

City of Richardson Zoning Board of Adjustment Agenda Packet January 15, 2014

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, JANUARY 15, 2014
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 NOVEMBER 20, 2013.**
2. **PUBLIC HEARING ON ZBA FILE V 14-01**, a request by Robert Wondoloski for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance: 1) Article IV, Sec. 4(f)(3), for a 2-foot variance to the 3-foot side setback in the rear yard for an outdoor fireplace at 2210 Sutton Place.
3. **PUBLIC HEARING ON ZBA FILE V 14-02**, a request by Patricia Simmons, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance: 1) Article IV-A, Sec. 4(e)(1), for a 1-foot variance to the 30-foot front setback for an unenclosed porch at 2 Roundrock Circle.
4. **PUBLIC HEARING ON ZBA FILE V 14-03**, a request by Minh Nguyen for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance: 1) Article VI, Sec. 4(g), for a 17-foot variance to the 25-foot rear setback for an attached garage at 1212 Berkeley Drive.
5. **RECESS**
6. **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, January 3, 2014.

Cindy Wilson, Administrative Secretary

Agenda

Item 1

**Approval of the minutes of the November 20, 2013
Zoning Board of Adjustment Meeting**

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF RICHARDSON, TEXAS
NOVEMBER 20, 2013**

The Zoning Board of Adjustment met in session at 6:30 p.m. on Wednesday, November 20, 2013 in the Council Chambers, at the City Hall, 411 West Arapaho Road, Richardson, Texas.

MEMBERS PRESENT: Mike Walker, Chair
Larry Menke, Vice Chair
Chip Pratt, Member
Brian Shuey, Member
Shamsul Arefin, Alternate
Jason Lemons, Alternate

MEMBERS ABSENT: John Veatch, Member

CITY STAFF PRESENT: Chris Shacklett, Senior Planner
Patricia Guerra, Asst. Director-Community Services
Jennifer Patrick, Residential Plans Reviewer
Whitt L. Wyatt, City Attorney
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 do not influence any decisions the Board might make. Walker summarized the function, rules, and appeal procedure of the Zoning Board of Adjustment. Walker noted that four (4) of the five (5) voting members are present. Voting will be conducted with all members voting; Arefin will vote on Items 1 and 2; Lemons will vote on Item 3.

MINUTES:

The Zoning Board of Adjustment minutes of the October 16, 2013 meeting were approved on a motion by Arefin; second by Shuey and a vote of 5-0.

PUBLIC HEARING ON ZBA FILE V 13-15, a request by John W. Jones for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance: 1) Article IV, Sec. 4(f)(1) for a 10-foot variance to the 20-foot side setback for a corner lot adjacent to a side street for a carport at 529 Birch Lane.

Shacklett opened his presentation by stating the applicant's home is located on a corner lot at the northwest corner of Birch Lane and Lois Lane. Shacklett continued that the garage on the property is accessed from the alley on the north side of the home. Shacklett reported the side setback for corner lots is typically twenty (20) feet which applies to the principal structure as well as accessory structures, including carports. Shacklett informed

the Board the applicant states that fifteen (15) years ago, the driveway was widened toward the side street (Lois Lane) to include a third driveway parking space, after which a fence was constructed around the extension. Shacklett noted that both the driveway expansion and fence were permitted. Shacklett added that the applicant states that since that time various storage buildings have been placed on that third driveway space. Shacklett stated the applicant now desires to construct a carport over the 3-car wide driveway to provide protection for his vehicles.

Shacklett reported the applicant has stated a hardship exists because his lot has a reduced buildable width due to the 20-foot corner lot side setback rather than a 7-foot side setback which is required for interior side setbacks. However, Shacklett stated the carport located in the rear 25-foot setback would be allowed within three (3) feet of the side property line for an interior lot. Shacklett added that the applicant has also stated a 2-car carport (which would comply with the 20-foot setback) would not allow a vehicle proper turning radius into the third driveway space. Shacklett mentioned the applicant has also stated that his neighbor across Lois Lane recently constructed a carport that extends into their 20-foot side setback, and he wishes to receive the same treatment as his neighbor. Shacklett noted a permit was issued for that carport; however, it appears the permit was issued in error.

Shacklett delivered the staff technical recommendation in case V 13-15 by stating that based on the information provided by the applicant; and applicable codes and ordinances, it is staff's opinion that the hardship is self-imposed.

John W. Jones, 529 Birch Lane, Richardson, Texas came forward to present his case. Jones stated he has lived in Richardson for 30 years and comes before the Board looking to build a carport because the large tree that covered the third car had to be cut down and he wants to protect that vehicle. Jones assured the Board that he takes care of his property and that the carport would be tasteful. Jones noted that he plans to add a fence with landscaping to stay in keeping with the look of the neighborhood. Jones added that his yard has been awarded "Yard of the Month" for 19 years in a row. Jones stated he would like to use the most of his property available, but with limits on corner lots, he can only use 64 feet of the 84 feet he owns. Jones expressed his desire to be treated like his neighbor and have a three-car carport permitted on his property at 529 Birch Lane.

Shuey asked the applicant how many cars he owns.

Jones responded that he owns three. Two cars are always parked in the garage and one sits in the driveway. Jones provided signatures collected from neighbors in favor of the request.

No further comments were made in favor or in opposition and Walker closed the public hearing, inviting comments from the Board Members.

Walker stated he sees both sides of the issue. Walker continued the storage building has been in place for a long time but no complaints in twenty years may mean the carport may

not add any reason for complaints. Walker stated his understanding of what Jones is trying to do with his property.

Menke noted that the request made by the neighbor across the street was approved in error. Menke stated there is nothing to be gained by compounding the existing problem by granting another one.

Shuey expressed that he is not in favor of granting the request and he does not see a hardship. Shuey mentioned that he understands wanting extra cover for a vehicle. Shuey stated that the ordinance is clear. Shuey also stated when a corner lot is purchased it is important to understand the requirements involved.

Arefin questioned Shacklett regarding a time limit on the length of life for the carport.

Shacklett explained that a variance stays with the property. If this request is granted, the carport could be demolished and rebuilt over and over.

Shacklett continued that fences are addressed separately in Chapter 6 of the Code of Ordinances. Shacklett clarified that this chapter indicates where fences can be located; which is on the property line anywhere behind the front wall of the home and the maximum height for a fence is 8 feet.

Menke clarified that the carport and fence are two separate issues.

Shacklett reminded the Board that a vote of four out of five is required to grant the variance. Shacklett added that a simple majority in a motion to deny will also pass.

Shuey made a motion to deny item number V 13-15 as presented; limited to those specifics the applicant presented in the case. The motion was seconded by Menke and approved 3-2 with Walker and Arefin opposed.

PUBLIC HEARING ON ZBA FILE V 13-16, a request by Fr. Boulos Mikhael, representing St. Philopateer Coptic Church, for approval of the following variances to the City of Richardson Comprehensive Zoning Ordinance: 1) Article XVI-B, Sec. 3(a)(1) for a 5-foot variance to the maximum 25-foot height allowed for a one-story building, and 2) Article XVI-B, Sec 3(a)(1) for a 5-foot variance to the maximum 25-foot building height allowed for a building located within 150 feet of a residential zoning district for a gymnasium at 1450 E Campbell Road.

Shacklett acknowledged the applicant is requesting a variance to allow additional height for a one-story building to achieve adequate interior height to construct a gymnasium with a high school-sized basketball court at their church. Shacklett explained the height to the roof deck would be thirty (30) feet which exceeds the maximum 25-foot height allowed for a one-story building. Shacklett noted an additional four (4) feet of height is allowed for a

parapet. Shacklett informed the Board that additionally, since the church property is zoned LR-M(2) Local Retail, building height is limited to one-story/twenty-five (25) feet within 150 feet of a residential zoning district. If the church property were residentially zoned, this restriction would not apply and the second variance would not be necessary.

Shacklett clarified the applicant states the location of the gymnasium was chosen to ensure safety of the kids going from the church to the gymnasium by keeping them away from the parking lot. Shacklett noted that as part of the church's master plan, other one-story buildings that comply with the height regulations are planned elsewhere throughout the site. Shacklett added the applicant is proposing no windows on the east side of the gymnasium to protect the single-family neighborhood's privacy.

