

Board of Adjustments Meeting

January 13, 2005

I. Call to Order

Chairman Ted Sansom called the meeting to order at 6:00 p.m. Present were Chairman Ted Sansom, David Sloane, C. F. Pratt and Rick Mase. Alternate Jeff Casey chose to sit with the audience. Mike Heffler and alternates Richard Johnson, Patricia May and Pat Russell were absent.

II. Approval of Minutes for December 9, 2004

Rick Mase made a motion to approve the December 9, 2004 minutes. C. F. Pratt seconded the motion. Vote passed unanimously by a vote of 4 ayes and 0 naves.

III. Public Hearings/Action Items

Case # BOA-2005-1-V

A public hearing to consider approval of a request from William H. Way, for a variance from the Unified Development Code, regarding the required site frontage, for part of Lot 1, Block D of the Rockwall Commercial Park, City of Rockwall located on the north side of Interstate 30.

Staff Recommendations:

Rick Sherer outlined the request stating that Mr. Way is requesting a variance to the minimum zoning on Interstate 30 requires a minimum of 200 foot frontage adjacent to Interstate 30. The lot measures 169.99 feet across the frontage. He's requesting a variance for 30.1 foot. Granting the variance would allow Mr. Way to start re-platting process with Planning and Zoning. Staff has sent out proper notifications of all of the property owners. We haven't received any calls from the adjacent property owners regarding the notifications. Staff has no concerns with granting this variance.

Discussion from Board Members

Chairman Ted Sansom opened the Public Hearing and the following person appeared before the Board:

Bill Way, 8441 S. FM 549, Rockwall, TX

Mr. Way stood before the Board in favor of this request.

With no others to stand before the Board, Ted Sansom closes the public hearing.

David Sloane made a motion to approve the variance as requested and Rick Mase seconded the motion. The motion passed unanimously by a vote of 4 ayes and 0 nays.

Case # BOA-2005-2-V

Hold a public hearing to consider approval of a request from Shannon River Homes, Inc., for a variance from the Unified Development Code, regarding the required minimum lot frontage and lot area, being part of Block 10 of the Lowe and Allen Addition, City of Rockwall, located at 404 West Kaufman Street.

Staff Recommendations:

Mr. Sherer stated that this lot is zoned SF-10. The zoning requires that you have a minimum of 80 feet in front of the public street. The frontage of the lot measures 56.49 feet. The variance required would be 23.51 feet. The lot area required in this zoning district is 10,000 sq. ft. The area of the lot is 6,161s.f. They would also be requesting a variance for the lot area two which would require a variance of 3,839 sq. ft. Granting this variance would allow Shannon River Homes to get the lot re-platted. After the re-platting is complete then they would apply for a permit to build a single family home. Proper notifications sent out to all of the property owners. We have received one phone call from Mr. Tevis. He was calling for his parents at 302 W. Kaufman. They had no concerns with granting this variance. Staff has no concerns with granting this request.

Discussion from Board Members

Chairman Ted Sanson open Public Hearing and the following people appeared before the Board:

Seth Shannon, 404 W. Kaufman

Mr. Shannon is representing Dewayne Cain and is standing before the Board in favor of this request.

Earl Johnson, 406 W. Kaufman

Mr. Johnson stood before the Board in favor of this request.

With no one else to address the Board, Chairman Sansom closed the Public Hearing

Motion to approve the variance as requested was made by C. F. Pratt, Second was made by David Sloane, motion passed unanimously 4 ayes and 0 nays

Case # BOA-2005-3-V

Hold a public hearing to consider approval of a request from Lake Point Church, for a variance from the Unified Development Code, regarding the setback from property line of a chain-link fence, situated in the J Smith Survey, Tract 11-5,

abstract no. 200, City of Rockwall, located at the corner of Ralph Hall Parkway and Steger Towne Drive.

Staff Recommendations:

Mr. Sherer outlined the request stating that Lake Point Baptist Church is requesting a variance to install a new black vinyl chain-link fence. 7 foot of the property line of Ralph Hall Pkwy would require 3 foot variance on Steger Towne Dr. to place the fence 4' from the property line which would require a 6' variance on Steger Towne Dr. This zoning states that no chain-link fence shall be allowed within 10 foot of property line unless completely screened from adjacent public area and property from either structure or solid landscape easement. If the variance is approved no screening would be required. Other materials could be used such as rod iron, or by putting solid landscaping in front of the fence to meet these requirements. We sent proper notifications with the surrounding property owners. We haven't received any comments. Staff will leave this decision up to the Board.

