



ZONING BOARD OF ADJUSTMENT MEETING: June 27, 2019

LOCATION: 1400 Main Street, Southlake, Texas
Executive Session-Executive Conference Room, Suite 268 of Town Hall
Regular Session-City Council Chambers

Time 6:31 P.M.

REGULAR SESSION:

Members Present: Chair Jeff Medici, Vice Chair David Treichler Board members: Sabreena Hakemy- Place 3, Brett Nickel- Place 4, Akash Shah- Alternate 1, and Heather King- Alternate 4

Members Absent: Michael Quinones- Place 1 and Robert Kemins- Alternate 2

Staff Present: Richard Schell, Principal Planner, Julia Lyon, Board Secretary and James Donovan- City of Southlake Attorney.

Agenda Item No. 1 Call to Order: Chair Medici called the meeting to order at 6:31P.M.

Agenda Item No. 3 Approval of the Minutes: Chair Medici opened the discussion of the minutes of the Zoning Board of Adjustment meeting held on May 16, 2019.

A motion was made to **approve** the minutes of the Zoning Board of Adjustment meeting held on May 16, 2019.

Motion: Treichler

Second: Nickel

Ayes: Medici, Treichler, Hakemy, Nickel, Shah and King

Nays: None

Abstain: None

Vote: 6-0-0

Motion: Approved

Agenda Item No. 4 – Administrative Comments: Richard Schell, Principal Planner, announced Board appointments, recent amendments to the Zoning Ordinance regarding the Board of Adjustment and that the next scheduled ZBA meeting will be on August 15th, 2019.

Agenda Item No. 2 Executive Session: Chairman Medici announced the Zoning Board of Adjustment would go into Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code Section 551.071, consultation with attorney. The Zoning Board of Adjustment adjourned for Executive Session at 6:36 P.M. Chairman Medici reconvened the meeting at 7:10 P.M. and asked if there was any action needed from the executive session. There was no action necessary as a result of executive session.

REGULAR AGENDA:

Agenda Item No. 5 -ZBA19-0006, Special Exception Use per Ordinance No. 480, Section 44.12(6) for a reduction in the required setback from property lines for a residential accessory building or structure on property described as Lot 35, F. Throop No. 1511 Addition, an addition to the City of Southlake, Tarrant County, Texas and located at 1287 Sunshine Ln., Southlake, Texas.

Planner Schell presented details of the case with a slide show presentation to the Board. The applicant is requesting approval of a Special Exception Use per Ordinance No. 480, Section 44.12(6) for a reduction in the required setback from property lines for a residential accessory building or structure to allow an approximately 1,550 square foot garage and game room to be located approximately 10' from the side property line and approximately 9' from the rear property line. Accessory buildings greater than or equal to 500 square feet in the "SF-1A" Single Family Residential zoning district are required to meet the setbacks required for the principal structure, which are 20' for the side setback and 40' for the rear setback.

An existing 742 square foot metal accessory building was constructed in 1976 according to the building permit. The plan submitted with the permit application for the metal building showed 10' setbacks from the side and rear property lines. Form board surveys were not required by the City at the time, and it appears from the current survey that the building was constructed approximately 10' from the side property line and approximately 9' from the rear property line. An approximately 633 square foot covered patio that was attached to the metal building was constructed at an unknown time. The building became a legal nonconforming structure with regard to the setbacks from the side and rear property lines when the Accessory Structure Standards of the "SF-1A" Single Family Residential District zoning were amended by Ordinance No. 480-QQQ on October 16, 2007 to require accessory buildings that are equal to or exceed 500 square feet to meet the required setbacks of the principal structure.

The property owner began construction without obtaining a building permit to enclose the approximately 633 square foot covered patio portion of the accessory building and to add an approximately 175 square foot covered patio to the building, bringing the total square footage of the building to approximately 1,550 square feet. A stop work order was placed on the construction and the applicant is seeking a Special Exception Use for a reduction to the side and rear setback requirements to bring the entire building into conformance with the current "SF-1A" Single Family Residential District zoning regulations. If the Special Exception Use is approved by the Zoning Board of Adjustment, the applicant will be required to obtain a building permit prior to completing construction of the structure. If the Special Exception Use is denied by the Zoning Board of Adjustment, any work done on the building that has increased its existing nonconformity must be removed or the addition to the building must be brought into conformance with the current regulations in some other manner.

