



CITY OF BELLAIRE TEXAS

BOARD OF ADJUSTMENT

JANUARY 19, 2017

Council Chamber

Regular Session

7:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

1. CALL TO ORDER

Chairman Avioli called the meeting to order at 7:01 PM.

2. PLEDGE TO THE FLAG (US AND TEXAS)

Texas Pledge: (Honor the Texas Flag: I pledge allegiance to thee, Texas one state under God, one and indivisible).

Board Member Karakowsky led the Board and the public in the pledges to both flags.

3. CERTIFICATION OF A QUORUM

Chairman Avioli certified that a quorum was present, consisting of the following members:

Attendee Name	Title	Status	Arrived
James P. Avioli Sr.	Chairman	Present	
Amar Raval	Board Member	Present	
Debbie Karakowsky	Board Member	Present	
Samir Sinha	Board Member	Present	
Jed Mandel	Board Member	Present	
Jill Almaguer	Vice Chairman	Present	
William Stone	Board Member	Present	
ChaVonne Sampson	Development Services Manager	Present	
John McDonald	Director	Present	
Alan P. Petrov	City Attorney	Present	
Ashley Parcus	Secretary	Absent	
Gus E. Pappas	Council Member	Absent	

4. APPROVAL OF MINUTES

1. Board of Adjustment - Regular Session - Sep 15, 2016 7:00 PM

Vice Chairman Almaguer made one addition to the minutes regarding a discussion that the Board had with the City Manager on contingency plans if the bond proposal was not approved.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Amar Raval, Board Member
SECONDER:	Jill Almaguer, Vice Chairman
AYES:	Avioli Sr., Raval, Karakowsky, Sinha, Mandel, Almaguer, Stone

5. REPORTS FROM OFFICERS, COMMITTEES, SUB-COMMITTEES AND COMMUNICATIONS BOARD MEMBERS HAVE HAD OUTSIDE THE MEETING

There were no reports to communicate.

6. UNFINISHED BUSINESS

There was no unfinished business.

Chairman Avioli reminded the Board that they had voted to amend the Rules of Procedure at the previous meeting. He added that a hard copy of the updated rules would be provided to the Board Members at their next meeting.

7. READING OF THE STANDARDS FROM SECTION 24-704, BELLAIRE CODE OF ORDINANCES

Mr. McDonald read the standards that must be present in order for the Board to grant a variance, which are listed in Section 24-704 of the City of Bellaire Code of Ordinances.

8. NEW BUSINESS

A. Public Hearings

Docket # BOA-2016-02-Public Hearing on an application filed by Omar Izfar, on behalf of the property owner, for a variance from Chapter 24, Planning and Zoning, Section 24-531 D. (1) a) 6 a). of the City of Bellaire Code of Ordinances, to allow for the construction of a structure thirty (30) feet from the front property line in lieu of the fifty (50) feet required by code. The property is addressed as 6910 Newcastle, and is within the R-1 Zoning District.

Chairman Avioli reviewed the public hearing process for the Board Members and the public.

RESULT:	ADOPTED AS AMENDED [6 TO 1]
MOVER:	Jill Almaguer, Vice Chairman
SECONDER:	William Stone, Board Member
AYES:	Avioli Sr., Raval, Karakowsky, Sinha, Mandel, Almaguer
NAYS:	Stone

i. Presentation by Applicant

Mr. Omar Izfar- Mr. Izfar stated that he is an attorney representing Dr. Rajit and Nita Patel. He added that he had drafted a letter to the Board, detailing the request, which was included in their meeting packet. Mr. Izfar informed the Board that he and his clients are requesting a variance to reduce the front yard setback at 6910 Newcastle from 50 feet to 30 feet. He added that the property is zoned R-1 and that the lot is 10,200 square feet in size, which is non-conforming for the zoning district that it is located in, as other R-1 lots are typically around 30,000 square feet. Mr. Izfar mentioned that the front yard setback within R-1 is 50 feet, but the lot size of this property is closer to what you would find in R-3, which requires only a 30 foot setback. He added that the pre-existing structure, which is now demolished, had a 34.5 foot front setback, and that none of the houses surrounding the property in question have implemented a setback of 50 feet. Mr. Izfar stated that they are asking for a variance that will help the property to conform to the rest of the block along Newcastle, between Magnolia and Oleander. He then reviewed the site plan that he provided to the Board, stating that it was designed with a 30 foot setback in mind and shows an appropriately sized residential development within the City of Bellaire. Mr. Izfar informed the Board that there are two existing oak trees that will remain on the property, and take up a significant amount of area, making this development impossible with a 50 foot setback. He stated that there was a sample of

