

**ACCESS MANAGEMENT BOARD OF ADJUSTMENT**  
**Regular Meeting Minutes**  
**February 28, 2019**

**MEMBERS PRESENT**

Vice Chair Cynthia Foster  
Nancy Cronin  
Bonnie Leitch  
Brandon Mund

**STAFF PRESENT**

Chris Looney, Director of Community and Planning Development  
Frank Onion, Assistant City Attorney  
Holly Mullins, Senior Planner  
Matt Greene, Planner  
Katherine Crowe, Planning Technician

**MEMBERS ABSENT**

Chair Susie Barrett

**Chair Barrett called the meeting to order at 6:00 p.m. in the New Braunfels City Hall, City Council Chambers. Roll was called, and a quorum declared.**

**APPROVAL OF MINUTES**

Motion by Member Mund, seconded by Member Leitch, to approve the minutes of the Access Management Board of Adjustment Regular Meeting of February 22, 2018. The motion carried (4-0-0).

**PUBLIC HEARINGS**

**AM-19-001 Hold a public hearing and consider a request for a variance to Section 114.98(a) to allow spacing of less than 20 feet between driveways at 195 S. Academy Avenue.**

(Applicant: Edward Cavanaugh; Case Manager: Holly Mullins)

Mrs. Mullins presented the staff report and stated the AMBA may authorize a variance from the regulations only upon finding the following facts:

- (1) *Granting the variance will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of the property;* (The purpose of driveway spacing requirements is to minimize traffic conflicts and allow safe movement between the right-of-way and private property. The City Engineer has determined the impact of reduced spacing at this location will be minimal. Cross Street is not a through street.) and;
- (2) *Because of the particular physical surroundings, shape, and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations is carried out; or an alternate proposal will achieve the same result or intent as the standards and regulations prescribed in the ordinance;* (The applicant notes there is currently no direct access to the subject property from Cross Street. The existing garage and placement of the house limit location options for a driveway. The condition was not self-created as the adjacent driveway was constructed up to the property line prior to the applicant's purchase of the property.) and
- (3) *The variance or alternative proposal will not in any manner vary the provisions of the Zoning Ordinance or other ordinance(s) of the City.*  
Provisions of the zoning ordinance will not be affected by the variance.

Member Leitch inquired if the adjacent commercial property would keep their existing driveway.

Mrs. Mullins stated she believed so.

Vice Chair Foster invited the applicant to speak.

Edward Cavanaugh, 195 S. Academy Avenue, stated he was the applicant and described his intentions for the property. He stated the proposed location of the driveway is necessary due to the location of the existing garage. Mr. Cavanaugh further stated the only way to access the existing driveway spaces on his property is to enter the adjacent neighbor's property.

Discussion followed regarding delineation between the applicant's driveway and the adjacent driveway.

Mr. Cavanaugh stated he would delineate between the driveways with landscaping.

Discussion followed.

Member Sindelar asked if the applicant had considered maintaining the existing driveway on the property.

Mr. Cavanaugh stated the elevation of the property requires the current driveway to be removed and to be rebuilt at an appropriate grade.

Vice Chair Foster asked if anyone wished to speak in favor.

No one spoke.

Vice Chair Foster asked if anyone wished to speak in opposition.

No one spoke.

Vice Chair Foster closed the public hearing.

Discussion followed regarding the existing driveway.

Motion by Member Leitch, seconded by Member Mund, to grant the request for a variance to Section 114.98(a) to allow spacing of less than 20 feet between driveways at 195 S. Academy Avenue. Motion carried (4-0-0).

#### **ADJOURNMENT**

Vice Chair Foster adjourned the meeting at 6:20 p.m.

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**Chair**

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**Date**

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