

Anne Sundquist, Place 1, Chairman
Scott Shelburne, Place 2
LaRae Whorley, Place 3
Josh Jakubik, Place 4
Cathy Yowell, Place 5, Vice Chairman
Alternate(s):
Trevor Brown



Don Doering, City Administrator
Kandice Garrett, City Secretary
Leonard Schneider, City Attorney
Tana Ross, Planning Consultant

MINUTES
ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING
WEDNESDAY, OCTOBER 5, 2022 – 4:30 P.M.
Sewall Smith Council Chambers
18111 Buddy Riley Boulevard, Magnolia, Texas 77354

A meeting of the Zoning Board of Adjustment was held on October 5, 2022 beginning at 4:30 p.m. in the Sewall Smith City Council Chambers located at 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

1. CALL TO ORDER

Chairman Anne Sundquist called the meeting to order for the Zoning Board of Adjustment at 4:32 p.m.

a. INVOCATION

LaRae Whorley provided the invocation.

b. PLEDGE OF ALLEGIANCE

Chairman Anne Sundquist led the pledge of allegiance to the United States and Texas flags.

c. ROLL CALL AND CERTIFICATION OF QUORUM

Chairman Anne Sundquist called roll, certified that a quorum was present with the following Zoning Board of Adjustment members in attendance: Anne Sundquist, Cathy Yowell, Scott Shelburne, and LaRae Whorley.

Absent: Josh Jakubik and Trevor Brown

Officials/staff present: Planning Coordinator Christian Gable, City Administrator Don Doering, Code Enforcement Officer Clyde Hunt, and City Secretary Kandice Garrett

2. CITIZENS COMMENTS, REQUESTS OR PETITIONS FROM THE PUBLIC

(This agenda item provides an opportunity for citizens to address the Board of Adjustment on any matter not on the agenda).

Comments shall be limited to three (3) minutes per person. Comments by the governing body shall be limited to:

- a. Statements of specific factual information given in response to an inquiry;*
- b. A recitation of existing policy in response to an inquiry;*
- c. A proposal to place the subject on a future agenda.*

None

3. OPEN PUBLIC HEARING

Chairman Anne Sundquist opened the Public Hearing at 4:34 p.m., read the Notice aloud, asking for any public comments. The Chair called the name of the owner submitting the appeal and the owner was not present and no representative of the owner was present. As there were not any persons present regarding the appeal and representing the person in question, the public hearing was suspended at 4:36 p.m. until 4:45 p.m. to allow for more time for such person(s) to appear. The Public Hearing was reopened at 4:46 p.m., Notice was again read aloud, as the owner and no representative of the owner was present, Chairman Sundquist continued with the Public Hearing.

NOTICE OF PUBLIC HEARING

On October 5, 2022 at 4:30 pm., the City of Magnolia Zoning Board of Adjustment will hold a public hearing in the City Council Chambers, 18111 Buddy Riley Blvd., Magnolia, Texas 77354, concerning an appeal to a Notice of Violation of City of Magnolia's Unified Development Code requested for 327 Magnolia Blvd, giving all interested persons the right to appear and be heard.

Code Enforcement Officer Clyde Hunt and Planning Coordinator Christian Gable presented summaries of their staff reports. City Attorney Leonard Schneider was also present to answer any questions.

4. CLOSE PUBLIC HEARING AND CONVENE SPECIAL MEETING

Chairman Anne Sundquist adjourned the Public Hearing and convened the Special Meeting at 5:09 p.m.

5. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the meeting held July 25, 2022.

MOTION: Upon a motion to approve the minutes of the meeting held July 25, 2022 made by Cathy Yowell and seconded by Scott Shelburne, the Board members voted and the motion carried unanimously, 4-0.

6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN APPEAL REQUESTED FOR A NOTICE OF VIOLATION OF THE CITY OF MAGNOLIA UNIFIED DEVELOPMENT CODE FOR 327 MAGNOLIA BLVD.

MOTION: Upon a motion to adjourn into Closed Executive Session per Local Government Code 551.071 Consultation with Attorney made by Cathy Yowell and seconded by LaRae Whorley, the Board members voted, the motion carried unanimously, 4-0

Chairman Sundquist convened into Closed Executive Session at 5:10 p.m.

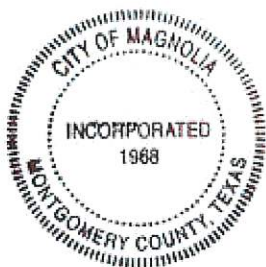
Chairman Sundquist adjourned the Closed Executive Session and reconvened the Open

Meeting at 5:20 p.m.

MOTION: Upon a motion to continue the hearing 4 weeks from now on November 2, 2022, republish the meeting notice, and have staff notify the person who appealed, also for the purpose of gathering more permit information made by Scott Shelburne and seconded by LaRae Whorley, the Board members voted, and the motion carried unanimously, 4-0.

7. ADJOURN

MOTION: Upon a motion to adjourn the meeting made by Scott Shelburne and seconded by Cathy Yowell, the Board members voted, the motion carried unanimously, 4-0 and the meeting was adjourned at 5:21 p.m.




Anne Sundquist, Chairman

CERTIFICATION

I certify that this is a true and correct copy of the minutes of the meeting of the City of Magnolia Zoning Board of Adjustment held October 5, 2022.

ATTEST:


Kandice Garrett, City Secretary