a tree survey included as well, which shows the 34.5 foot front yard setback on the previous structure, and the impact that a residential structure would have on the existing trees if it were to be pushed to the back of the property. Mr. Izfar then reviewed the standards one by one and described why he felt as though the Board would be allowed to, and should grant this variance. He explained that this parcel of land materially differs from other parcels in the district and that "appropriate development" should be interpreted to mean development consistent with the area surrounding the property, including the size and scale of the construction, as well as the amenities appropriate for residential construction in the district. He reiterated that typical parcels in this zoning district are three times the size of the property in question, which makes it a "special condition unique to and inherent in the parcel itself." Mr. Izfar stated that there are three unique hardships that result from the literal enforcement of the front yard setback of 50 feet. He stated that first, it is approximately twice as onerous on the undersized lot as on a typical lot, constraining the ability to construct an appropriate development. Second, very little of the lot will be left for recreational purposes once an appropriately-sized residential construction is completed, and the loss of use of a lot for recreational purposes has been found by the Texas Court of Appeals to constitute an unnecessary hardship. He explained that the Texas Court of Appeals overturned a ruling of the Piney Point Village Board of Adjustment which denied a variance to a homeowner that wanted to construct a swimming pool on his property. Third, the construction of an appropriate development on the atypically undersized lot will likely result in the loss of two, mature, very large oak trees. He added that the Texas Court of Appeals also upheld a decision of the Wichita Falls Board of Adjustment granting a variance for a setback, because failure to grant the variance would result in the loss of trees that the property owner wanted to maintain. Mr. Izfar stated that several, if not all of the similar properties in the district facing Newcastle, have been granted variances from the requirement of a 50 foot front yard setback. He added that unless there is evidence that the reduced front yard setback has been materially detrimental or injurious to the surrounding area, it cannot be assumed that the similar treatment of 6910 Newcastle would result in an kind of detriment or injury. Mr. Izfar stated that additionally, if the 34.5 foot setback of the previous structure was not detrimental or injurious, then the 30 foot setback will not be either. He stated that it is the intent of the zoning ordinances to promote orderly and consistent development by maintaining front yard length requirements, therefore the granting of this variance is in the general spirit and intent of the Bellaire Code of Ordinances. Mr. Izfar mentioned a diagram that the planning staff had provided, which showed a buildable area of 4,140 square feet. He stated that he would have to argue the fact that the diagram is not to scale and that the configuration of the structure is located squarely in the middle of the lot and not oriented accurately, to take into account the two oak trees. Mr. Izfar mentioned that the planning staff's recommendation stated that "while it's true that a number of neighboring properties have recieved variances in the past (the most recent was issued in 2001), a legislative solution through the Planning and Zoning Commission might be more appropriate as it allows the problem as a whole to be addressed." He pointed out that he is not suggesting that the Board should grant the variance simply because all of the other similarly situated properties were granted a variance, but because they feel as though there are independent, meritorious reasons to grant this variance due to the location of the lot, how its zoned, where it faces, and how it conforms to the area around it. He added that although a re-zoning of the properties would be appropriate and would prevent this problem in the future, it is a lengthy process and none of the other lots on Newcastle are currently in need of re-zoning. Mr. Izfar pointed out that if staff feels that a re-zoning of the area is appropriate, then it should be obvious that the zoning regulations that have been applied to the area are inconsistent with the sizes of the lots located there. He asked that if the Board can find that there is authority for the

variance to be granted, and that fairness and equity dictate that its a good idea to allow this property to be developed similarly to other properties in Bellaire, of a similar size, that maintain their trees and have swimming pools in their backyard on 10,000 square foot lots, to please grant the variance.

ii. Presentation by the City

Mr. McDonald stated that the applicant is seeking a variance from Sec. 24-531 D (1) a) 6) a. of the City of Bellaire Code of ordinances to allow for the construction of a structure thirty (30) feet from the front property line in lieu of the fifty (50) feet required by code. He added that within the R-1 Residential District, the following minimum standards for a lot are as follows:

- Minimum lot area: 14,000 square feet;
- Minimum lot width: 80 feet;
- Minimum lot depth: 125 feet.

