

AGENDA
CITY OF RICHARDSON – ZONING BOARD OF ADJUSTMENT
MAY 18, 2011
6:30 P.M.

CIVIC CENTER/COUNCIL CHAMBERS
411 W. ARAPAHO ROAD

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 2nd floor, Room 206 to receive a briefing on agenda items and other topics.

- 1. APPROVAL OF MINUTES OF THE REGULAR MEETING OF APRIL 20, 2011.**

- 2. PUBLIC HEARING ON ZBA FILE V 11-03:** A request by Tom Rohm for the following variance to the City of Richardson Comprehensive Zoning Ordinance:
 - 1) Appendix A, Article VII, Sec. 4, for a 12-foot variance to the required 24-foot length of pavement perpendicular to the entry opening of a garage located at 629 Winchester Drive.

- 3. RECESS**

- 4. 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, May 6, 2011.

Cynthia G. Wilson, Administrative Secretary

ZONING VARIANCE FILE 11-03

Attachments:

1. Notice of Public Hearing
2. Notification List
3. Staff Report
4. Aerial Map
5. Oblique Aerial Looking North
6. Site Plan
7. Site Photos
8. Application
9. 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 11-03
Property Owner: Karlheinz Muth & Barbara Berthold
Applicant: Tom Rohm / Rohm's Homes, Inc.
Location: 629 Winchester Drive
Current Zoning: R-1100-M Residential
Request: A request by Tom Rohm for the following variance to the City of Richardson Comprehensive Zoning Ordinance:

1) Article VII, Sec. 4, for a 12-foot variance to the required 24-foot length of pavement perpendicular to the entry opening of a garage.

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

WEDNESDAY, MAY 18, 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 within 200 feet of the request; as such ownership appears on the last approved city tax roll.

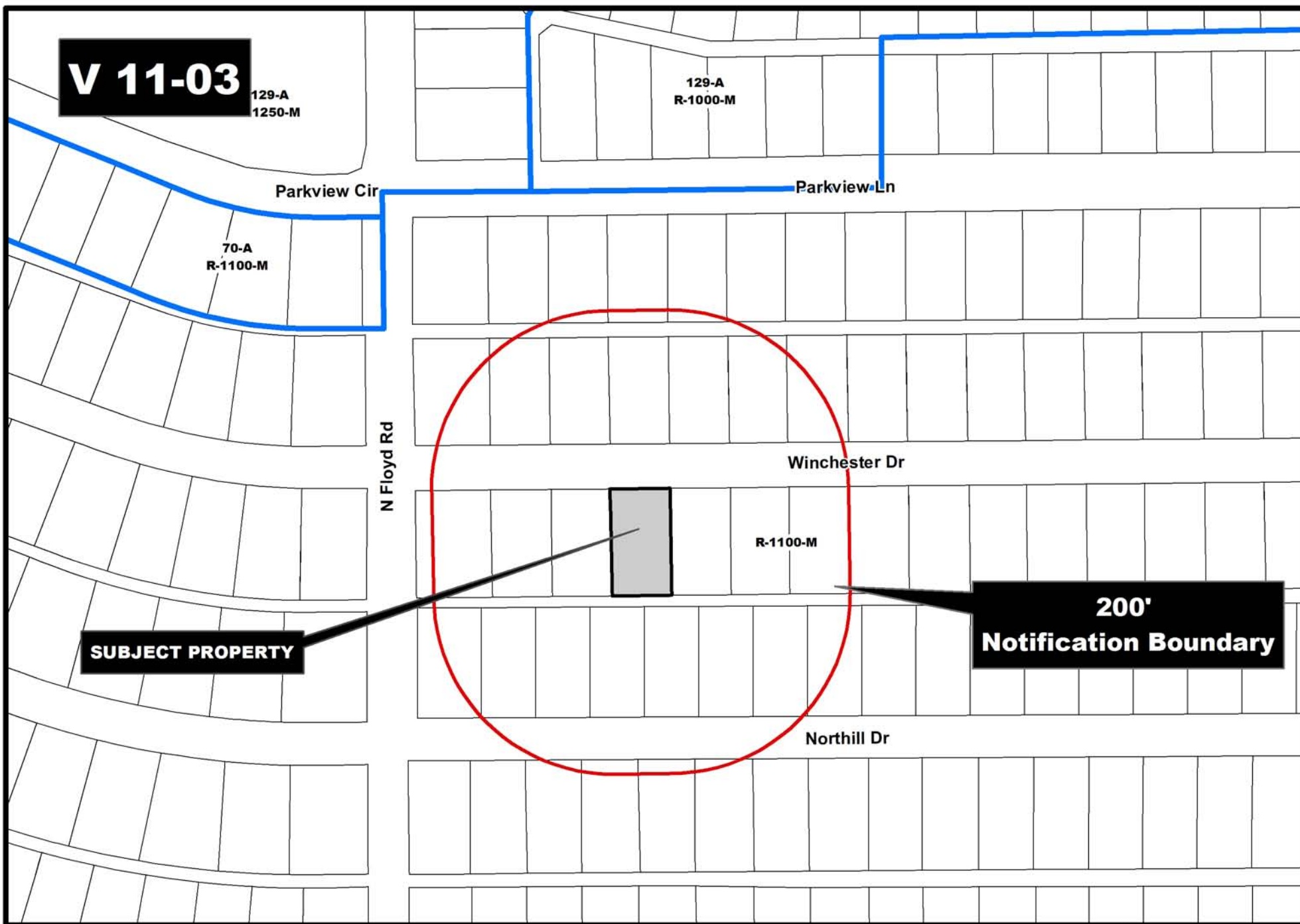
Process for Public Input: A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the Zoning Board of Adjustment. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions 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/DevelopmentServices.aspx?id=13687>

