

ZONING BOARD OF ADJUSTMENT

AGENDA PACKET

SEPTEMBER 21, 2011

AGENDA
CITY OF RICHARDSON – ZONING BOARD OF ADJUSTMENT
SEPTEMBER 21, 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 JULY 20, 2011.**

- 2. PUBLIC HEARING ON ZBA FILE V 11-07:** A request by Dallas Cothrum for the following variance to the City of Richardson Comprehensive Zoning Ordinance:
 - 1) Article XVII-A, Sec. 5, for a 20-foot variance to the required 20-foot rear setback for a carport structure along the rear property line at 2083 N. Collins Boulevard.

- 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, September 9, 2011.

Cynthia G. Wilson, Administrative Secretary

Agenda

Item 1

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF RICHARDSON, TEXAS
JULY 20, 2011**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, June 20, 2011 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:

Michael Spicer, Dir., Development Services
Chris Shacklett, Planner
Jennifer Patrick, Plans Examiner, BI
Cindy Wilson, Secretary

Randy Roland, Chairman, introduced Michael Spicer, Director of Development Services; Chris Shacklett, Planner; Jennifer Patrick, Plans Examiner, Building Inspection 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 that all 5 voting members are present. Roland noted that 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 May 18, 2011 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 11-04:** A request by HJ Loveridge for the following variances to the City of Richardson Comprehensive Zoning Ordinance: 1) Appendix A, Article IV, Sec. 4, for a 5.5-foot variance to the required 7-foot side setback outside of the required rear 25-foot rear setback for a detached garage to include roof overhang; 2) Appendix A, Article IV, Sec. 4, for a 1.5-foot variance to the required 3-foot side setback in the required 25-foot rear setback for a detached garage to include roof overhang at 802 Clearwater Drive, Richardson, Texas.

Shacklett stated the applicant is requesting two (2) variances for a detached garage to replace the existing carport. Shacklett continued that the proposed garage would be in the same location as the carport, but would be slightly larger. Shacklett explained that both the existing carport and proposed garage provide area for two (2) parking spaces with a storage area located behind the parking spaces. Shacklett addressed the City's regulations that require a 7-foot side setback; however, when an accessory structure, such as a detached garage, is located in the required 25-foot rear setback, the side setback is reduced to three (3) feet. Shacklett added the variance would be limited to the area shown on the attached site plan. Shacklett clarified the point that approximately ten (10) feet of the 32-foot deep garage would be located outside of the required rear setback where a 7-foot side setback is required and the remainder of the garage, located within the required 25-foot rear setback, meets the 3-foot setback when measured to the building wall. However, the 18-inch overhang would encroach into the 3-foot side setback.

Shacklett explained that the applicant has stated his hardship is the location of an old, 33-inch Southern Red Oak, which is approximately nine (9) feet west of the proposed garage. Shacklett pointed out that the applicant met with a certified arborist, who stated moving the garage any closer to the tree would likely kill the tree. Staff and the applicant discussed the possibility of constructing a garage that was not twenty-four (24) feet in width; however, it appears that the variance to the 7-foot side setback would still be required if the width was decreased.

Shacklett delivered the staff technical recommendation in case V 11-04 by stating that based on the information presented and applicable codes and ordinances, it is staff's opinion that a property hardship does not exist.

HJ Loveridge, Arthur Norman Company, Inc., 909 Hillside Drive, Richardson, Texas representing David and Kerry Poer came forward to present the case stating that this request is an attempt to be more in line with the City requirement for enclosed parking. Loveridge added that the majority of the property owners were contacted and had no objections. Loveridge provided a copy of the statement reviewed and signed by the neighbors.

Menke asked Loveridge if the fence went behind the garage.

Loveridge stated that the fence will be all brick and will butt up to either side of the garage.

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

Pratt made a motion to approve V 11-04, limited to those specifics the applicant presented in the case. The motion was seconded by Walker and passed with a unanimous vote.

3. **PUBLIC HEARING ON ZBA FILE V 11-05:** A request by J. Kevin Rogers for the following variances to the City of Richardson Code of Ordinances: 1) Appendix A, Article VI, Sec. 4, for a 23-foot variance to the required 25-foot rear setback for an attached garage to include roof overhang, and 2) Appendix A, Article VI, Sec. 4, for a 9-foot variance to the required 24-foot length of pavement perpendicular to the entry opening of a garage at 434 Ridge Crest Drive, Richardson, Texas.

Shacklett stated that the applicant is requesting two (2) variances for an attached garage to replace the existing carport. Shacklett explained the proposed garage would be in the same location as the carport. Shacklett stated that the existing carport was constructed when the previous attached garage was converted to an extra living space. Shacklett pointed out that City regulations require a 25-foot rear setback for the principal building. Shacklett stated that since the garage is attached, it is subject to the setback as well; however, the carport was only subject to an 18-inch rear setback. Shacklett continued the variance would be limited to the area shown on the site plan provided by the applicant.

Shacklett added the applicant is also proposing a variance to the 24-foot depth of pavement required for maneuverability perpendicular to the entry opening of a garage. Shacklett explained there would be approximately fifteen (15) feet of depth for maneuverability for the proposed garage. Shacklett clarified the same fifteen (15) feet of depth is currently provided for maneuverability depth into the carport.

