

**ZONING BOARD OF ADJUSTMENT**

**AGENDA PACKET**

**FEBRUARY 16, 2011**

**AGENDA**  
**CITY OF RICHARDSON – ZONING BOARD OF ADJUSTMENT**  
**FEBRUARY 16, 2011**  
**6:30 P.M.**

**CIVIC CENTER/COUNCIL CHAMBERS**  
**411 W. ARAPAHO ROAD**

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**STUDY SESSION: 6:00 P.M.** Prior to the business meeting, the Zoning Board of Adjustment will conduct a Study Session in the **Large Conference Room** located on the 2<sup>nd</sup> floor, Room 206 to receive a briefing on agenda items and other topics.

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- 1. APPROVAL OF MINUTES OF THE REGULAR MEETING OF NOVEMBER 17, 2010.**
- 2. PUBLIC HEARING ON ZBA FILE V 11-01:** A request by Thomas M. Whelan for the following variance to the City of Richardson Comprehensive Zoning Ordinance:
  - 1) Article IV, Sec. 4, for a 6-foot variance to the 7-foot side setback located at 700 Shadywood Lane.
- 3. PUBLIC HEARING ON ZBA FILE SE 11-01:** A request by Mike Knox, representing Inarose Bogen for the following variance to the City of Richardson Code of Ordinances, Chapter 6, Article IV:
  - 1) To appeal the decision of the Chief Building Official to allow bamboo as an allowed fence material located at 810 Edgefield Drive.
- 4. RECESS**
- 5. ADJOURN**

City Hall is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours ahead of the meeting. To make arrangements, call (972) 744-4000, or (TDD) 1-800-735-2989.

I hereby certify that the above agenda was posted on the bulletin board at City Hall on or before 5:30 p.m., Friday, February 4, 2011.

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Cynthia G. Wilson, Administrative Secretary

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
CITY OF RICHARDSON, TEXAS  
NOVEMBER 17, 2010**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, November 17, 2010 in the Council Chambers, at the City Hall, 411 West Arapaho Road, Richardson, Texas.

**MEMBERS PRESENT:**

Randy Roland, Chair  
Mike Walker, Vice Chair  
Will Kidd, Member  
Larry Menke, Member  
Chip Pratt, Member  
Eron Linn, Alternate

**MEMBERS ABSENT:**

John Veatch, Alternate

**CITY STAFF PRESENT:**

Chris Shacklett, Planner  
Cindy Wilson, Secretary

Randy Roland, Chairman, introduced Chris Shacklett, Planner, and Cindy Wilson, Secretary explaining that the City staff serves in an advisory capacity and does not influence any decisions the Board might make. Roland summarized the function, rules, and appeal procedure of the Zoning Board of Adjustment. Roland added 4 of the 5 members present must vote in favor for a request to be approved.

**1. MINUTES:**

The Zoning Board of Adjustment minutes of the September 15, 2010 meeting were approved as presented on a motion by Walker. The motion was seconded by Pratt and passed with a unanimous vote.

**2. PUBLIC HEARING ON ZBA FILE V 10-04:**

A request by Scott Marek, Frank Welch & Associates, for the following variance to the City of Richardson Code of Ordinances: Appendix A, Article VII, Sec. 4, for a 10-foot variance to the 30-foot front setback.

Shacklett stated that the applicant is requesting a 10-foot variance to the 30-foot setback along Arapaho Road to accommodate the construction of an adult education building at the Arapaho United Methodist Church. Shacklett explained the 10-foot variance would be limited to the area shown on the site plan, and the variance includes the roof eave overhang of the addition, and the largest encroachment of the building wall would be approximately six (6) feet.

Shacklett introduced photos showing stakes located along the front of the existing building. Shacklett clarified that these stakes represent the approximate location of the proposed building wall which is approximately twenty-four (24) feet back of the property line, which is generally located along the back of sidewalk. Shacklett added that the applicant has stated the building will also serve as a welcoming area so the need to have the addition at the front of the building is necessary. Shacklett continued that in September 2010, the applicant submitted revised site and landscape plans for City Plan Commission approval; however, at that time it became apparent that a zoning variance would be necessary to accommodate the proposed construction. Shacklett stated that the following brief history of the improvements at the corner of Arapaho and Coit that has led to the applicant's need for the variance:

- The property was platted in 1962.
- The property owner, Arapaho United Methodist Church granted a street easement to the City of Richardson in 1986 for purpose of constructing a right turn lane and to construct and maintain sidewalks and utilities (See attached site plan). In exchange, the City of Richardson constructed a left turn lane on southbound Coit Rd for the church. Since this was an easement, the property line was not moved, thereby not affecting the location of setback line along Arapaho Road
- In 2003, the church was approached by Dallas County requesting right-of-way as part of their Congestion Mitigation and Air Quality Improvement (CMAQ) program. An appraisal of the property was conducted, and in 2004, the church sold approximately 2,617 square feet to the County. The area purchased was north of the City's street easement, thereby splitting the property into two (2) tracts.

Shacklett stated after the right-of-way was dedicated to Dallas County, the effective property line from which setbacks are measured became the northern boundary of the dedicated right-of-way rather than the southern boundary of the street easement.

Shacklett explained that the applicant has stated that a hardship exists because their setbacks have been increased since the right-of-way has been sold to the County. Since the County appraisal had stated their taking would not result in any damage to the remainder of their property, Arapaho United Methodist Church was under the impression that their setback would still be measured from the south side of the street easement as it had always been in the past. Shacklett explained they also have a unique situation where the church still owns the property to the south of the right-of-way dedication. Shacklett added the applicant has also submitted an exhibit showing the existing homes to the east of the church property. The exhibit shows the house to the east is located further south than the proposed church addition. Shacklett reported there has been no correspondence for this case.

Shacklett delivered the staff technical recommendation in case V 10-04 by stating the applicant's request appears to be based on a physical hardship that was created when right-of-way was purchased by Dallas County which moved the front setback for the property north approximately fifteen (15) feet.

Kidd asked Shacklett about the distance from the edge of the building to the curb of the road.

Shacklett stated that from the edge of the building to the curb would be approximately 28 to 29-feet back of curb. Shacklett added that the architect might give other numbers.

Scott Marek, Frank Welch & Associates, Architects, 703 McKinney Avenue, Suite 416, Dallas, Texas 75202, responded that it would be 29-feet back of curb.

Roland asked Shacklett if this case would remedy any future issues related to property lines.

Shacklett stated that this case does not affect property lines, but what it does address is an allowance just for this portion of the property.

Roland continued by asking Shacklett about the reason for this property having a 30-foot setback.

Shacklett responded that this setback is a function of zoning; the property is zoned residential and has a 30-foot front setback.

Reverend John Soper, Arapaho United Methodist Church, 1400 W. Arapaho Road, Richardson, Texas came forward to speak in favor of the case. Rev. Soper spoke regarding the hardships for the church. Rev. Soper stated that their congregation has enjoyed steady growth over the last eighteen years. Rev. Soper added that when an alternative to move the congregation was considered; it was quickly set aside. As a community church that has served its community since 1968; their plan is to continue serving the community for the next fifty years. Rev. Soper also stated that two demographic studies done over the past six years indicate that the unique characteristics of the congregation appeal to many people living in the community. Rev. Soper added that the church's emphasis on adult religious education has drawn many young families.

Rev. Soper stated that children's classrooms currently being used for adult classes are now needed for the children. Rev. Soper explained that their growth has caused the need for more space in every area of their congregation; however, their land is limited and must be made wise use of with an eye to building needs of the future as well.

Rev. Soper stated that building adult classrooms and nursery rooms on the north side of the property would impose a significant design change. Rev. Soper added that a northern addition would make for a longer walk from classes to worship that would impact senior members' participation and nursery classes would be far from where their parents would be located. Positively, Rev. Soper stated the current plan places adults and nurseries at a short distance from the sanctuary.

Rev. Soper sited that construction on the south side of their property will evidence their growth and a planned art gallery (behind a glass wall) that can be seen from Arapaho Road will respond to a call for beautification of the City of Richardson.

Linn asked Rev. Soper if there was any concern regarding the church being closer to the intersection of Coit and Arapaho and potential accidents.

Rev. Soper responded that in his eighteen years of experience at the church there has never been any incident of concern because of the distance to the intersection.

Kidd asked Rev. Soper if any line of sight issues with having the edge of the building closer to the road had been identified.

Rev. Soper explained that is not an issue because there is quite a bit of property to the east to allow for a turn without restrictions.

