

ZONING BOARD OF ADJUSTMENT

AGENDA PACKET

JULY 18, 2013

AGENDA
CITY OF RICHARDSON – ZONING BOARD OF ADJUSTMENT
THURSDAY, JULY 18, 2013
6:30 P.M.
CIVIC CENTER/COUNCIL CHAMBERS
411 W. ARAPAHO ROAD

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

A. Discussion of Regular Agenda Items

- 1. APPROVAL OF MINUTES OF REGULAR MEETING OF MAY 15, 2013.**
- 2. PUBLIC HEARING ON ZBA FILE V 13-08,** a request by Maria Harris, Bry-Jo Roofing and Remodeling, representing Joe and Mattie Neill, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance: 1) Article VII, Sec. 4(h)(1), for a 2-foot, 10-inch variance to the required minimum 18-foot width required for 2 enclosed, off-street parking spaces. The property is located at 511 Copper Ridge Drive.
- 3. RECESS**
- 4. ADJOURN**

This building is wheel chair accessible. Any requests for sign interpretive services must be made 48 hours ahead of the meeting. To make arrangements, call (972) 744-4100 or 972-744-4001.

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 5, 2013.

Chris Shacklett, Senior Planner

Agenda

Item 1

MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF RICHARDSON, TEXAS
MAY 15, 2013

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, May 15, 2013 in the Council Chambers, at the City Hall, 411 West Arapaho Road, Richardson, Texas.

MEMBERS PRESENT:

Mike Walker, Chair
Larry Menke, Vice Chair
Shamsul Arefin, Alternate
Brian Shuey, Member
Jason Lemons, Alternate

MEMBERS ABSENT:

John Veatch, Member
Chip Pratt, Member

CITY STAFF PRESENT:

Chris Shacklett, Senior Planner
Cindy Wilson, Administrative Secretary

Mike Walker, Chairman, introduced Chris Shacklett, Senior 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 present will vote and with 3 members and 2 alternates present at least 4 of 5 must vote in favor for a request to be approved.

MINUTES:

The Zoning Board of Adjustment minutes of the March 20, 2013 meeting were approved on a motion by Arefin; second by Lemons and a vote of 5-0.

- 1. PUBLIC HEARING ON ZBA FILE V 13-06**, a request by Randy & Rebecca Murphy, for approval of the following variances to the City of Richardson Comprehensive Zoning Ordinance, for the property located at 2415 Canyon Creek Drive: Article IV-B, Sec. 4(e)(1), for a 6-inch variance to the platted 40-foot front setback for the existing structure; 2) Article IV-B, Sec. 4(f)(1), for a 4-foot variance to the 7-foot side setback for an attached garage; 3) Article IV-B, Sec. 4(g), for a 3-foot variance to the 25-foot rear setback for an attached garage.

Shacklett stated the applicant is requesting three (3) variances to accommodate the construction of an attached garage. Shacklett continued that the current owners recently purchased the home and plan to remodel to meet their needs. Shacklett commented that along with significant changes being made to the interior of the home, the owners intend to convert the existing attached garage to living area and construct a new attached garage to the east of the current garage. Shacklett commented that the attached garage would encroach into the side and rear

setbacks. Shacklett also pointed out that the home currently encroaches into the platted front setback. Shacklett explained it appears the home was originally constructed in the front setback in 1967.

Shacklett stated the base zoning of R-1800-M Residential District requires a minimum 30-foot front setback; however, the subdivision was platted with a 40-foot front setback. Shacklett noted that according to a property survey, the southeast corner of the home was constructed within the 40-foot setback; the closest point being located approximately 39-feet, 6-inches from the front property line. Shacklett added there are no proposed additions within the front setback.

Shacklett expressed that the proposed attached garage is located approximately three (3) feet from the side (north) property line at the front corner and approximately six (6) feet from the side property line at the rear corner. The proposed attached garage is approximately twenty-two (22) feet from the rear property line at the northwest corner. Shacklett stated that one letter has been received approving of this request and no other correspondence or telephone calls have been received.

Shacklett commented that the owners have stated the original layout of the home had the garage located at the backmost portion of the property, thereby effectively blocking the view of the golf course. Shacklett expressed the desire of the property owner is to create a living area in the current garage location that would provide an improved view of the golf course. Shacklett added the proposed garage is approximately twenty-nine (29) feet wide which is wider than a typical garage. The owner's desire for the wider garage is to accommodate a golf cart and yard tools. Shacklett explained they have stated they do not wish to construct accessory buildings in the rear yard which would allow a narrower garage because they feel that would not be as desirable an approach as what they are proposing. Shacklett indicated the proposed garage would be constructed to be architecturally compatible with the existing home. Shacklett added that the owners have stated the location of the tree at the northwest corner of the property creates a hardship in that they want it preserved. Shacklett stated a detached garage that meets the reduced side and rear setbacks required for accessory buildings could be constructed there, but the tree would have to be removed, and the view of the golf course would be further impeded.

Shacklett delivered the staff technical recommendation in case V 13-05 by stating that since the home was originally constructed with an approximately 6-inch encroachment into the platted front setback, it is staff's opinion that a hardship exists because no additions or expansions can be permitted even if the addition or expansion conforms to the all of the regulations in the Comprehensive Zoning Ordinance. Shacklett stated based on the information provided by the applicant, and applicable codes and ordinances, it is staff's opinion that the hardship does not

constitute a physical property hardship and is self-imposed regarding the side and rear setback variances.

Rebecca Murphy, 2415 Canyon Creek Drive, Richardson, Texas came forward to present the case. Murphy explained they would like to preserve the native Cedar Oak tree in the back portion of their property. It shades their property, the neighbor's property and a portion of the 15th hole on the golf course. Murphy explained they considered adding a detached garage to avoid requesting a variance, but even getting close to the tree would have endangered it. Murphy continued that they have previously lived in Canyon Creek and are returning because they like the area. Murphy added that there are no windows that face to the back of the house or the golf course and this lead to taking the garage into the house as well as having a place to store their golf cart.

Walker asked if the garage would be somewhat larger to contain a golf cart, lawn mower and some tools.

Murphy responded yes.

Walker asked that anyone wishing to speak in favor of the request come forward. There being no one, Walker asked that anyone wishing to speak in opposition of the request come forward.

Paul Drake, 2417 Canyon Creek Drive, Richardson, Texas came forward to speak in this case. Drake stated he and his wife are probably the most affected by this request. Drake pointed out that he does not know what impact the approval of this request would have on him and his family. Drake indicated they had spoken with the applicant but this is the first time he has seen details. Drake commented that he expected some noise issues and some limit of their view of the golf course. Drake continued that currently they have about a 120° view of the golf course and after the changes their view would possibly be only 30°. Drake added he liked the fact that the tree will remain because removing the tree would limit their view even more. Drake noted that at this point it seems to be a trade-off between the noise and the view.

