

**City of Richardson  
Zoning Board of Adjustment  
Agenda Packet  
March 21, 2018**

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

**AGENDA**  
**CITY OF RICHARDSON – ZONING BOARD OF ADJUSTMENT**  
**WEDNESDAY, MARCH 21, 2018**  
**6:30 P.M.**  
**CIVIC CENTER/COUNCIL CHAMBERS**  
**411 W. ARAPAHO ROAD**

---

---

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

**A. Discussion of Regular Agenda Items**

---

1. **APPROVAL OF MINUTES OF REGULAR MEETING OF JANUARY 17, 2018.**
2. **PUBLIC HEARING ON ZBA FILE V 18-01**, a request by Linda Karnavas, for approval of the following variance to the City of Richardson Code of Ordinances:
  - 1) Chapter 6, Article VII, Sec. 4-(f)(1)(A), to allow a metal stairway with deck and railings to be located in the minimum seven (7) foot side yard setback. The proposed stairway and balcony is located 3’-8” from the property line at 111 S. Gentle Drive.

The property is located at 111 S. Gentle Dr.

**3. ADJOURN**

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING TAYLOR LOUGH, ADA COORDINATOR, VIA PHONE AT 972 744-4208, VIA EMAIL AT ADACOORDINATOR@COR.GOV, OR BY APPOINTMENT AT 411 W. ARAPAHO ROAD, RICHARDSON, TEXAS 75080.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

I HEREBY CERTIFY THAT THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT CITY HALL ON OR BEFORE 5:30 P.M., FRIDAY, MARCH 9, 2018

\_\_\_\_\_  
TIFFANY HERRON, ADMINISTRATIVE SECRETARY

# Agenda

## Item 1

**Approval of the minutes of the January 17, 2018  
Zoning Board of Adjustment Meeting**

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
CITY OF RICHARDSON, TEXAS  
JANUARY 17, 2018**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, January 17, 2018, in the Council Chambers, at the City Hall, 411 West Arapaho Road, Richardson, Texas.

**MEMBERS PRESENT:** James L. Menke, Chairman  
John Veatch, Vice Chair  
Shamsul Arefin, Member  
Jordan Everhart, Member  
Marsha Mayo, Alternate

**MEMBERS ABSENT:** Brian Shuey, Member  
Jason Lemons, Alternate

**CITY STAFF PRESENT:** Sam Chavez, Assistant Director of Development Services  
Connie Ellwood, Administrative Secretary  
Tiffany Herron, Administrative Clerk

**BRIEFING SESSION**

Prior to the start of the regular business meeting, members of the Zoning Board of Adjustment met with staff to receive a briefing on agenda items. No action was taken.

**REGULAR BUSINESS MEETING**

Opening comments: Vice Chair Veatch introduced City staff and explained the staff serves in an advisory capacity and does not influence any decisions the Board might make. Mr. Shuey summarized the function, rules, and appeal procedures of the Zoning Board of Adjustment.

**1. APPROVAL OF MINUTES FROM NOVEMBER 15, 2017.**

**Motion:** Mr. Arefin made a motion to approve the minutes as presented; second by Vice Chair Veatch. Motion approved 5-0.

**2. PUBLIC HEARING ON ZBA FILE SE 18-01:** A request by Rob Cook, Chaparral Home Builders LLC, for approval of the following special exception to the City of Richardson Comprehensive Zoning Ordinance:

- 1) Chapter 6, Article IV, Sec. 6-209(3), to allow a 4-foot high wrought iron fence and gate in lieu of the maximum height of 3-feet allowed for a fence located between the front property line and the front wall of a residential structure.

Site location: 5121 Cantera Lane.

Mr. Chavez presented regarding Special Exception 18-01 a property located at 5121 Cantera Lane, a request to allow a 4-foot high wrought iron fence and gate to be located between the front property line and the front wall of a residential structure along Cantera Court. He explained the bulk of the flag-shaped lot was located behind a common area lot surrounded by a 4-foot high wrought iron fence that is maintained by the Home Owners Association (HOA).

Mr. Chavez concluded his presentation stating it was staff's opinion that a unique situation did exist due to the flag-shape of the lot and attractive, public common area of the property.

Chairman Menke asked for clarification on a portion of existing fence and did it belong to the property owner or HOA.

Mr. Chavez responded the portion in question belonged to of the HOA.

Mr. Arefin asked if there are any agreements or easements regarding maintenance due to the current fence being built by the HOA.

Mr. Chavez stated there were no agreements or easements in place. He added it was his opinion that the reasonable placement of the fence happened to encroach over the property line.

Mr. Everhart requested confirmation that the 4-foot fence would be consistent with the existing Home Owner's Association fence.

Mr. Chavez responded the applicant could confirm that information.

With no further questions for staff, Chairman Menke opened the public hearing.

Mr. Rob Cook, Chaparral Home Builders, 212 Autrey Boulevard, Gunter, Texas. He clarified the property line was located in the water, with a tapered 6-foot ledge that was permitted and approved by the HOA. He also confirmed consistent fence material would be utilized.