Mr. McDonald explained that the existing lot size is 10,200 square feet with a width of 85 feet and a depth of 120 feet. Therefore, this lot is non-conforming with the minimum lot area and minimum lot depth requirements within its zoning district. He again reviewed the standards set forth in Section 24-704 of the Code that must be present for the Board to grant a variance. Mr. McDonald stated that the property owner's claim for a need of a variance in order to appropriately develop the property is inaccurate. He added that with the use of the current standard regulations, even on this non-conforming lot, there is still a buildable first floor area of 4,140 square feet, as shown in the diagram provided. Mr. McDonald mentioned that standard regulations also include the allowance of 2 ½ stories in height (35' 6") which allows for a home of good size to be built. He stated that while the applicant presents previous Board of Adjustment rulings along Newcastle; the Board of Adjustment's Rules of Procedures clearly states that each case shall be decided independently and without precedent. He added that the property owner bought this lot knowing the size of the lot, what the lot was zoned as, and where the trees were located, and then proceeded to hire an architect to design a house that doesn't fit within those parameters. Mr. McDonald pointed out that there is nothing specific about this lot that prohibits the owner from designing a house that would fit in with the rest of Bellaire, and would have the desired amenities, if it was designed with their limitations in mind. Mr. McDonald felt that the granting of the variance would oppose the spirit and intent of the ordinance, and that the existing setback regulations allows the reasonable use of the property with a distance between abutting properties. He stated that for these reasons, it is of the Development Services Director's opinion, upon review of the application and the materials submitted, that the application does not meet the standards as outlined in Article VII, Division 1, Section 24-704, and therefore is ineligible for the award of a variance. Mr. McDonald informed the Board that a more appropriate solution to the problem might be legislative action taken by the Planning and Zoning Commission in order to address the issue as a whole and if, at that time, the re-zoning is denied, then a variance could be sought. He reminded the Board that all applications are to be decided independently, and without precedent.

iii. Public Comments: Names of those desiring to comment shall come from sign-up list and shall be limited to six (6) minutes per speaker, with extensions in two (2) minute increments as approved by majority vote of the Board members present

There were no public comments.

iv. Rebuttal by the applicant

Mr. Izfar pointed out that everyone is in agreement that the amount of buildable area is sufficient, however, the real issue is where does that buildable area go in relation to the lot, and what has to be sacrificed in order to accomplish that. He added that it is about the right to recreate and the preservation of trees, and to impose the same regulations, that are written for much larger lots, onto this lot requires the property owners to sacrifice their right to recreate. Mr. Izfar stated that just because it can be built here, doesn't mean that it can be built without hardship.

v. Questions by the Board

Board Member Stone asked if it was proper to be concerned about the footprint of the new structure versus the old one with regard to impervious coverage.

Mr. McDonald stated that the code sets a maximum lot coverage for each of the zoning districts, which in this case is 55%.

Attorney Petrov explained that regardless of whether or not the variance is granted, the property owner will still have to abide by that regulation.

Board Member Stone asked if less surface area to absorb rainfall would be an appropriate consideration of the Board.

Mr. McDonald stated that based on the City Engineer's comments and the way that all drainage is sent to the street, then it would not be a concern.

Mr. Izfar explained that the impervious cover would be about the same regardless of whether the structure is located in the middle of the lot or pushed to the back of the lot.

Board Member Raval asked what the setbacks for the surrounding homes are.

Mr. Izfar stated that he was not able to have a surveyor take precise measurements, but they look more or less uniform, and roughly about 30 feet back.

Board Member Raval asked if any of those homes were built after it was zoned as R-1.

Mr. McDonald stated that he believes some of them were.

Vice Chairman Almaguer asked Mr. McDonald if he was aware of what the setback is on the neighboring property.

Mr. McDonald explained that by code it is 50 feet, but that a variance was granted for that property at a previous time.

Vice Chairman Almaguer mentioned that a diagram showing the surrounding properties setbacks would have been helpful.

Mr. McDonald stated that each application is to be considered independently, regardless of what was done for the surrounding properties.

Vice Chairman Almaguer asked if that would be something that the City has record of.

Mr. McDonald stated that staff still has the Board's Orders that were filed for each of the properties.

