

# Zoning Board of Adjustment Agenda Packet July 17, 2019

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, JULY 17, 2019**  
**6:30 P.M.**  
**CIVIC CENTER/COUNCIL CHAMBERS**  
**411 W. ARAPAHO ROAD**

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

- A. Discussion of Regular Agenda Items**
  - B. Discussion of the Zoning Board of Adjustment's By-Laws**
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**REGULAR BUSINESS MEETING: 6:30 P.M. – COUNCIL CHAMBERS**

**MINUTES**

- 1. APPROVAL OF MINUTES OF REGULAR MEETING OF APRIL 17, 2019**

**PUBLIC HEARING**

- 2. SE 19-03:** A request by Steven and Andrea Hills of a special exception from Chapter 6 (Buildings and Building Regulations), Article IV (Fences), Sec 6-209(3) of the City of Richardson's Code of Ordinances to allow an 8-foot board-on-board wooden fence in lieu of the maximum height of three (3) feet allowed for a fence located between the front property line and the front wall of a residential structure. The property is located at 1200 Richland Park Drive and zoned R-1500-M Residential.
- 3. VAR 19-11:** A request by Waterview Church of Christ for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article IV, Sec. 4 (b) to allow a 68-foot lot width in lieu of the required 72-foot lot width required for a residential lot and Article IV, Sec. 4 (f) to allow a 6-foot side yard setback in lieu of the required minimum 7-foot side yard setback. The property is located at 1409 N. Waterview Drive and zoned R-1500-M Residential.
- 4. VAR 19-12:** A request by Martha Canuteson for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (f) to allow an 11-foot side yard setback in lieu of the required 20-foot side yard setback on a corner lot adjacent to a side street and Article VII, Sec. 4 (f) to allow a 5-foot setback from the required minimum 10-foot side yard setback. The property is located at 502 Highland Boulevard and zoned R-1100-M Residential.

5. **VAR 19-13:** A request by Steven Sykora for a variance from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson Code of Ordinances: Article IV, Section 4 (b) to allow a 68-foot lot width in lieu of the required 72-foot lot width for a residential lot and Article IV, Section 4 (e) to allow a 34' -9" front setback in lieu of the required 35-foot setback for the northwest corner of the existing home. The property is located 1001 Cedar Lane and zoned R-1500-M Residential.
6. **VAR 19-14:** A request by Chad and Zhuoxian Ross for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (d) to allow a 36.1% lot coverage in lieu of the required maximum lot coverage of 35%; Article VII, Sec. 4 (f) to allow a 2-foot side yard setback in lieu of the required 3-foot side yard setback for a detached garage, Article VII, Sec. 4 (e) to allow a front setback of 26-feet for the existing front wall of the building in lieu of the platted 40-foot front setback and Article VII, Sec. 4 (h) to allow a driveway that does not provide the required minimum paved area of 24' depth and 18' width measured perpendicular to the entry of the garage. The property is located at 1204 Northlake Drive and zoned R-1100-M Residential.
7. **VAR 19-15:** A request by Amy Loehr for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VI, Sec. 4 (d) to allow a lot coverage of 35.2% in lieu of allowable maximum of 32% and Article VI, Sec. 4 (g) to allow an 8-foot setback from the required minimum 25-foot side yard setback for an attached patio cover. The property is located at 200 Long Canyon Court and zoned R-1250-M Residential.

**8. ADJOURN**

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING THE ADA COORDINATOR, VIA PHONE AT 972 744-0908, 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, JULY 12, 2019.

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AMBER HOGG, ADMINISTRATIVE SECRETARY I



**BY-LAWS  
OF THE  
CITY OF RICHARDSON  
ZONING BOARD OF ADJUSTMENT**

**ARTICLE I**

Sec. 1. The Richardson Zoning Board of Adjustment is empowered by the State of Texas in accordance with Section 211.008 of et seq., of the Texas Local Government Code for the purpose of hearing and acting upon requests for variations to the Richardson Comprehensive Zoning Ordinances, and appeals from a determination by an administrative official in the enforcement of the Comprehensive Zoning Ordinance. The Board will also hear those cases involving special exceptions as may be authorized under the Richardson Code of Ordinances.

Sec. 2. The Richardson Zoning Board of Adjustment is empowered by Chapter 6, Article IV of the Richardson Code of Ordinances to hear and act upon appeals from the decision of the Chief Building Official and special exceptions authorized by that Article.

Sec. 3. The Board shall consist of five (5) members and two (2) alternate members appointed by the City Council for terms of two years. Members and alternates may participate except that only the five (5) members shall vote. Alternate members serve in the absence of one or more regular members when requested to do so by the Chairman. In the event of a regular member's absence, the designated alternate will fulfill the duties of the absent regular member.

**ARTICLE II**

**MEETINGS**

Sec. 1. Regular meetings of the Richardson Zoning Board of Adjustment (ZBA) shall be held at 6:30 p.m. on the third Wednesday of each month at the Council Chambers of Richardson City Hall or when necessary at another location determined by the Board.

Sec. 2. Special meetings may be called by the Chairman, the request of two (2) members or the Director of Development Services. Special meetings shall be limited in purpose to study sessions, consideration of procedural matters or other matters not involving a specific case hearing, or activity not on the agenda before the Board, unless proper notification to the public and interested parties have been given in accordance with Section 4 and 5.

Sec. 3. All meetings of the Board of Adjustment shall be open to the public unless otherwise authorized by State law.

Sec. 4. Only public notification required by the Texas Open Meetings Act and member notification is required for meetings where no specific appeals or cases are scheduled on the agenda. An announcement of a special meeting, for which no hearings are to be scheduled on the agenda, made at a meeting in which all five (5) members are present constitutes sufficient member notification.

At meetings at which appeals are scheduled to be heard, official public notice of the case hearings and the meeting shall be given in accordance with Section 211.010 of the Texas Local Government Code. Official public notice is defined as posting the meeting agenda on the City notification bulletin board and publication in the official city newspaper.

In addition, a copy of each application for appeal along with the staff report shall be mailed, e-mailed or delivered to the Board members and alternate members no later than 9 days prior to the hearing date.

Sec. 5. Case Hearing Notification Content-Public and interested party notification shall contain the following:

- a) Case Number;
- b) Name and address of person requesting the hearing;
- c) Name and address of property owner of the property in question;
- d) Reference the ordinances from which the variance or special exception is requested;
- e) List the specific variance(s) or special exception requested;
- f) Time, place and date of the meeting at which the matter will be heard;

Proper and timely notification shall be the responsibility of the Department of Development Services.

Sec. 6. A quorum of the Board to transact business shall consist of four (4) members, although a lesser number may meet and adjourn. The Department of Development Services shall contact the members and alternates prior to the meeting to assure a quorum will be present.

## **ARTICLE III**

### **BOARD AND STAFF DUTIES**

Sec. 1. The City Council will appoint a Chairperson and Vice-Chairperson from among the members of the Board at the beginning of each Board term.

Sec. 2. The Chairperson shall preside at all meetings of the Board. In the event of the absence of the Chairperson, the Vice-Chairperson shall preside. In the event of the absence of both Chairperson and Vice-Chairperson, a temporary Chairperson may be elected for that meeting only, by a majority of the members present.

Sec. 3. The Chairperson, subject to these rules, shall decide all points of procedure unless otherwise directed by a majority of the Board in session at the time.

Sec. 4. The Chairperson will encourage and may designate members of the Board to make personal inspections when necessary from time to time; and shall appoint such committees as may be found necessary.

Sec. 5. The Chairperson will designate an alternate to serve as a voting member of the Board in the event a regular member is absent.

Sec. 6. The Chairperson shall report at each meeting on all official transactions that have not otherwise come to the attention of the Board.

Sec. 7. The Chairperson shall, subject to these rules and further instructions from the Board, transact the official business of the Board; coordinate the work of the secretary, request necessary assistance, and exercise general disciplinary power.

Sec. 8. The Secretary shall keep the minutes and records of the Board, prepare agendas, provide notice of meetings and copies of minutes to Commission members, arrange proper and legal notice of all hearings, prepare and distribute study materials, determine attendance in advance of the meeting to confirm a quorum will be present, attend to the correspondence of the Commission and perform other duties normally carried out by a secretary. It will be the duty of the Secretary to submit to the Board the minutes of the previous meeting so that they may be corrected, if necessary, to reflect fairly and accurately the proceedings at the last meeting. In addition, the Secretary shall maintain all files and correspondence of the Board in accordance with City policies and ordinances and in accordance with State Law. The Secretary will be appointed by the Director of Development Services and will be an employee of the City of Richardson.

Sec. 9. The Department of Development Services shall, upon placing any item on the agenda make timely and proper notifications in accordance with Article II.

Upon placing any application on the agenda the designated representative of the Department of Development Services, shall make a personal inspection of the premises; ensure that all documents and graphic exhibits are properly prepared, and be prepared to advise the Board on the physical conditions of the property in question.

The designated representative of the Department of Development Services shall request from the applicant such additional information and data as may be pertinent to fully advise the Board with reference to the application, regardless of whether such information and data is required by the official forms.

The designated representative of the Department of Development Services shall attend all meetings of the Board and be prepared to furnish data, information and recommendations as the Board may request.

#### **ARTICLE IV**

##### **CASES BEFORE THE BOARD**

Sec. 1. Each application to the Board, whether an appeal from an order, decision, or determination of the Chief Building Official under Chapter 6 Article IV of the Code of Ordinances or a determination of an administrative official in the enforcement of the Comprehensive Zoning Ordinance, a request for special exception, or a variance, shall be made on a form provided by the Department of Development Services.

Sec. 2. Applications will only be accepted by the City when fully completed.

Sec. 3. Any communication purporting to be an application shall be regarded as mere notice to seek relief until it is made in the form required by these rules.

#### **ARTICLE V**

##### **THE AGENDA**

Sec. 1. Applications shall be heard in the order, in which they appear on the agenda, except that an application may be advanced for hearing by order of the Board for good cause shown. Where



all applications cannot be disposed of on the day set, the Board may continue the application for hearing to a specific day, time and place.

Sec. 2. No notice other than that provided for in these rules will be given to applicants or others interested in hearings by the Board.

## **ARTICLE VI**

### **HEARINGS**

Sec. 1. Cases may be heard at any properly constituted meeting in which the case has been set on the agenda and proper notification has been provided.

Sec. 2. Each case must be heard by at least four (4) members. Except as otherwise provided herein, the concurring vote of at least four (4) members is required for granting a variance or a special exception, or to modify or reverse the decision of the administrative Official.

Sec. 3. As a prerequisite to granting a variance, the Board must make a finding of unnecessary hardship in accordance with Texas Local Government Code Sec. 211.009.

Sec. 4. Motions to grant a variance shall be specific as to the findings, and conditions, if any.

Sec. 5. In the event a motion to grant a variance or special exception, or to modify or reverse the decision of the administrative official, fails, the case shall remain pending until a motion to deny passes by simple majority, or until the close of the current meeting. In the event that no other motion on the appeal is passed before the end of the current meeting, then the application/appeal shall be deemed denied, unless the case is continued to another meeting.

Sec. 6. The Chairperson may continue a case until the next regular scheduled meeting or to a specific time and date. In the event of a continuance made during a hearing, no re-notification is required.

Sec. 7. Upon appeal of the decision of the Chief Building Official made pursuant to the Fence Regulations of Chapter 6, Article IV of the Code of Ordinances, the Board may authorize special exceptions to the regulations provided in that Article, in accordance with the guidelines set forth therein.

Sec. 8. Hearings shall be open to the public, but the Board may close public testimony at any time during the meeting.

Sec. 9. The applicant may appear in person or by representative at hearings. In the absence of any personal appearance by the applicant or representative, the Board will proceed to dispose of the matter on record before it.

## **ARTICLE VII**

### **FINAL DISPOSITION**

Sec. 1. The decision of the Board may reverse, or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from and make the correct order, requirement, decision, or determination, and for that purpose the Board has the same authority as the administrative official in the enforcement of the Comprehensive Zoning Ordinance.

Sec. 2. In a case of a requested variance, the decision shall set forth that the application for a variance is denied, or that the application for a variance is granted. A decision to authorize a variance shall set forth the specific variance granted and any conditions to the variance.

Sec. 3. The concurring vote of 75% of the membership of the Board (four [4] members of the Board) is required to reverse any administrative order or decision that is appealed to the Board, to grant a variance, or grant a special exception.

Sec. 4. The vote of each member of the Board present for an appeal shall be recorded in the minutes of the Board meeting.

Sec. 5. An applicant may withdraw an appeal in writing at any time prior to the board hearing for the appeal, or may orally withdraw the appeal during a properly constituted Board meeting.

## **ARTICLE VIII**

### **REHEARINGS**

Sec. 1. No motion for a rehearing shall be considered except upon written request and presentation of substantial new data and evidence to the Board, which could not reasonably have been presented at the meeting at which the hearing was originally conducted. The concurring vote of four (4) members of the Board in favor of a rehearing is required in order to grant the rehearing.

Sec. 2. If a rehearing is granted, the appeal shall in all respects be considered as a new appeal.

## **ARTICLE IX**

### **PRECEDENTS**

Sec. 1. No action of the Board shall establish a precedent. Each case shall be decided upon its merits and upon the circumstance attendant thereto.

## **ARTICLE X**

### **RESOLUTIONS AND OTHER BUSINESS**

Sec. 1. Except as otherwise provided herein, a majority vote of the members of the Board present at a legally constituted meeting shall be required to decide other matters.

## **ARTICLE XI**

### **ADVICE**

Sec. 1. The Board may seek the advice and recommendations from staff in the form of written or oral reports. The Board may also seek the advice from the City Attorney regarding any legal matters regarding the Board or an application.

## **ARTICLE XII**

### **ORDER OF BUSINESS AT REGULAR MEETINGS**

Sec. 1. The order of business at all regular meetings of the Board shall be as follows:

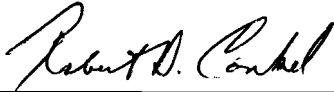
- (a) Roll call and opening remarks by the Chairman
- (b) Consideration of Minutes of previous meeting
- (c) Order of cases to be heard
  1. Variances from zoning requirements
  2. Appeal from decision of administrative official
  3. Special exception to zoning ordinance (including fence exceptions)
- (d) Adjourn

## ARTICLE XIII

### AMENDMENTS

Sec. 1. These rules may be amended or modified by an affirmative vote of not less than four (4) members of the Board, provided that such amendments are presented in writing at a regular meeting.

Amended by the Richardson Zoning Board of Adjustment on October 15, 2008.



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Robert D. Conkel, Chair  
Zoning Board of Adjustment

# Agenda Item 1

Approval of the minutes of the April 17, 2019  
Zoning Board of Adjustment Meeting

**MINUTES**  
**ZONING BOARD OF ADJUSTMENT**  
**CITY OF RICHARDSON, TEXAS**  
**APRIL 17, 2019**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, April 17, 2019, in the Council Chambers, at the City Hall, 411 West Arapaho Road, Richardson, Texas.

**MEMBERS PRESENT:** Jason Lemons, Chairman  
Scott Rooker, Vice Chairman  
Shamsul Arefin, Member  
Jordan Everhart, Member

**MEMBERS ABSENT:** Brian Shuey, Member  
Marsha Mayo, Alternate  
Nick Robison, Alternate

**CITY STAFF PRESENT:** Daniel Harper, Planner  
Amber Hogg, Administrative Secretary I

**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: Chairman Lemons introduced City staff and explained that the staff serves in an advisory capacity and does not influence any decisions the Board might make. Chairman Lemons summarized the function, rules, and appeal procedures of the Zoning Board of Adjustment.

**1. APPROVAL OF MINUTES FROM MARCH 20, 2019.**

**Motion:** Member Everhart made a motion to approve the minutes as presented; second by Vice Chairman Rooker. Motion approved 4-0.

**2. PUBLIC HEARING ON ZBA V 19-09:** a request by Willie Thompson, for approval of the following variances to the City of Richardson Code of Ordinances: Article VI, Sec. 4 (e) to allow a 1-foot variance for an existing residential structure from the 35-foot front setback as required by the established subdivision plat and Article VI, Sec. 4 (g) to allow a 1-foot variance for an existing residential structure from the 25-foot rear setback. The property is located at 421 Ridge Crest Drive.

### **Staff Comments**

Daniel Harper presented on the case. He stated that the applicant is looking to remodel the home and expand the home's footprint. Mr. Harper stated that the applicant is proposing to add an additional 2,814 square foot to the residential structure. The first floor is proposed to expand from 2,192 square feet to 2,609 square feet with an additional 2,397 square feet added to the second story. However, a building permit cannot be issued if the existing structure is in non-conformance to the city zoning ordinance. He presented a site plan of the applicant property showing the existing home in non-conformance at both the front and rear setbacks. Mr. Harper stated that applicant has requested a 1-foot variance for both the front and rear setbacks in case of any need for addition inches is required.

Mr. Harper stated that based on the information presented by the applicant and the applicable Code of Ordinances it is the staff's opinion that a physical property hardship does not exist. However, the request represents an existing condition that was not created but the current property owner and therefore should be approved. Mr. Harper made himself available for questions.

Member Arefin asked about the side setbacks of the property.

Mr. Harper stated that there is a 7-foot side setback and it presents no issues.

### **Board Discussion**

With no further comments, Chairman Lemons opened the public hearing.

### **Public Comments**

Willie Thompson, 421 Ridge Crest Drive, stated that he would like to remodel the home located on the property and construct additional square footage.

No further comments in favor or opposed were received, Chairman Lemons closed the public hearing.

### **Board Action**

Chairman Lemons and Member Arefin spoke in favor of the case.

**Motion:** Vice Chairman Rooker made a motion to grant the requests listed in V 19-09 as presented; second by Member Arefin. Motion approved 4-0.

### **Adjournment**

**Motion:** Chairman Lemons called for a motion to adjourn the regular business meeting. Member Everhart made a motion to adjourn the regular business meeting; second by Member Arefin. Motion Approved 4-0.

There being no further business, the meeting was adjourned at 6:44 p.m.

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Jason Lemons, Chairman  
Zoning Board of Adjustment

DRAFT



# Agenda Item 2

Special Exception 19-03:  
1200 Richland Park Drive

## **ZBA File SE 19-03**

### **Attachments:**

1. Staff Report
2. Aerial Map
3. Variance Exhibit
4. Application
5. Applicant's Statement
6. Notice of Public Hearing and Map
7. Notification List
8. DMN Public Hearing Notice



**TO:** Zoning Board of Adjustment  
**FROM:** Daniel Harper, Planner **DH**  
**DATE:** July 11, 2019  
**RE:** **SE 19-03:** 1200 Richland Park Drive

### REQUESTED SPECIAL EXCEPTION

A request for a special exception from Chapter 6 (Buildings and Building Regulations), Article IV (Fences), Sec 6-209(3) of the City of Richardson's Code of Ordinances to allow an 8-foot board-on-board wooden fence in lieu of the maximum height of three (3) feet allowed for a fence located between the front property line and the front wall of a residential structure.

### APPLICANT/PROPERTY OWNER

Andrea Hills / Steven and Andrea Hills

### EXISTING ZONING

R-1500-M Residential

### SURROUNDING LAND USE

Residential

### STAFF COMMENTS

The home is located in the Richland Park subdivision and was constructed in 1980.

The applicant is requesting an exception to Chapter 6, Article IV, Sec. 6-209 (3) of the Richardson Code of Ordinances which requires that no fence shall be permitted between the front property line and the front wall of the building that exceeds three feet in height and does not create a traffic hazard.

The applicant is requesting a special exception for the construction of an 8-foot tall board on board screening fence that extends along the western property line for forty-nine feet past the front wall of the home. This portion of the screening fence will appear as a continuation of the existing backyard fence. The home owner has reported that the purpose of this extension is to create a physical barrier between their property and the rear alleyway that runs along the entirety of the western property line to prevent trespassing from the alleyway across the subject property to Richland Park Drive.

## TECHNICAL RECOMMENDATION

Special Exception Request: Based on the information provided by the applicant, and applicable codes and ordinances, it is staff's opinion that the applicant's request does not appear to be contrary to public safety.

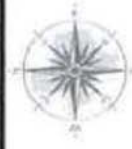


SE 19-03

SUBJECT PROPERTY



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.



C.B.G. Surveying, Inc.



**LEGEND**

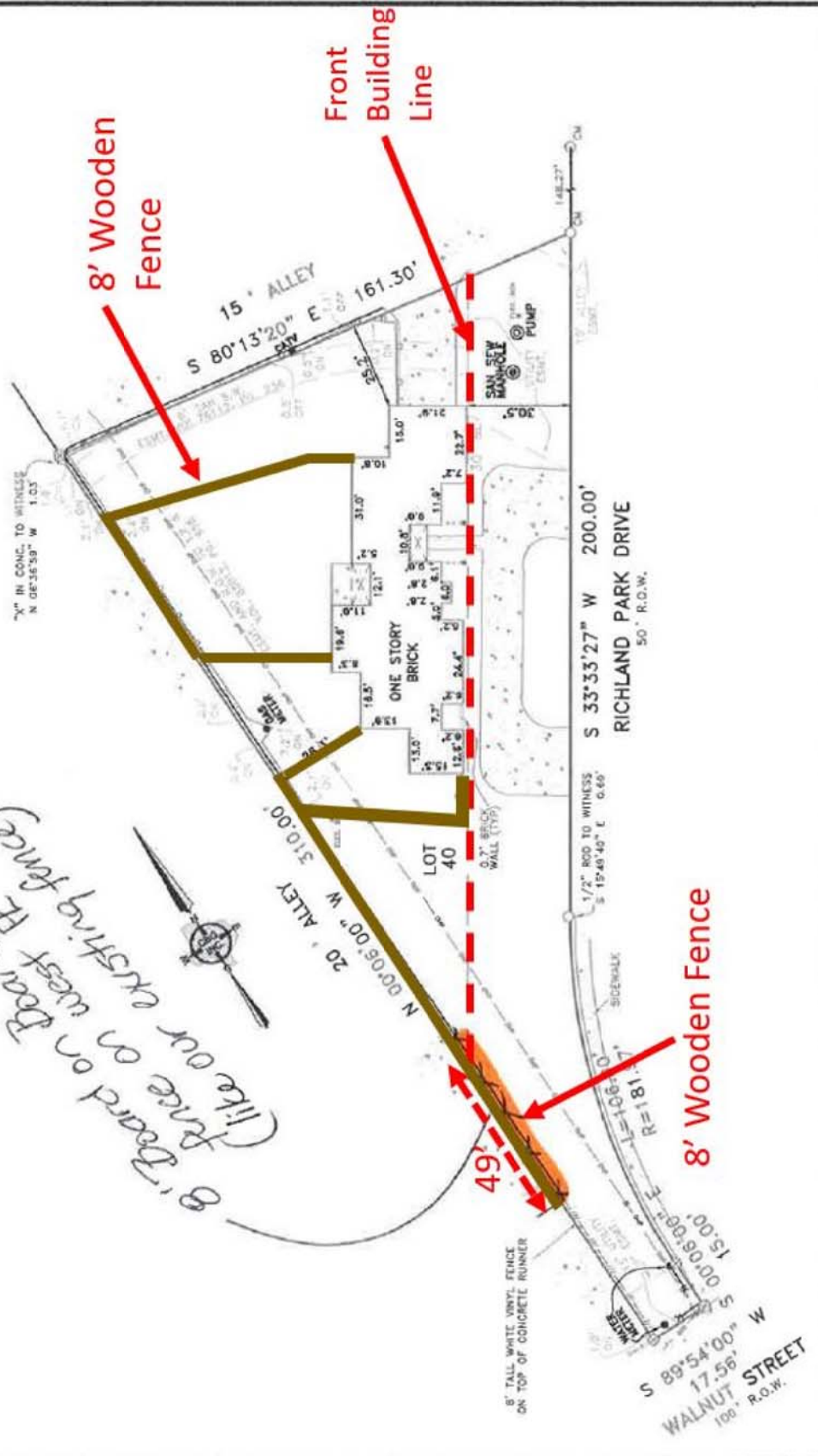
|                  |                                 |
|------------------|---------------------------------|
| ○ 1/4" ROD FOUND | □ FENCE POST FOR CORNER         |
| ○ 1/2" ROD SET   | ○ CONTROLLING OR MARKANT        |
| ○ 1" PIPE FOUND  | ○ AIR CONDITIONER               |
| ○ 2" PIPE FOUND  | ○ PE EQUIPMENT                  |
| ○ 4" PIPE FOUND  | ○ TRANSFORMER                   |
| ○ 6" PIPE FOUND  | ○ PAD                           |
| ○ 8" PIPE FOUND  | ○ CULMAN                        |
| ○ 10" PIPE FOUND | ○ UNDERGROUND OVERHEAD ELECTRIC |
| ○ 12" PIPE FOUND | ○ OVERHEAD ELECTRIC POWER       |
| ○ 14" PIPE FOUND | ○ OVERHEAD ELECTRIC SERVICE     |
| ○ 16" PIPE FOUND | ○ CHAIN LINK                    |
| ○ 18" PIPE FOUND | ○ EDGE OF GRAVEL                |
| ○ 20" PIPE FOUND | ○ CONCRETE                      |
| ○ 22" PIPE FOUND | ○ CONCRETE ASPH.                |

EXCEPTIONS:

NOTE: This survey is made in conjunction with the information provided by the client. C.B.G. Surveying, Inc. has not researched the local file records for the existence of easements, restrictive covenants or other encumbrances.