With no further questions from staff, Chairman Menke asked if there were not any other comments in favor. With none, he called for comments in opposition.

Ms. Sherry Miller, 3809 Cantera Lane, Richardson, Texas. Stated she presented simply to gather information and was a member of HOA Board and the Architectural Control Committee (ACC). She stated the HOA covenant had more regulations and an ACC form would be required for approval.

Chairman Menke commented that it was his understanding the HOA required applicants to meet the City's minimum standards. He asked the speaker if she foresaw issues with the HOA allowing the applicant to have a gate across the driveway.

Ms. Miller replied that a gate located at the end of the driveway had not been approved in the past and she would have to research footage of what would be allowed.

No other comments in favor or opposed were received and Chairman Menke closed the public hearing.

Mr. Arefin remarked that he believed it would be appropriate to support the request for the fence.

**Motion:** Vice Chair Veatch made motion to grant the request listed in Special Exception 18-01 as presented; second by Mr. Arefin. Motion Approved 5-0.

**Motion:** Chairman Menke called for an action to adjourn the regular business meeting. Ms. Mayo made motion to adjourn the regular business meeting; second by Mr. Veatch. Motion Approved 5-0.

There being no further business, the meeting was adjourned at 6:56 p.m.

---

James L. Menke, Chairman  
Zoning Board of Adjustment

# Agenda Item 2

**Zoning Variance 18-01:  
111 S. Gentle Drive**

## ZBA File V 18-01

### Attachments:

1. Staff Report
2. Aerial Map
3. Richardson Heights 5 Plat
4. Proposed Survey Plan
5. Proposed Project Renderings
6. Proposed Deck Section
7. Side yard and Neighbor Relationship
8. Photos from Street
9. Application
10. Applicant's Statement
11. Neighbor of Applicants Statement
12. Notice of Public Hearing
13. Notification List





## Staff Report

ZBA Meeting Date: March 21, 2018

**TO:** Zoning Board of Adjustment  
**FROM:** Daniel Harper, Planner  
**DATE:** March 9, 2018  
**RE:** V 18-01  
**APPLICANT:** Linda Karnavas  
**LOCATION:** 111 S. Gentle Drive

### REQUESTED VARIANCES:

- 1) Allow a metal stairway with deck and railings to encroach into the minimum seven (7) foot side yard setback. The proposed stairway and balcony is located 3'-8" from the property line. (Article VII, Sec. 4(F)(1)(A).

### EXISTING ZONING:

Residential District (R-1100-M Residential)

### EXISTING LAND USE:

Residential

### SURROUNDING LAND USES:

Residential

### STAFF COMMENTS:

The subject 1,348 square foot house was built in 1955 and is located in the Richardson Heights subdivision. The property includes a detached garage that is approximately 480 square feet and has a second story that is habitable space. The current method of entry to this second story is through an existing exterior stairway. However, the owner of the property can no longer physically ascend the existing stairway.

