



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

February 2, 2021

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 February 2, 2021 at 9:00 A.M., via Zoom Teleconference ONLY Meeting by logging on at <https://us02web.zoom.us/j/89908200574> Meeting ID: 899 0820 0574

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/89908200574> Meeting ID: 899 0820 0574 or by calling in to one of the following numbers (charges may apply):

One tap mobile

+13462487799, 89908200574# US (Houston)

+16699006833, 89908200574# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 312 626 6799 US (Chicago)

Meeting ID: 899 0820 0574

1. Call to Order
2. Roll Call
3. Approval of Minutes- May 1, 2020
4. Request for a Variance by Richard (Rit) Tourigny, owner of Lot 49 Rancho Viejo Subd Section II (VOL 25 PG 41), 49 Pizarro 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.

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 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 January 20, 2021 at 5P.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
MAY 1, 2020

A Regular Meeting of the BOARD OF ADJUSTMENTS AND APPEALS of the TOWN OF RANCHO VIEJO, TEXAS, was held on May 1, 2020 , via Zoom Teleconference ONLY Meeting by logging on at <http://us02web.zoom.us/j/81481717006> Meeting ID: 814 8171 7006

1. CALL TO ORDER:

The meeting was called to order by Jorge De La Garza at 9:15 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. Esiquio Luna

Members absent:

Mr. Dionel Ortiz

A quorum was present at the meeting.

Those present at the meeting were:

Brent Cannon

Bob Richardson

Alderman Javier Vera

Mayor Cyndie Rathbun

3. APPROVAL OF MINUTES-MARCH 6, 2018 AND APRIL 20, 2020

Motion to approve minutes of March 6, 2018 was made by Zeke Luna, seconded by Fred Kennedy and carried unanimously.

Motion to approve minutes of April 20, 2020 was made by Zeke Luna, seconded by Fred Kennedy and carried unanimously.

4. REQUEST BY MR. BOB RICHARSON, 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, SLAATE, STONE, COPPER OR COMPOSITION. SUBSTANTIAL STANDING SEAM MEAL ROOFS PAINTED WITH A NEUTRAL COLOR WILL ALSO BE PERMITTED. FLAT BUILT UP ROOFS WILL BE ALLWED 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 EISTING FLAT ROOFED ELEVATION. COMPOSITION ROOF 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.
-

Motion to hear comments from the public was made by Richard Lowry, seconded by Fred Kennedy and carried unanimously.

Mayor Cyndie Rathbun expressed her opinion that the roof looked to be that of a neutral color.

Alderman Javier Vera noted that the Ordinance needs to be clear on what a neutral color is.

Bob Richardson explained the reason he believes the color he chose for his roof is a neutral color, citing that the Ordinance does not have a clear definition of what neutral is.

Town Inspector Brent Cannon explained the reasoning behind rejecting the color of Mr. Richardson's roof citing that the color chosen was not a neutral color as defined in the Ordinance, but understands if everyone believes that the neutral color is not clearly defined.

Mayor Rathbun spoke again and stated that the Ordinance needs to be revisited.

Motion was made by Zeke Luna, seconded by Richard Lowry to close comments from the public and carried unanimously.

Mr. Kennedy stated that he is in favor to move forward with approving the roof color as is. Mr. Luna also stated he is in favor of the roof. Mr. Lowry agreed and noted that the problem lies in Ordinance. Jorge De La Garza recommended that Town Administrator Fred Blanco bring the Ordinance to the Board for discussion and possible amendment. On the same note, Mr. Kennedy stated that Mr. Blanco should also take the Ordinance concerning fences to the Board as he is not in agreement with some of the requirements.

Motion to approve the color used for Mr. Richardson's roof was made by Richard Lowry, seconded by Fred Kennedy and carried unanimously.

5. ADJOURN:

Motion to adjourn the meeting at 9:52 was made by Fred Kennedy, seconded by Zeke Luna and carried unanimously.

