

**CITY OF RICHARDSON  
ZONING BOARD OF ADJUSTMENT MINUTES  
JANUARY 15, 2020**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, January 15, 2020, in the Council Chambers, at City Hall, 411 West Arapaho Road, Richardson, Texas.

**MEMBERS PRESENT:** Jason Lemons, Chairman  
Jordan Everhart, Member  
Shamsul Arefin, Member  
Marsha Mayo, Alternate  
Nick Robison, Alternate

**MEMBERS ABSENT:** Scott Rooker, Vice Chairman  
Sebrena Bohnsack, Member

**CITY STAFF PRESENT:** Sam Chavez, Assistant Director of Development Services  
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 NOVEMBER 20, 2019.**

**Motion:** Member Mayo made a motion to approve the minutes as presented; Member Everhart seconded the motion. Motion passed 5-0.

**2. PUBLIC HEARING ON ZBA SE 19-07:** (Continued from the September 18, 2019 meeting), a request for a special exception to Chapter 6, Article IV of the City of Richardson's Code of Ordinances: Sec. 6-209 (3) to allow an 8-foot fence to be located between the front property line and front wall of a building along Mesa Drive. The property is located at 2413 Fairway Drive and zoned R-1800-M Residential.

**Board Discussion**

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

### **Public Comments**

No members of the public commented on the request.

### **Board Action**

**Motion:** Member Mayo made a motion to accept the applicant's withdrawal request; Member Everhart seconded the motion. Motion passed 5-0.

- 3. PUBLIC HEARING ON ZBA SE 20-01:** : A request for a special exception to Chapter 6, Article IV of the City of Richardson's Code of Ordinances: Sec. 6-209 (4) to allow a six (6) foot wooden screening fence in combination with a six (6) foot iron fence with ninety (90) percent through vision in lieu of the required 15' x 25' corner clip with fence at four (4) feet in height with a minimum fifty (50) percent through vision. The property is located at 2492 Cathedral Drive and zoned Palisades PD Planned Development District (Urban Neighborhood Sub-District).

### **Staff Comments**

Sam Chavez presented on the case. Mr. Chavez stated that the applicant would like to build a 6-foot tall wooden screening fence that would extend 18-feet from the southwest corner of the home and transition to a 6-foot-tall iron fence over an additional 7-feet. The 6-foot iron fence would then follow the build-to-zone from the western line and the north to the south face of the home to enclose the backyard.

Mr. Chavez stated that he had received correspondence regarding the request. He stated that based on the information presented by the applicant and the applicable Code of Ordinances it is the staff's opinion that the applicant request does not appear to be contrary to the public safety.

Mr. Chavez made himself available for questions.

### **Board Discussion**

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

### **Public Comments**

David Vanderslice stated that his request for a 10-foot corner clip and a 6-foot fence is based on the need for more privacy around the yard and had already spoken with the future homeowner to be west about the proposed fencing.

Ed Beckman, 2749 Cathedral Drive, stated that his concern was that the neighbor located next to the applicant's home had no knowledge of the proposed fence structure and therefore asked the Board to table case to get the neighbor's input.

Member Mayo clarified with Mr. Chavez that the zoning ordinance requirement is for a front yard corner clip. She then asked if this request was a side yard would the clip still be required.

Mr. Chavez clarified the clip would be located on the opposite side of the lot toward the street.

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

### **Board Action**

Member Arefin spoke in favor of the case.

**Motion:** Member Mayo made a motion to grant the special exception; Member Robison seconded the motion. Motion passed 5-0.

- 4. PUBLIC HEARING ON ZBA V 20-01:** A request for the following variance from Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson's Code of Ordinances: Article VI, Sec. 4 (f) to allow for a side yard setback of seven (7) feet on the east property line in lieu of the required ten (10) foot side yard setback. The property is located at 326 Maple Street and zoned R-1250-M Residential

### **Staff Comments**

Sam Chavez presented on the case. He stated that the applicant is requesting a 7- foot setback along the east property line in lieu of the 10-foot required side yard setback. He mentioned the 10-foot side yard setback is an element of the required setback once the lot exceeds 80-feet or more in width. The proposed lot is 80.41-feet in width therefore requiring the 10-foot side yard setback.

The proposed plan would allow for a 7-foot setback along the east property line but would maintain the 10-foot setback located along the west property line.

Mr. Chavez stated that 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.

Mr. Chavez made himself available for question.

### **Board Discussion**

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

### **Public Comments**

Rifat Malik, 617 Killarney, stated that she didn't think that the proposed setback request would have a negative visible impact to the eye. She presented two correspondences in favor of the case.

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

### **Board Action**

Member Arefin and Member Mayo spoke in favor of the case.

**Motion:** Member Arefin made a motion to grant the variance; Member Mayo seconded the motion. Motion passed 5-0.

There being no further business, the meeting was adjourned at 7:06 p.m.

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Jason Lemons, Chairman  
Zoning Board of Adjustment

APPROVED