



NOTICE OF A PUBLIC MEETING
TOWN OF RANCHO VIEJO
BOARD OF ALDERMEN
REGULAR MEETING
NOVEMBER 10, 2015
6:00 P.M.

NOTICE is hereby given of a REGULAR MEETING of the BOARD OF ALDERMEN of the TOWN OF RANCHO VIEJO, TEXAS, to be held on NOVEMBER 10, 2015 at 6:00 P.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. Invocation and Pledge
4. Public Comment
5. Approval of Minutes - Regular Meeting October 13, 2015
6. Presentation by Mr. Richard Grasso to Build a Town Bocce Ball Court on Public Land for the Benefit of the Entire Community
7. September 2015 Financial Report - Town Administrator
8. October 2015 Police Report - Police Chief
9. Consideration/Approval to Declare One 2003 Ford Explorer (Seized Vehicle that is Asset Forfeiture) Surplus Property to be Sold and Authorize the Police Chief/Mayor to Accept the Highest Offer
10. Consideration/Approval to Declare One 2006 Ford F-150 Pick-up (Police Patrol Vehicle purchased with Town funds) Surplus Property to be Sold and Authorize the Police Chief/Mayor to Accept the Highest Offer
11. Consideration/Action on Amendment to Police Department Employee Manual Overtime Pay Description to Satisfy Language to Comply with Grant Application
12. Public Hearing on Request by Montanaro Investments, owner, to approve the request to vacate a re-plat for Lot 6, Block 1, Las Haciendas Subdivision, to go from 1 lot to 2 lots, Lot 6 and Lot 7, Las Haciendas Subdivision, as originally plated
13. Review/Discussion/Action on Request by Montanaro Investments, owner, to approve the request to vacate a re-plat for Lot 6, Block 1, Las Haciendas Subdivision, to go from 1 lot to 2 lots, Lot 6 and Lot 7, Las Haciendas Subdivision, as originally plated
14. Public Hearing on 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.

15. Review/Discussion/Action on 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.
16. Public Hearing on 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.
17. Review/Discussion/Action on 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.
18. Consideration/Action on Resolution to Vote on Ballot of Representative for Cameron Appraisal District Board of Directors - Position Nine
19. Consideration/Action on Budget Amendment for 2014/2015
20. Announce Good Neighbor Settlement House Drive - December 12, 2015
21. Public Comment
22. Executive Session: Pursuant to the following Section of the Texas Government Code: Section 551.071 Consultation with Attorney Concerning Contemplative Litigation
23. Possible action on matters discussed in Executive Session
24. Adjourn



Fred Blanco, Town Administrator

1. Call to Order

by Mayor Rathbun

2. Roll Call

by Isabel Perales

Aldерwoman Carr

Aldерwoman Guerrero

Alderman Lucio

Aldерwoman Truan

Alderman Vera

Legal Counsel, Daniel Rentfro, Jr.

Town Administrator, Fred Blanco.

3. Invocation and Pledge

The pledge of allegiance to the United States Flag:

“I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”

And the pledge of allegiance to the Texas State Flag is,

“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

4. Public Comment

5. Approval of Minutes - Regular Meeting October 13, 2015

MINUTES OF A REGULAR MEETING
TOWN OF RANCHO VIEJO
OCTOBER 13, 2015

A Regular Meeting of the Board of Aldermen of the Town of Rancho Viejo, Texas was held on October 13, 2015, at the Town Municipal Office, 3301 Carmen Avenue, Rancho Viejo, Texas, the same being open to the public. The meeting was called to order by Mayor Rathbun at 6:00 P.M. Roll call was made by Isabel Perales, Assistant Town Secretary. Members present at the meeting were:

Mrs. Lupita Carr
Mrs. Maribel Guerrero
Mrs. Bitty Truan
Mr. Javier Vera

Members absent:
Mr. Erick Lucio

A quorum was present at the meeting.

Legal Counsel, Daniel Rentfro, Jr. was present at the meeting and Town Administrator, Fred Blanco was also present at the meeting.

Those present in the audience were:
Chief M. Cruz, Jr.

INVOCATION AND PLEDGE:

Alderwoman Guerrero led the group in the invocation and pledge of allegiance to the American and Texas flags.

PUBLIC COMMENT:

Mayor Rathbun mentioned to review item #11 after police report. There were no comments from the public.

APPROVAL OF MINUTES - REGULAR MEETING 9/8/2015:

Motion was made by Alderwoman Truan, seconded by Alderwoman Carr, and unanimously carried, to approve the Minutes of the Regular Meeting held on September 8, 2015 as written.

AUGUST 2015 FINANCIAL REPORT - TOWN ADMINISTRATOR:

Fred Blanco, Town Administrator went over the August 2015 Financial Report and the bank balances for the General Account as well as the Debt Account and the Police Asset Forfeiture Account.

SEPTEMBER 2015 POLICE REPORT - POLICE CHIEF:

Police Chief Cruz went over the September 2015 Police Report, there were several questions from the Board on the Stonegarden Grant.

CONSIDERATION/APPROVAL TO DECLARE ONE 1996 GMC SIERRA 2500 (SEIZED VEHICLE THAT IS ASSET FORFEITURE) SURPLUS PROPERTY TO BE SOLD AND AUTHORIZE THE POLICE CHIEF/MAYOR TO ACCEPT THE HIGHEST OFFER:

Motion was made by Alderman Vera, seconded by Alderwoman Guerrero, and unanimously carried, to Declare One 1996 GMC Sierra 2500 (Seized Vehicle that is Asset Forfeiture) Surplus Property to be Sold and Authorize the Police Chief/Mayor to Accept the Highest Offer.

