

**City of Richardson  
Zoning Board of Adjustment  
Agenda Packet  
May 21, 2014**

**To advance to the background material for each item in the agenda, click on the item title in the agenda or click on Bookmarks in the tool bar on the left side of your screen.**

**AGENDA**  
**CITY OF RICHARDSON – ZONING BOARD OF ADJUSTMENT**  
**WEDNESDAY, MAY 21, 2014**  
**6:30 P.M.**  
**CIVIC CENTER/COUNCIL CHAMBERS**  
**411 W. ARAPAHO ROAD**

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**BRIEFING SESSION: 6:00 P.M.** Prior to the business meeting, the Zoning Board of Adjustment will meet with staff in the **Large Conference Room** located on the 2<sup>nd</sup> floor, Room 206 to receive a briefing on:

**A. Discussion of Regular Agenda Items**

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1. **APPROVAL OF MINUTES OF REGULAR MEETING OF APRIL 16, 2014.**
2. **PUBLIC HEARING ON ZBA FILE SE 14-02 CONTINUED FROM APRIL 16, 2014 ZBA MEETING**, a request by Brian Campion, for approval of the following special exception to the City of Richardson Code of Ordinances:

Chapter 6, Article IV, Sec. 6-205(b), to allow corrugated steel, in conjunction with wood as an approved fencing material.

The property is located at 1317 Chippewa Drive.
3. **PUBLIC HEARING ON ZBA FILE V 14-07**, a request by Courtney Johnston, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance:

Article IV, Sec. 4(f)(1), for a 4.5-foot variance to the 20-foot side yard setback for a corner lot adjacent to a side street.

The property is located at 1 Vicksburg Lane.
4. **RECESS**
5. **ADJOURN**

Accommodations requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Susan Mattison, ADA Coordinator, via phone at 972-744-0908, via email at [ADACoordinator@cor.gov](mailto:ADACoordinator@cor.gov), or by appointment at 1621 E. Lookout Drive, Richardson, Texas 75082.

I hereby certify that the above agenda was posted on the bulletin board at City Hall on or before 5:30 p.m., Friday, May 9, 2014.

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Cindy Wilson, Administrative Secretary

# Agenda

## Item 1

**Approval of the minutes of the April 16, 2014  
Zoning Board of Adjustment Meeting**

**MINUTES**  
**ZONING BOARD OF ADJUSTMENT**  
**CITY OF RICHARDSON, TEXAS**  
**APRIL 16, 2014**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, April 16, 2014 in the Council Chambers, at the City Hall, 411 West Arapaho Road, Richardson, Texas.

**MEMBERS PRESENT:** Mike Walker, Chair  
Larry Menke, Vice Chair  
Chip Pratt, Member  
John Veatch, Member  
Brian Shuey, Member  
Shamsul Arefin, Alternate  
Jason Lemons, Alternate

**MEMBERS ABSENT:**

**CITY STAFF PRESENT:** Chris Shacklett, Senior Planner  
Mohamed Bireima, Planning Technician  
Jennifer Patrick, Building Inspector  
Cindy Wilson, Administrative Secretary

Mike Walker, Chairman, introduced Chris Shacklett, Senior Planner; Mohamed Bireima, Planning Technician; Jennifer Patrick, Building Inspector; and Cindy Wilson, Administrative Secretary, explaining that the City staff serves in an advisory capacity and does not influence any decisions the Board might make. Walker summarized the function, rules, and appeal procedure of the Zoning Board of Adjustment. Walker noted that all members are present and at least 4 of 5 must vote in favor for a request to be approved.

**MINUTES:**

The Zoning Board of Adjustment minutes of the March 19, 2014 meeting were approved as presented on a motion by Menke; second by Shuey and a vote of 5-0.

**PUBLIC HEARING ON ZBA FILE V 14-06**, a request by Gary V. Nedzinski, for approval of the following variances to the City of Richardson Comprehensive Zoning Ordinance: 1. Article IV-B, Sec. 4(g), for a 23-foot variance to the 25-foot rear yard setback for an existing garage; 2. Article IV-B, Sec. 4(g), for a 9-foot variance to the 25-foot rear yard setback for an attached patio cover at the property located at 2803 Tam O'Shanter Lane.

Shacklett stated the current owner purchased the home in 2013 and now desires to construct an attached patio cover on the rear (west side) of the home. Shacklett continued that the

applicant was informed by staff that no addition could be constructed since the existing attached garage encroaches twenty-three (23) feet in the required 25-foot rear yard setback along the west property line (adjacent to Canyon Creek Country Club). Shacklett noted the existing garage was originally constructed as a carport, and it appears it was later converted without a permit into a garage (between 2010 and 2012). Shacklett explained that although an attached carport is allowed to be located within three (3) feet of a rear property line, an attached garage is not.

Shacklett advised that in addition to the request for the existing garage encroachment, the applicant is requesting a variance to construct an attached patio cover that encroaches nine (9) feet into the 25-foot rear yard setback as shown on the attached site plan. Shacklett stated if the patio were detached, the patio cover would only be required to meet the 3-foot rear yard setback for accessory structures. Shacklett added the applicant stated that he wanted to tie the patio cover into the existing home to prevent future drainage/leakage issues.

Shacklett expressed that the applicant has stated that without a variance to the existing garage encroachment, it would not be possible for him to construct any additions to the home. Shacklett explained the applicant desires the patio cover to provide a shaded area overlooking the golf course that provides protection from the western exposure to the sun. Shacklett mentioned the applicant has indicated the location of the patio cover is limited by an existing tree in the rear yard and in addition, the topography of the lot, which slopes down toward Lookout Drive, creates a hardship as to where the patio cover can be located.

Shacklett clarified that the patio cover would be allowed in the proposed location, if it were detached. Shacklett noted the applicant feels the granting of the rear yard setback variance justifies limiting possible drainage issues that could occur from having a detached patio cover.

Shacklett stated regarding:

Variance Request #1: It is staff's opinion that a hardship exists because no addition or expansion can be permitted even if it conforms to the regulations in the Comprehensive Zoning Ordinance. Shacklett explained that without the variance to the existing garage, the structure will remain as non-conforming until such time that the encroachment into the rear setback is removed, or the structure is demolished.

Variance Request #2: Based on the information provided by the applicant, it appears a property hardship does not exist.

Lemons asked if there was any correspondence from neighbors regarding this case.

Shacklett responded that there had been no correspondence either in favor or opposition.

Shacklett confirmed Pratt's question regarding the notification of the Canyon Creek Country Club by stating that the Country Club was notified.

Gary V. Nedzinski, 2803 Tam O'Shanter Lane, Richardson, Texas came forward to present his case. Nedzinski stated that he is adding a patio and the slab is already in place, having been poured for some time. Nedzinski explained that he contracted with a gentleman that belongs to Canyon Creek Country Club. Nedzinski noted that he was not aware of the garage situation. Nedzinski expressed his concern that twice he has been to the title company and each time he was told there were no liens; no variances; nothing out of the ordinary. Nedzinski added that the title company suggested he might want to let the City know there is nothing in writing in the county records regarding the garage at his property and everything was good. Nedzinski said the placement of the patio gets sun directly from the West. Nedzinski stated he has experienced some skin cancer and needs shade. Nedzinski expressed his enjoyment of the outdoors, his idea that this project will add to the attractiveness of the neighborhood and his need for health precautions.

Menke asked the applicant what type of material made up the back wall of the garage.

Nedzinski responded that it is a solid, stained wall.

Chairman Walker redirected questions to the variance at hand.

Shuey asked Nedzinski is he considered the alternative of detaching the patio cover from the home. Shuey added that he understood that the patio could be developed without tying it into the house.

Nedzinski said moving the patio cover out from the home six (6) inches to a foot would cause problems when there was rain; ice; snow that would come into the home.

Arefin asked the applicant if he had considered making the patio part of the bedroom in future.

Nedzinski explained the patio will be open with a roof on top as well as having a stone bench; built in barbeque pit and eventually a built in stone refrigerator. Nedzinski added that the patio would never be enclosed.

Shacklett stated that to enclose the patio at any time would require another variance.

Nedzinski had questions regarding his property line.

Chairman Walker redirected questions to the business at hand and opened the public hearing.

Jay Dalehite, 315 Meadowlark, Richardson, Texas came forward to speak in favor of the request. Dalehite identified himself as a member of the Board of Directors of the Canyon Creek HOA as well as a friend of the applicant and one of the Canyon Creek residents. Dalehite asked how the garage was approved.

Shacklett responded that sometime between 2010 and 2013 when the garage was built, no permit was ever requested from the City and the garage was never inspected, leaving it an illegal structure. Shacklett continued that the applicant is welcome to get a new survey which is a legal document prepared and signed by a surveyor showing the rear property line. Shacklett added any dispute between the applicant and the Country Club is based on the survey of the plat of the original subdivision.

Dalehite confirmed that his questions had been answered and that he supports the applicant's request and would like to see it granted.

Shuey stated that it appears that the carport/garage conversion was done previous to the applicant's ownership. Shuey added that the patio could be built detached from the house and he supported that idea.

Menke made comments related to the back wall. Menke stated there are two parts to this request: 1. the garage and 2. the patio. Menke noted this is an inherited problem. Menke added that the patio cover looks good and he has no problem with this design.

Chairman Walker agreed with Menke's remarks and requested a motion.

Veatch made a motion to grant item number V 14-06 regarding the garage as presented, limited to those specifics the applicant presented in the case. Veatch also moved that a motion to grant item number V 14-06 regarding the attached patio cover as presented, limited to those specifics the applicant presented in his case. The motion, including both aspects (garage and attached patio cover), was seconded by Pratt and approved 5-0.

**PUBLIC HEARING ON ZBA FILE SE 14-02**, a request by Brian Campion, for approval of the following special exception to the City of Richardson Code of Ordinances: 1) Chapter 6, Article IV, Sec. 6-205(b), to allow corrugated steel, in conjunction with wood as an approved fencing material for the property located at 1317 Chippewa Drive.

Shacklett stated the applicant is requesting a special exception to the Fence Ordinance (Chapter 6 of the Richardson Code of Ordinances) to allow corrugated steel as a fencing material along the south property line and a portion of the east property line.

Shacklett explained the Fence Ordinance provides a list of permitted materials, including wood, masonry, chain link, and wrought iron, and a list of prohibited materials, including barbed wire, razor ribbon, sheet metal, and corrugated steel. Shacklett added that the applicant is requesting a special exception to allow the prohibited material to be used as a fencing material in the fashion as shown in his application and limited to the location shown on the site plan.

Shacklett reported the previous fence along the south property line and a portion of the east property line had been in a state of disrepair; therefore, the applicant reconstructed the fence in 2013 using a combination of galvanized steel and cedar. Shacklett added that the applicant did not apply for a permit stating he was not aware a fence permit was required for fences not visible from the street.

