Plans, Inc.
P.O. Box 3182
McAllen, Texas 78502
956-624-8844
3/15/2024
CITY OF SINTON
PUBLIC HEARING
BOARD OF ADJUSTMENT

A public hearing conducted by the Board of Adjustment of the City of Sinton will be held on Tuesday, April 16, 2024 at 5:30 p.m. for below referenced property at the Sinton City Hall, located at 301 E. Market, Sinton, Texas, to consider the following request:

Smartcom Telephone, LLC., is requesting a Specific Use Permit to install a telecom switching remote cabinet with back up generator on the property located at 617 S Rachal, Sinton, Texas. Legal description: Lot 5 Block 1 Geo H. Paul Addition.

Copies of the request file will be available for review during regular office hours, 8:00 a.m. to 4:30 p.m., at Sinton City Hall, 301 E. Market, Sinton, Texas.

Written comments on the request are welcomed and must be returned to the following address before the meeting. Members of the public are invited to attend and speak at the hearing.

City of Sinton
Attention: John Hobson, City Manager
301 E. Market Street
Sinton, Texas 78387
361-364-2381
sintonmanager@sintontexas.org
THE CITY OF SINTON

NOTICE OF VARIANCE REQUEST

March 21, 2024

Dear Property Owner,

The following property owner has petitioned the City of Sinton to grant the following Specific Use Permit for said property:

**Smartcom Telephone, LLC., is requesting a Specific Use Permit to install a telecom switching remote cabinet with back-up generator on the property located at 617 S Rachal, Sinton, Texas. Legal description: Lot 5 Block 1 Geo H. Paul Addition.**

As an owner of property located within two hundred (200) feet of the boundaries of the Property you are hereby notified of the request for the Specific Use Permit. The request will be presented to the Board of Adjustment of the City of Sinton at the Sinton City Hall, located at 301 E. Market Street, Sinton, Texas, **Tuesday, April 16, 2024, at 5:30 p.m.**

Your comments and participation on the request are important. Should you desire to make a written response, and for it to be considered by the Board of Adjustment, it must be returned to the following address or emailed to the email address below, before the Meeting. You may attend and speak on this request at the meeting.

City of Sinton  
Attention: John Hobson, City Manager  
301 E. Market Street  
Sinton, Texas 78387  
361-364-2381  
sintonmanager@sinton texas.org
**South Texas News Inc**

111 N. Washington St. • Beeville, TX 78102 • 361-358-2550

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**Bill to:**

Cathy Duhart  
CITY OF SINTON  
P O Box 1395  
Sinton, TX 78387

**Sold to:**

Cathy Duhart  
CITY OF SINTON  
P O Box 1395  
Sinton, TX 78387

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**Please pay from this Invoice. Return stub with payment.**

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**Description**

Classification of Ad: 200 – Public Notice  
Text: CITY OF SINTON PUBLIC HEARING BOARD OF ADJUSTMENT A pub...

**Zone:**

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**Charges from 3/28/2024 to 4/4/2024**

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**$137.60**

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**Invoice**

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**Amount Enclosed**

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City Manager
301 E. Market Street
Sinton, Texas 78387
361-364-2381
sintonmanager@
sintontexas.org
3-28&4-4