Marek stated there is not an issue at this location, but there is more of an issue at the signal light at the corner due to signage. Marek asked to address the fact that in front of the glassed in art gallery there will be an eighteen (18) inch wall to further protect the gallery and the building.

Marek continued the discrepancy in the property line came up when they were submitting and there was no record of the sale. Marek continued that in a meeting with the Development Services Department an aerial map was brought out that indicated a line that resulted in due diligence and research that identified R-O-W information.

Menke asked Marek if the building is being designed so that future expansion can be 2-story.

Marek responded there is no plan for a 2-story structure.

Roland questioned Rev. Soper about their project and if they entered into it in all good faith or if they knew there was a problem and decided to go ahead anyway.

Rev. Soper explained they had no idea about the discrepancy and entered into the project in good faith.

There being no one to speak in favor or in opposition to the case, Chairman Roland closed the public hearing.

Menke moved to grant the case in V 10-04, limited to those specifics the applicant presented in the case. The motion was seconded by Walker and approved unanimously.

**PUBLIC HEARING ON ZBA FILE SE 10-02:**

A request by Brad Casey for the following special exception to the City of Richardson Code of Ordinances: 1) Chapter 6, Article IV, Sec. 6-209 (2), to allow a 10-foot fence to be located in the side yard.

Shacklett stated the applicant is requesting a special exception to the City of Richardson fence regulations to allow a 10-foot fence to be located in the side yard on the north side of the property. Chapter 6 of the City of Richardson Code of Ordinances authorizes the ZBA to consider variances to the City's fence regulations. Shacklett explained that earlier in 2010, the applicant received a permit to build an 8-foot fence on his property, a portion of which is located on the north side of the house as noted on the attached site plan. Shacklett added that the applicant stated he was not aware the City had an ordinance limiting the fence height to eight (8) feet. Shacklett continued that when the fence was being constructed, the applicant constructed the fence so it would be the same height as his neighbor's adjoining fence to the north. The neighbor's fence; however, was located atop a 2-foot retaining wall, therefore, the fence on the subject property was built at a height of ten (10) feet to align with the height of the neighbor's fence. Shacklett explained the reason for the 2-foot difference is because the height of the fence, measured from the inside of the fence, is at a height of ten (10) feet on the subject property, but the fence on the property to the north (4404 Taylor Lane) is at a height of eight (8) feet.

Shacklett stated the applicant is requesting the special exception for approximately ten (10) linear feet of fencing. Shacklett added that the applicant also states that the 10-foot fence would provide for greater security and privacy as well as being more aesthetically pleasing.

Shacklett delivered the staff technical recommendation in case SE 10-02 by stating the applicant's request does not appear to be contrary to public convenience and welfare.

Brad Casey, 4402 Taylor Lane, Richardson, Texas came forward to speak in favor of the case. Casey stated the staff did a thorough job of explaining his case. Casey continued that he thought it would be more aesthetically pleasing for the two (2) fences to be level at the top. Casey added that his neighbor, Steve Reed is here tonight in support.

Steve Reed, 4404 Taylor Lane, Richardson, Texas came forward to speak in favor of the case. Reed explained that he supports Casey's request and the fence is more visually pleasing, provides for continuity and for more safety.

There being no one to speak in favor or in opposition to the case, Chairman Roland closed the public hearing.

Pratt moved to grant the case in SE 10-02, limited to those specifics the applicant presented in the case. The motion was seconded by Kidd and approved unanimously.

There being no further business, the meeting was adjourned at 7:11 p.m.

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William R. Roland, Chair



## ZONING VARIANCE FILE 11-01

### Attachments:

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



**NOTICE OF PUBLIC HEARING  
RICHARDSON ZONING BOARD OF ADJUSTMENT**

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

**VARIANCE REQUEST**

**File No.** V 11-01  
**Property Owner:** Thomas M. Whelan  
**Applicant:** Thomas M. Whelan  
**Location:** 700 Shadywood Lane (See map on reverse side.)  
**Current Zoning:** R-1500-M Residential  
**Request:** A request by Thomas M. Whelan for the following variance to the City of Richardson Comprehensive Zoning Ordinance:  
1) Article IV, Sec. 4, for a 6-foot variance to the 7-foot side setback.

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

**WEDNESDAY, FEBRUARY 16, 2011, 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 located within 200 feet of the request, as such ownership appears on the last approved city tax roll.

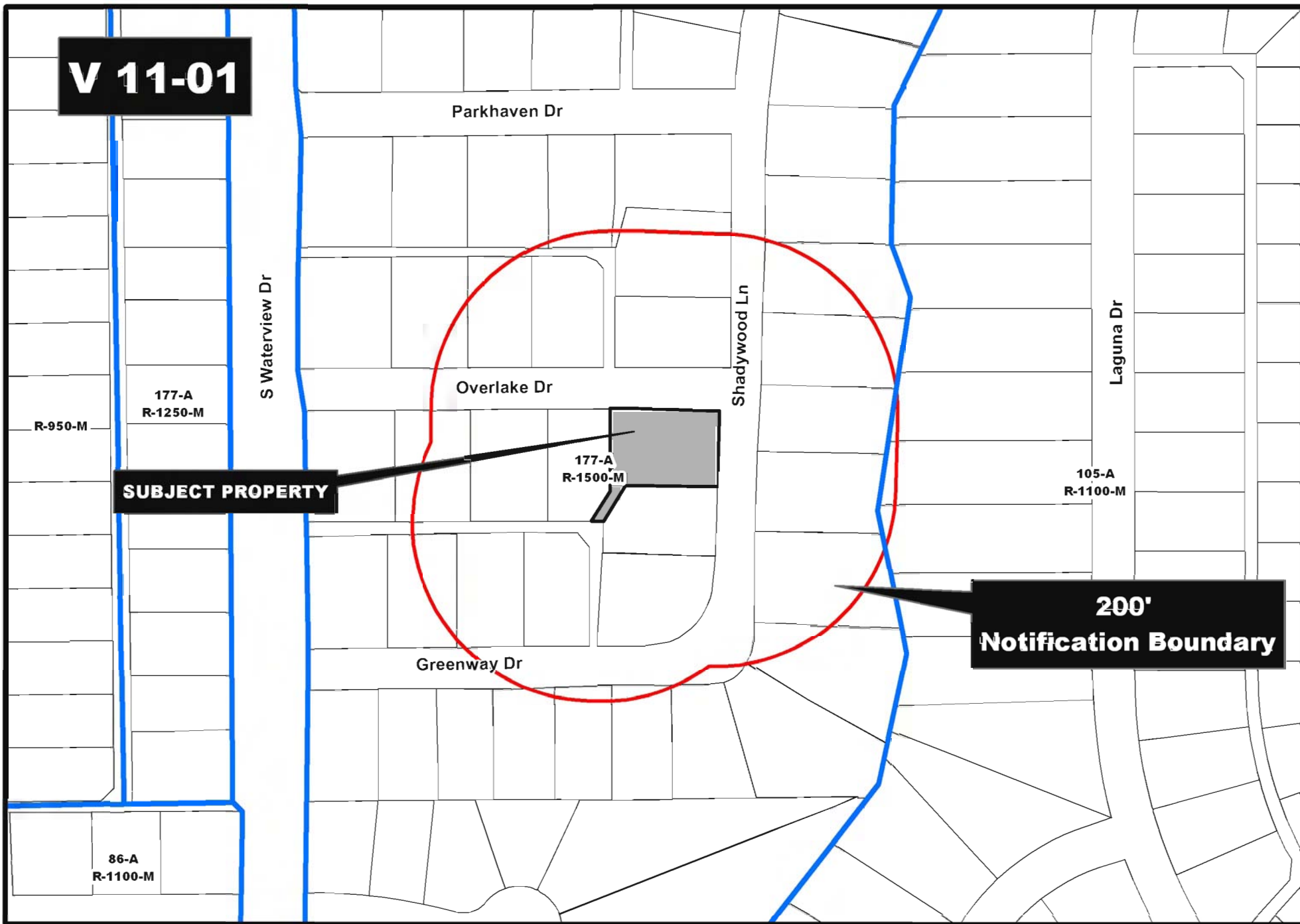
**PROCESS FOR PUBLIC INPUT:** A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the City Zoning Board of Adjustment. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions by the City 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, P.O. 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/PublicNotices/Notices/CPC/Current\\_Agenda-Action.html](http://www.cor.net/PublicNotices/Notices/CPC/Current_Agenda-Action.html).

For additional information, please contact the Department of Development Services at 972-744-4240 and reference Variance number V 11-01.