Shacklett reports the applicant states their hardship is that it is not possible to achieve the minimum clear heights within the gymnasium and keep the roof height, which is measured at the roof deck, below twenty-five (25) feet. Shacklett noted that the applicant states regarding the variance related to the one-story/25-foot maximum within 150 feet of a residential zoning district, the applicant has stated that moving the gymnasium outside of the 150-foot area would affect their plans for the future location of other planned development.

Shacklett delivered the staff technical recommendation in case V 13-16 by stating that based on the information provided by the applicant; and applicable codes and ordinances, it is staff's opinion that the hardship is self-imposed and construction of this type which is common to church facilities, could not be able to be constructed as a 1-story building and still meet the 25-foot maximum height allowed for a 1-story building. There are, however, alternate locations on the site in which the gymnasium could be placed.

Sami N. Ebrahim, Member, Engineering Committee, St. Philopateer Coptic Church, 1450 E. Campbell Road, Richardson, Texas came forward to present the case. Ebrahim stated the request is for additional height clearance in the gym. Ebrahim expressed thanks to the City of Richardson for the 15 years the City has worked with the church. Ebrahim provided elevations indicating their request. Ebrahim indicated they hired a consultant and considered alternatives for their youth. Ebrahim stated they found the solution in clearance for the gymnasium. Ebrahim pointed out that the church will remove the parapet and an alternative has been taken to move air conditioning units so the top of the roof, minus the parapet will be 31-feet in height.

Lemons questioned Ebrahim about the two other buildings shown on the site plan and the timeframe regarding their development.

Ebrahim responded they are hoping to have the work complete maybe in 5 years, depending on the economy and the height will not exceed 15 feet.

Menke suggested that compliance might be achieved by flip flopping the gymnasium and Building B.

Ebrahim replied that their consideration for the safety and circulations of their people steered them away from this alternative.

Pratt brought up the letter of opposition received by staff and requested the location of that property.

Shacklett responded that this is the only property notified on Stoneham Place, it is located on the other side of the street, and does not back up to the church where the variance is being requested.

Pratt noted the letter indicated the existing church is only one story.

Ebrahim explained that the church is a finished out 2-story building.

No further comments were made in favor or in opposition and Menke closed the public hearing, inviting comments from the Board Members.

Pratt pointed out that the letter of opposition was from a property minimally affected by this request.

Menke said this is a common request since there are numerous churches that have gyms.

Arefin stated that the church could do a plain wall in the rear, but they are doing more. Arefin added that since the building is already in existence there should be no new impact on the neighborhood.

Lemons cited his support for this request.

Shuey made a motion to grant item number V 13-16, as presented, limited to those specifics the applicant presented in the case. The motion was seconded by Pratt and approved 5-0.

There being no further business, the meeting was adjourned at 7:15 p.m.

Mike Walker, Chairman
Zoning Board of Adjustment

Agenda

Item 2

**ZV 14-01:
2201 Sutton Place**

ZONING VARIANCE FILE 14-01

Attachments:

1. Notice of Public Hearing
2. Notification List
3. Staff Report
4. Aerial Map
5. Site Plan
6. Fireplace Area Site Plan
7. Site Photos
8. Application
9. Applicant's Statement



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 14-01
Property Owner: Robert Wondoloski
Applicant: Robert Wondoloski
Location: 2210 Sutton Place
Current Zoning: R-1500-M Residential
Request: A request by Robert Wondoloski, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance:
1) Article IV, Sec. 4(f)(3), for a 2-foot variance to the 3-foot side setback in the rear yard for an outdoor fireplace.

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

WEDNESDAY, JANUARY 15, 2014
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.

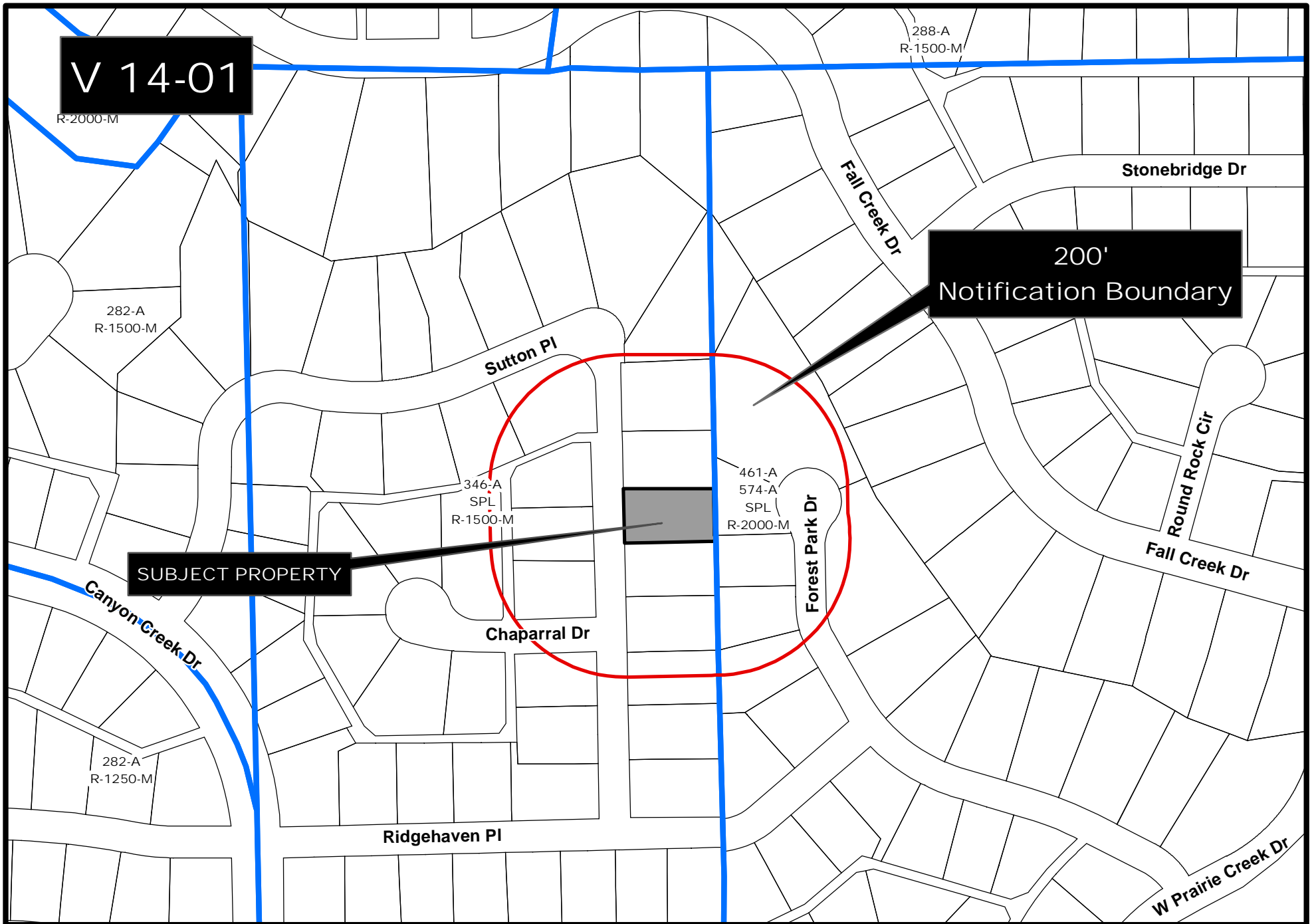
Process for Public Input: A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the Zoning Board of Adjustment. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions 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 14-01.