Shacklett pointed out the applicant chose to use the corrugated steel for the following reasons:

- More cost effective and durable compared to a standard wood fence.
- Requires less maintenance than a wood fence.
- Aesthetically pleasing and more desirable than a chain link fence or vinyl fencing, which are allowable materials.

Shacklett noted the applicant has also stated other cities allow corrugated steel as an approved fencing material and he feels the durability and low maintenance requirements for corrugated steel make it a desirable fence material.

Shacklett stated that the applicant is here to answer any questions and he may also have a document to present to the Board showing neighborhood support that he has gathered for the fence he has constructed.

Brian Campion, 1317 Chippewa Drive, Richardson, Texas came forward to present his case. Campion noted that Shacklett had done a good job of presenting the situation. Campion explained he had received several letters over the last ten (10) years he has lived at this address. Campion added that his fence was in poor condition. Campion stated the City allowed him to modify the fence by pushing it back up and adding dirt behind each post until it reached the point of being unfixable. Campion indicated he had time and resources to replace the fence over a Thanksgiving break. Campion added that he was misinformed years ago by someone saying because the fence is being replaced in the original spot; because it is not visible from the street; a fence permit is not required. Campion indicated he had seen a similar fence in the City of Dallas and following their lead from an environmental, cost, maintenance and aesthetics standpoint he built his fence in just two (2) days. Campion stated he was notified within a week that the fence was not approved and came in the following week and got a fence permit as part of the process as he was made aware of the requirement for a variance request. Campion explained that the corrugated steel is a galvanized material and the fact that the material is used vertically rather than horizontally extends the life of the fence greatly. Campion identified this as a totally different process for building a fence. Campion appreciates the aesthetics and the longevity of this fence. Comparison of the cost of a corrugated steel fence with that of a wood fence showed \$0.60 to \$1.00 for construction. Campion presented a petition to the Board polling neighbors regarding their like/dislike of the fence.

Menke asked about the applicant's application where he stated that several cities allow this type fence.



Campion responded that the City of Dallas allows this type fence.

Menke questioned the applicant if he had seen the regulations that allow the fence because a fence existence does not prove that it is allowed or in compliance. Menke continued by asking about the applicant's statement regarding the City of Carrollton's acceptance.

Campion mentioned there is some tolerance and some cities have prohibitive materials. Campion stated that a fence permit from the City of Carrollton has an option to check for galvanized metal as part of a residential fence code.

Arefin expressed that he has seen galvanized steel fences in Dallas for industrial buildings but he has not seen anything for residential. Arefin stated a child playing baseball in the backyard might hit the fence and it could make a huge noise and easily dent it.

Chairman Walker asked the applicant to inform the Board of his occupation.

Campion stated he is a contractor.

Chairman Walker asked what kind of contracting he does.

Campion responded that he does residential remodeling.

Chairman Walker stated it is difficult for the Board to understand that the applicant does not understand that fence material is not allowed in the City of Richardson, especially with extensive research of surrounding cities. Chairman Walker pointed out that the Board does not set precedence or approve new materials. Chairman Walker noted that the fence looks good to him and he likes the durability.

Campion stated that he does not do work in Richardson.

Chairman Walker asked Campion if he knew as a builder that he would not begin a remodel without determining what permits he needed.

Campion answered that he did. Campion continued that he had only seen this type of fence done in Dallas.

Chairman Walker asked the applicant if he had never seen this type fence in Richardson then wouldn't he want to check whether it was approved in Richardson, rather than building it first.

Campion stated yes.

Lemons asked how difficult it is to replace a panel in the fence.

Campion responded there are weather resistant, hex nut screws; it is not very difficult and can be accomplished in minutes.

Pratt stated his concern from an aesthetics perspective that one panel on the left that does not match the rest of the fence. Pratt continued by asking the applicant if he would be willing to redo that panel to match all the others.

Campion explained that he would not have a problem doing that. Campion added his yard slopes to the alley and for the walking side gate to function. Campion continued that there is more cedar on the inside of the fence than the outside.

Pratt added since this is a prohibited material in the City of Richardson, there are no standards for how to measure or when to require repairs/maintenance or replacement on the fence. Pratt asked Campion if he had any ideas regarding a reasonable standard for this type fence.

Campion stated he did not. Campion added there is an element to be played by indentation. Campion continued that because the use of wood is so minimal he did not see that failing. Campion noted that he also did not see rust as an issue. Campion stated he could see a request to change out panels due to indentation as reasonable.

Shacklett directed comment to Pratt that it would be difficult to craft those standards. If the Board determines to approve the request; the motion should contain wording such as; “. . .the fence must be in substantial conformance as presented at this meeting.”

Veatch commented that he felt the applicant's look at regulations in other cities happened after the fact.

Campion responded that he did look at other requirements after the fact.

Veatch added the fence looks OK and he finds nothing objectionable about the fence staying.

Luis Cowley, 1319 Chippewa Drive, Richardson, Texas came forward to speak in favor of the request. Cowley explained that as next door neighbor to the applicant he thinks the fence is a different style and although his preference is a wood fence, his neighbor's fence is OK and it looks good; sturdy.

Shuey asked if Cowley's fence shares a common line with Campion's fence, was Cowley aware that the fence violated code or did he have any concerns as the fence was being built

Cowley stated he had no concerns; that he never thought about it. Cowley added he was under the same impression as Campion concerning replacing a fence.

Shuey asked if both property owners who share a common property line have to submit permits when replacing a fence on.

Patrick responded that the requirement is dependent on who was doing the work; if other portions of the fence work were being done. Patrick added in this case if Lot 10 was to come in and want to erect a fence down that property line they could do it or Campion could do it. Patrick emphasized it is a common property line, so both owners have the right to make the request.

Michael Baker, 1225 Chippewa Drive, Richardson, Texas came forward to speak in favor of the request. Baker stated that compared to other fences in the alley, Campion's fence looks great. Baker added that he has been close to the fence and it is well-built and built to stay.

With no more comments in favor or in opposition, Chairman Walker closed the public hearing.

Pratt noted that the aesthetic of this fence is not his preference; however, it is OK and seems to be appreciated by a number of those in the neighborhood. Pratt added he would like to see the applicant finish the overall fence by making the last panel match all the others. Pratt emphasized that if the Board decides to approve the request it is important to include some of Shacklett's comments regarding the provision of standards to measure when this fence is failing; when the material needs maintenance because it is not a part of the code.

Shuey stated he does not see the fence as unattractive, however he does see how this fence application could go wrong and he takes issue with that. Shuey added he does not see how this could be viewed as a hardship and he could not support it.

Veatch explained his thought that if the Board is concerned about durability and maintenance he felt this fence should be held to the same standards to which all other fences are held. Veatch added that he likes the aesthetics of the fence.

Menke shared his concern that if this material is approved for this fence, what stops someone in the future from deciding to have the fence rails on the inside for security purposes leaving only straight sheet metal and no wood visible on the back fence.

Shacklett supported the idea that once a material listed as prohibited is allowed, questions arise. Shacklett added that this case could be limited to the specifics presented here as well as adding conditions mentioned by Pratt.

Veatch brought to the attention of the Board that this special exception case is only about this one request and nothing more. Veatch added the importance here is to confine efforts to looking specifically at this instance only.

Lemons stated his concern comes from the fact this is a prohibited material that was probably included on that list for a reason.

Pratt made a motion to grant item number V 14-06 regarding the garage as presented, limited to those specifics the applicant presented as his case; that it shall remain substantially as presented regarding the wood and metal aesthetic, as well as the condition that the fence and gate panel be modified to match that aesthetic. Veatch seconded the motion. The motion failed with Shuey and Menke in opposition.

Shacklett reminded Chairman Walker that a supermajority vote is required to grant the request. If a motion does not pass this evening; the request will be deemed denied. Shacklett listed alternatives as follows: 1. further discussion; 2. additional information required of the applicant; 3. ask the applicant to come back for the next meeting.

Lemons stated he would be interested in the limitations of the requirements in the cities of Dallas and Carrollton regarding the use of galvanized steel.

Shacklett offered information that in the City of Carrollton, corrugated metal panels as a prohibited material. Shacklett added that other cities – Frisco, Allen, McKinney, Plano – Frisco and Plano prohibit the use; Allen and McKinney have “Other building materials approved by Building Official, and this language does not appear in the prohibited section.” Richardson also has this language; however it appears in the permitted section. Shacklett explained some cities specifically prohibit the use of this material, while other cities are not addressing it.

Arefin stated this material was prohibited for a reason and it is important to understand why it was not allowed. Arefin added that depending on the reason he had no problem approving this request.

Menke acknowledged his agreement with the last two (2) speakers. Menke added the idea of approving a prohibited material that is the majority material used in the fence concerns him.

Shacklett offered that the last update to the building materials list was in 2000 and prior to that the list was updated in 1966. Shacklett stated if this information helps with decisions tonight, we could obtain a copy of the Ordinance No. 3285 and that will address what changed in 2000. Shacklett added that if there was no change in 2000 that corrugated steel has been a prohibited material since 1966 and if this is the case, there is little to no information regarding the material. Shacklett added that if the information in Ordinance 3285 could help with a decision tonight, it would be easy to call a brief recess and provide the Board with a copy of the ordinance.

Chairman Walker stated to the Board several things could be done at this time: 1. take a break and get more information from Shacklett; 2. continue the case to the next meeting; 3. have another vote to approve/deny the request.

Veatch had a question regarding a continuance and what the Board should expect to be presented the next meeting that has not been presented in this meeting. Veatch added that the fact Campion brought out that the corrugated steel is galvanized is a very important point.

Chairman Walker addressed the Board, asking what additional information is needed to help form a decision.

Chairman Walker asked the applicant to return to the podium.

Campion stated there has probably been a drastic reduction in chain link fences over the past few years because from aesthetics and maintenance standpoints, they rust out. Campion added that there has also been a rise in appreciation of the aesthetics of corrugated steel that can be found in numerous restaurants.

Chairman Walker called for a five (5) minutes recess at 7:46PM.

At 7:51PM Chairman Walker called the meeting to order.

Shacklett reported that the ordinance that changed Sec. 6-205, Permitted, Prohibited Materials part of the code appeared to be a comprehensive re-write of all or a portion of the fence ordinance. A review of the 2000 update of the Permitted, Prohibited Fence Materials did not give a history within the ordinance. However, corrugated steel, sheet metal are listed as prohibited materials. The material could have been added then or it could have been in place previously.

Shacklett reminded Chairman Walker that a supermajority vote (4 out of 5 votes) is required to grant the request.

Discussion ensued concerning By Laws and voting.

Pratt expressed his view that it is important to him that this case is not precedent setting and it is specific to this property in this area where the neighbors see the material as appropriate.

Veatch expressed that if the Board does not want to specifically deny this special exception, then a vote can be taken regarding a continuance.

Shacklett confirmed for Chairman Walker that it would be in the applicant's best interest not to withdraw his request because that would result in a six (6) month waiting period before he could appear before the Board again.