### 1200 Richland Park Drive

Being Lot 40, in Block E of Richland Park, Third Section, an addition to the City of Richardson, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 74068, Page 147A, Map and/or Plat Records of Dallas County, Texas.



NOTES: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED. FLOOD NOTE: According to the F.I.R.M. No. 48113C02154, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by the client. Use of this survey by any other parties and/or for other purposes shall be at user's sole responsibility. This is a preliminary survey and shall not be used as a basis for any other survey on the ground of the subject property. The plat herein is a correct and accurate representation of the property lines and dimensions as indicated, location and type of buildings as shown, and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Drawn By: CGF  
Scale: 1" = 30'  
Date: 09/08/13  
GF NO.:

C.B.G. Surveying, Inc.  
12025 Shiloh Road, Ste. 230  
Dallas, TX 75228  
P 214.349.9485  
F 214.349.2216  
www.cbgsurveying.com  
Bryan Connolly  
Surveyor No. 5513  
State of Texas  
Professional Seal

Accepted by: \_\_\_\_\_  
Purchaser  
Job No. 1305822-1

**For Department Use Only**

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



**Board of Adjustment  
Variance or Appeal  
Application**


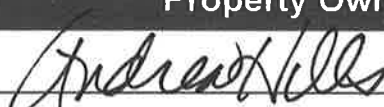
City of Richardson, Texas

Development Services Department  
411 W. Arapaho Road, 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   |
|---|------------------|--|
|  | Signature        |  |
| Andrea Hills  | Printed Name     | Steven and Andrea Hills  |
|   | Company Name     |  |
| 1200 Richland Park Drive  | Mailing Address  | 1200 Richland Park Drive   |
| Richardson, TX 75081  | City, State, ZIP | Richardson, TX 75081   |
| 214.500.1586  | Telephone Number | 214.500.1586   |
| sanderson1200@gmail.com   | Email Address    | sanderson1200@gmail.com  |

| Property Information          |   |
|-------------------------------|---|
| Address of Subject Property   | 1200 Richland Park Drive, Richardson, TX 75081          |
| Legal Description             | Lot 40, Block E, Richland Park Third Addition           |
| Existing Zoning and Ordinance | R-1500-M  |
| Requested Variance            | install 8' fence on west property line in front 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

People trespass (drive, bike, take their pets to relieve themselves, and walk across) onto our property from the west alley in Richland Oaks to Richland Park Dr. and from Richland Park Dr. to Richland Oaks. It appears people think our private property is public park land. The problems are getting worse and we cannot allow the trespassing to continue or reduce our property rights, safety, or enjoyment.

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

Yes  No

Code allows decorative fences up to 3' in height in front setback areas, though there are cases in the neighborhood where a 3'+ fence or other improvement was installed without a permit or a variance. A 3' fence will not prevent people from jumping over it and 1) will allow the idea that our property is park land to remain, 2) will not be substantial enough to withstand a vehicle, 3) won't look like any of the fences around us. and 4) will not protect our property from damage or trespassers.

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

Our property is 161.30' on the north line and 17.56' on the south line and is surrounded on all 4 sides by rights-of-ways and alley easements. All other lots in our neighborhood that have alleys that T into them are allowed to have and do have 6' or 8' fences. Because our lot is so narrow at the south end, we are not permitted to enclose our property the way everyone else is. There is not another property like ours.

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

Yes  No

The need for the variance was created by the Richland Park Third Addition plat and the design of the Richland Oaks Addition. 1200 Richland Park Drive has been owned by Steven Hills since 1988. We started hearing about people crossing our yard several years ago (landscape trucks using it weekly instead of driving north about 200' and such). A 04/05/19 hot pursuit involving a stolen car and 4 Garland Police vehicles increased our health, safety, and property rights concerns.

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

Yes  No

No, while a 3' tall decorative fence would be expensive (and not do the job), the hardships are already: 1) valid and growing safety and liability concerns, 2) the expected maintenance and difficulty associated with a decorative fence being used for something that is not an aesthetic or visibility issue, and 3) valid and growing concerns about risks to our property rights.

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

Application of the code negatively impacts public health, safety, and welfare and it will send a message that our property is just like other open spaces with decorative fences. The installation of an 8' fence on our west property line does not affect visibility and it WILL improve the aesthetics of the subdivision entrance via hiding garage doors and the outside/back side of existing fences.



May 28, 2019

Mr. Jason Lemons  
Chairman, Zoning Board of Adjustment  
City of Richardson  
411 W Arapaho Road  
Richardson, TX 75080

RE: Fence Variance Application - 1200 Richland Park Drive

Mr. Chairman and members of the Zoning Board of Adjustment,

Our property is located at the northwest corner of Walnut Street and Richland Park Drive, right at the main entrance to the Richland Park Addition. The property is an island, surrounded by streets and alleys. It is the only property addressed on Richland Park Drive except for the City of Richardson's sanitary sewer lift station located in the front setback at the northeast corner of our property.

Our property is 310' wide along its West property line, 161.30' deep along its North property line, and 17.56' deep along its South property line. Attached are 1) a DCAD property map, 2) the applicable portion of the Richland Park Third Addition plat and 2) a 2013 survey marked up to show the setbacks, streets, alleys, and easements that affect our ability to use our property. It is the 30' front setback line that makes this variance request necessary.

In addition to an alley in the Richland Oaks Addition that runs parallel to our west property line, there is an alley that runs Eastward from Whispering Oaks Drive that intersects said "parallel" alley. Unfortunately, more and more people are choosing to cross between the Richland Oaks alleys and Richland Park Drive using our side yard. Trucks, cars, bicycles, pedestrians, and people walking their dogs seem to have decided our property is public land open to them for use when they see fit – daytime and nighttime. We have fought this for years using various means, but vehicles and pedestrians continue to trespass on/drive across without permission. Signs simply get ignored and driven over. On April 5, 2019 a "hot pursuit" involving a stolen car and 4 Garland Police vehicles sped Eastward across our side yard. One of the 2018 trespassers drove up into the circle driveway from Richland Park Drive, drove over into Richland Oaks, and then turned around and came back across our property from the West. It is no longer safe to occupy, enjoy, or landscape the area south of our existing fence.

In addition to vehicles and pedestrians trespassing, we have encountered and removed 1) utility contractors using a boring machine on our property, 2) underground AT&T and Time Warner cables installed in error on our property, and 3) an electric meter and underground electric wiring installed by a contractor hired by the City of Richardson.

We already experience hardships that are not self-created. Strict application of the code would not only fail to halt the existing hardships, it would add hardship. Property owners of every other lot in the Richland Park and Richland Oaks neighborhood that have alleys like this are permitted to install 8' fences

to protect their property. A 36" tall decorative fence on the West property line of our property will NOT stop vehicles or pedestrians. A 36" decorative fence will add yet another fence type to the Richland Park entrance and will not shield the garages and fence backs of the properties in Richland Oaks. An 8' board on board fence like our existing fence will screen visibility of the fences and garages the neighborhood has complained about for years, protect our property, and support our property rights. The question about a financial hardship is not relevant since an 8' board on board fence is more expensive than a 36" decorative fence.

We are concerned about the health, safety, and welfare everyone, ourselves included. We are also concerned about our property rights being eroded while our liability increases.

Further development of our property was virtually precluded by the setbacks and easements that have existed on the property (via separate instruments instead of the plat) from the beginning. A pool is unlikely due to the electric and telephone lines that run overhead along a line 15' East of our West property line. Most of the homes in Richland Park and Richland Oaks have underground electric and telephone distribution lines.

No other private property in Richardson can boast a smelly sanitary sewer lift station that pumps sewage from over 1,000 residences. No other property in Richland Park or Richland Oaks has this weird shape. Our property may look huge, but its shape 1) renders it quite small from a usage standpoint and 2) makes it attractive to lazy drivers and/or those who don't respect property rights.

We have invested over \$80,000 in our home in the past 5 years. We'd like to remain and continue our work. A variance to allow us to build an 8' board on board fence along the 49' section of the west property line that falls in the front setback of our property is respectfully requested to help reduce health and safety concerns, protect our property, and protect our property rights.

Thank you for considering our request.

Sincerely,



Andrea Hills  
1200 Richland Park Drive  
Richardson, Texas 75081  
214.500.1586

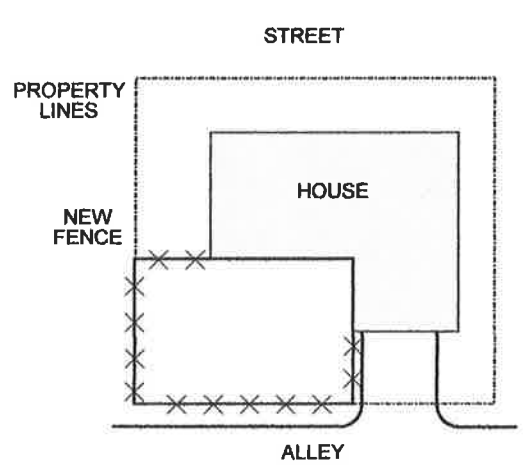


## FENCE PERMIT APPLICATION COMMUNITY SERVICES

OFFICE PHONE -- 972/744-4180 • INSPECTION REQUEST -- 972/744-4181 • FAX -- 972/744-5802

|   |                 |      |       |               |         |              |
|---|-----------------|------|-------|---------------|---------|--------------|
| PROJECT ADDRESS   |                 |      |       |               |         | PHONE #      |
| 1200 Richland Park Drive  |                 |      |       |               |         | 214.500.1586 |
| CONTRACTOR  | MAILING ADDRESS | CITY | STATE | ZIP           | PHONE # |              |
| N/A   |                 |      |       |               |         |              |
| INTERIOR LOT <input type="checkbox"/> CORNER LOT <input checked="" type="checkbox"/> SWIMMING POOL OR SPA IN YARD <input type="checkbox"/> PERCENT THROUGH VISION OF FENCE <u>0</u> %   |                 |      |       |               |         |              |
| TYPE OF MATERIAL USED <u>Cedar</u>  |                 |      |       |               |         |              |
| FENCE HEIGHT: <u>6'</u> FT. TOTAL VALUE OF LABOR AND MATERIALS: \$ <u>3000</u>  |                 |      |       |               |         |              |
| <input checked="" type="checkbox"/> I ACKNOWLEDGE BEING INFORMED OF THE HOME IMPROVEMENT INCENTIVE PROGRAM AND UNDERSTAND THAT THE IMPROVEMENTS AUTHORIZED BY THIS PERMIT MAY QUALIFY FOR SAID PROGRAM.   |                 |      |       |               |         |              |
| I HEREBY MAKE APPLICATION FOR A PERMIT TO CONSTRUCT OR CAUSE TO BE CONSTRUCTED A FENCE ON THE DESCRIBED PROPERTY AS SHOWN ON THE SKETCH BELOW. I AM FAMILIAR WITH THE CITY OF RICHARDSON FENCE REGULATIONS AND THIS FENCE STRUCTURE WILL COMPLY THEREWITH. I AGREE TO CALL FOR AN INSPECTION UPON COMPLETION. |                 |      |       |               |         |              |
| (PLEASE PRINT) APPLICANT'S NAME   |                 |      |       | COMPANY TITLE |         |              |
| <b>Andrea Hills</b>   |                 |      |       |               |         |              |
| COMPANY   | MAILING ADDRESS | CITY | STATE | ZIP           | PHONE # |              |
| APPLICANT'S SIGNATURE: <i>Andrea Hills</i> <u>05/28/19</u>  |                 |      |       |               |         |              |
| EMAIL ADDRESS: <u>sanderson1200@gmail.com</u>   |                 |      |       |               |         |              |

PLEASE PROVIDE SKETCH BELOW SIMILAR TO SAMPLE.



**Please include on the sketch:** The street and alley in relation to the house, all property lines, and all new or replaced fencing designated with X X X X X X X X X X.

|   |                                     |                     |                            |
|---|-------------------------------------|---------------------|----------------------------|
| ZONING _____                              | APPLICATION / PERMIT TYPE: <u>1</u> | DATE CHECKED _____  | CHECKED BY _____           |
| NO CHARGE PERMIT <input type="checkbox"/> |                                     | APPLICATION # _____ |                            |
| DATE _____                                | AMOUNT \$ _____                     | RECEIPT # _____     | CASH / CK # _____ BY _____ |



C.B.G. Surveying, Inc.



**LEGEND**

- 1/4" ROD FOUND
- ⊙ 1/2" ROD SET
- ⊕ IRON FOUND
- ⊙ 3" FOUND/SET
- ⊕ IRON NAIL FOUND
- ⚡ TRANSFORMER
- ⚡ PAD
- ⚡ COLUMN
- ⚡ OVERGROUND ELECTRIC
- ⚡ UNDERGROUND ELECTRIC
- ⚡ OVERHEAD ELECTRIC POWER
- ⚡ OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- COVERED AREA
- FENCE POST FOR CORNER
- ⊙ CONTROLLING CM MONUMENT
- ⊙ AIR CONDITIONER
- ⊙ FE EQUIPMENT
- ⊙ POWER POLE
- ⊙ OVERHEAD ELECTRIC
- IRON FENCE
- VINYL FENCE
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- CONCRETE

**EXCEPTIONS:**

NOTE: This survey is made in conjunction with the information provided by the client. C.B.G. Surveying, Inc. has not researched the land file records for the existence of easements, restrictive covenants or other encumbrances.

NOTES: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED. FLOOD NOTE: According to the F.I.R.M. No. 48113C0215J, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by the Client. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the surveyor. It is to be noted that the surveyor is not a contractor and does not guarantee the accuracy of the location of the property lines and dimensions are as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on this ground.

Date: \_\_\_\_\_  
Accepted by: \_\_\_\_\_ Purchaser  
Job No. 1305822-1

Drawn By: CGF  
Scale: 1" = 30'  
Date: 09/09/13  
GF NO.: ---  
Job No. 1305822-1

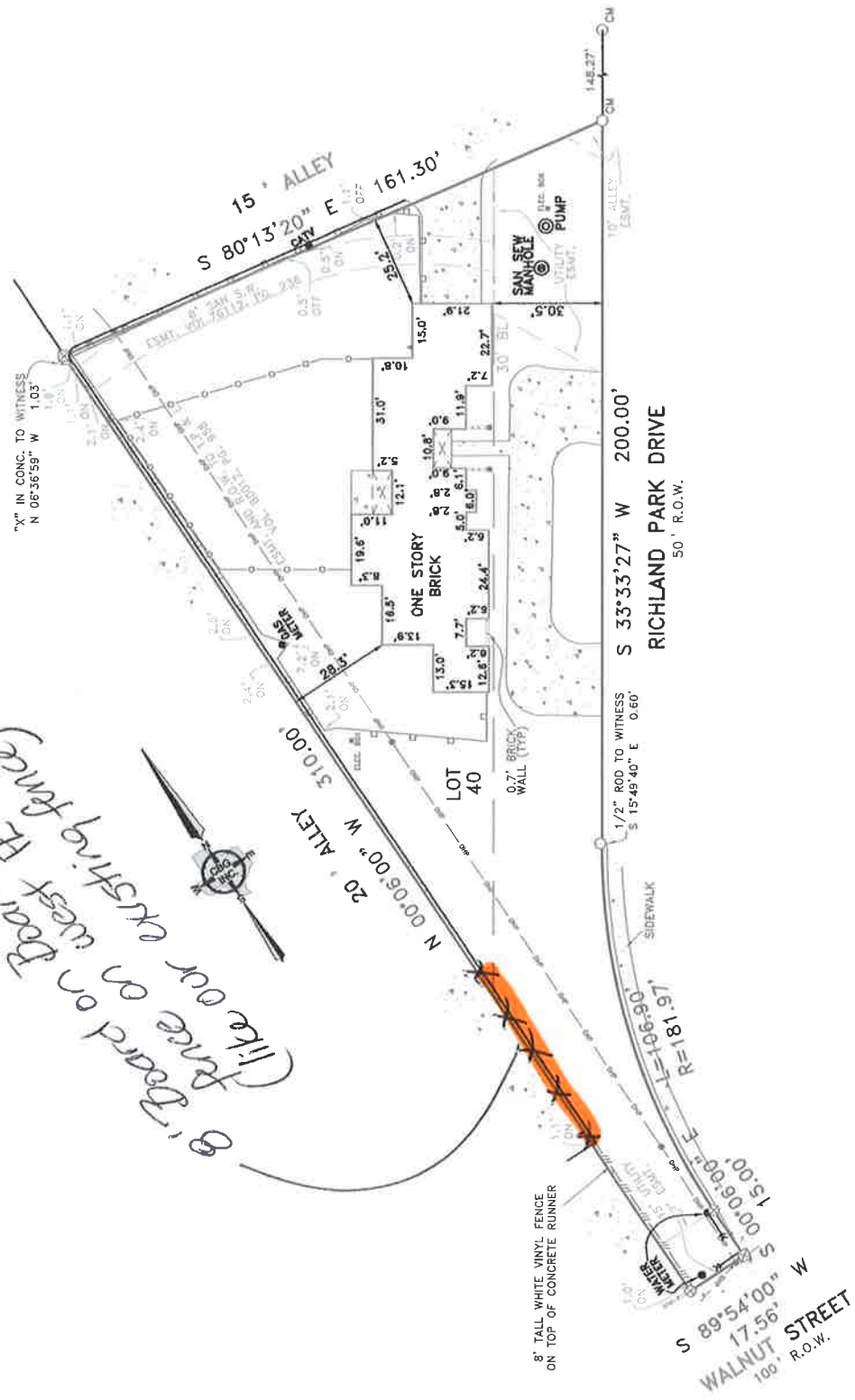
C.B.G. Surveying, Inc.  
12025 Shiloh Road, Ste. 230  
Dallas, TX 75228  
P 214.349.9485  
F 214.349.2216  
www.cbgsurv.com



**1200 Richland Park Drive**

Being Lot 40, in Block E of Richland Park Third Station, an addition to the City of Dallas, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 74949, Page 1474, Map and/or Plat Records of Dallas County, Texas.