Date Posted and Mailed: 02/04/11



**V 11-01 Notification Map**  
**700 Shadywood Ln**

Updated By: shacklett, Update Date: January 25, 2011  
File: DSI\mapping\Cases\ZV\2011\ZV 1101\ZV 1101 notification.mxd



SMITH DEHN & CYNTHIA K  
604 SHADYWOOD LN  
RICHARDSON, TX 75080-6956

MCCARTY WENDELL MELTON  
1119 PARKHAVEN DR  
RICHARDSON, TX 75080-6940

WENTZ JAMES T  
CHRISTINA M  
1121 PARKHAVEN DR  
RICHARDSON, TX 75080-6940

THOMPSON MARVIN FAMILY  
LIVING TR  
607 SHADYWOOD LN  
RICHARDSON, TX 75080-6906

GARNER JAMES N  
606 SHADYWOOD LN  
RICHARDSON, TX 75080-6956

ARMSTRONG CYNTHIA  
609 SHADYWOOD LN  
RICHARDSON, TX 75080-6906

JABER FOUAD & LAUREL  
MORAN  
1120 OVERLAKE DR  
RICHARDSON, TX 75080-6937

SCHWALM BOBBY W  
1122 OVERLAKE DR  
RICHARDSON, TX 75080-6937

DANER FRANCINE J  
1118 OVERLAKE DR  
RICHARDSON, TX 75080-6937

HAWKINS ANGELA B  
611 SHADYWOOD LN  
RICHARDSON, TX 75080-6906

CATRON MARY ANN  
608 SHADYWOOD LN  
RICHARDSON, TX 75080-6956

PHELPS SANDRA J  
704 LAGUNA DR  
RICHARDSON, TX 75080-6930

ESTES CATHERINE C  
C/O DANAL ESTES  
10241 BIG HORN TRL  
FRISCO, TX 75035-6621

WHELAN THOMAS MATTHEW  
& KAREN ANN  
700 SHADYWOOD LN  
RICHARDSON, TX 75080-6907

PETERSON ROBERT T & KAYE  
1119 OVERLAKE DR  
RICHARDSON, TX 75080-6938

YOUNG MARY ANN  
1121 OVERLAKE DR  
RICHARDSON, TX 75080-6938

LAJOIE DAVID E  
1123 OVERLAKE DR  
RICHARDSON, TX 75080-6938

SAMPLE ANDREW E & AMY L  
706 LAGUNA DR  
RICHARDSON, TX 75080-6930

YOUNGBLOOD JOAN  
LIFE ESTATES  
703 SHADYWOOD LN  
RICHARDSON, TX 75080-6908

MOGAN GAVIN B  
702 SHADYWOOD LN  
RICHARDSON, TX 75080-6907

SPENCER JEREMIAH DWIGHT  
& KAREN LEE  
708 LAGUNA DR  
RICHARDSON, TX 75080-6930

GUERRA MICHAEL M  
1120 GREENWAY DR  
RICHARDSON, TX 75080-6935

SPIERGOTTLIEB LEISHA  
705 SHADYWOOD LN  
RICHARDSON, TX 75080-6908

SMITH ALAN & ELAINE R  
1122 GREENWAY DR  
RICHARDSON, TX 75080-6935

ATHEY RICHARD DOUGLAS  
1118 GREENWAY DR  
RICHARDSON, TX 75080-6935

HANNA WENDY & BARRY  
704 SHADYWOOD LN  
RICHARDSON, TX 75080-6907

YARBOROUGH MARY ALICE  
707 SHADYWOOD LN  
RICHARDSON, TX 75080-6908

GOODNIGHT WILLIAM R &  
RHONDA G  
1111 GREENWAY DR  
RICHARDSON, TX 75080-6936

STENBERG LOREN & NANCY L  
1113 GREENWAY DR  
RICHARDSON, TX 75080-6936

TUCKER HOWARD G & TRUST  
BARBARA ROSE TRUST  
1115 GREENWAY DR  
RICHARDSON, TX 75080-6936

BARTLEBAUGH AMANDA K &  
ROBERT D  
1117 GREENWAY DR  
RICHARDSON, TX 75080-6936

MALDONADO CARLA JANET  
1119 GREENWAY DR  
RICHARDSON, TX 75080-6936

**V 11-01**  
**Notification List**



## Staff Report

**ZBA Meeting Date: February 16, 2011**

**TO:** Zoning Board of Adjustment  
**FROM:** Chris Shacklett, Planner *CS*  
**DATE:** February 7, 2011  
**RE:** V 11-01  
**APPLICANT:** Thomas M. Whelan  
**LOCATION:** 700 Shadywood Lane

### **REQUESTED VARIANCE:**

(1) 6-foot variance to the 7-foot side setback.

### **EXISTING ZONING:**

R-1500-M Residential

### **EXISTING LAND USE:**

Residential

### **SURROUNDING LAND USE:**

Residential

### **STAFF COMMENTS:**

The applicant is requesting a 6-foot variance to the 7-foot side setback along two (2) property lines located near the rear of the property for the purpose of constructing an 8'x16' workshop. The 6-foot variance would be limited to the area shown on the attached site plan within the narrow area of land that extends to the alley. It appears that this lot was platted in this manner to allow for alley access for the property. There are three (3) other lots in the subdivision with a similar lot configuration. It appears that all

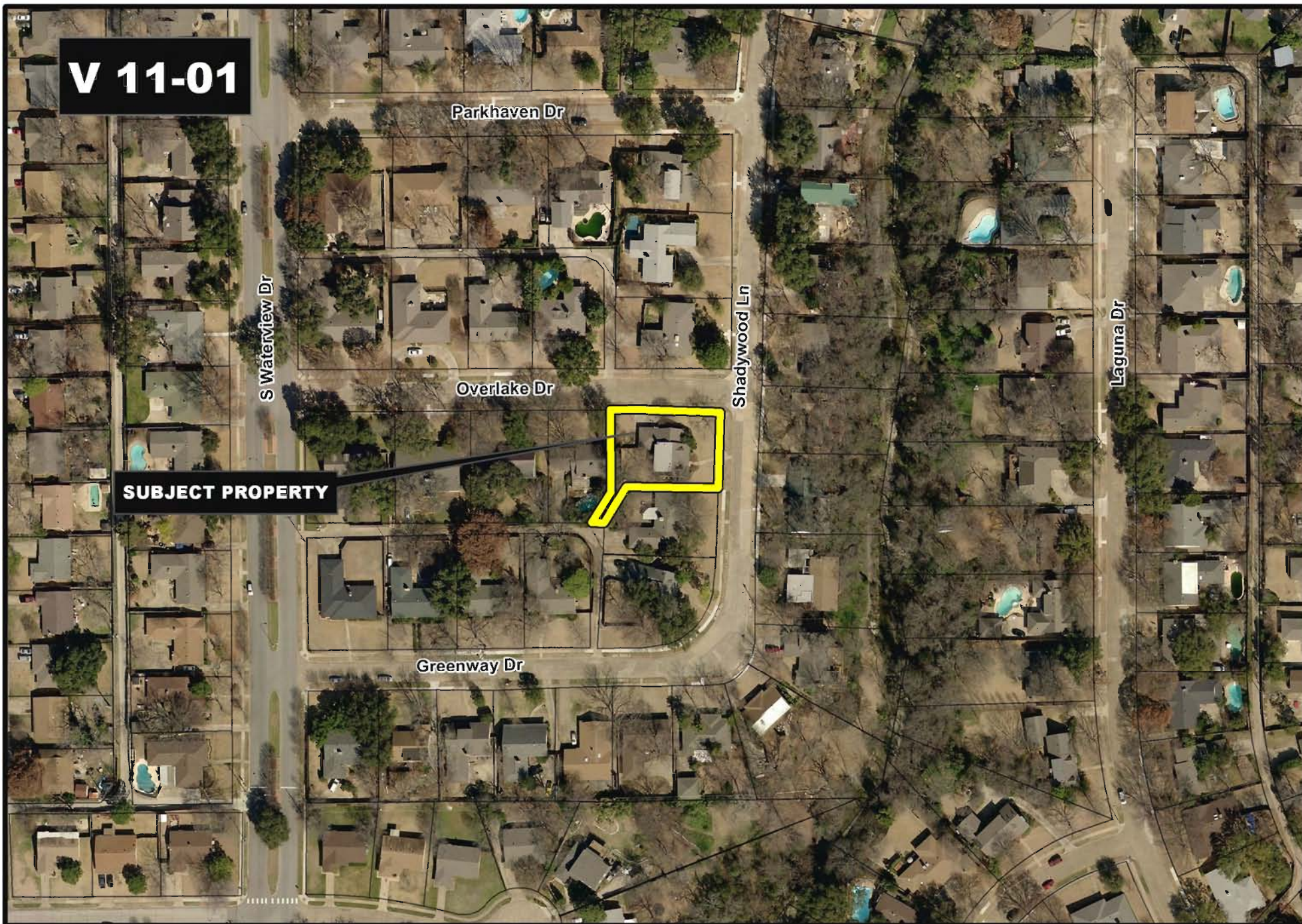
of these lots, including the subject property do not utilize this narrow section of their property for alley access, but rather have garage access off of a side street. The proposed structure will be located within one (1) foot of the property line on the east side of the building; however, the west side of the proposed structure may not be located one (1) foot, but the requested variance would allow either side to be within one (1) foot of the property line. The applicant states that both sides of the structure would be screened from the adjacent properties by a 6-foot fence and an 8-foot hedge adjacent to Lot 6 and a 20-foot hedge adjacent to Lot 4 (See attached site plan). Construction of the proposed structure had already started when the applicant was informed he would need a building permit. See Photo #2 to see the location of the structure.