Drake expressed that the main issue they have is that their bedroom and their bed are probably going to be about 15 feet from the applicant's car. Drake explained they have a huge noise problem and most likely they will have to build a fence. Drake told the Board they are not for or against the request; but are looking to learn how they might respond, if needed.

Shacklett asked what the primary source of the noise problem is currently.

Drake pointed out that currently whenever the garage door opens and closes, he can hear it. Drake noted that he works in his garage with power tools and if the applicant does the same; that would add to the noise problem.

Walker stated that Drake could build a 6-foot or 8-foot fence and not be required to come before this Board. Walker requested confirmation of this statement from Shacklett.

Shacklett stated that is correct and typically a fence can be built up to 8-foot in height from the front building line down the sides and along the rear. Shacklett clarified that he did not know if there were any deed restrictions as far as a rear property line fence with the golf course there.

Some discussion regarding fences ensued and the Chair moved things back to business.

Murphy added the current orientation of the garage probably causes lights to shine on the next door neighbor's house. Murphy explained that a front entry to the garage could mean less bother from lights. Murphy addressed the noise concern by stating they plan to install a state of the art garage doors. Murphy pointed out that whether or not this request is approved, they will have to find a workable plan to accommodate vehicles and there will be some view obstruction is unavoidable. Murphy stated they plan to do everything they can to be good neighbors.

No further comments were received and Walker closed the public hearing.

Shacklett introduced Brian Shuey, new member to the Zoning Board of Adjustment. As Chairman Walker described earlier, the vote will be four members out of five voting.

Walker stated that this request is a result of an irregular lot and is much like other cases heard by the Board this year.

Menke stated he had a concern about approving this request because it brought out issues from an upset homeowner that could create a problem in the neighborhood.

Shacklett suggested the Board consider voting on each variance separately.

Menke made a motion to grant item number V 13-06 1) regarding the front setback of the proposal as presented, limited to those specifics the applicant presented in the case. The motion was seconded by Lemons and approved 4-1 with Arefin opposing.

Menke made a motion to grant item number V 13-06 2) regarding the 4-foot variance to the 7-foot side setback for an attached garage as presented and limited to the specifics the applicant presented in the case. The motion was seconded by Lemons and approved 4-1 with Arefin opposing.

Menke made a motion to grant item number V 13-06 3) regarding the 3-foot variance to the 25-foot rear setback for an attached garage as presented, limited to those specifics the applicant presented in the case. The motion was seconded by Shuey and approved 4-1 with Arefin opposing.

2. **PUBLIC HEARING ON ZBA FILE V 13-07**, a request by Harry Purdom, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance, for the property located at 105 Thompson Drive: 1) Article VII, Sec. 4(h)(2)(a), to allow the pavement for maneuverability to be non-perpendicular to the entry opening of the garage.

Shacklett stated the current owner recently purchased the home with the plan to demolish the existing home and construct a new home. Shacklett noted the current garage is accessed from Thompson Drive, but the garage door opening is located on the back side of the home (J-drive configuration). There is no alley access since the lot is located on a creek. Shacklett indicated the proposed layout of the new home would utilize the same driveway opening, but the garage entry opening would be moved to the front of the home. Shacklett explained that due to the applicant's desire to preserve a large pecan tree in the front yard, the new driveway would not be perpendicular to the entry opening of the garage, therefore requiring the need for the variance.

Shacklett stated the City's Comprehensive Zoning Ordinance (CZO) requires that a paved area for maneuverability of a vehicle in and out of the garage is required. Shacklett pointed out that the typical dimensions required are eighteen (18) feet in width by twenty-four (24) feet in depth. Shacklett continued that the maneuverability area is required to be perpendicular to the entry opening of the garage.

Shacklett mentioned the owners have stated they believe the intent of the ordinance is being met since there is still an 18-foot by 24-foot area being provided. Shacklett commented that to construct a driveway that would be perpendicular to the garage opening would require the removal of the pecan tree which the applicants desire to preserve. Shacklett continued that the applicant has also stated that rotating the home to accommodate perpendicular maneuverability could create side yard encroachments and flipping the home would require removing other trees and conflicts with water meters.

Shacklett reported there had been no correspondence or telephone calls related to this case.

Shacklett delivered the staff technical recommendation in case V 13-07 by stating that based on the information provided by the applicant, and applicable codes and ordinances, it is staff's opinion that the hardship does not constitute a physical property hardship and is self-imposed.

Walker noted that trees have power and influence over the cases heard by the Board.

Harry Purdom, 309 Meadowcrest Drive, Richardson, Texas 75080 came forward to present the case. Purdom identified himself as the builder representing Kevin and Lori Lowderman who are citizens of Richardson. Purdom stated the Lowderman's purchased the property at 105 Thompson Drive about a year and a half ago and since October 2012 plans have been worked on together. Purdom told the Board that his clients want to orient the house on the lot as pictured in their request. Purdom indicated they looked into rotating the house, but because of another tree in the rear property line the structure cannot be rotated enough to meet the perpendicular requirement of the maneuverability area without taking the tree down. Purdom noted that his clients purchased the lot specifically because of the trees and the creek. Additionally, Purdom mentioned that 18-inch rotation off of 90° to accommodate maneuverability can be made tighter, but the idea is to keep the concrete off the root structure of the tree. Purdom pointed out there are several situations in the neighborhood where encroachments are involved and provided pictures for the Board to review.

Walker questioned Purdom regarding how far the tree is from the garage.

Purdom stated the tree is 15 feet and 6 inches from the garage.

Walker stated there is a good amount of room to miss the tree when you back out.

Purdom added that the tree is not right at the garage door and the owners have 2 parking spaces in the garage and an additional space in the back. Purdom stated there is ample space for access in and out of the garage.

Arefin stated his concern about the plan is not getting into the garage, but getting out.

Purdom noted the owners have been studying these plans for about a year and have known about the tree's location. That is why they have requested an 18-foot garage door instead of a standard door that is 16-feet wide. This means when backing out they are less restricted. Purdom continued that the radius of turning

into that area would be no different than on a standard parking area with a 20-foot radius turning into a swing in garage.

Walker asked Purdom to confirm there is lots of new development on that street.

Purdom confirmed there is much new development on the street.

No further comments were received and Walker closed the public hearing.

Lemons pointed out that the previous development in the neighborhood sets a certain amount of precedence in that neighborhood already.

Menke added that this project will be an improvement and is the kind of redevelopment we want to encourage.

Lemons made a motion to grant the proposal for V 13-07 as presented, limited to those specifics the applicant presented in the case. The motion was seconded by Arefin and approved 5-0.