Shacklett explained the applicant has stated his hardship comes from the fact that there is no enclosed garage space on the property, and the former garage that was converted to living space was done so in a manner that would make a conversion back to a garage difficult due to the grade difference and retaining walls. Shacklett added the applicant has also stated the desire for the garage is to provide a secure, protected area to park vehicles as well as conform to the City of Richardson requirement for an enclosed garage structure.

Shacklett stated there was one letter in opposition to the request from the property owner at 2202 Canyon Creek Plaza, Richardson, Texas.

Shacklett delivered the staff technical recommendation in case V 11-05 by stating that based on the information presented and applicable codes and ordinances, it is staff's opinion that a property hardship does not exist.

J. Kevin Rogers, 434 Ridge Crest Drive, Richardson, Texas came forward to present his case. Rogers stated that the middle row of support beams is already a challenge when turning out of the carport. Rogers stated the carport is ugly, offers no protection from the weather and he wants to make this improvement with a single garage door.

Roland discussed the hardship of wanting to redo the carport even though a gate across the drive might add security, but no weather protection. Roland continued that he sees that the past garage cannot be recovered and the applicant wants to take care of the unsightly carport.

Menke questions the applicant about any storage that might fill the garage, leaving no enclosed parking. Menke explained the ruling the Board makes tonight with go on and on with the property.

Rogers stated that although they are a family of six (6) and do plan to store some things, they have no plans to block any of their parking.

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

Roland stated that he approves of addressing the unsightly carport. Roland added that the drive way barely fits.

Kidd stated he agreed with Roland's remarks.

Linn stated that he sees this situation goes back to 1980 when the garage was enclosed.

Pratt made a motion to approve V 11-05, limited to those specifics the applicant presented in the case. The motion was seconded by Walker and passed with a 4 - 1 vote with Kidd in opposition.

4. **PUBLIC HEARING ON ZBA FILE V 11-06:** A request by Larry Sumrow for the following variance to the City of Richardson Code of Ordinances: 1) Article XII-B, Sec. 4, for a 15.5-foot variance to the required 20-foot rear setback for an attached patio cover to include roof overhang at 601 Laketrail Drive.

Shacklett stated the applicant is requesting a variance for an attached patio cover to be placed on the rear of the existing home. Shacklett continued that the proposed cover would be constructed adjacent to the existing rear door and window, located under a gable roof projection which faces west. Shacklett explained the City's regulations require a 20-foot rear setback in the RP-1500-M Patio Home zoning district for the principal building. Shacklett added that since the patio cover is attached, it is subject to the setback as well. Shacklett clarified

that the proposed supports for the patio cover would encroach 13.5 feet into the rear setback. Shacklett stated an additional two (2) feet is requested to accommodate the roof overhang of the proposed patio cover. Shacklett pointed out the variance would be limited to the area shown on the presented site plan.

Shacklett acknowledged the applicant has stated their hardship is the prevailing winds from the south and west, which creates driving rains against the rear of the home. Shacklett continued that the applicant states that since the lot backs up to the dead end of Park Bend Drive, a “jet stream” is created that intensifies the wind and rain causing water to leak in, around, and through the doors and windows; creating damage to both. Shacklett explained that the owner desires to counteract this issue by constructing an attached patio cover.

Shacklett stated in discussions with the applicant, staff suggested the patio cover be detached from the principal building which would not require a 20-foot rear setback, but rather a 3-foot rear setback. Shacklett clarified this would require the use of four (4) posts rather than two (2) posts to support the structure. Shacklett explained the applicant desires to attach the cover so the existing columns on either side of the door could be used as supports to increase structural integrity and to make the cover more aesthetically pleasing. Shacklett noted the applicant also states that whether the cover is attached or detached will not be noticeable from Park Bend Drive.

Shacklett delivered the staff technical recommendation in case V 11-06 by stating that based on the information presented and applicable codes and ordinances, it is staff’s opinion that a property hardship does not exist.

Menke asked Shacklett if there was any correspondence in this case.

Shacklett indicated there was no correspondence in this case.

Kidd asked if the easement takes away part of the buildable area.

Shacklett stated there is a 20-foot easement to the Town of Buckingham for a sewer line that was built and never used. Shacklett explained that nothing can be built there.

Larry Sumrow, Southern Ventures Properties, 9535 Forest Lane, Suite 228, Dallas, Texas 75243, representing Joyce McReynolds, 601 Laketrail Drive, Richardson, Texas 75081 came forward to present the case. Sumrow began by stating that he lives on Lake Ridge Drive and is next door neighbor to McReynolds. Sumrow explained that McReynolds hired a contractor to add the existing patio cover that opens out to cover the area; but when there is a high west wind and that happens often, the cover automatically draws itself in as a protective mechanism. Sumrow continued that the rear of both their homes faces

west and the prevailing winds are from the west. Sumrow added that water, snow, and ice come in and damage the door jambs and floors. Sumrow continued that since the lot backs up to the dead end of Park Bend Drive, a “jet stream” is created that intensifies the wind and rain causing infiltration of water through the doors and windows and damage to the floors and door.

Roland asked if this solution presented will remedy the rain and wind problem.

Sumrow explained that this attached patio cover will be made of the same material as the home and it will remedy the situation.

Walker invited those still in attendance, especially those with small children, to leave if they liked since their cases were over and they were not required to stay.

Joyce C. McReynolds, 601 Laketrail Drive, Richardson, Texas 75081 came forward to speak in favor of the case. McReynolds stated this has been a six (6) year problem and her French doors are warped as a result. McReynolds added that the current awning does not go far enough out for any protection and then when the wind and rain are high the awning closes up to protect itself. McReynolds also stated that she wants an attached cover that matches the home and protects her property.

