

**MINUTES**  
**BOARD OF ADJUSTMENT MEETING**  
WEDNESDAY, APRIL 5, 2023, 6:00 P.M.**Board Members Present:**

Mayor Robb Erickson  
Mayor Pro-Tem Lisa Swint  
Councilmember Kelly Smith  
Councilmember Jesse Valdez  
Councilmember Todd Arvidson  
Councilmember Kay Bower

**Board Members Absent:** None**City Staff Present:**

Nancy Cain, City Administrator  
Marisa Spencer, City Secretary  
Courtney Billi, Assistant City Secretary  
Tina Ynfante, Finance/HR Assistant  
Ron Eberhardt, Police Chief  
Steven Steinmetz, Public Works Director  
Linda Crosland, Library Director  
Cynthia Trevino, City Attorney

**1. Call to Order/Roll Call**

With a quorum of the Board of Adjustment Members present, Mayor Erickson called the meeting of the Garden Ridge Board of Adjustment to order at 6:10 p.m. on Wednesday, April 5, 2023, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

**2. Pledge of Allegiance**

Mayor Erickson led the Pledge of Allegiance and the Texas Pledge.

**3. Business Items**

**The following items are for discussion, consideration, and action.**

- a) **Petition by Guadalupe Ready Mix c/o Jeffrey L. Earl, Attorney for Applicant, for a variance to Ordinance No. 13-122018, Section 7 Industrial Zones, 7.2. Z-1 Industrial Zone District (Z-1), 7.2.7. Height Regulations, to allow silos to exceed two and one-half (2-1/2) stories (thirty-five feet) in height on seven and one-half (7.5) acres located at 20762 F.M. 2252, Garden Ridge, Texas, 78266. Height requested for silos is eighty-six feet and six and five sixteenth inches (86'-6 5/16") and seventy feet and nine and five-eighths inches (70'-9 5/8").**

**1. Applicant Presentation.**

David and Jeffrey Earl, Attorneys for Applicant, presented the petition by Guadalupe Ready Mix for a variance to Ordinance No. 13-122018, to allow silos to exceed two and one-half (2-1/2) stories (thirty-five feet) in height on seven and one-half (7.5) acres located at 20762 FM 2252.

**2. Staff Comments.**

City Administrated Nancy Cain spoke regarding Ordinance No. 58 relating to the annexation of the subject property and provided information related to the City's processes for variances and Special Use Permits.

**3. Public Comments.**

Mayor Erickson opened the public hearing at 8:00 p.m.

Twenty (20) citizens spoke regarding the petition for a variance and City Secretary Marisa Spencer read twenty (20) written comments submitted (see attached).

Mayor Erickson closed the public hearing at 9:01 p.m.

**4. Deliberations and Board Findings.**

The Board of Adjustment discussed the petition and findings of fact for a zoning ordinance variance.

Mayor Pro-Tem Swint stated the variance would be contrary to the public interest.

Councilmember Arvidson stated there are no special conditions or unusual physical, topographic, or geographic features or circumstances which exist on the property.

Councilmember Bower stated the Applicant would be obtaining special privilege as a result of granting a variance.

Councilmember Smith stated the Applicant would have reasonable use of the property without a variance.

Councilmember Valdez stated economics is the only basis for the variance.

Councilmember Arvidson stated the need for the variance is a result of Applicant’s own action.


Mayor Pro-Tem Swint stated there is no undue hardship existing for the applicant without the variance.


**Motion:** A motion was made by Mayor Pro-Tem Swint, seconded by Councilmember Valdez, to deny the variance to Ordinance No. 13-122018, Section 7 Industrial Zones, 7.2. Z-1 Industrial Zone District (Z-1), 7.2.7. Height Regulations, to allow silos to exceed two and one-half (2-1/2) stories (thirty-five feet) in height as requested in the petition from Guadalupe Ready Mix c/o Jeffrey L. Earl, Attorney for Applicant, for silo heights of eighty-six feet and six and five sixteenth inches (86’-6 5/16”) and seventy feet and nine and five-eighths inches (70’-9 5/8”). The Board of Adjustment voted five (5) for and none (0) opposed. The motion carried unanimously.

**4. Adjournment**

There being no further business, the Wednesday, April 5, 2023, Board of Adjustment meeting was adjourned at 9:11 p.m. by Mayor Erickson.

ATTEST

  
Marisa Spencer  
City Secretary

  
Robb Erickson  
Mayor

# APRIL 5, 2023, BOARD OF ADJUSTMENT MEETING

## PUBLIC HEARING - GUADALUPE READY MIX VARIANCE

PLEASE WRITE YOUR NAME AND ADDRESS.

1. Kush West 20400 Fm 2252 SA 78266
2. Chelah Weeks 19802 Regency Run Cedar Ridge TX 78266
3. Mark Prosenko 221 High Creek Rd NB TX 78132
4. Jamie W. Rose 20469 Fm 2252 SA TX 78266
5. Bill Swint 8440 Twisted Oaks GA TX 78266
6. Ron Toran 121 Falcon Park Cibola, Tx 78108
7. Michelle Debo 9309 Preen way OR TX 78266
8. Tracey Blackwell 9745 Trophy Oaks TX 78266
9. David Krawczyk 8475 Park Lane Dr. OR TX 78266
10. Dawn Hatch 8377 Twisted Oaks 78266
11. Christina Straughan 20214 Regency Run TX 78266
12. Krenda Harraison 9218 Cipriani way 78266
13. Beisula Carlisle 9378 Schoenthal Rd. 78266
14. Grandy Kellie 2825 Mistywood Lane Schertz 78108
15. Shannon Drichta 9380 Cinchona Trail 78266
16. Charlo W. Dur 9860 TROPHY OAKS DR 78266
17. Bry Zugay 21653 Valley Park Dr 78266
18. Rod Apper 21934 Cristobal Dr 78266
19. Bill KENT 10020 Colley Cir 78266
20. Dawn Bates 20107 Regency Run

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## PUBLIC HEARING – GUADALUPE READY MIX VARIANCE

PLEASE WRITE YOUR NAME AND ADDRESS.

1. Martha Stipp 21007 Cedar Branch
2. Misty Montez 9420 Garden Ridge Drive
3. Robin Kerr 8915 Tuscan Hills Drive
4. Sedara Clark
5. Earl and John Melvin 8919 Comanche Path
6. Stan Foltz 19015 Seminole Pass
7. Christi and John Haberer 21120 Forest Waters Circle
8. ~~Charles Scott 9860 Trophy Oaks Drive~~
9. Jan Martin 20418 Wahl Lane
10. Greg Loser 7400 Crestway Road
11. Marilyn Lorcoran 9545 Goldenrod Circle
12. Sandra Hogue 20510 Deer Garden Lane
13. Krista Hunter
14. Annalisa Peace Greater Edwards Aquifer Alliance
15. Rose Levy 8323 Wild Wind Park
16. Richard Stotts
17. Lisa Richter 9241 Garden Ridge Drive
18. Mary Bethman 9450 Cinchona Trail
19. Marie McCormick 19902 Regency Run
20. Vincent and Sylvia Guerrero 9245 Bluebell Drive

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## PUBLIC HEARING – GUADALUPE READY MIX VARIANCE

PLEASE WRITE YOUR NAME AND ADDRESS.

21. Kenisha Ransom 9909 Katharine Glen

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