BY: _____
Fred Blanco, Town Administrator

APPROVED: _____
Jorge De La Garza, Chairman

DATE: _____

Antina & Richard (Rit) Tourigny

Rancho Viejo, Texas 78575

September 3, 2020

Original

Re: LOT 49 RANCHO VIEJO SUBD SECTION II (VOL 25 PG 41)

Mr. Fred Blanco
Town Administrator
3301 Carmen Ave.
Rancho Viejo, Texas 78575

Dear Mr. Blanco,

The purpose of this letter is to request a setback varianceⁱ of 2' for the proposed addition detailed in the documents accompanying this letter of request. It is my intention that the proposed addition will ultimately be converted to appropriate and comfortable accommodations for live-in care in our later years.

Short term, this addition will serve as a garage for a 3rd vehicle, and at our contractor's suggestion plumbing will be installed in the floor to provide bathroom facilities for live-in care.

I don't smoke or drink, and regularly ride my bike 8-10 miles a day in Rancho Viejo in addition to getting regular medical checkups. I have been a resident of Rancho Viejo since 1992ⁱⁱ and have every reason to believe that I will be one of the 6 million centenarians in 2050 intent on spending my final days in my home. I say that because longevity exists my family history; my dad lived until 2 months shy of his 98th birthday with live-in care, in the home he purchased in 1968. Having observed first-hand the energy and effort required to care for the aged, I can appreciate their need for such accommodations and unlike the previous owner, Mrs. Chase, I have no intention of moving back to a cold climate

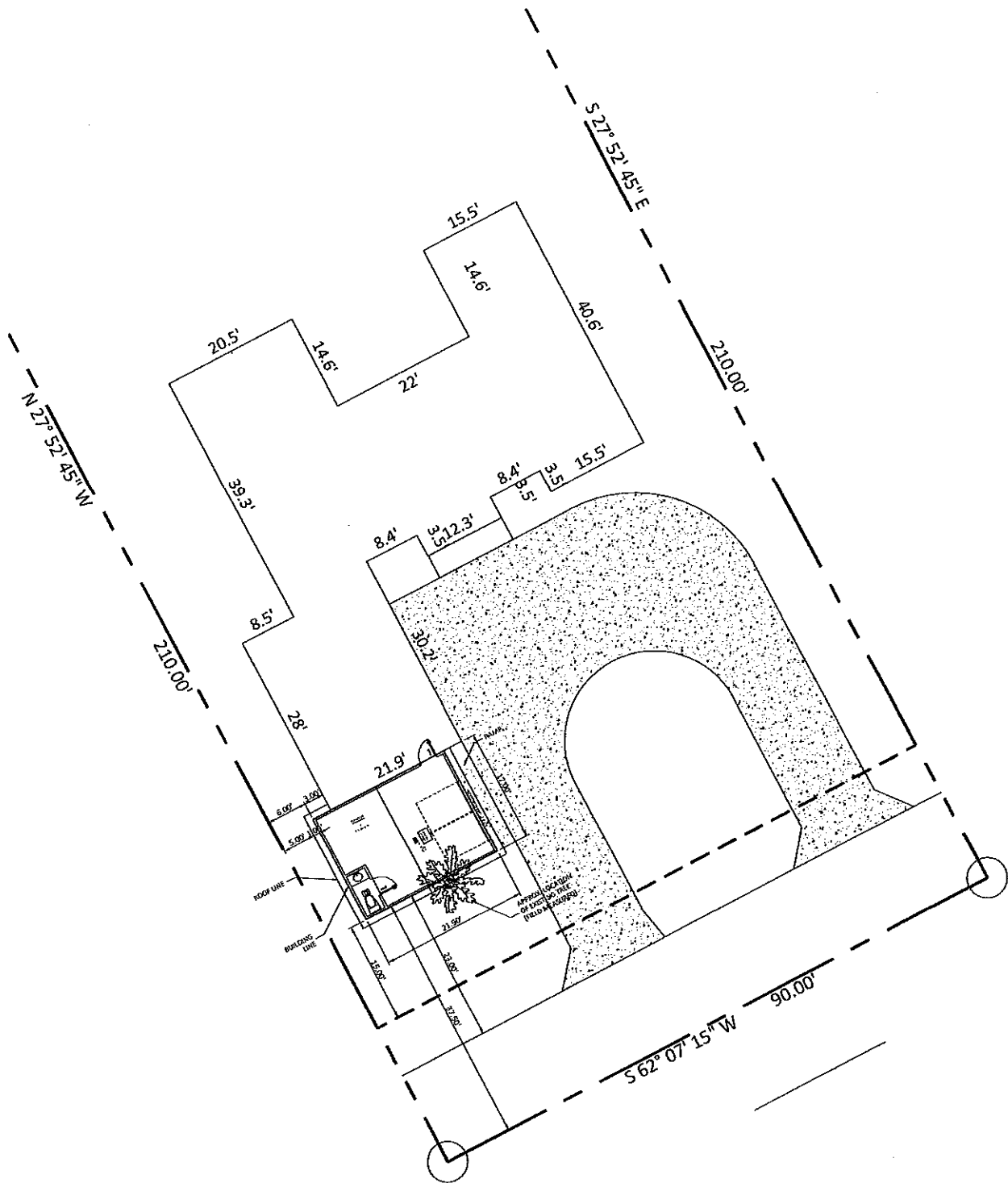
Thank you in advance for your consideration of our request.