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Variance number V 11-03.

Date Posted and Mailed: May 6, 2011



V 11-03 Notification Map
629 Winchester Drive

Updated By: shacklett, Update Date: April 4, 2011
File: DSI\mapping\Cases\ZV\2011\ZV 1103\ZV 1103 notification.mxd



CONNALLY WILLA MARGARET
625 PARKVIEW LN
RICHARDSON, TX 75080-5118

FULBRIGHT JACOB & JANA
627 PARKVIEW LANE
RICHARDSON, TX 75080-5118

SIKES DOLORES M
629 PARKVIEW LN
RICHARDSON, TX 75080-5118

STALNAKER ROBERT EARL JR
631 PARKVIEW LN
RICHARDSON, TX 75080-5118

DEPUY JANET C
633 PARKVIEW LN
RICHARDSON, TX 75080-5118

KINSEY FRANCES
622 WINCHESTER DR
RICHARDSON, TX 75080-5125

ZAHNISER DOUGLAS L
624 WINCHESTER DR
RICHARDSON, TX 75080-5125

SRADER KATHERINE M
626 WINCHESTER DR
RICHARDSON, TX 75080-5125

RUTLEDGE HELLEN G
628 WINCHESTER DR
RICHARDSON, TX 75080-5125

RUTLEDGE HELEN
628 WINCHESTER DR
RICHARDSON, TX 75080-5125

STAVINOHA PETER L &
KIMBERLY F CROOK
632 WINCHESTER DR
RICHARDSON, TX 75080-5125

SMITH J DAVID & SUSAN J
634 WINCHESTER DR
RICHARDSON, TX 75080-5125

GILES JONATHAN & REBECCA
621 WINCHESTER DR
RICHARDSON, TX 75080-5126

WELCH CARY &
BEATRIZ SOARES
623 WINCHESTER DR
RICHARDSON, TX 75080-5126

PRASAD PUSHPA K
625 WINCHESTER DR
RICHARDSON, TX 75080-5126

COLDIRON HENRY B &
MARYELLEN
627 WINCHESTER DR
RICHARDSON, TX 75080-5126

MUTH KARL HEINZ
629 WINCHESTER DR
RICHARDSON, TX 75080-5126

GOLDEN BRIAN K & KELLISON S
631 WINCHESTER DR
RICHARDSON, TX 75080-5126

RYLANDER FAMILY LIV TRUST
633 WINCHESTER DR
RICHARDSON, TX 75080-5126

DUBOSE AMBER C
635 WINCHESTER DR
RICHARDSON, TX 75080-5126

ZACHARIAS PEDRO &
BALTAZAR GYPSY
624 NORTHILL DR
RICHARDSON, TX 75080-5112

YOUNG TERI DENISE
626 NORTHILL DR
RICHARDSON, TX 75080-5112

WOODS HOLLY R
628 NORTHILL DR
RICHARDSON, TX 75080-5112

OLIVIERI MATTHEW & MEGHAN
630 NORTHILL DR
RICHARDSON, TX 75080-5112

FOWLER JOHN W
FOWLER MELANIE CHI
632 NORTHILL DR
RICHARDSON, TX 75080-5112

CLARK KARLA
634 NORTHILL DR
RICHARDSON, TX 75080-5112

BARRAGY SUSAN
636 NORTHILL DR
RICHARDSON, TX 75080-5112

MOON GEORGE E
638 NORTHILL DR
RICHARDSON, TX 75080-5112

SIMPSON SUSAN L
629 NORTHILL DR
RICHARDSON, TX 75080-5113

CHANDLER COREY &
ALISON PARDY
631 NORTHILL DR
RICHARDSON, TX 75080-5113

SOLOMON SHOSHANNA
633 NORTHILL DR
RICHARDSON, TX 75080-5113

Barbara Berthold
800 W. Renner Road, #1026
Richardson, TX 75080

PINGELTON WESLEY R &
BIRDSONG SHELLEY K
635 NORTHILL DR
RICHARDSON, TX 75080-5113

Tom Rohm
Rohm's Homes, Inc.