Patricia James, 605 Laketrail Drive, Richardson, Texas 75081 came forward to speak in favor of the case. James stated that she lives south of the subject property and McReynolds maintains a very fine home and is a pleasure to live next to.

Pratt thanked James for taking the time to come to the meeting and speak.

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

Walker made a motion to approve V 11-06, limited to those specifics the applicant presented in the case. The motion was seconded by Menke and passed unanimously.

Roland called for a short recess at 7:34p.m. with the meeting resuming at 7:38p.m.

PUBLIC HEARING ON ZBA FILE SE 11-02: A request by Brooke Fossey, for the following special exception to the City of Richardson Code of Ordinances: 1) Chapter 6, Article IV, Sec. 6-209(4), to allow a 6-foot fence with 0% see through vision to be located in the required corner clip measuring 15 feet along the rear property line by 25 feet along the side property line for a fence at 2306 E. Prairie Creek Drive, Richardson, Texas

Shacklett described that the applicant is requesting a special exception to the City of Richardson fence regulations to allow a fence to be located in the required 15'x25' corner clip. Shacklett explained the corner clip is required when the rear lot line is adjacent to the side lot line of an adjoining lot. Shacklett continued that the fence is proposed in this location because the applicant desires to construct a sliding gate to secure their driveway area and rear yard area. Shacklett indicated that since the adjacent lot fronts on Creekwood Circle and has a 35-foot front setback, a fence is not allowed to be built on their property line between the front property line and the front building wall (approximately 35 feet back of the property line). Shacklett stated the City's regulations require the clip to create a less obstructed view for the property that has the side lot line adjacent to the subject property. Shacklett added the special exception would be limited to the area shown on the provided site plan.

Shacklett pointed out that the applicant has stated they need the fence and gate to provide security for their side and rear yard areas. Shacklett explained the need became greater when the applicant discovered their vehicle would not fit inside the garage because the garage door opening was not tall enough. Shacklett reported the applicant states she explored the possibility of raising the opening but explains it is not structurally advisable due to the second floor located above the garage. Shacklett reported the applicant states they hired a contractor believing him to be reputable and familiar with the City of Richardson permitting process. Shacklett explained a majority of the project was complete when Building Inspection observed the construction and told the applicant to stop construction and acquire a building permit. Shacklett added the applicant was unaware the contractor had not acquired a building permit, stopped construction, and applied for a building permit. Shacklett stated that at that time, she was informed of the corner clip requirement and started the process to acquire a special exception.

Shacklett stated in discussions with the applicant, staff discussed the possibility of building the fence/gate outside of the clip area, but due to the grade of the driveway, it would not be possible. Shacklett added the driveway entrance at the property line is approximately four (4) feet higher than the bottom of the driveway. Shacklett continued that a fence is allowed in the corner clip, but it can be no taller than four (4) feet and must provide at least 50% see through vision.

Shacklett delivered the staff technical recommendation in case SE 11-02 by stating it is staff's opinion the applicant's request does not appear to be contrary to public safety. Shacklett added that a review made by the City Traffic and Transportation Department resulted in no issues.

Brooke Fossey, 2306 E. Prairie Creek Drive, Richardson, Texas 75080 came forward to present the case. Fossey stated they bought the home recently and found their cars do not fit inside because the opening is not tall enough.

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

Menke suggested that the gate could be moved. Menke continued that for aesthetics and safety it would be in the best interest to take the fence in at an angle.

Menke made a motion to approve SE 11-02, limited to those specifics the applicant presented in the case with the exception that the fence in question on the property line be built at an angle to terminate at the gate with Exhibit "A" to clarify the location. The motion was seconded by Pratt and passed unanimously.

There being no further business, the meeting was adjourned at 8:05 p.m.

William R. Roland, Chair

Agenda

Item 2

ZONING VARIANCE FILE 11-07

Attachments:

1. Notice of Public Hearing
2. Notification List
3. Staff Report
4. Aerial Map
5. Oblique Aerial
6. Site Plan
7. Subject Property and Adjacent Property Plat
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 11-07
Property Owner: Doug Cobb – Lion Rock LP
Applicant: Dallas Cothrum – Masterplan Consultants
Location: 2083 N Collins Blvd
Current Zoning: O-M Office
Request: A request by Dallas Cothrum for the following variance to the City of Richardson Comprehensive Zoning Ordinance:

1) Article XVII-A, Sec. 5, for a 20-foot variance to the required 20-foot rear setback for a carport structure along the rear property line.

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

WEDNESDAY, SEPTEMBER 21, 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.