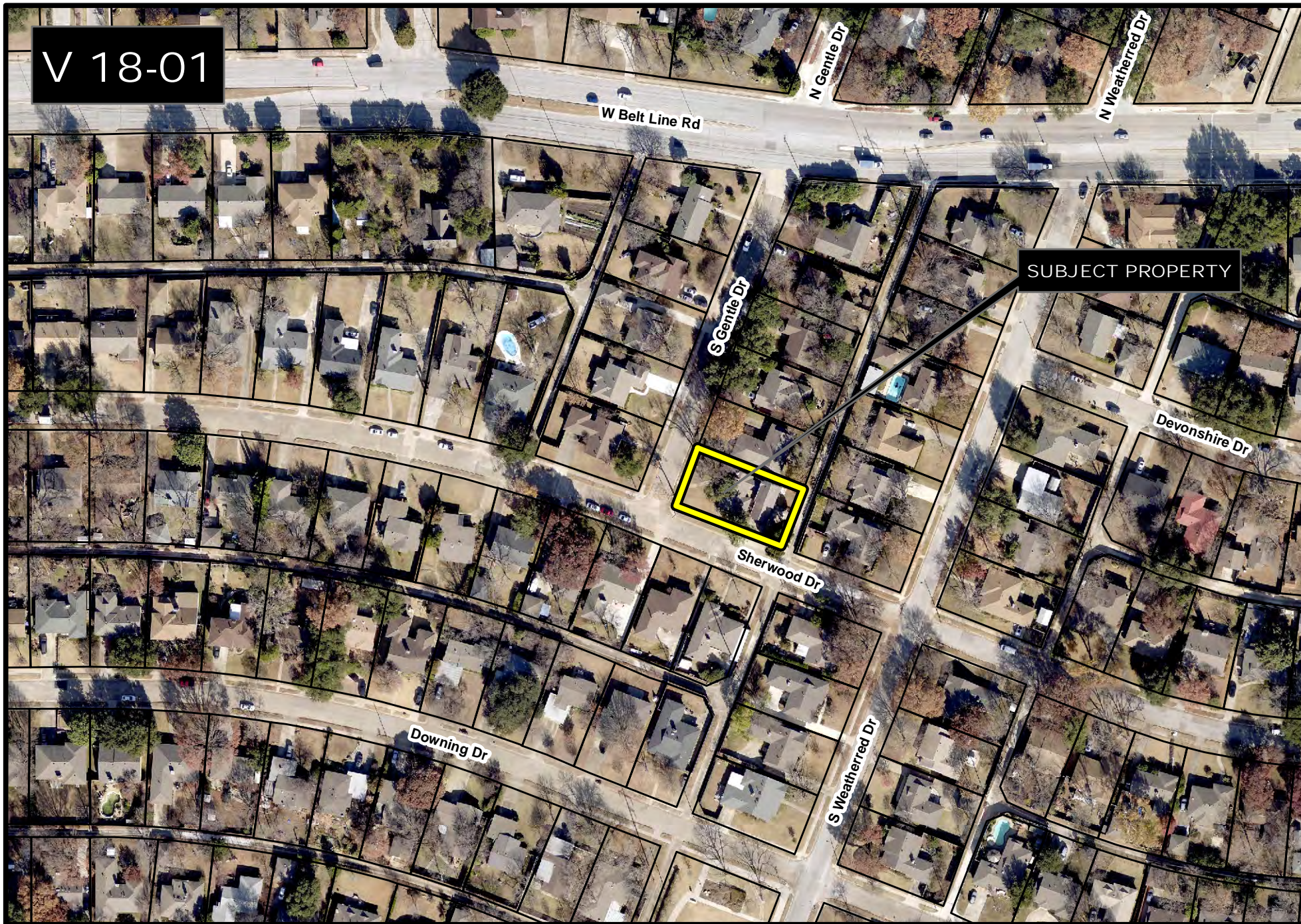
The home owner is applying for a variance to construct a new stairway located on the exterior of the detached garage that is built at a more gradual incline in order for the applicant to ascend the stairway more easily. As a result of the design proposed, the new stairway structure is located 3'-8" from the property line in lieu of the required seven (7) foot setback. The applicant has indicated that this is the only usable space on their lot that can accommodate the exterior stairway.

Side yard setback means the setback extending from the required front setback line to the required rear setback line and measuring the minimum required distance between the side lot line and the closest point allowed for any structure. The proposed structure would violate this requirement.

**TECHNICAL RECOMMENDATION:**

Variance Request: Based on the information provided by the applicant, and applicable codes and ordinances, it is staff's opinion that a physical property hardship does not exist.