Date Posted and Mailed: January 3, 2014



V 14-01 Notification Map
 2210 Sutton Place

Updated By: shacklett, Update Date: December 11, 2013
 File: DSI\mapping\Cases\ZV\2014\ZV 1401\ZV 1401 notification.mxd



BROWN NOEL E & CAROL N
2216 SUTTON PL
RICHARDSON, TX 75080-2543

BROWN NOEL E
2216 SUTTON PL
RICHARDSON, TX 75080-2543

FUSSELL JAMES E & GAYLA B
9 FOREST PARK DR
RICHARDSON, TX 75080-2517

GRAHNQUIST GARY C &
SANDRA LEE MCKINNON
2214 SUTTON PL
RICHARDSON, TX 75080-2543

BERRY WOODROW W &
ELIZABETH A
319 SUTTON PL
RICHARDSON, TX 75080-2542

FAIRVIEW CUSTOM HOMES LLC
750 CREEKWOOD DR
MC KINNEY, TX 75069

WOLFF ELMER A JR TR &
ELIZABETH A TR
317 SUTTON PL
RICHARDSON, TX 75080-2542

SHOOK JAMES E & MICHELLE A
10 FOREST PARK DR
RICHARDSON, TX 75080-2517

DOLT GARRETT M & CATHLEEN O
8 FOREST PARK DR
RICHARDSON, TX 75080-2517

WONDOLOSKI REGINALD R II
2210 SUTTON PL
RICHARDSON, TX 75080-2543

GUILL DENNIS J JR & HARRIS CHRISTY
2211 SUTTON PL
RICHARDSON, TX 75080-2570

DOBAT DAVID & LATRICE
2213 SUTTON PL
RICHARDSON, TX 75080-2570

BARTNIK ANN & PETER C
11 FOREST PARK DR
RICHARDSON, TX 75080-2517

RUPLEY DONALD R & CHERYL
2208 SUTTON PL
RICHARDSON, TX 75080-2543

MILLER GREGORY S & BLAIR
2209 SUTTON PL
RICHARDSON, TX 75080-2570

KELLEY RICHARD J & TARA F
12 FOREST PARK DR
RICHARDSON, TX 75080-2517

GRIFFIN WILLIAM T
320 CHAPARRAL DR
RICHARDSON, TX 75080-2527

BENNER ROBERT I
2206 SUTTON PL
RICHARDSON, TX 75080-2543

CLARK JOHN A & VIRGINIA G
13 FOREST PARK DR
RICHARDSON, TX 75080-2517

MORAN VINCENT P
2204 SUTTON PL
RICHARDSON, TX 75080-2543

SCHLEYER JOANNA H
2205 SUTTON PL
RICHARDSON, TX 75080-2544

V 14-01
Notification List



Staff Report

ZBA Meeting Date: January 15, 2014

TO: Zoning Board of Adjustment
FROM: Chris Shacklett, Senior Planner CS
DATE: January 6, 2014
RE: V 14-01
APPLICANT: Robert Wondoloski
OWNER: Robert Wondoloski
LOCATION: 2210 Sutton Place

REQUESTED VARIANCE:

- 1) 2-foot variance to the 3-foot side setback in the rear yard for an outdoor fireplace (Article IV, Sec. 4(f)(3))

EXISTING ZONING:

R-1500-M Residential

EXISTING LAND USE:

Residential

SURROUNDING LAND USE:

Residential

STAFF COMMENTS:

The applicant is requesting a 2-foot variance to allow an outdoor fireplace to be located within the required 3-foot side setback for structures located in the rear yard. As part of the applicant's update to their backyard to create an outdoor living space, they hired a contractor to construct the fireplace; however, the contractor was not aware a permit was required. After the fireplace had been constructed, the City informed the applicant a permit was required, and he and the contractor filed for a permit. It was denied due to the structure's location in 3-foot side setback in the rear yard.

The majority of the fireplace does not encroach into the side setback. The portion of the half wall (seating area) along the southern property line and a portion of the fireplace encroach anywhere from 1-2 feet into the side setback (see attached photos and fireplace layout plan).

The applicant states the location of the fireplace was chosen to provide a fireplace and seating area adjacent to the existing pool deck and seating area while providing adequate separation from the house for the fireplace. The fireplace is also located in a 10-foot utility easement that runs along the rear property line; however, the applicant received approval from the appropriate utility companies stating they have no objections to the encroachment into the easement.

The applicant states their hardship is that due to the location of the pool, the entirety of the fireplace could not be placed in its current location without a partial encroachment. Due to the nature of the structure, the top of the fireplace chimney is required to be located at least two (2) feet above any other structure for a minimum of ten (10) feet from the chimney, which is another reason the location was chosen. He states the fireplace and seating area could not be placed on the other side of the pool near the house because of this requirement. Lastly, the applicant has stated that since the fireplace was constructed without a permit, it was in good faith, and the removal and reconstruction of the structure two (2) feet further in to the property would be an undue burden because it would make the area between the pool deck and fireplace very narrow, and the fireplace would still be located in essentially the same location.

TECHNICAL RECOMMENDATION:

Based on the information provided by the applicant, and applicable codes and ordinances, it is staff's opinion that the hardship appears to be self-imposed, although the area where the fireplace can be placed is limited in the rear yard due to separation requirements to other structures.



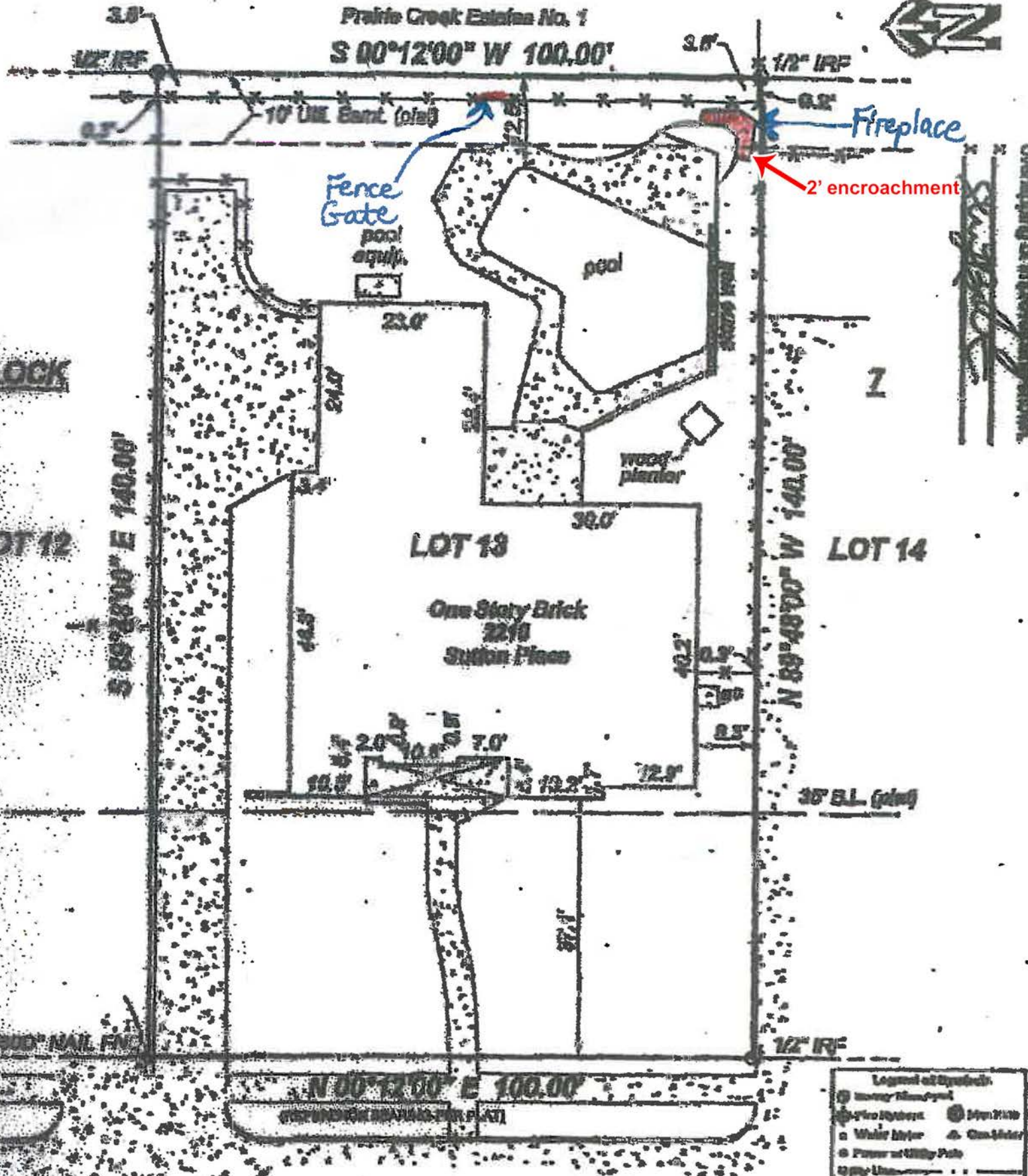
V 14-01 Aerial Map
2210 Sutton Place

Updated By: shacklett, Update Date: December 11, 2013
File: DSI\mapping\Cases\ZV\2014\ZV 1401\ZV 1401 ortho CU.mxd