Chairman Walker explained that one reason the Board is here is to protect the integrity of neighborhoods. Chairman Walker expressed appreciation for the good deliberation taking place between members. He added that after new information and discussion he suggests a motion.

Shuey stated he has no problem with galvanized steel for industrial purposes, but not for residential use. Shuey noted that he would like more information on why this material was deemed a prohibited material.

Lemons agreed with Shuey. Lemons also pointed out that the many developments mentioned earlier are all commercial developments, not residential.

Shuey moved to continue case SE 14-02 to the 5/21/14 ZBA Meeting. The motion was seconded by Pratt.

Members of the Board asked for more information regarding the rationale of other municipalities regarding the use of corrugated steel, information from Building Inspection to determine the use in residential projects, information on whether corrugated steel was added to the list of prohibited materials in 2000 or if it has been on the prohibited list since 1966.

The motion was approved 5-0.

There being no further business, the meeting was adjourned at 8:13 p.m.

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Mike Walker, Chairman  
Zoning Board of Adjustment

# Agenda

## Item 2

**SE 14-02:  
1317 Chippewa Drive**

## **SPECIAL EXCEPTION FILE 14-02**

### **Attachments:**

1. Notice of Public Hearing
2. Notification List
3. Staff Report
4. Aerial Map
5. Site Plan
6. Site Photos
7. Application
8. Applicant's Statement





# Notice of Public Hearing

## Zoning Board of Adjustment • Richardson, Texas

An application has been received by the City of Richardson for a:

### **SPECIAL EXCEPTION REQUEST**

**File No.** SE 14-02  
**Property Owner:** Brian Campion  
**Applicant:** Brian Campion  
**Location:** 1317 Chippewa Drive  
**Current Zoning:** R-1100-M Residential  
**Request:** A request by Brian Campion, for approval of the following special exception to the City of Richardson Code of Ordinances:  
  
1) Chapter 6, Article IV, Sec. 6-205(b), to allow corrugated steel, in conjunction with wood as an approved fencing material.

The Zoning Board of Adjustment will consider this request at a public hearing on:

**WEDNESDAY, APRIL 16, 2014**  
**6:30 p.m.**  
**City Council Chambers**  
**Richardson City Hall, 411 W. Arapaho Road**  
**Richardson, Texas**

*This notice has been sent to all owners of real property within 200 feet of the request; as such ownership appears on the last approved city tax roll.*

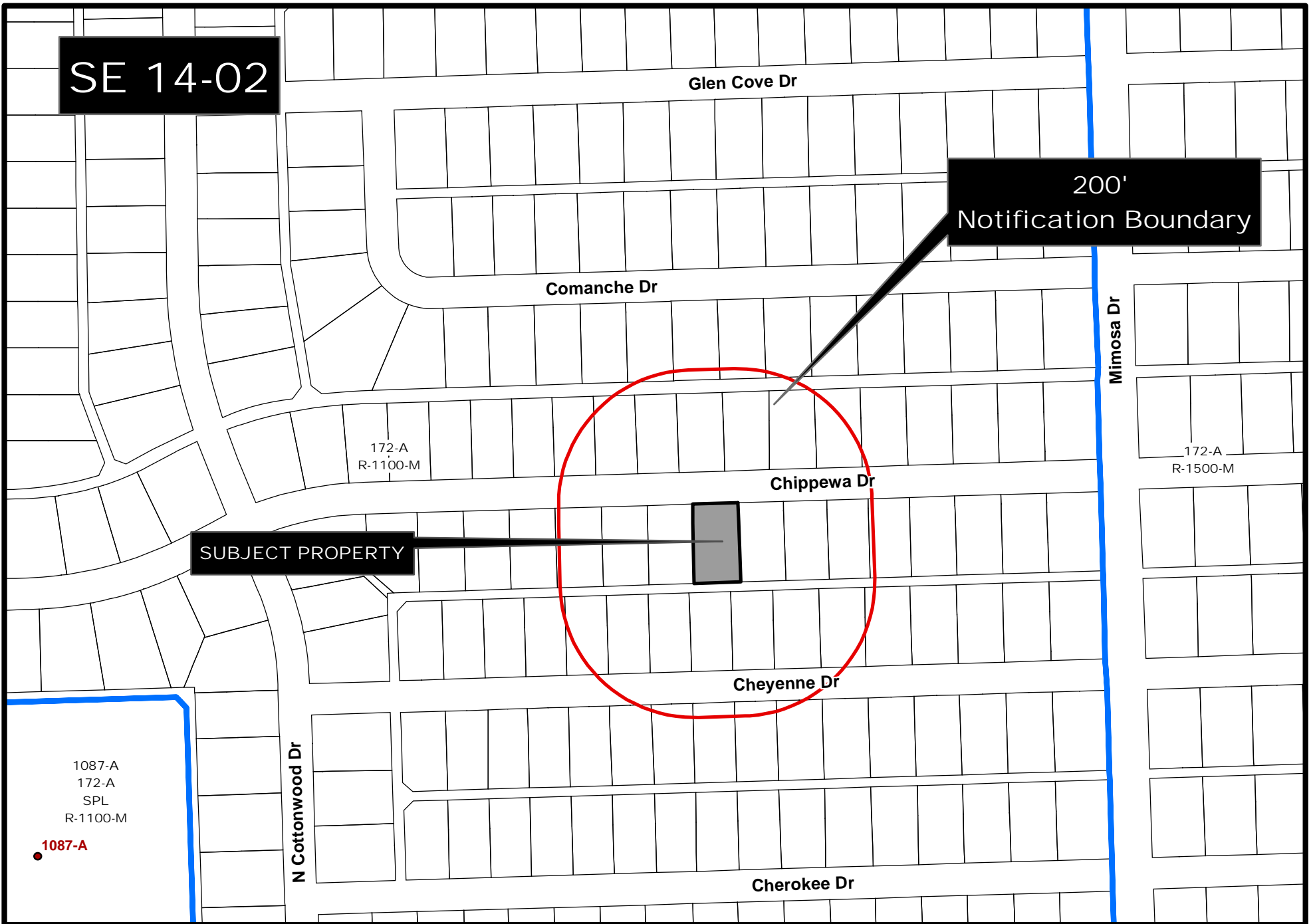
**Process for Public Input:** A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the Zoning Board of Adjustment. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions by the Zoning Board of Adjustment is excluded from each 15 minute period.

Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

**Agenda:** The Zoning Board of Adjustment agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <http://www.cor.net/index.aspx?page=1332>

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Variance number SE 14-02.

Date Posted and Mailed: April 4, 2014



# SE 14-02 Notification Map

## 1317 Chippewa Drive

Updated By: shacklett, Update Date: March 27, 2014  
File: DSI\mapping\Cases\SE\SE 1402\SE 1402 notification.mxd



DICKINSON LARRY D  
1313 COMANCHE DR  
RICHARDSON, TX 75080-3712

WARNER PHILIP ALAN & BECKY  
1315 COMANCHE DR  
RICHARDSON, TX 75080-3712

BETTS JOSEPH H & SHERI W  
1317 COMANCHE DR  
RICHARDSON, TX 75080-3712

LECLAIR DAVID C & NICOLE  
1319 COMANCHE DR  
RICHARDSON, TX 75080-3712

COURTNEY THOMAS A JR  
1308 CHIPPEWA DR  
RICHARDSON, TX 75080-3707

HALL BETTY LOU  
1310 CHIPPEWA DR  
RICHARDSON, TX 75080-3707

PETERS VICKI LEANN  
1312 CHIPPEWA DR  
RICHARDSON, TX 75080-3707

GAFFORD TERESA C  
1314 CHIPPEWA DR  
RICHARDSON, TX 75080-3707

HUMPHRIES RUTH E  
1316 CHIPPEWA DR  
RICHARDSON, TX 75080-3707

LARCH JAMES EDWIN & MELINDA KAY  
1318 CHIPPEWA DR  
RICHARDSON, TX 75080-3707

MOULTON AMANDA & BRADLEY  
1320 CHIPPEWA DR  
RICHARDSON, TX 75080-3707

PICKERING BRIAN  
1322 CHIPPEWA DR  
RICHARDSON, TX 75080-3707

REDFEARN JOHN MICHAEL  
1309 CHIPPEWA DR  
RICHARDSON, TX 75080-3708

KING THOMAS ALEXANDER  
1311 CHIPPEWA DR  
RICHARDSON, TX 75080-3708

MCMILLIAN BOBBY S & TRACEY  
1313 CHIPPEWA DR  
RICHARDSON, TX 75080-3708

CHU THOMAS S  
1315 CHIPPEWA DR  
RICHARDSON, TX 75080-3708

**CAMPION BRIAN W & CYNTHIA K  
1317 CHIPPEWA DR  
RICHARDSON, TX 75080-3708**

COWLEY LUIS  
1319 CHIPPEWA DR  
RICHARDSON, TX 75080-3708

HAMITER DAN IVEN JR & DEE  
1321 CHIPPEWA DR  
RICHARDSON, TX 75080-3708

HEFLIN RON & CAROL SUE ANGIN  
1323 CHIPPEWA DR  
RICHARDSON, TX 75080-3708

HILL MARILOU  
1308 CHEYENNE DR  
RICHARDSON, TX 75080-3705

SOHNER MICHAEL DENNIS  
1310 CHEYENNE DR  
RICHARDSON, TX 75080-3705

BROAD EDWARD R & EMILY BROAD  
1312 CHEYENNE DR  
RICHARDSON, TX 75080-3705

CUMMINGS FOREST M & SUE F  
714 W ARAPAHO RD APT 211  
RICHARDSON, TX 75080-4165

STEWART ADAM & ALEKSANDRA  
1316 CHEYENNE DR  
RICHARDSON, TX 75080-3705

KEDERSHA SCOTT G & KRISTEN L  
1318 CHEYENNE DR  
RICHARDSON, TX 75080-3705

STATHAKOS PHILLIP E & CYNTHIA D  
9815 LIMERICK DR  
DALLAS, TX 75218-2832

WINTERS ELAINE A  
1322 CHEYENNE DR  
RICHARDSON, TX 75080-3705

SCOTT DAVID A & STACY R  
1324 CHEYENNE DR  
RICHARDSON, TX 75080-3705

ASHMORE RICHARD D ESTATE  
% INEZ B ASHMORE  
1313 CHEYENNE DR  
RICHARDSON, TX 75080-3706

SCHRIMSHER SHERRY LEA  
1315 CHEYENNE DR  
RICHARDSON, TX 75080-3706

PEASLEE GARY D & SANDRA A  
1317 CHEYENNE DR  
RICHARDSON, TX 75080-3706

FLICKINGER BARBARA C  
1319 CHEYENNE DR  
RICHARDSON, TX 75080-3706

BROWN ROBYN  
1321 CHEYENNE DR  
RICHARDSON, TX 75080-3706

**SE 14-02**  
**Notification List**



# Staff Report

ZBA Meeting Date: May 21, 2014

**TO:** Zoning Board of Adjustment  
**FROM:** Chris Shacklett, Senior Planner CS  
**DATE:** May 12, 2014 (continued from April 16, 2014 meeting)  
**RE:** SE 14-02  
**APPLICANT:** Brian Campion  
**OWNER:** Brian Campion  
**LOCATION:** 1317 Chippewa Drive

## REQUESTED SPECIAL EXCEPTION:

(1) Allow corrugated steel, in conjunction with wood, as an approved fencing material (Chapter 6, Article IV, Sec. 6-205(b))

## EXISTING ZONING:

R-1100-M Residential

## EXISTING LAND USE:

Residential

## SURROUNDING LAND USES:

Residential

## STAFF COMMENTS:

The applicant is requesting a special exception to the Fence Ordinance (Chapter 6 of the Richardson Code of Ordinances) to allow corrugated steel as a fencing material along the south property line and a portion of the east property line as shown on the attached site plan.