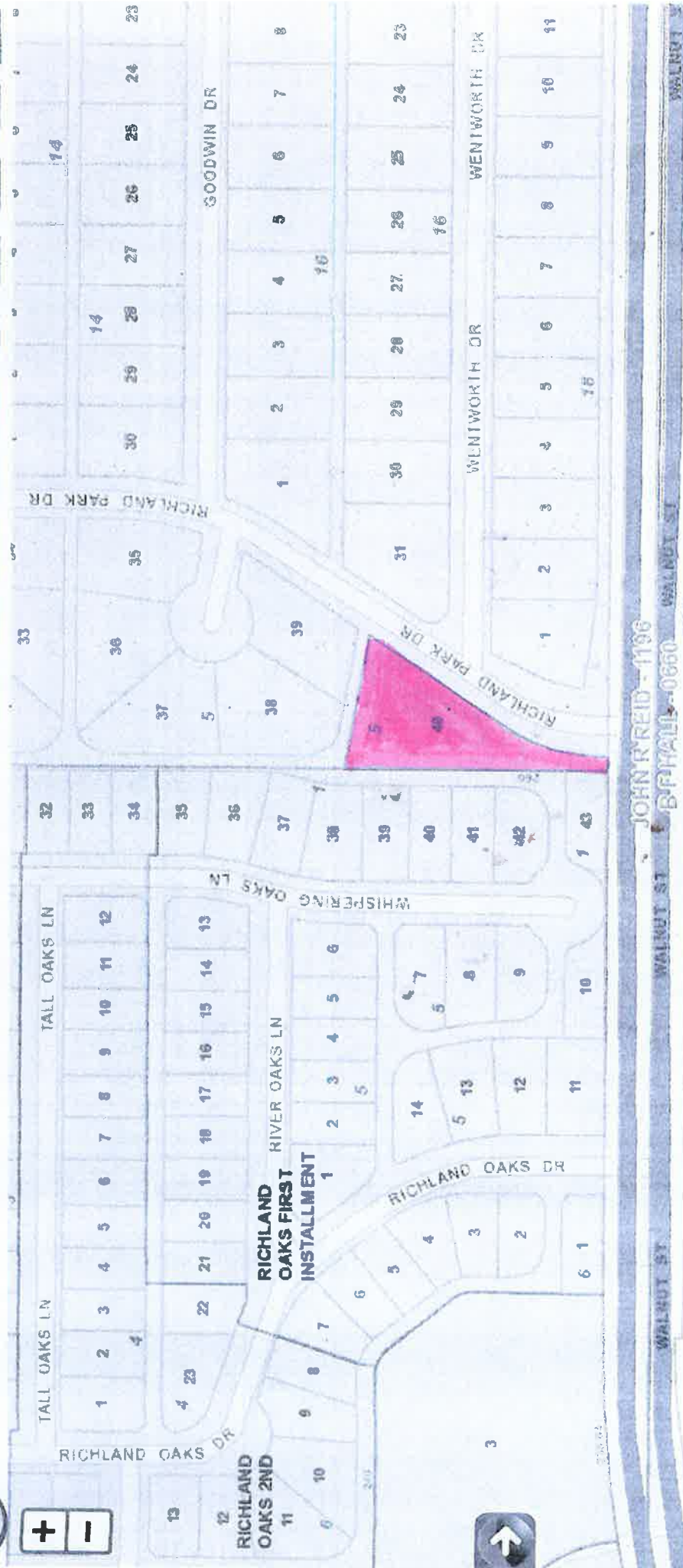
*8' Board on Board Fence on west side (like our existing fence)*



*Bry*



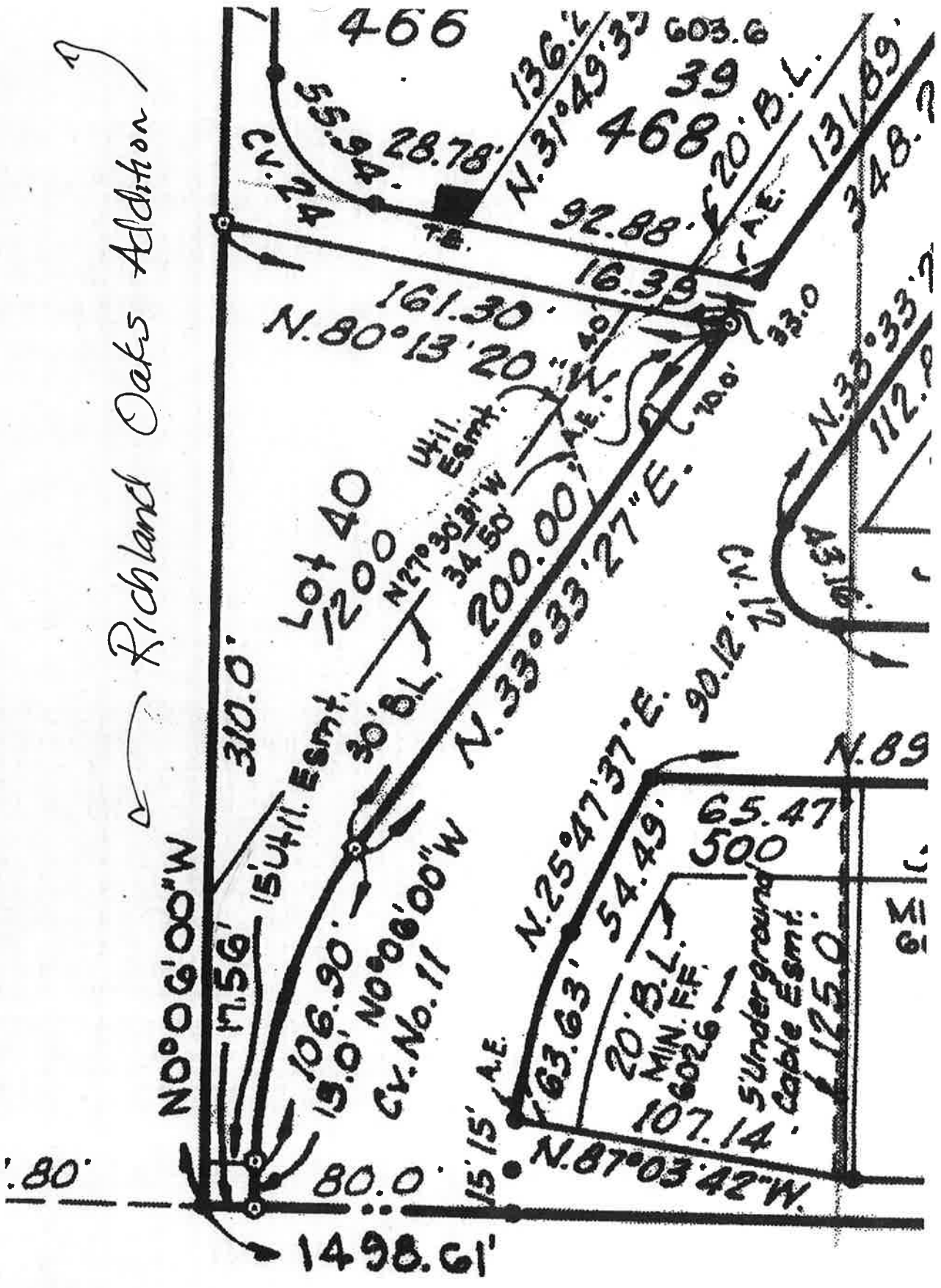
# DCAD Property Map



**Subject Property**  
**1200 Richland Park Drive**



Richland Oaks Addition ↗

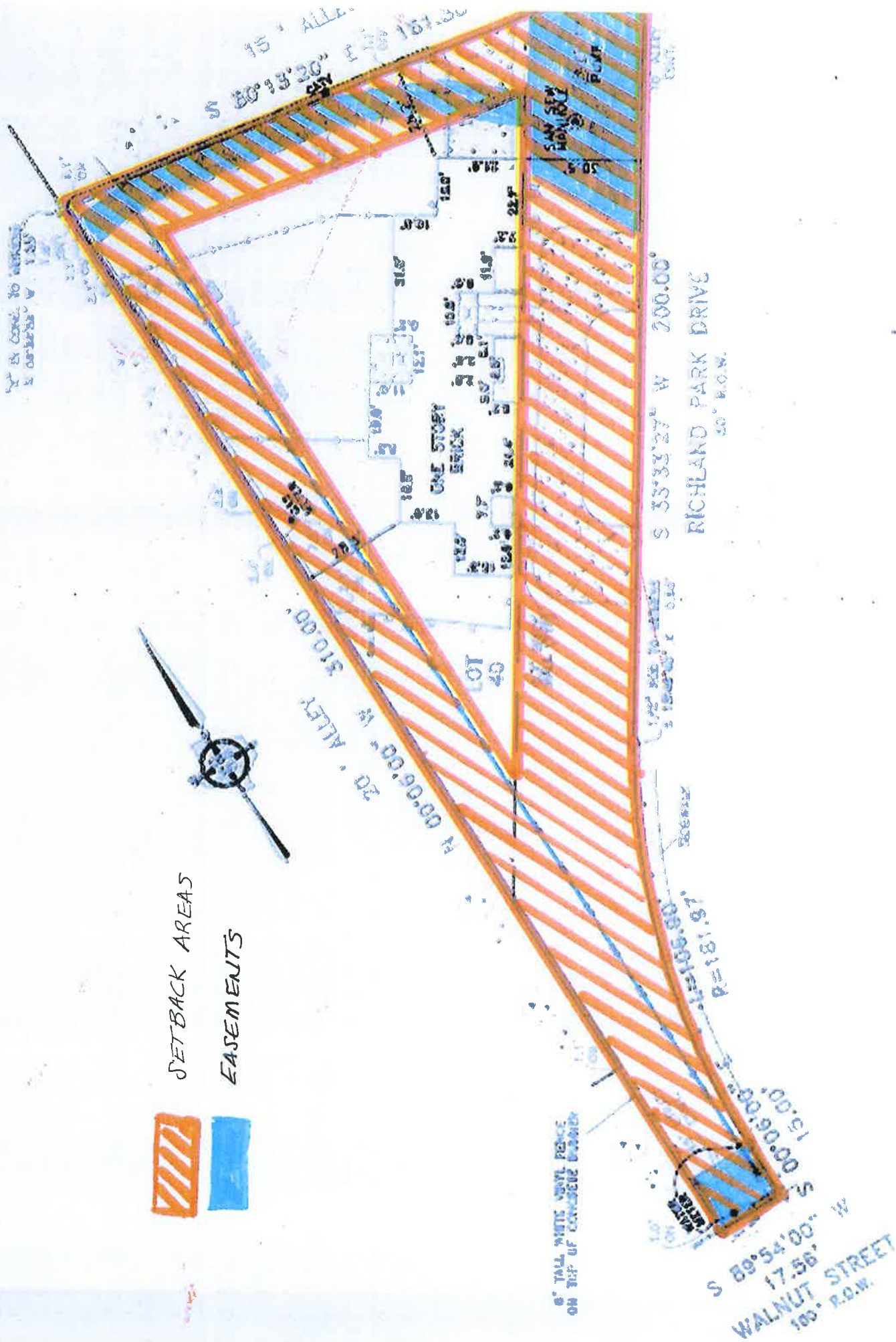


Portion of Richland Park Third Addition showing subject property.



SETBACK AREAS

EASEMENTS



6" TALL WHITE VINYL FENCE ON TOP OF CONCRETE BORDER

S 89°54'00" W 17.56' W  
WALNUT STREET  
100' R.O.W.

S 35°33'27" W 200.00'  
RICHLAND PARK DRIVE  
50' R.O.W.

15' ALLE.  
S 80°13'20" E 181.80'

20' ALLEY  
N 00°06'00" W 310.00'

LOT 40

ONE STORY BRICK

SANDY SEAM FOUNDATION



# Notice of Public Hearing

## Zoning Board of Adjustments – Richardson, TX

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

### SPECIAL EXCEPTION REQUEST

**File No./Name:** SE 19-03  
**Property Owner:** Steven and Andrea Hills  
**Applicant:** Andrea Hills  
**Location:** (see map on reverse side)  
**Request:** SE 19-03; a request of a special exception from Chapter 6 (Buildings and Building Regulations), Article IV (Fences), Sec 6-209(3) of the City of Richardson's Code of Ordinances to allow an 8-foot board-on-board wooden fence in lieu of the maximum height of three (3) feet allowed for a fence located between the front property line and the front wall of a residential structure. The property is located at 1200 Richland Park Drive and zoned R-1500-M Residential.

The City Plan Commission will consider this request at a public hearing on:

**WEDNESDAY, JULY 17, 2019**  
**6:30 p.m.**  
**City Council Chambers**  
**Richardson City Hall, 411 W. Arapaho Road**  
**Richardson, Texas**

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

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

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

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

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Variance number SE 19-03.

Date Posted and Mailed: **July 05, 2019**



**SE 19-03**

Oaks Ln

River Oaks Ln

Whispering Oaks Ln

Richland Oaks Dr

Goodwin Dr

Wentworth Dr

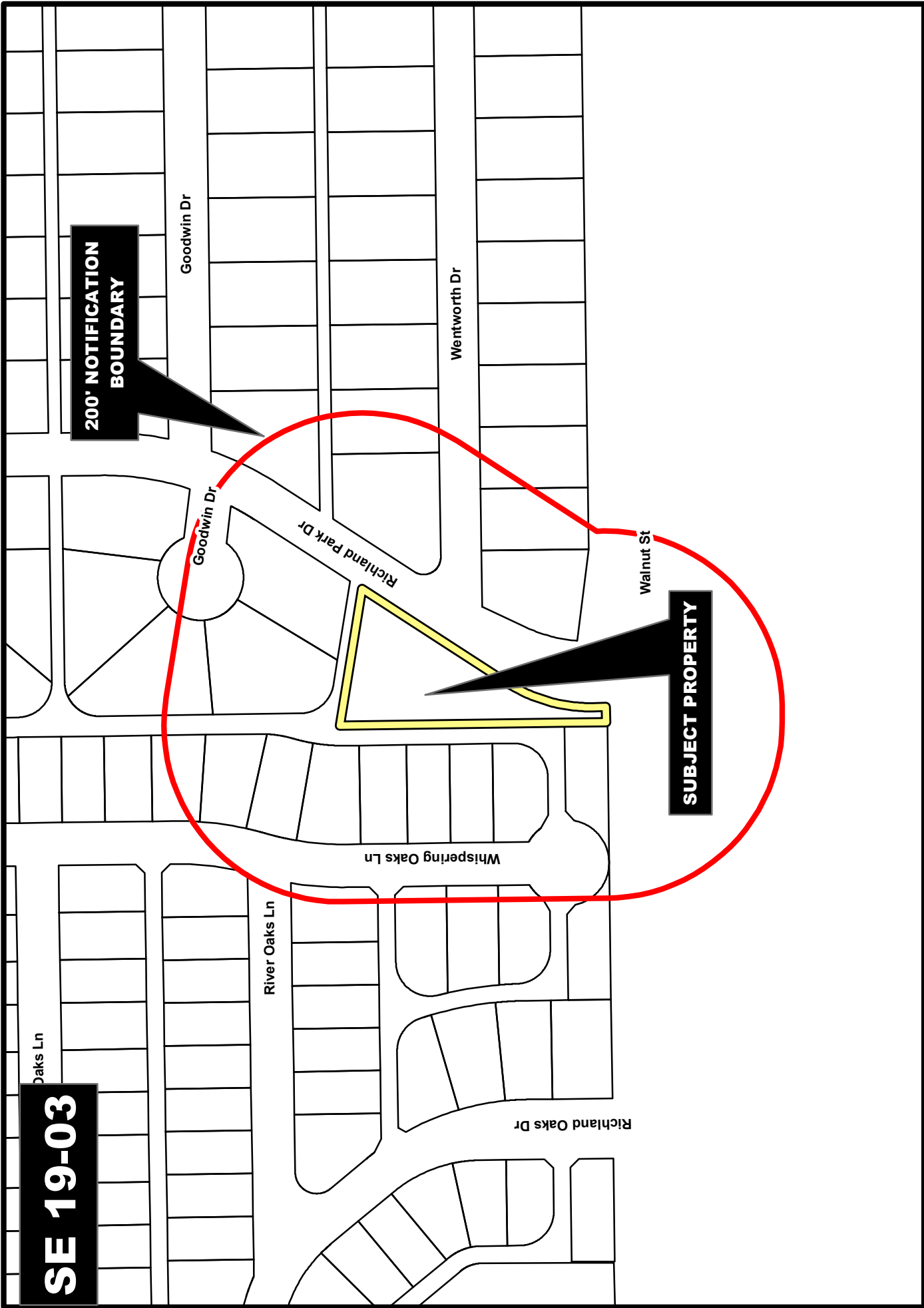
Walnut St

Goodwin Dr

Richland Park Dr

**200' NOTIFICATION  
BOUNDARY**

**SUBJECT PROPERTY**



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.



MCELROY ALICE  
465 GOODWIN DR  
RICHARDSON, TX 750815549

LE NHUNG  
6438 GARRETT LN  
ROANOKE, VA 240196750

HILLS STEVEN LEE & ANDREA A  
1200 RICHLAND PARK DR  
RICHARDSON, TX 750815609

CULLENS PHILIP GARRETT & CRUZ LILY S  
500 WENTWORTH DR  
RICHARDSON, TX 750815620

CHIPIONA PPTIES LLC  
PO BOX 6689  
MCKINNEY, TX 750715118

BUSH EDDIE  
1223 WHISPERING OAKS LN  
RICHARDSON, TX 750815546

RICE KENNETA A  
1227 WHISPERING OAKS LN  
RICHARDSON, TX 750815546

RIZZARDINI LANE ROBERT & NEAL  
AUGUSTA RUBY  
1231 WHISPERING OAKS LN  
RICHARDSON, TX 750815546

OSBORN FRANCES  
1232 WHISPERING OAKS LN  
RICHARDSON, TX 750815545

TAYLOR RONALD O & DOROTHY LYNN  
500 GOODWIN DR  
RICHARDSON, TX 750815601

BULATOVIC STEFANIE L & VLADIMIR  
BULATOVIC  
503 WENTWORTH DR  
RICHARDSON, TX 750815621

DAVIS WANDA M  
504 WENTWORTH DR  
RICHARDSON, TX 750815620

KACZKA SHIRLEY  
1217 WHISPERING OAKS LN  
RICHARDSON, TX 750815546

FRIEDMANN PETER J  
1221 WHISPERING OAKS LN  
RICHARDSON, TX 750815546

OVCHAROV MARIA  
1225 WHISPERING OAKS LN  
RICHARDSON, TX 750815546

WHITE CHRISTOPHER EVAN &  
STEPHENSON AMY LYNN  
1228 WHISPERING OAKS LN  
RICHARDSON, TX 750815545

HOLCOMB JULIA  
1230 WHISPERING OAKS LN  
RICHARDSON, TX 750815545

THOMAS JASON C & THOMAS GAY M  
466 GOODWIN DR  
RICHARDSON, TX 750815549

TORRES JOSE L & ROSA  
501 WENTWORTH DR  
RICHARDSON, TX 750815621

RICHMOND ROBERT M  
1717 WINDING HOLLOW LN  
MERIT, TX 75072

SHIPLEY JOENA MARIE  
435 RIVER OAKS LN  
RICHARDSON, TX 750815539

SULLIVAN KRISANDRA & TERRY  
434 RIVER OAKS LN  
RICHARDSON, TX 750815538

HUFFMAN WILLIAM H & CARLA  
1226 WHISPERING OAKS LN  
RICHARDSON, TX 750815545

LOZON LAWRENCE J  
424 RIVER OAKS LN  
RICHARDSON, TX 750815538

RILEY KAITLYN & RILEY STEVEN  
1233 WHISPERING OAKS LN  
RICHARDSON, TX 750815546



Remit Payments (with Acct Number) to:  
The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040

### Order Confirmation

|                    |                    |                          |             |
|--------------------|--------------------|--------------------------|-------------|
| <b>Customer:</b>   | CITY OF RICHARDSON | <b>Customer Account:</b> | 100010162   |
| <b>Ad Order #:</b> | 0001733590         | <b>PO Number:</b>        | CPN 8148    |
| <b>Sales Rep:</b>  | Lynda Black        | <b>Order Taker:</b>      | Lynda Black |

|                        |                   |                        |        |                      |  |
|------------------------|-------------------|------------------------|--------|----------------------|--|
| <b>Net Amount:</b>     | \$341.87          | <b>Tax Amount:</b>     | \$0.00 | <b>Total Amount:</b> | \$341.87   |
| <b>Payment Method:</b> | Check/Money Order | <b>Payment Amount:</b> | \$0.00 | <b>Amount Due:</b>   | <span style="border: 1px solid black; padding: 2px;">\$341.87</span> |

**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

**Color:** **Ad Size:** 1 X 159.00 Li

#### Ad Content

##### NOTICE OF PUBLIC HEARING

The Richardson Zoning Board of Adjustment will hold a public hearing in the Council Chambers on July 17, 2019 at 6:30 p.m. at City Hall, 411 W. Arapaho Road, Richardson, Texas to consider:

SE 19-03; a request of a special exception from Chapter 6 (Buildings and Building Regulations), Article IV (Fences), Sec. 6-209(3) of the City of Richardson's Code of Ordinances to allow an 8-foot board-on-board wooden fence in lieu of the maximum height of three (3) feet allowed for a fence located between the front property line and the front wall of a residential structure. The property is located at 1200 Richland Park Drive and zoned R-1500-M Residential.

V 19-11; a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article IV, Sec. 4 (b) to allow a 68-foot lot width in lieu of the required 72-foot lot width required for a residential lot and Article IV, Sec. 4 (f) to allow a 6-foot side yard setback in lieu of the required minimum 7-foot side yard setback. The property is located at 1409 N. Waterview Drive and zoned R-1500-M Residential.

V 19-12, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (f) to allow an 11-foot side yard setback in lieu of the required 20-foot side yard setback on a corner lot adjacent to a side street and Article VII, Sec. 4 (f) to allow a 5-foot setback from the required minimum 10-foot side yard setback. The property is located at 502 Highland Boulevard and zoned R-1100-M Residential

V 19-13, a request for a variance from Article IV, Section 4 (b) of Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson Code of Ordinances to allow a 68-foot lot width in lieu of the required 72-foot lot



Remit Payments (with Acct Number) to:  
 The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040

**Order Confirmation**

**Customer:** CITY OF RICHARDSON      **Customer Account:** 100010162  
**Ad Order #:** 0001733590      **PO Number:** CPN 8148  
**Sales Rep:** Lynda Black      **Order Taker:** Lynda Black

|                        |                   |                        |        |                      |          |
|------------------------|-------------------|------------------------|--------|----------------------|----------|
| <b>Net Amount:</b>     | \$341.87          | <b>Tax Amount:</b>     | \$0.00 | <b>Total Amount:</b> | \$341.87 |
| <b>Payment Method:</b> | Check/Money Order | <b>Payment Amount:</b> | \$0.00 | <b>Amount Due:</b>   | \$341.87 |

**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

width for a residential lot and Article IV, Sec. 4 (e) to allow a 34' -9" front setback in lieu of the required 35-foot setback for the northwest corner of the existing home. The property is located 1001 Cedar Lane and zoned R-1500-M Residential.

V 19-14, a request of the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (d) to allow a 36.1% lot coverage in lieu of the required maximum lot coverage of 35%; Article VII, Sec. 4 (f) to allow a 2-foot side yard setback in lieu of the required 3-foot side yard setback for a detached garage; Article VII, Sec. 4 (e) to allow a front setback of 26-feet for the existing front wall of the building in lieu of the statted 40-foot front setback and Article VII, Sec. 4 (h) to allow a driveway that does not provide the required minimum paved area of 24' depth and 18' width measured perpendicular to the entry of the garage. The property is located at 1204 Northlake Drive and zoned R-1100-M Residential.

V 19-15, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VI, Sec. 4 (d) to allow a lot coverage of 35.2% in lieu of allowable maximum of 32% and Article VI, Sec. 4 (g) to allow an 8-foot setback from the required minimum 25-foot side yard setback for an attached patio cover. The property is located at 200 Long Canyon Court and zoned R-1250-M Residential. For more information, call 972-744-4240.

CPN: 8148 Pub: 07/05/2019

| Run Dates   | Product             | Placement/Classification - Position    |
|---|---------------------|--|
| Publish Date: 07/05/2019      Stop Date: 07/05/2019 | Dallas Morning News | Legals Bids Notices - LN Legal Notices |
| Publish Date: 07/05/2019      Stop Date: 07/11/2019 | DallasNews.com      | Legals Bids Notices - LN Legal Notices |

# Agenda Item 3

Variance 19-11:  
1409 N. Waterview Drive

## **ZBA File V 19-11**

### **Attachments:**

1. Staff Report
2. Aerial Map
3. Variance Exhibits
4. Application
5. Applicant's Statement
6. Notice of Public Hearing and Map
7. Notification List
8. DMN Public Hearing Notice



**TO:** Zoning Board of Adjustment  
**FROM:** Daniel Harper, Planner **DH**  
**DATE:** July 11, 2019  
**RE:** **V 19-11:** 1409 N. Waterview Drive

### REQUESTED VARIANCES

A request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article IV, Sec. 4 (b) to allow a 68-foot lot width in lieu of the required 72-foot lot width required for a residential lot and Article IV, Sec. 4 (f) to allow a 6-foot side yard setback in lieu of the required minimum 7-foot side yard setback.

### APPLICANT/PROPERTY OWNER

Bob Reid, Reid Properties / Waterview Church of Christ

### EXISTING ZONING

R-1500-M Residential

### SURROUNDING LAND USE

Residential

### STAFF COMMENTS

The property is located in the Richardson Heights subdivision. The applicant is requesting a variance from Article IV, Sec. 4 (b) and Article IV, Sec. 4 (f) Appendix A of the Richardson Code of Ordinances.

The reason for this request is that the Waterview Church of Christ intends to sell the residential home that is located on the southern portion of the property. In order to sell the residential home, they will need to replat the property to create its own separate lot. However, the design of the church campus prevents the lot from meeting the minimum lot width requirements of seventy-two feet in width while also maintaining the screening requirements of an 8-foot landscape buffer that is required in the subdivision and development code.

The property owner is proposing to replat the property to create a new lot that is 70-feet in width and meets all other zoning requirements while also providing the required 8-foot landscape buffer required in the subdivision and development code.

