



NOTICE OF PUBLIC MEETING
TOWN OF RANCHO VIEJO
BOARD OF ADJUSTMENTS AND APPEALS

May 1, 2020
9:00 A.M.

NOTICE is hereby given of a Meeting of the BOARD OF ADJUSTMENTS AND APPEALS of the TOWN OF RANCHO VIEJO, TEXAS, to be held on Friday, May 1, 2020 at 9:00 A.M via Zoom Teleconference ONLY Meeting by logging on at <https://us02web.zoom.us/j/81481717006> Meeting ID: 814 8171 7006

This Notice and Meeting Agenda, are posted online at: www.ranchoviejotexas.com. The Agenda packet will also be posted online no less than 24 hours before the meeting.

The members of the public wishing to participate in the meeting hosted through Zoom Teleconference may do so toll-free by logging on at <https://us02web.zoom.us/j/81481717006> Meeting ID: 814 8171 7006 or by calling in to one of the following numbers (charges may apply):

One tap mobile

+13462487799,,81481717006# US (Houston)

+12532158782,,81481717006# US (Tacoma)

Dial by your location

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 669 900 6833 US (San Jose)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Meeting ID: 814 8171 7006

1. Call to Order
2. Roll Call
3. Approval of Minutes – March 6, 2018, April 20, 2020
4. Request by Mr. Bob Richardson, owner, lot 1 block 0000 Rancho Viejo Subd Section VIII, 309 Santa Ana Ave, Rancho Viejo, Texas 78575, to provide for an appeal from the decision of the (building inspector / building committee) regarding Ordinance, Chapter 70, Zoning, Article III. Zoning Regulations and Rules, Section 70-250. Regulations applicable to all districts, (s) *Roof regulations*. A surface of all roofs for principal and secondary structures which are exposed to public view shall be of clay tile or other tiles of a ceramic nature, concrete tile, slate, stone, copper or composition. Substantial standing seam metal roofs painted with a neutral color will also be permitted. Flat built up roofs will be allowed provided that they have a minimum of a one foot parapet wall with adequate drainage (scuppers or drain pipes). On existing buildings a flat roof addition may match an existing flat roofed elevation. Composition roofs must be a 30 year warranty or more. This is to appeal the decision that the proposed roof violates the metal roof neutral color requirement.

5. Adjourn

Fred Blanco, Town Administrator



State of Texas
County of Cameron
Town of Rancho Viejo

I, the undersigned authority, do hereby certify that the above NOTICE OF REGULAR MEETING of the Board of Adjustments and Appeals of the Town of Rancho Viejo, Texas is a true and correct copy of said NOTICE, which has been posted on the Window of the Town of Rancho Viejo Municipal Office, 3301 Carmen Avenue, Rancho Viejo, Texas, a place convenient and readily accessible to the General Public, on April 27, 2020 at 3:00 P.M. and which will be continuously posted for a period of seventy-two (72) hours prior to the date and time said meeting was convened.

ATTEST:

Fred Blanco, Town Administrator

MINUTES OF REGULAR MEETING
BOARD OF ADJUSTMENTS AND APPEALS
MARCH 6, 2018

A Regular Meeting of the BOARD OF ADJUSTMENTS AND APPEALS of the TOWN OF RANCHO VIEJO, TEXAS, was held on March 6, 2018 in the TOWN MUNICIPAL OFFICE, 3301 Carmen Avenue, Rancho Viejo, Texas the same being open to the public.

1. CALL TO ORDER:

The meeting was called to order by Mr. Dionel Ortiz at 9:10 A.M.

2. ROLL CALL:

Roll call was made by Fred Blanco, Town Administrator. Members present at the meeting were:

Mr. Fred Kennedy

Mr. Richard Lowry

Mr. Dionel Ortiz

Members absent:

Mr. Jorge de la Garza

A quorum was present at the meeting.

These present at the meeting were:

Jorge Vela

Jean Hager

Cyndie Rathbun

3. APPROVAL OF MINUTES – FEBRUARY 7, 2017:

Motion was made by Mr. Kennedy, seconded by Mr. Lowry, and unanimously carried, that the Minutes of the Board of Adjustments and Appeals Meeting held on September 7, 2017, be approved as written.