Vice Chairman Almaguer asked if there were any easements located on that side of Newcastle.

Mr. McDonald explained that there are no easements that would be located on the front of their property, however, there could be utility easements located in the back.

Vice Chairman Almaguer mentioned that things like that are very important to take into consideration due to the fact that the property owner may not be able to push the structure back at all.

Mr. McDonald pointed out that most utility easements are located within the 10 foot setback where you are not allowed to build any way. He then looked at the survey and assured the Board that there are no utility easements on the property.

Vice Chairman Almaguer asked if staff anticipates Newcastle being widened.

Mr. McDonald stated that there have been no discussions about widening Newcastle.

Chairman Avioli mentioned that he did not measure, but based on visual observation, the house to the north of the property in question is not setback 50 feet.

Vice Chairman Almaguer stated that it would help to know the exact measurements of the surrounding properties when considering this application, in an effort to make them similar.

Board Member Karakowsky mentioned the four standards that the Board must find present in order to be able to grant the variance. She stated that she is stuck on a lack of evidence that "appropriate development" is not possible without the variance. She asked what would be inappropriate about a house with a smaller footprint that is able to maintain the trees and pool.

Mr. Izfar reiterated that he feels as though the term "appropriate development" refers to a home that is similar in size to the rest of the new construction in Bellaire, which would not be possible without the variance. He added that an approximately 2,000 square foot home could fit on the property, while maintaining the trees and swimming pool. Mr. Izfar stated that, in his opinion, it would be inappropriate to expect a property owner to build something of that nature, that wouldn't match any new construction within the City of Bellaire.

Mr. McDonald pointed out that the minimum square footage for that zoning district, which is set by the code, is 1,600 square feet. He added that this could be seen as a statement by the City regarding what an appropriate development would be.

Board Member Karakowsky asked if the property owner has gotten any feedback from any of the neighbors.

Mr. Izfar stated that the property owner had received an email from the next door neighbor, who was granted the variance in 2001, in support of the application.

Board Member Karakowsky asked Mr. McDonald if uniformity of the block face is something that should be considered as part of the general intent of the chapter.

Mr. McDonald stated that if uniformity was the intent, then it would be a build-to line and not a minimum setback. He added that no matter what the district and regulations are, property owners have to make choices when they design a home.

Board Member Karakowsky mentioned that the unnecessary hardship that the property owner is facing is really having to build a smaller home. She questioned whether that is in fact an unnecessary hardship.

Board Member Mandel asked how this property would be zoned if it were acquired by the City of Bellaire today.

Mr. McDonald explained that the City would take into consideration the surrounding zoning, which is R-4 across the street and R-1 immediately surrounding it. He added that some of the lots were most likely created prior to the zoning, which is what leads to non-conforming lots within a zoning district. Mr. McDonald stated that based on its adjacency to R-1, it would most likely be zoned as R-1.

Board Member Mandel asked about how long it would take to go the legislative route through the Planning and Zoning Commission.

Mr. McDonald stated that it would take approximately 45-60 days if fast tracked through the public hearing and consideration process.

Board Member Mandel asked if it would be within the Board's purview to make a recommendation to the Planning and Zoning Commission to take a look at the zoning.

Mr. McDonald said that it would be, in an effort to minimize the number of variance requests coming before the Board for certain problem areas. He added however that this is the last of the non-conforming lots, as the others have already been re-developed under variances.

Board Member Mandel asked if the plan that was submitted by the applicant would conform with R-3 zoning.

Mr. McDonald stated that R-3 only requires a six foot side setback, meaning that with R-3 zoning they would gain more room on the sides.

Chairman Avioli asked what the adverse impact would be, if any, to City operations if the variance were to be granted.

Mr. McDonald explained that the building plans would need to reference the fact that a variance was granted, and the Building Official/inspector would review it accordingly.

Chairman Avioli clarified that he was referring more to the impact on the City's sewer and water systems.

Mr. McDonald stated that there would be no impact on those systems if the variance was granted.

Vice Chairman Almaguer mentioned the survey of the previous structure that was located on the property, which had a 34.5 foot setback. She asked what the reasoning was behind reducing it to 30 feet rather than keeping it the same as it was before.

Mr. McDonald explained that the previous house was built prior to R-1 and at some point the City decided that the larger setback was appropriate. He added that if the request would have been for a 35 foot setback he would have opposed that as well.