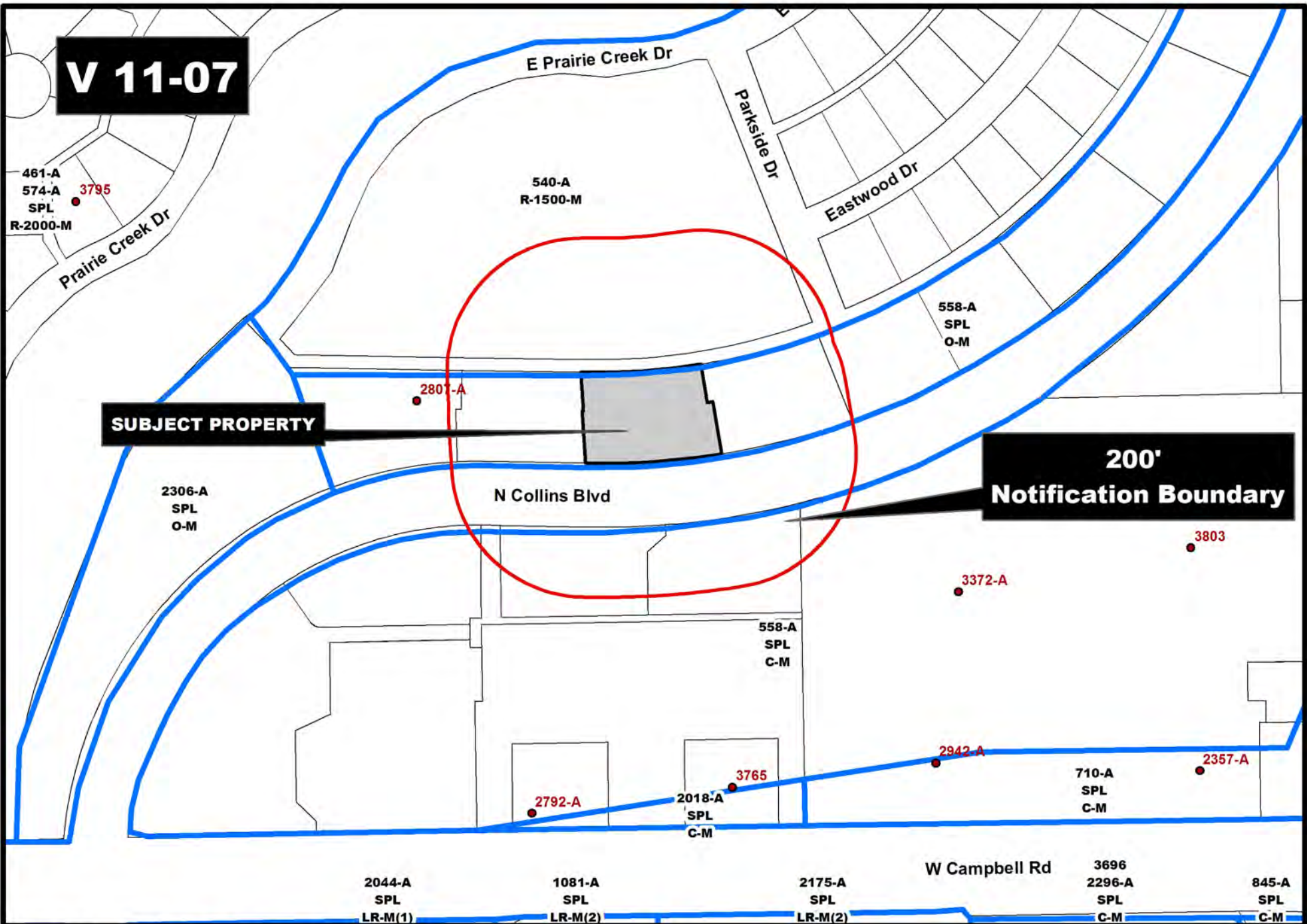
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 11-07.

Date Posted and Mailed: September 9, 2011

V 11-07



SUBJECT PROPERTY

**200'
Notification Boundary**

V 11-07 Notification Map
2083 N Collins Blvd

Updated By: shacklett, Update Date: September 1, 2011
File: DSI\Mapping\Cases\ZV\2011\ZV 1107\ZV 1107 notification.mxd



RICHARDSON I S D
400 S GREENVILLE AVE
RICHARDSON, TX 75081-4107

JMJ REAL EST HOLDINGS LLC
2020 G AVE STE 1002
PLANO, TX 75074-5566

RHODES PROPERTIES
613 EASY ST
GARLAND, TX 75042-6812

TENG JEN REN DANIEL
7038 MOSSVINE DR
DALLAS, TX 75254-7956

DOUGLAS COTHRUM, PhD
MASTERPLAN CONSULTANTS
900 JACKSON STREET, SUITE 640
DALLAS, TX 75202

DEBUSK MANUEL
207 E VIRGINIA ST STE 205
MCKINNEY, TX 75069-4374

LION ROCK LP
2083 N COLLINS BLVD STE 100
RICHARDSON, TX 75080-2660

CANYON CREEK DUNHILL LLC
3100 MONTICELLO AVE STE 300
DALLAS, TX 75205-3433

EVAN AZ ENTERPRISES LP
3933 SUNFLOWER LN
PLANO, TX 75025-2022

CHARLIE COLLINS LTD R
PPTY INC GEN PTN STE 200
2071 N COLLINS BLVD STE 200
RICHARDSON, TX 75080-2697

KIR RICHARDSON LP
3333 NHP RD STE 1 STE 100
NEW HYDE PARK, NY 11042-1225

PROPERTIES OF NORTH TEXAS
999 W FOREST GROVE RD
ALLEN, TX 75002-8449

DOUG COBB
LION ROCK LP
2083 N. COLLINS BLVD., SUITE 100
RICHARDSON, TX 75080

V 11-07
NOTIFICATION LIST



Staff Report

ZBA Meeting Date: September 21, 2011

TO: Zoning Board of Adjustment
FROM: Chris Shacklett, Planner CS
DATE: September 12, 2011
RE: V 11-07
APPLICANT: Dallas Cothrum, Masterplan Consultants
LOCATION: 2083 N Collins Blvd

REQUESTED VARIANCE:

20-foot variance to the required 20-foot rear setback for a carport structure along the rear property line (Article XVII-A, Sec. 5)

EXISTING ZONING:

O-M Office

EXISTING LAND USE:

Office

SURROUNDING LAND USE:

Retail/Commercial and Public/Institutional/School

STAFF COMMENTS:

The applicant is requesting a variance for a carport structure to be located along the rear property line. The property is zoned O-M Office which requires a 20-foot rear setback. A screening wall is located along the northern property line, and an alley is located on the other side of the wall. Prairie Creek Elementary School is located on the north side of the alley. An existing 10-foot wide T.P.L. easement is located along the north property line.