The Fence Ordinance provides a list of permitted materials, including wood, masonry, chain link, and wrought iron, and a list of prohibited materials, including barbed wire, razor ribbon, sheet metal, and corrugated steel.

The previous fence along the south property line and a portion of the east property line had been in a state of disrepair; therefore, the applicant reconstructed the fence in 2013 using a combination of galvanized steel and cedar. However, the applicant did not apply for a permit stating he was not aware a fence permit was required for fences not visible from the street.

The applicant chose to use the corrugated steel for the following reasons:

- More cost effective and durable compared to a standard wood fence.
- Requires less maintenance than a wood fence.
- Aesthetically pleasing and more desirable than a chain link fence or vinyl fencing, which are allowable materials.

The applicant has also stated other cities allow corrugated steel as an approved fencing material (attached in Applicant's Statement). He feels the durability and low maintenance requirements for corrugated steel make it a desirable fence material.

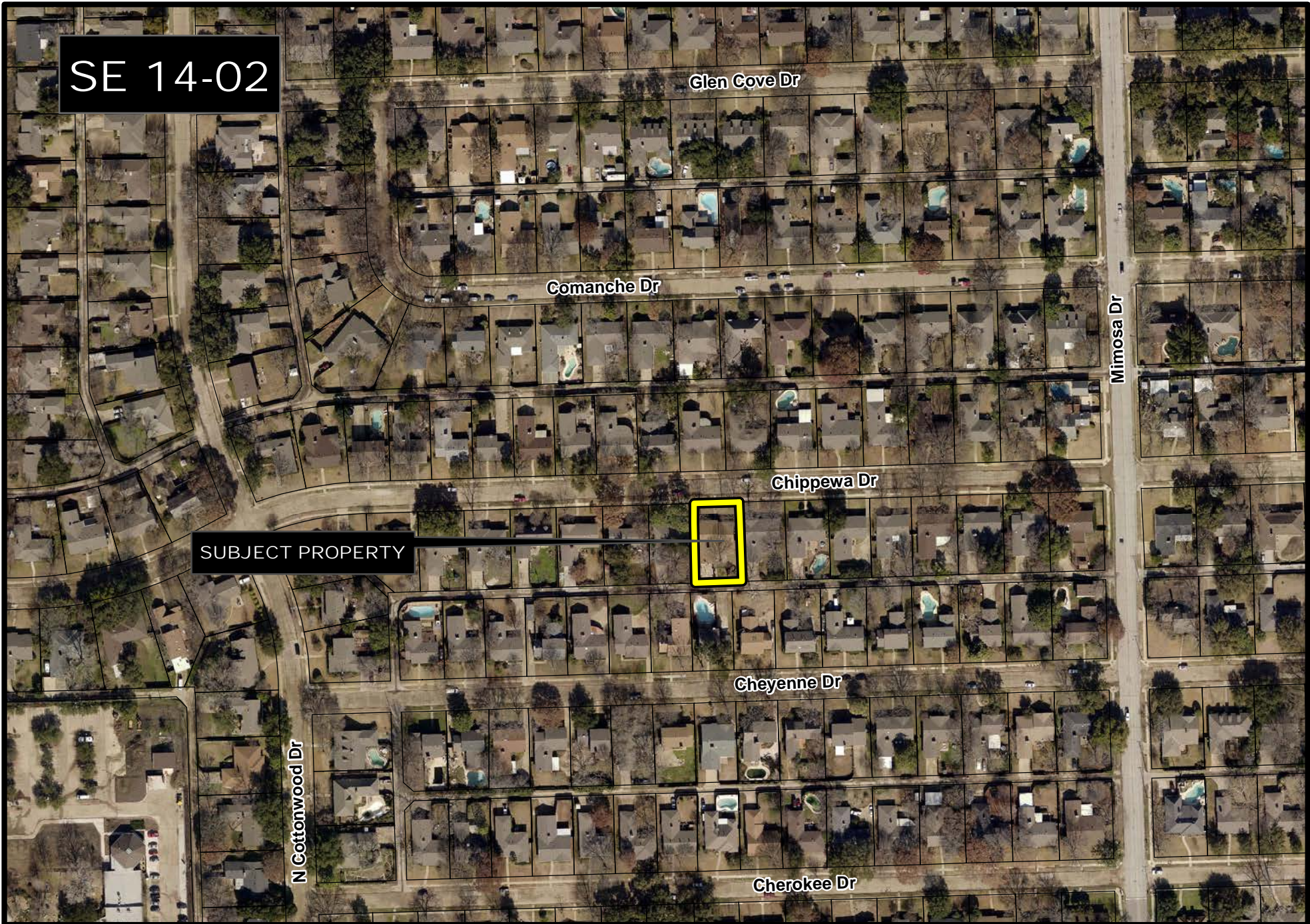
#### **ADDITIONAL INFORMATION & UPDATES:**

At the April 16, 2014 ZBA meeting, the Board continued the case to the May 21, 2014 meeting after a motion to approve the request did not pass on a vote of 3-2. The Board instructed staff to provide additional information regarding when and why the City of Richardson prohibited the proposed material, whether surrounding cities allow or prohibit the proposed material including reasons why it is allowed or prohibited.

It appears that sheet metal or other similar materials were adopted as prohibited materials in 1981; corrugated steel was not referenced. However, in 2000, corrugated steel was added to Chapter 6 of the Code of Ordinances as a prohibited fence material. The minutes do not provide any discussion as to the reasoning behind why the materials were added as prohibited materials.

The City of Richardson typically surveys twelve (12) surrounding cities when determining how the City's Codes compare with surrounding cities. Of the twelve (12) cities surveyed, nine (9) cities expressly prohibit corrugated steel as a fence material. Many of these cities state the material is prohibited since it is not designed to be a fence material and not typical of residential fences as compared to wood, masonry, or chain link. Dallas and Fort Worth allow corrugated steel, but Fort Worth does prohibit chain link. McKinney does not expressly prohibit corrugated steel and allows the Chief Building Official to approve other materials. Whether or not, corrugated steel would be approved is unclear.

SE 14-02



SUBJECT PROPERTY

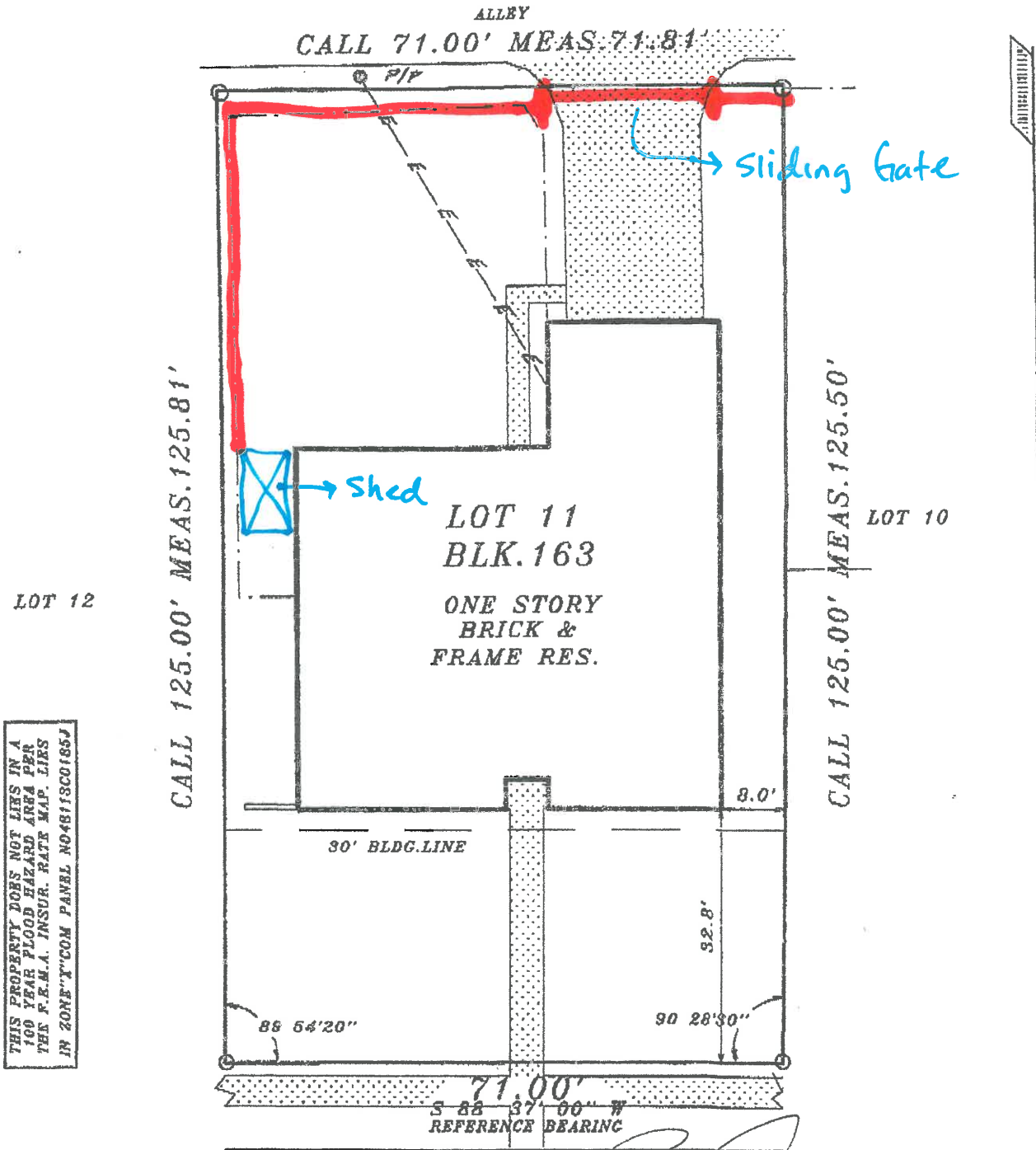
SE 14-02 Aerial Map  
1317 Chippewa Drive

Updated By: shacklett, Update Date: March 27, 2014  
File: DSI\Mapping\Cases\SE\SE 1402\SE 1402 ortho.mxd



FOR USE ONLY IN THE ORIGINAL TRANSACTION IDENTIFIED BY THE G.F. NO. SHOWN HEREON AND TO THE LIENHOLDERS AND/OR THE OWNERS AND THE PURCHASERS OF THE PREMISES SURVEYED AND TO DALLAS FIDELITY NATIONAL TITLE:

This is to certify that I have made a careful and accurate survey of the property located at 1317 CHIPPEWA DRIVE in the City of RICHARDSON, DALLAS County, Texas, described as follows: Being Lot 11, in Block 163 of RICHARDSON HEIGHTS ADDITION, FIFTEENTH INSTALLMENT, FIRST SECTION, an Addition to the City of Richardson, Dallas County, Texas according to the Replat thereof recorded in Volume 169, Page 2780 of the Map Records of Dallas County, Texas.



