



NOTICE OF A PUBLIC MEETING  
TOWN OF RANCHO VIEJO  
BOARD OF ADJUSTMENTS AND APPEALS  
JUNE 14, 2016  
9:00 A.M.

NOTICE is hereby given of a Meeting of the BOARD OF ADJUSTMENTS AND APPEALS of the TOWN OF RANCHO VIEJO, to be held on Tuesday, June 14, 2016, at 9:00 A.M., in the TOWN MUNICIPAL OFFICE, 3301 Carmen Avenue, Rancho Viejo, Texas to consider the following items:

1. Call to order
2. Roll call
3. Approval of Minutes November 5, 2015
4. Review Request for Variance by Bridget Neubauer, representative for S & M Projected Assets, LLC, owners of Lot 3 Block 2, Town Hall Subdivision III, Rancho Viejo, Texas, to provide for a variance from the Code of Ordinances, Chapter 70, Article III, Zoning Regulations and Rules, Division 1. Generally, Section 70-250. Regulation applicable to all districts, Setback Regulations (a) (3) - to be within 25 feet of the right of way. This would apply to the wall on the side of the building facing Angelitas
5. Adjourn

A handwritten signature in black ink, appearing to read "Fred Blanco".

Fred Blanco, Town Administrator

MINUTES OF A REGULAR MEETING  
BOARD OF ADJUSTMENTS AND APPEALS  
NOVEMBER 5, 2015

A Regular Meeting of the BOARD OF ADJUSTMENTS AND APPEALS of the TOWN OF RANCHO VIEJO was held on November 5, 2015 in the TOWN MUNICIPAL OFFICE, 3301 Carmen Avenue, Rancho Viejo, Texas, the same being open to the public. The meeting was called to order by Mr. Dionel Ortiz at 4:03 P.M. Roll call was made by Isabel Perales, Assistant Town Secretary. Members present were:

Mr. Larry Berletch  
Mr. Jorge de la Garza  
Mr. Fred Kennedy  
Mr. Richard Lowry  
Mr. Dionel Ortiz

A quorum was present for the meeting.

Those present at the meeting were:

Jean Hager	Fred Rusteberg	Frances Rusteberg
Will Burns	Fred Blanco	

Mr. Ortiz took a moment to remember one of the past members of the Board of Adjustments and Appeals who passed, Mr. Lyle McNeil.

APPROVAL OF MINUTES - MARCH 29, 2012:

Motion was made by Mr. Ortiz, seconded by Mr. de la Garza, to approve the Minutes of the Adjustments and Appeals Meeting held on March 29, 2012, as written. Motion passed with the following vote:

Ayes: Mr. Larry Berletch, Mr. Jorge de la Garza, Mr. Richard Lowry, Mr. Dionel Ortiz

Nays: None

Abstentions: Mr. Fred Kennedy

REQUEST FOR A VARIANCE BY MR. AND MRS. FRED RUSTEBERG, OWNERS, LOT 3 SECTION 8, 313 SANTA ANA AVENUE, RANCHO VIEJO, TEXAS, TO PROVIDE FOR VARIANCE FROM THE CODE OF ORDINANCES, CHAPTER 70, ARTICLE III., DIVISION 1., SEC. 70-250. (F) MAXIMUM LOT COVERAGE - NO STRUCTURE OR DWELLING UNIT SHALL BE ERECTED ON ANY LOT OR PIECE OF PROPERTY WHERE MORE THAN 40 PERCENT OF THE PROPERTY SHALL BE COVERED BY THE STRUCTURE OR STRUCTURES. OPEN DECKS, PATIOS AND DRIVEWAYS SHALL NOT BE CONSIDERED COVERED AREAS FOR THE PURPOSE OF THIS SECTION (ALL OTHER STRUCTURES SHALL BE CONSIDERED IN THE COVERED AREA). EIGHT THOUSAND SQUARE FEET OR 40 PERCENT, WHICHEVER IS SMALLER, MUST BE FREE OF IMPROVEMENTS COVERING THE PROPERTY, INCLUDING OPEN DECKS, PATIOS AND DRIVEWAYS. IN DETERMINING THE SIZE OF THE LOT OR PIECE OF PROPERTY, ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO STREET, INGRESS AND/OR EGRESS EASEMENT SHALL BE EXCLUDED FROM THE LOT SIZE AND ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO A RESACA OR WATER STORAGE EASEMENT SHALL ALSO BE EXCLUDED FROM THE LOT SIZE - TO BE OVER THE REQUIREMENT WHERE 40 PERCENT OF THE PROPERTY MUST BE FREE STRUCTURES. THIS IS FOR THE CONSTRUCTION OF A BRICK PAVER SIDEWALK ON THE EXTERIOR WEST SIDE OF THE HOME:

Mr. Will Burns, contractor for Mr. and Mrs. Rusteberg gave a brief explanation on the request. He mentioned that the area that would be covered would be 321 square feet and the will be using brick pavers.

Motion was made by Mr. Lowry, seconded by Mr. Kennedy, and unanimously carried, to approve A Request for a Variance by Mr. and Mrs. Fred Rusteberg, owners, lot 3 section 8, 313 Santa Ana Avenue, Rancho Viejo, Texas, to provide for variance from the Code of Ordinances, Chapter 70, Article III., Division 1., Sec. 70-250. (f) Maximum lot coverage - No structure or dwelling unit shall be erected on any lot or piece of property where more than 40 percent of the property shall be covered by the structure or structures. Open decks, patios and driveways shall not be considered covered areas for the purpose of this Section (all other structures shall be considered in the covered area). Eight thousand square feet or 40 percent, whichever is smaller, must be free of improvements covering the property, including open decks, patios and driveways. In determining the size of the lot or piece of property, any portion of the property that is subject to street, ingress and/or egress easement shall be excluded from the lot size and any portion of the property that is subject to a resaca or water storage easement shall also be excluded from the lot size - to be over the requirement where 40 percent of the property must be free structures. This is for the construction of a brick paver sidewalk on the exterior west side of the home.

REQUEST FOR A VARIANCE BY MR. AND MRS. FRED RUSTEBERG, OWNERS, LOT 3 SECTION 8, 313 SANTA ANA AVENUE, RANCHO VIEJO, TEXAS, TO PROVIDE FOR VARIANCE FROM THE CODE OF ORDINANCES, CHAPTER 70, ARTICLE III., DIVISION 1., SEC. 70-250. (F) MAXIMUM LOT COVERAGE. NO STRUCTURE OR DWELLING UNIT SHALL BE ERECTED ON ANY LOT OR PIECE OF PROPERTY WHERE MORE THAN 40 PERCENT OF THE PROPERTY SHALL BE COVERED BY THE STRUCTURE OR STRUCTURES. OPEN DECKS, PATIOS AND DRIVEWAYS SHALL NOT BE CONSIDERED COVERED AREAS FOR THE PURPOSE OF THIS SECTION (ALL OTHER STRUCTURES SHALL BE CONSIDERED IN THE COVERED AREA). EIGHT THOUSAND SQUARE FEET OR 40 PERCENT, WHICHEVER IS SMALLER, MUST BE FREE OF IMPROVEMENTS COVERING THE PROPERTY, INCLUDING OPEN DECKS, PATIOS AND DRIVEWAYS. IN DETERMINING THE SIZE OF THE LOT OR PIECE OF PROPERTY, ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO STREET, INGRESS AND/OR EGRESS EASEMENT SHALL BE EXCLUDED FROM THE LOT SIZE AND ANY PORTION OF THE PROPERTY THAT IS SUBJECT TO A RESACA OR WATER STORAGE EASEMENT SHALL ALSO BE EXCLUDED FROM THE LOT SIZE - TO ALLOW A CONCRETE BASE FOR THE PLACEMENT OF A GENERATOR:

Mr. Burns stated that the concrete pad would be about 36 square feet to allow the generator to be in installed as per the specifications required to be 18" from the wall.