V 18-01



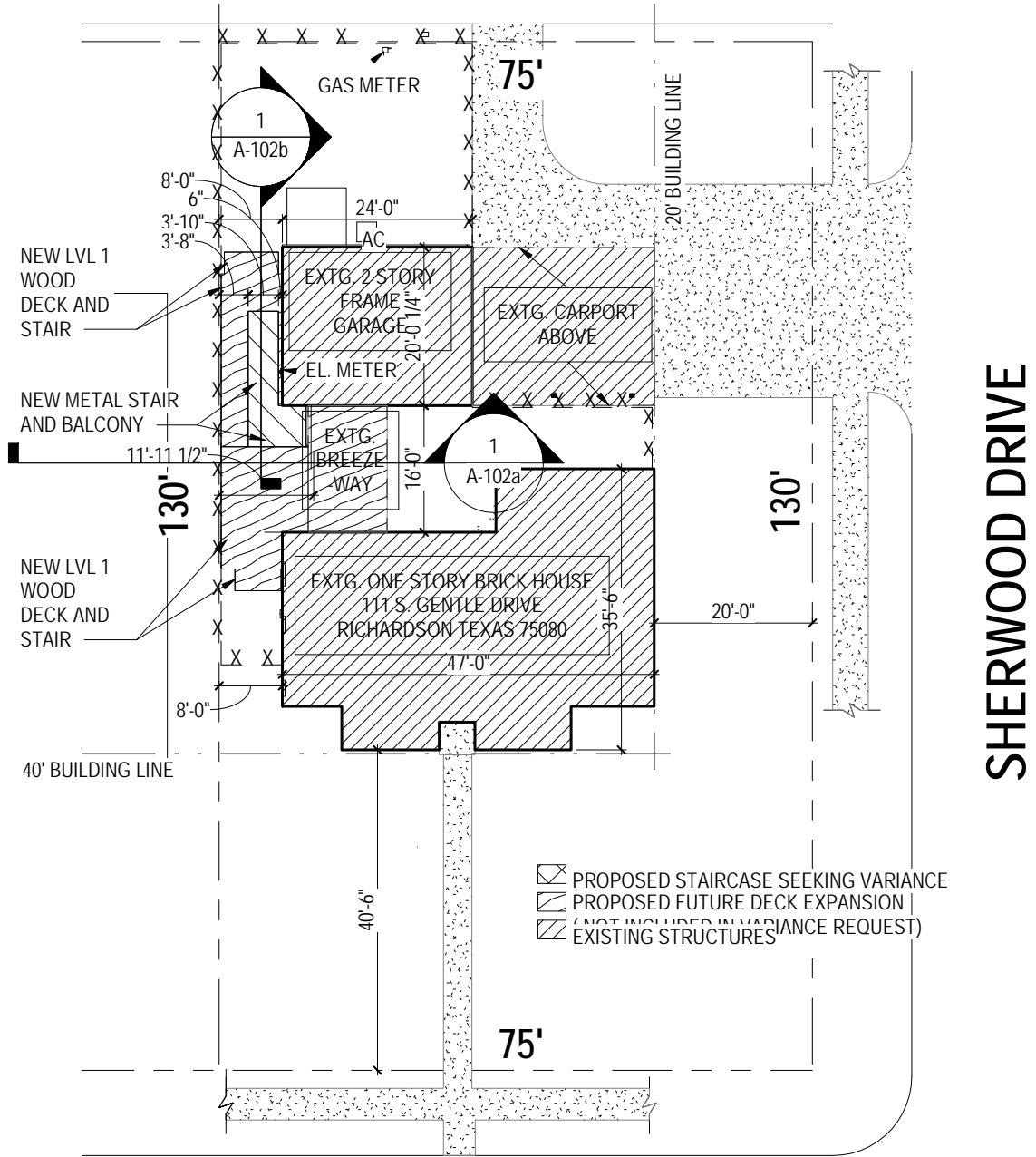
V 18-01 Aerial Map  
111 S Gentle Drive

Updated By: mathwsa, Update Date:03/09/2018  
File: D:\Mapping\Cases\ZBA\2018\1801\1801\_ortho\_map.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



20' ALLEY  
 CENTERLINE OF 100' R.O.W.  
 EASEMENT TO TEXAS POWER & LIGHT CO.



S. GENTLE DRIVE

1

PROPOSED SITE PLAN

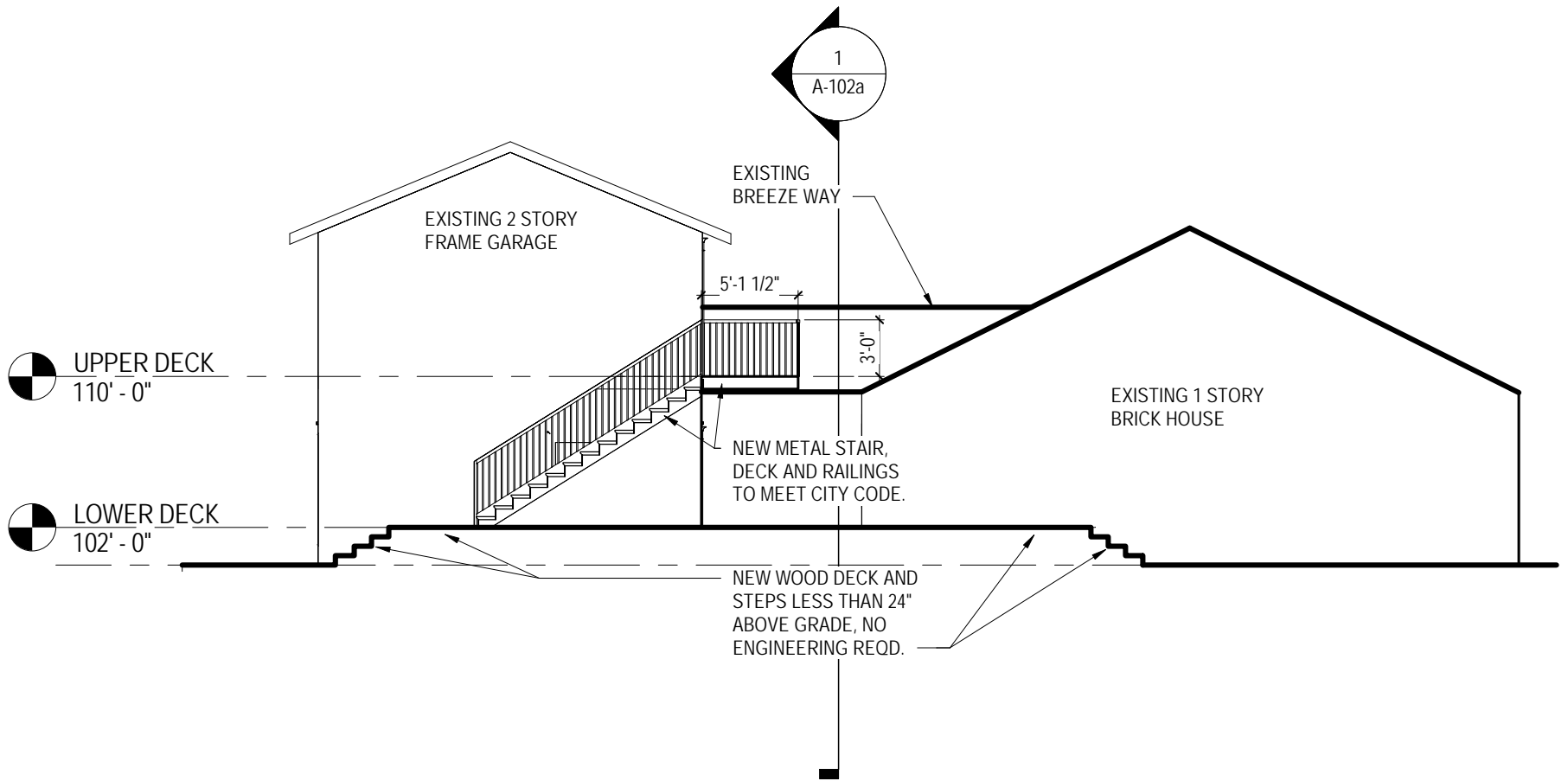
1" = 20'-0"



