

**ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
Tuesday, March 16, 2021**

**Members Present:**

Ed Freiberg .....Chairman  
Tiffany Bell ..... Vice Chairman  
J. David Derosier ..... Member  
Isaac T. Henry III.....Member  
Linn Cardner..... Member  
Mark Ferrell.....Alternate Member

**Members Absent:**

None

**Council Members Present:**

None

**Staff Present:**

Kelvin Knauf, Director of Planning & Community Development  
Wendy Lloyd, Planning Secretary  
Jay Trahan, Assistant City Manger & Director of Economic Development

Chairman Freiberg called the meeting to order at 5:31 p.m.

**CITIZEN COMMENTS**

Chairman Freiberg asked for any comments. None were made.

**REGULAR BUSINESS - MEETING MINUTES**

Chairman Freiberg asked for motion to approve the December 15, 2020 meeting minutes

Member Henry motioned

Vice Chair Bell 2<sup>nd</sup>

**Vote: 5 - 0**

**Motion Carries**

**ELECTION OF CHAIRPERSON**

Chairman Freiberg asked for nomination for Chairperson

Member Cardner nominated Ed Freiberg for Chairman

Vice Chair Bell 2<sup>nd</sup>

**Vote: 5 – 0**

**Motion Carries**

**ELECTION OF VICE-CHAIRPERSON**

Chairman Freiberg asked for nomination for Vice-Chairperson  
Member Henry nominated Tiffany Bell for Vice-Chairperson  
Member Derosier 2<sup>nd</sup>  
**Vote: 5 – 0**  
**Motion Carries**

## **PUBLIC HEARING**

- a. **Case No. 21:01. Conduct a public hearing on a request from Jeff Goff, representing Byrdson Services, LLC for a zoning variance to construct a handicap ramp in the side yard building setback area located at Block 1, Lot 3 Levingston Addition also known as 928 Georgia Avenue**

Chairman Freiberg opened the public hearing at 5:35 p.m.

Mr. Knauf stated this is a house that flooded during the hurricanes and they are eligible for what's called a GLO (General Land Office) house to come in and demolish this house and then build a new house that would be elevated above the flood plain and in accordance with our flood plain requirements. These are very small lots in this area of town and as part of the requirements, they are required to put a handicapped ramp to the right side of the new structure. So, in order to do that they need to encroach into the side yard setback.

**Mack McPhatter – 2034 10<sup>th</sup> Street, Port Neches, TX:** Mr. McPhatter stated this particular lot is 50 foot wide, but it has 10 foot setbacks on both sides, so the buildable area is only 30 feet. We have specially designed that is 28 feet that will fit in the build lines. Like he said, the ramp is required, and we are going to have to do everything to ADA handicap accessibility. The house will be out of the setbacks, but the ramp will be off to the side. I think we put that more than 5 feet off the property line, but it will be in that 10 foot setback. There's not really much of a way to get around it unless we put the ramp all across the whole front yard which would look pretty awful.

Member Derosier stated will the replacement building be moved. Mr. McPhatter stated it's going to be moved over. The current house is actually over the building setback as well so it will be scooted over to the left. Member Derosier stated so it would have the same side setback as there is now essentially. Mr. McPhatter stated yes.

Chairman Freiberg stated did anyone respond. Mr. Knauf stated no. We sent out letters to people within 300 feet and we got no responses.

Chairman Freiberg stated I don't think you can get a house any smaller than that. Mr. McPhatter stated as far as I know this one is 27 feet 8 inches and that is a lot narrower than most of them are. Generally, in cities, we build a lot of 50 foot lots and most of them have 5 foot setbacks on each side. This one has 10 foot and that your buildable area is only 30 foot.

Chairman Freiberg closed the public hearing at 5:39 p.m.

## **DISCUSSION/ACTION**

- a. Case No. 21:01. Consider a request from Jeff Goff, representing Byrdson Services, LLC for a zoning variance to construct a handicap ramp in the side yard building setback area located at Block 1, Lot 3 Levingston Addition also known as 928 Georgia Avenue**

Member Derosier stated when I looked at the property and after this explanation, it would appear that it's going to have the same side yard as it does now. The house will be closer to the driveway but probably still within the same, so I don't see any detriment to the neighborhood. I would be in favor.

Member Cardner stated me too.

Chairman Freiberg asked for any other discussion. None was made.

Member Derosier motioned to approve variance

Vice Chair Bell 2<sup>nd</sup>

**Vote: 5 – 0**

**Motion Carries**

### **PUBLIC HEARING**

- b. Case No. 21:02. Conduct a public hearing on a request from Brian Tregre, representing Bayou Metals Specialties for a special exception to operate a wholesale distribution business at Lots 1,2, 11 & 12, Block 24, Gilmers 2<sup>nd</sup> Cove Addition also known as 1813 Dupont Drive and 1813 Louisiana Street**

Mr. Knauf stated this is an existing building that I believe was occupied at one time by STI. Mr. Tregre has a business of which he delivers finished metal products out in the field, but people can stop by and order things and I'll let him explain that. This type of business is allowed only by special exception in this zoning district. What's interested is, in the back part of it though, it is permitted by right in that zoning district. It's just where the zoning district lines fall. Mr. Tregre here requesting that he be allowed to operate his business at this location.