Motion was made by Mr. Lowry, seconded by Mr. Kennedy, and unanimously carried, to approve a request for a Variance by Mr. and Mrs. Fred Rusteberg, owners, lot 3 section 8, 313 Santa Ana Avenue, Rancho Viejo, Texas, to provide for variance from the Code of Ordinances, Chapter 70, Article III., Division 1., Sec. 70-250. (f) Maximum lot coverage. No structure or dwelling unit shall be erected on any lot or piece of property where more than 40 percent of the property shall be covered by the structure or structures. Open decks, patios and driveways shall not be considered covered areas for the purpose of this Section (all other structures shall be considered in the covered area). Eight thousand square feet or 40 percent, whichever is smaller, must be free of improvements covering the property, including open decks, patios and driveways. In determining the size of the lot or piece of property, any portion of the property that is subject to street, ingress and/or egress easement shall be excluded from the lot size and any portion of the property that is subject to a

November 5, 2015

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resaca or water storage easement shall also be excluded from the lot size - to allow a concrete base for the placement of a generator.

Adjournment:

Motion was made by Mr. Kennedy, seconded by Mr. Ortiz, and unanimously carried, to adjourn the meeting at 4:16 P.M.

BY: \_\_\_\_\_  
Fred Blanco, Town Administrator

APPROVED: \_\_\_\_\_  
Dionel Ortiz, Chairman

DATE: \_\_\_\_\_

May 26, 2016

Fred Blanco, Town Administrator  
Town of Rancho Viejo  
3301 Carmen Avenue  
Rancho Viejo, Texas 78575

cc: Board of Adjustments & Appeals

Dear Mr. Blanco and Board Members:

Please accept this as a formal request for the newly re-plated commercial lot adjacent to the Town Hall, Lot 3 Block 2 Town Hall Subdivision III, Rancho Viejo, Texas 78575.

For several years the owner of this commercial parcel has looked for the best possible project to build on this property. They have now designed the space to maximize usable space and enhance the look of the Town's commercial area.

In order to have sufficient parking we are requesting a variance from the 25 foot right-of-way setback to be within 10 feet from the right-of-way. This applies to the side of the building facing Angelitas. Without this variance we would be short parking spaces and if we were to rotate the building we will lose more of the required parking spaces.

Thank you in advance for your consideration,



Bridget Neubauer, Realtor  
The Realty Co at Rancho Viejo

**Chapter 70 - ZONING, ARTICLE III. - ZONING REGULATIONS AND RULES, DIVISION 1. - GENERALLY**

**Sec. 70-250. - Regulations applicable to all districts.**

(a) *Setback regulations.* No vertical structure or manufacture of any kind, temporary or permanent, including overhangs (no roofs may overhang into any setback area) which has a vertical height of more than two feet from the slab shall be placed within the setback herein set forth, to wit: Except fence and wall regulations which have different setbacks.

For the purpose of these ordinances the following definitions shall prevail:

*Right-of-way:* Includes the paved portion as well as the unpaved portion of the "right-of-way". Any other words, road, roadway or thorough-fare, are not to be used in the zoning chapter.

- (1) Within 25 feet of the edge of the water of a resaca or other waterway;
- (2) Within 25 feet of a rear property line;
- (3) Within 25 feet of the right-of-way;
- (4) Within five feet of the side lot line.

**PRELIMINARY PLANNING DOCUMENTS**  
 RANCHO VIEJO GOLF AND RESORTS, LLC

CARMEN AVE  
 40.00' R.O.W.