The proposed carports, which encroach into the T.P.L. and electric easement, cover eighteen (18) parking spaces along the north property line. The applicant desires to provide covered parking for employees.

The applicant has stated their hardship is that carports cannot be placed over existing parking spaces located along the east or west sides of the building due to the grade. According to the attached site plan, there is approximately five (5) feet of decrease in elevation from the south side of the building along Collins Blvd to the northern side of the building where the property flattens out (See attached photos). The applicant also states the carports could be placed along the northern side of the building, but by doing so, the natural light and visibility currently provided to that side of the building would be impacted. The applicant also states the location of the easements listed above prevents the ability to move the parking spaces out of the rear setback. However, there would not be an ability to move the spaces out of the setback due to the location of the driving aisle and parking spaces to the south of the easements. The attached plat displays the subject property in red with the existing easements on the subject and adjacent properties in yellow.

In discussions with the applicant, staff discussed the need for a physical property hardship for a variance to be granted. The applicant feels the grade changes and location of other parking spaces in relation to the building on the property create a hardship that prevents the carports from being located anywhere but along the rear property line. The applicant also feels the visual impact on the neighborhood will be lessened by placing the carports at the rear of the property where they will not be visible from Collins Blvd.

TECHNICAL RECOMMENDATION:

Based on the information presented and applicable codes and ordinances and since covered parking is not required, it is staff's opinion that a property hardship does not exist and is self-imposed.