Prairie Creek Estates No. 1

S 00°12'00" W 100.00'



Fireplace

2' encroachment

Fence Gate
pool equip.

pool

wood planter

LOT 13

One Story Brick
2210
Sutton Place

LOT 14

SUTTON PLACE

(60' WIDE)

Robert Wondolaski 2210 Sutton Place, Richardson, TX 75080

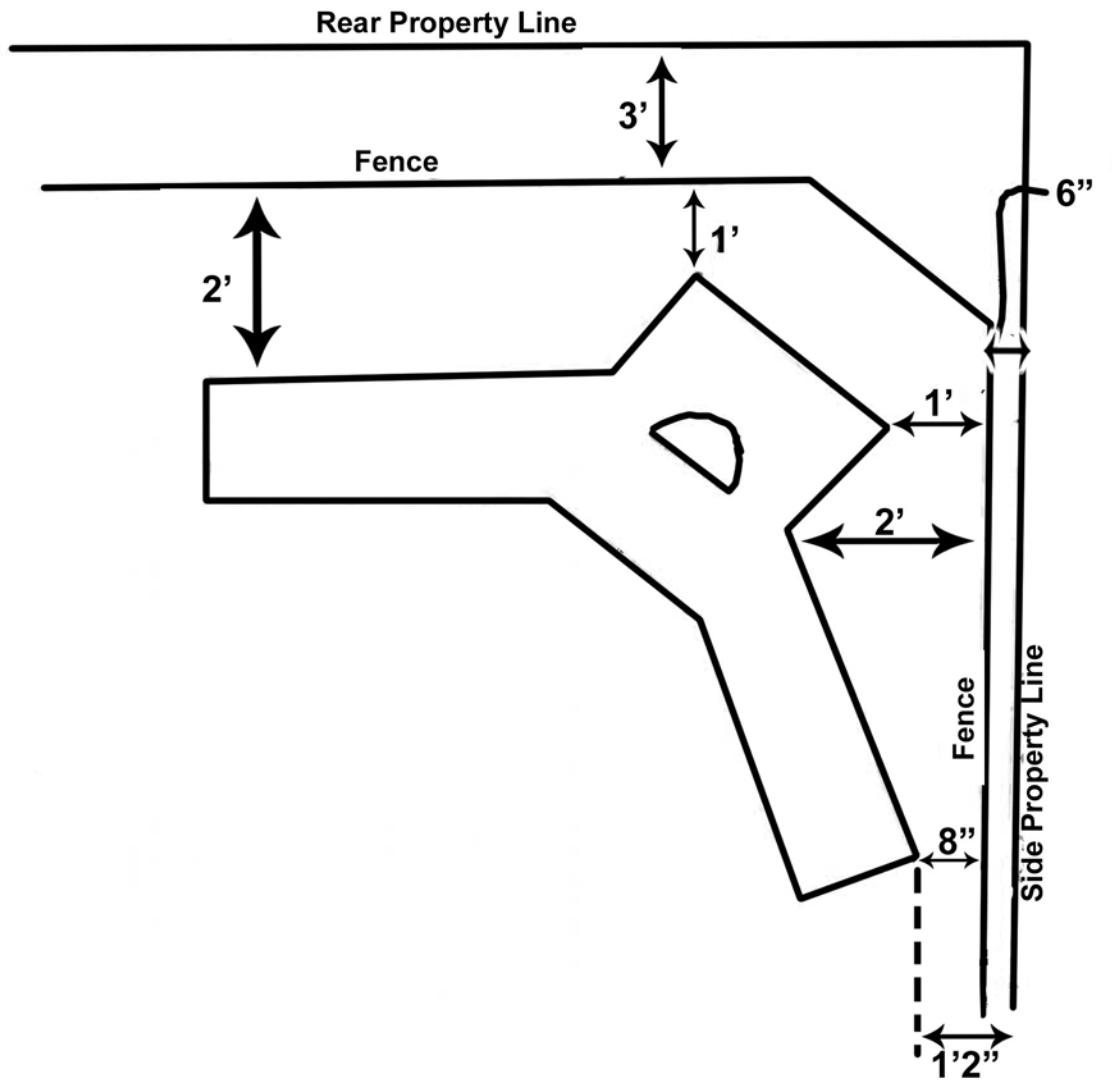
Legend of Symbols:

	Survey Monument		Manhole
	Fire Hydrant		Gas Meter
	Water Meter		Sewer Meter
	Power at Utility Pole		
	City Line		
	Fence Line		
	Country Line		
	Railroad Line		
	Driveway Line		
	Easement Line		
	Right of Way Line		
	Boundary Line		

481300205-J

8-23-01

X



**Fireplace Measurements
(Not to Scale)**



(1)

Looking Southeast
at Fireplace



(2)

Looking South along
Rear Property Line



Looking East along
Side Property Line
(Area of Encroachment)

For Department Use Only

Date Received: 12/10/13

Fee Paid: \$250.00

Accepted by: cgurison



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

Applicant Information

Owner Information

Robert Wondoloski
Signature

Robert Wondoloski	Printed Name	SAME
NA	Company Name	
2210 Sutton Place	Mailing Address	
Richardson, TX 75080	City, State, ZIP	
214 730 1958	Telephone Number	
NA	Fax Number	
rwondoloski@gmail.com	E-Mail Address	

Subject Site Information

Address of Subject Property: 2210 Sutton Place, Richardson, TX 75080

Legal Description: _____

Existing Zoning and Ordinance: R1500M

Requested Variance: 2 foot variance to the 3 foot side yard setback for an outdoor fireplace

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 = \$250.00

Board of Adjustment Variance Checklist

City of Richardson, Texas

Does a hardship exist? If so, explain below.

Yes No

Location of the pool does not allow placement with full setback.

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

Yes No

The fireplace is already constructed and removal would require structure to be demolished and rebuilt.

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

Property is not unique, but placement of existing pool burdens the placement of the structure.

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

No. Subject is to the rear of the property, and already approved by all agencies requiring access to the easement.

Applicants Statement - Robert Wondoloski

2210 Sutton Place - Fireplace

My wife and I have invested in our backyard to create a year round outdoor living area. My wife is on a cancer drug which makes her very ill, and the outdoor space is a means to allow her to enjoy the outdoors. The fireplace is the last step in our project, and was designed in its current location to allow adequate space for seating in front of the fireplace while allowing space for the kids to run around the pool. It was placed on this corner of the lot so that it is visible from the covered patio area, and provides a single living area.

We found an excellent contractor on Angie's list to complete the fireplace. The contractor was unaware that a building permit was required for this type of structure and completed the majority of the fireplace, as shown. Upon final work being done we were informed by the city that a permit was required. We immediately applied for the permit and have taken steps with all the utility companies to obtain approvals for the fireplace in the easement as built. This required the construction of a pass through gate in our back fence, which was completed.

The permit was denied due to the side-yard setback, which is three feet. The corner of the pony wall of the fireplace on the left side is built one foot ten inches (1'10") into this setback, and the rear corner of the fireplace also interferes in the setback by one foot six inches (1'6"). To meet code, the structure requires a 2 foot variance. The structure cannot be altered to meet the existing setback, and compliance to existing code would require the structure to be demolished and rebuilt.

Agenda

Item 3

**ZV 14-02:
2 Roundrock Circle**

ZONING VARIANCE FILE 14-02

Attachments:

1. Notice of Public Hearing
2. Notification List
3. Staff Report
4. Aerial Map
5. Site Plan
6. Site Photo
7. Application
8. Applicant's Statement



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 14-02
Property Owner: William T. Simmons
Applicant: Patricia Simmons
Location: 2 Roundrock Circle
Current Zoning: R-2000-M Residential
Request: A request by Patricia Simmons, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance:

1) Article IV-A, Sec. 4(e)(1), for a 1-foot variance to the 30-foot front setback for an unenclosed porch.