PRELIMINARY - ISSUED FOR REVIEW - 03 APRIL 2016

Document Issued:  
 BLAZEL 2016, ISSUED FOR REVIEW  
 CLIENT

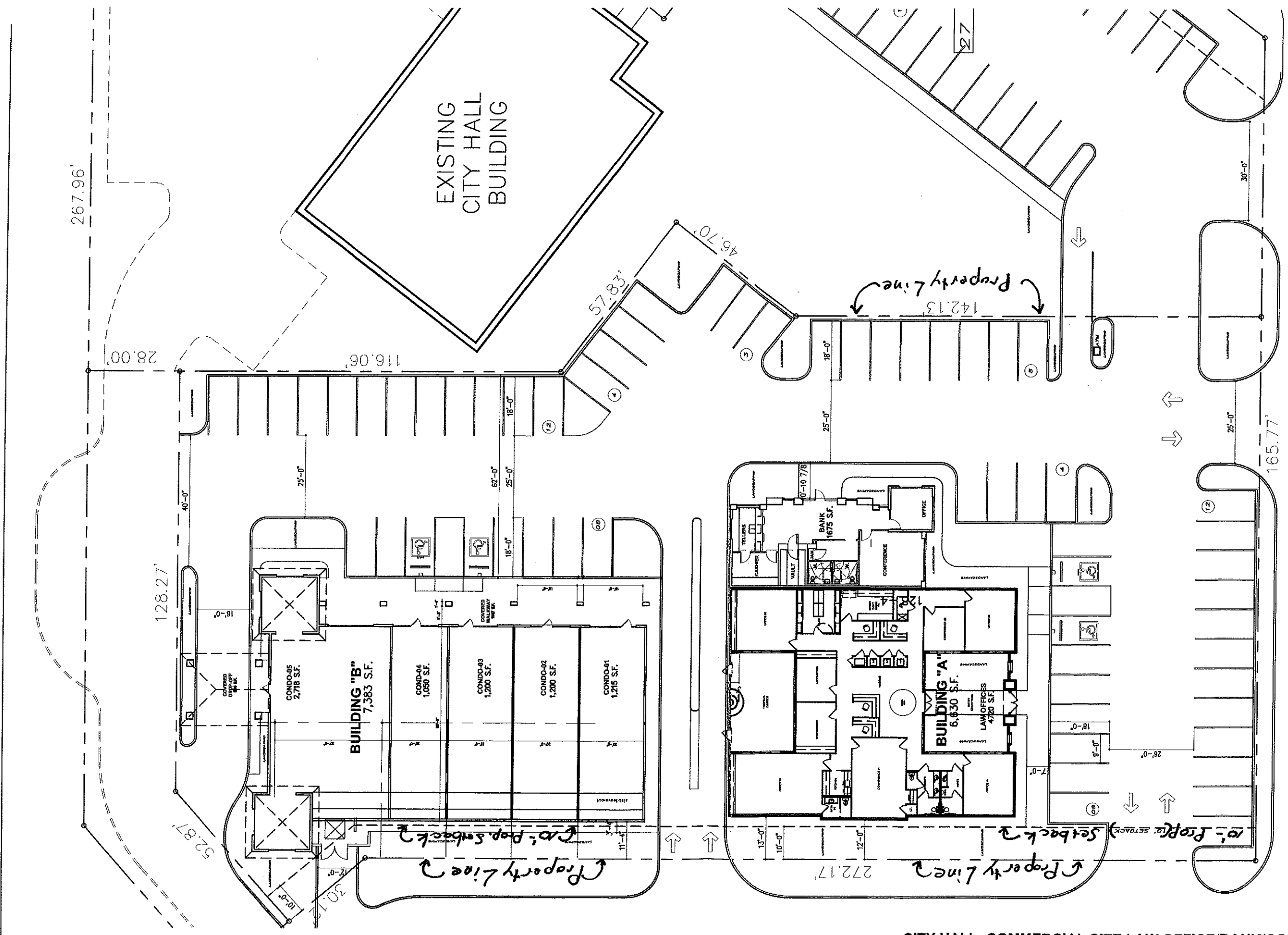
**JJL, pllc**  
 ARCHITECTURAL PLANNING & PROJECT MANAGEMENT  
 Houston  
 713.448.4471  
 5713 Woodway Drive #30  
 Houston, Texas 77057  
 Austin  
 512.282.2827  
 11004 Legend  
 Austin, Texas 78747  
 South Padre Island  
 936.761.1234  
 P.O. Box 2225  
 South Padre Island, Texas 78597