The applicant has stated that a hardship exists because the property is narrow and irregularly shaped and there is no developable area once the setbacks are applied. The applicant has also stated the other locations on the property that would not require a variance are less suitable than the proposed location because the structure would be visible from the streets or would preclude the future construction of pool or use of the backyard for other recreational purposes. The applicant desires to place the structure in its proposed location so as to screen the structure from the streets and adjacent properties while not encroaching on their backyard area.

**TECHNICAL RECOMMENDATION:**

Based on the information presented and applicable codes and ordinances, it is staff's opinion that a property hardship does not exist.





**V 11-01**

**SUBJECT PROPERTY**

**V 11-01 Aerial Map**  
**700 Shadywood Ln**

Updated By: shacklett, Update Date: January 25, 2011  
File: DSI\mapping\Cases\ZV\2011\ZV 1101\ZV 1101 ortho.mxd





**Shadywood Lane**

**Overlake Drive**



**Looking South along Shadywood**



**PROPOSED LOCATION**  
8'x16' ACCESSORY  
BHDG.

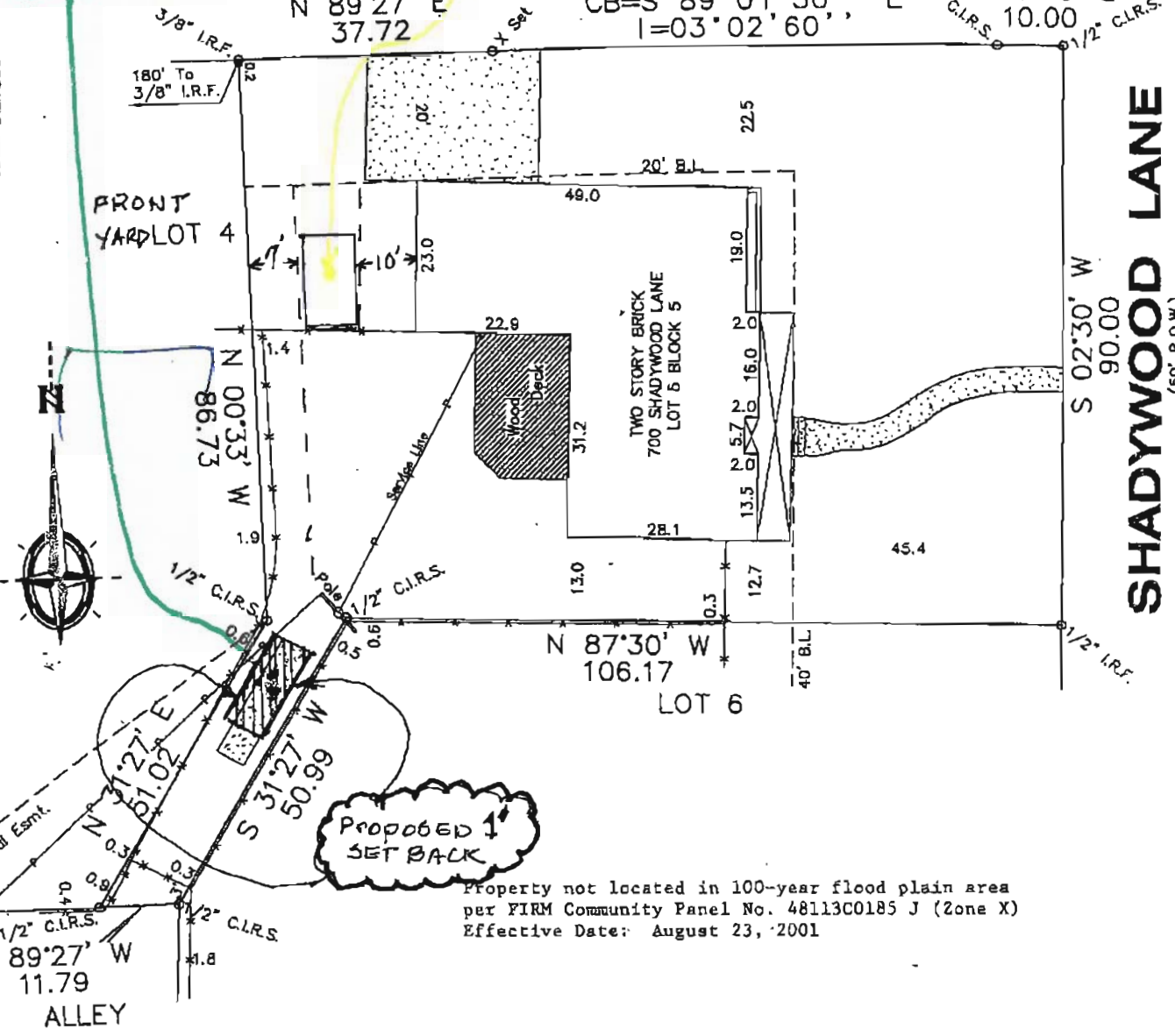
**ALTERNATE LOCATION**  
(Permitted as of Right)

# OVERLAKE (50' R.O.W.) DRIVE

(Plat Bearing)  
N 89°27' E  
37.72

L=74.92'  
R=1407.40'  
CB=S 89°01'30" E 10.00  
I=03°02'60" E 1/2° C.I.R.S.

As shown on the plat, the proposed location of the building is within the 100-year flood plain area per FIRM Community Panel No. 48113C0185 J (Zone X) Effective Date: August 23, 2001. The proposed location of the building is within the 100-year flood plain area per FIRM Community Panel No. 48113C0185 J (Zone X) Effective Date: August 23, 2001. The proposed location of the building is within the 100-year flood plain area per FIRM Community Panel No. 48113C0185 J (Zone X) Effective Date: August 23, 2001.

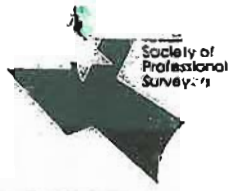


Property not located in 100-year flood plain area per FIRM Community Panel No. 48113C0185 J (Zone X) Effective Date: August 23, 2001

This survey was performed in connection with the transaction described in CF No. 08R22072 NP5 of Republic

AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM. USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR RISK. And the plat hereon is a true, correct, and accurate representation of the property as determined by survey subject to any and all easements, reservations and restrictions that may be of record, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from the lines the distance indicated and that the distance from the nearest intersection of a road, or road, is as shown on said plat. EXCEPT AS SHOWN, THERE ARE NO ENCROACHMENTS OR PROTRUSIONS APPARENT ON THE GROUND.

Scale 1" = 20'  
Date 7 / 18 / 08  
Job 08-916  
Drawn by L.L.