Discussion from Board Members

Open Public Hearing

Brad Bassett, 1592 Sunset Hill, Rockwall, TX

Mr. Bassett stood before the Board in favor of this request.

With no others to stand before the Board, Ted Sansom closes the public hearing.

David Sloane made a motion to approve the request, Rick Mase second the request. The motion did not carry for lack of a vote, with 2 in favor, 1 against, and 1 abstain.

There being no further business, Ted Sansom closes the meeting.

ATTEST:

Secretary, Board of Adjustments

Chairman, Board of Adjustments

Board of Adjustments Meeting February 10, 2005

IV. Call to Order

Chairman Ted Sansom called the meeting to order at 6:00 p.m. Present were Chairman Ted Sansom, David Sloane, Mike Heffler, CF Pratt and alternate Pat Russell. Rick Mase, alternate Richard Johnson, Patricia May, and Jeff Casey were absent.

V. Approval of Minutes for January 13, 2005

C. F. Pratt made a motion to approve the January 13, 2005 minutes. Pat Russell seconded the motion. Vote passed unanimously by a vote of 5 ayes and 0 nays.

VI. Public Hearings/Action Items

Case # BOA-2005-4-V

The purpose to hold a public hearing to consider approval of a request from Lake Point Church, for a variance from the Unified Development Code, regarding the setback from property line of a chain-link fence, situated in the J Smith Survey, Tract 11-5, abstract no. 200, City of Rockwall, located at the corner of Ralph Hall Parkway and Steger Towne Drive.

Staff Recommendations:

Mr. Sherer outlined the request stating that Lake Point Baptist Church is requesting a variance for a chain-link fence along Ralph Hall & Steger Towne Dr. The Zoning states that no chain-link fence shall be allowed within 10 feet of property line unless completely screened from adjacent property areas in properties by either structure or by solid landscape screening. Lake Point Church is requesting to install a new fence 7 foot of the property line on Ralph Hall Parkway, which would require 3 foot variance and on Steger Towne Drive, to place the fence 4' from the property line which would require a 6' variance. If this variance is approved no screening would be required. Staff cannot see where there is an unnecessary hard-ship in granting this variance.

Chairman Ted Sansom opened the Public Hearing and the following person appeared before the Board.

Brad Bassett, 1592 Sunset Hill, Rockwall

Mr. Bassett stood before the Board in favor of this request.

With no others to address the Board, Ted Sansom closed the public hearing.

Discussion from Board Members

Ted Sansom re-opens Public Hearing to allow the applicant answer some of the Board Members questions.

Ted Sansom closed the Public Hearing

The variance did not pass as requested for lack of a vote.

C F Pratt made a motion to grant the variance for Ralph Hall but to deny the request on Steger Towne. David Sloane seconds the motion. The vote passed with 4 ayes and 1 nay.

The Board approved the variance for Ralph Hall Parkway.

There being no further business, Ted Sansom closed the meeting.

ATTEST:

Chairman, Board of Adjustments

Secretary, Board of Adjustments

Board of Adjustments Meeting April 14, 2005

VII. Call to Order

Chairman Ted Sansom called the meeting to order at 6:00 p.m. Present were Chairman Ted Sansom, David Sloane, Mike Heffler, CF Pratt and Rick Mase. Alternate Pat Russell and Jeff Casey were also present. Richard Johnson, and Patricia May were absent.

VIII. Approval of Minutes for February 10, 2005

Pat Russell made a motion to approve the February 10, 2005 minutes. Mike Heffler seconded the motion with the suggestion of changing the year to 2005 on line item number 2. Vote passed unanimously by a vote of 7 ayes and 0 nays.

IX. Public Hearings/Action Items

Case # BOA-2005-5-V

Hold a public hearing to consider approval of a request from Kenneth J. Szolosi, for a variance from the Unified Development Code to reduce the rear yard setback requirement from 10-feet to 3-feet on Lot 50, Block F, Hillside, Phase V Addition, City of Rockwall located at 1380 Coastal.