2503 Springwood Lane
Richardson, TX 75082

V 11-03 Notification List



Staff Report

ZBA Meeting Date: April 20, 2011

TO: Zoning Board of Adjustment

FROM: Chris Shacklett, Planner CS

DATE: May 9, 2011

RE: V 11-03

APPLICANT: Tom Rohm / Rohm's Homes Inc.

LOCATION: 629 Winchester Drive

REQUESTED VARIANCE:

Approval of a 12-foot variance to the required 24-foot length of pavement perpendicular to the entry opening of a garage (Article VII, Sec. 4)

EXISTING ZONING:

R-1100-M Residential

EXISTING LAND USE:

Residential

SURROUNDING LAND USE:

Residential

STAFF COMMENTS:

The applicant recently purchased the property and is proposing to convert an existing portion of the home from living area to an enclosed garage (See attached site plan). The existing living area used to be a garage prior to 1999 when it was converted to living area. Previously the property provided a driveway off of Winchester that ran south along the west property line and turned east into garage which had an entry on the west side of

the structure. In 1999, the pool was permitted and constructed; however, it does not appear that a permit was issued for the garage conversion. In 1999, the R-1100-M parking regulations only required two (2) parking spaces to be provided, but they did not have to be located in an enclosed structure. It does not appear that two (2) off-street parking spaces were provided after the pool construction. In 2004, the Comprehensive Zoning Ordinance was revised to require two (2) off-street parking spaces, accessible from a driveway constructed of an approved parking surface, be provided in an enclosed structure behind the front building line.

The owner desires to convert the previously converted living area back to a garage with the entry being located on the east side of the structure. Access to the structure would be provided from the alley. According to the applicant, the proposed driveway location is the only location where the driveway can be placed that does not affect a large, existing tree along the south property line and does not pave over the remainder of the rear yard area to the east of the pool. Staff worked with the applicant to determine if the garage could be accessed from the south side which would provide adequate maneuverability but the applicant and owner felt this option would not be desirable due to the possible effect on the existing tree as well as it would require paving over much of their rear yard.