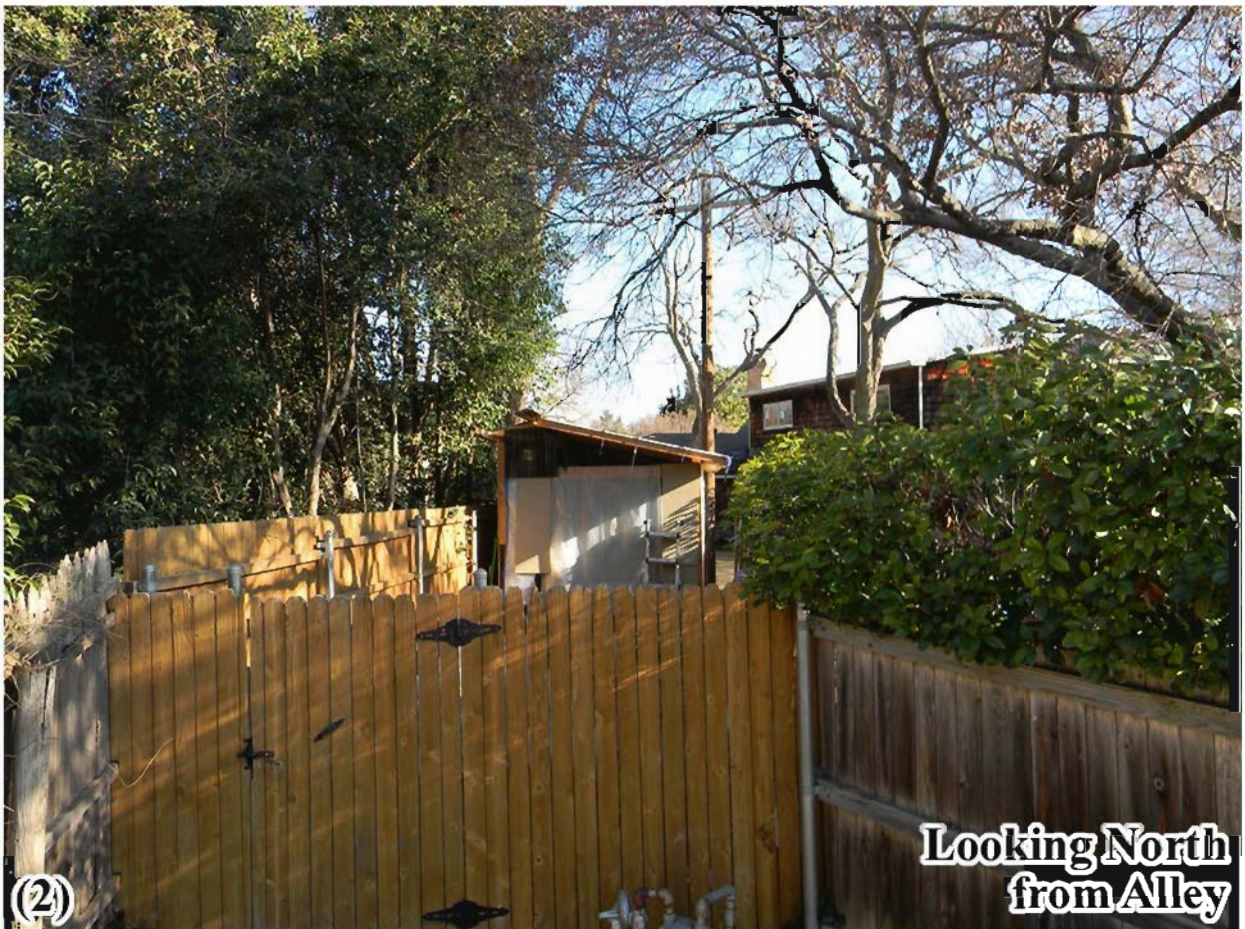
*Ben D. Ryckluk*  
Registered Professional Land Surveyor 1630  
**SURVEYING ASSOCIATES**  
1018 E. Beckley, Dallas, TX 75203  
Phone: (214) 948-3324  
Fax: (214) 946-7540

**APPENDIX 2**





700 Shadywood Lane - February 2011





## 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

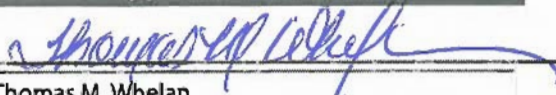
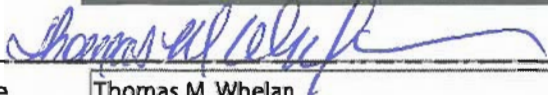
**Note: Pre-submittal meeting required with staff before application can be submitted.**

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	
Thomas M. Whelan	Printed Name	Thomas M. Whelan
	Company Name	
700 Shadywood Lane	Mailing Address	700 Shadywood Lane
Richardson, Texas 75080	City, State, ZIP	Richardson, Texas 75080
(214) 954-6815	Telephone Number	(214) 208-8065
(214) 954-6868	Fax Number	
twhelan@mcsllaw.com	E-Mail Address	tkhwhelan@earthlink.net

## Subject Site Information

Address of Subject Property: 700 Shadywood Lane

Legal Description: Lot 5 Block 5 of Parkwood Estates No. 3

Existing Zoning and Ordinance: R-1500-M

Requested Variance: Reduce setback in irregularly shaped area in back yard for construction of 8' x 16' accessory building

## 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

**RECEIVED  
JAN 24 2011  
DEVELOPMENT SERVICES**

# Board of Adjustment Variance Checklist

## City of Richardson, Texas

Does a hardship exist? If so, explain below.

Yes  No

See attached statement

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

Yes  No

See attached statement

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

See attached statement

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

Yes  No

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

Yes  No

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

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**ATTACHMENT TO BOARD OF ADJUSTMENT VARIANCE OR APPEAL APPLICATION  
AND STATEMENT OF APPLICANT  
SUBJECT PROPERTY: 700 Shadywood Lane**

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Tom and Karen Whelan (Applicants), the owners of 700 Shadywood Lane (Lot 5), ask that the Board recommend, and that the Council approve, a reasonable variance from the applicable (rear *or* side) setback requirements to allow construction of an 8' by 16' (128 sq. ft.) accessory building, largely shielded from view by fences and shrubbery, in an irregularly shaped 51' long, 11' to 12' wide portion of Lot 5 to alleviate an unnecessary hardship that would otherwise result from the literal enforcement of the setback requirements. Applicants request that the setbacks within this strip be reduced to 1'.

**Does a hardship exist? If so, explain.**

Yes, a hardship exists. The proposed site for the 8' x 16' accessory building is in an irregular, bowling-alley shaped area approximately 51' long and between 11' and 12' wide that extends from the generally rectangular portion of the back yard of Lot 5 to the rear alley.<sup>1</sup> This uncommon strip of land is shaded by the 8' tall hedge, 6' fence, and overhanging trees on Lot 6 to the southeast and by the 20+ foot tall hedge, 6' fence, and overhanging trees on Lot 4 to the west. The shade prevents grass from growing, and the prior owners of Lot 5 spread gravel in the area to keep it from becoming a mud pit. Without a variance, this portion of Lot 5 is virtually unusable.

The application of side setbacks in the irregular bowling alley shaped area, together with the 20' wide side setback along Overlake on the north side of Lot 5, and the proposed application of a 7' side setback along the entire western boundary of Lot 5 within the rectangular portion of the backyard of Lot 5, creates an unnecessary hardship. The 7' setback, if literally enforced in the bowling alley area, precludes construction of any accessory building there. The 20' setback along Overlake Drive to the north, rather than the usual 7' side setback between two lots, further restricts placement of the accessory building. COR building officials tentatively have determined that the rear boundary of Lot 5, including the area in the generally rectangular portion of the backyard, is subject to a 7' side setback, rather than a 3' rear setback. According to COR building officials, Lot 5's rear setback runs only along the approximately 12' foot boundary between the southern end of the bowling alley shaped area and the alley. This means that Lot 5 is subject to a 20' side setback to the north along Overlake Drive, a 7' side setback to the west along the entire boundary between

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<sup>1</sup> The proposed building site for the accessory building is shown in the site plan (APPENDIX 1) and the survey (APPENDIX 2).

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**ATTACHMENT TO BOARD OF ADJUSTMENT VARIANCE OR APPEAL APPLICATION  
AND STATEMENT OF APPLICANT  
SUBJECT PROPERTY: 700 Shadywood Lane**

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Lot 4 and Lot 5 and along the eastern and southern boundary between Lot 6 and Lot 5, with no rear setback in the main portion of the backyard. This combination renders an unusually large portion of Lot 5 unusable for location an accessory building. Many, if not most residential lots, have substantially longer rear boundaries where the more permissive 3' rear or 18" rear alley setback allows the lot owner far more flexibility in the choice of location for a similar accessory building with far less land consumed to satisfy setback requirements.