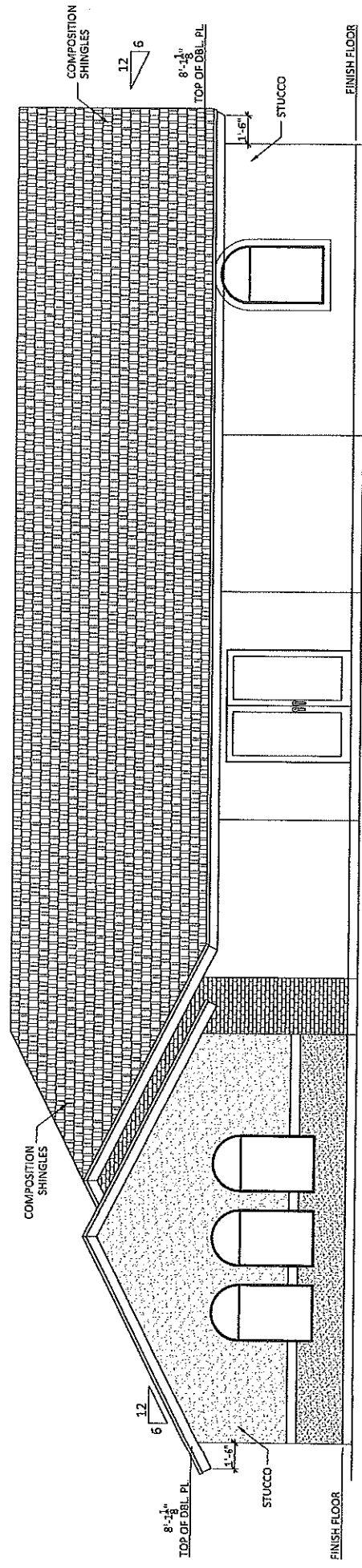

Richard (Rit) Tourigny

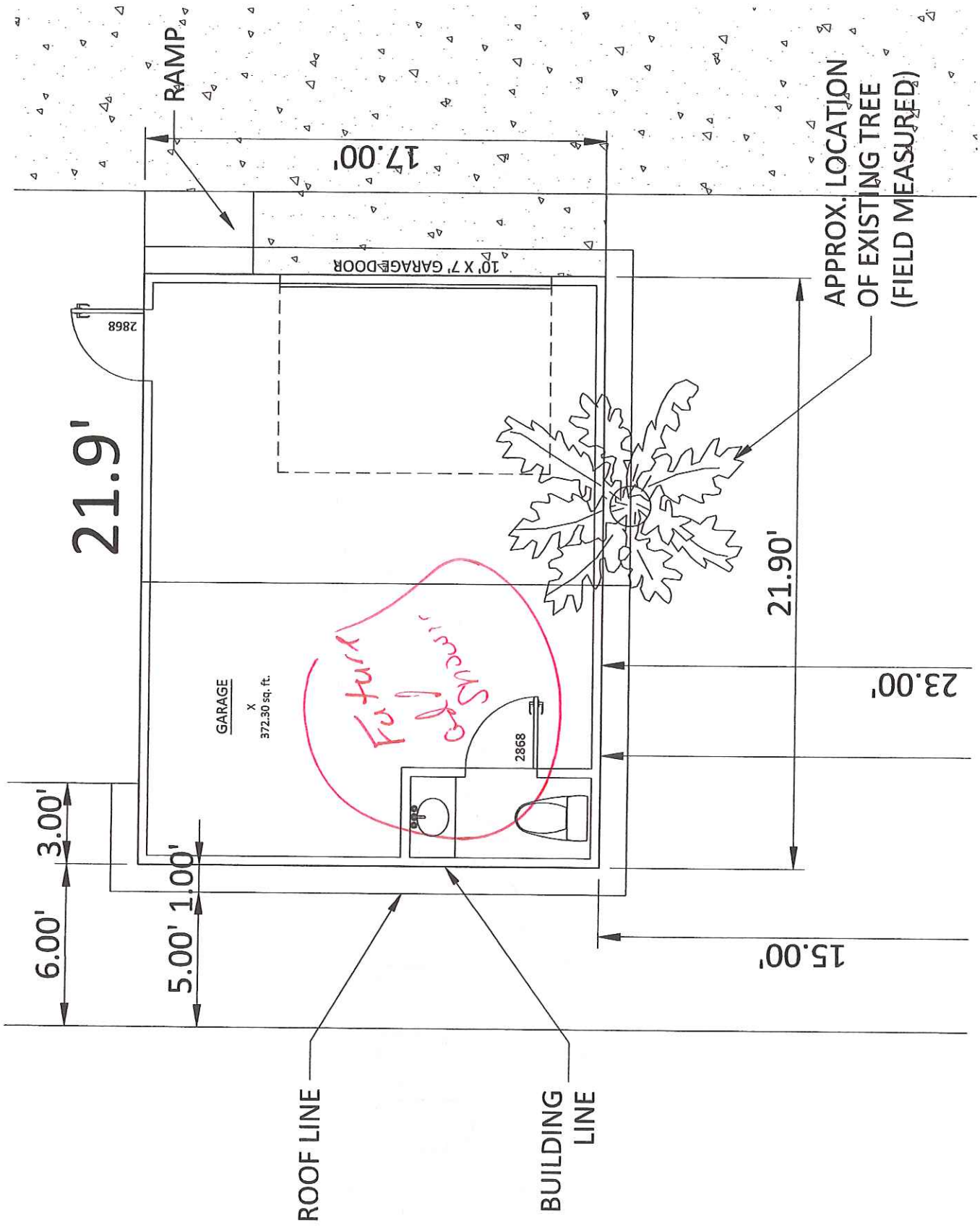
ⁱ Sec. 70-250. - Regulations applicable to all districts. (i) *Front yard requirements.* Every lot or piece of property that shall have improvements erected thereon shall have a front yard of at least 25 feet from the edge of the street.