4. REQUEST FOR A VARIANCE BY MR. ANTHONY DE PONCE, REPRESENTATIVE FOR IRON PEARL INC, OWNER, LOT 1502 SECTION 4 NORTH, 504 ZAPATA AVENUE, RANCHO VIEJO, TEXAS 78575, TO PROVIDE FOR A VARIANCE FROM ORDINANCE, CHAPTER 70, ARTICLE III, ZONING REGULATIONS AND RULES, DIVISION 1., SECTION 70-250. REGULATIONS APPLICABLE TO ALL DISTRICTS, (A) SETBACK REGULATIONS (3) - TO BE WITHIN 25 FEET OF THE RIGHT-OF-WAY. THIS WOULD APPLY TO A PORTION OF THE FRONT OF THE HOME:

The Strategic Planning Committee recommended the approval of the variance request to the Board of Adjustments & Appeals after everyone was given the opportunity to speak on the matter the public hearing was closed.

There were several questions and comments from the Board. Motion was made by Mr. Richard Lowry to approve the request for variance by Anthony De Ponce, seconded by Mr. Fred Kennedy and unanimously carried, to approve the request for variance.

5. ADJOURN:

Motion was made by Mr. Fred Kennedy seconded by Mr. Richard Lowry, and unanimously carried, to adjourn the meeting at 9:30 A.M.

BY: _____
Fred Blanco, Town Administrator

APPROVED: _____
Dionel Ortiz, Chairman

DATE: _____

MINUTES OF REGULAR MEETING
BOARD OF ADJUSTMENTS AND APPEALS
APRIL 20, 2020

A Regular Meeting of the BOARD OF ADJUSTMENTS AND APPEALS of the TOWN OF RANCHO VIEJO, TEXAS, was held on April 20, 2020 , via Zoom Teleconference ONLY Meeting by logging on at <http://zoom.us/j/367893839> Meeting ID: 367 893 839

1. CALL TO ORDER:

The meeting was called to order by Jorge De La Garza at 9:14 A.M.

2. ROLL CALL:

Roll call was made by Fred Blanco, Town Administrator. Members present at the meeting were:

Mr. Fred Kennedy
Mr. Richard Lowry
Mr. Dionel Ortiz
Mr. Jorge De La Garza
Mr. Esiquio Luna

A quorum was present at the meeting.

Those present at the meeting were:

Brent Cannon	Sandra Covarrubias	Sergio Perales	Sandra Ellis
Luis Covarrubias			

3. PUBLIC HEARING ON VARIANCE REQUEST BY CPM DESIGN, REPRESENTATIVE FOR SANDRA ELLIS, OWNER, LOT 55 SECTION 3 RANCHO VIEJO SUBDIVISION, 55 ALVARADO AVENUE, RANCHO VIEJO, TEXAS 78575, TO PROVIDE FOR A VARIANCE FROM ORDINANCE, CHAPTER 70, SEC. 70-252, FENCE AND WALL REGULATIONS, (A)ANY FENCE THAT IS CONSTRUCTED OR ERECTED WITHIN THE TOWN SHALL MEET THE FOLLOWING REQUIREMENTS: (3)ANY PORTION OF A FENCE THAT IS ABOVE TWO FEET MUST BE CONSTRUCTED OF WROUGHT IRON, ORNAMENTAL IRON, OTHER DECORATIVE METAL, OR RIGID POLY VINYL CHLORIDE (PVC) DESIGNED AND MANUFACTURED FOR SALE AS A FENCE. METAL PICKETS SHALL BE NO SMALLER THAN ONE-HALF INCH SQUARE OR THREE-FOURTHS INCH DIAMETER, EXCEPT FOR OCCASIONAL STABILIZING PIERS WHICH MAY BE BUILT OF SOLID MASONRY CONSTRUCTION TO MATCH DWELLING. SPACING BETWEEN PICKETS SHALL BE NO CLOSER THAN 1¾ INCHES AND NOT TO EXCEED THE BUILDING CODE REQUIREMENTS FOR SWIMMING POOLS OR TO NOT ALLOW A FOUR-INCH BALL TO PASS THROUGH. (D)ANY WALL THAT IS CONSTRUCTED OR ERECTED WITHIN THE TOWN SHALL MEET THE FOLLOWING REQUIREMENTS: (2)THE WALL MUST BE CONSTRUCTED OF FACE BRICK OR OF A MASONRY MATERIAL COVERED WITH STUCCO THAT IS ATTACHED AND COMPATIBLE WITH THE DWELLING TO WHICH IT IS APPURTENANT IN TERMS OF ITS DESIGN AND MATERIAL COMPOSITION. (E)NOTWITHSTANDING ANY PROVISION TO THE CONTRARY CONTAINED WITHIN THE ORDINANCES OF THE TOWN, WALLS ERECTED IN COMPLIANCE WITH THIS ARTICLE MAY BE BUILT ON THE SIDE OR COMMON PROPERTY LINE WITH THE FOLLOWING SETBACK REQUIREMENTS:(1)NO WALL MAY BE PERMITTED TO EXTEND MORE THAN TEN FEET PAST A POINT ON THE COMMON PROPERTY LINE THAT INTERSECTS A LINE THAT WOULD BE DRAWN FROM THE REAR WALLS OF THE TWO DWELLINGS ON THE ADJOINING LOTS. THIS IS FOR THE INSTALLATION OF A METALLIC FENCE.
-