The second variance is to allow a 1-foot variance to the required 7-foot side yard setback. The current home is located approximate 6.75 feet from the southern side yard property line.

## 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 however, the request represents an existing condition which was not created by the current property owner and should therefore be approved.



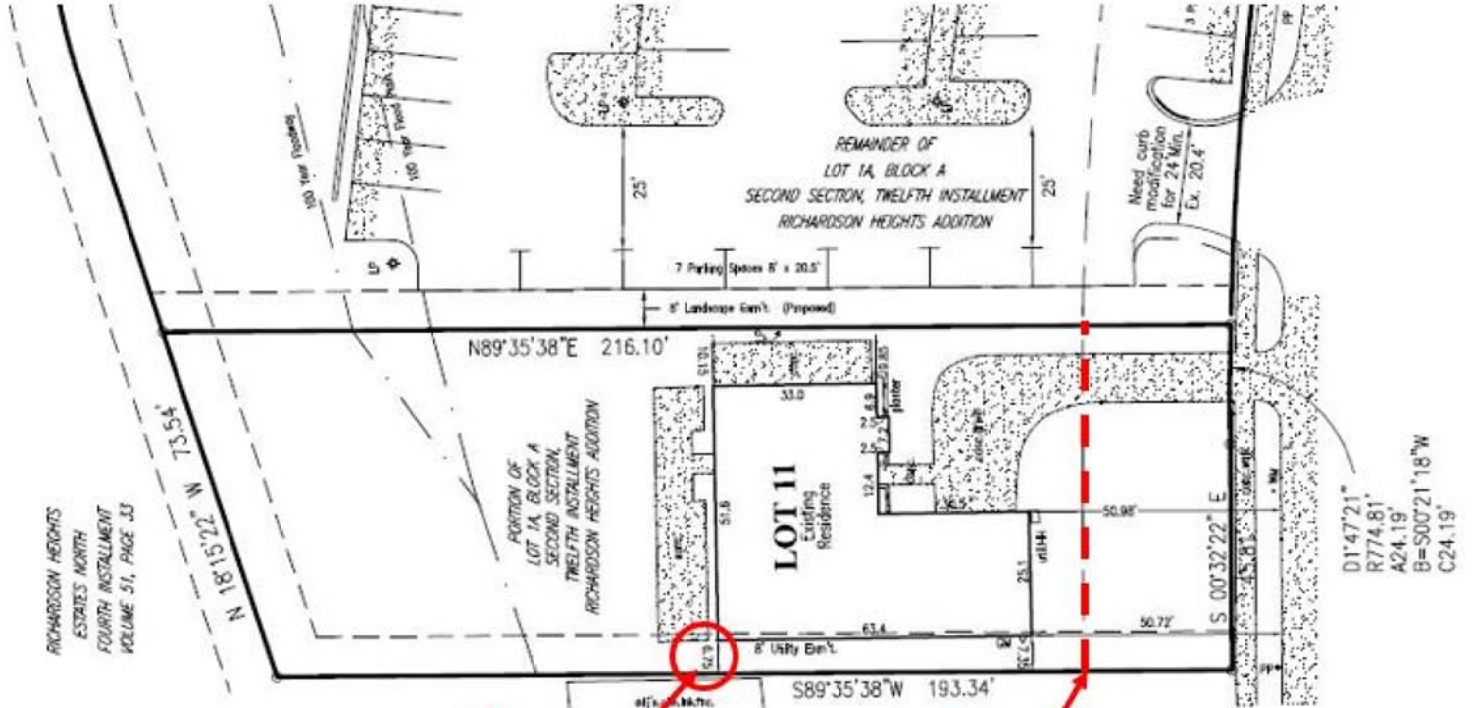
**V 19-11**



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.

RICHARDSON HEIGHTS  
ESTATES NORTH  
FOURTH INSTALLMENT  
VOLUME 51, PAGE 33

N 18°15'22" W 73.54'



Existing 6.75' Setback

70' Lot Width

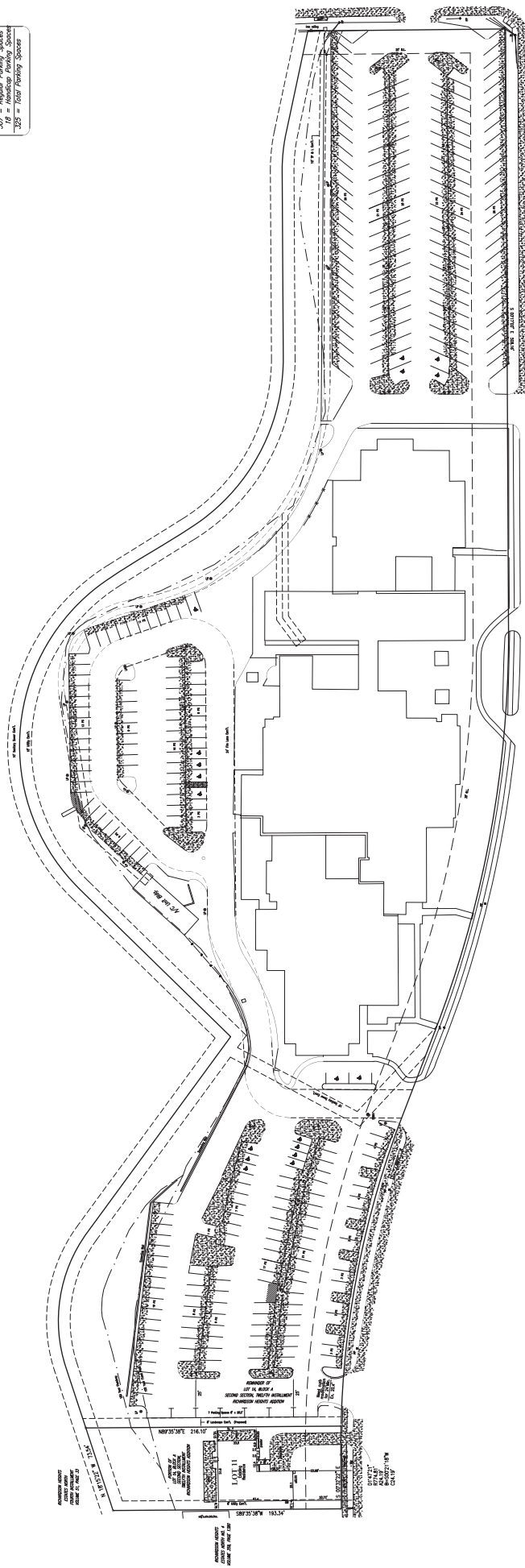
RICHARDSON HEIGHTS  
ESTATES NORTH NO. 4  
VOLUME 52, PAGE 1380

D1=47'21"  
R774.81'  
A24.19'  
B=S00°21'18"W  
C24.19'



0' 40' 80' 120'  
SCALE: 1"=40'

**Parking Spaces**  
P.S. = Parking Spaces  
A37 = Regular Parking Spaces  
A18 = Handicap Parking Spaces  
A22 = Total Parking Spaces



**Melrose Drive**

**Waterview Drive**

**Parking Exhibit**  
**1409 N Waterview Drive**  
Lot 1A, Block A

Replat of the  
SECOND SECTION,  
TWELFTH HEIGHTS ADDITION  
RICHARDSON HEIGHTS ADDITION  
John Edmonds Survey, A-429  
City of Richardson, Dallas County, Texas

Date: June 13, 2019

Roome  
Land Surveying  
3000 Walnut Street  
Richardson, Texas 75081  
Phone: (972) 254-9277 Fax: (972) 405-1332  
www.roome-land.com

**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, 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             |
|----------------------------------|------------------|----------------------------|
|                                  | Signature        |                            |
| Bob Reid                         | Printed Name     | Waterview Church of Christ |
| Reid Properties                  | Company Name     | Waterview Church of Christ |
| 401 w President George Bush #124 | Mailing Address  | 1409 N Waterview Drive     |
| Richardson TX 75080              | City, State, ZIP | Richardson TX 75080        |
| 214-543-8914                     | Telephone Number | 972-238-4700               |
| Bob.Reid@reidproperties.com      | Email Address    | rtaylor913@gmail.com       |

| Property Information          |  |
|-------------------------------|--|
| Address of Subject Property   | 1409 N Waterview Dr Richardson TX 75080                                |
| Legal Description             | Lot 1A Block A Second Section, 12th Installment Richardson Heights Add |
| Existing Zoning and Ordinance |  |
| Requested Variance            | Side yard Building Line  |

**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

Property owner needs to sell the property

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

Yes  No

Property owner cannot sell the property as is. The COR building code requires a 7 foot side yard the entire length of the property. There is a 3 inch encroachment at the back of the house which extends into the side yard.

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 house was built prior to city requirements of a form board survey.

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



# Notice of Public Hearing

## Zoning Board of Adjustment – Richardson, TX

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

### VARIANCE REQUEST

**File No./Name:** V 19-11  
**Property Owner:** Waterview Church of Christ  
**Applicant:** Bob Reid  
**Location:** (see map on reverse side)  
**Request:** V 19-11; a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article IV, Sec. 4 (b) to allow a 68-foot lot width in lieu of the required 72-foot lot width required for a residential lot and Article IV, Sec. 4 (f) to allow a 6-foot side yard setback in lieu of the required minimum 7-foot side yard setback. The property is located at 1409 N. Waterview Drive and zoned R-1500-M Residential.

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

**WEDNESDAY, JULY 17, 2019**  
**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.

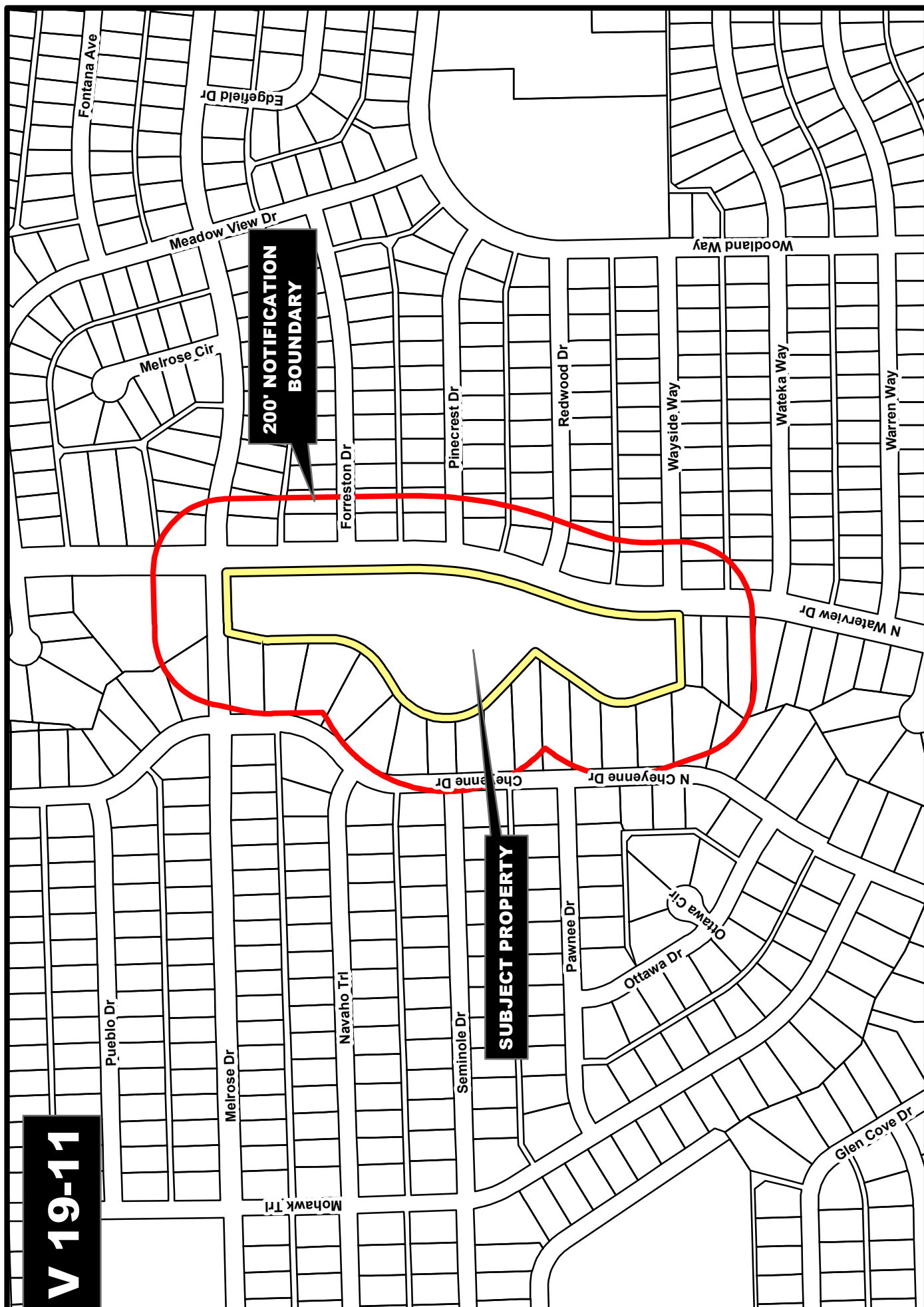
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

**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 19-11.

Date Posted and Mailed: **July 05, 2019**

**V 19-11**



**200' NOTIFICATION  
BOUNDARY**

**SUBJECT PROPERTY**



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.

|  |  |  |
|--|--|--|
| GREENWOOD HILLS COMMUNITY<br>PO BOX 830624<br>RICHARDSON, TX 750830624                 | SACHNIK FRANCIS L ETUX<br>1502 CHEYENNE DR<br>RICHARDSON, TX 750802901                             | 920 MELROSE LLC<br>920 MELROSE DR<br>RICHARDSON, TX 750804003                          |
| PERKINS HARRY D & LEA T PERKINS<br>1500 CHEYENNE DR<br>RICHARDSON, TX 750802901        | MOOREHEAD KATHERINE A & BLA<br>922 MELROSE DR<br>RICHARDSON, TX 750804003                          | BROWN LORI & JONATHAN MATT<br>921 MELROSE DR<br>RICHARDSON, TX 750804004               |
| MALONE FARRIS D & BETTY J<br>1442 CHEYENNE DR<br>RICHARDSON, TX 750803921              | WATERVIEW CHURCH OF CHRIST<br>1409 N WATERVIEW DR<br>RICHARDSON, TX 750803904                      | PRESLEY SCOTT R & ANNETTE D<br>PRESLEY<br>1440 CHEYENNE DR<br>RICHARDSON, TX 750803921 |
| NEWTON ROBERT SHANE<br>923 MELROSE DR<br>RICHARDSON, TX 750804004                      | FLORSHEIM ROBYN<br>4274 CHARLES ST<br>CARROLLTON, TX 75010   | WHALEY LAWRENCE M<br>1438 CHEYENNE DR<br>RICHARDSON, TX 750803921                      |
| WISE ALEX & ELIZABETH<br>924 FORRESTON DR<br>RICHARDSON, TX 750804001                  | CALDWELL BENJAMIN R & TER D<br>1436 CHEYENNE DR<br>RICHARDSON, TX 750803921                        | BRESANI VALVERDE IVONNE ELV<br>923 FORRESTON DR<br>RICHARDSON, TX 750804002            |
| JONES SALLY SCOTT & FORREST L<br>JONES<br>1434 CHEYENNE DR<br>RICHARDSON, TX 750803921 | COREY GERALD L LF EST & PATRICIA A<br>COREY LF EST<br>925 FORRESTON DR<br>RICHARDSON, TX 750804002 | PRENGLER ADAM & JILL<br>1432 CHEYENNE DR<br>RICHARDSON, TX 750803921                   |
| GONZALEZ VICTOR A & GUADALUPE G<br>922 PINECREST DR<br>RICHARDSON, TX 750804005        | GORDON JOHN PATRICK & TANYA<br>1430 CHEYENNE DR<br>RICHARDSON, TX 750803921                        | COUCH ADAM<br>924 PINECREST DR<br>RICHARDSON, TX 750804005                             |
| HURST TIMOTHY C & JENNIFER A<br>1428 CHEYENNE DR<br>RICHARDSON, TX 750803921           | RAMSDALE ROBERT E<br>921 PINECREST DR<br>RICHARDSON, TX 750804006                                  | WRAY NORMA J & KENNETH TRENT<br>WRAY<br>1426 CHEYENNE DR<br>RICHARDSON, TX 750803921   |
| FALDON SHELLY COLEMAN<br>923 PINECREST DR<br>RICHARDSON, TX 750804006                  | ATCHISON CHRISTI L<br>918 REDWOOD DR<br>RICHARDSON, TX 750804007                                   | YONKOS PHILLIP M & STACEY<br>1424 CHEYENNE DR<br>RICHARDSON, TX 750803921              |
| RANDALL ERNEST H JR<br>1422 CHEYENNE DR<br>RICHARDSON, TX 750803921                    | BIRD WILLIAM ROY & SANDRA Y<br>920 REDWOOD DR<br>RICHARDSON, TX 750804007                          | PERET SCOTT STEPHAN ET AL<br>921 REDWOOD DR<br>RICHARDSON, TX 750804008                |



DERSHAM LENNA  
1420 CHEYENNE DR  
RICHARDSON, TX 750803921

CHUANG TZEDAO & LI-FEN CHEN  
922 WAYSIDE WAY  
RICHARDSON, TX 750804017

SIMS MARSHALL E  
1414 CHEYENNE DR  
RICHARDSON, TX 750803921

CURNUTT MELINDA TURNER & CH  
1215 N WATERVIEW DR  
RICHARDSON, TX 750803902

BARTELS STEVEN K  
1711 WHITE ROCK CT  
ALLEN, TX 750027388

BRODNAX JANIS BROWNING &  
BROWNING JOE C JR  
1418 CHEYENNE DR  
RICHARDSON, TX 750803921

TAYLOR JAMES L  
1416 CHEYENNE DR  
RICHARDSON, TX 750803921

COCEK JASON A & BERNARDINE  
1217 N WATERVIEW DR  
RICHARDSON, TX 750803902

WATERMAN MARK T & TERI L  
1412 CHEYENNE DR  
RICHARDSON, TX 750803921

MYERS DEENA S & LARRY J  
1211 N WATERVIEW DR  
RICHARDSON, TX 750803902

BUTLER ROY  
923 REDWOOD DR  
RICHARDSON, TX 750804008

SHIVLEY DEBRA J & NANCY SHIVLEY  
ROGERS  
924 WAYSIDE WAY  
RICHARDSON, TX 750804017

FLEMING RICHARD L & KATHERINE KAY  
P  
925 WAYSIDE WAY  
RICHARDSON, TX 750804018

FITZGERALD TREY FELDER  
927 WAYSIDE WAY  
RICHARDSON, TX 750804018

DUMBBELL PROPERTIES LLC  
819 W ARAPAHO #24B-217  
RICHARDSON, TX 750805045



Remit Payments (with Acct Number) to:  
The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040

### Order Confirmation

Customer: CITY OF RICHARDSON Customer Account: 100010162  
Ad Order #: 0001733590 PO Number: CPN 8148  
Sales Rep: Lynda Black Order Taker: Lynda Black

|                 |                   |                 |        |               |          |
|-----------------|-------------------|-----------------|--------|---------------|----------|
| Net Amount:     | \$341.87          | Tax Amount:     | \$0.00 | Total Amount: | \$341.87 |
| Payment Method: | Check/Money Order | Payment Amount: | \$0.00 | Amount Due:   | \$341.87 |

Ad Order #: 0001733590

Ad Number: 0001733590-01

Color: Ad Size: 1 X 159.00 Li

#### Ad Content

##### NOTICE OF PUBLIC HEARING

The Richardson Zoning Board of Adjustment will hold a public hearing in the Council Chambers on July 17, 2019 at 6:30 p.m. at City Hall, 411 W. Arapaho Road, Richardson, Texas to consider:

SE 19-03; a request of a special exception from Chapter 6 (Buildings and Building Regulations), Article IV (Fences), Sec. 6-209(3) of the City of Richardson's Code of Ordinances to allow an 8-foot board-on-board wooden fence in lieu of the maximum height of three (3) feet allowed for a fence located between the front property line and the front wall of a residential structure. The property is located at 1200 Richland Park Drive and zoned R-1500-M Residential.

V 19-11; a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article IV, Sec. 4 (b) to allow a 68-foot lot width in lieu of the required 72-foot lot width required for a residential lot and Article IV, Sec. 4 (f) to allow a 6-foot side yard setback in lieu of the required minimum 7-foot side yard setback. The property is located at 1409 N. Waterview Drive and zoned R-1500-M Residential.

V 19-12, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (f) to allow an 11-foot side yard setback in lieu of the required 20-foot side yard setback on a corner lot adjacent to a side street and Article VII, Sec. 4 (f) to allow a 5-foot setback from the required minimum 10-foot side yard setback. The property is located at 502 Highland Boulevard and zoned R-1100-M Residential

V 19-13, a request for a variance from Article IV, Section 4 (b) of Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson Code of Ordinances to allow a 68-foot lot width in lieu of the required 72-foot lot



Remit Payments (with Acct Number) to:  
 The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040

**Order Confirmation**

**Customer:** CITY OF RICHARDSON      **Customer Account:** 100010162  
**Ad Order #:** 0001733590      **PO Number:** CPN 8148  
**Sales Rep:** Lynda Black      **Order Taker:** Lynda Black

|                        |                   |                        |        |                      |          |
|------------------------|-------------------|------------------------|--------|----------------------|----------|
| <b>Net Amount:</b>     | \$341.87          | <b>Tax Amount:</b>     | \$0.00 | <b>Total Amount:</b> | \$341.87 |
| <b>Payment Method:</b> | Check/Money Order | <b>Payment Amount:</b> | \$0.00 | <b>Amount Due:</b>   | \$341.87 |

**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

width for a residential lot and Article IV, Sec. 4 (e) to allow a 34' -9" front setback in lieu of the required 35-foot setback for the northwest corner of the existing home. The property is located 1001 Cedar Lane and zoned R-1500-M Residential.

V 19-14, a request of the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (d) to allow a 36.1% lot coverage in lieu of the required maximum lot coverage of 35%; Article VII, Sec. 4 (f) to allow a 2-foot side yard setback in lieu of the required 3-foot side yard setback for a detached garage; Article VII, Sec. 4 (e) to allow a front setback of 26-feet for the existing front wall of the building in lieu of the statted 40-foot front setback and Article VII, Sec. 4 (h) to allow a driveway that does not provide the required minimum paved area of 24' depth and 18' width measured perpendicular to the entry of the garage. The property is located at 1204 Northlake Drive and zoned R-1100-M Residential.

V 19-15, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VI, Sec. 4 (d) to allow a lot coverage of 35.2% in lieu of allowable maximum of 32% and Article VI, Sec. 4 (g) to allow an 8-foot setback from the required minimum 25-foot side yard setback for an attached patio cover. The property is located at 200 Long Canyon Court and zoned R-1250-M Residential. For more information, call 972-744-4240.