There being no further business, the meeting was adjourned at 7:23 p.m.

Mike Walker, Chairman
Zoning Board of Adjustment

Agenda

Item 2

ZONING VARIANCE FILE 13-08

Attachments:

1. Notice of Public Hearing
2. Notification List
3. Staff Report
4. Aerial Map
5. Site Plan
6. Before and After Floor Plans
7. 3-D Rendering
8. Site Photos
9. Application
10. Applicant's Statement
11. Neighbor's Support Petition



Notice of Public Hearing

Zoning Board of Adjustment • Richardson, Texas

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

VARIANCE REQUEST

File No. V 13-08
Property Owner: Joe and Mattie Neill
Applicant: Maria Harris / Bry-Jo Roofing and Remodeling
Location: 511 Copper Ridge Drive
Current Zoning: R-1100-M Residential
Request: A request by Maria Harris, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance:

1) Article VII, Sec. 4(h)(1), for a 2-foot, 10-inch variance to the required minimum 18-foot width required for 2 enclosed, off-street parking spaces.

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

THURSDAY, JULY 18, 2013
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.

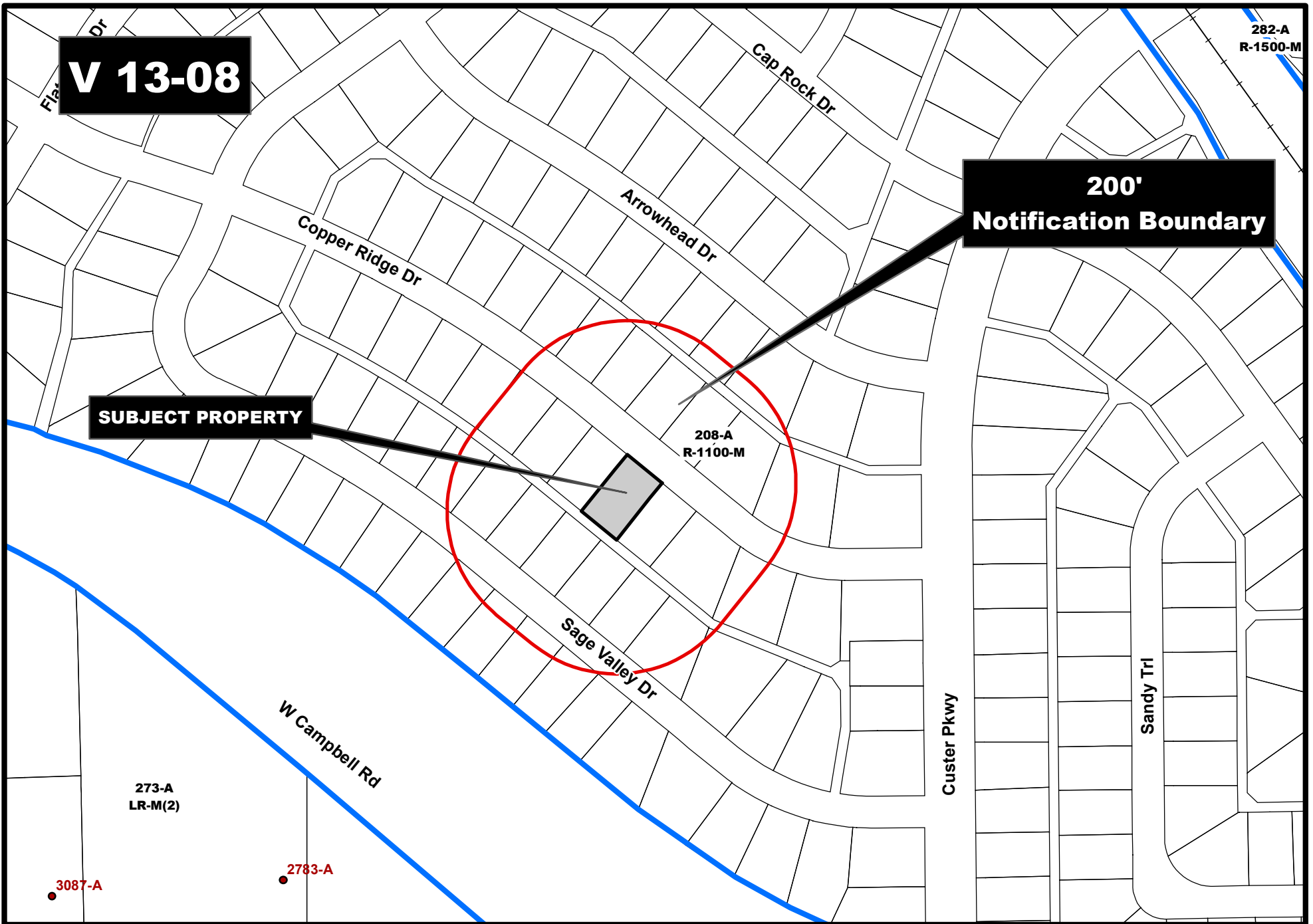
Process for Public Input: A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the Zoning Board of Adjustment. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions 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 13-08.

Date Posted and Mailed: July 5, 2013



V 13-08

282-A
R-1500-M

**200'
Notification Boundary**

SUBJECT PROPERTY

208-A
R-1100-M

273-A
LR-M(2)

3087-A

2783-A

V 13-08 Notification Map
511 Copper Ridge Drive

Updated By: shacklettc, Update Date: June 26, 2013
File: DSI\mapping\Cases\ZV\2013\ZV 1308\ZV 1308 notification.mxd