The applicant has stated the owners want to provide enclosed parking that would be in conformance with the City's current off-street parking regulations. Although they will be conforming to the two (2) enclosed parking spaces required by Ordinance, a variance will be required for reduced maneuverability to the entry opening of the proposed garage. It appears that the reduced maneuverability would make it difficult to park two (2) vehicles within the structure.

TECHNICAL RECOMMENDATION:

Based on the information presented and applicable codes and ordinances, it is staff's opinion that the property hardship has been self-imposed.

V 11-03

Parkview Cir

Parkview Ln

N Floyd Rd

Winchester Dr

SUBJECT PROPERTY

Northhill Dr

V 11-03 Aerial Map
629 Winchester Drive

Updated By: shacklett, Update Date: April 4, 2011
File: DSI\mapping\Cases\ZV\2011\ZV 1103\ZV 1103 ortho.mxd





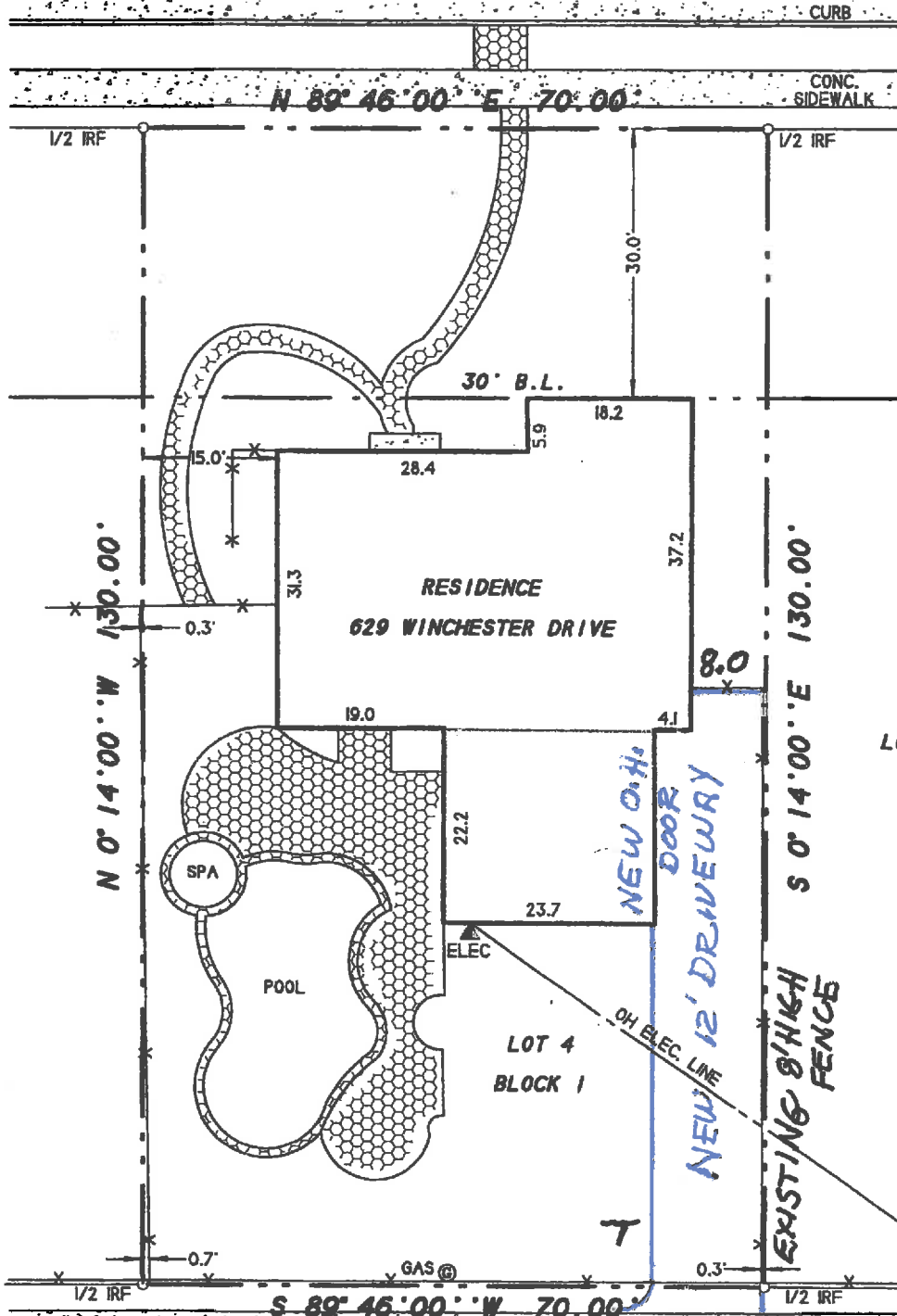
Winchester Drive

**Proposed
Driveway**

**Oblique Aerial
Looking North**

PLAT OF SURVEY

629 WINCHESTER DRIVE
60' R.O.W. PER PLAT



LOT 3

LOT 5

T LARGE 40' CANOPY TREE

SCALE 1/2" = 10'



(1)

Front of House
Looking Southeast

629 Winchester Drive - May 2011



(2)

Looking East at
Past Garage Entrance



(3)

Looking North along
Proposed Driveway

629 Winchester Drive - May 2011



(4)

Looking Northwest from
Proposed Driveway Entrance



(5)

Looking South from
Proposed Driveway

629 Winchester Drive - May 2011



(6)

Proposed Garage
Looking West to Pool

V 11-03

Print Form

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

<i>Tom Rohm</i>	Signature	<i>Barbara Berthold</i>
<i>TOM ROHM, PRES.</i>	Printed Name	<i>BARBARA BERTHOLD</i>
<i>ROHM'S HOMES, INC.</i>	Company Name	<i>KARLMUTH</i>
<i>2503 SPRINGWOOD LN.</i>	Mailing Address	<i>800 W. RENNER # 1026</i>
<i>RICHARDSON, TX. 75082</i>	City, State, ZIP	<i>RICHARDSON, TX. 75080</i>
<i>972-768-0444</i>	Telephone Number	<i>972-234-6628</i>
<i>972-234-0658</i>	Fax Number	<i>972-234-0658</i>
<i>TOM.ROHM@TX.PR.COM</i>	E-Mail Address	<i>BBERTHOLD@UNI-BREMEN.DE</i>