**Brian Tregre – 1220 Smith Street, West Orange, TX:** Mr. Tregre stated Bayou Metals has been existence for some 23 years in West Orange. We are preposing moving it here. We are a light fabrication facility specializing in sheet metal work. We are also going to do some warehousing with these structures. So, as Mr. Kelvin noted, that half of the property is zoned residential, and the front half is zoned commercial. My business is similar as to what this building has been housing businesses such as mine for some 40/50 years. The difference is, I'm a lot milder fabrication. We are Monday through Friday 7-3:30 p.m. in this front building here which is a commercial zone. It's primarily where the mild fabrication will be. The back building would be storage and warehousing on the other. My request is for a variance on the residential side as Mr. Kelvin had mentioned. Do you guys have any questions on my intended use?

Mr. Knauf stated the hours and the days. Mr. Tregre stated it's a rare occasion that we'll work until 5 or 6 in the evening and rarely ever on the weekends. This has been held constant for our hours of operation for the full 23 years of business. I don't anticipate any changes.

Member Derosier stated is this in addition to West Orange or a replacement of. Mr. Tregre stated

no we will be moving our business into the City of Orange.

Chairman Freiberg stated was there anything salvageable in the building there. Could you anything in there, any equipment left in it. Mr. Tregre stated no. It's in bad need of repair. There's no equipment left in it at all. Our endeavor will encompass completely refurbishing these buildings and the office space as well.

Chairman Freiberg stated do we have a letter. Mr. Knauf stated yes in your packet. I would like to read it, so it is introduced into the record (see attached). Then in your packet there was also an email from them. Mr. Tregre stated in addition I'd like to mention we did get with all the surrounding neighbors and got support from everybody in the neighborhood. Chairman Freiberg stated it is definitely an eyesore and it would be an upgrade. Mr. Tregre stated yes it's going to be quite an undertaking to bring it back up to its original beauty and that's what we are proposing doing.

Mr. Trahan stated I would just like to make a comment representing City of Orange EDC. This is one of the projects that has already been approved by the city EDC and the city council for an EDC incentive that will go toward a total building remodel and this is a vision and rendering in terms of what Brian and Sherrie are proposing at this point in time. So, we already had the public hearing. Some residents did show up at the public hearing. They asked some questions. We worked through them and by the end of the meeting Brian and Sherrie were receiving welcoming comments from some of the neighbors in the area. For record he's proposing a \$400,000 renovation. The EDC is going to participate at \$150,000 in the form of an EDC reimbursement. He's met all of the standards based on legal review in terms of the qualified infrastructure and we're in the process right now of drafting the final development agreement that is going to be going back before the EDC and council within the next 6 to 8 weeks. I just wanted you to be aware of that. We've already processed it from an EDC and council perspective. It's been unanimously approved subject to the action that you're taking today.

Mr. Knauf stated I might point out that we will meet again in 2 weeks because he is also requesting a variance because the building when it was built is like 1.8 feet into the city right of way. We are not discussing it tonight because by the time it was discovered, it was too late to post it for this agenda. That will be a variance. This is a special exception tonight. In 2 weeks, this will look very familiar to you. That's why we are doing it that way. It's just the timing of when we have to post in the newspaper. It's actually on the 29<sup>th</sup> not 2 weeks from tonight. It's on Monday the 29<sup>th</sup>.

Chairman Freiberg asked for any other comments. None were made.

Chairman Freiberg closed the public hearing at 5:49 p.m.

## **DISCUSSION/ACTION**

- b. Case No. 21:02. Consider a request from Brian Tregre, representing Bayou Metals Specialties for a special exception to operate a wholesale distribution business at Lots 1,2,11 & 12, Block 24, Gilmers 2<sup>nd</sup> Cove Addition also known as 1813 Dupont Drive and 1813 Louisiana Street**

Member Cardner motioned to approve special exception

Member Henry 2<sup>nd</sup>

**Vote: 5 – 0**

**Motion Carries**

Member Cardner motioned to adjourn

Member Henry 2<sup>nd</sup>

**Chairman Freiberg adjourned the meeting at 5:51 p.m.**

March 6, 2021

City of Orange Planning & Community Development  
P.O. Box 520  
Orange, Texas 77631-0520

RE: Bayou Metals Specialties, 1813 Dupont Drive

Dear Kelvin:

Linda and I enthusiastically support Brian Tregre's request regarding 1813 Dupont Drive. He is a very fine person and businessman, and will be an asset to the Orange business community. The property has been commercial and manufacturing for many years. Linda and I are very excited about Brian bringing his business to our community. We respectfully request that his application be approved.

Sincerely,



Linda and Jarvis Buckley  
1801 Missouri Street  
Orange, Texas 77630