PINNEY WELBY & SHARYN
511 ARROWHEAD DR
RICHARDSON, TX 75080-2303

PRICE STEPHEN
514 COPPER RIDGE DR
RICHARDSON, TX 75080-2308

JEPSEN CARRIE
509 ARROWHEAD DR
RICHARDSON, TX 75080-2303

ORTEGA CHRISTOPHER B &
STEPHANIE LORAINÉ
512 COPPER RIDGE DR
RICHARDSON, TX 75080-2308

BYERLY PAUL M
507 ARROWHEAD DR
RICHARDSON, TX 75080-2303

WILSON KENNETH W & NANCY C
10015 HAYNES BRIDGE RD
ALPHARETTA, GA 30022-1909

BRILL KARL D
505 ARROWHEAD DR
RICHARDSON, TX 75080-2303

LINDAHL COLIN
519 COPPER RIDGE DR
RICHARDSON, TX 75080-2309

PEARSON STEVE
17011 GRAYSTONE DR
DALLAS, TX 75248-1510

ANDERSEN HAROLD F & JANET M
5114 23RD AVE W
EVERETT, WA 98203-1525

FRENCH MATTHEW W
11 CRAMPTONS GAP DR
RICHARDSON, TX 75080-2329

SCHMIDT SONJA
506 COPPER RIDGE DR
RICHARDSON, TX 75080-2308

LAPATRA JEFFREY D
515 COPPER RIDGE DR
RICHARDSON, TX 75080-2309

BRAZIL LISA A
504 COPPER RIDGE DR
RICHARDSON, TX 75080-2308

GIRONDA SCOTT & MARY C
520 SAGE VALLEY DR
RICHARDSON, TX 75080-2323

SATZ MARTHA
513 COPPER RIDGE DR
RICHARDSON, TX 75080-2309

REIS BRETT
502 COPPER RIDGE DR
RICHARDSON, TX 75080-2308

**NEILL JOE A &
MATTIE L NEILL
511 COPPER RIDGE DR
RICHARDSON, TX 75080-2309**

FISCHER SUSAN E TR &
ALAN J FISCHER TR
529 SHEFFIELD DR
RICHARDSON, TX 75081-5611

HARVEY MICHAEL T
509 COPPER RIDGE DR
RICHARDSON, TX 75080-2309

MULLEN ROBIN WEBB
516 SAGE VALLEY DR
RICHARDSON, TX 75080-2323

DUNIGAN DANIEL J
514 SAGE VALLEY DR
RICHARDSON, TX 75080-2323

SPARKS STEPHEN V & D ANN
507 COPPER RIDGE DR
RICHARDSON, TX 75080-2309

SCHNEIDER HELEN B
523 SAGE VALLEY DR
RICHARDSON, TX 75080-2324

SMITH CHESTER S
512 SAGE VALLEY DR
RICHARDSON, TX 75080-2323

CLARK RAY M
505 COPPER RIDGE DR
RICHARDSON, TX 75080-2309

CHINN PHYLLIS J
521 SAGE VALLEY DR
RICHARDSON, TX 75080-2324

RIZZO TIFFANY L &
MICHAEL A RIZZO
510 SAGE VALLEY DR
RICHARDSON, TX 75080-2323

HAWKINS ANDREW DWIGHT
& NICOLE A HAWKINS
519 SAGE VALLEY DR
RICHARDSON, TX 75080-2324

RAZIQ MAHMOUD A
508 SAGE VALLEY DR
RICHARDSON, TX 75080-2323

BUSHNELL RICHARD M & MARY
517 SAGE VALLEY DR
RICHARDSON, TX 75080-2324

SUTT JURI & CAROL A
506 SAGE VALLEY DR
RICHARDSON, TX 75080-2364

JENNEMAN SALLY S
515 SAGE VALLEY DR
RICHARDSON, TX 75080-2324

MARIA HARRIS
BRY-JO ROOFING & REMODELING
681 N PLANO RD, STE 119
RICHARDSON, TX 75081

V 13-08
Notification List



Staff Report

ZBA Meeting Date: July 18, 2013

TO: Zoning Board of Adjustment
FROM: Chris Shacklett, Senior Planner CS
DATE: July 5, 2013
RE: V 13-08
APPLICANT: Maria Harris – Bry-Jo Roofing and Remodeling
OWNER: Joe and Mattie Neill
LOCATION: 511 Copper Ridge Drive

REQUESTED VARIANCE:

(1) 2-foot, 10-inch variance to the required minimum 18-foot width required for 2 enclosed, off-street parking spaces (Article VII, Sec. 4(h)(1))

EXISTING ZONING:

R-1100-M Residential

EXISTING LAND USE:

Residential

SURROUNDING LAND USE:

Residential

STAFF COMMENTS:

The owners purchased the home in 2013 with plans to remodel to accommodate their future needs, specifically related to mobility as they get older. The home does not have a garage as it was previously converted to living space, utility room, and storage as shown on the attached “Before” floor plan. The owners plan to convert all of this area except for

the utility room back to an enclosed garage to provide a secure, protected location for their vehicles as well as a flat area to enter and exit their vehicles.

The City's Comprehensive Zoning Ordinance (CZO) requires two (2) off-street parking spaces be provided in an enclosed garage. The CZO references a parking space dimension of nine (9) feet in width by eighteen (18) feet in length; therefore, an 18-foot by 18-foot net clear dimension is required to accommodate the two (2) enclosed parking spaces. The proposed garage layout would provide the minimum 18-foot depth for a width of 15'2". The depth is reduced to 12'6" for the remaining width of the garage. This is due to the location of the utility room in the back corner of the garage.

The applicant has stated they have considered other options that would not require a variance and that this is the best option. The applicant stated the clear dimension could be achieved if the utility room were removed and placed in the garage but feel that would be a negative for the home as well as the owners. Although the utility room may be able to be reduced to slightly increase the garage width, a 2'10" reduction would likely make the utility room unusable; however, the owners do not desire to have their washer and dryer placed in the garage. The garage could be extended to the east into the rear yard area to achieve the clear dimension, but the location of the pool deck makes this undesirable.