CONSIDERATION/POSSIBLE ACTION ON APPOINTMENTS OF CHAIRMAN AND NEW MEMBER TO THE PLANNING AND ZONING COMMISSION:

Mayor Rathbun recommended Craig Grove as a member to the Planning and Zoning Commission. Motion was made by Alderwoman Guerrero, seconded by Alderman Vera, and unanimously carried, to appoint Craig Grove as a member to the Planning and Zoning Commission. Mr. Grove thanked the Board and is looking forward to serving.

Mayor Rathbun recommended Oscar Gonzalez be appointed as Chairman. Motion was made by Alderwoman Carr, seconded by Alderwoman Truan, and unanimously carried to appoint Oscar Gonzalez as Chairman to the Planning and Zoning Commission.

MUNICIPAL JUDGE REPORT:

Judge Ricardo Adobbati stated that he started reviewing court cases since May 2015. We have worked together and made several positive changes to our court. We have held several court dates and worked on reducing the amount of paperwork significantly. Judge Adobbati stated he has some ideas for failure to appear citations and warrants and would like to review some of the Town Ordinances and as well of some of the fees.

STREET COMMITTEE REPORT:

Alderman Vera stated that the Street Committee has been meeting every Monday at 8-8:30 A.M. They have met w VMUD#2 on thoughts of coordinating streets and drainage, maintenance or reconstruction and looked at the study and commented on different plans. Each member had given thoughts and comments and they are working on a recommendation to bring to the Town to move forward. They have contacted Senator Lucio and Congressman Vela to look at what is available for the Town to be able to get help on funding the projects.

PUBLIC COMMENT:

Craig Grove thanked the Board for his appointment as a member to the Planning and Zoning Commission. He also mentioned it is a good idea to work with VMUD #2 to look into requesting grants for project funding to be able to involve other needs for the Town along with paving at the same time.

EXECUTIVE SESSION: PURSUANT TO THE FOLLOWING SECTION OF THE TEXAS GOVERNMENT CODE: SECTION 551.074 TO CONSIDER THE RE-APPOINTMENT, EMPLOYMENT, EVALUATION, OR DUTIES OF THE TOWN ADMINISTRATOR AND TO CONSIDER A NEW PROPOSED CONTRACT FOR THE TOWN ADMINISTRATOR:

Motion was made by Alderwoman Truan, seconded by Alderman Vera, and unanimously carried, to go into Executive Session: Pursuant to the following Section of the Texas Government Code: Section 551.074 to Consider the re-appointment, employment, evaluation, or duties of the

Town Administrator and to Consider a New Proposed Contract for the Town Administrator at 7:01 P.M.

The meeting was reconvened at 7:29 P.M.

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:

Motion was made by Alderwoman Carr, seconded by Alderman Vera, and unanimously carried, to accept the contract as written for a 1 year period starting October 1, 2015 through September 30, 2016.

ADJOURNMENT:

Motion was made by Alderwoman Truan, seconded by Alderwoman Carr, and unanimously carried, to adjourn the meeting at 7:30 p.m.

BY: _____
Fred Blanco, Town Administrator

APPROVED: _____
Cyndie Rathbun, Mayor

DATE: _____

6. Presentation by Mr. Richard Grasso to Build a Town Bocce Ball Court on Public Land for the Benefit of the Entire Community

7. September 2015 Financial Report - Town Administrator

8. October 2015 Police Report - Police Chief

RANCHO VIEJO POLICE DEPARTMENT

MONTHLY STATISTICAL REPORT

MONTH OF : OCTOBER 2015

<u>I</u> <u>CRIMINAL VIOLATION</u>	<u>CURRENT</u>	<u>PRIOR</u>	<u>1- YEAR AGO</u>
THEFT	0	0	0
AGGRAVATED ROBBERY	0	0	0
BURGLARY OF HABITATION	0	0	0
BURGLARY OF A VEHICLE	0	0	0
IDENTITY THEFT	2	1	0
FAMILY VIOLENCE	0	1	1
CRIMINAL MISCHIEF/ TRESPASS	1	0	0
RUN AWAY	0	1	0
HARASSMENT / STALKING	0	0	0
INJURY TO A CHILD	0	0	0
SEXUAL ASSAULT / ABUSE	0	0	0
ASSAULT / THREATS	0	0	0
POSSESSION OF MARIJUANA	2	1	0
TAMPERING W/ GOV RECORDS	0	0	0
FAIL TO IDENTIFY	0	0	0
STOLEN VEHICLE	0	0	0
TOTAL	5	4	1
<u>II</u> <u>MISCELLANEOUS INCIDENTS</u>			
CIVIL MATTER	5	2	1
AMBULANCE CALLS	0	2	0
VEHICLE ACCIDENTS	1	0	1
ASST. OUTSIDE AGENCIES	0	1	0
DOMESTIC DISPUTE	0	0	1
LOST/FOUND PROPERTY	0	0	0
K-9/ANIMAL INCIDENT	1	1	0
VEHICLE IMPOUND	0	0	0
WELFARE CONCERN (911 HANG-UP)	0	1	2
DEATH	0	0	0
PROPERTY DAMAGE	1	0	1
SUSPICIOUS PERSON / ACTIVITY	1	0	1
FIRE CALL	0	0	1
INFORMATION REPORT	1	0	0
TOTAL	10	7	8
<u>III</u> <u>CRIMINAL ARREST</u>			
ADULT OFFENDER	3	5	3
JUVENILE OFFENDER	0	0	0
TOTAL	3	5	3

IV **VEHICLE TRAFFIC INFRACTION**

WRITTEN CITATIONS	37	71	33
WRITTEN WARNINGS	6	27	17
TOTAL	43	98	50

V **MUNICIPAL ORD. INFRACTION**

WRITTEN CITATIONS	0	1	0
WRITTEN WARNINGS	0	0	0
TOTAL	0	1	0

VI **POLICE**

MILEAGE	PATROL	7,501	4,025	6,308
	WARRANTS / C.I.D.	2,701	2,079	2,278
	O.P.S.G. (GRANT)	1,505	2,046	0

9. Consideration/Approval to
Declare One 2003 Ford
Explorer (Seized Vehicle that is
Asset Forfeiture) Surplus
Property to be Sold and
Authorize the Police
Chief/Mayor to Accept the
Highest Offer