Chair Medici opened the public hearing and called upon the applicant or the applicant's representative to make such comments and present evidence as the applicant should desire.

Jaime Sanchez 1287 Sunshine Ln, the applicant, once sworn in, presented testimony and answered questions from the board.

Chairman Medici announced the Zoning Board of Adjustment would go into Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code Section 551.071,

consultation with attorney. The Zoning Board of Adjustment adjourned for Executive Session at 7:40P.M.

Chairman Medici reconvened the meeting at 7:51 P.M. and asked if there was any action needed from the executive session. There was no action necessary as a result of executive session.

Jaime Sanchez 1287 Sunshine Ln, presented testimony and answered questions from the board.

Chair Medici asked if there were those in the audience who wished to speak in favor of the request.

There being none, Chair Medici asked if there were those in the audience who wished to speak in opposition to the request.

There being none, Chair Medici closed the public hearing and opened the item for discussion from the Board.

A motion was made to **approve** case ZBA19-0006 with the following conditions; (1) The back portion of the building will be fully screened by minimum 8' tall at planting Leyland Cypresses with a 5' spacing planted in the area between the rear of the building and the rear property line; (2) The building will be painted a uniform color; (3) The roof will be uniform with a dark brown metal roof.

Motion: Treichler

Second: Nickel

Ayes: Medici, Treichler, Hakemy, Nickel and Shah

Nays: None

Abstain: None

Vote: 5-0-0

Motion: Approved

Agenda Item No. 6 - ZBA19-0007, Special Exception Use per Ordinance No. 480, Section 44.12(6) for a reduction in the required setback from property lines for a residential accessory building or structure on property described as Lot 4, Block 2, Heatherwood Estates, an addition to the City of Southlake, Tarrant County, Texas and located at 1616 Heather Ln., Southlake, Texas.

Planner Schell presented details of the case with a slide show presentation to the Board. The applicant is requesting approval of a Special Exception Use per Ordinance No. 480, Section 44.12(6) for a reduction in the required setback from property lines for a residential accessory building or structure to allow an approximately 768 square foot detached garage to be located approximately 10' from the side property line. Accessory buildings greater than or equal to 500 square feet in the "SF-1A" Single Family Residential zoning district are required to meet the setbacks required for the principal structure, which is 20' for the side setback.

Chair Medici opened the public hearing and called upon the applicant or the applicant's representative to make such comments and present evidence as the applicant should desire.

Randall Buenle 1616 Heather Ln, the applicant, once sworn in, presented testimony and answered questions from the board.

Chair Medici asked if there were those in the audience who wished to speak in favor of the request.

There being none, Chair Medici asked if there were those in the audience who wished to speak in opposition to the request.

There being none, Chair Medici closed the public hearing and opened the item for discussion from the Board.

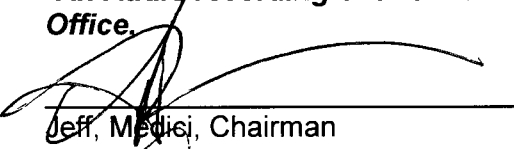
A motion was made to **approve** case ZBA19-0007.

Motion: Nickel
Second: King
Ayes: Medici, Treichler, Hakemy, Nickel and Shah
Nays: None
Abstain: None
Vote: 5-0-0

Motion: Approved

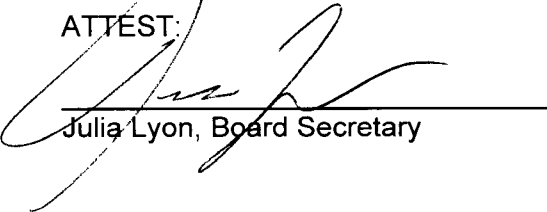
Agenda Item No. 7 - Meeting Adjournment: Chair Medici adjourned the meeting at 8:59 P.M.

****An Audio recording of this meeting will be permanently retained in the city's Secretary's Office.***



Jeff, Medici, Chairman

ATTEST:



Julia Lyon, Board Secretary