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

WEDNESDAY, JANUARY 15, 2014
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.

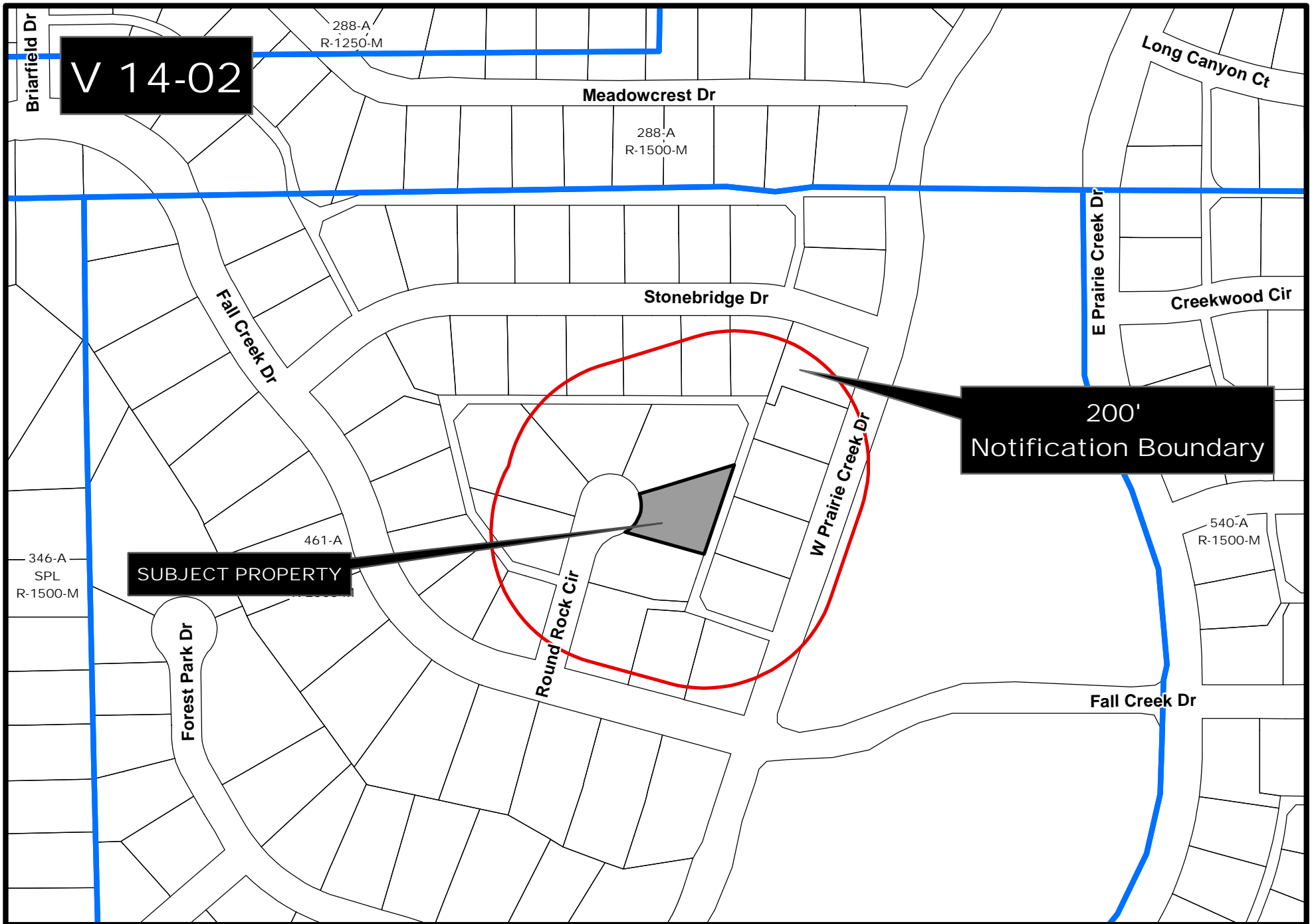
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Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, 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 14-02.

Date Posted and Mailed: January 3, 2014



V 14-02 Notification Map

2 Round Rock Circle

Updated By: shacklett, Update Date: December 13, 2013
File: DSI\mapping\Cases\ZV\2014\ZV 1402\ZV 1402 notification.mxd



THOMAS LEONARD A SR
300 FALL CREEK DR
RICHARDSON, TX 75080-2515

GRIFFIN ANNE J
311 STONEBRIDGE DR
RICHARDSON, TX 75080-2635

KERR CAMPBELL J & KATIE
309 STONEBRIDGE DR
RICHARDSON, TX 75080-2635

STANSFIELD THOMAS E
307 STONEBRIDGE DR
RICHARDSON, TX 75080-2635

EASTERLING CHRISTOPHER & JULIANA J
305 STONEBRIDGE DR
RICHARDSON, TX 75080-2635

HUGHES ANDREW J & BLYTHE B
303 STONEBRIDGE DR
RICHARDSON, TX 75080-2635

PRESNALL DEAN C
2311 W PRAIRIE CREEK DR
RICHARDSON, TX 75080-2631

BETTACCHI JOSEPH G & BETTY A
4 ROUNDROCK CIR
RICHARDSON, TX 75080-2633

GILBERT TOMMY W & BARBARA
2309 W PRAIRIE CREEK DR
RICHARDSON, TX 75080-2631

JOHNSON BYRON E & ROBERTA
2307 W PRAIRIE CREEK DR
RICHARDSON, TX 75080-2631

JOHNSON BRADLEY A & DESIREE
3 ROUNDROCK CIR
RICHARDSON, TX 75080-2633

SCOTT STEVE G & JOAN E
5 ROUNDROCK CIR
RICHARDSON, TX 75080-2633

**SIMMONS WILLIAM T & PATRICIA E
2 ROUNDROCK CIR
RICHARDSON, TX 75080-2633**

FLUELLEN NICKOLAS R & BRIAN
6 ROUNDROCK CIR
RICHARDSON, TX 75080-2633

CARRUTH L BRENT & DONNA
2305 W PRAIRIE CREEK DR
RICHARDSON, TX 75080-2631

BROSNAHAN JAY P & SARAH H
1 ROUNDROCK CIR
RICHARDSON, TX 75080-2633

RILEY WALTER W
4163 PARK LN
DALLAS, TX 75220-1903

BUSH TOD LINDSEY & ROBYN E BUSH
2303 W PRAIRIE CREEK DR
RICHARDSON, TX 75080-2631

LEVY MATTHEW O
304 FALL CREEK DR
RICHARDSON, TX 75080-2515

LAINO VINCENT A & RITA LAINO
302 FALL CREEK DR
RICHARDSON, TX 75080-2515

MARLOWE JOHN B & PEGGY
306 FALL CREEK DR
RICHARDSON, TX 75080-2573

**V 14-02
Notification List**



Staff Report

ZBA Meeting Date: January 15, 2014

TO: Zoning Board of Adjustment
FROM: Chris Shacklett, Senior Planner CS
DATE: January 6, 2014
RE: V 14-02
APPLICANT: Patricia Simmons
OWNER: William T. Simmons
LOCATION: 2 Roundrock Circle

REQUESTED VARIANCE:

- 1) 1-foot variance to the 30-foot front setback an unenclosed porch (Article IV-A, Sec. 4(e)(1))

EXISTING ZONING:

R-2000-M Residential

EXISTING LAND USE:

Residential

SURROUNDING LAND USE:

Residential

STAFF COMMENTS:

The applicant is requesting a 1-foot variance to the 30-foot front setback for the construction of an unenclosed porch on an existing home which is being remodeled. The front setback requirement for the subject property is thirty-five (35) feet; however, the Comprehensive Zoning Ordinance allows unenclosed porches to encroach up to five (5) feet into the front setback. The home is located on a cul-de-sac so the 35-foot front setback line follows the curve of the street. Currently, the southern corner of the front of the home is located within one (1) foot of the 35-foot front setback line, but the remainder

of the home is located further back at the northern end of the home (see attached site plan).