CAMERON COUNTY DISTRICT ATTORNEY

Luis V. Saenz

District Attorney

MEMORANDUM

TO: Chief Manuel Cruz
Rancho Viejo

FROM: Yahitza Nunez
Assistant County and District Attorney

RE: State of Texas vs. Abel Longoria, III and Loan Star Title Loans
Cause No. 2012-DCL-4812-E (357th)

DATE: February 21, 2013

Attached hereto is one certified copy of the Agreed Final Judgment in Cause No.2012-DCL-4812-E (357th). This Judgment is Final and the State does not plan to Appeal. Please be advised of the following distribution of seized property:

- 1.) A 2003 Ford Explorer (VIN31FMPU17L43LA73055) was seized by the Rancho Viejo Police Department and has been filed for forfeiture by the State of Texas.
- 2.) The amount of Two Hundred Seventy Five Dollars and No Cents (\$275.00) US Currency is to be paid to the Cameron County District Clerks Office for Court Costs. ***This amount is to be paid directly by the Rancho Viejo Police Department.***
- 3.) The 2003 Ford Explorer (VIN31FMPU17L43LA73055) as set out in paragraph 1 is hereby awarded to the Rancho Viejo Police Department as per terms of local agreement. ***The total amount of this vehicles lien of (\$2,200.00) is to be paid directly by the Rancho Viejo Police Department to Integrity Texas Funding (address: 3308 Boca Chica Blvd., Brownsville, Texas 78586).***

Should you have any questions or concerns please do not hesitate to contact our office at (956)544-0849.

Cameron County Courthouse
964 E. Harrison Street ♦ Brownsville, Texas 78520
Mainline: 956.544.0849 Fax: 956.544.0869

10. Consideration/Approval to
Declare One 2006 Ford F-150
Pick-up (Police Patrol Vehicle
purchased with Town funds)
Surplus Property to be Sold and
Authorize the Police
Chief/Mayor to Accept the
Highest Offer

Philpott Motors

Government & Commercial Sales

1400 U.S. HIGHWAY 69 • NEDERLAND, TX 77627
TOLL FREE: 1-888-973-5338

INVOICE# 129160

DEAL # 129160

SALESMAN WILEY, ALAN

SOLD TO:

ADDRESS TOWN OF RANCHO VIEJO
3451 CARMEN AVE
RANCHO VIEJO
SERIAL NO. (VIN NO.)

DATE

09 MAY 2006

MAKE	MODEL	NEW OR USED	SERIAL NO. (VIN NO.)	TX	TDS75
FORD	F150	NEW	1FTRW12W96FB14176		
P.O. # <u>2180-0121596</u> REQ. # <u>HCAC CC06-00472</u>					PRICE OF VEHICLE OPTIONAL EQUIP. & ACCESS. 30781.25
<div style="text-align: center;"> <h2>VEHICLE INVOICE</h2> <p>DATE: <u>05-17-2006</u> APPROVED BY: <u>M. CRUZ, JR.</u> <i>M. Cruz</i> RE: <u>New patrol vehicle</u> BUDGET ENTRY: _____ ACCT.#: _____</p> </div>					ESP WARR. 600.00
					SALES TAX LICENSE AND TITLE N/A
					TOTAL CASH PRICE 31381.25
					FINANCING INSURANCE N/A
					TOTAL TIME PRICE N/A
					SETTLEMENT: DEPOSIT N/A
					CASH ON DELIVERY N/A
					TRADE-IN N/A
					PAY-OFF <u>4000.00</u>
					PAY-OFF TO N/A 4000.00
					TYPE N/A SER. NO. 2002 FORD 1FTRW07672KA95714 PAYMENTS
					TOTAL 4000.00
					TOTAL 27981.25