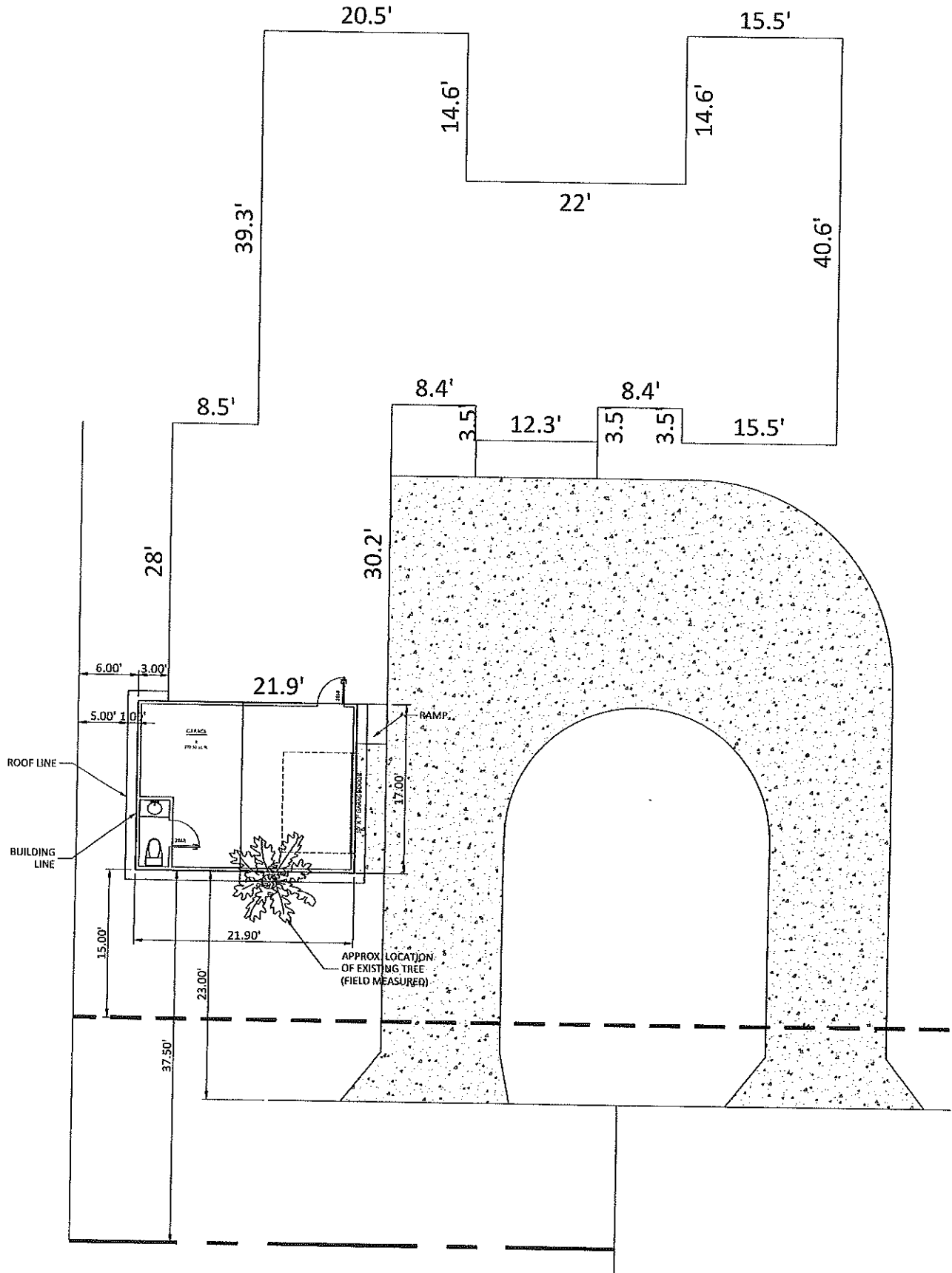
ⁱⁱ 131 Santa Ana

Property ID:	95598	Legal Description:	LOT 49 RANCHO VIEJO SUBD SECTION II (VOL 25 PG 41)
Geographic ID:	52-0020-0000-0490-00	Zoning:	A-C
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			
Location			
Address:	49 PIZARRO RANCHO VIEJO, TX	Mapsc:	
Neighborhood:	Rancho V. Size 5 in Resaca Lots b/t. 70's & 80's	Map ID:	09-03-00
Neighborhood CD:	RV570/80RE		









N 62° 07' 15" E

90.0'