V 11-07

SUBJECT PROPERTY

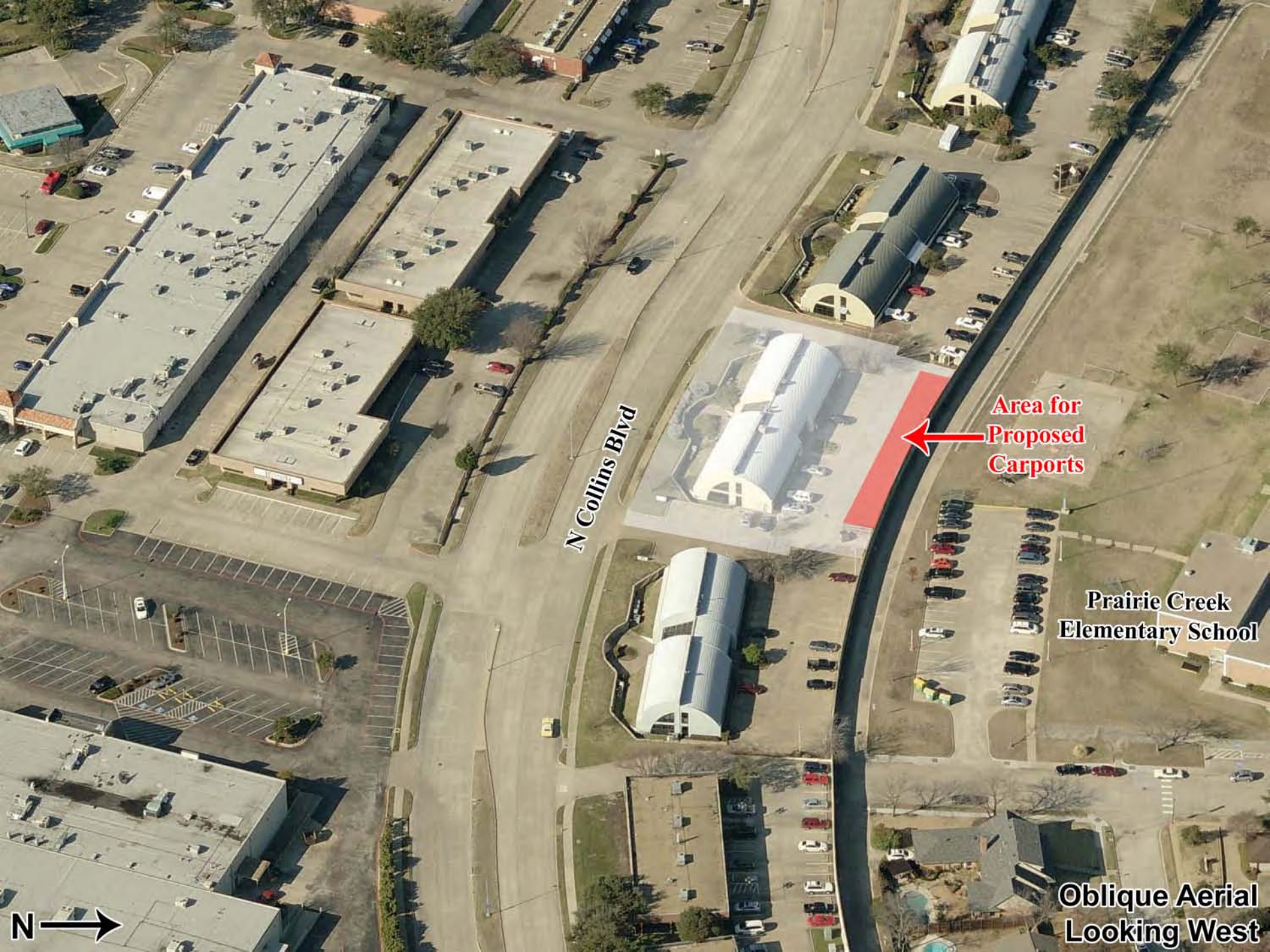
N Collins Blvd

W Campbell Rd

V 11-07 Aerial Map
2083 N Collins Blvd

Updated By: shacklett, Update Date: September 1, 2011
File: DSI\mapping\Cases\ZV\2011\ZV 1107\ZV 1107 ortho.mxd





N Collins Blvd

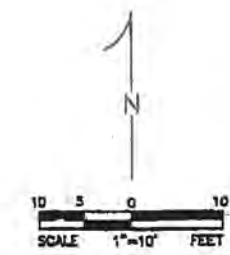
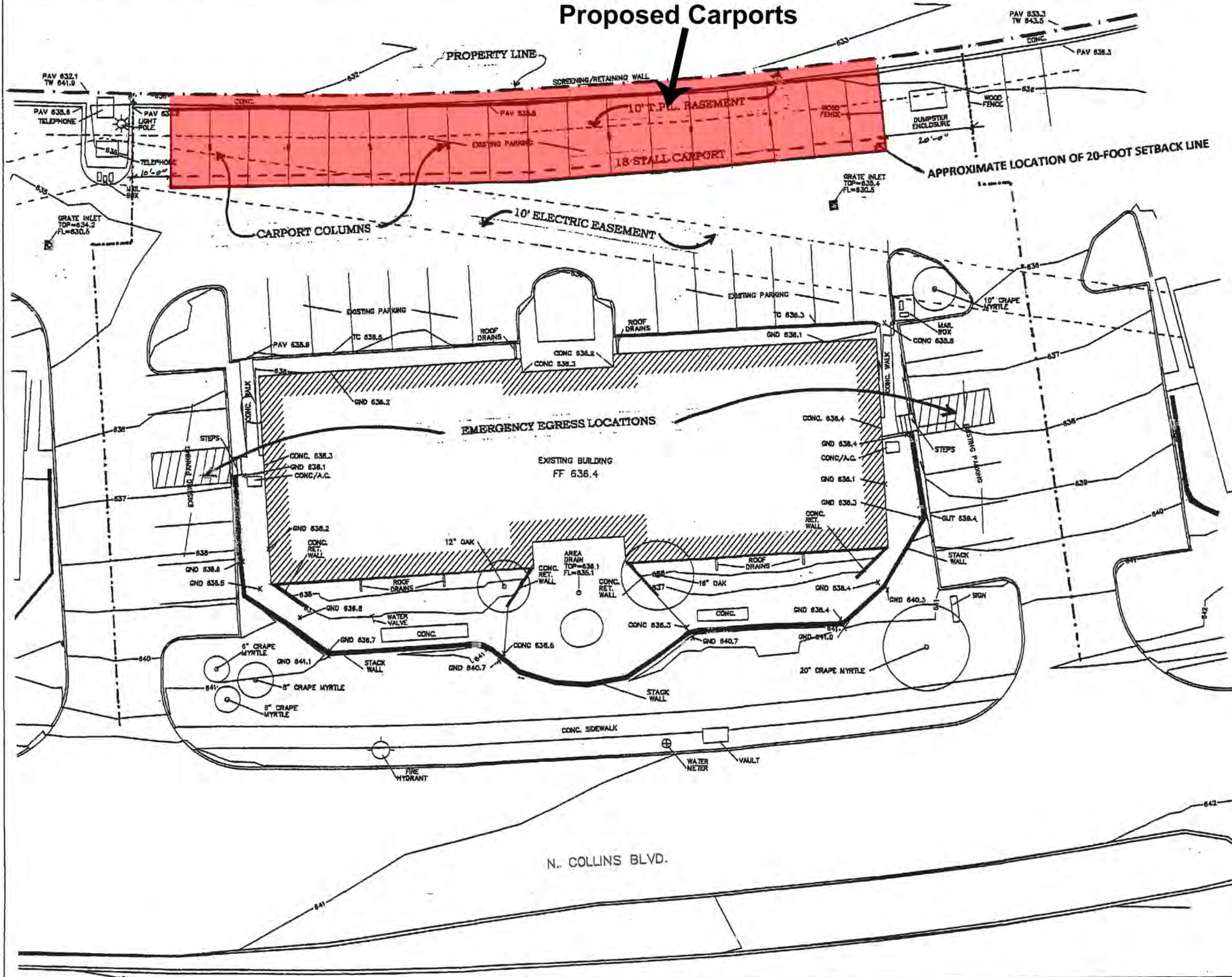
**Area for
Proposed
Carports**

**Prairie Creek
Elementary School**

**Oblique Aerial
Looking West**



Proposed Carports



LEGEND	
RET. WALL	RETAINING WALL
CONC	CONCRETE
PAV	TOP OF PAVEMENT
GUT	GUTTER
TW	TOP OF WALL
FL	FLOW LINE
GND	GROUND
FF	FINISHED FLOOR
— 638 —	1 FOOT CONTOUR INTERVAL
— 640 —	5 FOOT CONTOUR INTERVAL
— — —	WALL