PLEASE PAY FROM THIS INVOICE - NET 10 DAYS

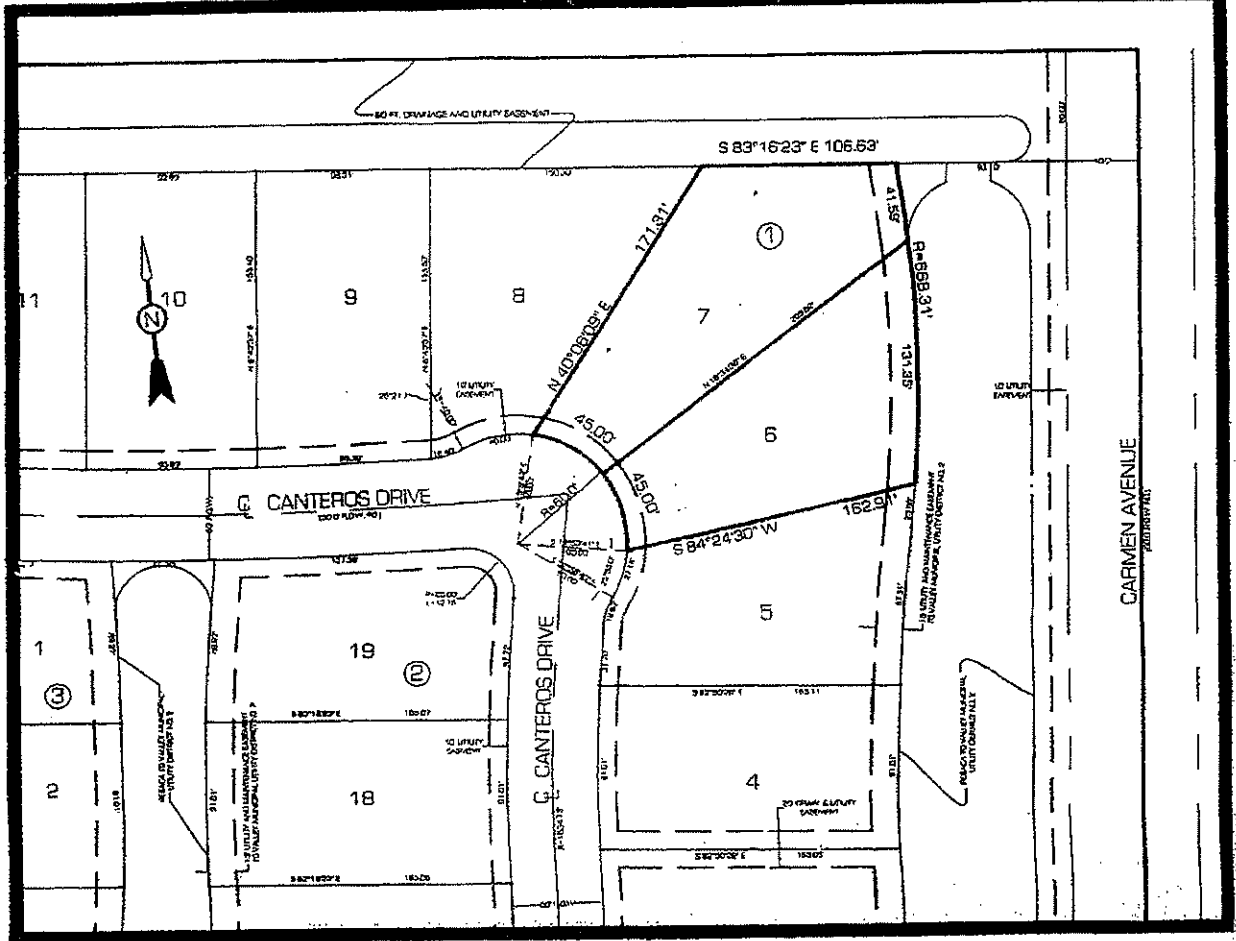
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with Grant Application**

12. Public Hearing on Request by Montanaro Investments, owner, to approve the request to vacate a re-plat for Lot 6, Block 1, Las Haciendas Subdivision, to go from 1 lot to 2 lots, Lot 6 and Lot 7, Las Haciendas Subdivision, as originally plated

To The Town Of Rancho Viejo

This letter is a request to the Town Of Rancho Viejo to vacate a replat done in 2009 on lot 6 and 7 block 1 in Las Haciendas. I am requesting the vacating of the replat because we are in the process of requesting the building permit to start construction on two homes in the mentioned lots above. I have been approved for two construction loans on the mentioned lots and need the approval of the Town of Rancho Viejo in order to start the construction. These two homes will add value to the continuing development and growth at Las Haciendas Subdivision and will also be an asset to the Town Of Rancho Viejo. Being the construction of two homes instead of one at the property. The estimated sq. footage of each home will be about 3500 sq. ft. each and an estimated value of \$350,000. I would greatly appreciate the help of the Town of Rancho Viejo and its board members with this matter. Please feel free to contact me at 956-544-4292


Montana Investments

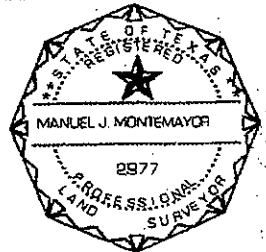


VACATING PLAT

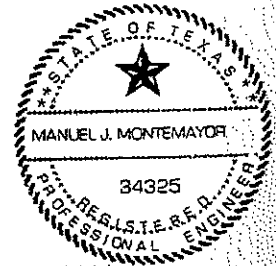
SCALE: 1"=100.0'

 CERTIFICATE FOR ENGINEER OR SURVEYOR

I, MANUEL J. MONTEMAYOR, A REGISTERED PROFESSIONAL LAND SURVEYOR AND REGISTERED PROFESSIONAL ENGINEER, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT: IT WAS PREPARED FROM AN ACTUAL SURVEY OF PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH SUITABLE PERMANENT MONUMENTS OF THE SIZE AND TYPE NOTED; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST ORIGINAL SURVEY CORNER, AS SHOWN HERON. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