RESACA DEL RANCHO VIEJO

ZONE " A "

ZONE " C "

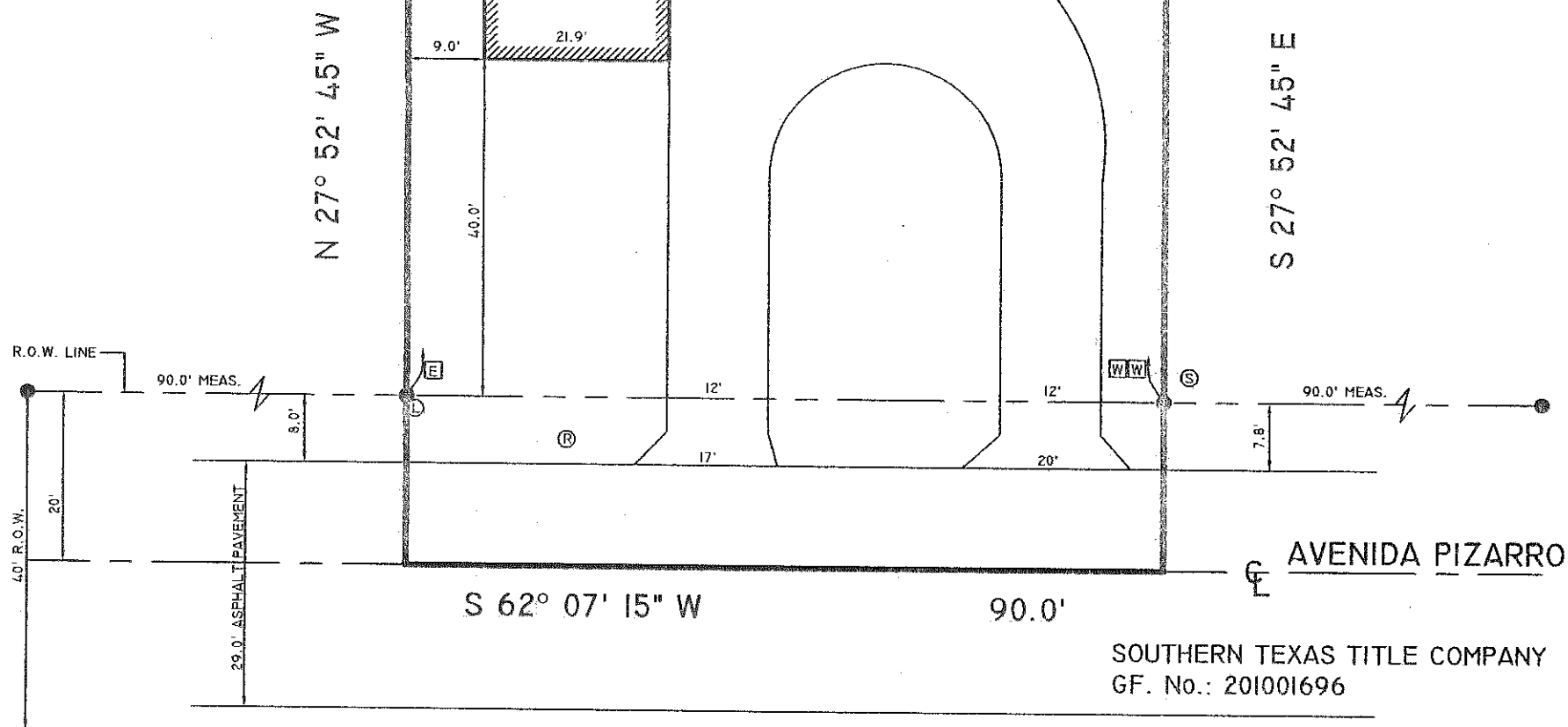
LOT 51

LOT 49

LOT 47

LEGEND:	
●	1/2" IRON ROD FOUND
W	WATER METER
S	MANHOLE
T	TELEVISION RISER
L	LIGHT POLE
E	ELECTRICAL BOX
A/C	3' X 3' CONCRETE PAD WITH A/C UNIT
⊙	ELECTRICAL METER