Jorge De La Garza opened the public hearing. Requestor Sergio Perales of CPM Design addressed the Board and explained the reason for the variance request. Discussion ensued
Motion to close public hearing was made by Mr. Zeke Luna, seconded by Mr. Fred Kennedy and carried unanimously.

4. DISCUSSION/ACTION ON VARIANCE REQUEST BY CPM DESIGN, REPRESENTATIVE FOR SANDRA ELLIS, OWNER, LOT 55 SECTION 3 RANCHO VIEJO SUBDIVISION, 55 ALVARADO AVENUE, RANCHO VIEJO, TEXAS 78575, TO PROVIDE FOR A VARIANCE FROM ORDINANCE, CHAPTER 70, SEC. 70-252, FENCE AND WALL REGULATIONS, (A)ANY FENCE THAT IS CONSTRUCTED OR ERECTED WITHIN THE TOWN SHALL MEET THE FOLLOWING REQUIREMENTS: (3)ANY PORTION OF A FENCE THAT IS ABOVE TWO FEET MUST BE CONSTRUCTED OF WROUGHT IRON, ORNAMENTAL IRON, OTHER DECORATIVE METAL, OR RIGID POLY VINYL CHLORIDE (PVC) DESIGNED AND MANUFACTURED FOR SALE AS A FENCE. METAL PICKETS SHALL BE NO SMALLER THAN ONE-HALF INCH SQUARE OR THREE-FOURTHS INCH DIAMETER, EXCEPT FOR OCCASIONAL STABILIZING PIERS WHICH MAY BE BUILT OF SOLID MASONRY CONSTRUCTION TO MATCH DWELLING. SPACING BETWEEN PICKETS SHALL BE NO CLOSER THAN 1¾ INCHES AND NOT TO EXCEED THE BUILDING CODE REQUIREMENTS FOR SWIMMING POOLS OR TO NOT ALLOW A FOUR-INCH BALL TO PASS THROUGH. (D)ANY WALL THAT IS CONSTRUCTED OR ERECTED WITHIN THE TOWN SHALL MEET THE FOLLOWING REQUIREMENTS: (2)THE WALL MUST BE CONSTRUCTED OF FACE BRICK OR OF A MASONRY MATERIAL COVERED WITH STUCCO THAT IS ATTACHED AND COMPATIBLE WITH THE DWELLING TO WHICH IT IS APPURTENANT IN TERMS OF ITS DESIGN AND MATERIAL COMPOSITION. (E)NOTWITHSTANDING ANY PROVISION TO THE CONTRARY CONTAINED WITHIN THE ORDINANCES OF THE TOWN, WALLS ERECTED IN COMPLIANCE WITH THIS ARTICLE MAY BE BUILT ON THE SIDE OR COMMON PROPERTY LINE WITH THE FOLLOWING SETBACK REQUIREMENTS:(1)NO WALL MAY BE PERMITTED TO EXTEND MORE THAN TEN FEET PAST A POINT ON THE COMMON PROPERTY LINE THAT INTERSECTS A LINE THAT WOULD BE DRAWN FROM THE REAR WALLS OF THE TWO DWELLINGS ON THE ADJOINING LOTS. THIS IS FOR THE INSTALLATION OF A METALLIC FENCE.

Motion was made by Mr. Richard Lowry to deny the request for variance by CPM Design, seconded by Mr. Dionel Ortiz and carried as follows: 3 against the variance and 1 for.