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

Literal enforcement of the side setback of 7' – or the rear setback of 3' – in the bowling alley shaped area creates an unnecessary hardship. *See Board of Adjustment of the City of Piney Point Village v. Solar*, 171 S.W.3d 251, 256 (Houston [14<sup>th</sup> Dist.] 2005, no pet.) (stating that Board “does not have discretion to determine whether an alleged hardship qualifies as an “unnecessary hardship,” which is an issue of law to be decided by the courts.”). The other locations on Lot 5 where the proposed accessory building could be built are less suitable than the proposed location. One location permitted as of right – 10' west of the side of the garage on Lot 5 and 7' east of the boundary between Lot 4 and Lot 5 – is visible from the Overlake Drive and would sit beside the front yard of Lot 4. Any location in the generally rectangular portion of Lot 5's back yard will consume an unnecessarily large portion of the back yard and would practically preclude construction of a pool or use of substantial portions of the backyard for recreational or other residential uses. The proposed location for the accessory building, by contrast, largely shields the building from view between two 6' high wooden fences, an 8' high hedge to the east, a 20' high hedge to the west, and overhanging trees on both sides.

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

Special conditions exist on the property. The combination of conditions unique to Lot 5 is not common to other properties in the area. The presence of the bowling-alley shaped portion of the back yard of Lot 5 is approximately 51' long and between 11' and 12' wide, the imposition of the more restrictive side setback along the entire rear (considered from the position of the house) of the backyard of Lot 5, and the wide 20' side setback on the north are a combination of conditions that are not common to other properties in the area.

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ATTACHMENT TO BOARD OF ADJUSTMENT VARIANCE OR APPEAL APPLICATION  
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SUBJECT PROPERTY: 700 Shadywood Lane

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**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.**

The proposed accessory building is consistent with the public interest and the spirit of the ordinance enacted to "promote the public health, safety, and welfare of the people." State law authorizes this Board to make "special exceptions" to the terms of a zoning ordinance "in appropriate cases and subject to appropriate conditions and safeguards" that are "consistent with the general purpose and intent of the ordinance." TEX. LOC. GOV'T CODE ANN. § 211.008(a) (Westlaw 2011); *see also* TEX. LOC. GOV'T CODE ANN. § 211.009(a) (2). In addition, this Board may grant a variance from the terms of a zoning ordinance if (1) the variance is *consistent with the public interest and the spirit of the ordinance*; (2) *special conditions exist* on the property, (3) literal enforcement of the ordinance would result in an *unnecessary hardship*; and (4) the issuance of the **variance** would result in "*substantial justice*." TEX. LOC. GOV'T CODE ANN § 211.009(a)(3). In accordance with state law, the City of Richardson Subdivision and Development Ordinance (COR Code) authorizes the Council, in specific case, when, "in its judgment the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, upon recommendation by the commission, . . . at a regular meeting of the council, and subject to appropriate conditions and safeguards, [to] authorize variances to the regulations in this chapter in order to permit *reasonable development and improvement of property where the literal enforcement of these regulations would result in an unnecessary hardship*. COR Code § 21-9 (emphasis added). Under these standards, Applicants' request for a variance should be granted.

Applicant's requested variance is consistent with the public interest and the spirit of the ordinance. The COR Code was enacted to "promote the public health, safety, and welfare of the people." Consistent with this purpose, Applicant is willing to install fire rated walls in accordance with applicable building codes to protect the health and safety. Applicant asked the Mogans, the owners of Lot 6, and Mr. Pedersen, a co-owner of Lot 4, if they had any objection to the location of the accessory building. Each said they did not object. Moreover, the proposed location is the least obtrusive location available on Lot 5. The proposed location is largely shielded from view behind a 6' fence and 8' hedge to the east, a 6' fence and 20'+ hedge to the west, and the overhanging branches of trees located on both Lots 4 and 6. And other possible locations "would actually make the property and the general area appear less attractive,



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**ATTACHMENT TO BOARD OF ADJUSTMENT VARIANCE OR APPEAL APPLICATION  
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SUBJECT PROPERTY: 700 Shadywood Lane**

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not more attractive.” *Town of South Padre Island Texas ex rel. Bd. of Adjustment v. Cantu*, 52 S.W.3d 287, 291 (Tex. App. – Corpus Christi 2001, no pet.) (stating that “local government code allows variances to be granted on a case by case basis when a literal enforcement of an ordinance would result in an unnecessary hardship, and therefore, the legislature obviously envisioned scenarios, such as the present one, where the granting of a variance would not affect public interest”); see TEX. LOC. GOV'T CODE § 211.009 (Westlaw 2010); *Board of Adjustment, City of Corpus Christi v. McBride*, 676 S.W.2d 705, 709 (Tex. App. – Corpus Christi 1984, no writ) (holding that a board of adjustment abuses its discretion when it fails to grant a variance when the undisputed facts show that a hardship would exist and that the variance would not adversely affect other interests).

The issuance of the variance would result in “substantial justice.” A family is “entitled to use their property to the fullest as it relates to a family dwelling and place for family recreation[.]” *Currey v. Kimple*, 577 S.W.2d 508, 512-13 (Tex. Civ. App. – Texarkana 1978, writ ref'd n.r.e.). Mr. Whelan enjoys woodworking. The primary purpose of the accessory building is store tools and other materials used in connection with this recreational activity. Relocating the accessory building in the backyard would materially impair the use of the backyard for other recreational purposes. Even so, the fact that the proposed accessory building could be located elsewhere on Lot 5 is not sufficient justification for denying Applicant’s requested variance. See *Solar*, 171 S.W.3d at 256 (rejecting Boards interpretation that it would *never* have to grant a residential variance for any purpose so long as the property owner was able to construct or maintain some sort of minimally habitable residence and stating that “[w]e do not believe that is what the legislature contemplated when giving boards of adjustment the authority to grant variances “so that the spirit of the ordinance is observed and substantial justice is done.”). The other possible locations are decidedly inferior to the proposed location, and the proposed variance does not substantially affect any other interest.

## **APPEAL REQUEST - SE 11-01**

### **Attachments:**

1. Notice of Public Hearing
2. Notification List
3. Staff Report
4. Aerial Map
5. Aerial Exhibit
6. Site Photos
7. Existing Locations and Photos
8. 395 Sandhill Drive Bamboo Fence Photos
9. Application
10. Applicant's Statement



**NOTICE OF PUBLIC HEARING  
RICHARDSON ZONING BOARD OF ADJUSTMENT**

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

**APPEAL CHIEF BUILDING OFFICIAL DECISION**

**File No.** SE 11-01  
**Property Owner:** Inarose Bogen  
**Applicant:** Mike Knox / Bamboo Builder's Supply, LLC  
**Location:** 810 Edgefield Drive (See map on reverse side.)  
**Current Zoning:** R-1100-M Residential  
**Request:** A request by Mike Knox, representing Inarose Bogen for the following variance to the City of Richardson Code of Ordinances, Chapter 6, Article IV:  
1) To appeal the decision of the Chief Building Official to allow bamboo as an allowed fence material.

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

**WEDNESDAY, FEBRUARY 16, 2011, 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 located 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 City 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 City Zoning Board of Adjustment is excluded from each 15 minute period.