CPN: 8148 Pub: 07/05/2019

| Run Dates   | Product             | Placement/Classification - Position    |
|---|---------------------|--|
| Publish Date: 07/05/2019      Stop Date: 07/05/2019 | Dallas Morning News | Legals Bids Notices - LN Legal Notices |
| Publish Date: 07/05/2019      Stop Date: 07/11/2019 | DallasNews.com      | Legals Bids Notices - LN Legal Notices |

# Agenda Item 4

Variance 19-12:  
502 Highland Boulevard

## **ZBA File V 19-12**

### **Attachments:**

1. Staff Report
2. Aerial Map
3. Variance Exhibits
4. Application
5. Applicant's Statement
6. Notice of Public Hearing and Map
7. Notification List
8. DMN Public Hearing Notice



**TO:** Zoning Board of Adjustment  
**FROM:** Daniel Harper, Planner **DH**  
**DATE:** July 11, 2019  
**RE:** **V 19-12:** 502 Highland Blvd

### REQUESTED VARIANCES

A request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (f) to allow an 11-foot side yard setback in lieu of the required 20-foot side yard setback on a corner lot adjacent to a side street and Article VII, Sec. 4 (f) to allow a 5-foot setback from the required minimum 10-foot side yard setback.

### APPLICANT/PROPERTY OWNER

Quan Smith, Harvest Community Development Group / Martha Canuteson

### EXISTING ZONING

R-1100-M Residential

### SURROUNDING LAND USE

Residential

### STAFF COMMENTS

The home is in the Highland subdivision and was originally constructed in 1954. The applicant is requesting two (2) variances from Article VII, Sec. 4 (f) Appendix A of the Richardson Code of Ordinances.

The property owner is proposing to enclose a small portion of the existing home and then add a covered porch addition to the rear of the home. The reason for this request is that the existing structure does not meet required setback requirements and therefore no new building permits can be issued to properties that are in non-conformance.

### 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 however, the request represents an existing condition which was not created by the current property owner and should therefore be approved.



V 19-12

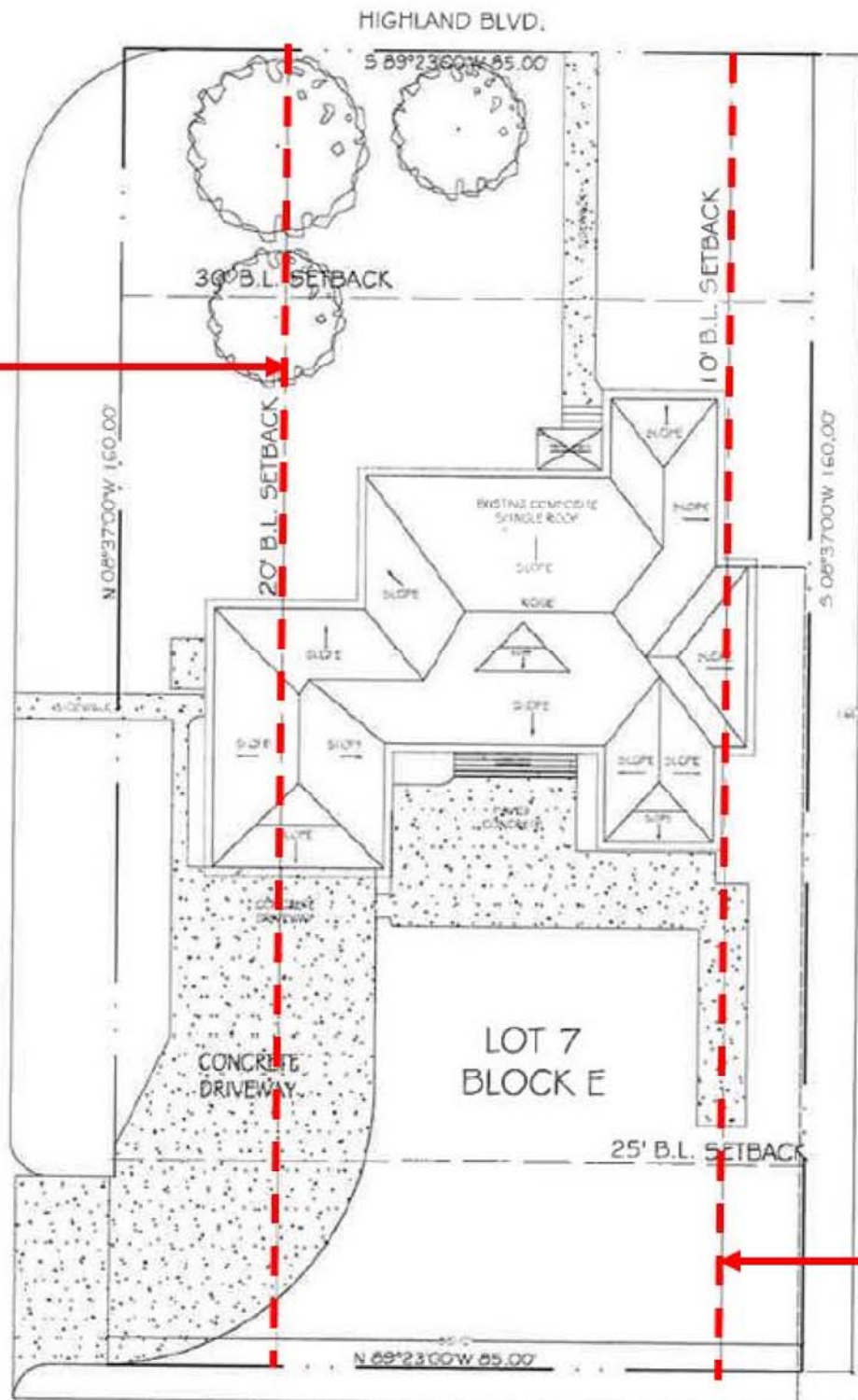
SUBJECT PROPERTY

V 19-12 Aerial Map  
502 Highland Blvd  
Updated By: HarperD, Update Date: 06/12/2019

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 ft Side  
Setback



LOT 6

10 ft Side Setback



**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, 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

### Signature

Quan Smith

Printed Name

Martha Canuteson

Harvest Community Development Group

Company Name

6333 E. Mockingbird Ln, STE 147 #689

Mailing Address

502 Highland Blvd

Dallas, Texas 75214

City, State, ZIP

Richardson, Tx 75081

214.380.4864

Telephone Number

214.226.4089

Q smith@harvestcodevgroup.com

Email Address

marthacanuteson@gmail.com

## Property Information

Address of Subject Property 502 Highland Blvd.

Legal Description Lot 7, Block E, Highland Addition Second Installment

Existing Zoning and Ordinance R-1100-M Residential District Regulations

Requested Variance Side yard setback variance

## 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 existing house does not meet the side yard setback requirements. The existing house sits on a corner lot, and the side setback on a corner lot adjacent to a side street is 20 feet on the West side of the lot, and a minimum side setback of ten feet on the East side of the lot. Currently, the existing house is projects into the 20' setback requirement.

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

Yes  No

Yes, with the current ordinance enforcement the permit application was denied, therefore preventing the approval of construction.

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

Yes  No

This problem is unique to this property. We can not verify if other properties in the area is experiencing the same issue.

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

Yes  No

Yes, a variance is needed to proceed with construction.

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



May 12, 2019

City of Richardson  
Board of Adjustment Variance Application  
Development Services Department  
411 W. Arapaho Road, Suite 204  
Richardson, Texas 75080

**RE: Applicant Statement/Board of Adjustment Variance Application. Request for a Zoning Variance for the side yard setback requirement.**

Members of City of Richardson, Development Review Committee:

Harvest Community Development Group, L3C seeks to pursue a Zoning Variance for the side yard setback requirement for an existing residential, single-family home (2,478.53 SF). The property is located on a corner lot at 502 Highland Boulevard in Richardson, Texas. The home was purchased in 2012 by Maratha and Joshua Canatuneson. It is our understanding that the home was originally built in 1954 and has not been renovated since then.

The current homeowners is currently in the permit submittal process, but was denied due to the lot not meeting the side yard setback requirement on the West side (Corner) and on the East side of the lot. The homeowners plan is to renovate the interior and expand the existing footprint by enclosing the rear porch to add more square footage to the home.

The current R-1100-M zoning requires a minimum of 20 feet side yard setback requirement on the West side (Corner) of the lot and a 10 feet side yard setback on the East. With the zoning requirements, we are unable to meet the standards and prevents the opportunity to renovate and expand the house. We are requesting a Zoning Variance to the side yard setback requirements of 8 feet on the West side and 5 feet on the East side. We are requesting permission of a Zoning Variance to move forward with construction. Without approval of a Variance we will not be able to pursue construction. We appreciate your review and consideration.

Respectfully,

**Harvest Community Development Group, L3C**

Quan Smith  
6333 E. Mockingbird Lane  
Suite 147 #689  
Dallas, Texas 75214  
214.380.4864  
Q\_smith@harvestcodevgroup.com

**Harvest Community Development Group, L3C  
502 HIGHLAND BLVD-APPLICATION STATEMENT**



# Notice of Public Hearing

## Zoning Board of Adjustment – Richardson, TX

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

### VARIANCE REQUEST

**File No./Name:** V 19-12  
**Property Owner:** Martha Canuteson  
**Applicant:** Quan Smith  
**Location:** (see map on reverse side)  
**Request:** V 19-12, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (f) to allow an 11-foot side yard setback in lieu of the required 20-foot side yard setback on a corner lot adjacent to a side street and Article VII, Sec. 4 (f) to allow a 5-foot setback from the required minimum 10-foot side yard setback. The property is located at 502 Highland Boulevard and zoned R-1100-M Residential.

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

**WEDNESDAY, JULY 17, 2019**  
**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.

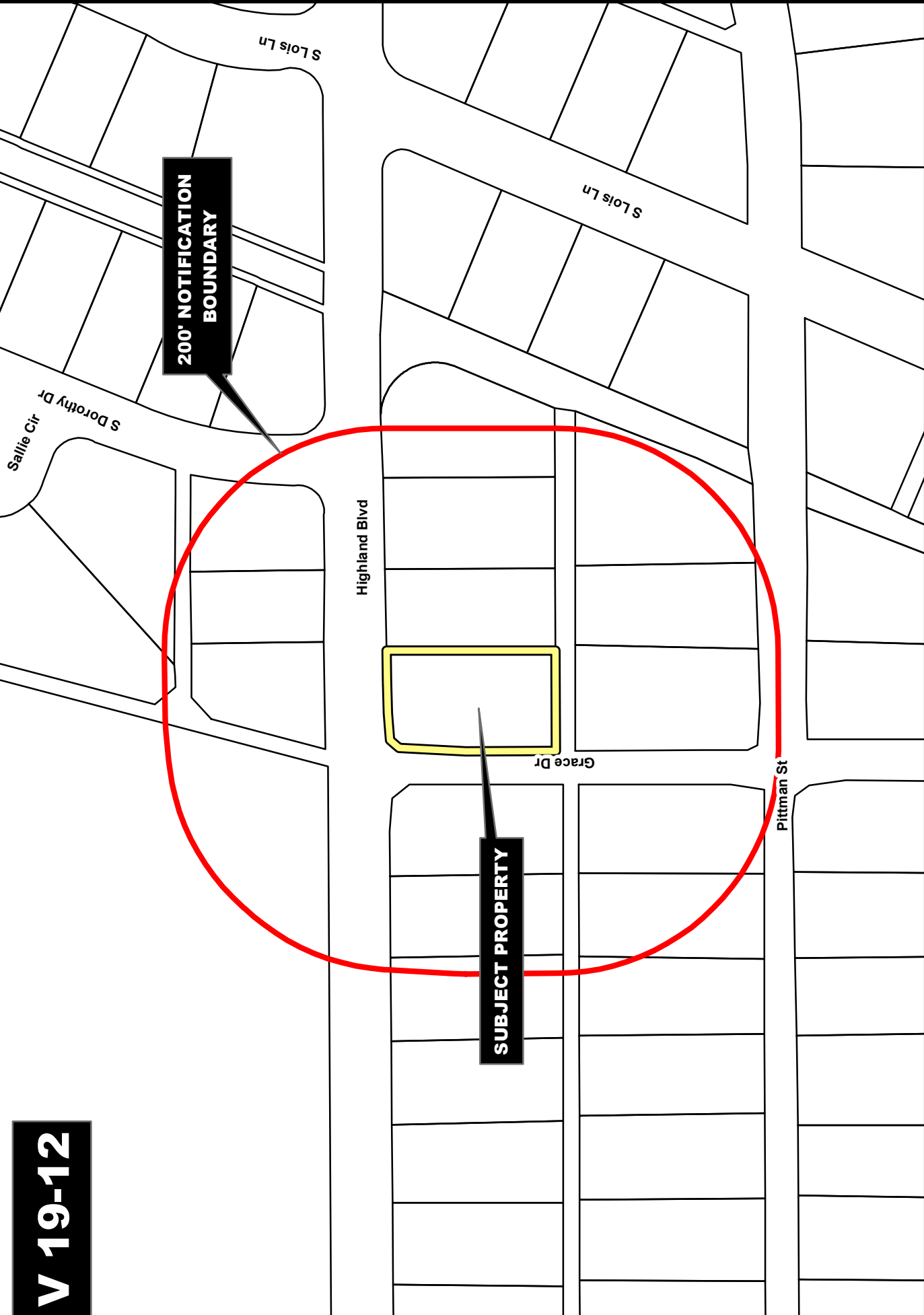
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

**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 19-12.

Date Posted and Mailed: **July 05, 2019**

**V 19-12**



**200' NOTIFICATION  
BOUNDARY**

**SUBJECT PROPERTY**



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.

RICHARDSON ISD TAX OFFICE  
420 S GREENVILLE AVE  
RICHARDSON, TX 750814107

MECCA APRIL INC  
PO BOX 851025  
RICHARDSON, TX 750851025

PYLATE DEBRA D  
508 HIGHLAND BLVD  
RICHARDSON, TX 750814211

CANUTESON JOSHUA J & MARTHA  
502 HIGHLAND BLVD  
RICHARDSON, TX 750814211

SABA E ANDREW II & REBECCA  
482 HIGHLAND BLVD  
RICHARDSON, TX 750814210

GHARRAS JANIS K  
501 PITTMAN ST  
RICHARDSON, TX 750814228

EDELSTIEN BRIAN  
16307 DALMALLEY LN  
DALLAS, TX 752482325

URQUHART HENRY O JR  
310 SALLIE CIR  
RICHARDSON, TX 750814229

RAYON CONSTRUCTION  
501 HIGHLAND BLVD  
RICHARDSON, TX 750814212

JONES MARGARET J M  
506 HIGHLAND BLVD  
RICHARDSON, TX 750814211

HAYES JEAN R  
476 HIGHLAND BLVD  
RICHARDSON, TX 750814210

LOYD JOYCE CHAPMAN  
505 PITTMAN ST  
RICHARDSON, TX 750814228

SNYDER GREG  
487 PITTMAN ST  
RICHARDSON, TX 750814249

RAMIREZ JOSHUA & ELIZABETH A  
312 SALLIE CIR  
RICHARDSON, TX 750814229

YORK KELLY  
505 HIGHLAND BLVD  
RICHARDSON, TX 750814212

ELLARD BOBBY GENE LIFE ESTA  
504 HIGHLAND BLVD  
RICHARDSON, TX 750814211

KHAN AMEER & BIBI  
8499 GREENVILLE AVE STE#103  
DALLAS, TX 752312413

BARNETT MICHAEL D  
503 PITTMAN ST  
RICHARDSON, TX 750814228

MCNEESE CHARLES L  
481 PITTMAN ST  
RICHARDSON, TX 750814249



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 The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040

**Order Confirmation**

**Customer:** CITY OF RICHARDSON      **Customer Account:** 100010162  
**Ad Order #:** 0001733590      **PO Number:** CPN 8148  
**Sales Rep:** Lynda Black      **Order Taker:** Lynda Black

|                        |                   |                        |        |                      |                 |
|------------------------|-------------------|------------------------|--------|----------------------|-----------------|
| <b>Net Amount:</b>     | \$341.87          | <b>Tax Amount:</b>     | \$0.00 | <b>Total Amount:</b> | \$341.87        |
| <b>Payment Method:</b> | Check/Money Order | <b>Payment Amount:</b> | \$0.00 | <b>Amount Due:</b>   | <b>\$341.87</b> |

**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

**Color:**      **Ad Size:** 1 X 159.00 Li

**Ad Content**

**NOTICE OF PUBLIC HEARING**

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 SE 19-03; a request of a special exception from Chapter 6 (Buildings and Building Regulations), Article IV (Fences), Sec. 6-209(3) of the City of Richardson's Code of Ordinances to allow an 8-foot board-on-board wooden fence in lieu of the maximum height of three (3) feet allowed for a fence located between the front property line and the front wall of a residential structure. The property is located at 1200 Richland Park Drive and zoned R-1500-M Residential.

V 19-11; a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article IV, Sec. 4 (b) to allow a 68-foot lot width in lieu of the required 72-foot lot width required for a residential lot and Article IV, Sec. 4 (f) to allow a 6-foot side yard setback in lieu of the required minimum 7-foot side yard setback. The property is located at 1409 N. Waterview Drive and zoned R-1500-M Residential.

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V 19-13, a request for a variance from Article IV, Section 4 (b) of Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson Code of Ordinances to allow a 68-foot lot width in lieu of the required 72-foot lot



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**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

width for a residential lot and Article IV, Sec. 4 (e) to allow a 34' -9" front setback in lieu of the required 35-foot setback for the northwest corner of the existing home. The property is located 1001 Cedar Lane and zoned R-1500-M Residential.

V 19-14, a request of the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (d) to allow a 36.1% lot coverage in lieu of the required maximum lot coverage of 35%; Article VII, Sec. 4 (f) to allow a 2-foot side yard setback in lieu of the required 3-foot side yard setback for a detached garage; Article VII, Sec. 4 (e) to allow a front setback of 26-feet for the existing front wall of the building in lieu of the statted 40-foot front setback and Article VII, Sec. 4 (h) to allow a driveway that does not provide the required minimum paved area of 24' depth and 18' width measured perpendicular to the entry of the garage. The property is located at 1204 Northlake Drive and zoned R-1100-M Residential.

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CPN: 8148 Pub: 07/05/2019

| Run Dates   | Product             | Placement/Classification - Position    |
|---|---------------------|--|
| Publish Date: 07/05/2019      Stop Date: 07/05/2019 | Dallas Morning News | Legals Bids Notices - LN Legal Notices |
| Publish Date: 07/05/2019      Stop Date: 07/11/2019 | DallasNews.com      | Legals Bids Notices - LN Legal Notices |



# Agenda Item 5

Variance 19-13:  
1001 Cedar Lane

## **ZBA File V 19-13**

### **Attachments:**

1. Staff Report
2. Aerial Map
3. Variance Exhibits
4. Application
5. Notice of Public Hearing and Map
6. Notification List
7. DMN Public Hearing Notice
8. Letter in Support



**TO:** Zoning Board of Adjustment  
**FROM:** Daniel Harper, Planner **DH**  
**DATE:** July 11, 2019  
**RE:** **V 19-13:** 1001 Cedar Lane

#### REQUESTED VARIANCE

A variance request from Article IV, Section 4 (b) of Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson Code of Ordinances to allow a 68-foot lot width in lieu of the required 72-foot lot width for a residential lot and Article IV, Section 4 (e) to allow a 34'-9" front setback in lieu of the required 35-foot setback for the northwest corner of the existing home.

#### APPLICANT/PROPERTY OWNER

Steven Sykora

#### EXISTING ZONING

R-1500-M Residential

#### SURROUNDING LAND USE

Residential

#### STAFF COMMENTS

The home is in the Cottonwood Creek subdivision and was originally constructed in 1973. The applicant is requesting a variance from Article IV, Sec. 4 (b) (Lot Width) and Article IV, Section 4 (e) (Front Setback) of Appendix A of the Richardson Code of Ordinances.

The reason for this request is that the property owners are proposing to construct a garage addition to their home. The original garage had been converted into living space before the current owners bought the home. The proposed new garage addition would be located in the front of the home conforming with the front yard setback requirement with additional square footage added in a second story of the home. However, a portion of the existing home's rear is located in the platted floodway easement and a portion of the existing home's front encroaches into the front yard setback; therefore, a building permit cannot be permitted through our Building Inspection Department.

To resolve this issue, the homeowner is proposing to replat the property to adjust the floodway easement based on an updated study of the flood plain to allow the addition to be permitted. The platted floodway easement would be modified to adhere to the revised 100-year floodplain easement and thus eliminate the rear yard setback encroachment. The existing platted lot is sixty-eight (68) feet in width and does not meet the minimum of seventy-two feet in width that is required for lots in the R-1500-M Residential District. The applicant is requesting a variance to allow the lot to remain at sixty-eight feet in width in order to be allowed to replat the property.

#### 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; however, the request represents an existing condition which was not created by the current property owner and should therefore be approved.