THIS PROPERTY DOES NOT LIE IN A 100 YEAR FLOOD HAZARD AREA PER THE F.E.M.A. INSUR. RATE MAP. LIES IN ZONE "I" COM PANEL NO. 48113C0165J

*[Handwritten Signature]*

I hereby certify that on the 10<sup>th</sup> day of OCT, 2003 this survey was made on the ground and this survey plat has been prepared as per the field notes thereby produced, and it properly represents the facts as found on the ground. This survey plat has been prepared in accordance with, and in substantial compliance with, all rules and regulations promulgated by the Texas Board of Professional Land Surveying. Unless otherwise noted, the surveyor has relied solely on the record data provided in the title commitment for the determination of the boundaries of the land parcel surveyed and for any easements of record which may be shown or addressed on the survey. The survey shows visible easements, encroachments, conflicts, or protrusions apparent on the ground.

Date : OCTOBER 10, 2003



JOB # : 03 - 3446





Looking East along  
Rear Property Line Fence



Looking West along  
Rear Property Line Fence

(2)



Looking North along  
Side Property Line Fence

(3)

**For Department Use Only**

Date Received: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Accepted by: \_\_\_\_\_



**Board of Adjustment  
Variance or Appeal  
Application  
City of Richardson, Texas**

Development Services Department  
411 W. Arapaho Road  
Richardson, Texas 75080  
Phone 972-744-4260  
Fax 972-744-5804

**Note: Pre-submittal meeting required with staff before application can be submitted.**

Please answer the following pre-qualifying questions:

1. Have you filed an appeal or variance on this property within the last six (6) months?  
(If yes, six (6) month waiting period required on same variance for the property.)  Yes  No
2. Have you applied for a building permit (applicable to residential property only)?  
(If no, please speak with the Building Inspection Department prior to submitting  
the variance request.)  Yes  No

**Applicant Information**

**Owner Information**

	Signature	
Brian Campion	Printed Name	Brian Campion
	Company Name	
1317 Chippewa Drive	Mailing Address	1317 Chippewa Drive
Richardson, TX 75080	City, State, ZIP	Richardson, TX 75080
214-500-6244	Telephone Number	214-500-6244
	Fax Number	
cindycampion5@gmail.com	E-Mail Address	cindycampion5@gmail.com

**Subject Site Information**

Address of Subject Property: 1317 Chippewa Drive

Legal Description: RICHARDSON HEIGHTS 15 1ST SEC BLK 163 LOT 11

Existing Zoning and Ordinance: \_\_\_\_\_

Requested Variance: Metal Fence

**Submittal Requirements**

- ▶ Completed Application Form
- ▶ Completed Board of Adjustment Variance Checklist
- ▶ Building Permit Denial Letter
- ▶ Applicant's Statement (Completely describe the variance you are requesting and give the reason for the hardship and justification for the variance.)
- ▶ Twelve (12) copies of reproducible plans to support the application (fold if 24" x 36").

# Board of Adjustment Variance Checklist

## City of Richardson, Texas

Does a hardship exist? If so, explain below.

Yes  No

Replacement of existing fence.

Will literal enforcement of the ordinance result in an unnecessary hardship?  
If so, explain below.

Yes  No

Is the condition unique to the property requesting the variance and not common to  
other properties in the area? If so, explain below.

Yes  No

Some of the fence material is unique in its manner.

Is the need for the variance created by the applicant? If so, explain below.

Yes  No

Was unaware a permit was needed for fences that are not visible from the street. Went through the other channels correct

Is the hardship only financial? If so, explain below.

Yes  No

Time, aesthetics and financial.

Will granting of the variance be contrary to the public's interests and will it impact the  
public health, safety, and welfare? If so, explain below.

Yes  No

City of Richardson

Zoning Board Variance Request

Brian Campion  
1317 Chippewa Drive  
Richardson, TX 75080  
214.500.6244

Applicant's Statement:

My Family and I have lived at the above property for 10+ years. Upon arrival, the fence that runs along the east side and alley side was in poor condition and leaning 20-30 degrees at times. I received several letters from the City of Richardson Code Compliance about the condition of my fence. Each time I received a letter I temporarily corrected the problem, but over time the fence would eventually lean again. I had the opportunity to replace the fence as I had help over Thanksgiving 2013. With a limited budget, I decided to use a combination of galvanized metal and cedar. I called 811 to mark/identify the utilities and removed and replaced the fence over a couple of days. I had no idea there are restricted materials (though metal is allowed in other capacities by the City) nor was I aware that a fence permit is required for fences that are not visible from the street (obviously got bad information in the past). Upon completion, I got nothing but compliments on the design and aesthetics of the fence. The design is not original, as I have seen it in other cities adjacent to Richardson. Concerning the design and materials used:

- Is approximately 30% cheaper than a traditional wood fence
- Is lighter and environmentally friendly
- Less maintenance
- Will last longer than wood
- Aesthetically pleasing and unique
- Alternative to chain link or vinyl fencing which are considered less desirable.

Requesting a variance to allow galvanized metal, in conjunction with wood, as an approved fencing material.

Requirements/Options from surrounding Cities:

- Frisco: *Approved fence materials - materials normally manufactured for, used as, and recognized as, fencing materials such as: wrought iron or other decorative metals suitable for the construction of fences, fired masonry, concrete, stone, metal tubing, wood planks, chain link and vinyl composite manufactured specifically as fencing materials. Fence materials must also be materials approved for exterior use that are weather and decay-resistant. The provisions of this Ordinance are not intended to prevent the installation of any*

*material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the Chief Building Official, or his designee. An alternative material, design or method of construction shall be approved where the Chief Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Ordinance in quality, strength, effectiveness, fire resistance, durability and safety.*

- Allen – *“All other materials will need to be approved by the Building Official”*
- McKinney – *“Alternate equivalent screening, upon approval by the planning and zoning commission and/or city council”*
- Dallas - *Barbed wire may not be used for fencing unless it is located six (6) feet or more above grade AND does not project beyond the property line. Chapter 51A-4.602 (a)(8) – this is the only limitation/restriction on fencing material.*
- Carrollton – *Difficult to find exact information, but Galvanized Metal is an option on their fence application form. See Attached*
- Every surrounding city seems to stress the aspects of longevity, maintenance, durability, etc. of fencing products that are to be used. Galvanized metal is a perfect material to achieve all of these.

# Agenda

## Item 3

**V 14-07:**  
**1 Vicksburg Lane**



## ZONING VARIANCE FILE 14-07

### **Attachments:**

1. Notice of Public Hearing
2. Notification List
3. Staff Report
4. Aerial Map
5. Site Plan
6. Floor Plan
7. Elevations
8. Site Photos
9. Application
10. Applicant's Statement



# Notice of Public Hearing

## Zoning Board of Adjustment • Richardson, Texas

An application has been received by the City of Richardson for a:

### VARIANCE REQUEST

**File No.** V 14-07  
**Property Owner:** Courtney Johnston  
**Applicant:** Courtney Johnston  
**Location:** 1 Vicksburg Lane  
**Current Zoning:** R-1500-M Residential  
**Request:** A request by Courtney Johnston, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance:  
1) Article IV, Sec. 4(f)(1), for a 4.5-foot variance to the 20-foot side yard setback for a corner lot adjacent to a side street (as shown on attached map)

The Zoning Board of Adjustment will consider this request at a public hearing on:

**WEDNESDAY, MAY 21, 2014**  
**6:30 p.m.**  
**City Council Chambers**  
**Richardson City Hall, 411 W. Arapaho Road**  
**Richardson, Texas**

*This notice has been sent to all owners of real property within 200 feet of the request; as such ownership appears on the last approved city tax roll.*

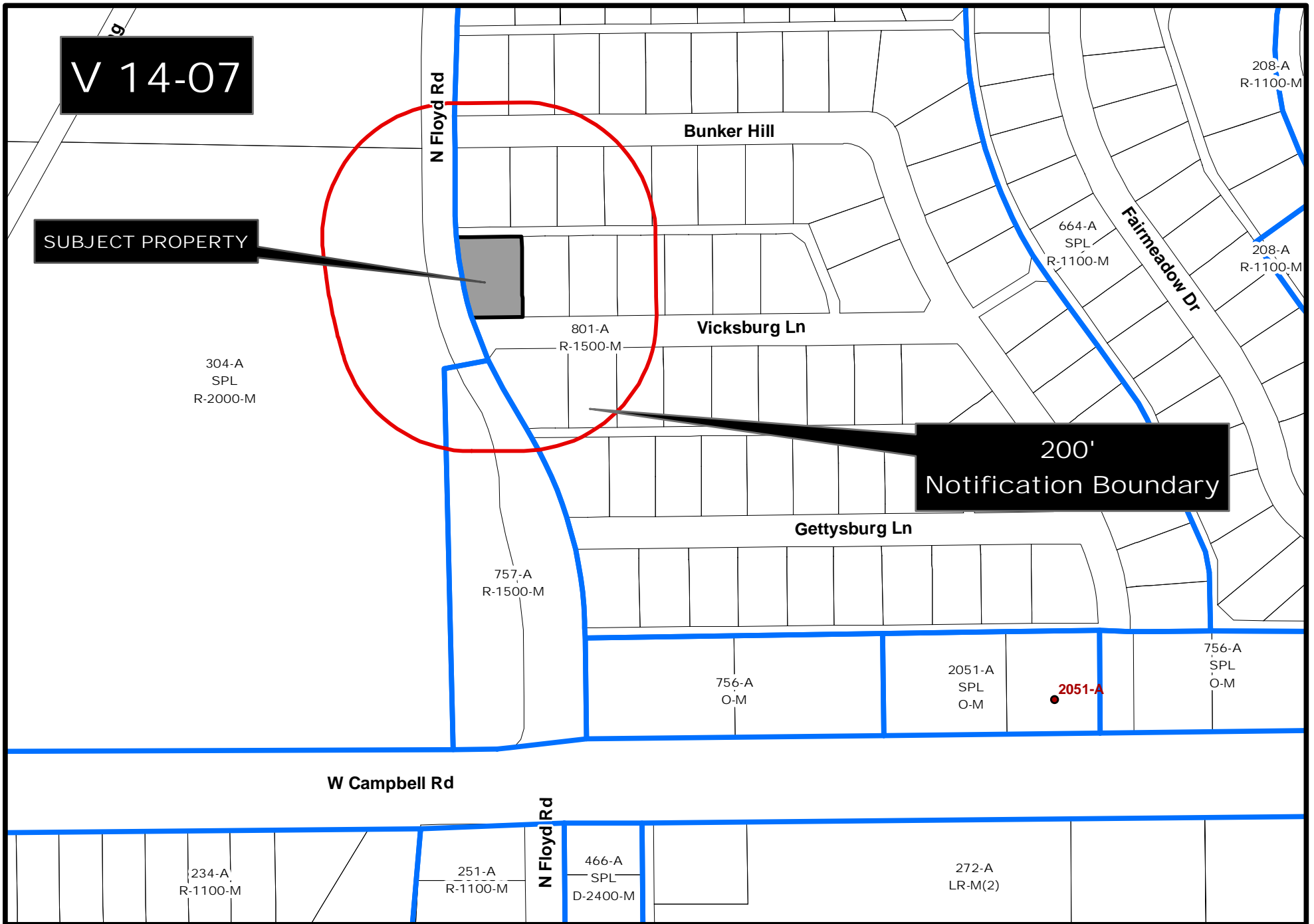
**Process for Public Input:** A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the Zoning Board of Adjustment. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions by the Zoning Board of Adjustment is excluded from each 15 minute period.

Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

**Agenda:** The Zoning Board of Adjustment agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <http://www.cor.net/index.aspx?page=1332>

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Variance number V 14-07.

Date Posted and Mailed: May 9, 2014



V 14-07 Notification Map  
1 Vicksburg Lane



UNIVERSITY OF TEXAS  
% REAL ESTATE OFFICE  
201 W 7TH ST # 416  
AUSTIN, TX 78701-2902

BOARD OF REGENTS OF THE  
UNIV OF TEXAS SYSTEM  
PO BOX 830688  
RICHARDSON, TX 75083-0688

ESTEP GREGORY EASH & LISA K P  
3 BUNKER HL  
RICHARDSON, TX 75080-2327

HOWARD DENNIS W & SUSAN M  
2 BUNKER HL  
RICHARDSON, TX 75080-2328

HOLT RICHARD D & WANDA WILSON  
1 BUNKER HL  
RICHARDSON, TX 75080-2327

WOOD LYNNE V  
31 BUNKER HL  
RICHARDSON, TX 75080-2327

SHOOK THOMAS E & CONNIE C  
32 BUNKER HL  
RICHARDSON, TX 75080-2354

STAMM JAMES C & MICHELE M  
33 BUNKER HL  
RICHARDSON, TX 75080-2327

RIDDLE JEFFERY LYNN  
34 BUNKER HL  
RICHARDSON, TX 75080-2354

BUTCHER GRACE M  
35 BUNKER HL  
RICHARDSON, TX 75080-2327

DELGADO GUADALUPE A &  
G ELIZABETH  
4 VICKSBURG LN  
RICHARDSON, TX 75080-2350

MCNUTT ERNEST PAUL JR & BAR  
3 VICKSBURG LN  
RICHARDSON, TX 75080-2363

ZANCANA VINCENT Q & STACY G  
2 VICKSBURG LN  
RICHARDSON, TX 75080-2350

**JOHNSTON COURTNEY  
1 VICKSBURG LN  
RICHARDSON, TX 75080-2363**

DANIELS EARL N & SUSAN A  
13 VICKSBURG LN  
RICHARDSON, TX 75080-2363

VESPA ANTHONY JOSEPH &  
BEVERLY ANN  
14 VICKSBURG LN  
RICHARDSON, TX 75080-2350

JONES THERESA LYNN &  
JAMES FRANKLIN JONES  
15 VICKSBURG LN  
RICHARDSON, TX 75080-2363

DEES EDWARD J JR & DIANE L  
1 GETTYSBURG LN  
RICHARDSON, TX 75080-2300

## **V 14-07 Notification List**



## Staff Report

ZBA Meeting Date: May 21, 2014

**TO:** Zoning Board of Adjustment  
**FROM:** Mohamed Bireima, Planning Technician *MB*  
**DATE:** May 12, 2014  
**RE:** V 14-07  
**APPLICANT:** Courtney Johnston  
**OWNER:** Courtney Johnston  
**LOCATION:** 1 Vicksburg Lane

### REQUESTED VARIANCES:

- 1) 4.5-foot variance to the 20-foot side yard setback for a corner lot adjacent to a side street (Article IV, Sec. 4(f)(1)).

### EXISTING ZONING:

R-1500-M Residential

### EXISTING LAND USE:

Residential

### SURROUNDING LAND USES:

Residential and Institutional (UTD to the west)

### STAFF COMMENTS:

The subject house is a single-story structure constructed in 1974. The applicant proposes to construct a third enclosed parking space, a new garage workshop space, convert a bedroom to a mud room and laundry area, and to add a second floor to accommodate additional living space. The proposed additions to the house will result in an encroachment of approximately 4.5 feet into the required 20-foot side yard setback for a corner lot adjacent to the side street.

The applicant has indicated it is difficult to accommodate two (2) vehicles in the existing garage space at the same time. The proposed garage expansion includes a 14-foot wide

by 24-foot deep garage space with additional workshop space at the rear of the space. The proposed second floor plan indicates the addition of two bedrooms, a media room, play area, and bathroom.

Although the proposed additions encroach into the side yard setback along Floyd Road, the applicant feels the location of the proposed addition is appropriate because there are no residential properties to the west across Floyd Road. The applicant has stated that the hardship exists because the lot narrows from the rear to the front due to the curvature of Floyd Road. She states that due to the geometry of the lot and the proposed additions, two (2) triangular areas of the addition would encroach into the side yard setback along Floyd Road (4.5 feet at the maximum encroachment). Furthermore, the expansion would not function properly if the wall were required to follow along the angled 20-foot side yard setback.

**TECHNICAL RECOMMENDATION:**

It is staff's opinion that the hardship is self-imposed; however, a hardship may exist regarding to the narrowing of the lot as it relates to the functionality of an addition on the west side of the home.

V 14-07

N Floyd Rd

Bunker Hill

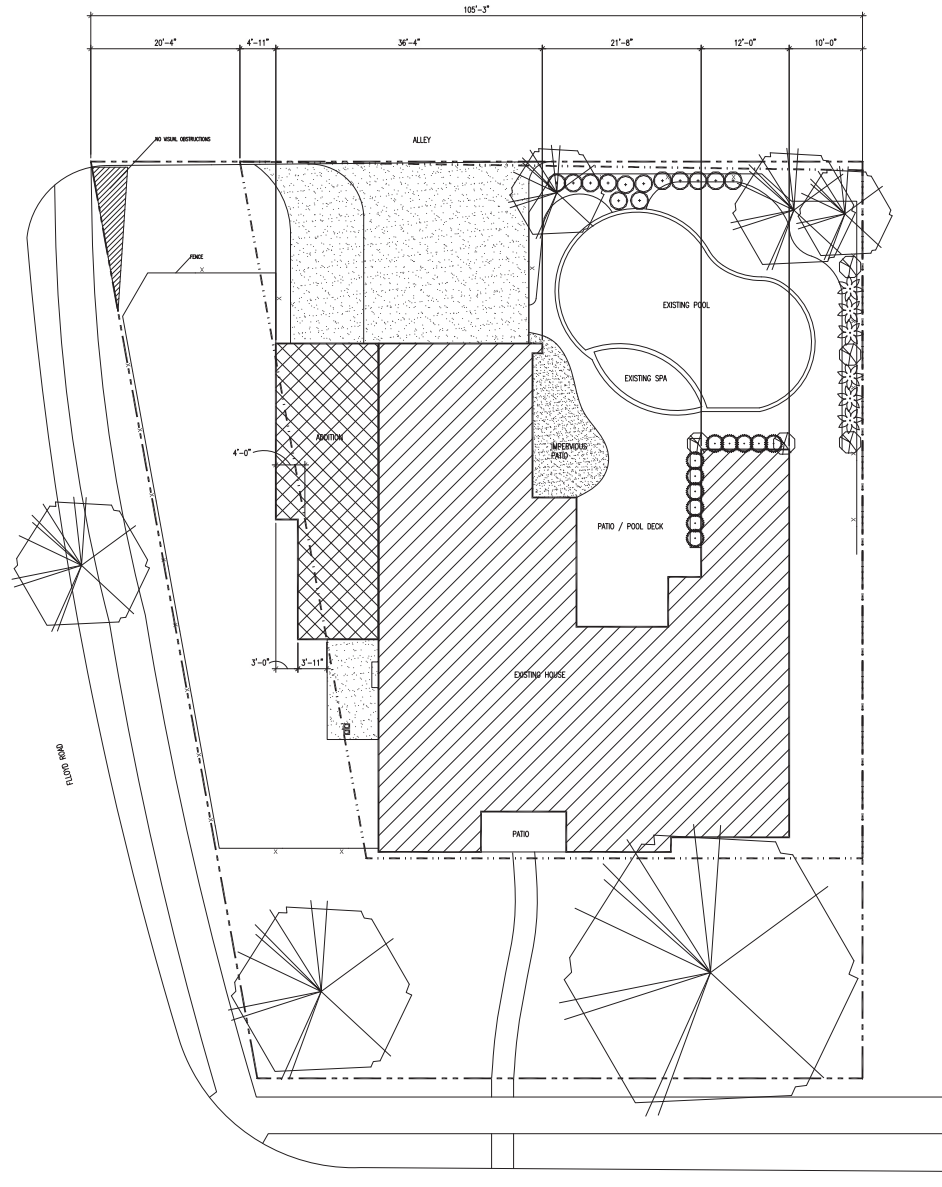
SUBJECT PROPERTY

Vicksburg Ln

V 14-07 Aerial Map  
1 Vicksburg Lane

Updated By: shacklett, Update Date: May 1, 2014  
File: DSI\Mapping\Cases\ZV\2014\ZV 1407\ZV 1407 ortho.mxd





**NEST  
HOMES**

ARCHITECTURAL:  
Thomas H. Reisenbichler, AIA, LEED AP  
Architect  
3501 Cornhill Blvd  
Dallas, Texas  
972-365-8483

**Johnston  
Residence**  
1 Vicksburg Lane  
Richardson, Texas



**Revisions**

ADDENDUM #1	DATE
	03/28/11

**Sheet Information**

NO.	ISSUE	DATE

**THE**

SITE PLAN

Sheet

**A-050**

Copyright © 2005 Perkins+Will

Apr 28, 2014 - 1:54pm  
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perkins