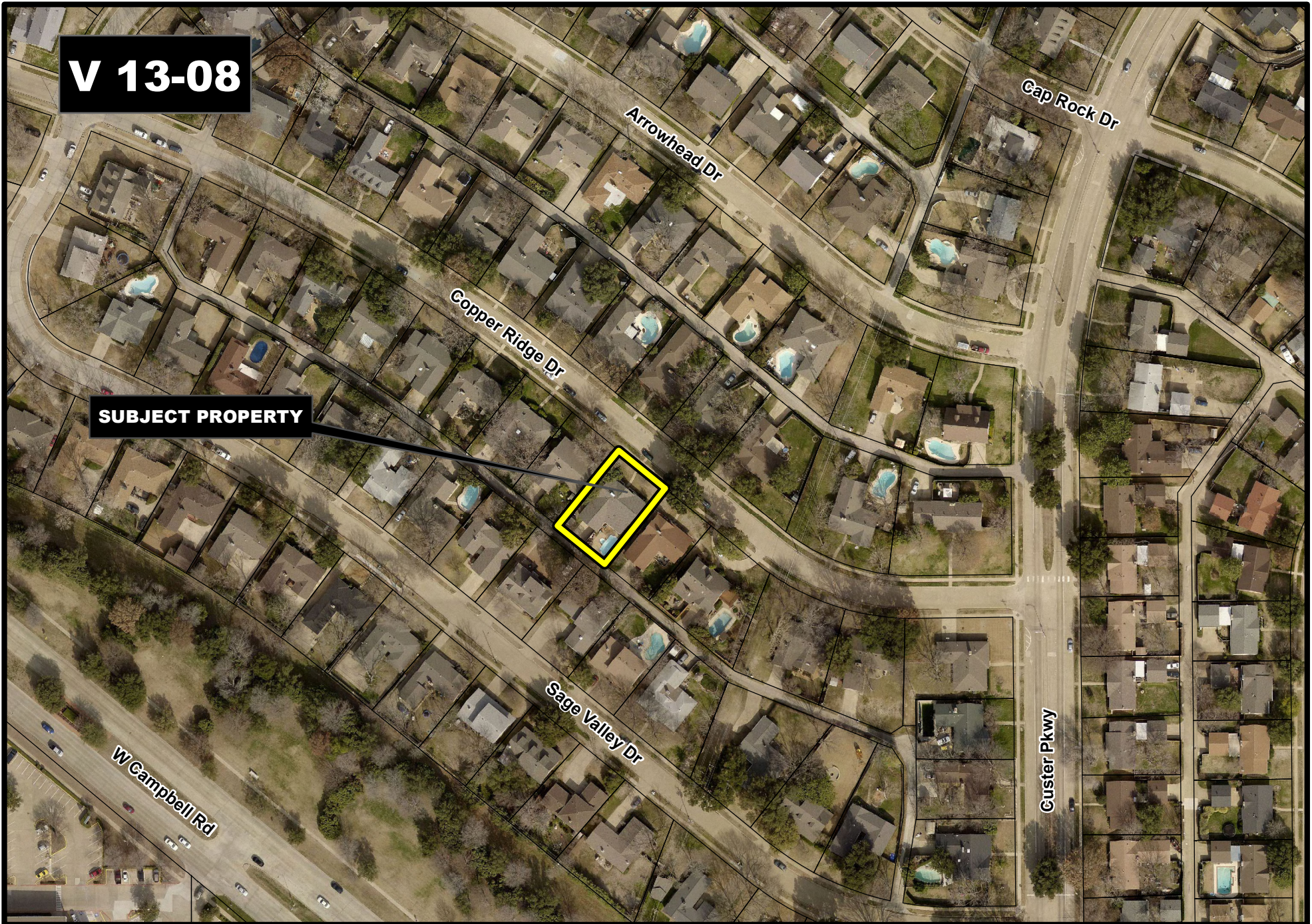
If the garage were extended toward the rear property line, the depth could be achieved, but this option would require a variance to the rear 25-foot setback. Furthermore, the current driveway is on an incline that makes entering and exiting the vehicle dangerous for Mr. Neill who has difficulty moving around. The applicant has also stated that along this section of Copper Ridge, there is a lot of on-street parking which makes driving down the street difficult and is dangerous as the on-street vehicles reduce visibility.

The applicant has stated that although the net clear dimensions are not provided, the enclosed garage area (398 s.f.) is approximately seventy-four (74) square feet larger than the minimum 18-foot by 18-foot clear area would provide (324 s.f.). The applicant has also stated that a minivan and a smaller compact car can still fit in the reduced width. The applicant feels the property hardship is based on the location of the proposed garage on the 25-foot rear setback line and location of the pool and pool deck in the remainder of the rear yard area. The owners feel there is no other place where a 2-car garage could be located without requesting a rear setback variance, moving the utility room space to the garage, or removing their pool or pool deck.

TECHNICAL RECOMMENDATION:

Based on the information provided by the applicant, and applicable codes and ordinances, it is staff's opinion that the hardship does not constitute a physical property hardship and is self-imposed.

V 13-08



SUBJECT PROPERTY

V 13-08 Aerial Map
511 Copper Ridge Drive

Updated By: shackletc, Update Date: June 26, 2013
File: DSI\mapping\Cases\ZV\2013\ZV 1308\ZV 1308 ortho.mxd



DANIEL A. SMITH, INC.

4528 VIA VENTURA
MESCOUTE, TEXAS 76150
(972) 226-4555 FAX (972) 226-4894

SCALE 1"=20'

DATE 12/09/98

JOB # 3068

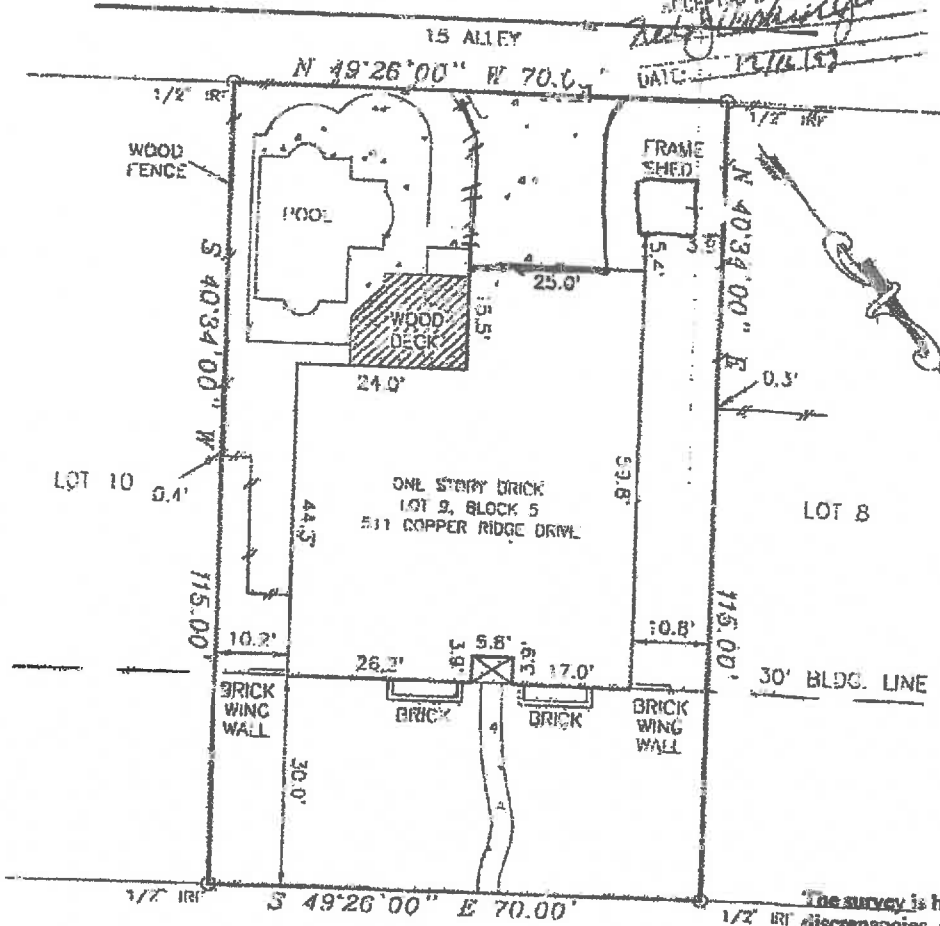
TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 511 COPPER RIDGE DRIVE in the City of RICHARDSON, Texas, described as follows:

LOT 9, BLOCK 5 OF FIRST INSTALLMENT OF CANYON CREEK, AN ADDITION TO THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 47, PAGE 179, MAP RECORDS, DALLAS COUNTY, TEXAS.