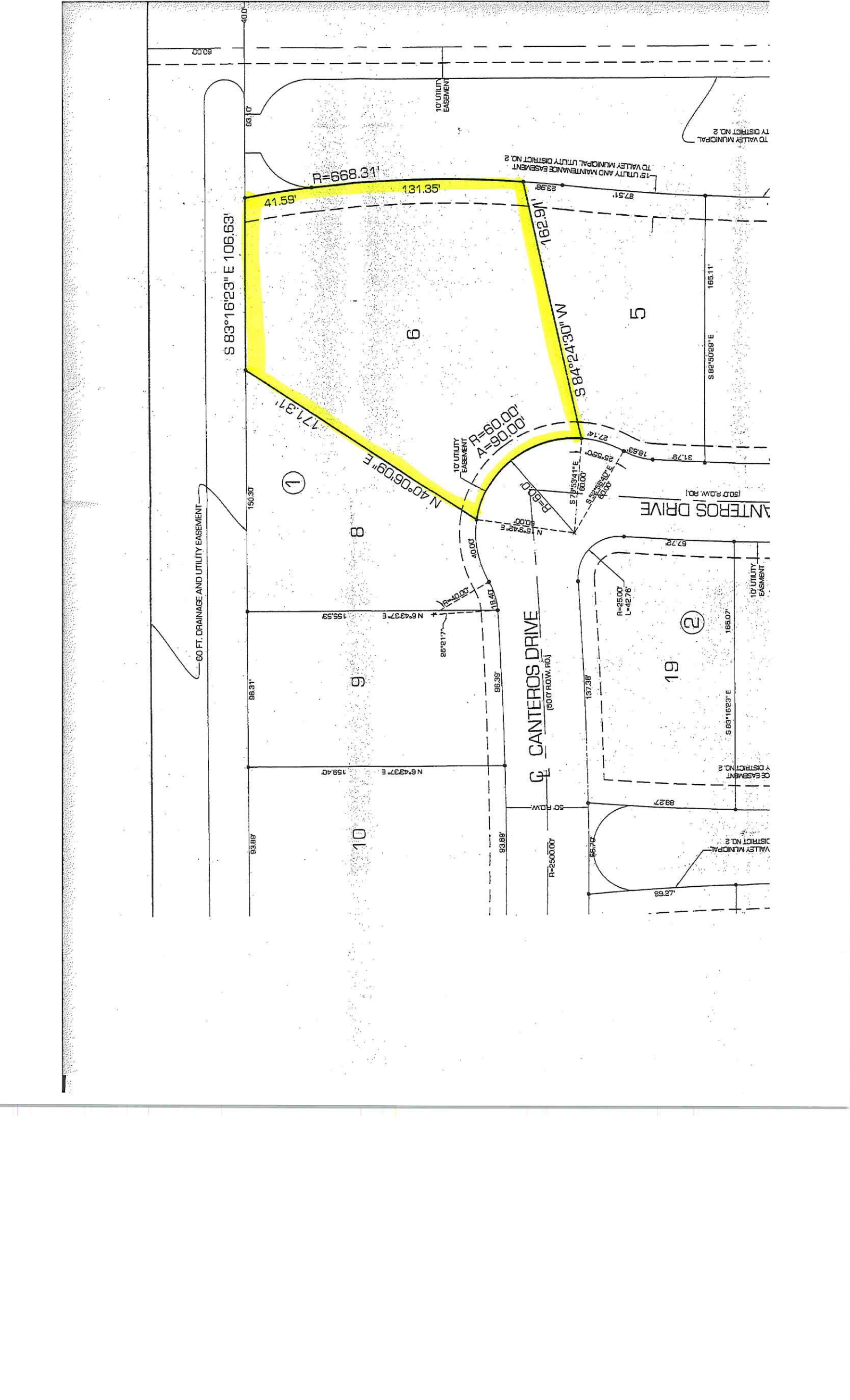


Manuel J. Montemayor
 MANUEL J. MONTEMAYOR
 REGISTERED PROFESSIONAL ENGINEER #34325
 REGISTERED PROFESSIONAL LAND SURVEYOR # 2977



 THE STATE OF TEXAS }
 COUNTY OF CAMERON } (

BEING THE OWNERS HEREINAFTER REFERRED TO AS OWNER WHETHER ONE OR MORE OF LOTS 6 AND 7, BLOCK 1 AS DESCRIBED IN THE ABOVE AND FOREGOING MAP OF AMENDED PLAT OF LAS HACIENADS AT RANCHO VIEJO SUBDIVISION DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAN PLAN OF SAID PROPERTY AND NOTATIONS ON SAID MAP



60 FT. DRAINAGE AND UTILITY EASEMENT

S 83°16'23" E 106.63'

R=668.31'

41.59'

131.35'

162.91'

S 84°24'30" W

R=60.00'

N 40°06'09" E

171.31'

10' UTILITY EASEMENT

R=60.00'

N 15°34'2" E

R=60.00'

N 15°34'2" E

R=60.00'

S 27°53'41" E

R=60.00'

S 27°53'41" E

R=60.00'

S 27°53'41" E

R=60.00'

S 27°53'41" E

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S 27°53'41" E

R=60.00'

S 27°53'41" E

R=60.00'

S 27°53'41" E

R=60.00'

S 27°53'41" E

R=60.00'

CANTEROS DRIVE
(50' ROW, RD.)

ANTEROS DRIVE
(50' ROW, RD.)

10' UTILITY EASEMENT

R=25.00'

L=42.76'

R=25.00'

L=42.76'

R=25.00'

L=42.76'

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TO VALLEY MUNICIPAL DISTRICT NO. 2

TO VALLEY MUNICIPAL UTILITY DISTRICT NO. 2

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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.

Request for Variances, October 19, 2015

Town of Rancho Viejo Administrator

Landscape requirement of 40% of Lot to be "Green Space" [Chapter 70, Article 3, Division 1, Sec 70-250, paragraph f].

Fred and Frances Rusteberg request three (3) hardship variances for their new home under construction at 313 Santa Ana.

1. ~~Allow a concrete base (6" wide by 6" to 2' tall as dictated by fence sloping down to the resaca) to be built under and for our compliant side fencing to sit on be considered Landscape/Green area or allow the Green Space requirement to be lowered by 85 s.f.. Attached is a drawing depicting the design of the fence base. Such base will function as landscape edging, separating grass/plants between the side neighbors and Rusteberg land, therefore preventing each family's landscaping from encroaching under the fence to neighboring property, as well as provide a more stable fence base. The concrete base would serve as a durable edge for all to weed eat against thereby improving general yard maintenance for all concerned. Without the fence base, it would present a hardship in their ability to best maintain the landscaping boundary between properties.~~
2. Allow a brick paver sidewalk of 240 s.f. leading from the garage side front side gate to the rear patio area. (Drawing attached.) Currently, there is no stable ground walking access leading from the front to the rear yard except walking through the house living area and the house does not have handicap ramping. By installing an outside paver walkway on the west side of the house leading to the backyard rear patio area, a stable walking access for pool contractors, yardmen, caterers, and repairmen, as well as handicapped guests, could better and more safely enter the backyard patio area by way of a hard walking surface. Without such walkway, these persons would be forced to walk through both wet grass and/or, at times, mud. Not having a hard stable walking path on the side of the house creates hardship for the Rusteberg's in their ability to allow people safe and stable access to their backyard.
3. Allow 36 s.f. of the Green Space requirement be given to the Rusteberg's to be used for the base installation of a Generac Power Generator. After construction had started, sleep apnea, an emergency medical condition was diagnosed requiring the Rusteberg's to install an emergency power generator, that would provide continuous electrical power to their home during periods of future loss of electrical power. To allow for the generator, an exterior wall was relocated, moving the exterior wall into what was previously inside living area, thereby reducing the interior size of the house. In effect, repositioning what had been interior pantry space to now exterior outdoor space to allow for the outside generator site. Its proper installation instructions required 2' between the house and the installed generator. In order to comply with the Landscape requirements of Rancho Viejo, 36 s.f. encroachment into the Landscape area is needed for the generator base to have a hard surface to sit on. It would create a medical hardship for the Rusteberg's to be without a properly installed backup generator to power a medically prescribed electrical medical device during times of power failure.