Vice Chairman Almaguer asked if the lot size is appropriate for an R-3 lot.

Mr. McDonald stated that it is roughly 2,500 square feet larger than lots within the R-3 zoning district, therefore it is larger than an R-3 but smaller than an R-1.

Vice Chairman Almaguer asked if there was any way to know the exact measurements of the surrounding setbacks.

Mr. McDonald stated that if the Board wished to postpone action on the item then staff could go out and measure to get exact numbers.

Board Member Stone asked if the proposed 30 foot setback would be measured from the edge of the car port to the property line in the front.

Mr. McDonald and Mr. Izfar agreed.

Vice Chairman Almaguer asked what the large line is on the site plan that is going parallel to the driveway. She questioned whether it was a fence.

Mr. McDonald and Mr. Izfar stated that they were not sure what that was attempting to depict, but a fence would not be allowed there.

Board Member Karakowsky asked what the square footage is for the two adjacent homes.

Mr. Izfar stated that he would be happy to look the dimensions up on HCAD.

Mr. McDonald corrected his earlier statement and explained that Newcastle is one of the few streets that does allow a wall or fence in front of the house.

Vice Chairman Almaguer questioned how that wouldn't impact the drainage.

Mr. McDonald explained that their drainage plan would still have to be reviewed and approved by the City. He added that they would either have underground drainage that would cut into the curb or they would have to install some sort of vents.

Mr. Izfar stated that 6908 Newcastle is 3,410 square feet on a 10,200 square foot lot.

Mr. McDonald pointed out that the neighbor's house could be built on the lot at 6910 Newcastle with the 50 foot setback and still leave room for the trees and a swimming pool.

Mr. Izfar did not feel that a house of that size would be possible with a 50 foot setback.

Board Member Raval asked if there was any dispute from the applicant that the buildable first floor area is 4,140 square feet.

Mr. Izfar stated that it is probably much less than that, but he was not sure.

Board Member Raval mentioned that it is tough for him to be able to say that a house cannot be appropriately developed on the lot, even with a 50 foot setback.

Mr. Izfar stated that there is no contention that there is room after imposing a 50 foot setback to build an appropriately sized development, the question is whether that appropriately sized development, and its location on the lot, imposes an unnecessary hardship due to the loss to recreate when pushing the structure to the back of the property. Mr. Izfar reiterated that the unnecessary hardship has to do with where the structure is required to be placed on the lot, given its small size.

Board Member Karakowsky pointed out that the Board cannot even move on to the question of hardship without first establishing that the lot cannot be appropriately developed without the variance. She pointed out that the home next door is over 3,000 square feet on the same size lot.

Board Member Sinha mentioned that the site plan is drawn with a 50 foot setback, so the only difference would be that the front kitchen would need to be removed. He stated that everything else would remain the same.

Mr. Izfar felt that this was a typo. He added that he didn't feel as though the house could be built with a 50 foot setback, even without the trees and pool. Mr. Izfar stated that in order to build the neighbor's house on this property, the trees and pool would not be an option. He mentioned that if the question is whether the criteria gives the Board the authority to grant the variance, then the two examples of the rulings by the Texas Court of Appeals should be ample authority.

Board Member Mandel stated that he understands why the City cannot recommend approval of this request, as it goes against the regulations imposed by the code. However, he didn't understand why the Board cannot take other similar situations, where variances were granted, into account when acting on this request.

Attorney Petrov mentioned that each case must be considered independently, and other cases should not be looked to because every situation and every property is going to have some unique facts and circumstances surrounding it.

Vice Chairman Almaguer asked if there is a restriction on how close to the property line a pool could be built.

Mr. McDonald explained that no accessory use is allowed to be located in front of the main use. He mentioned that the pool could however be moved up to be equal to the front building line.

Mr. Izfar agreed that the pool could be pushed up, but that the house could not be pushed back to compensate for that due to the location of the trees.

Board Member Stone asked if the property owner would be committed to the site plan or simply to the 30 foot setback if the Board were to grant the variance.

Mr. McDonald stated that they would only be committed to the 30 foot setback.

Mr. Izfar explained that the applicant would welcome any conditions put on the variance that would alleviate the Board's fears.

vi. Consideration of, deliberation by, and action on Docket Item

Vice Chairman Almaguer asked if the Board had the ability to postpone action on the application in order to get some of the answers that had come up in the discussion.

