



# CITY OF SUNRISE BEACH VILLAGE

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BOARD OF ADJUSTMENTS  
Cheryl Kraemer, Chairperson

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## MEETING OF THE BOARD OF ADJUSTMENTS & APPEALS ~ SEPTEMBER 7, 2021, CALLED MEETING ~

A called meeting of the above-named board was held on September 7, 2021, at 10:00 a.m. at the Sunrise Beach Civic Center, 124 Sunrise Drive, Sunrise Beach Village, Texas.

### 1. Call to Order and Establishment of Quorum.

Chairman Kraemer called the meeting to order at 10:00 a.m. stating that a quorum was present. Members present were Nancy Daniel, Hank Gath, Mike Byrd and Alternate, Chellie Stewart. Alternate Board Member Bobby Campbell was present but did not vote. There were two (2) audience attendees present, also in attendance was Code Enforcement Officer Danyelle Morgan.

### 2. Consideration and possible action on a variance request received from property owner Scott Hayes, of 921 Sandy Mountain Drive, Unit 6, Lots 697-699, allowing for a variance of Planning & Zoning Ordinance 347 regarding a structure for solar energy devices in the 5-foot side setback .

Chairman Kraemer started the meeting by explaining the variance process. Chairman Kraemer referred to each member's packet stating that this request is for a variance for a structure for solar panels in the 5-foot side setback.

Property owners, Scott and Kelly Hayes addressed the meeting members and provided explanation of why they are requesting this variance; discussion ensued including review of the photographs that were provided. Mr. and Mrs. Hayes brought up that they read state law that stated the city could not restrict them from putting the solar panels up in the setback. Board member Mike Byrd asked for a short recess so he could read over the State Laws that the Hayes were referring to. Chairman Kraemer recessed the meeting at 10:24 a.m. and resumed the meeting at 10:38 a.m. The board members reviewed the documents that Mr. Byrd brought back.

Chairman Kraemer asked if there were any more questions or anything else the property owners would like to say. The Board stated they were ready to perform their voting. Chairman Kraemer alternated each question on the voting chart.

The Board of Adjustments denied the variance by unanimous vote. Chairman Kraemer told the property owners they have 60 days from today's date to move the structure out of the 5-foot setback. Danyelle Morgan also advised the property owners and the Board that she would contact the city attorney to get her opinion on the state law regarding the solar panels.

### 3. Adjournment.

The meeting adjourned at 10:55 a.m.

City Secretary  
On behalf of the Board of Adjustments & Appeals

9-8-2021

Date