VIEW LOOKING TOWARD GARAGE AND PROPOSED STAIRCASE



1 01\_SITE PLAN Copy 1  
1" = 40'-0"



1

UPPER DECK/STAIR SECTION Copy 1

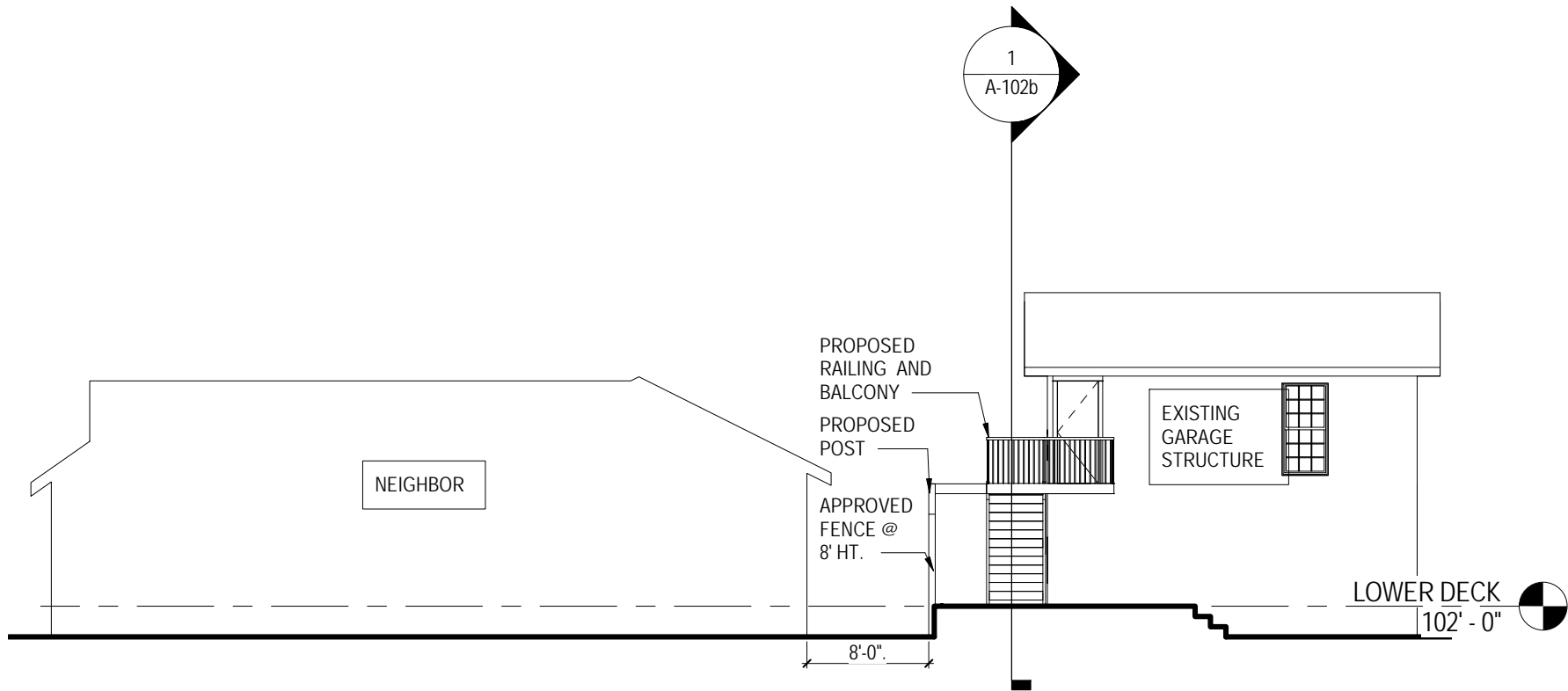
1/8" = 1'-0"