The proposed porch is approximately six (6) feet deep and thirty-six (36) feet wide. Due to the depth, the maximum encroachment of one (1) foot occurs at the southwest corner of the porch. The applicant estimates that approximately eight (8) square feet of the proposed 215-square foot porch encroaches into the 30-foot setback.

The applicant states the porch would provide a covered seating area on the west side of the home as well as provide shade from the western sun as the home faces due west. The applicant stated that reducing the width of the porch to five (5) feet would remove the need for a variance, but the extra foot allows for a more comfortable seating area. The applicant also states that angling the southwest corner of the porch to follow the 30-foot setback would not be architecturally desirable. The applicant states the hardship that the curvature of the cul-de-sac creates a geometric issue with the straight line of the front of the home and proposed porch. Furthermore, the applicant states the 1-foot encroachment would be more desirable than a porch that looks modified to follow a building setback line.

TECHNICAL RECOMMENDATION:

Based on the information provided by the applicant, and applicable codes and ordinances, it is staff's opinion that the hardship appears to be self-imposed.

V 14-02



V 14-02 Aerial Map
2 Round Rock Circle

Updated By: shacklett, Update Date: December 13, 2013
File: DSI\mapping\Cases\ZV\2014\ZV 1402\ZV 1402 ortho CU.mxd

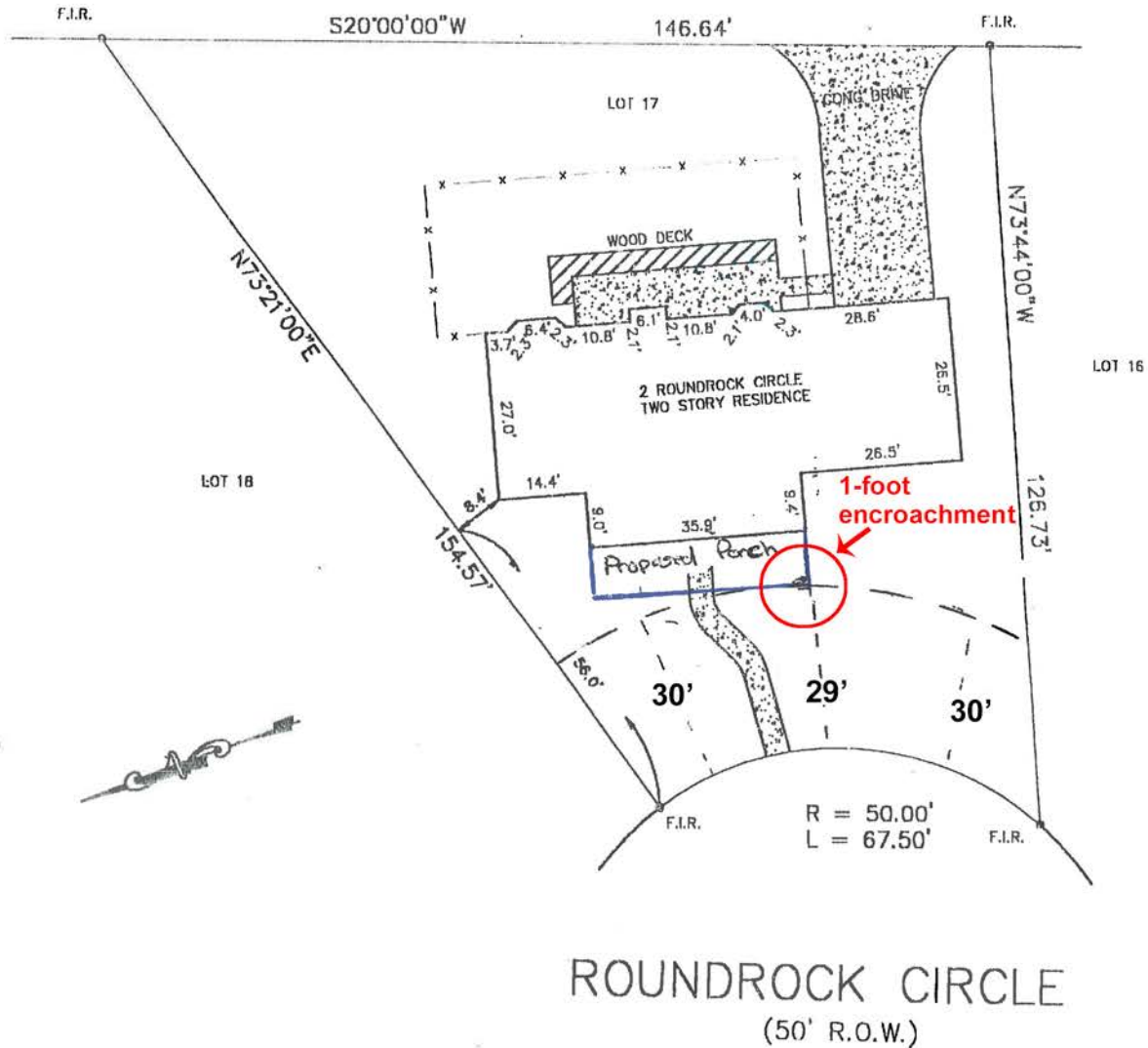


SURVEY PLAT

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 2 ROUNDROCK CIRCLE, IN THE CITY OF
 RICHARDSON, TEXAS, HEREIN DESCRIBED AS FOLLOWS:

BEING LOT 17, IN BLOCK D, OF PRAIRIE CREEK ESTATES NO. 2,
 AN ADDITION TO THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS
 ACCORDING TO THE MAP THEREOF RECORDED IN
 VOLUME 68066, PAGE 1713, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS.

(15' ALLEY R.O.W.)



NOTES:

- F.I.R. - FOUND IRON ROD
- CONC - CONCRETE
- S/W - SIDEWALK
- D/W - DRIVE WAY
- B/L - BUILDING SET BACK LINE

NOTE: VOL. 2171, Pg. 148 DOES NOT AFFECT THIS LOT.

PES

WTS

TO FIDELITY NATIONAL TITLE CO.
 THE PLAT HEREON 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, AND IMPROVEMENTS, ARE SHOWN, ALL IMPROVEMENTS BEING
 WITHIN THE BOUNDARIES OF THE PROPERTY SETBACK FROM THE PROPERTY LINES
 THE DISTANCES INDICATED, AS SHOWN ON SAID PLAT.
 THERE ARE NO ENCROACHMENTS OR PROTRUSIONS EXCEPT AS SHOWN.



Xavier Chapa

SCALE 1"=25'
 DATE OF SURVEY: 10-21-18
 SF NO. 183419-D-52

JOB NUMBER 180696

THIS PROPERTY APPEARS TO LIE
 WITHIN ZONE X, OUTSIDE THE 100-YEAR
 FLOOD PLAIN, ACCORDING TO THE
 FLOOD INSURANCE RATE MAP FOR THE
 CITY OF RICHARDSON, COMMUNITY PANEL
 NO. 480184 0003 C, DATED 7/2/11.

XAVIER CHAPA ENGINEERING
 P. O. BOX 764246
 DALLAS, TEXAS 75376
 MOBILE: 214/538-5200
 FAX: 214/360-0329



**Looking East at
Subject Property**

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
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

Patricia Simmons

Signature

Wm. T. Simmons

Patricia Simmons

Printed Name

William Simmons

N/A

Company Name

N/A

2 Roundrock Circle

Mailing Address

2 Roundrock Circle

Richardson, TX 75080

City, State, ZIP

Richardson, TX 75080

214-801-5523

Telephone Number

214-801-8375

N/A

Fax Number

N/A

patsimmonsco@aol.com

E-Mail Address

williamt.simmons@am.jll.com

Subject Site Information

Address of Subject Property: 2 Roundrock Circle, Richardson, TX 75080

Legal Description: Prairie Creek Estates 2, BLK D, LT 17

Existing Zoning and Ordinance: SFR Single Family Residence

Requested Variance: 1 ft. from the set back line of 30 ft. to 29 ft. at the far southwest corner of the proposed structure

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 = \$250.00

Board of Adjustment Variance Checklist

City of Richardson, Texas

Does a hardship exist? If so, explain below.