**01** SITE PLAN  
1/8" = 1'-0"

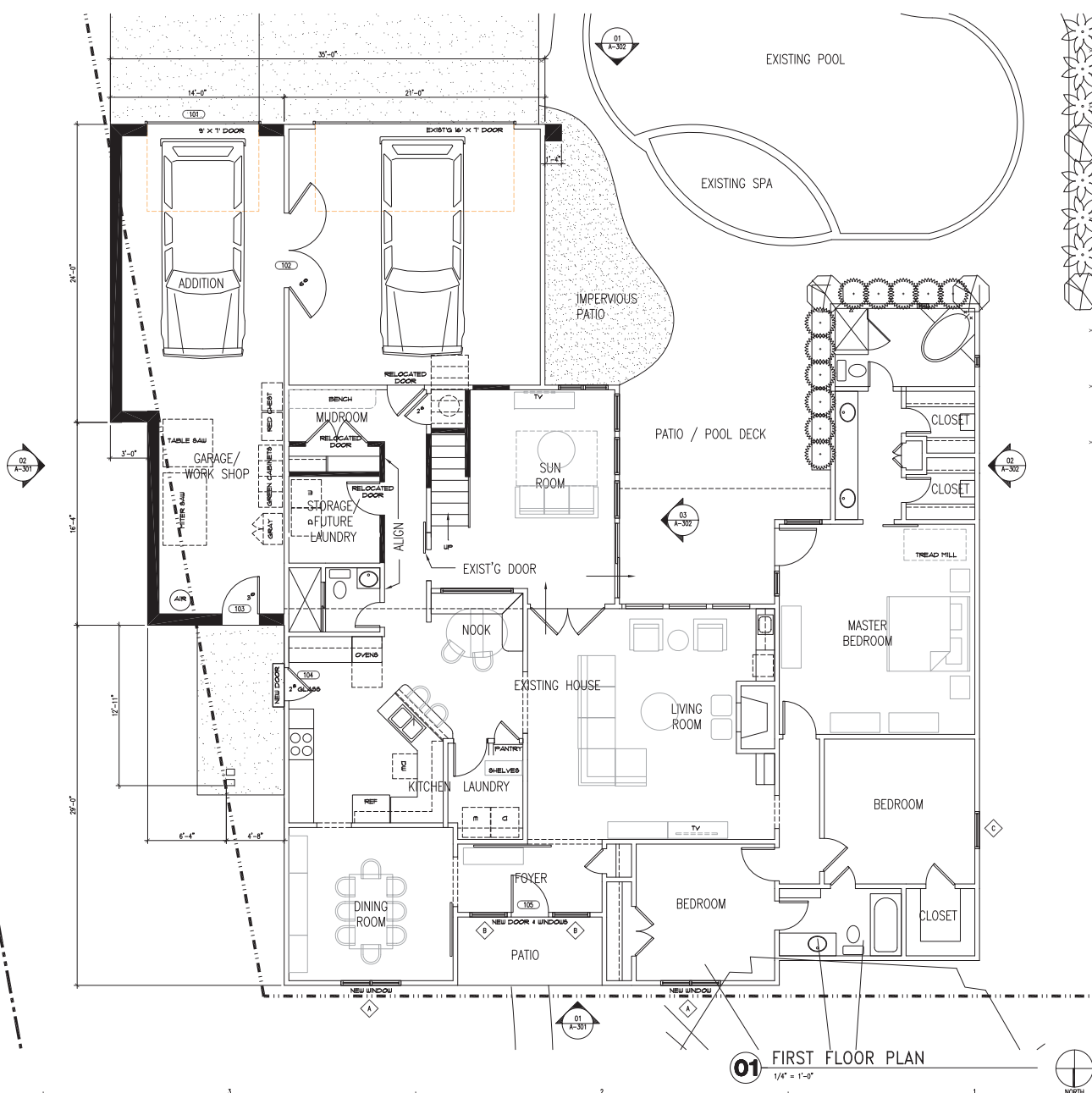




Apr 16, 2014 - 2:30pm  
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 jperkins

0 1/2" 1" 2"

FLOW !!!



**01** FIRST FLOOR PLAN  
 1/4" = 1'-0"



**Johnston Residence**  
 1 Vickaburg Lane  
 Richardson, Texas



Revisions

NO.	ISSUE	DATE

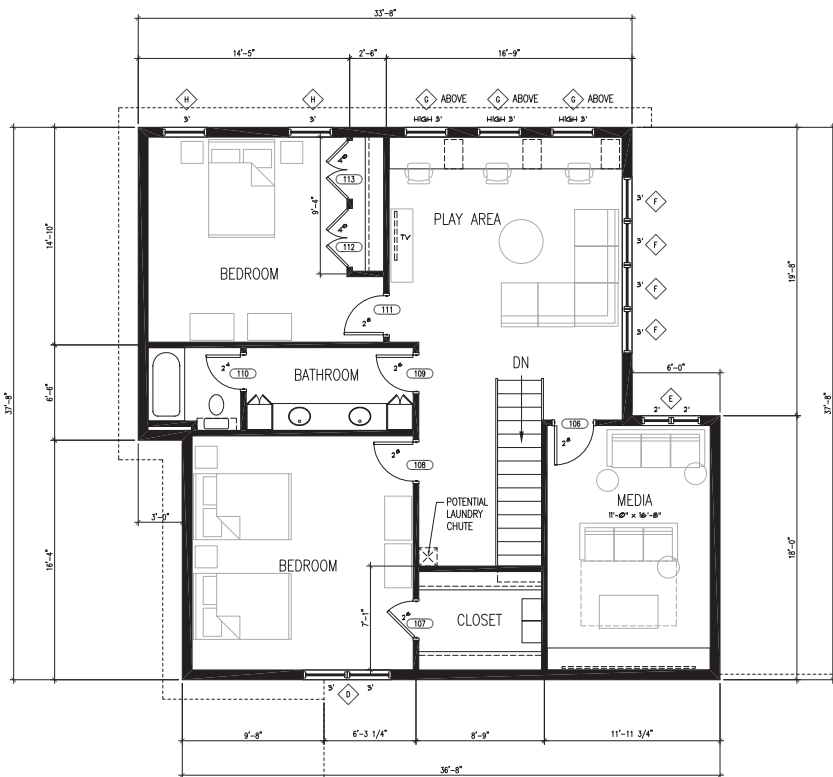
Sheet Information

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Checked	xxx
Approved	xxx

FIRST FLOOR PLAN

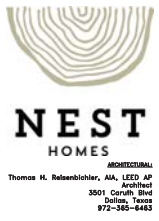
Sheet  
**A-101**

0 1/2" 1" 2"



DOOR SCHEDULE									
DOOR									
DOOR NO.	ROOM NAME	WIDTH	HEIGHT	TYPE	MATL	FINISH	MATL	HOWR NO.	REMARKS
101	APRTH	3'-0"	7'-0"	French Door	ALU	SP	SP	102	101
102	APRTH	3'-0"	7'-0"	French Door	ALU	SP	SP	102	102
103	DOOR-213	3'-0"	7'-0"	French Door	ALU	SP	SP	103	103
104	DOOR-213	3'-0"	7'-0"	French Door	ALU	SP	SP	104	104
105	DOOR-213	3'-0"	7'-0"	French Door	ALU	SP	SP	105	105
106	POTENTIAL LAUNDRY CHUTE	3'-0"	7'-0"	French Door	ALU	SP	SP	106	106
107	DOOR-213	3'-0"	7'-0"	French Door	ALU	SP	SP	107	107
108	DOOR-213	3'-0"	7'-0"	French Door	ALU	SP	SP	108	108
109	DOOR-213	3'-0"	7'-0"	French Door	ALU	SP	SP	109	109
110	DOOR-213	3'-0"	7'-0"	French Door	ALU	SP	SP	110	110
111	DOOR-213	3'-0"	7'-0"	French Door	ALU	SP	SP	111	111
112	DOOR-213	3'-0"	7'-0"	French Door	ALU	SP	SP	112	112

WINDOW SCHEDULE											
WINDOW UNIT											
WINDOW	ELEVATION	WIDTH	HEIGHT	TYPE	MATL	FINISH	GLAZING	NOTE	AVAIL	REMARKS	
101	101	3'-0"	7'-0"	French Door	ALU	SP	SP	101	101		
102	102	3'-0"	7'-0"	French Door	ALU	SP	SP	102	102		
103	103	3'-0"	7'-0"	French Door	ALU	SP	SP	103	103		
104	104	3'-0"	7'-0"	French Door	ALU	SP	SP	104	104		
105	105	3'-0"	7'-0"	French Door	ALU	SP	SP	105	105		
106	106	3'-0"	7'-0"	French Door	ALU	SP	SP	106	106		
107	107	3'-0"	7'-0"	French Door	ALU	SP	SP	107	107		
108	108	3'-0"	7'-0"	French Door	ALU	SP	SP	108	108		
109	109	3'-0"	7'-0"	French Door	ALU	SP	SP	109	109		
110	110	3'-0"	7'-0"	French Door	ALU	SP	SP	110	110		
111	111	3'-0"	7'-0"	French Door	ALU	SP	SP	111	111		
112	112	3'-0"	7'-0"	French Door	ALU	SP	SP	112	112		



# Johnston Residence

1 Vicksburg Lane  
Richardson, Texas



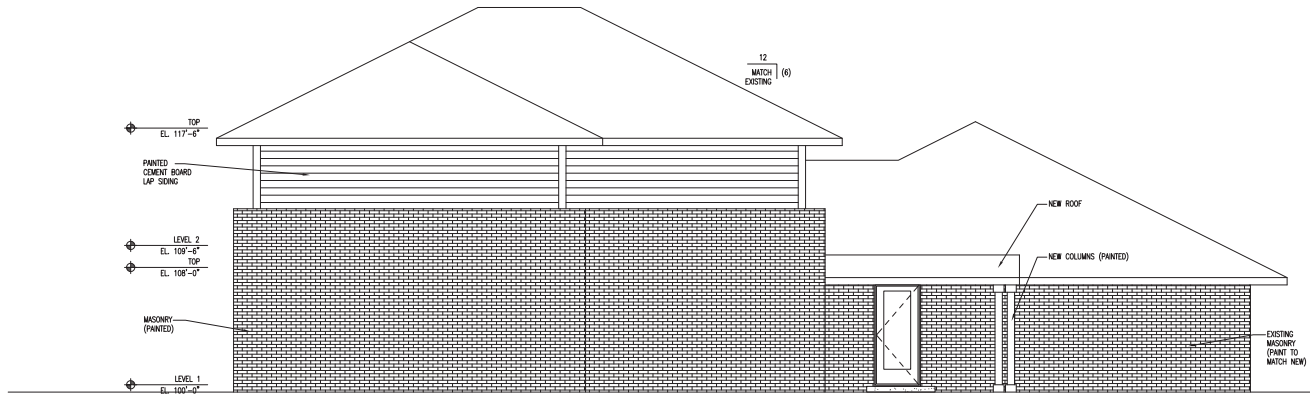
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Checked	XXX	
Approved	XXX	