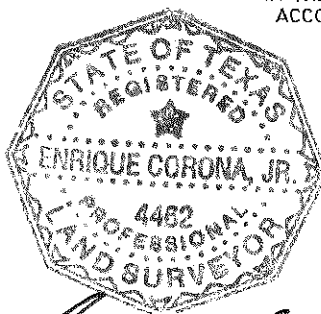
FLOOD INSURANCE RATE MAP WITH
COMMUNITY PANEL No.: 480101 0250 B
EFFECTIVE DATE: SEPTEMBER 15, 1983
THIS PARCEL OF LAND LIES IN
ZONE " A " (RESACA ONLY).
AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS
AND FLOOD HAZARD FACTORS NOT DETERMINED.
ZONE " C "
AREAS OF MINIMAL FLOODING



NOTES:

1.- THIS LOT IS SUBJECT TO RESTRICTIVE COVENANTS AS PER VOLUME 942, PAGE 399 AND AMENDMENT RECORDED IN VOLUME 964, PAGE 802; AND CORRECTION TO THE AMENDMENT RECORDED IN VOLUME 968, PAGE 20, ALL RECORDED IN THE DEED RECORDS OF CAMERON COUNTY, TEXAS.
IT IS ALSO SUBJECT TO A GENERAL UTILITY EASEMENT TO VALLEY MUNICIPAL UTILITY DISTRICT No. 2 AS RECORDED IN VOLUME 1007, PAGE 851, AND TO AN EASEMENT AND AGREEMENT TO CENTRAL POWER AND LIGHT COMPANY AS RECORDED IN VOLUME 974, PAGE 678, ALL IN THE DEED RECORDS OF CAMERON COUNTY, TEXAS.
2.- THIS PLAT IS PREPARED IN CONNECTION WITH THE TITLE POLICY G.F. No. 201001696 AND IS FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON FOR A SINGLE TRANSACTION, NO LICENSE HAS BEEN CREATED; EXPRESSED OR IMPLIED TO COPY THIS SURVEY FOR ANOTHER SEPARATE TRANSACTION.
3.- IF THIS SURVEY DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE IT IS INVALID AS PER SECTION 661.46 AND SECTION 663.19 OF THE " PROFESSIONAL LAND SURVEYING PRACTICES ACT" ENACTED UNDER ARTICLE 5282 C, VERNON'S TEXAS CIVIL STATUTES.

" THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY, AS DESCRIBED HEREON, WAS MADE ON THE GROUND ON MARCH 19, 2010, THAT THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN: THAT THERE ARE NO VISIBLE ENCROACHMENTS, VISIBLE OVERLAPINGS, APPARENT CONFLICTS, OR VISIBLE EASEMENTS, EXCEPT AS SHOWN HEREON."



Enrique Corona Jr.

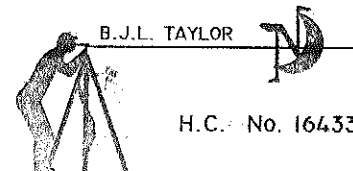
PLAT OF SURVEY
LOT FORTY-NINE (49),
RANCHO VIEJO SUBDIVISION, SECTION II,
IN THE TOWN OF RANCHO VIEJO, CAMERON COUNTY, TEXAS,
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN
VOLUME 25, PAGES 34-36, MAP RECORDS
OF CAMERON COUNTY, TEXAS.

SURVEYED FOR:
SCALE: 1" = 20'

RICHARD J. TOURIGNY
AND
ARMANTINA ROSAS CERMEYER
ADDRESS OF PROPERTY:
49 AVENIDA PIZARRO
RANCHO VIEJO, TEXAS. 78575

CORONA

B.J.L. TAYLOR



H.C. No. 16433

ENGINEERING/SURVEYING CO.
PHONE # 541-3222
FAX # 541-3838