Yes No

Property on a cul de sac. Curve of the cul de sac causes set back line to be a hardship. No front porch with a due west exposure.

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

Yes No

See above. We face due west without a porch. Curve of the cul de sac makes it impossible to have a porch with the 30' set back.

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

Cul de sac curves east at property...it is not a straight line. Other properties don't face west and/or don't have as severe of a curve.

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

Yes No

Requesting variance to add a 6' wide front porch across the property with only the far south corner being 1' over the set back line.

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

Absolutely not.



Applicant Statement

Patricia

to:

chris.shacklett

12/18/2013 09:59 AM

Hide Details

From: Patricia <pat Simmons@aol.com>

To: chris.shacklett@cor.gov,

We are writing this statement regarding the variance appeal for 2 Roundrock Circle, Richardson, TX 75080. The house is owned by William T. and Patricia E. Simmons. We are planning a remodel on the exterior of our home which we have lived in since 1991. The house faces due west, currently does not have a front porch and is situated on a cul de sac. Because the cul de sac curves east at our property line, the current set back of 30 ft. is being appealed. Our plans show a porch that will be 6 ft. wide and will encroach the property line by 1 ft. at the far south/west corner of the proposed structure. We have estimated this will be approximately 8 SF of the entire 215 SF structure that will be over the set back line. We are requesting this addition because of the due west exposure of our current home without a porch. The desire to add this porch is to give shelter from this exposure and to reduce our current utility bills. We would also like to use the porch and have enough width to place chairs on the structure. We sincerely ask the board to consider this application which would improve the form and function of our current home. We request you to consider this due to the west exposure without any protection from the sun and other weather elements. We also ask you to consider this due to the hindrance imposed by the curvature of the cul de sac which impacts the normal set back line of 30 ft. We thank you for your consideration and service to our community.

Sincerely,

William and Patricia Simmons

Agenda

Item 4

**ZV 14-03:
1212 Berkeley Drive**

ZONING VARIANCE FILE 14-03

Attachments:

1. Notice of Public Hearing
2. Notification List
3. Staff Report
4. Aerial Map
5. Site Plan
6. Site Photos
7. Application
8. Applicant's Statement



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 14-03
Property Owner: Tan Huynh
Applicant: Minh Nguyen
Location: 1212 Berkeley Drive
Current Zoning: R-1250-M Residential
Request: A request by Minh Nguyen, for approval of the following variance to the City of Richardson Comprehensive Zoning Ordinance:

1) Article VI, Sec. 4(g), for a 17-foot variance to the 25-foot rear setback for an attached garage.

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

WEDNESDAY, JANUARY 15, 2014
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.

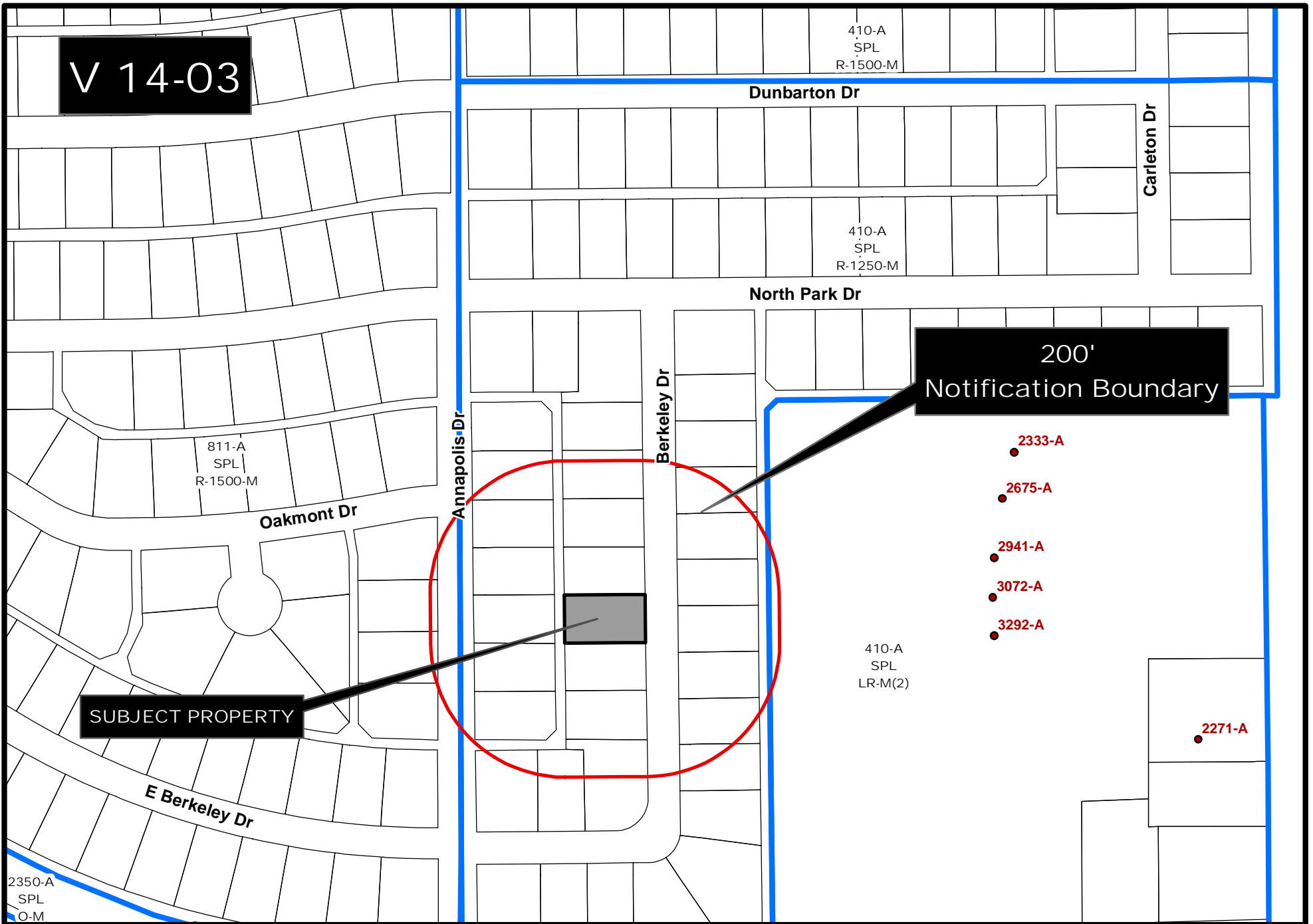
Process for Public Input: A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the Zoning Board of Adjustment. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions 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 14-03.

Date Posted and Mailed: January 3, 2014



V 14-03

SUBJECT PROPERTY

200'
Notification Boundary

V 14-03 Notification Map

1212 Berkeley Drive

Updated By: shacklett, Update Date: December 16, 2013
 File: DSI\mapping\Cases\ZV\2014\ZV 1403\ZV 1403 notification.mxd