BENCH MARK
 CITY OF RICHARDSON CONTROL MONUMENT #1-B
 ALUMINUM DISK IN SOUTH SIDEWALK OF THE COLLINS
 STREET OVERPASS IN LINE WITH THE CENTERLINE OF U.S. 75
 (N) 7039580.10
 (E) 2814048.82
 ELEV=680.14

REV.	BY	DATE	DESCRIPTION

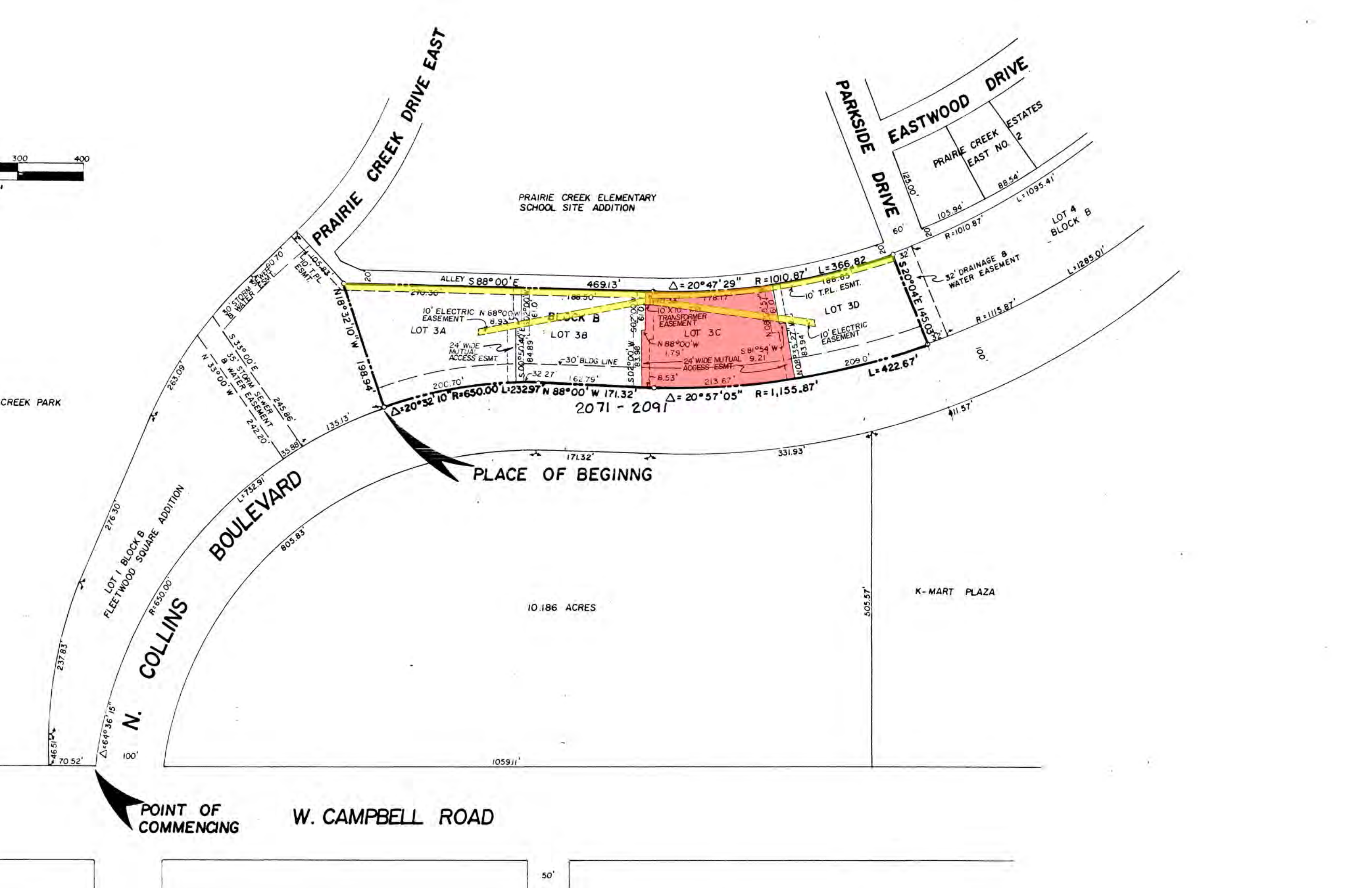
2083 N. COLLINS BLVD.
 CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

MACATEE ENGINEERING
 8440 N. CENTRAL EXPRESSWAY, SUITE 414
 DALLAS, TEXAS 75206
 TEL 214-373-1180 • FAX 214-373-6380
 E-MAIL: dayton@macatee-engineering.com

DESIGNED	DRAWN	DATE	DWG FILE	PROJECT #	SHEET NO.
FJP	FJP	07/13/11	000000.DWG	000000	1 OF 1



CREEK PARK



PRAIRIE CREEK ELEMENTARY SCHOOL SITE ADDITION

PRAIRIE CREEK EAST NO. 2 ESTATES

PLACE OF BEGINNING

BOULEVARD

N. COLLINS

W. CAMPBELL ROAD

10.186 ACRES

K-MART PLAZA

POINT OF COMMENCING

50'