**V 19-13**



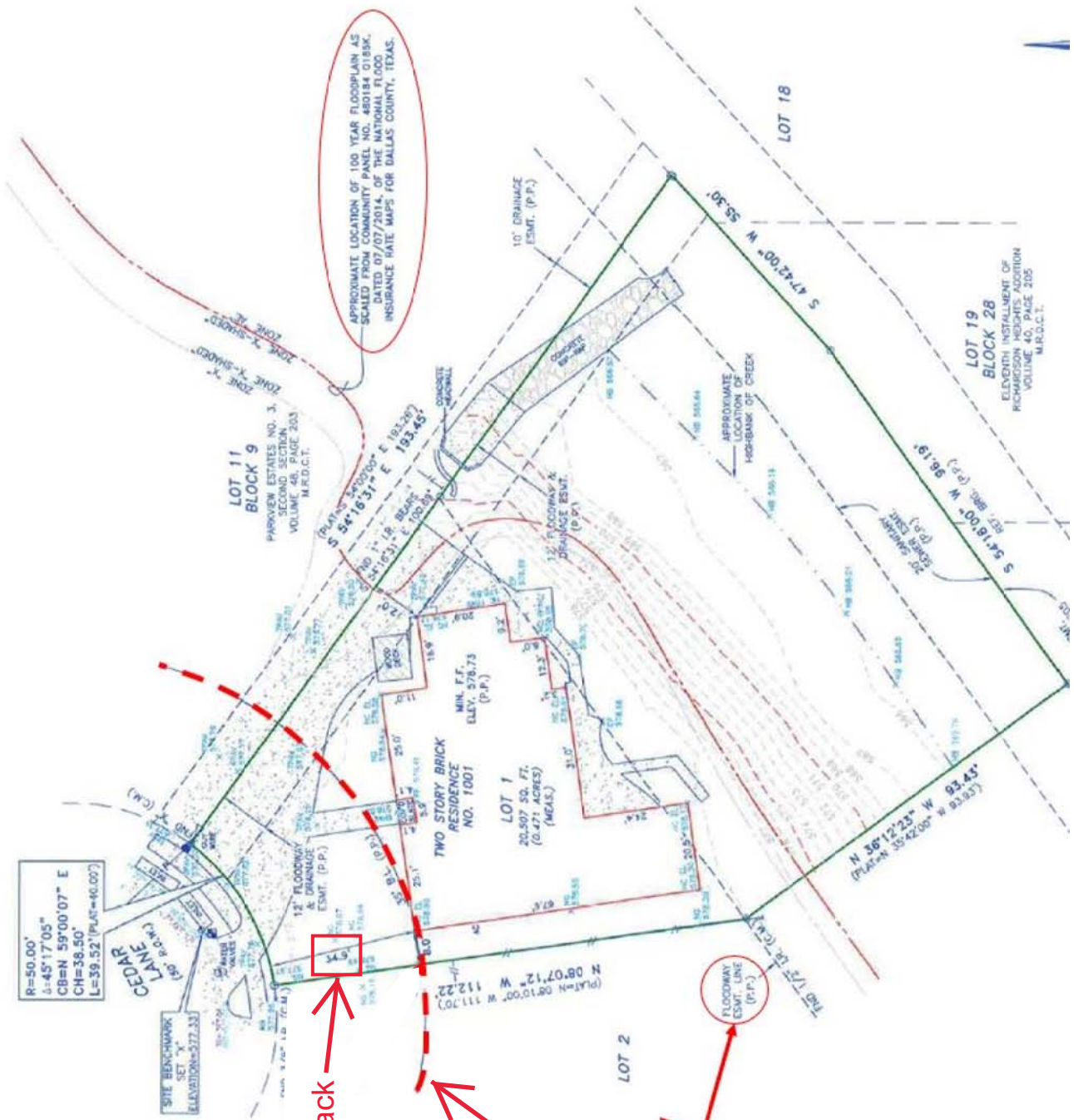
**SUBJECT PROPERTY**

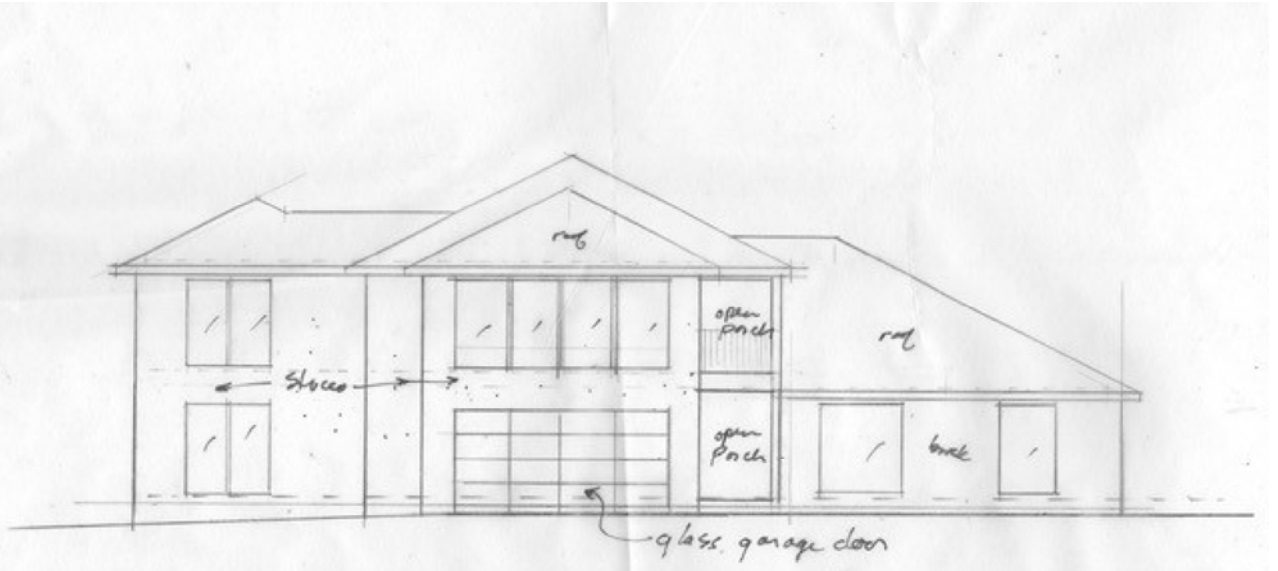
**V 19-13 Aerial Map**  
**1001 Cedar Lane**

Updated By: HarperD, Update Date:06/12/2019

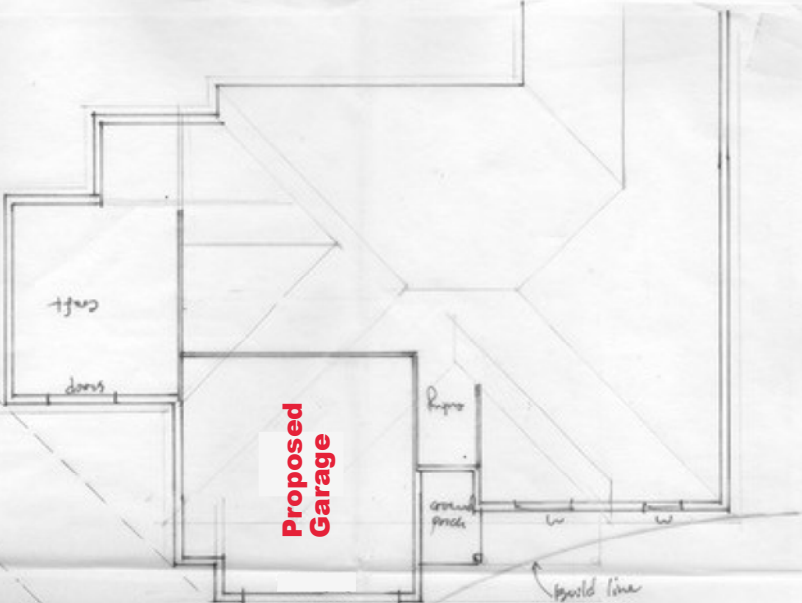
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.







Front Elevation - Scheme 1



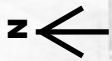
12 ft. Drainage Easement

Proposed Garage

Overhead Garage Door

Property Line

Cedar Lane



**FLOOR PLAN**



**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, 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**

|                       |                  |           |
|-----------------------|------------------|-----------|
|                       | Signature        | same as   |
| Steven Sykora         | Printed Name     | applicant |
| —                     | Company Name     |           |
| 1001 Cedar Ln         | Mailing Address  | }         |
| Richardson, TX 75080  | City, State, ZIP |           |
| 214-364-9425          | Telephone Number |           |
| steven.sykora@mac.com | Email Address    |           |
|                       |                  |           |

**Property Information**

|                               |   |
|-------------------------------|---|
| Address of Subject Property   | 1001 Cedar Ln; Richardson, TX 75080   |
| Legal Description             | <del>Lot 11, Block 9, Parkview Estates No. 3</del> Lot 1 Cottonwood Creek Acres |
| Existing Zoning and Ordinance | 72' lot width at 35' building line setback                                      |
| Requested Variance            | 68' lot width at 35' building line; 0.1' encroachment at                        |

**Submittal Requirements**

- Completed Application Form NW setback
- 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

This home does not have a garage. There should be a two car garage within this zone. In order to modify the home's foot print, an improperly drawn floodway easement line needs to be re-platted. In order to re-plate the property, two variances need to be addressed.

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

If so, explain below.

Yes  No

Enforcement will block a re-plate request which will block a building permit which will block the ability to address the lack of garage.

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 specific lot shape and building location are unique to this property.

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

Yes  No

Both variance conditions were created during the initial lot creation and construction in 1973. Applicant and ~~owner~~ owner purchased the property in 2009.

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

Yes  No

I have been advised of the need to re-plate the property in order to move forward with a building permit. In order to re-plate the property, the two variance conditions need to be approved.

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 public's health, safety, and welfare will not be impacted as the variance will merely incorporate the as built circumstances into the record. The ultimate building permit will be in the public's interest as it will enhance and bring value to the neighborhood.



# Notice of Public Hearing

## Zoning Board of Adjustment – Richardson, TX

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

### VARIANCE REQUEST

**File No./Name:** V 19-13  
**Property Owner:** Steven Sykora  
**Applicant:** Steven Sykora  
**Location:** (see map on reverse side)  
**Request:** V 19-13, a variance request from Article IV, Section 4 (b) of Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson Code of Ordinances to allow a 68-foot lot width in lieu of the required 72-foot lot width for a residential lot and Article IV, Section 4 (e) to allow a 34' -9" front setback in lieu of the required 35-foot setback for the northwest corner of the existing home. The property is located 1001 Cedar Lane and zoned R-1500-M Residential.

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

**WEDNESDAY, JULY 17, 2019**  
**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.

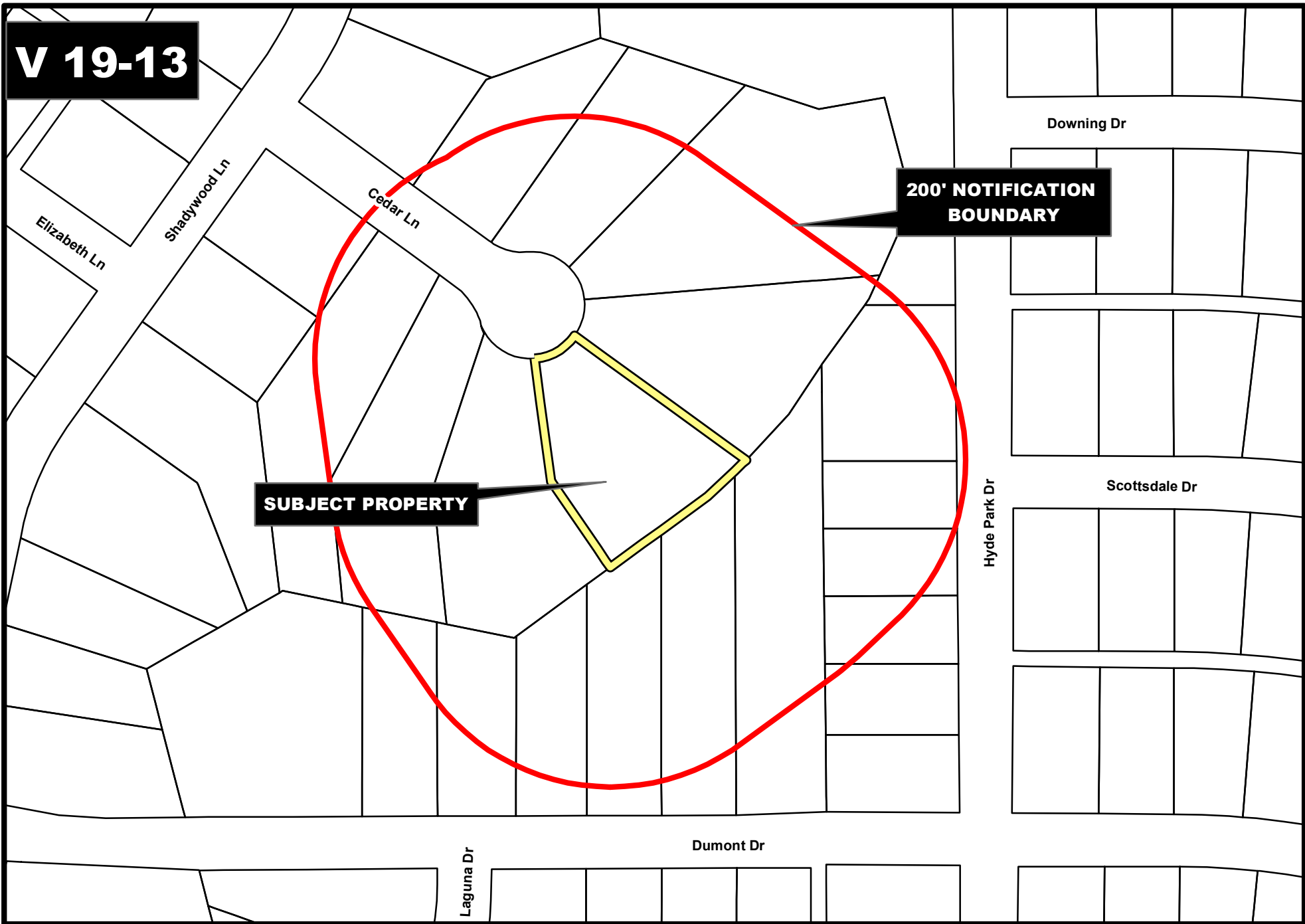
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

**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 19-13.

Date Posted and Mailed: **July 5, 2019**

**V 19-13**



**SUBJECT PROPERTY**

**200' NOTIFICATION BOUNDARY**

**V 19-13 Notification Map**  
**1001 Cedar Lane**

Updated By: HarperD, Update Date:06/12/2019

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.



GEORGE BILL  
406 HYDE PARK DR  
RICHARDSON, TX 750805934

NICHOLS TIMOTHY LARENCE  
15166 VIZCAYA DR  
DALLAS, TX 75248

L & C JETTON FAM TRUST  
905 WATEKA WAY  
RICHARDSON, TX 750804016

MEYER JAMES H  
308 HYDE PARK DR  
RICHARDSON, TX 750805933

BENNETT EDWARD M  
1003 CEDAR LN  
RICHARDSON, TX 750805909

BUMPAS JOSEPH S & WEEKS ELIZABETH  
N  
402 HYDE PARK DR  
RICHARDSON, TX 750805934

JOHNSON LARRY H & VENIA PER  
910 DUMONT DR  
RICHARDSON, TX 750806947

GEORGES BILL & CAROYLN  
406 HYDE PARK DR  
RICHARDSON, TX 750805934

SHOEMAKER ERIKA L  
206 HYDE PARK DR  
RICHARDSON, TX 750805932

HAWKINS HEATHER DAWN  
1004 CEDAR LN  
RICHARDSON, TX 750805909

SALGARDO KIMBERLY  
1007 CEDAR LN  
RICHARDSON, TX 750805909

HAYES DAVID E & PAMELA HAYE  
1005 CEDAR LN  
RICHARDSON, TX 750805909

MOSZYNSKI EDWARD F THERESA F  
900 DUMONT DR  
RICHARDSON, TX 750806947

COLDEWEY WALTER M & ANN S  
902 DUMONT DR  
RICHARDSON, TX 750806947

JULIUSSEN SUZANNE S  
908 DUMONT DR  
RICHARDSON, TX 750806947

WOOD RONALD E & CAROL J  
1006 CEDAR LN  
RICHARDSON, TX 750805909

JOHNSON PATRICIA N  
1002 CEDAR LN  
RICHARDSON, TX 750805909

PATTON JOYCE S  
1000 CEDAR LN  
RICHARDSON, TX 750805909

SYKORA STEVEN K  
1001 CEDAR LN  
RICHARDSON, TX 750805909

AXLEY DAVID C  
831 NORTHLAKE DR  
RICHARDSON, TX 750805036

MITCHELL MARIA GREATHOUSE &  
904 DUMONT DR  
RICHARDSON, TX 750806947

HRNCIR RONALD A  
906 DUMONT DR  
RICHARDSON, TX 750806947



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**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

**Color:** **Ad Size:** 1 X 159.00 Li

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| Publish Date: 07/05/2019      Stop Date: 07/11/2019 | DallasNews.com      | Legals Bids Notices - LN Legal Notices |

6/24/19

To Whom it May Concern,

I am writing in regards to Variance V 19-13 on 1001 Cedar Lane. I strongly support approval of this item.

This house was built in 1973 when 68' lot widths were allowed. The homeowner is not tearing down the existing house to build a new one. He is not trying to replat the land to build two houses on the lot and increase density. The lot very quickly widens from the front to the back. As I understand it, the only reason he has to ask for a variance is because someone arbitrarily decided lots must be 72' wide and made it retroactive. If 68' was acceptable in 1973 why is it not in 2019? This seems like a bureaucratic hassle that should be approved immediately before we waste any more of the taxpayers money.

The owner simply wants to build a garage. If it meets the requirements for max square footage on the lot, the required exterior materials and reasonable building codes then there should be no more discussion.

Sincerely,

*Suzanne Juliussen*

Suzanne Juliussen  
908 Dumont Drive

972-234-4545  
italia@sbcglobal.net



# Agenda Item 6

Variance 19-14:  
1204 Northlake Drive

## **ZBA File V 19-14**

### **Attachments:**

1. Staff Report
2. Aerial Map
3. Variance Exhibit
4. Application
5. Applicant's Statement
6. Notice of Public Hearing and Map
7. Notification List
8. DMN Public Hearing Notice



<sup>6</sup>  
**TO:** Zoning Board of Adjustment  
**FROM:** Daniel Harper, Planner **DH**  
**DATE:** July 11, 2019  
**RE:** **V 19-14:** 1204 Northlake Drive

### REQUESTED VARIANCES

A request of the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson Code of Ordinances: Article VII, Sec. 4 (d) to allow a 36.1% lot coverage in lieu of the required maximum lot coverage of 35%; Article VII, Sec. 4 (f) to allow a 2-foot side yard setback in lieu of the required 3-foot side yard setback for a detached garage, Article VII, Sec. 4 (e) to allow a front setback of 26-feet from the existing front wall of the building in lieu of the platted 40-foot setback and Article VII, Sec. 4 (h) to allow a driveway that does not provide the required minimum paved area of 24-foot depth and 18-foot width measured perpendicular to the entry of the garage.

### APPLICANT/PROPERTY OWNER

Chad Ross

### EXISTING ZONING

R-1100-M Residential

### SURROUNDING LAND USE

Residential

### STAFF COMMENTS

The home is in the Richardson Heights subdivision and was originally constructed in 1964. The applicant is requesting variances from Article VII, Sec. 4 (d) (Lot Coverage), Article VII, Sec. 4 (f) (Side Yard Setback), Article VII, Sec. 4 (e) (Front Yard Setback) and Article VII, Sec. 4 (h) (Driveway Dimensions) of Appendix A of the Richardson Code of Ordinances.

The reason for this request is that the property owner intends to construct a 2-story addition to the rear of the home consisting of approximately 2,951 square feet of additional living space in addition to constructing a 576-square foot detached garage located at the northeast corner of the property. These additional structures cause the lot coverage of the property to exceed the maximum allowable percentage of 35% and will total 36.03% of lot coverage.

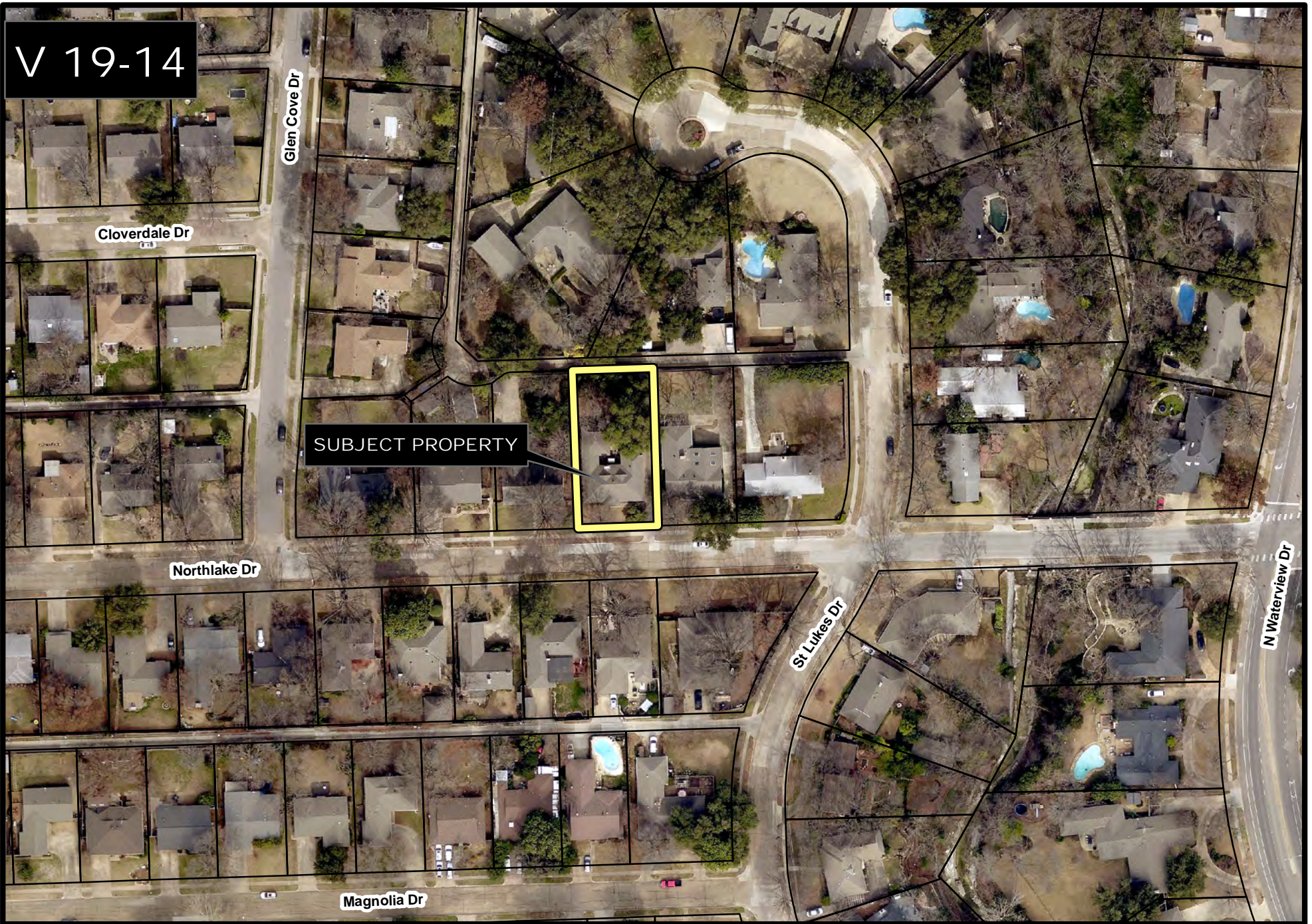
The proposed detached garage structure would be located two-feet (2) from the eastern property line, while the allowable side setback for a detached garage is three (3) feet. The purpose of this is to save an existing large tree in the backyard of the property that the property owner is making the focal point of the rear yard space.

Although the platted forty (40) foot front setback does not represent the required thirty (30) foot front yard setback of the R-1100-M Residential District, the existing structure encroaches into the required zoning front yard setback by four (4) feet, thus the applicant's request for a twenty-six (26) foot front yard setback. Without this adjust, a building permit for any proposed expansion can not be granted due to the existing encroachment.

The tree location discussed previously also affects the minimum required space for maneuverability for garage structures. Garages are required to be served by a paved surface with a minimum 24' depth and 18' width. In order to save the existing tree, the property owner has proposed that the rear driveway located on the property have dimensions at their narrowest of 11' depth with just 18' in width. The property owner has offered a solution that the detached garage will have point of entry and exit located on both the south and north sides with the north side opening offering access to the rear alleyway that has a width of fifteen feet.

#### TECHNICAL RECOMMENDATION

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



V 19-14

SUBJECT PROPERTY

V 19-14 Aerial Map  
1204 Northlake Drive

Updated By: HarperD, Update Date:06/12/2019

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.