Staff Recommendations:

Rick Sherer outlined the request stating that zoning requires a minimum 10 foot rear setback. The resident is requesting a variance which would be 7 foot variance to the rear setback which he plans to build a patio cover. Mr. Sherer stated that furnished with the Board Member's packets; there were photos of the property and plans for the construction of the patio cover. Proper notifications had been sent out to resident within 200 feet of the property. Mr. Sherer stated that he had received one call from Jack Bliss on behalf of his mother Martha Bliss at 1390 Coastal Dr. in objection to the variance. Ms. Bliss is concerned with the construction of the patio cover that it would block her view of the lake from her back yard. Mr. Sherer stated that he had checked with Mark Pointdexter, the Fire Chief and he had no concerns with granting the variance because of the fire code for residential structures.

Chairman Ted Sansom opened the Public Hearing and the following person appeared before the Board.

Kenneth J. Szolosi, 1380 Coastal Dr., Rockwall, TX
Mr. Szolosi stood before the Board in favor of this request.

Jack Bliss representing Martha Bliss, 1390 Coastal Dr., Rockwall, TX
Mr. Bliss stood before the Board against this request.

With no others to address the Board, Ted Sansom closed the public hearing.

Discussion from Board Members

Mike Heffler made a motion to approve the variance. Rick Mase seconds the motion. The vote passed with 4 ayes and 1 naye.

BOA-2005-06-V

Hold a public hearing to consider approval of a request from Doug Harvey, for a variance from the Unified Development Code to reduce the side yard setback requirement from 25-foot to 5-foot on Lot 7, Block A, of Sterling Farms Addition, City of Rockwall, Texas located at 1993 Silver View Lane.

Staff Recommendations:

Mr. Sherer outlined the request stating that the zoning in this area there requires a 25 foot yard setback from the property line. In order to build the new carport, Mr. Harvey desires the carport would need to be 5 feet from the property line. This would necessitate a 22 foot variance. Mr. Harvey is requesting this variance because he already has existing driveway and he would utilize it to build the carport over it. If the Board grants this variance, Mr. Harvey would still have to go to City Council to receive a Special Use permit, due to the type of construction. When a carport is visible from the street the zoning states that it has to be built out of the same construction of material of the resident. Mr. Harvey’s lot is large enough to accommodate the carport and another location which would meet the setback requirements. Staff has reservations about granting this variance as a hardship. Mr. Sherer states that when the neighborhood was brought in, it was zoned AG. That’s why you might see on the site plan; the houses to property line are closer than 25 feet. The zoning used to allow 6’ foot side setback.

The Board Members asked Mr. Sherer questions regarding the variance.

Chairman Ted Sansom opened the Public Hearing and the following person appeared before the Board.

Doug Harvey, 1993 Silver View Lane

Mr. Harvey stood before the Board in favor of this request. Mr. Harvey brought a letter from one of his neighbors in favor of the variance.

Discussion from the Board Members

David Sloane made a motion to approve the variance. Mr. Pratt seconds the motion. The variance did not pass due to a lack of vote. The vote was 3 ayes and 2 naves.

There being no further business, Ted Sansom closed the meeting.

ATTEST:

Chairman, Board of Adjustments

Secretary, Board of Adjustments

Board of Adjustments Meeting October 13, 2005

X. Call to Order

Chairman Ted Sansom called the meeting to order at 6:06 p.m. Present were Chairman Ted Sansom, David Sloane, Mike Heffler, and alternate Jeff Casey. John Floeter arrived at 6:10. C. F. Pratt, Rick Mase, alternate Richard Johnson, & Patricia May were absent.

XI. Approval of Minutes for April 14, 2005

Mike Heffler made a motion to approve the April 14, 2005 minutes. Jeff Casey seconded the motion. Vote passed unanimously by a vote of 4 in favor and 0 against.

XII. Public Hearings/Action Items

Case # BOA-2005-7-V

The purpose to hold a public hearing to consider approval of a request from Thomas M. Williams, for a variance to the Code of Ordinances to allow a fence, where the rear lot line is adjacent to a side lot of an adjoining property, height to exceed thirty-six inches, and allow opaque construction on Lot 12, Block D, Quail Run Valley, Phase II Addition, City of Rockwall, Texas located at 1504 Brittany Way.