HAYES TAMMY O
1205 BERKELEY DR
RICHARDSON, TX 75081-5932

PEREZ CAROL ELIDA & VANESSA PEREZ
4218 STONECASTLE DR
GARLAND, TX 75044-6022

BLAZEVICH DON
1207 ANNAPOLIS DR
RICHARDSON, TX 75081-5902

WARDEN JAMES & OPAL
1207 BERKELEY DR
RICHARDSON, TX 75081-5932

JONES MARY ROBBINS BROWN
1320 NORWOOD DR
BEAUMONT, TX 77706-4225

KENNEDY BETTY HEINE
1209 ANNAPOLIS DR
RICHARDSON, TX 75081-5902

HRIN SANG C
1209 BERKELEY DR
RICHARDSON, TX 75081-5932

WRIGHT RUTH T
2613 LAS PALMAS LN
PLANO, TX 75075-2125

BABER SAMUEL C
1211 ANNAPOLIS DR
RICHARDSON, TX 75081-5902

NICHOLAS RONALD DAVID
887 COTSWOLDS CT
RICHARDSON, TX 75081-5062

GEORGE LEWIS A & MELONY A
1210 ANNAPOLIS DR
RICHARDSON, TX 75081-5901

GJIKOLLI VETIM
1212 ANNAPOLIS DR
RICHARDSON, TX 75081-5901

HUYNH TAN
3557 ANNAPOLIS CT
SACHSE, TX 75048-4445

MACY ROBERT L
1213 ANNAPOLIS DR
RICHARDSON, TX 75081-5902

HOWARD MARTIN
1213 BERKELEY DR
RICHARDSON, TX 75081-5932

LAFFERTY LUCILLE M
1214 ANNAPOLIS DR
RICHARDSON, TX 75081-5901

CRIDER CHRISTOPHER D & VIRGINIA J
1214 BERKELEY DR
RICHARDSON, TX 75081-5933

LITTLE ROBERT D
1215 ANNAPOLIS DR
RICHARDSON, TX 75081-5902

DOMKE RONALD W
1215 BERKELEY DR
RICHARDSON, TX 75081-5932

NELSON BETH
1216 ANNAPOLIS DR
RICHARDSON, TX 75081-5901

HAYES CINDY K & CHARLES D HAYES
1216 BERKELEY DR
RICHARDSON, TX 75081-5933

SMITH REGINA
1217 ANNAPOLIS DR
RICHARDSON, TX 75081-5902

CONTRERAS JUAN A
1217 BERKELEY DR
RICHARDSON, TX 75081-5932

OLSSON DIANA LEIGH
1305 BERKELEY DR
RICHARDSON, TX 75081-5904

HELM JAMES GLENN LF EST &
BRENDA ANN HELM LF EST
1219 BERKELEY DR
RICHARDSON, TX 75081-5932

VERGARA JOSE EDUARDO &
ELIAS MANICA PEREZ
1303 BERKELEY DR
RICHARDSON, TX 75081-5904

GATEWAY GRANT INC
420 LEXINGTON AVE RM 900
NEW YORK, NY 10170-0999

GORCZYCA GREG &
DENISE H GORCZYCA
1301 BERKELEY DR
RICHARDSON, TX 75081-5904

NGUYEN MINH
445 WALNUT ST, #105
RICHARDSON, TX 75081

V 14-03
Notification List



Staff Report

ZBA Meeting Date: January 15, 2014

TO: Zoning Board of Adjustment
FROM: Chris Shacklett, Senior Planner CS
DATE: January 6, 2014
RE: V 14-03
APPLICANT: Minh Nguyen
OWNER: Tan Huynh
LOCATION: 1212 Berkeley Drive

REQUESTED VARIANCE:

- 1) 17-foot variance to the 25-foot rear setback an attached garage (Article VI, Sec. 4(g))

EXISTING ZONING:

R-1250-M Residential

EXISTING LAND USE:

Residential

SURROUNDING LAND USE:

Residential

STAFF COMMENTS:

Since this property is also subject to a pending Building & Standards Commission order, we are providing the following brief overview of the Commission's actions regarding the subject property in 2013. This informational overview is provided for reference purposes only, and the Board of Adjustment's discussion should be limited to the requested variance only.

In July 2013, the property was brought before the Building & Standards Commission and four (4) accessory structures were ordered to be removed, including a structure located in the same general location as the proposed attached garage. Additional repairs to the main

structure were also ordered. The four (4) accessory structures were ordered to be removed because they were illegally built, not structurally sound, and posed a fire hazard.

In August 2013, the property was purchased by the current owner and was brought back before the Building & Standards Commission to request that additional time be granted to allow the new owner to remedy the violations. The owner met the 1-month deadline granted to remove the four (4) accessory structures.

In November 2013, the Commission met again because the owner was unable to complete the remaining repairs to the main structure in the allotted time period. The Commission granted an extension to January 20, 2014 to make all of the required repairs or else fines would start being assessed.

Variance Request:

The applicant is proposing to construct an attached garage at the rear of the property, but it would encroach seventeen (17) feet in to the 25-foot rear setback. The home's original garage was converted to living area with a second floor game room above several years ago, and the applicant does not want to convert the living area back to a garage. The proposed attached garage would be located in the same location as one of the accessory structures that was removed (see attached aerial).

The applicant had originally considered placing a detached garage in the same location, which would not require a 25-foot setback since a detached structure is only required an 18-inch rear setback along the alley. However, the applicant decided that would not be ideal because it would leave a narrow gap between the house and detached garage that the applicant feels would create a maintenance issue and a possible safety hazard.

The applicant states his hardship is that the existing conversion does not allow an attached garage to be constructed without removing usable living area that the owner intended on keeping when he purchased the home. He also states that the variance will allow the property to provide two (2) enclosed off-street parking spaces to comply with the City's Comprehensive Zoning Ordinance.

TECHNICAL RECOMMENDATION:

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

V 14-03

Annapolis Dr



SUBJECT PROPERTY

Berkeley Dr

V 14-03 Aerial Map
1212 Berkeley Drive

Updated By: shacklett, Update Date: December 16, 2013
File: DS\Mapping\Cases\ZV\2014\ZV 1403\ZV 1403 ortho CU.mxd





(1)

Looking East at
Rear of Home



(2)

Looking East at Rear of Home

For Department Use Only

Print Form

Date Received: 12/16/13

Fee Paid: 250.00

Accepted by: [Signature]



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

Signature

[Signature]

Printed Name

TAN HUYNH

Company Name

Mailing Address

3557 ANNAPOLIS COURT

City, State, ZIP

SACHSE, TX 75048

Telephone Number

469-819-8987

Fax Number

E-Mail Address

tanhuynh1554@YAHOO.COM

Subject Site Information

Address of Subject Property: 1212 BERKELEY DR RICHARDSON, TX 75081

Legal Description: LOT 8, BLOCK 2, TOWN NORTH PARK No 1

Existing Zoning and Ordinance:

Requested Variance: 17' VARIANCE TO THE 25' REAR SET BACK.

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 = \$250.00

Board of Adjustment Variance Checklist

City of Richardson, Texas

Does a hardship exist? If so, explain below.

Yes No

Yes, previous owner already converted Garage to Family Room with 2nd floor game room with City permit. He also built the garage and high fences around the house. We inherited his problems and tried to comply with city code to bring this house back to code and livable.

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

Yes No

We have removed 4 structures that violated City Code including Existing Garage. We also try to comply with City requirement of enclosed parking space. This space is the only reasonable space to build an attached garage without causing unsafe environment for occupants and children.

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's not really unique in the neighborhood, however you can see few houses in this neighborhood has built their garage in the rear setback.

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

Yes No

We are new owner of this property. We did not realize that this house have so many problem like this. We just want to remodel the house to fulfill city code and requirements and provide safety for our family.

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

Dallas 12/16/2013

To whom it may concern,

We are writing this letter to ask for your support on our request of the 17' variance to build an attached garage.

We recently bought this property from the Bank. Even though the property was vacant for sometime, We did not know that the previous owner has had many code issues with the city of Richardson on the building permit, Structure compliance and other zoning ordinance.

In the past 90 days we have worked with Mrs. Patricia Guerra, Jennifer Patrick and the Richardson Building Inspectors to comply and resolve most of the items in the "Building and Standards commission of the city of Richardson" list. (26 main items)
Please see attached photo and the list.

We have removed structures 1,2,3 and 4 (3 storages and attached garage) as described in Exhibit B. We also removed many dumpster of debris and trash.

Together with Contractors We have worked days and nights try to renovate this property to bring back and enhance its value to the neighborhood. We have spent more than \$32,000 to repair Roof, Rafters, Flat roof, soffit, fascia, siding and other structures of this property so far and it going to take another \$20,000 to finish the renovation on this property and bring it up to code.

We have tried to comply with the city community services on the possibility of the detached garage or carport but we don't really think they will look good for the neighborhood, nor safe for the children and our family. It's harder to build the detached garage with 35% masonry requirement on 18" gap between the existing brick wall and the new structure. It will create a hazard environment and maintenance nightmare afterward on this little trap corridor.

We like this peaceful neighborhood very much and we want our family to live here for a long time. The house will not be the same without the enclosed attached garage. We are asking the Zoning Board of Adjustment, City Council and Officials to grant us this request for variance of 17' rear set back so we can build a attached garage on this property.

Sincerely yours,



Minh Nguyen
972-839-8399