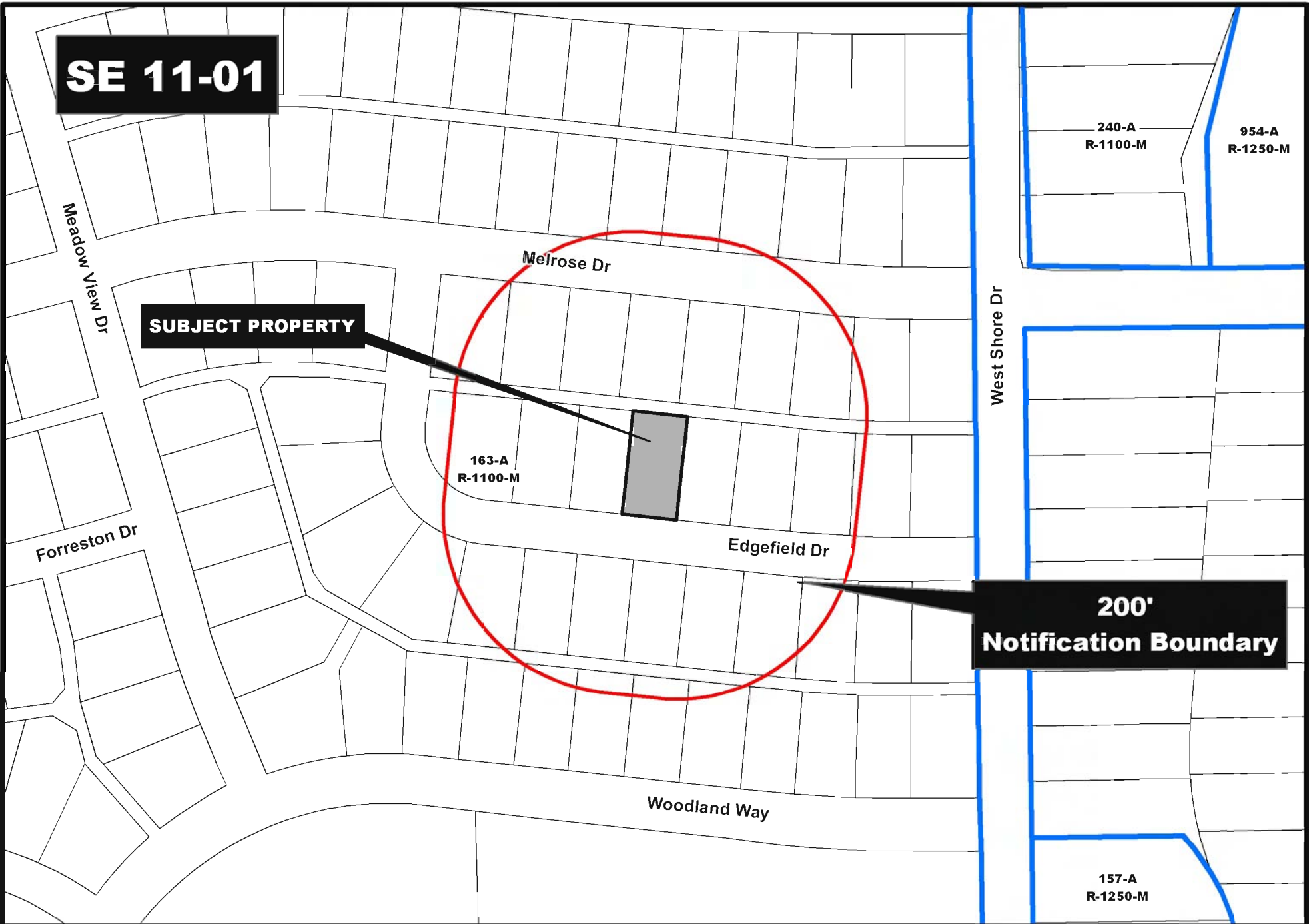
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, P.O. Box 830309, Richardson, TX 75083.

**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/PublicNotices/Notices/CPC/Current\\_Agenda-Action.html](http://www.cor.net/PublicNotices/Notices/CPC/Current_Agenda-Action.html).

For additional information, please contact the Department of Development Services at 972-744-4240 and reference Variance number SE 11-01.

Date Posted and Mailed: 02/04/11

**SE 11-01**



**SUBJECT PROPERTY**

**200'  
Notification Boundary**

**SE 11-01 Notification Map**

**810 Edgefield Dr**

Updated By: shacklett, Update Date: January 25, 2011  
File: DSI\mapping\Cases\SE\SE 1101\SE 1101 notification.mxd



SCHNEIDER GARY LEE  
812 MELROSE DR  
RICHARDSON, TX 75080-4036

DECKERT WM C & DIANE  
340 SAGEBRUSH TRL  
PLANO, TX 75094-2601

RITCHEY CAROLE D  
808 MELROSE DR  
RICHARDSON, TX 75080-4036

LBL FAMILY INV  
1021 HAMPSHIRE LN  
RICHARDSON, TX 75080-5143

BOURGEOIS GARY P  
2704 HALIFAX CT  
MCKINNEY, TX 75070-4792

MARSHALL LOUIS F  
813 MELROSE DR  
RICHARDSON, TX 75080-4037

HAWLEY MARK E  
811 MELROSE DR  
RICHARDSON, TX 75080-4037

BOWER LOYCE L  
809 MELROSE DR  
RICHARDSON, TX 75080-4037

BIBBY THOMAS D  
807 MELROSE DR  
RICHARDSON, TX 75080-4037

HUVAL JULIE A  
805 MELROSE DR  
RICHARDSON, TX 75080-4037

TIPPENS ESKRAY  
803 MELROSE DR  
RICHARDSON, TX 75080-4037

ROUNTREE WILLIAM JOHN  
12315 WRENTHORPE DR  
HOUSTON, TX 77031-3037

GOODE JOSHUA  
814 EDGEFIELD DR  
RICHARDSON, TX 75080-4032

FANNIE MAE  
PO BOX 650043  
DALLAS, TX 75265-0043

BOGEN INAROSE H  
808 EDGEFIELD DR  
RICHARDSON, TX 75080-4032

BOGEN INAROSE H  
808 EDGEFIELD DR  
RICHARDSON, TX 75080-4032

WALKER CONSTANCE A  
806 EDGEFIELD DR  
RICHARDSON, TX 75080-4032

KING ANTHONY  
804 EDGEFIELD DR  
RICHARDSON, TX 75080-4032

WALLACE MARY DEANNA  
802 EDGEFIELD DR  
RICHARDSON, TX 75080-4032

KENNEDY RICK  
9912 COUNTY ROAD 2426  
TERRELL, TX 751608-856

THOMPSON WILLIAM J IV  
819 EDGEFIELD DR  
RICHARDSON, TX 75080-4033

MCCUTCHIN DOUGLAS  
4517 S VERSAILLES AVE  
DALLAS, TX 75205-3018

REED MARK  
815 EDGEFIELD DR  
RICHARDSON, TX 75080-4033

UGARTE ROBERTO  
813 EDGEFIELD DR  
RICHARDSON, TX 75080-4033

DILLIER DOREEN M &  
JAMES M DILLIER  
811 EDGEFIELD DR  
RICHARDSON, TX 75080-4033

PAREDES MIGUEL  
809 EDGEFIELD DR  
RICHARDSON, TX 75080-4033

SCHLUETER WM J & HELEN  
807 EDGEFIELD DR  
RICHARDSON, TX 75080-4033

HOUSTON KAY  
PO BOX 833773  
RICHARDSON, TX 75083-3773

QUAY PERRY JOEL TR  
LIVING TRUST  
816 WOODLAND WAY  
RICHARDSON, TX 75080-4028

WHITE JULIA KAY  
814 WOODLAND WAY  
RICHARDSON, TX 75080-4028

HILL DONNA M  
812 WOODLAND WAY  
RICHARDSON, TX 75080-4028

DALY JEFFREY A  
5439 WILLOW WOOD LN  
DALLAS, TX 75252-2656

RING DONALD STANTON  
808 WOODLAND WAY  
RICHARDSON, TX 75080-4028

## SE 11-01 Notification List



## Staff Report

**ZBA Meeting Date: February 16, 2011**

**TO:** Zoning Board of Adjustment

**FROM:** Chris Shacklett, Planner *CS*

**DATE:** February 7, 2011

**RE:** SE 11-01

**APPLICANT:** Mike Knox, Bamboo Builder's Supply, representing Inarose Bogen

**LOCATION:** 810 Edgefield Dr

### **REQUESTED VARIANCE:**

(1) Appeal the decision of the Chief Building Official (CBO) to allow bamboo as an allowed fence material