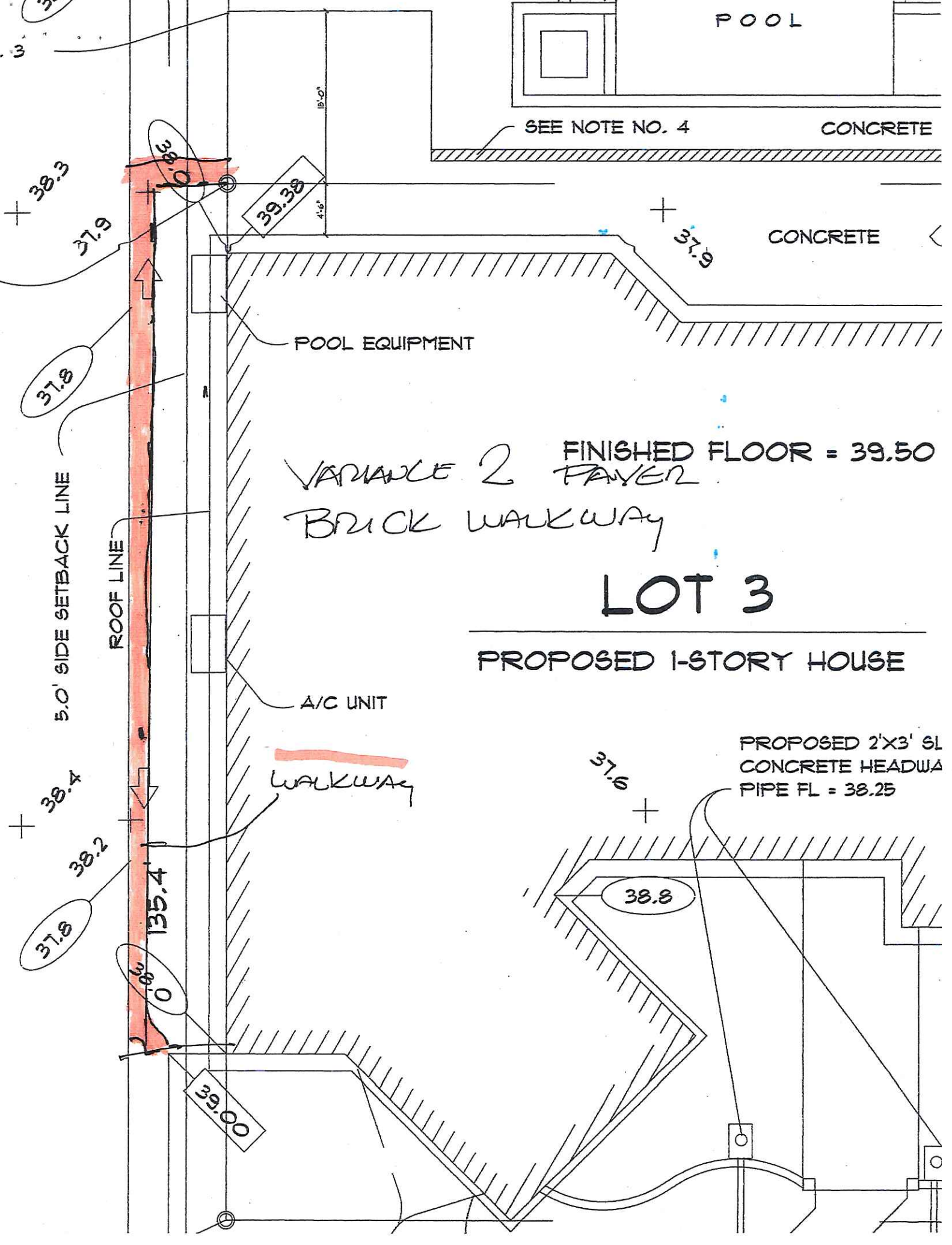
In summary, we ask the Board of Adjustments to allow encroachment of 361 s.f. into the Green Space requirement of 40%. The total Lot area is 17,338 s.f., so this means the Rusteberg's will have a total of 38% of their lot in greenspace/plants and grass as opposed to 40%.

The Rusteberg's goal is to add value to the community and city in building their new home in Rancho Viejo. Thank you for your consideration.

Sincerely,

Fred Rusteberg

Frances Rusteberg



POOL

SEE NOTE NO. 4

CONCRETE

CONCRETE

POOL EQUIPMENT

VARIABLE 2 FINISHED FLOOR = 39.50
PAVED
BRICK WALKWAY

LOT 3

PROPOSED 1-STORY HOUSE

A/C UNIT

WALKWAY

PROPOSED 2'X3' SL
CONCRETE HEADWA
PIPE FL = 38.25

38.8

39.00

15. Review/Discussion/Action on 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.

16. Public Hearing on 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.

Request for Variances, October 19, 2015

Town of Rancho Viejo Administrator

Landscape requirement of 40% of Lot to be "Green Space"[Chapter 70, Article 3, Division 1, Sec 70-250, paragraph f].