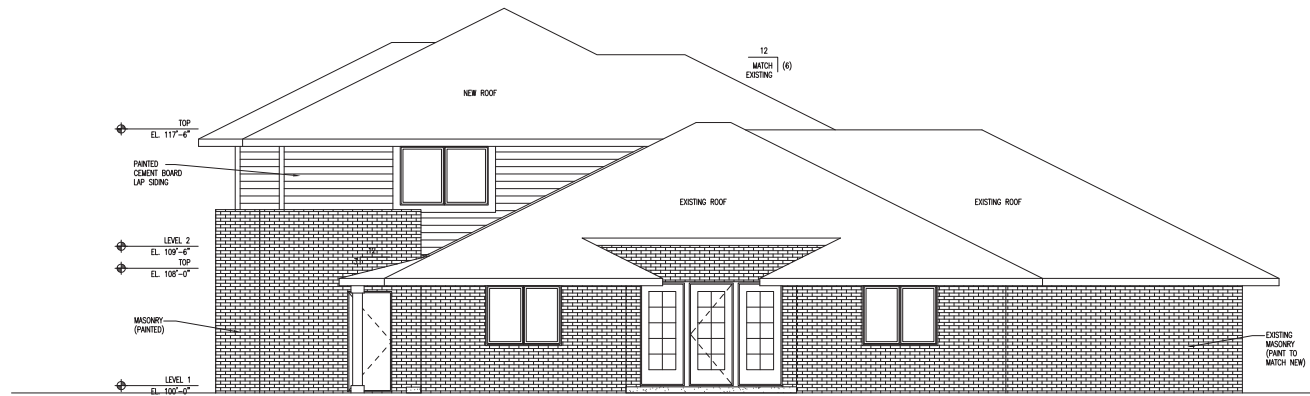
## SECOND FLOOR PLAN

### Sheet A-102

01 SECOND FLOOR PLAN  
1/4" = 1'-0"  
NORTH



**02 WEST ELEVATION**  
1/4" = 1'-0"



**01 NORTH ELEVATION**  
1/4" = 1'-0"



**NEST  
HOMES**

ARCHITECTURAL:  
Thomas H. Reisenbichler, AIA, LEED AP  
Architect  
3501 Cornhill Blvd  
Dallas, Texas  
972-385-8483

**Johnston  
Residence**  
1 Vickburg Lane  
Richardson, Texas



**Revisions**

ADDENDUM #1	DATE
	03/28/11

**NO. ISSUE DATE**

NO.	ISSUE	DATE

**Sheet Information**

Date	03/15/14
Job Number	0000.000
Drawn	XXX
Checked	XXX
Approved	XXX
	<b>TIB</b>

ELEVATIONS

Sheet

**A-301**





Looking North at Subject  
Property along Floyd Road

(1)



(2)

Looking South along  
Floyd Road



(3)

Looking Southeast at  
Area of Proposed Addition



(4)

Looking West across  
Floyd Road



**For Department Use Only**

Date Received: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Accepted by: \_\_\_\_\_



**Board of Adjustment  
Variance or Appeal  
Application  
City of Richardson, Texas**

Development Services Department  
411 W. Arapaho Road  
Richardson, Texas 75080  
Phone 972-744-4260  
Fax 972-744-5804

**Note: Pre-submittal meeting required with staff before application can be submitted.**

Please answer the following pre-qualifying questions:

1. Have you filed an appeal or variance on this property within the last six (6) months?  Yes  No  
(If yes, six (6) month waiting period required on same variance for the property.)
2. Have you applied for a building permit (applicable to residential property only)?  Yes  No  
(If no, please speak with the Building Inspection Department prior to submitting the variance request.)

Applicant Information		Owner Information	
	Signature		
Courtney Johnston	Printed Name	Courtney Johnston	
	Company Name		
1 Vicksburg Lane	Mailing Address	1 Vicksburg Lane	
Richardson, TX 75080	City, State, ZIP	Richardson, TX 75080	
214-735-3539	Telephone Number	214-735-3539	
	Fax Number		
courtney.johnston@perkinswill.com	E-Mail Address	courtney.johnston@perkinswill.com	

**Subject Site Information**

Address of Subject Property: 1 Vicksburg Lane, Richardson, TX 75080

Legal Description: Lot 17, Block C of Cottonwood Creek Estates, Volume 72177, page 68, Map Records, Dallas County, Texas.

Existing Zoning and Ordinance: 801-A; R-1500-M

Requested Variance: The property owners request a 4 ½ foot variance to the irregularly shaped west side yard building setback.

**Submittal Requirements**

- ▶ Completed Application Form
- ▶ Completed Board of Adjustment Variance Checklist
- ▶ Building Permit Denial Letter
- ▶ Applicant's Statement (Completely describe the variance you are requesting and give the reason for the hardship and justification for the variance.)
- ▶ Twelve (12) copies of reproducible plans to support the application (fold if 24" x 36").
- ▶ Filing fee = \$250.00

# Board of Adjustment Variance Checklist

## City of Richardson, Texas

Does a hardship exist? If so, explain below.

Yes  No

Hardships exist on the 1 Vicksburg property in the form identified below: • The property owners have no other location on the prop

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Will literal enforcement of the ordinance result in an unnecessary hardship?  
If so, explain below.

Yes  No

The following hardships will exist if the ordinance is enforced literally • The geometry of the property is such that an angled side ya

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Is the condition unique to the property requesting the variance and not common to  
other properties in the area? If so, explain below.

Yes  No

This property is unique as it is an odd shape with a curving property line on the side yard.

Is the need for the variance created by the applicant? If so, explain below.

Yes  No

The applicant wishes to expand the residence to accommodate family growth and the need for future parking. This expansion res

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Is the hardship only financial? If so, explain below.

Yes  No

Financial issues are not the basis of the request.

Will granting of the variance be contrary to the public's interests and will it impact the  
public health, safety, and welfare? If so, explain below.

Yes  No

The granting of this variance is very favorable to the public interest in each of the following ways: • Improved property values of ne

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**Board of Adjustment Variance Checklist:**

**Does a hardship exist?**

**YES**

Hardships exist on the 1 Vicksburg property in the form identified below:

- The property owners have no other location on the property to expand the home.
- The geometry of the property is such that an angled side yard setback on the west side of the property, causing an expansion to be irregular shaped and not usable for a garage expansion on the ground level. The geometry does not allow for a mid-size to large vehicle to fit into the garage.
- Compared to neighboring yard setbacks which are 7 feet on both side yards, 1 Vicksburg has a 20 feet setback on the west side, causing more restrictive land use.
- The resulting roof line from the angled geometry would create roof lines that are not consistent with the neighborhood

**Is the condition unique to the property requesting the variance and not common to other properties in the area??**

**YES**

This property is unique as it is an odd shape with a curving property line on the side yard.

**Will literal enforcement of the ordinance result in unnecessary hardship?**

**YES**

The following hardships will exist if the ordinance is enforced literally

- The geometry of the property is such that an angled side yard setback on the west side of the property, causing an expansion to be irregular shaped and not usable for a garage expansion on the ground level. The geometry does not allow the garage to function properly for for a mid-size to large vehicle to fit into the garage space, nor meet the 9'x18' code requirement for a garage parking space.
- Building to an irregular geometry increases the cost of construction
- The resulting roof line from the angled geometry would create roof lines that are not consistent with the neighborhood

**Is the need for the variance created by the applicant?**

**YES**

The applicant wishes to expand the residence to accommodate family growth and the need for future parking. This expansion results from the need to accommodate off street parking on a property adjacent to a busy side street. Additionally, the property owners wish to keep pace with the neighborhood property values which have increased due to other expansions of residences in the recent past.

**Is the hardship only financial?**

**NO**

Financial issues are not the basis of the request.

**Will the granting of the variance be contrary to the public's interest and will it impact public health, safety and welfare?**

**NO**

**The granting of this variance is very favorable to the public interest** in each of the following ways:

- Improved property values of nearby property owners
- Improves the appearance of the neighborhood by providing garage parking for additional vehicles, bicycles and yard maintenance equipment that cannot be accommodated now
- Reduction in off street parking capacity – Floyd is a busy street, with college traffic, which accesses many side streets. This expansion allows additional vehicles owned by the property owners to be accommodated in a garage, and as the family of 5 ages, additional cars will be able to park in the drive way versus street parking.
- The variance will allow the construction to be built with roof lines consistent with the neighboring homes and preserve the integrity of the neighborhood esthetic.
- An 8 foot high fence will be constructed on the property line which screens the setback variance from outside the property line.
- There are NO negative impacts to the neighborhood, neighboring properties or the street views

Courtney Johnston  
1 Vicksburg Lane  
Richardson, TX 75080  
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April 28, 2014

Development Services Department  
Attn: Chris Shacklett  
411 West Arapaho Road  
Richardson, TX 75080

Dear Chris:

I would like to request a 4 ½ foot variance to the irregularly shaped west side yard building setback, at 2 very small locations to allow construction of a regular shaped garage and house expansion. My husband and I have owned and lived in our property on Vicksburg since moving there in August 2011 and we simply love the neighborhood. We also have three daughters, two of which attend Canyon Creek elementary. Since our family is young this addition would allow us to grow in this house and accommodate future spatial growth in the number of bedrooms and baths, as well as additional cars when our daughters reach driving age. I hope you will please consider this variance to allow for a more regular and usable addition to our home. Thank you for your time and consideration.

Please find our variance application included, as well as the checklist, the denial letter, the description of the requested variance, the (12) site plan copies and the filing fee. Also attached to this letter are the full answers to the checklist questions; the digital form did not appear to allow for paragraph answers. Please let me know if you have any questions!

Sincerely,

A handwritten signature in black ink, appearing to read 'Courtney Johnston', followed by a horizontal line extending to the right.

Courtney Johnston

## **Applicant's Statement**

**April 29, 2014**

Courtney Johnston  
1 Vicksburg Lane  
Richardson, Texas

### **Requested Variance:**

The property owners request a 4 ½ foot variance to the irregularly shaped west side yard building setback, at two (2) very small locations to allow construction of a regular shaped garage and house expansion. The requested variance is very minimal and impacts the setback in only two (2) small triangular areas totaling 80 ½ square feet. This variance is necessary to allow for a usable garage and house expansion that due to the irregular shaped property along Floyd Road cannot function properly without the variance. There are no residential properties to the side of the house where the variance is being requested. Over the length of the buildable area, on the west side of the house, this variance is equivalent to a 1-1" variance over the length of the property setback line.