

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF RICHARDSON, TEXAS
JANUARY 16, 2013**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, January 16, 2013 in the Council Chambers, at the City Hall, 411 West Arapaho Road, Richardson, Texas.

MEMBERS PRESENT:

Mike Walker, Chair
Will Kidd, Vice Chair
Chip Pratt, Member
Larry Menke, Member
Paul Voelker, Member
Shamsul Arefin, Alternate

MEMBERS ABSENT:

John Veatch, Alternate

CITY STAFF PRESENT:

Chris Shacklett, Senior Planner
Cindy Wilson, Administrative Secretary

Mike Walker, Chairman, introduced Chris Shacklett, Planner; and Cindy Wilson, Administrative Secretary explaining that the City staff serves in an advisory capacity and does not influence any decisions the Board might make. Walker summarized the function, rules, and appeal procedure of the Zoning Board of Adjustment. Walker added that all Members are present and will vote. Walker noted all 5 members are present and at least 4 of 5 must vote in favor for a request to be approved.

1. MINUTES:

The Zoning Board of Adjustment minutes of the November 14, 2012 meeting were approved on a motion by Voelker. The motion was seconded by Kidd and passed with a unanimous vote.

- 2. PUBLIC HEARING ON ZBA FILE V 13-01,** a request by Jerry Zimmerman for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance: 1) Article XII, Sec. 4(h)(4), to allow a dead-end driveway at 800 Lorrie Drive. Shacklett stated the subject property was constructed in 1957 with a front entry, single-car garage with no alley access. Article XII, Sec. 4(h)(4) prohibits head-in or dead-end driveways in the front yard upon enclosure or conversion of a garage or carport, and although the garage has not been enclosed or converted, a dead-end driveway will be created as a result of the applicant's request to widen the existing driveway to accommodate an additional off-street parking space.

Shacklett reported the applicant's initial desire was to widen the garage and driveway to provide two (2) enclosed parking spaces as required by the City's Comprehensive

Zoning Ordinance; however, the existing attached garage was constructed approximately eight (8) feet from the north property line; therefore, expanding the garage to accommodate a 2-car garage is physically impossible without encroaching onto the adjacent property. Shacklett explained the applicant feels the only option would be to demolish the existing home and rebuild the home closer to the southern property line to accommodate a 2-car garage on the north side of the property to maintain the required seven (7) foot side yard setback.

Shacklett added the applicant also looked into constructing a circular driveway in the front yard, but two (2) Ash trees would likely have to be removed to accommodate the circular driveway. Shacklett continued that some of the homes in his neighborhood were constructed with 2-car garages and the associated 2-car wide driveways; however, many of the homes either have 1-car garages or they appear to have been converted to living spaces.

Shacklett stated the applicant is therefore requesting a variance to allow a dead-end driveway which does not lead into an enclosed garage or carport as a result of his desire to widen the driveway to provide additional off-street parking.

Shacklett delivered the staff technical recommendation in case V 13-01 by stating that based on the information provided by the applicant, and applicable codes and ordinances, it is staff's opinion that it is not possible to provide a 2-car garage which would allow the construction of a 2-car driveway; however, the depth of the existing driveway is sufficient to accommodate two (2) vehicles. Shacklett stated the garage is setback a minimum of forty (40) feet from the front property line.

Voelker asked about widening the driveway by 8 feet and the City then constructing a drive and sidewalk. Voelker continued by asking if the whole drive would have access to the street.

Shacklett responded that the driveway opening would be the same width as the driveway.

Jerry L. Zimmerman, 800 Lorrie Drive, Richardson came forward to present his case. Zimmerman stated that currently if both vehicles are in the drive, they hang over the sidewalk. Zimmerman did note that he had seen a number of homes with dead-end parking in his neighborhood.

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

Voelker asked how far reaching the response from this Board might be.

Shacklett explained that the Board's response would be for this area only.

Pratt made a motion to approve the proposal for V 13-01 as presented, limited to those specifics the applicant presented in the case. Pratt added that should the space be converted to one living area, the entire driveway would be required to be removed. Voelker seconded the motion and the motion passed unanimously.

3. **PUBLIC HEARING ON ZBA FILE V 13-02**, a request by Dean Hudson, representing Statewide Remodeling, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance: 1) Article XXII-F, Sec. 1(b), to allow the use of 100% non-masonry materials for an approximately 400-square foot home addition at 1030 W. Belt Line Road. Shacklett stated the applicant is requesting a variance to allow the use of non-masonry materials on an approximately 400-square foot home addition on the southwest corner of the existing structure. Shacklett explained the home was originally constructed in 1920, prior to any of the City's masonry requirements. Shacklett added the home is currently 4,324 square feet and the exterior facades are constructed of 100% siding. Shacklett continued that in 1969, a garden room addition utilizing siding was constructed, and a variance was granted in 2006 to allow the use of siding for a 416-square foot addition for a library room onto the northeast corner of the home.

Shacklett noted that the applicant has stated the homeowner's desire is to use similar siding to be consistent with the existing architectural character of the home. Shacklett added that the applicant also states the house is not highly visible from the public view due to the large size of the lot, its setbacks from the road and adjacent properties, and the abundance of foliage. Shacklett stated the applicant's objective is to provide an addition to the home that does not detract from the design and architecture of the home and feels the variance is warranted given the previous variance approval.

Shacklett delivered the staff technical recommendation in case V 13-02 by stating 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; however previous additions were allowed to be constructed of non-masonry materials to match the existing architectural character. Furthermore, the City updated its masonry construction definition to require recladding of existing residential structures to be architecturally compatible with the principal structure. Although the proposed addition is non-masonry, the applicant's proposal meets the intent of constructing an architecturally compatible addition.

Phillip Halff, 1030 W. Belt Line, Richardson, Texas came forward to present his case. Halff presented a little history and noted that four generations have added an addition to the home. Halff also indicated that his father was the one to add the big windows

Dave Knepper, 101 Shadywood Lane, Richardson, Texas came forward to speak in favor of the request. Knepper stated he likes the historical value the house represents and he believes variance request should be granted.

Clifford McClouch, 1 Shadywood Lane, Richardson, Texas came forward to speak in favor of the request.

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

Menke made a motion to grant the proposal for V 13-02 as presented, limited to those specifics the applicant presented in the case. Pratt seconded the motion and the motion passed unanimously.

There being no further business, the meeting was adjourned at 6:55 p.m.

Mike Walker, Chairman