Subject Site Information

Address of Subject Property: *629 WINCHESTER*

Legal Description: *LOT 4, BLOCK 1, PARKVIEW ESTATES NO. 1*

Existing Zoning and Ordinance: *R-1100-M*

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

REQ. VAR: 12-FOOT VAR. TO THE 24-FOOT LENGTH
REQUIRED FOR MANEUVERING PERPENDICULAR
TO THE ENTRY OPENING OF A GARAGE

RECEIVED
APR 25 2011

DEVELOPMENT SERVICES

Board of Adjustment Variance Checklist City of Richardson, Texas

Does a hardship exist? If so, explain below.

Yes No

New owners can not access the garage and the property has no off-street parking. The only possible location is a rear entry driveway.

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

Yes No

There is not room to provide a 24' wide driveway to the existing 24' x 22' covered garage space.

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

A large backyard tree and the existing 12' setback between the existing property line/fence and the garage wall/new garage door location.

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

Yes No

This request is for a reduced width driveway 12' wide (and reduced maneuverability.) The new owners both have mid-size cars which increases their maneuverability.

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

This will provide off-street parking which does not currently exist. This will return the property to a conforming use/structure. It would provide two off-street parking spaces.

APPLICATION STATEMENT – 629 WINCHESTER, RICHARDSON, TX

In approximately 1999 the previous owners of the property received a permit to delete the front entry driveway and to construct a swimming pool in where the driveway had been in front of the garage door. The garage door was removed and the garage space was turned into an exercise room. No off-street parking was provided.

The new owners want to use the garage area as a garage. They realize this request will reduce the normal maneuverability, but it will greatly improve their enjoyment of their first home.