RICHARDSON HEIGHTS 9 1ST SEC  
BLK 97 LOT 17

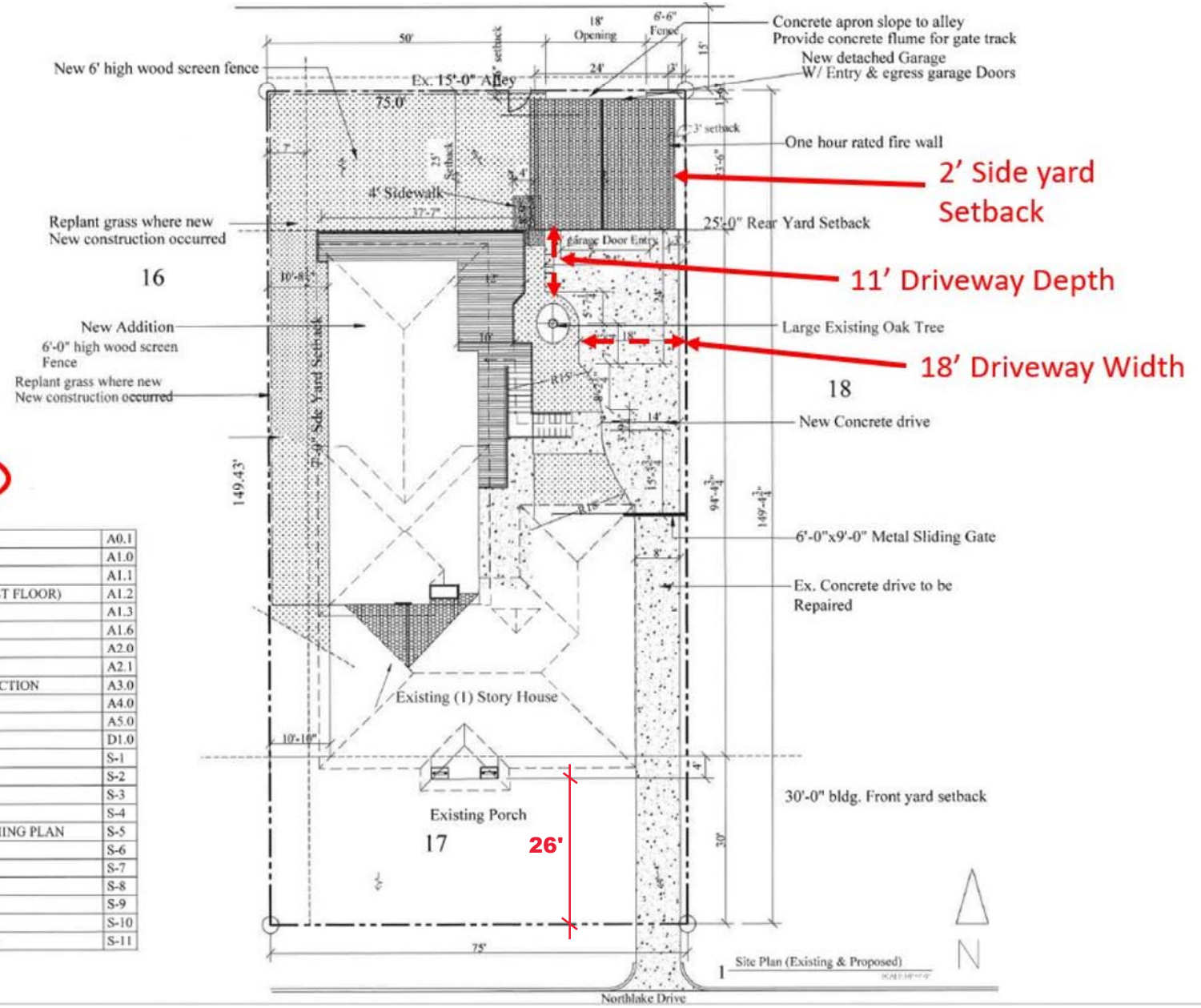
|                             |            |
|-----------------------------|------------|
| Existing Living Area        | 1,859 sqft |
| Proposed 1st floor addition | 1,383 sqft |
| Proposed 2nd floor          | 1,568 sqft |
| Proposed Garage             | 564 sqft   |

|   |            |
|---|------------|
| New Foundation (house extension, patio & porch) | 2,117 sqft |
| New Garage Foundation                           | 564 sqft   |

|                                |          |
|--------------------------------|----------|
| Existing Driveway (to be kept) | 659 sqft |
| New Driveway                   | 863 sqft |
| New Sidewalks                  | 135 sqft |

|                           |                   |
|---------------------------|-------------------|
| Lot Coverage Variance:    |                   |
| House                     | 3,323 sqft        |
| Garage (including roof)   | 611 sqft          |
| Front Porch and Storage   | 104 sqft          |
| <b>Total Lot Coverage</b> | <b>4,038 sqft</b> |
| Requested Lot Variance    | 115 sqft          |
| Requested Lot Percentage  | 36.03%            |

|    |   |      |
|----|---|------|
| 1  | SITE PLAN                               | A0.1 |
| 2  | EXISTING FLOOR PLAN                     | A1.0 |
| 3  | OVERALL FLOOR PLAN (1ST FLOOR)          | A1.1 |
| 4  | PARTIAL ENLARGED FLOOR PLAN (1ST FLOOR) | A1.2 |
| 5  | FLOOR PLAN (2ND FLOOR)                  | A1.3 |
| 6  | ENLARGED KITCHEN PLAN                   | A1.6 |
| 7  | ELEVATIONS AND SECTIONS                 | A2.0 |
| 8  | SIDE ELEVATIONS                         | A2.1 |
| 9  | ROOF AND CEILING PLANS & SIDE SECTION   | A3.0 |
| 10 | STAIN PLANS AND SECTIONS                | A4.0 |
| 11 | WALL SECTIONS                           | A5.0 |
| 12 | DEMOLITION PLAN                         | D1.0 |
| 13 | FOUNDATION PLAN                         | S-1  |
| 14 | FOUNDATION DETAILS 1                    | S-2  |
| 15 | FOUNDATION DETAILS 2                    | S-3  |
| 16 | EXISTING REMODEL DETAILS                | S-4  |
| 17 | PROPOSED 1ST FLOOR CEILING FRAMING PLAN | S-5  |
| 18 | FRAMING DETAILS 1                       | S-6  |
| 19 | FRAMING DETAILS 2                       | S-7  |
| 20 | SHEAR WALL PLAN (1ST FLOOR)             | S-8  |
| 21 | SHEAR WALL PLAN (2ND FLOOR)             | S-9  |
| 22 | ROOF AND WALL FRAMING PLAN              | S-10 |
| 23 | DOOR AND WINDOW FRAMING PLAN            | S-11 |



1 Site Plan (Existing & Proposed)

Northlake Drive

**For Department Use Only**

Date Received: 5/28/19 Fee Paid: \$250 Accepted by: D. Harper



# 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? **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**  
(If no, please speak with the Building Inspection Department prior to submitting the variance request.)

### Applicant Property Owner

|  |                  |   |
|--|------------------|---|
|  | Signature        |  |
| Chad Ross  | Printed Name     | Chad and Zhuoxian Ross  |
|  | Company Name     |   |
| 1204 Northlake Dr  | Mailing Address  | 1204 Northlake Dr   |
| Richardson, TX 75080   | City, State, ZIP | Richardson, TX 75080  |
| 832-863-6627   | Telephone Number | 832-863-6627  |
| chad@chadmross.com   | Email Address    | chad@chadmross.com  |

### Property Information

|                               |  |
|-------------------------------|--|
| Address of Subject Property   | 1204 Northlake Dr  |
| Legal Description             | Residential- Lot No. 17, Block No. 97 of Richardson Heights                |
| Existing Zoning and Ordinance | R-1100-M   |
| Requested Variance            | Front yard setback, side yard setback, lot coverage, and driveway variance |

### 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 house was built at a 30' setback. Renovation is not changing this setback and is effecting only the back of the house. Further on driveway parking variance and garage side yard setback there is a large existing oak tree which is desirable to property owner (and assumed to be desirable to the city) to not be removed. Property owner has mitigated parking concern in multiple ways explained in Applicant's statement. +

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

If so, explain below.

Yes  No

The original home survey done in 1964 has home set at a 30' setback from property line to front of house. This is not being adjusted and to avoid variance would require tearing down of home. For the other variances applied for in application, no it would not result in unnecessary hardship.

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

It appears all homes on Northlake drive were built at the same 30' setback. The other variances requested are unique to the configuration and existing features of the lot as explain in the Applicant's Statement.

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

Yes  No

For the variance related to front of home, no this was not created by applicant. However the other variances submitted in this application are created by the applicant. The homes configuration and existing tree required these variances in order to make such desired improvements possible. This is explained in greater detail in the Applicant's Statement.

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



**Applicant's Statement for**  
**Board of Adjustment Variance Review**

**Address for Variance Application:** 1204 Northlake Drive, Richardson, TX 75080

**Survey Lot Description:** Richardson Heights Lot No. 17, Block No 97, 1<sup>st</sup> section of 9<sup>th</sup> installment, survey recorded in Vol 37 at page 171 of the map records of Dallas County Texas.

**Property Owners:** Chad Ross and Zhuoxian Ross

**Variations Requested:** 1) Front yard setback, 2) Detached garage side yard setback, 3) Driveway variance, 4) Lot Coverage Variance

**Description of Variations:**

- 1) Front yard setback of 30'-  
The residence setback was originally built and surveyed at a 30' setback so this house for any renovation requires a renewed variance approval for this known hardship.
- 2) Garage side yard setback – The current plan has foundation at 3' setback with 1' roof overhang, making setback 2' from side property line. This is required to mitigate issue with tree and driveway variance. Existing driveway is currently matching the same 2' setback from property line.
- 3) Driveway variance-  
Driveway requirements in front of a detached garage must be 24' x 18'. As part of these new plans we are taking down the current attached garage and building out living space in this same area of lot. Plans call for a new detached garage. Look at page one of plans at site plan. The driveway is partially obstructed by a large oak tree that is desired to be kept on the property. This causes driveway the 18' x 24' driveway to be offset from garage center. Driveway does extend to a 24' width after passing tree giving 11'1" of access prior to garage entry and a garage length of 23.5'. This planned layout allows for driver to curve into garage with sufficient length to straighten vehicle and meets the spirit of driver maneuverability and parking access in zoning requirement. Plans also have mitigated this with making garage have doors on both the front and back so garage will be easily accessible and will not require drivers to reverse out of garage.
- 4) Lot Coverage variance plans have covered space over 35% of lot-  
Lot variance was done unintentionally in designing new house, we did not know front porch, storage area, and roof extension on detached garage all counted as part of this lot variance and it pushed it over 35%. This remodel is extensive and took complicated planning. It has been very challenging to re-do these plans, but plans were re-made to reduce this variance. After these adjustments though a small variance still exists of 115 sq ft putting lot coverage at 36.03%. Note: 47 square feet of this variance is the roof overhang on garage that wasn't included in variance calculation until after alterations had been made.



# Notice of Public Hearing

## Zoning Board of Adjustment – Richardson, TX

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

### VARIANCE REQUEST

**File No./Name:** V 19-14  
**Property Owner:** Chad and Zhuoxian Ross  
**Applicant:** Chad Ross  
**Location:** (see map on reverse side)  
**Request:** V 19-14, a request of the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (d) to allow a 36.1% lot coverage in lieu of the required maximum lot coverage of 35%; Article VII, Sec. 4 (f) to allow a 2-foot side yard setback in lieu of the required 3-foot side yard setback for a detached garage; Article VII, Sec. 4 (e) to allow a front setback of 26-feet for the existing front wall of the building in lieu of the platted 40-foot front setback and Article VII, Sec. 4 (h) to allow a driveway that does not provide the required minimum paved area of 24' depth and 18' width measured perpendicular to the entry of the garage. The property is located at 1204 Northlake Drive and zoned R-1100-M Residential.

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

**WEDNESDAY, JULY 17, 2019**  
**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 19-14.

Date Posted and Mailed: **July 05, 2019**

**V 19-14**

Glen Cove Dr

Cloverdale Dr

**SUBJECT PROPERTY**

**200' NOTIFICATION  
BOUNDARY**

Northlake Dr

St Lukes Dr

N Waterview Dr

Magnolia Dr

**V 19-14 Notification Map**  
**1204 Northlake Drive**

Updated By: HarperD, Update Date:06/12/2019

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.



MARABITO RONALD E &  
915 SAINT LUKES DR  
RICHARDSON, TX 750804838

HARBOUR HALEY  
15 W 116TH ST APT 8D  
NEW YORK, NY 100262798

FERRELL BETSY TR LIVING TRUST  
913 SAINT LUKES DR  
RICHARDSON, TX 750804838

CHEEK LISA F & JAMES K  
911 SAINT LUKES DR  
RICHARDSON, TX 750804838

BYRD CYNTHIA A  
904 GLEN COVE DR  
RICHARDSON, TX 750804807

JACK CALLIE A & TATE JACKIE D  
902 GLEN COVE DR  
RICHARDSON, TX 750804807

DOZIER THOMAS A EST OF  
909 SAINT LUKES DR  
RICHARDSON, TX 750804838

SHENOY PRADEEP S & GLORIA F  
1202 NORTHLAKE DR  
RICHARDSON, TX 750804813

ROSS CHAD & ZHUOXIAN  
1204 NORTHLAKE DR  
RICHARDSON, TX 750804813

BAER GEORGE C ET UX  
1206 NORTHLAKE DR  
RICHARDSON, TX 750804813

PHUNG SON & CHRISTINA  
1210 NORTHLAKE DR  
RICHARDSON, TX 750804813

WILSON TENA F  
1208 NORTHLAKE DR  
RICHARDSON, TX 750804813

WILLIAMS CAMERON LEE  
1200 NORTHLAKE DR  
RICHARDSON, TX 750804813

ROSS JAMES EDWARD  
1203 NORTHLAKE DR  
RICHARDSON, TX 750804814

TAYLOR SHELLEY L  
1205 NORTHLAKE DR  
RICHARDSON, TX 750804814

HUGHES JEAN P  
1207 NORTHLAKE DR  
RICHARDSON, TX 750804814

DEAN CAMERON & MORGAN  
1209 NORTHLAKE DR  
RICHARDSON, TX 750804814

HANDLIN SHAWN DAVID & ALLISON P  
1211 NORTHLAKE DR  
RICHARDSON, TX 750804814

MCJUNKIN JACK IVAN SR & B  
804 SAINT LUKES DR  
RICHARDSON, TX 750804837

CONFIDENTIAL OWNER MARTHA  
KATHLEEN DWIGHT  
1201 NORTHLAKE DR  
RICHARDSON, TX 750804814

LANG ROSEMARIE C  
802 SAINT LUKES DR  
RICHARDSON, TX 750804837

DONAHUE NANCY A  
1202 MAGNOLIA DR  
RICHARDSON, TX 750804811

MOREL STEPHEN A  
1204 MAGNOLIA DR  
RICHARDSON, TX 750804811

HOLLON LYNETTE DIANE & MARK  
1200 MAGNOLIA DR  
RICHARDSON, TX 750804811



Remit Payments (with Acct Number) to:  
 The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040

**Order Confirmation**

**Customer:** CITY OF RICHARDSON      **Customer Account:** 100010162  
**Ad Order #:** 0001733590      **PO Number:** CPN 8148  
**Sales Rep:** Lynda Black      **Order Taker:** Lynda Black

|                        |                   |                        |        |                      |          |
|------------------------|-------------------|------------------------|--------|----------------------|----------|
| <b>Net Amount:</b>     | \$341.87          | <b>Tax Amount:</b>     | \$0.00 | <b>Total Amount:</b> | \$341.87 |
| <b>Payment Method:</b> | Check/Money Order | <b>Payment Amount:</b> | \$0.00 | <b>Amount Due:</b>   | \$341.87 |

**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

**Color:**      **Ad Size:** 1 X 159.00 Li

**Ad Content**

**NOTICE OF PUBLIC HEARING**

The Richardson Zoning Board of Adjustment will hold a public hearing in the Council Chambers on July 17, 2019 at 6:30 p.m. at City Hall, 411 W. Arapaho Road, Richardson, Texas to consider:

SE 19-03; a request of a special exception from Chapter 6 (Buildings and Building Regulations), Article IV (Fences), Sec. 6-209(3) of the City of Richardson's Code of Ordinances to allow an 8-foot board-on-board wooden fence in lieu of the maximum height of three (3) feet allowed for a fence located between the front property line and the front wall of a residential structure. The property is located at 1200 Richland Park Drive and zoned R-1500-M Residential.

V 19-11; a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article IV, Sec. 4 (b) to allow a 68-foot lot width in lieu of the required 72-foot lot width required for a residential lot and Article IV, Sec. 4 (f) to allow a 6-foot side yard setback in lieu of the required minimum 7-foot side yard setback. The property is located at 1409 N. Waterview Drive and zoned R-1500-M Residential.

V 19-12, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (f) to allow an 11-foot side yard setback in lieu of the required 20-foot side yard setback on a corner lot adjacent to a side street and Article VII, Sec. 4 (f) to allow a 5-foot setback from the required minimum 10-foot side yard setback. The property is located at 502 Highland Boulevard and zoned R-1100-M Residential

V 19-13, a request for a variance from Article IV, Section 4 (b) of Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson Code of Ordinances to allow a 68-foot lot width in lieu of the required 72-foot lot



Remit Payments (with Acct Number) to:  
The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040

### Order Confirmation

|                    |                    |                          |             |
|--------------------|--------------------|--------------------------|-------------|
| <b>Customer:</b>   | CITY OF RICHARDSON | <b>Customer Account:</b> | 100010162   |
| <b>Ad Order #:</b> | 0001733590         | <b>PO Number:</b>        | CPN 8148    |
| <b>Sales Rep:</b>  | Lynda Black        | <b>Order Taker:</b>      | Lynda Black |

|                        |                   |                        |        |                      |                                       |
|------------------------|-------------------|------------------------|--------|----------------------|---------------------------------------|
| <b>Net Amount:</b>     | \$341.87          | <b>Tax Amount:</b>     | \$0.00 | <b>Total Amount:</b> | \$341.87                              |
| <b>Payment Method:</b> | Check/Money Order | <b>Payment Amount:</b> | \$0.00 | <b>Amount Due:</b>   | <input type="text" value="\$341.87"/> |

**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

width for a residential lot and Article IV, Sec. 4 (e) to allow a 34' -9" front setback in lieu of the required 35-foot setback for the northwest corner of the existing home. The property is located 1001 Cedar Lane and zoned R-1500-M Residential.

V 19-14, a request of the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (d) to allow a 36.1% lot coverage in lieu of the required maximum lot coverage of 35%; Article VII, Sec. 4 (f) to allow a 2-foot side yard setback in lieu of the required 3-foot side yard setback for a detached garage; Article VII, Sec. 4 (e) to allow a front setback of 26-feet for the existing front wall of the building in lieu of the statted 40-foot front setback and Article VII, Sec. 4 (h) to allow a driveway that does not provide the required minimum paved area of 24' depth and 18' width measured perpendicular to the entry of the garage. The property is located at 1204 Northlake Drive and zoned R-1100-M Residential.

V 19-15, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VI, Sec. 4 (d) to allow a lot coverage of 35.2% in lieu of allowable maximum of 32% and Article VI, Sec. 4 (g) to allow an 8-foot setback from the required minimum 25-foot side yard setback for an attached patio cover. The property is located at 200 Long Canyon Court and zoned R-1250-M Residential. For more information, call 972-744-4240.

CPN: 8148 Pub: 07/05/2019

| Run Dates   | Product             | Placement/Classification - Position    |
|---|---------------------|--|
| Publish Date: 07/05/2019    Stop Date: 07/05/2019 | Dallas Morning News | Legals Bids Notices - LN Legal Notices |
| Publish Date: 07/05/2019    Stop Date: 07/11/2019 | DallasNews.com      | Legals Bids Notices - LN Legal Notices |

# Agenda Item 7

Variance 19-15:  
200 Long Canyon Court

## **ZBA File V 19-15**

### **Attachments:**

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





**TO:** Zoning Board of Adjustment  
**FROM:** Daniel Harper, Planner **DH**  
**DATE:** July 11, 2019  
**RE:** **V 19-15:** 200 Long Canyon Court

### REQUESTED VARIANCES

A request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VI, Sec. 4 (d) to allow a lot coverage of 35.2% in lieu of allowable maximum of 32% and Article VI, Sec. 4 (g) to allow an 8-foot setback from the required minimum 25-foot side yard setback for an attached patio cover.

### APPLICANT/PROPERTY OWNER

Eric and Amy Loehr

### EXISTING ZONING

R-1250-M Residential

### SURROUNDING LAND USE

Residential

### STAFF COMMENTS

The home is in The Estates of Canyon Creek Addition and was constructed in 1999. The applicant is requesting variances from Article VI, Sec. 4 (d) (Lot Coverage), Article VI, Sec. 4 (g) (Side Yard Setback) of Appendix A of the Richardson Code of Ordinances. *However, based on further review of the applicant's request, the Lot Coverage variance from Article VI, Sec. 4 (d), is no longer necessary. The subject site's lot coverage is 31.8% and thus conforms with the allowable lot coverage of 32% since the proposed covered patio does not factor into the lot coverage calculation per the Comprehensive Zoning Ordinance.*

The applicant was in the process of constructing the subject patio cover when it was discovered that a building permit was required. The applicant ceased construction in order to proceed with the subject variance requests prior to applying for a building permit.

The subject attached patio structure, constructed of cedar and wooden trusses with a composite shingled roof (see Photos #5 and 6), is located eight (8) feet from the north property line, which is also the northern neighbor's rear lot line.

The affected setback is not the side yard setback, the subject setback is the rear yard setback. Although the required rear yard setback for the attached patio structure is twenty-five (25) feet (same setback applied to the main structure), there is grade difference along the common rear lot lines. The subject lot is elevated approximately six (6) feet above the northern neighbor's lot, with the rear yard surrounded with a 6'-8' foot tall wooden fence (see Photo #7) and screened from N. Collins Boulevard by mature landscaping (see Photos #3 and 4).

#### 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 and should therefore be denied.

**V 19-15**



**V 19-15 Aerial Map**  
**200 Long Canyon Court**

Updated By: HarperD, Update Date:07/01/2019

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.