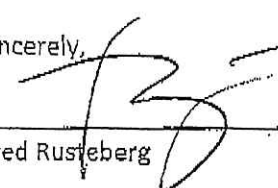
Fred and Frances Rusteberg request three (3) hardship variances for their new home under construction at 313 Santa Ana.


1. ~~Allow a concrete base (6" wide by 6" to 2' tall as dictated by fence sloping down to the resaca) to be built under and for our compliant side fencing to sit on be considered Landscape/Green area or allow the Green Space requirement to be lowered by 85 s.f.. Attached is a drawing depicting the design of the fence base. Such base will function as landscape edging, separating grass/plants between the side neighbors and Rusteberg land, therefore preventing each family's landscaping from encroaching under the fence to neighboring property, as well as provide a more stable fence base. The concrete base would serve as a durable edge for all to weed eat against thereby improving general yard maintenance for all concerned. Without the fence base, it would present a hardship in their ability to best maintain the landscaping boundary between properties.~~
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In summary, we ask the Board of Adjustments to allow encroachment of 361 s.f. into the Green Space requirement of 40%. The total Lot area is 17,338 s.f., so this means the Rusteberg's will have a total of 38% of their lot in greenspace/plants and grass as opposed to 40%.

The Rusteberg's goal is to add value to the community and city in building their new home in Rancho Viejo. Thank you for your consideration.

Sincerely,

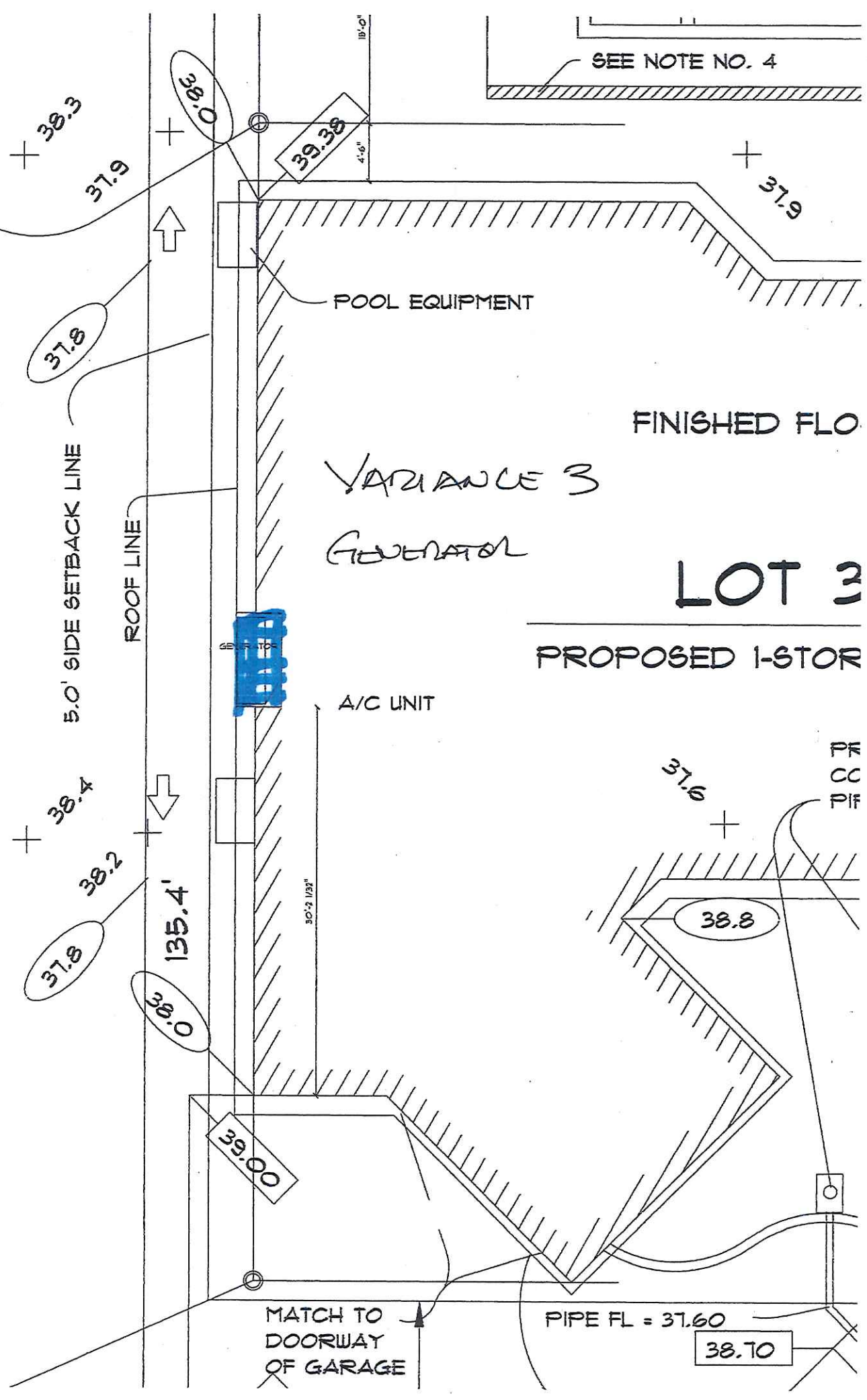

 Fred Rusteberg


 Frances Rusteberg

10/19/2015 2:35PM (GMT-05:00)

LOT 5
192.0'
N45°13'57"E

0'