5. ADJOURN:

Motion was made by Mr. Fred Kennedy, seconded by Mr. Esiquio Luna, and unanimously carried, to adjourn the meeting at 9:54 A.M.

BY: _____
Fred Blanco, Town Administrator

APPROVED: _____
Jorge De La Garza, Chairman

DATE: _____

Bob and Laura Richardson
309 Santa Ana
Rancho Viejo, Texas 78575

RECEIVED
APR 21 2020

April 21, 2020

Dear members of the Town of Rancho Viejo Board of Adjustments and Appeals:

BY: E. Salva

I am currently having extensive remodeling done to my home, including a complete re-roof. Recently I was notified by the building inspector that **the color** of my new **metal roof** was not in compliance with the Town roofing ordinance because the color was not a "neutral color" and therefore would not ultimately be issuing a certificate of occupancy without getting a variance or changing the color.

The Town's roofing ordinance has no restriction for color for any type roof except for metal roofs. You may color your roof with **any** color you want, and without a permit, unless it is a metal roof. Only metal roofs have a color restriction. The Town ordinance reads as follows: "*Substantial standing seem metal roofs painted with a neutral color will also be permitted.*" The key words here are "neutral color".

I am **not** asking for a variance because I have not "varied" from the ordinance. This is an appeal. **My position is that my roof color is a neutral color and therefore is already in compliance with the ordinance;** therefore I am appealing the building inspector's definition of "neutral colors" and have evidence to support my appeal.

In the routine course of remodeling, my wife and I decided on a metal roof. The manufacturer tells us that metal roofs are not meant to be painted after manufacturing, therefore the buyer must select the color and they then deliver the roof already in the color ordered/purchased. The manufacturer offers 31 colors in metal. My wife and I are very careful in the selection, **knowing that the color must be neutral**. We decide upon a color that the manufacturer calls Blue Slate. But is it a neutral color?

Sherwin Williams classifies our selection as Neutral. They offer over 1500 colors, with over 400 classified as neutral, our color included in its neutral classification. We order the roof, pay for it, have the material delivered and have it about 80% installed when are we told by the building inspector that our color does not meet the Town's definition of neutral color. I was then given what he said was the guideline that they use to define "neutral color", the first time I had heard there was a such a guideline.

Points to consider:

- How am I supposed to know the Town has its own definition? This like a trap anyone can fall into.
- The Inspector's "definition" is NOT part of the ordinance, therefore not binding.
- I am not required to select a color then go ask the building committee if it's okay
- Merriam- Webster says "neutral color" isn't in the dictionary, so the words "neutral color" mean different colors to different people
- Google the words "neutral colors definition" and I get over 20 million results (not kidding , 20,000,000). I find that words neutral color are a concept; they are opinions, not fact.
- Google includes my color within many of the 20,000,000 results as neutral in color.
- The Town's "guideline" that they claim to be "the definition" is easily found on the internet by going to www.empower-yourself-with-color-psychology.com>neutral-colors. This is a psychology source (not an authority) that speaks about how colors can affect a room's **mood**. WHAT? I doubt anyone on the Building Committee is aware that this is its source. It mentions that the neutral colors can defined... including beige, cream, ivory, grey, brown, and natural wood. They claim to have used this unauthorized guideline to deny any metal roof that is not one of these 6 colors. This source is NOT part of the ordinance plus its existence is not publicly known.

Thank you for hearing this. Would you please approve of my color roof as neutral enough? I would appreciate it.

Bob Richardson

FRONTERA

METAL ROOFING & MFG., Inc.

"Roofing for theFuture"

Invoice

03-04-2020
Will Burns Inc.

Project:
Richardson Residence
309 Santa Anna
Rancho Viejo

Job Description

Install Premium Underlayment
Fabricate and Install DMC150SS 11/2"X16" Striated 24ga. Kynar Standing Seam Roof
Color Choice: (Slate Blue)
Install 60 mil. TPO in low slope area