THIS PROPERTY IS NOT LOCATED IN A 100-YEAR FLOOD PLAN ACCORDING TO THE FLOOD PLAIN MAP OF THE CITY OF RICHARDSON COMMUNITY PANEL NO. 480184 0085 C MAP DATED 7/2/91 (ZONE "X").

TRIPLE EXAMINED AND
ACCEPTED BY PURCHASERS
[Signature]



The survey is hereby accepted with the discrepancies, conflicts, or shortages in area or boundary lines, encroachment, protrusions, or overlapping of improvements shown.

- * BEARINGS ARE BASED ON PLAT.
- * MONUMENTS FOUND OR SET ARE WITNESSES TO THE RECORDED PLAT CORNERS.
- * ALL MONUMENTS SHOWN ARE PER THE RECORDED PLAT, OR REFERRED TO IN THE TITLE POLICY.

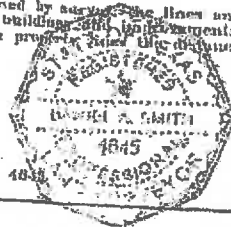
The plat herein is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings, walls, and improvements are as shown; all improvements being within the boundaries of the property, set back from property lines the distances indicated.

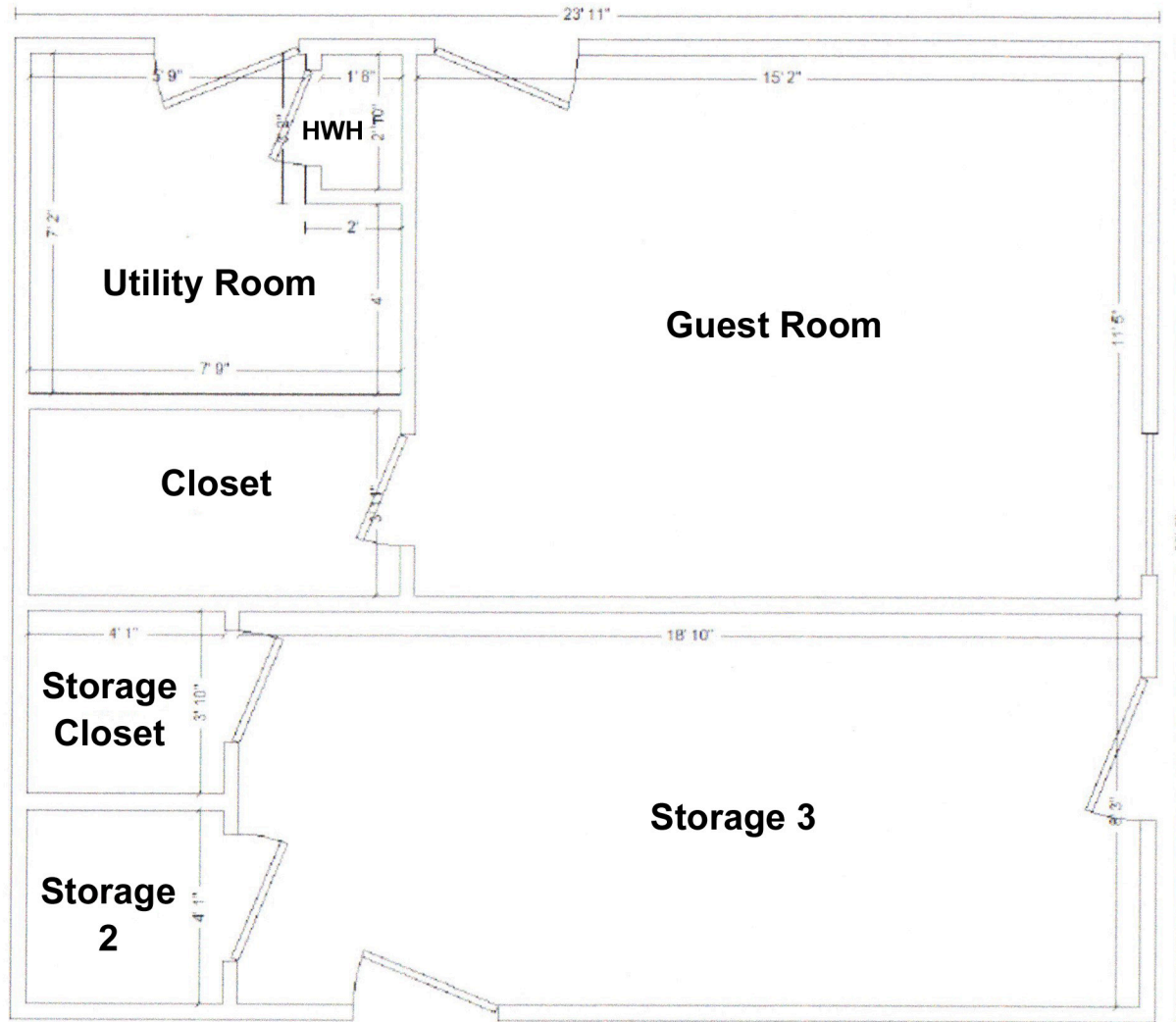
THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN.

This survey was performed in connection with the transaction described in C.F. No. 898233-411 of CHICAGO TITLE Co. Use of this survey for any other purpose or by any other parties shall be at their own risk and the undersigned is not responsible to others for any loss resulting therefrom.