### **EXISTING ZONING:**

R-1100-M Residential

### **EXISTING LAND USE:**

Residential

### **SURROUNDING LAND USE:**

Residential

### **STAFF COMMENTS:**

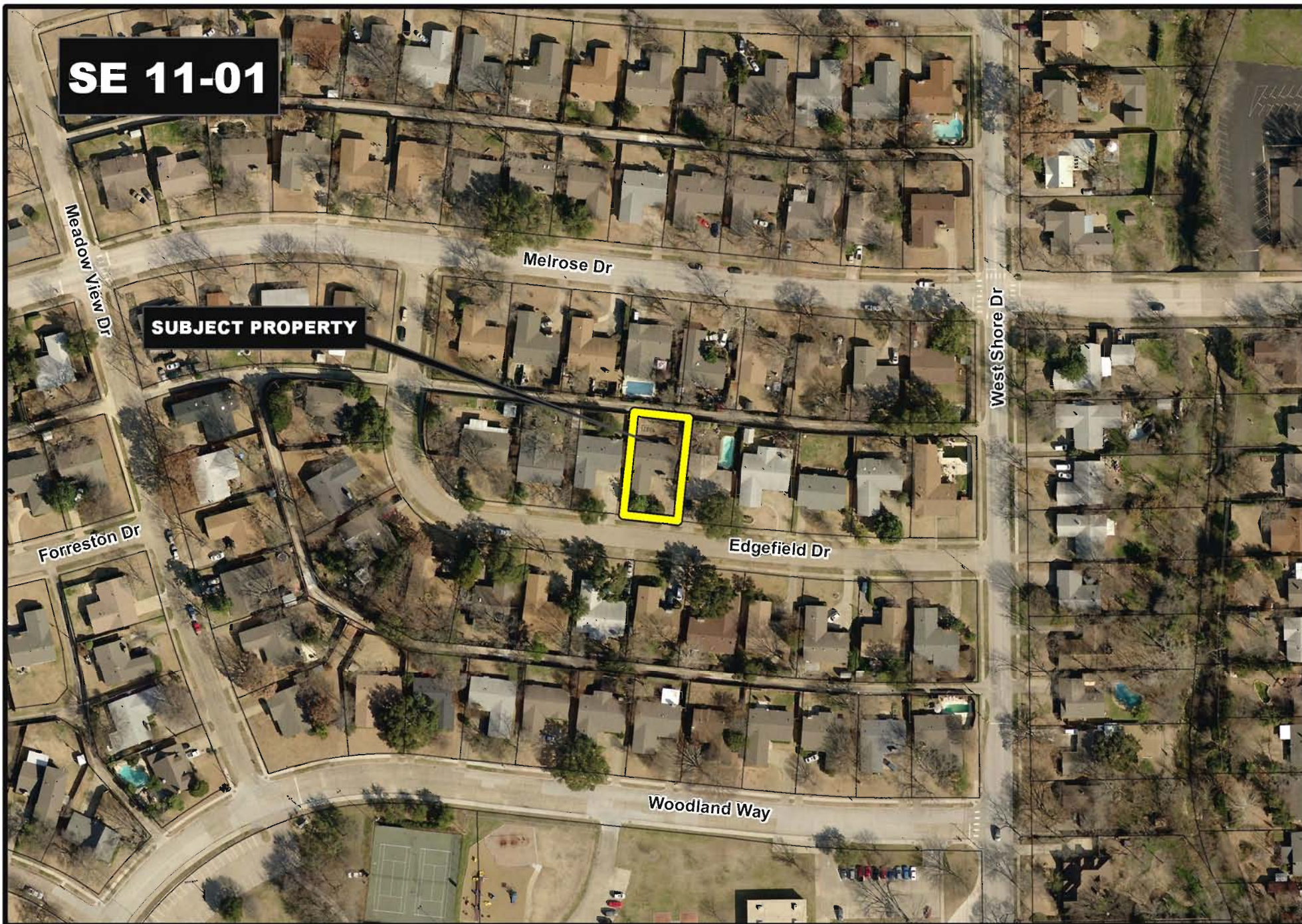
The City of Richardson Fence Ordinance allows wood, concrete, masonry, chain link, wrought iron, metal tubing, vinyl, fiberglass composite or other materials approved by the building official for exterior exposure fence material. The applicant desires to use bamboo as a fencing material at 810 Edgefield Drive. The applicant states the homeowner desires to use bamboo for the following reasons:

1. They prefer the material over conventional wood fencing
2. Cured bamboo is termite resistant
3. Cured bamboo possesses the qualities of today's lumber without utilizing chemicals
4. Bamboo is naturally renewable and can regenerate to its full mass much quicker than traditional wood fencing sources.
5. Modern installation techniques along with knowledge of the product can satisfy standard building codes for strength, durability and longevity.

In 2006, the applicant made a similar appeal for a property at 395 Sandhill Drive in Richardson (photos attached), and the appeal was granted. The applicant has provided a list of area locations where this type of fence has been constructed (See "Existing Locations and Photos"). The applicant has stated that he no longer constructs this type of fence like the fence at 395 Sandhill, and he is proposing a picture frame type fence as shown in the attached photo, "Existing Locations and Photos, #3". The applicant has also stated since the 395 Sandhill fence, they have made changes in how they construct bamboo fences including treating every fence with a stain and sealer and using a maximum post spacing of six (6) feet on 8-foot tall fences.

The proposed fence would be located along the entire rear lot line adjacent to the alley as well as either side of the extending from the side wall of the house to the side property lines (See "Aerial Exhibit"). The applicant has stated he will provide a sample of the material at the meeting. The Board may choose to allow or disallow bamboo as a fencing material at the location.





**SE 11-01 Aerial Map**

**810 Edgefield Dr**

Updated By: shacklett, Update Date: January 25, 2011  
File: DSI\mapping\Cases\SE\SE 1101\SE 1101 ortho.mxd







809 MELROSE DR

806 EDGEFIELD DR

808 EDGEFIELD DR

810 EDGEFIELD DR

812 EDGEFIELD DR

814 EDGEFIELD DR

**Proposed Fence Location**

Edgefield







**810 Edgefield Drive - February 2011**







(3)

**Looking Southwest  
from Alley**

**810 Edgefield Drive - February 2011**



Bamboo Builders Supply  
802 S. Wildwood DR  
Irving, TX 75060  
January 20, 2011

City of Richardson  
Zoning Board of Adjustment  
P.O. Box 830309  
Richardson, TX 75083

RE: List of locations where our projects can be viewed.

1. Logan Sutterfield - 564 Timber way, Lewisville TX 75067
2. Laurie McDermott - 11547 Coral Hills Dallas, TX 75229
3. Neil Turner - 6172 Monticello, Dallas TX 75214
4. Jason & Meredith Cockburn - 6819 Santa Fe, Dallas TX 75223

Additional locations are available upon request.  
Thank you for your time and efforts.  
Sincerely,

Mike Knox  
Owner  
Bamboo Builders Supply, LLC  
214-254-8060





Site #1



Site #3



Stain vs. No Stain



Site #2





**395 Sandhill Bamboo Fence - January 2011**



**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.)

*Morissa Bogen*

**Applicant Information**

*Mike Knox*  
Signature  
*Mike Knox*  
Printed Name  
*Bamboo Builders Supply*  
Company Name  
*802 S. Wildwood Dr.*  
Mailing Address  
*Irving Tx 75060*  
City, State, ZIP  
*214-254-8060*  
Telephone Number  
*972-438-3102*  
Fax Number  
*mike@bamboo.builderssupply.com*  
E-Mail Address

**Owner Information**

*Morissa Bogen*  
Signature  
*Morissa Bogen*  
Printed Name  
*810 Edgefield*  
Mailing Address  
*Richardson, TX 75080*  
City, State, ZIP  
*972-664-0697*  
Telephone Number  
Fax Number  
*mikefoto@gmail.com*  
E-Mail Address

**Subject Site Information**

Address of Subject Property: *810 Edgefield*  
Legal Description: *Residence*  
Existing Zoning and Ordinance: \_\_\_\_\_  
Requested Variance: *Fence Material*

**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

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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

---

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

Yes  No

---

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

Yes  No

---

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

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Bamboo Builders Supply  
802 S. Wildwood Dr.  
Irving, TX 75060  
January 20, 2011

City of Richardson  
Zoning Board of Adjustment  
P.O. Box 830309  
Richardson, TX 75083

RE: Reason for Variance Request – Fence Permit - 810 Edgefield

Dear board members,

On behalf of Ms. Morissa Bogan, we would like to thank you for the opportunity to discuss the details regarding a building permit (11-130) that has been declined. Following the November 2006 meeting this board approved Special Exemption Case 06-03 to add bamboo as an allowed fence material at 395 Sandhill. We respectfully request the matter be re-visited in order to evaluate the bamboo's durability over the past 4 years and discuss any lessons learned. Hopefully we will be granted the opportunity to apply what we've learned at 810 Edgefield.

**Part A: Reasons for Request:**

1. The homeowner prefers this material over conventional wood fencing.
2. Cured bamboo is naturally termite resistant.
3. Cured bamboo possesses all of these superior qualities without being saturated with chemicals found in today's lumber.
4. Bamboo is a naturally renewable building material. Unlike traditional wood fencing sources that can take twenty (20) to fifty (50) years to regenerate to their full mass, bamboo is the fastest growing plant on the planet.

5. "Bamboo" reed purchased at the local home improvement store should not be confused with this whole cane product.
6. Bamboo has proven itself to be a viable building material for thousands of years. With modern techniques in installation, knowledge of the product and experience with coatings; this fence material can satisfy all standard building codes for strength, durability and longevity.

### **Part B: Lessons learned**

The project located at 395 Sandhill was the "TEST" residence in 2006. There were a few lessons learned regarding the installation techniques on this project. These "lessons" are as follows:

1. We no longer offer pressure treated pine as a cost saving option.
2. Every fence gets treated with a stain/sealer product regardless of budget.
3. Eight foot tall fences should be constructed with a post spacing of 6 feet minimum.

Thank you for considering our proposal and we look forward to servicing the needs of the residents in the city of Richardson.

Sincerely,

Mike Knox  
Member  
Bamboo Builders Supply, LLC  
214-254-8060