HR

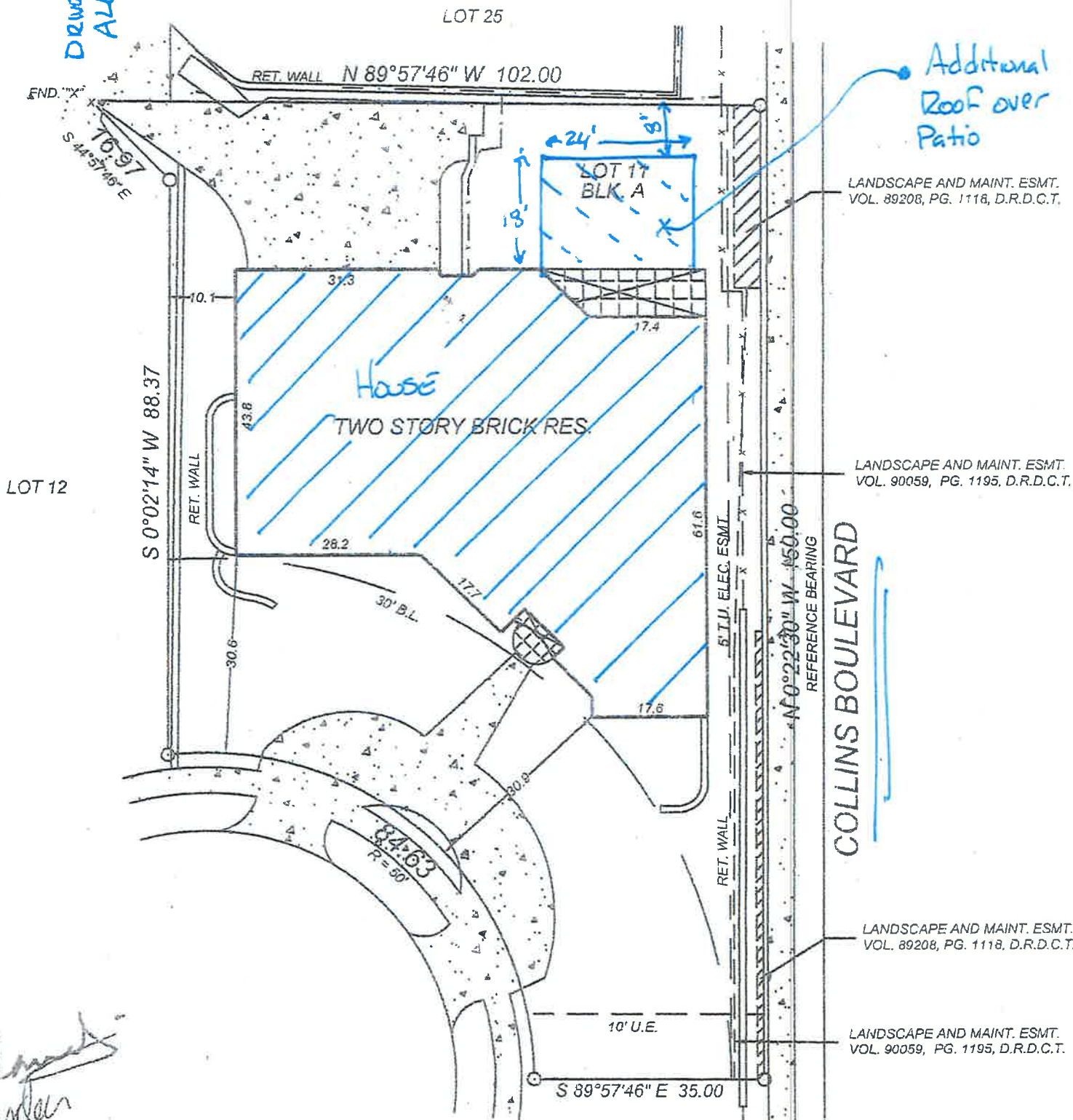
# SURVEY PLAT

HR

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

This is to certify that I have made a careful and accurate survey of the property located at 200 LONG CANYON COURT in the City of RICHARDSON, DALLAS County, Texas. described as follows: Being Lot 11, in Block A of THE ESTATES OF CANYON CREEK, an Addition to the City of Richardson, Dallas County, Texas according to the Map thereof recorded in Volume 89140, Page 1058 of the Map Records of Dallas County, Texas.

THIS PROPERTY DOES NOT LIE IN A 100 YEAR FLOOD HAZARD AREA ACCORDING TO THE F.E.M.A. FLOOD INSUR. RATE MAP COMM. PANEL NO. 4801840205 J THIS PROPERTY LIES IN ZONE "X"



*Suzel Vincent  
Attorney*

## 200 LONG CANYON COURT

I hereby certify that on the 29TH day of SEPT., 20 04, this survey being a copyright protected product was made on the ground and this survey plat has been prepared as per the field notes thereby produced, and it properly represents the facts as found on the ground. This survey plat has been prepared in accordance with, and in substantial compliance with, all rules and regulations promulgated by the Texas Board of Professional Land Surveying. Unless otherwise noted, the surveyor has relied solely on the record data provided in the title commitment for the determination of the boundaries of the land parcel surveyed and for any easements of record which may be shown or addressed on the survey. The survey shows visible easements, conflicts, encroachments or protrusions apparent on the ground.

Date : SEPTEMBER 30, 2004

GF No. 2200568-D-0022

Scale: 1" = 25'

By : *Harry Rowell*



JOB # : 04-3295

| LEGEND                                      |               |
|---|---------------|
| 1/2" Steel / Iron Rod Found                 | ○             |
| 1/2" Steel / Iron Rod Set w/ Red Cap "4597" | ●             |
| Property Line                               | —             |
| Wood Fence                                  | - - - - -     |
| Chain Link / Wire Fence                     | x-x-x-x-x     |
| Overhead Electric                           | — E — E — E — |

**HARRY ROWELL**  
 & Associates, INC.  
 Surveying & Engineering  
 © 1989 Harry Rowell  
 1301 Elm Street Ste. 201  
 Carrollton, Texas 75006 (972) 242-5679

SECOND STORY (EXISTING) (BRICK)

END VIEW

EXISTING ROOF

SHINGLES

SHINGLED ROOF

CLOSED END-BOARD

3'

24'

(OPEN AREA)

CEORAL 8"x8" Post

CEORAL 8"x8" Post

FLAGSTONE PATIO

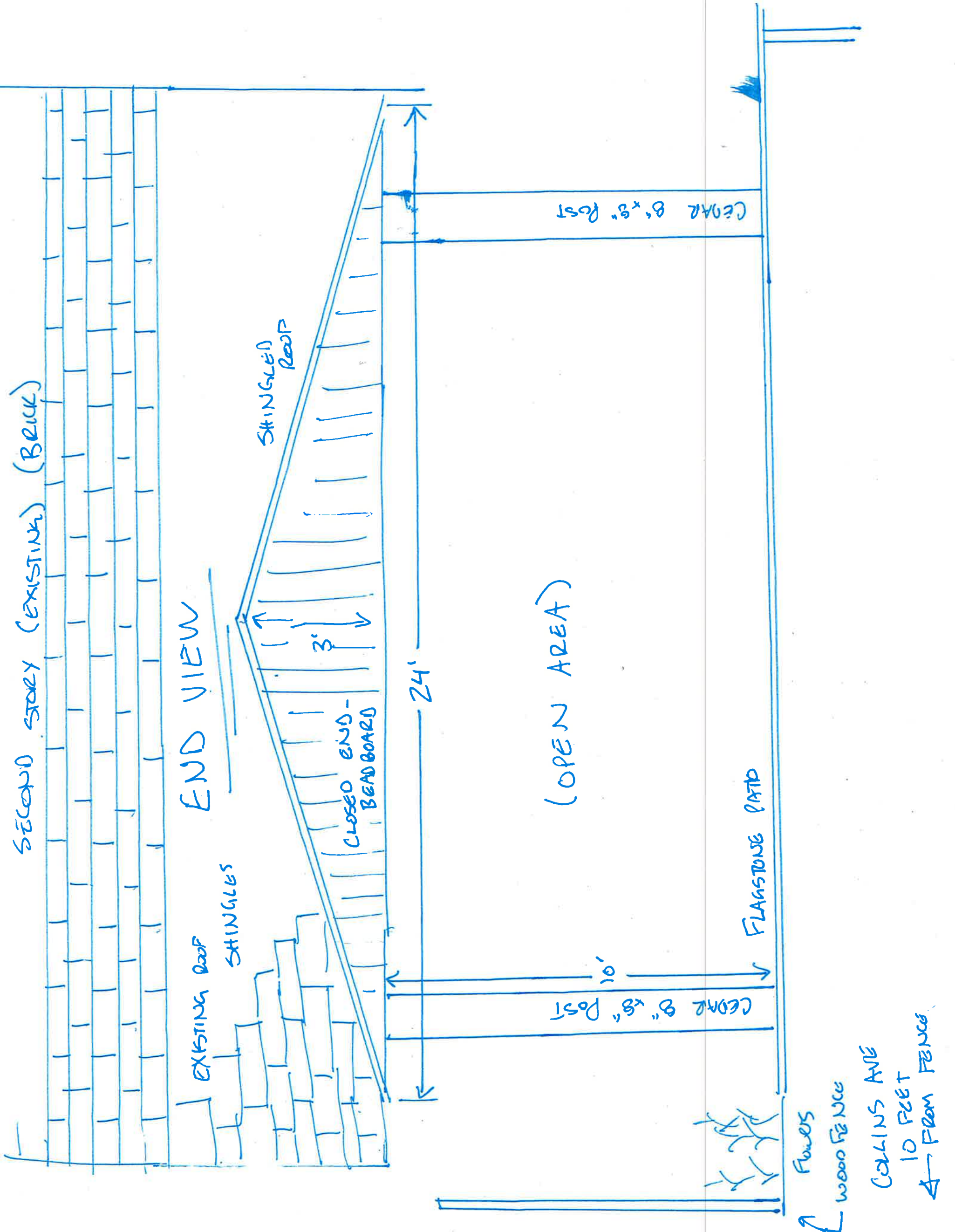
Flowers

WOOD FENCE

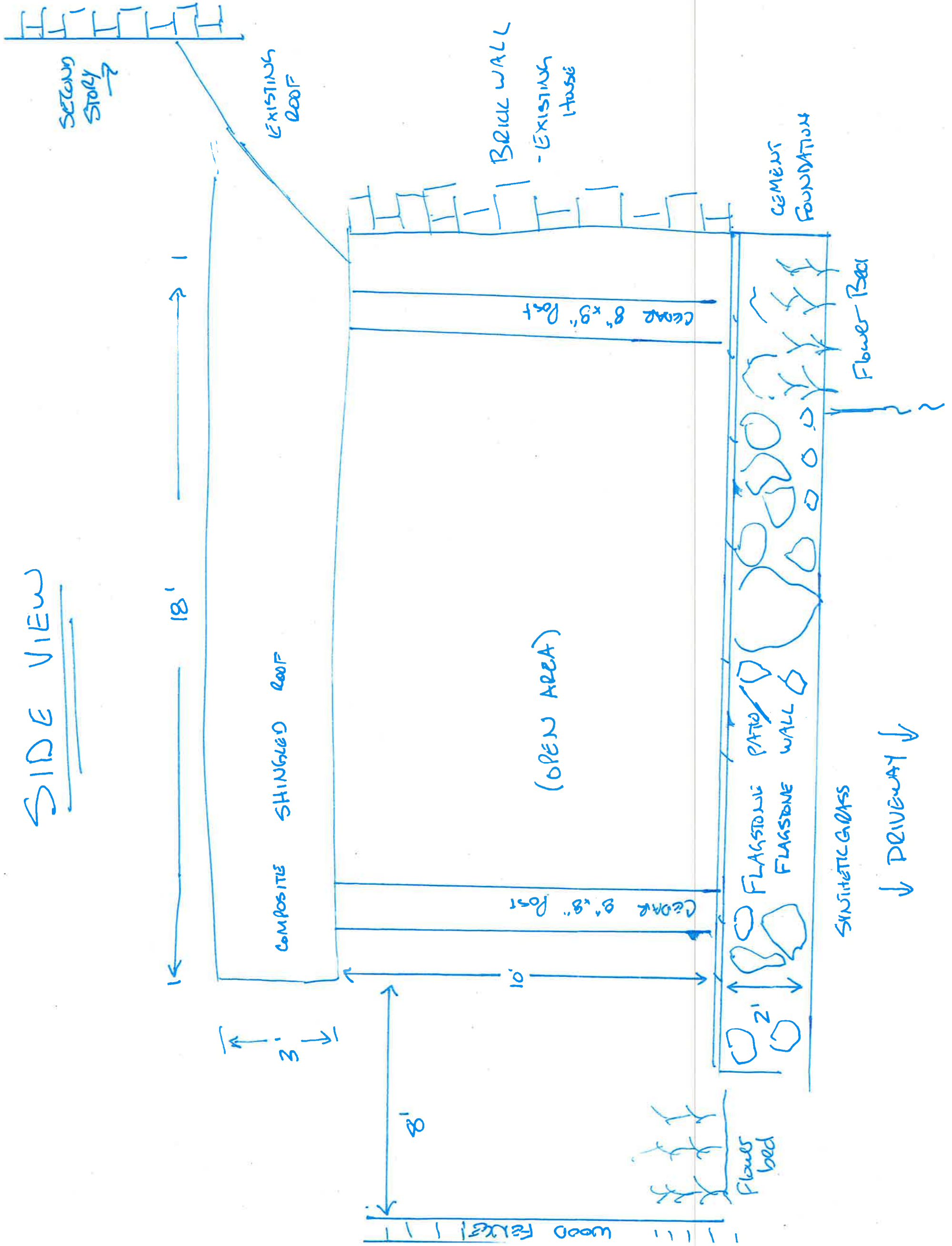
COLLINS AVE

10 FEET

← FROM FENCE



# SIDE VIEW



This is a view of our house from Collins Blvd.

**Photo #1**



Side View. The back yard is to the right (behind the trees).

**Photo #2**



Another side view. You can barely see the roof over the patio. Next picture will "zoom in." **Photo #3**



**Photo #4**



This is the end of the structure. The wood in the middle is temporary.

**Photo #5**



A side view.

**Photo #6**



Our dogs enjoying the covered patio.

**Photo #7**



**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, 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.) 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

**Applicant** **Property Owner**

|                     |                  |           |
|---------------------|------------------|-----------|
|                     | Signature        |           |
| ERIC LOEHR          | Printed Name     | AMY LOEHR |
|                     | Company Name     |           |
| 200 LONG CANYON CT  | Mailing Address  |           |
| RICHARDSON TX 75080 | City, State, ZIP |           |
| 214 505 9295        | Telephone Number |           |
| ericloehr@yahoo.com | Email Address    |           |

**Property Information**

|                               |  |
|-------------------------------|--|
| Address of Subject Property   | 200 LONG CANYON CT                             |
| Legal Description             | LOT 11, BLOCK A OF THE ESTATES OF CANYON CREEK |
| Existing Zoning and Ordinance |  |
| Requested Variance            | REAR SETBACK FROM 25' to 9'                    |

**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 11 x 17

## Board of Adjustment Variance Checklist

Does a hardship exist? If so, explain below.

Yes  No

The back yard is unusable for our family. It is loud, hot and uncomfortable. We have a great patio which we never use. A roof makes the space usable and adds to the comfort of our very large family, and we can enjoy our house. We have 5 kids in the house and I hope they spend time outside.

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

If so, explain below.

Yes  No

The backyard is noisy & uncomfortable. A roof over the patio will make the back yard usable.

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

Our house is directly against Collins Blvd, which is loud, and 1/4 mile away from US-75, with undeveloped land between the highway and our house. A roof over the patio greatly diminishes the noise from these two locations.

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

Yes  No

We want the roof, and the only place to put it is in the rear setback,

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

June 20, 2019

To Whom It May Concern:

Re: Application for a variance for the home located at 200 Long Canyon Court

My wife and I are applying for a variance to the rear setback limit for our house at 200 Long Canyon Court. We wish to cover the rear patio with a roof. This will make the backyard a usable space, which is great for us and our many kids, and greatly adds to our enjoyment of the property.

Amy and I are both widowed, and were married in May 2018, in this back yard! We have three kids each, but just four in the house until a twenty-year old moved in recently. With five kids (and two dogs, a cat and a bearded dragon), we are trying to maximize the usable area at our home.

When we moved in, the rear yard was a muddy, sloped, unusable mess. Last year we spent a lot of money to put a flagstone patio in the back yard. The back yard looks great. However, our house is ten feet from Collins Blvd, and a quarter mile from US-75. The land in between has a few trees, but is mostly open land and some parking lot. The noise from the highway is incessant, and noise from Collins is mostly during rush hour. Even with some tree coverage, the sun can be quite strong. We have always hoped to have family dinners in the backyard.

We actually have already started the roof. Our builder said that we did not need a permit and he did not think a variance was needed. Right now, the roof is up, but it is not finished. We received a letter asking us to stop work. Our builder was wrong.

A roof over the patio will make the backyard a usable space. Since it is already up, we know that it blocks a great deal of the noise from the highway. It blocks the sun as well. We are considering putting in some retractable screens which will help with the mosquitos. It is my belief that the mosquitos breed in the windblown plastic bags that collect under the bushes along Collins Blvd.

An attached roof needs to be 25' from the rear setback. We are requesting a 17' variance, so that we can build to 8' from the lot line. Many of our neighbors in these 'corner cul-de-sac' lots are close to the rear lot line. The neighbor behind us, for instance, has his garage within 15' of the same lot line.

Eric Loehr

Amy Loehr

Details on the next pages...



# Notice of Public Hearing

## Zoning Board of Adjustment – Richardson, TX

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

### VARIANCE REQUEST

**File No./Name:** V 19-15  
**Property Owner:** Eric and Amy Loehr  
**Applicant:** Eric Loehr  
**Location:** (see map on reverse side)  
**Request:** V 19-15, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VI, Sec. 4 (d) to allow a lot coverage of 35.2% in lieu of allowable maximum of 32% and Article VI, Sec. 4 (g) to allow an 8-foot setback from the required minimum 25-foot side yard setback for an attached patio cover. The property is located at 200 Long Canyon Court and zoned R-1250-M Residential.

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

**WEDNESDAY, JULY 17, 2019**  
**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 19-15.

Date Posted and Mailed: **July 05, 2019**

**V 19-15**

E Prairie Cree

**200' NOTIFICATION  
BOUNDARY**

High Canyon Ct

N Collins Blvd

Cathedral Dr

Palisades Blvd

**SUBJECT PROPERTY**

Long Canyon Ct

Creekwood Cir

**V 19-15 Notification Map**  
**200 Long Canyon Court**

Updated By: HarperD, Update Date:07/01/2019

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.





MATHEWS BLAIR & JENIFER  
200 HIGH CANYON CT  
RICHARDSON, TX 750802670

HORD MARK E & LISA  
201 HIGH CANYON CT  
RICHARDSON, TX 750802671

MONTGOMERY REVOCABLE TRUST  
203 HIGH CANYON CT  
RICHARDSON, TX 750802671

DOWNING JASON & SARAH  
204 LONG CANYON CT  
RICHARDSON, TX 750802668

CHAO SCOTT YEN  
205 LONG CANYON CT  
RICHARDSON, TX 750802669

MP SMITH LIVING TRUST T  
24 CREEKWOOD CIR  
RICHARDSON, TX 750802608

KDC 2323 INVESTMENTS I LP  
8115 PRESTON RD STE 700  
DALLAS, TX 752256344

SOMERS ROBERT B & CHRISTINE V  
202 HIGH CANYON CT  
RICHARDSON, TX 750802670

BENSON THOMAS D & SUSAN B  
205 HIGH CANYON CT  
RICHARDSON, TX 750802671

LOEHR AMY BROACH  
200 LONG CANYON CT  
RICHARDSON, TX 750802668

MILNER SAM & BRENDA S  
206 LONG CANYON CT  
RICHARDSON, TX 750802668

JABERI FARSHID & SHADI EDAL  
207 LONG CANYON CT  
RICHARDSON, TX 750802669

BLANKENSHIP JOHN H  
22 CREEKWOOD CIR  
RICHARDSON, TX 750802608

DRP TX 1 LLC % DW PTNRS, MARC  
VALDES  
590 MADISON AVE 9TH FL  
NEW YORK, NY 10022

MARTIN ROBERT T & NICOLE R  
204 HIGH CANYON CT  
RICHARDSON, TX 750802670

FRANKS TODD JOSEPH & ASHLEY  
207 HIGH CANYON CT  
RICHARDSON, TX 750802671

MORENO GILBERT B & GLORIA R  
202 LONG CANYON CT  
RICHARDSON, TX 750802668

LUTCHMAN CHITRAM & KISSON  
LUTCHMAN SITA  
201 LONG CANYON CT  
RICHARDSON, TX 750802669

SOWAN SARABETH O  
203 LONG CANYON CT  
RICHARDSON, TX 750802669

KDC 2323 INVESTMENTS I LP  
8115 PRESTON RD STE 700  
DALLAS, TX 752256344



Remit Payments (with Acct Number) to:  
 The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040

**Order Confirmation**

**Customer:** CITY OF RICHARDSON      **Customer Account:** 100010162  
**Ad Order #:** 0001733590      **PO Number:** CPN 8148  
**Sales Rep:** Lynda Black      **Order Taker:** Lynda Black

|                        |                   |                        |        |                      |          |
|------------------------|-------------------|------------------------|--------|----------------------|----------|
| <b>Net Amount:</b>     | \$341.87          | <b>Tax Amount:</b>     | \$0.00 | <b>Total Amount:</b> | \$341.87 |
| <b>Payment Method:</b> | Check/Money Order | <b>Payment Amount:</b> | \$0.00 | <b>Amount Due:</b>   | \$341.87 |

**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

**Color:**      **Ad Size:** 1 X 159.00 Li

**Ad Content**

**NOTICE OF PUBLIC HEARING**

The Richardson Zoning Board of Adjustment will hold a public hearing in the Council Chambers on July 17, 2019 at 6:30 p.m. at City Hall, 411 W. Arapaho Road, Richardson, Texas to consider:  
 SE 19-03; a request of a special exception from Chapter 6 (Buildings and Building Regulations), Article IV (Fences), Sec. 6-209(3) of the City of Richardson's Code of Ordinances to allow an 8-foot board-on-board wooden fence in lieu of the maximum height of three (3) feet allowed for a fence located between the front property line and the front wall of a residential structure. The property is located at 1200 Richland Park Drive and zoned R-1500-M Residential.

V 19-11; a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article IV, Sec. 4 (b) to allow a 68-foot lot width in lieu of the required 72-foot lot width required for a residential lot and Article IV, Sec. 4 (f) to allow a 6-foot side yard setback in lieu of the required minimum 7-foot side yard setback. The property is located at 1409 N. Waterview Drive and zoned R-1500-M Residential.

V 19-12, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (f) to allow an 11-foot side yard setback in lieu of the required 20-foot side yard setback on a corner lot adjacent to a side street and Article VII, Sec. 4 (f) to allow a 5-foot setback from the required minimum 10-foot side yard setback. The property is located at 502 Highland Boulevard and zoned R-1100-M Residential.

V 19-13, a request for a variance from Article IV, Section 4 (b) of Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson Code of Ordinances to allow a 68-foot lot width in lieu of the required 72-foot lot



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 The Dallas Morning News, P.O. BOX 660040, DALLAS, TX 75266-0040

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**Ad Order #:** 0001733590

**Ad Number:** 0001733590-01

width for a residential lot and Article IV, Sec. 4 (e) to allow a 34' -9" front setback in lieu of the required 35-foot setback for the northwest corner of the existing home. The property is located 1001 Cedar Lane and zoned R-1500-M Residential.

V 19-14, a request of the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VII, Sec. 4 (d) to allow a 36.1% lot coverage in lieu of the required maximum lot coverage of 35%; Article VII, Sec. 4 (f) to allow a 2-foot side yard setback in lieu of the required 3-foot side yard setback for a detached garage; Article VII, Sec. 4 (e) to allow a front setback of 26-feet for the existing front wall of the building in lieu of the slated 40-foot front setback and Article VII, Sec. 4 (h) to allow a driveway that does not provide the required minimum paved area of 24' depth and 18' width measured perpendicular to the entry of the garage. The property is located at 1204 Northlake Drive and zoned R-1100-M Residential.

V 19-15, a request for the following variances from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VI, Sec. 4 (d) to allow a lot coverage of 35.2% in lieu of allowable maximum of 32% and Article VI, Sec. 4 (g) to allow an 8-foot setback from the required minimum 25-foot side yard setback for an attached patio cover. The property is located at 200 Long Canyon Court and zoned R-1250-M Residential. For more information, call 972-744-4240.

CPN: 8148 Pub: 07/05/2019

| Run Dates   | Product             | Placement/Classification - Position    |
|---|---------------------|--|
| Publish Date: 07/05/2019      Stop Date: 07/05/2019 | Dallas Morning News | Legals Bids Notices - LN Legal Notices |
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