Attorney Petrov stated that the Board has the authority to continue the hearing to a later date in order to gain additional evidence.

Chairman Avioli asked Vice Chairman Almaguer specifically what additional evidence she would be interested in getting.

Vice Chairman Almaguer explained that knowing the square footage of the proposed home and whether or not the drawing is accurate with the 50 foot setback to the garage would help with appropriateness.

Mr. McDonald stated that the 50 foot setback on the site plan is a typo.

Board Member Karakowsky mentioned that it is the burden of the applicant to provide the Board with all of the necessary information. She added that she didn't feel as though it would be fair to require the applicant to wait for another month for a determination to be made.

Vice Chairman Almaguer asked if there is an appeals process that the applicant can go through if the Board denies the variance.

Mr. McDonald explained that the applicant can sue the Board and would appeal the decision to the district court.

Board Member Sinha asked the applicant if he had pursued the legislative route.

Mr. Izfar stated that he had not.

Mr. McDonald mentioned that his agenda statement was written and provided to the applicant in October, so if he had pursued that option he would probably have had that decision within the next 30 days.

Mr. Izfar felt that the grounds for a variance are satisfied and wanted to pursue this option first. He added that it would essentially be an application to re-zone one lot, which would look a lot like spot zoning.

Chairman Avioli asked for the Board's input on whether they would like to make a decision or postpone action on the item.

Board Member Mandel stated that the only reason that he would suggest postponing would be to allow the Board Members a chance to physically inspect the setbacks along Newcastle. He added that he doesn't see any reason why this property owner should not be able to build the home that he wants if every other home on the street, through a variance or other means, has been allowed to build at 30 feet.

Mr. Izfar mentioned that he would even welcome a variance granted to match the neighboring setback, if that's a variance that the Board would be inclined to grant.

Board Member Karakowsky agreed that it would alleviate the need to know the exact measurements of the neighboring setbacks.

Chairman Avioli stated that he would like to see the Board make a decision without having to postpone.

Board Member Stone mentioned that he was not convinced that a variance is needed to secure appropriate development, or that there is an unnecessary hardship present.

Board Member Karakowsky mentioned the court case involving the Piney Point Village Board of Adjustment and stated that there was an inset that said "substantial justice done." She added that if Bellaire had similar language then she would be comfortable in granting the variance.

Mr. Izfar stated that he feels as though that would be similar to standards number three and four, that the granting of the variance is not injurious and consistent with the spirit of the ordinance. He added that in his mind there are policy goals behind having a zoning ordinance in the first place, and those should be administered in a manner that is fair and equitable. He then looked to the duties and powers of the Board of Adjustment and found language referring to "substantial justice done."

Motion: a motion was made by Board Member Mandel and seconded by Chairman Avioli to grant the variance.

Amended Motion: an amended motion was made by Vice Chairman Almaguer and seconded by Board Member Stone to grant the variance request to permit a front yard setback of 30 feet, or the more restrictive setback of either of the two existing neighboring properties.

Board Member Stone asked if the neighboring setbacks will be easy to determine and who would be the party in charge of determining that.

Mr. McDonald explained that the applicant would be required to hire a surveyor to determine those measurements.

Vote on the Amended Motion: 7-0.

Vote on the Original Motion: 6-1.

B. Approval of the Board of Adjustment's 2016 Annual Report to City Council.

Chairman Avioli mentioned that Commissioner Stone's name had been mistakenly left out of the report, and that it would be added. He stated that the report will be presented at the State of the City which will be held on February 6, 2017 and urged the Board Members to attend.

RESULT:	ADOPTED AS CORRECTED [UNANIMOUS]
AYES:	Avioli Sr., Raval, Karakowsky, Sinha, Mandel, Almaguer, Stone

9. GENERAL COMMENTS

(Limitations: Six (6) minutes per speaker with extensions in two (2) minute increments as approved by a majority vote of the Board Members present).

There were no general comments.

10. GENERAL COMMENTS FROM BOARD MEMBERS

There were no general comments from Board Members.

11. ANNOUNCEMENTS

There were no announcements.

12.ADJOURNMENT

Motion: a motion was made by Vice Chairman Almaguer and seconded by Commissioner Raval to adjourn the Regular Meeting.

Vote: the motion carried on a vote of 7-0.

The meeting was adjourned at 8:56 PM.