Wylie Zoning Board of Adjustment

Minutes
Zoning Board of Adjustment
Monday, April 16, 2018 – 6:30 pm
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Building 100

CALL TO ORDER

The Zoning Board of Adjustment was called to order at 6:30 PM and a quorum was present. Board Members present: Chair Linda Jourdan, Board Member Andre Gonzalez, Board Member Robert Holcomb and Board Member Kevin Finnell. Vice Chair Jason Potts was absent.

Staff members present were: Renae' Ollie, Director of Development Services, 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 March 19, 2018 Meeting.

   A motion was made by Board Member Finnell and seconded by Board Member Gonzalez, to approve the Minutes of the March 19, 2018 Meeting as submitted. Motion carried 4 – 0.

PUBLIC HEARINGS

Item 1 – ZBA 2018-04

Hold a public hearing to consider and act upon a request from **Damon C. Faulk** for a variance to Section 2.5.C.2.c of the 2017 Zoning Ordinance to allow for a 2' side setback for an accessory structure on a property located at 1521 Anchor Drive, Lot 6 Block 13 of Newport Harbor Phase I. **ZBA 2018-04**

Staff Comments

Mr. Molina stated that the property is located at 1521 Anchor Drive. The property has an existing metal accessory structure that the applicant desires to replace. The new accessory structure is 8 feet by 8 feet and 7 feet tall. The existing accessory structure is 8 feet by 6 feet.

The applicant is requesting a variance to the rear setback requirement of 2 feet in lieu of required 5 feet setback. The purpose of the variance is to allow the new shed to be placed on the existing concrete pad without having to expand the concrete area and affect existing irrigation.

Public comment forms were mailed to 30 property owners, and one comment form was received in favor and no responses in opposition of the request.

Board Discussion

Mr. Damon Faulk, 1521 Anchor Drive, applicant, stated that the new accessory building is the same width of the existing accessory structure, just 2 feet deeper. The fence would not be moved.

Public Comments

Chair Jourdan opened the Public Hearing.

Mr. Robert Medrano, 1512 Anchor Drive, adjacent property owner, spoke in favor of the request.

Chair Jourdan closed the Public Hearing.

Board Action

A motion was made by Board Member Finnell, and seconded by Board Member Gonzalez to Grant the request for a variance to Section 2.5.C.2.c of the 2017 Zoning Ordinance to allow for a 2' side setback for an accessory structure on a property located at 1521 Anchor Drive, Lot 6 Block 13 of Newport Harbor Phase I. Motion carried 4 – 0.

Item 2 – ZBA 2018-05

Hold a public hearing to consider and act upon a request from **Philip Rodarte** for a variance to Section 7.B.IV.e.2 of the 1962 Zoning Ordinance to allow for a 2' setback to extend existing carport on a property located at 503 Gaston, Lot 2, Block B of Pointe North Addition. **ZBA 2018-05**

Staff Presentation

Mr. Haskins stated that the property is located at 503 Gaston, being Lot 2, Block B of Pointe North Addition and is zoned Single-Family Residential (SF-10/24). However, the home was platted and built before 1985 and falls under the 1962 Zoning Ordinance.

The applicant desires to extend existing carport. Therefore, he is requesting a rear yard setback from 25 feet required to 5 feet. There is a 5 feet TP&L easement at the rear of the property, and a 150 feet wide

power line easement. The property has a rear entry alley access. The unique circumstance is the alley entry and on the other side of the alley is open space that is dedicated and maintained by Homeowners Association. The applicant desires to cover all vehicles parked in driveway from the weather.

Comment forms were mailed to 20 property owners. Two responses in favor were received and none in opposition.

Board Discussion

The Commissioners questioned the location of the end of the carport. Mr. Haskins stated that due to the easements at the rear of the property, the proposed extended carport would stop even with fence line. This is 5 feet from the property line.

Mr. Philip Rodarte, 503 N Gaston Drive, applicant, stated that the existing carport was built and approved four years ago. The new carport will be constructed with same materials, and same colors. The carport would protect three autos, a small 15 foot boat and a camper. The two-car garage is used for storage. Board Member Holcomb asked for the unique circumstance on extending legally non-conforming structure to additional non-conforming structure. The applicant was unable to respond.

Public Comments

Chair Jourdan opened the Public Hearing. With no one approaching the Board Members, Chair Jourdan closed the Public Hearing.

Board Action

A motion was made by Board Member Finnell, and seconded by Board Member Holcomb to Grant the request for a variance to rear yard setback, to allow for a 2' setback to extend existing carport on a property located at 503 Gaston, Lot 2, Block B of Pointe North Addition. Motion failed 3 -1, with Chair Jourdan voting in opposition.

Item 3 – ZBA 2018-06

Hold a public hearing to consider and act upon a request from **Ty D Paul** for a variance to Section 3.F,.12.a.2 of the 2017 Zoning Ordinance to allow other material in lieu of wood for fence on property located 721 W.A. Allen, Lot 6, Block A of Mill Creek Estates. **ZBA 2018-06**

Staff Presentation

Mr. Haskins stated that the property is located 721 WA Allen, being Lot 6, Block A of the Mill Creek Estates Addition, and is zoned Single-Family 10/24.

The applicant is requesting a variance from the zoning ordinance for residential fencing material requirements. The property is located at the northwest corner of Stone Road and WA Allen. Stone Road was recently widened to a four-lane divided road and a traffic signal was installed at the intersection. The applicant desires to construct a fence along the boundaries of the property for visual privacy and noise reduction. The applicant is proposing a composite material that may provide better noise reduction than a wood fence.

Comment forms were mailed to 12 property owners, and only one comment form in favor of the request was received.

Board Discussion

Mr. Ty Paul, 721 WA Allen, applicant gave a presentation about the fence material, stating that the material composite not vinyl, and maintenance free. The fence will be constructed with metal posts and will be 6 feet in height.

Public Comments

Chair Jourdan opened the Public Hearing. With no one approaching the Board Members, Chair Jourdan closed the Public Hearing.

Board Action

A motion was made by Board Member Gonzalez, and seconded by Board Member Holcomb, to Grant the variance to allow other material in lieu of wood for fence on property located 721 W.A. Allen, Lot 6, Block A of Mill Creek Estates. Motion carried 4 – 0.

ADJOURNMENT

A motion was made by Board Member Gonzalez, and seconded by Board Member Finnell to adjourn the meeting. All Board Members were in consensus.

Linda Jourdan, Chair

ATTEST:

Mary Bradley, Administrative Assistant