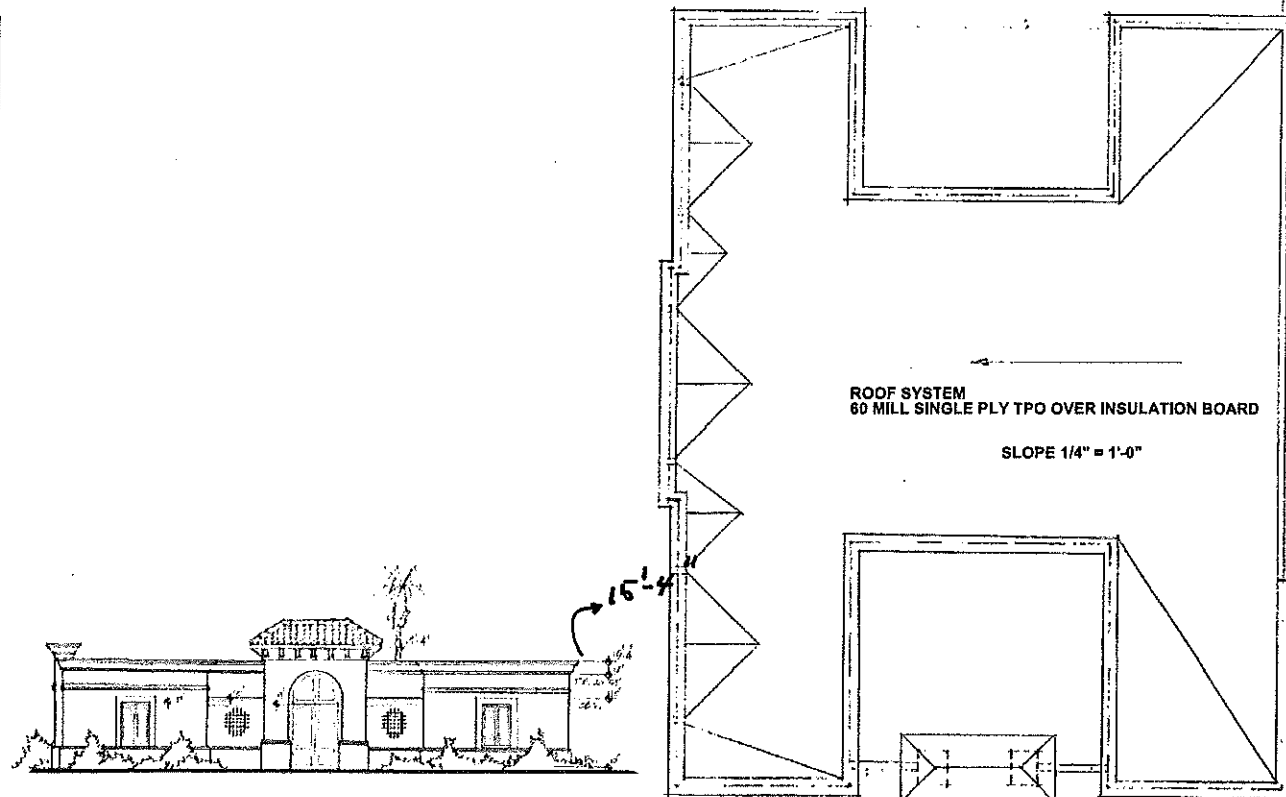
\*NOT FOR REGULATORY  
 APPROVAL, PERMITTING, OR  
 CONSTRUCTION\*

JJL PROJECT: 2016-005  
 CONCEPT DOCUMENT

Architectural  
 PRELIM. PLANNING  
**SD1.02**

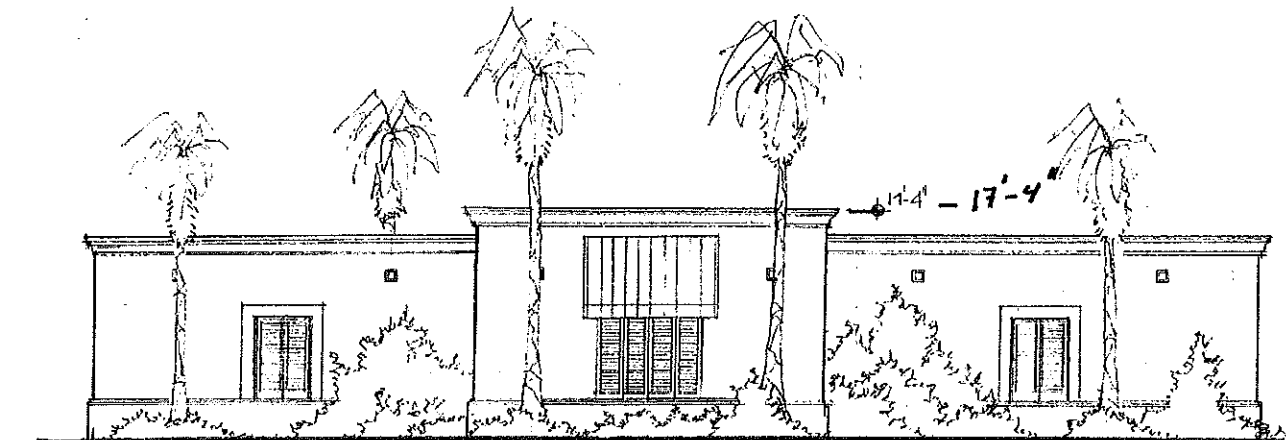
**CITY HALL - COMMERCIAL SITE-LAW OFFICE/BANK/CONDOS**  
 Preliminary Plan - 03 April 2016  
 FRONTAGE ON HWY 77,83