(1)

Looking Northwest
at Proposed Carport Area

2083 N Collins Blvd - September 2011



(2)

Looking Southwest
at Rear of Building



(3)

Looking Northwest
at Front of Building

2083 N Collins Blvd - September 2011



(4)

Looking North along
East Property Line

For Department Use Only

Print Form

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

Dallas Cothrum, PhD

Printed Name

Doug Cobb

Masterplan Consultants

Company Name

Lion Rock LP

900 Jackson, Street, Suite 640

Mailing Address

2083 North Collins Boulevard, Suite 100

Dallas, TX 75202

City, State, ZIP

Richardson, TX 75080

214-761-9197

Telephone Number

972-404-8288 ext 108

214-748-7114

Fax Number

dallas@masterplanconsultants.com

E-Mail Address

dcobb@genesislivng.com

Subject Site Information

Address of Subject Property: 2083 North Collins Boulevard, Richardson, TX

Legal Description: Block B, Lot 3C, Fleetwood Square, City of Richardson, TX

Existing Zoning and Ordinance: O-M

Requested Variance: Waiver of the 20-foot zoning setback to allow covered parking in rear of property along masonry wall

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

See attached

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

Yes No

See attached

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

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

Yes No

See attached

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

Yes No

See attached

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

See attached

BOARD OF ADJUSTMENT VARIANCE CHECKLIST AND OWNERS STATEMENT

Does a hardship exist? If so, explain below.

Yes, the owner requests a waiver of the 20' rear zoning setback requirement. The site is impacted with several electrical easements as well as a transformer vault and a 30' front setback requirement in addition to the 20-foot rear zoning setback. There is a grade difference of approximately 10 feet on the east and west sides of the building from the street toward the rear of the property. Also, the emergency exits are located on the east and west sides of the building. There is, however, a 20-foot alley separating the residentially zoned school site from the applicant's site which will serve as a buffer between the two. Since the abutting site to the rear is a school instead of residential homes or apartment/townhouse homes and a 20-foot alley separates the two sites, the necessity of the setback requirement is minimized.

The owner desires to install covered parking over approximately 18 existing parking spaces at the rear of the property for its employees. By having shaded parking, less energy will be required at startup during the heat of the day thereby reducing its impact on the environment. To do this, the applicant will require the waiver of the 20-foot rear zoning setback due to the location and configuration of the electrical easements and transformer vault affecting the lot.

The site is located at 2083 North Collins Boulevard in Richardson, Texas in the Fleetwood Square area. It is improved with a two-story office building containing approximately 9,822 square feet set on approximately .6849 acres of land. There are approximately 6,600 square feet of foundation and 9,544 square feet of net lease area according to the Dallas Central Appraisal District. The site is currently zoned O-M (Office). The site is surrounded on the south, east and west by similar type office buildings constructed of brick masonry containing approximately 6,600 square feet of foundation area. To the north of the site (rear) is an elementary school. The front of the site is located approximately 30 feet from the street and is heavily landscaped. There are currently 47 available parking spaces on the site.

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

Yes, the electrical easements and transformer vault prevent the rear parking spaces from being moved forward to accommodate the rear 20' zoning setback requirement. The 10 foot grade differences on the sides of the property make it impractical to place covered parking. Additionally, placement of covered parking on the sides and immediate back of building will impact the natural light and visibility currently provided to the offices as well as the ADA parking and the emergency exits. The top of the carports will either be white or contain reflective material to help alleviate the full impact of the heat from the sun.

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

With the exception of one other lot, this situation is not common to the other properties in the area. The plat affecting the lots for this particular area contains one other lot which is similarly encumbered

with the 10' electrical easements but it is not encumbered with the transformer vault. Our lot is the only one that appears to also have the transformer vault encumbrance. Other lots have portions of the easement that cuts through the property and all of the lots have a 10' electrical easement in the rear.

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

No, the need is not created by the applicant but by the location of the easements crossing the lot and the transformer vault affecting the lot.

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

No, the hardship is caused by the location of the easements crossing the lot and the transformer vault affecting the lot as well as the setback requirements.

Will the 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.

No. There are commercial developments throughout Richardson which provide carports. There is the property currently located at 1651 North Collins Boulevard which appears to have carports located within the 20-foot setback and has the same O-M zoning as the subject site. The applicant has surveyed its site for the best location of the carports and the location that would have the least impact on the flow and character of the neighborhood. The rear of the site is adjacent to a 20-foot alley and at the rear of an elementary school property. This area has been determined the most desired and best location for the carports. The 20-foot alley would provide separation of the carports from the adjacent residentially zoned property on which the elementary school is currently located. It is anticipated that the carports would be barely visible over the masonry wall currently separating the site from the elementary school property. Placement of the carports at the far rear of the site will have the least impact on the neighborhood in that they would not be visible from the street and barely visible from the rear. Additionally, placement of the carports at the rear of the site would provide adequate parking for most of its employees and would not have any impact on the school site which backs up to the property. On the east and west side of the site, there is a noticeable grade change from the street. It would not provide adequate covered parking for all employees and would be impractical as well as visible from the street. Placement of the carports immediately adjacent to the rear of the building would impact the natural light currently provided to the offices as well as the ADA parking. It is the applicant's opinion that the best location for placement of the covered parking is at the rear of the property where it has the least impact, if any, on the neighborhood. Therefore, a waiver of the 20-foot rear zoning requirement is requested.