VARIANCE 3
GENERATOR

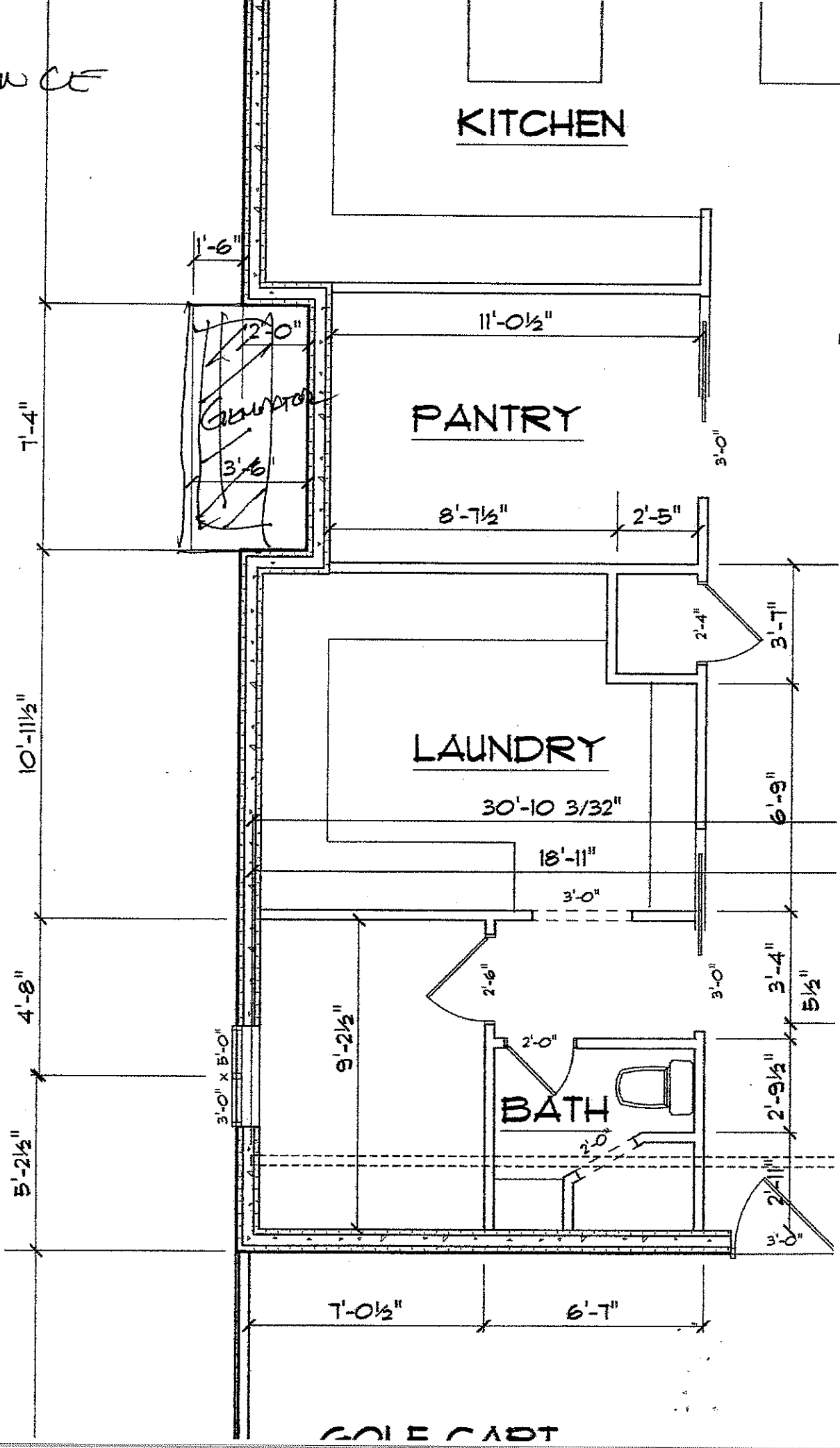
LOT 3

PROPOSED 1-STOR

VARIANCE

3

105'-0"



SOLE CABT

17. Review/Discussion/Action on 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.

18. Consideration/Action on
Resolution to Vote on Ballot of
Representative for Cameron
Appraisal District Board of
Directors - Position Nine

RESOLUTION NO.

WHEREAS, the Town of Rancho Viejo, Texas along with fourteen (14) other cities in Cameron County is represented by one (1) board member sitting as position nine (9) on the Cameron Appraisal District Board of Directors; and

WHEREAS, each of the fifteen (15) cities represented by this director shall have the opportunity to nominate and vote for the representative of its choice for the period commencing January 2016; and

WHEREAS, the candidate receiving the greatest number of votes will hold director position nine (9);

NOW THEREFORE, BE IT RESOLVED this the 10th day of November 2015, that the Board of Aldermen of the Town of Rancho Viejo do vote for _____ to hold position nine (9) of the Cameron Appraisal District Board of Directors.

PASSED, ADOPTED AND APPROVED by the Board of Aldermen of the Town of Rancho Viejo on this the 10th day of November, 2015.

Town of Rancho Viejo

Cyndie Rathbun, Mayor

ATTEST:

Fred Blanco, Town Secretary

CAMERON APPRAISAL DISTRICT

BOARD OF DIRECTORS

VOTING BALLOT

LET IT BE KNOWN THAT THE _____
Taxing Unit

DOES HEREBY CAST ITS VOTE AS INDICATED IN THE BALLOT BELOW:

CANDIDATES FOR POSITION NINE

Ricardo Morado

EACH JURISDICTION IS ALLOWED ONLY ONE VOTE
BALLOTS MUST BE RETURNED TO CAMERON APPRAISAL DISTRICT BEFORE
DECEMBER 15, 2015

BY: _____
Mayor

City Secretary

19. Consideration/Action on Budget Amendment for 2014/2015

20. Announce Good Neighbor
Settlement House Drive -
December 12, 2015

21. Public Comment

22. Executive Session:
Pursuant to the following
Section of the Texas
Government Code: Section
551.071 Consultation with
Attorney Concerning
Contemplative Litigation

23. Possible action on matters discussed in Executive Session

24. Adjourn