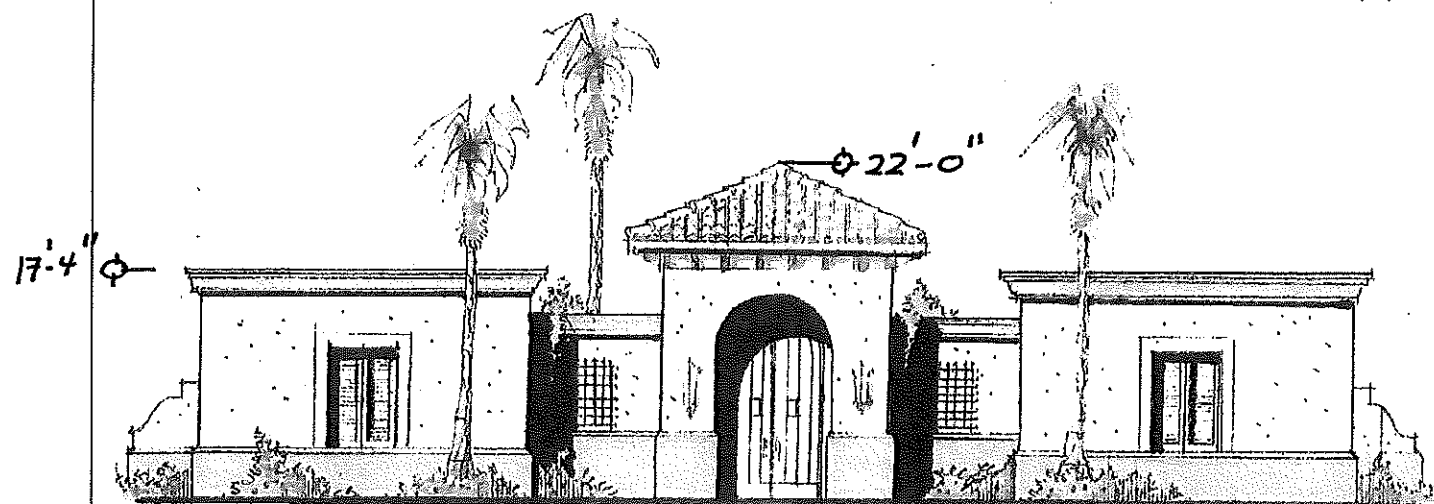


LAW OFFICE FRONT VIEW IMAGE-02

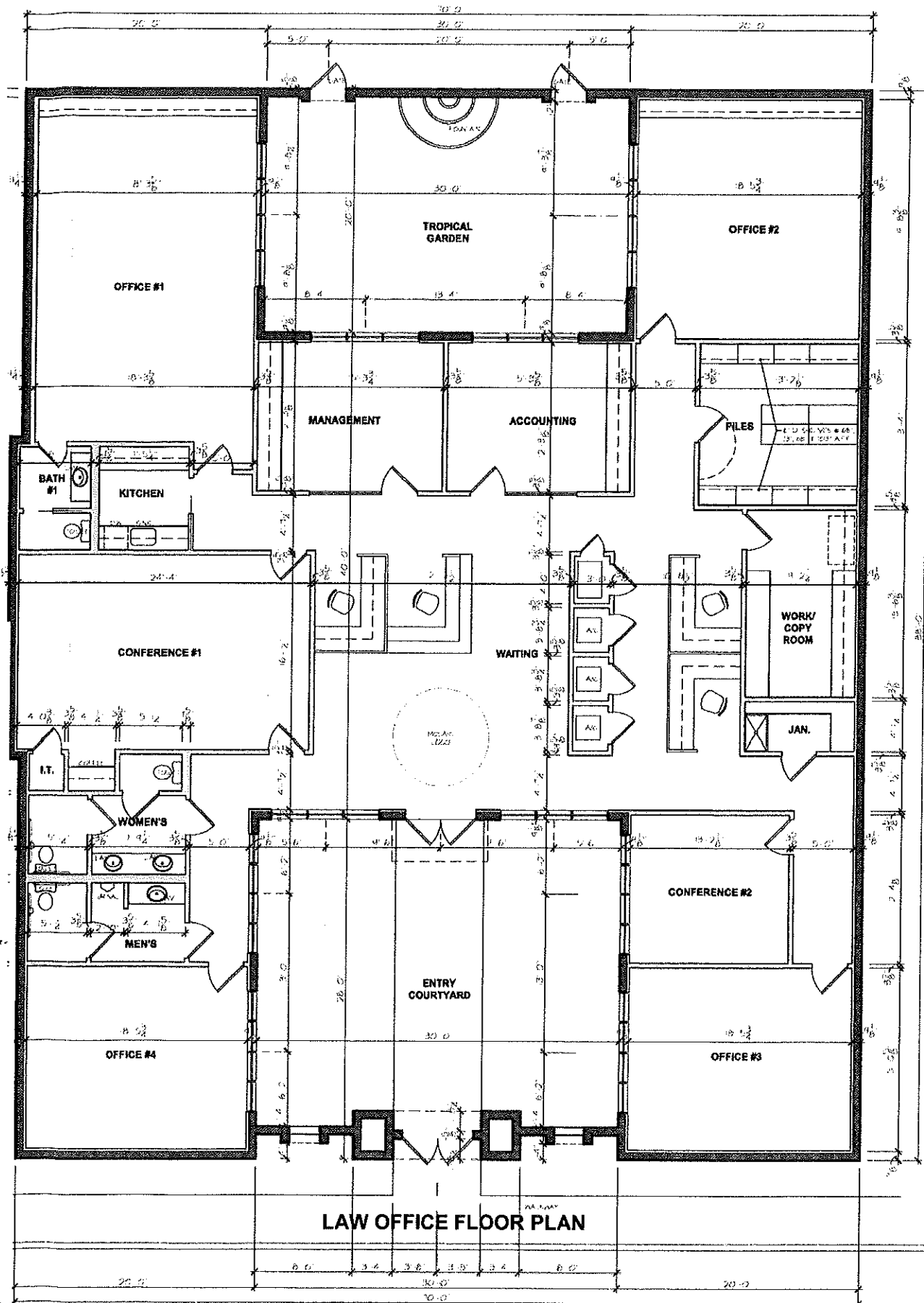
LAW OFFICE ROOF PLAN



LAW OFFICE SIDE VIEW IMAGE



LAW OFFICE FRONT VIEW IMAGE-01



LAW OFFICE FLOOR PLAN

CITY HALL - COMMERCIAL SITE-LAW OFFICE/BANK/CONDOS  
 Preliminary Plan - 03 April 2016  
 FRONTAGE ON HWY 77,83

JJL, pllc  
 ARCHITECTURAL PLANNING & INTERIOR MANAGEMENT  
 JJL PROJECT: 2016-005  
 COPYRIGHT DOCUMENT

PRELIMINARY PLANNING DOCUMENTS  
 RANCHO VIEJO GOLF AND RESORTS, LLC

PRELIMINARY - ISSUED FOR REVIEW - 03 APRIL 2016

Document Issue:  
 03 APRIL 2016 ISSUED FOR REVIEW  
 CLIENT

JJL, pllc  
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 APPROVAL, PERMITTING, OR  
 CONSTRUCTION"  
 2016-005-001

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Architectural  
 PRELIM. PLANNING  
 SD1.03