

CITY OF SULPHUR SPRINGS  
ZONING BOARD OF ADJUSTMENTS AND APPEALS  
MEETING MINUTES  
AUGUST 19, 2008

Present: Clayton McGraw, Joel Sheffield, David Watson, James Hulen,  
Alternates Gail Niergarth, & Scott O'Neal

Absent: Jonathan Cooper

Staff: Johnny Vance, Dir. Com. Dev., Jennifer Graham, Admin. Assist.  
Audine Turman, ZBA Secretary

Others: Sandra Jones, David Niergarth, Angie Falls, Kregg Slakey,  
Dwight Bell

**CALL MEETING TO ORDER:**

ZBA Chairman Clayton McGraw called the meeting of the Zoning Board of Adjustments and Appeals to order at 5:30 P.M.

Oath of Office was administered to newly appointed Alternate Members, Gail Niergarth and Scott O'Neal. Due to the lack of a full Board (5 Members) Alternate Gail Niergarth, served at this meeting.

**SELECTION OF ZBA CHAIRMAN:**

A motion was made by David Watson and seconded by Clayton McGraw to nominate Joel Sheffield as Chairman. Motion carried, all voting aye. After discussion the Board decided to have Clayton McGraw chair this meeting and Joel Sheffield begin at the next meeting.

**SELECTION OF ZBA VICE CHAIRMAN:**

A motion was made by Clayton McGraw and seconded by Joel Sheffield to nominate David Watson as Vice Chairman. Motion carried, all voting aye.

**DISCUSSION/ACTION ZBA MEETING MINUTES OF MAY 20, 2008:**

A motion was made by Vice Chairman David Watson and seconded by James Hulen to approve the ZBA Meeting Minutes of May 20, 2008. Motion carried, all voting aye.

**DISCUSSION/ACTION ZBA CASE NO. 080701:**

A motion was made by James Hulen and seconded by Alternate Gail Niergarth to approve a request by Owner/Sandra Jones for a Special Use Permit for property located at 468 W. Shannon Rd. Suite 7B, being further described as Lots 10 & 17, Block 218-1, to allow for the operation of a permanent cosmetic, tattooing shop (Mystical Magic). Motion carried, all voting aye.

**DISCUSSION/ACTION ZBA CASE NO. V-080702:**

A motion was made by Chairman Joel Sheffield and seconded by Clayton McGraw to **deny** a request by Owner/Texas Heritage National Bank – Kregg Slakey, Vice President for a variance from the Zoning Ordinance, requiring the construction of a masonry fence for property located at 215 N. Hillcrest, being further described as Lot 3R, Block 125. Motion to **deny** failed due to lack of a majority with three voting aye and two voting nay. This Board requires four concurring votes to approve or deny any request. There was no other motion made. After further discussion, Owners of Texas Heritage National Bank withdrew their request.

**ANY OTHER BUSINESS:**

Board has two variances for next month. There was no other business to be discussed.

**ADJOURN:**

With no other business before the Board the meeting was adjourned by Clayton McGraw at 6:28 P.M..