Sheet Title  
SECTION

Date  
03/05/18

Scale  
1/8" = 1'-0"



1

# BACKYARD AND NEIGHBOR RELATIONSHIP 1

1" = 10'-0"



Sheet Title  
NEIGHBOR RELATIONSHIP

Date  
03/05/18

Scale  
1" = 10'-0"



**111 S. Gentle Drive from Street**



**111 S. Gentle Drive Subject Side yard**



**For Department Use Only**

Date Received: 2/26/18 Fee Paid: 212613 Accepted by: Tina S



**Board of Adjustment  
Variance or Appeal  
Application**

City of Richardson, Texas

Development Services Department  
411 W. Arapaho Road, Suite 204  
Richardson, Texas 75080  
Phone: 972-744-4240  
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.)
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.)

**Applicant**

**Property Owner**

*Linda Karnavas*

Signature

*Linda Karnavas*

Linda Karnavas

Printed Name

Linda Karnavas

Company Name

111 S. Gentle Drive

Mailing Address

111 S. Gentle Drive

Richardson, Texas, 75080

City, State, ZIP

Richardson, Texas, 75080

214-280-1020

Telephone Number

214-280-1020

LINDAKARNAVAS@GMAIL.COM;

Email Address

LINDAKARNAVAS@GMAIL.COM;

**Property Information**

Address of Subject Property 111 S. Gentle Drive

Legal Description BLK 30 LOT 1

Existing Zoning and Ordinance I02

Requested Variance Staircase and balcony inside sideyard setback

**Submittal Requirements**

- Completed Application Form
- Completed Board of Adjustment Variance Checklist
- Building Permit Denial Letter
- Applicant's Statement (Completely describe the variance you are requesting and give the reason for the hardship and justification for the variance.)
- Twelve (12) copies of reproducible plans to support the application (fold if 24" x 36").
- Filing fee: Residential = \$250.00, Non-residential = \$325.00

## Board of Adjustment Variance Checklist

Does a hardship exist? If so, explain below.

Yes  No

The staircase is book-ended between the house and the garage structures. The run of the staircase was defined by the distance between the two structures, this required a 10"-12" rise between treads, standard is under 8". The existing wooden staircase needs to be replaced due to weathering and deterioration. In order to be made safer and easier for the aging home owner (lowering the rise, elongating the run, and replacing with metal), the staircase will no longer fit in the current location.

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

Yes  No

In its current state the staircase does not meet code - stair rise over 7-3/4 inches. It is too steep and constructed of a material that is rotting making it extremely unsafe to use. This is the only access to the living space above the garage. If it stays where it is, there is not enough room to make it safe, which may result in the property owner or guest being injured.

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

The existing house and garage structures are at a fixed distance. That fixed distance cannot accommodate the new, code compliant staircase. The homeowner will not be able to easily access her own property unless she is able to revise this staircase to a more reasonable stair rise resulting in a safer staircase.

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

Yes  No

The staircase relocation is at the request of the homeowner. The current staircase needs to be replaced and updated due to the age and condition of the wood. Since the staircase needs to be replaced, logically, the owner would like to make the corrections to the rise of the stair treads for safety and update the material for easier long term maintenance.

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

Yes  No

The hardship is due to spatial constraints on the site that prevents a staircase that meets code and the aging home owners desired goals for staying in the home as long as she can. It will also place a physical hardship on the homeowner if she cannot safely maneuver all living spaces on her current property.

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

Yes  No

The granting of this variance will NOT be contrary to the public interest or public health, safety, and welfare. It will only help the homeowner and any guests. Adding value, and code compliance in these older neighborhoods only increases and enhances the public's interest, health, safety and welfare. If the staircase is left as is, it is a hazard to a person's health because of the rotting structure and steep slope.



**Ms. Linda Karnavas**  
111 South Gentle Drive  
Richardson, Texas 75080

214-280-1020  
lindakarnavas@gmail.com

Feb 26, 2018

**To Whom It May Concern:**

I am excited to tell you a little bit about myself, but more importantly discuss the reason for my staircase relocation at my home, located at 111 South Gentle Drive.

I would like to give you a little bit of history about me and my time in Richardson. I have been the resident of 111 South Gentle Drive since 1971. Prior to moving to my current home, I lived just down the street four houses starting in 1962. So, I have been in this neighborhood for a very long time.

I am proud to be a longtime resident of my neighborhood and my larger community, Richardson. I have experienced much change while in Richardson and have made life long friendships with my neighbors. I look forward to building relationships with new residents as they move into our neighborhood.

To describe my commitment to my neighborhood and home, two years ago, I started a complete overhaul and remodel of my home. Out of respect to the local codes and regulations, everything - electrical, plumbing, mechanical, and finishes - was updated to meet current code. Everything was inspected to meet code and comply with all of the city inspector's requests. To this day, I continually strive to improve my home to enhance the neighborhood.