REGISTERED PROFESSIONAL
LAND SURVEYOR

Daniel A. Smith, R.P.L.S. No. 4838

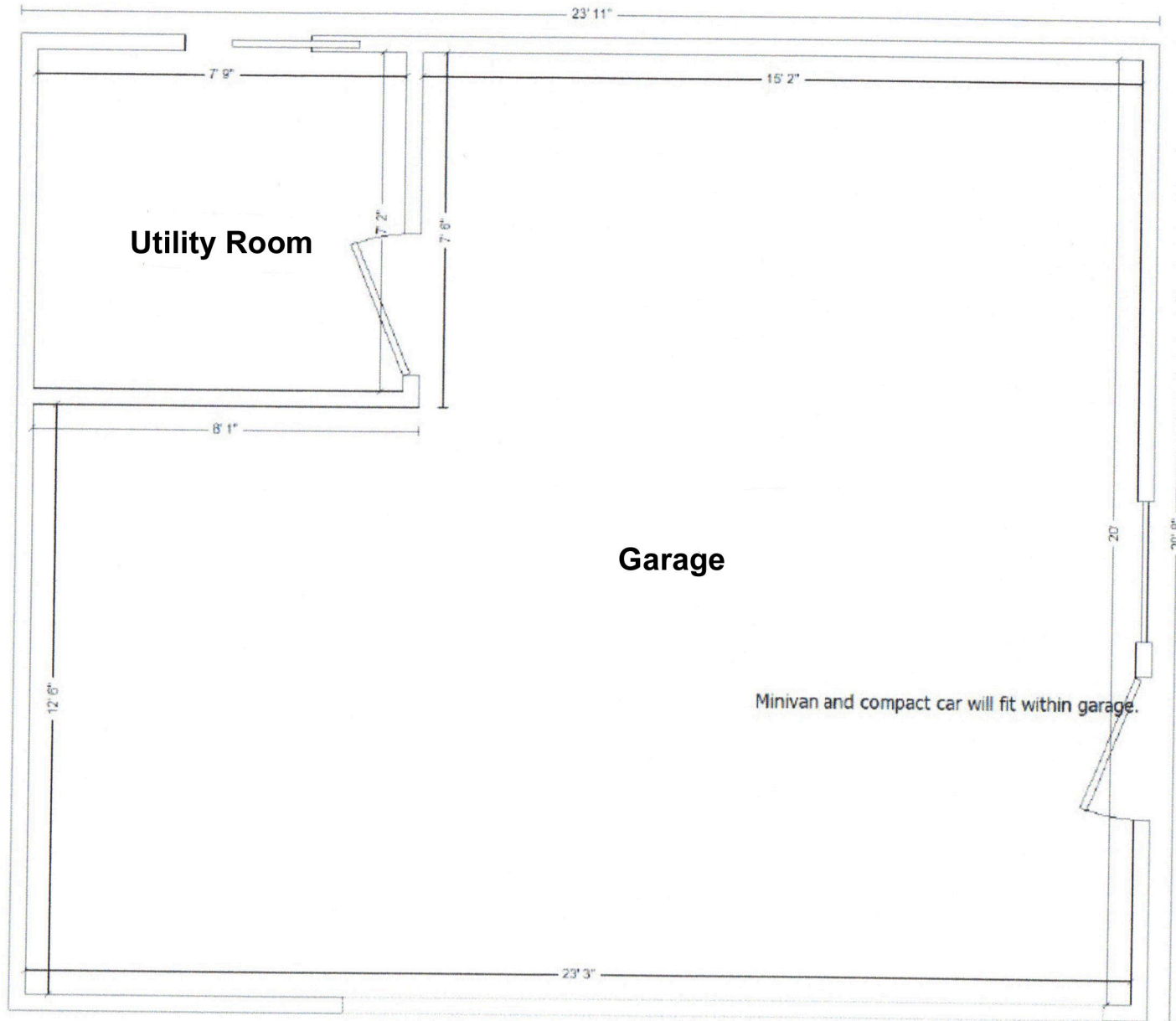


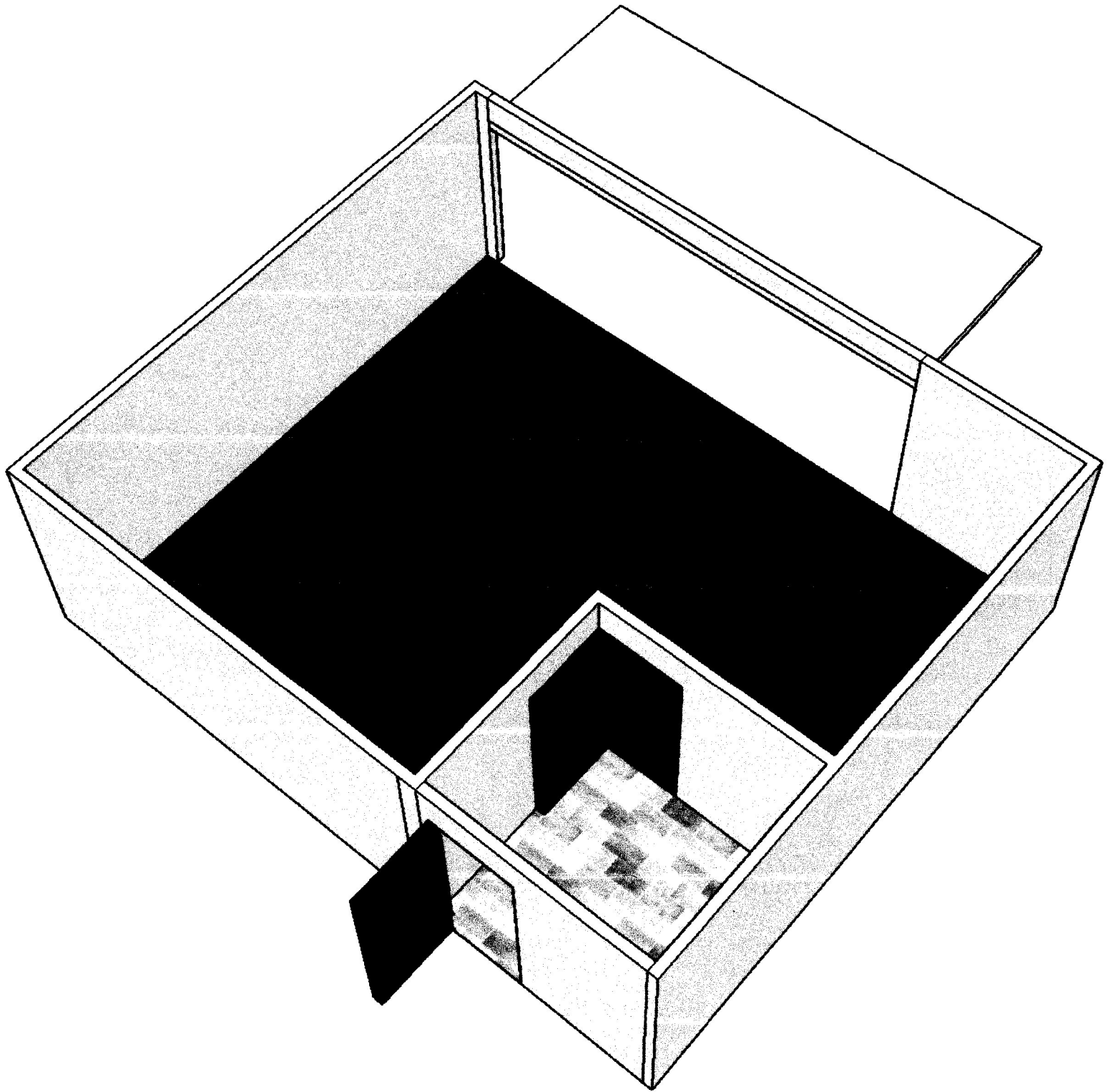


Neill - Before



Main Level





NEILL - PROPOSED AFTER



Looking West along
Copper Ridge



Rear Yard
Looking South



**Looking North at
Converted Garage**



Looking Northeast at
Converted Garage

For Department Use Only

Print Form

Date Received: _____ Fee Paid: _____ Accepted by: _____



Board of Adjustment Variance or Appeal Application City of Richardson, Texas

Development Services Department
411 W. Arapaho Road
Richardson, Texas 75080
Phone 972-744-4260
Fax 972-744-5804

Note: Pre-submittal meeting required with staff before application can be submitted.