Staff Recommendations:

Mr. Sherer outlined the request stating that Mr. Williams is requesting a variance to the Code of Ordinances which is section 6-127 sec. C, context 2. In order to get the variance that Mr. Williams is requesting, this would allow the fence to be of opaque construction and a height of six to eight feet. The zoning requires fences not to exceed thirty-six inches in height and be constructed of non-opaque construction beyond the side building line, on corner lots, where the rear lot line is adjacent to a side lot line of an adjoining lot. The reason for the height and non-opaque construction is to allow the adjoining property owner a view down the street. Mr. Sherer stated that he had received a letter from the adjoining neighbor that the fence will directly impact her view. She had no objections to the variance. Staff has no objections as long as the neighbors have no objections.

Discussion of Board Members with Staff to get clarification.

Chairman Ted Sansom opened the Public Hearing and the following person appeared before the Board.

Thomas M. Williams, 1504 Brittany Way, Rockwall, TX

Mr. Williams stood before the Board in favor of this request.

Robert Campbell, 508 Covey Trail, Rockwall, TX

Mr. Campbell stood before the Board in objection to this request.

Ron Morrison, 514 Covey Trail, Rockwall, TX

Mr. Morrison stood before the Board in objection to this request.

Van Mills, 123 Ireland, Rockwall, TX

Mr. Mills stood before the Board in favor of this request.

With no others to address the Board, Ted Sansom closed the public hearing.

Discussion from Board Members

Mike Heffler made the motion to deny variance. Jeff Casey seconded the request. The variance did not pass. The vote being 0 in favor and 5 against.

BOA 2005-8-V

Hold a public hearing to consider approval of a request from Zandra Staring, for a variance to the Code of Ordinances to allow a fence, where the rear lot line is adjacent to a side lot of an adjoining property, height to exceed thirty-six inches, and allow opaque construction on Lot 17, Block B, Quail Run Valley, Phase 1 Addition, City of Rockwall, Texas located at 200 Raintree Court.

Staff Recommendations:

Mr. Sherer outlined the request stating that the Code of Ordinances requires fences not to exceed thirty-six inches in height and is constructed of non-opaque construction beyond the side building line, on corner lots, where the rear lot line is adjacent to a side lot line of an adjoining lot. Ms. Staring's fence is pre-existing. When she purchased her house, the fence was already up. She is requesting a variance to leave the fence as is, which is six foot tall and of opaque construction. Mr. Sherer stated that he was contacted by the neighbor directly behind Ms. Staring, Gerald and Carolyn Haynes at 1491 Audobon Lane. They had no objections with granting this variance.

Open Public Meeting:

Zandra Staring, 200 Raintree Crt., Rockwall, TX

Ms. Staring stood before the Board in favor of this request.

Thomas M. Williams, 1504 Brittany Way, Rockwall, TX

Mr. Williams stood before the Board in favor of this request.

Van Mills, 123 Ireland Crt., Rockwall, TX

Mr. Mills stood before the Board in favor of this request.

With no others to address the Board, Ted Sansom closed the public meeting.

Discussion of Board Members

Jeff Casey made a motion to approve the request, David Sloane seconded. The motion carried with 4 in favor and 1 against.

BOA-2005-9-V

Hold a public hearing to consider approval of a request from Van L. Mills, for a variance to the Code of Ordinances to allow a fence, where the rear lot line is adjacent to a side lot of an adjoining property, height to exceed thirty-six inches, and allow opaque construction on Lot 6, Block C, Quail Run Valley, Phase 1 Addition, City of Rockwall, Texas, located at 123 Ireland Court.

Open the Public Meeting:

Van L. Mills, 123 Ireland Crt., Rockwall, TX

Mr. Van stood before the Board in favor of this request.

Thomas M. Williams, 1504 Brittany Way, Rockwall, TX

Mr. Williams stood before the Board in favor of this request.

Zandra Staring, 200 Raintree Crt., Rockwall, TX

Ms. Staring stood before the Board in favor of this request

Staff stated that Gerald & Carolyn Hayes had no objections to Mills variance request.

Ted Sansom closed the public meeting.

Discussion from Board Members

Mike Heffler makes a motion to approve the variance request. David Sloane seconds the request. The motion carried with 4 in favor and 1 against.

There being no further business, Ted Sansom closed the meeting.

ATTEST:

Chairman, Board of Adjustments

Secretary, Board of Adjustments