I have decided to move from improving the interior of my home to the exterior. The most critical place to start was to replace the delapidated wooden staircase to my upstairs guest suite with a code compliant, metal staircase. My new metal staircase will reduce my longterm maintenance challenges of my current wooden staircase. The current staircase also has a very tall rise between stair treads. As I have aged, I have had a couple of knee surgeries and my knees are not dependable. The new staircase will allow me to lower the rise between each of the treads which will be helpful on my knees. This will elongate my ability to use my entire property as I age.

Unfortunately, with the lowering of the tread rise, I can no longer fit the staircase outside of the eight foot setback on my property. The most logical relocation is to the side of my garage guest suite. This is the reason I am presenting for a variance today.

I have lived in my home for forty-six years, and I plan to live here as long as I possibly can! Any changes or improvements I hope to make, are directed to that goal.

I ask as a longtime, committed resident of Richardson that you grant me the variance as requested at my home at 111 South Gentle Drive.

Sincerely,

Linda Karnavas  
Proud Richardson Resident since 1962

109 South Gentle Drive  
Richardson, Texas 75080

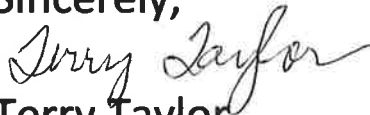
City of Richardson, Texas  
411 West Arapaho Road  
Richardson, Texas 75080

February 22, 2018

To Whom It May Concern:

I am writing to let the City of Richardson know that I have been in conversation with my neighbor, Linda Karnavas, who lives at 111 South Gentle Drive about a new staircase for her garage apartment. I have absolutely no issue with her plan or design, and am fine with her proceeding with the construction as soon as she wants.

Sincerely,



Terry Taylor

214-912-0248

[irishterryt@att.net](mailto:irishterryt@att.net)



# 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 18-01  
**Applicant/Property Owner:** Linda Karnavas  
**Property Owner:** Linda Karnavas  
**Location:** 111 S. Gentle Drive  
**Current Zoning:** R-1100-M  
**Request:** A request by Linda Karnavas, for approval of the following variance to the City of Richardson Code of Ordinances:  
  
1) Chapter 6, Article VII, Sec. 4-(f)(1)(A)), to allow a metal stairway with deck and railings to be located in the minimum seven (7) foot side yard setback. The proposed stairway and balcony is located 3'-8" from the property line.

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

**WEDNESDAY, MARCH 21, 2018**  
**6:30 p.m.**  
**City Council Chambers**  
**Richardson City Hall, 411 W. Arapaho Road**  
**Richardson, Texas**

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

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

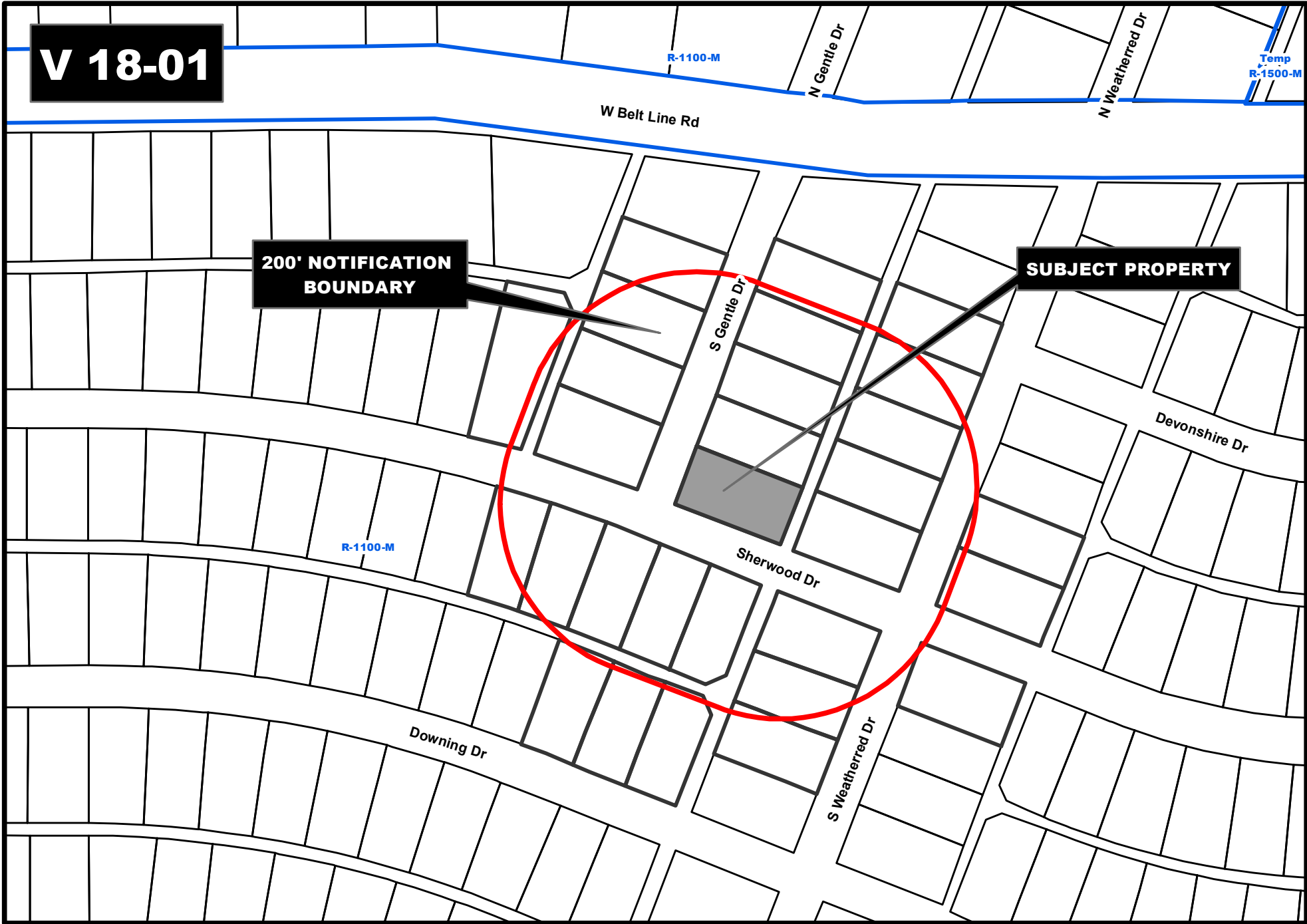
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Variance number V 18-01.