Please answer the following pre-qualifying questions:

1. Have you filed an appeal or variance on this property within the last six (6) months?
(If yes, six (6) month waiting period required on same variance for the property.) Yes No
2. Have you applied for a building permit (applicable to residential property only)?
(If no, please speak with the Building Inspection Department prior to submitting the variance request.) Yes No

Applicant Information

Owner Information

<i>Maria Harris</i>	Signature	<i>Joe & Mattie Neill</i>
<i>Maria Harris</i>	Printed Name	<i>Joe and Mattie Neill</i>
<i>BRY-JO Roofing and Remodeling</i>	Company Name	
<i>451 N Plano Rd, Suite 119</i>	Mailing Address	<i>511 Copper Ridge Drive</i>
<i>Richardson, Tx 75081</i>	City, State, ZIP	<i>Richardson, Tx 75080</i>
<i>(972) 669-7807</i>	Telephone Number	<i>(325) 338-2745</i>
<i>(214) 792-9460</i>	Fax Number	
<i>maria@bryjo.com</i>	E-Mail Address	<i>jonneill@tayloritel.net</i>

Subject Site Information

Address of Subject Property: *511 Copper Ridge Drive, Richardson, Tx 75080*

Legal Description: *Canyon Creek 1st Inst. Block 5, Lot 9*

Existing Zoning and Ordinance: *R-1100-M*

Requested Variance: *2'10" variance to the required minimum 18' width for 2 enclosed parking spaces.*

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"). *8 1/2 x 11*
- ▶ Filing fee = \$250.00



APPLICANT'S STATEMENT

Joe and Mattie Neill purchased 511 Copper Ridge in March 2013 for a few reasons. Joe has been diagnosed with “Lewy Body Dementia”, which is a neurological disorder that has symptoms similar to Parkinsons. He has significant mobility limitations, is 72 years old and currently uses a walker. It is likely at some point in the future, Joe will use a wheelchair. They currently live in Abilene, Texas. They chose 511 Copper Ridge because their daughter Gigi Mason and her family live just a few houses down on the same street. As most of you know, Canyon Creek is a highly desired neighborhood. When a house is listed for sale, it doesn't stay listed for very long. Joe and Mattie wanted to be close to their family so that Mattie could get help taking care of Joe and also to take care of their property.

When they originally met with Michael and I (of BRY-JO), we reviewed the scope of work we had discussed by telephone and the internet. We also discussed in great detail that this was a substantial financial investment in a home that was purchased close to the top of the real estate market. We wanted Mr. and Mrs. Neill to be sure they understood that they would not recover the money they are investing into the home, if they decide at some point to sell it. Mr. and Mrs. Neill are choosing to make the significant remodeling investment in 511 Copper Ridge so that Joe can live at home as long as possible with a wonderfully positive quality of life.

After a detailed review of the property, we presented Joe and Mattie with the following facts about the garage/ covered parking specifically:

1. The driveway is 25' long. The City of Richardson requires there to be 25' between the alley and the back of the property. So, we could not extend the garage.
2. The driveway is on an incline. If we rip it out and pour a new driveway, it would still have to be on an incline. There is no way to make it level.
3. The backyard is entirely comprised of the Pool and Pool Deck (aggregate). Unless we rip out the pool (they were planning to use for Therapy for Joe) we can't build on a new 2 car garage.

The conclusion was that there is no more buildable space on the back of this property.

Joe needs to have the ground beneath his feet level. Since the driveway is inclined, it is impossible for Joe to enter or exit a vehicle on it. As a matter of fact, he should not even walk on it for concern he will lose his balance and fall. In addition, there is no carport or covering that protects from inclement weather. We discussed the option of a Carport, but even if City Code allowed it, which it does not, the driveway is still on an incline which makes the option ineffective.



By reconverting the 'converted garage', it allows Joe and Mattie to have covered and protected parking, on level ground. Their vehicle would be off the street, which would keep it from being vandalized or burglarized and it would be safer for the neighborhood kids to have few vehicles on the street.

The reason for the variance is because we would like to keep a utility room for Mattie. There is no other space in the house to put it. Many of the other changes we are making to the property are to improve Joe's quality of life. Having the washer and dryer in the garage would not only be a negative for property value, but would have a negative effect on Mattie's quality of life.

Although we are 2'10" shy of having an 18' x 18' 2 car garage space, we can still fit 2 vehicles. One could be a minivan, and the other a compact car such as a VW Beetle or Fiat. We are also going to install one double door instead of two separate garage doors. This will have a more current look and will allow the garage space to be versatile.

Joe and Mattie Neill are spending in excess of \$100,000.00 to remodel this home to "Age in Place". The City of Richardson has a significant aging population. As you know, many of our older homes were built in the 50's, 60's and early 70', at a time where we were not living as long and builders did not take into consideration any mobility challenges (ADA). Richardson has taken an aggressive position on Revitalization of our community. Besides the rebuilding of our recreation centers, beautification of our parks and neighborhood entrances encouraging residents to remodel their homes to improve their functionality, use of space and exterior appeal has been a priority.

Mr. and Mrs. Neill are participating in the Remodeling Incentive Program through the City of Richardson. We have adopted many Universal Design or "Aging- In- Place" concepts throughout the re-design of the house, which will add value to the home and make it best suited for persons aged 2-92. If the Neill's ever sell, then a family with small children will enjoy the same design changes- for completely different reasons.

Thank you for your consideration of this variance on behalf of Joe and Mattie Neill.

**Joe and Mattie Neill
511 Copper Ridge Drive**

I am aware that Joe and Mattie Neill at 511 Copper Ridge Drive plan to reconvert their garage. I have no concerns about this project and support the garage reconversion.

Name: Lisa Pomeroy

Address: 504 Copper Ridge Drive

Name: Karen M. Harvey

Address: 509 Copper Ridge Drive

Name: Earl H. Dugan

Address: 514 Sage Valley Dr

Name: Robin Miller

Address: 516 SAGE VALLEY DR.

Name: TODD ORSBURN

Address: 510 COPPER RIDGE DR.

Name: Chester Smith

Address: 512 Sage Valley Drive

Name: Donna Schmidt

Address: 506 Copper Ridge

Name: _____

Address: _____