



Wylie Zoning Board of Adjustment

Minutes
Zoning Board of Adjustment
Monday, May 16, 2016 – 6:30 pm
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Building 100

CALL TO ORDER

Chair Linda Jourdan called the meeting to order at 6:30 p.m. and stated that a quorum was present. Those present were: Chair Jourdan, Board Member Jason Potts, Board Member Kevin Finnell, and Board Member Andres Gonzalez.

Staff members present were: Renae' Ollie, Planning Director, Jasen Haskins, Sr. Planner, Kevin Molina, Planner and Mary Bradley, Administrative Assistant.

CONSENT ITEMS

1. Consider and act upon approval of the Minutes of the April 18, 2016 Meeting.

A motion was made by Board Member Finnell and seconded by Board Member Gonzalez, to approve the Minutes as submitted. Motion carried 4 - 0.

PUBLIC HEARINGS

Item 1 – ZBA 2016-05

Hold a Public Hearing to consider and act upon, a request from **Debra Walker Rust** for a Variance to Section 2.5.C.2c (4) of the Zoning Ordinance requiring no accessory structure be placed within a side yard setback of less than five feet. The property is located at 1503 Schooner Bay Drive in the Newport Harbor Subdivision, Block 14, Lot 10. **ZBA 2016-05.**

Staff Comments

Mr. Haskins stated that the applicant is requesting a variance to side yard setback to allow an existing accessory structure to remain two feet from side yard. The lot is approximately 7,820 square feet and the accessory structure is 200 square feet.

The applicant was denied at the April 18, 2016 meeting for three variances; one of the requests was for the side yard setback. The other two requests entailed the color of the roof, the material and cover more than two percent of the lot. A variance can be requested more than once, as long as the request has been changed. In this case, the applicant is proposing to install shingles and add a brick-like exterior material to match the primary structure.

Thirty-one comment forms were mailed to surrounding property owners. Eight comment forms were returned in opposition of the request and no comments forms were received in favor. Four comment forms were from the same property owner for four separate addresses.

Public Comments

Chair Jourdan opened the Public Hearing.

Ms. Debra Rust, 1503 Schooner Bay, applicant for the request, stated that the building will be used for crafts. The accessory structure is on gravel, not on concrete.

Commissioners asked if the building could be moved to behind the main fence in the rear yard. Ms. Rust stated that there is not enough room for the dogs to run if the accessory structure is moved. The structure has accessible attic and a small front entry porch. The building will be used for crafting. The building is approximately eleven feet height.

Ms. Elaine Duncan, 1501 Schooner Bay, adjacent property owner, stated that the fence is four feet tall, and spoke against the location of the accessory structure.

Mr. Paul Brooks, 1509 Schooner Bay, resides but owns three other lots on Schooner Bay, spoke in opposition of the location of the accessory structure, stating that the issue of the location has caused strife and discontentment between neighbors.

Chair Jourdan closed the Public Hearing.

Board Discussion

The Board Members discussed various requests for a side yard setback. Staff responded that all the requests were granted, but the structures were located within the enclosed back yard and was not visible from the street or alley.

Board Action

A motion was made by Board Member Finnell, to Grant the request, with stipulation that the roof match the main structure. Motion failed due to lack of second.

A motion was made by Board Member Potts, and seconded by Board Member Gonzalez, to deny the setback request. The property located at 1503 Schooner Bay. Motion failed 3 – 1.

ADJOURNMENT

A motion was made by Board Member Finnell, and seconded by Board Member Potts to adjourn the meeting. All Board Members were in consensus, and the meeting adjourned at 7:08p.m.


Linda Jourdan, Chair

ATTEST:


Mary Bradley, Administrative Assistant