Date Posted and Mailed: **March 9, 2018**

**V 18-01**



**V 18-01 Notification Map**  
**111 S Gentle Drive**

Updated By: mathwsa, Update Date:03/09/2018  
File: D:\Mapping\Cases\ZBA-12018\1801\1801 notification map.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



GARDNER ELIZABETH M  
809 SHERWOOD DR  
RICHARDSON, TX 750805906

ALBRIGHT MATTHEW  
803 SHERWOOD DR  
RICHARDSON, TX 750805906

LIVELY JENNIFER  
802 DOWNING DR  
RICHARDSON, TX 750805901

JAMES CLAIRE E & JEFFREY M  
304 S WEATHERRED DR  
RICHARDSON, TX 750806023

BOX DEBORAH ANN  
110 S GENTLE DR  
RICHARDSON, TX 750805910

MYERS SCOTT T & LESLIE K  
104 S GENTLE DR  
RICHARDSON, TX 750805910

SMITH KATHERINE  
107 S GENTLE DR  
RICHARDSON, TX 750805911

MCMINN ALLISON S  
206 S WEATHERRED DR  
RICHARDSON, TX 750806021

VANORDEN BRANDON C  
200 S WEATHERRED DR  
RICHARDSON, TX 750806021

NELMS JAMES D  
205 S WEATHERRED DR  
RICHARDSON, TX 750806022

KERNAN JAMES PATRICK &  
LAURA W  
807 SHERWOOD DR  
RICHARDSON, TX 750805906  
MORRISON WILLIAM DEAN JR  
1305 APACHE DR  
RICHARDSON, TX 750803718

ELLIOTT DENNA LEA  
LARRY  
300 S WEATHERRED DR  
RICHARDSON, TX 750806023  
SAMMONS LUKE C & MEREDITH  
800 DOWNING DR  
RICHARDSON, TX 750805901

THOMAS PATTI M  
7406 WINTERWOOD LN  
DALLAS, TX 752485252

STONE CATHRYN MANNING  
103 S GENTLE DR  
RICHARDSON, TX 750805911

TAYLORMOORE TERRY J  
109 S GENTLE DR  
RICHARDSON, TX 750805911

EPPERSON LARRY  
204 S WEATHERRED DR  
RICHARDSON, TX 750806021

TUTTLE JOAN A  
109 THOMPSON DR  
RICHARDSON, TX 750805518

WILSON STEVEN F & UDD EME  
301 S WEATHERRED DR  
RICHARDSON, TX 750806024

TAFALLA KRISTINA & DAVID  
805 SHERWOOD DR  
RICHARDSON, TX 750805906

PEEL RONALD D  
801 SHERWOOD DR  
RICHARDSON, TX 750805906

DOWER LAUREN L  
302 S WEATHERRED DR  
RICHARDSON, TX 750806023

LOSKOT JOSEPH  
810 SHERWOOD DR  
RICHARDSON, TX 750805905

MILLER BENNETT B & LINDSAY  
824 BELTLINE PLZ  
RICHARDSON, TX 750805502

MARCO CAROLYN  
105 S GENTLE DR  
RICHARDSON, TX 750805911

KARNAVAS LINDA  
111 S GENTLE DR  
RICHARDSON, TX 750805911

ROMES JENNIFER K  
202 S WEATHERRED DR  
RICHARDSON, TX 750806021

FORD DEBORAH S  
207 S WEATHERRED DR  
RICHARDSON, TX 750806022