Total Amount: \$27,462.00

First Draw Due: \$9,154.00































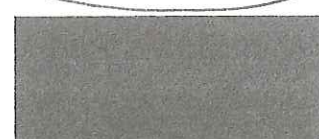
color
ordered/installed

Thank you,

Mike Seymour

METAL ROOFING AND PERIMETER EDGE FINISHES



	BONE WHITE SR.66		REGAL WHITE SR.65		SANDSTONE SR.49		DREXLUME™ <i>M</i>
	ALMOND SR.54		SIERRA TAN SR.29		BUCKSKIN SR.38		CHAMPAGNE <i>premium</i> SR.35
	MEDIUM BRONZE SR.30		MANSARD BROWN SR.27		DARK BRONZE SR.29		METALLIC COPPER <i>premium</i> SR.42
	BURGUNDY SR.33		COLONIAL RED SR.33		TERRA COTTA SR.41		BRILLIANCE RED <i>premium</i> SR.41
	HARTFORD GREEN SR.27		FOREST GREEN SR.30		HEMLOCK SR.28		PREWEATHERED GALVALUME® <i>premium</i> SR.35
	PATINA GREEN SR.36		AGED COPPER SR.45		TEAL BLUE SR.29		BRIGHT SILVER <i>premium</i> SR.53
	DEEP BLUE SEA SR. 29		PACIFIC BLUE SR.29		SLATE BLUE SR.32		DOVE GRAY SR.31
	MATTE BLACK SR.30		CHARCOAL GRAY SR.27		SLATE GRAY SR.37		

M = MILL FINISH
SR = SOLAR REFLECTANCE

manufacturer's colors

Color selected

SHERWIN-WILLIAMS®

NEUTRALS

NEUTROS

Sherwin-Williams
440 colors
classified as
Neutral

SW 9144
223-C1
Neutral

SW 9145
Sleepy Hollow
223-C3

SW 9146
Faded Flaxflower
223-C4

SW 9147
Favorite Jeans
223-C5

SW 9148
Smoky Azurite
223-C6

Our roof color

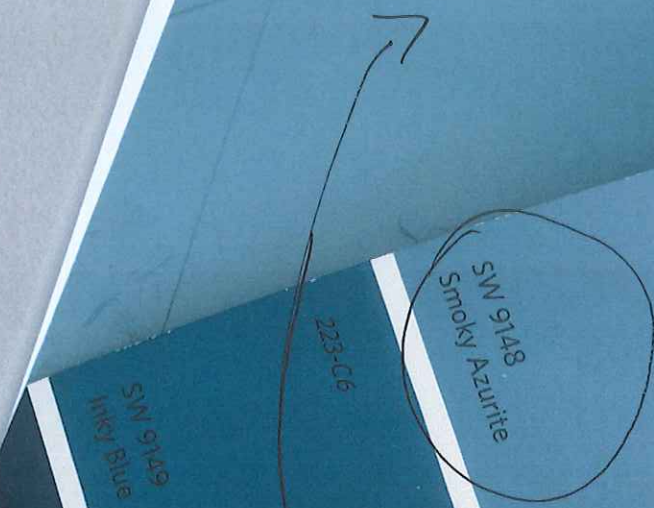
WHITE & PASTEL

BLANCO Y PASTEL

ATEMPORAL
HISTÓRICO

14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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SHERWIN-WILLIAMS



Actual roof scrap
matches Sherwin Williams

SW 9149
Inky Blue

223-C6

SW 9148
Smoky Azurite

223-C5

SW 9147
Favorite Jeans

223-C4

SW 9152
Inky Blue

223-C4

SW 6241
Aegean



SINCE 1828

GAMES

BROWSE THESAURUS

WORD OF THE DAY

WORDS AT PLAY

neutral color

DICTIONARY

THESAURUS

**“neutral color”**

The word you've entered isn't in the dictionary. Click on a spelling suggestion below or try again using the search bar above.

[neutral](#)[neutral corner](#)[neutral corners](#)[neutral conductor](#)[neutral lard](#)[mineral color](#)[neutral money](#)[neutral oil](#)[neutral oils](#)[neutral point](#)[neutral spore](#)[neutral zone](#)[neutral zones](#)[straw color](#)[neutral conductors](#)[structural color](#)[neutral moneys](#)

Se

Ge

Y

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Slate blue is one of the best **color** choices to give a **neutral** look with a pop of **color**. It is simple to pair other **colors** with, comes in a variety of shades and undertones, and all around gives you a sense of calmness in the very place you should be feeling the calmest.



GRANITE BEAM

 <https://diypaintingtips.com/slate-bl...>

Slate Blue: 12 Ways To Use Slate Blue Paint In Your Home - DIY Painting Tips

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PEOPLE ALSO ASK

What color looks good with slate?



Is Blue a neutral color?



What are the 3 neutral colors?



What is the most neutral color?

